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PROCEEDINGS AND DEBATES OF THE SIXTY-SEVENTH CONGRESS
SECOND SESSION.

SENATE.

THURSDAY, *March 2, 1922.*

(Legislative day of Thursday, February 23, 1922.)

The Senate met in legislative session at 12 o'clock meridian, on the expiration of the recess.

EMPLOYMENT IN THE NAVY YARDS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting a memorandum submitted by Mr. Samuel Gompers, relative to employment in the navy yards, together with the reply of the Secretary of Navy thereto, which was referred to the Committee on Naval Affairs.

PACKERS IN UNRELATED LINES OF BUSINESS.

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, in response to Senate resolution 211, a report of the steps taken to enforce and carry out the consent decree entered by the Supreme Court of the District of Columbia on February 27, 1920, in the suit of the United States of America against Swift & Co. and others, which, with the accompanying papers, was ordered to lie on the table.

SUPPLEMENTAL ESTIMATES, POSTAL SERVICE, 1923 (S. DOC. NO. 141).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting supplemental estimates of appropriations for the Post Office Department for the fiscal year ending June 30, 1923, for the Joint Postal Commission, $125,000; for rewards to postal employees for inventions, $5,000; for salaries, Railway Mail Service, $980,000; for purchase of canvas for mail sacks, $1,000,000; in total amount, $2,110,000, which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed without amendment the joint resolution (S. J. Res. 125) to continue the military status of persons deserting the military or naval service during the World War, and the amenability to trial of those persons who failed to comply with the terms of section 5 of the selective service law.

The message also announced that the House had passed the bill (S. 2492) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes," approved June 30, 1921, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 8475. An act to relieve enlisted men affected thereby from certain hardship incident to the operation of the proviso of section 4b of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, and to protect disbursing officers in connection therewith; and

H. J. Res. 263. Joint resolution authorizing the purchase of land for cemeteries for American military dead in Europe and the improvement thereof.

The message also announced that the House had adopted a concurrent resolution (H. Con. Res. 49) authorizing correction in the enrollment of title in the bill (H. R. 5013) to authorize the Secretary of the Navy to sanction the use of certain titles on tablets and other memorials, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented a resolution adopted by the board of directors of the chamber of commerce of Neodesha, Kans., favoring the passage of the so-called soldiers' bonus bill, which was referred to the Committee on Finance.

Mr. LODGE presented a telegram in the nature of a memorial from the eleventh congressional district of Massachusetts, the American Association for the Recognition of the Irish Republic, composed of 24 councils, remonstrating against the ratification of the pending four-power treaty, which was ordered to lie on the table.

Mr. McLEAN presented telegrams and a communication in the nature of petitions from Henry S. Hitchcock, secretary Connecticut Hardware Association, of Woodbury; the Gongbell Manufacturing Co., Bevin Bros.' Manufacturing Co., the East Hampton Bell Co., and Bevin & Wilcox Line Co., of East Hampton; and sundry employees of the Waterbury Trust Co., of Waterbury, all in the State of Connecticut, favoring inclusion in the pending tariff bill of the American valuation plan, so as to better meet foreign competition and maintain the American standard of living, which were referred to the Committee on Finance.

He also presented a resolution adopted by the Mary Clap Wooster Chapter, Daughters of the American Revolution, of New Haven, Conn., protesting against proposed commercial water-power development in the Roosevelt-Sequoia National Park, which was referred to the Committee on Public Lands and Surveys.

He also presented a memorial of sundry members of Wadsworth Chapter, Daughters of the American Revolution, of Middletown, Conn., remonstrating against proposed commercial water-power development in the Roosevelt-Sequoia National Park, which was referred to the Committee on Public Lands and Surveys.

He also presented a resolution adopted by the Steuben Society of America, of Hartford, Conn., protesting against American naval disarmament and the United States entering into any entangling alliances with foreign powers, which was referred to the Committee on Naval Affairs.

He also presented a resolution adopted at a mass meeting of sundry citizens of Lithuanian descent held at the Duggan School Gymnasium, Waterbury, Conn., on February 16, 1922, protesting against the occupation of Vilna, Lithuania, by the Polish Government and urging the recognition of the Republic of Lithuania by the United States Government, which was referred to the Committee on Foreign Relations.

He also presented a petition of Capt. G. A. Hadsell Camp, No. 21, Department of Connecticut, United Spanish War Veterans, of Plainville, Conn., praying for the enactment of legislation providing pensions for widows of Spanish War Veterans, which was referred to the Committee on Pensions.

He also presented the petition of Mr. and Mrs. T. Edward Davis, of Canterbury, Conn., praying for relief to the suffering peoples of Austria by extending for 20 years payment of Austria's debt, which was referred to the Committee on Finance.

He also presented petitions of the Central Labor Union and sundry members of the Up-Town Social Club, all of Meriden, Conn., praying for the enactment of legislation providing for the manufacture and sale of light wines and beers, which were referred to the Committee on the Judiciary.

PAY OF THE ARMY AND KINDRED SERVICES.

Mr. WADSWORTH. Mr. President, I ask unanimous consent to submit a report.

The VICE PRESIDENT. Without objection, the report will be received.

Mr. WADSWORTH. The Senate will recollect that under the act of Congress of May 18, 1920, a joint committee of Congress was provided for and charged with the duty of making recommendations concerning the revision of the pay and allowances of the Army, the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, and the Public Health Service, and were directed to report to their respective Houses.

The joint committee, Mr. President, has finished its work, has completed its report, and on its behalf I submit the report to the Senate, with the request that, in accordance with a reso-

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lution heretofore adopted, the report be referred to the special committee of five Senators to be appointed by the Presiding Officer. I also ask that the report may be printed.

The VICE PRESIDENT. Without objection, the report (No. 526) will be received and printed.

NAVAJO TIMBER CO.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 1945) to reimburse the Navajo Timber Co., of Delaware, for a deposit made to cover the purchase of timber, reported it without amendment and submitted a report (No. 525) thereon.

ENROLLED BILL PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that on February 28, 1922, they presented to the President of the United States the enrolled bill (S. 2265) to regulate marine insurance in the District of Columbia, and for other purposes.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 3223) for the relief of Oliver A. Campbell; to the Committee on Military Affairs.

A bill (S. 3224) to permit joining the United States of America as a party defendant in an action in Federal and State courts in certain actions affecting title to real property; to the Committee on the Judiciary.

A bill (S. 3225) for the relief of Helen Pennoyer Young; to the Committee on Claims.

By Mr. PAGE:

A joint resolution (S. J. Res. 169) authorizing the Secretary of the Navy to receive for instruction at the United States Naval Academy at Annapolis Mr. Willem van Doorn, a subject of the Netherlands; to the Committee on Naval Affairs.

DISTRICT STREET RAILWAYS.

Mr. BALL submitted an amendment intended to be proposed by him to the bill (S. 985) to amend the provisions of an act relating to certain railway corporations owning or operating street railways in the District of Columbia approved June 5, 1900, which was referred to the Committee on the District of Columbia and ordered to be printed.

EMPLOYMENT IN NAVY YARDS AND NAVAL FACTORIES.

Mr. KING submitted the following resolution (S. Res. 247), which was referred to the Committee on Naval Affairs:

Whereas the cessation of construction of certain battleships and battle cruisers, their armament, machinery, and equipment, has caused a large number of mechanics and skilled artisans heretofore employed in various navy yards and naval factories, to be discharged from their employment in many cases after years of faithful service to the Government: Now, therefore, be it

Resolved, That the Committee on Naval Affairs is directed to investigate the possibility of providing employment for mechanics and skilled artisans who have long been in the service of the Government, by allocating and distributing to navy yards and naval factories repairs and repair work not presently done in such yards, together with the construction of such naval craft, their machinery and equipment, as has been authorized by Congress, and the construction of which is not to be terminated by the treaties on the limitation of armament recently agreed to by the Government of the United States; and to report to the Senate its findings and recommendations in the premises.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on March 1, 1922, the President approved and signed bills of the following titles:

S. 982. An act for the relief of Louisa Frow; and

S. 1951. An act for the relief of John Hickson, jr.

THE FOUR-POWER TREATY.

Mr. LODGE. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McKellar	Rawson
Ball	Gooding	McKinley	Robinson
Borah	Hale	McNary	Sheppard
Brandegee	Harreld	Moses	Smith
Broussard	Harris	Nelson	Spencer
Bursum	Harrison	New	Stanfield
Cameron	Heflin	Newberry	Sterling
Capper	Hitchcock	Nicholson	Sutherland
Caraway	Johnson	Norbeck	Swanson
Culberson	Jones, N. Mex.	Norris	Townsend
Cummins	Jones, Wash.	Oddie	Wadsworth
Dial	Kellogg	Overman	Walsh, Mass.
Edge	Kendrick	Page	Warren
Ernst	King	Phipps	Watson, Ga.
Fernald	Ladd	Pittman	Watson, Ind.
Fletcher	Lenroot	Poindexter	Weller
France	Lodge	Pomerene	Willis
Gerry	McCormick	Ransdell	

Mr. NORRIS. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of a death in his family.

Mr. FLETCHER. I desire to announce that my colleague [Mr. TRAMMELL] is necessarily absent on account of serious illness in his family. It ask that the announcement may stand for the day.

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from New Jersey [Mr. FRELINGHUYSEN], and the Senator from New York [Mr. CALDER] are engaged at a hearing before the Committee on Finance.

The VICE PRESIDENT. Seventy-one Senators having answered to their names, there is a quorum present.

Mr. LODGE. Mr. President, unless there is some Senator who desires to speak this morning upon the four-power treaty, which was taken up yesterday in open executive session, I shall not make a motion to go into open executive session, because I think it very important that we should dispose of the proposed rule which was the unfinished business in legislative session when we took a recess last evening.

Mr. BORAH. May I ask the Senator whether it is probable that it will be taken up at all to-day?

Mr. LODGE. No; I shall not call it up unless the Senator desires to speak.

Mr. BORAH. I have no desire to speak to-day.

Mr. LODGE. Very well; then I shall not call it up to-day.

Mr. ROBINSON. Did the Senator from Massachusetts indicate whether he would open the discussion on the four-power treaty?

Mr. LODGE. I made no statement about what I am going to do, except that I would not call the treaty up to-day unless some Senator desires to speak upon it now.

Mr. ROBINSON. Another Senator requested me to ask the Senator from Massachusetts whether the treaty is likely to be called up before Monday.

Mr. LODGE. That I can not tell. I know there are several other matters pressing very much that are of importance, and I should be glad to give an opportunity to have those matters disposed of; but I think the treaties must take precedence, and if any Senator is ready to speak I shall move to go into open executive session for that purpose.

Mr. ROBINSON. I would like to hear the Senator's discussion of the matter. I am very much interested in hearing his views, and would like to know whether he expects to speak on it or not.

Mr. LODGE. I think I shall. If the Senator wishes to know what my personal plans are, I am disposed to wait until I can hear the objections to it. I expect to speak before the treaty is voted upon.

Mr. ROBINSON. But the Senator does not expect to open the discussion?

Mr. LODGE. I do not, at present.

Mr. BRANDEGEE. Mr. President, I wish to ask the Senator from Massachusetts if the matter as to when the treaties come up can not be determined in a little more exact way than he has indicated. As I understand the Senator from Massachusetts, he states that whenever any Senator advises him that he desires to make a speech on the treaty he will then ask the Senate to go into executive session. I should like to hear as many of the speeches which are made on the treaty as I can, and I can not tell when it may enter into the head of a Senator to go to the Senator from Massachusetts and say, "I should like now to speak on the treaty."

Mr. LODGE. I thought it was my duty to make the statement which I have made this morning, that I would not call up the treaty to-day unless some Senator desired to speak upon it.

Mr. BRANDEGEE. I know the Senator from Idaho and one or two other Senators have said that they do not care to speak on the treaty to-day, but some other Senator may desire to do so. At 2 o'clock some Senator may come to the Senator from Massachusetts and say, "I wish to speak on the treaty," and we would not be notified.

Mr. LODGE. I have made the statement which I have to hold good for the day.

Mr. ROBINSON. That the treaty will not be called up to-day?

Mr. LODGE. That the treaty will not be called up to-day.

Mr. BRANDEGEE. Very well.

Mr. WARREN. Mr. President, I should like to have the unfinished business laid before the Senate.

Mr. HITCHCOCK. Mr. President, I should like to avail myself of the suggestion of the Senator from Massachusetts, and, if he will consent that a short executive session may be held, I wish to make a brief statement on the treaty, for the reason that I may not be here at the time he calls it up.

Mr. LODGE. It is my intention to call the treaty up tomorrow and then to make the same statement which I have just made; but if the Senator from Nebraska wishes to speak now, of course I shall comply with his request.

Mr. HITCHCOCK. Very briefly, then, I should like an opportunity to proceed.

Mr. LODGE. Very well. Then I move that the Senate proceed to the consideration of the four-power treaty in open executive session.

The motion was agreed to; and the Senate, as in Committee of the Whole and in open executive session, proceeded to consider the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. HITCHCOCK. Mr. President, on yesterday I voted to ratify the treaty between Japan and the United States defining our rights in the island of Yap. At a future day I expect to vote to ratify the treaty providing for the limitation of naval armament and also for the treaties relating to China. On the pending four-power treaty, however, I have reluctantly reached the conclusion that I can not vote for its ratification unless some changes are made by amendment or reservation and certain objections which I now see to it are removed.

Mr. President, the treaty now before the Senate was conceived in secrecy. In that respect its genesis suggests an old-fashioned and highly objectionable alliance. That is exactly the way alliances have always come into being. In this case every precaution of secrecy was taken in advance and every device of secrecy was employed in execution. When the call for the conference was issued the four-power treaty was not mentioned.

Mr. FRANCE. Will the Senator yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. HITCHCOCK. I should like to proceed. I shall be very brief, I will say to the Senator from Maryland.

Mr. FRANCE. I wish to suggest to the Senate, if the Senator will permit, that the remarks of the Senator from Nebraska are very important, and while I know that many of the Senators have made up their minds as to how they shall vote upon the treaty, regardless of the statements which may be made upon it, I do feel that, out of a sense of common, ordinary decency, Senators, even though they may have already decided, regardless of arguments, how they shall vote, should pay attention to the remarks of the distinguished ex-chairman of the Foreign Relations Committee of the Senate upon this subject.

Mr. HITCHCOCK. Mr. President, I am not disturbed by a little conversation; I am used to the Senate.

Mr. FRANCE. I am disturbed, and I believe that Senators have a right to ask for order, and I ask that there may be order in the Chamber.

Mr. HITCHCOCK. Mr. President, when the call for the Limitation of Armament Conference was issued the four-power treaty was not mentioned, and when the agenda or program for the conference was made up the treaty was not upon it. The President himself has admitted to us that this treaty, strictly speaking, was not upon the agenda, or not included in it. Thus the public neither looked for nor anticipated the appearance of this treaty. So much for the advance precautions of secrecy which seem to me rather significant.

How, then, was it negotiated? Was it discussed at meetings of our delegates with the delegates of the other three countries interested? Apparently not. So far as we know, and, in fact as a result of affirmative statements, I feel justified in saying that it was not discussed at a meeting in which our delegates participated with the delegates of the other countries. On the contrary, each delegation, after secretly considering the subject among its own members, appears to have secretly selected one of their number to act, and to act secretly, without keeping records, notes, minutes, or memoranda. Not only were memoranda not kept for the public but apparently they were not kept for other members of the delegation. So the two Senators upon the delegation of the United States have not been in a position to advise their colleagues in the Senate as to the meaning of expressions in the treaty or upon the course of the negotiations. Not only were the proceedings held behind closed doors, without records, but even the fact that meetings were being held was kept from the public, and no communiques were given to the press of these meetings. Meanwhile the public was liberally supplied with an endless amount of information as to the details of the naval reduction proposed and of the discussion and the long speeches thereon.

The public was also given a liberal education in Chinese affairs, and most elaborate details were furnished of the negotiations concerning Chinese matters. All of the meetings concerning the treaties relating to China and disarmament and such matters were elaborately reported. Even the private negotiations between Japan and China over Shantung were played up for public attention, and 36 such meetings were each followed by an official communique. Everything was done to keep the public's attention during that period fixed on Shantung, poison gases, submarines, Chinese tariffs, and such matters, while a month of negotiations were secretly and clandestinely conducted on the four-power treaty that was designed to take the place of the Anglo-Japanese alliance.

Nevertheless, Mr. President, my impulse on reading this treaty and knowing the purpose which I thought was behind it was to accept it in good faith and in the hope that it would promote peace and the settlement of questions in the Pacific Ocean. I arrived at that conclusion in the full confidence that when this treaty reached the Senate of the United States the Senate, which is charged with the duty of passing upon it, would be placed in possession of full information and accorded access to all the records and details of the negotiations which had led up to the consummation.

My first shock, Mr. President, was the discovery that even the President of the United States, who called this conference, did not understand the treaty and had not learned of the secret agreement between the negotiators concerning the meaning of certain language in the treaty. He did not know and had not been advised that the language "insular dominions"—I believe that was the term—which obviously refers to Australia and New Zealand, also included the mainland of Japan, as a result of a secret understanding reached by the negotiators themselves. That particular ambiguity has been cured by a subsequent understanding, and the views of the President in that understanding have been written into the treaty, and the secret agreement as to the inclusion of the Japanese dominions has been done away with. So, in common with other Senators, I found a growing desire on my part to know a little more about this short treaty which had been so carefully concealed from the public during all its negotiation, and I looked forward to the time when we would be advised as to the negotiations which had led up to it.

I was therefore greatly pleased when the President of the United States came before the Senate and announced his intention to take the Senate of the United States into his confidence and to take a new step in diplomacy and to place in our hands for our consideration the records and minutes of the negotiations between the four powers which had led up to these treaties. I did not believe for a moment, and I think no other Senator believed for a moment, that the announcement of the President of the United States did not apply to the treaty that we now have before us and which had been negotiated in such absolute secrecy. When, as he spoke, I saw that pile of manuscript upon the desk, tied up as it was in red tape, I assumed, as I think every Senator assumed, that in that pile of manuscript we would find the minutes of the negotiations between the representatives of the United States and the representatives of the three other powers which led up to the formation of this four-power treaty.

I had no special interest in the minutes and records that pertained to the other treaties. Practically speaking, they had all been published in the papers and we had read them day by day—not only the communiques, but in many cases the stenographic reports of the meetings of these committees. What I was interested in, and what every Senator was interested in, were the records of the negotiations that had not been published in the papers. But if you take up this book which I hold here, with its seven or eight hundred pages, and examine it you will find here almost exclusively a reproduction of the articles that had been printed in the papers of the United States before the President came to the Senate. It was a waste of money, as well as a joke on the Senate, to present that to the Senate as the record of the negotiation of the treaties that we were to pass upon.

Mr. President, failing to find in that record what I had been led to expect we would find there, the Senate of the United States on my motion adopted a resolution calling upon the President of the United States, if not incompatible with the public interest, to present to the Senate such records as were in existence of the proceedings relating to the negotiation of this four-power treaty. We were unable to get the information from the Senator from Massachusetts [Mr. LODGE] and the Senator from Alabama [Mr. UNDERWOOD], who were delegates to

the conference, because they frankly said that they had not been present at these negotiations. The negotiations had been carried on by a representative of the United States, of Japan, of France, and of Great Britain, and it happened that the representative of the United States was Secretary Hughes, and unfortunately Secretary Hughes had gone to Bermuda. So the Senate was left confessedly without any information concerning the negotiations leading up to this treaty in which language is used which may be of great significance in the future relations of the United States in the Pacific Ocean. So my motion was adopted, and the President of the United States was asked for such records as the State Department afforded of those negotiations.

Mr. President, I was innocent enough to believe that that would develop something. I knew that drafts were made of this treaty. The Senator from Massachusetts [Mr. LODGE] stated that he had made a draft, but that his draft was not the one which we are now asked to act upon. He had indicated that there might have been a dozen different drafts. We know, from reading the newspapers over the course of the last six months, that unquestionably Mr. Balfour, when he came here, came with a draft of a treaty of this sort, because it was the desire of Great Britain to rid herself of the existing alliance with Japan, and the leaders of Great Britain had advocated the idea of getting rid of that alliance by bringing the United States into a larger alliance, or at least into another treaty; and so undoubtedly Mr. Balfour came to the United States with another draft. We do not know whether his draft was adopted or not; we do not know whether Japan presented a draft or not; but there are certain significant facts in this treaty which I think require the serious attention of Senators.

Mr. President, almost all treaties—yes; and alliances also, in many cases—which involve the cooperation of one nation to assist another in the face of aggressive action on the part of some other country, contain a provision that the aggressive action must be unprovoked. Who can explain the omission of the word "unprovoked" in that treaty? Was it in the draft which was presented by the Senator from Massachusetts? Was it rejected by Japan? Was it discussed at all? Why was it omitted? Are we to be called upon in the Pacific Ocean, whenever aggressive action is taken against Japan or aggressive action is taken against Australia or aggressive action is taken against New Zealand, to rush to the moral assistance of those nations and enter into a conference in order "to devise the best and most efficient means of meeting this aggression," without inserting the safeguard that the aggression must be "unprovoked"? Why was that significant word left out? We are entitled to know; and one of the words which must be inserted in this treaty, either by an amendment or by a reservation, in order that I can see my way clear to support it, is the word "unprovoked." I do not think the treaty-making body of the United States is justified in binding this country to come to the assistance of any other country in the event of an aggression unless the stipulation is put in the treaty that that aggression must be unprovoked.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. HITCHCOCK. I yield to the Senator.

Mr. BRANDEGEE. Does the Senator come to the conclusion that the effect of the treaty is to bind the country to come to the assistance of the other high contracting parties in the case of aggressive action by an outside power?

Mr. HITCHCOCK. Mr. President, article 2 certainly binds the United States in the event, for instance, that Russia takes aggressive action against the island of Sakhalin, or at least against the Japanese portion of Sakhalin, or against the island of Formosa, or any island along the coast of Asia to enter at once into a conference with Japan and France and Great Britain in order to devise the most efficient means of meeting such aggression. Unfortunately that is the situation we are in. There is just enough ambiguity about those words to leave many Senators in doubt as to their exact meaning. "The most efficient means" might mean one thing under one set of circumstances, and another under another set of circumstances; but when we agree to take such action for the purpose of restraining Russia or for the purpose of defeating Russia if she were the attacking party, I should say it is the part of wisdom for us to stipulate that Japan must not provoke such aggressive action on the part of the other country, and at the present time we know that Japan is taking such provocative action. We know—we have heard it from the lips of the Secretary of State himself—that the United States is in protest against the action of Japan. Japan has 60,000 men in Siberia, and is occupying the whole of the island of Sakhalin, half of which belongs to Russia; and it is a matter, I think, of considerable notoriety that one of the reasons why Great Britain desires to get rid of the Anglo-Japanese alliance is because as long as that alliance exists there is constantly danger that Japan, by her provocative action, will drag Great Britain into trouble.

Mr. BRANDEGEE. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. BRANDEGEE. The Senator has failed to enlighten me, or I have failed to comprehend exactly what his position is. That is, I do not think the Senator has answered my question fully. I asked the Senator whether under article 2 of the treaty, the substantive portion of which he has quoted substantially, he thinks that the United States has bound itself in case of aggressive action by a fifth power against one of the insular rights of the high contracting parties, to come to the defense of the rights against which the aggressive action is taken. The Senator, as I understood him, states that he thinks the question is left in doubt as to the extent of our obligations; and yet he goes on and reaffirms that we are committed to come to their defense, and then proceeds to show what would happen in case Russia should attack the Japanese rights.

Mr. HITCHCOCK. I perhaps have not answered the interrogatory sufficiently; and in fact, Mr. President, I do not feel fully qualified even to express my own conviction. I am speaking to-day because I have to leave the city, and I may not be here when the treaty discussion proceeds, and I thought I ought to express as far as I have formed them my views that certain amendments ought to be made before we vote to ratify this treaty; and I will say frankly that I am desirous of ratifying these treaties. I think the presumption ought to be in favor of any treaty of this sort, negotiated apparently for a worthy purpose.

Taking up the suggestion of the Senator from Connecticut, I think we run into a very awkward situation at once; and it was involved to some extent, I think, in a reservation which the Senator from Connecticut prepared. Suppose the emergency arises. Suppose Russia, in restoration of her power, should move across to the island of Sakhalin, and Japan should call upon us under the terms of article 2 of this treaty to enter into a conference and to agree with France, Great Britain, and Japan upon the most efficient means to meet this aggression.

Suppose we should have a President of the United States who concurred with Japan and France and Great Britain that armed force was the proper thing to interpose as the most efficient means. Are we willing to intrust to the President of the United States the making of an agreement, the coming to an understanding, which would put us in a position where Congress might be morally obligated, at least, to make war? I favor the insertion of some sort of a reservation at this point so that, if the President be authorized to negotiate with the three other parties to this treaty, at least he should make no obligation which would be binding upon the United States until the consent of Congress thereto has first been obtained.

This is not a new question in the Senate of the United States. Senators on the other side of the Chamber were very liberal in offering reservations of that sort when the Versailles treaty was before the Senate, or at least when the League of Nations covenant was before the Senate. They were very anxious then to make reservations against the power of the President to bind the United States without the consent of Congress, and yet under the terms of this treaty as it now reads, unless some reservation is adopted the President might, if he were so inclined, enter into an arrangement with the three other parties to this treaty which would put the United States in a very awkward position.

Mr. BRANDEGEE. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. BRANDEGEE. Of course, the high contracting parties to this treaty are the four countries themselves. The Senator has suggested that the President—and I assume the Senator means either by himself or through a delegate he might send to a conference—might come to an understanding with the other contracting powers without the knowledge of Congress, and that then the United States might be in a very embarrassing position. Of course, when I speak of the President, I am talking about the presidential office, irrespective of who may occupy it.

Mr. HITCHCOCK. Yes; I assure the Senator I have the same thing in mind. It may not happen during this administration; it may be at some time when there is a Democratic President; and I hope there will be one at an early date.

Mr. BRANDEGEE. I was not attempting to mention a subject about which we might disagree, Mr. President. I was trying to more accurately understand the statement of the Senator that if whoever might be President at the time when we

were called upon to join the conference with the other high contracting powers should, so far as he was concerned, come to an understanding with the representatives of the other high contracting parties, and that should not meet the approval of the Congress or the country, it might put this contracting party, to wit, this country, in a very embarrassing position.

Mr. HITCHCOCK. That is my thought.

Mr. BRANDEGEE. I wish to ask the Senator if, in his opinion, the action of the President in coming to an understanding with the agencies of the other high contracting parties as to the most efficient measures to be taken to meet the exigency would in any way bind this country—this contracting party—without the consent of Congress or without the approval of Congress, I will put it?

Mr. HITCHCOCK. I expect that, technically speaking—legally speaking—it would not; but we listened to the President as he addressed the Senate the other day when he urged the Senate of the United States to ratify all of these treaties practically without the dotting of an "i" or the crossing of a "t," and warned us that unless we did so the United States would be discredited, because his representatives had negotiated these treaties, and, of course, had done so within their constitutional powers.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. The Senator from Nebraska has suggested that possibly this might be remedied by a reservation. I wish to suggest to the Senator that the objection which he makes to the treaty, and the objection which some of the rest of us entertain, can not be reached by a reservation. There is no possible way of relieving the treaty by a reservation of what I consider the defect of the treaty. There is political relationship here, there is political connection with these three governments. Article 2 is not to begin to operate, to have any vitality, no action is to be taken under it until war has begun, until an attack has been made, until an aggressive action has been taken, which is war. The formal declaration might not have been made, but when an attack is made, when an aggressive action has been taken toward a nation, there is a state of war.

There is no reservation which can reach a situation where the conferees are then called upon to provide the most efficient means by which to deal with the situation, because necessarily when the conferees meet to determine upon the most efficient means by which to meet the attack they must decide on something in the nature of a counter attack, and how can that be dealt with by a reservation? If the conferees agree that is the only way to meet it, of course we must necessarily back the conferees, or the treaty is absolutely worthless.

Mr. FRANCE. In other words, Mr. President, if the Senator will permit me to interject, as a very noted publicist said of another treaty which came before this body, reservations would not cure its defects. He said, "I have always found it very difficult to edit a bad egg."

Mr. HITCHCOCK. Mr. President, of course the Senator from Idaho and the Senator from Maryland occupy a somewhat different position from mine. I would like to support this treaty. I think neither of them would care to have it put into a form in which they would support it.

Mr. FRANCE. I would say, Mr. President, in answer to that that I do not propose to support a treaty which is leading us directly toward a terrible war. What the Senator has already said about the island of Sakhalin is most true, and if the State Department had taken the trouble to inform itself as to conditions in Russia before entering upon these engagements it would never, in my judgment, have entered upon them, because there is not the slightest doubt in the mind of any man who is aware of the attitude of the Russian people toward the Japanese that they are moving on rapidly toward differences which will certainly ultimately lead to war, if they are not cured, and the island of Sakhalin is already in great contention, for the reason that there are valuable deposits there, particularly oil deposits, concerning which there are already controversies.

Mr. HITCHCOCK. I realize that what the Senator says is to a considerable extent correct.

Mr. BORAH. Mr. President——

Mr. HITCHCOCK. I yield; but I had intended to reply a little more fully to what the Senator said.

Mr. BORAH. The Senator has substantially stated my position; but the great objection to the treaty is that it does not call for action until an aggression has taken place, and then conference, nine times out of ten, is simply as to the best method as to counter attack, and we are swept in regardless of the righteousness of the contest.

Mr. HITCHCOCK. Mr. President, I think if the Senator reflects a little he will qualify that remark. I am afraid, and I have already stated, that this treaty is too much in the nature of an alliance to suit me; and if that be true, it is quite likely that these four powers, which undertake under this treaty to create a monopoly of interest in the Pacific Ocean, will be in such touch with each other that each of them will be well advised before the actual aggression occurs of what is going on; and I would suspect that the conference would be secret, and that it would be held before the world knew of any open performance. I can conceive of action being taken even before the matter has become notorious.

Mr. BORAH. Article 2 says specifically that until aggression shall have taken place there is no action for the conference to take.

Mr. HITCHCOCK. I realize that that interpretation can be put upon it also.

Mr. President, there is an objection which occurs to any man against this treaty when he finds grounds for suspicion that it is an alliance. This objection the President of the United States can not brush aside by asserting that it is not an alliance. Another President of the United States may some day treat it as an alliance.

That is not all. What interpretation is put upon this treaty by the other parties to this treaty? We have already learned, through the medium of the Associated Press, that Baron Uchida, secretary for foreign affairs of Japan, has stated to the Japanese Parliament, in answer to questions, that while this treaty abrogated the Anglo-Japanese alliance, it in fact constituted a larger alliance; that it succeeded the Anglo-Japanese alliance by an alliance still larger and more effective. That was his explanation. He did not tell the Parliament of Japan that it was a treaty; he told them it was an alliance, and that it was an alliance at least resembling the Anglo-Japanese alliance, which had preceded it.

In my opinion, Mr. President, the ratification of this treaty as it exists now is going to put us in a position somewhat similar to that in which we found ourselves after the Hay-Pauncefote treaty was ratified. We found, and we have found repeatedly since that time, that there was a determined effort to interpret the Hay-Pauncefote treaty by the terms of the Clayton-Bulwer treaty, which it superseded.

So I think it reasonable to suppose that if this treaty is ratified as it reads now, with ambiguous language in it, Japan and other nations may insist, and Great Britain may insist, that this treaty shall be interpreted in the light of the Anglo-Japanese alliance, which it supersedes. That is another danger which we encounter.

I had not intended to make a speech, but only to go very briefly into this matter.

Mr. JONES of New Mexico. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from New Mexico?

Mr. HITCHCOCK. I yield to the Senator.

Mr. JONES of New Mexico. I wanted to recur just for a moment to a thought suggested by the Senator from Connecticut [Mr. BRANDEGEE]. If I understood the Senator from Nebraska correctly, and I should like very much to know whether my understanding is correct or not—his position is about this: That under this treaty as it is now worded, in the event that one of these high contracting parties, other than the United States, should become embroiled in a difficulty with a fifth power, the United States would be under obligations to align itself with the other parties to this treaty, regardless of the merits of the controversy in which the party might be engaged. In other words, under the terms of this treaty the United States would be obligated to give its moral and sympathetic support, at least, to a settlement of any question of aggression which might arise under article 2, to give that support to the contracting party under this treaty; or, to state it differently, in advance we pledge our moral support, at least, to a settlement of any such difficulties in favor of the contracting parties to this treaty.

Mr. HITCHCOCK. Providing they relate to the islands of the Pacific Ocean, which are the subject of the treaty.

Mr. JONES of New Mexico. Certainly, provided they relate to the islands involved in this treaty.

Mr. HITCHCOCK. From the start I never saw the importance of this treaty to the United States. In fact, my first impression was that it was a large amount of fuss about a rather small matter, as far as we were concerned. What interest have we to be protected by this treaty? We have no

possessions in the Pacific Ocean concerning which there is any doubt.

Japan and Great Britain have come into possession, as a result of the war, of certain islands which belonged to Germany. Under this four-power treaty we enter into a practical guaranty of the continued possession of those islands which those nations secured as a result of the war. We have not anything in that region except the Philippine Islands. Our title to them is absolutely good. There is no possibility that Spain will ever attempt to reclaim those islands. The general opinion of the United States, as I understand it, is that ultimately we shall get out of those islands when those people have reached a stage of development that they are able to take care of themselves. The islands are of no value to us. They are a difficulty to us, but there is no danger and there is no probability that we need the help of Japan, Great Britain, and France to hold them.

There is a material benefit which Japan and Great Britain receive under the terms of this treaty, for we practically give them a guaranty for Australia and New Zealand and all the islands which come to Japan and all the islands which come to Great Britain under the mandate of the League of Nations.

So it seems to me that we have very little to gain by entering into the treaty. It is not necessary to naval disarmament. It is not necessary to the protection of the affairs in China, in which we have manifested such great interest. Why, then, have we been dragged into this treaty at this time? Is it for the purpose of allowing Great Britain to relieve herself of an alliance which she must in any event get rid of in some way?

Mr. President, I have expressed in a somewhat rambling way my criticisms of the treaty. I would be glad to see such reservations and amendments as can, first, make it definite and certain that we are not bound to assist any of the other nations in any way against an aggression from any other country unless it is unprovoked; and, again, that if the President of the United States is to have the power to enter into an agreement with other nations at a conference as to taking efficient action for their protection, his agreement must be subject to the approval of the Congress of the United States, or, at least, of the Senate of the United States. I am not satisfied merely by the official statement that this is not an alliance when I know that Japan is declaring that it is an alliance. I am not satisfied with the statement of the President of the United States that he does not think it is an alliance when the next President of the United States may regard it as an alliance.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Nebraska yield to the Senator from Florida?

Mr. HITCHCOCK. I yield.

Mr. FLETCHER. Before the Senator takes his seat I would like to ask him whether he does not think that one effect of the treaty would be to take care of our interests very largely in the Philippines, and if we get out of the Philippines as we hope to, would not this provision still protect the Philippines as against external aggression of any sort, as against Japan or any other country that might want to take the Philippines. Even after we retire from there we still would have to exercise certain power in the Philippines, and we are under obligation to see that they maintain their independence, and so forth. The question in my mind is whether this would not have the effect of protecting the Philippines in that contingency as well as in the present situation.

Mr. HITCHCOCK. My judgment is that when we get out of the Philippines we will get completely out. We may at that time enter into some sort of treaty with other countries to respect the independence of the Philippine Islands, but when we let go they will be independent. If it is desired, that sort of treaty might be made.

Mr. FLETCHER. I gather that the Senator's position is somewhat like the two gentlemen on a ship at sea. The story is of a father and son. A storm arose, and the son went to the father and said, "Fadder, vake up, vake up. The ship is sinking." The father said, "What do we care? We don't own it."

We may not own and may not be compelled to approve of any action as the result of the conference which may be held, but I take it at the same time the Senator is a little afraid of our position as one of the passengers.

Mr. KING. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Utah.

Mr. KING. I would like to ask the Senator a question or two for information. As I construe the treaty it does not have any relation to what might be denominated continental questions in Asia; for instance, the mainland of China or the mainland of some of the French possessions, and certainly not Siberia, Mongolia and Manchuria. It seems to be limited to insular possessions—island possessions.

The question I was about to ask was somewhat anticipated by my friend from Florida, but if we get out of the Philippine Islands, then our only insular possession in the Pacific, so far as I now recall, would be Hawaii. Does the Senator think that for the protection of Hawaii we are warranted in entering into a four-power treaty—and I may say in passing, too, that controversies are more apt to arise with respect to Pacific powers with respect to the mainland of China, the mainland of Siberia, than with respect to the islands of the Pacific.

Mr. HITCHCOCK. Undoubtedly. I think there is no value at all so far as the Hawaiian Islands are concerned. We are still able to fortify those, and under the disarmament treaty that is proposed we can still continue to fortify those islands, and we are in a position to take care of them.

Mr. KING. In view of the fact that we have insisted, particularly since the days of Mr. McKinley and John Hay, upon the open-door policy in China and will insist upon a fair opportunity for legitimate and proper trade upon the Asiatic mainland, are we not more interested in the preservation of a fair status quo there or a fair opportunity for the development of people there and fair trading opportunities than we are in the island of Yap or those islands which are mandated in the Pacific Ocean, particularly in view of the fact that they are taken from us—at least we have no interest in them except such as might come through the treaty of Versailles.

Mr. HITCHCOCK. That question might be answered in several ways.

Mr. JONES of New Mexico and Mr. LENROOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. HITCHCOCK. I yield first to the Senator from New Mexico.

Mr. JONES of New Mexico. I would like to inquire of the Senator, who is a member of the Committee on Foreign Relations and has given great study to this situation, if he is able to advise the Senate of the particular reason why such a treaty as this should have been negotiated at this time? Has he in mind any controversies which might arise and which would justify such a treaty as this? In other words, what are the troubles brewing or what was the mischief which we seek to have remedied by this treaty?

Mr. HITCHCOCK. I suppose the United States has absolutely none. The United States' title to its Pacific islands is absolutely good. Great Britain and Japan have title to a number of German islands acquired by the war. There may be some question later about them. Germany might some day reassert her claim to those islands. We are not a party to the treaty of Versailles, and in my opinion we should not be a party in the remotest degree to guaranteeing possession of those islands to their present holders.

There has not been stated, so far as I know, in the committee or anywhere else, any reason why the United States should have entered into this treaty except to enable Great Britain to get rid of the Anglo-Japanese alliance. I think we are sacrificing rather too much, as the treaty now stands, to accomplish that purpose. I have never believed the Anglo-Japanese alliance was any great menace to us, never believed that the existence of the Anglo-Japanese alliance would cause us any great embarrassment. It is not up to us to provide the means by which Great Britain shall get rid of it. It is for Great Britain and her dominions themselves to relieve themselves of that alliance, and so far as I know that is the only reason why the four-power treaty was executed.

Mr. LENROOT. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Wisconsin.

Mr. LENROOT. Is it not true that the treaty of Versailles did guarantee the title of the five principal allied and associated powers to all of these various islands in the Pacific?

Mr. HITCHCOCK. The first thing the Senator from Wisconsin knows he will get me into a League of Nations discussion.

Mr. LENROOT. I think it is a fair question.

Mr. HITCHCOCK. There is a vast difference between 50 nations of the world getting together in a league, expecting later to bring Germany into it, for the purpose of guaranteeing the peace of the world by justice and by peaceful settlement of dispute and, on the other hand, four nations getting together in the Pacific Ocean and notifying the world that they propose to hold its islands against all comers. That is an entirely different proposition.

Mr. LENROOT. The same parties in title are in this treaty, in so far as there is any recognition, as were in the treaty of Versailles, are they not?

Mr. HITCHCOCK. The whole world was in the treaty of Versailles.

Mr. LENROOT. No; as to the title to the islands covered by the treaty?

Mr. HITCHCOCK. That is very true.

Mr. LENROOT. The Senator was willing for the United States not only to respect that title but to guarantee it in the Versailles treaty, was he not?

Mr. HITCHCOCK. I was ready as a supporter of the League of Nations—in which every nation of the world should be a member, including Germany—that the League of Nations should be bound together by the pledge of each member that it would respect and preserve the independence and territorial integrity of all others. But this is not that proposition at all. I am not going into an argument on the League of Nations.

Mr. LENROOT. I would not think the Senator would. Now let me ask the Senator another question. There was nothing in the Versailles treaty requiring the submission to Congress of any arrangement that was entered into by the League of Nations, was there not, so far as the United States was concerned?

Mr. HITCHCOCK. There really was not anything of that sort until the Senator from Massachusetts and the Senator from Wisconsin and other congenial souls forced through the Senate a reservation.

Mr. LENROOT. Certainly; and the Senator voted against it.

Mr. HITCHCOCK. And now I say what was wise then, if the Senator thinks it was, is wise now.

Mr. LENROOT. But the Senator thought then that it was not wise and voted to ratify without that reservation, and to-day the Senator thinks it is necessary. Is not that correct?

Mr. HITCHCOCK. I have said that in order to give this treaty my support I should like to see it done.

Mr. LENROOT. Then the Senator has changed his mind.

Mr. JOHNSON. Mr. President, may I suggest that perhaps there has been a swapping of positions in this particular matter?

Mr. FRANCE. Mr. President, I desire to make a brief statement, and then to ask the Senator from Nebraska a question. I desire to challenge the statement of the Senator that he and the Senator from Idaho [Mr. BORAH] and myself differ fundamentally upon this question. That is not a correct statement. The Senator from Nebraska has always, I believe, been opposed to alliances with foreign powers. He was favorable to the League of Nations, because he held, and there was some justification for so holding, that it was not an alliance, that it was an association of the great powers of the world which would ultimately include all of the powers. The Senator from Idaho and myself held another view. We felt that it did partake too much of the nature of an alliance, and therefore we opposed it. So that the Senator is quite consistent in opposing this as an alliance, for he would have opposed the League of Nations, I am sure, in spite of the fact that his party as a whole was for it, if he had believed it to be an alliance.

I will say with reference to the Senator from Wisconsin that of course he is in favor of this plan because it is an alliance and he was in favor of the League of Nations when he must also have believed that the League of Nations was an alliance.

But I desire to ask the Senator from Nebraska this question: The Senator has suggested that the powers with whom we become associated under this compact may view it as an alliance. Is there not also the danger that the power with whom we are not associated may view this as an alliance and that, so viewing it, they may be tempted, if not indeed encouraged, to establish a counter alliance; and is there not danger of there really being created a new balance of power in the world?

Mr. HITCHCOCK. I think the Senator is eminently correct.

Mr. FRANCE. As a matter of fact, as I hope to show a little later, this is but a new balance of power which is being sought for very practical reasons by very practical men, and I think a little later I may be able to mention some of the companies which are financially interested in a new balance of power and perhaps some of the men who have been connected with those companies.

After all, Senators, idealism has not completely overtaken the world. It is always very wise, in studying a great international policy which is proposed, really to find out if there are any practical men back of the scenes, moving the scenery and pulling the wires. I think when such an examination is made in this instance it will be found that extremely practical men are working for extremely practical purposes.

There is a conflict of political and commercial interests; a conflict, on one hand, between Japan, France, and Great Britain, and, on the other, China, Russia, and Germany; and the thought suggested by the remarks of the eminent Senator in his very clear way, although he did not complete the statement, is that these great powers, China, Russia, and Germany—potentially the greatest powers in the world, if we consider their resources of man power and natural wealth—are naturally being thrown together into a counter alliance for the protection of their interests. I shall a little later call attention to the growing friction between Russia and Japan and between China and Japan, a friction which is not merely political, existing in the governmental departments, but a friction which has resulted in a common feeling on the part of the Russian people, even on the part of the peasants, with whom I have talked, out in the country districts, that it would be necessary for the Russians soon to deal with the Japanese question.

I merely wish to add at this point the fundamental reason for the soil of Russia being prepared for such seeds of conviction. The Russians feel, and the history of the world will prove that there is a sound basis for that feeling, that they have for many centuries been the great dam which has held back the tide of orientals which several times has threatened to overrun and to engulf Europe. Even to-day the Christian Russian peasants feel that they, with their brave hearts, are and must yet be the wall to hold back the great tide of yellow races so that Europe may not be inundated. They are asking why they have been deserted by the white men of the other nations and why it is that the other western powers do not sympathize with them when this invasion has again started, when there is a very evident movement on the part of the Japanese to eat their way into Europe through Siberia.

The suggestion of the Senator is one which I hope will be carefully considered. No; I do not "hope"; I am not given to indulging in futile and false hopes; so I do not hope, but I wish that this great question of the growing tension between Russia with her mighty armies—the mightiest armies in man power in Europe. I will say to the Senator—and the Japanese will engage the attention of those who are the defenders and proponents of the pending treaty. I feel much encouraged when the great Senator from Nebraska, who has rendered such distinguished services to his country, and who always stands by his convictions, rises to point out the danger of this treaty as forming an alliance, or at least an association, which may be considered by our associates under it as an alliance, and intimating, as he does, that there is also the danger that the other nations which are excluded may consider it to be an alliance, inviting the great danger of a counteralliance, and of a new balance of power, in which we shall be in the weaker position; in the weaker position because we shall be associated with the nations possessing less man power and less of natural resources; in a weaker position also because, it seems to me, that our position from the standpoint of international morality and justice is not one which can be defended.

All of this leads us back—and the Senator from Nebraska was not unmindful of the fact, as I have already intimated, when he said that he himself would be opposed to the United States being a party to it—to the great doctrine of Washington who was not only against alliances but who, for very practical reasons, warned us against showing favoritism to certain nations, against showing a partisan spirit toward certain nations, for, he said, that by so doing we should naturally invite the antipathy of those nations toward whom a less friendly and less partial spirit was shown. In other words, Washington, if he were viewing this particular problem, would say, "Of course, if you show special favors to Japan by giving to Japan certain privileges of conference with you, by giving to Japan certain territories; if you show certain unusual favorable attitudes and dispositions toward Japan, you naturally, of course, begin to invite the silent antagonism of Japan's real or potential enemies"; and she has two potential enemies, I can say to Senators to-day, who are mighty in their resources. When we show undue friendliness to Japan, and particularly when, at the same time, we show an antipathy to those two, potentially the greatest powers, perhaps, in all the world—Russia and China—we invite the antagonism of those powers; and, as the Senator has well said on this occasion and on the occasion when he was defending the League of Nations, it should be our disposition to cultivate friendship with all nations.

I am quite confident that the Senator from Nebraska would not have advocated our going into the League of Nations if he had not believed that that was a step in the direction of fulfilling the great injunctions of Washington to show friendship for all nations. He would not have considered that policy, I am quite sure, if he had felt that the League of Nations was a

violation of the principles which were laid down in the words of Washington when he said:

Observe good faith and justice toward all nations; cultivate peace and harmony with all.

And when he warned further that—

A passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists—

As the Senator has already so ably stated—

and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. * * *

Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts and influence of the other.

Oh, Senators, those words were not written by an ordinary man upon a conventional occasion; they were written by a man inspired at the most momentous time in all the history of the world, when, after having created this Republic, he was committing it to the great mission which he believed it was to perform in the world, and when he was giving a solemn warning against the many insidious dangers which might thwart its fulfillment of those purposes and lead to the destruction of the Republic.

Senators, I tell you that when we depart from the solemn injunctions of those inspired words we are running onto unknown and uncomputed perils, and I say that we are running counter to the great mandate given by the American people when they thought the League of Nations was an alliance.

Personally, I think that was a debatable question; personally, I think it was a debatable question whether the League of Nations was large enough so that it might be considered from its very nature an association, or at least the beginning of an association, of the powers of the world; and I hesitated for a long time as to what my position should be, for I have long advocated, together with the Senator from Nebraska, the proper kind of an association between the nations, each maintaining its own separate sovereign power, each acting, as an unbound nation, clothed with all of its unimpaired sovereignty, in cooperation with the other nations for the solving of the common problems of the world. There was a question whether the League of Nations was an alliance. The people of this country, I think, assumed that it was or that it might become one, and I think they disapproved of it; but certainly there is no question about this treaty. It is an alliance; it is an alliance partaking of all the dangers against which the Father of our Country warned us. It is an alliance which can not be entered into without a repudiation of all of those doctrines which the American people have held dear. I say—and I care not whether every Republican upon this floor denies me—that there is not a Senator here who can rise and show that this treaty is in harmony with the teachings of the Farewell Address of George Washington, and unless that can be done this treaty should be repudiated, I care not who is for it. But I propose to show, if I can, before this debate is over that very practical men are for this treaty for very practical reasons, and there will be some explaining to do by certain gentlemen if I decide to tell all that I have good grounds for suspecting. They may be able to remove my suspicions, but it will be encumbent upon them to do so.

The Senator from Massachusetts has said that he did not propose, in presenting this treaty, to say anything in explanation of it until he had heard the objections. I am surprised that the distinguished Senator from Massachusetts should make such a statement.

Mr. LODGE. Mr. President, I have not any objection to the Senator saying anything he wants to; but he must allow me the poor privilege of making a speech when I please, without advice from him.

Mr. FRANCE. Mr. President, I would not, of course, presume upon my friendship and my warm admiration for the Senator from Massachusetts to the extent of giving him advice; but I think it is proper for me to express regret that such a great treaty as this should be brought into the Senate and laid before us with the implication that the Senators must vote for it, with many of them having pledged themselves to vote for it, without a single argument being presented with the treaty why this Republic should suddenly reverse the policy of years—a policy clearly enunciated and enjoined upon us by the Father of his Country. I say it is most extraordinary.

I am very happy that many of the Senators on the other side, especially those from the Southern States, seem to be now disposed in the case of this treaty to reject it because it is an alliance. I say—I may not have made myself clear—I am very happy that they do realize that this treaty is an alliance. If they had realized or if they had believed that the League of Nations was an alliance, they would not have been for that.

I am very happy that so many of the Senators on the other side, many of whom come from the South, are thinking seriously upon the great words of the great southerner, George Washington, because he belonged to our South. I will say to the Senators on the other side, even though ours may be the most northern of the Southern States, that we as southern men are devoted to the doctrines of the great southerner, George Washington, and I know that the Senators on the other side are devoted to those doctrines; and I know this, and I will say it to my party: If you Democratic Senators stand steadfastly and determinedly for these principles which my party seems to be now repudiating you will meet with your reward at the hands of the American people, and I hope to God that you do, because a party which calls itself a Republican Party, when it repudiates the doctrines of George Washington has repudiated it all, and it has ceased to be in that instance the Republican Party.

I want to say that if I have to be elected to the Senate at the price of repudiating those principles, I can go back home and attend to other matters which I hope may be helpful to my State and to my country. I do not propose to buy my place in this body by a repudiation of the solemn injunctions laid upon us by the great inspired Father of his Country, even though some of these later men, so much wiser than he, who have not even taken the trouble to inform themselves on important problems in Europe or to send their emissaries to Europe to find out the real conditions there, are prepared now to repudiate him.

Mr. President, I must apologize for precipitating or prolonging this debate at this time, because I had intended to discuss the matter more fully at some other time.

Mr. ASHURST. Mr. President, I have here a pamphlet of many pages, disclosing the cunning and crafty policy pursued by Japan in her aggression in the Russian Far East, and ask unanimous consent to include it in the RECORD. It is an elaborate article, and I do not desire to consume the time of the Senate in reading it, but will ask that it be included in the RECORD in regular 8-point type, without reading.

The PRESIDING OFFICER. Is there objection? If not, it is so ordered.

The matter referred to is as follows:

JAPANESE AGGRESSION IN THE RUSSIAN FAR EAST.

INTRODUCTION.

The conflict between Tsarist Russia and Japan, which culminated in actual warfare, was brought about by the identity of the policies of the two countries in Korea and Manchuria, and in part in Mongolia. Both sides, although they professed to the outer world the principles of independence, were actually aiming not only to gain a foothold in those regions, but to establish themselves there both economically and politically. When Japan, having acquired rights to Liao-tung as a result of the war with China in 1894, was obliged to return this district to China, after the protests of Russia, Germany, and France, this step, in which the chief part was played by Russia, could, of course, not gain the sympathies of the Japanese. All the more was this the case when Russia soon after (in 1896), obtained a valuable concession in Manchuria, namely, the zone for the construction of the Chinese Eastern Railway, two years later obtained the lease of the aforesaid Liao-tung (Port Arthur), and then, after a further two years, under cover of the Boxer uprising, occupied Manchuria. The effort of Russia in 1901 to legalize this seizure immediately encountered the opposition of Japan. The real threat involved of as successful an aggression on the part of Tsarist Russia in Korea, manifestly imposed upon Japan the ineluctable conflict with Russia unless Japan should be willing to reconcile herself to defeat.

But the events following upon the defeat of Tsarist Russia revealed the fact that Japan, emboldened by her victory, already harbored desires of another kind; she not only was not satisfied with the victory in Korea and southern Manchuria, not only had designs on northern Manchuria, but began to display open tendencies to fortify herself on the far eastern shores of Russia itself.

These tendencies at first manifested themselves in two directions: In the effort to obtain the dominating influence in the fisheries rights in the Far East and in the attempt to force a path; first, to the Chinese Sungari; then to the Amur, after having obtained navigation rights. In 1907 a fisheries convention was concluded, in accordance with the terms of the

Portsmouth treaty, but the Japanese were not satisfied with the rights granted to them to undertake fishing on the Russian shores of the Okhotsk Sea, the Japan Sea, and the Behring Sea (excluding bights and rivers), on terms similar to those enjoyed by Russian citizens, but also desired to have fisheries rights in the Russian bights and rivers, where, in view of the weakness of Russian capital in the Far East, such rights would be equivalent to a complete predominance of the Japanese in Russian Far Eastern fisheries.

The Japanese did not succeed in 1907 in realizing this ambition, but the very attempt was significant and revealed the Japanese tendencies, which were soon to be heard from again, at the first favorable moment.

The attempts of the Japanese to obtain a legal right to navigate the Sungari (then navigated only by Chinese and Russians) and the Amur were made a number of times, and the Tsarist Government, after its defeat on the fields of Manchuria, was obliged to fight stubbornly against these efforts of the victorious Japanese. Although she was fighting obstinately with Russia in China, aiming to force her out of the country, as well as out of Korea and southern Manchuria, Japan nevertheless concluded a number of secret agreements with Russia, having as their general aim to combat the efforts of other powers to establish themselves in China. The publication of the secret treaties of 1907, 1910, 1912, and 1916 has been particularly interesting in this connection.

When Tsarist Russia was occupied on the German front and left the Far East exposed, the Japanese, under these conditions so difficult for Russia, attempted again to bring up these questions, and almost obtained a favorable solution of them, but special effort was put forth after the revolution, and particularly after the civil war.

There was then revealed a complete program "to conquer" the Russian Far East, not only economically but also politically, and the same methods that had been applied by Japan and Tsarist Russia with regard to China and Korea were also used by Japan with regard to Russian territories.

The characteristic feature of this policy in the Russian Far East has been the cautiousness with which Japan proceeded both at first and in the sequel. Although she intended to fall upon the Far East and exploit this serious situation of the Russian people she nevertheless did not decide to put through this program on her own initiative. First, from December, 1917, to August, 1918, playing upon the feelings produced in England and France by Russia's abandonment of the war, Japan aroused the Allies against the Russian Far East, and particularly against Vladivostok, by alleging that the region was one in which the lives and property of foreigners were in danger, and which would require a prolonged presence of warships and landing parties. Then when France and England had decided upon an active policy in Russia, hoping to overthrow the soviet government with the aid of all the antibolshevik elements and thus to force Russia back into the group of belligerent nations, the Japanese assumed a modest position of watchfulness until England and France should succeed in drawing America into the affair. And then after the question of sending troops into Russian territory had been decided upon Japan still waited for the "invitation" of her new Far Eastern competitor—America. As time went on the Japanese, having been given an opportunity to reveal themselves in the Russian Far East in "snow-white" garments, not only made use of all the circumstances favorable to them, but specifically and tirelessly manufactured such circumstances (which is the most characteristic feature of their conduct), in order to expand further and further the zone of their military influence, and under this pretext to establish themselves wherever their predatory program might lead them. But while they were grasping new lands the Japanese did not lose their watchfulness; they did not cease to be on their guard in international matters, and each time that it is required by circumstances they will restrict their appetites and change their tactics. Of the lands seized by them, in the most literal sense of the word, Transbaikalia, the Amur, the Maritime Province, Sakhalin, and portions of Kamchatka, the Japanese were obliged to give up first the Amur, where they began to find things a little hot for them; then Transbaikalia; then a part of the Maritime Province, and now they are established only in the southern part of the Maritime Province, on Sakhalin, and along the lower course of the Amur, but they have not lost their hopes to return. There is no doubt that the Japanese will be obliged to leave also the southern part of the maritime Province, but they have a strong hold on the Sakhalin region (Sakhalin and the lower Amur), where they have introduced their own administration, feel themselves at home, and may there constantly threaten the Far Eastern Republic. The artificially provoked incidents of Nikolayevsk have served as a suitable pretext to the Japanese to justify this seizure to the rest of the world, a seizure that was effected according to their "shortened" program of conquest.

The period of watchful activity in fulfillment of Japanese policy, and the possibility of a further "shortening," or, on the contrary, "widening," has not yet ended; the cause has been the unstable international situation and chiefly the position of the United States, with whom Japan does not desire to have a premature collision, particularly at a moment when the renewal of the Anglo-Japanese treaty seems in doubt.

A study of the Japanese policy throughout the Far East, particularly in China, Korea, and Russia, makes it impossible to overlook the identity of plans and methods, and the stubbornness with which they are applied and carried out. In Korea, China, and Russia Japan is attempting to gain a foothold on the mainland that she may not only feel absolutely safe on her islands, but also may be assured of an opportunity for the further development of her imperialistic policy as a great power. And this policy will be continued as long as the militarists and imperialists have the upper hand in Japan.

The aggressive Japanese policy of the present day is not a remote but an immediate threat to the peace of the whole world, and it is all the more immediate a threat in that it is based at present, particularly with regard to Russian territory, on French and in part on English support.

To return to the position of the Russian Far East, it is necessary to emphasize that the fact that the Japanese at the time of their stay in the country investigated all the former Russian fortresses and wherever possible made them unfit for use; that the fact that in their dealings with the authorities of the Maritime Province, and at present with the Government of the Far Eastern Republic, they constantly insisted that they would not "permit" the re-erection of the old fortresses or the construction of new ones along the Russian shore is a sufficient indication of the future plans of Japan.

They know that while they may be obliged to "limit" themselves now, to-morrow may bring the moment when they may "broaden out."

The sad story spread by the Japanese, of their "overflowing" population and the necessity of finding space in which to spread out, is a myth as far as the Russian Far East is concerned: the number of Japanese emigrants throughout the world is insignificant, even including the conquered territories of Korea and Formosa and the exploited field of Manchuria; furthermore, the climatic conditions of the Far East are not in general suitable for the Japanese—and in the Tsarist days, and even in the thriving times of the intervention, the number of Japanese citizens was very small. But those Japanese who chose the Russian Far East as their place of domicile have succeeded in making themselves at home there, as have the other foreigners in the Far East. The point, then, is not to be found in this field; the above is only a subterfuge put up for external consumption.

To trace the true outlines of the Japanese policy in the Far East and to describe the painful birth of the Far Eastern Republic is the task of the present publication.

I.

On December 30, 1917, a Japanese warship sailed into the port of Vladivostok, entirely unexpected by the Russian population of the city, and without any previous warning to the local authorities. At the same time the Japanese consul general issued the following declaration to the chairman of the Maritime Province Zemstvo Board (regional self-government) and to the mayor of Vladivostok:

> The Imperial Japanese Government, in view of the fact that under existing circumstances the Japanese living in the city of Vladivostok and its environs are in constant fear, has decided to send a warship into the port of Vladivostok. This decision was made with no other purpose than that of defending Japanese subjects, which is a duty incumbent upon the Government. The Japanese Empire, being a country truly friendly to Russia, warmly desires the consummation of a healthy development of Russia and hopes that the interests of Japan and other allied countries will be fully respected within the boundaries of Russia. The Imperial Government has, moreover, no intention whatsoever of meddling in the question of the political structure of Russia, which will be determined by the Russian people, and the object of the present expedition has no connection whatever with this question.

The sudden appearance of the Japanese and their unexpected declaration as to "noninterference" brought forth an immediate reply on the part of the Maritime Province Zemstvo Board, in which the latter pointed out that while considering that a final judgment as to the dispatch of Japanese warships to the port of Vladivostok without the consent of, and even without a warning to the local authorities, is to be passed by the central governing authorities of the Russian Republic, the Zemstvo board, for its part, being a representative of the population of the region, feels at the same time called upon to protest against this measure as a violation of the sovereign rights of the Russian

Republic. After expressing its surprise on the subject of the contents of the declaration in general, the Zemstvo board said:

The defense of all persons is the first duty of the authorities installed by the Russian people, and we feel obliged to state that under their protection public order in the city of Vladivostok has not once been broken, and the appearance of reports in a number of newspapers published in Japan as to the alleged occurrence of disorders in Vladivostok are in no way in accordance with the truth, as is well known to all the foreign consuls stationed in this city.

The Japanese did not react in any way to this protest, which was the answering declaration of the Zemstvo board, but the consuls of Great Britain and the United States, after receiving copies of the protest, sent to the regional government the following communication dated January 16, 1918:

The claim made in this declaration, that public order has not been violated in Vladivostok up to the present, we acknowledge as correct. On the other hand, we consider the political situation at the present moment to be such as to cause feelings of uneasiness on the part of those countries having considerable material interests here, as to the direction that might soon be taken by affairs in this region, which justify the Governments of these countries, including Japan, to take such preliminary measures as they may consider fitted to cope with the problem of defending their interests in case the latter should actually be threatened with danger.

The appearance of the first Japanese warship was therefore not called forth by any disorders actually threatening the lives and property of Japanese citizens living in Vladivostok, but simply by uneasiness "as to the direction that might be taken by affairs in this region."

This first illegal act of the Japanese Government, to the surprise of the Russian population, was supported by the English and American consuls. Soon there appeared in the port of Vladivostok a second Japanese vessel; a short time later came an English and an American cruiser.

It was necessary to justify in some way the presence of these vessels in foreign waters, and from this moment there began a veritable bombardment of the Zemstvo board by the consular body. Every incident, of whatever significance (criminal offenses, for instance), such as may be of constant occurrence in all countries, without calling forth the arrival of special foreign vessels of war, they brought to the attention of the Zemstvo authorities, as if they were something quite extraordinary, and indicative of the insufficiency of the government as a local authority, and requiring foreign intervention. The measures taken by the very moderate local soviet of workers' delegates to defend the population from the fever of profiteering on the part of private persons and a number of commercial and financial institutions, were held to be "violations of the interests of foreigners" and also brought to the attention of the provincial government (Zemstvo board).

On April 5, 1918, the provincial government received a communication from the Japanese consul general to the effect that, "in view of the absence of sufficient security in the city to assure safety to foreign subjects," he was obliged to ask Admiral Kato to take suitable steps for the security of the life and property of foreign subjects. Simultaneously the provincial government also received a declaration of Admiral Kato, in which the latter, with expressions of his "sympathies" for friendly Russia and the Russian revolution, declared that he was obliged to take extraordinary measures because of the absence of sufficient means in the hands of the local constituted authorities to protect the interests of the population.

At night a landing party of Japanese troops came ashore. The Zemstvo board in an extraordinary session unanimously resolved to issue an emphatic protest against the landing of foreign troops.

At noon on the following day an English landing party arrived.

At 5 o'clock in the evening the consular corps visited the chairman of the Zemstvo in full force, and handed him a declaration of the following content:

There is not the slightest reason to suppose that the present landing of Japanese troops has any relation with a desire to meddle in the internal policy of Russia or to support this political party or that against the others. But in spite of the fact that we have repeatedly called the attention of the local authorities to the fact that life and property of foreigners are not sufficiently protected, we have not been able to observe that the condition of affairs has taken any turn for the better, since things have finally come to the pass where murder and injuries have been inflicted upon three Japanese citizens in broad daylight. Under these circumstances the commander of the Japanese squadron has been obliged to take the necessary measures for the defense of the Japanese. As above stated, the landing of Japanese troops was carried out exclusively with the object of protecting the Japanese, and we therefore have decided emphatically not to act against any Russian party. The Imperial Japanese Government desires merely that it shall be clear that it will always maintain the most friendly and peaceful relations with Russia.

If, therefore, the local authorities will take measures, satisfactory to us, for safeguarding the life and property of foreigners in this city, and preventing the repetition of incidents similar to those that took place recently, the Japanese Government, in view of the above-mentioned object of sending the landing party ashore, will be ready with pleasure to take up a discussion of the means of arriving at a satisfactory solution of the present question, and simultaneously the Imperial Japanese Government hopes that the Russian authorities will immediately take the steps required for a proper adjustment of the matter involving the murder and injury of Japanese.

This document necessarily received the attention of the local authorities and population, for, in addition to the outright declaration as to a Japanese landing party, indefinite and vague expressions already began to be used here; "discussion of a means of arriving at a satisfactory solution of the present question."

In his answer to the consular corps, the chairman of the Zemstvo board declared that the landing party as a means of moral uplift in the sense of preventing thefts and, in general, reestablishing peaceful conditions of life in the city, could not be considered as very successful, since the very fact of a landing of troops brought unrest into the population. Furthermore, the chairman declared that the landing party should withdraw to the ships and the city itself should be left to organize the proper security forces, all the more since the question of reorganizing the militia had already been raised and was to be settled within the next few days.

The consuls declared verbally that this solution would be satisfactory to them also, but no assurances were made that the troops would be withdrawn.

That same night pedestrians in the streets were searched by Japanese sailors, which raised a veritable storm of protest on the part of the local population as well as on that of the authorities.

Notwithstanding all protests, the foreign troops were allowed to remain in the city. Criminality was not only not prevented, but, on the contrary, began to increase visibly. It was felt by all that there were not simply criminals at work, but rather a specially organized gang.

Meanwhile American and Chinese ships were added to those of Japan and England in the harbor.

Harbin and Manchuria in general were at that time the centers for the organization of counter-revolutionary forces, grouped about Gen. Horvath, ruler of the Chinese Eastern Railway, and the Atamans—Cossack chieftains—Semenov, and Kalmykov. Semenov was in control of the station of Manchuria—a city—while the detachments of Kalmykov were already active at the station of Pogranichnaya, carrying on thefts and shootings of peaceful people under the pretext of combating bolshevism. The local population was already then fully aware of the relations existing between the Japanese and the Atamans, Semenov, and Kalmykov. Semenov was also receiving some support from the French.

II.

In June news began to arrive from Siberia of the overthrow of the soviet power by the Czecho-Slovaks, and on June 28 the Czecho-Slovaks gained control in Vladivostok and the environs. The military power was entirely in the hands of the Czech command, and only the civil power, and that not fully, was held by the Zemstvo board.

On July 6 a proclamation addressed to the population by the Allies appeared on the advertising kiosks of the city, signed by the commander in chief of the Asiatic Fleet of the United States, Admiral Knight; the commander of the special division of the Imperial Japanese Fleet, Vice Admiral Kato; Capt. Paine of the Royal British Fleet; the head of the French military mission with the Czecho-Slovak army, Col. Paris; the commander of the Chinese cruiser *Hai-Yun*; the commandant of the city, Capt. Badiura, of the Czecho-Slovak army.

This declaration ran as follows:

In view of the danger threatening Vladivostok and the allied forces in that city by reason of the open and secret work of Austro-German prisoners of war, the city and its environs are hereby placed under the provisional protection of the allied powers, and all measures will be taken for its defense both from external as well as internal danger.

All ordinances issued up to the present time by the Czecho-Slovak command shall remain in force.

The authority of the Zemstvo and of the city government is recognized in local affairs, but the military force and the police shall be strengthened by such numbers of allied troops as may be found necessary for eliminating the danger threatening from Austro-German agents and their influence, who, according to information in our possession, are active in the city. The present step is taken in a spirit of friendship and sympathy for the Russian people and not for any political faction or party, in the hope that the period of calm that will result will make it possible to unite again all factions in their work together, so that their harmonious and united strength may reestablish a firm and long-lived government and may cast off the yoke of the tyrannical dictatorship of the Austro-German powers, which are trying to fasten this yoke for a long time on the Russian people.

All responsible citizens should unite in the general work of maintaining order and lawfulness.

The attacks of the Czechs under the tutelage of the French and the proclamation of the Allies on July 6, sanctioning these attacks, so to speak, are the signposts marking the beginning of intervention; the preparatory period is at an end. While the

arrival under very unusual circumstances of first one and then another Japanese warship at Vladivostok and the pressure exerted by the whole consular corps, as well as the landing of Japanese and English troops, were considered as perhaps a very humiliating but nevertheless temporary episode—the Czecho-Slovak action and the proclamation of July 6 immediately cause the population to view the matter in a more serious light; it became plain that some one, individually or collectively, desired to force his will upon the Russian people.

III.

The open acts of the Japanese now became merely a part of the general activities of the Allies. And it was clear, as was shown by subsequent events, that these open acts were not the chief objective of Japanese policy. The Japanese at this time were preparing a special Russian army which was to keep the civil war constantly aflame, to create a condition of perpetual uncertainty as to the morrow, and to undermine every Russian authority of whatever nature it might be, soviet, bourgeois-democratic, or monarchist.

At the head of these forces there was constantly available the bandits and murderers—the Cossack Atamans Semenov and Kalmykov, established on the highways and the railroad main line, who robbed, tortured, and shot down the peaceful population when it was so unfortunate as to meet with these criminals. And both Kalmykov and Semenov were in possession of great sums of money for the hiring of bandits among the Cossacks, former Tsarist officers who did not wish to make their peace with the revolution and had become accustomed to a dissolute life, ignorant natives of the Buriat and Mongolian tribes, as well as Chinese Khun-Khuses (bandits); they had weapons in great abundance, even machine guns.

Meanwhile conversations were going on between the allied Governments on the subject of intervention on a large scale.

At the time when the French and English were framing great plans for the renewal of the Russian participation in the war with Germany, plans closely associated with the active struggles of the Czechs and the antibolsheviks against the soviet power, the Americans gave evidence of a more sober view of things, particularly of the value of military intervention as a means to this end, and formulated the task of the American troops as the "guarding of supplies that might later be of assistance to the Russian troops and also the giving of aid such as the Russians would be ready to accept in the organization of their own self-defense." Only with this object, the United States declared, would they collaborate at the present time with the Governments of France and Great Britain in the Murmansk and Archangel region on the one hand, and "for the defense of the rear of the Czecho-Slovaks moving westward" on the other hand; but the latter was the more important consideration.

Limiting its tasks in this manner, the Government of the United States did not, at the same time, force its pessimistic view of intervention and of its function in connection with the German war upon the English and upon France, and in its declaration cited above it states that the "decisions taken by the Government of the United States on this important question do not signify that it is the thought of the United States to restrict the actions of the Governments with which we are at the present time allied, or to meddle in their independent judgments."

After the action of the Czechs in June the beginning of August saw the most definite steps taken in the history of intervention in the Russian Far East. The question as to active military intervention was settled, and the Governments of the United States, Japan, Great Britain, France, Italy, and China—the latter was also dragged in—solemnly addressed the Russian people and explained to it their true intentions and promised that "Russian territory should be inviolate at the present and in the future," "nonintervention in internal affairs," and abstention from actions that might violate "the political sovereignty of Russia."

In their declaration of August 5, 1918, the United States assumed officially the political responsibility for the entrance of the Japanese troops. In that declaration the following words appeared, literally: "The United States and Japan are the only powers now able to act in Siberia with sufficient forces to carry out even those modest aims that have been indicated above. The Government of the United States has, therefore, proposed to Japan that each of these two Governments send detachments of several thousand men to Vladivostok. These detachments should act as a sufficient force for the purpose of occupying Vladivostok and defending the Czecho-Slovaks in their western movement. The Japanese Government consented to this."

This is accompanied by assurances on the part of the United States as to the absence of any desire for conquest: "We have knowledge that the Japanese Government is giving similar assurances. The plans and intentions of the Government of the United States have been transmitted to the Governments of France, Great Britain, and Italy, and these Governments have informed the State Department of their acceptance in principle."

As a matter of fact, the Japanese on the following day published a solemn declaration in which they made an almost identical statement: "The Allies naturally can not remain indifferent to the unfortunate course of events (the Czecho-Slovak affair), and a certain number of allied troops have already received orders to proceed to Vladivostok. Likewise the Government of the United States, conscious of the seriousness of the situation, recently made to the Japanese Government the proposal to send troops immediately, with the object of easing the situation of the Czecho-Slovak forces. The Japanese Government, desiring to meet the wishes of the American Government half way and, likewise, to act in harmony with its allies in this expedition, decided to proceed at once to forward the necessary troops for this purpose."

The solemn declaration goes on to say: "The Government confirms its declaration of its policy of respect for the territorial integrity of Russia and its abstention from any meddling in Russia's internal affairs and policies. In addition, it declares that immediately upon the realization of the above-mentioned aims it will evacuate all its troops from Russian territory."

The English and French gave similar guaranties, although they, particularly the French, were already definitely committed to give "assistance" to antibolshevik elements in the interests of a "reconstruction of Russia" and her return to the fold of the Allies. In the declaration signed by Regnaud it is said: "France, like her allies, could not fail to answer the call of the sane elements of the Russian people who remain faithful to their allied obligations and who aim still to put an end to the bolshevik disorganization, which brought about the dismemberment and the ruin of Russia, betrayed to the Germans."

IV.

On August 11 the Twelfth Japanese Division landed at Vladivostok, and on August 18 the commander in chief of the Japanese expeditionary forces, Gen. Otani, with his staff, became the nominal head of all the allied forces. In September American forces also began to arrive.

Meanwhile the Czechs were moving in an easterly direction, everywhere overthrowing the Siberian soviet authorities, which they took by surprise, and preparing the way for the arrival of the Allies. The Japanese troops were moving westward into Transbaikalia and beyond, taking possession of the railroad, creating a western basis for themselves in Chita, in which city the Third Division arrived at the end of December. Behind the Japanese there followed closely Ataman Semenov, at that time quartered at the station of Manchuria, whither he had repaired after the defeat inflicted upon him by the Siberian soviet troops and volunteer forces. Semenov, following upon the Japanese, got as far as Chita and settled down on the main line of the Transbaikal Railroad.

And then, coming immediately after the Czechs and Japanese, who had turned their attention to Khabarovsk in the middle of August, Ataman Kalmykov, who had "fought" at the station of Pogranichnaya (it is extremely characteristic of these "champions against bolshevism" that every one of them took up his headquarters on the Chinese border, to which he would again withdraw when the slightest pressure was put upon him), penetrated to the Khabarovsk front, where, together with the Japanese, Czechs, and English (the Japanese were in the majority), he participated in the offensive against the hastily organized forces of the soviet of workers and peasants which were defending Khabarovsk. After the evacuation of the soviet army, the Japanese, together with Kalmykov, entered the city of Khabarovsk on August 16 and established themselves there.

The soviet troops retreated to Blagovyeshchensk, to which the Japanese directed a portion of their forces. On September 18 the Japanese entered the city, and on September 24 also entered Zeya. There were no important battles, for the soviet troops declined to give battle. The Fourteenth Japanese Division was assigned to the Amur district, and soon arrived there.

V.

A very curious feature of the Japanese policy, and one that later became very expensive to the population, at once made itself apparent: Wherever they came, whether it was Khabarovsk, the Amur district, Transbaikalia, or the Maritime Province, they had behind them "Russian troops" and "the Russian people," impersonated by the most desperate bandits and military criminal elements, who were in Japanese pay, were completely dependent on the Japanese, and carried out all steps

necessary for the realization of the secret plans of Japan. To other foreigners living in that region the picture became one of uninterrupted civil war and disorder, requiring the presence of foreign troops and permitting the Japanese forces under these circumstances to appear as the "benefactors" of the peaceful Russian population. After the first weeks of the joint occupation of Russian territory by allied troops, differences between the Americans and the Japanese became quickly apparent. The latter quite openly declared their intention to hold the railroad in their own hands. These differences led to a Japanese-American agreement in February, 1919, which was reached after long preliminaries, and to an agreement between the Allies, of March 14, 1919, by virtue of which there was formed an inter-allied railroad commission, which took it upon itself to "guard the railroad." (The Chinese Eastern, the Usuri, and the Siberian Railroads are meant.) In the declaration, point 5 stated: "The application of the present agreement shall cease with the recall of foreign troops from Siberia, and all foreign specialists on the railroad will also then be immediately recalled. We desire to emphasize the principle that the plan outlined above will be carried out without any violation whatever of the sovereign rights of the Russian people and in cooperation with the Russian Railroad personnel." The Japanese were obliged to yield the supreme technical management of the railroads to the Americans, who had arrived in Siberia even before the fall of the Kerensky government.

The Japanese assumed the guardianship over the Transbaikalia and Amur sections of the railroad and of a portion of the Usuri Railroad, which work was carried out jointly with detachments of Russian counter-revolutionaries organized by them. The Americans guarded a portion of the Usuri Railroad and a portion of the Transbaikalia Railroad near Verkhne-Udinsk.

VI.

In this manner the Japanese, uninterruptedly enlarging the zone occupied by their army under various pretexts (frequently in the form of "reliefs" of regiments and divisions), were permanently settled in the Maritime Province, in the Amur region, in Transbaikalia, and were moving into the Province of Irkutsk and to the west of that Province, with as yet small forces.

But this was not sufficient for them. On the basis of a military agreement with Japan, in August, 1918, China, owing to war conditions, which completely absorbed the Allies in their own affairs, was ceaselessly under Japanese pressure, and the Japanese obtained the legal right to establish themselves on the Chinese Eastern Railroad and to assume the guardianship of the road, and made use of their sojourn there (they held the Chinese Eastern Railway for about two years) to consolidate themselves firmly throughout northern Manchuria.

The truthfulness of the Japanese assurances in their solemn declaration of August 6, 1918, became apparent after only a few days, when, sending their troops into Manchuria, they issued their famous communique of August 13, 1918, to the chairman of the Zemstvo board. In this declaration the Japanese exposed the fact that they had entered the territory of the Russian Far East with ulterior motives and plans of their own. While, in their declaration of August 6, the Japanese referred only to the necessity of aiding the Czecho-Slovaks as the cause for intervention, their communique of August 13 advances an entirely new factor, namely, the menace threatening them in northern Manchuria. This document literally declares:

The attention of the Japanese Government was recently called to the growing activity of armed German and Austro-Hungarian prisoners in Siberia along the Manchurian boundary. These prisoners, actually standing at the head of the soviet armies, are at present putting pressure upon the Chinese border in the direction of the city of Manchuria, and this impending danger has obligated a considerable number of Chinese and Japanese inhabitants to seek safety in flight. The situation threatens Chinese territory with immediate danger and in no less serious degree is a menace to Japan.

Japan is bound to China by ties of intimate friendship. Both Governments discussed the policy that should be followed in the present state of affairs and agreed, as an extraordinary provisional measure, on the sending of a detachment of Japanese troops, at present stationed in southern Manchuria, into the city of Manchuria. This transfer of troops is based upon the harmonious collaboration of China and Japan in the face of the threatening danger, and in undertaking it the Japanese Government will faithfully observe both the sovereignty of China and the rights and interests of the local population. The Japanese Government is happy to believe that these measures will to a considerable degree aid in strengthening these relations, based on mutual confidence and good faith.

VII.

At the time when the Japanese hirelings, Semenov and Kalmykov, under the protection of the Japanese, were continuing their task of "fighting bolshevism"—that is, were robbing, pillaging, and murdering the peaceful population—the Japanese were deluging all the villages, and their excesses reached such a point that the entire peasant population began to suffer under their yoke and to turn to their still remaining Russian "authorities," to the Zemstvo boards, for help. Simultaneously the Japanese organized the Chinese Khun-Khuzes (bandits) and directed their assault on the Russian population, and together with them engaged in a complete terrorization of the Russian Far East, both in a military and in an economic way. Everywhere they demanded from the Volost Zemstvo boards information as to the number of inhabitants in the Volost, the number of lands of the various categories, cattle, fowl, etc. All the numerous appeals of the Volost Zemstvo boards to the regional Zemstvo boards would end in the same way: "In reporting the above, the board begs that Russian citizens be protected from violations on the part of armed Japanese detachments."

In order to describe more concretely the actions of the Japanese in 1918 and 1919 (which actions continue to the present day), it is interesting to quote extracts from some of the numerous resolutions of the village communities. The peasants, observing the powerlessness of the Russian authorities, in their simplicity often resolved to appeal to the "American" and "Chinese" consuls in Vladivostok for aid and protection:

In view of the present condition of affairs, when Japanese troops are quartered in Ivanovka (a village of the county of Nikolsk-Usurisk, Maritime Province), and of their attitude toward the inhabitants of the village, particularly the attitude of the interpreter of the Japanese command, a Korean, we have resolved to appeal in the present document to the American and Chinese consul in the city of Vladivostok with the request to relieve the peaceful population of the violations imposed upon it by Japanese troops, since, we repeat, it is impossible for the population even to live in peace, and it will be obliged to leave its homes and escape to wherever it can.

Here are several facts proving the above statement. The Japanese soldiers, without any cause or reason, killed 10 pigs, destroyed a number of gardens, obtained by force and by threatening with weapons, produce, particularly eggs, fowl, etc., and where such was not forthcoming, beat up the farmers. They beat a number of truckmen, when their horses, pulling a heavy load, did not succeed in keeping up with other horses which were stronger. The inhabitants of Ivanovka have been taken away from their regular occupations and are now occupied chiefly in transporting Japanese troops and their supplies; the Japanese soldiers and their Korean drivers beat up the inhabitants of the village, men and women as well as children, frequently using their weapons for the purpose. In the last few days there were beaten up Daniel Romanchenko, 52 years of age; Titus Gerasimenko, 47 years old; the citizen of Ivanovka, Varava, 84 years old, was killed; Nikonor Troyan, 16 years old, was killed by drowning; and finally the village head, Yurchenko, 60 years old, was killed while in the performance of his duties. Signed, October 7, 1919, by the true signatures of 29 citizens of the village of Ivanovka.

These are not isolated facts, but represents a system then practiced and now still practiced by the Japanese. We quote below a number of documents giving information that was gathered by the local authorities.

On October 13, 1919, in answer to an inquiry on the Japanese atrocities in the village of Nikolayevka, Nikolsk-Usurisk County, Maritime Province, the following appears in document 3:

On September 3, in the village of Nikolayevka, I, the chairman of the Nikolayevsk Village Committee, Michael Loboda, made an inquiry, together with the undersigned witnesses and appraisers, the citizens of the village of Nikolayevka, Timofei Korpenko, and Loka Shkolin, on the burning of Barsukov's farmhouse.

On July 5, 1919, O. S., early in the morning, a detachment of Japanese troops arriving, they set fire to Maxim Barsukov's shed and then also to the four remaining huts, in which Nastasya Barsukov, the wife of Vasil Barsukov, and Matrena Barsukov, the wife of Ivan Barsukov, were burned to death; they killed on the same spot Vasily Moiseyevich Barsukov and Simion Vavilovich Barsukov; Nikolai Barsukov was wounded and later died of his wounds. The damage done by the fire is estimated at 191,154 rubles (Siberian paper money).

Document 6: The Japanese came to Ivanovka on July 22, 1919, and took possession of the Zemstvo Board building and school. After seizing the building they threw around the benches and then broke 26 of them, also five blackboards, and burned three cords of wood. Of school supplies are missing 200 copy books, 120 pencils, 300 pens; textbooks and readers were destroyed, but it is impossible to estimate the number of the latter, as the catalogues also have been destroyed. The losses of the school amount to about 4,665 rubles.

In the Zemstvo Board building they burned five cords of wood of a value of about 3,000 rubles. The Japanese staff was asked to pay 1,000 rubles monthly for their quarters for August and September, in all 2,000 rubles, but refused to do so.

From the report of the head of the Khabarovsk municipal militia, January 12, 1920, addressed to the chief of Khabarovsk County:

Record of preliminary investigation:

On January 8, 1920, I, Michael Chebyarov, militiaman of the second district of the guard of the Amur Railroad, posted at station Volochayevka of the aforesaid railroad, on the basis of articles 252 and 253 of the criminal law, proceeded with an inquiry concerning the killing of Joseph Melnikov by Japanese soldiers, in which inquiry it transpired that on January 8 of the current year, after the armored train No. 101 had arrived from Khabarovsk at the station Volochayevka, there was passing at a distance of 20 sazhen (140 feet) opposite the station Volochayevka, in a sleigh drawn by a horse, the family of Joseph Melnikov, the road surveyor of the seventh precinct of the road service, consisting of four boys, the youngest of whom was 4 and the oldest 15 years old; at that time part of the Japanese soldiers left the armored train and began to shoot at the aforesaid persons passing in the sleigh, mortally wounding in the head above the left temple the 15-year-old Joseph Melnikov and killing instantly the horse belonging to Michael Akimov, citizen of the village of Volochayevka.

From the report of the head of the Khabarovsk municipal militia, January 12, 1920, addressed to the chief of the Khabarovsk district:

I report that on January 3, 1920, the Japanese officer, Heida Tenaki, fired his revolver at the militiaman of the second precinct, Gussev, on guard at his post. Although the shot was fired at close range, the bullet did not enter the militiaman's body. The shooter was arrested by the head of the fourth precinct of militia in my charge and his Smith & Wesson revolver taken away from him. When questioned as to the reason for discharging his weapon, the Japanese officer answered, "My fun."

From a document dated February 6, 1920, in the village of Knyaze Volkonskoye, drawn up by the representatives of the local authorities:

On January 8, 1920, I, Michael Chebyarov, militiaman of the second, the settlement Knyazevolkonky, from the direction of the village of Konstantinovka, opened fire at a distance of about 1 verst, and thus destroyed the building of the Volost Zemstvo Board, which was struck by a number of shells.

After ceasing fire the Japanese detachment, entering the village itself, began a machine-gun fire in the first, second, and third streets and then conducted an individual search of the peaceful inhabitants, violating inoffensive women and young girls and also stealing the property of peaceful citizens. They then proceeded to burn down dwellings and several structures belonging to peaceful citizens, as well as a number of buildings of government institutions.

According to a telegram of the head of this section of the Usuri Railway Service, dated February 25, 1920, the Japanese troops shot and otherwise killed the following persons: "Near the Gedika junction the State machine worker, Fedor Dveryak, was killed on January 10; on January 24 the laborer Ivan Bezkrovny was shot at the station of Vyazenskaya; and on February 1, in the 608-verst guardhouse, the right-of-way worker, Gordey Tsibunsky, was killed, with his wife and two children."

Report 102 of the Gondatin village committee, Vedensk County, Iman District, Maritime Province: Drawn up September 24, 1918:

We again ask the body of the Iman district Zemstvo board to place the following matter before whom it may concern: Japanese soldiers guarding the bridge between the stations of Iman and Guboryevo, Usuri Railway, steal everything that has value and that pleases them, shoot at people in order that they may not interfere with their seizures of fowl, eggs, bread, sugar, tea, matches, knives, bowls, and government property, which has been brought by the Red Army men from the German front, as well as shotguns, powder, and caps. They take things not because they need them but because they please their fancy; they ransack trunks, breaking their locks to do so; they attack women, demanding what is impossible and shameful for Russian persons; and we have been reduced to the most wretched situation, not having expected such actions from the Japanese people. We urgently beg the Japanese consul to put an end to the violations and misdeeds perpetrated by the Japanese soldiers. (There follow the signatures of the inhabitants.)

The above specimens of complaints are not specially chosen and are not the most outrageous. Among the other records, we have documents that it is impossible to read with any peace of mind, and we can produce thousands of such complaints, all of them officially certified. To publish all these documents would be to fill thousands of volumes of human wretchedness.

All these things the Japanese themselves did, and this is what they called "fighting bolshevism."

They were ably seconded by their hirelings, the bandits Kalmykov and Semenov, who robbed, tortured, and murdered thousands of people without distinction of sex or age, and that also was called "fighting bolshevism."

VIII.

Murderers and criminal elements who escaped the local authorities always found protection in the Japanese staff, and if they were arrested were defended by the Japanese, who declared that these were their agents. As a specimen we may introduce a copy of a telegram, No. 98, of the Nikolsk authorities, dated September 8, 1920:

I arrested on this day Karl Belyayev, who in Spassk murdered Andreyev, Kustovinov, and Kalinichenko (three representatives of the Zemstvo board authorities, who later turned out to have been burned by White Guards in the furnace of their locomotive). The local Japanese command freed the prisoner and took him under its protection, depriving me of the right to arrest him, Belyayev, as a criminal offender. This intercession of the local Japanese authorities in favor of criminal persons is not the first case. I urgently request the punishment of illegal acts of intervention on the part of the Japanese command in the business of the Russian authorities.

(Signed) SOLOGUBENKO.

IX.

Returning to the general allied intervention, aside from that of the Japanese, we must distinguish between two policies: The Anglo-French policy and the American policy, or the active and the passive policy.

France and England, in the presence of their military representatives (the English general, Knox, and others, for example), intended to make use of the situation to wage a cruel and bloody war against the soviet power and understood perfectly well that this determined struggle against the soviet power would have to be carried on, not by democrats but only by irreconcilable monarchists and the remnants of the bourgeois-feudal Russia, who opposed to the ideas of the revolution the old ideas (and practices) of the autocratic régime that had been born in blood and iron.

When, after the Czecho-Slovak revolt, the moderate democratic elements and a portion of the right socialists set up their power in the Provinces, and after the Ufa conference of the members of the constituent assembly created the directorate in Omsk, the center of Siberia, and when simultaneously the monarchist elements, with foreign support, became strong enough to bring about a coup d'état and to overthrow the directorate, the English and the French, who had already been in sympathy with them and given them support, were doing their best to bring about the success of an extremely reactionary administration—the rule of Admiral Kolchak.

What Kalmykov was doing in Khabarovsk, and Semenov in Chita, became the rule all over Siberia as soon as this new power, based upon foreign bayonets, was strengthened; whipping, shootings of carloads of people with machine guns, treacherous assassination of all the elements that were more or less democratically inclined, and debauchery of the reactionary soldiery in the villages which in many places were converted into cemeteries and ash heaps, became a "normal" condition for the Siberian population.

X.

But even then, with the fatal policy of the Allies as the background, the Japanese policy did not lose its originality.

With its own problems in view and with such an excellent opportunity to come in "by invitation," Japan could not allow any other power, not even a kindred monarchy, to fortify itself there. A strong Russian power meant a curtailment of her program; Russia, torn by internal strife, guaranteed the carrying out of her policy of a great power aiming at the creation of a great Japan at another's cost.

For this purpose, as was already pointed out, were called into existence Semenov and Kalmykov, and were kept at different places, both to be used for the same job. At the moment they were to weaken the Central Omsk Government, to hinder its work. At the same time the Omsk Government was made use of in every possible way—its gold reserve was drained, its cotton, iron, copper, etc., were exported for next to nothing.

At last the entire population, including many antibolsheviks, in despair took to arms and, hiding in outlying woods, began a guerilla warfare with the reactionary and criminal power imposed on them from outside.

XI.

At the same time Kolchak's army, after serious clashes with the red army, began to thin out and retreated; the greater part, mostly peasants, went over to the reds, the rest retreated or fled.

The Czecho-Slovaks, seeing the shameful part they had played, realizing that they were nothing but cat's-paws in the hands of reaction, began to demand immediate repatriation and refused to do further fighting.

Indeed, there was nothing else to be done; the victorious red army was everywhere met by the population with enthusiasm as the liberator from the horrible nightmare of Kolchak's rule, and grew from day to day.

Not to retreat after discontinuing to fight meant complete rout and disaster.

The Czecho-Slovaks naturally preferred the retreat and began to move eastward. The Allies, realizing the failure of military intervention, particularly after the successful end of the war with Germany, did not particularly detain the Czecho-Slovaks. Sufficient use had already been made of them.

The English, French, Czecho-Slovaks, Italians began to leave Russian territory. The counter-revolutionists were in despair and called to Japan as the "only" country that could save "Russia," i. e., counter-revolution. And doing so, they cursed America. The fact that America, as represented by the commander of the American forces, William S. Graves, did not find it possible, remaining true to the declaration of August 6, 1918, to support actively the lawless régime of the various Kolchaks, Rozanovs, Ivanov-Rinovs, etc., brought about the hatred of these monarchist remnants toward Americans. In their prostitute press, which was engaged in singing praises to "noble Japan" and to the aid already rendered to "the Russian people" (as represented by all these generals—the Semenovs, Kalmykovs), they were outdoing one another in slinging mud at the American forces in America. They all carried one motto—alliance of monarchist Japan with Siberian and Russian monarchist counter-revolution. But these "mouthings" too went for naught—they were swept away by popular indignation.

XII.

Kolchak's rule was overthrown everywhere; first in the west and later in the east (in the Maritime and Amur Provinces). On January 31 Gen. Rosanov, Kolchak's appointee, was overthrown in Vladivostok, and in February the same happened to Kolchak's administration on the Amur.

Japan's policy remained the same as ever. On January 31 an attempt was made to repeat the experience of November 16, 1919, during the so-called Gaida insurrection in Vladivostok, where the insurgents were defeated only through the aid given to Kolchak's forces by the Japanese; as a result several hundred men were killed by machine guns. This time, during the revolt, when almost the entire Kolchak forces went over to the side of the Democratic Zemstvo Government, which was fighting Kolchak, on the streets together with Japanese forces appeared also Americans, which prevented the Japanese from interfering in the events, and in accordance with the declaration of their Government insisted on their (the Japanese) remaining neutral.

A similar attempt to prevent the overthrow of Kolchak's rule was made by the Japanese in the Amur Provinces, but was ineffective owing to the persistent and determined activity of the revolutionaries.

XIII.

When the forces of the Zemstvo administration of the Maritime Province, which proclaimed itself as the provisional government, were approaching Khabarovsk to seize or expel Ataman Kalmykov, the Japanese, which, under the circumstances could not act openly, took up a position of secret military aid. In a telegram from Bulgakov, the commander of the attacking Zemstvo army, dated February 21, 1920, No. 201, addressed to the commander in chief of the forces of the provisional governments, the following was stated: In order to hamper the progress of his army Japanese soldiers, during the night of February 12, had cut up the paving of the bridge and the stairs near the bridge on the six hundred and eighty-first verst and laid the cut-up timber on the bridge girders between the rails; on top of this they piled up straw and set fire to it. Very coolly the Japanese soldiers kept throwing pieces of wood on the bonfire. When this was brought to the attention of Gen. Yamada, in command of the Japanese forces in Khabarovsk, he did not try to evade the question, but replied that he was forced to stop the entry of revolutionary forces in Khabarovsk, and therefore gave the order to burn two bridges. Still Kalmykov was chased out, notwithstanding the help of the Japanese. He crossed the Chinese border, where he shot part of his army which tried to leave him, and later was himself interned by the Chinese. (Some time later in trying to escape he was killed by Chinese soldiers.)

XIV.

In the Amur Province, where the Japanese soldiers were particularly suffering from the cold and where they outdid the other troops in their atrocities toward the population (in one village alone, Ivanovka, several hundred people were shot down by machine guns and burned to death), thus arousing the entire population against them—the rich and the poor, the peasants, the Cossacks, and the townspeople—the position of the Japanese became too unsafe and they decided to evacuate the territory for the time being. Evacuation began toward the end of February.

XV.

In the meantime in the districts close to the Japanese position (Pribaikalia) guerrilla detachments in clashes with Semenov forces routed the latter and occupied the city of Verkhne-Udinsk. The attempt to capture Chita was unsuccessful owing to the active support the Japanese gave to Semenov.

In Verkhne-Udinsk the "Provisional Zemstvo Government of Pribaikalia" was established and announced its aim—to clear the entire Province of Transbaikalia from Semenov's forces.

XVI.

At the end of March, 1920, the Japanese announced that they would not allow the Red troops to pass farther east and demanded that these troops be moved from the station of Gyrshelun to the station of Khilok on the Transbaikal Railway, declaring at the same time that they have nothing against the presence of local forces of the newly established local government in Verkhne-Udinsk, i. e., the Zemstvo Government of Pribaikalia. Thus the Japanese attempted to establish by force a buffer zone between themselves and Soviet Russia.

XVII.

On March 13 an agreement was concluded between the Czecho-Slovak forces—which had come to an understanding with the Red army—and the Provisional Zemstvo Government of Pribaikalia, whereby the government undertook to assist the Czechs in hastening their departure, to carry on no military actions in the territory of the railway line, and not to destroy the tracks during the transportation of Czecho-Slovak troops along the line. The Czechs on their part undertook to hand over, after their last detachments shall have passed, all railroad bridges and constructions in complete order and to carry away none of the military property of Kolchak's army. Together with the Czechs were also leaving Rumanian, Latvian, and Jugoslavian troops.

XVIII.

While the new democratic authorities were endeavoring to do everything possible to hasten the departure of the Czechs, the Japanese and their protégés, the Semenov forces, were using all possible means to hamper their movement along the Transbaikal and Chinese Eastern Railways. On April 14, 1920, the interallied technical board made a vigorous protest against the actions of the Japanese and the Semenov forces, while the interallied railway committee was forced to send its representative, Mr. Smith, an American, to Transbaikalia to investigate why the evacuation of the Czecho-Slovaks was being held up. As a result of his report, made upon his return, all the representatives of the interallied committee, with the exception of the Japanese, decided to send to their respective Governments an identical telegram, in which they accused the Semenov forces and the Japanese of violating the decisions of the technical railway board and committee and of actually holding up the movement of the Czecho-Slovaks. Paragraph 3 of this telegram says: "The Japanese military forces, by placing Japanese detachments at such points of the Chinese Eastern Railway, which in accordance with an interallied agreement, must be guarded by Chinese troops, and also by permitting their troops to interfere in railroad matters, have caused conflicts, the consequences of which have been unnecessary victims among Russian, Chinese, and Czecho-Slovak citizens, and the movement of trains has suffered. In Imianpo, a station on the Chinese Eastern Railway, the Japanese shot and killed several Russian railway men; similar attempts were made in Khailar, where shots were exchanged between Chinese and Japanese troops."

If these were the feelings of the official representatives of the allied powers, it is easy to imagine the state of mind of the population, which had to bear the brunt of the situation on its shoulders.

The evacuation continued normally. The Americans announced the forthcoming evacuation of their troops.

XIX.

On March 2, 1920, the provisional government of the Maritime Zemstvo board handed to Count Matsudaira, counsellor of the Japanese diplomatic mission in Siberia, a note for transmission to the Japanese Imperial Government. This note pointed out that with the downfall of the Kolchak forces, order was established everywhere and civil war ended, that every assistance is being rendered in the matter of evacuating the Czecho-Slovaks, and that there was, therefore, no further reason for continuing the intervention which was so obnoxious to the population. The note further stated that, unfortunately, not all the participants in the intervention recognized the change in the situation, and that while some of the Allies withdrew, and others were preparing to withdraw, the Japanese Government increased its forces (the number of Japanese troops reached 70,000). The note continued: "This last circumstance defines the responsible rôle played by the Japanese Government in continuing and even increasing the intervention, which now assumes the character of a single-handed forcible action against the will of the people. The Zemstvo Government considers the further continuation of intervention by the Japanese Government as a violation of the sovereign rights of Russia in the Far East and declares that in carrying out their intervention the Japanese were supporting the lawless régime of Kolchak, Semenov, and Kalmykov, that the Japanese were shooting Russian citizens, burning villages, etc., and that all this prevents the resumption of normal conditions of life in the Russian Far East." The note concluded with two demands: (1) to complete the announced evacuation of the Amur Province and (2) to commence immediately a new and rapid evacuation of the territory of the Russian Far East by the Japanese forces.

The Japanese did not answer, and at the same time announced to the outer world that the situation of the Czecho-Slovak forces held up their evacuation.

XX.

On March 8, 1920, the Provisional Government addressed a request to the diplomatic representative of Czechoslovakia in Siberia in which, after pointing out that the Japanese Government had announced that the presence and even the increase of Japanese troops was necessary principally in order to guarantee safe and uninterrupted passage of the Czech troops,

information was asked as to "whether the successful evacuation of Czech troops, in spite of all the necessary measures in this direction taken by the Provisional Government, actually depended upon the presence and constant increase of Japanese troops on the territory of our Far East."

To this, on March 10, Dr. Girsa, plenipotentiary minister of the Czecho-Slovak Republic, replied the following: "The difficulties in evacuating the Czecho-Slovak troops at first met with on the part of the soviet government in the region west of Irkutsk have been removed by mutual agreement between Czecho-Slovak and soviet troops"; "that in the Far East there were no obstacles placed on the way, but on the contrary, every possible assistance was rendered everywhere," for which he considered it his duty to express his thanks.

The Japanese, however, assiduously continuing their work against the interests of the population, preferred to ignore this official refutation of the statement made by the Japanese Government, as contained in the above-stated inquiry of the Provisional Government of March 8.

XXI.

The strained relations between the Japanese and the local population were getting worse from day to day as a result of the unceasing brutality of the Japanese.

On March 27 the Provisional Government handed in a memorandum setting forth the Japanese atrocities against the Russian people—arrests, murders, incendiarism.

As long as the Japanese were carrying out their policy along the railway line, before the eyes of all the world, they tried to mask their intentions. But in a far away corner on the Pacific coast, in Nikolayevsk on the Amur, which was cut off from the seat of the Government and from the rest of the population, the Japanese acted quite openly. There was no one for whom it was necessary to invent special pretexts for their course of action, and the Russian population could be trampled upon without any constraint.

Placing the fact of the dispatch of Japanese soldiers to this far away region side by side with the official reason given for such dispatch in the Japanese declarations, one unusual circumstance immediately presents itself, namely, there were no Czecho-Slovaks in Nikolayevsk on the Amur to be saved; by reason of the very geographic position of Nikolayevsk there could be no danger to Manchuria; furthermore, the Russians and the Japanese had always lived there at peace with each other. And nevertheless soldiers were sent there, several hundreds of them.

As everywhere else, the population of Nikolayevsk was fighting the Kolchak and Semenov forces, and as everywhere else, too, the Japanese supported the latter against the population. When the news of the complete rout of Kolchak reached Nikolayevsk, the local partisan detachment, which had kept up the fight with the White Guards, whom the Japanese held completely under their sway, captured the local fortress Chnyriakh, and after besieging the town for a month, had thrice asked them to surrender, proposing to the Japanese to cease their armed intervention, so as to avoid the necessity of using the long range fortress artillery and endangering the city and its population. The first peaceful offer was ignored by the Japanese. Sorokin, the truce bearer sent by the partisan forces, was killed. The second offer was carried to the Japanese in Nikolayevsk by three truce bearers, two Chinese and one Russian (Orlov); instead of giving an answer, the Japanese again killed the Russian truce bearer, after submitting him to horrible tortures. His eyes were gouged out, his nose and toes burned, and his back cut up. His body was afterwards disinterred, when the partisans entered the city, and in the presence of foreign representatives an autopsy was performed in order to prove the act of atrocity committed by the Japanese and the manner in which the latter adhere to rules of truce. The third offer was made after the Japanese handed to the partisans the declaration of Gen. Siramidsu, commander of the Japanese forces in Khabarovsk, to the effect that it was the intention of the Japanese to remain neutral in the future. The offer was accompanied by a request to make clear certain points in the declaration, and a notification that should the besieged refuse to surrender, the partisans would be forced to bombard the city. No answer came; and only after a day's bombardment the Japanese sent a truce bearer, an old Russian peasant.

There was no written offer from the Japanese; verbally the messenger explained that they would like to commence peace negotiations. The staff of the partisan forces handed the messenger its answer agreeing to such peace negotiations with an offer immediately to cease military activities and asking the Japanese to send representatives to begin negotiations on February 24. On the basis of Gen. Siramidsu's declaration, the Japanese were asked to cease military activities and to surrender the city on the following conditions: (1) Unconditional fulfillment by the Japanese command of Gen. Siramidsu's declaration regarding noninterference in internal affairs; (2) complete disarming of the White Guard garrison in Nikoloyevsk and delivery of all their arms and munitions, place of delivery to be indicated subsequently; (3) until the entry into the city of the partisan forces and until all strategic points would be occupied by them, these were to be held by Japanese; (4) upon fulfillment of above, the Japanese forces were to surrender all sentries to the partisan forces and to retreat to quarters assigned to them. The question of quarters was to be decided by the Japanese and the Russian (partisan) commands by mutual consent. The conditions were accepted, peace was signed by representatives of the Japanese command, of the White Guards, of the city administration, and of the partisans. On February 29 the partisans entered the city and the White Guards gave up their arms—300 rifles, four 3-inch guns with shells, and 3 projectors. Several of their leaders, fearing court-martial, committed suicide. The leading counter-revolutionists and all the White Guard officers were arrested. Always willing to meet the Japanese halfway, the partisans permitted them to have sentries within their own forces and quarters, thus relieving them from carrying out the last paragraph of the agreement. The Japanese walked freely around the city, armed. The relations were most friendly. All requests on the part of the Japanese about certain privileges or regarding delivery of foodstuffs, etc., were gladly granted. The Japanese, too, were very courteous and gave assurances of sincere friendship.

Two weeks passed from the day when the city was occupied and peace and quiet seemed to have been securely established. As before, the Japanese had sentries posted not only near their headquarters but almost near every house where the Japanese were stationed. Japanese patrols walked around the city freely.

At 3 o'clock in the night of March 12 a detachment of Japanese soldiers stationed in the city, contrary to the truce agreement concluded with the partisans, quite suddenly surrounded and besieged the headquarters of the partisan army, the artillery positions and the barracks, and simultaneously opened fire at all these points. The main attack was made on the headquarters, at which the Japanese directed a barrage fire of rifles, machine guns, and incendiary bombs which set ablaze the building from all sides. In the building at the time were present Triapitsyn, commander of the partisan army; Naumov, chief of the staff; and others; also a number of employees and their children. The commander succeeded in sending a telephone message to the Chnyrakh Fortress and to the central military telephone station. After that the wires were cut. Escape from the burning building surrounded by the Japanese, who did not stop firing for a second, was impossible, and those inside began to suffocate in the smoke. The commander and many others were wounded; two were killed. To remain in the building any longer was impossible. It was decided to leave and to make a dash for the next building. This was done. In running across, almost everyone was wounded, including Tryapitsyn, who was wounded for the second time; four were killed. The secretary, Cherny, and other three employees perished in the burning building. The house to which they escaped was also under constant fire. In spite of the suddenness of the attack, the partisans began to gather, donning their clothes on the run, forming into units, and starting to repulse the attack. The Third Company was the first to approach the headquarters in chain formation.

Under their rifle fire the Japanese began to retreat. Thanks to the courage and self-sacrifice of the commanding personnel and the firm stand of the partisan soldiers, the Japanese were thrown into disorder and began to give up point after point. The battle lasted incessantly for two days (March 13 and 14) amid the most ferocious fighting. The Japanese concentrated their main forces in their consulate, in the barracks and garrison quarters. The Japanese civil population took part in the attack, arms in hand. Toward the evening of March 14 the affair was almost finished with the exception of one Japanese detachment which occupied the brick barracks. Just then an order came from Gen. Yamada, commander of the Japanese forces in Khabarovsk to the commander of the Japanese detachment, immediately to cease hostilities and to conclude a truce. The order was transmitted to the Japanese through a captured interpreter. The Japanese agreed to cease hostilities and to give up their arms. At noon of March 15 the Japanese remaining in the barracks hoisted a white flag and surrendered, 130 of them, who were taken prisoners.

Of the partisans, 50 were dead and more than 100 wounded.

These are, in short, the main features of the events of Nikolayevsk.

A population that is not at all inclined to consider itself "conquered" and that is incapable of remaining in the condition of slaves, can not be insulted and mistreated with impunity. There is a limit to every endurance, but in Nikolayevsk there was not only human patience at stake—there life itself had to be protected against cruel and cunning "guests" who felt themselves as masters of a land which they considered already subjugated. When the partisans learned of a new movement of Japanese "reinforcements" coming up from Alexandrovsk in Sakhalin, with the usual trail of cruelties, and knowing from past experience what awaited them upon the arrival of these reinforcements they decided to leave the city, and in their exasperation they killed the remaining Japanese in revenge for the execution of partisans then going on in Sakhalin.

The frenzied partisan leaders did not spare even the Russian population. But they were punished by the partisans themselves after their retreat from Nikolayevsk, which was occupied by the Japanese. They were arrested for the crimes committed and sentenced to be executed. The sentence was carried out.

That the behavior of the Japanese in Nikolayevsk was not an accident is testified by similar occurrences which took place all through the Maritime Province during April.

The Japanese military party was up in arms. "The souls of the dead" of Nikolayevsk cried for vengeance and went so far as to cause the seizure of the Sakhalin territory. The Japanese Government sent a further punitive expedition to Nikolayevsk to complete the work begun.

The majority of the remaining Russian population was transferred to Vladivostok, and Nikolayevsk was occupied by the Japanese. Of particular interest is also the fact that even before any "events" took place in Nikolayevsk the Japanese warship *Mikasa* arrived there, and under the signature of the commander of the ship, Capt. H. Mukai, an appeal was issued to the population of Nikolayevsk dated as early as February 20, 1920:

In order to avoid any misunderstanding that might arise through the unexpected appearance of our vessels in these waters, as senior commander I consider it timely to give an explanation of our present visit. In the middle of January information reached us regarding a political change taking place here, and soon thereafter various disquieting rumors began to reach us about the dangers threatening the lives and interests of the Japanese residing in this territory. In view of the fact that all communication is cut off with this part of the country we had no possibility of ascertaining the true state of affairs.

Disturbed by this situation and obliged to take measures for the protection of its nationals, the Imperial Japanese Government finally decided, in spite of all climatic difficulties, to dispatch us here for the sole above stated purpose, without any intention whatsoever of interfering in the internal affairs of the local administration, not to speak of any designs as regards territorial seizure.

I, therefore, again repeat that the reason for our visit is our anxiety aroused by the various rumors of impending danger to the Japanese residents, and the purpose of our visit is to obtain all information on the spot, and should any danger actually exist to take proper measures to protect and safeguard Japanese lives and interests.

Thus, whether we are to remain here for some time or whether we can curtail our visit depends entirely upon prevailing conditions. I trust, however, that our fears are groundless, and that we shall be able to leave shortly, with full confidence in the friendly attitude toward the Japanese nation on the part of your local population.

I take this opportunity of tendering you my best wishes.

The contents of this appeal are sufficient evidence that no danger actually threatened the Japanese from the Russian population. But there is something strange, to say the least, in the special "assurance" given to the population that there is no intention whatever "to interfere in the internal affairs of the local administration, not to speak of any designs of territorial seizure."

How far the Japanese in Nikolayevsk refrained from interfering in "the internal affairs" we have already seen above; their "designs," as far as territorial acquisitions are concerned, can be seen from what follows.

In the beginning of October the Japanese were forced to leave the destroyed city of Nikolayevsk for the winter; on October 1, as a farewell, the following appeal was addressed to the remaining population (the appeal signed by Maj. Gen. Tsuno):

In the spring of this year the city of Nikolayevsk was set on fire by the bolshevik barbarians, as a result of which the population is without homes or food, its destitution reaching the highest limits. It is hard for outsiders, who are guided by the principles of humanity and justice, to be mere lookers-on. Ever since coming here the Japanese troops have tried to preserve peace and order and endeavored to improve the welfare of the population. This attitude for the present as well as in the future remains unchanged. Realizing that it is impossible to leave troops for the winter in a destroyed city, we have decided to remove them from the Nikolayevsk region until the next spring. I call upon the local population by common efforts to preserve peace and order during the winter.

When the provisional Zemstvo government in Vladivostok tried to send boats with foodstuffs and medicines to Nikolayevsk, they had to overcome many obstacles that were put in their way by the Japanese. New demands were made every day, constant inquiries sent to Tokyo; and the population of Nikolayevsk suffered from hunger and cold while precious time was wasted for these negotiations.

Finally the Japanese "permitted" the provisional government to send two boats, *Erivan* and *Vzryvatel*, into the latter's own territorial waters, on the following conditions:

1. The boats are to be subject to directions of respective Japanese naval authorities as to their actions upon arrival and stay in port.

2. The purpose of the commission is limited to the investigation of events and to rendering aid to the victims.

3. Upon the completion of their task they must leave Nikolayevsk.

4. Safety in the channel or on land is not guaranteed. The Japanese military authorities, however, are willing to render all possible assistance.

5. Those arriving in port must have with them personal identifications issued by Japanese civil and military authorities in Japan as well as abroad.

6. The Japanese military authorities have no means of furnishing quarters or food supplies to those arriving.

7. The arrivals are requested not to engage in propaganda and not to break order and peace.

In this way part of the provisional Zemstvo government's own territory became for them a place "abroad."

Lists of persons going on the boats were handed to the Japanese, who issued the following certificate:

CERTIFICATE.

A medical and feeding unit is at present organized by the Russian Red Cross, and is going to Nikolayevsk on the SS. *Erivan* and *Vzryvatel*, which belong to the volunteer fleet, at the request of the Russo-Japanese Military Commission. While we agree in principle and have nothing against the work undertaken by the Red Cross in its sending men and supplies, we are at the same time very much afraid that it may have back of it intentions of a political nature. Although we have taken proper precautionary measures, we hope the Japanese authorities will exercise due vigilance at the time of actual arrival and place of debarkation.

(Signed) Gen. TAKAYANAGI and Col. ISOMB.

The boats were unable to start out before July.

XXII.

True to their declaration, and hoping that the Japanese, upon their official invitation, would also leave the country, the Americans withdrew and evacuated their troops.

The withdrawal of the Americans made it necessary for the Japanese to explain themselves, and on March 31 they issued the following short but significant declaration of their Government:

The expedition of our forces to Siberia was undertaken with a view to assisting the Czecho-Slovak troops. Therefore, when the evacuation of the latter has been completed our forces shall be withdrawn. This was definitely stated at the time in our declaration. But no other country is in such proximity to Siberia as our empire. Unfortunately, the present political situation in the Far East, which not only threatens the safety and life of our citizens residing in Siberia, but is also a menace to the general peace in Korea and Manchuria, makes it impossible for us to withdraw our troops from the Russian Far East immediately. The Japanese Government, therefore, desires to corroborate its statement that the *presence of the Japanese forces in the Russian Far East does not imply any political designs against Russia* (italics in the original) and desires to declare that as soon as the political situation in the Russian Far East has become normal to the extent that there will be no danger for Korea and Manchuria, and life and property of our nationals protected and normal railway communication restored, that then, after the evacuation of the Czecho-Slovak forces has been completed, *our troops will be withdrawn from Siberia as early as possible.* (Italics in the original.)

This document is curious in many respects: 1. For the first time emphasis is laid on the special interest that Japan has in the Russian Far East—geographic proximity. 2. Japan sets forth her own and not the interallied policy in Siberia; America's withdrawal, therefore, has no importance for the Japanese. 3. Here, again, as in the famous communique of August 13, 1918, the connection between Japanese intervention and the fate of Manchuria is emphasized—that part of Manchuria which is in the sphere of Russia's influence and which is crossed by the Chinese-Eastern Railway. 4. A new excuse for intervention is found in the danger to Korea's peace. 5. And even after all the conditions shall have been carried out they do not speak of an instant or even speedy withdrawal of troops, but of "as soon as possible."

Again the Japanese remained true to themselves. This declaration was only issued by Japan in order to divert the attention of the world from her true intentions. They continued their activity, which had already led to the sad events in Nikolayevsk, and the very existence of this activity testifies to its being conducted for the sole purpose of provoking similar occurrences to afford an unfailing excuse for carrying out the long-prepared plan of seizure of the entire, or, for the time being, of part of the Russian Far East. It was necessary to prove to the world

that the situation in the Far East still required the presence of Japanese troops there.

Taking an extremely provocative attitude, with the intention of arousing the ire of the population, and at the same time apparently feeling somewhat uneasy at the sight of the growing power of the Russian Army, which, in the interests of the Japanese designs, had to be destroyed, the Japanese, on the night of April 4, suddenly advanced along the entire coast of the Maritime Province, carrying out a veritable massacre with the aid not only of rifles but also of cannon and machine guns. (In Vladivostok a few shots were actually fired from a battleship.) They made no distinction between men, women, and children. The building of the Provincial Zemstvo Board, the headquarters of the maritime government, was destroyed both from within and without and all records taken; on all Government buildings Japanese flags were hoisted. Thousands of people were arrested and thrown into cellars and concentration camps, where they were subjected to torture. The number of people who were shot or who disappeared without leaving any trace was enormous. The troops and the militia were disarmed. Especially there were many killed and wounded in Khabarovsk and Nikolsk. The losses sustained by the population and the Government during these raids are almost incalculable—there were destroyed, burned, and pillaged many millions of gold rubles' worth of private, Government, and military property. The post and telegraph buildings as well as gunboats were seized, and everything of value on board was stolen. It was a regular practice of the Japanese and the heads of the White Guards living at the Japanese General Staff to free from the prisons all counter-revolutionaries, who immediately upon their liberation took to their destructive work. There is no doubt that the failure on the part of the few reactionaries to establish their, or rather the Japanese authority, was due primarily to the fact that the officials of the Provincial Zemstvo Board remained alive and self-possessed, and also to the fact that the feeling of hatred which filled the Russian population—excepting the handful of traitors who lived on the means of the Japanese General Staff—was quite manifest, and finally to the active support given by the Czechs and others.

The population of the Far East can not to this day forget the sad fate of one of the members of the military council, Lazo, who ordered the troops not to resist the Japanese. Lazo, together with Sibirtsev, Lutsky, and others was seized by the Japanese and spirited away. Most of those arrested by the Japanese were freed, but Lazo, Sibirtsev, and Lutsky never showed up. All inquiries made by the authorities and relatives of the arrested regarding their fate were answered by the Japanese with claims of ignorance. Only subsequently was it learned that those arrested had been handed over by the Japanese to the white guards, who burned them in their locomotive engine.

The maritime government, which had barely found refuge under the Czech general staff, issued a protest to all representatives of the allied powers at Vladivostok.

At a special conference of all allied representatives, the Japanese hastened to declare that their advance should not be interpreted as an "occupation" but only as a "self-defense"; that the Japanese flags that were flying over the Government buildings were only in conformity with the military custom requiring the hoisting of flags over buildings taken in battle; that they had to take these buildings "in battle," as if the Japanese had been fired at from those buildings.

The maritime government, one member of which had been arrested by the Japanese and then freed, again convened in the building of the Provincial Zemstvo Board, and the Japanese flags were removed.

These events were particularly unexpected in view of the negotiations which were in progress on the afternoon of April 4, between the Japanese and the maritime government, concerning a series of demands submitted on behalf of the Japanese Government by Gen. Takayanagi. These demands were submitted in the following statement:

With regard to the declaration made by our Imperial Government concerning the presence of our troops in Siberia, the commander of the Japanese forces in Siberia authorizes me to conduct negotiations with the representatives of the military authorities of the provisional government of the Maritime Province with a view to establishing friendly relations and avoiding conflicts which may, judging by the facts of the past and present, arise between our forces on the one hand and the Russian authorities and the local population on the other hand, regarding the presence of our troops in the Maritime Province.

In order to enter into negotiations I on my part have the honor to state to you the terms to be submitted the provisional government, and to beg your reply.

These terms are as follows:

1. To take care of our troops, providing them with quarters, food, means of transportation, mail privileges, etc.

2. To obey all the regulations contained in the agreement concluded between our Government or our command on the one hand and the Russian authorities on the other hand, on the basis of the agreement concluded between the allied powers or the allied commands, no matter when these regulations were instituted.

3. Not to arrest without our knowledge or restrict the liberty of persons who actively aided our military operations.

4. To cease all the activities of secret organizations and groups menacing the safety of our troops and the public peace in Korea and Manchuria.

5. Not to publish articles and provocative attacks against our troops and our Government.

6. To exert all efforts in order to insure the safety of life, property, and other rights of our subjects in this region, including the Koreans.

(Signed) GEN. TAKAYANAGI.

In spite of the fact that the character of these demands was an insult to the Russian Government, as they were practically reducing to nothing the rights of the Russian people, the Government of the Maritime Province agreed to consider these demands, and created for this purpose a Russo-Japanese adjustment commission, and appointed its representatives. The chairman on the Russian side was Zeitlin, subsequently killed by Merkulov's henchmen in Vladivostok.

This commission was to meet with the Japanese on the following day, and at night the Japanese launched an attack upon the entire Maritime Province. On the morning of April 5 the following proclamation, signed by the commander of the Japanese forces in Siberia, Gen. Oi, was posted on the streets of Vladivostok:

Citizens, on the basis of the declaration made by the Japanese Government on March 31 of this year, the Japanese command has been conducting negotiations since April 2 with the representatives of the Russian authorities regarding the peaceful solution of the question of the presence of the Japanese forces in the Province. Suddenly, on the night of April 4–5, Russian armed groups attacked our munition stores, garages, and transfer stations, and also fired, in several places, at our outposts. In view of these illegal acts, and in order to avoid the danger which is threatening from armed Russian detachments, the Japanese command is compelled to demand the disarming of these detachments. In this case, the Japanese command, not pursuing any aims of its own, can not allow further disorders, and will therefore take measures after negotiations with the Russian authorities.

The provisional government sent notes of protest to the Japanese Government and to the Inter-Allied diplomatic conference, categorically denying the statement made by Gen. Oi and demanding the restoration of the normal status of the Province.

Even if we were to admit that the Russian people, or "armed groups," as the Japanese called them, attacked the Japanese in Vladivostok, then how can the simultaneous Japanese advance over the entire territory of the Maritime Province be explained?

That these raids were carefully planned and premeditated can be seen from the following copy of a document which was prepared by the Japanese previous to their advance and submitted to the Russian commanding officer of the Ugolnaya station on the night of April 5:

Demand, (April——).

TO THE COMMANDING OFFICER OF THE REVOLUTIONARY TROOPS OF THE UGOLNAYA GARRISON: At the command of the Japanese commanding officer, I submit to you the following demands:

1. I shall not permit the presence of your armed militia within the limits of the Japanese Army's operations, since the negotiations between Japan and Russia have remained without result.

2. You should order the disarming of your soldiers, and you should turn over to us, temporarily, all weapons and military equipments.

3. Should your troops refuse our demand or attempt to flee, I will most decidedly pursue them with all the military power at my disposal. On the other hand, if your troops will obey our demand and disarm, I will not harm any one; in fact, I will even offer protection to them in our Army. Further, I beg you to reply to this letter in half an hour's time after its receipt.

(Signed) COMMANDER OF THE JAPANESE GARRISON ON THE UGOLNAYA STATION.

XXIII.

The diplomatic representative of Japan in Siberia, Mr. Matsudaira, desiring apparently to soften somewhat the impression created by the Japanese attack, declared in an interview that the Japanese were acting in accordance with an agreement with all the Allies. The Russian press naturally was much disturbed, and as a result the American consul made public, on May 12, the following telegram of the American Government:

In connection with the comments on the interview with Matsudaira regarding the question of the policy of Japan in Siberia, which appeared in the press a few days ago, it is desirable to give publicity to the fact that no agreement was made nor discussion thereof regarding the zone of the Chinese Far Eastern Railroad was entered into on the part of the United States since the Inter-Allied agreement concluded in 1919, in accordance with which the Inter-Allied railroad commission and the Inter-Allied technical board were formed, and allied military aid for the protection of Russian roads was granted.

The Japanese, seeing the results of their attack as expressed in the indignation of the Russian population, which was too manifest to escape the eyes of the foreigners, and which naturally compromised them, could do nothing else but print "denials."

Particularly characteristic is the letter from the General Staff of the Japanese gendarmerie in Vladivostok of May 7.

addressed to the regional inspector of the militia of Vladivostok, and signed by Maj. Gen. Yosihara:

IN REPLY TO A NEWSPAPER ARTICLE.

On April 5 of this year the following article appeared in Krasnoye Znamya: "During the attack of the Japanese Army in the city of Khabarovsk innocent citizens were massacred, among them women and children, who were even thrown into the fire," etc.

This is a lie. There are people who know the dignity of the Japanese troops, who respect honesty and justice, and do not believe this brazen lie. But among the ignorant population the statements given in this article have found believers. Therefore we can not remain silent, as such articles only disturb the friendly relations which are being resumed between Russia and Japan. For this reason we desire that an order be issued as soon as possible for the repudiation of this article and that steps be taken to preclude the appearance of such untruthful articles in the future.

Thus, in the opinion of the Japanese militarists, it is not the cruel acts that provoke animosity on the part of the Russian population, but the "description" of these acts by the newspapers. * * *

Most characteristic for the Japanese behavior in the Far East is the following fact, which is worthy of note: While shooting was going on in the city of Nikosk, Japanese soldiers distributed and scattered proclamations, in bad Russian, of the following text:

First. Fellow citizens, do not be disturbed. Continue at your work; now the Japanese Army has entered into negotiations with the revolutionary government and its army in order to maintain peace in the Far East and to preserve the life and the property belonging to the Russian Government.

Citizens must not provoke any catastrophic disorders. Robbery, murder, and disorder are illegal acts which are absolutely forbidden by the Japanese Army. The Japanese Army is taking all possible steps to guarantee the preservation of life and property. The commander of the Army repeats: Citizens, do not be disturbed, and meet with full confidence the Japanese Army; it is desirable that you should continue your regular work.

(Signed) MAJ. GEN. ODAGARI,
Commander of the Japanese Army in the City of Nikolsk-Usurisk.

Second. Having sincerely at heart the welfare of the Russian Far East, the Japanese Army declares that the measures it has taken for the disarming of the revolutionary forces are in no way calculated to destroy your army. Upon the conclusion of peace you may again organize new powerful armies. The inhabitants of the city of Nikolsk-Usurisk may rest assured that the peace and order which they are enjoying are due to the mutual political cooperation existing between our officials.

(Signed) MAJ. GEN. ODAGARI,
Commander of the Japanese Forces in the City of Nikolsk-Usurisk.

When the first two proclamations did not help, a third one, in not less colorful language, was issued.

Third. Citizens of the city of Nikolsk-Usurisk, do not be disturbed, and continue at your regular work. All stores, market places, theaters, and commercial establishments must be kept going. The Japanese Army conducts war only against the dangerous elements, but with peaceful citizens it desires to live in amity. Life, property, and the inviolability of person is guaranteed to all citizens; the treatment of captured prisoners will be most magnanimous, and their families may rest assured about their fate.

(Signed) MAJ. GEN. ODAGARI,
Commander of the Japanese Forces in the City of Nikolsk-Usurisk.

XXIV.

After long negotiations and under pressure on the part of the Japanese, while armed clashes were going on in the region, the Japanese forced the acceptance of their project of an agreement of April 4, which was accepted almost entirely. The provisional government succeeded in inserting insignificant corrections only. And on the basis of this agreement, referred to as the agreement of April 5, there was concluded a new agreement on April 29 of the same year, according to which, in the territory occupied by the Japanese troops, the Russians were not allowed to station their troops within a zone of 30 kilometers on either side of the railroad. The railroad, of course, was seized by the Japanese.

XXV.

In the meantime an energetic activity was going on in the whole far eastern territory that was separated from Russia and torn asunder internally by the impenetrable wall erected by the Japanese and Semenov in Transbaikalia; an activity the aim of which was to unite the entire territory of the Russian Far East and to overcome all Japanese efforts, intrigues, and bloody repressions, the only purpose of which was to keep the Russian Far East in a state of disunion, civil war, and anarchy. On April 6, 1920, there assembled in Verkhne-Udinsk, the center of the Zemstvo government of Pribaikalia, the conference of the working population of Pribaikalia, which proclaimed the independence of the Far East and the formation of a democratic republic of the Far East.

The declaration was communicated to the Government of soviet Russia and to the Governments of all allied countries.

The declaration of April 6 was to become the starting point in the difficult work of the real union of all the regions and of the fusion of all regional governments.

But this appeal of the conference of the toiling population, as well as the appeal of the newly elected government to all allied countries, was answered only by the government of soviet Russia. On May 14, Chicherin, commissar of foreign affairs, communicated that the independence of the Far Eastern democratic republic was recognized by the government of the Russian soviet republic.

XXVI.

Almost simultaneously with the answer of soviet Russia, or rather three days before, on May 11, apparently as an answer to the declaration of independence of the Far East, was published the declaration of Gen. Oi, the commander in chief of the Japanese expeditionary forces, which has since become famous in the Far East; the publication of this declaration was explained as an answer to the proposals of the representative of the soviet government to arrange some agreement between the partisan troops and the Red Army on one hand and the Japanese on the other.

The declaration begins with the statement that Japan "has no designs and attempts no encroachments on Russian territorial rights" and explains further the "incident" April 4 and 5 in the Maritime Province as a "necessary act of self-defense" against the "attacks on the part of partisan detachments," "for the purpose of defense," and points out that "Japan can not shut her eyes to the fact that in a territory bordering on Japan political groups are formed which intend to trample under foot the laws of mankind and to violate the peace of the whole world." In this declaration it is said:

Now that the transport of the Czecho-Slovak troops is nearing its end, I declare frankly that the Japanese military command will gladly withdraw its troops as soon as the situation of the Russian possessions in the Far East is firmly established, as soon as any possibility of a menace to Korea and Manchuria is eliminated and the safety of life and property of the Japanese population in the country is assured.

The Japanese command, taking into consideration the will of the Russian population, does not intend to complicate the political situation of the territory by giving its support to individual Russians, without regard to the will of the Russian people.

The Japanese command, together with the Russian population, heartily welcomes the formation of an autonomous territory composed of the regions of the Far East, and the institution of such a political system of government as will correspond to the will of the entire population.

Subsequently it is pointed out that "for the attainment of the situation explained above, it is first of all necessary that the Russian troops should stop military activities against the Japanese troops in Chita, and that in that region there should be arranged between the Japanese troops and the eastward-moving bolsheviks a zone which should be exempt from the intrusion of troops of both sides, whereupon it will be possible to put into effect the union of the Provinces on the basis of self-government."

The declaration ends with a peculiar Japanese "but":

The bestialities of the Russian troops which occurred not so long ago in Nikolayevsk on the Amur, evoke in my heart a sentiment of deep grief. The Russian troops, taking advantage of the small number of our troops, surrounded and destroyed them; moreover, they also killed the imperial consul and brutally exterminated many peaceful Japanese citizens. This offense, which is beyond description, made a deep impression on the Japanese people, wherefore it is self-evident that this question requires a separate settlement.

This declaration is extraordinarily interesting in many respects: 1. While welcoming, "together with the Russian population," the formation of an independent Far Eastern State (the declaration of independence of April 6), at the same time it makes the withdrawal of the Japanese troops conditional, as it were, upon the realization of this aim—"as soon as the situation of the Russian possessions in the Far East will be firmly established." 2. While giving their support to Semenov for the purpose of destroying the work of unity, or in case this should not succeed, in order to bring about a protectorate over the republic, the declaration endeavors to divert the attention of the population and of foreigners by the statement that they do not wish to complicate the political situation by giving support to "individual Russians." 3. While they apparently were considering the imminent necessity of evacuating Transbaikalia, where Semenov held power owing to the support of Japanese bayonets and where the troops of the Verkhne-Udinsk government were fighting him, they intended to help him and therefore put forth the question concerning "the cessation by the Russian troops of military activities against the Japanese troops in Chita." 4. No mention is made here of the fact that the intervention was a common undertaking of all the Allies; on the contrary, the question of the intervention here resolves itself to one of Japanese "interests." 5. Here may already be seen a limitation of the Japanese appetites as far as territorial conquests or spheres of influence are concerned (why will be explained later), and hence the unwillingness to clash with the red army. 6. And finally, the first open statement as to the necessity of a "separate settlement" of the Nikolayevsk incident.

XXVII.

The declaration of Gen. Oi, of May 14, was answered by the minister of foreign affairs in Verkhne-Udinsk, whose reply contained the following statements:

By an agreement with soviet Russia, our Government, on the very day of the occupation of Verkhne-Udinsk by our troops, arranged for a neutral zone, which is requested in the declaration. The red soviet army stopped its advance west of the Selenga River. Our people's revolutionary army is concerned with the definite task of breaking up the last remainders of reaction which stand between our people and the long-expected peace. Our Government and our command have taken all the necessary steps for avoiding clashes with the Japanese vanguard. Your command was informed about this in a great number of telegrams and communications. I am empowered to announce that in order to speed the satisfactory solution of this question our Government is ready to discontinue military activities against our internal enemies, on the condition, however, that the Japanese troops will exert pressure on the reactionary bands, forcing them to lay down their arms and to cease any armed attacks against the people's revolutionary army.

It is quite superfluous to insist upon the fact that our Government, whose aim is peace and unity, warmly and gladly welcomes the proposal of the Japanese command, and is ready to meet its representatives at an arranged time and place for a final and speedy settlement of all problems.

On May 31 the Verkhne-Udinsk government published a new address to all allied countries in which was announced the creation of the Far Eastern Republic, and their attention was called to the necessity of a real unity of all the various regions and to the conditions the fulfillment of which is necessary for the final establishment of peace and order in the Russian Far East. These conditions were as follows:

1. That the red army of the All-Russian Soviet Government should cease its eastward advance at a certain established point (at that time this condition was already fulfilled).

2. That the foreign Governments, especially the expeditionary forces of Japan, should not give any help or support to the remainders of the reactionary forces that are concentrated in Chita.

3. That the road to Chita should be open, so that it may be possible to unite the Province of Transbaikalia with the other far eastern Provinces.

4. That friendly economic relations should be immediately established between our republic and the allied countries, for their mutual welfare, and for relieving the present difficulties and hardships.

5. That all the foreign expeditionary troops should leave the country, thus affording a possibility for commercial and industrial pursuits.

It is necessary to point out here that the activity aiming at the creation of the far eastern democratic republic was going on at the same time in the Maritime, the Amur, and the Pribaikal Provinces, and that all the local governments were persistently endeavoring to obtain a possibility of entering into immediate relations with each other for the purpose of a real fusion of the various administrations. But Semenov's "cork" in Chita, which was especially created by the Japanese and actively protected by them at the time of Kolchak's rule, with the purpose of weakening his power, was now specifically destined to prevent the possibility of relations between the local governments.

Soon after the conference of the toiling people had elected the government of Verkhne-Udinsk, it was recognized by the government of the Amur Province as the central government for the entire Far East (on May 25).

Afraid that the maritime government, which had been recognized as the provisional government by Sakhalin, might also extend its recognition to the government of Verkhne-Udinsk as a central government, the Japanese began to exert on it an incessant pressure, not even stopping at threats and reminding them of the events of April 4–5. At the same time the Japanese also began to coquet with the maritime government, declaring it to be the only truly democratic government, and that Japan would recognize it if it would place itself at the head of all the provincial governments.

The situation for the Russian population was clear: The Verkhne-Udinsk government was outside of the zone of activity of the Japanese troops, and for this reason it was the most independent; but for this very same reason it was unacceptable for the Japanese; the maritime government was under the continuous pressure of the Japanese and under the steady menace of being overthrown by the Russian counter-revolutionists who were all the time kept in readiness in the Japanese General Staff—and for this reason it was more acceptable for the Japanese (further developments, as was to be expected, showed that even this was nothing more than a part of the Japanese game).

Thus the Japanese brought up and inflated the question of the "priority" of the governments, i. e., which government was to be the central government, and every possible measure was taken to prevent the meeting of the representatives of the maritime and the Verkhne-Udinsk governments. And all the time the Japanese posed officially as the "advisers" and "mediators" between the governments.

In Gen. Oi's answer of June 28 to the note of the Verkhne-Udinsk government of May 31, this motive was even emphasized; instead of giving a direct answer to the question asked, the Japanese declared to the Verkhne-Udinsk government that although it was recognized by the soviet government, nevertheless it could not be considered as a stable and legitimate government of the entire Russian Far East. The recognition of the Verkhne-Udinsk administration as the central government extended to it by the authorities of the Amur Province was not convincing either, because the government of the Amur Province itself could not be considered as a stable government. The Verkhne-Udinsk government could be considered by the Japanese only as a local government and only in this capacity were they willing to start negotiations with it for the cessation of military activities. Further on, Gen. Oi disclosed his real intentions with regard to Ataman Semenov: "I can not consider Semenov's government as a brigand lair of a band of mutinous troops; I recognize it also as one of the governments existing in the Russian Far East." The Japanese wish to give, "under peaceful conditions, to the Russian population and to every government that is the true representative of the population of every Province, the possibility of forming, on the Russian territory of the Far East, a buffer zone that is desirable to them. Therefore, in considering the question of the buffer zone on the Russian territory of the Far East, I can not ignore the government of Semenov."

Thus, in addition to preventing the population from expelling Semenov, the Japanese declared his organization to be a government with equal rights ("which is the true representative of the population" of its territory) and which would have to take part in the deliberations concerning the creation of a central government of the Far East.

Further on, touching upon the question of ceasing the struggle, Gen. Oi states: "Moreover, as mentioned above, in recognizing the government of Semenov, and with the intention of preventing disturbances in a region that has close relations with our country, I am collaborating with Semenov's troops for the purpose of upholding order in Transbaikalia. Therefore, simultaneously with the cessation of military activities between the troops of Semenov and the Verkhne-Udinsk government, I desire also to bring about the cessation of military activities between the Japanese troops and the Verkhne-Udinsk government."

Thus it is rather a hard thing to separate Semenov from Japan and Japan from Semenov. They are both parts of an integral whole.

XXVIII.

While the negotiations for an armistice with the Verkhne-Udinsk government were going on, and the Japanese were playing with the maritime government, not allowing it to recognize the Verkhne-Udinsk government, their staff located in Sakhalyan (on Chinese territory, opposite Blagovyeshchensk, on the other bank of the Amur River) was continuously threatening the Amur government in order to induce it to break away from Verkhne-Udinsk and join the maritime administration, recognizing the latter as the central government. In spite of all these threats the Amur government persisted in its old attitude and declared, as had the Verkhne-Udinsk government, that it considered Semenov's men not as a government, but as bandits subject to the criminal courts of the Republic.

A similar point of view was taken by the maritime government, but the Japanese (this time the representatives of the diplomatic mission) declared to it that they could not abandon Semenov at one stroke after they had supported him for such a long time; that it was necessary to give them the possibility to "save their face"; that if Semenov would not agree to the demands of the maritime government, if he would not listen to their advice, they would have a legitimate reason to turn their backs upon him.

The maritime government agreed to receive a delegation from Semenov, and on its arrival proposed to it, in the interest of a peaceful solution of the question, at once to create a provisional parliament in Chita, a national assembly after the maritime model, and to surrender to it all civil and military power. Semenov's men did not agree to this, of course, as they knew very well that the population would not allow them to continue their rule, and thus all negotiations were discontinued, although Semenov's adherents endeavored to prolong them, trying at the same time to prepare a counter-revolutionary coup in Vladivostok.

XXIX.

While the Japanese were conducting this complicated game, continuously diverting the attention of the Russian population and its authorities, they were at the same time preparing a new attack on the Amur Province.

In the secret correspondence between the ministry of war in Tokyo and Gen. Oi, as well as the Japanese general staff in Vladivostok and the commander of the Fourteenth Division in Khabarovsk, which was made public in the Far East to the great horror of the Japanese, all the details of the Japanese adventure that was prepared at that time are uncovered. It is necessary to add that the Japanese denied the authenticity of this correspondence, calling it "propaganda"—but what else could the Japanese say when their plans are uncovered?

We reproduce here the full text of two interesting and highly important telegrams:

WAR MINISTRY, TOKYO, *June 12, 1920.*

(Secret Order No. 81233–11.)

To the COMMANDER OF THE SIBERIAN ARMY, *Vladivostok:*

After the events in Nikolayevsk on the Amur, the Japanese Imperial Government considers itself compelled to issue the following orders, which may defend the Japanese interests in the Maritime and Amur Provinces.

We order you to prepare a plan of military operations which must serve our interests in case of occupation of the territory along the Amur. In preparing your plan you must use the following clauses as a basis:

We recommend that the above-mentioned territory be divided into three military divisions; as the present political situation does not permit us as yet to send a large army for your disposal, we expect from your military experience and shrewdness that you will prepare the requested plan in such a manner that it will receive the approval of His Imperial Majesty. In order to aid you in your work, we will send you as soon as possible all the plans which have already been worked out in the foreign ministry and which provide for the necessary organization of civil institutions in case of occupation. You must immediately create a commission of officers of the general staff and commissariat, and send this commission to the above-mentioned territory, so that the commission may make valuable military and economic reports to you. Our interests also demand preparation of an offensive against Blagovyeshchensk, the outlying districts of which are full of regular and irregular partisan and bolshevist troops.

According to the reports of our agents who are in this territory engaged in investigating this problem, the offensive is as yet premature. In any event you must have everything in readiness for an offensive, so that it could be started at a moment's notice. The general interests of the Japanese Imperial Government demand that the occupation be carried out completely in the immediate future; therefore we order you to submit a plan of occupation within the shortest possible period.

Immediately after receiving this telegram, Gen. Oi addressed the following demand to the commander of the Fourteenth Division in Khabarovsk:

VLADIVOSTOK, *Chief Staff.*

(Secret Order No. 8–B242, June 17, 1920.)

To the COMMANDER OF THE FOURTEENTH DIVISION:

I am transmitting herewith the inclosed order, and I order you to immediately create a commission which will gather the necessary information in the territory between Khabarovsk and Nikolayevsk, and which must submit the same to you within the shortest possible time.

Reply immediately by telegraph how many days would be required for the Fourteenth Division to be ready for an offensive against Blagovyeshchensk. Do you consider the forces at your disposal sufficient for your operation? If you consider your present forces insufficient, report immediately, so that I can dispose of the units which are expected from Chita.

I call your attention to the bridge across the Amur, as in case of an offensive our army may need the bridge. The preparation and repair of this bridge must begin immediately. If necessary occupy the local arsenal for this purpose.

According to your previous reports, I expect that those Russians whom you mentioned will be very useful to us in case of occupation. In my opinion we will have a complete administration in the entire Maritime Province; therefore I order you to discuss your plans with reliable Russians. The names of the Russians who are ready to serve His Japanese Imperial Majesty are to be forwarded to me at once.

(Signed) OI.

Thus after June 12, when instructions were given in Tokyo regarding the preparation of an attack on the Amur Province, all Japanese activities, as far as the various negotiations were concerned, were undertaken with the sole purpose of diverting the attention of the Russian authorities from their real plans and intentions.

The evacuation of Transbaikalia was prepared only in order to mask the seizure of the Sakhalin region.

XXX.

In order to make the subsequent events more clear it is necessary to go back a little: After the conclusion of the armistice and the signing of the agreement of April 29, it was necessary, for the fulfillment of this agreement, to put a stop to the struggle which went on after the Japanese attack of April 4 and 5 between the Khabarovsk garrison and the Amur population, on the one hand, and the Japanese on the other hand. For this purpose the Russian authorities sent their representatives, such as Utkin and others. The truce was concluded and the Russian troops, in accordance with the agreement of April 29, were withdrawn beyond the Amur. After that the Japanese delivered the city of Khabarovsk to the so-called Bochkarev men, a band organized after the Semenov model, and the settlements which remained without troops and militia were delivered to the tender mercies of the Khunkhuses (Chinese bandits), who were also supported by the Japanese. The excesses of these bands lasted for a long time. The attempts of the Government to send militia to disarm them were opposed by the Japanese. The persons who were arrested at the time of the April occurrences, numbering about 150, were, in spite of the agreement, not liberated. But finally the excesses of the Bochkarev men became so scandalous that the Japanese could not, without altogether compromising themselves, prevent the Government from disbanding them.

After negotiations in Khabarovsk the Vladivostok militia was admitted, which, after a short firing, arrested the Bochkarev men, who had taken their quarters in one of the big hotels. But even here, on the insistence of the Japanese, the militia was forced to liberate the Japanese agent, Panov, who had been arrested.

The Japanese declared to Mr. Utkin, who was sent by the Vladivostok government to Khabarovsk, that the only way to bring about peace was to sign a special agreement. This agreement contained clauses such as these:

Clause 2. Nobody has the right to conceal or to keep weapons and cartridges without the consent of the Japanese command (excluding hunting rifles, revolvers, and the cartridges needed for them).

Clause 3. The authorities must inform the Japanese command of the arrival and departure of steamers.

Clause 4. The administration has not the right to arrest any persons because of their previous activities, regardless of their political affiliation, and must guarantee the inviolability of their lives.

Clause 5. The administration must not allow the holding of meetings in the open without giving notice to the Japanese command 24 hours before announcing them.

Clause 6. The Japanese command has the right, if it considers it necessary, to ask the Russian postal and telegraph authorities, who must give their consent thereto, to submit mail and telegrams to be censored by representatives of the Japanese command.

It is not astonishing that the Japanese did not particularly insist when the maritime government—although in this era of intervention it was accustomed to a good many things—refused to confirm the agreement.

Mr. Utkin, who was traveling in the train of the commander of the Fourteenth Division under the protection of Japanese soldiers, and, moreover, in the same car that was occupied by the commander, was killed on his return trip to Vladivostok at the station of Iman by two Russian White Guards who were in the service of the Japanese—Japanese agents.

How farsighted the Japanese were, and how much they are acting according to a definite plan, may be seen from the agreement of April 29, which they forced the maritime government to accept. According to this agreement the Russian troops which were leaving the region where the Japanese troops were stationed (the 30-kilometer zone) could be sent neither to the Sakhalin district, which they soon occupied, nor to Transbaikalia, which they soon evacuated, and where Semenov remained. Thus, even before giving their instructions concerning the preparation of the attack against the Amur region, the Japanese did not allow Khabarovsk to recover its normal condition. From here news of disorders was incessantly emanating, and these disorders were to serve as a justification for the Japanese activities.

XXXI.

On July 3, 1920, the following declaration of the Japanese Government was published:

In the period from March 12 to the month of May of the current year, in Nikolayevsk on the Amur, the local bolsheviks in the most atrocious manner killed the Japanese defense detachment, the employees of the consulate, as well as Japanese residents, altogether about 700 persons, of both sexes and of various ages. This occurrence exceeds anything in its atrocity and brutality. In order to safeguard the dignity of the country, the Imperial Japanese Government is compelled to take the necessary measures. At the present time, however, there is practically no government with which it could communicate on this subject, and for this reason the Japanese Imperial Government is quite unable to do anything in this matter.

In view of the aforesaid, and until a lawful government be organized and the question favorably settled, those places in the Sakhalin district which are considered as requiring occupation will be occupied.

With regard to Transbaikalia, the Government, taking into consideration that at the present time the evacuation of the Czecho-Slovak troops from this region has already been completed, and relying on a declaration which the Imperial Government has already made repeatedly—has decided in this case to evacuate its troops from the indicated region. In Vladivostok, however, as well as in its surroundings, there exists not only a menace to Korea, and an inclination to take an unfriendly attitude, but there are also living in these districts numerous Japanese subjects.

The city of Khabarovsk is an important point on the way to the Sakhalin district. Consequently the troops must needs remain there in adequate number until the time when stable and peaceful conditions will be reestablished in the above-mentioned localities.

Here the question as to a "special settlement" of the events of Nikolayevsk is cleared up—by the occupation of the district of Sakhalin. This occupation is mitigated by the fact of the evacuation of Transbaikalia. But the full meaning of this evacuation already became clear from the secret telegram of June 17.

XXXII.

Frightened by the Japanese evacuation, Ataman Semenov, on July 11, applies to the heir of the Japanese throne, as to the "stalwart defender of the ideas of humanity, the most worthy

of the noble Japanese knights," "the expression of the pure ideals of the Japanese Nation"—with the entreaty "to insist * * * before his mighty parent, His Imperial Majesty, on the cessation of the evacuation of the troops from Transbaikalia, at least for four months," in order to help "the much-suffering Russian Army, struggling to hold Chita as the political center of the Far East, the aim of which is the establishment of peace and the undisturbed development of Russian life in the eastern borderland which is ruled by me—i. e., Semenov—with the consent of its noble neighbor, Japan."

To this petition of Semenov an answer was sent from Tokio through the commander of the Siberian troops, which was delivered to Semenov on August 11, at the Station Olovyannya. The contents of the answer, as it appears in the secret Japanese documents published in the Far East, are not altogether flattering for Semenov:

A REPLY TO SEMENOV.

TOKIO, *War Ministry, 1920, 3/A.*

To the COMMANDER OF THE SIBERIAN FORCES:

The Japanese Imperial Government has considered your desire from every angle. The Imperial Japanese Government is grateful to you and wishes to maintain friendly relations, but the situation pressing upon us from all sides does not permit us to grant your request. The Imperial Japanese Government does not consider you sufficiently strong to carry out the great object which would assure a great future to the Japanese people. Your influence with the Russian people is growing weaker daily, and the hatred which the people have against you does not aid us in our policies.

The Imperial Japanese Government sounded the question with the Allied Governments, but on all sides we found a negative attitude.

If you wish to direct your activities in another direction we will support them with great pleasure, but in accordance with the principles which are known to you.

Our reply to your economic questions will be transmitted within the next few days; in this matter we may reassure you.

NOTE.—This reply was transmitted to Semenov on August 11 at Station Olovyannaya.

XXXIII.

Although the Japanese made a declaration concerning the evacuation of Transbaikalia, they nevertheless insisted upon the signature of an agreement concerning the cessation of military activities by the Verkhne-Udinsk government; the Japanese wanted to secure the position of Semenov after their evacuation.

In this agreement lines were established which were not to be violated by both parties. Clause 5 especially provides that the "term of expiration of the present agreement is considered to be the termination of the work of the conference of representatives, who lawfully express the will of the population of the Russian Far East." By the "conference of representatives" is understood here the conference of the representatives of all regions of the Far East, which was constantly supposed to convene for sessions, but which up to that time had not assembled owing to obstacles put in its way by the Japanese.

The agreement is provided with a special and quite interesting note: "The troops under the command of Semenov recognize the present agreement, as is guaranteed by the representatives of the Japanese Expeditionary Army on the territory of the Far East."

The agreement was signed at the Station Gongota on July 15 by the Japanese and Russian representatives. On July 16 both parties signed a still more interesting document. It does not refer any more to the armistice, but to the future policy. (See Appendix No. 16.)

An interesting feature of the Japanese policy in the Far East which deserves attention is that it proclaims its adherence to aspirations that are really those of the Russian population, for which the latter really is struggling, and which it can not put into effect owing to the unfriendly policy of Japan. Such ideas are, in the present case:

1. The convocation of a conference of the representatives of all regions to bring about a real unification of the regions.

2. The creation of an independent far eastern republic.

Although for years they have obstructed the unification of the Far East, the Japanese, at the same time, in order to deceive the world abroad, incessantly and loudly assert that they are in favor of this unity.

It is necessary to mention right here that the first meeting in Verkhne-Udinsk of the representatives of the various regions did not take place until September.

XXXIV.

But let us return to the secret documents. The communication of Gen. Oi to the commander of the Fourteenth Division in Khabarovsk, dated July 12, reads as follows:

VLADIVOSTOK, *July 12, 1920.*

To the COMMANDER OF THE FOURTEENTH DIVISION, *Khabarovsk:*

According to information, the local government has no force whatsoever at its disposal. The Communist Party is daily growing stronger; but this does not interfere with our plans, as the forces at their disposal are not sufficiently strong. Our people, who are compelled to work together with the local government, are ready to assume authority at any moment and to maintain the administration until the occupation is completed.

Use all possible influence always to interfere with the work of the Khabarovsk administration, so that the representative of the government can not accomplish anything in his work. Help as much as possible the city party, but in such manner that the population may not notice it.

The negotiations with Semenov will soon end. Semenov's wishes are easily satisfied, and we are only awaiting the sanction of His Imperial Majesty and the Government.

I have been informed by the war minister that the general European situation makes it necessary for us not to carry out any of our plans during this month. The war minister ordered me to exercise extreme caution, and I order you to act likewise. Lately I have not been receiving from you any information as to what is going on in your district. Are our agents ready in the entire Province? I order you to reply to me immediately.

OI.

Thus, playing with the maritime government all this time, the Japanese were simultaneously retaining "Russians" in the service of the same government, so as to be able at any moment to overthrow it and to occupy this Province.

The instructions referring to Khabarovsk were strictly carried out.

In Khabarovsk, soon after a stop was put to the excesses of the Bochkarev men, there began, with the open support of the Japanese, the movement of a group of men headed by Likhoidov, members of the old city council from the days of Kolchak, which, defying the Vladivostok Government, did not want to arrange for new elections. The Government, which insisted upon new elections to the city council on the basis of universal suffrage (the law passed under Kerensky), attempted to take vigorous steps against disobedient citizens, and instructed the district emissary, Mileyev, as well as the militia, to put into effect the decisions of the Government. But here the Japanese stepped in, forbidding the militia to move freely in the city and extending their protection to Likhoidov and his band of reactionaries, who were carrying out the plans of the Japanese. Likhoidov declared that he was not subject to the authority of the maritime government, and it is he whom the Japanese refer to ("city party") in their secret telegrams.

On August 2 Gen. Oi sent decisive secret instructions to Khabarovsk:

(Secret Order S/2428.)

VLADIVOSTOK, *August 2, 1920.*

To the COMMANDER OF THE FOURTEENTH DIVISION:

The offensive against the Amur Province must take place not later than the end of August. Your plans for the distribution of troops are approved. The left wing, which is distributed along the Usuri River, must be reinforced by one unit of sappers. The offensive must begin either from Usuri or Sungari. You must try to have the troops attack simultaneously. According to information in our possession, the enemy's positions are strongly fortified, but the right wing, which is close to the Amur, is the weakest, so that your attack from that side could be successful and decisive.

Your desire that your operations should be supported from Sakhalyan (a place in Manchuria) can not be carried out, because the political obligations to China do not allow it. We have taken certain steps in that direction, but without results.

It is evident that negotiations with the Semenov forces will not bring any results; these troops are also beginning to be poisoned with the Bolshevik virus. By order of the war minister, our aim must be as follows: Irregular and bolshevist troops must be driven out from the Provinces which are to be occupied. If our attack should be made with lightning speed we shall have the benefit of routing these troops in one month, and they will scatter in the direction of Chita. You must exert all efforts that during the offensive the commissars and the prominent Bolsheviks may fall into our hands, so that we can finish once for all with the danger which threatens us from the communists. Report immediately if there is anything that you need for the offensive, so that I may immediately execute.

(Signed) OI.

Likhoidov went to Vladivostok to negotiate with the Japanese, and as a result Gen. Oi reports to Khabarovsk:

From Vladivostok to Khabarovsk.
S/1717.

To the COMMANDER OF THE FOURTEENTH DIVISION, *Khabarovsk:*

From a conversation with Likhoidov I learned that the situation in Khabarovsk is developing in our favor. In my opinion, these people are faithful to us. Our literary secret agents Panov and Yurlev are working in a desirable manner. No expense must be spared in attaining our aims. We can always give the requested assistance, but we can not do so openly.

(Signed) OI.

But all of a sudden the whole situation changes and Toyko orders a retreat. On August 4 the war ministry gave Gen. Oi instructions just the contrary of the above:

——/1.

WAR MINISTRY, *Tokyo, August 4, 1920.*

(A secret session. S/466.)

To the STAFF OF THE SIBERIAN EXPEDITIONARY ARMY, *Vladivostok:*

The Japanese Imperial Government is compelled to adopt the following decision:

The general European situation, the victories of the soviet government on the Polish front, the growing danger from the soviet government, the noticeable antipathy on the part of the United States and China, the steps undertaken by America in the question of Sakhalin, the general preparedness of the United States for war, the secret agree-

ment between soviet Russia and Germany, compel us not to carry out our political projects in Siberia completely.

The desire of the United States that Japanese troops should evacuate Siberian territory immediately has become a very serious problem, and this problem demands extreme caution on our part.

The strong influence of Germany in China threatens us with the loss of influence.

All these problems compel us to adopt a waiting attitude. Any premature steps may ruin all our great plans. The present situation compels us to give up the plans of occupation in Siberia for some time, remaining entrenched, however, in those territories where our troops are located.

In the Japanese-Chinese question the situation compels us to make certain concessions. The greatest danger is from the soviet government, as the danger which is contained in the unity of all Russians may create unexpected obstacles for us. We can only rely upon ourselves, as the incidents in Nikolayevsk and in the entire Maritime Province made a very unfavorable impression among the Allies.

The time has come when most cautious, serious work must be done by us. We consider that it is best, and order that the troops which are at present in the maritime district should spend the winter in their present quarters. The commanders must prepare everywhere fortified winter quarters. Our trusted people must influence the situation in such a manner that our general interests would be protected under any circumstances.

Our interests demand that the Japanese imperial diplomacy should enter into close relations with the provisional Vladivostok government, but without allowing that government to become strongly entrenched.

The operations against the Amur Province must cease, but the troops must be held in readiness, as the danger from that side is still very great. The growing communist influence which we notice in every step of the present government makes a very unfavorable impression on us and on our people. We order extreme caution so that the germs of bolshevism should remain isolated, as we do not know what the results will be of the secret conference which is to take place shortly between the Allies regarding the Siberian question.

We order the war ministry to base all their actions in accordance with our decision of to-day. We order it to exercise extreme caution in military problems, as caution is essential in the affairs of the Siberian army. We order the war ministry and its officers to be extremely careful regarding the communist party, which creates more obstacles than anything else to our plans. We order the war ministry to make this decision known to the commanders of the divisions, and we believe that it will by all means advance the sacred cause of the Japanese people.

Thus Japan is prevented from completely carrying out its plans; it is compelled to change them because of the general political situation, and, mainly, because of the strength of soviet Russia and America's attitude toward Japanese annexations in the Far East.

With regard to the secret conference of the Allies mentioned above, there exists a secret telegram, which has been published, from the war minister in Tokyo, dated August 20, which was sent by a courier to Harbin.

By courier to Harbin from Tokyo. August, 1920. A/217.

For the consideration of the solution of the Siberian problem Barons Hayashi, Ishi, and Magata were sent for a conference to England. They are to discuss and decide the Siberian question. For a final settlement of the Siberian question I order the commanders or their lieutenants as well as the diplomatic representatives to be in Harbin on September 12. Neither the command nor the foreign missions must know about this secret conference. You must travel unofficially.

(Signature) WAR MINISTER.

Nothing else is known of these negotiations.

XXXV.

In the meantime Semenov's men, who were leaving eastern Transbaikalia immediately after the Japanese, fearing the armed population that had risen in despair and gone to the mountains and forests, forgot the agreement that had been signed by the Japanese in their behalf, and began to destroy the railroad and mercilessly to rob the population, driving away its herds, and the Verkhne-Udinsk government was compelled, on August 7, to remind the Japanese of the agreement of July 15.

The men of Semenov and Kappel, who had been in Chita—Kappel's men, the last remainders of the destroyed Kolchak army, had arrived in Chita as far back as February, 1920—began to disintegrate completely. Some of them began going over to the struggling partisans, the armed peasants, and another part simply dispersed, as they foresaw a bad end. A mock national assembly, which had been created by Semenov in Chita for the sake of appearances, declared itself against him; such was the indignation against him of all classes of the population, and so strong was the general conviction that he would fall very soon after the evacuation of the Japanese.

In spite of the memorandum signed by both parties on July 16, the delegation of the Verkhne-Udinsk government which started for Chita for negotiations with the representatives of the population of Chita was stopped by the Japanese at the station of Gongota. That was the Japanese assistance in bringing about the conference of the representatives.

In the month of September the delegates of Vladivostok, through the "mediation" of the Japanese, were allowed to cross the territory occupied by Semenov's men, who had encamped along the Transbaikal Railway, and to reach Verkhne-Udinsk. The results of this meeting so much displeased the Japanese—according to their opinion the Verkhne-Udinsk government was thereby strengthened—that the Japanese "information bureau" on September 11 gave vent to its wrath against the "treacherous" Verkhne-Udinsk government. The Japanese communication ended thus: "It is unnecessary to add that Japan will always be ready to answer, either by hostile acts or by peaceful means. If the far eastern Government will spurn the proffered hand of friendship extended in a spirit of pure humanity, and will try to diminish the rights of Japan as proclaimed in the Government's declaration, Japan will be ready to attack injustice and to deal heavy blows to her enemies."

XXXVI.

The Japanese were compelled to go further in their repudiation of their original extensive program until a moment arrived when nothing was left to them but to leave Likhoidov and his crowd to their own fate and to withdraw.

On September 18 a new declaration of the Japanese Government was published, reading as follows:

On the basis of the declaration made public by the Japanese Government on July 3 of this year, at the time of the evacuation of our troops from the Transbaikal Province, and as a necessary measure, until the reestablishment of order, a certain number of troops have been retained in the district of Khabarovsk, as a strategically important point leading to the Sakhalin Province. Now, in view of the settlement of the political situation in the above-mentioned district, I announce the withdrawal of our troops therefrom. At the same time I express my sincere desire that the Russian Far Eastern territory be unified as soon as possible, thus assuring the peace and prosperity of the population of the country, and securing good neighborly relations between the two peoples, the Japanese and the Russian.

Only one or two months before the Japanese, after creating the Bochkarev band, which the maritime Government had to expel by force, as well as the Likhoidov men, were loudly asserting that in Khabarovsk everything was not as it should be; but now, all of a sudden, all was "settled." Their plans having changed, their words changed also. * * *

XXXVII.

The Japanese left Transbaikalia. The population, regardless of class or situation, driven to extremity by the brutalities and the debauchery of Semenov's as well as Kappel's men (who, although somewhat unfriendly to Semenov's men, in general were helping them), rose against them and in the middle of October drove them out of Chita. Ataman Semenov barely escaped from Chita and had to flee in an airplane. The Semenov-Kappel troops encamped along the Transbaikal Railroad, leaning upon Manchuria, and, as formerly, bottled up the way between the Maritime Province and Transbaikalia. But, on the other hand, the Amur region obtained a railroad connection with Pribaikalia and a part of Transbaikalia. The Government transferred its seat immediately from Verkhne-Udinsk to Chita, which was selected as the place for the final conference of the representatives of all the Provinces.

One or two further efforts of the people, and the entire demoralized White Army withdrew in a panic to Manchuria. * * *

The Japanese, solicitous for the fate of the army that was so well serving their interests, offered their services as mediators, but, as was to be expected, nothing came of the offer. The Chinese, whose activities were being constantly watched by the Japanese, insisted on disarming the White Army that had withdrawn to Chinese territory, but the arms were delivered to the Japanese and the disarming became a farce.

The "cork" in the neck of Transbaikalia was removed. With the Japanese gone the "cork" was gone too—after having for such a long time bottled up the work of the unification of the Russian Provinces of the Far East, and after having caused such great losses to the population.

The Verkhne-Udinsk Government had already appealed many times to the White troops, proposing that they disarm and come over to the side of the people. Amnesty was granted to all, except those who had committed grave criminal offenses. Now, the Government again confirmed its amnesty to all those who would voluntarily come back. Part of the troops came back. But the major part, obviously afraid on account of the crimes committed, and egged on by the Japanese, preferred for the time being to stay in Manchuria.

XXXVIII.

Before the Japanese now arose the question concerning the further use to be made of this army. If the general political situation required of them a curtailment of their annexionist program, that did not at all mean that this program was to be given up altogether. Not in vain had they expended so many efforts, lives, and funds.

The valuable Maritime Province, including Vladivostok, was still in the clutches of the Japanese, and now, after having suffered so much, it became the central point of the Japanese "policy."

The bandit "army" which could not fight but could kill and rob the peaceful population was gradually transferred to the Maritime Province with the usual Japanese humbugging. While

declaring to the maritime government that they were not interfering in the question of the transfer, the Japanese were at the same time transferring the bandits with the help of Chinese officials and subordinates of Chang-Tso-lin, the military head of Manchuria.

Semenov's men were sent to Grodekovo, a Cossack center, the Kappel men to Nikolsk, Razdolnoye and other places, without paying any attention to the protests of the maritime government and the national assembly. With reference to Kappel's army it will suffice to say that its representatives had previously come to Vladivostok to negotiate with the government; and when the government proposed to them that they should submit to its command and place themselves completely at its disposal, under absolute guaranty of the inviolability of their persons, they rejected this offer, insisting upon their complete independence.

The Japanese were fulminating against the Verkhne-Udinsk government, which had already moved to Chita, declaring that this government having permitted the armed expulsion of Semenov, had violated the agreement of July 15. The Japanese began to look around for a pretext to give support to the Semenov men.

The partisans, having approached the Manchurian border, did not continue the pursuit of Semenov's men, as they did not want to fight on foreign territory; but Semenov's men, as well as the Japanese, were waiting for another opportunity and were preparing other plans as appeared from the order of Gen. Semenov issued on November 18, at Junction 86 (on the territory of Transbaikalia, a few miles from the station Manchuria):

Order of the commander in chief of the armed forces and the campaign Ataman of all the Cossack forces in the Russian Far Eastern borderland.

The political situation at the present moment is as follows: The Japanese command, in the person of its representative, Col. Isome, guarantees to the Far Eastern army its transfer to the maritime district, but at the present time Col. Isome has not a sufficient number of armed forces at his disposal to cover up our retreat. The Chinese command promises definite assistance only in the work of transporting and quartering our families and relatives. The armed forces of the Chinese in the district of Manchuria are also insufficient and unreliable, and we can not figure on them to cover up our retreat. Therefore, in order to create a precedent of an international character and to give cause to the Japanese command to move their troops decisively, and by removing the Chinese from the railroad line to close the frontier to the Reds, it is necessary, in case the situation at the front will compel us to do so, to penetrate as far as possible into the territory of the Chinese Eastern Railroad, avoiding and not taking into consideration the Chinese troops at the frontier.

For the purpose of accomplishing the above, I order parts of the First Abagatui Corps to move in the direction of Hailar, where it should remain until further orders. The Orenburg Cossack Brigade must follow the first corps. Troops of the second and third corps, after encircling station Manchuria from the south, are to enter the district of stations Sagan and Horson. Station Chzhalainor is not to be occupied. Small units of no military importance may go through station Manchuria, where they are to surrender arms to the Japanese mission; and it is necessary that all these movements begin simultaneously, so that the units which will come to station Manchuria be secured from all possible excess on the part of the Chinese by the presence of our military units in the rear of the Chinese forces.

After the execution of the above operation we shall have assured for ourselves further movement along the railroad line.

I appeal to all, from the general to the soldier, to maintain absolute presence of mind and not to lose hope in the favorable outcome of our struggle for the right and freedom of the people.

(Signed, on the original) LIEUT. GEN. SEMENOV.

Correct copy: CHIEF OF STAFF OF THE FIRST TRANSBAIKAL CAVALRY BRIGADE PETELIN.

This plan was divulged in time and therefore could not be put into execution.

The transfer of troops to the Maritime Province was accomplished. Semenov had, apparently, to be transported somewhere else for a certain time, and thus the Japanese, their former declarations to the contrary notwithstanding, addressed to Gen. Boldyrev, commander of the troops of the maritime government, the following official announcement:

By order of Gen. Oi, the commander in chief, I beg to inform you hereby of the following:

The detachments of Semenov's and Kappel's men have been disarmed in Manchuria by agreement between Japan and China. The transfer of some of them who would like to proceed to the territory of the Eastern Chinese Railway and to the Maritime Province should be arranged by direct communications with the Chinese Government and with the provisional maritime government. In consideration of this fact, the Japanese command is standing completely aside in this matter as not pertaining to its jurisdiction.

According to news received there is among them Ataman Semenov, who applied for protection to the Japanese command. Confirming the above-mentioned arrangement the commander in chief of the Japanese troops has decided that he should be forced to leave the Maritime Province.

MAJ. GEN. TAKAYANAGI,
The Chief of the Staff of the Japanese Troops.

VLADIVOSTOK, *November 28, 1920.*

This document does not require any further comments.

XXXIX.

As soon as the various regions of the Far East had obtained the possibility of free communications and exchange of opinions the representatives of the various provincial governments and of the national assemblies, then in session, gathered in Chita. This conference, which took place on November 9, finally united all the Far Eastern Provinces. The declaration of independence was confirmed, the day of the elections to the constituent assembly was fixed, and the suffrage law for these elections adopted (Kerensky's law concerning universal suffrage); a central government of the Far Eastern Republic was created and it was intrusted with carrying out the elections; Chita was selected as the capital of the Republic.

It was unanimously decided to ask for the cessation of the intervention. All officers and soldiers, the remainders of the armies of Kolchak and Semenov, were invited to return to peaceful work, inviolability of person being guaranteed them. In the spirit of these decisions a declaration of the unity conference of the Provinces of the Far East was issued, in which the foreign governments were invited to enter into close political and economic relations with the central government of the Far Eastern Republic.

The Japanese—seeing the futility of all their efforts, as the people of the Russian Far East still continued to consider themselves a sovereign nation unwilling to recognize foreign rule on its territory, and determined to submit only to their own will as expressed by their elected representative organs—began to exert a pressure upon the maritime government and the national assembly, menacing them with repressions if the national assembly should confirm the decisions of the conference of November 9.

For a couple of days Vladivostok was filled with rumors concerning an intended overthrow; in Grodekovo, which the Japanese converted into a local "cork," after the Chita model, by populating it with Semenov's army, a belligerent spirit was induced. Gen. Oi summoned the members of the national assembly, who were the representatives of all political parties, kept them waiting for about an hour in a dark room, and finally came out to harangue and warn them of the evil consequences which would ensue if the national assembly should recognize the work of the Chita conference and the "communist" (as the Japanese called it) central government that was elected there. (The majority of the members of the government were communists, but as a whole the government was a coalition government.) Gen. Oi handed to all of them the following declaration:

To-day I invited you, the representatives of all political parties and groups of the national assembly, in order to acquaint you with the stand taken by the Japanese command and its attitude toward the provisional government. As the political situation in this territory has become serious, in connection with the conference in Chita dealing with the unity of the country, I wish to point out to you that I have repeatedly announced that in order to prevent undesirable conflicts and to preserve peace and order in the country a communist administration will not be allowed in those regions in which Japanese troops are stationed. But judging from what is here going on under the influence of the Chita unity conference, the situation is rather serious; I am afraid that in the regions in which Japanese troops are stationed peace and order may be disturbed. I wish to inform you that in the interest of Japanese self-defense, as well as for the maintenance of order in the country, there was drawn up an agreement between the Japanese command and the provincial government concerning the cessation of military activities; there was also an exchange of memorandums concerning the establishment of a buffer State, which, independently from the work going on at the conference in Chita, are binding upon both parties. Should therefore any third party, whosoever it may be, against the will and without the knowledge of the Japanese command, venture to violate the existing order in the zone in which the Japanese troops are stationed, and thus provoke disturbances in the country, such an activity will under no circumstances be tolerated by the Japanese military command. In concluding my address, I wish to express to you my profound respect for your efforts toward the regeneration of the country.

All the delegates, regardless of party affiliation, were deeply offended to be treated as if they were on enemy territory and not in their own country.

The agreements with the Maritime Government, mentioned by Gen. Oi, are those agreements which were forced by the Japanese upon the government after the events of April 4–5, i. e., the agreements of April 5 and 29. "The memorandums concerning the establishment of the buffer state" are the letters reprinted in the second part of this book, which, on the insistence of the Japanese, the chairman of the Japanese and Russian sections of the Russo-Japanese Adjustment Commission exchanged with each other in Vladivostok when the sessions of the conference were going on it Chita. These memorandums are drafted in the spirit of the memorandum of July 16, already mentioned above, which was signed by the representatives of the Verkhne-Udinsk Government at the Station Gongota.

Similar memorandums were exchanged between the Japanese and the representatives of the Amur Province. In general, being

themselves much addicted to declarations, they go so far as to force other people also to write them.

In order to make their presence felt, the Japanese began to hold up trains, not allowing anything to pass beyond the zone where their troops were stationed (Station Yevgenyevka); they prohibited the sending out of the city of silver money, with which the Government paid its employees, etc.

In spite by all these measures, the Maritime national assembly, taught by its bitter experiences with the Japanese and placing the cause of the unity of all Russian provinces above all the Japanese threats, confirmed the work of the conference, recognising the government elected in Chita as the central government.

That the Japanese arguments as to the "communist" composition of the Chita Government were only a pretext for the outside world is proved by the fact that the Maritime Government, with which the Japanese were having their sport, and which they wanted to tear away from Chita, thus destroying the work of unity, was of similar composition; the majority here, too, was "communist"; but in their essential policy both were equally democratic.

Having failed, the Japanese did not put their threats immediately into effect, but the Maritime populaion felt that under the leadership of the Japanese all the White Guards who had been transferred thither were being organized for the overthrow of the Government, with the purpose of creating an independent reactionary state out of the Maritime Province, which would continuously menace the Far Eastern Republic, thus destroying the already achieved unity of the Russian Far East.

XLI.

While everywhere provoking disorders and keeping the entire population in a state of tension, the Japanese began (in January, 1921) to spread the rumor in Vladivostok that in view of the fact that the situation in the Far East was menacing the life and property of the foreigners, the consular body intrusted the Japanese with the defense and the protection of the interests of foreigners. The population which, after all the bitter experiences it had gone through, understood the meaning of these rumors was prepared for new Japanese attacks.

On January 28 the papers published the following announcement from the American Consul:

The Government of the United States of America has not applied to any other Government with the request to collaborate with its representatives or the local authorities for the defense of the life and the property of American citizens in Siberia, and has not counted upon such protection. The Government of the United States is also unaware of the fact that any other Government has made such a request or counted upon such help, or would like to commit to any Government whatsoever the protection of the interests of other nationalities or to accept the task of protecting the personal safety or the property of any other nationalities in Siberia.

Thus another Japanese provocation was unmasked.

XLII.

In spite of the fact that in the Fisheries Convention of 1907 Japan obtained substantial rights for the exploitation of fisheries along the Russian Pacific coast (equal rights with Russian citizens everywhere, except the bays and the internal river waters), the Japanese were not satisfied. Already at the time of the deliberations of the various items of the convention, the Japanese were assiduously but unsuccessfully insisting upon the right to hunt beavers and sea bears in Russian waters, as well as upon the right to fish in bays and rivers. After 1907 Japan very extensively availed herself of her rights and developed this industry. But this was not enough for her; she wanted equal rights with the Russians in all things connected with fisheries.

This question was persistently brought to the fore in 1916, when the Czar's Government, conducting war with Germany, was in a difficult position, and "allied" Japan was considered the defender of the Far Eastern Russian possessions against possible attack. The downfall of the Czar's Government changed the situation, and the revolutions, both of March and of November, created such favorable conditions for the Japanese that they could not resist the great temptation of obtaining the realization of their old plans. Civil war and intervention completely weakened the Russian fisheries and reduced them practically to insignificance. Almost the entire fishery industry passed into Japanese hands. A long correspondence went on between the provisional maritime government (provincial zemstvo board) and the Japanese, concerning various privileges which the Japanese were asking in the fisheries industry. But even this did not satisfy them; because, in connection with their general scheme of conquest, they had planned not only economic preponderance but also to secure possession of the enormous natural resources, particularly the fisheries of the Russian Far East.

On December 16, 1920, the Japanese imperial consul sent the following communication to the director of foreign affairs of the Vladivostok government:

With regard to the fisheries in the Sakhalin district I consider it my duty, in accordance with the instructions of the minister of foreign affairs, to inform you as follows: The fisheries in the lower part of the Amur River, as well as in the Amur estuary, including the islands of Langer, Ud, etc., will from now on be under the jurisdiction of the Japanese command. As for the fisheries in the remaining parts of northern Sakhalin and in the waters of the coast from Cape Lesarev to De Castri, which up to the present were under the jurisdiction of the Russian authorities in Vladivostok, they will henceforth also be under the jurisdiction of the Japanese command.

This short but exceedingly interesting document immediately suggests a number of thoughts which are not complimentary to Japanese policy.

1. As far back as four months before the Nikolayevsk events, the Japanese had already seized the Russian fisheries resources of Sakhalin and the lower part of the Amur River (of the entire Sakhalin district).

2. The fisheries came under Japanese control, not as a result of competition between the business men concerned in the fishing industry, but by military conquest—"they are under the jurisdiction of the Japanese command."

3. In seizing them the Japanese do not even consider it necessary to disguise or to assign any reasons for it.

This document, communicated from Vladivostok to Chita, brought forth an immediate protest on the part of the Government:

The Government of the Far Eastern Republic protests against the forcible seizure which is a violation of the rights of the Russian people and its territorial sovereignty. This fact is in glaring contradiction to all the declarations by the Japanese Government of its unchanging respect for the rights of the Russian Nation, its territorial integrity and sovereignty.

On January 17, 1921, the Japanese delivered to the Vladivostok provincial government a new note in which five demands are put forth, which are in complete violation of Russian rights in general and of the fisheries convention in particular. These demands were supported by statements of the losses which the Japanese concerned in the fishing industry had sustained in connection with the disorders of 1918, 1919, and 1920. The demands were as follows:

1. The Russian authorities must deposit the fees which they receive for the lease of fisheries in an especially designated credit establishment on terms to be fixed by agreement with the Japanese Government. The Russian authorities may, at their discretion, withdraw and expend a third of the money deposited for the maintenance of the personnel supervising the fisheries and for other items, and the destination of the remaining two-thirds will be determined, according to mutual agreement of both Governments, after the end of the corresponding fishing season. The Russian authorities will accurately enter the receipts and expenditures connected with the payment for the leases, and the Japanese consul in Vladivostok will, if he deems it necessary, examine the books and watch over the correctness of the accounting.

2. In enumerating the fisheries, the Russian authorties will have to include their budgets. (Reason: The prices for the fisheries have supposedly become too high owing to competitive offers.)

3. Shipping certificates and all certificates of any kind necessary in connection with the fishing industry are issued not only by Russian but also by Japanese authorities.

4. The right of coasting trade, and, in addition to this, the right of domiciling Japanese subjects, even after the end of the fishing season, until the next season, for the purpose of protecting the buildings and the equipment therein.

5. The Japanese have the same right as the Russians to fish in the bights and in the rivers.

The Japanese had said almost everything and were waiting for an answer, but they did not receive any answer from the Government. On February 14 they again forwarded a note in which they insisted upon a favorable reply.

On the following day, on February 15, an announcement of the Japanese consul general was published, the contents of which were as follows:

With reference to the communication of the head of the Japanese diplomatic mission (i. e., Consul Kikuchi) to the local authorties, represented by B. E. Skvirsky, of December 16, 1920, concerning the taking over of all fisheries of the Sakhalin district by the Japanese command, I applied to the proper authorities, represented by D. P. Panteleyev, in my request of January 18 of the current year, asking him to omit the following fisheries—for the catching of fish and crabs—from the list of the fisheries that are to be leased in the course of the current year:

Fishing 68–a, Agnevsky 2; fishing 68b, Agnevsky 5; crabbing 6, Pilevinsky; crabbing 27, Aspidsky; crabbing 28, Nanaysky.

In view of the fact that no answer has been given as yet to my aforesaid communication, I have been instructed by the Government to make the following announcement: The leasing of the above-mentioned

fisheries by means of auctions, which in the course of the current year were arranged by the Russian authorities, will not be recognized by the Japanese Government.

Thus, after their note of December 16, concerning the fisheries, against which the Government protested, the Japanese considered themselves full masters of the Sakhalin coast line and of the lower part of the Amur.

By the way, it is interesting to dwell on the following fact: All their notes concerning fisheries, etc., the Japanese diplomats, as well as the military authorities, persistently directed not to the central government in Chita, but to the Vladivostok government; when the representatives of this Government, after the conference of November 9, refused to accept such documents, the Japanese simply placed them on the desk and walked off. It is interesting to compare with this fact the first clause of the memorandum signed by the Japanese and the Russians at Gongota on July 16:

The Japanese delegation declared that individual contacts of the Japanese command with the local authorities will cease immediately after the termination of the work of the conference of representatives expressing lawfully and independently the will of the Russian population of the Far East and which will legalize the final establishment of a single government.

After the conference of November 9, i. e., the conference above referred to, the Japanese persistently endeavored not to mention this clause which they had signed.

After this announcement the Government of the Far Eastern Republic in the beginning of March again protested against the Japanese usurpations:

The disorders which took place in 1918, 1919, and 1920 are the direct consequence of the policies of the Japanese command, which has completely ignored the sovereign rights of the Russian people in Russian territory. The last verbal notes which were delivered on January 17 by the Japanese consul general, as well as the memorandum of the Japanese consul general of December 16, 1920, are considered by the Government as infringements upon the rights of the Russian people, and the Government reiterates its protest of January 19, 1921.

On March 14 the Government of the Far Eastern Republic gave a detailed answer to the five Japanese demands of January 17. In this reply the Government declares that the Japanese should reestablish the normal conditions prevailing before the seizure of the fisheries; that the Government is not opposed to satisfying the legitimate needs of the Japanese fishing industry, and that it furthermore is not opposed to the revision, by the interested parties, of the entire fisheries convention. But such an answer could, of course, not satisfy the Japanese. They were expecting a resigned submission. On April 18 their answer to the reply of the Government of the Far Eastern Republic of March 14 was delivered. This answer has the same characteristics as the former ones—they can not wait, and therefore take matters in their own hands, and consequently will allow the Japanese fishermen to exploit the fisheries according to terms drawn up by them under the protection of the Japanese military authorities.

And on April 12, under the instructions of the Japanese Government, the Japanese consulate general in Vladivostok announced that the head of the military administrative department of the Japanese command in Sakhalin published a notice of February 19, 1921, concerning the leasing by auction of fisheries to Russians, the office of the military administrative command in Sakhalin (Alexandrovsk) being designated as the place for the auction. In this announcement it is pointed out that "persons who want to consult the above-mentioned list, as well as the regulations and rules, may consult them in the Japanese language in the consulate." Thus Russian fisheries are leased to Russians by the Japanese, who propose to the Russians that they acquaint themselves with the Japanese rules, etc., in the Japanese language!

It is a situation that requires no comment.

XLIII.

After the declaration of July 3 (evacuation of Transbaikalia and occupation of the Sakhalin district) the Japanese did not say anything about Sakhalin, and only eight months later, on March 21, in Alexandrovsk, Lieut. Gen. Kozima, commander in chief of the expeditionary army in the Sakhalin district, published the following order:

On the basis of the declaration published last summer, in which the Japanese Imperial Government announced that the Japanese troops will occupy important points in the Sakhalin district until the time when a lawful government will be organized in Russia and the question of the barbarous killing of the Japanese in Nikolayevsk will be settled, the Japanese Expeditionary Army will within the next days distribute its troops in the towns of De-Castri, Nikolayevsk, Mago, Sofisk, and other places, and will establish in these localities a civil administration in order to introduce there peace and order.

I appeal to the entire local population to peacefully occupy themselves with their affairs and to submit to the authorities named by us.

Soon complaints began to arrive from the population of Nikolayevsk, Marinsk, and other places reporting that the Japanese were interfering with the work of the Russian Government organs; that they prevented them from communicating with the Russian superior authorities; and that in general they were introducing a complete Japanese administration.

On April 19 a Japanese transport arrived in De Castri and landed troops, a Japanese radio was erected there, the Russian telegraph was put under Japanese censorship, and communication with the Russian higher authorities without the permission of the Japanese was prohibited.

On May 29 the head of the military mission, who came to Marinsk with the Japanese detachment, made the following announcement to the chairman of the district board:

We herewith communicate to you the order which we received from Lieut. Gen. Kozima, commander of the army of the Sakhalin district: The Chita Government and the people of the Far Eastern Republic ought to know the contents of an announcement concerning important matters referring to the former Sakhalin district. On the basis of this announcement the activities of any other administration and of its representatives in the occupied territory is not allowed. On the basis of this order we invite you, the representatives of the Far Eastern Republic, a Government which we have not recognized as yet, to cease your activity.

On July 14, 1920, the Japanese command made the following announcement:

In the near future Japan will inaugurate a military administration in the Russian part of Sakhalin.

For this reason—

1. All institutions must hand over their affairs to the Japanese command beginning with July 25.

[NOTE.—The majority of the officials and employees will remain in their former positions.]

2. Those who live in the buildings belonging to the State or to the community must leave them on the above date.

3. It is strictly prohibited to carry away from the above-mentioned buildings papers, instruments, supplies, etc.

The inhabitants were immediately told that if in the course of seven days they would not submit proofs that all their rights or privileges had been acquired from the Russian Government, these rights and privileges would not be recognized.

Not less interesting was the announcement that was sent to the Russian authorities on August 24 by Gen. Kozima and head of the military administrative board, Tsuno:

(a) Beginning with the 1st of July the rights of the Russian Government are not recognized.

(b) The Russian administration is considered to be abolished and consequently also all its decrees concerning the exploitation of natural resources.

(c) Property rights shall be determined upon investigation.

(d) For the settlement of administrative and other important matters an investigator shall be appointed, who shall examine the material and give the necessary explanations.

(e) The Japanese authorities will take care of the trustworthy personnel of the Russian administration.

(f) All material of an administrative character will remain in the hands of the persons who were in charge before.

(g) Should the above-mentioned points not be adhered to the necessary measures will be taken.

The Japanese law concerning capital punishment was introduced (with the application of execution) and the whole conduct of life was taken in hand by the Japanese, who issued a great number of regulations. In the "Rules concerning the supervision of resident foreigners" the Russions were converted into foreigners, and apparently foreigners of the second class.

The first clause of these rules reads as follows:

Foreigners who intend to come from abroad into the region which is ruled by the Japanese civilian administration must have with them a passport or a certificate of nationality issued by their Government.

The aforesaid passport or certificate, on which a photograph is pasted, must be visèed by the Japanese ambassadors, envoys, or consuls.

All foreigners coming from Japan, not excluding Russians and Chinese, must be provided with a certificate issued by the Japanese authorities.

On the above-mentioned certificate must be pasted a photograph, especially in the case of Russians and Chinese, and this can not be replaced by the description of the person's appearance.

The order "Concerning the supervision of the mining industry," issued on August 30, stipulates that:

1. Applications concerning the acquisition of rights in the mining industry shall not be received for the time being.

2. The granting of rights concerning the mining industry is discontinued for the time being.

4. The exercise of rights concerning the mining industry is prohibited for the time being, except in cases where the mining rights have been already enforced and the exploitation is actually in progress.

5. The head of the military administrative board is entitled, if he deems it necessary, to limit the rights concerning the mining industry or forbid their exercise altogether, and so on.

This order brought forth the protest of even that adherent of the Japanese interventionist policy, Mr. Krupensky, the Czar's ambassador in Tokyo. On November 25, 1920 (No. 635), protesting against the clauses 2, 4, and 5, Krupensky declared: "The above-mentioned points are nothing else but an abolishment of Russian laws on Russian territory by Japanese authorities, which appropriated for themselves the rights of territorial supremacy, and the order as a whole is in contradiction with the meaning and the spirit of the declaration of the Japanese Imperial Government of July 3 of the current year, as well as with the oral assurances given to me in this respect by

your excellency (the minister of foreign affairs). I consider it my duty to call the attention of the Japanese Government to this matter and to protest against this order which violates Russian interests."

The Japanese continued and still continue in their work, and have finally gone to such lengths that they have even renamed the streets with Japanese names. The Japanese know the value of the Sakhalin district very highly—Sakhalin coal, Sakhalin oil, its inexhaustible fishing wealth, is for them a sufficient attraction not to heed the Russian protests or the protests of the Government of the United States. Moreover, the occupied territory is strategically very valuable; the Far Eastern Republic can from this vantage ground be incessantly threatened and thus forced to grant anything that the Japanese imperialists may want.

XLIV.

As appears from the above, the Japanese were doing and were ready to do anything that would lead to the realization of their designs on the Russian Far East. Knowing the difficulties in which France found herself after Wrangel's army was destroyed in the Crimea and evacuated from Russian territory; knowing the desire of France to continue the struggle against soviet Russia at any price, the Japanese began, in January, 1921, to negotiate with the French Government for sending this entire army to the Russian Far East and duly exploiting it as a fighting force. But first of all Japan presented a great number of demands, the meaning of which was a silent but nevertheless a real and undivided protectorate over the territory of the Far East which was occupied by the Far Eastern Republic.

The French willingly granted Japan freedom of action in the Russian Far East on the condition that the Wrangel troops should be transferred and used by the Japanese and that the Japanese, after satisfying their appetites, should give preference to the French over other foreigners in the matter of concessions. Japan had to furnish the shipping tonnage, but the French Government did not refuse to defray the expenses connected with the transfer of the troops. The central figure in the organization of this affair was subsequently to be Tirbakh, a former adjutant of Kolchak, who came from Paris to Shanghai especially for this purpose. The Japanese intended to put Semenov at the head of the troops should the transfer succeed. In this spirit negotiations were conducted with him in Port Arthur, where he was residing. It was taken for granted that the person who would be at the head of the army and the "government" which would take the place of the present government of the Far Eastern Republic would irrevocably agree to full Japanese control in military as well as in civil affairs. The natural resources were also to come under the complete disposal of Japan.

Thus Japan was not losing heart. All her failures only stimulated her to further devices.

But here, too, Japan made an error in her calculation. The United States crossed her path, and Japan was again forced temporarily to slow down.

XLV.

In the meantime the government of the Far Eastern Republic, elected at the conference of February 9, went its own way and, basing itself on the provincial authorities, was executing the decisions taken by this conference. Under the supervision of a commission that was elected on a coalition basis the elections to the constituent assembly were going on. But the Semenov and Kappel "democrats," although warring against each other, tried wherever possible to break up these elections, killing members of the electing commissions, etc. Fortunately they had gathered only on a small part of the territory of the Far Eastern Republic, viz, the southern part of the Maritime Province, not occupying even this portion completely, and thus could not do any harm. The elections were a brilliant success, and gave an overwhelming preponderance to the representatives of the peasants.

The constituent assembly was to be the last stage in the struggle for the democratic republic in the Far East, and all those who had at heart the success of that republic were naturally bound at that moment to help the government.

From what the Japanese were doing all the time it could not be observed that they had any sympathy for the success of the Russian population, which, in spite of the many great obstacles, had succeeded in uniting all the Provinces and was beginning its labors in the arts of peace. The heroic population was starving in order to give the government an opportunity to conduct its difficult work in the atmosphere of assassination with which it was surrounded. The Japanese, as was already shown before, converted Grodekovo into a new "cork," such as Chita had been before. There Semenov's men committed their excesses, taking passengers off the trains (those who were abducted disappeared, nobody knows where), robbing and assaulting the population. According to the agreement of April 29, 1920, the Japanese were not to admit armed Russian groups to the zone where Japanese troops were stationed, but the Japanese, who were so often referring to this agreement, forgot about it whenever they themselves were helping to arm and organize these troops.

What Semenov's men were doing at that time under the protection of the Japanese appears from the depositions of a general of the Kappel forces (Molchanov) which the latter made in the beginning of March before the commission of the national assembly that was investigating the murders that had taken place in Razdolnoye (district of Nikolsk-Usurisk, Maritime Province). According to the statement of this general the murders which took place in Razdolnoye, where his soldiers were stationed, forced him to entrust his intelligence department with the investigation of this matter. As a result it was established that all the murders were committed according to a previously elaborated plan and had the purpose of provoking an open conflict between the Kappel army and the population. According to this plan more than 100 persons were to be killed, including all the educated elements of the village. The group that was organized for the execution of this plan included also officers. The circumstances of the murders were arranged in such a way that they should suggest a purely criminal origin, having nothing in common with politics. The names of the three persons who were at the head of this organization also became known.

Gen. Molchanov applied to the representatives of the Japanese command, asking them to take the necessary steps for the arrest of the criminals; the interpreter of these representatives replied that they, too, were very indignant over these murders, and that they were ready to collaborate in the struggle against crime. Filled with hope by this answer, Gen. Molchanov asked the interpreter, "Will the criminals be arrested if I indicate their names?" The answer was, "Surely; the Japanese command will certainly arrest them."

Then Gen. Molchanov repeated the names of the main participants in these murders; they were all agents of the Japanese General Staff. The Japanese, terribly taken aback, refused to have them arrested. Thereupon Gen. Molchanov proposed that they should be guaranteed safety by the organization of a common guard, consisting of two Japanese and two members of his army; this guard would dispatch the murderers to the Vladivostok prison.

The Japanese did not agree to this, but the murders ceased after this conversation, and their organizers disappeared from Razdolnoye, fleeing to Grodekovo, which had been their steady haunt. In the note of the minister of foreign affairs of the Far Eastern Republic, addressed to the minister of foreign affairs of the Japanese Government, of March 7, 1921, attention is called to these facts:

Incessant murders of absolutely innocent persons, committed by armed bandits, calling themselves Semenov's men, etc., have been irritating and disturbing, and are still irritating and disturbing the population. A short while ago these criminals again shed blood; several scores of people were killed in the settlements Razdolnoye, Khotoi, and Zharikovo; the population in Fadeyevka was disarmed and left at the mercy of the Khun-Khuses, and several citizens were abducted to an unknown destination.

In spite of the glaring crimes of Semenov's men, who have gathered in Grodekovo and are now gathering in other places, too, in spite of the protests of the Russian authorities against the unlawful gathering of armed forces in Grodekovo, in spite of the numerous attempts of these authorities to send militia for the disarming of these bands and for establishing order, the Japanese command systematically refuses to settle this question, pretending to ignore the fact that armed forces are living at Grodekovo, a fact which is only too well known to all persons residing in the maritime Province, and especially to those who have had the misfortune to pass through or to arrive at Grodekovo. Matters have gone so far that on February 8, of the current year, the former Col. Dombel, who, on the basis of a mandate from Semenov, calls himself the head of the military communications of the army of Grodekovo, without any ceremonies openly declared that all the ranks and institutions of what was formerly Kappel's army are abolished, if the persons occupying them will not declare that they submit to Gen. Savelyev, commander of the army of Grodekovo.

We are informed by the local authorities that when Gen. Ochi, the aide-de-camp of the Japanese Emperor, passed Grodekovo the commanding staff of this army, at the head of which was the abovementioned Gen. Savelyev, was introduced to him and the armed forces were reviewed.

It is evident that all the protests and appeals of the government of the Far Eastern Republic to the Japanese Government were a voice in the wilderness. The reactionary bands were organized for action.

In the night of March 30–31 an attempt was made to overthrow the Government in Vladivostok, and the Japanese, "true" to the agreement that they had imposed upon the local authorities on April 29, disarmed—not the White Guard bands which had attacked the Government—but the lawful militia, whose duty it was to defend peace and order.

This revolt failed, but the Japanese did not lose heart. The counter-revolutionary activities were not interrupted.

On May 20, owing to the persistent efforts of the Vladivostok authorities, there was found a "shelter" and a storehouse for arms of the White Guards in a house over which the Japanese flag was flying. The search was interrupted by the intervention of Japanese soldiers and gendarmes, because, as they said, "the search offended the honor and the dignity of the Japanese flag."

As a "punishment" for this search the Japanese disarmed for several hours the militia and the escort of the commander of the Russian troops.

On May 26 the White Guards again made an attack and this time, after the Japanese had disarmed the Government militia, they succeeded in seizing the power. The same thing happened in Nikolsk.

Thus was created the so-called Merkulov Government, that is based upon the Kappel and Semenov troops, which are—as was shown above—warring against each other, but which in reality do not differ much from each other.

The Japanese had gotten what they wanted: The maritime Province was severed from Chita; the unity of the far eastern Republic was violated, and it was possible to put still more obstacles in the way of the work of the Government.

But, curiously enough, schooled by long experience in the entire Far East, the Japanese are themselves never certain of their final success, and therefore are developing a many-faced activity, proceeding simultaneously in different directions, which at the first glance may seem to exclude each other. After having overthrown the Vladivostok Government, they at the same time are concealing its members in their general staff, to protect them against the counter-revolutionists. The Japanese, who so eagerly wanted to exterminate all "communists," all of a sudden are hiding three representatives of the Government who just happen all to be communists. Two days after the overthrow, the Japanese handed to these three persons the following announcement:

Declaration of the Japanese command, delivered on May 28, 1921, by Col. Yamatoto to Messrs. Antonov, Zeitlin, and Masiennikov, the representatives of the lawful authorities of the maritime Province, after the overthrow of May 26:

1. You are free to depart wherever you please. If you intend to go to Khabarovsk, the cars that are necessary for this purpose will be granted to you by the Japanese command, and the cars will be protected.

2. However, the command does not consider the Vladivostok Government as completely overthrown, and at the same time it does not recognize the creation of the new Government, and for this reason the command does not think that your immediate departure from Vladivostok is desirable.

3. If you remain here, help will be extended to you for your communications with Chita and Khabarovsk, the same as to our military missions.

4. The command does not want you to conduct under its protection any perceptible political activity, but it has no objections against your meeting certain persons, and therefore in this case collaboration will be extended to you.

A truly "oriental" document—but the ingeniousness of this Japanese game will be visible only below—overthrowing the provincial government and at the same time dallying with it; starting also a game with the government of the Far Eastern Republic, they were preparing at the same time a new big attack against the Far Eastern Republic. For the execution of their new plan it was necessary for the Japanese that Semenov, their permanent chief hireling in such work, should come—as the Japanese, in spite of all their efforts, could not find another man who would be such a willing tool. But Semenov had to be brought from Port Arthur, where he was "resting" after his flight from Chita, and passed through Vladivostok under Japanese protection.

In connection with the execution of their plan, the Japanese gave special, and, of course, secret, instructions to the Japanese gendarmerie command, represented by Okimoto, the chief of the gendarmerie detachment, and Col. Yama (June 22, 1921).

These instructions were as follows:

1. On the basis of a secret agreement that was concluded in Port Arthur, the Japanese command should help Ataman Semenov in his landing in Vladivostok.

2. Should there occur a clash, after the landing of Ataman Semenov, between the Kappel and the Semenov men, the Japanese command must disarm both sides.

3. Semenov intends to stay in Vladivostok for a long time. He intends to proclaim himself commander in chief of all the armed forces of the Far East and to declare a mobilization. The Japanese command should watch the frame of mind of the population.

As soon as Semenov landed, there immediately followed a conflict between him and the Kappel men. Semenov submitted to the Merkulov Government a great number of demands, but Merkulov's Government treated these demands as if they were tendered by Ataman Semenov in his capacity as a private individual.

The Japanese, dissatisfied with this turn of affairs, gave new instructions:

1. In order to prevent clashes between the Kappel and the Semenov men, Col. Gomi is instructed to negotiate with Ataman Semenov and to suggest that he go to Grodekovo.

2. The Japanese command should secretly extend help to Ataman Semenov after he reaches Grodekovo.

3. If the Merkulov Government arrests Ataman Semenov, the Japanese command should protest and ask for his liberation.

4. During the absence of Ataman Semenov a clash might occur in Vladivostok between the Kappel and the Semenov men. The Japanese command should disarm both sides.

The bitter hostility between the Kappel and Semenov men, which had already begun in Chita, was one of the unexpected obstacles. The plan of the new attack against the Far Eastern Republic was conceived in the following manner: From Mongolia the attack was to be made by Baron Ungern, Semenov's assistant, a Japanese agent, who, as soon as there was a serious menace from Verkhne-Udinsk, was sent by the Japanese with a detachment to Mongolia to seize the power there, to organize an army, and to wait for orders for an attack. Ungern was to advance to Troitskosavsk, take Verkhne-Udinsk and Chita; from the Amur an attack was to be made by Gen. Sychev, whose detachments were stationed on the Chinese bank of the Amur River; Sychev was to cross over to Russian territory and take Blagosvyshchensk; from Grodekovo toward Iman and Khabarovsk the attack was to be led by "Ataman Semenov himself."

Thus, in the case of success, the entire territory of the Far Eastern Republic was to be occupied by "Russian" troops and the Japanese would have obtained their aim—a far eastern "republic" under Japanese protectorate.

The secret agreement between the Semenov generals and the Japanese, which is printed below, exposes the whole deal:

(Absolutely confidential.)

TREATY.

THE FORTRESS VLADIVOSTOK, *June 3, 1921.*

We, the undersigned, on one side, acting commander in chief of all the armed forces and the campaign Ataman of all the Cossack troops of the Russian eastern borderland, commander of the Grodekovo group of forces, Lieut. Gen. Saveliev, and chief of staff of the Grodekovo group of forces, major general of the general staff, Soboiev, and on the other side the representatives of the diplomatic mission with the staff of the eleventh division of the Japanese imperial forces, Capt. Arimoto and Lieut. Higuchi, on the strength of authority given to us by the commander in chief of all the armed forces and of the campaign Ataman of all the Cossack forces of the Russian eastern borderland, and the chief of staff of the Japanese expeditionary forces in Siberia, conclude this treaty regarding the following:

1. The forces intrusted to me are to make an offensive against the people's revolutionary army of the Far Eastern Republic.

The offensive is carried out in accordance with the following plan:

(a) The first Grodekovo military unit moves in the direction of the Lake Hanka Anuchino, where it joins with the units of the second northern (Khabarovsk) military unit.

(b) The second northern (Khabarovsk) military unit starts out simultaneously with the first unit in the direction of Anuchino-Iman, where it joins the units of the first group.

(c) The individual units of the third Vladivostok group are transferred by sea to the Bays St. Olga Tetiukha and march in the direction of Anuchino, where they join the units of the first and second groups.

(d) Small partisan detachments of the Usuri Cossacks are reorganized and are used for clearing the rear of the army from the Reds as it advances.

(e) The date of the active offensive is appointed by agreement with the Japanese command, not later than July 1, 1921.

(f) In accordance with the degree of success of the offensive and as the military units in the district of Anuchino-Iman, the offensive movement against Khabarovsk is to be started.

(g) Partisan units of Maj. Gen. Sychev, by order of the chief of staff of the commander in chief, must cross the Chinese frontier and enter the district of Blagoveshchensk, coinciding with the time of the occupation of Iman.

(h) The units of Lieut. Gen. Baron Ungern-Sternberg are to be utilized for disorganizing the rear of the Reds and acting in small partisan units in accordance with the previously arranged plan within the districts. (Misovaya-Selenga-Petrovsky Zavod.)

2. As the Russian forces advance and occupy Iman-Khabarovsk, units of Japanese expeditionary forces, without taking an active part in the struggle with the bolsheviks, temporarily occupy the regions freed from the Reds, giving aid to the expeditionary detachments in their struggle with the bolshevist partisan movement.

3. Upon the liberation of the maritime district, the Japanese forces immediately evacuate from the places temporarily occupied by them to the cities of Nikolsk-Usurisk and Vladivostok, and do not advance beyond the 30 verst line (as foreseen in the Russo-Japanese treaty of Apr. 29, 1920).

4. At the time of the beginning of the offensive of the Russian forces the Japanese command gives them material aid amounting to 500,000 yen and gives for use by the Russian command the following arms and munitions: Three thousand two hundred rifles of various types, 350,000 cartridges to match the rifles, 24 machine guns of various types, 24 cases of cartridges to match them, 6 field and 2 mountain 3-inch cannon, and 75 cases of shells for them. The number of arms and munitions may be increased in case of necessity.

5. The Japanese command temporarily undertakes to supply the Russian forces with all necessary food and fodder and adopts measures to transport equipment and clothing from Tsindao and the railroad zone of the Chinese Eastern Railroad at Grodekovo.

6. After the occupation of Khabarovsk the Japanese command enters a plea with the Japanese Imperial Government that the contraband be removed from the moneys deposited by Lieut. Gen. Ataman Semenov

in the Yokohama specie bank and that these moneys be transferred to the Russian command.

7. The Japanese command aids in transporting Russian troops by sea to the northern coast and arms Russian ships which are guarding the coast as fully as possible.

8. The Japanese command at the time of the occupation of Iman, at its own discretion, will land troops for the protection of the Japanese fishing schooners in the bays of St. Vladimir, Tetiukha, Terneye, and the Imperatorsky port.

9. Until permanent order is established in the Far East, the Japanese command takes upon itself the guarding of the port and of the fortress of Vladivostok and maintains a control of the lines of the Ussuri and the Chinese Eastern Railroad.

10. After the occupation of Khabarovsk and the clearing of the country from the communist government of the Far Eastern Republic, the commander in chief of all the armed forces and the campaign Ataman of all the Cossack forces of the Russian eastern borderland, Lieut. Gen. Ataman Semenov, temporarily, until the convocation of the territorial people's assembly, assumes the full power of civil authority on the territory of the Far East.

11. After the clearing of the Maritime, Sakhalin, Kamchatka, Amur, and Transbaikal Provinces and the overthrow of the rule of the Far Eastern Republic, elections take place immediately for the territorial people's assembly, with the purpose of establishing a democratic rule in the Far East.

12. When a stable governmental authority is established in the Far East, Japanese subjects shall receive preferential rights for obtaining hunting, fishing, and forestry concessions in the Maritime, Sakhalin, and Kamchatka Provinces, and for the development of the mining resources and gold mines in the Maritime and Amur Provinces.

13. Paragraph 12 of this treaty, in case of necessity, may be reconsidered and supplemented.

14. The above treaty goes into effect from the day of its signing by both sides.

(Signed) LIEUT. GEN. SAVELIEV,
Acting Commander in Chief of all the Armed Forces and Acting Campaign Ataman of all the Cossack Forces of the Russian Eastern Borderland, Commander of the Grodekovo Military Unit.

(Signed) SOBOLEV,
Chief of Staff of the Grodekovo Military Unit, Major General of the General Staff.

(Seal of the staff of the Grodekovo military unit.)

Then follow the signatures and seals of the Japanese parties to the treaty in Japanese.

This is a true copy of the original.

But here again the Japanese encountered the heroism and the stubbornness of the Russian population of the Far East. The bands of Ungern, after they entered the territory of the Far Eastern Republic and Soviet Russia, were dispersed by the troops of these two countries, and Ungern himself was executed; the bands of Sychev were unsuccessful, and finally, under the pressure of the Far Eastern Republic, were disarmed by the Chinese and dispersed; Semenov, having encountered opposition even among his own men, was forced to go abroad and the plan failed. The troops of the Far Eastern Republic, on the territory cleared by the Japanese, were all the time guarding the people's interests and the liberties which had been conquered at such a high cost and were ready to fight to the very end against Semenov's "democrats."

That the Japanese, in their policy in the Far Eastern Republic, did not stop at anything is shown by the document inserted below, which, like the above-mentioned Japanese-Semenov treaty, is in the hands of the Government of the Far Eastern Republic. (Offer of a Chinese Khun-Khus to the Japanese:)

We have at our disposal detachments in Nikolsk, at the eighty-ninth junction and at the junction Dubinskoye. If you send to my address 4,000 yen and 500 poods (1 pood equals 36 pounds) flour, 100 poods choomiza, 1,200 pairs of shoes, my detachments may be at your disposal on July 25, 1921.

GEN. KUANKUASIN.

On the document is written:

Agreed.

(Signed by) COL. HIGUCHI and HIRA,
Staff of the Eleventh Division, July 15, 1921.

The Japanese failure gave to the population of the Far East an opportunity to continue its work of strengthening the young State. On February 12 the constituent assembly of the Far Eastern Republic was opened, and it immediately set about the important task of the drafting of the constitution of the Republic. This important work was finished on April 27, 1921. The constituent assembly, after finishing the work of building up the Republic, appealed to all those on whom depends the future peace not only on the Russian Far East but also of the entire Far East; to all former and present participants of the intervention, pointing out the collective responsibility of all of them for all the horrors suffered by the population during the Japanese intervention, which is still in operation. It could not help pointing out that the population, which had beheld in the solemn declaration of the United States of America an assurance that the Japanese had come with their armies on the invitation of that Government, can not help considering the American Government as primarily responsible for the misfortunes of the Russian Far East.

The constituent assembly appealed separately to the Japanese Government, proposing that it withdraw its troops and finally enter into normal political and economic relations on the basis of equal rights of both parties. But Japan remained silent and continued its adventure in the maritime Province.

XLVI.

All appeals of the government of the Far Eastern Republic remained unanswered, and only after President Harding had addressed the powers with reference to the Washington conference, at which inevitably the far eastern policy of Japan—in China and Siberia—would be discussed, did the Japanese inform the government of the Far Eastern Republic of their consent and willingness to start negotiations with it. Thus the Dairen conference was started on August 26. The delegation of the government of the Far Eastern Republic was immediately placed in a difficult position, as it was deprived of the possibility of safely communicating with its government; its couriers were held up in Manchuria, and its telegrams arrived in a mutilated condition. Great efforts had to be made to obtain even a modicum of opportunity to communicate.

The Japanese were not in a hurry and were protracting the negotiations, as they were unwilling to discuss the question of the evacuation of their troops. They completely refused to discuss the question of Sakhalin and the lower course of the Amur River, declaring that they could not discuss this matter with the Far Eastern Republic. They would discuss it with the recognized All-Russian Government. At the same time they insisted upon the revision, jointly with the Far Eastern Republic, of the fisheries convention of 1907 which was concluded between Japan and the Tsar's Government. Thus, in one case, when it was not convenient for the Japanese, the Far Eastern Republic was declared not competent to discuss questions referring to its territory, while in other cases, when this was necessary to the Japanese, it was recognized as qualified to do so. The causes of this inconsistency are too clear to require pointing out. The conference remained without results and soon it became known what the Japanese were after. In its official declaration the Japanese Government emphasized that it wanted only guaranties for the life and the property of its citizens and the "equalizing" of the Japanese with the Russians as to their rights in the territory of the Far Eastern Republic. But in practice these demands meant something quite different. While the Russian peasants, according to the constitution—this was also the case at the time of Tsar—could only lease their land for a long or a short term, the Japanese wanted the right of owning the land as property. This privilege is what the Japanese call "equal" rights with the Russian population. But in one case the Japanese really demanded "equal rights," namely, with regard to the navigation rights under the Japanese flag on the Amur River and as to fishing in the bights and interior rivers—to which rights they are not entitled according to the agreements concluded, first, between Tsarist Russia and China, and, second, between Tsarist Russia and Japan. Having received this "equalization," the Japanese would de facto be not the equals but the masters in the Russian Far East.

Very ominous was and still is the desire of the Japanese to destroy the long-abandoned fortress of Vladivostok, with whose condition the Japanese are sufficiently familiar, as well as their insistence that the government of the Far Eastern Republic should not fortify the shores of the Pacific Ocean. Of a similar nature also was the attempt to obtain the consent of the government of the Far Eastern Republic to a "temporary" establishment of Japanese troops on the territory of the Far Eastern Republic whenever the Japanese Government should deem this necessary.

All this is a clear indication of the future intentions of Japan with reference to the Russian Far East. As to the economic aspects of the matter, the Japanese Government declared not so long ago that it only wants equality of opportunity for itself and other foreigners to take part in the commercial and industrial life of the Far Eastern Republic, and that in this sense it insists that the government of the Far Eastern Republic should recognize all the rights which were acquired by Japanese citizens from former Russian Governments. But this demand which at the first glance seems quite innocent means for the Japanese something quite different, which they do not care to speak out loudly. By Russian Governments they understand the "governments" of Semenov and Merkulov, created by the Japanese and imposed upon the Russian population with the help of Japanese bayonets. With them the Japanese concluded and are concluding secret treaties (one of them has already been quoted above) concerning concessions and various exclusive privileges and rights. The population of the Far Eastern Republic considers these "governments" as common criminals, who are pillaging and selling out the property of the people and ought to be indicted before the courts of the Republic.

The indignation which such a request on the part of Japan arouses among the Russian population is therefore quite natural.

No wonder the Japanese and Russian delegates have been deliberating for four months in Dairen without obtaining any results.

The Dairen conference was necessary for the Japanese in order that they might be able to say in Washington that all the questions connected with the "evacuation" of the Japanese troops from Siberia are being solved by them jointly with the Russians, thus diverting the attention of the participants in the conference. After the conference they hope to have a free hand. Simultaneously with the negotiations in Dairen, the Japanese are giving instructions to their troops in Vladivostok to support and to defend with Japanese bayonets the so-called provisional government of Merkulov. Of this the following secret Japanese telegram is sufficient evidence:

TOKYO, *September 26.*

RADIO GENERAL STAFF, *Vladivostok.*

In case of disorders the strictest neutrality is to be observed. The provisional government is to be defended, if necessary by force. All overtures on the part of the Far Eastern Republic referring to the occupation of Nikolsk-Usurisk and Vladivostok are to be declined diplomatically, and if this will not help, also by force. An official communication with the Russian Government in this request is not necessary.

MINISTER OF WAR.

In order to exert pressure upon the Government of the Far Eastern Republic, and in order to broaden the sphere of their influence, the Japanese, in December, 1921, again resorted to their old and tried method: They organized the last remainders of the army of Semenov, Kolchak (the so-called Kappel men), and some parts of the army of Denikin and Wrangel who had come to Vladivostok, directing them through the neutral zone toward Khabarovsk, thus attempting to cut off an enormous territory—the entire shore of the Pacific Ocean—from the Far Eastern Republic. In organizing this attack, in arming troops and providing them with money, the Japanese are again violating the agreements which they themselves imposed upon the Vladivostok Zemstvo government, according to which (1) no Russian troops could stay within the zone where the Japanese troops are stationed; (2) neither the Russian troops from the direction of Iman nor the Japanese troops from the direction of Station Yevgenyevka (the farthest point to the north where Japanese troops were stationed) could enter the neutral zone.

The Japanese always remain true to themselves and to their "frank" policy.

This attitude of the Japanese compelled the National Assembly in Chita to make a vigorous protest on December 9, 1921.

XLVII.

By the "agreement" with China, of August, 1918, the Japanese received the legal right to fix themselves for a long time on the Chinese Eastern Railway, to establish themselves there so that in the future it would be easier for them to swallow also this piece of Chinese territory on which Tsarist Russia had gained so firm a hold. All the further Japanese intrigues of the last few years—as is apparent from Semenov's order, by the way—were exclusively directed toward the creation of a proper situation to "justify" them in seizing a new opportunity for a prolonged protection of this railroad. The complicity of the Japanese in the attacks of the Khun-Khuses on the Eastern Chinese Railroad is no secret for anyone in the Far East. The Japanese need proofs that the Chinese are unable to protect the railroad and that such protection must therefore be effected by the Japanese or, at least, by the "Russian" Semenov men who are in their service. France, which claims her own interest in the Chinese Eastern Railway through the Russian-Asiatic Bank, is not disinclined to help the Japanese, whenever that is possible, in this intrigue, by supporting the Japanese point of view.

The Japanese have taken pains to create for themselves a favorable situation in southern Manchuria, and now they have been greatly strengthened in northern Manchuria, too. With the help of the Chinese reactionaries in Manchuria, the influence of the Japanese grows; this is also the center of the intrigues of the Russian counter-revolutionists, who are paid in Japanese coin for their services. Harbin and Manchuria were the centers of the activities of Horvath, Semenov, Kalmykov, and many others. Hailar subsequently became the base for Baron Ungern, who was operating in Mongolia, and Hailar became a refuge for them when they had to flee before the troops of the Far Eastern Republic and soviet Russia. Through the Chinese Eastern Railway, Semenov's men, against the will of the Maritime government, entered the Maritime Province.

Thus the Chinese Eastern Railway, which so long was the object of Japanese aspirations, has finally come into their hands. The secret Japanese telegrams quoted below, the first of September 12, from Tokyo, and the second, the reply thereto, of September 27, from Harbin, are a very good illustration of the Japanese intentions:

TOKYO, *September 12 (radio).*

To the GENERAL STAFF, *Vladivostok*
(k/t confidential):

Your army should be ready for the occupation of the Chinese Eastern Railway. The plan of occupation will be delivered to you (in writing). The occupation will have a temporary and demonstrative character. We are waiting for particulars from Dairen.

MINISTRY OF WAR.

HARBIN, *September 27.*

Gen. TACHIBANA, *Vladivostok*
(Delivered by courier):

After considering the situation concerning the demonstrative occupation of the Chinese Eastern Railway, I beg to inform you as follows:

A demonstrative occupation would be a mistake on our part, because we would not have a sufficient cause for it. A full agreement with the important Russian groups in Harbin has not been reached; the influential personalities have rejected our proposal. They consider it inopportune to address their request directly to the Japanese Government; they are still pretending to be good patriots. For my part I consider the occupation as premature, aside from the fact that I do not expect any results from the Dairen conference. The occupation might have an undesirable effect upon the Far Eastern Republic and give away our future plans. For the time being we must not cast off our rôle as benevolent friends of the Russians.

Concerning this question I have sent my written report by courier to Tokyo.

TAKAYAMA.

WHAT NOW?

The whole history of Japanese intervention in the Russian Far East from the first day up to the present has undoubtedly proved that there is a determined plan of Japan to bring about, with the consent and the approval of France, a masked annexation of the entire Far East, or at least of portions of it. This history also establishes the fact that the Japanese, under the influence of the international situation, have frequently changed their plans—now reducing the territory of the intended annexation, now increasing it, now suddenly preparing "Russian" forces, which they send forth at the necessary moment. At present there is in the hands of the Japanese the southern part of the Maritime Province, which they are trying to enlarge through the so-called "governments" which they are imposing there; they are in complete possession of Sakhalin and the lower course of the Amur, which is invaluable in economic as well as in strategic respects; they are the masters of the whole Pacific coast.

In a peaceful way Japan will return the seized territories only under the pressure of those who so often have forced them to change their plans and to alter their course. But will they force Japan to stop this dangerous game? On the answer to this question very much depends, especially the future peace of the Far East. The fact that, under the influence of the Washington conference, the Japanese have started negotiations with the Far Eastern Republic in Dairen is a confirmation of the conclusion at which we have arrived—the pressure on Japan must be brought to bear from without. This is also confirmed by the fact that the Japanese, uncertain as to the results of the Washington conference, are so greatly protracting the negotiations in the Far East, and are unwilling to give a definite reply as to the central question—that of the unconditional evacuation of their troops.

The Washington conference, and, in general, its participants outside of the conference, all those who have taken part in the intervention in the Far East ought, in their own interest, i. e., in the interest of the peace in the Far East, which means also the peace of the whole world, to liberate the Russian population of the Far East finally from this terrible and unequal struggle, which it has been conducting for three years in the defense of its rights and its dignity.

The Russian people are waiting for the answer to the question: What now?

On this answer depends the future peace in the Russian Far East.

APPENDIX.

DOCUMENTS REFERRING TO THE HISTORY OF JAPANESE INTERVENTION.

A DECLARATION OF THE JAPANESE GOVERNMENT.

The Japanese Government, actuated by sentiments of sincere friendship toward the Russian people, has always entertained the most sanguine hopes for the speedy reestablishment of order in Russia and a healthy and untrammeled development of her national life. Abundant proof, however, is now afforded to show that the Central European Empires, taking advantage of the chaotic and defenseless condition in which Russia has momentarily been placed, are consolidating their hold on that country and are steadily extending their activities to the Russian far eastern possessions. They have persistently interfered with the passage of the Czecho-Slovak troops through Russia. In the forces now opposing these valiant troops, the Germans

and Austro-Hungarian prisoners are freely enlisted, and they practically assume commanding position.

The Czecho-Slovak troops, aspiring to secure a free and independent existence for their race and loyally espousing the common cause of the Allies, justly command every sympathy and consideration from the cobelligerents, to whom their destiny is a matter of deep and abiding concern. In the presence of the threatening danger to which the Czecho-Slovak troops are actually exposed in Siberia at the hands of the Germans and Austro-Hungarians, the Allies have naturally felt themselves unable to view with indifference the course of events, and a certain number of their troops have already been ordered to proceed to Vladivostok. The Government of the United States, equally sensible of the gravity of the situation, recently approached the Japanese Government with proposals for an early dispatch of troops to relieve the pressure now weighing upon the Czecho-Slovak troops.

The Japanese Government, being anxious to fall in with the desire of the American Government, and also to act in harmony with their allies in this expedition, has decided to proceed at once to the disposition of suitable forces for the proposed mission. A certain number of troops will be sent forthwith to Vladivostok. In adopting this course, the Japanese Government remains unshaken in its constant desire to promote relations of enduring friendship with Russia and the Russian people, and it reaffirms its avowed policy of respecting the territorial integrity of Russia and of abstaining from all interference in her internal politics. It further declares that upon the realization of the objects mentioned it will immediately withdraw all Japanese troops from Russian territory.

TOKYO, *August 3, 1918.*

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DECLARATION OF THE AMERICAN GOVERNMENT.

[Cable.]

WASHINGTON, D. C.,
August 5, 1918.

Flag Brooklyn, Vladivostok, Siberia:

The following is an official statement to the press on the American-Japanese action in Siberia: "In the judgment of the Government of the United States, a judgment arrived at after repeated and very searching considerations of the whole situation, military intervention in Russia would be more likely to add to the present sad confusion there than to cure it and would injure Russia rather than help her out of her distress. Such military intervention as has been most frequently proposed, even supposing it to be efficacious in its immediate object of delivering an attack upon Germany from the east, would, in its judgment, be more likely to turn out to be merely a method of making use of Russia than to be a method of serving her. Her people if they profited by it at all could not profit by it in time to deliver them from their present desperate difficulties, and their substance would meantime be used to maintain foreign armies, not to reconstitute their own, or to feed their own men, women, and children. We are bending all our energies now to the purpose of winning on the western front, and it would, in the judgment of the Government of the United States, be most unwise to divide or dissipate our forces. As the Government of the United States sees the present circumstances, therefore, military action is admissible in Russia now only to render such protection and help as is possible to the Czecho-Slovaks against the armed Austrian and German prisoners who are attacking them and to steady any efforts at self-government or self-defense in which the Russians themselves may be willing to accept assistance.

"Whether from Vladivostok or from Murmansk and Archangel, the only present object for which American troops will be employed will be to guard military stores which may subsequently be needed by Russian forces in the organization of their own self-defense. With such object in view the Government of the United States is now cooperating with the Governments of France and Great Britain in the neighborhood of Murmansk and Archangel. The United States and Japan are the only powers which are just now in position to act in Siberia in sufficient force to accomplish even such modest objects as those that have been outlined. The Government of the United States has therefore proposed to the Government of Japan that each of the two Governments send a force of a few thousand men to Vladivostok, with the purpose of cooperating as a single force in the occupation of Vladivostok and in safeguarding so far as it may the country to the rear of the westward-moving Czecho-Slovaks, and the Japanese Government has consented. In taking this action the Government of the United States wishes to announce to the people of Russia in the most public and solemn manner that it contemplates no interference with the political sovereignty of Russia, no intervention in her internal affairs, not even in the local affairs, of the limited areas which her military force may be obliged to occupy, and no impairment of Russian territorial integrity, either now or hereafter; but that what we are about to do has as its single and only object the rendering of such aid as shall be acceptable to the Russian people themselves in their endeavors to regain control of their own affairs, their own territory, and their own destiny. The Japanese Government, it is understood, will issue a similar assurance. These plans and purposes of the Government of the United States have been communicated to the Governments of Great Britain, France, and Italy, and those Governments have advised the Department of State that they assent to them in principle. No conclusion that the Government of the United States has arrived at in this important matter is intended, however, as an effort to restrict the actions or interfere with the independent judgment of the Governments with which we are now associated in the war. It is also the hope and purpose of the Government of the United States to take advantage of the earliest opportunity to send to Siberia a commission of merchants, agricultural experts, labor advisers, Red Cross representatives, and agents of the Young Men's Christian Association, accustomed to organizing the best methods of spreading useful information and rendering educational help of a modest kind in order in some sympathetic way to relieve the immediate economic necessities of the people there in every way for which an opportunity may open. The execution of this plan will not be permitted to embarrass the military assistance rendered to the Czecho-Slovaks. It is the hope and expectation of the Government of the United States that the Governments with which it is associated will, whenever necessary or possible, lend their active aid in the execution of these military and economic plans."

ACTING SECRETARY OF DEPARTMENT OF STATE.

—

APPEAL OF THE BRITISH GOVERNMENT TO THE PEOPLES OF RUSSIA.

Your allies have not forgotten you. We remember all the services your heroic army rendered us in the early years of the war. We are coming as friends to help you save yourselves from dismemberment and destruction at the hands of Germany, which is trying to enslave your people and use the great resources of your country to its own ends.

We wish to solemnly assure you that while our troops are entering Russia to assist you in your struggle against Germany we shall not retain one foot of your territory. We deplore the civil war that divides you and the internal dissensions that facilitate Germany's plans of conquest, but we have no intention to impose any political system upon Russia.

The destinies of Russia are in the hands of the Russian peoples. It is for them, and for them alone, to decide their form of government and to find a solution for their social problems.

Peoples of Russia, your very existence as an independent nation is at stake. The liberties you have won in the revolution are threatened with extinction by the iron hand of Germany. Rally around the banner of freedom and independence that we, who are still your allies, are raising in your midst, and secure the triumph of those two great principles without which there can be no lasting peace or real liberty for the world. Peoples of Russia, we want not only to stop the German aggression but intend also to bring economic relief to your devastated and suffering country. We have already forwarded supplies to you and will do likewise in the future.

We wish to aid in the development of the industrial and natural resources of your country, not with a view to exploiting them for our own benefit. We desire, too, to restore the exchange of commodities, to stimulate agriculture, and to enable you to take your rightful place among the free nations of the world.

Peoples of Russia, join us in the defense of your liberties. Our one desire is to see Russia strong and free, and then retire to watch the Russian people work out their own destinies.

BALFOUR.

AUGUST, 1918.

—

NOTE OF THE MARITIME PROVISIONAL GOVERNMENT TO THE JAPANESE DIPLOMATIC MISSION.

A note handed by the provisional government of the maritime privincial Zemstvo to the counsellor of the Japanese diplomatic mission in Siberia, Mr. Matsudaira, for transmission to the Japanese Imperial Government:

MARCH 2, 1920.

On January 31, 1920, at the time of the complete downfall of the government of Admiral Kolchak, under the stress of civil war and at a time when Russia's allies in the war with Germany (1914–1918) were exercising a guardianship over Russia

that was humiliating to the Russian national feelings, and were intervening in Russia's internal affairs—the Maritime Provincial Zemstvo, which is the people's government recognized by all classes of the population without exception, assumed the power and is now the only government in the territory of the Maritime Province. It is entirely responsible for the preservation of peace and order, as well as for the defense of the national honor and the sovereign rights of an undivided and free Russia. The provisional government, aiming to fulfill its great obligations to defend the sovereign rights of the Russians in the Far East, is seeking peaceful ways for ending the insulting intervention of foreigners in the internal affairs of Russia in the Far East, so that peace and order may be established in place of the prevailing anarchy and civil war.

With the ending of the military operations of the Allies against Germany a fundamental change occurred in the aims and purposes of the intervention, and the only formal pretext put forth for the continuation of such intervention at the present time is the necessity of guarding the railroads necessary for the evacuation of the Czecho-Slovak detachments. Now, when the normal process of internal governmental construction has begun the provisional government has all the means to secure the immediate and orderly evacuation of the Czecho-Slovak troops, and when it is evident to all that the process of national unification is taking place, the immediate cessation of foreign intervention in Russia's affairs is demanded, both by the expressed will of the people and by changed conditions.

The provisional government of the Maritime Provincial Zemstvo declares with deep regret that not all the participants in the coalition of powers concerned in the intervention realize sufficiently that conditions have changed so that there can no longer be any justification for permitting their armies to remain in eastern Siberia and in the Provinces of the Far East.

Thus at the time when the troops of some of the participants in the intervention are being withdrawn, or, according to declaration made, are getting ready for evacuation, the Japanese Government is increasing the number of its troops of occupation in the Russian Far East. The fact above mentioned establishes the responsibility of the Japanese Government for the continuation and even for the increase of intervention, which has now assumed the character of a one-power attempt to influence by force the will of the people and the internal policy of Russia in the Far East.

The provisional government of the Maritime Provincial Zemstvo publicly and firmly declares:

1. That it considers any further intervention by the Japanese Government a violation of the sovereign rights of Russia in the Far East.

2. That the official reasons given for the retention of Japanese troops in the Far East, and especially for increasing them by the arrival of fresh troops in Vladivostok, are contradictory to the principles of higher justice.

3. That the intervention of the Japanese Government has thus far been used for lending active support to the reactionary and irresponsible government of Kolchak, and that until the present time this intervention has been lending voluntary or involuntary support to the lawless acts and the innumerable atrocities committed by Semenov in Chita and by Kalmykov in Khabarovsk, the latter having recently been defeated by the revolutionary troops.

4. The interference of the commanders of the Japanese military forces in the activity of Russian authorities has reached such a state that criminals are granted an asylum by the Japanese, and that the Japanese refuse to surrender them to the authorities; for example, the case of Gen. Rozanov.

5. That the Japanese troops, because of the abnormal conditions of intervention, are shooting Russian citizens, burning down villages, etc.

6. That all the above stated facts prevent the accomplishment of the great work of national unification of the Russian people and the formation of a government in accordance with the desires of the Russian people at the present time.

In view of the facts stated above, the provisional government of the Maritime Provincial Zemstvo, expressing the unanimous wishes of the people and firmly believing that, with the exception of a small group of irresponsible individuals who are guided by selfish motives, the entire population of free Russia is opposed to intervention, and that it is the sincere desire of the Japanese people that their sons return home, resolves to request you to transmit to the Imperial Japanese Government the intimation that in order to maintain friendly relations with the Japanese people it is necessary: (1) To complete the evacuation of the Amur Province, which has begun and which is welcomed by the population, and (2) to immediately proceed with a complete and steady withdrawal of Japanese troops from the territory of the Russian Far East.

Sincerely aiming to maintain friendly relations with the Japanese people, the provisional government of the Maritime Provincial Zemstvo expresses the hope that you will, without any delay, bring this solution to the knowledge of the Imperial Japanese Government and give all possible aid to the favorable solution of this problem. On its part the provisional government will use all efforts to have the population of the Maritime Province maintain the necessary order and abstain from all irresponsible actions while the Japanese troops are being withdrawn from Russian territory.

The above note is being transmitted to the diplomatic representatives of foreign powers in the Far East for the information of their Governments.

THE PROVISIONAL GOVERNMENT
OF THE MARITIME PROVINCIAL ZEMSTVO.

Original is signed by—

A. MEDVEDIEV, *Chairman.*
A. RUSANOV,
A. MENSHCHIKOV,
S. AFANASIEV,
P. POPOV,
Members.
S. BELKIN, *Secretary.*

—

NOTE OF THE MARITIME PROVINCIAL GOVERNMENT TO THE REPRESENTATIVE OF CZECHOSLOVAKIA.

MARCH 8, 1920.

Up to the present time the provisional government of the Maritime Provincial Zemstvo has taken all necessary measures for the security and unobstructed movement of the Czecho-Slovak forces. No complaints have been received by the provisional government which would indicate any exceptional difficulties thrown in the way of the departing troops or any necessity for outside aid.

At the same time, however, the Japanese Government has issued a declaration that the presence, and even the increase in the number, of Japanese troops is due principally to the necessity of assuring the safety and the unobstructed movement of the Czecho-Slovak detachments.

The Provisional Government, representing the unanimous will of the entire population and enjoying its full support, expresses its readiness to give all possible help, with all the means at its disposal—technical as well as military—in accomplishing the evacuation of the Czecho-Slovak forces; and requests you please to inform it whether the successful accomplishment of the evacuation of the Czecho-Slovak troops really depends on the presence and the constant increase of the Japanese troops on the territory of the Far Eastern borderland, in spite of all the necessary measures taken by the Provisional Government.

THE PROVISIONAL GOVERNMENT
OF THE MARITIME PROVINCIAL ZEMSTVO,
A. MEDVEDIEV,
President of the Maritime Provincial Zemstvo and Minister of Foreign Affairs.
B. SKVIRSKY,
Vice Minister of Foreign Affairs.

—

REPLY OF THE CZECHO-SLOVAK REPRESENTATIVE.

On March 8, 1920, the Provisional Government of the Maritime Provincial Zemstvo (in Vladivostok) addressed an official inquiry to the diplomatic representative of the Czecho-Slovak Republic in Siberia, asking: "Is it true that the successful carrying out of the evacuation of the Czecho-Slovak forces, in spite of all the necessary measures adopted by the Provisional Government, depends on the presence and the constant increase of the Japanese forces on the territory of the Far Eastern borderland?"

The following reply was received on March 10, 1920, to this inquiry:

The first obstacles which were created in the process of evacuation of our forces by the soviet authority in the district west of Irkutsk were removed by an agreement between the Czecho-Slovaks and the soviet forces and from that moment on the evacuation of our forces has not met with any difficulties on the part of the soviet authorities.

On the Transbaikal Railroad the protection of the roadway was intrusted to the Japanese forces, and during the entire time there was no destruction of the railroad line, in spite of the orders issued by Ataman Semenov to destroy bridges and tunnels in order to interfere with our evacuation. This section of the railroad was in the sphere of influence of Ataman Semenov.

As to the Far East, I must certify with a feeling of deep gratitude and sincere friendship that on the part of the Provisional Government and all its institutions the evacuation of our forces not only did not meet with any obstacles, but, on the contrary, it was always given every possible assistance, for which I consider it my duty to express to the Provisional Government and its institutions my deepest gratitude.

(Signed) DR. GIRSA,
Plenipotentiary Minister of the Czecho-Slovak Republic.

MEMORANDUM OF THE PROVISIONAL GOVERNMENT TO THE INTERALLIED DIPLOMATIC CONFERENCE.

On the night of the 5th of April, without any provocation on the part of the Russian military or civil authorities and without any previous communication with the Russian authorities, the Japanese troops in Vladivostok forcibly disarmed and relieved the Russian guard in the Government institutions of the city of Vladivostok, replacing it with their own guard, have hoisted the Japanese flag over the buildings, have fired at some of these structures, including the building occupied by the Provisional Government, which was seriously damaged and the records and property largely destroyed, have forcibly disarmed some of the Russian detachments of the Vladivostok garrison, and have arrested Mr. A. A. Menshikov, a member of the Provisional Government and several military and civil government officials.

This sudden attack of the Japanese troops, which has been accompanied in some cases by destruction of human lives, comes as a surprise to the Provisional Government, the more since it occurred just at the time when negotiations were going on between the Japanese and Russian military authorities, these negotiations having been started at the request of the Japanese authorities, for the establishment of friendly mutual relations, and when the Russian military authorities, in accordance with the instructions of the Provisional Government, have expressed their readiness to settle peacefully all matters which may come up in connection with the presence of the Japanese troops in Russian territory.

In the declaration to the population, made by the chief of the Japanese forces in Siberia, Gen. Oi, and in the statement issued by Capt. Nakasova, the Japanese command explaining its activities, which have been contrary to the declarations of the Japanese Government addressed to the Russian people, and in conflict with the interallied agreement, alleges that the Russian military detachments have fired at the Japanese guard at different places.

The provisional government categorically denies this statement. The Russian detachments have been instructed fully to respect all the allied military forces in Vladivostok. The discipline of the Russian troops and the fact of their realizing the responsibility they have before the country are well known to the allied command. Nevertheless, the provisional government, though aware of the justice of its assurances, is willing to put the incident before an interallied commission of inquiry.

Strongly protesting against the activity of the Japanese command, the provisional government addresses this protest to all the Allies, as the so-called "intervention" has been undertaken by all the Allies conjointly and the responsibility for the recent affairs lies with all the Allies.

With a view to preventing the further development of events of this nature, with all the possible consequences thereof, the provisional government requests of the interallied diplomatic conference to propose to the Japanese command:

1. To release immediately the members of the provisional government, the civil and military officials and other Russian citizens who were arrested by the Japanese command in connection with the recent events.

2. To evacuate immediately all the Government buildings occupied by the Japanese troops and to hand them over to the Russian authorities in good order.

3. To give a satisfactory explanation and apologize to the provisional government because of the activities of the Japanese forces.

4. To make no searches and to permit no other persons under its protection to make searches or arrests without the permission of the provisional government.

5. To return the arms immediately to the three Russian military detachments from whom they were forcibly seized, and also to appoint an interallied commission, with the participation of Japanese and Russians, for a detailed and impartial investigation of the causes and circumstances under which these events occurred.

The provisional government considers it its duty to declare that respect for the sovereign rights of the Russian State and of the authority of the provisional government of the Far East is an indispensable condition for disposing of this incident, and that only the adoption of all the necessary measures will enable the provisional government to pacify the irritated population of the Province, and to take measures for a peaceful settlement of the affair.

The provisional government at the same time begs the representatives of the allied countries to inform their Governments of the aforesaid.

(Signed) A. MEDVEDIEV,
President.
A. AFANASIEV,
P. POPOV,
Members of the Government.

VLADIVOSTOK, *April 5, 1920.*

NOTE OF THE PROVISIONAL GOVERNMENT TO THE DIPLOMATIC REPRESENTATIVE OF JAPAN.

Having the support and confidence of all classes of the population, as seen from the numerous resolutions passed by the trade-unions, by the conferences of the employees in the Government and public institutions in the Province, by the political parties, etc., and especially being in very successful cooperation with the Government—the provisional government of the Russian Far East—the Maritime Province Zemstvo Board, has been directing its domestic policy to the establishment of justice, freedom, order, and equality, and in its foreign relations has endeavored to maintain the Russian sovereignty in the Russian Far East and to develop peaceful and friendly relations with other nations in accordance with the principles of international relations. Therefore, the provisional government—the Maritime Province Zemstvo Board—has with regard to all attacks and activities been guided by the principles of justice in spite of many outside unfavorable circumstances, and now declares before the whole world that it has not provoked by its activities the attack on Vladivostok by the Japanese command on the historic night of April 5.

The sudden and illegal attack of the Japanese troops came as a sad surprise to the provisional government at the very moment when, with a view to strengthening the mutual friendly relations, it had expressed its readiness to discuss peacefully the maximum of concessions to the Japanese command, on condition that the sovereign rights of the peoples and all the obligations the government had undertaken with the Allies, Russia, and the world, would be respected.

For the protection of the sovereign rights, the freedom, and the national property of the people and the authority vested in the government by the people the government, guided by its rights to independence and self-protection, must have sufficient strength and power. This force must come from out of the people and must be selected by the government, which is acting on behalf of the people. Only a Russian army can constitute such a force, not an army of aggression, but for the protection of the country from any attempts at a forcible coup from whatever side it may be initiated.

The provisional government is able and determined to maintain its authority over the said territory by adopting every measure. The absence of the people's army as a force upon which the government could rely would create anarchy and disorder, from which not only the Russian citizens will suffer but also the foreigners in the Far East who in one way or another have common interests with Russia. Japan as a civilized nation can not desire such anarchy, and, on the other hand, can not prevent it if it aims at intrusting the protection of the Russian State interests to foreign, not to Russian, forces or to reactionary forces hostile to the people. Only the enemies of Russia, who want to see Russia crushed, can aim at that; but Japan is not Russia's enemy, and the Russians on their part look for help and friendly support from the Japanese people. The government, therefore, is even now ready to put as a foundation for coming negotiations with Japan the principle of friendly mutual support on economic and political lines.

In order to realize these aims and to prevent the repetition of such sad events, which we believe are not in agreement with the general policy of Japan in her dealings with Russia, and in order to reestablish relations in accordance with the principles of justice and international custom, the government considers it its duty and feels justified in proposing the following conditions:

1. In order to prove that the recent events have not been directed against the government recognized by the people, the Japanese command must correct its error and release all military and civil officials and others who have been willfully arrested by the Japanese command. Having interfered with functions of the Russian territorial authorities, the Japanese

command must consider it its duty to comply with this lawful request.

2. The government institutions occupied by the Japanese troops must be evacuated and restored in good order to the proper Russian authorities, together with all the documents and property therein.

3. The government and the people, indignant at the recent events, expect that after satisfactory explanations have been given the Japanese command will apologize to the government and will assure it that such sad occurrences will not be repeated.

4. The provisional government can not agree that the temporary disarming of all the Russian military detachments and the militia should become a permanent fact. Japan has not been authorized by the Allies to act in such a manner, nor has the disarming been undertaken at the request of the Japanese Imperial Government. It has been an independent and illegal act on the part of the Japanese command. The arms which were taken away from the Russian military detachments must be returned to them as a proof of the sincerity of the Japanese declarations of their noninterference in the domestic affairs of the Russian Far East, of their desire to evacuate their troops, leaving Russia to the Russians.

5. The Japanese authorities shall not effect searches or allow searches to be effected under their protection by irresponsible persons, having the full assurance of the government that the Russian authorities, relying upon their disciplined detachments, are in a position to maintain order and protect the lives of all citizens without exception.

The provisional government of the Russian Far East undertakes this step, recognizing its duties and responsibilities to the people, and especially because all the classes of the population, indignant at the recent events, have the right to demand from the government the adoption of every measure necessary to reach the aforementioned results.

The events of April 4–5, which have not been provoked by anyone, will shock the public opinion of the entire civilized world, and the Japanese Government no doubt will not consider as legal the action of the local command, and will do everything possible to amend these fatal blunders.

The provisional government, not assuming any responsibility for the further development of events, hopes that the Japanese Government will reach a wise decision in the matter.

THE PROVISIONAL GOVERNMENT OF THE RUSSIAN FAR EAST.
THE MARITIME ZEMSTVO BOARD.
A. MEDVEDIEV, *President.*
A. MENSHCHIKOV,
S. AFANASIEV,
P. POPOV, *Members.*

VLADIVOSTOK, *April 5, 1920.*

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DECLARATION OF GEN. OI REGARDING THE EVENTS OF APRIL 4–5, 1920.

CITIZENS:

On the basis of the declaration made public by the Japanese command on March 31, 1920, the Japanese command, beginning with April 2, has been carrying on negotiations with the representatives of the Russian authorities regarding a peaceful settlement of the question of the stay of Japanese troops in the district.

Suddenly, on the night of April 4, armed Russian troops attacked our warehouses, garages, and military prisons, and also fired at our patrols in various parts of the city.

In view of the above illegal actions and in order to prevent a threatening danger from the armed Russian military units, the Japanese command is compelled to demand that the Russian military units be disarmed.

Without having any personal aims in this matter, the Japanese command can not allow any further development of disorder and will take the necessary measures after negotiations with the Russian authorities.

Gen. OI,
The Commander of the Japanese Forces in Siberia.

VLADIVOSTOK, *April 5, 1920.*

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RUSSO-JAPANESE AGREEMENT OF APRIL 5, 1920.
(Copy from a copy.)

The terms presented by the commander of the Japanese forces to the provisional government of the Maritime Provincial Zemstvo Board in regard to the declaration made by the Japanese Imperial Government regarding the stay of Japanese troops in the Far East for the purpose of maintaining friendly relations and avoiding conflicts which may arise, judging by the past and present events, between the Japanese troops on the one hand and the Russian authorities and the local population on the other hand.

The representatives of the Russian military forces, after negotiations with the representatives of the Japanese military forces, have expressed their consent to the following terms:

1. To secure the stay of the Japanese troops in the sense of giving them all necessities for such a stay, i. e., quarters, provisions, means of transportation and correspondence, etc.

2. To consider as effective all those decisions concerning military affairs exclusively which were entered into by the Japanese Government or the Japanese command on the one hand and the Russian authorities on the other hand, on the basis of the agreement between the allied powers or the allied command. If these decisions should be found to be not in accordance with the interests of Russia or the Russian Army, the Russian military authorities will make a proposal to reconsider such.

3. Not to arrest and not to interfere with the liberty of individuals who are employed by the Japanese command without bringing this to the knowledge of the command.

4. To liquidate within the limits of the territory of the provisional government all actions and outbreaks, regardless of their source, which threaten the safety of the Japanese troops and also the peace and order of Korea and Manchuria.

5. To restrain all printed articles and individual provocatory actions directly intended to compromise the Japanese troops and the Japanese State.

6. To use all efforts to secure absolutely the life, property, and other rights of Japanese subjects living in the territory.

(Signatures of Russian and Japanese officials.)

Dated at VLADIVOSTOK, *April 5, 1920.*

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TEXT OF AGREEMENT BETWEEN RUSSIAN AND JAPANESE COMMANDS OF APRIL 29, 1920.

1. The Russian military command, on the one hand, and the Japanese military command, on the other hand, mutually agree by the issue of simultaneous corresponding orders to immediately end the military operations between the detachments of Russian and Japanese troops in various districts, and the military operations must cease on both sides from the moment the order is received and is mutually exchanged by the commanding officers.

2. The Russian military forces, regardless of the political parties or groups they belong to, must not be located simultaneously with the Japanese troops within the limits of the following districts:

a. Within the limits marked by the line passing within 30 kilometers from the final point occupied by the Japanese troops along the Ussuri Railroad, on the one hand, and the line of the Russo-China-Korean frontier from the west and south, on the other hand.

b. Within the line along the Suchan Railroad along the Suchan River from its end, 30 kilometers on each side.

3. The Russian military forces that are at the present time in the above-mentioned districts, within three days after the receipt of this order, are to end military operations, and must be removed from these districts in the above-mentioned three-day period, but this limit may be prolonged by agreement with the local Japanese command.

4. The Russian armed forces which are being withdrawn behind the line of demarcation keep their arms, munitions, and supplies, the quantity being in accordance with the number of the troops on the day the orders are exchanged by the local command, regarding the cessation of military actions, and in accordance with the existing war-time regulations.

The Japanese command will not place any obstacles to the normal supply by the Russian authorities of provisions, supplies, fodder, clothing, and other objects necessary for the existence of Russian troops who have been removed to new quarters.

5. In case of necessity the troops, or portions of them, may be removed from the places where they were originally sent and transported by order of the Russian command to other districts outside the limits of the demarcation line, but without the right to transport them to the Provinces of Transbaikalia and Sakhalin. In case such a removal of Russian forces takes place, they may be moved within the limits of the established 30-kilometer zone, and they may use the Ussuri Railroad on conditions stated in paragraph 4, but only by agreement with the Japanese command regarding the method of transportation.

6. In order to maintain general order and peace and for the performance of militia duty in the districts mentioned in paragraph 2 and along the railroad line, Russian military militia units are permitted, and the personnel, arms, and number of these in each individual district are determined by the Russian

authorities with the knowledge of the Japanese command, and must be limited to actual necessary requirements.

The terms regarding the necessary military units for guard duty and military institutions and prison duty in the city of Vladivostok are defined by agreement between the two commands.

7. The guarding of railroads is carried on on the basis of decisions arrived at by the allied military committee in accordance with the decisions of the allied railroad committee regarding the control of railroads.

8. Arms, munitions, and other material necessary for military operations, factories manufacturing such, and warehouses where such are kept, in the districts mentioned in paragraph 2, are subject to seizure by the Japanese command. The future fate of the above-mentioned supplies is subject to special decisions. The following are the exceptions:

a. Arms, munitions, and supplies necessary for militia and prison duty and also necessary for instruction in military schools and maneuvers in the city of Vladivostok in accordance with paragraph 6, are returned from the supplies seized by the Japanese command.

b. The Far Eastern Mechanical and Shipbuilding Works in Vladivostok remain at the disposal of the Russian authorities on condition that no munitions are produced in them and that the Japanese command has the right to supervise the execution of this condition.

c. All objects of military use not mentioned in paragraph 8, which have no direct relation to military operations, and also warehouses containing such, are not subject to seizure.

d. Military supplies used as means of transportation, which have been seized and which are not the absolute property of the Russian authorities, are subject to special registration.

9. The right to dispose of barracks which are at the present time occupied and which may be occupied in the future by the Japanese troops, belongs to the Japanese command until the evacuation. In case of necessity the Japanese command shall furnish to the institutions and military units mentioned in paragraph 6, barracks which are at their disposal within the possible limits.

10. The Russian authorities shall take all measures to protect railroads and telegraph lines in the districts enumerated in paragraph 2, and must use all efforts to reestablish normal communication, and the Japanese command shall give assistance in case of necessity.

11. Both contracting parties must take measures for the speedy realization of this agreement. For this purpose, in case of necessity, and also for the working out of details regarding the execution of this agreement, a special Russo-Japanese commission is established.

12. All the conditions established by the command are of temporary character, and are to be reconsidered at the request of either side, and may be changed by agreement.

VLADIVOSTOK, *April 29, 1920.*

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DECLARATION OF GEN. OI OF MAY 11, 1920.

Whereas a proposal was recently made to our military command in the name of Mr. Smirnov, representative of the soviet government at Irkutsk, and Mr. Yanson, chief of the foreign affairs committee of the same government, for making, altogether aside from all consideration of a peace treaty, such arrangements between the partisan forces in Siberia and the bolshevik troops, on their eastward advance, and the Japanese Army, as to make it possible to keep each of the aforesaid military forces within their present sphere of operations, and whereas the authorities of the revolutionary government at Verkhne-Udinsk have acquainted the commander of the Japanese forces at Chita, on more than one occasion, with their proposal of a similar character and with other proposals regarding the establishment of an independent political institution for Far Eastern Russia, I feel it incumbent upon me to make herewith the following declaration:

The Japanese military command, which has no territorial ambitions whatever in Siberia, feels the deepest sympathy with the Russian population in Far Eastern Russia, and earnestly hopes that a stabilization of political affairs and restoration of order in the daily life of the people in that region will soon deliver them from the hardships and difficulty under which they are suffering at present.

The recent military events in Vladivostok were due to the course the insubordinate partisans were suffered to pursue in their disorganized activity, which the Japanese Army had had to feel as an increasing pressure brought to bear upon it, and as a growing menace to the integrity of its position.

Under such circumstances the Japanese Army had only one course to follow in its self-defense.

Japan wishes to make it likewise most clear that it can in no wise tolerate the existence, in any country in close geographical relations with its own territory, of any political organization that defies humanity and attempts to disturb the peace of the world.

In view of the rapid progress of the repatriation of the Czech troops toward its final accomplishment, the Japanese military command wishes hereby to express its readiness to effect the military evacuation of Siberia when conditions in Far Eastern Russia have been readjusted on a stable and assuring basis, when all menace to Korea and Manchuria has been removed, and when the safety of life and property of our civil population has been guaranteed.

The Japanese command is not only earnest in its hope that the conditions in Far Eastern Russia will soon attain such a consummation, but also is no less eager in manifesting its regard for the opinion of the Russian people, and the Japanese command does not mean to defy their sentiment by according support to any particular section of the Russian population, thereby aggravating political conditions in the country.

It will be a matter of no less solicitude to our command than to the Russian population if Far Eastern Russia can be established on a basis of such form of self-government as to meet with the approval of the people.

It is to be hoped, too, that economic relations be resumed, that the population in these parts of Russia may be relieved from their present hardships and privations.

In order to expedite matters for such satisfactory arrangements as described above it is necessary that the Russian Army be caused to cease acts of hostility against the Japanese forces at Chita and provide an inviolable zone of neutrality between the two armies in these parts.

This accomplished, the unification and autonomy of Far Eastern Russia may be expected, based on such an arrangement.

It is hardly necessary to say that the Japanese command will refrain from all interference, and when the state of political affairs has been brought to such a stage as to make it possible adequately to guarantee the making of such political arrangements, and when, consequently, peace has come in sight, the Japanese command will welcome the final arrival of the time for such military evacuation of Siberia.

Such are the hopes of the Japanese military command, and in these, to be sure, our Government as well as our people are agreed.

This solicitude we feel for the future, we trust, is shared by the Russian population.

However, we feel that it will not be altogether impertinent to say in this connection that the action taken by the Russian force at Nikolayevski was a very deplorable affair.

Our military force, being small in number, was driven back and annihilated, our consul was killed, and a great number of the Japanese population there was massacred or subjected to all sorts of unspeakable humiliation.

The incidents in question have profoundly impressed the Japanese nation.

It appears quite logical that this affair be considered as a separate issue and estimated on its own account for proper settlement.

(Signed) GEN. MARIMOTO OI,
Commander of Japanese Expeditionary Forces in Siberia.

MAY 11, 1920.

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RUSSO-JAPANESE AGREEMENT REGARDING THE MILITIA IN THE MARITIME PROVINCE.

In accordance with paragraph 6 of the Russo-Japanese agreement of April 29 the number and arms of the militia units are established by the Russian authorities, with the knowledge of the Japanese command.

In order to execute the above the following project is proposed:

1. The number of militia within the district outlined in paragraph 2 of the Russo-Japanese agreement of April 29, 1920, is to be 4,250.

2. The entire militia is divided as follows:

a. Administrative.
b. Railroad.
c. Special militia reserves for combating criminal gangs.
d. Vladivostok Fortress militia.

3. The numbers of the above-mentioned divisions of militia are to be as follows:

a. Administrative militia (city and county), 2,300 men.
b. Railroad militia, 300 men.
c. Special militia reserves, 1,350 men.
d. Vladivostok Fortress militia, 300 men.

4. The 4,250 men established by the commission are divided within the districts of the Province as follows:

a. Vladivostok district: City militia, 1,100 men. Reserves, 600 men. Fortress militia, 300 men.

b. Khabarovsk district: City militia, 250 men. County militia, 100 men. Reserves, 250 men.

c. Nikolsk-Usurisk district: City militia, 250 men. County militia, 200 men (including Posiet, Barabsh, and Grodekovo). Reserves, 300 men.

d. Iman district: County militia, 200 men. Reserves, 200 men.

e. Olginsk district (including Suchan and Skhotovo), 200 men.

f. Militia for Ussuri Railroad, 300 men.

5. The entire militia of the Provinces with the exception of the fortress militia, i. e., railroad, administrative, and special militia reserve, are under orders and at the disposal of the ministry of the interior, through the government inspector of militia.

The fortress militia is under orders of the commandant of the fortress.

6. The functions of the various groups of militia are defined by the existing government regulations or by regulations which may be issued by the government.

7. The militia is to be armed as follows: Two-thirds of the city, county, railroad, and fortress militia is to be equipped with sabers and revolvers and one-third of the above with rifles.

8. The arms are issued by the Japanese command from the supplies of Russian arms which are under Japanese guard.

SPOLATBOG,
Chairman of the Russian Commission.
KOLESNICHENKO,
Member, Government Inspector of Militia.

VLADIVOSTOK, *June 15, 1920.*

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ARMISTICE TREATY BETWEEN THE JAPANESE AND THE VERKHNE-UDINSK GOVERNMENT.

We, the undersigned, representatives of the Japanese expeditionary army on the territory of the Far East and of the government of the Far Eastern Republic, who have gathered for the purpose of ending military operations, which have taken place against the wish of either side, are negotiating regarding their cessation.

1. On the Amur front (on the left and right shores of the River Shilka), which are concluded by our local military commanders.

2. Regarding the cessation of military operations on the Transbaikal front, in the district of the Yablonovi Mountain ridge, while concluding this treaty regarding the cessation of military operations on all fronts, we have arrived at the following understanding:

I, the representative of the Far Eastern Republic and of the chief command of the people's revolutionary army, in their name, assume all obligations arrived at in this treaty, which is concluded between the local commands of both sides and which is signed for the Japanese expeditionary forces by Col. Katosadziro and for the Amur units of the people's revolutionary army by Citizen Victor Londo, regarding the cessation of military operations on the left as well as the right shores of the River Shilka. This agreement is to go into effect in the district of the left shore of the River Shilka on July 2, and in the district of the right shore of this river on July 10, 1920.

I, the representative of the Japanese expeditionary army on the territory of the Far East, have the sincere desire to end the military operations on all fronts of the territory of the Russian Far East.

In view of the fact that the Verkhne-Udinsk government is not the only government in the territory of the Russian Far East, and in view of the fact that this government is not regarded by the Japanese command as the principal government on the territory of the Russian Far East, the Japanese command can not conclude an agreement with the Verkhne-Udinsk government to end military operations on all fronts of the Russian Far East.

There is a difference of opinion between the two parties on this subject. Thus, if no agreement can be reached, it will remain impossible to conclude a treaty regarding the cessation of military operations on all fronts of the territory of the Russian Far East.

The principal problem is outside of the jurisdiction of the representatives of the Japanese command, and therefore a settlement of this problem is left to further negotiations.

It is the desire of both sides that peace be reestablished as soon as possible on the territory of the Far East, therefore this treaty is being concluded so that hostilities may cease on the Transbaikal front and in the district of the Yablonovi Mountain ridge.

The treaty provides as follows:

1. The troops of both sides must not go beyond the established lines of demarcation and must not carry on any military operations, including aerial military operations.

2. On the Transbaikal front, in the district of Yablonovi Mountain ridge, the line of the Japanese forces begins from the junction point of the roads Podvolochnaya-Telemba and River Usmukan. From this point the line follows meridian 113° 30′; to the south the line follows through the junction of the road Shaksha-Telemba with the road Telemba-Verkhne-Chitinsky further through the point northwest of Beklemishev, 10 versts on the old Moscow road, which is also known as the Old Chitinsky. Further the railroad bridge across the River Zuzugan, which is 10 versts east of Station Gongota, until Kodakhta; from here the line goes to the south parallel with the meridian 112° 30′.

The line of the people's revolutionary army begins at Telemba and then runs north, parallel with meridian 113° 30′; to the south, elevation Kondinskaya, Station Gongota; then the line of the people's revolutionary army follows through Uletuyskoye and further south along the meridian 112° 30′.

All the above-mentioned points within a radius of 1 verst are the spheres of influence of the sides which occupy them at the present time.

[NOTE.—The regulation of civic affairs in the neutral zone between the line of the Japanese expeditionary forces and the line of the people's revolutionary army is left to the authorities of the Far Eastern Republic, with the understanding that the population will not be utilized for military operations.]

3. Station Gongota is the last point on the railroad for trains coming from the west, and Station Sohondo is the last point for trains coming from the east.

[NOTE.—Between Stations Gongota and Sohondo telephone connections are established so that negotiations can be carried on in case urgent action is necessary in order that diplomats or other individuals may pass from Station Gongota or Sohondo.]

4. Noon of July 18, 1920, is the time for the cessation of military operations. Before that time the commands of both sides must inform their units regarding the cessation of military operations, and must in the various districts exchange the orders regarding the cessation of military operations. Until that time neither side is to undertake any military operations against the other.

[NOTE.—Truce bearers on both sides in exchanging documents are to use the following roads]:

a. Telemba—Upper Chita.
b. Old Chita (also known as old Moscow).
c. The railroad line.
d. Kodakhta-Ulyantuy.

5. This treaty is to expire upon the conclusion of the work of the representatives who truly express the will of the people of the Russian Far East.

6. In case any misunderstandings arise and this state of peace is broken and hostilities are to begin both sides are to give 10 days' notice.

[NOTE TO THE TREATY.—Troops under the command of Semenov recognize this treaty which is guaranteed by the representatives of the Japanese expeditionary army on the territory of the Far East.]

The basis of this agreement is the note from the chief of the Japanese delegation, Maj. Gen. Takayanagi, to the chairman of the peace delegation of the Far Eastern Republic, W. S. Shatov, under No. 4, dated July 12, 1920.

Gen. TAKAYANAGI,
Chief of the Japanese Delegation.
Col. KUROSYAVA and Capt. SOYEDA,
Members of the Japanese Delegation.
SHATOV,
Chairman of the Peace Delegation of the Far Eastern Republic.
PAVLOV,
Member of the Peace Delegation of the Far Eastern Republic.

Station GONGOTA, *July 15, 1920.*

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MEMORANDUM CONCERNING EXCHANGE OF NOTES BETWEEN SHATOV AND TAKAYANAGI.

The commander of the Fifth Japanese Division, who has received instructions from the commander of the Japanese expeditionary army in Vladivostok, and the Government of the Far Eastern Republic, which sent its representatives to the station of Gongota, have concluded an agreement concerning the discontinuance of military activities, and, availing them-

selves of this opportunity, both delegations, within the limits of the authority conferred upon them, have discussed also other questions connected with military matters, and exchanged the notes transmitted as the result of the deliberations.

W. SHATOV,
The Representative of the Far Eastern Republic.
Maj. Gen. TAKAYANAGI,
The Representative of the Japanese Army.

Station GONGOTA, *July 17, 1920.*

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NOTE REFERRED TO IN THE MEMORANDUM OF JULY 17, 1920.

Anxious to bring about, as soon as possible, peace in the territory of the Russian Far East, the Japanese and Russian delegations are convinced that the best means for the attainment of this purpose, and for the establishment of peace and order, is the creation of a buffer State with a single government, in the affairs of which the armed forces of other Governments should not interfere.

In its international and economic relations this buffer State can not remain in a state of isolation from the civilized countries possessing a highly developed industry. There exists the closest community of interests between the territory of the Russian Far East and Japan, and for this reason the buffer State must necessarily entertain relations of the closest friendship and intercourse with Japan.

In pursuance of the above-mentioned principles, both delegations fully agree in the conviction that the buffer State will not accept communism as the basis of its social system, and that it will have a popular character along broad democratic lines. For this reason the present situation makes necessary the convocation of a conference of representatives who will legally and independently express the will of the population of the territory of the Russian Far East.

In accordance with this understanding of the tasks set before them, both delegations make the following mutual statement:

1. The Japanese delegation declares that the individual relations of the Japanese military command with the local authorities will be discontinued with the conclusion of the work of the conference of representatives, who will legitimately and independently express the will of the population of the Russian Far East, and will finally give approval to the creation of a single government.

2. The Japanese delegation declares that the Japanese command will not interfere with the manner in which the above-mentioned conference will be called nor with its deliberations, and promises to offer every possible assistance should obstacles be placed in the way of the delegates who are going to that conference, regardless of their political opinions.

3. Concerning the question of the continued stay of Japanese troops on the territory of the Russian Far East, the Japanese delegation takes the position stated in the declaration of the Japanese Government of July 3.

With reference to the region of Transbaikalia, the Japanese military command, in accordance with the declaration made by the Japanese Imperial Government, has decided this time to withdraw its troops from the above-mentioned region in consideration of the fact that at the present time the evacuation of the Czecho-Slovak troops from this region has already been completed. The Japanese command hopes that in case its relations with the Far Eastern Republic remain satisfactory the evacuation of the Japanese troops will be completed in a short time.

4. The Russian delegation declares that the armies of European soviet Russia will not be admitted to the territory of the Government of the Far Eastern Republic, and that they will not be allowed to stay, to encroach upon, or to pass through that territory.

5. The Russian delegation declares that the Government of the Far Eastern Republic promises, on the basis of a mutuality concession, that within the sphere of its influence it will guarantee the inviolability of person of Japanese citizens and that it will respect their rights.

6. In the hope of bringing about an early pacification of the territory of the eastern Republic, the Japanese and Russian delegations declare that the Japanese command and the Government of the Far Eastern Republic bind themselves to undertake all necessary measures to settle peacefully all conflicts, but, in case of necessity, they promise to take the most energetic steps.

7. The Japanese and Russian delegations declare that after a preliminary mutual agreement each government may send its military missions to the other, since these missions will be very useful in the matter of a successful solution of the questions which may arise in the future.

(Signature) GENERAL TAKAYANAGI,
The Representative of the Japanese Army.
(Signature) SHATOV,
The Representative of the Far Eastern Republic.

Station GONGOTA, *July 16, 1920.*

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PROTEST AGAINST THE NONADMISSION OF THE VERKHNE-UDINSK DELEGATION TO CHITA.

To the Minister of Foreign Affairs of Japan, to the High Commissioner for Japanese Affairs, Matsudaira, and to Gen. Takayanagi:

On September 4 we, the representatives of civic organizations and political parties of the independent Far East, accompanied by Col. Isome, the head of the Japanese mission in the city of Verkhne-Udinsk, started on our way to Chita. The aim of our delegation, in which all political elements were amply represented, was to gather all the democratic elements of the Far East and to consolidate them in one single endeavor for the purpose of bringing about the rule of law and order through the medium of the free expression of the will of the population of the Russian Far East. After our arrival at the station of Gongota we were held up by the Japanese mission in Chita, owing to the fact that Ataman Semenov was staying there, who was again trying to impose his rule by means of violence and through the suppression of the democratic elements of Chita.

We suppose that on the basis of the armistice agreement and on the basis of the statements of the Japanese military command and the Japanese mission we have the right to move freely on the entire territory of the Far East.

All the persons who are placing obstacles in the way of our work are directly or indirectly contributing to the strengthening of anarchy in our country. In the name of the people of the Far Eastern Republic, which elected us, we protest also against the activities enabling Ataman Semenov to disrupt the Far East and to suppress the free will of the population with the help of armed forces, which again have been introduced to Chita.

At the time when the entire population of the city of Chita expressed itself in favor of a reunion with the Far Eastern Republic the new attempt of Semenov to impose his rule can not be endured by anybody.

We declare that the free people of central Transbaikalia will be unable to remain indifferent while such an act of violence is being committed against their free will and that the flames of civil war are likely to flare up again.

Protesting against such acts of hostility, which are directed against the free democratic institutions, we hope that the higher authorities of the Japanese Government and of the military command will take urgent steps to enable our delegation to pass immediately to Chita.

(Signatures.)

SEPTEMBER 6, 1920.

RUSSO-JAPANESE ADJUSTMENT COMMISSION.

Letter of the chairman of the Japanese section of the Russo-Japanese Adjustment Commission to Mr. Zeitlin, chairman of the Russian section of the commission.

The commander of the Japanese troops in Siberia in his statements more than once expressed the wish for an early adjustment of the political situation in the Far East, together with the reestablishment of good and neighborly relations between the Japanese and the Russian people.

The Russian authorities considered the question of the fusion of the administrations of the various regions of the Far East as a necessary condition for the erection of a buffer State in the Far East.

The question has been considered from all points of view and is nearing its solution. We are convinced that in this question your Government has already taken a definite position. In view of the fact that this question is closely connected with the question of the continued presence of Japanese troops in the Far East, the Japanese section of the commission, according to instructions from the commander of the Japanese forces, would like to learn from the Russian section of the commission the opinion of your Government as to the following questions:

1. May we be assured of the fact that the program of your Government, as announced on August 19 of the current year and ratified by the National Assembly at Vladivostok, is final and will not be changed?

2. Does the memorandum exchanged between the representatives of the National Assembly in Vladivostok and the Verkhne-Udinsk Government, which has been recognized by the former,

change in any way the principles of your Government as indicated under (1) above?

3. Concerning the structure of the new government, is it to be understood as:

(a) A moderate, democratic, republican form of government, to the exclusion of monarchist as well as of communist principles?

(b) Having constitutional parliamentary institutions, the members of which are to be elected from among all classes, nationalities, and political parties?

4. Is it to be understood in such a way that the new State in the Far East, while entertaining relations with soviet Russia, excludes communist principles in its political and economic relations and recognizes and puts into effect the principles of a bourgeois-capitalist system?

5. Is it to be understood that the new united State formed in the Far East is fully independent in its foreign policy and that its relations with soviet Russia are based purely on treaties?

6. Is it to be expected that in the new united State of the Far East life, property, the right of domicile and removal will be guaranteed to foreigners, as well as the free investment of capital on the principles of the open door and of equal rights?

7. If in consequence of negotiations with other powers there should occur any changes in the above-mentioned fundamental points recognized by your Government, may we expect you to notify us of such changes?

8. Is it to be hoped that the fundamental principles which were unanimously adopted by all the regional administrations will not undergo any changes at the hands of the Constituent Assembly and will be embodied in the laws and in the decrees?

DECEMBER 2, 1920.

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RUSSO-JAPANESE ADJUSTMENT COMMISSION.

The answer of Mr. Zeitlin, chairman of the Russian section of the Russo-Japanese Adjustment Commission, to the chairman of the Japanese section of the commission.

In reply to the communication which was transmitted by you, as to the wish of the commander of the Japanese troops in Siberia to learn the opinion of our Government concerning a number of questions, I beg to inform you as follows in the name of the Government:

1. The program of the government, announced on August 19 of the current year and approved by the national assembly, being a logical expression of the principles of the fundamental declaration of the government of July 21 of the current year, is final for the government and is not subject to any changes.

2. The memorandum signed by the delegation of the national assembly in Verkhne-Udinsk does not affect the program of our government as indicated under 1.

3. The political and social system of the future Far Eastern State is to take the following form, in accordance with the aims of our government:

(a) Democratic-republican, absolutely excluding the restoration of monarchy as well as the establishment of communism.

(b) Constitutional and parliamentarian, founded on the basis of universal suffrage, without excluding any classes, nationalities, or political parties.

4. The new state created in the Far East is conceived by our government as entertaining treaty relations with Soviet Russia, excluding, however, the putting into effect of communism in political and economic matters, and presupposing that the policy conducted will be along the lines of a bourgeois-capitalist system.

5. The above-mentioned state organization, which is entertaining treaty relations with Soviet Russia, is conceived by our government as a state that is completely self-governing and independent in matters of foreign policy.

6. According to the fundamental ideas of the government, life and property of foreigners, as well as their right to residence and removal, must be fully guaranteed in the new state organization; likewise, for the development of commerce and industry, foreign capital will be invited on the principles of the open door and equal rights.

7. The government does not permit of the possibility of changing the fundamental principles of its program; at the same time our government is always ready, on a reciprocal basis, to inform the representatives of the Japanese Government of all steps undertaken for putting into effect the government's program, in so far as such information might interest the representatives of the neighboring nation and facilitate the bringing about of mutual understanding and confidence.

8. The fundamental principles adopted by all provincial administrations, being based on a sound understanding of the international situation and the internal alignment of forces, shall, at the discretion of the government, be put into effect in the form of laws and decrees after they have received the approval of the constituent assembly.

DECEMBER 2, 1920.

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THE JAPANESE ON THE EMBARGO ON VALUABLES FROM THE MARITIME PROVINCE.

The chairman of the Russian delegation of the Russo-Japanese adjustment commission received from the chief command of the gendarmerie division of the Japanese expeditionary forces a communication the contents of which were as follows:

According to the agreement between the Japanese and the Russians, concluded at the time when the Japanese command returned to the Russian authorities the gold and silver that had been taken away, and according to the declaration made by the representative of the Japanese diplomatic mission to your government at the end of November last, it is inadmissible to export from the maritime Province gold, silver, and valuables belonging to the Vladivostok government.

Although the Government is convinced that the corresponding organs of your government are watching over the fulfillment of this clause, nevertheless the Japanese command is obliged to watch over this matter. It has been ascertained that efforts have been made to export gold and silver without the knowledge of the Japanese command, and for this reason very often goods in transit have to be held up in order to ascertain their contents.

We believe that it will be convenient for the parties and that it would aid in expediting matters if silver would be exported only after the receipt of a certificate from the local chief of gendarmerie, and where there is no such office from the local chief of the Japanese military command, after informing the latter in advance of the forwarding of the objects in question. In order to put these instructions into effect the gendarmerie command especially wants you to inform to this effect all the Russian authorities concerned in this matter. These instructions must be observed also in case the articles in question are transferred between various government institutions in the same city.

JANUARY 14, 1921.

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NOTE TO THE JAPANESE MINISTER OF FOREIGN AFFAIRS.

While ordering its Army to occupy Russian Far Eastern territory, the Imperial Japanese Government, by its proclamation of August 2, 1918, clearly stated to the Russian people and to the world that this extraordinary measure was being taken solely "for the sake of rendering assistance to the Czecho-Slovak Army," and that "maintaining its established policy of unqualified friendship toward Russia and the Russian people" and recognizing "the territorial integrity of Russia" and "forbearing from interference in the internal affairs of the Government," "upon the fulfillment of the mission above stated; that is, upon the completion of the evacuation of the Czecho-Slovak Army, the Japanese Army will unconditionally leave the Russian territory."

The evacuation of the Czecho-Slovak Army was successfully completed in August, 1920.

However, long before the completion of this evacuation by its declaration of March 31, 1919, the Imperial Government of Japan proclaimed that "as no other country is geographically so closely connected with Siberia as our Empire, and whereas the political condition of the Far East is such as to threaten not only the life and property of our citizens living in Siberia, but also the peace in Korea and Manchuria, we regret to state that we consider it impossible to evacuate our troops from the Far Eastern territory. And the Government of Japan reiterates that the presence of its Army upon the territory of the Far East does not mean any political aggression against Russia," and again in this act the Government of Japan "sincerely states that as soon as peace will be established within the territory, the Japanese Army will immediately leave."

The same statement was reiterated by the commander of the expeditionary Army, Gen. Oi, in his notes to the Minister for Foreign Affairs of the Far Eastern Republic, of May 11 and September 18, always expressing his sincerest desire for the speediest unification of the separate territories of the Far East, regarding it not only as beneficial for the Russian population, but as a condition preceding the establishment of economic relations between the nations. In his declaration of May 11 Gen. Oi states literally as follows: "The Japanese command will, with pleasure, lead its troops out of Russian territory as soon as stable conditions are established on Russian domains in the Far East," and that "the Japanese command, considering the will of the Russian population, does not wish to complicate the political situation of the region by rendering

assistance to individual Russians who might tend to disregard the will of the whole Russian population. The Japanese command, together with the Russian population, heartily welcomes the establishment within the territories of the Far Eastern region of such a form of government as will conform to the will of the people." It was also plainly declared "that the above is not only the wish of the Japanese military command, but also that of our Government and people."

The Russian people, having lost faith in its various self-styled saviors, decided, upon its own volition, and not at all because of demands made by foreigners, to establish such order as will make it possible once and for all for the will of the people to freely express itself over the whole area of the Russian Far East.

The authorized representatives of the whole people have gathered in Chita on October 29, 1920, and have most solemnly proclaimed the union of all the territories of the Far East in one independent self-governing Far Eastern Republic beginning with the day of the declaration of independence, namely, April 6, 1920. The same declaration laid down the first basic principles upon which the Government must be built in order to bring about law and order and peaceful development of all social forces. At the same conference a law was passed for the convening of the constituent assembly, and a Government was formed to bring into effect the will of the people. All these solemn declarations were published in due time and made known to the whole world.

Two months have passed since the establishment of the Far Eastern Republic. The Government of the Far Eastern Republic is steadfastly following the road that is pointed out by the declaration of October 29, 1920. The election of the constituent assembly has already taken place. Within 10 days the representatives of the people will be gathering in the capital of the Far Eastern Republic in order to draw up a constitution for the country and decide upon the important vital problems of the government. The internal war which was still flickering in some parts of the country prior to the unification has died of itself. All classes of the population are steadfastly striving for a peaceful life and labor with a view to rebuilding all that was destroyed. The Vladivostok People's Assembly, laboring under extraordinarily hard circumstances, due to intervention, and in spite of various memoranda and veiled threats by the High Command of the Japanese forces, the chief of staff and the head of the diplomatic mission, has by an overwhelming majority recognized the Government of the Far Eastern Republic. These are the heroic results of the aspirations of our people for unity, its burning desire to overcome the intervention.

On the territory of the Far Eastern Republic, freed from intervention, law and order reign supreme; the life, free labor, and the property of all citizens are absolutely safe. Numerous foreigners residing in the Republic enjoy the same rights as the native citizens, and their lives and property are as safe as in any other civilized country.

Concluding on the basis of the above-named facts that the further arrival and sojourn of Japanese troops on the Russian territory is not only unjustifiable but absolutely harmful, the vice minister for foreign affairs, Mr. Kojevnikov, by order of the Government of the Far Eastern Republic, most explicitly brought to the attention of the Japanese Imperial Government, through the chief of the Japanese diplomatic mission in Vladivostok, the urgent necessity to most speedily evacuate the Japanese forces from the Far East, and he further made known the readiness of the Government of the Far Eastern Republic to commence negotiations with the Imperial Government of Japan with the view of concluding a treaty of everlasting friendship and of establishing economic relations for mutual benefit, firmly believing that there is no problem between the Government of the Far Eastern Republic and the Imperial Government of Japan which could not be solved peacefully by negotiation.

However, the Japanese army continues forcibly to occupy part of the territory of our Republic, thereby making life unbearable to the population of that part of the territory of the Republic on which these forces are situated.

Taking advantage of the presence of Japanese troops and their actual suppression of any and all attempts to establish order on the part of the population and their governmental organs, which suppression is contrary to all declarations, the criminal elements are doing their contemptible work. Russian cities and villages in the zone of intervention are enveloped in a poisonous cloud, as it were, of robbery, murder, and all kinds of unspeakable crimes.

Some lawless persons at the station of Grodekovo on the Ussuri Railroad are stopping trains, searching and robbing passengers, and taking many of them off, beating them, and very often leading them away, nobody knows where. These same criminals ride in the trains without paying their fare, force railroad agents to give them special locomotives, and, not receiving them, detach engines from trains (case of November 28 at the station of Grodekovo). They also take away from Russian, as well as from foreign passengers, silver and other belongings, which is much like open highway robbery. The local authorities find it impossible to establish order, thanks to the opposition of the Japanese military command to the lawful authorities and its sympathy with the enemies of law and order. The Japanese command by force of arms is restraining the authorities of the law from combating the criminals and establishing order—which means an absolute violation of the right of self-determination of the people.

The sympathies of the Japanese military command for the enemies of the people were most vividly expressed when it conducted under its protection Semenov, that criminal and enemy of the people, through Russian territory, defying the whole Russian and foreign population, and officially announcing this fact to the former Maritime Government, as if challenging its impotence, took him to Port Arthur with a guard of honor of the army of the Imperial Government of Japan, thereby openly scorning the feelings of the free people. This criminal is now issuing orders in which he promises to start a new adventure in the spring, and while he is openly proclaiming that Japan is and will be rendering him assistance, he is thereby arousing against Japan the population and awakening an old hatred, thus hindering the establishment of good neighborly relations.

The Japanese command is not allowing the attachment of paymasters' cars to trains which are on their way to pay salaries to the railroad employees, and is obstructing the movement of almost all freight, thereby completely and without cover interfering with the inner life of the Far Eastern Republic. It has also held up the car of the secretary of the military-diplomatic mission of the former Verkhne-Udinsk government, which has since become a part of the Far Eastern Republic, attempting to search him and his car, thus violating the most elementary laws with regard to diplomatic representatives established by the practice of international law, and giving the population the impression that all official Japanese declarations are mere words.

Needless to say, all these actions on the part of the Japanese are awakening within the minds of the Russian people doubts as to the genuineness of the solemn declarations of the Japanese Government and forcing them to be on the alert.

True to the mandates of our people, and directed by the same desire as are the people, the government of the Far Eastern Republic thinks it necessary with a view to establishing peaceful mutual relations between both countries and peoples: 1. That the high command of the Japanese Expeditionary Forces in Vladivostok, in the actions carried out by its subordinates, should adhere to the principle of absolute noninterference in the internal affairs of the Far Eastern Republic and desist from rendering assistance to separate groups of the population in their domestic struggles, as was the case with the assistance given to the Grodekovo band; 2, that in view of the fact that the region is quiet and that a strong government has been established, the time is appropriate for a definite date to be set for the evacuation of the Japanese troops from the territory of the Far Eastern Republic by the Imperial Government.

Considering the fact that upon the territory of the Far Eastern Republic there is at present a Japanese diplomatic mission, the government asks kindly to be informed whether the Japanese Imperial Government will agree to receive our mission in Tokyo upon the just principle of reciprocity, with the aim of speedily establishing political and economic relations based on such treaties as will be for the mutual benefit and friendship of both the Japanese and Russian peoples. We trust that this will speed the long-hoped-for day of mutual understanding and peaceful neighborly relations between the two peoples.

A. KRASNOSHCHEKOV,
Minister for Foreign Affairs of the Far Eastern Republic.

CHITA, *January 19, 1921.*

PROTEST AGAINST VIOLATION OF THE NEUTRAL ZONE BY THE JAPANESE.

To the Minister of Foreign Affairs of the Japanese Imperial Government:

According to information received from local authorities, the Japanese troops have advanced beyond the limits of the 30-kilometer zone agreed upon, and on February 23 of the current year occupied the following settlements: Yakovlevka, 60 versts east of the station of Yevgenyevka; Pokrovka, 5 versts east of Yakovlevka; Sysoyevka, between Anuchyn and Yakovlevka.

By thus transferring its troops into a region from which the Japanese troops had been withdrawn, the Japanese military command only complicates the situation without any plausible reasons. As far back as May 11, 1920, Gen. Oi, the commander of the Japanese Expeditionary Forces, had announced in his declaration: "Now that the evacuation of the Czecho-Slovak troops is nearing its end, I declare openly that the Japanese command will gladly evacuate its troops as soon as the situation of the Russian possessions in the Far East will be firmly established." In the same declaration it was emphasized that: "The Japanese command, jointly with the Russian population, welcomes with all its heart the formation on the territory of the Far East of a state based on the principles of self-government and on the introduction of such political forms as will correspond to the will of the entire population." And further on, in the same document: "The Japanese command will welcome the moment when, the establishment of the above-mentioned state organization and the pacification of the country being assured, it will be possible to evacuate the troops. I have not the slightest doubt that this is not only the wish of the Japanese command but also of our Government and of our people."

From the point of view of the Japanese Government this moment was reached long ago, because in its declaration of July 3, 1920, it announced the evacuation of Transbaikalia, and Gen. Oi, the commander of the expeditionary forces, referring to the declaration of September 18, declared solemnly: "In consideration of the fact that the political situation in the aforesaid region (Khabarovsk) is again becoming normal, I hereby announce that our troops will be evacuated from there. At the same time I express my sincere wish that the Russian territory in the Far East may be united as soon as possible, so as to secure peace and welfare to the country and to strengthen the good neighborly relations between the Russian and the Japanese peoples."

At a solemn moment, when the constituent assembly, composed of the authorized representatives of the entire Russian population in the Far East, is earnestly working at the task of finally creating and forming the Far Eastern Republic, when the work of the final unification of the Russian Far East is nearing its completion, when in all places evacuated by the Japanese troops peace and order reign, the reoccupation by the Japanese troops of localities which were already once evacuated under the most solemn declarations is an absolutely unjustifiable act, and is in outright contradiction to numerous official assurances of the Government and of the Japanese military command.

These activities of the Japanese military command assume a more alarming character in view of the fact that simultaneously strange and suspicious individuals purposely disseminate malicious rumors purporting that the partisans are again preparing their attacks within the limits of the Maritime Province and that the armed forces of the Far Eastern Republic are preparing aggressive activities.

The Government of the Far Eastern Republic has time and again declared, and again solemnly declares, that it has absolutely no aggressive intentions or plans with reference to the Japanese troops. The Government was doing and is doing its best for a peaceful cessation of intervention and for the creation of the most friendly relations between the population of the Russian Far East and the Japanese nation.

But to its great regret the Government is compelled to state that all its efforts to efface from the memory of the population all the unfortunate impressions connected with the hostile activities of the Japanese troops on Russian territory may prove vain if the Japanese command will continue its policy of advancing its troops into places which it had already once left, thus disturbing and irritating the population over and over again.

The Government of the Far Eastern Republic considers it its duty to protest against such activities of the Japanese military command, which lead not to the unity of the Far East and to the strengthening of its democratic State organization but, on the contrary, to its dismemberment.

A. KRASNOSHCHEKOV,
Minister of Foreign Affairs.

CHITA, *March 3, 1921.*

NOTE TO JAPANESE MINISTER OF FOREIGN AFFAIRS.

The Government of the Far Eastern Republic, not only in its declarations but also in its practical everyday activity, has spared no pains to maintain the population in a condition of complete tranquillity and self-control, its patience having repeatedly been put to severe trials.

Incessant murders of absolutely innocent persons by armed bandits calling themselves "Semenov's men," etc., have been irritating and inflaming, and are still inflaming, the population up to the present day.

A short time ago these criminals again stained themselves with blood; several scores of people were killed in the settlements of Razdolnoye, Khorol, and Zharikov, the population of Fadyevka was disarmed and left at the mercy of the Khunkhuses (Chinese bandits), and a number of citizens were abducted to an unknown destination. Persons of suspicious character are launching and spreading rumors that the bands of Semenov are, as previously, supported, inspired, and armed by the Japanese military command, and that in a not distant future these bands will again start their attacks, with the full support of the Japanese military command. For reasons which are only known to themselves, these individuals are endeavoring to instill in the Russian population the poison of a distrust in all the open and secret activities of the Japanese command, thus spreading hostility between the Japanese and the Russian peoples.

The Government of the Far Eastern Republic is disinclined to believe these maliciously disseminated rumors, but it is unfortunately compelled to state that the attitude of the Japanese command toward the Russian authorities, which are endeavoring to protect the innocently suffering population, is not always clear, and that this is quite likely to strengthen the conviction among the population that the disseminated rumors are based on truth.

In spite of the revolting crimes of Semenov's men, who have gathered in Grodekovo and who are still gathering in other places also, in spite of the protest of the Russian authorities against the unlawful gathering of armed forces in Grodekovo, in spite of the repeated attempts of these authorities to dispatch militia to disarm these bandits and restore order, the Japanese command systematically declines to settle this matter by pretending ignorance of the fact that armed forces are staying in Grodekovo, a fact which is too well known to all those who live in the Maritime Province, and especially to all those who have the misfortune of passing through, or of accidentally arriving at Grodekovo. Matters went so far that on February 8 of the current year the former Col. Dompel, who, citing a mandate issued by Semenov, calls himself the chief of the military communications of the army of Grodekovo, declared without any ceremony that all ranks and institutions of the former army of Kappel are abolished, unless the persons who had occupied them declared their recognition of the authority of Gen. Savelyev, commander of the Grodekovo army.

We are informed by local authorities that when Gen. Ochi, the aid-de-camp of the Japanese Emperor, passed through the station of Grodekovo, the commanding staff of this army, headed by the aforesaid Gen. Savelyev, was introduced to him, and that the armed forces were reviewed.

The Government of the Far Eastern Republic is endeavoring to bring about sincere and friendly relations between the Japanese and Russian peoples, and for this purpose it considers it essential that the activities of those who are trying to spread distrust between the Russian population and the Japanese command be stopped. These activities would be doubtless stopped and the malicious rumors would immediately be silenced if the Japanese command would affirm:

1. That in reality it neither inspires, supports, nor arms the so-called Semenovists and the other counter-revolutionists.

2. That it really does not conduct any negotiations with them as to any aggressions against the Russian Government and that, as far as it itself is concerned, it is not opposing the Government of the Far Eastern Republic.

Such a confirmation would tell the population that the Japanese command is standing by all the solemn declarations of the Japanese Government as to noninterference in our internal affairs. It is self-evident that if the Japanese Government would declare that its troops are only temporarily stationed on Russian territory, and that, owing to the accomplished unity of the Far East and the deliberations of the constituent assembly, their evacuation is imminent, such a statement would be received by the population with great satisfaction.

A clear, vigorous, and frank expression on the part of the representatives of the Japanese command would help the Government of the Far Eastern Republic in its endeavor to efface from the memory of the population all the wrongs it has been forced to bear, and in good faith to establish friendly mutual relations.

(Signature) A. KRASNOSHCHEKOV,
Minister of Foreign Affairs.

CHITA, *March 7, 1921.*

NOTE TO THE JAPANESE MINISTER OF FOREIGN AFFAIRS:

I. On March 21, 1921, Lieut. Gen. Kosina, the commander in chief of the expeditionary forces in the Sakhalin district, referring to the declaration of the Japanese Government of July 3, 1920, announced to the population of that district the forthcoming occupation of Nikolayevsk, De Castri, Mago, Sofisk, and other places, and the installation in these points of a civil government "for the reestablishment of peace and order."

II. After the night of March 30–31, when armed criminal bands of counter-revolutionaries in Vladivostok attacked the lawful authorities and the constituent assembly, the Japanese command, which during the whole night had not interfered with the excesses of the criminals, disarmed the militia, which was carrying out its duties in the defense of the life and property of Russian and foreign citizens.

III. On April 12, by order of the Japanese Government, the Japanese consulate general in Vladivostok announced that the chief of the military administrative department of the Japanese command in Sakhalin had made public an announcement of February 19, 1921, concerning the auction of leases for Russian fisheries, the office of the military administrative command in Sakhalin (Alexandrovsk) being designated as the premises in which the auction was to take place; and in this announcement it was stated that "persons who wished to inspect the aforesaid list, the regulations and rules, might consult them in the Japanese language in the consulate."

IV. In the course of the last few days fresh Japanese troops have begun to arrive in Vladivostok.

V. On April 19 a Japanese transport arrived in De Castri and landed troops; a Japanese radio station was installed; Japanese censorship was established over the Russian telegraph station and it was prohibited to communicate with the higher Russian authorities without the permission of the Japanese.

The introduction of troops and of a Japanese civil administration more than nine months after the declaration of July 3, 1920, during which time peace and order had not once been disturbed in these places, and when not the slightest danger threatened the numerous Japanese residents or their interests; the disarmament of the government militia and the support given to the counter-revolutionary criminals; the arbitrary institution of auctions of Russian fishery rights, with the permission given to the (presumably Russian) competitors to ascertain the Japanese rules in the "Japanese language in the consulate," and the landing of fresh troops in Vladivostok—all these facts occurring at the time when the constituent assembly is terminating its work for the final shaping of the young far eastern democratic republic, can not help strengthening in the minds of the population the conviction as to the openly annexionist tendencies of the Japanese Government, which at this time is no longer making use of such pretexts as the "danger menacing the Czecho-Slovaks, Korea, Manchuria," etc.

If the Japanese Government was sincere in its declaration of July 3, 1920, and in reality considered the measures taken by it as temporary "until the organization of a lawful government," this moment for the restitution of their rights to the Russian people and for the return to normal conditions has certainly arrived, now that the Russian Far East is ruled by a body that is invested with all the power of a lawful popular government.

Protesting energetically against all the above-mentioned violations of the sovereign rights of the Russian people, the government of the Far Eastern Republic is again compelled to point out that a persistent continuation of such a policy, which is in contradiction to all the solemn declarations and assurances of the Japanese Government, can not contribute to the strengthening of the friendly relations between the Russian and Japanese peoples.

Not by encroaching upon the sovereign rights of the Russian people, but by sincere and friendly negotiations on mutual needs and interests will it be possible to create that stable and normal situation which is needed not only by the Russian and Japanese populations but also the whole world and which, according to its repeated assurances, is also the aim of the Japanese Government.

B. SKVIRSKY,
Acting Minister of Foreign Affairs.

CHITA, *April 21, 1921.*

APPEAL OF THE CONSTITUENT ASSEMBLY TO THE JAPANESE GOVERNMENT.

To the IMPERIAL JAPANESE GOVERNMENT:

In the early part of August, 1918, the Japanese Imperial Government issued a declaration to the Russian people, in which it was said: "The Government of the United States, recognizing the seriousness of the situation, has lately addressed the Japanese Government, asking it for a prompt dispatch of troops, in order to relieve the position of the Czecho-Slovak forces. In order to meet the wishes of the American Government, and to cooperate with the Allies in this expedition, the Japanese Government has decided to make immediate preparations for the dispatch of the necessary troops. A number of troops will be immediately sent to Vladivostok. Although choosing this course of action the Japanese Government, nevertheless, remains firm in its desire to maintain its friendly relations with Russia and her people, and confirms its declaration of the policy to respect the territorial integrity of Russia and to refrain from interfering in the Russian domestic policy. Furthermore, the Japanese Government declares that after having accomplished the above task it will immediately withdraw its troops from Russian territory." It would appear from this declaration that with the departure of the Czecho-Slovaks the Japanese forces should also have gone. However, in the declaration of the Japanese Government, made on August 13, 1918, only a few days after the solemn declaration of Japan, referred to above, was issued, additional reasons were given to justify the dispatch of Japanese troops; the soviet troops, at the head of which, in accordance with the information which reached Japan, were Austrians and Germans, were a menace to Japan and China. In the declaration of March 31, 1920, at the time when the Czecho-Slovak evacuation had been completed, the new reasons given in the declaration of August 13, 1918, appeared with much greater emphasis. The Czecho-Slovak question became a matter of secondary importance, and the considerations with regard to the alleged menace to Korea and Manchuria, and the fact of Siberia's being close to Japan was brought to the foreground. In this declaration nothing was said definitely about the withdrawal of the Japanese troops after the evacuation of the Czecho-Slovaks. It was stated only that the Japanese troops would be withdrawn from Siberia and Transbaikalia as soon as possible after the evacuation of the Czecho-Slovak forces had been completed. At the same time the occupation of the Russian part of Sakhalin was announced on the ground that there were no legally constituted Russian authorities with whom it was possible to negotiate a settlement of the Nikolayevsk affair. The evacuation of the Japanese troops from the Khabarovsk district was announced on September 18, 1920. In the declaration signed by Gen. Oi, the commander in chief of the Japanese forces in Siberia, it was said: "I want to express my sincere wish for an early union of the Russian Far East, which will secure peace and prosperity to the people and will strengthen the friendly, neighborly relations between the Russian and Japanese peoples." The same wish has been repeated in all the statements and declarations of the Imperial Japanese Government and Japanese command made since August, 1918. The constituent assembly wants to sum up the present situation in the following words:

Russian Sakhalin has been occupied. The Maritime Province, occupied by Japanese troops, no longer resembles Russian territory, for the Japanese command is conducting itself as if the Japanese and not the Russians were the masters of that territory. The Maritime Province, under the control of the Japanese, is the only district in the territory of the Far Eastern Republic where the remnants of the criminal counter-revolutionary bands of Semenov are murdering and robbing the peaceful population. In the Maritime Province the Government of the Far Eastern Republic and the district authorities can not control the affairs of the Russian people; they can not ship food, goods, or cars outside of the area occupied by the Japanese troops. The population of other parts of the Far Eastern Republic is therefore suffering from lack of food and clothing. Trains are searched and even cars in which representatives of the Russian authorities are riding are detained, if the Japanese command thinks fit.

The latest notes sent by the Japanese consul general to the authorities of the Maritime Province with regard to fisheries provoke a sad comparison between the actual facts of life and the Japanese declarations. With great pains does the constituent assembly think of the events of April 4 and 5, 1920, and the numerous innocent victims who fell as the result of the Japanese intervention.

The constituent assembly is constrained to state that the presence of the Japanese troops in Siberia, which aggravated the Russian people, was responsible for those events. The representatives of the people of the Russian Far East solemnly declare that any aggressive designs with regard to Japan, Korea, and Manchuria are foreign to the minds of the Russian people. The people of the Russian Far East wish to establish and strengthen peaceful relations and look forward to the resumption of trade relations to the mutual advantage of the two countries. The constituent assembly states with great regret that even the people of those parts of the Russian Far

East which have been freed from foreign intervention can not go on with their peaceful labor and can not establish permanent order, because the presence of the Japanese troops in Russian territory rouses their suspicion and makes them uncertain of the future. Notwithstanding all the difficulties and obstacles, the Russian Far East has been united in the Far Eastern Republic. The latter has been declared a democratic State, the foundations of which are the principles of civil right, the direct equal and secret ballot, and the inviolability of private property, both of Russian and foreign citizens residing within its territory. The sovereignty in the Republic belongs to the people, who are firmly convinced that the only solid basis for freedom and independence is peaceful neighborly relationship with other countries.

If we recall that the Czecho-Slovak forces have long since evacuated Siberia, then according to the statements made by the Japanese Government there is no reason why Japanese troops should remain longer in the territory of the Far Eastern Republic. The time has come for the Japanese Government to prove that when sending troops to Russia in 1918 it did not intend by taking advantage of the temporary weak position of the Russian people due to the war, the disorder which followed it, and the revolution to seize Russian territory. A great historical moment has come for the Japanese Government to determine for many years, or even hundreds of years to come, the mutual relations between the two great peoples of Russia and Japan. Expressing the will of the whole of the people of the Russian Far East to free the country from foreign intervention, the constituent assembly emphatically insists upon the evacuation of the Japanese expeditionary forces from the entire territory of the Far Eastern Republic. The constituent assembly believes that the withdrawal of the Japanese troops will be an important factor in reestablishing relations between the Japanese and Russian peoples. The proximity of the two countries, the importance of the Russian Far East to Japanese industry, the immense natural resources which await foreign capital for their development, all are a pledge of the future close and peaceful relations which when the past sad memories are gone and the people return to their ordinary occupations shall exist between Japan and the Far Eastern Republic.

The constituent assembly expresses the hope that in the near future the Japanese Government, having desisted from intervention in Russian affairs, will accord recognition to the Far Eastern Republic and enter into formal relations with it.

For the constituent assembly of the Far Eastern Republic.

(Signed) SHILOV, *President.*
(Signed) SUCHOVY, *Secretary.*

APRIL 24, 1921.

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MEMORANDUM OF THE CONSTITUENT ASSEMBLY TO THE AMERICAN GOVERNMENT.

To the GOVERNMENT OF THE UNITED STATES OF AMERICA:

In the official declaration of the American Government, which was received at Vladivostok on August 5, 1918, it was stated that the United States and Japan were the only countries at the time which were in a position to act in Siberia with sufficient forces even to achieve such a modest task as the one the Government of the United States had put before itself. The Government of the United States proposed, therefore, to the Government of Japan that both countries should send a military force of several thousand men to Vladivostok to cooperate in the occupation of the city, with the view of guarding the rear of the Czecho-Slovak troops, who were advancing eastward. The Japanese Government agreed to that proposal. The Government of the United States declared to the Russian people in a most frank and solemn manner that it did not aim at infringement upon the political sovereignty of Russia; that it did not want to interfere in her domestic affairs, even within those limited areas which the American troops might be forced to occupy; and that it had no intention to encroach upon the integrity of Russian territory at that time or in the future; that the American Government aimed exclusively at helping the Russian people in the manner most acceptable to them in their efforts to regain control of their own affairs, their territory, and their destiny. It was understood that the Japanese Government would issue a similar statement.

The declaration of the American Government established the following facts: That the American troops were landed at Vladivostok to assist the Czecho-Slovaks; that the American Government proposed to the Japanese Government to send its troops into Russian territory and that the former is, therefore, responsible for the further stay of the Japanese troops in the territory of the Far Eastern Republic; that the American Government has solemnly guaranteed its noninterference in the Russian affairs and the inviolability of Russian territory.

Under these conditions America invited Japan to cooperate in the matter of assisting the Czecho-Slovaks. At about the same time (in August), the Japanese Government in its official declaration repeated the above statements. Not going into details of the sad history of the intervention, it is enough to say that at the end of 1919 and at the beginning of 1920 the Allies have one after another withdrawn their troops from Siberia. The last transport of American troops left Vladivostok in March, 1920, and soon after that the remainder of the Czecho-Slovak forces left our country. The Japanese troops have not been withdrawn; Japan has brought out pretext after pretext to justify their stay: Japanese interests in eastern Siberia, the possible menace to Korea and Manchuria and the unsafe conditions menacing the life and property of her citizens. Instead of the evacuation of the Japanese troops we witnessed the events of April 4 and 5, 1920, with all the subsequent results, and in July last Japan occupied the Sakhalin district. The Japanese troops were withdrawn from Transbaikalia and the district around Khabarovsk, while the Maritime Province is still occupied by them. The Maritime Province is now the only place where the criminal counter-revolutionary bands of Semenov are murdering and terrorizing the population. There, as in Sakhalin, the people do not feel themselves any longer the masters of their own land. The Japanese activity in the Maritime Province, specially their interference with the railway affairs, forced the members of the interallied technical board to adopt a resolution asking their respective Governments whether it would be expedient to continue their work in view of the interference of the Japanese command.

The American Government made no statement to the Russian people of the Far East at the time of the departure of the American troops. It is therefore not quite clear to the people of the Russian Far East whether the American Government has achieved the purposes for which it sent troops to Siberia. Does the American Government consider that the allied intervention has come to an end? In the declaration of March 14, 1919, with regard to the establishment of the Inter-Allied Technical Board, it was stated that this arrangement for the board would become invalid as soon as the Allied troops should be recalled from Siberia. The fact of the Inter-Allied Technical Board's remaining in Siberia would indicate that the intervention continues with American participation. The representatives of the Russian people in the Far East are compelled by the present circumstances to request of the American Government an explanation of the following:

(1) Does the United States Government adhere to its declaration of August 5, 1918?

(2) If it does, how does the United States Government explain the continuance of the intervention after the evacuation of the Czecho-Slovak troops?

(3) If it does not adhere to that declaration, when will the United States Government declare with the same solemnity that the intervention has ended?

(4) When will the United States Government, which invited the Japanese Government to a military cooperation in the Russian Far East, require a definite end to be put to the intervention which began in 1918 by that invitation?

In spite of the numerous obstacles which have been put and are being put before the people of the Russian Far East in their efforts to unite, they have found strength enough to achieve their aim. By the will of the entire people of the Russian Far East, without distinction of class or nationality, the constituent assembly has now been convoked on the principles of universal suffrage. The constituent assembly has confirmed the independence of the Russian Far East and the formation of a democratic Far Eastern Republic.

The Russian Socialist Federated Soviet Republic has recognized the independence of the democratic Far Eastern Republic, and now the constituent assembly, which represents the people and expresses their will, expects the United States of America to accord recognition to the Far Eastern Republic.

For the constituent assembly of the Far Eastern Republic.

(Signed) SHILOV, *President.*
(Signed) SUCHOVY, *Secretary.*

APRIL, 1921.

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NOTE TO THE JAPANESE MINISTER OF FOREIGN AFFAIRS.

On May 20, 1921, the local Russian authorities in Vladivostok received the order to proceed with a search in one of the houses over which the Japanese flag was flying, and which, according to information received, was the headquarters and arsenal of the White Guards. When the agents of the Government and a detachment of militia approached the house a Japanese officer came out and declared that he would not give his permission for a search; that he had Russian lodgers, but that there were no

weapons there. When the agents of the Government approached the door the door turned out to be barricaded; the door was broken open and in the first few rooms there were discovered 25 people, White Guards, who were hiding there. Here were also found 25 grenades and pyroxylin. The farther rooms were closed and the Japanese categorically refused to admit to them the agents of the Russian administration. By orders of the Russian authorities the public prosecutor was called to the premises where the search was being made and an official report was drawn up in his presence. At the same time there arrived on the scene a Japanese interpreter, whose conduct was extremely rude and who committed an assault upon the agent of the political State police. A colonel of the Japanese gendarmerie also arrived at the place under search, and he also categorically opposed any search in the closed rooms. The negotiations with the Japanese command lasted from 5 p. m. until late at night, but they did not bring about any results. The Japanese command refused to give the representatives of the Russian administration permission to proceed with the search; it also rejected the proposal to place seals on the closed doors and to place Russian guards in front of them. At 10.30 p. m., the negotiations having as yet led to no results, the Russian authorities informed the Japanese that they would take away the exterior guard, leaving all the responsibility with the Japanese command. On the morning of the following day the command of the Japanese gendarmerie invited the agents of the Russian administration to take part in the search to be made in the house in which such action had not been permitted on the previous day. The Russian authorities answered with a refusal, declaring that they themselves were undertaking searches and arrests of persons who were suspected of criminal doings. In the evening the Japanese command informed the Russian authorities that in the house in which the day before they had discovered the White Guards, as well as 20 grenades and pyroxylin, and where after the intervention of the Japanese gendarmerie the search had been abandoned, the Japanese, in a search effected the following day in the morning, found in the room of a Japanese citizen, who was the owner of the apartment, two machine guns, 20 rifles, and a certain number of cartridges.

On May 21, at 10.40, the detachment of national defense, the escort of the commander of the troops and his general staff, were surrounded by Japanese troops, who demanded that the detachments should be drawn up so that the number of men and weapons might be checked up. The entire staff of the military commander, as well as the division of the people's defense and the escort of the commander were arrested and freed only after several hours.

The Government of the Far Eastern Republic, through the ministry of foreign affairs, has repeatedly addressed the Japanese Government, and called its attention to the connection between the Japanese command and the Russian criminal elements, a connection which was compromising the Japanese Government and the Japanese people. The Japanese authorities denied the statements of the Russian authorities, attributing these statements to the insincerity of the Government of the Far Eastern Republic. The occurrence which we refer to at present not only can not be denied in any way but has been even confirmed by the Japanese command. The house over which the Japanese flag was flying was used as a hiding place for criminal elements, who had there organized a conspiracy against the people's government, and who had there a depot for their weapons. The Japanese military command by its actions has made it clear to the population of the Far East that it aids and abets these criminals. Such conduct on the part of the Japanese military command, which has presumed, on foreign territory, not only to support criminal elements by concealing them behind the Japanese flag, but even to arrest the staff of the military commander and to disarm Russian forces struggling against the criminal elements in the name of order and safety of person and property, will hardly aid in strengthening the friendly relations between the Japanese and Russian peoples.

The Government of the Far Eastern Republic, as well as the population of the Far Eastern Republic, do not consider the Japanese people responsible for the activities of their command, but they are compelled to declare, as they had already declared many times, that such activities of the Japanese command should be stopped.

The Government of the Far Eastern Republic hereby vigorously protests against such interference of the Japanese command with internal Russian affairs, against the indignities to which Russian authorities have been subjected, and the obvious support and assistance extended to the White Guard criminals.

The Government of the Far Eastern Republic hopes that this time the Japanese Government will immediately take all the necessary steps to bring about the cessation of such a policy of the Japanese command on the territory of the Far Eastern Republic.

B. SKVIRSKY,
Acting Minister of Foreign Affairs.

CHITA, *May 23, 1921.*

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PROTEST TO THE JAPANESE DIPLOMATIC MISSION AGAINST THE INTERRUPTION OF TELEGRAPHIC COMMUNICATION.

For three days, May 25, 26, and 27, according to the reports of local authorities, telegraphic communications between Khabarovsk and Vladivostok have been interrupted for the representatives of the Russian authorities, while Japanese telegrams, in code as well as otherwise, addressed to the Japanese mission in Khabarovsk are regularly arriving from Vladivostok.

This latter fact definitely confirms the opinion that the telegraph is in the hands of the Japanese command, which is thus responsible for the fact that the agents of the Government of the Far Eastern Republic are unable to communicate with each other.

Taking into consideration the circumstance that the Government of the Far Eastern Republic never prevented the Japanese command from using the telegraph lines of the Republic for its needs and that, consequently, the exclusive use of these lines by the Japanese command, which is temporarily stationed on the territory of a foreign Government, can not be explained otherwise than as a conscious attempt to break the elementary requirements of international law, the Government of the Far Eastern Republic expresses its vigorous protest against this procedure, and categorically insists upon the immediate reestablishment of normal conditions on the telegraph lines, which means that they must be primarily at the full and unconditional disposal of the lawful authorities of the Far Eastern Republic.

B. SKVIRSKY,
Acting Minister of Foreign Affairs.

CHITA, *May 27, 1921.*

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NOTE TO THE JAPANESE GOVERNMENT.

On May 21, 1921, the officers of the Russian militia at Vladivostok discovered a band of criminals who had arms stored in the house of a Japanese citizen. The militia officers were unable to arrest that band in view of the forcible and willful interference of the Japanese gendarmerie. The Russian militia had at that time been reliably informed of an antigovernment uprising being organized at Vladivostok. The Japanese command, which was aware of these preparations, not only did not prevent the illegal arming of the criminal elements implicated in the preparations, but, on the contrary, on May 26 the day of the uprising, surrounded the militia and the people's defense guard and required them to surrender their arms, while no measures have been taken against the outlaw bands. Nor did the Japanese command prevent the occupation of the Government establishments by the agents of Semenov, who were set free by the Japanese command. In short, the conduct of the Japanese command at this time has not been different from its conduct on March 30, 1921, when an attempt at a coup in Vladivostok was made.

Elected by a constituent assembly, the Government of the Far Eastern Republic, fulfilling the will of the people, has tried to restore order over the entire territory of the Russian Far East, and to establish friendly relations with all other nations. The Government has adopted every measure to liquidate as early as possible the results of the disorder inherited by it from the bandits of Semenov, who have been condemned by the entire civilized world. Rising against the atrocities of the hands of the Atamans, the population of Transbaikalia, which has experienced all the horrors of Semenov's brutality, armed themselves with home-made spears and scythes and expelled Semenov and his bandits.

The difficult financial and economic position which the people of the Far Eastern Republic are now facing, demands first of all peace both among themselves and with their neighbors, and incessant work of all classes of the population. Acting in accord with the will of the people, the Government of the Far Eastern Republic has first of all tried to bring to an end the civil war. The constituent assembly at Chita, elected on the principles of universal, equal, direct, and secret ballot, has by its energetic work established the fundamental laws of the young Republic, in which the principles of the broadest democracy are expressed, and the Government of the Far Eastern Republic would have been peacefully guided in the matter of democratic reconstruction if it had not been for the constant interference of the Japanese command, which enabled the fleeing bands to take refuge in Chinese territory. The Japanese command has also

taken under its protection the bands of Semenov at Grodekovo, and has taken no steps to prevent the flogging of peaceful citizens by the bands or the committing of other forms of violence against the population. At the same time the Japanese command has hindered the work of the people's assembly of the Maritime Province in the matter of dispersing the above band. It is unnecessary to explain and to prove how unfriendly and harmful is such behavior on the part of the Japanese command to the people of the Russian Far East. It is now well known to everybody, as I have been informed by one of the members of the American mission now in Chita, that disorder in the Far Eastern Republic is evident only where there are Japanese troops, and where there are no Japanese troops one feels as safe as in America.

How much the Japanese command is trying to maintain order in the Maritime Province can be judged from the fact that, acting in the above manner, the Japanese command has itself violated the agreement of April 29, 1920—which it forced upon the former Vladivostok Government—in spite of the repeated statements that it is strictly observing this agreement. The Government of the Far Eastern Republic wishes to know by what clause of the agreement of April 29, 1920, the Japanese command has the right to disarm the Russian militia of the Maritime Province.

The Government of the Far Eastern Republic can only explain this by an utter confusion on the part of the Japanese command at the moment when the bands which are under its protection tried to commit violence upon the peaceful population and plunder the national property of the Far Eastern Republic. The Government of the Far Eastern Republic explains this by the confusion of the Japanese command, for it can not here admit an evil design, as such would be a crime and would stigmatize the Japanese Government.

Is the Japanese Government unable authoritatively to put an end to such conduct of the Japanese command in the Maritime Province?

Is it the intention of the Japanese Government to tolerate a further complicity of its command with the criminal elements?

The Government of the Far Eastern Republic will be forced to hold the Japanese Government responsible for the conduct of the Japanese command, for it does not believe that the orders of the Imperial Government are ignored by the Japanese command, nor can it admit that the latter is a power independent of the Government.

The Government of the Far Eastern Republic sincerely wishes to establish its relations with the Japanese people, not on the basis of the old wrongs committed by the Japanese troops against the Russian people during the intervention, but on the reciprocal readiness of the two countries to establish friendly neighborly relations, based on perfect equality and mutual respect for the rights of each country. Let the Japanese Government make an honest and frank statement before the whole world of its claims in the Russian Far East, as honest and frank as the statement of the people of the Far Eastern Republic of their desire for peace at home and with their neighbors and for the cessation of military intervention.

The Government and the people of the Far Eastern Republic are not only not attempting to evade those questions, but, on the contrary, are trying to bring about an early settlement of them, and they are not to be blamed if the Japanese Government and the Japanese command will not choose the open road. And if uprisings recur and blood is shed let the whole world know that the Japanese command is instigating them by every possible means, and that the Japanese Government is not preventing such activities on the part of the command.

On behalf of the people of the Russian Far East we demand that Japan cease interference with our affairs. The Government of the Far Eastern Republic, on behalf of the entire people of the Russian Far East who elected it, requests from the Japanese people and the Imperial Government of Japan a straightforward and definite answer to each of the following questions:

1. Do the Japanese Government and the Japanese people consider just the constant interference of the Japanese command in Russian affairs against the will of the Russian people of the Far East?

2. Will the Japanese Government continue to help the criminals and the brigands of the bands of Semenov, Ungern, etc., and put obstacles in the way of the authorities of the Far Eastern Republic in their struggle against these bandits?

3. Does the Japanese Government consider it necessary to establish friendly neighborly relations with the Government of the Far Eastern Republic?

4. Does the Japanese Government consider it necessary to protect the interests of the Japanese merchants in the territory of the Far Eastern Republic in the only possible way, namely, to enter into a commercial treaty with the Government of the Far Eastern Republic?

5. Does the Japanese Government intend to withdraw from the territory of the Far Eastern Republic its army of occupation, the presence of which in Russian territory, as has been sufficiently proved during the last three years, has in no way helped to establish friendly relations nor to secure any privileges for Japanese residents, but on the contrary has been the source of a growing hatred toward Japan?

We hope, for the sake of a better understanding between the two peoples, that the Japanese Government will not delay to give straightforward and definite answers to all these questions.

We believe that the Japanese Government will choose a more righteous course in its relations with the Russian people. We firmly believe that a definite end will be put to the shameful policy of usurpation and violence and that the Japanese Government will enter into just, sincere, and friendly relations with the Russian people. The Government of the Far Eastern Republic is convinced that such a settlement of the matter will be to the benefit of the Japanese people. While welcoming the friendly settlement of all outstanding matters, the Government of the Far Eastern Republic demands:

1. A definite statement of the Japanese Government and the Japanese command that it will refrain from supporting the self-styled government of Merkulov at Vladivostok. The Government of the Far Eastern Republic is convinced that this adventure is doomed to failure.

2. The Japanese command shall immediately return all arms to the people's defense guard.

3. The Japanese command shall not prevent the Government officials from making arrests and taking other necessary measures to restore order.

4. The Japanese command shall not put any obstacles in the way of the local authorities of the Far Eastern Republic nor of the district emissary of the Government, Mr. Kozhevnikov, the assistant minister of foreign affairs, who has been ordered to proceed to Vladivostok, in restoring order and protecting the lives of the foreign citizens residing in the territory of the Far Eastern Republic.

The Government of the Far Eastern Republic solemnly declares that if the Japanese command does not interfere with the domestic affairs of the Republic, foreigners in the Maritime Province will enjoy absolute safety and the same hospitality as has been accorded them in the territory which has already been freed from the yoke of the intervention.

The Government of the Far Eastern Republic, which has been elected by the constituent assembly on behalf of the entire population of the Russian Far East, solemnly declares that no adventures similar to that which occurred at Vladivostok will force the Government to forego its efforts to carry into effect the will of the people as expressed in the fundamental laws of the Republic enacted by the constituent assembly.

The Government will suppress all bandits from whatever quarter they may come and will defend the sovereign rights of the Russian people in the Far East, hoping to have the support of the entire civilized world.

And if the Japanese Government fails to give a straightforward and definite answer to the questions proposed by the people of the Russian Far East, and if it refuses to comply with the lawful demands of the Russian people, the people of the Far East and their Government will not share the responsibility for continuation of the civil war and for the lack of order in the Maritime Province, placing the responsibility upon the Japanese command because of its constant interference with the domestic affairs of the Far Eastern Republic, and the Government and the people of Japan will be held accountable before the entire civilized world.

We are firmly convinced that the Japanese Government will immediately discuss the abnormal conditions with the Government of the Far Eastern Republic and will in cooperating with it arrive at a decision satisfactory to both.

IGNATIUS L. YURIN,
Minister of Foreign Affairs of the Far Eastern Republic.
CHITA, *June 2, 1921.*

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A NOTE OF THE FAR EASTERN REPUBLIC TO JAPAN.

On November 17 the delegation of the Far Eastern Republic in Dairen submitted the following note of the minister of foreign affairs of the Far Eastern Republic to be delivered to the minister of foreign affairs of Japan with regard to the events in the Maritime Province:

The Government of the Far Eastern Republic, notwithstanding the presence of Japanese occupational troops on the territory of the Far Eastern Republic, decided to start negotiations

with the Japanese Government in order to establish friendly relations between the Far Eastern Republic and Japan and to create the possibility of a peaceful industrial and commercial intercourse between the populations of the two countries. By so doing the Government of the Far Eastern Republic assumed that the development of the agricultural life of the population of the Far Eastern Republic will have a favorable effect upon the interests of Japanese trade and industry.

In beginning negotiations in Dairen with the representatives of the Japanese Government, the representatives of the Far Eastern Republic were well aware of the fact that the fundamental obstacle to the attainment of a peaceful intercourse between both countries is the presence of Japanese troops in the Maritime Province and in other parts of the territory of the Far Eastern Republic, as well as the presence in these regions of Russian organizations and armed detachments which are hostile to the Far Eastern Republic and which are constantly receiving support on the part of the Japanese command. The Government of the Far Eastern Republic was convinced that simultaneously with the opening of negotiations between Japan and the Far Eastern Republic in Dairen the Japanese Government will begin the evacuation of its troops from the confines of the Far Eastern Republic and that it will take the necessary steps to prevent the organizations and detachments that are hostile to the Far Eastern Republic from being supported by Japanese troops and their command.

The representatives of the Japanese Government, in the course of the negotiations, declared to the representatives of the Far Eastern Republic that no support would be given in the future by the Japanese military detachments and by the Japanese authorities to the aforesaid insurgent organizations and detachments; but, nevertheless, the Government of the Far Eastern Republic is compelled to state with the greatest regret that this announcement of the representatives of the Japanese Government was not actually put into effect. The Government of the Far Eastern Republic has received quite a number of reports pointing out that at the time when the deliberations on friendly relations and peaceful trade were going on between the representatives of the Far Eastern Republic and Japan, the insurgent organizations in the region where the Japanese troops were stationed continued to avail themselves in their struggle against the Far Eastern Republic of the indirect support of Japanese detachments and of the Japanese authorities.

Already in the middle of September the military authorities delivered weapons to the insurgent White Guard detachments, and in every one of these detachments, during their attacks against the Far Eastern Republic or their punitive expeditions against the local population, there was invariably a number, larger or smaller, of Japanese soldiers taking part, the Japanese sometimes exceeding the number of the Russian White Guards.

Thus, for instance, the attack against the military post of the army of the Far Eastern Republic in the village of Vassianovka, on November 15, was accomplished by 35 soldiers, of whom 33 were Japanese and 2 were Russians, dressed in Japanese uniforms. On November 16, in the region of Vladimiro-Alexandrovsk and Suchan, there occurred a joint advance of Japanese soldiers and Russian insurgents. In addition to such cases of direct support granted by the Japanese authorities to organizations and military detachments that were hostile to the Far Eastern Republic, there were also cases of indirect help. The organization of Russian reactionaries calling itself the Merkulov Government still goes on with the selling out of State and private property of the Far Eastern Republic which they criminally seized in Vladivostok and the surrounding district, and the transactions involved in the sales of these properties, which are concluded with Japanese firms, are indorsed by the Japanese authorities.

The population of the Maritime Province, aroused by these activities of the counter-revolutionary organizations and detachments, is trying to defend its life and property with its own forces. This self-defense, which takes the form of a partisan warfare, often leads to the destruction of the property of the Far Eastern Republic in the Maritime Province, and to armed clashes in this region. In the course of the last month the brutal outrages of the Russian counter-revolutionary organizations acting in the region where the Japanese troops are stationed have reached their height. In Vladivostok and in the surroundings arrests are proceeding of peaceful inhabitants who are not guilty of any crime. The persons arrested are subjected to torments and tortures and are shot by the score without any investigation or legal proceedings. In the month of October occurred the brutal murder of Zeitlin, the representative of the Far Eastern Republic, who was ordered by the Government to go to Vladivostok in order to put a stop to the acts of lawlessness and destruction which were prevalent there. The responsibility for all these lawless acts and atrocities lies not only with the counter-revolutionary organizations of the Vladivostok region, which in their endeavors to put obstacles in the way of the lawful authorities of the Far Eastern Republic do not stop at the most-unheard-of acts of brutality and atrocity. Indirectly the responsibility for them rests with the Japanese military command, and also with the Japanese Government, which, by continuing to keep its troops in this territory, by giving help and support to the counter-revolutionary organizations and detachments on this territory, enables them to commit with impunity all manner of offenses against the Russian population.

In calling attention to the aforesaid facts the Government of the Far Eastern Republic again protests against the acts of violence perpetrated upon the citizens of the Maritime Province, and emphasizes that only then will it be possible to put a stop to these acts of violence and to restore order in the southern part of the Maritime Province when the Japanese military command will cease, directly or indirectly, to support the activities of the Russian counter-revolutionary detachments and organizations, and when the Japanese troops will be withdrawn from the territory of the Far Eastern Republic.

The Government of the Far Eastern Republic believes that the negotiations which are going on in Dairen between the Far Eastern Republic and Japan may be brought to a successful conclusion, and that both negotiating parties may conclude an agreement on peaceful economic relations, if only the Japanese troops are withdrawn from the territory of the Far Eastern Republic, which would be a proof of the sincere intentions of the Japanese Government toward the Far Eastern Republic.

NOVEMBER 17, 1921.

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PROTEST OF THE NATIONAL ASSEMBLY AGAINST THE ACTIVITIES OF THE JAPANESE.

The national assembly addressed the following appeal to all nations protesting against the Japanese support of Merkulov, Semenov, and Kappel in their recent offensive in the Maritime Province:

The national assembly, which was selected by the entire population of the Russian Far East and which is vested with full power, is compelled once more to lodge a decisive protest against Japanese aggression in the Far East. The aggression has aroused the extreme indignation of the national assembly.

It is now the fourth year that foreign troops have invaded the Russian Far East. The Japanese sword is suppressing the will of the Russian people. We, the elected representatives of the Russian Far East from the Maritime, Sakhalin, Priamur, Amur, Transbaikal, and Pribaikal Provinces, remember very well all stages of the Japanese intervention; all the atrocities committed by the Japanese against the Russian people in the Far East. All the members of the national assembly are ready to testify to the Japanese endeavors to strengthen and continue their intervention by falsehoods, deceits, and atrocities. The Japanese are aiming to seize our territory and turn it into a Japanese colony. We also have in our possession a great number of documents regarding the Japanese schemes to seize our territory.

Japanese troops continue to pour into Vladivostok. Japan controls the entire Russian Pacific coast. The attack against the Japanese troops in Nikolayevsk in 1920 was the result of Japanese provocation. The Japanese are building fortifications, digging trenches, and putting up barbed wire on Russian territory. Russian rivers have been mined by the Japanese. The mouth of the Amur River has been closed to Russian ships and made a base for attacks upon us. In order to extend their occupation, the Japanese have seized Sakhalin and are exercising all the civil and military authority there. They are disposing of forestry, fishing, and mining resources. Russians are prohibited from entering Sakhalin without Japanese permission. Russians are arrested on suspicion of having relations with the legal Russian Government.

By prolonging civil war the Japanese create conditions warranting the continuation of intervention; by ruining the economic life of the Russian Far East they aim to spread their own influence.

The Maritime Provincial Assembly, which was elected by the entire population of the Province, was endeavoring to establish a democratic rule through a constituent assembly, devising means for the unification and pacification of the country, but the Japanese continue their attempts by assisting reactionaries in the coup d'état in Vladivostok and along the Ussuri Railroad.

Contrary to the agreement of April 29, which provided that no armed forces be permitted in the Japanese zone, the Japanese have been allowing and aiding in organizing and maintaining antigovernment forces. This paralyzed the efforts of

the Government to restore normal life and frustrated all attempts to eliminate the marauding bands.

On May 29 the Russian militia which was dispatched to Nikolsk-Ussurisk was disarmed by the Japanese, who allowed the town to be captured by the Semenovists. The Japanese prevented the search for arms in the house of a Japanese subject on Komarovsky Street and arrested all our armed detachments and the commanding staff. During the coup d'état of May 26 the Japanese disarmed and arrested the Government troops who were resisting the Merkulov rebels.

The seizure of the Maritime Province and the introduction of the rule of Semenov proved that Japan's aggression in the Russian Far East is not objected to by other powers.

At the Dairen conference between Japan and the Far Eastern Republic the Japanese tried to obtain the consent of the Far Eastern Republic that Japanese troops should remain in Siberia, that fortifications of Russian cities be destroyed, and that the Japanese should obtain all concessions in the territory along the Tartar Straits—all of which means loss of Russian sovereignty and dependence on Japan economically and politically. Failing in this, the Japanese rendered assistance to Merkulov in launching an attack for which the Japanese supplied munitions; and the entire responsibility for this attack rests with the Japanese.

The Russian people of the Far East repeatedly protested to the whole world against the Japanese atrocities. We protest against discussion by the Washington conference of questions in which we are vitally interested without our participation. We strongly protest against the continued presence of Japanese troops on Russian territory, which is an encroachment upon our sovereignty and independence.

(Signed) SUCHOVY, *Chairman.*
BORODOVKIN,
DUMKIN,
SAYAPIN,
FEDOROV,
MER,
LOBODA,
YAKIMOV,
ANZIFEROV,
SHERTGOV,
NIKIFOROV,
LUKYANCHIKOV,
DOMBINO,
Members.

CHITA, *December 9, 1921.*

CONSIDERATION OF APPROPRIATION BILLS.

Mr. LODGE. Mr. President, unless some Senator desires to discuss the treaty further, I move that the Senate return to legislative session with a view of disposing of the proposed rule, the unfinished business.

The PRESIDING OFFICER. The Senator from Massachusetts moves that the Senate return to legislative session.

The motion was agreed to, and the Senate resumed legislative business.

Mr. HEFLIN obtained the floor.

Mr. WARREN. Mr. President, I think the Chair understands that the unfinished business was laid before the Senate, and is now the pending proposition.

The PRESIDING OFFICER. The Senator from Alabama was recognized.

Mr. HEFLIN. I shall occupy the floor for only a very few minutes, Mr. President.

Mr. LODGE. Mr. President, I rise to a question of order, so that there may be no misunderstanding.

The PRESIDING OFFICER. The Senator will state it.

Mr. LODGE. Under the terms of the legislative session the unfinished business, of course, is before the Senate, because yesterday we took a recess and not an adjournment.

The PRESIDING OFFICER. The Chair understands that the unfinished business would automatically come before the Senate.

Mr. WARREN. I do not understand that the Senator wishes to address himself to the rule.

Mr. HEFLIN. I desire to address myself to another subject for about 10 minutes.

The PRESIDING OFFICER. The Chair understands that the unfinished business, Senate resolution 213, is now before the Senate.

The Senate resumed the consideration of the resolution (S. Res. 213) to amend the Standing Rules of the Senate so that all general appropriation bills shall be referred to the Committee on Appropriations.

FEDERAL RESERVE BANK AT ATLANTA.

Mr. HEFLIN. Mr. President, I appreciate very much the compliment paid to the southerners on this side of the Chamber by the distinguished Senator from Maryland [Mr. FRANCE]. I recall what a distinguished journalist of New York once said upon this subject. He said:

These southerners possess a keen sense of civic responsibility. They bestow a personal and unremitting attention upon public affairs. The citizen thinks of his citizenship first.

Mr. President, that is a glorious tribute to pay to any people. That is not only true of the southern people; it is true of a great many people in other sections of our great country. There are, however, a few spots in the country where an effort is being made to stifle the truth, to suppress free speech, and to subsidize the press. The manipulation of the currency and credits of the country is being undertaken to the serious hurt and injury of free institutions.

I hold in my hand a telegram from Richard Edmonds, the editor of the Manufacturers' Record, which I send to the desk and ask to have read in my time.

The PRESIDING OFFICER. Without objection, the Secretary will read the telegram.

The Assistant Secretary read as follows:

Regarding distribution by reserve banks of Senator GLASS's speech, please advise them I have received copy from New York Federal Reserve Bank and other Federal reserve banks of that speech, printed in pamphlet form, the cover page bearing title "Truth about the Federal reserve system," with three paragraphs strongly commending the system, and beneath them begins the announcement that it is the speech of Senator GLASS.

I think, therefore, this speech is being widely distributed by every Federal reserve bank, and the number of letters received causes me to believe that special efforts are being made through distribution of this speech to induce people to criticise everybody who has criticised Federal reserve management.

The Federal Reserve Bank of Richmond has printed and is distributing recent memorial to President Harding of Federal advisory council, in which criticism of Federal reserve system was said to be "incited by the willful misstatements of unscrupulous or ambitious demagogues."

If the Federal reserve system can out of its vast accumulations carry on this kind of propaganda uninterruptedly, it could practically defeat any congressional or senatorial candidates and ultimately subvert the Government itself.

Mr. HEFLIN. Mr. President, that telegram comes from a man of unimpeachable integrity, from a man who has devoted the best talents that he possesses—and he is a wonderfully brilliant man—to the welfare of his country.

I have had pending in the Senate now for nearly 10 days a resolution to investigate the Federal Reserve Bank of Atlanta in connection with the sending out of the speech of the Senator from Virginia [Mr. GLASS], referred to by Mr. Edmonds, accompanied by a letter which calls upon the banker to whom that speech was sent to give his impression about that system and about its administration before he read that speech, and then, as I said on yesterday, to give his impression about it after he had read the speech, and inviting him to comment; in other words, "write us just what you think about this situation." I have called the attention of the Senate and of the country, and I expect to continue to do so, in behalf of the American people—whose Government, I repeat, this is—to what is going on by the permission of the Republican Party in power, with a Republican Senate sitting here with 24 majority, and a House with 169 majority, and a President in the White House, and a board subject to be disposed of any day he sees fit, a Federal institution, a bank, one of the 12 banks of the greatest financial system ever inaugurated in any Government in the world, participating in politics, carrying on a political propaganda, writing letters to banks that are dependent upon that bank for accommodations in currency and credits to carry on their business. These banks, Mr. President, are being coerced, or the effort is being made to coerce them, to intimidate or influence them. They do not send out this speech and let the man who receives it read it and throw it in the wastebasket or do what he pleases with it, but they are calling on him for an expression of opinion. They are on the side of Mr. GLASS. They are distributing his speech. They hold the purse strings to the money supply of all those States. These banks must go to them to get their money supply in order to furnish it to the merchants this year and the farmers this year to make a crop in Alabama, Georgia, Louisiana, and other States supplied by that bank.

Here is that bank seeking to stifle a United States Senator who has dared to stand up and denounce their deflation policy and to call attention to the ruin it has wrought in this country.

That is not all, Mr. President. That Federal Reserve Board, in my judgment, has one or more hired agents in this Capitol to represent it through some of the newspapers of this country. I have read articles which led me to believe that, and I do believe it. I have read articles which have gone out from Washington attacking my position which I feel sure were inspired.

I want to read a line from a letter I received from a gentleman down in my section. He says:

The newspapers are writing editorials jumping on you, and one or both of them published excerpts from the speech of Senator GLASS. These papers, in my opinion, were told by somebody connected with the Atlanta bank, or other connection with the Federal Reserve Board, to publish what appeared in those papers. Evidently that bank crowd are

trying to harm you all they can. They seem to feel that they are greater than the power that created them, and resent any attempt at regulating or supervising or criticism of the board's management, even by Congress itself.

What did Mr. Edmunds say in that telegram, Mr. President? He said that if they are permitted to do this, they can defeat Members of the House and defeat Members of the Senate who dare, in behalf of the Government itself, in behalf of the American people, to criticize their cruel and criminal conduct. He said not only that, but that they can subvert the Government itself.

Mr. President, we have long known that the uncontrolled and unbridled participation in politics of the money power is a dangerous thing in a free country, and we see here an effort made to cloak this bank, a refusal to investigate it, to condemn its conduct, to remove its officials if they have been guilty of conduct against the best interests of the country.

Senators on the other side have the power. They can permit this investigation or not; but I intend to bring to the attention of the Senate each day the facts concerning this matter. It is too vital and too important not to do that. Later on I shall ask for an investigation of the publicity fund at the disposal of the Federal Reserve Board. It was charged by the president of the American Cotton Association, in his testimony before the investigating committee of the House and Senate, before which Gov. Harding appeared, that there was a publicity fund, and he wanted an investigation made so as to find out, under oath, to whom these Federal reserve members have paid money, and to what papers that money has gone. That is a very important matter.

It does happen that in two towns where there are Federal reserve banks editorials have appeared in papers attacking my position on the deflation policy of the Federal Reserve Board. Why is that? The local Federal reserve bank has reached out and touched the influence near by and said, "You ought to condemn HEFLIN'S position," and editorials are being published attacking my position, but my position is correct. I am right. In a speech which I had printed in the RECORD yesterday I set out facts taken from the record, many of them furnished me by John Skelton Williams, former Comptroller of the Currency, showing that this board's deflation policy was a deadly and a murderous one. I do not blame them for trying to escape now, to whitewash the situation, and say they were not responsible, deny that they were the ones who inspired that deflation policy; but I would be a coward, knowing the truth as I do, if I should fail to bring it to the attention of the Congress and the country.

I am undertaking to do that, and every effort is being made to suppress the truth. We hear talk about free speech and a free press. They have bought a good portion of the press. Day after day things transpire in this Chamber which we never see a line of in the big daily papers.

I received a letter from a distinguished citizen in New York in which he said:

> I see where you charged upon the floor of the Senate that a bank operating under Government authority was distributing a speech of one Senator assailing another and that they were writing out letters with it.

He said, further:

> This is a very grave thing, and I went and looked through the papers of New York and I never found a line about it in one of them.

He said, "Something is wrong. They are trying to control the press, too."

Mr. President, if any banking power can manipulate the press and keep the truth from going to the country and if they can criticize a Member of this body or of the other body and frighten Senators and Representatives away from their duty by the power which they possess, and by a threat of their active participation in politics, what chance is there for those who want to fight these things?

As long as I am a Senator in this body I shall fight for this country being kept true to the course which the fathers intended it should follow. I do not intend to fold my arms and surrender while I am trusted by the great people who commissioned me to come here. I do not care that some of the newspapers do not publish what I say. They are not bothering me personally. It is ten thousand times easier for me to sit down and do nothing and be quiet, as far as my personal comfort is concerned. I am fighting a battle. I am condemning a wrong. I am doing my duty as an American patriot. I am trying to serve my country, and when they keep this news out of the papers, they are yielding to a power which will crush their offspring in the years to come. That is what they are guilty of doing.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Maryland?

Mr. HEFLIN. I yield.

Mr. FRANCE. I personally am very deeply interested in the discussion of the Senator. I only regret that more are not here to hear his discussion of this most important question. I would say that I voted with the Senator as to the reference of his resolution, and I feel that his position is very sound.

Mr. HEFLIN. I remember the Senator voted that way, and I appreciate the Senator's vote.

Mr. FRANCE. I was going to suggest that as we have a small attendance here, it might be desirable to have a quorum.

Mr. HEFLIN. I would rather the Senator would not make a point of no quorum, because I shall finish in a moment.

Mr. FRANCE. I was about to suggest to the Senator that I hope he will pursue this discussion, because I realize it is a very large subject, and I hope he will take it up to-morrow or Monday and give us a statement of all the facts in connection with it. I think a number of Senators desire to take up this question of the new rules. I do not wish to be put in the position of seeming to desire to interrupt the Senator, but it had occurred to me that if this rule is disposed of, then it might be possible to get a quorum of Senators here to hear this very important discussion by the eloquent Senator, who has brought forward what I consider to be one of the great issues now before the country.

Mr. HEFLIN. There is no doubt about that, let me say to the Senator. A Member of this body came to me day before yesterday and said, "The highbrows are trying to stifle you and to shut your mouth; but the people back in my State are writing me that you are right, and that I ought to back you up."

Mr. President, I want to assure my friend from Maryland that there is no doubt about my keeping up the fight, if God gives me the strength to battle. I said here a few days ago that Mr. William Boyce Thompson, treasurer of the Republican National Committee in 1920, borrowed $5,000,000 from the Federal reserve bank in New York, and that he was a trustee, I believe, of that bank. The papers just grabbed it up and said that he denied it, and that I should not have made the statement. I send a statement to the Secretary's desk and ask to have it read, beginning with the words "I have not seen."

Mr. FRANCE. I desire to ask the Senator if he will not permit it all to be read?

Mr. HEFLIN. I just want that part of it read, because the other does not pertain to the issue. It is a statement published a day or two ago in the Baltimore Sun.

The PRESIDING OFFICER. The Secretary will read.

The Assistant Secretary read as follows:

> I have not seen and did not hear Senator HEFLIN'S speech in the Senate to which you refer, but I think it extremely probable that the foundation for such statement he may have made on this subject and which, apparently, has been misinterpreted or distorted in the press, was the transaction or transactions referred to by me in an article on the "Administration of the Federal reserve system," printed in Commerce and Finance of New York, September 21, 1921, in which I said plainly:
>
> "Not only were the funds of the Federal reserve system extensively loaned to banks whose executive officers and directors were big borrowers, but the records show that one of the banks borrowing most heavily from its reserve bank was lending last autumn to a certain large borrower, who at that very time was also a director of the Federal Reserve Bank of New York, over $5,000,000 (including a dummy loan of over $3,000,000)—mostly on highly speculative securities, while farmers and the "country" banks were even then begging for relief and enduring ruinous losses because of the credit restrictions of the reserve system."
>
> I stand by the absolute accuracy of that statement, and if Col. Thompson or any responsible official of the Federal reserve bank, or any other responsible person, undertakes to deny it, I am prepared to prove it.

Mr. HEFLIN. That statement is from John Skelton Williams. Let the Secretary continue.

The Assistant Secretary continued the reading, as follows:

> That statement was substantially repeated in my letter to Senator OVERMAN of December 2, 1921, printed in the CONGRESSIONAL RECORD. In that letter I also said:
>
> "And the records show that a bank to which the Federal Reserve Bank of New York was loaning at one time about $100,000,000 was furnishing funds with which to engineer a notorious "corner" on the New York Stock Exchange, in which corner the president and two vice presidents of the bank which was enjoying these huge accommodations from the New York Reserve Bank were largely interested financially."
>
> These charges were made openly and specifically, and they referred to abuses which, in my opinion, can not be excused or justified. Commenting upon them in my letter to Senator OVERMAN, I said, very frankly:
>
> "Such evils as these can best be cured, or their recurrence prevented, by the sunlight of publicity rather than the Lethean ointment of secrecy and oblivion."
>
> I also commend to your consideration the following statement, which you will find in my letter to Senator OVERMAN, above referred to:
>
> "I ask attention to the important fact that not a single one of the many serious criticisms and charges which it has been my unpleasant

duty in behalf of our Federal reserve system and in the public interest to make against the administration of the reserve system has ever been refuted. They stand unshaken and unshakable.

The country is indebted to Senator HEFLIN for the courage and force with which he has exposed and combated the mismanagement of our Federal reserve system. His criticisms and mine have been directed not against the system itself, which both Senator HEFLIN and myself regard as probably the most important and constructive piece of financial legislation enacted in a hundred years, but against the maladministration of that system by men who have signally failed to live up to their great responsibilities.

Your editorial to which I have referred does an injustice both to Senator HEFLIN and myself, and I trust that you will publish this letter in your columns.

JOHN SKELTON WILLIAMS.

RICHMOND, VA., *February 18.*

Mr. HEFLIN. Mr. President, I had that statement read from this great Virginian because the day that I made the speech what I said was misrepresented or misunderstood and misinterpreted by those who sent it out from the Capital. The newspapers did not wait to consult me or ask me exactly what it was that I said upon the subject, but seized upon the statement and reported to Mr. Thompson that I had said he borrowed $5,000,000 from the Federal reserve bank. Of course, an individual can not borrow from a Federal reserve bank. He borrowed the money through a member bank. He was a director, as I stated my understanding was, in both, and that two or three million dollars of that amount was borrowed on a dummy note. John Skelton Williams sets out that the statement is correct, and he challenges Mr. Thompson or anybody else who denies it, and offers to produce the proof.

I bring that to the attention of the Senate and the country to show how eager are those who want to stop this discussion, who want the truth kept away from the public in order that some other time this feast may be had again, that the American people may be pillaged and plundered again and again without ever knowing who it is that smites them down and robs them.

Mr. President, I have said frequently that the money which was obtained through the deflation policy flowed to Wall Street. The South and the West lost millions of dollars. Wall Street gained. I have undertaken to show how this thing was done and what ruin it wrought. Not only have I been misrepresented in newspapers, but they have stated that I attacked the system. I have spoken in this Chamber some thirty times, first and last, upon this subject. I challenge any man to show one line where I have ever criticized the Federal reserve system. On the other hand, I have praised the system, but I have denounced those who perverted it from the ends of its institution, and I used the expression that when Christ drove the money changers out of the temple at Jerusalem he was not attacking the temple, he was trying to preserve the temple, but he lashed those out who perverted it from the ends of its institution.

When I condemn the Federal Reserve Board and its mismanagement that brought about the suffering, the distress, and the ruin financially of millions of people I am not attacking the system. I am trying to save the system that it may serve the American people as it did before it was perverted from the ends of its institution. I am trying to preserve the system, but I am condemning those who wrought this ruin through that system—who turned this great instrumentality for good into an instrument of evil—of great injury to the country.

I promised at the outset, owing to the state of the program upon the calendar, that I would speak only a very few moments. I wanted to say this much to-day: Thank God, there is one record from which they can not keep this truth, and that is the CONGRESSIONAL RECORD, published each day, which goes out into the districts of 435 Members of the House, into the 48 States of the Union, distributed by Senators, and somebody can get the exact truth of what occurs in this Chamber. I want to continue to bring to the attention of the Senate and of the country the dangerous way in which the country is drifting. Senators, if we permit them to buy up and hog-tie the press and then permit them to intimidate and coerce timid men in either branch of Congress, men who love ease, and who would rather move along the lines of least resistance than to stand for what is right, then we have not a free country, or we will not have very long. I would dislike to have it said of my party that when we were in power these instrumentalities were taken away from the people and transferred to a favored few, who used them to the hurt and injury of my country.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213.

The PRESIDING OFFICER. The pending question is on the first amendment reported by the Committee on Rules.

Mr. McKELLAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll and the following Senators answered to their names:

Ashurst	Heflin	Myers	Shortridge
Brandegee	Hitchcock	Nelson	Simmons
Broussard	Johnson	New	Smith
Cameron	Jones, N. Mex.	Newberry	Spencer
Capper	Jones, Wash.	Nicholson	Stanfield
Caraway	Kellogg	Norris	Sutherland
Culberson	Kendrick	Oddie	Swanson
Cummins	King	Overman	Townsend
Dial	Ladd	Page	Walsh, Mass.
Ernst	Lenroot	Pepper	Walsh, Mont.
Fletcher	Lodge	Phipps	Warren
Glass	McCormick	Poindexter	Watson, Ga.
Gooding	McKellar	Pomerene	Williams
Hale	McKinley	Rawson	Willis
Harris	McNary	Reed	
Harrison	Moses	Sheppard	

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], and the Senator from Indiana [Mr. WATSON] are detained at a hearing before the Committee on Finance.

The PRESIDING OFFICER. Sixty-two Senators having answered to their names, a quorum is present.

COMBINATIONS IN RESTRAINT OF TRADE.

Mr. NORRIS. Mr. President, several days ago the Senator from Ohio [Mr. WILLIS] placed in the RECORD a letter from Secretary Hoover. This letter was written to the Senator from Ohio by Secretary Hoover in response to some remarks I made in the Senate, in the course of which I read into the RECORD some newspaper statements as to the position of Secretary Hoover on the Sherman antitrust law as it applies to business corporations. While it is not of very great importance, I think I ought to call attention to the letter which was placed in the RECORD because I think the letter undertakes to place me in a false attitude as regards Mr. Hoover's position.

Certainly, Mr. President, I had then and have now no desire whatever to place Mr. Hoover in a false light or to give any interpretation to his words that should not be given by a fair and an honest consideration. Again, it is just a little bit queer to me that if I had misrepresented the Secretary, he should write a letter to the Senator from Ohio and tell him about it when he probably knew my address just as well as he did the address of the Senator from Ohio. I certainly would have been glad, if I had placed him in a false attitude or misrepresented him, to have made any correction that he desired to have made.

I quoted Mr. Hoover from a newspaper, and the particular newspaper which I used was the Washington Herald. I understood, though I do not know whether that understanding was right, that not long ago and perhaps now Mr. Hoover was one of the owners of that publication. Whether that be true or not, the publication, as everybody knows, is very friendly to him and would not misrepresent him intentionally. I believe that a fair consideration of what I quoted from the Herald compared with what Mr. Hoover inserted in his letter to the Senator from Ohio will show that he was not misrepresented; that, in the first place, the Herald did not misrepresent him and what the Herald printed was a fair synopsis of his letter. Of course, when I quoted from the Herald I gave a fair synopsis of the letter; but, Mr. President, in the letter to the Senator from Ohio Secretary Hoover inclosed the entire correspondence between himself and the Attorney General on the question of monopoly and what the existing law is. In that letter to the Senator from Ohio Secretary Hoover says:

Senator NORRIS's quotations were from condensed newspaper statements and are an absolute distortion of the basis and intent of this correspondence.

I quoted from newspaper statements that were somewhat condensed, it is true. I contend, however, that the statement of the newspapers, as I have before stated, was a fair statement. At the time I made the quotation the newspaper statement was the only one that I had, and, so far as I knew, it was the only publicity that was given to Secretary Hoover's letter.

The fact that it was a fair statement and considered to be a fair and honest statement of his position by Mr. Hoover himself, I think, may be inferred from the circumstances that he never corrected it. The full purport of his letter was not at that time, so far as I know, published by any newspaper. However, Mr. President, I am to-day going to quote from Mr. Hoover's letter. I have before me the original correspondence in full which was given out by Mr. Hoover to the newspapers. I have very carefully compared it with the letter of Mr. Hoover

to the Attorney General which was inclosed in the letter to the Senator from Ohio and which was printed in the RECORD, and there is no deviation whatever between the two. The publication in the RECORD is an absolute copy, of course, of the original letter, as one would expect it to be, both documents having originated with Mr. Hoover himself. The letter is very lengthy and is already printed in the RECORD of the 20th day of February. I shall not read all of the letter. Of course, there are portions of it with which I do not find fault; in fact, I am not finding fault with any of it. I concede that Mr. Hoover has a right to place any construction he may desire upon the meaning of the Sherman antitrust law. I freely concede that. I contended, however, when I first called attention to the matter, and I again call the attention of the Senate to the fact, that if Secretary Hoover's position is right, then the Sherman antitrust law, so far as big business is concerned, is a nullity and might just as well be wiped off the statute books.

Mr. NELSON. Congress wiped it off the statute books so far as labor organizations and farmers' cooperative marketing organizations are concerned.

Mr. NORRIS. The law was never enacted to cover labor organizations; and we passed, the other day, a law permitting farmers to organize, which is now demonstrated to have been a wise act, because even those who are called upon on the part of the Government to enforce the law are themselves putting a construction on it which would permit any monopoly to escape if it put the right kind of a notice over its front office door. One of the questions asked, being No. 4, is as follows:

(4) May a trade association collect credit information as to the financial responsibility, business reputation, and standing of those using the products of the industry; and may the association furnish such information to individual members upon request therefor, provided such information is not used by the association or the members for the purpose of unlawfully establishing so-called "blacklists"?

I wish to read these questions separately, and then I will comment on all of them. Question No. 8 reads:

(8) May a trade association, in cooperation with its members and acting for and in behalf of its members, handle all legislative questions that may affect the particular industry, regarding factories, trades, tariff, taxes, transportation, employers' liability, and workmen's compensation, as well as the handling of rate litigation and railroad transportation questions?

* * * * * * *

(10) A. May a trade association collect statistics from each member, showing his volume of production, his capacity to produce, the wages paid, the consumption of his product in domestic or foreign trade, and his distribution thereof, specifying the volume of distribution by districts, together with his stock, wholesale or retail?

B. And may such trade association, on receipt of the individual reports of each member, compile the information in each report into a consolidated statement which shows the total volume of production of the membership; its capacity to produce by districts of production, which in some instances include a State or less area; the wages by districts of production; the consumption in foreign or domestic trade by districts; the volume of distribution by districts; and the stocks on hand, wholesale and retail, by districts?

C. And if, after compiling the information as aforesaid, the information received from the members as well as the combined information is not given by the association to any other person, may it then file the combined statement with the Secretary of Commerce for distribution by him to the members of the association through the public press or otherwise and to the public generally and to all persons who may be in any way interested in the product of the industry, it being understood that the individual reports for the members should cover either weekly, monthly, quarterly, or longer periods, as may be deemed desirable by the members, and, when a period is adopted, the report for each member shall cover that period and the combined report shall be for that period?

(11) A. May a trade association at the time it collects the production and distribution statistics above outlined at the same time have their members report the prices they have received for the products they have sold during the period taken, specifying the volume of each grade, brand, size, style, or quality, as the case may be, and the price received for the volume so sold in each of the respective districts where the product is sold?

B. And may the association, without making known to any person the individual price reports of any member, consolidate all of the reports into one and show the average price received for the total volume of each grade, brand, size, style, or quality, as the case may be, distributed in each district covered by the distribution statistics for the period covered by each individual report?

C. And may the association, after making such compilation, send the compiled report as to average price, as aforesaid, to the Secretary of Commerce, to be by him distributed to the public and to any or all persons who may be interested in the particular industry making the report?

Mr. President, not long ago the Supreme Court, in the case of the American Column and Lumber Co. et al., appellants, v. The United States, rendered a decision which, in my judgment, throws a great deal of light upon the particular activities of business corporations and institutions such as are outlined by Mr. Hoover, and which would not under his idea of the Sherman antitrust law constitute monopolies or restraints of trade in violation of law.

I wish to read a portion of the opinion of the Supreme Court in that case. Very many of the practices which are condemned by the Supreme Court in that opinion are almost identical with those that are set out by Mr. Hoover as being proper. I wish the Senate and the country could realize the difference between Mr. Hoover and the Supreme Court on this particular question.

Mr. KING. Mr. President, I hope that before the Senator concludes he will call attention to the fact that the plan followed by the lumber company was what was known as the Eddy plan, which has been adopted by a large number of business associations in the United States, as a result of which there have been built up monopolies and conspiracies in restraint of trade and trusts that ramify practically all of the industries of the United States and are largely responsible for the high prices, the high cost of living, and the impaired business conditions in the United States to-day. If the Attorney General would bring suits against those combinations, as one was brought against the lumber company, he would be doing a very great service to the American people.

Mr. NORRIS. I thank the Senator, and I think he has made a statement which is borne out entirely by the facts in the case.

Mr. President, the decision of the Supreme Court is very long, and I am not going to weary the Senate by reading very much of it. The court is discussing a combination that was very similar, as I have said, to some of those that are outlined by Mr. Hoover as being permissible under the law. It is shown in the opinion, as will be seen as I read it, just what kind of a combination it was, and the opinion shows on its face the similarity between it and those outlined by Mr. Hoover as being permissible. The Supreme Court says:

Such close cooperation between many persons, firms, and corporations controlling a large volume of interstate commerce as is provided for in this plan is plainly in theory, as it proved to be in fact, inconsistent with that free and unrestricted trade which the statute contemplates shall be maintained; and that persons conducting the association fully realized this is apparent from their protesting so often as they did, in many of their confidential communications appearing in this record, that their purposes were not unlawful; that they sought only to supplant cutthroat competition with what in their own judgment would be "fair and reasonable competition," and to obtain, not make, fair prices, and by their repeated insistence that the Sherman law "designed to prevent the restraint of trade is itself one of the greatest restrainers of trade, and should be repealed." To call the activities of the defendants, as they are proved in this record, an "open-competition plan" of action is plainly a misleading misnomer.

Genuine competitors do not make daily, weekly, and monthly reports of the minutest details of their business to their rivals, as the defendants did; they do not contract, as was done here, to submit their books to the discretionary audit and their stocks to the discretionary inspection of their rivals for the purpose of successfully competing with them, and they do not submit the details of their business to the analysis of an expert, jointly employed, and obtain from him a "harmonized" estimate of the market as it is and as, in his specially and confidentially informed judgment, it promises to be. This is not the conduct of competitors, but is so clearly that of men united in an agreement, express or implied, to act together and pursue a common purpose under a common guide that, if it did not stand confessed a combination to restrict production and increase prices in interstate commerce and as, therefore, a direct restraint upon that commerce, as we have seen that it is, that conclusion must inevitably have been inferred from the facts which were proved. To pronounce such abnormal conduct on the part of 365 natural competitors, controlling one-third of the trade of the country in an article of prime necessity, a "new form of competition" and not an old form of combination in restraint of trade, as it so plainly is, would be for this court to confess itself blinded by words and forms to realities which men in general very plainly see and understand and condemn as an old evil in a new dress and with a new name.

The "plan" is, essentially, simply an expansion of the gentlemen's agreement of former days, skillfully devised to evade the law. To call it open competition because the meetings were nominally open to the public, or because some voluminous reports were transmitted to the Department of Justice, or because no specific agreement to restrict trade or fix prices is proved, can not conceal the fact that the fundamental purpose of the "plan" was to procure "harmonious" individual action among a large number of naturally competing dealers with respect to the volume of production and prices, without having any specific agreement with respect to them, and to rely for maintenance of concerted action in both respects not upon fines and forfeitures as in earlier days but upon what experience has shown to be the more potent and dependable restraints, of business honor and social penalties—cautiously reinforced by many and elaborate reports, which would promptly expose to his associates any disposition in any member to deviate from the tacit understanding that all were to act together under the subtle direction of a single interpreter of their common purposes, as evidenced in the minute reports of what they had done and in their expressed purposes as to what they intended to do.

Mr. President, one of the things proposed by Mr. Hoover is that business concerns engaged in the same business shall, through some joint instrumentality, make inquiry as to the financial standing of people who buy the products dealt in by these various concerns, and report that financial standing for the action of all the members of this combination, expressly stating, however, that that information must not be used to make a black list. What is the object of it except to make a black list? What object can it have? What purpose can it be used for, except to further the aims of a monopoly and a combination? The fact that you say, "We are not going to use it for that purpose," when it can be valuable for no other purpose, is, as I think the Supreme Court fairly says, in effect a confession of the very thing that must inevitably follow from the nature of the combination itself.

According to Mr. Hoover, it is all right, if the monopoly says, "We are a monopoly; we are getting this information for our common good, but we will put a sign over the front door which will say, 'We are philanthropists, nevertheless. We love the producer, and we admire the consumer. We are not going to hurt either one of them. We are just getting this information for fun, or for some other purpose.'" The fact that the only use that such information can have to men who are engaged in competition is to do away absolutely with the competition and form a monopoly is sufficient proof that there is no other excuse for its existence.

Mr. President, however much he may deny it, the Secretary of Commerce, Mr. Hoover, has overruled the Supreme Court; and if his word goes in business concerns the Supreme Court might just as well take it all back, and Congress might just as well repeal the law.

That is not saying that a man may not argue, and Mr. Hoover may, and I am not complaining of the man who does, that it is better to have a monopoly, and then to regulate the monopoly. That is not the theory of our law, however. The theory of the Sherman antitrust law was to retain competition; and as long as we want to retain competition we must prohibit the organization and carrying out of such plans as are outlined by Mr. Hoover to the Attorney General. If we want to have monopolies, then we must take the other horn of the dilemma and regulate them, and have prices fixed, and so on, by somebody who is not directly interested on either side of the matter.

Mr. President, I felt that I ought to say this much, and ought to put in the RECORD, side by side with Mr. Hoover's plan, the judgment rendered by the Supreme Court.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, to amend the Standing Rules of the Senate, so that all general appropriation bills shall be referred to the Committee on Appropriations.

Mr. WARREN. Mr. President, some assertions have been made about the seeking of power on the part of the chairman of the Appropriations Committee and the members of that committee; and there has been an attempt—probably thoughtless—to present this matter as if it were an ambition of the Commitee on Appropriations to assume the duties of other committees, and to get great control.

Nothing could be further from the truth than that. The Appropriations Committee has not sought to usurp the duties of other committees. The committee has gone along as provided by the rules until it has been forced to come for relief to the Committee on Rules, because of legislation which both parties asked for and in which both parties joined—that of the creation of the budget.

Mr. President, the budget has been asked for by both political parties in party platforms and elsewhere, by municipalities, States, and business generally; and wherever the budget is in force there is but one source from which they receive all the information as to the amount of money that can be collected and expended, and but one final agency where it is at last definitely decided as to how much shall be appropriated, and how it shall be appropriated or apportioned. In other words, both parties could not have failed to understand when they adopted the idea of the budget that they must do as was formerly done by the Congress—that is, confine the appropriations to one committee in each body.

It was well understood by those who advocated the Budget. It might be well enough here to ask the Secretary to read a little item in the platform of the Democratic Party, adopted at its last convention, which is quite to the point.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The reading clerk read as follows:

BUDGET.

In the interest of economy and good administration, we favor the creation of an effective budget system that will function in accord with the principles of the Constitution. The reform should reach both the executive and legislative aspects of the question. The supervision and preparation of the budget should be vested in the Secretary of the Treasury as the representative of the President. The budget, as such, should not be increased by the Congress except by a two-thirds vote, each House, however, being free to exercise its constitutional privilege of making appropriations through independent bills. The appropriation bills should be considered by single committees of the House and Senate. The audit system should be consolidated and its powers expanded so as to pass upon the wisdom of, as well as the authority for, expenditures.

Mr. WARREN. Mr. President, there were many persons, and among them several Senators on the Appropriations Committee, who had some hesitancy about approving and supporting this budget law, believing that it would be hard to proceed under its provisions. I know, so far as I am concerned, that I was willing to be taught what better plans we could have to improve our old system, and I made no resistance to the budget. I was very doubtful, at the time, what would be the effect of it; but now, after having the budget in full force so far as the estimates are concerned, I very much believe—in fact, I feel convinced—that it can be made successful if we do not turn back on the way, and undertake to perform our duties half in the budget and half outside, as we would be doing unless we should follow the plans which have been adopted by the House and those which have been recommended for the Senate.

My friend from Tennessee [Mr. MCKELLAR] yesterday spoke of confusion in the House, as if there were confusion on account of the handling of all appropriation bills by one committee. Let me say to that Senator that that does not prevail. It prevailed to some extent last year; and why? The Budget bill was passed and sent to the President. The House, in preparation for it, proceeded to resolve the system of appropriations, in the general line of the Budget, into one committee; but the President of the United States vetoed the Budget bill because of an obnoxious provision in it to which he was not willing to agree, and the Budget bill did not become law until the following year. Hence, when the committee of the House a year ago started to make up their bills, they had the old estimates only, and did not have in any way the work of the Budget.

The consequence was that there was complaint from all sides. There was complaint for the time being from those who had not been taken into the committee. There was complaint because the changes in the estimates and calculations of the Budget system had not been adopted.

After the Budget act was signed, a year or more later, the House took up the matter directly from the President, as the Budget indicated it should be done—that is, there was a new distribution, classification, and arrangement of the items of appropriation under different heads and under different aggregations, so that one seeking to find how appropriations could be expended throughout the departments and elsewhere would find the various items in their appropriate places.

It is no secret that the Committee on Appropriations in the House, with the House behind it, attempted to find whether all the items should be put in one appropriation bill, very much the same as is done in States and other places. But that hardly seemed to be tenable, at least at present, so another schedule of bills was adopted, the schedule advocated by the Bureau of the Budget, and those bills have been put together and sent to us.

My vigilant friend from Mississippi [Mr. HARRISON], if he has examined the record as he usually does, will have to admit here and now that, so far as the appropriation bills of this year under the Budget are concerned, there has been less confusion, there has been less misunderstanding, there has been greater pleasure in the House in passing those bills than ever before, and they have come to us in better shape.

The situation was like this: The Senate Committee on Appropriations would have but two appropriation bills, all told, referred to it if the desk should undertake to refer the appropriation bills by title. There were only two that were titled so that they could be sent to that committee. The Chair, of course, would be in doubt, and others would be in doubt. On the other hand, there were six or seven of those bills which were so titled that they could not go to any other committee, and in that situation we were compelled to appeal to the Rules Commitee of the Senate for relief as to all these matters, pursuing what has been asked not only by the parties in their platforms but by the business world generally and by the last three Presidents of the United States. I send to the desk and ask to have read one part of one of President Wilson's messages.

The VICE PRESIDENT. The Secretary will read.

The READING CLERK. From page 1507, CONGRESSIONAL RECORD, January 18, 1922:

President Wilson, in his message to Congress in 1919, said:

"I hope that Congress will bring to a conclusion at this session legislation looking to the establishment of a budget system. That there should be one single authority responsible for the making of all appropriations and that appropriations should be made not independently of each other, but with reference to one single comprehensive plan of expenditure properly related to the Nation's income, there can be no doubt. I believe the burden of preparing the budget must, in the nature of the case, if the work is to be properly done and responsibility concentrated instead of divided, rest upon the Executive. The budget so prepared should be submitted to and approved or amended by a single committee of each House of Congress, and no single appropriation should be made by the Congress, except such as may have been included in the budget prepared by the Executive or added by the particular committee of Congress charged with the budget legislation."

Mr. WARREN. There is more along the same line, and other messages of President Wilson covered the same ground. Nor was President Wilson alone in that. President Harding, and before both of those, President Taft, maintained that position always, as, for that matter, had so many, many scores of Members of the House and Senate of long and brilliant service, men who had served on the Committee on Appropriations, and very many who had not served on that committee. It has been a common belief. It was stated, when the committees were divided 25 years ago, that that would lead to extravagance. There were similar statements made at various times. I remember that the chairman of the Committee on Finance, Mr. Aldrich, said the doubling up and the pyramiding of the expenses of the Government would cost $300,000,000 a year.

Mr. CARAWAY. Will it disturb the Senator if I ask him a question?

Mr. WARREN. Not at all.

Mr. CARAWAY. I remember having read a long time ago Senator Aldrich's statement about the Government costing $300,000,000 a year more than it should cost. I did not understand then, and I did not until the Senator from Wyoming alluded to it, suppose that Senator Aldrich had in mind the method of appropriating. I thought he referred to the duplication of service and the innumerable activities of the Government which were not necessary, some of which were duplications of others. The concentration of appropriations in the hands of one committee would not remedy that at all, would it?

Mr. WARREN. Certainly it would, or should.

Mr. CARAWAY. I thought this committee was to have no legislative functions at all, and those activities are the results of legislation.

Mr. WARREN. But they have to be appropriated for, just the same, and if they are duplications it could be brought back to the Senate and the House at once that they were duplications, whereas now the duplications go on.

Mr. CARAWAY. I thought that was what this reclassification committee was to take care of.

Mr. WARREN. The reclassification committee has nothing whatever to do with that.

Mr. CARAWAY. I thought it was going to inform us as to what activities were duplications.

Mr. WARREN. The Senator does not mean the reclassification committee; he must mean the joint committee of the House and Senate which is supposed to see what independent services or what departments can be dropped or joined to others—the joint committee on the reorganization of the administrative branch of the Government.

Mr. OVERMAN. I would like to cite an example. When the Appropriations Committee was considering the legislative bill during one session of Congress we appropriated for clerks in departments and gave what we thought the necessities demanded and the law allowed. We found soon after that there was a bill pending before the Committee on Pensions under which the department would get other clerks. They went before the Pensions Committee and got all they wanted, and there were two bills giving them all these clerks, some of whom they did not need. There was a duplication.

Mr. CARAWAY. May I suggest that this committee can not cut off a clerkship and can not add one, can it?

Mr. OVERMAN. Not without legislation.

Mr. CARAWAY. Then it could not effect any such reform as is suggested by the Senator from North Carolina, could it?

Mr. OVERMAN. Why could not the Committee on Pensions say, "What is the necessity of putting those clerks on, when the Appropriations Committee has already provided for them in another bill?" It is a duplication.

Mr. CARAWAY. Did they attempt to hire additional clerks?

Mr. OVERMAN. Yes.

Mr. CARAWAY. Under the statutory-roll system they can not add to or decrease the number of the clerks by the appropriations.

Mr. OVERMAN. That is done time and again.

Mr. WARREN. The matter of the lump-sum appropriations which are divided among the departments is a pretty broad question. Appointment of clerks can be made under such appropriations.

But to come back to the point I was discussing. There seems to be a disposition on the part of my good friend from Mississippi [Mr. HARRISON], as he did yesterday, to appeal directly by name to Senators who serve on different committees, telling how it would affect them. If those Senators who may have come into the Senate in later years, and who are farther from the top of the committees than they would wish to be, who have not had long service and experience, are going to view this entirely from a selfish standpoint, desiring to serve upon a certain committee and desiring that committee to appropriate without regard to what other committees are doing, that is a line of appeal I do not care to follow up. I myself, as chairman of the Committee on Appropriations, and, so far as I know, the members of that committee seek some reform. We seek to follow the reform which has already been inaugurated, and which we feel compelled to follow for the good of this country at large.

I have stated as plainly as words can make it that so far as the chairman of the Committee on Appropriations is concerned, he is entirely ready to step aside if some man better fitted can take up the work. So far as that is concerned, if we do not take a patriotic, loyal, American view in support of our Government—if it is to be entirely a matter of little personal pride for the time being to individual Senators to serve on some particular appropriating committee—then, of course, the Budget system will be a failure; there is no question about that.

Mr. HARRISON. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Mississippi?

Mr. WARREN. Certainly.

Mr. HARRISON. The Senator said it was an unfair argument to appeal to Senators' individual positions.

Mr. WARREN. I did not say it was unfair.

Mr. HARRISON. I apologize for the word. The facts are—and I am wondering if the Senator has investigated it—that there are 64 Senators who are now on one or more committees which make appropriations.

Mr. WARREN. Very likely.

Mr. HARRISON. They will be affected by this proposed change in the rules and will be on no committee which appropriates. Is it not a matter for consideration when 64 Senators are going to turn over to one-third of the Senate the matter of making all of the appropriations made by the Congress?

Mr. WARREN. If we look at it from the viewpoint of one of the 64 as to some independent item of appropriations by which he may be profited, the Senator's point may be well taken; but it is a pretty narrow construction.

Mr. HARRISON. It is not a narrow construction, for on the Commerce Committee, for instance, who believe that the rivers and harbors of this country should be adequately provided for and reasonable appropriations made, to vote against a proposed change in the rules which would take the power of recommending appropriations from that committee, composed of liberal-minded men in favor of river and harbor appropriations, and put it into the hands of a committee who would be for squeezing the very life out of those appropriations and cutting them to the bone. The same thing would apply to agriculture; it might apply to Indian affairs; and it might apply to many other propositions which are appropriated for by Congress.

Mr. WARREN. Mr. President, the matter of the rivers and harbors appropriations or of Indian appropriations does not lie at my door. That has already been settled by the practice which has done away with such bills. The rivers and harbors appropriations will go to the Committee on Military Affairs, and they will have the assistance of a subcommittee from the Committee on Commerce. The Senator from Mississippi must know that as to appropriation bills generally—though it may not be true of all—they are taken up first by a subcommittee composed of three or five Senators, who labor over the estimates, who take the amendments offered by Senators, and who decide finally upon what they believe would be a proper bill for the committee to report. It then goes before the full committee, and the full committee has a chance to alter it. Then it comes to the Senate, and under the rules it is open to every Senator to offer amendments to increase or decrease the amount. The power is always in the Senate finally.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Wyoming yield to the Senator from Mississippi?

Mr. WARREN. Certainly.

Mr. HARRISON. In presenting this matter, the Senator said it is merely to care for a situation which has arisen in the House, they having one committee there, and that the bills as they come here can not be separated, that it is necessary to refer them to one committee; that it is not for the purpose of getting more power for the Appropriations Committee. Would not the Senator be willing to agree to a substitute providing that as these bills come from the House they shall be referred to the Appropriations Committee, but that the provisions in the bill affecting agriculture, which I take as an illustration, be referred to a subcommittee of three, say, appointed by the chairman of the Committee on Agriculture and Forestry from members of that com-

mittee, who shall sit with the Appropriations Committee of the Senate, to report the bill back to the Senate, the same plan to be followed with respect to military affairs?

Mr. WARREN. If I understand the Senator correctly, that is what the new rule proposes.

Mr. HARRISON. No; the rule proposes that the Appropriations Committee shall consider the proposition with three members who are to be appointed from the Committee on Agriculture and Forestry, for instance, if it is an agricultural matter, who are to sit with the Appropriations Committee. What I am suggesting is to allow a subcommittee of three members from the Appropriations Committee to sit with the full Committee on Agriculture and Forestry, for instance, and let the chairman of the Appropriations Committee then make the report to the Senate.

Mr. WARREN. I think I get the Senator's idea.

Mr. HARRISON. That would obviate the difficulty.

Mr. WARREN. That still would confuse matters. So far as the chairman of the Committee on Appropriations is concerned he wishes to say now distinctly—and this applies so far as his committee is concerned, as he understands it—that he is willing to take three men from any one of the appropriating committees, and add one or two or three from the general Appropriations Committee, as many as may be necessary for a subcommittee, and let that subcommittee do exactly as it would under the old committee plan so far as building up a bill is concerned, which then could be presented to the full committee exactly as other bills are.

Following the usual custom those bills are almost invariably accepted, with possibly two or three or four minor changes. For instance, there was a bill only day before yesterday, comprising over 100 pages, and containing a great many items, which had been worked on faithfully by a subcommittee. They called the witnesses and took the testimony and proceeded without interference on the part of the balance of the committee. The whole committee was then called together and, after two hours' consideration, during which time not a penny was added, not a penny was taken off, and no change was made except in one or two places where it was considered better by the subcommittee itself to make changes in language, the bill was ordered reported to the Senate. The fear which the Senator entertains is, in my judgment, without foundation, because it is not, I repeat, that the committee wants the power of controlling except to see that in our bills we do not duplicate what may be contained in other bills.

If the Committee on Agriculture and Forestry, as the Senator suggests, has a subcommittee looking after some item of appropriation, and another committee is handling a similar appropriation, and it has passed the committee as reported from the Budget, or whether reported from the Budget or not for that matter, and those matters should come up from the Committee on Agriculture and Forestry and the other committee, it would be the duty of the chairman of the Committee on Appropriations simply to call it to their attention to avoid duplication. On the other hand, if the Agricultural Appropriation Committee had covered the matter it would be the desire, as well as the duty, of the Appropriations Committee to see that the item was not duplicated in any other bill.

In other words, it is the desire that there shall be one place somewhere where the purposes of the Budget may be carried out, and, on the one hand, not marred by not allowing all that is necessary to run the Government, and, on the other hand, not made ineffective by pyramiding, duplication, and the kind of lapping over that might occur. That is all there is to it.

So far as that is concerned, if the Senator from Mississippi feels that three men are not enough from the Committee on Agriculture and Forestry or any other committee, I personally would have no objection to having five instead of three.

Mr. CARAWAY. Mr. President, will the Senator permit me to ask a question?

Mr. WARREN. Certainly.

Mr. CARAWAY. I do not know that it is important at all, but if the rule is adopted or if the rule now is that the chairman, we will say, of the Committee on Agriculture and Forestry and two members to be selected by the chairman of that committee shall constitute a subcommittee, that gives the chairman the right to select members of his own party. The effect of it would be to deny the minority party any representation at all on the subcommittee which would consider the appropriation.

Mr. WARREN. Oh, no.

Mr. CARAWAY. He would have that power. That is what the proposed rule says.

Mr. WARREN. The chairman of the committee is allotted the power to appoint his own subcommittees, as a usual thing, and to select whomsoever he chooses. I know of no chairman of any appropriating committee, either now or ever before, who has undertaken a practice of the kind suggested by the Senator. It has always been true that the minority have been allowed what is due them, and they would be allowed it in this case.

Mr. CARAWAY. If the Senator will pardon me, the Committee on Ways and Means in the House right now are excluding every Democratic member from the consideration of measures pending before that committee, as I am informed.

Mr. WARREN. They have followed exactly what the Democrats established as a precedent. Then, too, that is not an appropriating committee.

Mr. CARAWAY. I know, but they contemplate appropriations.

Mr. WARREN. Oh, no.

Mr. CARAWAY. What harm would it do to give to the minority a certainty of representation?

Mr. WARREN. There is a certainty, just as sure as the sun rises and sets, that the chairman is going to select one of his own party and one of the opposition party.

Mr. CARAWAY. Then what is the harm in saying it?

Mr. WARREN. There is no harm, but it is entirely unnecessary. Another thing I wish to assure the Senator is that the three men are expected to be the chairman and a Republican and a Democrat. It would be my duty—and I should follow it invariably unless sickness or something prevented it—in the first place to add another Democrat and another Republican. That would give three Republicans and two Democrats, which is giving the Democrats more than the number they are necessarily entitled to have for representation as their proportion.

Mr. CARAWAY. If the Senator will pardon me, and let me do what I do not believe a good Democrat ought ever to do, or ought rarely to do, I will say that I believe absolutely the Senator, as long as he is at the head of the Committee on Appropriations, would be more than just. But in the course of things parties change and the political complexion of the Senate changes. Personally, I do not apprehend the thing could happen that I suggest might happen. I do not think it would, but we are fixing a standing rule of the Senate now.

Mr. WARREN. It could be changed at any time.

Mr. CARAWAY. Oh, we could change it.

Mr. LENROOT. Mr. President——

Mr. WARREN. I yield.

Mr. LENROOT. I merely wish to inquire whether the Senator is afraid some future Democratic chairman might not appoint any Republicans?

Mr. CARAWAY. Oh, no. I would be very much afraid if the Senator from Wisconsin were at the head of the committee that no Democrat would be apopinted.

Mr. BALL. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Wyoming yield to the Senator from Delaware?

Mr. WARREN. Certainly.

Mr. BALL. I would like to ask the chairman of the Committee on Appropriations if the Committee on the District of Columbia ought not to be included with the other committees? As chairman of the Committee on the District of Columbia, I find that I am very much handicapped in not being in touch or having anyone present at the District Committee meetings who is in touch with the Appropriations Committee, which makes appropriations for the District of Columbia. I think always heretofore the chairman of the District of Columbia Committee has been a member of the Appropriations Committee, but at present he is not.

Mr. WARREN. So far as that is concerned, the District of Columbia has always come to the Committee on Appropriations for appropriations, and it is only by accident that the chairman of the District Committee should have been a member of the Committee on Appropriations.

Mr. BALL. That is true.

Mr. WARREN. But I agree with the Senator that the District of Columbia Committee should have great influence with the Appropriations Committee. However, that is out of the power of the chairman of the Committee on Appropriations, because I am not a member of the Committee on Committees, which appoints the members of the committees, and that is not an appropriating committee.

Mr. BALL. I would like to ask the Senator if he would have any objection to an amendment to the resolution which would include the District of Columbia Committee?

Mr. WARREN. That will lead us into confusion. There is now one of the most virile and powerful Senators in this body who is a member of the Appropriations Committee and a member of the District of Columbia Committee. I refer to the Senator from Washington [Mr. JONES].

Mr. BALL. That is true, but the Senator from Washington is also chairman of the Committee on Commerce, and his duties there of course are very heavy and a great deal of his time is taken up there, although he is very active in the District Committee.

I would like to ask if there is any other appropriations committee—I mean committee that has charge, not of the appropriations, but of the legislation—that is not included in this, such as the District of Columbia Committee?

Mr. WARREN. Oh, yes; there are a number of such committees.

Mr. BALL. Similar to the Committee on the District of Columbia?

Mr. WARREN. There are a number of committees which provide for expenditures and which have nothing to do with the appropriations when the Appropriations Committee takes those matters up. The Senator, I think, overlooks the fact, as I think a great many other Senators do, that it is not taking power in any degree from any one of these committees, but really gives them more power, because it ties the hands of the Committee on Appropriations so that it is impossible for them to legislate.

I will call the attention of the Senator to one matter. The Senator has been of great value as chairman of the District Committee and has the backing not only of his own party but of the Senate. A short time ago he passed a bill through the Senate that had been waiting for some time, which, under the rule, made it subject to reference to the Committee on Appropriations. Inside of 36 hours the item was placed in an appropriations bill by the Committee on Appropriations.

We want to divide such matters and have the Appropriations Committee have nothing but the appropriating to do under the law. We want the other committees—the District of Columbia Committee, the Committee on Military Affairs, the Committee on Naval Affairs, and all of them—to continue to legislate and have charge of matters of legislation. For instance, take the Committee on the Judiciary, where they have control of all the judges and all the courts of the country and everything of that kind. Every dollar of that is handled by the Committee on Appropriations.

Mr. BALL. I should not think the Judiciary Committee and the appropriations through which they provide for the judiciary would be a proper comparison with the District of Columbia Committee, which really has the affairs of the District of Columbia under its control. The appropriations for the District of Columbia vary, running into every phase of municipal government, while the appropriations granted by the Judiciary Committee are principally for salaries.

Mr. WARREN. I wish to say further to the Senator that there is no loss of power to his committee. In addition to the Senator from Washington [Mr. JONES], he also has the Senator from Kansas [Mr. CURTIS], who, as chairman of the subcommittee, was in charge of that matter and would be hereafter.

Mr. BALL. I am not fighting for power; but all these appropriations for the District of Columbia are sent to me, and I necessarily have to hunt up the Appropriations Committee, as the situation now is. However, if I am always to know just what these conditions are when these matters were coming up, I should have some intimate touch with the workings of the Appropriations Committee itself.

Mr. WARREN. No; not with the Appropriations Committee, because the commissioners have to come through the Budget system and have their estimates come down to us that way. All of that has to come from the Budget Bureau. I think the Senator will understand that his advice there is, of course, always taken, or should be.

Mr. BALL. I hope the chairman of the Committee on Appropriations realizes that the chairman of the District of Columbia Committee is in a measure held responsible for all legislation and appropriations affecting the District. He receives the censure, at least, for failure.

Mr. JONES of Washington. Mr. President, if the Senator will permit me, I hope he will give careful consideration to the suggestion of the Senator from Delaware. When the matter was called to my attention it struck me very favorably. It seemed to me that the District of Columbia Committee is very much on a plane with the other appropriating committees, except that for some reason—I do not know what—the District of Columbia Committee has not heretofore been making appropriations for the District of Columbia. For instance, the Committee on Indian Affairs has been appropriating for Indian matters, the Committee on Agriculture and Forestry has been appropriating for agricultural matters, the Committee on Military Affairs for military matters, and so on, but the District of Columbia Committee has not been appropriating for District of Columbia matters. It does seem to me that on account of the intimate relationship——

Mr. WARREN. I am inclined to think there are more than two members of the District Committee who are also members of the Committee on Appropriations.

Mr. JONES of Washington. That may be true, but that only happens so.

The other members of the District of Columbia Committee who are on the Appropriations Committee only happen to be there. We are going to provide by this proposed rule not that those members of the Agricultural Committee, for instance, who happen also to be on the Appropriations Committee shall stay there, but we are going to provide absolutely that there must be three members of the various appropriating committees on the Appropriations Committee. It might well happen in the future that the two members of the District Committee who are now also on the Appropriations Committee would cease to be members of the District Committee, and, therefore, then, there might be no representation of the Committee on the District of Columbia on the Appropriations Committee. I merely wanted to appeal to the Senator very carefully to consider the suggestion, because it does seem to me that it would be a mighty good thing when the District of Columbia appropriation bill is being considered to have the chairman of the Committee on the District of Columbia and two other members of that committee on the Appropriations Committee, just the same as it is proposed to provide representation for the other committees. I believe that if the Senator from Wyoming will reflect upon the suggestion it will appeal to his judgment.

Mr. WARREN. Mr. President, I do not have to pinch myself because I have already given considerable thought to the suggestion. However, if the matter might stop there, it would be one thing, but just where would the Senator from Washington have it stop? Other committees have just as much right to ask for representation on the Committee on Appropriations as has the Committee on the District of Columbia, and really they have more right because other appropriation bills have been taken entirely away from other committees which have heretofore handled them.

Mr. JONES of Washington. I wish to suggest to the Senator from Wyoming that every committee which deals with a particular subject in connection with which an appropriation bill is considered is by this proposed rule to be given representation upon the Committee on Appropriations except the Committee on the District of Columbia.

Mr. WARREN. No; the Senator from Washington is mistaken about that.

Mr. JONES of Washington. I should like to have the Senator from Wyoming name a committee which is interested in an appropriation bill, as is the District of Columbia Committee, to which it is not proposed to give representation on the Committee on appropriations.

Mr. WARREN. There are several such committees—for instance, the Committee on Indian Affairs, the Committee on Pensions, and some others.

Mr. JONES of Washington. The case of the Committee on Pensions, of course, is entirely different, and so far as the Committee on Fortifications is concerned, I did not know that we had a Committee on Fortifications; I do not think we have.

Mr. WARREN. We have had until a very recent day.

Mr. JONES of Washington. Not for two or three years. When we abolished the smaller committees we abolished that committee, because it had never acted and never had anything to do.

Mr. WARREN. I know the Senator from Washington desires to be correct. That committee has until recent times been in existence.

Mr. JONES of Washington. It was a committee of the Senate until we abolished the minor committees.

Mr. WARREN. No; that committee was not abolished as being a minor committee.

Mr. JONES of Washington. I beg the Senator's pardon. I think the Senator is mistaken. I think he will find that it is true that the Fortifications Committee was abolished by the resolution of the late Senator Knox, of Pennsylvania, when we reduced the number of committees; but previous to that time, of course, everyone recognized that the Fortifications Committee was purely a minor committee and simply for the purpose of furnishing a chairmanship.

Mr. HARRISON. And it never did report bills carrying appropriations?

Mr. JONES of Washington. Oh, no; it never did that. However, the case of the District Committee appeals so strongly to me, and it seems so clear to me that that committee bears exactly the same relation to the District of Columbia appropriation bill as the Committee on Agriculture bears to the Agricultural appropriation bill, that I thought the proposition of the

Senator from Delaware [Mr. BALL] should receive favorable consideration.

Mr. WARREN. The difference is that the Committee on Agriculture does not happen now to have any member on the Committee on Appropriations.

Mr. JONES of Washington. I understand that, but the adoption of the proposed rule insures that the Committee on Agriculture will have representation on the Appropriations Committee.

Mr. WARREN. The Committee on Public Buildings and Grounds is another instance. I have served on that committee for some twenty-odd years, and that committee has never had a place on the Committee on Appropriations except as some Senator might be a member of both committees. That committee reports bills involving the expenditure of great sums of money, just as does the Committee on the District of Columbia, and the Appropriations Committee provides the appropriations.

I have no prejudice against the Committee on the District of Columbia; on the contrary, I am for the most liberal treatment always to the District and to the committee that represents it; but this being a proposed change of the rules, I should feel as if the Committee on Rules, which has this entire matter in charge, would hardly feel that I had confined myself to the intent of the resolution should I now yield to these various suggestions of Senators.

I have no personal objection, of course, to the proposed increased representation.

Mr. JONES of Washington. I wish to say that, of course, no question may be made in regard to the friendliness of the Senator from Wyoming to the District of Columbia. I can testify to that from my experience with him on the Appropriations Committee.

TITLES ON TABLETS AND OTHER MEMORIALS.

The VICE PRESIDENT laid before the Senate House concurrent resolution No. 49, which was read as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 5013) entitled "An act to authorize the Secretary of the Navy to sanction the use of certain titles on tablets and other memorials," the Clerk be authorized and directed to enroll the title so as to read as follows:

"An act to authorize the Secretary of the Navy to sanction the inscription of titles upon certain monuments, tablets, or other memorials."

Mr. POINDEXTER. Mr. President, the correction proposed in the resolution has been made necessary by reason of an oversight on the part of the Senate in failing to amend the title of the bill therein referred to in order to conform to the amendment which was adopted in the Senate. I move that the Senate agree to the concurrent resolution of the House of Representatives.

The resolution was considered by unanimous consent and agreed to.

AMENDMENT TO ARMY APPROPRIATION ACT.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2492) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes," approved June 30, 1921, which was, on page 1, line 13, to strike out "a price" and to insert "average current prices."

Mr. WADSWORTH. Mr. President, the amendment of the House of Representatives to the bill, in my humble judgment, does not change the meaning or intent of the bill in the slightest degree. It simply substitutes for the words "a price," as used in the Senate print, the term "average current prices." I can see no essential difference between the two phrases, and for one I am perfectly willing to concur in the House amendment. I have not had an opportunity to discuss this matter with other members of the Military Affairs Committee, but the fact is as I have just stated it. I therefore move that the Senate concur in the House amendment.

The motion was agreed to.

HOUSE BILL AND JOINT RESOLUTION REFERRED.

The following bill and joint resolution were each read twice by title and referred to the Committee on Military Affairs:

H. R. 8475. An act to relieve enlisted men affected thereby from certain hardship incident to the operation of the proviso of section 4b of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, and to protect disbursing officers in connection therewith; and

H. J. Res. 263. Joint resolution authorizing the purchase of land for cemeteries for American military dead in Europe and the improvement thereof.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, to amend the standing rules of the Senate, so that all general appropriation bills shall be referred to the Committee on Appropriations.

Mr. WADSWORTH. Mr. President, I had intended opening my remarks this afternoon with observations of a general character; but just as the joint resolution which just came over from the House was being referred to the Military Affairs Committee it occurred to me that it furnished an excellent example of the confusion of our appropriating system. The House joint resolution referred to provides appropriations for the purchase of land in France for the extension and improvement of the cemeteries in which our soldier dead are buried. It so happened that I was on my feet at the time it was handed down, and the Vice President—if I may violate a confidence to this extent—nodded toward me, and I said, sotto voce, that the bill might well be referred to the Committee on Military Affairs; yet, Mr. President, as a rule, except in times of emergency, all bills dealing with the purchase of real estate for the Army have gone to the Committee on Appropriations, although at times they have gone to the Committee on Military Affairs. No one knows exactly why that changing course is adopted.

In the discussion which has thus far taken place I have heard some contention to the effect that the theory followed by the Senate in referring appropriation bills was consistent. I regard it as far from consistent. I am not acquainted, of course, with the legislative history of appropriation bills which have gone to other committees of the Senate, but I am somewhat familiar with the legislative history and customs relating to the bills which have been referred to the Committee on Military Affairs, and to certain other bills not referred to the Committee on Military Affairs which none the less affect the Military Establishment. My opportunities to observe this situation have been such as to convince me that there is no consistency in practice at all, and I think we need not disturb ourselves as to the proposal suggested by the Committee on Rules on the ground that there is any inconsistency about it, for, as a matter of fact, it is far more consistent than our present system.

Mr. President, I wish to cite a few examples. For many years back the Army appropriation bill, as every Senator knows, has been referred to the Committee on Military Affairs. That bill carries all the appropriations for the pay and allowances of the officers and men of the Army, for their clothing, their subsistence, and for a considerable proportion of their supplies other than clothing and subsistence. Among those supplies, for example, are rifles and machine guns. The appropriations for those articles go to the Committee on Military Affairs, while the appropriations for Field Artillery guns and the ammunition for Field Artillery guns do not now go, and never have gone, to the Committee on Military Affairs.

Mr. WARREN. And the same thing is true as to the guns for the Coast Artillery.

Mr. WADSWORTH. Yes; appropriations for such ordnance have gone to the Committee on Appropriations under the heading of the fortification bill. So we have one committee, the Committee on Military Affairs, providing for the purchase of rifles and small arms ammunition for the troops, and another committee providing for the purchase of field artillery and its ammunition for the same troops, and neither committee knows what the other committee is doing. Some of us on the Military Affairs Committee have endeavored to ascertain what were the prospects for Field Artillery equipment at the hands of the Appropriations Committee, but at the time we would make our inquiry the bill might not have reached the Appropriations Committee at all and we would have to go ahead without that information.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. WADSWORTH. Yes.

Mr. NORRIS. The Senator has just disclosed a very interesting situation, namely, that for the same troops some of their arms are appropriated for by one committee and some by another committee.

Mr. WADSWORTH. Yes.

Mr. NORRIS. I want to ask the Senator—and I presume he intends to cover the point directly—if it is not true that the amount of artillery, for instance, or of small arms, might depend to quite an extent upon the other weapons for which appropriations are provided by another committee? Is not that true?

Mr. WADSWORTH. No, Mr. President, because there may be a change in the type of arms, necessitating a complete re-equipment of some branch of the service with offensive weapons.

Mr. NORRIS. Let me see if I understand the Senator.

Mr. WADSWORTH. Some weapon may become obsolete, and the committee which has charge of the appropriations for purchasing that weapon might agree with the experts who come before it and assent to the proposition that an additional or special appropriation be made to reequip that branch of the service with a newer weapon, and while we are doing that we ought to know what some other committee is spending for those same troops for another offensive weapon, but we never do know.

Mr. NORRIS. That is the question I am asking the Senator. I do not believe he quite understood me, or, perhaps, I did not make my question plain. Does the amount that the Military Affairs Committee may now appropriate for troops depend in any degree upon the amount which may be appropriated by the Appropriations Committee?

Mr. WADSWORTH. It does not to-day, but I think it should. That is the trouble.

Mr. NORRIS. If it should, of course, it all ought to be done by one committee.

Mr. WADSWORTH. Certainly; so that we will know how much our Army is costing us.

Mr. NORRIS. Then it is because it is done by two different committees that the proper efficiency is not maintained, or the proper relationship between the arms and munitions is not maintained.

Mr. WADSWORTH. That is true. That is the difficulty, and that is the difficulty—if I may use the expression—that I am inveighing against.

Mr. NORRIS. I am agreeing with the Senator entirely.

Mr. WADSWORTH. It does not halt there, however. Up to this year there has been a sundry civil appropriation bill. The military authorities desire a new barrack built to house the troops which are paid for under appropriations made, we will say, by the Military Affairs Committee; but the appropriation for that barrack does not come to the Military Affairs Committee. It is contained in a flotsam and jetsam of items in the old sundry civil bill and goes to the Committee on Appropriations.

Mr. WARREN. Or it did go there.

Mr. WADSWORTH. It does now, under our present custom, which has not yet been changed.

Mr. WARREN. In the bill which will come in it will not be that way.

Mr. WADSWORTH. But we are speaking now of the situation as of to-day, assuming that we are not going to change anything.

Mr. WARREN. Yes.

Mr. WADSWORTH. If the military authorities regard it as necessary, and persuade a sufficient number of Senators or appropriate committees, that a fortification be erected at the harbor of Portland, in the State of Maine, two or three elements instantly are involved. One of them is the men to man the fortification. That matter, of course, affecting the strength of the Army and the pay of enlisted men and officers, goes to the Military Affairs Committee. The purchase of the guns to equip the fortification is carried in the fortifications bill and goes to the Appropriations Committee. The appropriation for the purchase of the land is carried in the sundry civil bill and goes to the Appropriations Committee. The ammunition for the guns is carried in the fortifications bill and goes to the Appropriations Committee. Neither committee knows what the other is doing; at least, it is exceedingly difficult for us to get together and have any teamwork. More than that, all the civil-service employees of the War Department, with the exception of one class which I shall mention, are provided for as to salaries, or were provided for as to salaries, in the legislative, executive, and judicial bill—men employed solely in connection with the Army, with nothing else on earth to do except work for the Army. The Military Affairs Committee knew nothing about it. There is, however, one class who are nevertheless civil-service employees, doing clerical work, who are carried in the Army appropriation bill, and those are the clerks in the office of the Chief of Staff and in the headquarters of corps areas—appropriations amounting to many thousands of dollars. There is one great class of employees, all under the civil service, all doing clerical work, all of them working for the Army exclusively, and they are cared for in two separate bills. So let me suggest that to-day, so far as the military activities of the Government are concerned, there is no consistency whatsoever. It is split up and confused.

I have mentioned this in part on prior occasions before the Senate and have uttered it as my purely personal opinion that all the appropriations for the support of the Military Establishment should go either to the Military Affairs Committee or to the Committee on Appropriations. I think the correctness of that theory, at least, can not be successfully denied. I have often talked about it with the chairman of the Committee on Appropriations, the Senator from Wyoming [Mr. WARREN]. Members of the Military Affairs Committee other than myself have talked with him about it. We have been somewhat fortunate, and I will say rather more than fortunate, in the fact that the Senator from Wyoming happens to be a member of the Military Affairs Committee; but his duties as chairman of the Appropriations Committee are so onerous that it is exceedingly difficult for him to sit in hour after hour with the Military Affairs Committee and keep us informed of what his committee is doing on closely related topics. We do find—and I think the Senator from Wyoming will bear me out in this—that when some influence brought to bear upon his committee in behalf of an appropriation for some especial project fails to persuade his committee, that same influence is quite often attempted on the Military Affairs Committee, and quite often we do not know that the Appropriations Committee has denied it.

Mr. WARREN. Mr. President, not only is that so, but at times when we add some restriction to an appropriation, they will go to the Committee on Military Affairs and by some legislation wipe out that restriction, or the other way. If a restriction is made to protect the appropriations of the Military Affairs Committee they come to us; and so we have to keep a closer watch, and it is the duty of the Appropriations Committee to do that. Sometimes, however, the item comes in by some member of the Committee on Appropriations, and goes through so quickly that it can not be helped. I think the Senator from New York will remember that as to automobiles we once or twice had some legislation, and it was immediately wiped out through some other committee.

Mr. WADSWORTH. Yes.

Mr. President, the present situation is exceedingly difficult. I speak only for myself, sir. I do not rejoice in this change as freely as I would if it could be done in a somewhat different form. This whole question of the budget is new in America. It never has been installed on a large scale, nor has it as yet been attempted to apply the theory of a budget upon a Government in this country whose ramifications and complications approach in extent and in degree the ramifications and the complications of the Federal Government. The truth of the matter is that the Federal Government has become so complicated under our hodge-podge way of carrying it on, its ramifications have reached such an extent, and its undertakings have become so huge that I venture to say, with all respect to my colleagues in the Senate and to other public officers, that there is not a man alive to-day, from the President down, who understands and comprehends the Government of the United States. It is beyond the ken of individuals, or of any individual, as at present organized.

Now we are in the midst of a tremendous effort, and a well-intended effort, to improve its organization, to group its activities in such a way that the public at large can see them displayed in the broad light of day, and to bring about a condition of affairs, if such a thing is humanly possible, where the average citizen will know something about what his Government is doing with his money.

I regard the budget theory as a most important step in that direction. It is not going to be perfect in its operation, Mr. President, perhaps not as nearly perfect as some of its most optimistic supporters have expected. Its success will be limited from time to time by the ability and the motives of those who operate it. Even if we concede, however, that human nature and human beings never can reach absolute perfection, I think we must admit that if we erect a piece of machinery capable of being operated by human beings of average intelligence, which does so arrange things that not only all the membership of the Congress but the average taxpayer can understand what is going on, we at least have taken a step which will make it possible for the complications and the ramifications of our Government to be simplified. So, Mr. President, I have viewed with high hopes—not with absolute confidence of its perfection, but with high hopes—the installation of a budget system.

Mr. President, I hesitate to inflict upon the Senate a hobby, or any pet idea that I may have; but I venture to ask your indulgence for just a moment in a brief discussion of the legislative side of this budget work.

Speaking with entire respect for the great legislative body that sits at the other end of the Capitol, I experienced some degree of disappointment in the manner in which they went about applying the budget system to their legislative procedure. I had entertained the impression—which I can not boast was based upon exhaustive study, but which perhaps was instinctive—that a practical way toward applying a budget system to a legislative body in the matter of appropriations would be the

establishment of a central committee—call it the budget committee, if you please—which should decide how much money in the aggregate might be spent in a fiscal year, and, having decided how much money in the aggregate might be spent, that committee should thereupon apportion fixed maximum amounts to the standing committees still existing having in charge the appropriation bills for the several branches of the Government.

Mr. WARREN. Mr. President, I may say to the Senator right there that that could not very well have been done this year for the appropriation bills, because of the lack of revenue legislation.

Mr. WADSWORTH. Of course not.

Mr. WARREN. There is a quite large line between what we may collect and what we may not collect, but I understand that it is right in line with the principle and idea of a budget that there is to come in some form from the Budget, either through a committee or through the President, a statement of the whole amount of money that is expected, and some indication of the recommendation as to how it may be divided. That is a part of the plan, and we shall have to wait for it.

Mr. POINDEXTER. Mr. President——

Mr. WADSWORTH. Before I yield to the Senator from Washington, let me say that I did not mean to give the impression that I was complaining of or criticizing the action of the House in erecting the machinery which they did erect.

Mr. WARREN. Oh, no; I understand that.

Mr. WADSWORTH. I imagine that under the peculiar circumstances, faced as they were with a situation very difficult to calculate as to income and outgo, the system they did erect was the one which could most promptly meet the exigency. I was merely expressing my disappointment, and discussing it in a somewhat academic sense, in that the situation was such that a truly budget system as applicable to a legislative body was not, in my judgment, actually established.

Mr. POINDEXTER. Mr. President, I may have misunderstood the Senator from Wyoming in his colloquy with the Senator from New York; but, as I understood him, his suggestion of a budget organization was one that would come from the President, from the executive branch of the Government.

That, of course, involves the fundamental principle of this whole controversy. It is entirely different from the suggestion which has just been made by the Senator from New York, as I understood him; and I may say that some time ago, as much as a year ago, I offered a resolution for a rule somewhat along the lines suggested by the Senator from New York providing for a budget committee.

I understand the Senator from New York to suggest a budget committee in the legislative branch of the Government, not in the executive branch. What has the executive branch of the Government to do with appropriations, with appropriating money?

Mr. WARREN. If the Senator will read the Budget law, he will find that it provides definitely that the President must convey to us the finding of the Budget Bureau.

Mr. POINDEXTER. I am not talking about the Budget law. It is the so-called Budget law; but we are talking about a proposed new Budget arrangement, not included in the present law at all, and the Senator from Wyoming seems to go back again to the old idea, which was the limit and the extent of the so-called Budget law, that Congress has to depend upon the various bureaus and executive officials of the Government to direct and inform it about the Budget of the Nation, which really means the amount of money that is to be raised from the people by taxation, on the one hand, and the amount that is to be expended and the purposes for which it is to be expended, upon the other hand.

It is a fundamental displacement of the constitutional departments of the Government to embody any such idea in the question of the Budget, which has been discussed and which is being discussed now. Congress is the place where the Budget should be made up. This is the place, consequently, where the Budget organization ought to be, and I agree entirely with the Senator from New York in his suggestion of a separate Budget committee. But that will not be accomplished, and that need will not be fulfilled, by any sort of an official or committee of the executive branch of the Government. It will have to be in Congress.

Mr. WARREN. In reply to that, this is probably not the time to treat that matter as the Senator suggests, but the various committees now go as far as they can to give us the benefit of their study and their idea as to what we ought to expend for the various purposes. The Bureau of the Budget figures the necessities, and the House committee, so far as it is concerned, has very seldom gone above those estimates, but has gone below to a very large extent; that is, they have brought out bills carrying far less than the Budget would authorize and far less than the Government can be run upon, and there is a necessity, therefore, of deficiency appropriations; but the power is still in the Senate and House, of course, to accept or reject the Budget figures. It is their business to get all the information possible and then refer to us what they believe to be the proper estimates, whereas under the old system the estimates came hit or miss, as each chief clerk of a division made them up. They came without any pruning and were hastily prepared, with the consequence that we did not have the information we have had later.

Mr. POINDEXTER. The Senator certainly would not suggest that the so-called Budget organization would have the power, for instance, to determine how much money should be expended on the Military Establishment of the country and how much should be expended upon agriculture. The determination of those questions, and, coupled with it, which is just as important or more important, in fact, the determination of how that amount of money shall be raised, and the putting of those things in the statement is the making of a budget and it can not be accomplished in the executive departments.

Mr. WADSWORTH. Mr. President, the colloquy which has just taken place diverts me for just a moment from the course of my discussion. As I look upon it, the Government of the United States might be regarded, for the purpose of discussion, somewhat in the light of a great business corporation. In the business world the president of a corporation and the vice presidents and general managers are the executives, of course, and they propose lines of policy to the body of the corporation, involving, we will say, expenditures, new investments, new undertakings, or the diminution of old undertakings. Those suggestions, with all the weight to which they are entitled, are submitted to the board of directors, who, representing the stockholders, pass upon them.

The President of the United States, and let us say, for the purpose of this discussion, the members of the Cabinet, are the executive officers of the Government. The Congress in a very true sense, I think, occupies the position of a board of directors representing the stockholders, who are the people of the United States, and it is entirely proper and entirely wise that the law should provide in mandatory fashion, if necessary, as I believe it does to-day, that the Executive, with the assistance of his subordinates, shall submit to the board of directors, the Congress, his recommendations concerning expenditures, together with estimates of income, and itemize them as far and to as great detail as seems necessary for the advice of the Congress.

As I understand it, that is the theory upon which we have embarked. The difficulty has been that the Congress was not in a position, at the time the law was passed, to erect promptly in both Houses, simultaneously, the legislative machinery for the consideration of the Budget. The House, as I understand it, found itself called upon at a moment's notice, as it were, to devise the machinery. The Senate has waited a year, in effect, without moving, and, as I was saying a short time ago, I had hoped, and I believe through a process of evolution something like this may come some day, that we should have in each House what might be truly called a budget committee, which, after examining the recommendations sent in by the Executive, should make up its mind how much money the Government of the United States should spend for the ensuing fiscal year, fix the aggregate, and again, after examining the recommendations of the Executive, make up its mind how much might be spent as a maximum for the Naval Establishment, for the Department of Agriculture, for the Military Establishment, and so on down through the list of the important Government activities, and apportion those amounts in mandatory fashion among the existing standing committees, and say to the Committee on Naval Affairs, "You can have $250,000,000. That is all you can have, unless by a suspension of the rules of the House or the rules of the Senate, as the case may be, that amount is raised. But in the preparing of your bill you must stay within that sum. You make the bill. Fix the details as you please, because the details of an appropriation bill are inseparable from policy." So on through the different standing committees.

Mr. KING. May I suggest to the Senator that you would have to supplement that policy, which I concede to be a wise one, by repealing some of the existing laws which permit various executive departments to spend without an appropriation in anticipation of getting a deficiency bill passed. They go ahead and spend, and we are confronted with deficiency bills.

Mr. WADSWORTH. Of course, those are details which do not affect the principle I am discussing.

It is perfectly apparent that that could not be done, and I hold no pride of opinion to the effect that that would be the best solution. That was merely a thought which has been

running through my mind for some years back as to the legislative practice which might be invoked.

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Wisconsin?

Mr. WADSWORTH. I yield.

Mr. LENROOT. The plan the Senator suggests I understand has been considered, and the objection has been raised that under such a plan the Budget Committee could not know, and would not know in the first instance, concerning the relative needs or the proper distribution of the total amount to be expended; but to meet that objection the suggestion has been made that with that same Budget Committee, the Appropriations Committees, as they now exist, might make their appropriation bills; but, instead of going to the House or the Senate, they must first go to the Budget Committee.

Mr. WADSWORTH. For revision?

Mr. LENROOT. For revision; and if the aggregate were in excess of the receipts, then, with the information which the Budget Committee might have, they might say to this committee: "You must pare down your bill so much, or that item so much."

Mr. WADSWORTH. Undoubtedly, refinements and improvements of any such suggestion as that are more than possible; in fact, they are highly probable.

Mr. President, I have indulged in this somewhat academic discussion, and do not care to carry it on much longer. No matter what any of us think concerning the best way to approach this problem in the legislative branch of the Government, we are to-day confronted with a situation which, in my humble judgment, we can not dodge. We are driven to a conclusion, if I may use that somewhat emphatic expression. The House has acted, and acted in no uncertain fashion. They have made one committee to handle all appropriations, limiting its power only with respect to the recommendation of legislative proposals.

They have not even given the standing committees of the House ex officio or any other kind of representation upon their Committee on Appropriations. They have centered the power in 36 men out of a total membership of 435. A few minor adjustments were made in the committee assignments of that great legislative body in order to bring about an enlargement of their Appropriations Committee; nevertheless, no member of the Committee on Agriculture of the House, no member of the Committee on Naval Affairs of the House, no member of the Committee on Military Affairs of the House, as such, has anything to do with the making up of the agricultural appropriation bill, the naval appropriation bill, or the Army appropriation bill, and the same observation would hold good as to all their appropriating machinery to-day.

They have completely revamped and regrouped the bills themselves. They have changed their character in several instances completely. It is inevitable that great appropriation measures shall be initiated in the House. It has always been done, it always will be done, and it always should be done. We can not avoid the difficulty which is created by the revamping of those bills. There is no longer to be a sundry civil bill. The items formerly carried in that are to be scattered and regrouped in other bills. No longer is there to be a legislative, executive, and judicial appropriation bill. The items formerly carried in that are to be regrouped, scattered, and rearranged in other bills, with a new nomenclature from top to bottom. There is to be no rivers and harbors bill. The rivers and harbors items are to be included in the War Department appropriation bills. There is to be no Army appropriation bill. The funds for the support of the Military Establishment, such as I recited a little while ago, are to be in the War Department bill. There is to be no separate item in any other bill for the support of the administration of the Panama Canal; that is to be in the War Department bill. The salaries of the civil-service clerks in the War Department—and there are hundreds and hundreds of them, and they used to be taken care of in the legislative bill—are to be taken care of in the War Department bill. All the items in the fortifications bill, as we formerly knew it, is to be in the War Department bill.

The War Department bill as at present contemplated, if I read the prospectus aright, is to be the largest bill sent over here. It is to include anything and everything over which the War Department has direct or indirect jurisdiction. What is going to happen to that? We can not split it up. We can not take out the river and harbor items and send them to the Committee on Commerce. We can not take out the civil-service employee items and send them to the Committee on Appropriations and leave the pay of enlisted men and officers and other things in the Army appropriation bill as they originally appeared in the Army appropriation bill, and send them to the Committee on Military Affairs, and ever hope to get those separated elements back together again under the same original title as passed by the House. It is easy to tear these bills to pieces and distribute them to three or four committees, but we will never get them back together again.

We can not discard the identity of the original House measure. If we destroy its identity our legislative machinery halts, stops absolutely, and we will have an impossible deadlock, with no one able to do anything.

I hope we can approach the proposition entirely free from the effect upon the prerogatives or powers, so called, of individual Senators. Certainly if I were to approach it in a purely personal attitude, I could not be enthusiastic over a proposal which would seemingly deprive the Committee on Military Affairs of what some people are pleased to call power. As a matter of fact, I do not believe these proposals, in the long run, are going to deprive any committee of real power, especially when we consider that the proposed rule forbids specifically the Committee on Appropriations from proposing legislation upon appropriation bills.

So long as the standing committees retain solely for themselves the right to legislate, which carries with it the sole right to authorize appropriations in the future, the power of these committees is going to remain to all intents and purposes intact. The House has already demonstrated that in many instances. The Appropriations Committee of the House can not undertake a new appropriation unauthorized by statute. The House Committee on Appropriations must wait for the appropriate standing committee to report and for the House to pass and for the Senate to pass the amendment to the statute authorizing the Appropriations Committee, in effect, to go ahead and make the appropriate appropriations.

That system will be installed in the Senate. The proposed rule contemplates that very thing. We shall have to meet the situation within a few weeks; indeed, it should be met within a few days. We can not let things drift. We have to get in step with the procession, even though we think the procession in some minor degree does not travel the straightest road toward legislative efficiency. We can no longer travel the old road. We are completely diverted and driven from it.

For one, and speaking for myself alone, I am willing that a rule such as this should be adopted. I would not say it is perfect. The suggestion of the Senator from Delaware [Mr. BALL] is perhaps worthy of consideration, as it relates to the Committee on the District of Columbia. For one, and speaking for myself alone, I am willing to lend what effort I can exert toward the establishment of the theory that we shall make this Government of ours more efficient if we will simplify its processes. After all, though Senators may say that proposals of this kind group too much power in the hands of too few men, nothing can ever deprive the majority of the Senators from doing anything they want with any bill that is reported to the Senate by any committee.

To contend insistently that this proposal, which gives representation upon the Appropriations Committee to each of the standing committees that has ever had anything to do with appropriations is to rob sixty-odd Senators of power is in my judgment a reflection upon the intelligence and the ability of those sixty-odd Senators, who will be sitting here on the floor of the Senate anxious to promote the legitimate interests of their States and constituencies and ever able, by a majority vote in the Senate, to upset and overturn completely anything that the Committee on Appropriations does or fails to do.

I think the rule as proposed by the Committee on Rules is better than the House procedure, because it does give the opportunity for the Appropriations Committee to discuss with some of the members of the standing committee the peculiar problems which affect the appropriations which those standing committees have been accustomed for years to handle. Many of these Government services are built up upon a great body of statutes which have grown from year to year, from session to session of the Congress, slowly in some instances, rapidly in others. The standing committees have reported the bills which have resulted in the enactment of those statutes.

Standing committees know the reason for those changes. They know the history of the legislation. In my humble judgment it is essential that whatever agency we employ in reporting appropriations to the Senate, that agency shall have the advice and assistance of those other Senators who have taken part, in a greater or less degree, in the framing of legislation upon which, in the last analysis, the appropriations are based.

The proposed rule is infinitely more liberal in its provisions than the House rule. This rule gives certain recognition to the standing committees and the knowledge which those committees necessarily possess as the result of their long study and ex-

perience. The Committee on Appropriations under this rule can embark upon no new undertaking involving an appropriation until there is legislative authority for so doing, and that legislative authority must come from some one or other of the standing committees.

So, Mr. President, while I, and perhaps several others, do not believe that this is the most perfect solution of this most difficult problem, I do believe that we are compelled by force of circumstances and by the dictates of common sense to meet the situation and to clarify it in a legislative sense to the very best of our ability.

Mr. NELSON. Mr. President, I have listened to this discussion with a good deal of interest. It has illustrated the great confusion which exists among Senators in respect to the Budget system. By adopting the Budget system, as we call it, or attempting to adopt it, we adopted a foreign importation. The Budget system has only its true home and effectiveness in what we call a parliamentary system of government like that of Great Britain. There the executive department is in the hands of the ministry and the members of the ministry are members of the House of Commons and some of them members of the House of Lords.

The budget, so called, is prepared by those ministers and presented to the Parliament. It is presented to the House of Commons as the act of the collective ministry. They prepare the entire budget of appropriations. It is the plan of the Government, and when they present it to the Parliament through the House of Commons, they have that plan adopted, because they are members of the legislative branch which enacts the legislation. If they fail in carrying out their budget system, if the budget is defeated, they resign and a new government is formed.

We have attempted in this country to import the Budget system, which comes from the parliamentary system of government in England, where practically the executive department is blended in the legislative department. Here our executive department, the President of the United States, is separate and distinct from the legislative department; he has no direct voice in either House of Congress, while in the parliamentary system of Great Britain and other parliamentary countries the ministry, who are on the one hand the executive department, also control the legislative department.

We have attempted to adopt that system. We have conferred the power on the executive department to prepare, as it were, the Budget, but our executive department, unlike the executive department under the parliamentary system of Great Britain, can not come into Congress and say, "This is our Budget and we want it passed as we have formed it; we want it adopted just as we have planned it and made it." All that the executive department can do under our system of government is simply to recommend to Congress. They recommend such and such a Budget and such and such a plan.

Mr. President, we have seen fit to adopt what we call the Budget system, but we find it will not fit here exactly as it fits in a parliamentary government. There is a great reluctance in the Senate, a great reluctance on the part of those committees who have heretofore had charge of appropriation bills, to follow the plan completely. If we want to carry out the Budget system as far as is possible under our system of government we must have all appropriation bills referred to one committee, otherwise our Budget system will be a failure from end to end.

If we carry out the plan as suggested by the Senator from New York [Mr. WADSWORTH] it will be utterly destructive of any real Budget system.

When we attempted this legislation I said in a mild way, but, of course, no one paid any attention because it was to be a great reform, that it would be found that it would not work here as it does in a parliamentary government, where it had its origin. I said I was somewhat doubtful about it. In the discussion to-day and yesterday we have had a manifestation of what we might call in military parlance "die hard." Those committees which have heretofore had charge of appropriation bills "die hard." They dislike to give up their powers, and they do not appreciate the purposes and objects attempted to be accomplished by the Budget system.

Unless we want to take a backward step, unless we want to defeat the budget plan which we have adopted—and it is not a well-fitting plan under our system of government—unless we want entirely to defeat it, we must go ahead and follow the scheme outlined by the Senator from New York. There is only one way in which it is possible under our system of government, and that is to do as they have done in the House of Representatives—refer all appropriation bills to one committee. That is what we ought to do in the Senate. If we fail to do it we disintegrate to that extent the so-called budget system which we have adopted. Our only salvation, if we want to maintain that system, is to leave it in the hands of the Appropriations Committee.

For the purpose of making it easy for the other committees which have heretofore had charge of appropriation bills, the Committee on Rules, of which I am a member, concluded—and I agreed to it through the kindness of my heart and through sympathy—that when certain appropriation bills come before the Committee on Appropriations they should invite the chairman and two other members of the respective committees which had heretofore had the appropriation bills to joint with the Appropriations Committee in the consideration of those bills.

To illustrate: The Army appropriation bill which is coming in will contain appropriations for the Military Establishment. That heretofore has gone to the Committee on Military Affairs. It will contain appropriations for rivers and harbors. To carry out the plan of the amendment which we have reported, there must be three members from the Committee on Commerce—the chairman and two others—and there must be three members from the Military Affairs Committee—the chairman and two others—when the Army appropriation bill is being considered. In other words, it is proposed that the Committee on Appropriations shall have the benefit of six additional members.

This, Mr. President, seems to me to be a brake on the budget system. We agreed to it for the purpose of making it easy for the other committees which have heretofore considered appropriation bills to adopt the new plan. I hope the new system will succeed, so far as it is possible to do so under our plan of government.

The only other conceivable way in which the plan could be worked out, and by which we could more nearly approximate the British system, the parliamentary system, would be for both Houses of Congress to unite in creating a great budget committee, and leaving that budget committee, instead of the President and the executive departments, to present what might be called the budget to the two Houses of Congress. I apprehend, however, that that would not work under our peculiar system of government, where the executive department is distinct from the legislative department, our Government not being a parliamentary government. In adopting a budget system we have probably gone as far as we possibly can in providing that the executive department shall furnish us estimates as to what amount should be appropriated. In order to make the system complete, however, I do not see any other way except to follow the system which has been adopted in the House of Representatives. By adopting the amendment which the Committee on Rules has reported, as I have stated, we make the transition easier for the old appropriating committees. By and by, after we become hardened we may leave the Appropriations Committee to act entirely by itself without giving it these temporary assistants. I hope that day may come. I am in favor of a budget system, so far as we can make it work, but I have never conceded, and I do not now concede, that we can ever make it work so successfully as it can work under a parliamentary system of government.

Mr. POINDEXTER. Mr. President, personally I have no desire to oppose the rule which is proposed by the Senator from Wyoming [Mr. WARREN]. In so far as its effect upon some of the existing appropriating committees is concerned, with the provision for the selection of certain members of those committees to sit with the Appropriations Committee, I think it rather enhances than detracts from the power of those members. However, I want to ask some questions of the Senator from Wyoming concerning the form of this proposed rule. As I understand from reading it, so far as it fixes the parliamentary law governing the consideration of appropriation bills much more may be done by way of amendment to appropriation bills than the committee may originally do in framing it; that is, under the proposed rule as it is framed, a great many things may be placed in an appropriation bill from the floor which the committee itself may not place in it in framing and reporting the bill to the Senate. I fail to see the reason for that, though there may be some good reason for it. Consequently I wish to make an inquiry of the Senator from Wyoming in reference to the matter.

Mr. WARREN. What is there in the rule which gives the Senator from Washington the impression which he has stated?

Mr. POINDEXTER. I will read the language to the Senate and call attention to its effect. The first part of the proposed rule provides:

1. All general appropriation bills shall be referred to the Committee on Appropriations, and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by

the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law.

That is almost substantially and exactly the existing rule.

Mr. WARREN. It is precisely the existing rule, but——

Mr. POINDEXTER. Let me complete my question and point out the ground upon which I base my observation. Under this part of the proposed rule, which is the same as the existing rule, an amendment to a general appropriation bill will be in order, even though it adds a new item of appropriation increasing the amount, or even though it is not for the purpose of carrying out some provision of existing law, if it has been "moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law."

Mr. LODGE. That is the present rule.

Mr. WARREN. Will the Senator from Washington read the language which follows what he has just read?

Mr. POINDEXTER. It is my purpose to do that, if the Senator will give me the opportunity. The language following what I have just read reads:

The Committee on Appropriations shall not report an appropriation bill containing new or general legislation—

That is sufficient—and I think there is no qualification to that—

The Committee on Appropriations shall not report an appropriation bill containing new or original legislation.

The Committee on Appropriations is circumscribed by that unconditional provision, although when they have, in accordance with the rule, reported an appropriation bill without any new or general legislation—and that would be construed to apply to any proposed appropriation for some purpose not authorized by existing law—then any Senator on the floor of the Senate would have the authority to rise and offer an amendment providing for such an appropriation, if it had been recommended by a standing or select committee.

Mr. WARREN. A Senator has that privilege now.

Mr. POINDEXTER. Yes; a Senator has that privilege now; but the committee also has that privilege; the committee is not circumscribed as it would be by the latter part of the proposed new rule which I have read.

Mr. WARREN. The Senator is not objecting to making the restriction stronger, is he?

Mr. POINDEXTER. I am asking the Senator why it is proposed to give greater latitude to amendments to a bill on the floor of the Senate than is allowed to the committee in framing the bill?

Mr. LODGE. Mr. President, if the Senator will allow me, that portion of the proposed rule which the Senator has read is no more sweeping than the general rule which we have adopted and which now exists against general legislation.

Mr. HARRISON. Mr. President, if the Senator will permit me, there is this difference: If a point of order shall be made against some provision that is reported, if this proposed rule shall be adopted, and the point of order is sustained, the bill must be recommitted immediately; it goes back to the committee.

Mr. LODGE. Yes; that is a new provision.

Mr. HARRISON. The point of order, if sustained, would shoot it back, whereas under the present rule the bill would not go back to the committee, but the point of order would only affect that portion of the bill against which the point of order was raised.

Mr. LODGE. That is quite true, but a point of order can be made against general legislation under the existing rule, which, as the Senator from Mississippi points out, only has the effect of throwing out the particular item. Under the proposed new rule, however, such a point of order, if sustained, will carry the whole bill back to the Committee on Appropriations.

Mr. NORRIS. Mr. President, this rule, if the Senator will permit me, if adopted, would really have the effect of keeping legislation off appropriation bills, so far as the committee is concerned——

Mr. LODGE. Absolutely.

Mr. NORRIS. Because the penalty will be so severe as to dissuade the committee from taking such action. Under the existing rule the penalty is nothing but a rejection of the particular item, and that does not injure the bill in general, but if the proposed rule were adopted the Committee on Appropriations, as I look at it, would be shorn of the only power which they have which involves any danger.

Mr. WARREN. The only thing that could be done in that case would be for some member of the committee or some Member of the Senate to ask unanimous consent to offer the amendment.

Mr. NORRIS. Yes; it would require unanimous consent.

Mr. WARREN. An item of the kind the Senators have in mind could not come before the Senate in a bill as reported from the committee.

Mr. HARRISON. Mr. President, if the Senator will permit me, could not the committee directly authorize some one of its members to offer an amendment, giving one day's notice under the rule of a motion to suspend the rules; in that way put the provision in the bill; and then the rule would not operate to send the bill back to the committee?

Mr. NORRIS. That would have to be done in the Senate; the committee could not do that. Why should not the Senate, when it has the bill before it, handle it as it pleases? As I understand, what Senators are afraid of and what we want to avoid if we can, is reposing too much power in the hands of the Appropriations Committee. The proposed new rule does add to their power, for it gives them the consideration of a greater number of appropriation bills, but at the same time, as I look at it, it takes away every particle of power that is in any wise dangerous.

Mr. WARREN. The Senator is absolutely right, and that is the intention of the proposed rule.

Mr. NORRIS. Yes.

Mr. POINDEXTER. But the Senator from Nebraska, I think, will agree with me that that is still subject to evasion. Under the first section of the proposed new rule, which is the same as the existing rule, if the Senate, for instance, had adopted a resolution authorizing an appropriation, even though that appropriation be contrary to existing law, it would be in order by way of amendment. That conclusion can not be escaped.

Mr. NORRIS. It would be in order by way of amendment in the Senate.

Mr. POINDEXTER. Of course, the committee may offer an amendment as well as the Senator; so that we are in this curious situation, that in the framing of a bill the committee would not be allowed to put in an amendment carrying an appropriation which was contrary to existing law, but after the bill had been reported it could offer an amendment, notwithstanding the fact that it was contrary to existing law, if it had been authorized by resolution or bill adopted by the Senate or on motion of a standing or select committee.

Mr. NORRIS. Yes; but that would have to be done in the Senate; it would take place in the Senate; that is not a power that is given to the committee.

Mr. POINDEXTER. Not at all. Why should there be any more latitude in offering amendments given to Senators on a committee on the floor of the Senate than in framing the bill originally?

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. POINDEXTER. Yes.

Mr. LENROOT. May I suggest to the Senator that if an amendment containing general legislation is offered it is still subject to a point of order and would have to go out?

Mr. POINDEXTER. I do not agree with the Senator as to that. The proposed rule makes an exception of items of appropriation authorized by resolution of the Senate. It says, in substance, "unless authorized by resolution."

Mr. LENROOT. Yes; but if it is general legislation the second paragraph of the rule covers it. That paragraph provides that no general legislation shall be received on an appropriation bill if a point of order is made against it.

Mr. POINDEXTER. The second paragraph does not cover it, I beg the Senator's pardon.

Mr. LENROOT. The second paragraph of the rule.

Mr. POINDEXTER. The second paragraph of the rule simply is an inhibition upon the committee in reporting the bill.

Mr. LENROOT. Oh, no; I said the second paragraph of the rule:

No amendment which proposes general legislation shall be received to any general appropriation bill.

Mr. POINDEXTER. "Unless" it contains a proviso.

Mr. LENROOT. No; it contains no proviso. I am speaking of the second paragraph of the existing rule, Rule XVI, not the paragraph of the rule that is before the Senate.

Mr. LODGE. The rule as to general legislation on appropriation bills.

Mr. LENROOT. Certainly.

Mr. POINDEXTER. Of course, that is subject to the exception and proviso in the first paragraph of the rule.

Mr. LENROOT. Oh, no. It has been uniformly held that if any amendment is in fact general legislation, even though reported by a committee and even though estimated for, it is subject to a point of order and must go out.

Mr. LODGE. That is the rule to-day.

Mr. LENROOT. Yes; certainly.

Mr. POINDEXTER. That is not the rule as stated in the proposed rule which we are now considering.

There is another thing that I should like to ask the Senator from Wyoming. What is meant in this rule by "new legislation"?

The Committee on Appropriations shall not report an appropriation bill containing new * * * legislation.

Every appropriation bill is new legislation. The bill itself is new legislation.

Mr. WARREN. No; the idea is that it would be new legislation in that particular bill. That would make it legislation that would be new.

Mr. POINDEXTER. We can not pass an appropriation bill without enacting new legislation. Every item of the appropriation is new legislation. The bill itself is legislation.

Mr. WARREN. No; the bill itself simply provides money for carrying out the provisions of bills already passed and called for under the law.

Mr. POINDEXTER. The Senator certainly will admit that an appropriation bill is legislation—a legislative act?

Mr. WARREN. Only so far as it is allocating the money in the Treasury to carry out the laws of the Congress. That is what it should be, and that is what it is intended to be. That there has been legislation on appropriation bills is true, and especially during war times; but it has always been in the power of anyone on the Senate floor or the House floor to stop it.

Mr. POINDEXTER. I assume that what is meant by it is that it should not be such legislation as to change existing law.

Mr. WARREN. It should not create legislation; that is it, exactly.

Mr. POINDEXTER. But it seems to me the expression "new legislation" is rather inappropriate.

Mr. LODGE. The House phrase is "changing existing law."

Mr. POINDEXTER. I want to call attention to a definition of a budget, in so far as it applies to legislative matters, contained in the Century Dictionary:

In Great Britain the annual financial statement which the chancellor of the exchequer makes in the House of Commons, sitting as a committee of ways and means. In making this statement the minister gives a view of the general financial policy of the Government, and at the same time presents an estimate of the probable income and expenditure for the following 12 months, and a statement of what taxes it is intended to reduce or abolish or what new ones it may be necessary to impose.

The use of the word "budget" as applied to government grows out of the practice of the Parliament of Great Britain and of the House of Commons, and the definition which I have just read describes it very succinctly. The so-called budget which we have established is nothing more or less than a request on the part of the executive branch of the Government for certain allowances from the appropriating branch of the Government, which is Congress. So far as economy is concerned, there is just as much importance in the expenditure of the money as there is in its appropriation, and the expenditure of the money is a function of the executive branch of the Government; and the creation of a so-called Budget Director is undoubtedly meritorious legislation, inasmuch as the purpose of it and perhaps to a large extent under competent and energetic officials the result of it would be to tend, at least, toward economical expenditure of the money appropriated by Congress by the various expending officers, the various executive branches of the Government.

Congress, however, ought not to fall into the error of putting that upon a legislative basis or upon a governmental basis of the budget in the sense in which that term is discussed in the country. In the true sense in which the word is used, it grows out of the action of the Parliament of Great Britain, which is the branch of that Government which controls the finances of the nation. The tendency of any such definition by Congress would be to transfer the control of the finances of the country, the great governmental function of raising money by taxation—because it is inextricably involved with the expenditure of that money—and of the purposes for which the money so raised shall be used, from the representative branch of the Government, composed of Members of the two branches of the legislature elected by the people, and to vest it in an organization of bureaus and officials and secretaries who are not chosen by the people, who have no immediate and direct responsibility to the people, as especially the House of Representatives has, and as to only a less degree the Senate has. It seems to me that the very jealous policy on the part of Congress ought to be to retain this power in its own hands, and, if we are to have a budget committee, that that budget ought to contain an estimate and a description of the amount which shall be raised for supplying the needs of the Treasury.

Mr. President, about a year ago I introduced a joint resolution which I will read. It is very brief. I introduced it on April 12, 1921:

That a budget committee is hereby created, which shall consist of three Members to be appointed by the Senate and three Members to be appointed by the House of Representatives.

I am not sure whether or not a joint congressional committee could be arranged under our system of government, but that is merely a detail.

It shall be the duty of this committee to meet in joint session promptly upon the convening of each session of Congress, or at such times as the members thereof may determine during the recess of Congress, or while Congress is in session, and examine into the prospective revenues of the Government for the next ensuing fiscal year and to estimate the total amount of the same, and to make recommendations to Congress relative to the amount of such revenue. Said committee shall further, either before or as soon as possible after the convening of each regular session of Congress, prepare a program of allotment of the moneys which may be available in the Treasury for appropriation for the maintenance of the expenses and activities of the Government during the ensuing fiscal year, stating in such program of allotment the total amount of money which will be available thereunder for appropriation for each of the several branches and activities of the Government. It shall be the purpose and object of the said committee to recommend to Congress such total amount of revenue as will be reasonably necessary and proper, considering the resources and the needs of the Nation, and to apportion the same among the different departments of the Government and the various Government activities and agencies in accordance with the reasonable needs and service of the said several departments, activities, and agencies, on such basis as that the total appropriations and expenditures of the Government shall be kept within the estimated revenues of the Government, and that the total appropriations made by Congress and dealt with by the various appropriation committees of Congress shall not exceed the Government income, and that the relative amount allowed to each department, agency, or activity shall bear a due relation to the total amount of appropriations and income of the Government, and shall bear a due relation and proportion to the amount recommended in said program for the various other departments, activities, and agencies of the Government, considering their several needs and work in due proportion and relation to each other, and to the entire Government income and expenditures.

It may be that such a proposal ought to be initiated in the House of Representatives, in view of the fact that under the Constitution all revenue measures must originate there, and, under the practice, which is practically as strong as law, appropriation bills must originate there. Until, however, we do devise some such system as that, by which the branch of the Government which under the Constitution controls the Nation's purse can adjust the total expenditure to the total income and take a comprehensive survey of the various grand divisions of the Government and estimate the amounts which ought to be expended by those various departments and branches in view of the revenue which we are to receive and the sources from which that revenue is to come, we shall not have any true budget system. I think that sooner or later we shall come to that, and, with all due deference and respect for the great experience of the Senator from Minnesota, I do not agree with his statement that a budget system can not be adapted to our form of government.

The Senator speaks about parliamentary government in other nations. We have a parliamentary government here. Certainly in so far as that vast range of jurisdiction provided by the Constitution and vested in Congress goes it is a parliamentary Government. Why can not this great parliament of the greatest Nation in the world, with the comprehensive jurisdiction given to it under the Constitution, have a parliamentary organization by which it can take the proper sort of survey of the sources of its income and make the proper sort of calculation as to how that income should be allotted to the various divisions of expenditure? It can be done. All that is needed is to appoint a parliamentary agency for that purpose.

There is one more matter to which I want to call attention, adverted to in part by the Senator from New York [Mr. WADSWORTH]. He spoke of the confused system already in effect in the Senate under which appropriations are made. Some appropriations for military purposes are made by the Committee on Military Affairs and others are made by the Committee on Appropriations. There is one custom which he did not mention which contributes to that condition of affairs and to the confusion, and I may say inefficiency, which results from it, and that is the custom of passing deficiency appropriation bills.

I remember, during the war, when in the enthusiasm of that great appeal to the patriotism of the people we lost all sense of the value of money, and under the name of deficiency appropriation bills millions of dollars of money were appropriated, almost without protest or without examination, upon the request of some bureau of the Government, which afterwards showed by the manner in which it used the money that it did not know a great deal about what it was talking about. The Appropriations Committee recommended such appropriations for the most technical branches of the military service, for various kinds of ordnance, and for the most scientific and

difficult divisions of the naval service. They did not confine themselves to making appropriations.

A good deal of the difficulty we have had from time to time with the military laws, including in that term the naval laws, came from the invasion by the general Appropriations Committee of the field of military and naval legislation in connection with the appropriation bills, of which that committee assumed jurisdiction for those branches of the service. We had a great deal of trouble not many months ago, resulting almost in a state of demoralization in the Naval Academy at Annapolis, because of the existence of a statute which took out of the hands of the academic staff of the academy the power to separate from the institution midshipmen who could not pass the examinations, those who were inefficient and deficient, because the Appropriations Committee put into one of their appropriation bills a provision which nobody was informed about probably but themselves, as very little attention was paid to it, which was passed upon the floor of the Senate without attention, and practically tied the hands of the Navy Department and the Naval Academy officials in the proper administration of that great educational institution. Fortunately the vices of that enactment were so obvious that it was soon repealed and the situation has already been remedied.

Mr. WARREN. Was that in a naval appropriation bill?

Mr. POINDEXTER. That was in an appropriation bill which came from the Committee on Appropriations.

Mr. WARREN. What bill?

Mr. POINDEXTER. I believe it was in the naval appropriation bill.

Mr. WARREN. Of course it was.

Mr. POINDEXTER. I will mention a similar case which came from the Appropriations Committee. It was in regard to a law retiring all temporary and reserve officers of the Navy and Marine Corps who served during the war on the same terms and conditions under which Regular officers of the Navy were retired.

Mr. WARREN. That must have been in the naval appropriation bill.

Mr. POINDEXTER. That was in an appropriation bill which came from the Committee on Appropriations.

Mr. WARREN. No; the Senator is mistaken about that.

Mr. LENROOT. When was that?

Mr. POINDEXTER. That was in the 1920 bill. I do not remember which one of the appropriation bills it was.

Mr. WARREN. The Senator will find it was in a naval appropriation bill.

Mr. POINDEXTER. My recollection is it came from the Committee on Appropriations.

Mr. WARREN. No; the Senator is mistaken about that. The same thing was done at West Point which the Navy attempted to do at Annapolis, in order to get more men into the field; but as to the academy at Annapolis, it was a Navy move entirely. I think very likely it was in a naval appropriation bill. It must have been in the regular naval appropriation bill.

Mr. POINDEXTER. I think I am correct in my recollection that it came from the Committee on Appropriations. However, I will look into that and refresh my memory on the subject. I think, in so far as the consolidation of appropriations in one committee is concerned, it would be of very great advantage and remedy the evils to which I referred a moment ago.

Mr. LODGE. Mr. President, I am for this proposed change of the rules. It is a necessity under the law of the Budget and the arrangements made by the House.

I desire to propose simply a small amendment, which I think only carries out the purpose of the proposed rule. I will give it as applying to only one case. It can be carried out in the others. On page 2, line 16, after the word "appropriations," I move to insert the following words:

At least one member of the Committee on Agriculture shall be a member of any conference committee appointed to confer with the House upon said Agricultural appropriation bill.

Mr. WARREN. Mr. President, if that amendment is considered necessary, I hope it may be adopted, because it proposes to do what will be done in every single case if the present Committee on Appropriations is to handle the matter.

Mr. LODGE. I think it would probably be the practice, but I believe it would be better to put it in the rule, and I am glad the chairman has no objection to it. As I suppose the resolution will have to go over I ask the Secretary if he will make a similar amendment applying to each of the committees mentioned and have it printed, so that we can have it in the morning.

Mr. HARRISON. Mr. President, I hope the Senate will not take action upon this amendment this afternoon. I am in favor of an amendment along that line.

Mr. NORRIS. The Senator from Massachusetts does not ask that action be taken this afternoon on it.

Mr. LODGE. I do not ask that action be taken now. I want it to go over, but of course if a substitute is to be offered we have a right to perfect the original resolution first.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The amendment will be printed.

Mr. LODGE's amendment was reduced to writing, as follows:

On page 2, line 16, after the word "appropriations," insert the following:

", and at least one member of the Committee on Agriculture shall be a member of any conference committee appointed to confer with the House upon said Agricultural appropriation bill";

On page 2, line 22, after "appropriations," insert the following:

", and at least one member of the Committee on Post Offices and Post Roads shall be a member of any conference committee appointed to confer with the House upon said Post Office appropriation bill";

On page 3, line 3, after the word "appropriations," insert the following:

", and at least one member of the Committee on Military Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of War";

On page 3, line 9, after the word "Appropriations" insert:

"And at least one member of the Committee on Naval Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of the Navy";

On page 3, line 16, after the words "Department of War," insert:

"And at least one member of the Committee on Commerce shall be a member of any conference committee appointed to confer with the House upon items pertaining to rivers and harbors contained in the bill making appropriations for the Department of War";

On page 3, line 24, after the words "Department of State and Justice," insert:

"And at least one member of the Committee on Foreign Relations shall be a member of any conference committee appointed to confer with the House when the items pertaining to the diplomatic and consular service are being considered in the bill making appropriations for the Department of State and Justice."

Mr. BALL. Mr. President, I desire to offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 3, line 24, after the word "Justice," strike out the period and insert in lieu thereof a semicolon and add the following words:

And that the chairman of the committee on the District of Columbia, and two other members of said committee, to be selected by the chairman of said committee, shall be ex-officio members of the Committee on Appropriations, to serve on said committee when the items pertaining to the District of Columbia are being considered by the Committee on Appropriations in the bill making appropriations for the District of Columbia.

Mr. WARREN. Let the amendment be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. NORRIS. Mr. President, there is another amendment which I think everyone will agree is necessary. Yesterday I asked the Senator from Kansas [Mr. CURTIS], who was talking on the bill at that time, whether, if an appropriation bill came from the House which contained legislation and it was referred to the Committee on Appropriations, the Committee on Appropriations could report it back with that legislation on it without violating this rule. The Senator from Kansas said they had discussed that question in the committee and concluded that the Chair would not construe that it would violate the rule.

Mr. LODGE. The House ought not to do it, in my judgment.

Mr. NORRIS. I know the House should not do it, and perhaps the House never will do it; I do not know as to that, but I want to guard against what may happen. It might be done by unanimous consent over there, and it would, as I understand it, make it impossible, as I view this rule, for the Committee on Appropriations to report it at all; we never could get anywhere; we would be stumped. The language is as follows:

The Committee on Appropriations shall not report an appropriation bill containing new or general legislation.

If that language means anything, it makes no exception; it does not make any difference whether the legislation was put in the bill originally by the House or whether it was put in by the Senate committee. It seems to me we can obviate that, and I would like to propose an amendment to the amendment for consideration when we get the resolution reprinted, to insert on page 2, after line 4, the words "amendment to an," so that it would read:

The Committee on Appropriations shall not report an amendment to an appropriation bill containing new or general legislation.

Mr. HARRISON. Mr. President, I have an amendment to offer, which I would like to have read and printed. The object of this amendment is to allow the bill to go to the Appropriations Committee, but where there are matters included in the appropriation bill which would be appropriately referred to the

Commerce Committee, for instance, the chairman of the Appropriations Committee shall appoint a committee of three out of the Appropriations Committee, and the entire Committee on Commerce shall act as ex officio members of the Appropriations Committee to consider the measure. In other words, instead of having three members of the Commerce Committee and the whole Appropriations Committee, as under the proposed rule, I would like to see it arranged to have a subcommittee of the Appropriations Committee, consisting of three, and all the Committee on Commerce to consider such propositions. I ask that the amendment be read.

Mr. NORRIS. I am not sure but what I did so yesterday, but I give notice that at the proper time I shall move to strike out of the resolution the proviso commencing on line 9, page 2, and all the balance of the resolution. In other words, I want to strike out of the rule everything which provides for the shifting over to the Committee on Appropriations of three members from the various other committees on certain bills which heretofore have had charge of those bills.

The PRESIDING OFFICER. The Secretary will read the amendment offered by the Senator from Mississippi [Mr. HARRISON].

The READING CLERK. Strike out all after line 9 on page 2 and insert the following:

However, when appropriations for rivers and harbors are being considered by such committee, the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Commerce as ex-officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Department of Agriculture are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Agriculture as ex-officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Diplomatic and Consular Service are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Foreign Relations as ex-officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Department of War are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Military Affairs as ex-officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for Indian affairs are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Indian Affairs as ex-officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Department of the Navy are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Naval Affairs as ex-officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Post Office Department are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Post Offices and Post Roads as ex-officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the District of Columbia are being considered by such committee the chairman thereof shall appoint three members of said committee as a subcommittee, which, together with the members of the Committee on the District of Columbia as ex-officio members of the Committee on Appropriations, shall consider such appropriation.

When a bill making appropriations enumerated in this paragraph is in conference, at least two such ex-officio members who considered such bill shall be appointed as conferees.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. JONES of Washington. I desire to present an amendment intended to be proposed by me. I ask that it may be read and ordered printed.

The PRESIDING OFFICER. It will be read.

The READING CLERK. Insert at the end of the proposed rule the following:

When an appropriation bill is under consideration by the Senate debate shall be confined to the bill, unless otherwise ordered by unanimous consent. A point of order that a Senator is not speaking to the bill shall be decided by the Presiding Officer, and an appeal from his decision shall be decided without debate.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. NORRIS. Mr. President, I desire to modify the amendment which I proposed awhile ago. I have had my attention called to the fact by the Senator from Maine [Mr. HALE] and also the Senator from Wisconsin [Mr. LENROOT] that the amendment I have proposed to the committee amendment does not exactly fit the language, and it will have to be changed. I want to add two words in the committee amendment in two different places.

After the word "containing," in line 5 on page 2, I move to insert the words "amendments proposing," and after the word "containing," at the end of line 6, insert the same words, "amendments proposing," so that it will read:

The Committee on Appropriations shall not report any appropriation bill containing amendments proposing new or general legislation, and if an appropriation bill is reported to the Senate containing amendments proposing new or general legislation a point of order may be made against the bill—

And so forth.

I ask that this amendment to the committee amendment may be printed and lie on the table.

The PRESIDING OFFICER. It will be so ordered.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate in legislative session took a recess until to-morrow, Friday, March 3, 1922, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 2 (legislative day of February 23), 1922.

POSTMASTER GENERAL.

Hubert Work, of Colorado, now First Assistant Postmaster General, to be Postmaster General, vice Will H. Hays, resigned.

COAST GUARD OF THE UNITED STATES.

Ensign Merlin O'Neil to be a lieutenant (junior grade), to rank as such from November 14, 1921, in place of Lieut. (Junior Grade), William J. Keester, promoted.

Ensign Norman H. Leslie to be a lieutenant (junior grade), to rank as such from December 14, 1921, in place of Lieut. (Junior Grade) Wilmer H. Eberly, resigned.

Lieut. (Junior Grade) Eugene A. Coffin to be a lieutenant, to rank as such from December 30, 1921, in place of Lieut. Cecil M. Gabbett, promoted.

Ensign Carleton T. Smith to be a lieutenant (junior grade), to rank as such from December 30, 1921, in place of Lieut. (Junior Grade) Eugene A. Coffin, promoted.

Lieut. (Junior Grade) John S. Baylis to be a lieutenant, to rank as such from January 19, 1922, in place of Lieut. Thaddeus G. Crapster, promoted.

POSTMASTERS.

ALABAMA.

Henry E. Hart to be postmaster at Waverly, Ala. Office became presidential July 1, 1920.

Hopson P. McMurray to be postmaster at Heflin, Ala., in place of W. G. Porter. Incumbent's commission expired January 24, 1922.

ARIZONA.

Donald McIntyre to be postmaster at Yuma, Ariz., in place of A. T. Pancrazi. Incumbent's commission expired January 24, 1922.

Charles A. Overlook to be postmaster at Douglas, Ariz., in place of M. C. Hankins, removed.

ARKANSAS.

Lee R. See to be postmaster at Swifton, Ark., in place of L. R. See. Incumbent's commission expired January 24, 1922.

James H. Elkins to be postmaster at Blytheville, Ark., in place of J. K. Sartain, removed.

Fred E. Marble to be postmaster at Carlisle, Ark., in place of J. F. Gillespie. Incumbent's commission expired August 6, 1921.

CALIFORNIA.

Shirley S. Abeel to be postmaster at Sebastopol, Calif., in place of C. H. Gallagher, deceased.

Ed Lewis to be postmaster at Marysville, Calif., in place of T. F. Fogarty. Incumbent's commission expired January 24, 1922.

Columbus J. Messner to be postmaster at Belmont, Calif. Office became presidential April 1, 1921.

COLORADO.

Kiah C. Brown to be postmaster at Merino, Colo. Office became presidential July 1, 1920.

John W. Hultquist to be postmaster at Wray, Colo., in place of E. M. Robinson, declined.

Charles Lawton to be postmaster at Fort Logan, Colo., in place of A. S. Jones, resigned.

John W. Moore to be postmaster as Las Animas, Colo., in place of G. B. Wick. Incumbent's commission expired June 27, 1920.

DELAWARE.

John J. Jolls to be postmaster at Middletown, Del., in place of William Brockson. Incumbent's commission expired October 5, 1921.

GEORGIA.

William H. Bowman to be postmaster at Alto, Ga. Office became presidential January 1, 1921.

Edgar S. Hicks to be postmaster at Yatesville, Ga. Office became presidential July 1, 1920.

ILLINOIS.

Chester O. Burgess to be postmaster at Sigel, Ill. Office became presidential April 1, 1921.

George A. Wollermann to be postmaster at Fillmore, Ill. Office became presidential April 1, 1921.

Joseph T. Stathem to be postmaster at Pearl, Ill., in place of W. R. Donohoo. Incumbent's commission expired January 15, 1921.

Edward H. Hannant to be postmaster at Mount Sterling, Ill., in place of W. B. Davis. Incumbent's commission expired August 1, 1921.

William R. Barnstable to be postmaster at Chesterfield, Ill. Office became presidential July 1, 1921.

INDIANA.

Alice H. Firebaugh to be postmaster at Medaryville, Ind., in place of K. B. Clark. Incumbent's commission expired January 24, 1922.

IOWA.

Thomas F. Fawcett to be postmaster at Ocheyedan, Iowa, in place of A. B. Callender. Incumbent's commission expired January 24, 1922.

John H. Taylor to be postmaster at New Sharon, Iowa, in place of T. R. Osborne. Incumbent's commission expired January 24, 1922.

KANSAS.

Harry T. Hill to be postmaster at Colony, Kans., in place of Thomas O'Mara. Incumbent's commission expired July 23, 1921.

Samuel N. Nunemaker to be postmaster at Hesston, Kans. Office became presidential April 1, 1921.

Mae Shaw to be postmaster at Dorrance, Kans., in place of A. J. Thielen, resigned.

KENTUCKY.

Mary B. Bishop to be postmaster at Dry Ridge, Ky., in place of Ottis Conyers, resigned.

LOUISIANA.

John C. Yarbrough to be postmaster at Mansfield, La., in place of W. T. Pegues, deceased.

MARYLAND.

Harry C. Saunders to be postmaster at Goldsboro, Md. Office became presidential January 1, 1921.

John H. Dean to be postmaster at North East, Md., in place of J. F. Peach. Incumbent's commission expired January 24, 1922.

MASSACHUSETTS.

Lester M. Blair to be postmaster at Whitinsville, Mass., in place of J. D. Leonard. Incumbent's commission expired January 24, 1922.

Frank D. Babcock to be postmaster at Haverhill, Mass., in place of L. F. McNamara, deceased.

MICHIGAN.

Webster C. Casselman to be postmaster at Baroda, Mich. Office became presidential January 1, 1921.

Olin M. Thrasher to be postmaster at Mt. Morris, Mich., in place of M. C. Le Furgey. Incumbent's commission expired January 24, 1922.

Amos H. Crosby to be postmaster at New Buffalo, Mich., in place of E. P. Ritzler, removed.

Percy W. Totten to be postmaster at Brooklyn, Mich., in place of J. W. O'Leary. Incumbent's commission expired January 24, 1922.

Duncan McRae to be postmaster at Harrisville, Mich., in place of D. E. Storms. Incumbent's commission expired January 24, 1922.

John N. Kart to be postmaster at Augusta, Mich., in place of W. S. Drew. Incumbent's commission expired January 24, 1922.

Edwin L. Fox to be postmaster at Athens, Mich., in place of C. A. Standiford. Incumbent's commission expired January 24, 1922.

Isaac Hurst to be postmaster at Akron, Mich., in place of Arthur Hillman. Incumbent's commission expired January 24, 1922.

MINNESOTA.

Alfred W. Johnson to be postmaster at Sebeka, Minn., in place of A. W. Johnson. Incumbent's commission expired January 24, 1922.

MISSISSIPPI.

Frances C. Williams to be postmaster at Sunflower, Miss., in place of S. J. Craig, resigned.

Andrew R. Shelby to be postmaster at Lauderdale, Miss. Office became presidential October 1, 1920.

Willie R. Smith to be postmaster at Richton, Miss., in place of Rose Walley, removed.

Florence Brady to be postmaster at Lula, Miss., in place of Florence Brady. Incumbent's commission expired January 24, 1922.

Alma M. Furniss to be postmaster at Hollandale, Miss., in place of Lillian McCleary, resigned.

John M. King to be postmaster at Durant, Miss., in place of J. M. King. Incumbent's commission expired January 24, 1922.

MISSOURI.

Edwin H. Vemmer to be postmaster at Gerald, Mo. Office became presidential July 1, 1920.

Oscar F. Schulte to be postmaster at Washington, Mo., in place of J. P. Bauer. Incumbent's commission expired January 24, 1922.

John J. Schaper to be postmaster at Warrenton, Mo., in place of L. M. Hutcherson. Incumbent's commission expired January 24, 1922.

Laura G. McKay to be postmaster at Troy, Mo., in place of Abram Stephens. Incumbent's commission expired January 24, 1922.

Clyde E. Jennings to be postmaster at Hollister, Mo. Office became presidential July 1, 1920.

Leland G. Riley to be postmaster at Eagleville, Mo. Office became presidential January 1, 1921.

Taylor Fisher to be postmaster at New Franklin, Mo., in place of J. M. Settle. Incumbent's commission expired January 24, 1922.

Albert D. Walker to be postmaster at Lathrop, Mo., in place of J. T. Summers, deceased.

Percy B. Kidney to be postmaster at Darlington, Mo., in place of G. P. McGuire, resigned.

Thomas G. Leach to be postmaster at Buffalo, Mo., in place of Harvey Morrow. Incumbent's commission expired January 24, 1922.

Lester C. Snoddy to be postmaster at Ash Grove, Mo., in place of J. H. Turk. Incumbent's commission expired January 24, 1922.

Arthur C. Packer to be postmaster at Adrian, Mo., in place of E. A. Cherry. Incumbent's commission expired January 24, 1922.

MONTANA.

Edward M. Erickson to be postmaster at Paradise, Mont. Office became presidential July 1, 1921.

NEBRASKA.

Erma L. Thompson to be postmaster at Dunning, Nebr. Office became presidential January 1, 1920.

Charles Leu to be postmaster at Elkhorn, Nebr. Office became presidential July 1, 1921.

Orville E. Bicknell to be postmaster at Elk Creek, Nebr. Office became presidential July 1, 1921.

Ernest E. Goding to be postmaster at Dix, Nebr. Office became presidential July 1, 1921.

NEW HAMPSHIRE.

Samuel G. Blaisdell to be postmaster at Milton, N. H., in place of J. H. Wiley. Incumbent's commission expired January 24, 1922.

Webb Little to be postmaster at Campton, N. H., in place of Webb Little. Incumbent's commission expired January 24, 1922.

Alberta W. Wight to be postmaster at Berlin, N. H., in place of H. A. Smith, resigned.

NEW JERSEY.

Joseph P. Quin to be postmaster at Hillsdale, N. J., in place of J. P. Quin. Incumbent's commission expired January 29, 1921.

Charles H. Conner to be postmaster at Bayonne, N. J., in place of P. A. Donovan. Incumbent's commission expired January 24, 1922.

Michael A. Eganey to be postmaster at Lincoln, N. J. Office became presidential January 1, 1921.

NEW MEXICO.

Henry L. Kelly to be postmaster at Mogollon, N. Mex., in place of G. F. Williams. Incumbent's commission expired January 24, 1922.

Frank B. Brown to be postmaster at Hachita, N. Mex., in place of F. P. Brown. Incumbent's commission expired January 24, 1922.

Elizabeth A. Gumm to be postmaster at Carrizozo, N. Mex., in place of J. A. Haley. Incumbent's commission expired January 24, 1922.

NEW YORK.

Joseph Cooper to be postmaster at Stanley, N. Y., in place of J. H. Coon. Incumbent's commission expired January 24, 1922.

Otis G. Fuller to be postmaster at Central Square, N. Y., in place of C. H. Beeby. Incumbent's commission expired January 24, 1922.

Robert A. Weir to be postmaster at Canaan, N. Y. Office became presidential October 1, 1920.

NORTH CAROLINA.

John M. Joyce to be postmaster at Madison, N. C., in place of W. T. Chambers. Incumbent's commission expired July 21, 1921.

Dan W. Hill to be postmaster at Asheville, N. C., in place of Owen Gudger, removed.

Madison L. Wilson to be postmaster at Bakersville, N. C. Office became presidential January 1, 1921.

OHIO.

Charles E. John to be postmaster at Elida, Ohio. Office became presidential April 1, 1921.

John W. Cole to be postmaster at South Webster, Ohio. Office became presidential July 1, 1920.

OKLAHOMA.

James S. Goodwin to be postmaster at Stratford, Okla., in place of Simmie Farries, resigned.

Zack T. Pryse to be postmaster at Mangum, Okla., in place of G. B. Townsend. Incumbent's commission expired October 3, 1921.

PENNSYLVANIA.

Edwin S. Burgham to be postmaster at Parnassus, Pa., in place of E. L. Anderson, resigned.

Alison L. Edwards to be postmaster at Osceola Mills, Pa., in place of A. E. Brown. Incumbent's commission expired August 7, 1921.

Frank J. Over to be postmaster at Hollidaysburg, Pa., in place of A. R. Traugh. Incumbent's commission expired August 7, 1921.

Walter T. Evans to be postmaster at Dubois, Pa., in place of Cornelius Allen. Incumbent's commission expired August 7, 1921.

PORTO RICO.

America Rossy to be postmaster at Ensenada, P. R., in place of America Rossy. Incumbent's commission expired July 21, 1921.

SOUTH DAKOTA.

William J. Ryan to be postmaster at Bridgewater, S. Dak., in place of M. F. Ryan. Incumbent's commission expired March 16, 1921.

TENNESSEE.

Warren S. Yell to be postmaster at Wartrace, Tenn., in place of W. J. Allen. Incumbent's commission expired August 1, 1921.

TEXAS.

Willie Culwell to be postmaster at Putnam, Tex. Office became presidential October 1, 1920.

Ralph W. Redinger to be postmaster at Markham, Tex. Office became presidential January 1, 1921.

Earl D. Tracy to be postmaster at Junction, Tex., in place of J. S. Munn, resigned.

James L. Noel to be postmaster at Pilot Point, Tex., in place of J. L. Noel. Incumbent's commission expired July 21, 1921.

Jesse R. Davis to be postmaster at Pearsall, Tex., in place of H. L. Brooks. Incumbent's commission expired July 21, 1921.

Arthur G. Skinner to be postmaster at Palacios, Tex., in place of W. H. Clement. Incumbent's commission expired July 21, 1921.

Dicie Stanley to be postmaster at Proctor, Tex. Office became presidential January 1, 1921.

Carl W. Smith to be postmaster at Kress, Tex. Office became presidential April 1, 1921.

William T. Allen to be postmaster at Hawkins, Tex. Office became presidential January 1, 1921.

Golden T. Thomas to be postmaster at Channing, Tex. Office became presidential July 1, 1920.

VERMONT.

Berton M. Willey to be postmaster at Greensboro, Vt. Office became presidential January 1, 1921.

VIRGINIA.

Robert W. Ferguson to be postmaster at Newsoms, Va. Office became presidential January 1, 1921.

Anthony Hart to be postmaster at Clifton Station, Va. Office became presidential January 1, 1921.

Thomas P. Scott to be postmaster at Ashland, Va., in place of Nathaniel Lancaster, removed.

George E. Jones to be postmaster at Painter, Va. Office became presidential July 1, 1920.

Griffith S. Marchant to be postmaster at Mathews, Va. Office became presidential October 1, 1920.

WASHINGTON.

Robert B. Henry to be postmaster at Lakeside, Wash. Office became presidential April 1, 1921.

George F. Thomae to be postmaster at Retsil, Wash. Office became presidential July 1, 1920.

Charles T. Brehm to be postmaster at Fairfax, Wash. Office became presidential April 1, 1921.

WEST VIRGINIA.

Howard Cook to be postmaster at Lorado, W. Va. Office became presidential April 1, 1921.

WISCONSIN.

Edward K. Cunningham to be postmaster at Berlin, Wis., in place of W. E. Cavanaugh. Incumbent's commission expired September 8, 1921.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 2 (legislative day of February 23), 1922.

POSTMASTER GENERAL.

Hubert Work to be Postmaster General.

RECEIVER OF PUBLIC MONEYS.

William H. H. Heckman to be receiver of public moneys at Eureka, Calif.

POSTMASTERS.

ALABAMA.

Clarence E. Combs, Fairfax.
John B. Daughtry, Hartford.
Frederick W. McCormack, Leighton.
William P. Tartt, Livingston.
Florrie Vinson, Louisville.
Robert A. Tuck, Oneonta.
George C. Adams, Ragland.
Benjamin C. Gibson, Tuskegee.
James A. Anderson, University.

ARIZONA.

Lola B. Tomlinson, Bowie.
Charles F. Mater, Morenci.

COLORADO.

Orlando M. White, Matheson.
Edgar B. Wicks, Pueblo.
Daniel Vigil, Saguache.

CONNECTICUT.

Willis C. Chidsey, Avon.
Giles P. Lecreinerk, Moodus.

FLORIDA.

Alvin J. Durrance, Frostproof.
Louis C. Lynch, Gainesville.
John D. Peterson, Pierson.
Maggie M. Folsom, Port Tampa City.
Charles L. Beugnot, Sebastian.
Cornelia Higgins, Warrington.
Calvin W. Campbell, West Palm Beach.

IDAHO.

Charles H. Gelbach, Kooskia.
Dott R. Adams, Rathdrum.

INDIANA.

Jacob W. Mintzer, Ashley.
Edna Bishop, Depauw.
Cecil R. Sparks, Fulton.
John N. Brown, Ladoga.
Levert E. Binns, New Richmond.
Robert P. White, Sullivan.

IOWA.

David T. Spence, Earlham.
George E. Gates, Edgewood.
Leonidas L. Greenwalt, Hastings.
George McNeish, jr., Kanawha.
William R. Weaver, Lewis.
John Harden, Linden.
Harley S. Rittenhouse, Monona.
Bruce E. Harlow, Onawa.
Andrew F. Parker, Redding.
Wayne C. Ellis, Rippey.
Edith J. De Long, Truro.
Leonard G. Kelley, Wall Lake.
Edith H. Ashby, Wellsburg.
Henry C. Ficke, Wheatland.

KANSAS.

Mabel I. Driggs, Bern.
Harry E. Hawkins, Centerville.
Reuben H. Funk, Durham.
Charles R. Fisher, Fort Scott.
Jessie I. Cramer, Galva.
Howard S. Taylor, Savonburg.
Achilles A. Stiers, Uniontown.

LOUISIANA.

Sherman Cook, Alexandria.
Harry R. Mock, Baskin.
Charles J. Slack, Maringouin.
Gladys H. Norris, Oak Ridge.
Goldman L. Lassalle, Opelousas.
Henry A. Donaldson, Reserve.
Charles W. Hudgens, Slagle.
Nathan R. Funderburk, Wisner.

MARYLAND.

Charles D. Routzahn, Mount Airy.

MASSACHUSETTS.

Henry K. Bearce, Harwich.
Harlan S. Cummings, Lynn.
Hazen M. Emery, Merrimac.
Neil R. Mahoney, North Billerica.
Annie B. Ellis, Sheffield.
Mary A. Fallon, West Stockbridge.

MICHIGAN.

McKinley A. Watson, Alto.
Jay B. Deutsch, Big Bay.
Millie R. Gordon, Hopkins.
William M. Hovey, Rosebush.
Floyd P. Fox, Williamsburg.
Willard L. Claver, Zeeland.

MISSISSIPPI.

Victor B. Garroway, Bassfield.

MONTANA.

John W. Cornwell, Lodgegrass.
Margaret M. Colligan, Walkerville.

NEBRASKA.

Edward H. Anson, Creston.
Anders P. Peterson, Lindsay.

NEW JERSEY.

Ralph G. Collins, Barnegat.
W. Burtis Havens, Toms River.

NEW MEXICO.

Ona Tudor, East Vaughn.

OHIO.

William S. Burcher, Beallsville.
William F. Laferre, Lewisville.
James W. Rush, Sardis.

OKLAHOMA.

George A. Smith, Devol.
Goldie R. Strain, Wann.
Charles White, Washington.

PENNSYLVANIA.

Wayne Lewis, Berwyn.
James E. Collins, Connellsville.
Harry L. Warnick, Glen Riddle.
Inez B. Rex, Irvona.
John K. Ellis, Jeddo.
Wilbur J. Woodring, Port Matilda.
Harry M. Allison, Spring Mills.

SOUTH CAROLINA.

Robert A. Deason, Barnwell.

TENNESSEE.

Charles E. Cox, Saulsbury.

TEXAS.

Dibrel G. Melton, Allen.
Napoleon B. Warner, Bells.
Lee Brown, Blanco.
Thomas G. Price, Brownfield.
John C. Gee, Call.
Oscar Hunt, Canyon.
Benjamin F. Robey, Coleman.
Arthur H. Johnson, Eastland.
Edgar M. Campbell, Frankston.
Edward F. Glaze, Goliad.
Marshall Calloway, Howe.
Ora L. Young, Jakehamon.
William F. Erp, Karnes City.
Adolph H. Firnhaber, Kingsville.
Henry C. Duering, Lubbock.
John H. Sharbutt, Lueders.
Ada Rodgers, Miami.
Dan W. Ryan, Point.
Ora L. Griggs, Sanatorium.
Maggie Exum, Shamrock.
Mary E. Holtzclaw, Tatum.
Leander M. Gilbreath, Winnsboro.

UTAH.

Lionel L. Peterson, Fairview.

VERMONT.

Clayton F. Bayley, Beebe Plain.

WEST VIRGINIA.

Ernest Johnson, McDowell.
Finley Oakes, Worthington.

WITHDRAWAL.

Executive nomination withdrawn from the Senate March 2 (legislative day of February 23, 1922).

POSTMASTER.

Courtney G. Kelly to be postmaster at Burlington, in the State of Kentucky.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 2, 1922.*

The House met at 12 o'clock noon, and was called to order by Hon. William Tyler Page, Clerk of the House, who read the following communication from the Speaker:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., March 2, 1922.

I hereby designate Hon. JOSEPH WALSH, of Massachusetts, to act as Speaker pro tempore March 2 and 3.

F. H. GILLETT.

Mr. WALSH took the chair as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord, we are led into the reality of this new day by Thy mercies which pour from the infinite heart into the veins of humanity. O hear us and give to all who enter this Chamber to feel the joy of divine security. Make us all to be happy and to enter into the spirit of Thy love and be not sore of heart. Always enable us to be patient, big of mind, noble in charity, and true to Thee, but never with a regretful sense of loss or pain. Do Thou keep on enlarging our spheres of usefulness and unto Thee be the praise forever. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

REPORT FROM SPECIAL COMMITTEE ON READJUSTMENT OF THE PAY OF THE ARMY, NAVY, ETC.

Mr. McKENZIE. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Illinois rise?

Mr. McKENZIE. Mr. Speaker, in compliance with the law and by direction of the committee I submit a report of the Joint

Committee on the Adjustment of the Pay of the Army, Navy, and Other Services.

The SPEAKER pro tempore. The gentleman from Illinois submits a report from the Joint Special Committee, the title of which the Clerk will report.

The Clerk read as follows:

Mr. MCKENZIE. from the Special Committee, appointed in accordance with the provisions of section 16 of the act approved May 18, 1920, submitted the following report.

The SPEAKER pro tempore. The Chair will state the report will be printed and lie upon the Speaker's table pending the appointment of a special House committee, to which the report will probably be referred.

Mr. MANN. Can not it be referred to the special committee when appointed?

The SPEAKER pro tempore. That order may be entered, the Chair thinks. The Chair will order the report referred to the special committee when appointed by the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment the bill (H. R. 10185) authorizing the exchange of lands within the exterior boundaries of the Malheur National Forest in the State of Oregon, and for other purposes.

LEGISLATIVE APPROPRIATION BILL—CONFERENCE REPORT.

Mr. CANNON. Mr. Speaker, I call up the conference report on the legislative bill (H. R. 10267).

The SPEAKER pro tempore. The gentleman from Illinois calls up the conference report on the legislative appropriation bill, which the Clerk will report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10267) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1923, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 15, 20, 21, 22, 25, and 26.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 7, 8, 9, 10, 12, 13, 16, 18, 23, and 27, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Strike out line 7 of the matter inserted by said amendment and insert in lieu thereof the following: "$3,500"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$35,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$9,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert "$92,985"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments numbered 5, 6, and 28.

J. G. CANNON,
SYDNEY ANDERSON,
JAMES A. GALLIVAN,
Managers on the part of the House.
F. E. WARREN,
CHARLES CURTIS,
A. A. JONES,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10267) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1923, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

On Nos. 1 to 4, inclusive, relating to the Senate: Appropriates for an additional laborer at $720 per annum in the office of the Secretary, as proposed by the Senate; appropriates for a special assistant to the Committee on Finance at $3,000 per annum, as proposed by the Senate.

On Nos. 7 to 10, inclusive, relating to the Senate: Appropriates $2,500 on account of an automobile for the Vice President, as proposed by the Senate, instead of $2,240, as proposed by the House; fixes the maximum rate of compensation to stenographers to committees at 25 cents per 100 words, as proposed by the Senate, instead of $1.25 per printed page, as proposed by the House; appropriates $100,000, as proposed by the Senate, for expenses of inquiries and investigations ordered by the Senate, instead of $50,000, as proposed by the House, and appropriates $30,000, as proposed by the Senate, on account of the Senate kitchens and restaurants.

On No. 11: Appropriates $3,500 on account of salaries and expenses of the Public Buildings Commission, instead of $10,000, as proposed by the Senate, and strikes out the words "and to remain available until expended."

On Nos. 12 and 13, relating to the Senate Office Building: Appropriates $55,654, as proposed by the Senate, for maintenance, etc., instead of $39,440, as proposed by the House, and appropriates $7,500 for furniture, furnishings, etc., as proposed by the Senate, instead of $5,000, as proposed by the House.

On Nos. 14 to 27, inclusive, relating to the Library of Congress: Strikes out the position of inspector of stacks, at $1,500 per annum, proposed by the Senate; appropriates $3,000 for temporary services, as proposed by the Senate, instead of $2,500, as proposed by the House; appropriates $35,000 for the legislative reference service, instead of $25,000, as proposed by the House, and $45,000, as proposed by the Senate; includes provision for postage in the appropriation for distribution of card indexes, as proposed by the Senate; appropriates $9,000 for contingent expenses of the library, instead of $8,000, as proposed by the House, and $10,000, as proposed by the Senate; restores the paragraph for salaries under "Library buildings and grounds," as proposed by the House, with the single exception that it appropriates for an additional elevator conductor at $720 per annum, as proposed by the Senate; strikes out the paragraph proposed by the Senate for a force of employees under the Architect of the Capitol on account of the Library Building; and appropriates $6,000 on account of storage of catalogue cards, as proposed by the Senate, instead of $5,000, as proposed by the House.

The committee of conference have not agreed upon the following amendments of the Senate:

On Nos. 5 and 6, relating to the compensation of the chief telephone operator.

On No. 28, relating to printing and binding for the Architect of the Capitol.

J. G. CANNON,
SYDNEY ANDERSON,
JAMES A. GALLIVAN,
Managers on the part of the House.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

Mr. CANNON. Mr. Speaker, I send to the Clerk's desk the following statement to be read.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the statement be read in his time. Without objection, the Clerk will read the statement.

There was no objection.

The Clerk read as follows:

The bill as passed by the House carried	$12,392,610.95
The bill as passed by the Senate carried	12,530,724.95
An increase of	138,114.00

The Senate added 28 amendments to the bill, 16 of which occasioned the increase of $138,114. Of the increase, $102,694 is on account of the Senate, and on all of these the House conferees receded.

Of the remainder of the increase, or $35,420, the Senate receded from $18,400, occasioning the appropriation of $16,720 more than the House had proposed, if the conference report be adopted.

This $16,720 is distributed as follows:

1. Public Buildings Commission	$3,500
2. Temporary services, Library of Congress	500
3. Legislative reference service	10,000
4. Contingent expenses of the Library of Congress	1,000
5. Elevator conductor, Library Building	720
6. Storage of catalogue cards, Library of Congress	1,000

If the conference report be adopted, therefore, the bill will carry $119,414 more than when passed by the House, with $300 still to be disposed of by reason of an amendment not agreed to.

Mr. CANNON. Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 5: On page 7 of the bill, line 5, strike out "$1,500" and insert "$1,800."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in that amendment.

Mr. BLANTON. Mr. Speaker, will the gentleman tell us what the $300 is for?

Mr. CANNON. It is to pay the chief telephone operator $300.

Mr. GARNER. Well, does this make the permanent salary $1,800 instead of $1,500?

Mr. CANNON. Yes. The House has already passed a resolution providing for it.

The question was taken, and the motion to recede and concur was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 6: Page 7, line 13, strike out "$154,280" and insert "$154,580."

Mr. CANNON. Mr. Speaker, this is simply a change in the total. I move that the House recede and concur.

The question was taken, and the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 28: Page 35 of the bill, line 21, after the word "sum" insert "and the Public Printer is hereby authorized to furnish, upon requisition of the Secretary of the Senate, such printing and binding as may be necessary for the official use of the Architect of the Capitol."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in this Senate amendment with an amendment, which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Insert, before the period at the end of said amendment, the following: "to cost not exceeding $250."

Mr. MANN. Mr. Speaker, I suppose some one official has to do this, so naturally the Senate added the amendment providing the requisition should be made by the Secretary of the Senate?

Mr. CANNON. That is the reason they gave.

Mr. MANN. Of course, it might just as well have been made by the Clerk of the House, but the Senate just again assumed that it is the legislative body.

Mr. GARNER. Mr. Speaker, I want to ask the gentleman from Illinois this question: This is in keeping with the method outlined in this bill when they have hogged $102,000 for themselves and which we are compelled to agree to on account of the courtesy between the two Houses?

Mr. MANN. It is not a question of courtesy between the two Houses. This is a question of the requisition by the Secretary of the Senate for printing for the Architect of the Capitol, who is just as much under the jurisdiction of the House as he is of the Senate; and yet I apprehend it would not be desirable that both the Secretary of the Senate and the Clerk of the House should be required to go through the form of making a requisition totaling, at the outside, $250.

Mr. GARNER. May I ask the gentleman from Illinois this question: He has been here a long time, and he recalls, I assume, the number of times that the Senators have increased their clerical force as they saw fit. Here is $102,000. Just how long is the House going to continue to permit the Senate extravagantly to expend the money belonging to the people of the United States?

We try here sometimes to practice economy, but it seems to me neither House when it is in power thinks itself extravagant. They should cease practicing extravagance in the other body.

Mr. MANN. It is a good deal like the relations that exist between a husband and wife. In well-regulated families the wife determines what she will spend.

The SPEAKER pro tempore. The question is on the motion to recommit and concur with an amendment.

The motion was agreed to.

LEAVE OF ABSENCE.

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent for indefinite leave of absence for my colleague, Mr. SPROUL, on account of illness.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

SECOND DEFICIENCY APPROPRIATION BILL, 1922.

Mr. MADDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the deficiency appropriation bill reported yesterday.

The SPEAKER pro tempore. The gentleman from Illinois moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10663, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes.

Mr. MADDEN. And pending that, I would like to ask the gentleman from Tennessee [Mr. BYRNS] if we can agree upon time for general debate?

Mr. BYRNS of Tennessee. I will state to the gentleman that I have quite a number of requests, most of which I spoke to the gentleman about on yesterday.

Mr. MADDEN. In order to cut the camouflage out of it and not have it appear mysterious, suppose we agree on four hours?

Mr. BYRNS of Tennessee. I will say to the gentleman I do not think that will be sufficient time. I understood that the Commissioner from Porto Rico desires an hour, and I understand that the gentleman from Illinois is willing to yield to him 30 minutes of his time; in other words, 30 minutes on that side. I do not know whether I can get along with an hour and a half with these other requests or not. Could not the gentleman make it two hours and a half on a side?

Mr. MADDEN. That will make it pretty late.

Mr. BYRNS of Tennessee. We ought to get through with general debate to-day.

Mr. MADDEN. I think that can be done.

Mr. BYRNS of Tennessee. Suppose we arrange to close debate at 5 o'clock?

Mr. GARNER. Why do you not make it five hours, not to extend beyond to-day?

Mr. BYRNS of Tennessee. The trouble with that is, if there happens to be two or three points of no quorum raised it will take a lot of time.

Mr. MADDEN. Let us make it 5 o'clock.

Mr. BYRNS of Tennessee. I will agree to that.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that general debate be limited to four hours and a half, one half of the time to be controlled by the gentleman from Tennessee [Mr. BYRNS] and the other half by myself.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that general debate for the consideration of the deficiency bill extend for four hours and a half, one-half to be controlled by himself and one-half by the gentleman from Tennessee [Mr. BYRNS]. Is there objection? [After a pause.] The Chair hears none.

The question is on the motion of the gentleman from Illinois that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10663, the deficiency appropriation bill.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10663, with Mr. SANDERS of Indiana in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10663, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Chairman and gentlemen, in presenting the second deficiency bill for the consideration of the House I wish to call the attention of the House to the amount requested to be appropriated. That amount was $184,919,268.45. The amount recommended to be appropriated in the bill is $108,415,287.13, of which $239,887.99 is for the legislative branch, leaving $108,175,399.14 for the executive and judicial branches of the Government. Of the $108,175,399.14 for the executive and judicial branches of the Government, the sum of $93,903,112 is recommended for the Veterans' Bureau; $5,000,000 is recommended to make the initial payment to the Republic of Colombia under the treaty of April 6, 1914; $3,933,094.09 is recommended for the payment of judgments and audited claims. Deducting these sums, there remains of the amount recommended for the

executive and judicial branches of the Government $5,249,193.05, which is distributed among nine executive departments, one independent establishment, and the District of Columbia. The items recommended in the $5,249,193.05, as a general rule, are small sums representing in most instances actual deficiencies incurred in prior fiscal years, or are for the maintenance of essential activities of the Government during the remainder of the current year. The committee has eliminated from the bill every item which was of doubtful status as a deficiency and has recommended only what they believe to be appropriations decidedly essential to the functioning of the activities of the Government concerned.

The amount recommended in the bill is $76,503,981.32 less than the amount requested in the estimates, and the principal items of this reduction are as follows:

Naval Establishment:		
Clothing and small-stores fund	$40,328,740.42	
Deficiencies, fiscal year 1921	4,695,156.25	
Deficiencies, fiscal year 1922	15,174,924.99	
		$60,198,821.66
Shipping Board, construction program		12,000,000.00
Department of Labor:		
Children's Bureau, welfare and hygiene of maternity and infancy	1,110,000.00	
Employment Service	100,000.00	
		1,210,000.00
Postal Service		311,414.52
Treasury Department, hospital construction		1,239,700.00
All other reductions		1,571,045.14
		76,503,981.32

I will explain these items a little later in detail.

The committee has not provided any direct appropriations for the Naval Establishment in this bill. The item of $40,328,740.42 requested to permit the reimbursement of the Treasury for expenditures during the war for articles of uniform and equipment in excess of the capital of the clothing and small-stores fund has been eliminated as a direct appropriation. The expenditures for this purpose during the war period exceeded the capital of the fund by approximately this sum. As the expenditures have been incurred, the necessity exists for the adjustment of the accounts of the Navy on the books of the Treasury Department, and this the committee has provided for.

The transaction is one of bookkeeping credit for past expenditures, and on that account the committee deemed it unwise to confuse the appropriation totals with a figure of appropriations that represents book credits for past transactions. Of the $4,695,156.25 requested on account of deficiencies for the fiscal year 1921 and prior years, the committee has provided $4,394,806.25, being the amount needed to pay outstanding obligations. This sum has been eliminated as a direct appropriation and a requirement inserted in the bill that the expenses allowed shall be defrayed from balances under other regular annual naval appropriations for the fiscal year 1921. Of the $15,174,924.99 requested on account of deficiencies for the fiscal year 1922, the committee has provided $10,000,000. The principal item in the request is $11,057,610.32 for fuel, of which the committee has recommended $6,282,865.33.

The appropriation for fuel for the Navy for the current year is $17,500,000. This sum, with the exception of $1,600,000, had been expended on December 31, 1921, and it is estimated by the Navy Department that the $1,600,000 was exhausted early in February. The sum allowed by the committee, on the basis of covering a period of five months, would allow approximately $1,250,000 per month for the remainder of the current year. If expenditures should be allowed for the remainder of the current fiscal year on the basis of the amount expended during the first six months, an appropriation for the entire year of $32,000,000 would have been required. The fuel appropriation for the year 1916 was approximately $5,500,000. I would like to have the committee note this. The amount for the current year, if the $6,282,685.33 is approved, will be $23,782,865.33.

The committee has inserted a requirement that the $10,000,000 allowed for the fiscal year 1922 shall be paid from unobligated balances under other regular annual naval appropriations for that fiscal year and specifically enumerated balances under certain continuing appropriations. They have also further required that the amounts allowed for the fiscal year 1922 shall only be expendable to the extent that balances may be found in other naval appropriations with which to meet them. The 1922 balances stated to be available aggregate $532,627. The specific balances enumerated under continuing appropriations and made available aggregate $7,147,718. These two sums total $7,680,345. The items for 1922 to be payable from existing balances existing, or which may exist in the 1922 appropriations, aggregate $10,000,000. It will be necessary, therefore, for the Navy Department, in order to avail itself of the full amount of the $10,000,000 of 1922 items allowed, to effect economies or to curtail activities under other appropriations in an amount aggregating $2,319,655.

The committee is of the opinion that the Navy Department should conform to this requirement and should conduct the Navy during the remainder of this fiscal year in such a manner that the original appropriation made for this fiscal year of $410,673,289.23, supplemented by the other balances allowed, will be sufficient to cover all necessary obligations. In other words, the committee believes that we ought not to increase the aggregate of the appropriations for the year. [Applause.]

The Shipping Board requested an appropriation of $12,000,000 for the completion of vessels under construction and for expenses incident to the termination of construction work. The request, upon consideration by the chairman of the Shipping Board, was withdrawn, but I may say here in passing that it was withdrawn only after the committee itself had proved conclusively by the witnesses of the Shipping Board that not under any circumstances should there be appropriated in connection with the request for $12,000,000 a sum in excess of $2,000,000, and that there was some doubt about the wisdom of that. The Shipping Board finally decided itself, as the result of our examination of the witnesses, that they had not made a case—we had decided that before they did—and so we do not recommend the $12,000,000 or any part of it.

The estimate of the Children's Bureau for carrying into effect the provisions of the act for the promotion of welfare and hygiene of maternity and infancy was $1,480,000, the amount authorized for the full fiscal year. The committee has allowed the sum of $370,000, which is one-fourth of the estimate on the pro rata basis of the portion of the fiscal year remaining when the money will become available, approximately April 1.

A limitation has been placed upon the portion of the fund to be expended for administrative purposes, prohibiting any salary at a rate in excess of $2,400 per annum, except one at $3,600, one at $3,500, and one at $3,000; and I might add that even these $2,400 salaries are to be paid to doctors. I might also say in this connection that those who appeared for the bureau seemed to think that because the law provided for an annual appropriation of $1,480,000, even though there might be but 30 days of the year yet remaining, that they would be entitled to the entire $1,480,000. But the committee did not agree with that. The committee believed that the proper proportionate amount of the authorized sum should be given, a sum commensurate with that portion of the year that is yet to run; and since there will be but three months of the year to run when this appropriation becomes available, we provided $120,000 for one fourth of the year out of the $480,000, and $250,000 for a like period out of the $1,000,000, making in all $370,000.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. NEWTON of Minnesota. My recollection of the act is that there was apportioned a set sum for each State that did not have to be matched. That was for the first year.

Mr. MADDEN. Yes. Only six States have positively accepted. There are 31 States in which they have had communication with the governors, and, so far as the governors could commit them, 25 of those States, in addition to the 6 I have just mentioned, have accepted the provisions of the act. But, of course, a governor's acceptance is only tentative, depending upon the final action of the legislature.

Mr. NEWTON of Minnesota. Take a State which, through the legislative branch of its government, has accepted. Do I understand that its proportion will be only 25 per cent of the $10,000?

Mr. MADDEN. For this year.

Mr. NEWTON of Minnesota. Of course, this is the only year when the $10,000 will be appropriated. Next year it will be $5,000.

Mr. MADDEN. The money can not be paid to a State unless there is an acceptance. That is a very clear proposition, and the law is mandatory and provides that the appropriation must be for the fiscal year. What is the fiscal year? It begins on the 1st of July and ends on the 30th of June, and any construction of the fiscal year can not mean three months, no matter what anybody may think about it, and the committee, after giving very careful study to the law, decided that it would not have the power to do the thing that I think is suggested by the question of the gentleman from Minnesota.

Mr. NEWTON of Minnesota. The only thing is that it cuts down the initial appropriation so as really not to accomplish what was in the mind of the committee when the bill was drafted.

Mr. MADDEN. It does not cut it down for the portion of the fiscal year the appropriation has to run.

Mr. NEWTON of Minnesota. I was of the opinion that the States accepting would get additional payments.

Mr. MADDEN. Only six of them have accepted.

Mr. NEWTON of Minnesota. Six of them have.

Mr. MADDEN. And we have provided for each of them being paid one-fourth of $10,000, or $2,500. We have appropriated $120,000 to be expended in this manner. With this reduced sum, if each State that has accepted were paid $10,000, there might not be enough remaining to satisfy other acceptances.

Mr. HUDSPETH. Will the gentleman yield for a question?

Mr. MADDEN. Certainly.

Mr. HUDSPETH. I see you have an appropriation here of $50,000 for the Agricultural Department for the inspection of cars coming out of Mexico to prevent the coming in of the pink bollworm. Is that the amount asked for?

Mr. MADDEN. That is the amount that was asked for.

Mr. HUDSPETH. I was under the impression that it was $100,000.

Mr. MADDEN. No; that is the amount that was asked for, if I recollect correctly.

Mr. HUDSPETH. I am not positive about it. That was my impression.

Mr. MADDEN. The sum of $93,993,112 is recommended for the Veterans' Bureau, of which $73,714,182 is for vocational training for the balance of the year, and $20,278,930 is for medical and hospital services.

Mr. SNELL. Will the gentleman yield for a question?

Mr. MADDEN. Certainly, if the gentleman will wait just a moment. If these sums are allowed the total for each of these purposes for this fiscal year will be as follows: Vocational training, $178,714,182; medical and hospital services, $78,278,930.

In this connection attention is directed to the table of expenditures on page 104 of the hearing, covering the total for all war-risk insurance purposes from the beginning to January, 1922, which indicates an aggregate expenditure for all purposes in connection with wounded and sick soldiers since the close of the war of $1,517,468,885. In addition to this, the Government has accepted a contingent liability on insurance amounting to $1,240,000,000, extending over a period of 20 years, which is an annual obligation of $60,000,000. If we add the $1,240,000,000 to the $1,517,000,000, you see we have over $2,757,000,000 already provided for the care of the men who came back less well than when they went away, who served in the great World War. Now I am glad to yield to the gentleman from New York.

Mr. SNELL. If the gentleman has the information, will he please tell us how that amount of money compares with the amount expended by any other Government for its returned soldiers?

Mr. MADDEN. I regret to say that I can not give that. I have not had the time to look it up, but I shall be very glad to do so and inform the gentleman, but I think it much more than has been allowed by any other country.

Mr. SNELL. Has the gentleman any idea how it compares?

Mr. MADDEN. No certain figures. Now, I have explained the bill in its principal items, and I think it may be well enough, as the Navy proposition was the first important thing to which attention was called, to go a little more into detail in connection with the appropriation for the Navy fuel, and to explain more in detail, perhaps, how we reach the conclusion with respect to $40,000,000 and some odd hundred thousand dollars on account of the "clothing and small stores fund" of the Navy.

To begin, during the war the clothing and small stores account in the Navy, consisting, as it does, of clothing and other such equipment, was enlarged through purchases to more than $77,000,000. In 1921 the Congress passed a law directing that on first enlistment men in the Navy should be supplied their uniforms out of this fund or account without reimbursement thereto. The result of that law is that nearly $10,000,000 of the supplies then on hand have been taken out of store without any equivalent return. Later on the Navy Department took an inventory of its stock and wrote down the prices to meet the present cost level, and that occasioned a reduction of $30,000,000 in the values as represented by the purchase price during the war. It will be manifest to everybody that the Navy Department could not go on carrying a store of supplies represented at a cost of $77,000,000, when such supplies were worth only $37,000,000.

So, on the recommendation of the Navy Department, the Committee on Appropriations has in this bill recommended the authorization of book adjustments to be made between the Treasury Department and the Navy Department, which will give the Navy Department credit for the shrinkage in the value of the stores. That is what a man would do in his private business. He would write it off to profit and loss. In a Government institution you can not do that; you have to provide for the adjustment by law.

The Navy Department had deficiencies for transportation and freight and other things for 1921 of $4,600,000 and odd. They brought to our attention unexpended balances in other 1921 appropriations of something over $11,000,000. We have provided in this bill for the payment of these deficiencies for 1921 out of the unexpended balances in other naval appropriations for that year. It was suggested by the Navy that we might then take the remainder of the 1921 unexpended balances and apply them toward the payment of the additional appropriation for fuel which they requested for 1922, but the committee did not think that would be good business practice—it would be doing just what we are trying not to do. It would indicate an expense in one year that was incurred in another, an expenditure out of one year's appropriations for the expenses of another year, and it would complicate the situation so that you would not be able to tell what the appropriations for any one year were. It would not be good business practice, anyway. For 1922 they had some legitimate deficiencies, amounting to $3,700,000 and a little over, which we authorize to be paid out of the unexpended balances for 1922.

It may excite the curiosity of some Members of the House to know how we reached the conclusion that $6,283,000 was the amount which should be allowed for fuel. I shall explain it by saying that we deducted the amount of the other deficiencies from the $10,000,000 we agreed to allow and allotted to fuel what was left. That is how we reached the figure.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. LONDON. Was it necessary to authorize the application of an unexpended balance for the year 1921?

Mr. MADDEN. Yes; you can not do it in any other way. There are some people who do not agree that we ought to touch those balances. The reason why we do it is this: We thought it was good business practice. If we had made a direct appropriation out of money in the Treasury not otherwise appropriated we would have added to the current year's expense of the Navy the amount of the appropriation, whereas by doing what we permit them to do—that is, charge the deficiencies to the balances unexpended in the appropriations for that year—we keep the total cost of the Navy within the appropriation as it was originally made. Of course, in the long run it might amount to the same thing, because these unexpended balances would go into the Treasury; but if we use them now they are not there, and they can not be used for other purposes. Sometimes it is a good thing not to have them there.

There has been some criticism—and I think it is only fair that we should meet that criticism—about the wisdom of what the committee recommends in connection with the fuel supply for the Navy. We are not thin-skinned about criticism and not averse to having criticism passed. If we can not meet the criticisms fairly, we are not entitled to support. We have no disposition whatever to embarrass anybody anywhere. We have but one object, and that object is to conserve the interests of the people. The Navy is a popular institution. It has means of reaching a great many people. It sometimes finds fault with what the Appropriations Committee does. They never get exactly what they want, because they always want a good deal more than they ought to have; and this is the first time in the history of my experience in Congress that we have not a pending war with Japan just about the time the Navy appropriation bill was under consideration. They could not raise the issue now because the Conference on the Limitation of Armament settled that question. Now they raise the question that they can not cruise their ships if we do not give them more money for fuel.

I want to tell you what they have had. I want to present both sides of the case fairly. I am not asking one thing or the other. I want the case to be presented to the House so that the Members of the House themselves will decide the question, and whatever they decide I shall be happy about it. I think it is our duty to give the facts.

For 1922 the original estimate submitted in connection with the naval bill for fuel was $37,000,000. That estimate was revised on the basis of 100,000 men and on the basis of two days at sea to one in port, and reduced to $34,982,000. The Congress allowed them $17,500,000 for fuel. The actual expenditures from July 1 to December 31, 1921, for fuel amounted to $15,896,821.23. The balance on hand January 1, 1922, was $1,603,178.77. The average monthly expenditure for the first six months for fuel in the Navy was $2,650,000. The expenditure for the month of December last was $1,850,000. The balance on hand January 1, 1922, was estimated at $1,600,000. The funds therefore required for February, March, April, May, and

June, five months, are the funds with which we are concerned. The amount allowed in this bill for those five months is $6,282,685. This sum will average for each month of the five months $1,250,000. If allowed the total for the year would be $23,782,685. The amount allowed for fuel for the fiscal year 1916 for the Navy was $5,500,000. That is all they used. The expenditures for the fiscal year 1921 for fuel for the Navy amounted to $33,000,000. The average monthly expenditure for 1921 was $2,750,000. The original estimate for 1922 for fuel for the ships was based on oil at $3.85 per barrel. Fuel oil on the west coast is costing now from $1.48 to $2 per barrel. It should be remembered that these estimates were based on $3.85 per barrel.

The average cost on the west coast was about $1.70 per barrel. Practically all of the oil-burning ships in commission are on the west coast. Oil costs more on the east coast. It costs more because during the war the Navy made a contract with some oil company, I do not recall the name, which required the Navy to buy many, many million dollars' worth of oil over a given period. They could have canceled the contract, but it so happened that they advanced a lot of money to the oil company from whom they were to buy the oil, and the only way that they can get that money back is to buy the oil at the price fixed in the contract, and that is what they are doing now. Fuel oil on the east coast costs from $2.47 to $3.05 per barrel.

I want to say that in reaching the conclusion that $6,282,000 is the amount that we ought to give, we do so upon the theory that $1,250,000 for fuel to-day is equivalent to $2,500,000 for fuel in 1921.

Now, it is said by some of the people of the Navy that they will be compelled to keep the ships at anchor. Well, most of the ships are at anchor in times of peace anyway, and it will not hurt them right now if they are at anchor. I know as a result of an investigation and from expert testimony submitted to me by one of the best men in the Navy—I do not care to give his name—that the amount given in this bill for the Navy will be equivalent to the amount of fuel that can be used with all peace-time movements of ships without restriction by the Navy with a 60,000 personnel.

I have a suggestion for the Secretary of the Navy that it might be a good plan to begin to conform to the expectations for another year. I do not know what the size of the Navy will be next year and I do not suppose anybody does. But I do not think it is going to be as large as it is.

I do not think there will be as many men to operate as many ships, and not as much fuel, and I commend to the Secretary of the Navy this line of thought. I am going to make a suggestion, although for a landsman it may be risky to make suggestions to a seaman. I am going to say that if we should provide in the naval bill for 1923 for a force approximately of 60,000 men—I do not commit myself to any number, I am talking about probabilities—it necessarily must follow that a great many vessels now in commission must be laid up at suitable anchorage places, and should be laid up. If they are laid up they will have to have certain stores and equipage removed. They should have certain parts liable to rust well greased, and it might be necessary to apply paint to preserve the ships and machinery. That is what we do to machinery when we lay it up, and after the 1st of July the Navy will have neither enlisted men nor civilians—if the Navy is reduced to 60,000—sufficient to attend to these things. I am talking to the Secretary of the Navy. My suggestion is that there is no better way to employ the enlisted man to-day on vessels of the Navy which will be necessarily laid up during the remainder of the fiscal year by reason of the curtailed steaming fund than to put them to work conditioning the vessels which must lie idle during the next fiscal year. [Applause.] Do you not think it would be a good plan to have that done in advance? I advise the Secretary of the Navy to do this, and that is what any business man would do. I do not criticize the Secretary of the Navy or anybody else, I am only making suggestions of what would be wise and prudent. You know if you follow the dictates of the scientists of the Navy there would be no limitation. But there is somebody somewhere in the rugged corners of the agricultural regions, in every section of the Nation, pleading for reduction of expenses. Men in the mines, in the mills, in the shops, in the field, on the farms, are all looking to us to give them relief. These men that urge extravagant expenditures do not have to go to the people. They do not know the people; they would not know them if they met them. They do not associate with them. They do not have to realize the conditions of hardship that these people have to undergo to make a living. Personally I am very friendly to the Navy. I want the Navy to understand that we ought to try to get together and not stand so far apart. [Applause.]

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. NEWTON of Minnesota. I understand the gentleman to say that last year the bill appropriated $17,500,000 for the present fiscal year.

Mr. MADDEN. This year.

Mr. NEWTON of Minnesota. How is it that the Navy has expended $17,500,000 when Congress intended it to last throughout the fiscal year?

Mr. MADDEN. I am going to talk a little about that in a minute. I think I have said all I need to say about the Navy. Now I want to say one thing about the Army.

Mr. HILL. Will the gentleman yield at this point?

Mr. MADDEN. I will.

Mr. HILL. On page 27, under Naval Establishment, is an item for Navy nitrate plant.

Mr. MADDEN. That is for them to use——

Mr. HILL. We are considering Muscle Shoals.

Mr. MADDEN. That has nothing to do with Muscle Shoals.

Mr. HILL. Is there a nitrate plant in existence now?

Mr. MADDEN. No; this is the remainder of a fund created during the war for that purpose.

Mr. HILL. And there is no nitrate plant now?

Mr. MADDEN. No. Now I want to talk about the Army. The Secretary of War has been wonderful in his cooperation. He has not always agreed with us when we have suggested economies; he has kicked as hard as anybody; but if the thing was done he has been the first man to conform and has done wonderfully well. I want to compliment him. There has not been a chance that he could find anywhere that he has not economized.

Mr. MANN. I do not want my colleague to make any statement about it, but I notice that he did not make that statement about the Navy. [Laughter.]

Mr. MADDEN. I have no criticism to make. Now, I think the worst enemy that the United States has is the deficiency fiend. We have a lot of them and it is hard to break them away from their habit. It is a habit of generations. It is ingrown in them. They do not know how to get rid of it. We are trying to pry them loose from it.

We are trying to educate them how to do things without spending more money than they get. Now, let me illustrate to you how many deficiencies happen. We will say we appropriate a million dollars for a given activity. That is the limit of cost for the activity for the year as fixed by the Congress. That is the law. The law embraced in an appropriation bill is just as sacred as the law embraced within the Constitution. It is made to be kept, and yet a great many department chiefs and bureau heads, when they get the appropriation for a million dollars, seem to forget the oath they took to obey the law and the Constitution and they commence to allot the $1,000,000 sometimes on a basis of $1,200,000. They will make a monthly allotment on the basis of $1,200,000, so that they will be sure not to make any mistake of not having enough. Instead of making allotments on the basis of $1,000,000 they make the allotments on the basis of $1,200,000, and they will spend up to the amount of the allotments and, of course, in the middle of the year they discover that they will be $200,000 short, and they come back for just exactly the amount of the excess of their allotments over the appropriation. We have notified them that when we make an appropriation it means that they are to live within it. [Applause.] And I want to notify them now publicly on the floor that in all cases where deficiencies are created that can be avoided—and there are some cases where they can not be avoided, there may be an emergency—fuel, for example, for the Navy, they are permitted to create a deficiency for fuel under the Revised Statutes, or for the pay of personnel or for subsistence of men in the Navy, and the same thing is true in the Army, but no one will justify the creation of a deficiency for additional clerks in civil activities beyond the amount that they are allowed in the appropriation.

And all such deficiencies as that I want to say from now on—really there have not been any of them allowed, I will say—but wherever they come, as long as I am chairman of the Committee on Appropriations, for a deficiency that can not be justified by law or fact or reason, and where it is evident that they had no intention of living up to the law and where they evidently intended to flout the Congress and pay no attention to it, I propose, under the terms of the deficiency act that provides for the removal from office of anybody who creates a deficiency in violation of the act or for fine or imprisonment, to notify the President of the specific violator, giving his name and requesting him to take such action in all such cases as he may think proper. We can not discharge the men but we can call the attention of the President to the persistent and illegal violation of the appropriation acts by those who have charge of the expenditures.

Mr. SNELL. Will the gentleman yield?

Mr. MADDEN. Yes, sir.

Mr. SNELL. I am sure the House heartily approves of the stand of the chairman of the committee with regard to these deficiencies. I would like to ask how the general deficiencies of bureaus for this year compare with those made last year?

Mr. MADDEN. Of course deficiencies this year are large because of the necessity for a large amount of money for the veterans, but they have been running large right along since the war. Sometimes deficiencies come in here dating back a number of years—as, for instance, we have deficiencies for 1916, 1917, 1918, and 1919—and we can not evade those or avoid them.

Mr. SNELL. But the gentleman thinks, as far as the active operation of Government departments is concerned, the deficiency is less than previously.

Mr. MADDEN. The bill only provides for $5,200,000 for deficiencies for the executive branch of the Government outside of the extraordinary things I have described.

Mr. SNELL. This is a small amount in this bill——

Mr. MADDEN. It is a small amount for a large bill.

Mr. NEWTON of Minnesota. Will the gentleman yield again?

Mr. MADDEN. I will.

Mr. NEWTON of Minnesota. With regard to this question of Navy fuel. This is true, of course, in the Navy when an officer expends more than appropriated and creates a deficiency for fuel that the officer is not subject to removal?

Mr. MADDEN. No.

Mr. NEWTON of Minnesota. At the same time it is certainly intended under the law and by Congress that the appropriation for $17,500,000 for fuel during the year shall be apportioned during the year.

Mr. MADDEN. It was.

Mr. NEWTON of Minnesota. And that proportion shall be maintained, except in the case of an emergency. Does the Navy claim that there has been an emergency during the present year which has caused them to create a deficiency?

Mr. MADDEN. No; we have not been able to discover it. I do not know what they claim. Now, as to the veterans. I want to talk a little about them. We have a very interesting situation with respect to the appropriations for the Veterans' Bureau. It will be recalled that when we were here before with the deficiency bill we did not recommend what they asked for, because they were not able to give us the facts we would liked to have had in order to give the case intelligent treatment. Since that time a great many facts have been submitted that justify the hope, at least, that there is an honest effort being made to systematize the work. It is a tremendous job under any circumstance, and there will be mistakes made; there will be waste in different places; there will be extravagance; and there may be corruption. We do not know. We do not charge that there is, but I would not be surprised some time if it should be developed that there was. We have eighteen thousand two hundred and some-odd people in the service of the Veterans' Bureau. Thirteen thousand five hundred of those are in the divisional offices and suboffices, and five thousand and something here in the District of Columbia. There were 75,408 cases acted upon by the medical division of the War Risk Bureau in December, 1921—that is last December. Of this number 28,994 were general cases and 16,727 were tubercular. There were 52,272 cases rated by the medical division during December, 1921.

Thirty-six thousand three hundred and ninety cases were referred to the United States Public Health Service district superintendents in December, 1921, for examination, 19,913 cases awaiting action of the medical officers on January 1, 1922. There were 28,687 men receiving hospital treatment at the close of December, 1921; 28,563 Government beds were available at the close of December, 1921. Eighteen thousand of these were in the United States Public Health Service hospitals, 2,895 in Army hospitals, 3,398 in Navy hospitals, 3,278 in soldiers' homes, and 822 in St. Elizabeths. On the same date there were 8,784 unoccupied beds in Government hospitals, which would be equivalent to about 25 per cent of the total number of beds. It is said that 15 per cent surplus beds should be maintained continuously, because they are transferring patients in and out all the time.

There are 5,580 additional Government beds under construction or were being planned as of January 1, 1922, and this work, when completed, will provide 3,039 tubercular beds and 2,345 neuro-psychiatric beds and 196 general medical and surgery beds in addition to what we already have.

Four hundred and eighty-six thousand eight hundred and eighty-four men have requested vocational training to December 15, 1921, and during the period from December 1 to December 15, 12,769 were registered, compared with 19,178 in November and 23,825 in October.

And I want to say in this connection that the cost of vocational training per man per annum, including those who are not paid for taking vocational training, is $126 a month, or, substantially, $1,500 a year.

There were 299,879 men who have been declared eligible for vocational training; 135,947 have been declared ineligible after examination. Of the 299,879 declared eligible for training to December, 1921, 269,919 have been assigned to training. That does not mean they are in training. Of the 269,919 assigned to training to December 15, 1921, 137,068 have entered training; 48,602 men were in process of induction into vocational training on December 15, 1921.

On December 1 there were 48,899 in process of induction, and on November 1, 50,616. During the period of December 1 to 15, 1,848 entered training, compared with 4,145 for the month of November, 7,104 in October, and 5,491 in September. One hundred and four thousand five hundred and seventy-eight were undergoing vocational training December 15, 1921. Of this number 93,914 are receiving maintenance pay from the bureau, while 10,664 are receiving no maintenance pay. Up to December 15, 1921, 7,837 have completed vocational training. During the period of December 1 to 15, 388 completed training, compared with 691 in the month of November, 574 in October, and 278 in September.

To December 15, 1921, 18,842 had their training interrupted for one cause and another, some by death and sickness and some for other reasons.

Of the 104,578 men in training on December 15, 1921, 28,320 pursue business courses; 14,505 mechanical trades; 14,076 agricultural courses, and 10,573 professional courses. The trades courses being pursued embrace mechanical, metal, electrical, building, and advertising trades.

Seven thousand one hundred and twenty-nine employees were engaged in the rehabilitation service January 1, 1922.

Now, I have some figures I would like to read. There has been paid under the Veterans' Bureau in the war-risk section, from November 1, 1919, to December 31, 1921, inclusive, for salaries and expenses, $47,078,092; allotments and allowances, $582,954,236; vocational training, $212,724,533; compensation, $300,141,766; term insurance awards, $278,239,146; United States Government life-insurance awards, $5,047,459; hospitalization, $17,924,017; marine and seamen, $35,084,378; or a total of $1,479,193,630.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I would like about five minutes more.

Mr. LONDON. Will the gentleman yield?

Mr. MADDEN. Let me make this statement first:

From November 1, 1917, to January 1, 1922, 1,687,850 service men requested allotments and allowances. During this period 2,145,816 awards were made. The reason for the difference in the number of applications and the number of awards is that awards were made upon the application of wives and frequently Class A and Class B awards were made on the same application. So that you can see that there might be two awards easily on one application. The amount of $582,954,236.03 has been paid out in allotments and allowances to January 1, 1922, and of this amount $300,905,125.70 was allotments and $282,049,110.33 was allowances.

I give you these figures because it is frequently said that there is nothing being done for the men who served in the war and who came back sick. And I thought, inasmuch as a good many questions are being asked of Members of the Congress daily in respect to what is being done for these heroes who served the Nation in its hour of need, there ought to be some information in concrete form that the Members can refer to as reliable.

These figures that I have given you are the exact facts, and they tell the story of a Nation's gratitude as no other statement could tell it. We are grateful to these men for what they have done. The Nation stands with hands aloft, beckoning and inviting these men who wear the badge of honor, which comes from a fallen limb or some shattered part of the body, to partake of the generosity of the Nation, not in the nature of charity, but in the nature of a desire on the part of the American people to recognize the merit that service proved on the part of these patriotic men. [Applause.] It is sometimes said that we are not doing anything for them. I think they themselves ought to know what is being done. Many of them do not. These figures tell the story, and I want you to repeat it and pass it on.

Now I yield to the gentleman from New York.

Mr. SNELL. As I understand it, it costs $129 a month per man?

Mr. MADDEN. One hundred and twenty-six dollars on the average?

Mr. SNELL. Does that include the pay to the man himself?

Mr. MADDEN. It includes pay. It includes pay of $100 a month. A good many men do not get pay, but in cases like that we have to pay $50 a month tuition, so that in all it costs $126 per man.

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. ANDREWS of Nebraska. What evidence, if any, has been disclosed in the committee hearings as to the need of hospital buildings?

Mr. MADDEN. We have figures here showing that there are 7,700 surplus beds. If there is any evidence needed to show that we do not need beds, that is the evidence.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. LONDON. I am receiving many letters every day from my district, principally from teachers and parents of school children, who have evidently been advised by the teachers to write me, complaining that the soldiers do not get sufficient hospital facilities.

Mr. MADDEN. There is no complaint anywhere on that ground. The complaint generally comes from the outside. Of course, I would not undertake to say that some poor, unfortunate man who went to the other side and was shell-shocked and became nervous, and thereby became more or less discontented, or some man afflicted with tubercular trouble, has not received the attention he desires. There are always some who are more or less discontented, and it is the purpose of the authorities to do everything they can to make them as contented as possible.

Mr. LONDON. The gentleman has looked into the facts, and he is satisfied that everything is being done that could be done?

Mr. MADDEN. Yes; I do not think you could do any more, no matter how hard you tried. You can not satisfy everybody, because there are conditions under which some will not be satisfied.

Mr. LONDON. There are enough beds?

Mr. MADDEN. Yes; something like 7,700 surplus. [Applause.]

The CHAIRMAN. The gentleman has used one hour and seven minutes.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 30 minutes to the gentleman from Porto Rico [Mr. DAVILA]. I understand the gentleman from Illinois [Mr. MADDEN] will yield to him the same amount of time.

The CHAIRMAN. The gentleman from Porto Rico is recognized for one hour.

Mr. DAVILA. Mr. Chairman, at the beginning of my remarks I ask that the Clerk read in my time a communication which I have received from Porto Rico.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

[Cablegram.]

SAN JUAN, P. R., *February 26, 1922.*

Hon. FELIX CORDOVA DAVILA,
House of Representatives, Washington, D. C.:

The governor appointed the same persons who had been rejected as soon as the senate adjourned. Great public indignation exists. I am doing everything in my power to contain despairing attitude of the people, fearing lest it may undo the good work we have just completed. We are all about to lose faith.

BARCELÓ,
President of the Senate.

Mr. DAVILA. Mr. Chairman, I arise to-day to perform a duty that is far from a pleasant one to me. But my sacred obligations to the good people of Porto Rico, who are responsible for my presence in this body, as well as my obligations to the United States, of which I am a willing and proud citizen, forbid me to longer remain silent.

I arise to protest against and ask relief from the acts of an unprincipled, un-American, and altogether unfitted administrator, Gov. E. Mont Reily, of Porto Rico. His oft-repeated abuses of power and his systematic insults to a friendly people have finally made this man intolerable to the people of the island.

Strange to say, Gov. Reily has selected that portion of Porto Ricans who are the best element in the island as the object of his spleen and vindictiveness. And that is by far the greater portion of the people of Porto Rico.

E. Mont Reily, instead of devoting his time to the administration of the affairs of the country with sound judgment and impartiality of views, as was to be expected from a presidential appointee to the high office of executive of the island, has indulged in a policy of partisanship, and for the first time during the history of the American administration the office of the governor has been converted into a political club. This office is now the headquarters of small and cheap politicians, who have grasped the opportunity and obtained from the governor the support denied them by the people at the general elections.

Therefore to Porto Ricans such as myself, and there are many of them, indeed, the spectacle of an American governor in Porto Rico insulting and ignoring the friends of his own native land and championing those who brag of their bolshevik ideas and claim affiliation with the Third Internationale of Moscow, adds insult to injury to the last extreme.

Nor is it in my purpose to cast reflection upon any of the national political parties. I am neither a Republican nor a Democrat in the sense of continental party affiliation, for we do not have the same issues in Porto Rico that you have here. I am a loyal American citizen, and therefore I do not yield to anyone in my loyalty and respect for the President of the United States.

I believe that President Harding made a mistake in the appointment of the governor. Reily cunningly suppressed his past record, and therefore the President appointed him without the least malice toward the people of Porto Rico. I have such great confidence in President Harding that I believe if we could know his innermost convictions we would find that he, too, is about convinced that this man is unfit to govern a people.

HOW REILY BEGAN HIS ADMINISTRATION AS GOVERNOR.

But, Mr. Chairman, we have exhausted all our means to obtain the removal of the governor by the administration. Unfortunately, we have failed in our efforts, and Gov. Reily has returned to Porto Rico with the support of the President. It seems to me that the administration has not realized the seriousness of the situation, and as we have been unable to convince the President of the justice of our cause I appear before you to ask for a congressional investigation which will expose to public view the general reputation and conduct of Gov. E. Mont Reily in Porto Rico. To accomplish the removal of this man, whose every act has shown him wholly unfit to govern the island, no course is left to us but to bring the matter before Congress. I wish to make it clear, however, that this step is taken only after the administration was given free opportunity to act.

In order to form an opinion of the personality of E. Mont Reily it is necessary to take into consideration a multitude of details which, if considered separately, may appear of minor importance, but which jointly investigated will give an approximate idea of the mentality, temperament, and idiosyncrasy of the man who is at present the ruler of the island.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield for a question?

Mr. DAVILA. Yes.

Mr. JOHNSON of Mississippi. I understood from the cablegram that you had read that the officers whom the governor had appointed last had been appointed before that and that the Senate had refused to confirm them. Is that true?

Mr. DAVILA. They were appointed during the recess. The governor submitted the names to the senate, which was convened for the special purpose of considering his nominations, and the senate refused to confirm them. He reappointed them immediately upon the adjournment of the senate in defiance of the organic act and of the wishes of the people of Porto Rico, as expressed through their accredited representatives, and that is proof of the unfitness of the governor. His action is an insult to the people of Porto Rico. I am fighting him more as an American than as a citizen of the island. He is more of an enemy of the people of the United States than of the island and his conduct demands his removal.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. DAVILA. Yes.

Mr. SUMNERS of Texas. By what majority did the senate decline to accept the governor's appointments?

Mr. DAVILA. I understand it was by a vote of 15 against and 3 in favor.

Mr. SUMNERS of Texas. The senate voted 15 to 3 not to ratify the appointments?

Mr. DAVILA. Yes.

Mr. SUMNERS of Texas. Then the governor reappointed them?

Mr. DAVILA. He reappointed them immediately after the adjournment of the session of the senate.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. DAVILA. Yes.

Mr. FAIRFIELD. Has the Senate of Porto Rico signified that it would not confirm anyone whom the governor should name?

Mr. DAVILA. Oh, no; nothing of that kind.

Mr. SMITH of Michigan. Were these appointees Americans or were they Porto Ricans?

Mr. DAVILA. There were two continental Americans among the heads of departments that were appointed. And I want you to understand that we do not object to the appointment of continental Americans. We welcome Americans to Porto Rico when they come down there to cast their lot with our people, but the organic law was drafted with an idea of giving the people of Porto Rico an opportunity to share the offices, so they might gain experience in self-government.

Mr. SMITH of Michigan. I understand there were only three of these appointees.

Mr. DAVILA. There were three heads of departments that failed of confirmation by the Senate.

E. Mont Reily was nominated by the President as Governor of Porto Rico and confirmed by the Senate on the 11th of May 1921, in spite of the opposition of the distinguished Senator from Iowa, Mr. Kenyon.

On May 16, when Gov. Yager was still in Porto Rico in the discharge of his official duties as executive of the island, E. Mont Reily, without extending the courtesy of waiting for Yager's departure, notwithstanding the fact that he had been requested to do so, took his oath in the city of Washington, and since that day has been receiving the amount of $10,000 a year, which is the salary assigned to the Governor of Porto Rico.

The new governor stayed in the mainland 68 days, devoting his time to the local politics of Missouri, to distribute some governmental positions in the island among his friends of Kansas City, Mo., and to indulge in political activities connected with the insular people under the pernicious influences of some politicians from Porto Rico who came to this country especially to bias and prejudice the governor against the majority in the island. It is very easy to influence Gov. Reily in the wrong way, while it is rather hard to persuade him to do the right thing. The first official act done by the governor a few days after his appointment was to request an increase in the salaries of his private secretary, his stenographer, and the chief of the secret service of Porto Rico. He appointed to the last position a friend of his from Kansas City, illiterate, who was a jailer in that city, and who had to be removed for incompetency as such.

REILY WANTED INCREASED SALARIES AND UNDIMINISHED FUNDS.

The governor urged me to wire to the Porto Rican Legislature requesting the increase of these salaries. I did that with reluctance, especially when he told me, "Increase the salaries of these offices, do not cut the appropriations of the governor, and we will get along all right." [Laughter.]

Mr. WILLIAMS. Was the request for the increase of these salaries made before he left this country for Porto Rico?

Mr. DAVILA. It was made while he was here in Washington. In spite of the advice received by the governor in Washington from prominent members of the administration, he appointed as his private secretary a continental American who does not know the Spanish language. Mr. Reily knows no Spanish and requires as private secretary a man thoroughly familiar with both languages, Spanish and English, in order to be able to understand and to make himself understood by the people he was sent to govern.

He appointed as chief of the secret service of Porto Rico a man from Kansas City, a man whom I would like to have you see. It is a shame to have such a man as the chief of the secret service.

Mr. JOHNSON of Mississippi. That is no doubt due to the fact that he was engaged in the pawnbroking business before he was appointed.

Mr. DAVILA. That is the information I have from Kansas City. Everybody who knows him in Kansas City knows that. I wish to say that this is the first time that a governor of Porto Rico has appointed as his private secretary a man unfamiliar with the Spanish language. All former governors have chosen secretaries who knew Spanish and English. Governor Reily is the only one who believes that he can communicate with the people of Porto Rico through a secretary who does not know the Spanish language.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. DAVILA. Yes.

Mr. FAIRFIELD. Has the governor a confidential interpreter, or upon whom does he rely?

Mr. DAVILA. I do not know. He has a military aid who is a captain in the United States Army, and who knows Spanish.

Now I want you to listen to this statement which I am about to make, because it is important.

Reily while in Washington, and without knowing the people of the island, recommended the removal of the auditor, the attorney general, and the commissioner of education of Porto Rico. He admitted to me that he had recommended new candidates for these positions and that it was his intention to appoint as auditor a friend of his from Kansas City. Regarding the attorney general, who is a Porto Rican, Reily stated that he was a Wilson man, a Democrat, and a supporter of Gov. Yager. He opened the gates of his prejudice when he told me: "I will not allow you to control the affairs of Porto Rico as you did under the Wilson administration. I am the boss now," he added. "You may do as you please," I answered, "but your prejudice, before having any personal knowledge about my country, shows me that you are going to fail. Porto Rico will welcome an executive, but not a boss." [Applause.]

After a long and bitter discussion with the governor, he at last promised me to withdraw his recommendations for removals and new appointments, but I was deeply disgusted with his attitude, and I took the matter up with Gen. McIntyre, the Secretary of War, and the President, protesting against these removals, and my advice was definitely accepted. Later, the governor, after his arrival in Porto Rico, insisted on the appointment as auditor of his friend from Kansas City, and asked the resignation of Judge Bonner, a continental American of remarkable ability, who has gained the respect and admiration of the people of Porto Rico and who was first appointed by President Taft.

With the purpose of giving Gov. Reily full cooperation in spite of my disappointment, after several interviews with him, I accompanied him to Porto Rico with the intent of paving his way at the beginning of his administration. On our way down to the island a friend of mine showed me a clipping from an American newspaper containing a statement by Gov. Reily with regard to Porto Rico. When I read that clipping I was greatly surprised, because I could not understand how the governor, without knowing our people, could make statements hurting their feelings in the most vicious way. I remember that in that statement the governor said that he was going to make the English language the only language in the island; that this language must be paramount, and all others, including the Spanish, secondary. I called the governor's attention to the clipping, and he stated that he had been misquoted, but admitted that he was going to say in his inaugural address that the English language must be paramount. I told him that this was a big mistake, that the Spanish language was the language of the Porto Ricans, and the only thing that he could properly say was that both languages, English and Spanish, should be taught in the public schools on equal basis.

It is a difficult task to convince the governor and although he accepted my advice at the time his statement showed me plainly the state of his mind which has been ratified by his subsequent acts in the island. It happened that among the passengers on the boat was a Porto Rican named J. M. Hernandez, who applied to the President through the Bureau of Insular Affairs for the position of commissioner of education of Porto Rico. Mr. Hernandez requested me to introduce him to the governor. I conveyed his desire to Mr. Reily and he replied: "I do not like that man." "Do you know him?" I asked. "No," he answered, "but he filed his application at the War Department and the War Department and the Bureau of Insular Affairs have nothing to do in this matter, I am the boss." I tried to excuse Mr. Hernandez, and at last the governor decided to meet him. Mr. Hernandez was warned by me about the governor's statement.

REILY SAYS HE IS "VERY INFLUENTIAL."

In this connection I want to say that Reily boasts of his strong influence with the President of the United States. He told me that he was going to make his military aid, who is a captain in the United States Army, a colonel. "I am a very influential man," he said. "Do you know what the President told me yesterday? I told Mr. Harding that I was going to recommend to him several appointments for the island of Porto Rico. The President replied: 'Why don't you make the appointments?' 'Well, Mr. President, you are the boss,' and the President said: 'Mont, bring me the names and I will sign.' So you see, I am a very influential man and I can make the captain a colonel." [Laughter.]

The administration of E. Mont Reily as Governor of Porto Rico has been a succession of insults to the people. When he went to the island he found a land of peace and happiness, and almost overnight he transformed it into a hotbed of dissension and despair.

The inhabitants of Porto Rico are an unusually docile and friendly people by temperament. They have respect for law and order and for officials occupying executive positions. Also they respect and honor an official of their sovereign guardian, the United States, which they know as an altruistic and generous Nation and of which they are proud to be a part.

Gov. Reily could have had the everlasting friendship and affection of Porto Ricans of all classes had he possessed the least qualification to be their governor.

Beginning with the day of his arrival, insult has followed insult. We have pride in Porto Rico, gentlemen, and I say to you in full truth that we can stand no more. The moment has come when our self-respect rebels. We appeal to you for relief from this administrator. We ask you to investigate his acts. We believe that should he be a witness before a committee of Congress that he himself will be the best evidence of the justice of our demand for his removal.

I charge that E. Mont Reily, Governor of Porto Rico, removed and caused to be removed from office officials of long experience and efficiency without justification and caused to be appointed in their stead others lacking in the qualifications necessary to a proper discharge of the duties of the office to which they were appointed.

I charge that E. Mont Reily declared to members of the Porto Rican Senate, and other citizens, that he would have the Government at Washington annul the organic act, which provides that appointments shall be made with the advice and consent of the Senate, in case his nominations were not confirmed, which amounts to intimidation.

I charge that E. Mont Reily has endeavored to stir up strife and discord among the citizens and destroy the cordial relations now so happily existing among the loyal and patriotic people of Porto Rico, by false statements and by wicked and unwarranted accusations in public speeches against men of high character and patriotism who had shortly theretofore been elected by the people to places of honor and high responsibility in the government of Porto Rico.

I charge that Gov. Reily reappointed the same persons to office who had been rejected by the senate, his act being a flagrant violation of the law.

I charge that E. Mont Reily has attempted to poison the mind and prejudice the public opinion of the people of the United States by falsely stating in public speeches that prominent leaders of the people of Porto Rico were disloyal and traitors.

I charge that he has unlawfully interfered with the courts of justice and attempted to intimidate the judges thereof.

I charge that he has in public speeches attempted to bring the courts of the island and judiciary into disrepute.

I charge that he has declared in public speeches that he knew the courts of the island did not administer justice with honesty and impartiality, and called upon any citizen who had any complaint against a judge to report it to him, promising that he would remove the judge so complained of if he had to get up at midnight to do it.

I charge that he summoned the judge of one of the courts to his office and threatened him with removal because that judge had issued an injunction restraining the issuance of municipal bonds by the city of Mayaguez, which action by the court, the governor alleged, had been the cause of the defeat of his Republican friend in the municipal election which followed.

I charge that E. Mont Reily has in his public speeches in utter disregard of the feelings and sentiments of the citizens of Porto Rico denounced the flag of Porto Rico as a "dirty rag."

I further charge that he has publicly stated that the fire which broke out on the steamship *Tanamo*, the ship on which he returned from Porto Rico in November last, was of incendiary origin, set by his opponents in Porto Rico in an effort to get him out of the way, and that he had proof of what he stated, and that the department of justice also had such proof. In connection with this he exhibited cables purporting to bear out the truth of his statements.

The real truth of the matter is that the president of the Atlantic Fruit Co. has written me that the result of the investigation showed that the fire was caused by a cigarette dropped down one of the forward ventilators.

The following information will throw additional light on the high-handed manner of Gov. Reily:

He asked the resignation of the auditor of Porto Rico, Judge Bonner, an able and efficient man, replacing him by W. L. Kessinger, of Kansas City, Mo., who has not the experience of the former.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. DAVILA. Yes.

Mr. JOHNSON of Mississippi. In one of the charges the gentleman made he said that the Governor of Porto Rico called a judge before him who had issued an injunction. Did he remove the judge?

Mr. DAVILA. No; he did not remove the judge.

Mr. JOHNSON of Mississippi. Why did he call the judge before him?

Mr. DAVILA. He threatened the judge.

Mr. JOHNSON of Mississippi. I believe you charged that Gov. Reily intimidated the judge?

Mr. DAVILA. He threatened him with removal, but he did not remove him. We have evidence to prove that attempted intimidation. The injunction was issued during Gov. Yeager's administration.

CHARGES AGAINST GOV. REILY ARE SPECIFIC.

He asked the resignation of the commissioner of the interior of Porto Rico, Mr. Guillermo Esteves, a Porto Rican of great experience and unquestioned ability, replacing him with Mr. John A. Wilson, a continental American.

He caused the removal of Mr. Carey Hickle, who rendered efficient service as assistant commissioner of education, replacing him with Mrs. Liggett, of Kansas City, Mo., who has not the experience of the former.

He removed the chief of the secret service, Mr. Doby, replacing him with George S. McClure, of Kansas City, a man without any experience in detective work.

He caused the removal of the chief of the bureau of labor, Mr. Carmelo Honore, who was replaced by a Socialist recommended by the governor. The reinstatement of Mr. Honore has been ordered by the district court of San Juan in a mandamus proceeding.

He appointed Mr. W. S. Lippitt, a continental American, as head of the department of health, to replace Dr. Ruiz Soler, a native of Porto Rico.

Mr. W. L. Kessinger, jr., from Kansas City, Mo., has been appointed assistant to his father, replacing Mr. McCown, an able and efficient man.

He removed the municipal judge of Ponce without cause, and a few days later reinstated him.

He removed the municipal judge of San Juan without an investigation.

He removed the marshal of the said court in the same way, and a few days later reinstated him.

He removed the clerk of said court also without hearing and investigation.

Judge Pablo Berga, of the district court of Humacao, was summoned by the governor to his office and in the presence of the attorney general threatened with removal without any justifiable reason.

A little less than three weeks after his arrival in Porto Rico he dismissed three policemen and promptly reinstated them.

He dismissed the chief of the Ponce detective force and one of his subalterns, and 10 days later reinstated them both.

He promoted the district chief of Carolina, two days later dismissed him, and two days later reinstated him.

Judge Lopez Acosta, of the district court of Guayama, was subjected to a humiliating investigation on the strength of anonymous letters preferring charges against his conduct in office.

The judges of Patillas and Camuy were also investigated on the feeble excuse of anonymous reports.

He pardoned a policeman who had been sentenced by a lower court, which sentence was still on appeal to a higher court. This man had to be expelled a few days later by the chief for having been guilty of the crime of assault and rape.

The appointment of George S. McClure by Gov. Reily as chief of the secret service is most humiliating to the people of Porto Rico. McClure is a man of very low type, without any education or manners. McClure's fitness for the position which he now occupies can best be defined by reproducing an excerpt from a letter written by Mr. Charles Edwards, chief of police of Kansas City and McClure's former chief:

> Mr. McClure was appointed a clerk in this department on December 1, 1919, and resigned by request on May 2, 1921. His resignation was asked for during a reorganization of the department when it was found that he was an incompetent clerk. He was never suspected of having any talent for detective work.

This is one of the men for whom Gov. Reily asked an increase in salary of the Legislature of Porto Rico, stating that he was the best detective in Kansas City, Mo. He admitted that McClure did not know any Spanish, but said that he could detect in any language. [Laughter.]

One of the first achievements of McClure after his arrival in Porto Rico was to violently wrest a Porto Rican flag from an automobile, tear it to shreds, and trample it beneath his feet. He has been a constant insult to the people of Porto Rico.

DESTROYING CONFIDENCE OF PEOPLE IN JUDICIARY.

The attitude of the governor toward the judiciary is of such a nature that it deserves the most serious rebuke.

By removing judges without proper investigation, as provided by law; by announcing in public speeches that there were courts in the island that did not administer justice with honesty and impartiality; by inviting the people in open meetings to

prefer charges against the judges, with the promise of dismissing them immediately, even at midnight, he has not only exceeded his authority but has weakened the efficiency of the courts.

Not only has he done irreparable damage to the peace and dignity of the island by causing the people to weaken their confidence in their respect for the courts, but he has created a feeling of uncertainty and unrest among the members of the bench, who are expecting at any time to receive the notification of removal which will expose them to the condemnation and ridicule of the people.

There is nothing that lends more honor to a country than an independent judiciary, and conversely no acts of oppression could be more harmful to a people than those which destroy the efficiency of their courts.

Chief Justice Marshall, defining the duties of a judge, with his usual remarkable ability says:

He has to pass between the most powerful individual in the community and the poorest and most unpopular. It is of the last importance that in the exercise of these duties he should observe the utmost fairness. Need I press the necessity of this? Does not every man feel that his own personal security and the security of his property depend on that fairness?

The judicial department—

Adds the able jurist—

comes home in its effects to every man's fireside; it passes on his property, his reputation, his life, his all. Is it not to the last degree important that he should be rendered perfectly and completely independent, with nothing to influence or control him but God and his conscience?

You do not allow a man to perform the duties of a juryman or of a judge if he has one dollar of interest in the matter to be decided, and will you allow a judge to give a decision when his office may depend on it? When his decision may offend a powerful and influential man?

Gov. Reily needs a lecture not only on the duties of a judge but also on the duties of an executive.

CHARACTER OF COMPANIONS DISQUALIFIES REILY.

Not the least of the practices of Gov. Reily which are deplored by loyal Porto Ricans is the character of some of his associates and counselors. His cooperation with the leader of the Socialist Party to the exclusion of prominent Porto Ricans of standing and high reputation has particularly incensed and humiliated the better element of the people.

This demagogue has prospered in Porto Rico by preaching the most radical and revolutionary doctrine. Notwithstanding the attitude of the United States Government toward the soviets of Russia, he proclaimed himself their champion and also announced his affiliation with the third internationale of Moscow. His attitude toward the soviets was announced in a public meeting held by the socialists in San Juan on May 1, 1919, and became notorious throughout Porto Rico. He further incensed every decent citizen of the island, irrespective of his faith, by his ribald attack upon the teachers of the Christian religion.

And yet in spite of these facts, which were known to all men, the governor in his tour of the island publicly embraced this man and repeatedly referred to him as the type of citizen with whom he proposed to counsel while he remained Governor of Porto Rico.

In proof of what has just been stated about the speech of this crony and counselor of the governor, the following extracts are submitted from the official record of his address at the meeting of the Socialist Party on May 1, 1919, which was printed and widely circulated:

A certain prominent young lady was imbued with the belief that all the evils suffered by humanity were due to a lack of Christian training and education. We have been able to convince her of her error and demonstrate that the wickedness which distressed her also actuated the very teachers of Christian morality whose precepts she would invoke. They alone are responsible for so many public calamities, for such widespread misfortune, for the desperation of so many families, for such widespread vice, and for the prevalence of much of the injustice which results in overthrowing the foundations of society and degrading the very principles of social morality.

* * * * * * *

I agree with the soviets' statements. They have declared through their representatives in the United States: "We have not come to this country to ask for the recognition of political representation, but only for the recognition of our right to explain the questions that affect our people."

The soviets have abolished all the old bourgeois system, they have disregarded the platform of the moderate socialists. They have followed the communist practices, which are the ones prevailing to-day in Russia.

Should we have the power of the Russian soviets we would find the means of solving the welfare of our own people, just as those brave fighters are solving theirs.

REILY'S PAST HISTORY WILL ALSO BEAR INVESTIGATION.

I am strongly of the opinion, from information that has been submitted to me, that an investigation of Reily's past history will show that he was not the kind of a man who should have been placed in an important position like that of a governor of 1,300,000 people. His past is shady, to say the least. I will not undertake to mention all the leads that have been furnished me as being possible subjects of investigation to bring out Reily's lack of qualification. I will, however, state that Reily was appointed assistant postmaster of Kansas City, Mo., in 1902. In 1904 he was investigated and recommended for removal for having made false affidavits and for having caused certain scurrilous articles to be published in the public press about prominent citizens of Kansas City. In 1906 he was investigated, and in 1909 he was recommended for removal after an investigation by a special agent, and the postmaster directed to remove him.

Here you have a man who has been removed as assistant postmaster of Kansas City, Mo., and who has been appointed governor of Porto Rico. He has no qualification to be an assistant postmaster in a city with a salary of $3,000 a year, and he has been considered qualified to be the executive of a country with a population of 1,300,000 inhabitants, which exceeds the population of 18 States of the Union and with a salary of $10,000 a year. If he was not good enough to be an assistant postmaster, how can he be qualified to be the governor of a distant possession, which requires a man skilled in the art of government, with broad and sagacious views and distinguished ability in dealing with the questions arising in public affairs?

As I have not seen the record of Reily in the Post Office Department, I am unable to give the details of the charges made against him. I have only been able to obtain from a friend of mine the communication ordering his removal. I asked for the record in the department and they told me that it was a private matter which they were not allowed to make public. I replied that as the representative of Porto Rico I was entitled to know the record of the executive of my island, but my efforts failed. Later I insisted, stating that I was going to introduce a resolution in the House asking for the record. They told me that probably I would not be able to obtain the whole thing, because they usually destroy those records after a reasonable time.

Allow me to say at this point that I can not understand how the Post Office Department can see its way clear to accept the advice of E. Mont Reily in the filling of the positions of the department in Porto Rico. If Reily himself was removed for cause and could not keep his position as assistant postmaster, how can he be considered qualified to recommend the postmasters of Porto Rico? We can not expect good service from his recommendations. How can we feel sure he will not select men even worse than himself?

I have read an affidavit signed by Donald W. Ross, a bank examiner for the State of Missouri, stating that Reily offered to promote his application for appointment as national bank examiner in consideration of $1,000. This affidavit was sent to the Secretary of War. I have read another affidavit signed by Ross repudiating his first. It has been stated that Reily obtained this second affidavit from Ross by improper means, that he did not deny asking for $1,000, but that it was for campaign purposes and not for his personal use. The stenographer who took down the second affidavit has stated that it was altered several times by Reily while she was transcribing her notes. This document, Ross states in a third affidavit, was only glanced at when he signed it. I have also seen a sworn statement from the notary who acknowledged the signature of Ross's first affidavit, and his statement contradicts Reily's attempt to show that the first Ross affidavit was obtained by unfair means.

I make no brief for a man who would sign an affidavit without looking at it, but the statements of the stenographer and notary raise the question whether or not Reily's methods in obtaining the second Ross affidavit are more reprehensible than the original charge that he offered to promote a candidacy for a Federal position for money. Since both these affidavits have been made public, it would seem that justice both to Gov. Riley and Ross warrants a full investigation into this side of the case.

REILY CONSTANTLY AFFRONTS MAJORITY PARTY.

The attitude of Gov. Reily toward the majority of the island is an affront to American ideals and the principles of democracy. A democratic government is a government of the people, by the people, and for the people, and autocracy is based on the idea of minority rule, and if you carry the autocracy rule to the extreme you get despotism. President Harding in his message to Congress on December 6 recognizes that ours is a popular Government through political parties, that the party in power should assume responsibility, determine upon policies in the conference which supplements conventions and election campaigns, and then strive for achievement through adherence to the accepted policy. For a century and a third, says the President, parties have been charged with responsibility and held to strict accounting. When they fail, they are relieved of au-

thority; and the system has brought us to a national eminence no less than a world example.

These are the views of the President regarding our national policy, and I believe that if these principles are sound and good in the continental United States they will produce the same effect in all the countries under the American flag. There does not exist any good argument to make an exception of the people of Porto Rico. If the majority rules in the United States, I do not see any reason why it should not rule in Porto Rico. As human beings, as a people educated in Christian principles, we are entitled to the benefit of these democratic doctrines as well as the citizens living and born on the continent.

E. Mont Reily since his arrival in Porto Rico launched a campaign against the party in power and the most prominent leaders of this party. We carried the country by an overwhelming majority at the general elections and have the support and backing of the people of Porto Rico. Gov. Reily has declined to recognize the leaders of the majority party, has taken as his advisers men belonging to the minority, and is guided exclusively by their advice. Prominent among these is the leader of the Socialist Party, a disciple of Lenin and Trotsky, and an enemy of the Christian doctrine.

According to the peculiar ideas of E. Mont Reily all the political parties of the island ought to be in power—the Socialist, the Republican, and the Unionist. He thinks that it is possible to carry into effect at the same time the different platforms of these political organizations. He seems to be a sponsor for these ideals, but what he really wants is to destroy the majority party of the island under the futile excuse that it is his purpose to be impartial and fair to everybody.

Under the organic law of Porto Rico the executive can appoint four heads of the departments with the advice and consent of the Senate. These positions have always been filled by members of the majority party since the enactment of the new organic law. Reily asked the resignation of the commissioner of the interior, recognizing, in a letter written to the commissioner, that he was an efficient and able public servant, but that it was his desire to make the new appointments along the lines of a division between the various parties of the island, so that one party alone should not be in control of the country. He carried out his views appointing only one member of the majority party and giving to the minority three appointments. When he made the announcement of these appointments he publicly stated in the press that the commissioner of agriculture and labor and the head of the department of health were Republicans, that the commissioner of the interior was a Democrat, and the treasurer a Unionist. By this statement the governor showed that the most important point he had in mind in selecting these men was their political affiliation and not the efficiency and capacity of the appointees. He began to play politics, and he wants now to compel the senate to accept these political nominations in defiance of the majority party. As the reasons adduced by the governor to justify these appointments are political he can not complain if the senate rejects the appointments on political reasons. [Applause.]

COALITION CABINET WOULD BE A BLUNDER.

The creation by the governor of a cabinet of three parties is in my opinion a serious blunder. There is much to say about coalition cabinets. They may be justified during a period of great crisis, and even at that time it is very difficult to secure the success of the administration, for it is almost impossible to reconcile the views of men of different opinion in public matters.

We have the historic example of Lincoln's embarrassment and we know that McKinley wisely declined the appointment of a coalition Cabinet during the Spanish-American War. A Cabinet of three parties in normal times can only serve to hamper and embarrass the administration, and instead of being nonpartisan it may have the disadvantage of being too partisan. Let us have in mind, Mr. Chairman, that we are not saints but men, that we are living on earth and not in heaven and that a perfect government with a hundred per cent efficiency is something which can not be expected from the imperfect human nature and which will not naturally be expected from the people of Porto Rico. We, the Porto Ricans, like you gentlemen, are human beings with vices and virtues, with all the attributes inherent, in human nature, and the system which can not work with success in the United States or in any other part of the world can not be successful in Porto Rico. Under a democracy you have to rely on the majority, as it is impossible to secure unanimity of views and unanimous support. The President of the United States is elected by a majority of the people, so are Senators, Members of Congress, and all elective officers. The same policy prevails in the selection of the members of the Cabinet, and this policy ought to be extended to my island, unless it is considered that Porto Rico is an exception to the rule.

Apart from the crisis created in Porto Rico by the governor himself, there does not exist any condition which may serve as an excuse for the selection of a coalition cabinet. There is nothing abnormal in the island but the presence of E. Mont Reily.

It is evident that the new organic law was approved by Congress for the purpose of enabling the people of Porto Rico to have more control of their own affairs in order to train our citizens in the exercise of self-government. Gov. Reily, disregarding the spirit of our fundamental law, displaced two able Porto Ricans from the positions of commissioner of the interior and the department of health to appoint two continental Americans, thus depriving the majority party and the people of the island of two important positions. To justify this outrage to the public opinion expressed at the polls, Reily alleged that the Unionist Party favored the independence of Porto Rico and that he will not appoint to public office men who believed in the independence of their country. This is a futile excuse of the governor to justify his unthinkable attitude and to carry into effect his evil purpose. I want to cite a concrete example to show the state of mind of E. Mont Reily.

Although Reily was removed by the Post Office Department as assistant postmaster of Kansas City, he is, notwithstanding, the advisor of the department for all the appointments of postmasters in Porto Rico. Reily declined to recommend for reappointment Mr. Candelario Morales, a young man who volunteered for Army service and who is a hundred per cent American—a phrase which the governor constantly abuses—for the only reason that this man is a member of the majority. The record of this patriot is as follows:

He resigned his position as deputy clerk of the district court of Guayama, P. R., to join the first officers' training camp, and obtained a commission as second lieutenant, being promoted later to first lieutenant. He was honorably discharged December 31, 1918, when the Porto Rico Brigade was demobilized. Having resigned his position to join the colors, I gladly recommended him for the postmastership at Cabo Rojo, securing his appointment under President Wilson's administration. When the postmastership at Cabo Rojo was advanced from fourth to third class, I recommended him again to Postmaster General Hays, explaining the special circumstances of the case. In spite of the reason advanced in behalf of Mr. Morales, the President appointed a new man who was not an ex-service man, under the recommendation of Gov. Reily. Mr. Morales had an interview with the governor about this matter with the desire of obtaining his recommendation. The governor replied emphatically that he could not indorse him for the postmastership because he was a Unionist, and he could not recommend any man belonging to a party which was attacking him.

I again recommended Morales for a new postmastership, emphasizing the justice of his case, and the department says that it is necessary to consult with Reily before making the appointment. Morales is a normal-school graduate and served as a school-teacher for seven years and speaks Spanish and English fluently. He is at present a captain in the National Guard and organized a company in the city of Cabo Rojo. He is also a captain of the Reserve Corps. He has been recommended by the adjutant general of Porto Rico and by the inspector of the Post Office Department, Mr. W. R. Ryan, who is well acquainted with his activities as postmaster of Cabo Rojo.

Here you have a hundred per cent American, as the governor says, who could not get a position under the administration of Gov. Reily only because he is a member of the majority party. This concrete example shows plainly that the purpose of the governor is not to oppose the people who favor independence but to defy the public opinion of Porto Rico. This new governor, with a percentage of "Americanism" which surpasses all the patriots of America, denies a position to a man who served the Nation during the great crisis in the last war and has shown his loyalty beyond any reasonable doubt. This is the compensation that the American governor in the island reserves for the boys who served the country while he was in Kansas City playing the low politics for which he has a great devotion.

Regarding the policy of the majority party I want to state that in a convention held at San Juan, P. R., some days ago, a new platform was adopted eliminating the issue of independence and advocating full self-government under the American flag. This is the definite policy of the party. As a matter of fact, the people of Porto Rico have been always loyal to the American Nation. As Mr. Barcelo very properly stated during his recent visit to the mainland, the ideal of independence is an

academic question. Gov. Reily himself, in spite of his animosity against the majority party, admits that there are not more than 200 Porto Ricans who want separation from the United States.

I really believe that the most serious mistake committed by the governor during the stormy period of his short administration has been his bitter opposition to the representatives duly elected by the people and his contemptuous attitude toward them. Aside from the several reasons we have already cited for his recall, his defiance of public opinion, his entire disregard of the majority of the people are, in my judgment, sufficient causes to justify his immediate removal. It is impossible to have a decent and good administration under such autocratic policy. If the majority of the people is not entitled to have a voice and intervention in the administration of public affairs, what are the elections for? Under our organic law the senate and legislature are elected by the people, and when the executive does not work in harmony with the legislature but pursues a policy of opposition and contempt toward the majority, he is surely doomed to fail. I feel confident that the national administration will not back him in this erroneous and Machiavellian policy. Should he be indorsed by the authorities here, it should be better to repeal at once our organic law so that we may know we have an open autocratic government instead of a despotism under the mask of a liberal régime. Between the two evils, the first is preferable.

Mr. OLIVER. Will the gentleman yield?

Mr. DAVILA. Certainly.

Mr. OLIVER. The gentleman has detailed a most astounding state of facts, and which if found to be correct show gross unfitness of the governor of Porto Rico for that important position. I would like to ask if the gentleman feels that he can state without reservation to the membership of this House that his views are reflected by the citizens of Porto Rico?

Mr. DAVILA. Yes; I am a Representative of the people of Porto Rico. I was elected by 126,000 votes. I am a member of the majority party in Porto Rico, but I represent the people of Porto Rico. I dare say there is not a sensible citizen of the island who will support a man like Gov. Reily. [Applause.]

Mr. MICHENER. Will the gentleman yield?

Mr. DAVILA. I will.

Mr. MICHENER. Did I understand the gentleman to say that during the Wilson administration that administration followed the advice and counsel of the gentleman who is now speaking in making all appointments?

Mr. DAVILA. That was the general policy.

Mr. MICHENER. In other words, there was nothing done during Wilson's administration in Porto Rico except by the advice of the gentleman now speaking?

Mr. DAVILA. I was speaking of the appointments in the Postmaster General's Department. I was consulted by the administration. I will not say that I was consulted in everything, but in the majority of things.

Mr. MICHENER. I think the gentleman stated that in his main speech. The trouble now is that the gentleman is not consulted when the appointments of officers are carried out.

Mr. DAVILA. In the Wilson administration I was the adviser of the Post Office Department and all appointments in Porto Rico were made after consultation with me. They have denied that now.

Mr. MICHENER. And that is the principal trouble.

Mr. DAVILA. Oh, no; nothing of the kind. The main thing is that Gov. Reily is not fit to be Governor of Porto Rico. I want to make it clear that we demand a man of high honor and high ideals.

Mr. WILLIAMS. Who has more right to be consulted than the representative chosen by the majority of the voters of that island?

Mr. MURPHY. But is it wise to find fault with a man because he wants to appoint a new set of officers. I wish we had a fellow like that over here now. Perhaps he would help us get a few Republicans into jobs. [Laughter.]

Mr. HUMPHREYS. If the gentleman is anxious to get a man like that, he can possibly get this same man from Porto Rico. [Laughter.]

Mr. MURPHY. I am sure it would meet the approbation of people in Ohio who want to get into a job.

Mr. DAVILA. I want to say that I am not complaining on that ground. I want to see decent appointments made in the island, and I have not made any complaint here about my not being consulted. I said that the governor refused to appoint a man who rendered service during the war, and he refused to appoint him simply because he belonged to the majority party of Porto Rico.

The governor has not consulted with the members of the majority party in the senate about his nominations but has been very active in consulting with the members of the minority, and especially with the leader of the Socialist Party. During a session of the senate the Socialist senator announced that he had to retire because he had been called by Gov. Reily to consult with him regarding several appointments still pending. This invitation of the governor, publicly announced in the senate by the Socialist leader, is most humiliating to the members of the majority. In the opinion of Gov. Reily they do not mean anything in the island, although they have the overwhelming support of the people, and the leader of the Socialist Party, who was born in Spain, is consulted by the governor to the exclusion of these prominent Porto Ricans and duly elected representatives of the people. But Gov. Reily has gone further than that. The Senate refused to confirm the nominations of the commissioner of the interior, the head of the department of health, and the commissioner of agriculture and labor. Reily immediately after the adjournment of the senate appointed in recess the same men rejected. He has confirmed by his acts previous statements made by him showing his utter disregard of the Porto Rican Senate.

ORGANIC LAW REQUIRES ADVICE AND CONSENT OF SENATE.

According to our organic law the governor shall make these appointments with the advice and consent of the Senate of Porto Rico, and appointments made while the senate is not in session shall be effective either until disapproved or until the next adjournment of the senate for the session. The refusal of the senate to confirm the nominations had not any effect at all in the judgment of Gov. Reily, as it is shown by the immediate appointment of the same nominees rejected. In my opinion the law is very clear. If the executive can appoint the same persons rejected by the senate, then the provision in the law "with the advice and consent of the senate" is entirely useless. It can not be said that the governor is right in the construction of the law, because to arrive at this conclusion will be equivalent to declare that the fundamental law of the country may be entirely disregarded by a political trick. Under this theory the executive will be able to make all his appointments without the advice and consent of the senate, for if he can disregard the law in one case he may do it as many times as he wishes.

As Lord Durham says in his report to the British Empire dealing with the conditions prevailing in Canada in 1839—

> The governor should be instructed that he must carry on his government by heads of the departments in whom the united legislature shall repose confidence, and that he must look for no support from home in any contest with the legislature except on points involving strictly imperial interests.

E. Mont Reily, acting as a pro consul, has a very peculiar conception of government, assuming that he is the executive, the legislature, and the judiciary. He considers himself vested with extraordinary power to handle alone all the affairs of the island. This exercise of extraordinary power should be unwise and despotic in a man of high mentality, but in the case of E. Mont Reily is repulsive and intolerable. His inability, his lack of tact and diplomacy, his entire absence of good judgment and administrative capacity is recognized by every man who has the opportunity of his acquaintance and of talking to him for only a little while. If he is unfit for the job, if he is not the man to be the executive of one of our most important possessions, why insist in keeping him in Porto Rico? We must have in mind, Mr. Chairman, that Porto Rico on account of the education of the insular people and the conditions prevailing in the island, which are different from those prevailing in the United States, with a foreign language, different customs and habits, requires an executive tactful, diplomatic, honest, and with the mental qualifications of a real statesman. Our relations with the Latin-American people are very close, and the success of the United States in the policy of friendship and brotherhood with our neighbors of the Latin race will depend to a great extent on the success in Porto Rico.

As we are denied a voice in naming the men who are to administer our affairs, we must at least insist that they be selected with due regard to standards that obtain in the United States.

No sentiment is more firmly fixed in the minds of the American people than the principle that a public office is a public trust.

One of the great Presidents who hewed closely to the line in helping to establish that lofty principle ventured the hope that we would never again be remitted to the system which distributes public positions purely as rewards of partisan service. Doubts, he said, might well be entertained whether our Government could survive the strain of a continuance of this system.

The spoils system, as it is working in Porto Rico, is a justification of his fears. We would not be plagued with the unhappy condition prevailing in that island to-day if the high office of governor had been tendered to a man whose past record proved him worthy of the trust instead of a place man, ineligible for

appointment in his own community because of the indelible blot upon his escutcheon, placed there by the Post Office Department when he was removed for cause.

Let me finish my remarks stating that we are merely asking for an investigation of the facts; that, besides the formal charges that I have preferred before Congress, the public press has given considerable space to the conditions prevailing in Porto Rico since the arrival of the new governor, and that every day the leading papers of the country are writing editorials criticising Gov. Reily and asking for an investigation of the charges. So this matter has become one of national interest. Under these circumstances, to be fair to the governor and to the people of the island, an investigation should be ordered. Either Reily or the people are responsible for the abnormality of the situation. If the governor is innocent, he is entitled to a public exoneration; and if we are right in our complaints, we are entitled to his immediate removal. The good name of the United States demands an investigation. Let the blame rest where it is merited.

LETTER TO PRESIDENT HARDING PROTESTING REILY'S CONDUCT.

I wish to insert in the RECORD the following letter which I sent to President Harding on December 23, 1921, and which is self-explanatory:

DECEMBER 23, 1921.

HON. WARREN G. HARDING,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: I have read with the greatest interest the letter you wrote to Senator King, which was published in the press, relative to a resolution introduced by the Senator.

In order that no misconception may arise as to our attitude, and with the desire of bringing to your attention certain information which might prove of interest to you, I would like to state that we have made no objection against Americans who are occupying public office in Porto Rico, for the only reason that these gentlemen were born outside of Porto Rico. Our protest is based on far more solid and just grounds than this. Men of parts who go to Porto Rico from the North, to sincerely cooperate with us in solving our problems, deserve our love and gratitude. We can not, however, agree to the substitution of competent native Porto Ricans by Americans when the former have proven their efficiency and ability in the discharge of their duties, as in the cases of the commissioner of the interior and the chief of the health department, who were removed by Gov. Reily in order that he might appoint two Americans and by so doing take these posts from the people of Porto Rico and from the party of the majority.

Nor do we agree to the bringing to Porto Rico of Americans who are unfit for the discharge of the duties of high public office and who do not possess either the ability or the experience which such office requires.

We do not believe that Gov. Reily acted wisely when he appointed, against the advice he received while in Washington and before he had ever seen our island, as his private secretary an American who did not know our language. Mr. Reily knows no Spanish and requires as private secretary a man thoroughly familiar with both languages, Spanish and English, in order to be able to understand and to make himself understood by the people he was sent to govern.

We realize that the appointment of a private secretary is a purely personal matter, but we venture to assume that in a case such as this the governor might have been able to find a man who combined the confidence of the governor with the knowledge of the Spanish language.

We felt humiliated by the appointment of the chief of the secret service, G. S. McClure, of Kansas City, a person who was discharged from his former position for incompetency and illiteracy. The chief of the secret service should necessarily be familiar with the Spanish language and McClure knows no Spanish.

We also feel that Mr. Reily made a grievous mistake when he requested the resignation of Judge Bonner, a continental American, who had been appointed by President Taft and whose term of office had not expired, from his position as auditor of Porto Rico, and when he recommended to you for appointment to this position a friend of his from Kansas City who has not Judge Bonner's ability and experience. This is the first time that an appointee of the President has been removed without cause. Judge Bonner is an able and honest man, who has always shown absolute impartiality and whose work has earned for him the respect and admiration of the island.

In my opinion, Mr. President, the auditor of Porto Rico should not be appointed at the recommendation of the governor, as he should feel unhampered when called upon to decide matters directly affecting the acts of the governor.

Nor can we approve the appointment of the assistant auditor. He is the son of the auditor and an inexperienced youth, who should not have displaced the former assistant auditor, Mr. McCown, an American, who had filled this position with marked ability during a period covering many years.

Nor can the appointment of Mrs. Liggett, of Kansas City, to the position of assistant commissioner of education receive our sanction, for she knows no Spanish, and in order to make room for her in that position another American, Mr. Carey Hickle, was removed. Mr. Hickle had begun in the department as a teacher and had risen to his position after many years of good work.

There are many American teachers in Porto Rico, and this is a source of great satisfaction to the people, because of their desire to learn English. Our legislature makes liberal appropriations every year to this end, the largest appropriation of all having been made in the last session.

In my desire to please Gov. Reily and before his departure for Porto Rico, I acceded, although with reluctance, to his wish that the salaries of his chief of secret service, of his private secretary, and of his stenographer be increased, and I therefore cabled this request to the legislature, which was then in session, and which granted the increase.

This was Mr. Reily's first official act as Governor of Porto Rico.

At that time I did not know the kind of people he was taking with him to the island, and I could not even surmise that he intended to take as chief of secret service a man of McClure's caliber. I acceded to the desire of the governor very much against my own wishes, his request creating in me a highly unpleasant impression, which was further increased when he said: "Increase the salaries of these offices, do not cut the appropriations of the governor, and we will get along all right." I immediately recounted the occurrence to Judge TOWNER, chairman of the Committee on Insular Affairs, and to Gen. McIntyre, and told them of my feelings.

The facts as stated in your letter to Senator KING are entirely correct. With the ratio of appointments as between continental Americans and Porto Ricans, we have not complained, although it has been the obvious aim of the administrations and the intention of Congress that citizens of the island should be selected for the public service whenever possible. What we do object to, Mr. President, has been the lack of qualifications of the appointees.

My only reason in venturing to write you is that I wished to set you right as to certain details and at the same time make clear our position.

Very respectfully, yours,

FELIX CORDOVA DAVILA,
Resident Commissioner from Porto Rico to the United States.

REPORT ADOPTED BY PORTO RICAN SENATE.

Mr. Chairman, I now desire to submit the following:

Report adopted by the Senate of Porto Rico refusing to confirm nominations submitted by the governor.

SENATE OF PORTO RICO,
COMMITTEE ON NOMINATIONS,
San Juan, P. R., February 15, 1922.

To the Senate:

Your committee on nominations, to which were referred the nominations of Messrs. John A. Wilson, W. F. Lippitt, and Carlos Toro for the offices of commissioner of the interior, commissioner of health, and commissioner of agriculture and labor, respectively, for a term of four years, hereby recommends that said nominations be not confirmed, and that they be rejected for the following causes and reasons:

The organic act in force was granted to Porto Rico on March 2, 1917, as official acknowledgment of our capacity for the high functions of self-government and as an experiment for future greater political liberties. Such acknowledgment of native capacity was not the work of a moment nor the thoughtless work of a day. It was made after mature study and deliberation covering many years. It was the constant demand of three lustres, finally culminating in an act of justice which in honoring us also honored the illustrious men who at that time made up the Congress of the United States.

As a modern organic act and as an organic act almost wholly following the fundamental principles of American political law, the letter as well as the spirit of the Jones Act consecrated in Porto Rico a form of government based on and carried out by means of political parties. By such means Congress established in our island the sole bases of government accepted by democracy.

The Jones Act loudly proclaimed this principle when it gave legal life to a legislature such as ours, composed of two houses and elected by direct vote of the people. In accordance with this principle and closely connected with it, our election law later provided for the selection by public opinion of representatives in the legislature. And public opinion, which as life, is fickle, agitated, uneasy, and movable, having been asked to give faith of such life, gathered around ideals and political, economical, and social formulas, thus forming the factions of thought known as parties. These factions must gather periodically, as happens in the United States of America and in all such countries as develop under democratic standards, and at general assemblies or conventions held by them they choose such men, such candidates as the election law directs the executive to consider valid and as the executive must recognize as valid because he has beforehand recognized and respected the basic fundamental principle of government by political parties. These political parties, as the agents of public opinion and as directly responsible for their acts to the public conscience, go to the polls as surety that victory means the enactment of all such measures as the public weal demands. Such is self-government, and such is the only form of government recognized by our organic act—that is, a government based on public opinion; a government wherein the heads of departments have the confidence of the legislature.

This is proclaimed by the letter as well as the spirit of the Jones Act.

Besides the foregoing reasons we must bear in mind that section 13 of the original bill introduced in the House of Representatives by the distinguished Congressman Jones on January 10, 1916, contained the following provision:

"The heads of departments appointed by the governor may be selected from the elected members of the senate and house of representatives. * * *"

These words clearly suggest that the author of our organic act wanted to see at the head of our executive departments men who enjoyed the confidence of the legislature, and through the legislature the confidence of public opinion. It will be argued that said provision was stricken out of the bill, but to this argument we can answer that the spirit of said provision was not eliminated, but that, on the contrary, it remained latent in the bill when it became law. Example: In the report of the hearing held January 15, 1916, by the Committee on Insular Affairs the following statements appear:

"Mr. GARRETT. Let me call attention to this: There is not anything in this bill that will prevent either the senate or the house—or whatever it may be called there—of Porto Rico giving to these heads of departments seats upon the floor with the right to debate. That is, if they—the Porto Rican legislators—desired to do so. They could adopt rules for their own government, and they could undoubtedly admit these gentlemen, if they saw fit to do so, to seats on the floor. There is nothing in the bill to prevent it. I would prefer to leave it to the legislature there to admit them to seats if they want to rather than put it into the organic law.

"Mr. TOWNER. A further advantage of that would be that if they found that it did not work well they could abandon it. If we put it in the fundamental law it would take an act of Congress to undo it.

"Mr. GARRETT. For that reason I would prefer not to put the amendment into the organic law.

"The CHAIRMAN (Mr. Jones). Mr. Rivera, the Governor of Porto Rico is authorized under this bill to appoint *four* of these heads—*four* of the six. It is likely, is it not, that most of them, if not all of them, will be Porto Ricans and that they will be members of one branch or the other of the legislature?

"Mr. RIVERA. Yes, sir.

"The CHAIRMAN. If that be so you will have four of them in the legislature anyhow."

Knowing the minds of the legislators who contributed most in the House of Representatives of the United States toward the final form of

our organic act it is sufficient to quote one paragraph of the report submitted by Senator Shafroth, chairman of the Committee on Pacific Islands and Porto Rico, on June 30, 1916, in referring to the proviso of section 56 of our organic act, fully to show the spirit of the National Senate when it passed our present constitution.

Said paragraph reads:

"The above amendment is recommended by your committee in order that full effect may be given to the section which provides that appointments by the governor shall, before becoming permanently effective, be confirmed by the Senate of Porto Rico. It is believed that adoption of this amendment will be evidence of good faith in the method prescribed for these appointments."

Let us now see what said proviso says:

"*Provided, however,* That all appointments made by the governor, by and with the advice and consent of the executive council as thus constituted, in the executive council as authorized by section 13 of this act or in the office of executive secretary of Porto Rico, shall be regarded as temporary and shall expire not later than 20 days from and after the assembly and organization of the legislature hereinbefore provided, unless said appointments shall be ratified and made permanent by the said Senate of Porto Rico."

There is not the least doubt that in prescribing that the appointments referred to shall be made by the governor, by and with the advice and consent of the senate, the organic act demands, requires, and presupposes certain cooperation and harmony and a relative and mutual solidarity of action between the executive and the upper house of the legislature. This is democratic and responds to the wishes of Congress and to the true republican principles of all such governments as aspire to be termed free. But the Governor of Porto Rico, far from seeking or desiring said relative solidarity of action with the senate, far from consulting the wishes of the senate or their points of view, ignores said body and its constitutional rights and sticks to the policy originally outlined by him of governing by himself, heedless of the voice of the country and of the country's legitimate representatives. If we are to be faithful to our American citizenship, and if we are to fulfill our duty as the agents of public dignity, we must reject this attitude of supreme arbiter. The letter addressed by Gov. Reily on August 16, 1921, to the president of the senate, in which he determined his powers as governor of this island, in a letter which the Senate of Porto Rico can not pass up inadvertently, though it be only to censure and condemn it as an unjustified and officious attempt against the respect due to us.

Firm in his purpose of ignoring this senate, the governor has submitted to us for approval the names of three persons to fill the offices above mentioned, who have neither the confidence nor the support of the majority in the legislature. The policy announced by the governor on his different excursions of propaganda over the island is now clearly and fully revealed. The executive not only does not count on the senate in making his appointments but apparently takes special pains to designate for such important offices as the three above referred to persons from whom we have no assurance that they will second the policy of the legislature as indicated in the laws enacted by it. It might be said that the three designations were made purposely precisely because the persons appointed do not think nor feel with the majority. Such state of things must lead us into chaos and to insecurity in the management of public affairs. We must exhaust our energy in securing respect in our island for the democratic principle of a government based on the consent of the governed.

The executive continues in an exaggerated and abnormal attitude of exaltation, though his stand is unsupported by law or by any sound doctrine of government. By not seconding his antidemocratic policy the senate should leave the governor in the isolation which he imposed on himself.

The nominations in question have not come to the senate naturally and spontaneously, but in the midst of a situation purposely provoked by the executive.

The haste of the government in creating vacancies was the result of nothing but the personal desire of Gov. Reily, on a hundred occasions boastfully evidenced, of carrying out his own personal policy, as against the legitimate representatives of public opinion who compose the majority of the legislature. Vacancies were violently created, without heeding acquired rights and the high moral rights of this senate, which had confirmed the appointments. The nominations now submitted to us for consideration do not, therefore, come to us naturally, since the recess appointments were artificially provoked by the executive.

Recesses are real things, and in a sound concept of justice the power of appointment during recess should not be extended by provoking artful, false, and strained situations. By resorting to such methods there is no doubt that the senate's unquestionable right to be consulted and to intervene in appointments would be annulled and reduced to nothing, while the powers of the governor would increase almost to omnipotence. Such is the policy of Gov. Reily and such is the mission he claims to have come here to carry on—to increase his powers at the expense of the senate, to multiply them to the detriment of ours; to create a personal government, not a government of law; an autocratic government, instead of an American democratic government, as required by national traditions and as desired by Congress in granting us the Jones Act.

Why does Mr. Reily wish so much power? Why such centralization of power? Facts will tell later on what it is he seeks, although it is enough for this senate now to record the fact that Gov. Reily violates our fundamental laws when he acts as he does.

In the cases of Messrs. Ruiz Soler, Esteves, and Camuñas the executive acted hastily. These upright and splendid public servants, who are loyal to the national administration and institutions, deserved better treatment at the hands of the executive. Instead of causing vacancies in their offices during recess the executive should have awaited the session of the senate. There was a period but of a few weeks between the expiration of their terms and the session of the senate.

Nominations such as these, submitted in a spirit of hostile challenge, should not merit our consideration or approval. The governor provoked the present situation. He alone should answer for the same. The senate would have grave responsibility if it gave solidarity to the present state of affairs, and the senate must always bear in mind that it owes itself to public opinion.

JOSE J. BENITEZ, *President.*
MANUEL A. MARTINEZ DÁVILA, *Secretary.*

HOW THE COSMOPOLITAN PRESS REGARDS REILY.

Now, Mr. Chairman, before concluding my remarks, I desire to read into the RECORD one news dispatch and four editorials from leading newspapers and periodicals. Scores of such editorials have appeared in the public press within the last few weeks calling upon President Harding to remove E. Mont Reily as governor of Porto Rico.

Commenting editorially on conditions in Porto Rico, the New York World on February 21, 1922, under the caption, "A politician out of place," said:

E. Mont Reily went to Porto Rico as governor, not because he was interested in Porto Rico or in government in outlying dependencies or in the climate of the West Indies, but because he was one of the Republican politicians who led the van in the victorious campaign of 1920 and some job had to be found for him. Having reached his destination and assumed the burdens of state, he discovered that Porto Rico was not nearly so much like the Middle West as he could have wished, and he set out to remedy this defect at once.

When Mr. Reily made his hurried visit to report progress to the President last November he spent much of his time dodging delegations of Porto Ricans who had uncomplimentary things to say about his administration. A commission of islanders followed him to Washington to lay their case before Mr. Harding, but though it was apparent to everybody else that Reily's usefulness was at an end the President turned away the commission, listened instead to his trusted lieutenant and sent him back to try again. He has tried, with the result that the one party which had stuck to his cause has deserted him, his appointments are held up, and the lack of harmony has left the government in chaos. The Porto Rican commissioner is preparing to take the charges against Gov. Reily to Congress over President Harding's head, and Congress can hardly escape looking into them.

The charges are serious enough, including the removal of officials without due process, but in the main the resentment against Mr. Reily is based on his provincial intolerance of everything unfamiliar to residents of Missouri. Spanish is not spoken along the Mississippi Valley; why should it be taught in Porto Rico? Old Glory is good enough for the Middle West, therefore why should Porto Ricans be allowed to talk about independence? The people of Porto Rico has replied, very sensibly, by asking why E. Mont Reily was sent to govern them.

The Independent, published in New York, in its issue of February 11, 1922, under the caption "Act at once, Mr. Harding," said:

President Harding has been imposed upon, and the result is an appointment to office that is indefensible on any grounds. We refer to the appointment of one E. Mont Reily, of Kansas City, to be Governor of Porto Rico. Were the appointment to an office within our own country it would be bad enough in all conscience, but we could bear with it; as an answer to the responsibilities America has assumed in this island dependency it is unthinkable.

The record of Reily is such that his name should never have been considered. At one time assistant postmaster of Kansas City, he was several times investigated and recommended for removal, and finally dismissed for cause. Immediately upon receiving the present appointment, for which he was in every way unfitted, he proceeded to remove able officials, even before reaching his post, to make places for his equally incompetent associates. In this connection ugly stories are afloat, to the effect that venal considerations entered into these appointments; in other words, a commission on their salaries; and color is given to these charges by the affidavit of a reputable man in Kansas City as to such overtures being made to him.

In the six months he has been in Porto Rico he has succeeded in disrupting the civil service and intimidating the courts. His conduct has been that of a cheap politician combined with an oriental satrap. The prestige of America in the island has suffered sadly and the seed has been sown for infinite trouble.

We admire in President Harding the quality of loyalty to those in whom he has once placed confidence, and we should not esteem him so highly as we do were he to listen to idle gossip concerning his appointees. But here is a case where he has been shamefully imposed upon, and the honor of America demands that he act promptly. Reily should be suspended at once, pending investigation. In a few days the senate of Porto Rico will meet, and its first act will be to reject the governor's appointments, which are an offense to the decent people of the island. Then investigation will come perforce. Now is the time to act if a noisome scandal is to be averted.

"The Porto Rican discord" was the subject of a leading editorial in the New York Times on February 21, 1922, which follows:

It is no secret that the nomination of E. Mont Reily, of Kansas City, to be governor of Porto Rico was a "personal" appointment, Mr. Reily having been an "original Harding man." Mr. Wilson's appointee, Arthur Yater, was governor for nearly eight years without wearing out his welcome. He was competent and tactful. The Porto Ricans saw him go with regret. Gov. Reily made himself disliked in a few months. Early in August he delivered his inaugural address, and in November a commission of seven representatives of the majority Unionist Party arrived in Washington to ask President Harding to recall Gov. Reily. They saw Secretary Weeks, they had a talk with the President, but made no specific charges at that time. It is said in Washington that they refrained because they were encouraged to believe that there would be a satisfactory solution of the case. In a letter from Resident Commissioner DAVILA to Secretary Weeks he wrote:

"We have reached the conclusion that the best interests of Porto Rico and the United States would be served by refraining from formally presenting such charges at this time and by leaving the matter in the hands of the administration."

President Harding decided to support Gov. Reily and instructed him to return to his post.

When the Porto Ricans were in Washington last December they declared that if the President did not recall Gov. Reily they would ask Congress to investigate their charges. That is now their purpose. Speaking for them, Commissioner DAVILA says:

"The return of Gov. Reily to Porto Rico, apparently with the backing of the administration, and the policy that he has been following in the island since his return, have convinced us that we have exhausted our efforts to persuade the administration to remove him quietly."

It is evident that Governor Reily can not make his peace with the Unionist Party. It doesn't like his appointments. The insular senate refuses to confirm them. Under the recess rule the governor can put his men in office, but the opposition party says that disorganization of the departments will result. Politically, the new governor can not get on with the Porto Ricans. This alone might not be to his discredit, but

it seems that his personal relations with them are the reverse of harmonious. They don't like his methods, they are offended by the language he uses in public, and they say that he is lacking in the dignity, consideration, and suavity they expect of an American governor.

The commission that visited Washington having failed to convince the President, an attempt is now making to show that Mr. Reily is personally unfit. Charges affecting his integrity have been made, but the affidavits obtained conflict, and Mr. Reily should have the benefit of any doubt. More serious is the recommendation of a post-office inspector, when Mr. Reily was assistant postmaster at Kansas City, that he be removed for "causing certain libelous and scurrilous articles to be published against prominent citizens of Kansas City and for making false affidavits with reference to them" (Post Office case 46702–C). If Commissioner DAVILA can prove that as a sequel to this report Assistant Postmaster Reily was removed from office in 1909, it will have been shown, to put it mildly, that a much better selection for Governor of Porto Rico could have been made by the President.

The St. Louis (Mo.) Star, in an editorial in its issue of February 19, 1922, under the caption "An administration thorn," said:

The clean bill of health that President Harding is alleged to have given to his wife's cousin's husband, E. Mont Reily, Governor of Porto Rico, on the latter's recent beclouded visit to the United States, apparently will not remain clean. The damned spot will not out. The island will have naught of the Kansas City politician and his retinue of Jackson County precinct workers, and the opposition to him, instead of subsiding, is increasing in intensity.

This week the Porto Rican Senate utterly refused to ratify any of the appointments made by Reily, and next week FELIX DAVILA, commissioner from the island to the United States, will appear in Congress to tell just why the governor is persona non grata on the island. In addition Congressman HUMPHREYS of Mississippi is preparing a resolution demanding an investigation by the House into Reily's conduct in office.

Regardless of the Kansas Cityan's merits or demerits it would appear that his usefulness in Porto Rico is at an end. He may be more unfortunate than incompetent, but with the present feeling in the island the United States can not afford to condone even ill-luck. It is becoming quite obvious that the majority of the natives have no use for the present governor, and Mr. Harding would be well advised to remove him before the feeling against Reily grows more bitter. A country that is the apostle of self-determination can not afford to send a ruler to a dependency who is not acceptable to the residents unless we are attempting to erect a Dublin Castle at San Juan.

The New York Times, on February 20, 1922, published this special dispatch from St. Louis, Mo.:

SAYS REILY MADE CHANGES—STENOGRAPHER PUT AFFIDAVIT BEFORE ROSS WITHOUT TELLING HIM.

[Special to the New York Times.]

ST. LOUIS, *February 19.*

The circumstances under which Donald W. Ross, of Kansas City, State bank examiner, made an affidavit January 14, repudiating a previous affidavit given to a member of the Porto Rican Commission, in which he said that E. Mont Reily had mentioned a money consideration in the event that Ross was appointed national-bank examiner, were told to-night by Miss Ida Kaufman, 1405 Arlington Avenue, a stenographer, to whom the second affidavit was dictated.

The first affidavit was written by Ross on December 10, following a meeting at the Planters Hotel with Walter Jones, of the Porto Rican Commission, which is investigating the conduct of Reily, and C. F. Keene, a Washington lawyer and former post-office inspector. They had been at Kansas City investigating Reily's official and political activities.

Miss Kaufman, who is a stenographer for the State finance commissioner, O. B. Hughes, at the Night and Day Bank, which was recently closed, said that Reily came to the bank, January 15, where Ross was employed, to see him about making an affidavit.

"I was called into the office where Mr. Ross and Gov. Reily were, and Mr. Ross started to dictate the affidavit," she said. "Gov. Reily kept interrupting with suggestions until my notes were in a muddle.

"Notes were put down and then scratched out until the whole thing was confusing. Finally the affidavit was dictated and I went to my desk to typewrite it, and Mr. Ross went about his work. Many were waiting for him to inquire about the bank's affairs.

"Gov. Reily came out to my desk and suggested a number of alterations in the affidavit. When it was written I took it in and put it on Mr. Ross's desk. I did not tell him that Gov. Reily had made any changes in the affidavit as dictated. I naturally supposed that the two had had an understanding about it.

"I did not see Mr. Ross nor talk with him about any changes in the affidavit. I suppose he thought it was just like it was when dictated."

Miss Kaufman could not point out specifically from recollection, when a copy of the affidavit was read to her over the telephone to-night, any of the changes made by Reily, except one. She said the following, which concluded Ross's affidavit, was dictated by Reily:

"I have known Gov. Reily for 15 years and have known him as a man of the highest character and integrity and have never heard anyone speak of him otherwise in his dealings."

Gov. Hyde, when called by telephone at Jefferson City to-night, said that when at Washington he called at Secretary Weeks's office to see him socially and Weeks brought up the subject of the Ross affidavits. He said that Weeks asked him about Ross and he told Weeks that he was a young man of excellent reputation, so far as he was aware.

Gov. Hyde said that Weeks told him that he had copies of Ross's first affidavit, given to Jones and Keene on December 10, and a copy of the third statement, made by Ross concerning the two previous affidavits, but that he was unable to find the second affidavit made by Ross at Reily's request, repudiating the first affidavit given to Keene and Jones. Gov. Hyde added that Weeks told him he had written to Reily to inquire about the missing affidavit.

[By unanimous consent, leave was granted to Mr. DAVILA to extend his remarks in the RECORD.]

Mr. MADDEN. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, I met Mont Reily once. I hold no brief for him. I do not know him personally except as I met him once, as I say. I have known the Representative from Porto Rico [Mr. DAVILA] since coming to Washington. I met the president of the Porto Rican Senate. A man from my own State, whose integrity has never been questioned, who is of the highest type of manhood, was appointed United States district attorney for Porto Rico. I had heard this talk about Mont Reily. I arranged a meeting between the president of the Porto Rican Senate, the Delegate from Porto Rico, who has just taken his seat, and this United States district attorney before his going to the island. I have corresponded with the United States district attorney in Porto Rico since his arrival there. I want to say to you folks now that there are two sides to this question. It will be noticed that the Delegate from Porto Rico, who has just left the floor, dwelt long and importantly on the auditor of the public funds of Porto Rico. That is an important officer. I am convinced from correspondence that I have had with a man whose integrity I know to be unimpeachable that it was important that President Harding have an honest, fair, and square man to audit the accounts of Porto Rico. I think it only fair to this country and to Mont Reily or any other man, I think it only fair to President Harding, to have the Congress know that one of the first official acts of Mont Reily as governor of Porto Rico was to veto or nullify an illegal act or budget passed by the Legislature of Porto Rico by which the distinguished gentleman, the Delegate from Porto Rico [Mr. DAVILA], who has just left this floor, was to take from the treasury of Porto Rico $5,000 per year for four years, or a total of $20,000.

It is all right, Mr. Chairman. This is not my fight. The Governor of Porto Rico tells me that he had the congratulations of the distinguished gentleman who just left this floor, after going over his policies in full, but that immediately after he vetoed or acted on the act of the Porto Rican Legislature proposing to add to this gentleman's salary $20,000, or $5,000 a year for four years, this feeling arose and this denunciation began. It is not my fight. If it is not true, it should be denied; if it is true, it should be known. President Harding's administration should not be condemned for stopping that plan. [Applause.] If it was the distinguished gentleman's hand that was in the treasury of Porto Rico, then that hand should come out, the same as any other man's hand that goes into the Public Treasury that does not belong there. I have no feeling against the gentleman. I have had the kindliest personal feeling for the Delegate from Porto Rico, but this is a matter on which there is a record. Did Mont Reily veto a budget or bill appropriating $20,000 out of the treasury of Porto Rico to pay the representative here, in addition to his regular salary? Is a bill or budget of that kind legal under the laws of Porto Rico? I notice it is one thing that was not complained of in the speech of the gentleman, and it is said to be the thing that caused the trouble and caused the falling out.

Mr. DAVILA. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Certainly.

Mr. DAVILA. Assuming, for the sake of argument, that what the gentleman has stated is true, and I will plainly show that it is entirely untrue, that his information is erroneous, I submit that the conduct of Gov. Reily in Porto Rico should be subjected to investigation.

Mr. TINCHER. Oh, I do not object to an investigation. I hope we have an investigation. President Harding should court an investigation, as should Gov. Reily, and the gentleman should court it, but I do not think it is fair to a man in Porto Rico, I do not think it is fair to the President, to have one side only of this proposition put before the American Congress.

Mr. NOLAN. Is the gentleman aware of the fact that Mont Reily on his return to Porto Rico received a tremendous reception at the hands of the common people there at 1 o'clock in the morning?

Mr. TINCHER. Mont Reily says, and other Americans in Porto Rico say, that he represents 90 per cent of the better element of Porto Rico in the clean-up that he is conducting in the island. I do not vouch for the truth of that. Let us have an investigation, if one is needed. I would not mind a trip to Porto Rico myself. [Laughter.]

Talk about the flag! Talk about some detective arresting some one for throwing the flag down! Mont Reily has been charged with hoisting the American flag over the schools of Porto Rico, over the protests of the people that the gentleman from Porto Rico says he removed from office, and I have that information over the signature of a man whose integrity I know is unimpeachable.

I do not believe that any man would charge anyone whom President Harding has appointed to office with being tainted with

bolshevism. This is not my fight, but I think if we are going to have an investigation we better have a good groundwork for it, and have a good one. I thank the committee, and yield back the remainder of my time.

Mr. MADDEN. Mr. Chairman, I yield 30 minutes to the gentleman from Ohio [Mr. FESS].

Mr. DAVILA. Mr. Chairman, I ask unanimous consent to proceed for five minutes. Is it not possible for me to get a few minutes on this matter? This is a personal matter, a personal attack, and the gentleman has impeached my character.

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is entitled to the floor.

Mr. FESS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Now, Mr. Chairman, instead of confining myself to the manuscript as I had expected to do, owing to the lack of time, I am going to say about what I had in mind, and I have gotten the privilege of inserting what I have written in the RECORD. This is because there are so many things I desire to say that I shall not have time to say them.

Mr. GARNER. Will the gentleman yield just a moment?

Mr. FESS. I will.

Mr. GARNER. The gentleman only asked the privilege of extending his remarks, but did not ask the privilege of revising his remarks, and I understand he does not want the reporter to take down anything he says, but to put his speech in the RECORD. Of course that is satisfactory to me for him to do that, but I think he had better get the consent of the House.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio may be allowed to revise and extend his remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Ohio may have the privilege of revising and extending his remarks in the RECORD. Is there objection?

Mr. BANKHEAD. Mr. Chairman, reserving the right to object, I am willing to extend any courtesy to a Member of the House, but is not this a very unusual request to make a speech and not have it reported at all?

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. FESS. Mr. Chairman, within two days we will reach the end of the first year of the administration of Warren G. Harding. The country, without regard to political affiliations, will willingly accept a candid survey of the year's work. A proper appraisement must depend upon a clear understanding of the problems inherited in order to properly judge the results of the year.

These problems were many, complicated, and quite acute. They were both foreign and domestic, the direct result of the greatest convulsion known to history. This war left the world poorer in the loss of nearly 30,000,000 of her most productive people, either dead or hopelessly crippled from the standpoint of productive ability. It bequeathed a burden of debt amounting to something like $400,000,000,000. Specifically, it left France with a debt variously estimated to be within 60 to 100 per cent of her total wealth. The debt of some of the European countries like Poland is thought to be greater than her total wealth. The enormity of this phase of the problem is that not over two countries in Europe are now living within their income. That means that all others are steadily increasing their debts, with small promise of successful efforts, if any are put forth, to balance their budgets. The following figures are significant:

Europe's public debt in 1919 and at the present time.

Countries.	Total wealth.	Gross debt, 1919.	Per cent.
United States	$250,000,000,000	$25,000,000,000	10
Great Britain	90,000,000,000	40,000,000,000	44.4
France	65,000,000,000	30,000,000,000	46.1
Italy	30,000,000,000	12,000,000,000	40
Germany	85,000,000,000	40,000,000,000	47

Most recent statement.

FRANCE.

Nov. 15, 1921:	Francs.
Internal debt	241,219,064,000
External debt	85,555,000,000
Total debt	326,774,064,000

At present rate of exchange.

From statement made in French Chamber of Deputies.

This enormous debt translated into our money at par would amount to $65,000,000,000 or 100 per cent of the total wealth of France.

BRITAIN.

Feb. 1, 1922:	Pounds.
Total debt	7,585,409,690
Floating debt	1,408,000,000

ITALY.

November, 1921:	Lira.
Total debt	106,621,000,000
Internal debt	84,000,000,000
External debt	22,000,000,000

Above figures for total debt and foreign debt calculated at par. With the present rate of exchange the total debt would amount to 184,000,000,000 lira.

GERMANY.

End of year 1921:	Paper marks.
Total debt	330,000,000,000
Of this amount:	
Funded debt	90,000,000,000
Floating debt	240,000,000,000

The total amount of reparations is about 132,000,000,000 gold marks. German Government is figuring 1 gold mark to 45 paper marks.

BELGIUM.

Jan. 1, 1922:	Belgian francs.
Total debt	34,702,000,000

The above figures show the failure of most countries to live within their incomes and the enormous increase of their public debt.

In contrast it is well to study our program of economy and the progress made by the administration.

The hopeless derangement of European fiscal agencies, the total demoralization of their currencies, whose purchasing power is now in many countries at the minimum, make our rate of foreign exchange almost prohibitive, and therefore seriously interferes with such foreign trade as is now available between Europe and America.

After the Civil War it took this Nation from 1865 to 1879 to resume specie payment; or, in other words, to bring our currency up to a sound basis where every dollar, no matter what its form or where its use, would buy 100 cents' worth of goods in the world's markets.

THE PRESIDENT ALIVE TO THE SITUATION.

With the almost complete breakdown of Europe's currencies, due to the fatal policy of attempting to create values by Government fiat through running the printing presses, there is no one who can tell when or how Europe will reach her former sound basis of production. Although we are distantly separated from Europe, her condition is reflected upon our own country. Our domestic problem, however serious, must be viewed more or less in the light of our foreign relations, both diplomatic and economic.

With these problems in mind the President set forth his purposes in his inaugural address which was widely acceptable by all our people without regard to politics or creed. His first official act in naming his cabinet was with these problems and their solutions in mind. It is fair to say that the year has demonstrated the hopes of the country openly expressed upon the first announcement of the Cabinet. Without disparaging comparisons the judgment of the country commends the President upon his success in surrounding himself with counsellors of the "wisest minds" such as was expected by all that portion of the population who had known him. This Cabinet ranks well with the strongest of its predecessors. It will be no offense to any open-minded citizen to state here the generally accepted fact that the administration of the diplomatic relations by the present head of the State Dpartment is the most outstanding success in our history.

OUR CONFUSED FOREIGN RELATIONS.

The war inevitably left a series of complications in our foreign relations, aggravated by the fact that we did not ratify the Versailles treaty. To adjust these acute differences growing out of the mandatory provisions of the treaty, difference for example with England over the Mesopotamian mandate, and with Japan over Yap Island, etc., demanded a high grade of ability if both honor and good will were to be conserved. One after another of the foreign complications have been cleared up. The dispute with Britain was amicably and honorably settled. That between Panama and Costa Rica was adjusted upon the basis of our contention. That of Colombia was also adjusted.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. FESS. I regret I can not yield.

Our relation with Mexico is better than it has been since the death of former President Diaz. The complete settlement awaits the assent of Obregon to our contention for the recognition of American property rights established upon the invitation and solicitation of Mexican official authority. There is no misunderstanding between our country and Russia, since it has been made perfectly clear that until a government is established that will respect the sanctity of a contract our Government is not in position to enter into any international agreement. As

in Mexico the Government opened the door for adjustment if the countries wish to enter upon the conditions named.

Mr. Chairman, up to date every serious dispute to disturb our diplomatic relations is either adjusted, or the plan has been submitted upon which adjustment can be reached. It has all been done noiselessly yet firmly, and with honor to ourselves and complete justice to other nations. Until recently the only cloud on our international horizon was our inability to reach a complete agreement with Japan. While the objective was Yap Island, yet the problem went very much further. That was but an incident in the larger sphere. I need not restate here what has been so often stated before, that our relation with the Orient involved vast possibilities. Our abiding friendship for China, which is quite historic, induced much concern about her future as a sovereign nation unhindered by outside interference. Our historic relation with Russia, dating back to the time of our Civil War, compels us to look with deep concern over maintaining the friendship by assuring that people of our great desire to see that promising country succeed in establishing a stable and effective government, and that no country will take advantage of her in her unhappy state to secure any special rights or privileges. Our friendly sympathy with Japan in her laudable ambition to expand, in case it is not done at the sacrifice of other sovereignties, such as China and Russia, together with a more or less sensitiveness growing out of State restrictions, such as those in California, together with the racial question in Hawaii and the Philippines; these, in addition to our inability to reach a satisfactory agreement over the Yap dispute, produce what has been denominated our oriental problem, especially when viewed in the light of Japan's war with China in 1894, with Russia in 1904, and her claims at the close of the World War.

THE PURPOSE OF THE ARMS CONFERENCE.

This situation will explain the President's desire to include the discussion of the far eastern and Pacific questions in the arms conference program, and will also explain what appeared to be undue delay in calling the conference.

PROPOSALS ON LIMITATION.

I need not here detail the result of this effort for adjustment, lessened war burdens, and mutual understanding and good will among world powers. The work stands for itself. Suffice it to say that when our Government, on the first day of the conference, abandoned the old methods of argumentation and submitted a plan for acceptance or rejection success was assured. It was unthinkable that any nation would block the course of human progress and peace by refusing to accept such magnanimous proposal, when we were offering to scrap nearly as much as we asked both Great Britain and Japan combined to scrap. It will be noted that the Hughes proposals were quite specific:

1. That all capital-ship building programs, either actual or projected, should be abandoned.
2. That further reduction should be made through the scrapping of certain of the older ships.
3. That, in general, regard should be had to the existing naval strength of the powers concerned.
4. That the capital-ship tonnage should be used as the measurement of strength for navies and a proportionate allowance for auxiliary combatant craft prescribed.

It will also be noted that the final acceptance of these proposals as adopted by all the countries were virtually as originally submitted, preserving every item of principle set forth. So that it is literally true that not only every proposal that day submitted was substantially accepted but the final work on limitation of armament went even further than the proposals, in that it included treaties to limit the operation of the submarine within the bounds of international law and the total abolition of the use of poisonous gases. The accepted proposals included limiting the size of capital ships and auxiliary vessels as well as the size of the guns to be carried. This agreement will permit cutting the usual naval appropriation in half. We should save $200,000,000 on this item alone.

But, Mr. Chairman, vastly more important than that will be the total abandonment of naval rivalry between nations. This is the one outstanding and signal achievement of this part of the program.

PROPOSALS ON PACIFIC COMPOSURE.

Great as was the result in the limitation of armament, it is the general opinion that it fades in comparison with the results on the Far East and Pacific questions. The acute difference between Japan and China, as disclosed by the two positions (1) Japan in her 21 points, the secret treaty of 1915, against which our Nation lodged a protest at the time, and (2) China in her 10 points, indicated the chasm separating the two countries.

Mr. Root, on behalf of the American delegation, presented what may be known as China's Magna Charta in the four items of (1) sovereignty and independence and integrity, both politically and administratively; (2) the provision for internal composure; (3) the open door; and (4) security against outside intervention for any national advantage.

Mr. Chairman, on December 10, 1921, in the fourth plenary conference, this guaranty to China was read when Mr. Hughes virtually called the roll of the world and entered upon the record a unanimous vote on the most sensitive foreign question now before this country.

Then came the report of the quadruple treaty, which opened the way for Japan to concede our contention on Yap Island and for both England and Japan to cancel the offensive Anglo-Japanese alliance, which has been a sore contention for the past 20 years. By these two treaties China won back what through a series of years she had gradually lost, and the Pacific, for years an area of possible disputes and a basis for defensive alliances, has now reached an amicable adjustment, to be sustained by mutual consultation and understanding based upon the good faith of the nations concerned.

In addition to the adjustment of these subjects which were on the agenda, the conference went further than the original proposals. While it was understood that questions covered by treaty obligations, such as the secret treaty of 1915 containing the famous 21 points and the Shantung issue contained in the Versailles treaty, yet it was the position of the American delegates that the Japanese delegates should be willing to enter into conversations with the Chinese delegates on both of these subjects, in the hope of reaching agreement between them. It was the position of the American delegates that since China had not signed the Versailles treaty, the United States felt justified in urging the two nations to seek, if possible, an agreement, which they agreed to do. Failing to reach an agreement, the good offices of Hughes and Balfour were first tendered, and finally the President offered his good offices. The result is a treaty signed by both Japan and China by which Shantung goes back to China and the most regretable wrong of the Versailles treaty was righted, whereupon Britain turned back to China Weihawei. [Applause on the Republican side.]

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. FESS. I regret I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. FESS. While the 21 points were not given up by Japan, the serious "group 5" was given up, which was an additional achievement not included in the agenda.

THE SIGNIFICANCE OF THE RESULTS.

Mr. Chairman, as the arms conference not only succeeded in the acceptance of our original proposals but went further by limiting warfare, so the Far East and Pacific problems succeeded beyond the original purposes by finally succeeding in adjustment of items not included in the agenda since they had been covered by treaties.

This is why the head of the British delegation said the achievement went far beyond the hopes of any statesman connected with the conference. It is why Admiral Kato declared the work will live as long as history will live. The result was declared by Lloyd-George in the House of Commons the greatest work for world peace in history. A similar verdict was given by Paul Hymans, president of the League of Nations.

It is perhaps too early to give an estimate of this work. It is not, however, too early to assess it as a part of a program of international comity without a parallel in our history. This Nation in these 12 weeks took lofty strides for world recognition as the great leader among the nations of the world. It is a source of justifiable pride that every proposal submitted which was finally acted upon was made by an American delegate, and every proposal finally acted upon was unanimously accepted by every nation voting in the affirmative. It is with pardonable pride that out of this caldron of almost universal warfare, with every relation more or less strained by both the actual war and the unhappy confusion to follow after the war, this Nation has emerged with its sovereignty and independence intact, its rights all conserved, its disputes all composed, its rivalries all allayed, its friendships with all nations strengthened, and its moral leadership universally conceded, the wrongs to China corrected, and the way opened for composure in the Orient. I challenge the record to produce a greater achievement in the history of diplomacy. So much on the progress of our foreign policy and problems.

OTHER DEPARTMENTS BUSY.

While this service is under the State Department, every other department under the Executive is confronted with serious problems inherited from the war, demanding a type of talent not called for before these problems of readjustment appeared. The other members of the Cabinet are grappling with like success the questions coming within their province, only less stirring because of the less dramatic character of the problems. The work of readjustment from war to peace conditions

affects every department whether of defensive, legal, agriculture, interior, post office, commerce, or labor. Their work more or less depends upon the cooperation of the legislative department, with which they are in frequent consultation.

PEACE RESTORED BY CONGRESSIONAL RESOLUTION.

The work of the administration since the 4th of March last viewed from that angle demands the admiration of every citizen who knows the facts. One of the most critical yet imperative measures demanding attention was the establishment of peace to end the intolerable situation of a continuance of technical war two years after the end of actual war; critical because the indemnity had not yet been fixed against Germany; imperative because resumption of neither diplomatic nor trade relations could be secured until after peace was declared. Soon after the indemnity was fixed war was ended by congressional resolution signed by the President, by which our former relations have been established.

SITUATION FOUND BY PRESIDENT HARDING.

The domestic problems were as seriously complicated. Mr. Harding found a public debt of about $25,000,000,000. The unfunded debt was about $3,000,000,000. The enormity of war is suggested by the fact that the appropriations for the year ending June 30, 1919, were $27,065,000,000. He found a war-time taxation measure rapidly drying up the sources of revenue and a deranged credit that caused Liberties to range at 15 per cent discount. He found a too rapid liquidation of agriculture which threatened bankruptcy for many engaged in that first and foremost important industry of the country, involving nearly one-half our population. He found insufficient protection of the country against undesirable immigration, now flooding the country to avoid the burdens of war-torn Europe, thus further increasing our inevitable unemployment. He saw an inflated business situation struggling to continue on a too high cost level of production.

PROGRAM OF ECONOMY AND ITS PROGRESS.

The administration through Congress outlined its program of economy:

(1) Dismantle the war machine as rapidly as possible.
(2) Establish at the earliest possible moment a national Budget system.
(3) Reduce every appropriation to the minimum consistent with efficient service.
(4) Guard against all duplication and wasteful expenditure.
(5) Delay every new measure carrying additional Treasury burdens, except such legislation as appears emergent or absolutely necessary.

Mr. Chairman, let us note how this program is being carried out. The war-dismantling process is proceeding. Here in the Capital we have reduced the pay roll, which in 1919 was 119,000, to about 73,000. The large increase over 1917, which was 37,000 in that year, is found in the War Risk Insurance, the Internal Revenue Office, the Shipping Board, and so forth. In the entire country we have dropped 320,278 employees from the roll.

One of the earliest measures enacted was the Budget law, which went into effect the 1st of last July. It will be recalled that this bill was passed by Congress but vetoed by President Wilson. The progress already achieved will cause this law to stand out as the most important piece of constructive legislation in the past quarter century. It definitely puts an end to all "pork-barrel" legislation, and is an effectual barrier against wasteful expenditures. When the plan of the Committee on Reorganization of the Government Departments, which is now before the President, is adopted, the Budget system will defeat all unnecessary duplication. It is succeeding somewhat in that direction without the reorganization proposed.

STATEMENT OF THE CHAIRMAN OF THE APPROPRIATIONS COMMITTEE.

The success in economy is shown by the following statement handed me by the head of the Appropriations Committee, the real economy body of the Government:

The appropriations for 1922 were $4,065,000,000, and the estimates were $5,600,000,000, showing an approximate reduction of $1,600,000,000. These estimates were submitted by a Democratic administration and the appropriations were made by a Republican Congress.

The estimates for the fiscal year 1923, which begins July 1 next, submitted by the present administration, are $3,853,000,000. It is too early to say how much the appropriations will be, but I estimate them at $3,500,000,000.

Each of these figures include the Post Office cost, which amounts to $550,000,000 a year.

There are now three fixed items of charges approaching $2,000,000,000 which did not exist before the war, as follows: $975,000,000 interest on the public debt; $381,000,000 sinking fund; and approximately $500,000,000 for the cost of the Veterans' Bureau in connection with the care of the wounded soldiers. There are other items like the shipping industry and increased outlay for law enforcement to be added to these three.

It will be seen that these three fixed charges can not be eliminated, so we begin to make provision for the operation of the Government after we cease providing these two billion of fixed charges created by the war.

If you deduct the two billions from the $3,500,000,000, which I estimate will be the aggregate of the appropriations for 1923, it will be seen that we have only $1,500,000,000 for the conduct of every activity of the Government, including the Army and Navy, which is only $250,000,000 more than the cost of the Government before the war, and $150,000,000 of this is represented in the increased volume of business done by the Post Office Department, so that when we take the $250,000,000 and deduct the increased volume of postal business, $150,000,000, we will only be as low as the people of the United States can expect the Government to be conducted.

The annual revenue from the liquor business before the enactment of the Volstead Act was approximately $290,000,000. The revenue now from the same source is $83,000,000. The cost of enforcement of prohibition is $9,250,000 a year.

If the figures I have estimated as being the cost for 1923 are developed into fact, and I think they will be, we will be the only country in the world that is living within its revenues. The estimates of $3,853,000,000 we have now are $250,000,000 above the estimated revenues, but we are going to cut them down and be within the revenues.

LEGISLATIVE PROGRAM OF READJUSTMENT.

Upon the inauguration of the President and his call of the special session of Congress a program of industrial and agricultural rehabilitation was outlined. Congress immediately set about to enact it into law. To secure our labor from a flood of European immigration we enacted a law limiting immigration to but 3 per cent of the nationals already in America. This law is being rigidly enforced. To protect American labor and industry from a flood of cheaper-made goods tariff revision was undertaken. In order to protect the farmer, who was hardest hit, because of his helplessness against the crushing effect of an immediate liquidation that carried his products far below the prewar price, an elaborate program was carried out.

AGRICULTURAL REHABILITATION.

The emergency tariff was enacted at once and became law May 27, 1921. It was renewed November 16, 1921, and will stand until the permanent law is enacted. A similar law was enacted to protect dyes and chemicals. Two measures were passed last July and August looking to extension of credits through the Farm Loan Board and Federal land banks. The purpose of these amendments was to assist the farmer in securing necessary funds upon satisfactory securities. One of the amendments placed $25,000,000 additional for the disposal of such extensions. Two protective measures were enacted into law upon the strong representation of the agricultural interests. The first, known as the packers' bill, became a law August 2 last year. The second, known as the grain futures bill, became a law August 23. On August 24 the exportation of farm products bill became a law. This permits the War Finance Corporation to loan to foreign business houses upon satisfactory security sums not totaling beyond $500,000,000 to be expended in the purchase of American farm products to aid our exportation. On the 18th of February this year the President signed the cooperative marketing of farm products bill, a measure that passed the House nearly a year ago and awaited action in the Senate. In addition to these measures an Agricultural Inquiry Commission, authorized by Congress, is now at work collecting data on farm problems.

I challenge the record to show an equal program for farm rehabilitation. The substantial effects of these efforts are materializing throughout the country, as is evidenced by the various reports from all parts of the country. Wheat, which by the failure of the European market, with our market open to all nations, was carried to points below the prewar level, sold yesterday from $1.28¼ for July wheat to $1.47½ for May wheat. On the same day corn was selling for 66¼ cents. Live stock was keeping pace with these two staple articles. These are definite results of protective legislation, especially the emergency tariff and agricultural export aid laws.

In addition to these measures in aid of agriculture the good roads bill, carrying $75,000,000 appropriation, became law in November. This will not only aid the farm industries but will relieve the unemployment situation somewhat.

REMEDIAL LEGISLATION.

Several measures of remedial character were also enacted. Last July the Postal Service employees compensation measure took effect, which directly affects a service in which are engaged an army of people and for which the vast sum of over a half billion dollars per year is expended. The civil service retirement bill was also enacted into law. The Patent Office was given necessary relief. The Veterans' Bureau was created, reorganizing and concentrating all the agencies having to do with the disabled veterans under one head. This assures more expedition as well as more adequate treatment of our disabled service men, which has been the source of so much complaint and dissatisfaction. The Government has already expended more than $1,500,000,000 in this service. The present year it will amount to one-half billion dollars. This bureau has adjudicated about 751,000 cases, leaving only about 130,000 cases

still pending. Of nearly 840,000 cases of requests for a medical examination only about 14,000 await action. It will be entirely caught up by July.

PROBLEMS BEFORE THE WAYS AND MEANS COMMITTEE.

While this work was being carried on the Committee on Ways and Means was battling in turn with tariff, taxation, and foreign debt funding measures.

The committee held hearings on tariff revision and reported the bill to the House July 6, 1921. It was made in order by special rule July 12 and passed the House July 21, when it went to the Senate, where it is now being considered in committee.

On August 16 the Ways and Means Committee reported to the House the taxation measure. It passed the House four days later. It passed the Senate in an amended form in November and became law in December. This measure repealed the excess-profits tax, reduced and revised the high surtax, repealed the transportation tax and some of the nuisance taxes, and increased the exemption slightly. It reduced the people's tax bill $818,000,000 per year.

PROGRESSIVE LEGISLATION.

Among constructive and relief measures the Women's Bureau was created to respond to the new duties of women enfranchisement. The maternity bill was enacted in response to a wide demand of the womanhood of the country. It is the first item of an ambitious program for progressive legislation espoused by the women in their new sphere of political activity. The state of the Federal Treasury prevents early action on the balance of the program.

Likewise the program of Federal aid to education and public welfare is for the same reason somewhat delayed. A part of this program will be taken up for action as soon as the committee on reorganization makes its report to Congress. This report is now before the President awaiting agreement by the Cabinet members whose departments are being reorganized.

FOREIGN DEBTS REFUNDING LAW.

The foreign debts bill has now become a law, which authorizes a commission to take immediate steps to fund these debts, thereby placing them in form in which they can be financed. This is a most important step both for Europe and the United States in that it is an announcement to all countries that these obligations must be respected, and will induce Europe to set her house in order to meet the situation by balancing their budgets, in an effort to keep their expenditures within their income. So long as Europe insists in increasing their debts by maintaining useless standing armies larger than before the war there is no hope for Europe. This legislation is a salutary suggestion of a proper policy for the debtor countries.

RUSSIAN RELIEF.

Among relief measures two looking to relief of the starving people of Russia were enacted into law, one to donate $20,000,000 for food and to purchase seed grain for the famished in the Volga region, and the other to release medicines now held by the War Department to be applied in relief of the sick of the same unhappy country.

The rail-securities refunding proposal, looking to the rehabilitation of the finances of transportation, was passed by the House and is now awaiting action in the Senate. It is estimated that this measure will greatly assist in the relief of unemployment in the country.

BASIS OF TAX REVISION.

In this survey of the year's work it will be observed that the administration met the problems of readjustment as they came from the preceding administration with all their confusion. Knowing that the measure of high taxation was the high cost of Government, it set at once to reduce that cost. Its progress was as follows:

The cost in 1919 was $19,000,000,000.
The cost in 1920 was $7,500,000,000.
The cost in 1921 was $6,500,000,000.
The cost in 1922 was $4,065,000,000.

Upon the prospects of getting the cost to near $3,500,000,000 the taxation law was revised, and we hope it may be further reduced later on.

Owing to the acute suffering of agriculture due in most parts to cutting off the European market resulting from a too rapid liquidation and great distress the before-mentioned constructive program was outlined and written into law without delay.

Steps were also taken to improve the industrial situation.

In order to further encourage capital to invest in the employment of our own labor, tariff legislation is now in progress in the Senate, the House having already acted. It is somewhat delayed because of new and untried conditions confronting a dislocated industrial world. The highway bill was enacted that will help to reduce unemployment. The rail securities refunding act has been urged as an agency of the employment of many unemployed. The President had called his unemployment conference which organized and set in motion the machinery for lessening unemployment. The Departments of Labor and Commerce are cooperating to find employment of both capital and labor.

THE COUNTRY BASICALLY SOUND.

The year closes with all the basic elements of prosperous conditions present.

1. Agriculture much better, as is evidenced by the price current of all agricultural products.

2. Transportation constantly becoming more efficient as it gradually increases in efficiency and through various economies is reducing the cost of operation. Freight rates must come down before agriculture and general business can become normal.

3. Manufacturing is on the increase. Surplus goods are rapidly going, shelves are becoming less filled, and buying must again increase which will increase the demand upon the manufacturer.

4. Such basic industries as steel are increasing. Many mills until recently closed are starting up, especially in the Pittsburgh district. Auto industry, including rubber, is on the increase. Our banking system is of the first order. Rediscounts have dropped almost 50 per cent since the high mark in time of war. Money is getting easier, interest is lower, and rents are gradually lowering in most places.

5. Our managerial ability is first class, only somewhat distressed over the war handicaps still on capital which discourage against investment.

6. Our labor is in better spirit, and a better relation between labor and capital is displayed by a willingness to get together and find through mutual agreement a lower level of cost of production to avoid the inevitable suffering from the slow process of economic demand which while it is sure is most hurtful.

Here are the basic elements of our country's welfare. Resumption of normal conditions mean that all the world must again go to work and upon such a basis that the public can afford to buy. Capital must be allowed to have a reasonable profit, but not permitted to profiteer at the expense of the public. Labor must have a good wage, but it must not be on a silk-shirt and hose basis of expenditure, by maintaining high cost at the price of inefficiency. Both profiteering and reckless extravagance, by whosoever indulged, are elements of cost which the public in the last analysis pays and against which it strikes, hence the loss of the market and increased unemployment and general suffering.

EUROPE'S PROBLEMS AWAIT SOLUTION.

Europe provokes our pity, yet Europe must see her remedy in the one old-fashioned law "work and save," or Europe will collapse. Our country can not continue to loan to her when she protests her inability to pay even the interest on the debt she owes us. Her solicitation for us to cancel what she owes us is both unwise for her and for us.

No nation will work to the maximum of its ability so long as it can borrow and never need to look to the pay day. For this reason we have ordered the foreign debt of $11,000,000,000 funded, that it may be financed in order that it may be realized upon, and Europe may see her obligation to us for our part in determining the World War on behalf of the Allies as against the enemy.

RECONSTRUCTION DEMANDS.

While we are concerned over our ability to assist Europe to resume her buying power, the administration has been most concerned in the increase of the consumptive power of our own people. The construction needs of the immediate future are commanding and only await a safe basis of cost. Transportation improvements in terminal facilities, rail equipment, and bridge rebuilding as well as highway building call for an immense outlay of capital, which is estimated to be at least $7,000,000,000 in the next seven years.

AMERICAN MERCHANT MARINE.

The administration is committed to the building and maintaining an American merchant marine. Last Tuesday the President pointed out to Congress a plan in which he submitted concrete proposals for the establishment of this great American agency of commerce which, when in full operation, will not only carry our overseas commerce in American bottoms, thus employing American labor and capital, but will continue the industry of the American shipyards which in time will not only employ our labor to build and repair the needed ships for our own trade but much of the trade of other countries.

The steady growth of transportation needs demanded by a growing population on the one hand and the complete suspension of transportation extension for the past decade on the other must stimulate the activities in production, both of mines and manufactories, retarded at first by the overexpansion of war demands, then suspended by the inevitable relaxation in the aftermath, and now awaiting a sound basis for resumption.

THE FUTURE OUTLOOK.

While industry is struggling to find a solid basis for rebuilding, every symptom indicates a promising future. In addition to the promise in agriculture, transportation is becoming more prosperous. The steel industry, as well as copper, is on the increase. Basic manufacturing, such as the motor industry, together with its auxiliaries, is on a pronounced upgrade.

Unemployment is decreasing, and a steady effort is displayed between labor and capital to find an amicable basis for adjustment with due respect for the rights of both in the interest of the public. The administration has been at work to secure a better relationship between the forces of production.

Money is growing easier, interest rates are lowering, rediscount rates, which during the war were 7 per cent, have been reduced to 4½ per cent. Liberties, which were discounted one year ago at 15 per cent, have advanced until to-day some denominations are selling above par. Securities are advancing and reinvestments are on the increase. The last report of the Comptroller of the Currency shows a vastly improved condition of the banks over a year ago. These are but few of the unmistakable evidences of a return to a sound basis of prosperity.

DEMOCRATIC PROPAGANDA.

Mr. Chairman, persistent propaganda by the enemy has charged that this Congress has done nothing. The charge is not made seriously, and, of course, not upon the responsibility of any responsible Member. It is the last and only hope of a discredited party, whose tenure in office was the most costly experiment our Nation has ever suffered and we pray will never have to suffer again. With a record of debauch never witnessed before in the annals of time, bequeathing to the present administration a state of demoralization so hopeless that the people rebuked it by the most overwhelming majority ever cast in the history of elections, it now comes forth, disarmed for any constructive proposal, and after a studied resistance of every constructive measure looking to clean up the miserable mess complain before the country because we have not in the short space of one year been able to give relief for the evils of years of Democratic mismanagement.

The repudiated leader recently announced that, "We stand in the same tracks in which we stood in 1920." The party leaders here in Congress, not quite so bold but nevertheless as equally anxious because of their standing before the country utterly repudiated, can find no defense save the sham charge that Congress has not succeeded in correcting the evils of Democratic policies.

THE RECORD SPEAKS FOR ITSELF.

Mr. Chairman, we admit the task was great, but the record of the present year is made up. It has been one of the busiest of the country's Congresses. The record shows 70 House bills, 16 Senate bills, 51 House resolutions, and 15 Senate resolutions for the first session, or a total of 152. The second session met last December 5. The record shows 57 House bills, 24 Senate bills, 5 House resolutions, and 4 Senate resolutions, or 90. That makes a total of 242, or nearly 2 measures for each day Congress was in session.

The short session is usually confined to the supply bills. Already 8 of the 12 annual appropriation bills have been passed through the House, 5 of which have passed the Senate. This progress defies criticism as the most advanced stage yet reached in the history of legislation in the long session of Congress. This it must be remembered was in addition to the 90 measures before referred to for only three months of the regular session.

THE VERDICT NOT IN DOUBT.

Mr. Chairman, one year ago Warren G. Harding found the Nation with her relations with many foreign countries strained to almost the breaking point, her fundamental principles under discussion, her historic significance in question, her population surfeited with the profits of war and wild extravagance, her industries inflated by overexpansion from war demands, and problems of reconstruction, complicated and imminent.

To-day he sees peace again established with all countries, foreign relations resumed with honor to ourselves and complete justice to others, the finest attitude of the world toward our moral leadership as evinced in the arms conference, a policy of proper regard for the defenders of the Nation's rights, an economic administration upon the soundest principles of economy, a reduction of our public funded debt to the amount of $2,000,000,000 and a reduction of our floating debt of $700,000,000, a reduced taxation of over three quarters of a billion dollars per year, a rejuvenated agriculture and industrial fabric sorely distressed by the havoc of war, the prospect of general employment of American labor in American industries, the only country which is not only balancing its budget but has really reduced the war debt, has restored her credit, and displays signs of promise on all hands of a resumption again of our happy and promising stage which preceded the inauguration of the Democratic foibles of the new freedom and policies of suspicion and persecution of success.

Such is the achievement of the first year of the Harding administration, which, in the main, has been resisted inch by inch by a solid Democratic vote, and with which we gladly go to the country for the people's verdict. We gladly accept the challenge of our friends the enemy to take their stand on the League of Nations as their remedy in readjustment and present the record of this administration for the people's decision. Of the result there can be no doubt. The people are too close to the last administration to fail to connect effect back to cause. [Applause.]

During the delivery of the above remarks:

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. Can the gentleman yield me more time?

Mr. MADDEN. My time is all allotted. Will the gentleman from Tennessee yield the gentleman from Ohio five minutes?

Mr. BYRNS of Tennessee. I wish I could, but I have only an hour. [Laughter and applause.]

Mr. FESS. Mr. Chairman, a list of the measures which have become laws within the year I here append under leave granted me to extend my remarks:

BILLS AND RESOLUTIONS WHICH HAVE BECOME LAWS—FIRST SESSION.

HOUSE BILLS.

H. R. 89. Sale of post-office site at Bethlehem, Pa. Approved June 10, 1921. Public law No. 14.

H. R. 1269. To survey Calaveras River, Calif. Approved August 18, 1921. Public law No. 54.

H. R. 1475. Providing land in State of Washington for biological station. Approved August 23, 1921. Public law No. 59.

H. R. 1940. Relief of Southern Iron & Metal Co. Approved August 23, 1921. Private law No. 3.

H. R. 1942. Relief of owners of dredge *Maryland*. Approved August 24, 1921. Private law No. 7.

H. R. 1945. Relief of E. W. McComas. Approved August 24, 1921. Private law No. 5.

H. R. 2117. Relief of city of West Point, Ga. Approved August 24, 1921. Private law No. 6.

H. R. 2173. Drawbridge on Lock No. 4, Willamette Falls, Oreg. Approved May 31, 1921. Public law No. 12.

H. R. 2185. Pageant of Progress Exposition cancellation stamp for Chicago post office. Approved April 30, 1921. Public law No. 2.

H. R. 2232. National military park on plains of Chalmette, New Orleans, La. Approved November 19, 1921. Public law No. 94.

H. R. 2421. Granting lands to city of Phoenix, Ariz, for municipal purposes. Approved July 15, 1921. Public law No. 39.

H. R. 2422. Relief of settlers and entrymen on Baca Float No. 3, Arizona. Approved July 5, 1921. Public law No. 33.

H. R. 2428. Granting lands to Converse County, Wyo., for public park. Approved June 24, 1921. Public law No. 22.

H. R. 2435. Temporary duties on certain agricultural products and to regulate foreign commerce and the value of foreign money. Approved May 27, 1921. Public law No. 10.

H. R. 2466. Making Fort Worth, Tex., a port of entry. Approved June 18, 1921. Public law No. 19.

H. R. 2499. Acquisition by United States of fishery rights in Pearl Harbor, Hawaii. Approved June 28, 1921. Public law No. 26.

H. R. 3018. Dike across Mud Slough on Isthmus Inlet, Oreg. Approved June 18, 1921. Public law No. 20.

H. R. 3152. Bridge Ohio River near Ironton, Ohio. Approved May 6, 1921. Public law No. 4.

H. R. 3707. Appropriations for expenses incident to the first session of the Sixty-seventh Congress. Approved April 19, 1921. Public law No. 1.

H. R. 4075. Limiting immigration of aliens into the United States. Approved May 19, 1921. Public law No. 5.

H. R. 4091. Bridge across Tug Fork of Big Sandy River, Mingo County, W. Va. Approved June 21, 1921. Public law No. 21.

H. R. 4586. Punishment for handling personal property received on contract of sale with intent to defraud. Approved May 27, 1921. Public law No. 9.

H. R. 4803. Naval appropriation bill for 1922. Approved July 12, 1921. Public law No. 35.

H. R. 4813. Changing period for doing assessment work on mining claims to fiscal year. Approved August 24, 1921. Public law No. 64.

H. R. 4976. Dam Mahoning River near Warren, Ohio. Approved July 15, 1921. Public law No. 37.

H. R. 5010. Army appropriation bill for 1922. Approved June 30, 1921. Public law No. 27.

H. R. 5222. Retention of building of Alaska Northern Railway in Seward, Alaska, for court purposes. Approved July 12, 1921. Public law No. 36.

H. R. 5223. To exempt from cancellation certain desert-land entries in Riverside County, Calif. Approved June 24, 1921. Public law No. 23.

H. R. 5616. Bridge Allegheny River at Oil City, Pa. Approved June 30, 1921. Public law No. 29.

H. R. 5621. Disposal of certain land in Bellevue and Fort Madison, Iowa. Approved August 24, 1921. Public law No. 65.

H. R. 5622. Sale of Vashon Island Military Reservation, Wash. Approved July 15, 1921. Public law No. 38.

H. R. 5651. Surveying Yazoo River, Miss., for flood control. Approved July 29, 1921. Public law No. 43.

H. R. 5676. Regulating and taxing contracts for sale of grain for future delivery. Approved August 24, 1921. Public law No. 66.
H. R. 5756. Limiting indebtedness of government of Philippine Islands. Approved July 21, 1921. Public law No. 42.
H. R. 6053. Extending jurisdiction of courts in cases of revivor. Approved November 23, 1921. Public law No. 104.
H. R. 6152. Bridge Charles River between Cambridge and Boston, Mass. Approved November 14, 1921. Public law No. 89.
H. R. 6300. Second deficiency appropriation bill for 1921. Approved June 16, 1921. Public law No. 18.
H. R. 6320. To regulate interstate and foreign commerce in live stock and dairy products (packers bill). Approved August 15, 1921. Public law No. 51.
H. R. 6407. Relief of Maj. Francis M. Maddox. Approved August 24, 1921. Private law No. 4.
H. R. 6514. American Legion memorial at Abilene, Tex. Approved August 24, 1921. Public law No. 70.
H. R. 6567. Consolidation of telephone companies. Approved June 10, 1921. Public law No. 15.
H. R. 6573. Reclassifying and readjusting compensation of employees of the Postal Service. Approved July 21, 1921. Public law No. 41.
H. R. 6611. To establish a Veterans' Bureau in Treasury Department. Approved August 9, 1921. Public law No. 47.
H. R. 6652. Bridge Arkansas River near Fort Gibson, Okla. Approved June 30, 1921. Public law No. 30.
H. R. 6653. Bridge Arkansas River near Webbers Falls, Okla. Approved June 30, 1921. Public law No. 31.
H. R. 6809. Bridge Rio Grande River near El Paso, Tex. Approved October 15, 1921. Public law No. 79.
H. R. 6814. Dam Wabash River at Huntington, Ind. Approved July 18, 1921. Public law No. 40.
H. R. 6877. Disposition of waters of Colorado River. Approved August 19, 1921. Public law No. 56.
H. R. 7051. Reconveyance of land to city of Mount Pleasant, Mich. Approved November 23, 1921. Private law No. 14.
H. R. 7108. Per capita payment to Chippewa Indians of Minnesota. Approved November 19, 1921. Public law No. 95.
H. R. 7208. Bridge Roanoke River, N. C. Approved August 16, 1921. Public law No. 52.
H. R. 7255. Awarding congressional medal of honor to unknown American buried in Arlington Cemetery. Approved August 24, 1921. Public law No. 67.
H. R. 7294. Supplementing and defining national prohibition act. Approved November 23, 1921. Public law No. 96.
H. R. 7328. Bridge Pend d'Oreille River, Idaho. Approved August 16, 1921. Public law No. 53.
H. R. 7394. Bridge Tombigbee River in Itawamba County, Miss. Approved November 23, 1921. Public law No. 105.
H. R. 7428. Amending act incorporating Gonzaga College, District of Columbia. Approved November 23, 1921. Public law No. 106.
H. R. 7578. Cancellation stamp for Visit the Dunes Exposition at Michigan City, Ind. Approved October 5, 1921. Public law No. 73.
H. R. 7848. Indian moneys to be disbursed by Bureau of Indian Affairs. Approved November 2, 1921. Public law No. 85.
H. R. 8107. To control importation of dyes and chemicals. Approved August 24, 1921. Public law No. 68.
H. R. 8117. Urgent deficiency appropriation for 1921. Approved August 24, 1921. Public law No. 69.
H. R. 8209. Bridge Cumberland River in Montgomery County, Tenn. Approved October 15, 1921. Public law No. 80.
H. R. 8245. To reduce and equalize taxation. Approved November 23, 1921. Public law No. 98.
H. R. 8297. Conveyance of land for enlargement of Missouri State Capitol grounds. Approved October 17, 1921. Public law No. 81.
H. R. 8298. Relating to limitations in criminal cases. Approved November 17, 1921. Public law No. 92.
H. R. 8346. Bridge Rock River near Sterling, Ill. Approved November 23, 1921. Public law No. 107.
H. R. 8347. Bridge Grand Calumet River at Gary, Ind. Approved November 23, 1921. Public law No. 108.
H. R. 8365. Cancellation stamp for Public Health Exposition at Cincinnati, Ohio. Approved October 5, 1921. Public law No. 74.
H. R. 8442. Additional appropriation for railroads in Alaska. Approved November 18, 1921. Public law No. 93.
H. R. 8477. Bridge Choctawhatchee River near Caryville, Fla. Approved November 14, 1921. Public law No. 90.
H. R. 8643. Temporary duties on agricultural products. Approved November 16, 1921. Public law No. 91.

HOUSE RESOLUTIONS.

H. J. Res. 31. Allowing credit to disbursing clerk of Bureau of War Risk Insurance. Approved July 26, 1921. Public resolution No. 11.
H. J. Res. 32. Changing name of Grand River in Colorado and Utah to Colorado River. Approved July 25, 1921. Public resolution No. 10.
H. J. Res. 52. Water for entrymen in arrears on public lands. Approved May 17, 1921. Public resolution No. 3.
H. J. Res. 82. Ratifying establishment of boundary line between Pennsylvania and Delaware. Approved June 30, 1921. Public resolution No. 7.
H. J. Res. 112. Memorial to employees of Department of Agriculture who died in war with Germany. Approved August 15, 1921. Public resolution No. 15.
H. J. Res. 123. Providing funds for repair of elevator in Washington Monument. Approved May 25, 1921. Public resolution No. 4.
H. J. Res. 138. Sale of Camp Eustis, Va. Approved August 21, 1921. Public resolution No. 20.
H. J. Res. 148. Relief of Colorado flood sufferers. Approved June 8, 1921. Public resolution No. 5.
H. J. Res. 151. Deferred payments on grazing fees on national forests. Approved November 17, 1921. Public resolution No. 27.
H. J. Res. 153. Limiting immigration of aliens into the United States. Approved August 22, 1921. Public resolution No. 16.
H. J. Res. 173. Ratifying and confirming (H. R. 4803) naval appropriations as of July 1, 1921. Approved July 11, 1921. Public resolution No. 9.
H. J. Res. 195. Paying employees of House of Representatives. Approved August 23, 1921. Public resolution No. 18.
H. J. Res. 210. Providing for appointment of one member of Board of Managers of National Home for Disabled Volunteer Soldiers. Approved November 23, 1921. Public resolution No. 30.
H. J. Res. 215. Making November 11, 1921, a holiday. Approved November 4, 1921. Public resolution No. 26.
H. J. Res. 225. To pay employees of Congress for November, 1921, on the 23d. Approved November 23, 1921. Public resolution No. 28.

SENATE BILLS.

S. 71. Consolidating offices of register and receiver in land offices in certain cases. Approved October 28, 1921. Public law No. 84.
S. 73. Additional judge for judicial district of North Dakota. Approved June 25, 1921. Public law No. 24.
S. 82. Extending time to bridge Red River of the North at Pembina, N. Dak. Approved May 31, 1921. Public law No. 11.
S. 86. Organization of corporations. Approved June 14, 1921. Public law No. 17.
S. 252. Easements over private property through proceedings in eminent domain. Approved August 11, 1921. Public law No. 48.
S. 407. Bridge Mahoning River near Warren, Ohio. Approved May 3, 1921. Public law No. 3.
S. 488. Government to exchange lands with Swan Land & Cattle Co. Approved August 9, 1921. Public law No. 44.
S. 513. Relief of J. L. Holmes. Approved November 18, 1921. Private law No. 10.
S. 530. To quiet title to land in Walters, Okla. Approved August 9, 1921. Public law No. 45–46.
S. 535. Preventing unauthorized landing of submarine cables. Approved May 27, 1921. Public law No. 8.
S. 594. Relief of ex-service men for defeated rights of entry on North Platte irrigation project. Approved May 20, 1921. Public law No. 6.
S. 694. Additional judge for southern judicial district of West Virginia. Approved June 25, 1921. Public law No. 25.
S. 732. Nonmineral lands in Fort Buford Military Reservation. Approved August 11, 1921. Public law No. 49.
S. 843. Relief of war contractors. Approved November 23, 1921. Public law No. 99.
S. 904. Relief of Elijah C. Putman. Approved November 18, 1921. Private law No. 11.
S. 997. Relief of owners of Danish steamship *Flynderborg*. Approved August 9, 1921. Private law No. 1.
S. 1019. Transportation home for destitute soldiers and sailors and their wives from Europe. Approved June 30, 1921. Public law No. 28.
S. 1039. Public protection of maternity and infancy. Approved November 23, 1921. Public law No. 97.
S. 1072. Federal aid in constructing rural post roads. Approved November 9, 1921. Public law No. 87.
S. 1084. To provide a budget system and an independent audit of Government accounts. Approved June 10, 1921. Public law No. 13.
S. 1154. Bridge Des Moines River. Approved June 11, 1921. Public law No. 16.
S. 1283. Relief of various railroads. Approved Nov. 23, 1921. Private law No. 15.
S. 1408. Relief of Rolph Navigation & Coal Co. Approved November 17, 1921. Private law No. 8.
S. 1434. Relief of Fidelity & Deposit Co. of Maryland, Baltimore, Md. Approved August 16, 1921. Private law No. 2.
S. 1479. Bridge Potomac River at Point of Rocks, Md. Approved May 25, 1921. Public law No. 7.
S. 1718. Distribution of tobacco, snuff, etc., to hospitals for soldiers and sailors. Approved October 14, 1921. Public law No. 78.
S. 1794. Releasing Kansas City & Memphis Railway & Bridge Co. from reconstructing approaches to bridge at Memphis, Tenn. Approved August 22, 1921. Public law No. 57.
S. 1811. Issuance and denomination of Federal farm loan bonds. Approved August 13, 1921. Public law No. 50.
S. 1837. Secretary of Treasury to make deposits for use of Federal land banks. Approved July 1, 1921. Public law No. 32.
S. 1881. Defining act creating Hawaiian Homes Commission. Approved July 9, 1921. Public law No. 34.
S. 1894. Relief of certain members of Quapaw Tribe of Indians. Approved November 18, 1921. Private law No. 12.
S. 1915. Exportation of agricultural products. Approved August 24, 1921. Public law No. 60.
S. 1934. Bridge Ohio River at Huntington, W. Va. Approved August 18, 1921. Public law No. 55.
S. 1970. Bridge Sulphur River near Pettis Bridge, Tex. Approved October 13, 1921. Public law No. 75.
S. 2062. Granting franchises to certain districts in Hawaii for gas and electricity. Approved August 24, 1921. Public law No. 61.
S. 2131. Extending provisions of District of Columbia rent act. Approved August 24, 1921. Public law No. 71.
S. 2153. Relief of the owners of the steamship *Texas*. Approved November 17, 1921. Private law No. 9.
S. 2207. Fixing standard weight of bread in the District of Columbia. Approved August 24, 1921. Public law No. 72.
S. 2301. Bridge Missouri River at Boonville, Mo. Approved August 22, 1921. Public law No. 58.
S. 2330. Extending time for payment of 1921 grazing fees on national forests. Approved August 24, 1921. Public law No. 62.
S. 2340. Bridge St. Marys River near St. Marys, Ga. Approved October 13, 1921. Public law No. 76.
S. 2359. Cancellation stamp for Aero International Congress at Omaha, Nebr. Approved October 20, 1921. Public law No. 82.
S. 2420. Semicentennial cancellation stamp for Birmingham, Ala. Approved August 24, 1921. Public law No. 63.
S. 2425. To widen Watchung Avenue in Plainfield, N. J. Approved November 5, 1921. Public law No. 86.
S. 2430. Bridge St. Marys River near Wilds Landing Ferry, Ga. Approved October 13, 1921. Public law No. 77.
S. 2447. Bridge Pearl River, Miss., between Meeks Ferry and Grigsbys Ferry. Approved November 14, 1921. Public law No. 88.
S. 2504. Readmission of certain deficient midshipmen to Naval Academy. Approved October 22, 1921. Public law No. 83.
S. 2555. Bridge Great Peedee River near Marks Bluff Ferry, S. C. Approved November 23, 1921. Public law No. 100.
S. 2594. Bridge Savannah River near Burtons Ferry, Ga. Approved November 23, 1921. Public law No. 101.
S. 2722. Bridge White River near Des Arc, Ark. Approved November 23, 1921. Public law No. 102.
S. 2724. Bridge White River near De Valls Bluff, Ark. Approved November 23, 1921. Public law No. 103.

SENATE RESOLUTIONS.

S. J. Res. 5. President to invite foreign nations to take part in exposition at Portland, Oreg. Approved August 10, 1921. Public resolution No. 13.
S. J. Res. 16. Repealing joint resolution declaring state of war between United States and Germany and Austria-Hungary. Approved July 2, 1921. Public resolution No. 8.
S. J. Res. 20. Appropriation for diversion dam on Crow Indian Reservation, Mont. Approved May 6, 1921. Public resolution No. 2.

S. J. Res. 30. President to appoint additional member of Joint Committee on Reorganization. Approved May 5, 1921. Public resolution No. 1.
S. J. Res. 33. Permitting certain Chinese to register in the United States. Approved November 23, 1921. Public resolution No. 29.
S. J. Res. 34. President to appoint commission to attend first centennial of Republic of Peru. Approved June 25, 1921. Public resolution No. 6.
S. J. Res. 36. President to appoint pulp wood commission. Approved August 15, 1921. Public resolution No. 14.
S. J. Res. 72. Relief of States in cotton belt through efforts to eradicate the pink bollworm. Approved August 9, 1921. Public resolution No. 12.
S. J. Res. 88. Establishing port of New York authority. Approved August 23, 1921. Public resolution No. 17.
S. J. Res. 103. Changing name of Veterans' Bureau to United States Veterans' Bureau. Approved August 24, 1921. Public resolution No. 19.
S. J. Res. 114. Accepting invitation to take part in exposition at Rio de Janeiro, Brazil, in 1922. Approved November 2, 1921. Public resolution No. 25.
S. J. Res. 115. Loan of tents, etc., to Grand Army of the Republic encampment at Indianapolis, Ind. Approved October 12, 1921. Public resolution No. 21.
S. J. Res. 117. Loan of tents, etc., to Confederate Veterans' encampment at Chattanooga, Tenn. Approved October 12, 1921. Public resolution No. 22.
S. J. Res. 122. President to bestow congressional medal of honor upon unknown Italian soldier buried in Rome. Approved October 12, 1921. Public resolution No. 23.
S. J. Res. 123. Providing expenses for burial of unknown American in Arlington Cemetery November 11, 1921. Approved October 21, 1921. Public resolution No. 24.

SECOND SESSION.

HOUSE BILLS.

H. R. 1268. Relief of Six-Minute Ferry Co. Approved February 18, 1922. Private law No. 26.
H. R. 1318. Preferential right to certain public lands in Arkansas. Approved January 28, 1922. Private law No. 20.
H. R. 1362. Relief of M. Fine & Sons. Approved February 21, 1922. Private law No. 29.
H. R. 1370. Relief of Col. Herbert Deakyne. Approved February 24, 1922. Private law No. 35.
H. R. 1372. Relief of M. Feitel House Wrecking Co. Approved February 21, 1922. Private law No. 30.
H. R. 1459. Relief of Charles R. Powell. Approved January 28, 1922. Private law No. 21.
H. R. 1460. Relief of William Gordon Corporation. Approved January 30, 1922. Private law No. 23.
H. R. 1721. Relief of Buffalo House Wrecking & Salvage Co. Approved February 21, 1922. Private law No. 31.
H. R. 1733. Relief of W. R. Grace & Co. Approved February 17, 1922. Private law No. 24.
H. R. 2144. Relief of Charlotte W. Miller. Approved February 18, 1922. Private law No. 27.
H. R. 2205. To add lands to Shoshone National Forest, Wyo. Approved December 20, 1921. Public law No. 113.
H. R. 2373. Cooperative marketing of agricultural products. Approved February 18, 1922. Public law No. 146.
H. R. 2865. Granting patents to certain lands in Louisiana. Approved January 28, 1922. Private law No. 22.
H. R. 2914. To add certain lands to Minadoka National Forest. Approved January 11, 1922. Public law No. 123.
H. R. 3116. Validating homestead entry of Mike Campbell in Alaska. Approved December 15, 1921. Private law No. 15.
H. R. 3249. Relief of employees of Bureau of Lighthouses. Approved February 21, 1922. Private law No. 33.
H. R. 3250. Conveying lands to Augustus S. Peabody. Approved December 20, 1921. Private law No. 18.
H. R. 4598. To exchange public for private lands in Hawaii. Approved January 31, 1922. Public law No. 135.
H. R. 5511. Relief of John Cestnic, jr. Approved December 15, 1921. Private law No. 16.
H. R. 5597. To pension N. May Jernegan. Approved February 21, 1922. Private law No. 32.
H. R. 5700. Sale of Subtreasury at San Francisco, Calif. Approved January 11, 1922. Public law No. 124.
H. R. 6119. Grant gold and silver dollars. Approved February 2, 1922. Public law No. 137.
H. R. 6262. To add lands to Mount McKinley National Park, Alaska. Approved January 30, 1922. Public law No. 133.
H. R. 6437. Relief of Cleveland Trinidad Paving Co. Approved February 18, 1922. Private law No. 25.
H. R. 6557. Repair customs buildings in Porto Rico. Approved January 10, 1922. Public law No. 22.
H. R. 6622. Relief of Gaetano Davide Olivari fu Fortunato. Approved February 18, 1922. Private law No. 28.
H. R. 6864. Exchange of lands in Ranier National Forest, Wash. Approved December 20, 1921. Public law No. 114.
H. R. 6961. Granting lands to Alabama for use of Searcy Hospital for colored insane. Approved December 15, 1921. Public law No. 110.
H. R. 6998. Amending bankruptcy act of 1898. Approved January 10, 1922. Public law No. 121.
H. R. 7077. Increase of force and salaries in Patent Office. Approved February 18, 1922. Public law No. 147.
H. R. 7161. Final proof of homestead entries for World War veterans. Approved December 15, 1921. Public law No. 111.
H. R. 7204. Water-service system for Fort Monroe Military Reservation. Approved January 11, 1922. Public law No. 125.
H. R. 7290. Confirming private land claim of widow and heirs of Joseph Etier. Approved January 18, 1922. Private law No. 19.
H. R. 7600. Adjustment of boundaries of Deschutes National Forest, Oreg. Approved February 2, 1922. Public law No. 138.
H. R. 7601. To amend act incorporating Prospect Hill Cemetery, District of Columbia. Approved January 31, 1922. Public law No. 136.
H. R. 7780. Relief of G. Fred Roach et al. Approved December 15, 1921. Private law No. 17.
H. R. 8217. Relief of heirs of N. Ferro. Approved February 21, 1922. Private law No. 34.
H. R. 8344. Extension of time under oil and gas permits. Approved January 11, 1922. Public law No. 127.
H. R. 8401. To transfer control of customhouse wharf at Charleston, S. C., to War Department. Approved January 11, 1922. Public law No. 126.
H. R. 8744. Bridge Red River of the North. Approved December 21, 1921. Public law No. 116.
H. R. 8762. Funding of foreign debts. Approved February 9, 1922. Public law No. 139.
H. R. 9021. City of Chicago to acquire real estate. Approved January 11, 1922. Public law No. 128.
H. R. 9050. Bridge Pamunkey River. Approved January 30, 1922. Public law No. 134.
H. R. 9337. Deficiency appropriation, first for 1922. Approved December 15, 1921. Public law No. 109.
H. R. 9464. Bridge over Snake River, Wash. Approved December 28, 1921. Public law No. 120.
H. R. 9548. Relief of Russia. Approved December 22, 1921. Public law No. 117.
H. R. 9724. Treasury Department appropriation bill for 1923. Approved February 17, 1922. Public law No. 145.
H. R. 9931. Extending time for constructing bridge over Delaware River. Approved February 21, 1922. Public law No. 148.

ADDITIONAL HOUSE BILLS.

February 25, 1922:
H. R. 9386. Waccama River Bridge. Public law No. 150.
H. R. 10009. Tombigbee River Bridge. Public law No. 151.
H. R. 5659. Relief of Ellen M. Willey. Private law No. 37.
H. R. 7483. Relief of Robert G. Whitfield. Private law No. 38.
H. R. 8818. Monongahela River Bridge. Public law No. 154.
H. R. 8924. Amending appropriation for Military Academy. Public law No. 155.
H. R. 9060. Lands leased to Leavenworth, Kans. Public law No. 156.

SENATE BILLS.

S. 621. Rebates for unjust rates charged for transportation. Approved February 24, 1922. Public law No. 149.
S. 1099. Reinstatement of on canceled final entries on public lands. Approved January 27, 1922. Public law No. 131.
S. 1831. Validity of contracts. Approved February 17, 1922. Public law No. 144.
S. 2108. Prohibiting interment in White's Cemetery, District of Columbia. Approved December 16, 1921. Public law No. 112.
S. 2124. To quitclaim lands in Alabama. Approved February 10, 1922. Public law No. 140.
S. 2133. Ceding Mexican lands to Texas. Approved January 27, 1922. Public law No. 132.
S. 2468. Disposal of lands at Tenderfoot Lake, Wis. Approved February 13, 1922. Public law No. 141.
S. 2591. Bridge Niagara River. Approved December 18, 1921. Public law No. 118.
S. 2708. Transfer of Army medical supplies to American relief in Russia. Approved January 20, 1922. Public law No. 129.
S. 2776. Bridge Columbia River. Approved January 21, 1922. Public law No. 130.
S. 2780. Trading with the enemy, amending act. Approved December 21, 1921. Public law No. 115.
S. 2790. Bridge Escambia River. Approved December 28, 1921. Public law No. 119.
S. 2802. Civil service retirement, amending act. Approved February 14, 1922. Public law No. 142.
S. 2994. Bridge headwaters Mobile Bay. Approved February 14, 1922. Public law No. 143.

ADDITIONAL SENATE BILLS APPROVED.

February 25, 1922:
S. 29. Lloyd L. Gandy. Public law No. 152.
S. 160. Kristina Furjak. Private law No. 36.
S. 2736. Forts Lee, Pickering, and Sewell. Public law No. 153.
February 27, 1922:
S. 52. Stevens Institute of Technology. Private law No. 39.
S. 561. Arizona timber. Public law No. 157.
S. 901. Albert H. Raynolds. Private law No. 40.
S. 2810. Judicial districts in West Virginia. Public law No. 158.
February 28, 1922:
S. J. Res. 137. Relics in State Department. Public resolution No. 40.
S. 1247. Relief of Frank Carpenter. Private law No. 41.

HOUSE JOINT RESOLUTIONS.

H. J. Res. 30. Preferred right of entry to soldiers and sailors. Approved January 21, 1922. Public resolution No. 36.
H. J. Res. 81. Memorial to First Division, American Expeditionary Forces, in District of Columbia. Approved December 16, 1921. Public resolution No. 31.
H. J. Res. 233. Postponing World's Dairy Congress. Approved December 22, 1921. Public resolution No. 34.
H. J. Res. 234. Payment employees, holiday recess. Approved December 19, 1921. Public resolution No. 32.
H. J. Res. 238. Amending act in jurisdiction of courts in cases of revivor. Approved December 22, 1921. Public resolution No. 35.

SENATE JOINT RESOLUTIONS.

S. J. Res. 99. Statue of Dante in District of Columbia. Approved February 14, 1922. Public resolution No. 39.
S. J. Res. 124. Nonexportation of war materials. Approved January 31, 1922. Public resolution No. 37.
S. J. Res. 140. Tuition of Indian children in Montana. Approved February 13, 1922. Public resolution No. 38.
S. J. Res. 142. Extending time of report on personnel of Army and Navy. Approved December 22, 1921. Public resolution No. 33.

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. Mr. Chairman, we have just witnessed the most remarkable incident in the Congress that has happened in 20 years. An administration coming into power with the greatest majority in the history of the Republic on the anniversary of its accession the chief of the Republican organization, the most distinguished performer of the House of Representatives, when it comes to making black look white and two and two add up eight, is put forth in defense of that administration. But, Mr. Chairman, why the necessity of this defense? What occasioned

these directors of the Republican organization to put their heads together and to present their chief in front in order to apologize for what has been done in the past year. It results from Republican editorials throughout the United States in which editors have analyzed the conduct and the performance of your party for 12 months. They have rendered a solemn verdict—as you said a solemn verdict was rendered last November a year ago—and they have decided that the accomplishments are nil, and the result is that you call upon this distinguished doctor, this professor of all knowledge, this camouflage artist from Ohio, the chairman of your congressional organization, to come in, and if he can, make new promises and prophecies for the next few months. How did you get into office? By promises. Promises were the main element in your campaign of two years ago. What is your statement to-day? "I made you these promises, I gave you my plighted faith, I gave you my note of hand," as BEN HUMPHREYS would say, "and it has come due, and now I am willing to renew the promise." What does the doctor say? Why, he says, "Whenever you pass a tariff bill then you will renew prosperity in this country." Another promise: "When we shall have passed the reclassification bill we will cut down the expenditures and eliminate offices which we promised to eliminate." "When the Senate shall have passed the railroad appropriation bill, then the railroads of the country will function."

This is all in his speech, but he did not read it to you on this occasion. How is he going to apologize for the Senate failing for eight months to report a tariff bill? How is he going to apologize and defend, if you please, the want of action on your part in failing to carry out your promise with regard to H. R. No. 1? I imagine that some of you will ask yourselves that question, and I see some of you now who will not undertake to defend the Senate's action, and yet the Senate is a part of your organization. I know and you know that Warren Harding is much stronger than his party at the present time. You want to ride in on his shoulders, but remember when you do that you have got to account for the failure to keep his promises made during the election and which he himself has failed to keep. I recall that it was said on the stump and throughout the country that Woodrow Wilson had appointed ambassadors and foreign ministers who were unsuited to their places.

Is there a man on that side of the House who will rise in his place and say at this moment that the American Government has not the poorest representatives in foreign countries that it has had in 50 years, some of them being a disgrace? I do not see anyone getting up to defend them. That is one of the promises you made. Gentlemen, you can defend broken promises by making additional promises if you desire, but I caution you now not to go to agriculture and tell its followers that they are prosperous, or to the manufacturers and tell them they are getting along well, when their smokestacks have no smoke coming from them. When you carried the election agriculture was prosperous and manufacturing was prosperous. What are they to-day? Separated from the smoke of the factories and from the farms, 4,000,000 men are hunting for employment, with necessity staring them in the face. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, it would be amusing if it were not attended with so much tragedy to our Republican friends on the other side of this Chamber to note the very earnest and frequent but futile efforts which have been made by many of our Republican colleagues to stem the irresistible tide of opposition which has arisen against their party on account of the failure of this Congress and the administration to comply with its promises and give the necessary relief to the country. Now, the gentleman from Ohio [Mr. FESS], one of the leaders of his party occupying the position of chairman of the Republican congressional campaign committee, comes forward with a carefully prepared political speech in the effort to show that the administration during the past year has accomplished something in the way of relief for the people. It is significant that in all the speeches made by these gentlemen none of them have referred to or criticized the many constructive measures that were passed under a Democratic administration before our country became engaged in war. We never hear any mention nor do we hear any criticism of the fact that it was a Democratic Congress under a Democratic President which put the income tax upon the statute books, making wealth bear at least a part of its proper burden of government. We never hear any mention nor do we hear any criticism from the other side of the fact that it was a Democratic Congress and a Democratic administration which passed the Federal reserve banking law that wrested control of our finances from Wall Street and made it possible for this country to go through the war and to actually win the war without any particular financial difficulty. We never hear any mention nor do we hear any criticism from our friends upon the other side of the fact that it was a Democratic Congress and a Democratic administration which placed upon our statute books the farm loan act, the greatest constructive measure ever passed by Congress for the aid of the farmer. [Applause on the Democratic side.]

A Democratic Congress and administration first provided for Federal aid for the building of good roads and many other equally beneficial measures, to which I have not the time to refer. In his difficult task to show that this Republican Congress has not been a do-nothing Congress, the gentleman from Ohio [Mr. FESS] has actually counted the bills and resolutions which have been passed, and says Congress has passed nearly two a day. To what a desperate strait has this Republican leader been driven in his effort to show that this Congress has really accomplished something! Why, everyone knows that these bills were practically all bridge bills and claims and pensions and matters of no general public interest. Why, yesterday we passed three bills of no general interest in less than two hours, and there is hardly a unanimous-consent day that from 15 to 25 bills, and sometimes more, are not passed without objection. Read his speech and you will find that he has been unable to point out any real constructive measure which has been passed. Oh, but he spends much time praising the result of the recent Disarmament Conference which the President was forced to call by a few Republican insurgents, aided by the Democratic minority. He boasts that the United States has joined Great Britain, France, and Japan in an alliance to keep the peace in the Pacific Ocean, and at the same time denounces the League of Nations which proposed an alliance of all the nations of the world to keep the peace of the world. That is about as consistent as we would expect the gentleman to be in discussing a political question. We can not escape the conclusion that, like many other political statesmen, he is influenced by the fact that one was brought forth under a Republican administration, whereas the other was the product of a Democratic administration. Does anyone doubt what the position of the gentleman would be if conditions had been reversed?

This opposition which has arisen to your party, gentlemen, is a perfectly natural one, and one which is to be expected on account of the failure of the administration and this Congress to give that relief which was promised the people in the last campaign, and which the people have been vainly expecting since your President came into power. The business and manufacturing interests of the country are depressed. How have you helped them? As the gentleman from Texas [Mr. GARNER] has said, millions of laboring men are walking the streets to-day, and they are on the highways begging employment, and nothing has been done. No legislation has been passed, and seemingly no consideration has been given to any effort to give those men employment. Farmers all over this country we know are being forced to put the products of their labor and their farms upon the market at less than the cost of production. What have you done by way of giving them substantial relief? Why, it became necessary at the other end of this Capitol for a few Republican Senators to form themselves in what has been called an "agricultural bloc," in order that they might join a Democratic minority in the Senate and force consideration of measures intended for the relief of the agricultural interests of this country. [Applause on the Democratic side.]

The gentleman from Ohio [Mr. FESS] referred to the expenses of the Government and to the action of Congress in reducing expenses. As I recall, he said that this is one of the two or three Governments of the world that have a balanced budget. I do not know just what the gentleman means by a balanced budget. I take it that what he means is that our revenue equals our expenses.

That is rather a remarkable statement for the distinguished gentleman to make in the face of the fact that the President of the United States, when he submitted his budget in December, stated that there would be a deficit this year of $24,000,000 at least. And since that time, Congress has added to that deficit by passing certain legislation which will increase it all the way from $7,000,000 to $20,000,000. It is a rather remarkable statement for the gentleman from Ohio to make in the face of the statement of the President that next year, the fiscal year of 1923, the deficit in our Treasury will amount to over $167,000,000. And since that statement was made it has been amended, and now everyone agrees that the deficit in 1923 will amount to at least $250,000,000. And the Secretary of the Treasury has said that it will amount to $300,000,000. So I say it is rather remarkable that the gentleman from Ohio, even

though he may be making a political speech for public consumption, should say that this country is now working under a balanced budget.

The appropriations made for 1922 in the regular appropriation bills amounted to $3,771,900,514.01. In addition to that, we are now considering a third deficiency bill. The two deficiency bills passed in August and December carried aggregate appropriations of $155,833,706.64. The pending bill carries an appropriation, if passed as reported by the committee, of $108,415,287, or total deficiences up to this time and for this year of $264,249,053.64. The gentleman from Ohio referred to the further fact that Congress has been called upon by the President to pass a ship subsidy bill, which, if passed by Congress, will result in taking from the Public Treasury, already faced as it is with these large deficits, $32,000,000 of the people's money each year, and handing it over to the great private ship-operating companies.

The best answer that can be made to the gentleman from Ohio in his claim for economy is to compare the appropriations made for this fiscal year in the regular annual appropriation bills with the estimates submitted by the President and his Bureau of the Budget for the expenses of the Government during the next fiscal year. The President and his Bureau of the Budget asked Congress to appropriate for 1923 the sum of $3,858,917,924.53. The outstanding and unanswerable fact is that the appropriations requested by the President for 1923 are $87,017,410.52 more than Congress appropriated in the regular annual appropriations for the year 1922. Does that speak for economy? Does that show that this Congress and the Republican administration have been practicing economy? [Applause on the Democratic side.] Does that show that the Budget Bureau, so highly complimented by the gentleman from Ohio, has been functioning as the people of the United States expected it would function? Does that show that there has been that close and careful consideration of future expenditures by this bureau and the President that we expected would be given before these estimates were sent in?

Why, gentlemen will remember that this increase of over $87,000,000 in the appropriations of 1923 over those of 1922 is requested in the face of the fact that it will be five years since the war came to a close, and instead of our reducing the expenses of the Government, if we act in accordance with the earnest request of the President and the Bureau of the Budget, we shall appropriate over $87,000,000 more in the regular appropriation bills for 1923 than was appropriated in the year 1922, and then you may expect, during the next Congress and after the election, to see other large deficiency bills coming in, adding to these appropriations, just as we have had deficiency bills in this Congress adding to the appropriations for 1922.

Why, gentlemen, it has been nearly four years since the war closed and will be five years when the appropriations for 1923 are expended—we ought to be at least approaching prewar conditions, and the gentleman from Ohio admits it—let us compare the appropriations requested with the appropriations made during the last year just preceding the war, the year 1916. What do we find? Why, in 1916, under a Democratic Congress and a Democratic President, there was appropriated the sum of $1,114,937,012.32.

Oh, the gentleman from Ohio [Mr. FESS] said, if I recall correctly, that when you deducted the interest of $975,000,000, and approximately $500,000,000 which is being provided for the Veterans' Bureau, and $381,000,000 for the sinking fund, expenses which he very properly said were not charges on the Treasury before the war, it would be found that we were going to appropriate for next year only about $250,000,000 more than was appropriated in 1916.

Let us see. We do not know what Congress is going to appropriate. I take it, certainly, that Congress will reduce the estimates; but the only thing that we can do at this time is to look at what the President of the United States has requested Congress to appropriate, and, as I said, he has asked Congress to appropriate something over $3,858,000,000. Well, deduct, if you please, these three sums which have been referred to by the gentleman from Ohio, and which amount to $1,856,000,000; or take the figure that he gave and call it $2,000,000,000, because the little sum of $146,000,000 does not seem to make much difference to the gentleman from Ohio for the purposes of his speech. Deduct your $2,000,000,000 from the amount asked to be appropriated and you will have left $1,858,000,000, which is $743,000,000 in round numbers more than was appropriated in the year 1916.

Now, is it any wonder that the taxpayers of this country are complaining because there has not been that reduction in our expenditures which they were led to believe would be made, and which they had the right to expect would be made five years after the war had come to a close?

One of the most distressing things—and I get that by inference from what the gentleman from Ohio said; it may be in that prepared speech that he said he was going to put into the RECORD—one of the most distressing things I gathered from his speech was that he, one of the leaders of his party and a man who has great influence in Congress, takes the position that the expenses will be reduced next year to as complete an extent as the people can expect for some years to come; in other words, that the people, so long as his party is in power, or for the next three years, may not expect any further reduction in expenditures or any further reduction in their taxes. If, therefore, they expect reductions in appropriations and in taxes they must turn to the Democratic Party for relief. And legislative history will show that this has always been the case. [Applause on the Democratic side.]

Now, the gentleman had something to say in reference to the reduction in the number of employees. I think he said that they had reduced the number of employees in the District of Columbia to something like 73,000. The facts are that on December 31 there were 75,759 employees, as shown by the report of the Civil Service Commission, here in the District of Columbia, and as showing what a rapid reduction is being made in the number of employees here in the District in one month that number has been reduced by the enormous sum of 401; or, on January 31, there were 75,358 employees in the District of Columbia, and in the field there were 492,567 employees; or, on December 31, 1921, the total number of employees of the National Government in the District and in the field was 568,326.

Now, do you wonder that the people of this country are asking just why it is necessary to retain, four years after the war, such a great number of employees at their expense? Are you wondering that the people of the country now are asking the question as to why some action has not been taken to cut out some of these employees and save the public money?

Certainly the people have a right to expect that four years after the war we get back to something like prewar conditions in the matter of public employment in this country.

Why, let me tell you something. Something has been said here about how the Veterans' Bureau has reduced its employees. What do we find? The Veterans' Bureau has here in the city of Washington 5,092 employees. But how many have they got in the field? Under the decentralization bill, which was passed by this Congress, there are now 13,500 employees of the Veterans' Bureau in the field, making the total number of employees of the Veterans' Bureau something over 18,500. Is it any wonder that there are those who complain against the great overhead charges and expenses of the bureau which takes money out of the pockets of the disabled soldier—who is so frequently and properly commended upon this floor—which takes money out of his pocket for the purpose of putting upon our pay rolls a great number of employees to whom large amounts are paid in salaries? Gentlemen will have a very difficult task to show that this Congress and this administration has shown any real economy.

My time is limited, but I want to talk to you just a little while about this bill. I have been led away from a discussion of the measure before the House by the remarks just made by my friend from Ohio.

The total amount carried on the face of this bill, as I have already stated, is $108,415,287.13. All of this sum is for the year 1922 except $4,105,468.27, of which $3,936,409.03 represents judgments which have been obtained against the Government and claims which have been regularly audited during the past year, leaving an actual deficiency for past years in this bill of $169,059.24.

The big items in this bill are $93,993,112 for the Veterans' Bureau and $5,000,000 for the Colombian treaty. But I wish to repeat that every appropriation carried in this bill, except the sum of $4,105,468.27 to which I have referred, is by way of a supplemental appropriation for expenses during the present fiscal year. You may call them anticipated deficiencies, because, as the gentleman from Illinois [Mr. MADDEN] said, the committee cut out many requests for appropriations where it was not perfectly patent that they would not have money to carry them through the present fiscal year; but this sum should be added to the appropriations made for the present fiscal year, 1922, and shows that Congress either did not appropriate sufficient money in the first instance or that some of the departments have been extravagant.

In addition to this there are certain appropriations to which the gentleman from Illinois [Mr. MADDEN] has referred, and to which I want to refer just for a few minutes. For instance,

we found that there was a deficiency for 1921 in the Navy Department of $4,394,806.25. That is cared for in this bill by making available the balances which were in the Treasury to the credit of the Navy Department on June 30, 1921. In other words, there was a balance covered back into the Treasury by the Navy Department, which was unexpended out of the 1921 appropriation, of something over $11,000,000, and the committee undertakes to satisfy this deficiency of 1921 out of that balance. Well, of course, it is properly chargeable to 1921 expenses, but to my mind that is an improper way to make this appropriation, and so far as I know that practice has never been followed in any other deficiency bill of which I have knowledge. The usual course is to appropriate the money directly and to appropriate it as a deficiency for the fiscal year in which the deficiency was incurred. The $11,000,000 of balance is in the Treasury, and it is only by an appropriation act that it can be taken out of the Treasury; and in order to keep your books straight, in order that the country may know and that Congress may know just what is being appropriated, it seems to me that the better policy and the only proper policy would be to make a direct appropriation, just as all other deficiency bills have done in the past.

Now, what more? The committee has allowed $10,000,000 for the Navy Department as a supplement to the present year's appropriation, but it did not make that appropriation in a direct manner. The Secretary of the Navy came before the committee and told us that he had effected savings from certain appropriations which had been specifically made for various activities in the department of $7,680,345, and the committee, by a provision in this bill, makes that sum available to meet this supplemental appropriation of $10,000,000, and as the gentleman from Illinois [Mr. MADDEN] said the Navy Department is expected to make up the balance through savings between now and July 1.

Then there is $40,000,000 to take care of the Navy's deficit in the Treasury in the clothing and small-stores fund. Instead of appropriating the necessary sums to take care of this deficit, it is proposed by legislation to wipe it off the books. It may be said that it means the same thing, but it conceals from the public the real facts. The same is true of a supplemental appropriation for the Army of $511,892.77 for 1922 for bringing back troops from Germany, and $236,095 for reconditioning the *Madawaska*, and $150,000 for expenses incurred in 1921 during the mine troubles in West Virginia, or a total of $897,987.77, which is not directly appropriated, but is made available out of funds to the credit of the War Department, which would otherwise remain in the Treasury. The result is that the public is told through the newspapers that this bill carries only $108,415,287.13, whereas in reality it makes available the sum of $163,708,081.15. The people are thus mislead by this procedure into the belief that Congress is appropriating less by over $55,000,000 than is really being appropriated. It is this that I earnestly condemn. There ought not to be any camouflage about appropriations. The people ought to be told the real facts.

Right here I want to call your attention to this fact: You will recall that when the tax bill was pending before the Ways and Means Committee it was stated that there was going to be effected a saving out of the appropriations for this year of $350,000,000, and it was stated that $100,000,000 of that would come out of the Navy Department. This was heralded all over the country for the benefit of the taxpaying public and as a great accomplishment of the Bureau of the Budget. The Secretary of the Navy now tells us, after eight months of the fiscal year have passed, that he has saved only $7,680,345. The $100,000,000 has dwindled to $7,680,000, with the hope on the part of the committee that possibly the Secretary of the Navy may in some way save $2,500,000 more before July 1.

The President told us a few weeks ago, acting on information, of course, which was furnished him by the Director of the Budget, that there had been direct savings of $32,000,000 and indirect savings of $134,000,000 already effected during the year. Eight months of the year have passed, and even if this statement was true, it shows how grossly the people have been deceived, for there is a great difference between $136,000,000 and $350,000,000. I introduced a resolution asking the President to tell Congress just where those savings had been effected. It was my idea that when we knew where those savings could be found it would be possible either to avoid presenting a deficiency bill which carries $108,000,000, or $18,000,000 less than he says have been saved during this year, or, preferably, that those sums could be covered into the Treasury so as to put them beyond the power of any Government official to spend between now and July 1. I betray no confidence, I am sure, when I say that that resolution was promptly sent to the President asking that he comply with the request made therein, and for that reason, hoping that he would make reply, I have not sought to press the matter before the House. But the very fact that we have had no reply to that resolution is the surest evidence of the truth of the charge that has been made upon this floor that those savings are mere paper savings. It is a mere fanciful saving from the extravagances of the department which the Director of the Budget assumes he has made, but on which he can not put his finger, and hence his failure to supply Congress with the details.

We know there ought to have been considerable savings. The appropriations for this fiscal year were made at the December, 1920, session. Since that time the cost of material and supplies, printing and binding, fuel, rations for our Army and Navy, construction and repairs, and a multitude of other supplies, have greatly diminished in cost. The appropriations were based on the old high cost. Hence a saving would quite naturally result unless, forsooth, it has been consumed in other ways. Is this the reason why we have not been furnished with a bill of particulars as to just where these alleged savings are? I do not believe there has been any saving, because if there had been you can rest assured that it would have been reported to this Congress, and the committee would have done just as it did in the case of the Navy Department. It would have made those savings available for these deficiencies and not reported out direct appropriations. The only instance of saving that the committee has found is this $7,000,000 on the part of the Navy Department and the $900,000 in the War Department, and the committee have made that available for deficiencies in those departments.

Mr. Chairman, the gentleman from Ohio talks about cutting the estimates for next year by $250,000,000, which is in itself a severe indictment of the President who submitted these estimates and who is directly responsible therefor. This reduction can only be brought about by a considerable reduction of the Army and Navy, and if done it will be in the face of the opposition of the President and the heads of these two departments. I hope it will be done. If it is done, let not the administration hereafter claim credit for it as an evidence of its economy. [Applause on the Democratic side.]

Mr. BYRNS of Tennessee. I yield 25 minutes to the gentleman from Kentucky [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. THOMAS. Mr. Chairman, the bill under consideration is one of many general deficiency bills. The bill is properly named, as old General Incompetency and old General Deficiency are in full and supreme command of the disorganized legions of the Autocratic, falsely called the Republican, Party. [Laughter.] It is not my purpose to discuss the many appropriations contained in the bill, because not being a member of the Committee on Appropriations I am not sufficiently conversant with its provisions at present to properly do so.

The mighty cyclone from Kansas [Mr. TINCHER] has swept across this Chamber in an herculean effort to crush and demolish the gentleman from Porto Rico [Mr. DAVILA]. Vast physical energy was expended and a mighty explosion occurred as if the heavens were being rent asunder, but the storm died away in the distance, a harmless noise, and did not leave ruin and devastation in its wake as is usual with Kansas cyclones, nor were the tables in front of the Speaker's stand demolished by the terrific concussion. The gentleman from Porto Rico [Mr. DAVILA] still survives, and I presume the Island of Porto Rico, beautiful gem of the ocean, kissed by an ardent southern sun and fanned by soft and genial winds wafted over summer seas, is intact, undisturbed, and uninjured.

I also notice that the politically evasive and slippery gentleman from Ohio [Mr. FESS] opened the campaign for the next congressional election, and also his own campaign for United States Senator from Ohio, by entering a stirring plea of confession and avoidance for the many and grievous sins of omission and commission attributed to his, the autocratic, miscalled Republican, Party. [Laughter.]

Not long since in this Chamber I made a few remarks about the manner in which the autocratic party is conducting the administration of the civil-service laws in the appointment of postmasters, but the gentleman was very silent on that subject in his panegyric on the accomplishments of his party, and I believe for the reason that when the Democrats are in power he is in favor of a strict enforcement of civil-service laws, but when the Republicans are in charge he is violently opposed to their enforcement except on the recommendation of Republican political organizations.

Not long since I made a few remarks in this House in regard to civil-service laws as administered by the autocratic party now in power, and those remarks, it appears, punctured the epidermis of the Civil Service Commission, the Post Office Department, and the entire administration.

The president of the Civil Service Commission, John H. Bartlett, in reply thereto, wrote a letter addressed to the gentleman from New Jersey [Mr. LEHLBACH], which that gentleman had inserted in the CONGRESSIONAL RECORD of recent date, and Mr. Bartlett also sent me a copy of the letter. I answered the letter of Mr. Bartlett, and that answer is as follows:

DEAR SIR: I received a copy of your letter written to Hon. FREDERICK R. LEHLBACH in criticism of remarks made by me recently in the House in regard to violations of the civil service laws by the Post Office Department and the Civil Service Commission. I would have replied sooner to your letter had not other and more important matters intervened.

Your letter is a weak plea of confession and avoidance. You appear to be not only a representative of the Civil Service Commission, but seem to have been appointed minister plenipotentiary and envoy extraordinary to plead the cause of your commission, the Post Office Department, and the administration generally against the charge of having violated the civil service laws in the appointment of postmasters.

I have no doubt whatever but what the entire administration, from that valiant Christian soldier and greatest living statesman, the President, who seems quite handy with pen in signing Executive orders depriving ex-service men of appointments as postmasters, down to the very messenger boys, are uproariously in favor of a strict enforcement of civil service laws—in theory—but are enthusiastically opposed to the enforcement of such laws especially where an ex-soldier, regardless of his politics, can by an Executive order be displaced by an organization Republican.

The first complaint you make is that my statement that the private secretary of Dr. Work requested of A. P. Richards, connected with the Civil Service Commission, when returning a list of eligibles, that he would like to have a certain person on the list and "see if you can not revise the list so as to include our friends."

You state that the above is wholly unfounded and is denied by Mr. Richards though you are silent as to what Dr. Work's secretary has to say about the matter.

The information that the above conversation took place was given to me by a reputable gentleman in the House Office Building who has no interest in the matter, and who says he heard the conversation, and after seeing your letter affirms his statement is true. I believe fully that my informant stated the truth. He has no interest to serve that would induce him to speak otherwise than truthfully concerning the conversation. Richards is an interested witness and knows full well that should he admit the conversation took place he would be in danger of official decapitation.

You state, in substance, in your letter that there is not any working agreement between the Post Office Department and the commission as to the appointments of postmasters. I think the evidence conclusively shows otherwise. In addition to the above cited conversation with Richards, Dr. Work, First Assistant Postmaster General, on August 31, 1921, wrote your commission as follows in regard to the appointment of a postmaster at Goldsboro, N. C.:

"In view of the experience of Mr. Simkins and the fact that he is strongly recommended locally for this position the department desires to nominate him for the position of postmaster."

I am informed by Mr. Brinson, Member of Congress from North Carolina, that he saw a letter in the files of the Civil Service Commission relating to the appointment of a postmaster at Goldsboro, and that he copied certain parts of the letter. He states in that letter Dr. Work requested the commission to arrange the civil-service status of Simkins so that he can be appointed. The date of this letter is August 31, 1921. I suppose by this time it would be as difficult to have that letter produced as to find a needle in a haystack.

Simkins was later appointed postmaster at Goldsboro, and the appointment was made by the handy pen of the President restoring him to a civil-service status by the easy road of an Executive order, and that after a letter written June 24, 1921, by Dr. Work to a minister of the gospel at Goldsboro pledging his word that he would request the Civil Service Commission to hold an examination for postmaster at that place. The Post Office Department expressed by letter to the Civil Service Commission its desire to nominate Simkins for postmaster, and, instead of an examination, as Dr. Work stated there would be, it was arranged to have him appointed by Executive order without any examination being held. In view of these facts when you say there is no working agreement between the department and the commission I reply, I believe your statement is unfounded.

Your statement that eligibles are certified on their merit wholly is not correct unless you consider incompetency in a civil service position and inefficiency in military service the best evidence of merit in a chairman of a Republican committee, as in the Simkins case.

The above instances show beyond the shadow of any doubt that there is a tacit understanding between the Post Office Department and the Civil Service Commission as to who shall be selected for appointment as postmasters, at least in many instances.

You complain that in the letter of Dr. Work of August 31, 1921, about the Simkins appointment I inserted the following: "By the Republican county committee, of course, of which Simkins was chairman."

You intimate the insertion was made to mislead the public to believe that it was the language used by Dr. Work. The insertion was in brackets, as the printed remarks made by me in the House show and as your letter to Mr. LEHLBACH shows. You evidently do not understand the purpose of brackets inclosing a word or sentence in a letter or speech. Had you consulted a dictionary you would have discovered that brackets are hooks used to inclose an explanation or a part to be excluded from a sentence and to indicate an interpolation, and that an interpolation is a word or passage inserted in the writing of another. I presumed when I made the remark that every person possessed of even an ordinary education would understand the use of such brackets without being furnished a definition or diagram to explain the purpose of their use, and that the language was inserted as mine and no part of Dr. Work's letter. Possibly it might be advisable for you to purchase a dictionary and consult some of its contents before you again indulge in the gentle pastime of letter writing.

Simkins, who was appointed postmaster at Goldsboro, was demoted from the position of assistant postmaster to that of clerk at a less salary because of inefficiency, and this demotion was made on recommendation of a post office inspector who further stated in his report that Simkins did not have sufficient interest in the work done and would not cooperate with the postmaster in the work to be done. This statement you do not controvert, but say he was reinstated in the service before promotion—when he was demoted, not promoted—and was absent on military leave from August 8, 1916, but until when you do not say.

The facts are that Simkins was in military service but was discharged from the service for inefficiency, and he had been demoted in civil service for the same cause, both of which were known to you or could have easily been ascertained before he was appointed postmaster.

As for Simkins's military record, L. E. Brasher, of Goldsboro, N. C., an officer in the Army under Simkins, wrote a letter dated August 18, 1921, to Congressman BRINSON, in which he says:

"Maj. Simkins as a soldier was a miserable failure. He was discharged from the Army for inefficiency, and it was a well-known fact among the officers, and even the enlisted men, of his battalion that he was incapable of commanding troops. This opinion was borne out by both the division commander, Brig. Gen. S. L. Faison, and the regimental commander, Col. J. Van B. Metts, when they accepted his resignation and ordered his discharge. To my own personal knowledge he was the laughingstock of the whole battalion, both officers and men, not as a man but as a soldier.

"I have no personal animosity toward Maj. Simkins, but I do not propose to sit idle without protest and see him or any other near soldier receive preference at the hands of the Government on account of his war record when he had no war record. His war record, as can readily be ascertained by reference to the files in the office of The Adjutant General of the Army, is 'nil.'"

So Simkins was appointed by Executive order without examination after Dr. Work has expressed a desire to the commission that he be nominated, in face of the fact that Simkins was inefficient in civil affairs and incompetent in military service, which was well known to you or could have been by investigation. And it is a fact, which you do not deny, that Simkins was chairman of the local Republican committee, and the local recommendation alluded to by Dr. Work was that of the Republican organization, and because of that I believe the Executive order for his appointment was obtained without regard to the civil service laws.

You state that in the case of the Bowling Green, Ky., post office a certification has been made to the Post Office Department and no review of the case has been asked for. An examination for postmaster at Bowling Green was held on August 9, 1921, but no certification was made until February 4, 1922. I now request a rerating of the examination papers for that office. Bowling Green is a first-class office in a town of 10,000 inhabitants, and business training and experience is rated in examinations for postmasters at 50 per cent, and all other subjects together at 50 per cent. I request you to furnish the ratings separately on each, and all the papers of each and every candidate who took the last examination for that office. I have reason to believe that the present postmaster stood first on all subjects, that her business rating was lowered so as to keep her off the register of eligibles. She is highly recommended, and before her appointment as postmaster was a teacher in the high school, almost worshiped by her pupils, stood high in the community, made an excellent postmaster, and I believe a person of fine business qualifications, in view of the fact that I was personally informed by a gentleman of the Civil Service Commission that her record as postmaster "is well near perfect."

In my opinion the reason for not appointing a postmaster at Bowling Green is because the local Republicans are in a row among themselves and the department is awaiting the indorsement of the Republican committee. If that statement is not correct, why is the appointment of a postmaster at that place delayed by the department? Has the department not known for some time who are on the eligible list?

If all that is permissible under the law is given to ex-service men, why has not Dr. Bushong, an ex-soldier, been appointed postmaster at Edmonton, Ky.? He is a Republican, a gentleman, and a man of splendid reputation. The examination for postmaster at Edmonton was held October 22, 1921, and the then postmaster made the highest average, as was shown by the certification dated January 30, 1922. After the certification the postmaster was removed on charges which I believe to be untrue, and his name was also removed from the register of eligibles. It is quite a suspicious circumstance that the department did not remove him until some one, evidently at Edmonton, found he was at the head of the eligible list, and filed charges against him for the purpose of having him removed from the list. But the question is, Why is not the ex-soldier, Capt. Bushong, appointed? He is listed as the only preference eligible on the certified list submitted to me by the department and is entitled to first consideration.

At Moorehead City, N. C., A. B. Morris, an ex-soldier, stood first on the certified list, but C. L. Willis, who is not an ex-soldier, was appointed postmaster. My information from a Member of Congress from North Carolina is that Willis is an active local Republican politician and does not command the very highest respect in the community.

At Princeton, N. C., C. Holt, an ex-soldier, stood first on the certified list. E. F. Pearce, who is not an ex-soldier, was appointed.

At Black Mountain, N. C., Howard A. Kerlee, an ex-soldier, stood first on the certified list, but Amelia B. Stepp was appointed postmaster.

At Clyde, N. C., V. H. Byers, an ex-soldier, stood first on the certified list, but J. N. Stark, third on the certified list and not an ex-soldier, was appointed.

At Culberson, N. C., F. M. Johnson, an ex-soldier, stood first on the certified list, but James W. Hyatt, third on the list and not an ex-soldier, was appointed.

At Lake Junaluska, N. C., Miss Emma D. White, who was the only eligible, was not certified, but another examination was ordered at the instance of the Republican committee.

At Weaverville, N. C., Miss Reagan, who was postmaster at the time, took the examination and stood first on the register of eligibles, but on recommendation of the Republican organization L. H. Michael was appointed. Miss Reagan is a maiden lady and the sole support of her brother's two orphan children.

At Andrews, N. C., Clyde H. Jarrett and Miss Pearl Parker took the examination. Jarrett refused the appointment as postmaster at that place because of his election as mayor. Miss Parker's nomination was then sent to the Senate and her appointment confirmed. The eligible list for that post office was certified May 22, 1920. The nomination of Jarrett was again sent to the Senate September 20, 1921, a little more than 16 months after the list had been certified. Under the law Jarrett's eligibility had expired more than four months before his nomination. Yet Jarrett was restored to the eligible list either by Executive

order or under the order of May 10, 1921, or by another examination being ordered, and Miss Parker was removed from office.

Miss Parker made a splendid record as postmaster and was recommended, so I am informed, by most of the patrons of the office, and in addition she is a cripple and needed the salary of the office for her support. The Congressman from that district was informed by the department that appointments of postmasters in North Carolina would be made on the recommendation of John M. Morehead, Republican national committeeman and Republican political "boss" of that State.

I do not hold any brief for the State of North Carolina and do not in any way represent that State, but these are some cuss which have been cited to me by Members of Congress from North Carolina, and there are many others in various parts of the country.

The ex-service men named in this letter who have been rejected by the department, or their appointments held up, number eight, and they embrace only three congressional districts. If the ex-service men have been rejected or their appointments held up at the same rate in every congressional district the ex-soldiers so rejected number nearly 900. Six who stood first on the certified lists have absolutely been rejected in three districts and persons who had no military service have received the appointments. If this rate of rejection of ex-soldiers who stood first on the eligible list has been kept up the number rejected amounts to at least 600, excluding the districts in the large cities where no postmasters are appointed.

Of course, your statement that all ex-service men are given all that is permissible on their merit is not correct. It will be difficult for you to induce the public, in view of the record of the Post Office Department, to believe the correctness of that statement.

In the district which I represent a Republican newspaper recently made the statement that a certain person was the only applicant for postmaster at a certain town; that she had been indorsed by the Republican county organization; and that no one else would be an applicant for postmaster. It has come to be understood, by Republicans at least, in some parts of my district that civil service laws are suspended by this administration and all that is needed to land a post-office appointment is the indorsement of the local Republican organization and that of the Republican Senator from that State.

In remarks in the House of Representatives February 20, 1922, made by Hon. JAMES R. MANN, of Illinois, former Republican leader in the House of Representatives, he stated:

"Oh, the Postmaster General has not been worth a 5-cent piece since he has been Postmaster General. He does not know anything about the Post Office Department; and, for one, I am mighty glad he is getting out of it. His only object has been to be extravagant in his own personal relations with the Government. Long-distance telephoning is his main long suit."

In my opinion, Mr. MANN might have extended his remarks and truthfully applied them to the entire Post Office Department, and the Civil Service Commission, included.

I believe the commission and the Post Office Department have violated both the spirit and letter of the civil service laws.

Power brings responsibility. The Republican Party is in power and should legally fill the offices with good and competent persons. It should repeal the civil service laws in regard to post offices and rural-route carriers at least, and then in the light of day appoint competent and reputable Republicans to those positions. This administration should not violate the spirit of the law every day in making these appointments under the false pretense that it is complying with the law. You declare that the law is complied with. I say it is not, and I have shown that it is not. You state in substance that it is your intention to comply with the law. I hope that is true. Maybe under the lash of public opinion the administration will come to its senses in the matter of civil-service reform and not use the law as a shield to cover its evasions of the law. I hope reformation will come under this administration, but I, for one, do not look for it. There is an old saying that—

"As long as the lamp of life holds out to burn,
The vilest sinner may return."

And I trust that some time in a not far-distant day the administration will see the light and comply with the law, and not use it as a mantle to cover hypocrisy.

Mr. MONDELL, of Wyoming, as well as Dr. FESS, of Ohio, and other misinformed but enthusiastic gentlemen of the autocratic party, have from time to time made many and illusive and, as they appear to me, Munchausen statements concerning the legislative accomplishments of the grand old autocratic party, some of which alleged enactments at a future day and more convenient season—provided I can obtain time to do so—I propose to review.

The autocratic party, before the last presidential election, was, as is customary with that party, prolific with promises; but since the election, and the necessity, for the present, has passed, it has been noted chiefly for the paucity of its performances. To-day, however, Dr. FESS, for the purposes of the approaching congressional election and his own candidacy for the United States Senate, reviews his party's unpaid promissory note of unfulfilled pledges by promising more promises which he ought to know will never be paid, but will be forgotten as soon as the election is over, until another election approaches when the never-to-be-paid promissory note of promises will be again renewed.

The activities of this administration remind me of an anecdote of a Negro preacher who was possessed of good, common, and what is usually known as "hoss" sense. The men of his congregation did not attend church in warm weather, but all crowded around the stove in cold weather and warmed their hands and toasted their shins and got "ligion." This preacher in addressing his congregation said:

I knows you men. You come here in the winter and set by de stove and warms your hands and toasts your shins and all get religious, but when summer time comes and it gets warm you all loaf on de park benches and wear out the seats of your britches backsliding.

[Laughter.]

That is the condition of the autocratic party represented by Mr. MONDELL and Dr. FESS and others of that type. They all get political religion just before every election, become powerfully pious politically, and fill the air with doleful lamentations because of the sinfulness of the unregenerate Democrats, and are profuse in promises of Republican prosperity, but after the election they all fall from grace, if any of them ever really had any grace, which I doubt, and wear out the seats of their pants backsliding from preelection promises. [Applause.]

Dr. FESS spoke vehemently and learnedly about the prosperity that is now about to overtake the farmers, when it is a well-known fact that the prices of agricultural products are below the cost of production and the farmers of Kansas, Nebraska, and parts of the Northwest have been burning corn for fuel, so low has been the price of corn. He states that the price of corn is now some sixty-odd cents per bushel in Chicago. That may be true, but at gathering time and when the farmers were compelled to sell in those regions I have mentioned corn sold for from 10 to 20 cents a bushel and was a drug on the market even at those prices. There is a gentleman, now an employee in this Chamber, who two months ago was offered a carload of corn shelled and to be delivered on board the car at 20 cents a bushel in the spring, and yet the gentleman from Ohio, Dr. FESS, has the temerity to talk about the prosperity of the farmer. A few more years of such Republican prosperity and most of them will be bankrupt and homeless. Under Republican management corn got to be 60 cents a bushel in the Chicago pits under the control of profiteers, after the farmers had been compelled to sell for from 10 to 20 cents a bushel, and that is the Republican idea of prosperity.

Corn was burned for fuel under the administration of Harrison, and now the same thing is happening under this administration, and there has never been a financial panic since the Civil War in this Republic but what had its inception during a Republican administration and the panic-breeding legislation passed by that party. Through its manipulation of the Federal reserve law it has deflated the currency and brought untold hardship and financial embarrassment to business all over the country.

Strange, too, Dr. FESS boasted about what his party had done for good roads, and seemed to me to try to leave the impression that all that had been done in that direction was the work of his party, and that it was entitled to special commendation for its valuable efforts in that direction. The facts are that the Republican Party through its long years of mismanagement of public affairs resisted and defeated every proposition to enact a good roads law, and that law was passed by the Democratic Party under the leadership of Woodrow Wilson.

Since the last advent of the Republican Party into power the appropriations for good roads has been reduced $25,000,000 below the Democratic appropriations for that purpose, and the Republican Party even delayed that appropriation and thereby crippled and retarded the building of better roads. Possibly this reduction of $25,000,000 was made in order that there might be more money available for a ship subsidy and a gift to the railroads.

The last Republican platform was abundant in promises about what it would do for the cause of labor and led the laboring man to believe that under a Republican administration his wages would be greatly increased, and he would be contented and prosperous and as happy as a maiden with a bouquet of roses that bloom in the lovely month of May. Those prospects have been swept aside like shifting sand on the seashore and from 4,000,000 to 6,000,000 laboring people are out of employment, half of them not knowing where the next meal is to come from and most of them who are spending any money to speak of are using what they had left over from work done during Wilson's administration.

It is difficult now to find a laboring man who will admit he voted for Harding, and most of those who admit it are ashamed of it, and declare they will never be guilty again. In Ohio, in the Hocking Valley, in the President's own State, coal miners have not averaged much over 50 days' work in a year and are suffering for the barest necessities of life, and many of them are at the point of starvation.

It is reasonable to presume that a Cabinet officer reflects the opinions and sentiments of the President. Mr. Weeks, Secretary of War, in the fall of 1921, in an interview with W. C. Hushing, in Weeks's office at the War Department, in the presence of several other persons, made the following statement in regard to labor and conditions in the Panama Canal Zone:

American labor must be liquidated. American workmen's wages are six times what European workmen get; and until such time as American wages are put on a parity with those of the European workmen it will be impossible for the United States to get back to normal conditions.

Mr. Hushing made affidavit, sworn and subscribed to before a notary public, as to the truth of this statement. Mr. Hushing is a refined-looking, intelligent gentleman, who is in the city, and may be found at the Harrington Hotel. And so, according to this administration, which promised so much to labor before the election, Republican normalcy seems to be in favor of reducing the wages of labor five times lower than they are now and placing the wages of American labor on a parity with that of European labor.

While in Panama last December Mr. Hushing and several other gentlemen called on me at the hotel where I was stopping with a request to talk over conditions in the Canal Zone. I had never seen nor heard of Mr. Hushing or any of the gentlemen who accompanied him. During the conversation Mr. Hushing discussed an interview he had with the President when the President visited Panama during the interval between his election and inauguration. Mr. Hushing stated that the President said in that interview that—

he was opposed to the scheme of excess-profit taxes in vogue, and that he and some of his colleagues had devised a system of direct-sales tax which was the proper system of taxation, but that they realized that this tax would be so unpopular with the public that they did not have the courage to present that scheme to the public.

Mr. Hushing asked the President, during that interview, if he was in favor of collective bargaining, and the President replied that "he was, provided the leaders were sane." Mr. Hushing says he thought at the time the President meant he was in favor of collective bargaining if the people who desired collective bargaining and sale would knuckle to officials who were in charge without question. Mr. Hushing also made affidavit of the truth of this conversation with the President.

The Republican Party has made many and divers promises concerning the soldiers' bonus. The administration, including the President and Congress, have all been flopping around like a lot of chickens with their heads cut off trying to devise some plan of bonus to catch the vote of both the soldiers and the profiteers. The President appeared before the Senate in opposition to the bonus passed by the House, and recently a representative of the American Legion, who is in favor of a bonus, emerged from the White House after an interview with the President on that subject, and stated, in substance, that all is well and he is perfectly satisfied with the President's position. The President seems to me to be the blue-ribbon wiggler and wobbler of the age. The report is in circulation that the Committee on Ways and Means has determined to bring in a bonus bill which provides certificates of indebtedness to the soldiers payable in three years. By that scheme, if the soldiers realize any benefit from the bonus in the next three years, they will be compelled to sell the certificates at a large discount to the banks and people who discount such paper, and in the long run the soldiers will not realize much more than half of what is due them, because the majority are compelled to have currency to tide them over the hard times and unemployment brought about by this administration. By that scheme the soldiers will get some money and the bankers and loan sharks will make great profits. By that scheme the Republican Party hopes to corral the votes of the soldiers, the bankers, and loan sharks.

I commend to the consideration of Mr. MONDELL, Dr. FESS, and other Republican leaders the following, which fits the case better than anything I can say:

Harding is now my shepherd, and I am in want,
He maketh me to lie down on park benches,
He leadeth me beside the free soup houses,
He restoreth my doubt in the Republican Party.
He leadeth me in the path of destitution for his party's sake,
Yea, though I walk through the valley of the shadow of starvation,
I do fear evil, for thou art against me,
Thy policies and the profiteers they frighten me.
Thou prepareth a reduction in wages before me in the presence of mine enemies,
Thou annointest my income with taxes, my expenses runneth over my income.
Surely poverty and unemployment will follow me all the days of this normalcy administration,
And I will dwell in a rented house forever.

Like the guests bidden to the rich man's feast, the Republican leaders all with one consent make excuse for broken promises, financial distress, and depressing conditions. They vainly boast of doing things they have not done. Like the Pharisees of old, "they make broad their phylacteries and enlarge the borders of their garments" and love the uppermost rooms at the feasts of the profiteers and the chief seats in the Temple of Mammon, and at the same time "they bind heavy burdens and grievous to be borne, and lay them on men's shoulders, but they themselves will not move them with one of their fingers."

The administration called a disarmament conference which it contends is the first and greatest achievement along that line ever attempted in the history of the world, when as a matter of fact the dream and effort of the ages has ever been to find a pathway to peace and disarmament, as is evidenced by the Holy Alliance and The Hague Conference, and other associations, while William Jennings Bryan has devoted half of a lifetime to efforts of that kind. The Harding disarmament conference resulted in the formation of a farcical four-power bush league in which the United States surrendered most all our rights in the Pacific Ocean and agrees to withdraw our frontier defenses from the Philippine Islands to Hawaii, and about all we get in return is a practically useless cable station in the island of Yap controlled by Japan, while our civilization has been disarmed in the Pacific for the benefit of the brown races, and the President is pronounced by the Republican press and leaders of his party as the greatest living statesman.

Another Republican achievement in incubation which I have heretofore mentioned is a ship subsidy bill to further enrich the Shipping Trust at the expense of the taxpayers. In a word, the provisions of that bill really mean the Government will take the assets from one department for the purpose of a ship subsidy and transfer them to another department and claim it has reduced taxation, and then take the same assets and retransfer them to the same department from which they were first transferred and again claim in the name of economy it has further reduced taxation when it has only transferred and retransferred the same assets, and the taxpayers will have to bear the burden of taxation for the private benefit of a private Shipping Trust.

The administration robs Peter to pay Paul, and then robs Paul to repay Peter, and calls that remarkable achievement economy and a reduction of taxation. The Republican Congress for three years has been floundering aimlessly in the deep waters of tariff revision, and the tariff bill is still in the Republican incubator and will finally result not in fine Republican spring chickens but in addled and useless eggs. Meanwhile business is distressed, our exports have fallen off two-thirds, and bankruptcy proceedings are alarmingly frequent in business circles. In New York City alone 50 concerns within 10 weeks have suspended operations or gone into bankruptcy under conditions of Republican normalcy. The Republican Party promised many things in its tortuous journey toward normalcy and has accomplished practically nothing.

Like the devil on the mount when he tempted Jesus by offering Him all the kingdoms of the world if He would fall down and worship him, the Republican Party tempts all the people of this land to vote the Republican ticket by promising them all sorts of impossible things which it knows it will never deliver, and, like the devil, does not possess the things it promises.

Again reverting to violations of the civil service laws, no doubt the commission will claim that my letter contains a parenthesis. But that is not correct. It contained an interpolation, as was shown by the insertion being inclosed by hooks or brackets, which is the recognized way of denoting an interpolation, and to contend anything else is merely to beg the question and evade the facts.

No doubt the commission is weeping briny tears over the charges against the persecuted and patriotic organization Republican Committeeman Simkins and will assert that gross injustice has been done that shining light of efficiency. Perhaps the commission will contend that I personally have made charges of inefficiency and incompetency against that individual, but the charges were first made by a Post Office inspector and by L. E. Brasher, an officer who served in the Army under Simkins, in a letter to Congressman BRINSON, and the charge of military inefficiency contained in that letter was fully corroborated by Gen. Faison and Col. Van Metts. Men frequently resign positions on account of pressure, or their resignation is requested for the good of the service, and the question is, Why did Simkins resign and his discharge ordered in time of war, when no resignations were being accepted except for justifiable reasons? Probably the commission will also contend he was reinstated in the civil service after military service because of military preference. The civil-service laws do not provide, in my opinion, for the reinstatement of a military officer in civil service because of military preference, when that officer was demoted in civil-service rank because of incompetency, and resigned from the Army in time of war because of inefficiency, and perhaps under pressure. In my opinion, he was reinstated in civil service not because of military service but because he was chairman of a Republican organization and a valuable asset to the party in that capacity. I do not charge Simkins with being a near soldier. That charge is made in the letter of Mr. Brasher to Congressman BRINSON, and it appears to me from the charge made in that letter that Simkins is scarcely entitled to the appellation of even a "near soldier."

The commission will, perhaps, say that I have criticized the President, and that I do not deny, although I know to do so is lese majeste in Republican opinion, for that party believes a Republican king can do no wrong.

Perhaps the commission will contend that a postmaster who is a school-teacher and has not had three years' business experience is not eligible for appointment. I do not know what the commission calls business experience. It may be in its opinion the highest business experience in an applicant for postmaster is qualification to actively and effectively direct a Republican organization in a political campaign. The postmaster at Bowling Green, Ky., has had years of experience in the large high school at Bowling Green and in addition over two years' experience as postmaster at Bowling Green, and her record in that position is "well near perfect" and yet she is considered by the commission without business experience.

The commission may contend that the statement of Congressman MANN is not within its jurisdiction, but that statement is within the jurisdiction of the people of all political parties and will be branded and burned into the mind of the public.

Perhaps the commission will offer as an excuse for its treatment of ex-soldiers the statement that they are without business experience and therefore are incompetent for appointment as postmasters. It does not take much of so-called business experience to qualify a person to act as a third or fourth class postmaster, and business experience, in my opinion, is used only as a subterfuge to turn down competent applicants who are not desirable to the commission and the Post Office Department.

According to Mr. MANN, the recent Postmaster General knows nothing about the Post Office Department. If Mr. MANN'S statement is correct, and I believe it is, the administration has had as its Postmaster General a person who has not sufficient business experience in that line to be worth a 5-cent piece in that capacity, and yet ex-soldiers are turned away from appointments as postmasters because of alleged lack of business experience, while, at least in some instances, war slackers are appointed because they happen to be connected with Republican organizations, as in the case of Simkins. No reason has ever been given by the commission why Simkins resigned his commission in the Army in time of war, and his resignation was promptly accepted by his commanding officer when men were being drafted into the Army and resignations were not accepted without good and sufficient reason.

In the letter inserted addressed to the president of the Civil Service Commission I stated, in substance, that a lifetime had been fixed in which the vilest sinner may repent and return to ways of righteousness, and perhaps the commission will say that applies to me. That may be true. I admit my many shortcomings, but they have never been so frequent nor so grievous as to qualify me for membership on the Civil Service Commission.

The commission contends that it has no jurisdiction over the appointment of postmasters after it has certified a list of eligibles to the Post Office Department, but I have fully shown by competent evidence there is an understanding as to whom shall be certified by the commission. This is evidenced by the letter of Dr. Work to the commission dated August 31, 1921, in which among other things in regard to the Simkins appointment, he states, "the department desires to nominate him for the position of postmaster." Why this desire, and the request to the commission, if there is no working understanding between the department and the commission? What right under the law has the Post Office Department to inform the commission of its desire to nominate any person for postmaster? The thing is too patent to be argued. To cap the climax, Simkins was nominated and appointed postmaster, and was reinstated in civil service for that purpose, notwithstanding his former civil-service incompetency and his military inefficiency. I have stated other and abundant evidence of the understanding between the commission and the department.

The people are aroused and times will change. As education advances among the masses, beaurocratic republicanism, with all its violations of law, will be laid away in a soon-to-be-forgotten grave. Democracy, which is the foundation stone of liberty and progress, will prevail in the administration of the affairs of this Republic, the birds will sing sweeter, the flowers will bloom lovelier, and the sun will shine brighter in the old Kentucky home and all over this goodly land. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Chairman, Wall Street, New York, and State Street, Boston, are one and the same thing. The veterans of the World War should understand this, for it will clear up many clouds.

In New York the money jugglers and stock-kiters of high and low degree do business on Wall Street; in Boston, State Street is the market place.

New York's money market has its own newspaper—the Wall Street Journal. Here is what the Wall Street Journal says of the bonus:

> The soldiers' bonus is indefensible. The claim is based on a special service never performed. Every citizen is implicitly a defender of his country. If performance of that duty entails the risk of war, so much the worse for him. If it entails disablement, the duty of the other citizens is plain. They must take care of him, just as they must provide for a policeman injured in discharge of his duty. But the responsibility stops here. The able-bodied men who served have no other claim than the terms of their contract.
>
> The soldiers' bonus in any form contemplated is a levy of political blackmail which will only be the first of many such demands. Payment at this time would set back the business of the country to such extent as to insure wide unemployment for years to come. The lump sum would soon be spent, and would merely whet the appetite for more. Every popularity-hunting politician would be as ready to raise a demand for a new bonus as he would be to introduce a pension bill to oblige a constituent. If once the principle is conceded, there is no end to the demand. The man who once pays blackmail pays it until he is exhausted.

Of course Wall Street is a liar and a faker, but its opinion will be quoted by every pinhead in the country. Even in remote villages you will find some tight-fisted old curmudgeon, who wants to rob widows and orphans, arguing against the bonus. He will tell you just what Wall Street tells you.

The so-called "leading business men" of many communities, who usually are agents for some one else, errand boys for some combination or trust, will also recite the Wall Street prayer.

When Wall Street was kiting foreign loans and wanted the bodies of American boys to protect those loans, when Wall Street feared the loss of her dollars invested in shipping, then the boy in uniform was a hero. He is a "blackmailer" to-day.

If he went to war, "so much the worse for him," says Wall Street. But that was not said when war was on. He was the best man then.

"The soldiers' bonus in any form is political blackmail," says Wall Street, forgetting the blackmail of millions for looted railroads, fake war finance corporations, burlesque shipyards which never built ships, and sponge-cake ships which never sailed the seas.

"Payment would set back the business of the country," says Wall Street, forgetting that Wall Street and State Street have ruined business by taking away their money and investing it in nontaxable securities.

The veteran who votes for, talks for, or supports Wall Street or State Street deserves to be called a "blackmailer."

The Chamber of Commerce in Kiwash and the Board of Trade in Washki have passed solemn resolutions against the bonus for World War veterans; the associated brokers and the amalgamated builders have informed the Congress that the bonus would threaten the Nation; and every tank town money lender and every war profiteer and every rent hog and food shark is in the procession of protestants.

The World War veteran should realize now just where he fits in national estimation. Outside of his family circle, he is recognized as a thug ready to loot the Treasury. He is being accused of putting a price upon his patriotism, but those who accuse him had a chance to put a value upon their own and they valued it so high that the Government, in a day of war, could not bid enough to secure their services in uniform.

The thieves and rogues, the fools who join any yelping pack when the pack appears to have treed a victim, are shouting against the bonus, and men who know better and men who know that the opposition is based upon lies are doing nothing to make the truth known.

Every newspaper tied to the financial interests is attacking the bonus, proving to every fair-minded man and woman that a "free" press, so familiar in poetic theory, is a rarity in fact.

It is laughable to read the protests against the soldiers' bonus. Every fake moralist, every lying reformer, is jumping upon a soap box to attack the veteran. Even the national commander of the American Legion, a man whose character and standing are above reproach, is assailed as if he were a second-story worker.

Will the veterans learn by this antibonus agitation?

Will they look beneath the surface for the cause?

Will they understand that until they all get together in one big unit and forget their factions and their prejudices they will be the victims of those who despise them?

With their votes and the votes of their relatives, votes which hold the balance of power in the Nation, they can punish those who victimize them, but they can not employ their votes until they unite and present an unbroken front to their enemies.

Mr. Chairman, what I have just said to this House, while it is in absolute accord with my own feelings on this bonus propo-

sition, is not my language, and I want the House to know it. It is the splendid contribution of a leading Boston editor at a time when it is most needed to help stiffen up some Congressmen from my own State who might be weakening at the knees.

Mr. Neil P. Moynihan, the fearless editor of the Boston Telegram, is the author of this language, and it is so everlastingly truthful that I feel it my duty to repeat his language here in the House, where perhaps it will have its effect. We have waited for months for action on this bill, and Wall Street and State Street for months have blocked its passage. This Boston editor tells the truth, the whole truth, and I sincerely hope that the majority members of the Committee on Ways and Means will carefully read what I have said, quoting this brilliant champion, and pay quick heed to his words.

Oh, for a few more real editors like this one, who cares naught for State Street threats and less for Wall Street favors! He is the champion of real champions, and I doff my hat to him and his dare-to-do daily paper. More power to him and his remarkable pen! [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Porto Rico [Mr. DAVILA].

Mr. DAVILA. Mr. Chairman, I know that Gov. Reily is an enemy of truth and a man who is always ready to attribute improper motives to people who attack him, but I did not think it possible that he could secure the assistance of a Member of this House, who would accept his false statements of facts to malign the character and integrity of another Member of this body. The gentleman from Kansas [Mr. TINCHER] says that Gov. Reily vetoed a bill appropriating $20,000 to be paid to me out of the Porto Rican treasury. This ought to be a matter of record; and I challenge the gentleman to produce the record and to produce it here if it is true. No such bill was ever presented to Gov. Reily for his approval or disapproval. I will explain to you the truth of the matter. Three years and a half ago the Legislature of Porto Rico appropriated $5,000 for the Resident Commissioner of Porto Rico in Washington. Immediately after the bill carrying this appropriation was passed I published a letter in the newspapers in Porto Rico declining to accept the appropriation. That letter has been published. The next year the legislature made the same appropriation. The matter was brought to the attention of the auditor of Porto Rico, Judge Bonner, without my knowledge, and this man, whom I recommended for reappointment to President Wilson but whom Gov. Reily caused to be removed, held that the appropriation was unconstitutional, because as a Member of this body my salary could not be increased, assuming that the appropriation constituted an increase of that salary. I recommended Judge Bonner to President Wilson for the position of auditor, and I did something more for him.

When Gov. Reily tried to remove him, I went to the Secretary of War and to Gen. McIntyre and opposed his removal, in spite of his decision, to which I have just referred, stating that he was one of the most able men in Porto Rico. When Gov. Reily came with this story to the Secretary of War and to Gen. McIntyre, he was told that this was a happening of two or three years ago, and that Judge Bonner was subsequently recommended for reappointment as auditor of Porto Rico by me.

Gentlemen, this matter of the appropriation occurred before Reily reached Porto Rico; nor has he had any intervention in any legislation since his appointment. When he says that it was stopped when brought to his attention I am compelled to say that he lies, and that he knows he lies. The gentleman from Kansas [Mr. TINCHER] says that he is my friend. I expect that some day in the future he will regret the accusation he made to-day, because I believe he is an honest and sincere man, and an honest and a sincere man is compelled to regret a false accusation against the honesty and integrity of another.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DAVILA. Yes.

Mr. BYRNS of Tennessee. The gentleman has referred to Judge Bonner, the former auditor of Porto Rico. I take this occasion to say that I have known Judge Bonner for years. He sat on the circuit bench in my own city. There is not a more competent or more capable man or a man of higher character anywhere in the world than Judge Bonner. His record as auditor met with the entire satisfaction of everybody and resulted in the saving of thousands of dollars to the people of Porto Rico.

Mr. DAVILA. He was one of the most honest and clean men I have ever known in my life. I want to say of the governor of Porto Rico that when I went there I was friendly to him. It was my duty to give full cooperation to Gov. Reily. He made his inaugural address. It was very tactless, but I continued to try to support him, notwithstanding adverse public opinion. But when Gov. Reily wrote that letter to the president of the Porto Rican Senate, practically insulting him, then we came to a parting of the ways, and I immediately sailed for Washington. On arrival here I called on the President and Secretary of War. I told President Harding that I was afraid Gov. Reily was making a mistake in his policy, and I asked the President to please write to the governor of Porto Rico to change his attitude toward my people. I also went to see the Secretary of War, and I said the same thing to him. I still tried to be friendly to the governor although he was hostile to me, because I came here and said to President Harding and the Secretary of War that he was committing a blunder. I am not a personal enemy of Gov. Reily, but I am opposed to his continuance in office on account of his unfitness. When I was in the island the governor offered to recommend me for a position on the supreme court upon the resignation of the chief justice of Porto Rico.

I declined to accept the position. Gen. McIntyre also spoke to me about a position on the supreme court. I told him, "General, I am now attacking Gov. Reily. If the President gave me the position as chief justice of the supreme court, my people would think that I had surrendered for a position in the government, and I will never do that." I declined to accept the position as justice of the supreme court. Everybody knows my record in Porto Rico. I have no money, but I have the richness of my honesty and of my integrity, and there is not a man in the world who can say that my integrity is assailable. [Applause.]

Mr. STEVENSON. Will the gentleman yield?

Mr. DAVILA. Yes.

Mr. STEVENSON. I want to get this $5,000 understanding straight. If I got the gentleman's statement, it is that at one time the Porto Rico Legislature appropriated $5,000 additional for salary of the gentleman from Porto Rico and he declined it?

Mr. DAVILA. It was not additional salary, but intended as an expense account. But I want to make this point clear. That money was never expended, and I never collected one cent of it. I never at any time discussed the matter of the appropriation with Judge Bonner, the auditor.

Mr. STEVENSON. And subsequently they made the same appropriation and the auditor held that it was unconstitutional?

Mr. DAVILA. Yes.

Mr. STEVENSON. I understand that the auditor over your protest has been removed by Gov. Reily?

Mr. DAVILA. Yes, sir.

Mr. STEVENSON. That is the instance to which the gentleman referred?

Mr. DAVILA. That is the instance.

Mr. STEVENSON. And the auditor who held it unconstitutional was removed?

Mr. DAVILA. Yes. Over my protest.

Mr. TINCHER. Will the gentleman yield?

Mr. DAVILA. Yes.

Mr. TINCHER. I think it is only fair to say that I did not make the statement on the floor without authority. I have it over Gov. Reily's signature, and I have it on the floor, this statement, that he stopped the payment of this $5,000. I am not attempting to decide the truth of this as far as——

Mr. DAVILA. I think such a false charge, made by the governor of Porto Rico against the Representative of the Island in this body, is ample justification for the investigation I am demanding, and for his removal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. I yield 10 minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Chairman, if this deficiency bill is enacted into law it means that the total of deficiencies appropriated by this Congress will approximate $550,000,000.

Whenever there is a deficiency it is evident that the Congress that prepared the supply bills for the year was exceedingly careless in arriving at the amount to be provided for the departments, or else since that time Congress has authorized activities demanding additional appropriations. There is only one other explanation, and that is that the Congress deliberately appropriated less than it knew was needed in order to make a showing for political advantage. Whatever be the motive, in this case we find the Congress appropriating deficiencies amounting to more than half a billion of dollars. Therefore it is small wonder that the major[illegible] of the members of the com-

mittee now find it necessary to resort to the plan of covering up appropriations in order to mislead the people as to the exact amount of money that is being made available for expenditures. For instance, you are told, and the country will be told, that this bill appropriates $108,415,287.

As a matter of fact, it appropriates, directly and indirectly, $163,915,171. In other words, by legislative provision the party in power is covering up the appropriation of $55,499,884. They not only cover up appropriations that are made, but if you will look at the report you will find, certainly as to one item of $236,000, not one single reference, not one single word, that would let the Congress or the country know that there was made available for expenditure the sum of $236,000 to recondition a ship.

Mr. MADDEN. What ship was that? Is that in this bill?

Mr. BYRNES of South Carolina. In this bill; the ship with the pretty name of *Madawaska*. If the gentleman will turn to page 37, he will find a provision that:

> Not exceeding $236,095 of unobligated balances of appropriations for the support and operation of the Quartermaster Corps of the Army for the fiscal year 1921 may be applied to reconditioning the United States Army transport *Madawaska*.

Mr. MADDEN. The gentleman is not endeavoring to insinuate that we are trying to cover anything up?

Mr. BYRNES of South Carolina. I say it is covered up, whatever the idea is.

Mr. MADDEN. The gentleman knows that nobody would try to cover anything up.

Mr. BYRNES of South Carolina. I have only said that this report does not make a statement anywhere under the War Department or any other place that the money is being appropriated to recondition the *Madawaska*, and only when a man looks through the bill will he find that it is proposed to appropriate $236,000 for this purpose.

Mr. MADDEN. Does the bill state it?

Mr. BYRNES of South Carolina. Yes; and that is the unfortunate part of it.

Mr. MADDEN. I would like to ask the gentleman this question. I know he wants to be fair——

Mr. BYRNES of South Carolina. I will yield.

Mr. MADDEN. Does the gentleman mean to say that I, under any circumstances, would undertake to cover anything up?

Mr. BYRNES of South Carolina. I know the gentleman would not. But I will say that the gentleman has changed his opinion in a very short time about the *Madawaska*, and to the great misfortune of the taxpayers, to the extent of $236,000.

Mr. MADDEN. I want to say, if the gentleman will allow me, as it is only fair, that we found upon investigation in this bill that the *Madawaska* was under construction and not completed, and we could not do anything else than make the appropriation.

Mr. BYRNES of South Carolina. The gentleman has made a statement, and I will read to the House the statement he made to the committee and what the representative of the department told him—the only source of information this Congress has. If you will turn to page 494, you will find that Col. Smith was very wise. He had gotten onto what the Republican Party is trying to do in appropriating. If you ask for a direct appropriation, you will not get it; but if you ask for an indirect appropriation, for a legislative provision making money available, without making a direct appropriation that would show in the total, you can get it. This is the colloquy that occurred, according to the hearings:

> The CHAIRMAN. The next item is, "that not exceeding $236,095 of unobligated balances of appropriations for the support and operation of the Quartermaster Corps of the Army for the fiscal year 1921 may be applied to reconditioning the United States Army transport *Madawaska*." Have you an unexpended balance?
> Col. SMITH. $3,338,074.78.
> The CHAIRMAN. Ought not part of that go into the Treasury?
> Col. SMITH. It is available for three years to pay obligations incurred in the fiscal year for which the appropriation was made.
> Mr. SISSON. It is not obligated and has gone back into the Treasury, really?
> Col. SMITH. It is being held to meet obligations incurred during the year for which the appropriation was made.
> The CHAIRMAN. It is in the Treasury?
> Col. SMITH. Yes, sir.
> Mr. SISSON. It is a question of whether we want to reappropriate this much money?
> Col. SMITH. That is what it really means.
> The CHAIRMAN. What is the matter with this ship? Why is it necessary to have her reconditioned now, just at this season of the year?
> Col. DALTON. The history of this ship——
> The CHAIRMAN (interposing). It is not a deficiency?
> Col. DALTON. It is not a deficiency.
> The CHAIRMAN. We will not consider it if it is not.
> Col. DALTON. There is a letter from the Secretary——
> The CHAIRMAN (interposing). We may just as well settle that now and waste no time on it. We do not want to consider anything in connection with this bill which is not a deficiency, and an urgent one at that.

That is the record, and after having made a splendid case and having taken the correct position he did what the Senate did in the Newberry case—acted exactly opposite to the conclusion stated. "It is not a deficiency; it is not urgent; we will not have anything to do with it," and then the committee puts in the bill a provision that $236,000 of an unexpended balance shall be available in reconditioning the *Madawaska*. The *Madawaska* certainly did appeal to the gentleman from Illinois.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. MADDEN. I want to say to the gentleman in all fairness that the information came to us afterwards, while we were considering the question, after the hearings were closed; and I think my colleagues on the Democratic side of the committee will agree in what I say, that this contract had already been made, that the work was proceeding, and that most of it had been done, and the money was obligated, and there was nothing else for us to do, whatever the record was.

Mr. BYRNES of South Carolina. The gentleman told the representative of the department that it was not a deficiency, and that he would not have anything to do with it, and the hearing ended and the representative left; and then after the committee adjourned some eloquent person came along and convinced him that he should put in the provision that $236,000 of an unexpended balance should be available for expenditure in reconditioning the *Madawaska*.

Mr. MADDEN. I will take exception to that statement. The gentleman says that after everybody had gone somebody came to me and convinced me. I deny that.

Mr. BYRNES of South Carolina. I understood that to be the statement of the gentleman. What did the gentleman say?

Mr. MADDEN. I said when we were writing up the bill—the committee was there—we decided the question. The chairman did not decide the question. The committee decided it.

Mr. BYRNES of South Carolina. I know that the chairman would not alone decide it, but what I want to know is, What actuated the chairman in changing his views as stated in the record?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from South Carolina is recognized for five minutes more.

Mr. BYRNES of South Carolina. What I want to know is, What were the facts presented to the chairman of the committee? I do not mean to charge that he alone put this in the bill. I mean the entire committee. If the gentleman considers that my criticisms of the item apply to him alone, I do not so mean it.

Mr. MADDEN. The gentleman said after everybody had gone I did it.

Mr. BYRNES of South Carolina. I said after the hearings been held.

Mr. MADDEN. Now the gentleman is fair.

Mr. BYRNES of South Carolina. After the hearings adjourned, because I have read all that appears in the record.

Mr. MADDEN. The gentleman is a member of the committee. He knows that hearings are only for the purpose of getting information, and that questions are decided after the hearings adjourn.

Mr. BYRNES of South Carolina. Yes.

Mr. MADDEN. That is all.

Mr. BYRNES of South Carolina. The gentleman says the hearings are for the purpose of getting information. That is true. He got the positive information at the hearing that it was not a deficiency. He stated it was not a deficiency, and then later he decided that it was a deficiency. The gentleman says he did not alone decide it. He is the chairman of the subcommittee, and his decision is quite influential in that committee and in the whole committee. That is one of the indirect appropriations that are not counted in the total of the bill. Look at the provisions for the Navy Department and you will find there, on page 27, $7,000,000 is made available for the Navy Department. Bless goodness! Did the gentleman from Illinois know that when he made that $7,000,000 available for the Navy Department he had ruined the other gentleman from Illinois, Gen. Dawes, who has already included that $7,000,000 in what he is saving to the people? [Laughter.]

Mr. MADDEN. How does the gentleman know that?

Mr. BYRNES of South Carolina. Well, in the $112,000,000 Gen. Dawes claimed to have saved there was a considerable sum in the Navy Department, and I feel satisfied it included these items. The $7,000,000 the gentleman from Illinois, Gen. Dawes, thinks he has saved in these continuing appropriations, the gentleman from Illinois [Mr. MADDEN] takes away from him; he takes it away from the "Budget savings" and gives it to the Navy Department to spend. I suppose before he gets through Gen. Dawes will claim that he has saved it. [Laughter.]

The gentleman from Illinois [Mr. MADDEN], in his statement to the House on the Treasury bill, said he was going to stop continuing appropriations. He said he was going to ask for a statement showing the amounts unexpended and still available in all the departments. He got that information, and now, having got it, he is using it for a different purpose. Instead of repealing these appropriations and putting that money into the Treasury he is diverting the money to other expenditures. He has taken his stand at the Treasury door and simply said to any department that wants to come in and secure funds, "Go ahead." But if a department approaches with an unexpended balance he says "Stop; let us divert it to one of those deficiency appropriations." The watchword, "They shall not pass," is applied to unexpended balances going back into the Treasury. Now, if in any of the funds diverted by this bill there should come a necessity for additional expenditures prior to June 30 we will be asked for deficiencies to take the place of these funds now diverted to take care of other deficiencies. Yet we are told that this is an economical administration. [Applause on the Democratic side.]

Mr. MADDEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore [Mr. WALSH] having resumed the chair, Mr. SANDERS of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. HIMES, by unanimous consent, was granted leave of absence indefinitely on account of illness.

ABANDONED RIGHTS OF WAY GRANTED TO RAILROAD COMPANIES.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 244, a House bill with Senate amendments, for the purpose of asking an agreement to the Senate amendments.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent to call from the Speaker's table the bill H. R. 244, with Senate amendments, and agree to the Senate amendments. The Clerk will report the House bill and also the Senate amendments.

The Clerk read as follows:

A bill (H. R. 244) to provide for the disposition of abandoned portions of rights of way granted to railroad companies.

The Senate amendments were read.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, I suppose the gentleman has followed his usual custom of conferring with the minority on the committee?

Mr. SINNOTT. Yes. I conferred with the ranking member of the minority, the gentleman from California [Mr. RAKER], and he has expressed his satisfaction.

Mr. GARRETT of Tennessee. The first amendment does not amount to anything, but will the gentleman explain the second amendment?

Mr. SINNOTT. The second amendment is this: The House bill provided—

That this act shall not affect any conveyance made by any railroad company of portions of its right of way if such conveyance be among those which have been or may be validated and confirmed by any act of Congress.

Now we limit that and say—

Which have been or may—

Inserting the words—

hereafter and before such forfeiture or abandonment—

be validated and confirmed by any act of Congress.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on concurring in the Senate amendments.

The Senate amendments were concurred in.

ADJOURNMENT.

Mr. MADDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock p. m.) the House adjourned until Friday, March 3, 1922, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LEATHERWOOD: Committee on Indian Affairs. H. R. 9852. A bill to authorize the Secretary of the Interior to appraise tribal property of Indians and to pay individual members their pro rata share; without amendment (Rept. No. 755). Referred to the Committee of the Whole House on the state of the Union.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 10598. A bill to prevent the use of the United States mails and other agencies of interstate commerce for transporting and for promoting or procuring the sale of securities contrary to the laws of the States, and for other purposes, and providing penalties for the violation thereof; without amendment (Rept. No. 760). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LARSEN of Georgia: Committee on the Public Lands. H. R. 7967. A bill granting certain lands to Escambia County, Fla., for a public park; with amendments (Rept. No. 754). Referred to the Committee of the Whole House.

Mr. ROSE: Committee on Claims. H. R. 4622. A bill for the relief of the Lloyd Mediterraneo Societa Italiana di Navigazione, owners of the Italian steamer *Titania;* with an amendment (Rept. No. 756). Referred to the Committee of the Whole House.

Mr. LOGAN: Committee on Claims. H. R. 8264. A bill for the relief of Thomas B. Smith; without amendment (Rept. No. 757). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. S. 2746. An act for the relief of William Howard May, ex-marshal of the Canal Zone; William K. Jackson, ex-district attorney of the Canal Zone; and John H. McLean, ex-paymaster of the Panama Canal, now deceased; without amendment (Rept. No. 758). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. S. 841. An act for the relief of Elizabeth Marsh Watkins; without amendment (Rept. No. 759). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WALSH: A bill (H. R. 10694) to amend subparagraph (8) of section 1 (a) of chapter 1 of the bankruptcy act; to the Committee on the Judiciary.

By Mr. CLARKE of New York: A bill (H. R. 10695) for the apportionment of Representatives in Congress amongst the several States under the Fourteenth Census, and for other purposes; to the Committee on the Census.

By Mr. JOHNSON of Mississippi: A bill (H. R. 10696) to prohibit Congressmen from accepting gratuities, salaries, fees, or compensation from railroad companies, telephone companies, or telegraph companies; to the Committee on the Judiciary.

By Mr. STEPHENS: Joint resolution (H. J. Res. 281) authorizing the Secretary of the Navy to receive for instruction at the United States Naval Academy at Annapolis, Md., Willem van Doorn, a subject of the Netherlands; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENHAM: A bill (H. R. 10697) granting a pension to Martha Ann Cravens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10698) granting an increase of pension to Christopher Rohrscheid; to the Committee on Pensions.

By Mr. JACOWAY: A bill (H. R. 10699) granting a pension to Rosa Reeves; to the Committee on Pensions.

By Mr. JAMES: A bill (H. R. 10700) for the relief of settlers and claimants to section 16 lands in the L'Anse and Vieux Desert Indian Reservation in Michigan, and for other purposes; to the Committee on Indian Affairs.

By Mr. KENDALL: A bill (H. R. 10701) granting a pension to Charles F. King; to the Committee on Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 10702) for the relief of Bertha A. Uhl; to the Committee on Claims.

By Mr. KISSEL: A bill (H. R. 10703) for the relief of Stephen Schmeiser, sr.; to the Committee on Claims.

By Mr. LINTHICUM: A bill (H. R. 10704) for the relief of William A. Chaik; to the Committee on Reform in the Civil Service.

By Mr. NOLAN: A bill (H. R. 10705) for the relief of Francis Nicholson; to the Committee on Claims.

By Mr. RAMSEYER: A bill (H. R. 10706) granting an increase of pension to Eliza Johnson; to the Committee on Invalid Pensions.

By Mr. REED of West Virginia: A bill (H. R. 10707) for the relief of William H. Primm; to the Committee on Military Affairs.

By Mr. RICKETTS: A bill (H. R. 10708) granting a pension to Creighton Bradshaw; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 10709) granting a pension to Jane Dyer; to the Committee on Invalid Pensions.

By Mr. STEDMAN: A bill (H. R. 10710) to place James K. Stockard on the retired list of the Army; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 10711) granting a pension to Ella Autry; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4390. By Mr. ANSORGE: Petition of the American Legion, Department of New York, urging that the Langley bill for hospitalization be immediately reported to Congress; to the Committee on Public Buildings and Grounds.

4391. By Mr. BARBOUR: Petition of the Council of the City of Berkeley, Calif., indorsing Senate bill 3031, to provide for the establishment and maintenance of a forest experiment station in cooperation with the University of California; to the Committee on Agriculture.

4392. By Mr. BIXLER: Petition of citizens of Warren, Pa., protesting against House bills 9753 and 4388 and Senate bill 1948, or any other Sunday observance bill; to the Committee on the District of Columbia.

4393. Also, resolution adopted by the city of Sharon, Pa., protesting against the building of the Lake Erie and Ohio River ship canal to divert water from Pennsylvania into Ohio; to the Committee on Rivers and Harbors.

4394. Also, resolution by the Pennsylvania Water Conservation Association, of Sharon, Pa., protesting against building of canal called Lake Erie and Ohio River Ship Canal, to divert water from Pennsylvania into Ohio; to the Committee on Rivers and Harbors.

4395. By Mr. DALLINGER: Resolution of the Board of Aldermen of the City of Medford, favoring a soldiers' bonus; to the Committee on Ways and Means.

4396. By Mr. GALLIVAN: Petition of Simmons College School of Social Work, of Boston, Mass., recommending passage of the Fitzgerald accident compensation bill (H. R. 10034); to the Committee on the District of Columbia.

4397. By Mr. KISSEL: Petition of the American Automobile Association, of Washington, D. C., opposing any increase in taxes on the automobile industry; to the Committee on Ways and Means.

4398. Also, petition of the National Association of Credit Men, of New York City, opposing the passage of a bonus bill at this time; to the Committee on Ways and Means.

4399. Also, petition of the Business Men's Association, of Richmond Hill, Long Island, urging the passage of the Towner-Sterling education bill; to the Committee on Education.

4400. Also, petition of the South Brooklyn Board of Trade, of Brooklyn, N. Y., urging the enactment of legislation for the benefit of the physically injured or mentally disabled veterans before the passage of the bonus bill; to the Committee on Ways and Means.

4401. Also, petition of Iron League of New York, of New York City, N. Y., opposing the enactment of the proposed soldier bonus bill; to the Committee on Ways and Means.

4402. By Mr. KLECZKA: Memorial of the Association of Wisconsin Fairs, urging immediate passage of measures for the construction of the Great Lakes-St. Lawrence River deep waterway; to the Committee on Interstate and Foreign Commerce.

4403. Also, memorial of the Wisconsin Agricultural Experiment Association, favoring protection of American growers of clover and alfalfa seed; to the Committee on Ways and Means.

4404. Also, memorial of the county board of Milwaukee County, urging immediate passage of measures for the construction of the Great Lakes-St. Lawrence River deep waterway; to the Committee on Interstate and Foreign Commerce.

4405. Also, memorial of the Grand Caravan Order of Camels, urging modification of the Federal prohibition law to permit the sale and manufacture of beer and light wines; to the Committee on the Judiciary.

4406. Also, memorial of the Wisconsin Packing Co., urging immediate passage of measures for the construction of the Great Lakes-St. Lawrence River deep waterway; to the Committee on Interstate and Foreign Commerce.

4407. Also, memorial of the common council of Milwaukee, urging modification of the Federal prohibition law to permit the sale and manufacture of beer and light wines; to the Committee on the Judiciary.

4408. By Mr. LINTHICUM: Memorial of the National Casket Co., of Baltimore, Md., submitting resolutions for remedial legislation in transportation charges; to the Committee on Interstate and Foreign Commerce.

4409. Also, petition of Joseph N. Cooper, of Baltimore, Md., expressing pros and cons of bonus question; to the Committee on Ways and Means.

4410. By Mr. MEAD: Resolution adopted by the council of the city of Buffalo, N. Y., urging the passage of House bill 9579, amending section 5219 of the Revised Statutes of the United States; to the Committee on Banking and Currency.

4411. By Mr. RAKER: Petition of the California Corrugated Culvert Co., of West Berkeley, Calif., and Frank B. Peterson Co., of San Francisco, Calif., protesting against the renewal of the war tax on letter mail as a means for providing revenue for the soldiers' bonus; also petition of the 'Xclusive Laundry, of Stockton, Calif., protesting against placing duties on soya bean oil, coconut oil, cottonseed oil, tallow, whale oil, and other foreign vegetable, animal, and fish oils used in the manufacture of laundry soap and other soap preparations; to the Committee on Ways and Means.

4412. Also, petition of H. J. Lattin, of Grenada, Siskiyou County, Calif., relative to the joint-stock land banks and indorsing the same; also petition of Louis Bartlett, mayor of the city of Berkeley, Calif., indorsing and urging support of Senate bill 3031, providing for a forest experiment station in cooperation with the University of California; to the Committee on Agriculture.

4413. Also, petition of Will J. French, chairman of the Industrial Accident Commission of the State of California, San Francisco, Calif., indorsing and urging support of House bill 10034; to the Committee on the District of Columbia.

4414. By Mr. ROGERS: Petition of C. N. Halstead and others of Lowell, Mass., opposing the passage of House bills 9753 and 4388 or Senate bill 1948, or any other Sunday-observance bill; to the Committee on the District of Columbia.

4415. By Mr. SINCLAIR: Petition of 106 residents of Wahpeton, Lidgerwood, and other places in North Dakota, urging the revival of the United States Grain Corporation and a stabilized price for farm products; to the Committee on Agriculture.

4416. Also, petition of Arthur Hendrickson and 40 others of Raub, N. Dak., and vicinity, urging the revival of the United States Grain Corporation and the stabilization of prices of farm products; to the Committee on Agriculture.

4417. Also, resolution by the Senate of Maryland, recommending and urging the revival of the United States Grain Corporation and the immediate stabilization of at least three basic farm products; to the Committee on Agriculture.

4418. By Mr. WASON: Petition of the following owners and lessees of moving-picture theaters in the second congressional district of New Hampshire, urging the amendment of the copyright law of the United States so that the payment of the so-called music tax shall be prohibited: L. W. Heath, Lyon Theater, Bristol, and Charles H. Bean, Pastime Theater, Franklin; to the Committee on Patents.

4419. By Mr. ZIHLMAN: Petition of residents of Washington, D. C., against the enactment of any law enforcing the observance of any religious institution or looking toward a union of church and State or of religion and civil government, and specifically petitioning Congress not to pass House bills 4388 and 9753, which aim to regulate Sunday observance by civil force under penalty for the District of Columbia; to the Committee on the District of Columbia.

SENATE.

FRIDAY, *March 3, 1922.*

(Legislative day of Thursday, February 23, 1922.)

The Senate met in legislative session at 11 o'clock a. m. on the expiration of the recess.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, proposing to amend the Standing Rules of the Senate so that all general appropriation bills shall be referred to the Committee on Appropriations.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Massachusetts [Mr. LODGE] to the amendment of the Committee on Rules.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll and the following Senators answered to their names:

Ball	Hedin	Moses	Reed
Brandegee	Johnson	Myers	Sheppard
Bursum	Jones, Wash.	Nelson	Spencer
Capper	Kellogg	New	Sterling
Culberson	Kendrick	Newberry	Sutherland
Cummins	Keyes	Nicholson	Townsend
Ernst	Lenroot	Oddie	Wadsworth
France	Lodge	Page	Walsh, Mass.
Gerry	McCormick	Pepper	Warren
Hale	McKellar	Phipps	Watson, Ga.
Harris	McKinley	Poindexter	Weller
Harrison	McNary	Rawson	Willis

Mr. KENDRICK. I wish to announce the absence of the Senator from Nebraska [Mr. NORRIS], the Senator from South Carolina [Mr. SMITH], the Senator from North Dakota [Mr. LADD], the Senator from Oklahoma [Mr. HARRELD], and the Senator from South Dakota [Mr. NORBECK] at a hearing before the Committee on Agriculture and Forestry.

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from Utah [Mr. SMOOT], the Senator from New York [Mr. CALDER], and the Senator from Vermont [Mr. DILLINGHAM] are attending a hearing before the Committee on Finance.

I was also requested to announce that the Senator from California [Mr. SHORTRIDGE] is attending a hearing before the special committee investigating the lobbying activities of the dye industry.

Mr. NORRIS. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of a death in his family.

The PRESIDENT pro tempore. Forty-eight Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The reading clerk called the names of the absent Senators and Mr. HARRELD answered to his name when called.

The following Senators entered the Chamber and answered to their names:

Glass	Norbeck	Overman	Smith
Gooding	Norris	Pomerene	Stanley
Ladd			

The PRESIDENT pro tempore. Fifty-eight Senators have answered to their names. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10267) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1923, and for other purposes; that the House receded from its disagreement to the amendments of the Senate Nos. 5 and 6 to the said bill and concurred therein; and that the House receded from its disagreement to the amendment of the Senate No. 28, and concurred therein with an amendment, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. PHIPPS presented a telegram in the nature of a petition from the clearing house banks of Denver, Colo., praying for the granting of homesteading preference, home building, and insurance aid to ex-service men, and opposing a cash bonus, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

DENVER, COLO., *March 1, 1922.*

Hon. LAWRENCE PHIPPS,
United States Senator, Senate Chamber, Washington, D. C.

The Denver clearing house banks urge that you oppose the enactment of that portion of the soldiers' bonus bill providing for cash compensation without regard to disability as economically unsound and of no permanent benefit to recipients. Relief measures should, in our opinion, be confined to homesteading preference, home building, and insurance aid. The fullest assistance to the disabled is earnestly indorsed.

FIRST NATIONAL BANK,
COLORADO NATIONAL BANK,
DENVER NATIONAL BANK,
UNITED STATES NATIONAL BANK,
HAMILTON NATIONAL BANK,
GLOBE NATIONAL BANK,
AMERICAN BANK & TRUST CO.,
INTERNATIONAL TRUST CO.

Mr. LODGE presented petitions of 7,829 citizens of the city of Quincy, Mass., praying that the battle cruiser *Lexington*, now under construction at the Fore River yard, be converted into one of the two airplane carriers authorized under the naval treaty, which were referred to the Committee on Naval Affairs.

Mr. CAPPER presented resolutions unanimously adopted by the Southwestern Veterans' Association, at Dodge City, Kans., favoring the passage of the so-called soldiers' bonus bill, and also additional legislation for the relief of veterans of the Civil War, which were referred to the Committee on Finance.

Mr. KING presented a resolution adopted by the Utah Cattle and Horse Growers' Association, at Salt Lake City, Utah, favoring the making of adequate appropriations for breeding horses for the Army, which was referred to the Committee on Military Affairs.

Mr. NICHOLSON presented a resolution adopted by the mayor and board of trustees of the town of Littleton, Arapahoe County, Colo., favoring continuance of the village free-delivery service and the making of an adequate appropriation therefor, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Logan County and Shaw, Colo., praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Loveland, Denver, Evergreen, Greeley, Fort Collins, New Castle, and Sterling, all in the State of Colorado, remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. BALL, from the Committee on the District of Columbia, to which was referred the bill (S. 1739) to amend sections 5 and 6 of the act of Congress making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, approved July 1, 1902, and for other purposes, reported it without amendment and submitted a report (No. 527) thereon.

He also, from the same committee, to which was referred the bill (S. 3083) authorizing the Baltimore & Ohio Railroad Co. to construct an elevated railroad siding adjacent to its tracks in the city of Washington, reported it with amendments and submitted a report (No. 528) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MCNARY:

A bill (S. 3226) for the relief of William J. Ewing; to the Committee on Claims.

By Mr. NICHOLSON:

A bill (S. 3227) to extend time for payment of grazing fees to December 1, 1922; to the Committee on Agriculture and Forestry.

A bill (S. 3228) to amend the War Finance Corporation act, approved April 5, 1918, as amended; to the Committee on Finance.

By Mr. POMERENE:

A bill (S. 3229) authorizing the Secretary of War to donate to the Ohio Archaeological and Historical Society two German cannon; to the Committee on Military Affairs.

AMENDMENT OF SECOND DEFICIENCY APPROPRIATION BILL.

Mr. KEYES submitted an amendment proposing to appropriate $50,000 for emergency educational and control work on the white-pine blister rust in the eastern white-pine area, etc., intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENTS OF IMMIGRATION LAW.

Mr. HARRIS submitted two amendments intended to be proposed by him to the joint resolution (H. J. Res. 268) extending the operation of the immigration act of May 19, 1921, which were referred to the Committee on Immigration and ordered to be printed.

ELSIE HUDSON.

Mr. ODDIE submitted the following resolution (S. Res. 248), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Elsie Hudson, widow of J. Lloyd Hudson, late a laborer in the employ of the Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

JUDGE WILLIAM S. KENYON.

Mr. REED. Mr. President, I desire to call the attention of the Senate to a matter which I think should not be allowed to pass unnoticed. The Washington Times of March 2 contains the following article. I read the headline, as follows:

Impeach Kenyon is demanded: Missouri lawmaker declares "Judas" speech disgraces bench.

The word "Judas" is in quotations. I read the text of the article, as follows:

Charges that William H. Kenyon, of Iowa, is trying to become "a second Judge Landis" were made here to-day by friends of Senator TRUMAN H. NEWBERRY of Michigan in reply to Kenyon's speech before the students of the University of Missouri, in which he referred to NEWBERRY as "a traitor worse than Judas Iscariot."

The subhead line reads:

Spencer accuses judge.

Senator SPENCER of Missouri, NEWBERRY'S chief defender in the Senate, issued a statement to-day in which he charged Kenyon with "insulting the Senate" and "disgracing the bench."

The quotation continues:

"Kenyon knows full well," said SPENCER, "that Senator NEWBERRY is a Christian gentleman of the highest integrity and patriotism.

"To call Senator NEWBERRY 'a traitor worse than Judas Iscariot' dishonors the judge who said it and brings disgrace on the bench which it was hoped would be adorned by the selection of Kenyon.

"Some excuse can be made for such unfounded villification and venomous exaggeration on the stump, though even there it is condemnable, but from a judge upon whose impartiality so much depends it is pitiful.

"One of the leaders of the Senate exclaimed in his indignation 'Kenyon ought to be impeached.'

"Having secured the position he wants, he insults the Senate of the United States by his inference that they seated a traitor, and he seeks to dishonor the President from whom he received his own appointment, because he knows well enough how sincerely and openly the President expressed his condemnation of the malicious and unfounded propaganda against Senator NEWBERRY and his earnest hope that Senator NEWBERRY would be seated."

Mr. President, I am not calling this matter up to reopen the Newberry case, and I am not charging that the junior Senator from Missouri [Mr. SPENCER] made the statement attributed to him. I do not know what the facts may be. Neither am I charging that some Senator, who appears here nameless, made the statement attributed to him in the article. I do not know what the facts may be with reference to that part of the article. The article appeared in the Washington Times, which has generally been more accurate than the average newspaper. I am unwilling such an assault should be made upon Judge Kenyon, and printed broadcast over the country, without reply and without rebuke.

I do not know what the language of Kenyon was, but if he had used the language alleged to have been employed it would not have warranted any such assault.

To begin with, former Senator Kenyon had not taken the oath of office as judge at the time he made the speech referred to. In the second place, it does not lie very well in the mouth of those who are constantly talking about "Christian gentlemen" to make an assault of this kind upon William S. Kenyon.

Judge Kenyon served in this Chamber, as I recall, for nearly 11 years. Prior to that time he had served with distinction upon the bench in his own State. At one time he occupied a highly important position in the Department of Justice, where he rendered magnificent service in the prosecution of combinations guilty of violating the Sherman Antitrust Act.

In his private life Judge Kenyon sets an example that might well be emulated by his enemies. In his public career he has steadfastly exhibited an earnestness of purpose, an exaltation of courage and independence, which render him conspicuous at a time when intellectual truckling, political serviency, are too much the order of the day. Without finding myself in agreement with him on many occasions, I nevertheless came to regard him as one of those rare characters who follow the light of conscience and the conclusions of reason, steadfastly placing country and humanity above private interest or personal advancement. He has always had the courage when he believed a thing wrong boldly to proclaim his opinion. He has not been willing to do that which he considered unjust or injurious to the country because it was dictated in party council or because the command came from a party boss.

He left this Chamber with the personal good will, I believe, of practically every Member. He was appointed to an exalted position upon the bench after having declined another position almost as exalted. He has not yet, unless it be within the last few days, taken his seat on that bench, where, in my judgment, he will exhibit the same conscientious regard for the law of his country and the rights of man that has characterized him throughout his life.

Upon a mere newspaper report this assault is made upon him. Those who seek to defend their votes in the Newberry case by an attack upon Judge Kenyon will find that the latter task is as fruitless as the former was difficult. Let it not be forgotten that the seating of Mr. NEWBERRY could be accomplished only by amending the resolution so that it would condemn the methods employed in his election, while ratifying the fruits of the iniquity thus condemned. Judge Kenyon can well disregard attacks by the sponsors of that resolution which at one and the same time admitted and ratified infamy.

I do not desire to prolong my remarks, but I want to put in the RECORD this telegram:

DES MOINES, IOWA, *March 3, 1922.*

Senator JAMES A. REED,
Senate Office Building, Washington, D. C.:

I did not make remark SPENCER ascribes to me in his statement, and at time my talk to university students had not taken oath of office and was not a judge, but a private citizen. Have so wired him. I am writing him and you just what I said.

W. S. KENYON.

I have not yet received the letter, because there has not been time for it to be received. I put the telegram in the RECORD, as I think it is due to Judge Kenyon that this statement should be made publicly in order that the wrong done may be instantly corrected.

Mr. POINDEXTER obtained the floor.

Mr. SPENCER. Mr. President, will the Senator yield to me for a moment?

Mr. POINDEXTER. In just one second I will yield to the Senator.

I ask leave to have printed in the RECORD, in the regular RECORD 8-point type, a letter from ex-President Theodore Roosevelt, dated October 19, 1918, addressed to Commander Truman H. Newberry, relating to the character of Senator NEWBERRY and to the issues raised in his election to the Senate.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From Theodore Roosevelt.]

OYSTER BAY, LONG ISLAND, *October 19, 1918.*

Commander TRUMAN H. NEWBERRY,
New York City.

MY DEAR COMMANDER: I congratulate you on your nomination, but far more do I congratulate Michigan and all our people. It was my good fortune to have you serve under me as Secretary of the Navy, and I can testify personally to your efficiency and your disinterested and single-minded zeal for the public service. To a very peculiar degree you have stood for that kind of government which puts the interest of the people as a whole first and foremost, and treats all other considerations as negligible when the public weal is involved. The record made by you and your two sons in this war is typical of your whole attitude as a public servant. Both your boys at once entered the Navy, and are now on the high seas. You sought employment abroad; when that was refused you, you accepted any position that was offered in which you could render public service.

The nomination of Mr. Ford makes the issue sharp and clean. It is not primarily an issue between the Republican Party and the Democratic Party, for Mr. Ford does not seem to have any firm political convictions, and was content to take the nomination on any ticket without regard to what the general principles of the men supporting that ticket were; and his memory about past politics is so hazy that although he has mentioned a Republican candidate for President for whom he thinks he once voted, it does not appear that this is possible, unless he is in error as to his own age.

The issue is infinitely more important than any merely political issue. It is the issue of straight Americanism, of straight patriotism, and of preparedness for the tasks of peace and war, as against a particularly foolish and obnoxious type of pacifism

preached in peace and practiced in war. This is the first time in the history of our country in which a candidate for high office has been nominated who has spent enormous sums of money in demoralizing the people of the United States on a matter of vital interest to their honor and welfare. The expenditures on behalf of pacifism by Mr. Ford in connection with the peace ship, and in connection with his great advertising campaign in favor of the McLemore resolution and of the pacifist and pro-German attitude against our participation in the war, was as thoroughly demoralizing to the conscience of the American people as anything that has ever taken place. The failure of Mr. Ford's son to go into the Army at this time, and the approval by the father of the son's refusal, represent exactly what might be expected from the moral disintegration inevitably produced by such pacifist propaganda. Mr. Ford's son is the son of a man of enormous wealth. If he went to war, he would leave his wife and child immeasurably distant from all chance of even the slightest financial strain or trouble, and his absence would not in the smallest degree affect the efficiency of the business with which he is connected. But the son stays at home, protesting and appealing when he is drafted, and now escaping service. Your two sons have eagerly gone to the front. They stand ready to pay with their lives for the honor and the interest of the American people, and while they thus serve America with fine indifference to all personal cost, the son of wealthy Mr. Ford sits at home in ignoble safety, and his father defends and advises such conduct. It would be a grave misfortune to the country to have Mr. Ford in the Senate when any question of continuing the war or discussing terms of peace may arise, and it would be an equally grave misfortune to have him in any way deal with the problems of reconstruction in this country.

Michigan is facing the test, clear-cut and without shadow of a chance for misunderstanding, between patriotism and Americanism on one side, and on the other pacifism and that foolish sham cosmopolitanism which thinks it clever to deride the American flag and to proclaim that it would as soon be a Hindu or Chinaman as an American. If there should be at any time in the future a Hindu senate, and it should choose, in a spirit of cosmopolitanism, to admit outsiders, there is no reason why Mr. Ford should not aspire to membership therein, but he would be signally out of place in the American Senate so long as that body is dominated by men who zealously believe in the American ideal and faithfully endeavor to serve the American people.

Wishing you all success, I am,

Very faithfully, yours,

THEODORE ROOSEVELT.

Mr. POINDEXTER. I also ask leave to print, in connection with that, in the same type, a brief article on the same subject by the junior Senator from Pennsylvania [Mr. PEPPER], which appeared in The Independent and the Weekly Review for February 18, 1922.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

[From The Independent and the Weekly Review for Feb. 18, 1922.]

CONCERNING THE NEWBERRY CASE.

A STATEMENT BY SENATOR GEORGE WHARTON PEPPER.

[Almost immediately after taking his seat in the Senate, Senator PEPPER was called on to vote for or against the expulsion of Senator NEWBERRY. He cast his vote in favor of NEWBERRY. In view of his eminence, both in character and ability, it seemed to us that a statement of the ground on which he based his action would be of great public interest. In answer to a letter asking whether he would be willing to make such a statement, Senator PEPPER very kindly placed at our disposal the following memorandum, which he had drawn up as a record of what he would have said, in substance, on the floor of the Senate if he had had an opportunity to speak.—Editors.]

"The Michigan primary was held August 27, 1918. Mr. NEWBERRY was a candidate for the Republican nomination. Mr. Henry Ford announced himself as a candidate for the Republican nomination and also as a Democrat contesting for the Democratic nomination. Ford had a State-wide industrial organization which he was able to use for publicity and campaign purposes without the expenditure of additional money. NEWBERRY, being without this advantage and being continuously absent from the State on naval duty, the committee in charge of his campaign raised and spent about $195,000 to bring his name before the people of the State.

"This money was all spent for purposes authorized by the Michigan statute governing election expenses. Whether the money was wasted or wisely spent is a matter of opinion. It is likewise a matter of opinion as to how much money it is justifiable to spend on campaign publicity. Welfare drives and similar campaigns involve enormous expenditures for such purposes.

"NEWBERRY received the Republican and Ford the Democratic nomination. Within 10 days, as required by law, the Newberry committee published—on September 6—a classified statement exhibiting the receipt and disbursement of the sum above specified.

"Thereupon the Ford machine attacked the expenditure as unjustifiable, and the subject was vehemently discussed all over the State for two months. At the end of two months, namely, on November 5, both candidates left the issue to the people. The people chose NEWBERRY and rejected Ford by a clear majority of over 4,000 votes. Nobody contended in the Senate that this election was other than fair or that money had been used improperly to influence it. The entire expenditure under attack was a preprimary expenditure.

"NEWBERRY, having been duly elected, and the judgment of conspiracy to defraud entered against him having been reversed by the Supreme Court of the United States, was sworn in as a Senator and began the discharge of his duties.

"Ford, having thus been twice defeated, once by his fellow citizens and once by the highest court in the land, added still another to his list of affronts to patriotism and decency by instituting in the Senate a contest to wrest NEWBERRY from his seat, although Ford himself had no possible claim of title to it.

"The question before the Senate thereupon was this: Where a Senator is fairly chosen by a majority of the voters of his State after a full public discussion of the expenditures made previous to the primary, shall the Senate vote to expel him on the ground that it would have been in better taste for the majority of voters to vote the other way?

"In other words, *shall the Senate substitute its judgment for that of the people of Michigan as to what is a reasonable preprimary expenditure?*

"From the moment that I perceived this to be the real question in the case I was never in doubt about the answer. Some Senators who were opposed to expulsion thought fit to couple their conclusion with a condemnation of so large an expenditure. Personally, I had no opinion on that subject, because enormous publicity expenditures are a necessary incident of the direct primary system. My view was—and is—that where charges of corruption are not sustained and where the whole question is one of the reasonableness of the expenditure the people of the State are themselves the final judges and that the Senate should not disturb their verdict.

"I accordingly voted against expulsion, although if I had been framing the resolution I would have framed it differently. I have heard the subject twice reargued in the Senate since the final vote was taken, and these posthumous arguments, which were both vehement and vitriolic, have confirmed me in my opinion that any other decision would have been the mongrel offspring of malice and muddy thinking."

Mr. SPENCER. Mr. President, I am not entirely clear as to why it is necessary for my distinguished colleague to attempt to give Senator Kenyon or Judge Kenyon a certificate of good character as a man. I certainly do not yield to my colleague in my admiration of Judge Kenyon or in my affection or esteem for him. I have known and loved him for many years.

Mr. President, there appeared in the newspapers in Washington, particularly in the Washington Times of February 28, in great headlines stretching across the entire front sheet with the exception of a single column and in letters which were 2 inches high the words:

NEWBERRY a traitor, says Kenyon.

And in prominent letters at the head of an article:

Iowa man attacks Senator as Judas.

And in the language of the paper the following sentences occur as quotations from what Judge Kenyon is supposed to have said at the State University of Missouri:

"Judas Iscariot betrayed his Master, but he gave back the 30 pieces of silver," Kenyon declared. "Senator NEWBERRY and his friends betrayed their country, spent $264,000 for a seat in the United States Senate, and they did not give back the seat."

I said when I read that what I now repeat—that any man who made such statements dishonored himself and disgraced the position which he held, I do not care whether, as a matter of technical fact, he was within 48 hours of becoming a judge or not. He was known as a judge, and introduced as a judge, and spoke to the assembly under the impression in their hearts that he was a judge; and the only thing that interfered with his official character was something with which he alone had to do, and that was the formal taking of the office, for everything else had been done.

I said in the statement that I made to the paper, both at the beginning of it and at the end of it, that I could not believe it was possible that a man of Senator Kenyon's high character

could have made such utterances as those. I passed over his misstatement of facts; but his characterization was absolutely unfounded, and branded the man who said it with the disgrace that he attempted to impose upon the man of whom he said it.

I also received a telegram from Senator Kenyon, which, if my distinguished colleague had not already referred to it, I should have asked to have printed in the RECORD, to precisely the same effect as that which my colleague read—that he did not make the statement which he is credited with having made. I am delighted that he did not make it. It corresponds with what I thought of him—that he never would have made it—and, therefore, the statement not having been made by him, my criticism of him, of course, falls with the failure on his part to have made the statement.

Mr. BRANDEGEE. Mr. President, did Senator Kenyon, or Judge Kenyon, as he now is, say what statement he did make?

Mr. SPENCER. He telegraphed to me, precisely as he did to my colleague, that he was writing to me the full statement that he did make. I have not yet received that statement.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, to amend the standing rules of the Senate, so that all general appropriation bills shall be referred to the Committee on Appropriations.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Massachusetts [Mr. LODGE] to the amendment of the Committee on Rules.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum. There seems to be practically no one here.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Newberry	Shortridge
Brandegee	Kendrick	Nicholson	Simmons
Capper	Keyes	Norbeck	Smith
Caraway	Ladd	Norris	Spencer
Culberson	Lenroot	Oddie	Stanley
Cummins	Lodge	Overman	Sterling
Gerry	McCormick	Page	Sutherland
Glass	McKellar	Phipps	Townsend
Gooding	McKinley	Poindexter	Walsh, Mass.
Harreld	McNary	Pomerene	Walsh, Mont.
Harris	Moses	Rawson	Warren
Harrison	Myers	Reed	Watson, Ga.
Heflin	Nelson	Robinson	Weller
Jones, N. Mex.	New	Sheppard	Willis

Mr. JONES of Washington. I have been requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from Utah [Mr. SMOOT], the Senator from New York [Mr. CALDER], and the Senator from Vermont [Mr. DILLINGHAM] are attending a hearing before the Committee on Finance.

The PRESIDENT pro tempore. Fifty-six Senators have answered to their names. A quorum is present.

Mr. MYERS. Mr. President, what is the pending amendment?

The PRESIDENT pro tempore. The pending amendment is the amendment offered by the Senator from Massachusetts [Mr. LODGE] to the amendment of the committee.

Mr. MYERS. May the Secretary read it?

The PRESIDENT pro tempore. The Secretary will state the amendment to the amendment.

The amendment to the amendment was read, as follows:

On page 2, line 16, after the word "Appropriations," insert the following: ", and at least one member of the Committee of Agriculture shall be a member of any conference committee appointed to confer with the House upon said Agricultural appropriation bill";

On page 2, line 22, after "Appropriations," insert the following: ", and at least one member of the Committee on Post Offices and Post Roads shall be a member of any conference committee appointed to confer with the House upon said Post Office appropriation bill";

On page 3, line 3, after the word "Appropriations," insert the following: ", and at least one member of the Committee on Military Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of War";

On page 3, line 9, after the word "Appropriations," insert: ", and at least one member of the Committee on Naval Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of the Navy";

On page 3, line 16, after the words "Department of War," insert: ", and at least one member of the Committee on Commerce shall be a member of any conference committee appointed to confer with the House upon items pertaining to rivers and harbors contained in the bill making appropriations for the Department of War"; and

On page 3, line 24, after the words "Department of State and Justice," insert: ", and at least one member of the Committee on Foreign Relations shall be a member of any conference committee appointed to confer with the House when the items pertaining to the diplomatic and consular service are being considered in the bill making appropriations for the Department of State and Justice."

So as to make the amendment of the committee read:

The Committee on Appropriations shall not report an appropriation bill containing new or general legislation, and if an appropriation bill is reported to the Senate containing new or general legislation, a point of order may be made against the bill, and if the point is sustained, the bill shall be recommitted to the Committee on Appropriations: *Provided, however,* That the chairman of the Committee on Agriculture, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Department of Agriculture is being considered by the Committee on Appropriations, and at least one member of the Committee on Agriculture shall be a member of any conference committee appointed to confer with the House upon said Agricultural appropriation bill; that the chairman of the Committee on Post Offices and Post Roads, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Post Office Department is being considered by the Committee on Appropriations, and at least one member of the Committee on Post Offices and Post Roads shall be a member of any conference committee appointed to confer with the House upon said Post Office appropriation bill; that the chairman of the Committee on Military Affairs, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Department of War is being considered by the Committee on Appropriations, and at least one member of the Committee on Military Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of War; that the chairman of the Committee on Naval Affairs, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Department of the Navy is being considered by the Committee on Appropriations, and at least one member of the Committee on Naval Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of the Navy; that the chairman of the Committee on Commerce, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the items pertaining to rivers and harbors are being considered by the Committee on Appropriations in the bill making appropriations for the Department of War, and at least one member of the Committee on Commerce shall be a member of any conference committee appointed to confer with the House upon items pertaining to rivers and harbors contained in the bill making appropriations for the Department of War; and that the chairman of the Committee on Foreign Relations, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the items pertaining to the Diplomatic and Consular Service are being considered by the Committee on Appropriations in the bill making appropriations for the Departments of State and Justice, and at least one member of the Committee on Foreign Relations shall be a member of any conference committee appointed to confer with the House when the items pertaining to the Diplomatic and Consular Service are being considered in the bill making appropriations for the Departments of State and Justice.

The PRESIDENT pro tempore. If there is no objection, the Chair will treat the amendment proposed by the Senator from Massachusetts as a single amendment.

Mr. NORRIS. I want to make an inquiry, if the Senator from Montana will permit.

Mr. MYERS. I yield for an inquiry.

The PRESIDENT pro tempore. The Senator from Nebraska will state his inquiry.

Mr. NORRIS. Last evening before adjournment I understood that unanimous consent had been granted for a reprint of the resolution showing these amendments. I am unable to get that kind of a print this morning.

The PRESIDENT pro tempore. The Chair is informed that no such consent was given.

Mr. NORRIS. I understood that that was done.

Mr. WARREN. As to this particular amendment, it would bring about exactly what would take place without it, if the chairman of the Appropriations Committee is correct; that is, that of the three members of any of the various committees who sit with the general committee, and become a part of it, there shall be at least one appointed as one of the three or more conferees when any particular bill goes into conference to reconcile the differences between the Senate and the House.

Mr. LENROOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Wisconsin?

Mr. MYERS. I yield.

Mr. LENROOT. I would like to ask the chairman of the committee whether, if this amendment is not adopted, the rule would be that not one but two members of that committee would go upon the conference?

Mr. WARREN. No; there would be no rule requiring that, although it would often be done. There is nothing to prevent it.

Mr. LENROOT. That would be the natural thing to do?

Mr. WARREN. It would be very natural in these cases. Of course, we have to provide for absences, sickness, and so on.

Mr. LENROOT. Of course.

Mr. WARREN. But it would be natural in almost every case to take two from the committee which would have juris-

diction of any particular bill and add one from the main Appropriations Committee.

This provides that there must be one conferee at least from the other committee, and does away with the danger which some may feel might exist in case the Committee on Appropriations became arbitrary. I think it has not been accused of being arbitrary heretofore.

Mr. MYERS. I ask the chairman if the pending amendment is offered as an amendment to the committee amendment, found on pages 2 and 3 of the printed resolution.

Mr. WARREN. It is.

Mr. MYERS. I thank the Senator for the information. I am opposed to the committee amendment. If that amendment should be rejected, I think I would favor the resolution. I believe in the consolidation of power in the matter of appropriating money. I believe it would tend to make for economy, but I do not believe much in this proposed disjointed arrangement, a sort of a hocus-pocus affair, of making a Senator a member of the Appropriations Committee to-day and not to-morrow; making him a member for one purpose and not for other purposes; just making of him a sort of a temporary adjunct or convenience, as it were. I believe that if a Senator is a member of the Appropriations Committee at all he should be a member all the time, and should participate in the consideration of all the bills which come before that committee. I believe it is essential for him to have a comprehensive and continuous knowledge of the affairs of the committee in all of its relations in order to coordinate them and produce economies.

If this resolution is to be adopted, I believe it would be better to make the chairman of each one of the committees mentioned on pages 2 and 3 of the Senate resolution permanent members of the Committee on Appropriations, or take three Senators, if you please, from each of these other committees and make them permanent members of the Appropriations Committee. It would be well to make it a committee of 25 or 30 members, as is the case in the House.

I think the proposed arrangement of making a Senator a member of a committee to-day and not to-morrow, and a member for some purposes and not for other purposes, is unknown and without precedent in parliamentary matters. I never heard of it before, and I can not say that I am favorably impressed with the proposed arrangement; but if the Committee on Appropriations were enlarged permanently, so as to give representation to all other committees which have heretofore had the power of considering divers bills for appropriations, and if the power of passing upon all appropriation bills were then centered in the Appropriations Committee, I believe it would work for economy and would be a great improvement upon the present methods.

Mr. LENROOT. Mr. President, I would like to ask the Senator whether he thinks it would be possible for a chairman of a major committee to devote the time, as a general member of the Appropriations Committee, to all appropriations coming before it? The chairman of a major committee has his hands full as it is.

Mr. MYERS. Some Senators say the other major committees would not have much to do if the Appropriations Committee had to handle all the appropriation bills.

Mr. OVERMAN. They would have more to do.

Mr. LENROOT. They would have more to do in many cases than they have now.

Mr. MYERS. While the chairman of a major committee other than the Committee on Appropriations might not be able to give strict attention at all times to all things before the Appropriations Committee, he could give a running and more or less continuous attention in a general way. I think he could give a great deal of attention to the business of the Appropriations Committee.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. MYERS. I yield with pleasure.

Mr. NORRIS. I would like to suggest that the difficulty suggested by the Senator from Wisconsin can be obviated by not making the chairmen of the major committees members of the Committee on Appropriations. Let them devote their time to the other committees and stay off the Committee on Appropriations.

Mr. MYERS. If this rule is adopted, the Committee on Appropriations might be enlarged.

Mr. NORRIS. If it is necessary; if it is too small to do its work properly and function properly, it ought to be enlarged, of course. I am not saying anything about that.

Mr. MYERS. I do not think it is too small. I think it might well be, though, in that event, enlarged.

Mr. NORRIS. I agree with the Senator that it is the height of folly to put pretty nearly half the Senate on the Committee on Appropriations to-day and off to-morrow. A Senator would be a member of the Appropriations Committee when this thing comes up and not a member when something else is up.

Mr. MYERS. It would be a sort of a hocus-pocus arrangement.

Mr. NORRIS. Yes; a regular hocus-pocus affair.

Mr. MYERS. It does not commend itself to me.

Mr. NORRIS. If the Senator had been here yesterday when the distinguished Senator from Minnesota [Mr. NELSON] spoke, he would have heard him state why that amendment was brought in by the Committee on Rules.

Mr. MYERS. I am sorry I was not here. I am always pleased to hear the distinguished Senator from Minnesota, for whom I have high regard.

Mr. NORRIS. It was as I had suspected, and I asked the Senator from Kansas [Mr. CURTIS] the day before about it, but he did not look at it that way; but the Senator from Minnesota said that provision was put on in order to ease up on Senators who were chairmen of the other committees, get their support of the rule, and make it easy for them for awhile. They thought later on they would take them off the committee.

Mr. ASHURST. It was logrolling.

Mr. NORRIS. Yes.

Mr. MYERS. I assume that is a procedure not wholly unknown in legislative procedure.

If there were in this matter any such consideration, I dare say it is not the first time since I have been here. However, I know nothing of that. I am sure that whatever motive may have prompted the offering of the committee amendment was a legitimate motive. That would be my judgment, anyway. However, I am not favorably impressed with the committee amendment. I much prefer the original resolution. Then, if adopted in that form, the Appropriations Committee could be enlarged. That seems to me to be the better method.

Mr. SMITH. Mr. President, in view of the action of the House in attempting to carry out the planks in both the Republican and the Democratic platforms and to provide for a budget system, it seems to me that they in good faith have worked out that system as best they could. It is already established in the House.

In order that we may meet a condition which has grown out of their action, I believe the Committee on Rules in the Senate have honestly worked out the best coordination possible under the circumstances. Our Appropriations Committee, by virute of the action of the House, have to meet an enlarged field. To most of the Members a great deal of this work is new. By an amendment the committee has provided that the standing committees, acting as appropriating committees, which have heretofore had jurisdiction of particular subjects, shall during the consideration of a particular measure which heretofore they have been charged with be represented on the Committee on Appropriations, to assist in taking care of that particular matter.

It may not be necessary that this should be a permanent arrangement. After the system has been started and we have worked it out it may be possible that we will have a committee charged with that duty which will not need the cooperation or the advice and assistance of those who have heretofore been on these other committees; but it seems to me that in the present condition it is imperative. It is more of an experiment than otherwise. The plan which has been worked out by the Committee on Rules is one which should appeal to the common sense of Senators in this body.

As to the matter of conferences, that is a mere matter of detail. I take it for granted that if the Committee on Appropriations, with the ex-officio members from the different committees having the different divisions of appropriations in hand, think it is a wise thing to do for the public good they will appoint such members of those several committees to appear on conferences to carry out what has been agreed by the Appropriations Committee, in conjunction with the members from the committees having the specific bills in hand, and that the conferees, whether they are appointed from the ex-officio members or from the members of the Appropriations Committee, will carry out the will and intent of the Senate as expressed in whatever amendments or provisions they have put in the bills.

I think that if Senators will make a careful study of this subject they will see that the object of the amendment is not to get more power, and I think it would appeal to Senators who know that this is a new matter, and will have to be worked out with the least friction possible.

I think I shall vote for the resolution as amended by the Committee on Rules and as it is pending before us now, in view

of the necessity for some such action because of the action of the House.

Mr. NORRIS. Mr. President, I feel deeply about this resolution. I think it is a serious matter. Ordinarily, I do not care so much about having many Senators here when I am talking, but I wish I could have the Members of the Senate here now. I may be entirely wrong, of course, as I know I frequently am, but I feel that the Senate is about to make what I believe will be a serious mistake. I am afraid that the amendment of the committee is going to be adopted as it is written, and yet I am very much in favor of referring all these appropriation bills to one committee. To some extent the present system of appropriating is yet experimental. We have the Budget system, however. We all voted for it. It may be that we are going to be disappointed in it, but I hope not. At least, we ought to give it a fair trial. To do that, to carry out its intent, we ought to place all the appropriation bills in the charge of one committee.

Objection is made to giving the committee so much power, but if Senators will read the amendment of the Committee on Rules they will be convinced, I am satisfied, that the resolution takes away the only danger there is in the proposed rule giving the committee more power. The amendment provides that whenever the Appropriations Committee reports an appropriatiton bill to the Senate and puts in an item of legislation, upon any Sentor making a point of order, the ,whole bill must be sent back to the committee.

That is a pretty severe penalty. We will not find the Committee on Appropriations bringing in any legislation on appropriation bills with that kind of a provision in the rule. That is where the danger has been in the past. That is where jokers have very frequently crept into laws. That is where the Senate and the House have been at fault in bringing about legislation. The poorest way on earth, all students of the question concede, is to legislate on appropriation bills. The theory of the rule of rejecting legislation on appropriation bills is in order to separate the two things, legislation and appropriations. This rule will do it, and I am not at all afraid with that amendment in it that there is going to be any danger about the Committee on Appropriations having too much power.

But the Committee on Rules has gone further and added another amendment, which provides that whenever they have an appropriation bill before the Committee on Appropriations which heretofore went to one of the other standing committees of the Senate, thereupon three members of the other committee shall for the time being automatically become members of the Committee on Appropriations. The Senator from Minnesota [Mr. NELSON] very frankly told us yesterday in substance, as I understood it, that the Committee on Rules put that in to ease up other Senators who would be fearful that they were losing some of their power.

It is provided, for instance, that the chairman and two other members of the Committee on Agriculture and Forestry shall be placed on the Appropriations Committee whenever the Agricultural appropriation bill was up for consideration, and the suggestion is that by putting that provision in the rule they expect to get the support of the chairman and other members of the Committee on Agriculture and Forestry. The same thing applies to all the other standing committees which heretofore have had appropriation bills referred to them.

That may be wisdom or not, as far as getting votes is concerned. To my mind it is not the right way to legislate, and I hope that no member of any other committee, be he chairman or an ordinary member of the committee, will have his vote influenced by the idea that if the provision is put in some additional power will still be lodged in him. I do not think it ought to be lodged in any of those committees in the matter of appropriations. If the Committee on Appropriations is too small when that is done, we can make it larger. My own idea is it will not have to be enlarged because we have taken away from the Appropriations Committee the power to legislate on appropriation bills, and that means that their labors are going to be lessened a great deal.

If a Senator is a member of the Committee on Appropriations for one purpose, as the Senator from Montana [Mr. MYERS] has so well said, it seems to me he ought to be there for all purposes. The justice of that ought to appeal to every Senator. If the chairman of the Committee on Foreign Relations goes on the Appropriation Committee for one purpose he ought to be there permanently. If they put the chairman of the Committee on Agriculture and Forestry on the Committee on Appropriations when appropriating for the Agricultural Department, why for the same reason should we not put the chairman of the Judiciary Committee on the Committee on Appropriations when we are appropriating for the Department of Justice? Why not put the chairman and two other members of the Committee on Indian Affairs on the Committee on Appropriations when they are passing on the Indian appropriation bill?

If we do put all those members on and treat them all the same, what will we have? I have made a computation roughly, and I find that if we do that and keep them on we would have an Appropriations Committee consisting of 49 members, and that is a quorum of the Senate. Everybody know that is too large a committee. I think all of our committees are too big now for real practical legislation. Why put any of them on? Why not let the Appropriations Committee go on as it is? If this is a vote-getting proposition to get Senators' votes, why then stop at the committees? Why not take other organizations? Why not say that the Democratic caucus organization shall have so many members on the Committee on Appropriations, and the Republican organization shall have its chairman and so many other members on? Some one suggests why not the farm bloc? Why not, when they are appropriating for anything in which the farmers are interested, provide that the chairman and two other members of the farm bloc should be on the Appropriations Committee?

That reminds me that the farm bloc, I understand, has just recently met and elected a new chairman. They have a new leader, the old leader having been elevated out of the Senate. They now have a new leader—the Senator from Kansas [Mr. CAPPER]—and that, by the way, was the first notice that I had had that the Senator from Kansas was a candidate for appointive office under the presidential prerogative.

Coming back again, why not leave the Appropriations Committee just as it is and turn all the appropriation bills over to it? It is said that they are not posted on some of the bills that have been before other committees as well as some of the other committees are. I presume for a time that would be true. It is natural to suppose that the Committee on Appropriations, for instance, would not be as familiar with the Army appropriation bill as would the Committee on Military Affairs, but that is only temporary and will soon be cured. As a matter of fact, in practice they really are now. The chairman of the Committee on Appropriations, sitting here before me, has for years and years served as a member of the Committee on Military Affairs. For a great many years longer than I have served he was a member of the Committee on Agriculture and Forestry, and yet I am chairman of that committee now and he is not even a member of it. He probably knows more about the appropriations of the Committee on Agriculture and Forestry than I do. I want to ask him now if he is still a member of the Committee on Military Affairs?

Mr. WARREN. I am.

Mr. NORRIS. The chairman of the Committee on Appropriations, now a member of the Committee on Military Affairs, has been a member of that committee longer than the present chairman of the Committee on Military Affairs has been a Member of the Senate, so that is mostly a fiction when we come to those propositions.

Go on down the list of the Committee on Appropriations and see what the situation is. It will be found almost invariably that some member, perhaps two or three members, are members now or have been members of all of the other committees which handle appropriation bills in the Senate. Even if that were not true, it will only be a session or two until that condition would be remedied. The chairman of the Committee on Military Affairs or the Committee on Agriculture and Forestry, or the Committee on Naval Affairs, or the Committee on Commerce, has no business to be on the Committee on Appropriations. They ought to be excluded by the rules of the Senate from membership on any of the other large major standing committees. If they do their duty to the committees of which they are chairmen, they will not have any time to serve on any other committees.

I would like to ask the chairman of the Committee on Appropriations now, how many meetings of the Committee on Military Affairs he has attended during this session?

Mr. WARREN. I have to admit that I have been often absent. I have to be absent, of course.

Mr. NORRIS. I understand that, and I was going to say that. It is not disrespect to the chairman of the Committee on Appropriations to say that he has been absent from meetings of the Committee on Military Affairs. It is a physical impossibility for him to attend the meetings of the Committee on Military Affairs and still do his duty as chairman of the Committee on Appropriations. It can not be done, so I am not speaking of it in censure. The same criticism would apply to me if the rule were adopted. It applies to every chairman of a major committee. They can not do duty in two places at once. They can not perform their full duty as members of the Committee on Appropriations, because their time is taken up with

the details of all the other bills that are pending before their own committees.

Mr. SMITH. Mr. President, if the chairman of the Committee on Agriculture and Forestry will allow me, his argument seems to suppose that under this amendment he would necessarily be required to attend all the meetings of the Committee on Appropriations——

Mr. NORRIS. Oh, no.

Mr. SMITH. When, as a matter of fact, he would only be required to attend when the matter with which he is familiar in the ordinary discharge of his committee work would be before the Committee on Appropriations.

Mr. NORRIS. Yes; if the Committee on Agriculture and Forestry, while he is attending the Appropriations Committee, must cease its labor, then the Senator's argument is good, but that will not happen, at least not without a great deal of criticism. For instance, the Committee on Military Affairs——

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. NORRIS. Just let me finish this illustration and then I will gladly yield to the Senator. I would rather take some other committee than the Committee on Agriculture and Forestry, so I will take the Military Affairs Committee for illustration. The Senator from New York [Mr. WADSWORTH] is the very efficient chairman of that committee. Suppose that the Army appropriation bill were before the Committee on Appropriations and this rule had been adopted, he would be in attendance upon the meetings of the Committee on Appropriations and in attendance all the way through the consideration of the Army appropriation bill. It might last two weeks, it might last longer, perhaps not so long, but all the while he was there he necessarily, while devoting his attention to that, could not take care of the business before the Committee on Military Affairs. He would have to turn that over to somebody else. Other members of the committee would not be equipped to pick it up just where he left off, and when he got back again he would not be fully equipped to pick it up just where somebody else left it. It seems to me, under the most efficient plan of legislation, that we ought to allow these men to remain where their duties call them and let them become experts in their own particular line.

I yield now to the Senator from Wisconsin.

Mr. LENROOT. I would like to ask the Senator if it is not a fact that under the present system the Committee on Agriculture and Forestry must occupy all the time necessary for framing the appropriation bill, and while the chairman and other members of that committee are occupying their time with the appropriation bill now there will be no greater time occupied by the Committee on Appropriations in the consideration of the same bill.

Mr. NORRIS. That is true.

Mr. LENROOT. So that the Committee on Agriculture and Forestry will have the same amount of time for the consideration of other business that they now have.

Mr. NORRIS. I thought I answered that in reply to the suggestion of the Senator from South Carolina. The chairman and two other members of the committee would be there, and if we said to the balance of the Committee on Agriculture and Forestry, "While they are over yonder considering the appropriation bill, you must remain silent and do nothing," then the argument of the Senator from Wisconsin and of the Senator from South Carolina would be good.

Mr. OVERMAN. Mr. President, when does the Senator's committee meet?

Mr. NORRIS. It meets every day.

Mr. OVERMAN. Every day?

Mr. NORRIS. Practically so.

Mr. OVERMAN. The Committee on Agriculture and Forestry?

Mr. NORRIS. Almost every day.

Mr. SMITH. That, if the Senator will allow me, is only when there are certain matters before the committee on which we are having hearings, but to consider the ordinary routine business that comes before our committee in the ordinary course of events we would not meet more than once or twice a week, if so often as that.

Mr. NORRIS. I probably ought to modify the answer I made to the Senator from North Carolina. We do not meet every day ordinarily. For instance, we have met every day this week except Monday, and I presume we will meet every day next week.

Mr. OVERMAN. I presume that is true sometimes when investigations are being held.

Mr. NORRIS. We are having hearings all the time.

Mr. OVERMAN. But the committee does have a regular day for meeting, I presume.

Mr. NORRIS. If that is what the Senator wants to know, it is on Tuesday.

Mr. OVERMAN. The Committee on Appropriations would have to regulate its meetings to suit the Committee on Agriculture and meet on some day when the Committee on Agriculture did not meet. That is the point I wanted to make.

Mr. NORRIS. But the members would not be able to perform their duties on the Committee on Appropriations in one day. Suppose the Committee on Appropriations met on Wednesday, they would not get through on Wednesday. None of the appropriation bills are going to be finished in one day.

What I am calling to the attention of the Senate, and especially to the attention of the Senator from Wisconsin, is that while these three members from the Agricultural Committee are working with the Appropriations Committee the other members of the Agricultural Committee are practically shut off from doing anything, and when that condition existed for a week or two it might present a serious proposition.

Mr. LENROOT. Will not the Senator from Nebraska admit that his committee would then have just as much time for legislative business as it now has——

Mr. NORRIS. No; I will not admit that.

Mr. LENROOT. Because the committee now would require at least an equal amount of time in the consideration of the Agricultural appropriation bill, and they could not be considering legislative business while they were considering the appropriation bill, with all of the hearings which would be necessary. So if the chairman of the Committee on Agriculture and two other members shall attend the sessions of the Committee on Appropriations for the purpose of considering the Agricultural appropriation bill the Agricultural Committee will have just as much time for the consideration of legislative matters as it now has.

Mr. NORRIS. I will admit that it would if the committee went on and did business without its chairman and the other two members, but what is the committee going to do while the chairman and the other two members are sitting with the Appropriations Committee?

Mr. LENROOT. What do they now do when the Agriculture Committee is considering the appropriation bill?

Mr. NORRIS. Then the members of the Committee on Agriculture and Forestry are all present in the committee, and if they are not considering the Agricultural appropriation bill they may be considering some other bill; there is no doubt about that.

Mr. LENROOT. In reference to the point which the Senator makes, that the chairman and two members of the Committee on Agriculture sitting with the Committee on Appropriations will not enlarge the time of the Agriculture Committee for the consideration of legislative business, does he not admit that the Committee on Agriculture will have just as much time as they now have?

Mr. NORRIS. No; I do not admit anything of the kind——

Mr. LENROOT. The Senator has to admit it.

Mr. NORRIS. Because while the chairman and the two other members of the Committee on Agriculture and Forestry are sitting with the Appropriations Committee, the Agriculture Committee are tied up or they must proceed to do business without the chairman and the other two members.

Mr. LENROOT. But are they not tied up now, so far as consideration of legislative business is concerned, when the committee is considering the Agricultural appropriation bill?

Mr. NORRIS. But under the proposed rule the committee would not consider appropriation bills; their time would not be taken up entirely with legislative matters, and they would not have time then to consider everything that comes before them.

Mr. LENROOT. They would have just as much time should this rule be adopted as they now have, would they not?

Mr. NORRIS. No.

Mr. LENROOT. Does not the Senator see that when his committee is considering an appropriation bill the time is occupied with that matter, and if they are relieved from the consideration of the appropriation bill it does not deprive them of any time for other matters?

Mr. NORRIS. Now, let us see what would happen. Suppose this proposed rule be adopted and that to-morrow the Agricultural appropriation bill comes to us from the other House and is referred to the Committee on Appropriations. Three members, including the chairman of the Committee on Agriculture and Forestry, at once go over to the Appropriations Committee. Suppose they take a week in the consideration of the Agricultural appropriation bill, what will the Agriculture Committee be doing during that week?

Mr. LENROOT. What would they be doing under the present practice?

Mr. NORRIS. They would be considering legislation of some kind.

Mr. LENROOT. No; under those circumstances they would be considering the appropriation bill.

Mr. NORRIS. All right. Suppose they were now considering an appropriation bill; when they do not have an appropriation bill to consider they consider other legislation which may be before them. They are working all the time.

Mr. LENROOT. Certainly; so that anything the committee may do in the way of hearings in the absence of the chairman and the two other members of the committee is just that much additional time given to the Agricultural Committee if this rule be adopted.

Mr. NORRIS. No; it is not.

Mr. LENROOT. Of course it is.

Mr. NORRIS. The facts are, Mr. President, that the practical working of this proposed rule will be that the various committees will not do anything while the chairmen and two other members of the committees are sitting with the Appropriations Committee. That will bring a great deal of criticism not only from the members of the committee but from others who are interested in pending legislation. They will say, "Why are you not going ahead with this bill or with that bill or some other bill which is of vast importance? Why do you not go on with that legislation?" Our reply must be, "Three of our members have been called away over into the Committee on Appropriations."

Then, Mr. President, that is not all. Bear in mind that under the present existing circumstances all the committees when they are considering the so-called appropriation bills are, as a matter of fact, very often devoting all their time to the consideration of legislation which is carried on those bills. Those matters will still be left with the various committees, and the Appropriations Committee will have no jurisdiction of anything of that kind, but will have jurisdiction only of the formal matter of making appropriations.

LEGISLATIVE APPROPRIATIONS—CONFERENCE REPORT.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives receding from its disagreement to the amendments of the Senate Nos. 5 and 6 to the bill (H. R. 10267) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1923, and for other purposes, and receding from its disagreement to the amendment of the Senate No. 28, with an amendment after the word "Capitol" to insert a comma and the words "to cost not exceeding $250."

Mr. WARREN. I move that the Senate concur in the amendment of the House to the amendment of the Senate. That is the only amendment now in disagreement.

Mr. HARRISON. Mr. President, before that is done, I suggest the absence of a quorum.

Mr. NORRIS. I hope the Senators will allow me to finish and that both requests will be withdrawn.

Mr. WARREN. There has been a suggestion made by the Senator from Mississippi following my motion, so that I am unable to comply with the request of the Senator from Nebraska.

The PRESIDENT pro tempore. The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Heflin	Moses	Sheppard
Ball	Johnson	Myers	Smith
Borah	Jones, N. Mex.	Nelson	Spencer
Brandegee	Jones, Wash.	New	Stanfield
Bursum	Kellogg	Newberry	Sterling
Capper	Kendrick	Norris	Sutherland
Caraway	Keyes	Oddie	Swanson
Culberson	King	Overman	Townsend
Cummins	Ladd	Page	Wadsworth
Ernst	Lenroot	Pepper	Walsh, Mass.
Gerry	Lodge	Phipps	Warren
Hale	McCormick	Poindexter	Watson, Ga.
Harris	McKellar	Rawson	Weller
Harrison	McKinley	Robinson	Willis

The PRESIDENT pro tempore. Fifty-six Senators have answered to their names. There is a quorum present.

Mr. POINDEXTER. Mr. President——

Mr. WARREN. There is a motion pending.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wyoming that the Senate concur in the amendment of the House of Representatives to the Senate amendment numbered 28 to House bill 10267, the legislative appropriation bill.

Mr. HARRISON. Mr. President, will the Senator explain the item?

Mr. WARREN. It is a simple matter. The amendment of the Senate provides that the Architect of the Capitol may, on requisition, have printing and binding done at the Government Printing Office. The amendment of the House to the Senate amendment in which I have moved to concur is to fix a limit of $250 on such printing and binding. That is all.

Mr. KING. Mr. President, may I ask if that concludes matters in disagreement between the two Houses?

Mr. WARREN. It does as to this particular bill.

Mr. KING. Was that the only item in disagreement between the House and the Senate?

Mr. WARREN. No; there were two other amendments in disagreement, from which disagreement the House has receded, and on the third amendment they have receded with the amendment in which I have moved to concur.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wyoming.

The motion was agreed to.

The PRESIDENT pro tempore. The bill is passed.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, to amend the Standing Rules of the Senate, so that all general appropriation bills shall be referred to the Committee on Appropriations.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. HARRISON. Mr. President, there are several divisions of the amendment, as I understand. Was the request made that they all be incorporated in one amendment?

The PRESIDENT pro tempore. That request was made.

Mr. LODGE. The question can be put on each subdivision of the amendment if the Senator desires a slower movement.

Mr. HARRISON. I did not know the Senate had taken action. I suggest that I have an amendment which I think goes to the very root of this proposition, and, if it shall be adopted, there will be no necessity for the amendment suggested by the Senator from Massachusetts.

Mr. LODGE. Is the Senator's amendment a substitute?

Mr. HARRISON. No; I have offered it in the form of an amendment and not as a substitute touching the appointment of conferees. The amendment of the Senator from Massachusetts provides for the appointment as a conferee of one member of the Committee on Agriculture, for instance——

Mr. LODGE. At least one.

Mr. HARRISON. When the conferees are considering agricultural appropriations. The amendment which I have offered provides for at least two. The difference between the suggestion carried in the proposed rule as reported out by the Rules Committee and the amendment which I have offered is briefly this—and it is such a division of the proposition that it seems to me it ought to be voted on first——

Mr. McCORMICK. Is the text of the amendment at the desk?

Mr. HARRISON. Yes.

Mr. OVERMAN. Does the Senator's amendment apply only to the question of conferees?

Mr. HARRISON. No; but I was going to explain the other difference. There are just two differences between my amendment and that proposed by the Committee on Rules. One is about the conferees. The original resolution that was suggested by the Committee on Rules as presented by the Senator from Kansas provides for no conferees coming out of these respective committees, three of the members of which act as ex officio members. All of the conferees may come out of the Appropriations Committee. That change is sought by the amendment of the Senator from Massachusetts. I propose in my amendment that all bills shall go to the Appropriations Committee of the Senate; that if it is a matter affecting agriculture, a subcommittee of the Committee on Appropriations, consisting of three members of that committee, shall sit with the whole Committee on Agriculture and Forestry, and then the bill shall be reported back, and that when it goes into conference at least two members of the Committee on Agriculture and Forestry shall go on the conference committee.

Those are the only differences between the propositions. The proposed resolution as reported out of the committee gives to the Appropriations Committee full power, acting with three members from the Committee on Agriculture and Forestry, if it is a matter of agriculture, and providing for no member of the Agricultural Committee to go on the conference committee.

Mr. President, I ask unanimous consent that the amendment that I have suggested be voted on first. If that is voted down, then we can take up these other amendments.

Mr. WARREN. Mr. President, the amendment of the Senator is entirely impracticable, and in fact impossible, as I shall explain.

Mr. HARRISON. I am asking now for unanimous consent to have my amendment voted on first, and then we can discuss it.

Mr. LODGE. Mr. President, my amendment is the pending amendment, and I should like a vote on it.

The PRESIDENT pro tempore. The Senator from Massachusetts objects.

Mr. HARRISON. Then, I object to dividing the proposition and ask for a separate vote on each one of the propositions.

Mr. LODGE. There is no harm in that. It only takes a little more time.

Mr. HARRISON. We have plenty of time.

Mr. LODGE. Yes; the Senator has.

The PRESIDENT pro tempore. The Senate will bear in mind that it has agreed to consider the amendments proposed by the Senator from Massachusetts as a single amendment.

Mr. HARRISON. Mr. President, I was watching for that, because it was a proper question that I was going to raise; and while I do not want to take issue with the Presiding Officer, I submit that while the Presiding Officer was putting the question some one was on the floor speaking.

The PRESIDENT pro tempore. The present occupant of the chair asked if there was any objection to considering the amendments proposed by the Senator from Massachusetts as a single amendment. There was no objection to that request, and that is the order of the Senate.

Mr. LODGE. It was agreed.

Mr. HARRISON. Very well.

The PRESIDENT pro tempore. The question is upon agreeing to the amendments offered by the Senator from Massachusetts to the amendment of the Committee on Rules.

Mr. POINDEXTER. Mr. President, the effect of this amendment, of course, will be practically to put the entire matter of the appropriations, in each branch of the appropriations, in the control of the Committee on Appropriations.

Mr. LODGE. Mr. President——

Mr. POINDEXTER. I yield to the Senator.

Mr. LODGE. If the Senator will allow me, then either the Senator has grossly misunderstood the effect of this or I have. The effect of this was to make it absolutely certain that the legislative committee would be represented on every conference.

Mr. POINDEXTER. By one member.

Mr. LODGE. By at least one member.

Mr. POINDEXTER. I understand that the rule as reported by the Appropriations Committee would provide for the representation of the committees now having charge of these several appropriations by three members.

Mr. LODGE. That is, on the committee when the bill is being made up. My amendment applies solely to the conference and was intended to secure beyond any doubt the representation of the legislative committee on the conference committee. That is all that my amendment does.

Mr. POINDEXTER. Then I withdraw the statement. I thought it related to the representation on the committee.

Mr. LODGE. No; only to the conference.

Mr. POINDEXTER. My purpose in addressing the Chair was to verify a statement which I made yesterday in regard to the practices of the Appropriations Committee under the existing system. I called attention then to substantiate a proposition that I made, to an instance where the Naval Academy had been put almost in a state of demoralization by what Congress afterwards determined to be ill-advised legislation, without notice and evidently without consideration by the Committee on Appropriations, not only appropriating money for naval affairs but legislating, changing existing law by providing that midshipmen at the Naval Academy could not be dismissed when they had failed in their examinations. Several Senators, especially the distinguished chairman of the Appropriations Committee, very positively asserted that I was mistaken about that and that that had not been done by the general Appropriations Committee, but that that law had been reported by the Naval Affairs Committee.

Mr. WARREN. Mr. President, let me say to the Senator that if he will give me the title of the bill I shall be able to straighten out what I think is in his mind.

Mr. POINDEXTER. The Senator need not bother himself about straightening it out. I am going to straighten it out right now. I call the Senator's attention to part 1 of volume 41 of the Statutes at Large, on page 1028, being a section of an act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, approved June 5, 1920, which contains this provision——

Mr. WARREN. Mr. President——

Mr. POINDEXTER. Just one second, and then I will yield:

That until otherwise provided by law no midshipman found deficient at the close of the last and succeeding academic terms shall be involuntarily discontinued at the Naval Academy or in the service unless he shall fail upon reexamination in the subjects in which found deficient at an examination to be held at the beginning of the next and succeeding academic terms—

Nobody could find out what that meant—

and the Secretary of the Navy shall provide for the special instruction of such midshipmen in the subjects in which found deficient during the period between academic terms.

My recollection was that that was in a bill reported from the general Appropriations Committee. I find my recollection verified by finding it printed in the Statutes at Large in a bill that was reported by that committee.

Mr. WARREN. I understand perfectly.

Mr. POINDEXTER. Of course, it might have been printed there by mistake.

Mr. WARREN. No, Mr. President; the Senator is right in what he is presenting now, and I was right in what I said.

In the first place, the Appropriations Committee never has made an appropriation of that kind in its regular annual appropriation bill; but when it comes to deficiencies that occur when there are no regular bills, it is the naval people who ask, through the Navy Department, that the general Appropriations Committee may take it up and provide in a deficiency item for some immediate want. It does not need any further rule or any rule to change that, because it stands there, and is the only thing that does stand undisturbed—that the deficiency bills shall be handled by the full Committee on Appropriations, the general Committee on Appropriations—and it has been that committee's duty heretofore to respond to these calls from the Secretary of the Treasury to make up deficiencies. That went in as a war measure as to Annapolis, just as it did as to West Point. The only misunderstanding between the Senator and me is that I alluded, of course, to the annual bills, the regular bills of the regular committee.

Mr. POINDEXTER. No; the Senator is mistaken. He did not make that allusion, if I may be permitted to say so.

Mr. WARREN. Whatever allusion I made, the Senator just read the title of the bill, and it is a bill appropriating money to supply deficiencies.

Mr. POINDEXTER. Yes.

Mr. WARREN. Who has charge of the deficiency bills?

Mr. POINDEXTER. The Committee on Appropriations.

Mr. WARREN. What other committee has anything to do with that except to ask, through that committee, for what it wants?

Mr. POINDEXTER. No other committee has anything to do with them.

Mr. WARREN. No.

Mr. POINDEXTER. But the Senator says now that he did not assert that the measure to which I refer was acted upon by the general Appropriations Committee. I hold in my hand the CONGRESSIONAL RECORD, in which the Senator from Wyoming [Mr. WARREN] is reported as saying:

No; the Senator is mistaken about that. The same thing was done at West Point which the Navy attempted to do at Annapolis, in order to get more men into the field; but as to the academy at Annapolis, it was a Navy move entirely. I think very likely it was in a naval appropriation bill. It must have been in the regular naval appropriation bill.

The Senator is entirely mistaken about that. It was not in the naval appropriation bill.

Mr. WARREN. I want to make any restitution that will make the Senator feel satisfied, and I am ready to do so.

Mr. POINDEXTER. That is very gratifying.

Mr. WARREN. What I stated there was what ought to be, and what would have been, and what is, as a matter of fact, what the Navy asked for, and what the Appropriations Committee did at its request.

Mr. OVERMAN. Mr. President, I should like to ask the Senator from Washington if that is not a good argument for this amendment? If it had been in effect, the Senator probably would have been on the conference committee that handled the deficiency bill and could have corrected any mistake.

Mr. WARREN. Certainly.

Mr. OVERMAN. Whereas the committee was composed of Senators who knew nothing about naval matters, and this item was sent down to our committee by the department, and we were bound to accept it from the department; but if the Senator's committee had been represented on the Appropriations Committee we could have corrected any mistake.

Mr. POINDEXTER. It might have been. I was citing it rather as an instance of abuses arising under the existing system.

Mr. OVERMAN. I understand; but does not the Senator think that is a good argument for this new rule?

Mr. POINDEXTER. It might be used as a good argument for this new rule, or it might be used as an argument for depriving the general Appropriations Committee of jurisdiction over any naval appropriations, and consolidating all those appropriations in the Naval Affairs Committee. The same rule would apply to the Committee on Military Affairs or the Committee on Agriculture and Forestry. In order to avoid the diversity of committees acting upon military appropriations or naval appropriations or agricultural appropriations, it is not necessary to send them to the general Appropriations Committee. It can be accomplished by consolidating them in these several committees under the different heads. So far as the machinery is concerned, and so far as meeting the condition existing in the House of Representatives is concerned, that would be practically the same as dividing up the general Appropriations Committee into subcommittees and having those subcommittees take charge of the several appropriation bills affecting the different branches of the Government. I do not see where any change in principle would be accomplished by that from having other committees specializing in those branches and having charge of all the appropriations on those subjects.

Mr. LENROOT. Mr. President, with reference to the pending amendment, proposed by the Senator from Massachusetts, I am afraid its only effect might be in part to defeat the purpose that is intended to be accomplished by it. I can not conceive of any chairman of the Committee on Appropriations who would not appoint at least one of the ex officio members on a conference on a bill over which those ex officio members had jurisdiction. Not only would the chairman naturally appoint one, but he would naturally appoint two. He would appoint the majority chairman and the ranking minority member of the legislative committee; but I am afraid that if, by this language, we say that at least one shall be appointed, some Committee on Appropriations will make it the rule to appoint one instead of two, when, as I said a moment ago, if the rule is entirely silent upon the subject no chairman of the Appropriations Committee would ever think of appointing a conference committee without having at least one of the ex officio members upon it.

Mr. LODGE. I am afraid I do not quite see the force of the argument that we are less likely to get representation when the rule provides we shall have it than if it does not so provide.

Mr. LENROOT. We shall have representation, but we are more likely to have only one member on the conference committee, when, if the rule is silent, I think the custom will be to have two.

Mr. LODGE. I am perfectly willing to change it to two; but I do not think it is necessary.

Mr. WARREN. That would be impossible under certain circumstances. The amendment of the Senator from Massachusetts is all right, but if it were made two——

Mr. LODGE. I do not want it changed to two. I think it is perfectly needless.

Mr. WARREN. I understand, but there is a suggestion that it be made two under the rule. When it comes to the consideration in the Committee on Military Affairs of the river and harbor appropriation, we shall have three men from that committee and three men from the Committee on Commerce, and then we shall have the general committee itself. We could not very well appoint on the conference committee two men from each of those committees without coming pretty near making the whole committee from those members.

Mr. LODGE. My whole purpose is to make it absolutely sure that ex officio members, that is, the members of the legislative committees, shall be represented on every conference. If we have it provided by law that there shall be one, we will be a great deal safer than if we have no provision in the law with regard to it whatever.

Mr. LENROOT. Mr. President, I want to ask the Senator from Massachusetts whether he thinks the chairman of any Committee on Appropriations would decline to appoint at least one of the conferees from the three men having special knowledge of the subject?

Mr. LODGE. I think if there were no rule that might very well be done.

Mr. LENROOT. I differ with the Senator from Massachusetts. It must be remembered that it is generally the rule that wherever a piece of legislation fixes a minimum, it becomes a maximum, and I think there will likely be less representation for the legislative committees upon the conferences than if the rule were silent upon the subject. That is my only reason for being against it.

Mr. BALL. I would like to ask the Senator from Wisconsin if the chairman could appoint any ex officio member on a conference committee unless it was provided for in a resolution changing our rules?

Mr. LENROOT. Oh, yes; under this language.

Mr. BALL. Unless there is something adopted making such a provision, it could not be done. Left as it is, without any amendment such as that offered by the Senator from Massachusetts, the chairman of the Committee on Appropriations could only appoint conferees from the Appropriations Committee.

Mr. LENROOT. The Senator is mistaken, because these members are members of the Committee on Appropriations——

Mr. BALL. Ex officio members only.

Mr. LENROOT. They are members of the Committee on Appropriations, so far as that particular bill is concerned, to as full an extent as members of the Committee on Appropriations. They are members for all purposes, so far as that bill is concerned.

Mr. President, on the merits of the committee amendment, I want to say, first, with reference to the suggestion of the Senator from Nebraska [Mr. NORRIS] in commenting upon the remarks of the Senator from Minnesota [Mr. NELSON] yesterday as to the purpose of this amendment being one to catch votes, I happen to know that this plan was suggested, not by any member of the Committee on Rules, not by the Senator from Minnesota [Mr. NELSON], but by the chairman of the Committee on Appropriations himself, Mr. WARREN. I have taken an interest in this subject for a long time, ever since the Budget system was proposed a great many years ago, and it so happened that I, in conversation with the chairman of the Committee on Appropriations many weeks ago, made the same suggestion as to this being a plan which would be practical, and the chairman stated that the very day before he had made a speech in the Senate advocating that plan, which I did not happen to know anything about. So there is not the slightest foundation for the assertion that this plan was originated, at least, for the purpose of catching votes of Senators in support of it.

Mr. OVERMAN. It occurs to me that a Democratic convention suggested this idea many years ago.

Mr. LENROOT. That is true. I am very glad to give a Democratic convention credit for some good things in its platform, and that is one of them.

Mr. NORRIS. Will the Senator permit me to say that I feel very much strengthened in my opposition to it now, since I know where it originated?

Mr. OVERMAN. That is to be expected of the Senator from Nebraska. He is always a partisan.

Mr. LENROOT. On the merits of this amendment we have two extremes, the Senator from Mississippi [Mr. HARRISON], who contends that the appropriation bills should go to the committees as they now exist, in repudiation of his own party platform, I may say, and the Senator from Nebraska [Mr. NORRIS] on the other extreme, who is in favor of centralization but desires that the present membership of the Committee on Appropriations shall have full jurisdiction of all appropriation bills, without the aid or assistance of any members of the committees now having jurisdiction of appropriations.

As to the position taken by the Senator from Mississippi, I can well understand how any Senator who has no regard for economy, who is not interested in Congress doing the business of the Government in a businesslike way, should take the position which the Senator from Mississippi takes, although I confess I would not have expected the Senator from Mississippi, who is so prominent in the councils of the Democratic Party, to advocate an express repudiation of one of his own party pledges, even though he had no regard for economy, even though he had no regard for the business of the Government being conducted in a businesslike way.

Mr. President, something of this kind must be done if the Budget system is to be of any substantial value.

Mr. McCORMICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. LENROOT. I yield.

Mr. McCORMICK. Like the Senator from Wisconsin, I have held the view for a long time—long before this amendment to the rule was introduced—that some such reform must be carried through; but I ask the Senator from Wisconsin, who has studied this problem, in lieu of the provisions under the amendment as reported from the committee that the chairman and two other members of the several committees shall be ex officio members of the Appropriations Committee, does he not believe

that the chairman and four other members ought to be ex officio members?

Mr. LENROOT. I am very frank to say to the Senator that I do not.

Mr. McCORMICK. How many members should sit on a subcommittee?

Mr. LENROOT. I think five is the limit that ever ought to sit on a subcommittee on appropriations.

Mr. McNARY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Oregon?

Mr. LENROOT. I yield.

Mr. McNARY. I am interested in the discussion by the Senator from Wisconsin. I would like to know, though, how greater economies are to be effected by turning all appropriations over to one committee and taking them away from the committees which have specialized for years in the administration of certain departments of the Government. For instance, take the case of the Committee on Agriculture and Forestry. The membership have studied the plans of the Department of Agriculture, are familiar with the various wants of the country, all are experts in the wants of their various communities, knowing the community wants and desires. How can one committee, which is already overburdened and is not familiar with this work, effect greater economies or do more for the agricultural development of this country than that committee, which has constantly had it under its jurisdiction and is familiar with the character of the work?

Mr. LENROOT. I do not think the Senator could have quite understood what I meant by the use of the term "economy." I think the Senator will admit that no business institution could exist for 12 months if it had a board of directors which had to do with the revenues of the corporation and then divided authority over expenditures between half dozen different committees, no committee knowing or caring about what the other committee on expenditures was doing. The corporation would go into bankruptcy, of course.

Mr. McNARY. Mr. President, that is not an analogous case at all. A private corporation, functioning in a certain line, is very different from a great Republic with a manifold diversification of activities. That is a puerile and childish illustration.

Mr. LENROOT. I am going to stop the Senator right there. Let us see whether that is a puerile kind of an illustration.

Mr. McNARY. Very well.

Mr. LENROOT. Some Senators may think that business principles should not enter into the conduct of the affairs of the Government of the United States. I do.

Mr. McNARY. Well——

Mr. LENROOT. Just a moment; I want to answer the Senator. I can not imagine any Senator who would occupy the position that in making expenditures of this Government they should not be made with some relation to the receipts of the Government. Does the Senator from Oregon take that position?

Mr. McNARY. Mr. President, again the proposition is inapplicable and the inquiry a foolish one. I do not admit that the Senator from Wisconsin is the only one who wants to practice economy, or is familiar with the business conditions of the Government. I asked the simple question, which he has not answered, how one committee, unfamiliar with the investigations conducted by other committees, can cope with the committee which has specialized on the particular subject?

Using the same illustration, how can the Appropriations Committee understand agricultural conditions, effect economies, and administer the department as well as the committee which has worked upon agricultural appropriation bills and agricultural legislation for years? How would economy be effected in that case?

Mr. LENROOT. In the first place, so far as the Appropriations Committee is concerned, this very amendment, adding these ex officio members, is solely for the purpose of aiding the Committee on Appropriations in that very matter. But again the Senator misses the point. We have to estimate the revenue in a given year from existing revenue laws, and under the present system we have no committee or combination of committees which, in the consideration of appropriation bills, and in the expenditures of the department over which it has jurisdiction, has anything to do or to say with regard to balancing expenditures with receipts.

Mr. McNARY. Mr. President, I concede there is want of an agency in our Government functioning in that field; but by centralizing all the power in one large committee, which is already overworked, we would not accomplish that which the Senator from Wisconsin would like to see accomplished.

Mr. LENROOT. Let us see whether we would or not. If we have a central body or authority, that committee would have to estimate the receipts of the Government, and that committee, if it performed its duty, would then see to it that the aggregate of appropriations was not in excess of the receipts.

Mr. McNARY. What would this committee have to do with the balancing of receipts and expenditures? It would simply expend the money raised from and by and through another source. The Finance Committee recommends the laws under which the money is raised.

Mr. LENROOT. Yes; that is true.

Mr. McNARY. The Committee on Appropriations provides for the expenditure of the money which has been collected through taxation.

Mr. LENROOT. Certainly.

Mr. McNARY. No more and no less, the same as we are doing to-day.

Mr. LENROOT. Exactly; and if the Committee on Appropriations performs its duty, it will see to it that appropriations are not made in excess of the estimated receipts, and now there is no consideration or thought of that whatever.

Let me give the Senator an illustration. I happen to be a member of the Committee on Military Affairs. That committee has taken into consideration the financial situation of the Government.

I do not hesitate to say that while that committee has refrained from making appropriations that seemed to it at times very necessary, it has declined to do it because of the condition of the Treasury, and yet when we come to the floor we find another bill which shows that other committees have not done likewise. That is a reform that will be accomplished through the amendment of the rule.

Mr. McNARY. Does not the Senator believe it was the purpose of the founders of the Government that every State and every community should be represented in Congress?

Mr. LENROOT. Certainly.

Mr. McNARY. Will taking away the representation on a large committee and placing it in the hands of a few be following out the dictates and purposes enunciated in our holy document, the Constitution?

Mr. LENROOT. Is every State represented now on the Committee on Appropriations? Is every State now represented on the Committee on Agriculture and Forestry, making appropriations for the agricultural interests? Is every State represented on the Committee on Military Affairs? Is there any more a denial of representation in the one case than in the other?

Mr. McNARY. Absolutely. The Committee on Agriculture and Forestry is composed of 17 Senators taken from the different geographical sections of the country having a difference in soil, climate, and productivity. It is proposed to take three members from that committee and put them on a committee which might not have a member from the far West, where conditions are entirely different from those in the State of Wisconsin, in the South, or in the Central West.

Mr. LENROOT. Again the Senator must understand, being a member of the Committee on Agriculture and Forestry, that that committee can introduce legislation that gives the Committee on Appropriations no discretion except to make an appropriation.

Mr. McNARY. Does not the Senator from Wisconsin know that that is a large function of the Committee on Agriculture and Forestry, upon which the agricultural interests are more or less dependent?

Mr. LENROOT. Again the Senator misses my point. His Committee on Agriculture and Forestry, if Congress will approve the action that it takes, may introduce legislation that will compel the Committee on Appropriations to make any appropriation that the Committee on Agriculture and Forestry may deem necessary and that Congress will approve.

Mr. McNARY. The Senator from Wisconsin is stating a situation that never could arise. A bill has to be formed and made up by the committee. It will then be brought back here, and it is a favorite system in the Senate to vote with the committee. Ninety per cent of the time the membership responds to the report of the committee, and if the Committee on Appropriations should bring in a bill that was not thought to be fair to the agricultural interests of the country, the rest of the Committee on Agriculture and Forestry not on the Appropriations Committee would be powerless to get the relief which they would have effected if it had been left to them and the other representatives upon the committee.

Mr. LENROOT. In response to the Senator from Oregon upon that point, let us see how agriculture would stand even under the Committee on Appropriations without the addition of the ex officio members. Does the chairman of the Committee on Appropriations, the Senator from Wyoming [Mr. WARREN]

come from an agricultural State? Does he represent an agricultural State?

Mr. McNARY. Oh, Mr. President, I do not propose to stand here and analyze the habits, behavior, and mental status of the various members of that committee. I can say in that case, though, that his part of the country, if the Senator would understand it, he being more familiar with his own part of the country, does not raise the same products that are raised in the State of Oregon west of the mountains, and he is just as unfamiliar with those conditions as I am with the conditions in his State.

Mr. LENROOT. Very well. The Senator from Wyoming [Mr. WARREN] is one. He does represent an agricultural interest, does he not, which is practically wholly agricultural? The Senator from Utah [Mr. SMOOT] is the next member. Does he represent an agricultural State or not? The next is the Senator from Washington [Mr. JONES]. Does he represent an agricultural State, and does he represent the agricultural interests of Oregon or not? The next is the Senator from Kansas [Mr. CURTIS]. Is Kansas an agricultural State or not? Mr. Kenyon has gone. The next is the Senator from Maine [Mr. HALE]. Is the Senator from Maine not interested in agriculture as a member of this committee? The next is the Senator from Missouri [Mr. SPENCER]. Is Missouri not an agricultural State? The next is the Senator from Colorado [Mr. PHIPPS].

Mr. McNARY. I think as to the Senator from Missouri, he represented at one time on the floor sunflower seed, which we do not raise in Oregon.

Mr. LENROOT. Does the Senator mean to say that raising sunflower seed is the extent of the agricultural interests of the State of Missouri?

Mr. McNARY. As I said to the Senator, I do not propose to criticize these eminent farmers whom he has mentioned, but I I do say that those who have been on the Committee on Agriculture and Forestry for years and have made a study of the agricultural and horticultural interests of the country and all those things associated with the production of agricultural products are in better shape to understand an agricultural bill than men not familiar with it at all and who now have more on their shoulders than they can carry.

As the Senator knows, during the three or four years I have been here I have spent many weeks in hearings. One becomes familiar with the questions that surround agriculture in every section of the country. He knows the needs of the farming communities. He is in touch with them. His sympathies are with them. He is in far better shape to administer that great industry than the few men who have to do with the Army appropriation bill, the naval appropriation bill, the river and harbor bill, and similar bills.

Mr. OVERMAN. Mr. President, will the Senator from Wisconsin yield?

Mr. LENROOT. Certainly.

Mr. OVERMAN. I fail to catch the point of the Senator from Oregon, representing the farmers' interests on the Committee on Agriculture and Forestry. When he wants certain things done for his section and other sections, what does he do? He introduces legislation for it and it is considered in that committee. That committee authorizes an appropriation, and then what happens? What has the Committee on Appropriations to do if that committee authorizes it and it passes the Senate? We have to provide the appropriation and that is all we can do. I do not see the point the Senator from Oregon makes.

Mr. LENROOT. Going now to the Democratic members of the Committee on Appropriations, I find the Senator from North Carolina [Mr. OVERMAN], who was just on his feet. Will the Senator from Oregon contend that the Senator from North Carolina would discriminate against agriculture? The next members on the Committee on Appropriations are the Senator from Oklahoma [Mr. OWEN], the Senator from Texas [Mr. CULBERSON], the Senator from Georgia [Mr. HARRIS], the Senator from Virginia [Mr. GLASS], and the Senator from New Mexico [Mr. JONES].

I have gone into this analysis because of the remark made by the Senator from Oregon that great agricultural States or geographical divisions would not be represented, when, as a matter of fact, practically every member of the Committee on Appropriations represents an agricultural State.

Mr. McNARY. Oh, the Senator from Wisconsin is willfully misrepresenting the point which I made. I did not and do not now care to discuss the personnel. They are all in sympathy with the agricultural interests of the country, but I say they are not students of the problem and have not been.

Mr. LENROOT. I beg the Senator's pardon. If he will appeal to the RECORD, he will see that he made the objection that under the proposed change great geographical divisions of the country would not be represented upon the committee.

Mr. McNARY. I repeat, though it would have little to do with the point I am trying to make, that great sections of the country would not perhaps be represented, but the point I tried to make, and I thought the Senator would understand it, is that it is proposed to put the matter in the hands of a committee unfamiliar with the long history of agriculture and horticulture, and to take it away from those who have studied these subjects for years.

Mr. LENROOT. The power of appropriation, but not the power to legislate, which remains with the committee.

Mr. McNARY. A child appreciates that, of course.

Mr. LENROOT. I am very glad the Senator from Oregon does. When the country is demanding a business administration and the conduct of government in a businesslike way I would regret very greatly to have the Republican side of this Chamber defeat the only proposition there is pending that looks toward making it possible to conduct the Government in somethink like a businesslike fashion.

With reference to the amendment giving ex-officio representation to the committees now having jurisdiction of appropriations other than the Committee on Appropriations, I do appreciate what the Senator from Oregon has said—that members of the Committee on Agriculture and Forestry do have special knowledge concerning the needs of the department over which that committee has legislative jurisdiction. I do appreciate that, and it is for that reason that the provision with regard to ex-officio members is included in the proposed rule.

Mr. ASHURST. Mr. President, will the Senator yield to me at that point?

Mr. LENROOT. I yield.

Mr. ASHURST. The Committee on Irrigation and Reclamation will not be represented on the Committee on Appropriations under this proposed rule, and I know that the power of pungent analysis which the Senator from Wisconsin possesses will at once come to his rescue when he reflects on the situation. Take the question of reclamation, especially the reclamation of the arid and irrigable lands of the West; if a Senator makes himself familiar with that subject, he has done a great work, and he will have no time for any other work. I fail to perceive why the new rule should exclude from the Committee on Appropriations the observation and the experience of members of the Committee on Irrigation and Reclamation. For example, the able Secretary of the Interior sent his report to both the Senate and the House no later than yesterday urging an enormous expansion and development in the matter of irrigation and reclamation.

Adverting to the Committee on Irrigation and Reclamation, I assert that practically every member thereof is an expert on the subject; to my knowledge each has given close attention for years to this important subject. Under the operation of the proposed rule the question of appropriating millions of dollars, aye, hundreds of millions of dollars, would be passed upon by the Committee on Appropriations, and no member of the Committee on Irrigation and Reclamation would have opportunity to give to the Committee on Appropriations the benefit of his observation and experience unless he happened to be a member of both committees.

Mr. LENROOT. I would like to ask the Senator a question right at that point. Does not the Senator realize that that is the rule now under the present situation?

Mr. ASHURST. No.

Mr. LENROOT. The Committee on Appropriations now has jurisdiction in the sundry civil bill over appropriations for that subject.

Mr. ASHURST. That is true, but the initiation of the legislation and the investigation as to the feasibility, suitability, and necessity of particular reclamation legislation is canvassed and investigated by the Committee on Irrigation and Reclamation and not by the Committee on Appropriations.

Mr. LENROOT. It will be the same if the rule is adopted.

Mr. ASHURST. Then why should not the Committee on Appropriations have the benefit of the judgment of the members of the Committee on Irrigation and Reclamation?

Mr. LENROOT. Have they now?

Mr. ASHURST. They will not have under the proposed rule.

Mr. LENROOT. Have they under existing rules?

Mr. ASHURST. The Committee on Irrigation and Reclamation has plenary power to report a bill carrying an appropriation for any sum that committee may see fit.

Mr. LENROOT. The proposed rule does not deprive the committee of that power.

Mr. ASHURST. Then why should we pass the new rule? If it be useless, why take up the time of the Senate in discussing it?

Mr. LENROOT. This applies to general appropriation bills, as the Senator must be aware. It has nothing to do with the question the Senator raises at all.

Mr. ASHURST. I thought we were engaged in some serious business.

Mr. LENROOT. We are. The Senator knows that there are certain general appropriation bills now that do not go to the Committee on Appropriations, and this rule applies to such bills. There is no general appropriation bill which goes to the Senator's Committee on Irrigation and Reclamation. It is not covered by this at all. This takes over the jurisdiction of the committees now having annual appropriation bills, and places that jurisdiction in the Committee on Appropriations under the conditions named in the rule.

Mr. ASHURST. Does the Senator contend that the proposed rule does not change the situation?

Mr. LENROOT. Not with reference to what the Senator speaks of at all.

Mr. ASHURST. I understand, therefore, that it does not change the situation with respect to irrigation. Then, hereafter the Committee on Irrigation and Reclamation will be the appropriate committee to hear and determine whether or not the sum of $350,000,000 should be appropriated for irrigation. Will that be the appropriate committee?

Mr. LENROOT. If it is now, it will be in the future. This does not change the rule in that respect at all.

Mr. ASHURST. I want it understood, if the question arises in the future, that not the Committee on Appropriations, but the Committee on Irrigation and Reclamation, has and shall have the power to hear and determine and to pass upon and report favorably the bill recently introduced by the Senator from Oregon [Mr. MCNARY] appropriating $350,000,000 to drain the swamp lands of the South, irrigate the desert lands of the West, and to reclaim the stump lands of the Northwest. I want it distinctly understood that under this new rule it will be the Committee on Irrigation and Reclamation and not the Committee on Appropriations. Am I correct about that?

Mr. LENROOT. I wish the Senator to clearly understand my position. If the Committee on Irrigation and Reclamation has that power now, they will still have the same power if this proposed rule shall be adopted. The proposed rule will not affect that question one way or the other.

Mr. ASHURST. Very well. The Committee on Irrigation and Reclamation will consider, as it has considered in the past, bills dealing with irrigation and reclamation questions.

Take the Committee on Indian Affairs. I hope Senators will not think that because I happened in an humble way to try to do my duty for six years as chairman of that committee I am therefore seeking service on the Appropriations Committee. Let me call the attention of the keen-minded Senator from Wisconsin to this situation: If there be one bill which might be considered more important than another, it is the bill making appropriations for Indian affairs, because that bill deals with two thousand million dollars worth of trust property. It deals with 300,000 dependents; it deals with 9,000 employees of the Federal Government; it appropriates $12,000,000 annually; it deals with questions of policy, with irrigation, with 150 schools. The members of the Committee on Indian Affairs for years have studied not merely and only the paying out of money, but they have been considering grave questions of policy, for in considering Indian questions we deal with many nations within this great American Nation. With this tribe we may deal in one way and with another tribe we must pursue another kind of policy. If this proposed rule is to operate with celerity—and I ask the Senator's judgment upon my observation—it seems to me that some members of the Committee on Indian Affairs should be permitted to pass on these matters, for I know that during the past 15 years certain members of that committee have given a large part of their time to the consideration of Indian affairs.

Questions of policy respecting Indians are settled on the Indian appropriation bill, although we tried for years to have an Indian legislative bill, but we could not do it. It seems to me, however, that when the questions of policy and the appropriating of the necessary funds to carry out those policies are being considered the chairman, at least, of the Committee on Indian Affairs ought to be ex officio a member of the Appropriations Committee, for I know there is no intellect superb and capacious enough at one sitting of a committee or at a dozen sittings of a committee to grasp a great question of Indian affairs and properly to deal with it. It is a matter of years. It taxes the patience and the ability of keen and sagacious men to arrive at just conclusions regarding Indian affairs, even when they have given the subject years of consideration and study. So if the proposed new rule is to work successfully it ought to provide that when the Interior Department bill is considered by the Appropriations Committee, involving the appropriations for the Bureau of Indian Affairs and for fulfilling treaty stipulations with Indians, at least the chairman of the committee and perhaps other members should be called in as ex officio members of the Committee on Appropriations.

Mr. WARREN. Mr. President, it may interest the Senator from Arizona to know that the able present chairman of the Committee on Indian Affairs and the very able ex-chairman of that committee were both members of the subcommittee which had in charge and reported the bill making appropriations for the Indian Service.

Mr. ASHURST. That is a happy circumstance, but it is a circumstance only; but it may also happen that the leading members of the Committee on Indian Affairs at some time in the future may not be on the Appropriations Committee. I should like to have the opinion of the Senator from Wisconsin of the suggestion which I have made.

Mr. LENROOT. I think the Senator's point is well taken, and I would be very glad to vote for an amendment providing that in the consideration of the Indian appropriation bill members of the Committee on Indian Affairs may ex officio be included, as in the case of other appropriating committees.

Mr. ASHURST. I thank the Senator. I am somewhat embarrassed in my argument here because it so happens that I am a member of the Committee on Indian Affairs, and under the proposed rules I suppose I would be the ranking minority member, but I assure the Senator and I assure the Senate that I do not seek nor crave the duty of sitting with the Committee on Appropriations when they consider the Indian appropriation bill. I have tried to do my duty for 10 years, and I feel I ought to have some relief. I am glad, however, to know that the Senator from Wisconsin will support a motion to make members of the Indian Affairs Committee ex officio members of the Appropriations Committee when the latter committee considers the Indian appropriation bill.

Mr. LENROOT. Mr. President——

Mr. ASHURST. Mr. President, if the Senator from Wisconsin will pardon me, irrigation being a technical subject, it seems to me that, by a parity of reasoning, the Committee on Irrigation and Reclamation should have the same opportunity to have a forum where it can present questions of policy.

Mr. MCNARY. Mr. President——

Mr. ASHURST. I have not the floor, but I hope the Senator from Wisconsin will yield?

Mr. LENROOT. I yield.

Mr. MCNARY. I think the Senator from Arizona is laboring under a misapprehension as to the meaning of the proposed rule and of the present rule. The pending proposal does not in any way add to or detract from the province or the power of the Reclamation Committee. That committee will still have, as it has had, the authority to authorize appropriations, but the appropriations themselves are always provided by the Appropriations Committee.

Mr. ASHURST. I have no further remarks to make, because now I understand that the Committee on Irrigation and Reclamation will not have any of the power or authority which it has possessed in the past diminished or reduced in any way.

Mr. LENROOT. Under the proposed new rule that committee will be left just the same as if the rule were not adopted.

Mr. President, I was about to discuss very briefly the desirability of adding ex officio members to the general membership of the Committee on Appropriations. In the first place, the necessity for this rule, aside from its actual merit, is that, with the practice which has been adopted by the House of Representatives, it is absolutely necessary for us to change our rules, for the appropriation bills coming from the House can not be handled under the present rules.

Mr. MCNARY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BURSUM in the chair). Does the Senator from Wisconsin yield to the Senator from Oregon?

Mr. LENROOT. I yield.

Mr. MCNARY. Of course I am not in sympathy with that argument, because that is an admission, as it seems to me, that the House has the right to dictate to the Senate, a practice which has been common in the past, both in the form of legislation, in its formulation, and in the work of conference committees. In order to obviate the criticism which the Senator is making of the present practice, which he says it is necessary to change, I call his attention to the fact that the Senator from Mississippi [Mr. HARRISON] has offered a substitute which is designed not to centralize all the power in one committee and yet to meet the very situation which the Senator from Wisconsin is discussing.

I may add that, if it is necessary for all the appropriation bills to be referred to the Senate Committee on Appropriations, and that committee are not anxious to acquire all the power in the Senate, the bills could still be referred to that committee, reported back, and then referred to the appropriate committee which heretofore has had jurisdiction of the particular subject matter, to be considered by that committee and a subcommittee of three members of the Appropriations Committee. That will accord in a measure with the procedure in the House; it will not centralize all the power in one committee and take power away from other committees, and it will give every section of the country a fair opportunity to secure legislation in accordance with the judgment of the Senators coming from the various sections.

Mr. LENROOT. Mr. President, technically and theoretically that might be true; and yet I want to know from the Senator from Oregon or from the Senator from Mississippi when in a short session of Congress we receive an appropriation bill from the House of Representatives about the middle or the last of February how such a plan would work out in a practical way?

Mr. McNARY. I have not seen a short session of Congress for many years, so that I can not answer the question.

Mr. LENROOT. We have them every other year.

Mr. McNARY. I have been here for five years, and I have seen the sessions of Congress go through the hot months of the summer and on until the fall.

Mr. LENROOT. But Congress is required to adjourn every other year on the 4th of March. That is what I have reference to.

Mr. McNARY. I understand that; but we meet in special session and the business of legislation continues during the hot days of summer. At any event, however, that, in my opinion, has no pertinency to the question under discussion. To refer to a particular case, take the rivers and harbors bill, which heretofore has been referred to the Committee on Commerce. That bill, we will say, comes over from the House of Representatives and is referred to the Appropriations Committee, and the next day it is reported back and referred to the Committee on Commerce, to be considered by that committee and three members of the Appropriations Committee. That will not delay the expedition of business for 30 seconds.

Mr. WARREN. But, Mr. President, that simply would mean the disintegration entirely of the Committee on Appropriations, and would avoid completely what we seek to do under the Budget, namely, to have some one place where all appropriation bills may be reviewed so that duplication may be avoided. To accept the amendment suggested by the Senator from Oregon would simply leave the other committees as they are now and give them more members by cutting the Appropriations Committee into fragments and adding the membership of the Committee on Appropriations to the other committees. That is all that amounts to. I think the Senator who proposed that amendment probably did so more as a joke than with the idea that it should be considered seriously, because it may be plainly seen, if the Senator will read and dissect it, where it would end.

Of course, if the Committee on Appropriations is to be dismissed from its duty, I think it would be a good plan to add its membership to other Committees; perhaps that might be useful; but until that time comes an amendment of the kind suggested should not be entertained.

Mr. OVERMAN. Mr. President, the Senator from Oregon made reference in his colloquy with the Senator from Wisconsin of Congress continuing in session during the dog days, and so forth. The Senator probably has given consideration to the question, but to cite an illustration, suppose the Agricultural Committee reported an appropriation here on the 1st of March, and we failed to pass it by the 4th of March, what would become of it?

Mr. McNARY. The answer is obvious. I may say, however, that I can not see where that question has any relevancy in the consideration of the matter now before us.

Mr. OVERMAN. It could not get any hearing; it would not be reported, and consequently would die with the end of the Congress.

Mr. McNARY. If the Senator will let me add a word in answer to the chairman of the committee, it becomes evident to me that he desires to take unto himself more power. There is no purpose upon the part of the author of the substitute, the Senator from Mississippi, to disintegrate the great Appropriations Committee. He simply wants to prevent that committee from being the only committee in the Senate.

Mr. OVERMAN. Mr. President, I understood the Senator to contend that these bills could be taken up after the 4th of March, at any time during the dog days or during the summer. A bill dies if it is not acted upon before the 4th of March.

Mr. McNARY. I will say to the Senator from North Carolina that I have not mentioned the dog days, nor the 4th of March, nor the 5th of March, nor the ides of March. I am talking about a principle, and not about any particular date. Of course, we know that bills die with the death of the session; but this amendment of the Senator from Mississippi was offered in good faith, and meets a situation such as has been outlined by the Senator from Wisconsin. It does not impair the efficiency of the power of the Appropriations Committee, but it prevents that committee from taking all the power away from the other committees of the Senate, which I maintain is not fair to these other committees, on account of the study they have given to the various problems affecting their communities; and I can not understand—addressing my remarks to the eminent and able chairman of the Appropriations Committee—why he can expect efficiently and thoroughly to look after every section of the country, and the appropriation of every dollar that goes out.

Mr. OVERMAN. I do not know what the Senator means by taking away power from some committee and giving it to the Appropriations Committee. What power is taken from the Senator's committee and given to the Appropriations Committee?

Mr. McNARY. Let me give an illustration, if the Senator from Wisconsin will bear with me. He has been very courteous in that regard.

The annual appropriation bill emanating from the Senate Committee on Agriculture and Forestry carries approximately $33,000,000. That committee, composed of 17 members of the Senate selected on account of their familiarity with agricultural problems, has passed upon the various items in the bill, aggregating many hundred in number. All of those members, save the three that go on the Appropriations Committee, are shorn of their power to do what? To see that their communities and the great agricultural interests of the country receive adequate protection and support.

Mr. OVERMAN. What is the power? What do you do? You consider the appropriation bill. The estimates are sent down by the Budget Committee. You either give the amount the Budget asked for, or you decrease it, and that is all we can do. If you want to make any extra appropriation about anything else in any other matter, bring in your bill and pass it through the Senate, and we will put it on the appropriation bill. We are bound to put it in when you authorize the appropriation.

Mr. McNARY. You may come in and provide for a total of $20,000,000, leaving the great boll weevil that is raising havoc in the South without any appropriation for its extermination or control because you think it is an idle proposition, because you have not made a study of the great destruction wrought by that pest.

Mr. OVERMAN. It can be considered by us only when it is estimated for.

Mr. McNARY. Yes; but the estimate may be for $3,000,000, and you may not put in 3 cents; whereas the Agricultural Committee, familiar with the destructive forces of that pest——

Mr. OVERMAN. These three men are put on our committee as advisers to tell us what they think about it.

Mr. McNARY. Yes; those three are put there; but again it is like the corporation with one man holding 10 shares and the other fellow holding 90 shares. Where does the fellow with 10 shares get off?

Mr. OVERMAN. I do not think that is an apt illustration.

Mr. LENROOT. Mr. President, I did not suppose that anyone took seriously the amendment of the Senator from Mississippi, but evidently the Senator from Oregon [Mr. McNARY] does, although I doubt whether the author does. I should like to know, however, because it is very apparent that the Senator has given this amendment study, what is his construction of this amendment? Is a subcommittee of three members of the Committee on Appropriations to act with the full membership of the present appropriating committee, and is that membership finally to pass upon the bill?

Mr. McNARY. My construction is that the bill is brought to the Senate and referred to the Appropriations Committee. It is then referred to the general committee which has had this subject under investigation and has made these appropriations for these many years. The bill is accompanied by a subcommittee of three members of the Committee on Appropriations, sitting in with the general committee which frames up the appropriation bill.

Mr. LENROOT. Sitting with the appropriating committee?

Mr. McNARY. Yes.

Mr. LENROOT. For instance, the Committee on Commerce. Does the balance of the Appropriations Committee at any time have anything to say about the bill, then?

Mr. McNARY. No; not according to my understanding.

Mr. LENROOT. So if the Senator's construction of this amendment is correct—and perhaps it is—he leaves the situation exactly where it is, except that he gives membership to the Committee on Appropriations.

Mr. McNARY. Precisely so. The wisdom of this, it is apparent, lies in the proposition that it gives a certain control to the committees which heretofore have considered the various appropriation bills. It places in the hands of the Appropriations Committee the right to sit in, observe, vote, and report back to the general Committee on Appropriations, and keep track of the expenditures, and in some way attempt to bring about a harmony of action between the various committees of the Senate.

Mr. LENROOT. But they have no control over the appropriations; so we have the anomalous position of a bill being referred to the Committee on Appropriations and then the Committee on Appropriations being deprived of jurisdiction to act upon it.

Mr. McNARY. Of course that is the situation, and it is to avoid the centralization of all power in the Appropriations Committee. There is where the Senator and I differ widely. I believe that this proposed rule is not in conformity with the principle upon which our country has been built, namely, that every part of the country should have representation on these great committees when these great bills are being considered. The Senator wants to come along and take these bills away from the various committees that heretofore have given great thought and study to these matters and place the power to deal with them in one particular committee. By the Harrison amendment, as I interpret it, the Appropriations Committee would be strengthened by the placing of three of its members on these other committees; but the committees themselves would have that control of the legislation which the fathers who framed the Constitution of the country intended that they should have, and which in the past they have had.

Mr. LENROOT. And the committee to which the bill is referred would have no control over it as a committee?

Mr. McNARY. The Appropriations Committee would not have the exclusive control which the Senator wants it to have and which I do not want it to have.

Mr. LENROOT. No; but they would not have any control over it except as it might be exercised through three of their members?

Mr. McNARY. Why, certainly; and the same thing is true under the plan which the Senator favors. The great Commerce Committee, the Military Affairs Committee, the Naval Affairs Committee, would have no control over the appropriations; but the Senator says to them very sweetly, "Bring in three men and we will let them occupy seats as ex officio members." Instead of trying to kill the various committees, I want to keep them and preserve them intact.

Mr. LENROOT. Of course, Mr. President, it is very clear from the construction of the Senator from Oregon that the adoption of this amendment as he construes it would defeat the whole purpose of the Budget system, except as three members of the Committee on Appropriations might attempt to exercise their moral influence upon the present appropriating committee. Of course, both parties have declared for the Budget system. The amendment proposed by the Senator from Mississippi is squarely in violation of his own party platform, which pledges the Democratic Party to a Budget system, the appropriation bills of which should be considered by single committees of the House and Senate, and yet the Senator from Mississippi now introduces an amendment that will refer a bill to the Committee on Appropriations, but have it considered and acted upon by some other committee.

Mr. McNARY. Does the Senator from Wisconsin insist that by putting practically all the power—all as it appertains to appropriations—in the hands of one committee, the Senate is carrying out the Budget system as defined in the platforms of the two great political parties in 1920?

Mr. LENROOT. It is absolutely necessary, and it can not be carried out unless either that is done or we have some budget committee that may have power to dictate to the appropriating committees the gross amount that each shall appropriate. We can not have a Budget system otherwise.

Mr. McNARY. Mr. President, will the Senator yield further?

Mr. LENROOT. Yes.

Mr. McNARY. I believe that the latter proposition conforms to the spirit of the platform.

Mr. LENROOT. No; that would not conform to the spirit of the platform. It would conform to the spirit of the Republican platform, but the Democratic platform is explicit in stating that these appropriations should go to a single committee. That is what this rule provides, concurred in by both Republican and Democratic Members; but the able Senator from Mississippi [Mr. HARRISON], the spokesman of the Democratic Party upon the floor of the Senate, not only advocates in his speech a repudiation of his party pledge but actually offers an amendment to repudiate it.

I want to be very frank with the Senator from Mississippi. He is a very able Senator, and I want to do him the justice to believe that he had forgotten the pledge of his party platform when he made his first speech attacking this rule. I am very hopeful, now that it is called to his attention by the Senator from Wyoming, that he will yield his own individual views, and be one Democratic Senator who will vote to carry out a solemn pledge of his own party, in the councils of which he is one of those upon the inner circle.

Mr. President, to get back again, as I have tried to do several times, to these ex officio members, I said that I recognized the point made by the Senator from Oregon that there are members of these committees now having jurisdiction of appropriations that do have special knowledge of the subjects, and that the Committee on Appropriations ought, in so far as is practicable, to have the benefit of that special knowledge. It will have it under the amendment that is now pending, whereby the chairman and two other members of the committee to be selected by him shall be members of the Appropriations Committee in all matters of appropriation over which his committee now has jurisdiction.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. LENROOT. Yes.

Mr. McNARY. The Senator's argument is that by taking three members of the Agricultural Committee and asking them to occupy three seats in the Appropriations Committee, that will bring to the Appropriations Committee all the knowledge possessed by the 17 members of the Agricultural Committee.

Mr. LENROOT. Oh, no; not at all.

Mr. McNARY. That is certainly the conclusion to be derived from the Senator's statement.

Mr. LENROOT. As the Senator from Michigan [Mr. TOWNSEND] just suggests, in addition to these three members there is not an appropriating committee of the Senate—certainly not as far as the larger bills are concerned—whose members do not now have membership upon the Committee on Appropriations.

Mr. McNARY. That does not cover the point.

Mr. LENROOT. It covers the point of representation; so that more than the three members that the Senator speaks of will have special knowledge of the subject over which his own committee has jurisdiction.

Mr. McNARY. I thought the Senator from Wisconsin yielded to my view that certain members of committees had special knowledge which would be of very great use to the Committee on Appropriations.

Mr. LENROOT. I do.

Mr. McNARY. Then the Senator said that proposition was covered by taking three members from the Agricultural Committee and placing them on the Appropriations Committee. Then I propound this inquiry: Does the Senator from Wisconsin say that these three members who might be selected would comprehend all the wisdom and all the skill of the 17 members of the Agricultural Committee?

Mr. LENROOT. No; certainly not; and the present members of the Committee on Appropriations on bills over which that committee now has jurisdiction do not comprehend all the knowledge and all the skill of the membership of the Senate—of course not.

Mr. McNARY. May I give the Senator an illustration, because it is most impersonal?

One of the pests for which appropriations are made is the white-pine blister, which affects the pine trees in the Allegheny Mountains. There is one member of the Committee on Agriculture and Forestry who has made a very long and studious investigation of the control and the treatment of this pest, its behavior, and the best way to exterminate it. That member of the committee is looked upon as an expert, his opinion is widely sought, and his judgment followed. By providing for the appointment of three members of the Committee on Agriculture to represent that committee in drawing up the Agriculture appropriation bill, the knowledge of that member might not be had. It always has been controlling in the Committee on Agriculture. There are others who know about the cattle tick in the South, others who know about the hog cholera and a very great many

pests which affect the fruit trees of the West; some who are familiar with the great transportation problems, how fruit and canned goods behave in shipment, each one specializing in a certain field. How can three members of the Committee on Agriculture go over to the Committee on Appropriations without study and without experience and without observation or the opportunity to collect this knowledge or data and represent the Committee on Agriculture, which is composed of 17 Senators? It simply can not be done.

Mr. LENROOT. Mr. President, I am not a member of the Committee on Agriculture, and I am not a member of the Committee on Appropriations. I might have special knowledge upon some subject; I might give it very special study. I might become an expert on that subject, and an appropriation might be very desirable, but I would have no right to ask to be made a member of the Committee on Appropriations, or even of the Committee on Agriculture, because I might have special knowledge of some one particular subject. If the Senator's reasoning is to prevail, instead of this amendment of the rule we ought to make all members of the Senate members of the Committee on Appropriations, because perchance some single Senator might have special knowledge upon some subject calling for an appropriation, and the committee could not get the benefit of his knowledge otherwise.

Mr. WARREN. Mr. President, that is in fact the case now, because every one of the appropriation bills comes before the Senate as in Committee of the Whole, and every Senator has an opportunity to vote for or against the bill or to offer an amendment to every item.

Mr. LENROOT. Certainly.

Mr. WARREN. If the Senator from Oregon is a member of a committee which never has subcommittees to prepare anything for the full committee, I can understand his argument; but if his committee is in the habit of doing as others have done—appoint special subcommittees to prepare special bills and then to bring them before the full committee—he will understand that somewhere we must have the subjects investigated and the bills whipped into shape by a small subcommittee, and the submission of it to the full committee to give it life in the end.

Mr. McNARY. Mr. President, responding to the proposition of the Senator from Wyoming, the Committee on Agriculture, with the work of which I am more or less cognizant, does not appoint subcommittees.

Mr. WARREN. I did not presume it did, from what the Senator has lately said.

Mr. McNARY. The various items are considered by the whole committee. That committee handles more varieties of subjects than any other committee in the Senate. Each man studies the problems which affect his community and his section of the country, and by the combined judgment of the 17 members we come into a realization of the needs of the country, as expressed in the annual appropriation bill.

Mr. WARREN. Does not the Senator's committee ever appoint subcommittees?

Mr. McNARY. It has not done so since I have been a member.

Mr. WARREN. All I have to say is that most of the committees do that for convenience; but it does not take any power away from the balance of the committee, except that the more laborious work of arranging and placing a bill before the full committee is usually done by a subcommittee.

Mr. LENROOT. Of course, there is one complete answer to the point made by the Senator from Oregon, and that is that under the present rules, and as the rules will exist if this amendment is not adopted, if the Committee on Agriculture, when any Agricultural appropriation bill is being considered, be of the opinion that the Committee on Appropriations has failed to make some appropriation which it thinks ought to be made, or has not made an appropriation as large as that committee thinks ought to be made, it can offer an amendment to the appropriation bill.

Mr. McNARY. May I ask the Senator from Wisconsin if that would not be done on the floor of the Senate?

Mr. LENROOT. Yes; on the floor or the Senate, with all the prestige of the Committee on Agriculture behind it, if they conclude that the Committee on Appropriations has made some error.

Mr. McNARY. Let me ask the Senator, who has had very many more years of experience as a legislator than I have had, the number of times a committee making a report to the Senate is overruled by an amendment offered on the floor?

Mr. LENROOT. Mr. President, to be entirely frank with the Senator, when a body of men like the Committee on Agriculture has proposed an amendment to an appropriation bill, making the appropriation greater than that recommended by the Committee on Appropriations, I have seen that amendment prevail much more often than I have seen it defeated, and so has the Senator from Oregon.

Mr. McNARY. I do not recall that I have seen an instance of that particular kind.

Mr. LENROOT. I have, many times.

Mr. McNARY. I do know this to be the practice, that when a committee reports, those who have not been attending pour in through the several doors and follow the committee in its action.

Mr. LENROOT. That is especially true as to appropriation bills; but on the floor of the Senate, if a group of Senators desire an increase in an appropriation, it is much more likely to be adopted than it is to be defeated. Does not the Senator agree with me in that?

Mr. BORAH. If it is limited to an increase.

Mr. LENROOT. That is what I said, if it is limited to an increase.

Mr. BORAH. You can not beat an increase.

Mr. LENROOT. So if at any time the great Committee on Agriculture comes in, and the chairman, by direction of his committee, moves an increase in an appropriation in an agricultural bill, the Committee on Appropriations would not stand very much chance of defending its position on the floor of the Senate.

Mr. NORRIS. Mr. President, may I interrupt the Senator there?

Mr. LENROOT. Certainly.

Mr. NORRIS. I think there is a great deal in what the Senator has said. In the illustration he puts, he uses the Agricultural Committee, and I will use that also for the purpose of illustration. If that committee were really in earnest in trying to get an appropriation in an appropriation bill increased, of course that would give it a standing which it would not otherwise get, although without the committee behind it, it might be just as fair and as just; but if it did not have that backing behind it, then what the Senator from Wisconsin has said would be true. It would always be true to a great extent. Senators come in, and not knowing what it is they are called upon to vote on, they follow the committee. I regret that is true, and yet it is natural. I am not complaining of it, because Senators can not always be here to hear the debates, and they go on the theory that the committee has considered the subject and has reported so and so, that they have to guess anyway, and they had better guess with the committee. I think what the Senator has said is often true, not only with relation to appropriation bills, but everything else, and very often it results in bad legislation and injustice.

Mr. LENROOT. I think it is true of appropriation bills. I think it is very seldom that the report of a committee on legislative bills can be overturned, but I can recollect where upon a good many occasions I have tried to sustain the report of the committee against an increase in an appropriation which I did not think was necessary, and I can remember very few cases where the committee was sustained in such instances. Wherever there is a large committee or a substantial group of the Senate which is in favor of an increase, the tendency is to vote for the increase, and the Senator from Nebraska will agree with me that the tendency of the Senate has always been, not toward economy in the way of appropriations, but the plea is always made, as a matter of senatorial courtesy, "Let it go in and go to conference." It goes in, and in a given case, whether it be the Committee on Agriculture or any other committee that desires an increase over that recommended by the Committee on Appropriations, it is more than likely that that increase will be voted into the bill and that the committee will be sustained.

But I have talked longer than I expected to. I want to conclude by saying merely that the Senate is not going to be able to do business in a few weeks, or possibly a few days, unless the rules of the Senate are amended. We can not control the House as to the form their appropriation bills shall take. They have adopted a form of appropriation bill in accordance with the Budget. That is their prerogative. They have a right to send us bills in any form, as they see fit, and when bills come to us under the rules of the Senate they must be referred to some committee, and the bills which will come to us will, under the present rules, deprive some committees of jurisdiction they now have, and they have already done so.

For instance, the Committee on Indian Affairs has already been deprived of its jurisdiction over Indian appropriations, and the Senate has already acted upon that bill.

Mr. NORRIS. May I interrupt the Senator?

Mr. LENROOT. Certainly.

Mr. NORRIS. The Senator is now mentioning something which, I think, can not be successfully controverted, and he has illustrated it by citing the case of the Indian Affairs Com-

mittee. In my judgment the same reasoning and the same logic which applies to the action of the Senate in taking away the consideration by the Indian Affairs Committee of the Indian appropriation bill applies to every other committee, including the one of which I am chairman, the Committee on Agriculture and Forestry, and I would be very glad to have it done with the other committees, just the same as is done with them.

A great many Senators are afraid to do that because they are afraid, as the Senator knows, and as we have heard it expressed so often, of what they deem to be the great power which would be given to the Appropriations Committee, but I do not share in that fear.

I have had this question put up to me, and I would like to put it to the Senator, and I would like to have the Senator from Wyoming listen while I propose it. Why would it not be a good compromise to take these appropriation bills away from all the other committees, and let them go to the Appropriations Committee, as the committee now has them, without adding three members from each of these other committees; and then provide by an amendment to this rule that members of the Appropriations Committee should not be members of any other of the standing committees of the Senate? What would the Senator from Wyoming think of that?

Mr. WARREN. I would have no objection whatever, so far as I am personally concerned.

Mr. NORRIS. I am very glad to hear the Senator say so.

Mr. WARREN. I am perfectly willing at any time to be relieved of service on any other committee, and have asked, and my request is now pending, to be relieved from membership on one committee.

Mr. NORRIS. I am glad to hear the Senator say so, and it certainly does him credit. If this additional duty is put upon the shoulders of the Appropriations Committee, what the Senator from Wyoming has said about himself would apply to practically every other member of the Appropriations Committee, who have to divide up into subcommittees, and all of them have all they can do.

Mr. WARREN. Of course, the Senator must understand that it would apply more directly to the chairman than it would to the members.

Mr. NORRIS. I suppose it would.

Mr. WARREN. The members could better have one or more other committees than the chairman could.

Mr. NORRIS. I am perfectly willing to have that provided. I should have the same rule apply to the chairman of the other standing committees. Let it apply to me the same as to anybody else.

Mr. LENROOT. Of course, the suggestion of the Senator from Nebraska would be preferable to the present impossible condition with which we are confronted. Of course, the Committee on Military Affairs under the present rules will take jurisdiction of the War Department bill. That committee will pass on appropriations for rivers and harbors. The Commerce Committee will be deprived, under the present rules, of any jurisdiction of bills which carry appropriations when they come from the House.

So that in part the fear expressed by the Senator from Oregon will actually exist without any change of the rules and some committees will be deprived of the jurisdiction they now have. The Senator is a member of the Committee on Commerce with myself. Without any change of the rule the Committee on Commerce will be deprived of any jurisdiction over appropriations for rivers and harbors under the present rules of the Senate. Is it not better to adopt a rule that will give vitality to the Budget rule and make it workable?

My only objection to the suggestion of the Senator from Nebraska is that, at least in the beginning of the operation of the new jurisdiction of the Committee on Appropriations, there will be members of the committee who will not have knowledge with reference to the details of certain new bills that the present appropriating committees have, and it is for that reason and that alone that I have been in favor of, for the present at least, putting the chairman and two members of the committee on the Committee on Appropriations, so that the latter committee may have the benefit of their general knowledge of those appropriating bills, and especially of the chairmen of those committees in making up the bills. Later on, if the appropriating committees do have that same knowledge concerning those bills that come to them, then I concede that we might again change the rule so as to give them full and complete jurisdiction, but I think for the present it would be very desirable to add those members as ex officio members—but not for the purpose of getting votes. That thought never occurred to my mind in supporting the matter, but only for the purpose of securing better bills.

Mr. NORRIS. Mr. President, I am afraid that I made a mistake in intimating that it was put in for the purpose of getting votes. I did not mean that in any offensive sense. I know that Senators are jealous of their powers, and naturally so, on the various committees, and we find that every day when something comes up which takes away from a committee any power or authority, the members of that committee are all fighting to prevent it. I did not mean it in any offensive sense or in any critical sense. Still I have no doubt that that had something to do with this and something to do with the change of the rule in the House. In other words, it left a portion of the jurisdiction of the committee which it heretofore had and did not take it all away.

There is something in the Senator's suggestion that has been made before during the debate, that for a time at least the Appropriations Committee may be able to get a great deal of light from members of the other committees. If that be true, and I think it is, and if that be the reason for adding this to the rule, then would the Senator favor an amendment that would limit this portion of the rule to the end of the Sixty-eighth Congress, or something of that kind?

Mr. LENROOT. Personally I have no objection, although I think that can be done later just as well as now.

Mr. NORRIS. It will be pretty difficult to do it later. We had better do it now if we are going to do it at all.

Mr. LENROOT. Mr. President, I apologize for having occupied so much of the time of the Senate.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKinley	Simmons
Ball	Harris	McNary	Smith
Brandegee	Harrison	New	Spencer
Bursum	Heflin	Newberry	Stanfield
Calder	Johnson	Nicholson	Sterling
Cameron	Jones, N. Mex.	Norris	Townsend
Capper	Jones, Wash.	Overman	Wadsworth
Caraway	Kellogg	Page	Walsh, Mass.
Culberson	Kendrick	Pepper	Walsh, Mont.
Cummins	Keyes	Phipps	Warren
Curtis	King	Poindexter	Watson, Ga.
Ernst	Ladd	Pomerene	Watson, Ind.
Fernald	Lenroot	Reed	Weller
France	Lodge	Robinson	Willis
Glass	McCormick	Sheppard	
Gooding	McKellar	Shields	

The VICE PRESIDENT. Sixty-two Senators having answered to their names, a quorum is present. The question is on the amendment of the Senator from Massachusetts [Mr. LODGE] to the committee amendment.

CONSTRUCTION OF BOULDER CANYON DAM (S. DOC. NO. 142).

Mr. JOHNSON. Mr. President, there has been filed a very important report from the Secretary of the Interior addressed to the President of the Senate, which deals with the Boulder Canyon Dam conference held at the U. S. Grant Hotel, San Diego, Calif., December 12, 1921, relative to the construction of the Boulder Canyon Dam, in which Arizona, New Mexico, California, and other States are interested. It is in the form of a typewritten report from the Secretary of the Interior. I ask unanimous consent that it may be printed as a public document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

BRIG. GEN. JOHN H. RUSSELL—AFFAIRS IN HAITI (S. DOC. NO. 143).

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, as follows:

THE WHITE HOUSE,
Washington, D. C., March 2, 1922.

To the SENATE:

In response to your resolution of February 23, requesting a copy of any order, commission, or other authorization issued by me or under my direction to Brig. Gen. John H. Russell authorizing him to act for or on behalf of the Government of the United States in Haiti, with a copy of any instructions, etc., I am inclosing herewith a copy of the commission issued to Gen. Russell. I trust the information conveyed in the copy of the commission will satisfactorily convey such information as the Senate desires, because I very respectfully submit that it would not be compatible with the public interest to make public the specific instructions under which he is charged with the performance of his duties as the American high commissioner.

Very respectfully,

WARREN G. HARDING.

Mr. WALSH of Montana. I ask that the Secretary may read the paper which accompanies the message of the President.

The VICE PRESIDENT. It will be read.

The reading clerk read as follows:

Warren G. Harding, President of the United States of America.

To all who shall see these presents, greeting:

Know ye, that reposing special trust and confidence in the integrity and ability of Brig. Gen. John H. Russell, United States Marine Corps, I do appoint him high commissioner, with the rank of ambassador extraordinary, to represent the President of the United States in Haiti for the purpose of investigating, reporting upon, and supervising the performance of their duties by the officers nominated by the President of the United States and appointed by the President of Haiti pursuant to the provisions of the treaty between the United States and Haiti, signed at Port au Prince September 16, 1915, in order that the purposes of said treaty may be fully accomplished.

In testimony whereof I have caused the seal of the United States to be hereto affixed.

Given under my hand, at the city of Washington, this 11th day of February, in the year of our Lord 1922 and of the independence of the United States of America the one hundred and forty-sixth.

[SEAL.] WARREN G. HARDING.

By the President:

CHARLES E. HUGHES,
Secretary of State.

The VICE PRESIDENT. The message and accompanying paper will be referred to the Committee on Foreign Relations and printed.

RAILROAD RATES ON SUGAR.

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Interstate Commerce Commission, transmitting, in response to Senate resolution 246, transcripts of the testimony before the commission in the matter of application 8835, filed by R. H. Countiss, agent, for relief from provisions of the fourth section of the amended commerce act in connection with rates on beet and cane sugar, carloads, from San Francisco, Crockett, and other producing points in California to Chicago and common points, which with the accompanying papers was referred to the Committee on Interstate Commerce.

PROMOTION OF MAJ. ROBERT G. PECK.

Mr. REED. Mr. President, on the 26th day of September, 1918, the most desperate battle of the European war was being fought. The German Army was standing at bay. Its advance troops were armed with machine guns, with poison gas, with flaming liquids. These troops were protected by the drum fire of innumerable cannon, hurling every variety of deadly missile into the ranks of the advancing American troops. Nothing that human ingenuity could devise, nothing that scientific skill could produce to work the destruction of men, had been omitted by the masters of the German forces. The charges at Gettysburg, at Waterloo, at Austerlitz, and at Lodi were almost pacific compared with the desperate enterprise upon which the khaki-clad youths of the United States were on this eventful day obliged to embark. For four days they remained the victims of all the frightful carnage visited upon them by a great and courageous enemy; for four days they held to their trenches, charged over the bloody plains, crawled upon their bellies, dug in, drove back the enemy, and continued to advance. Never for one moment was there a wavering in the assault. Men died, but did not retreat; men fell exhausted, rose from the ground, and toiled on against the enemy. At the end of that time nature was exhausted; the ranks had been decimated; the bodies of the dead were strewn upon the field; the dying were everywhere. Famished, desperate, staggering, these troops, who had gone steadily to the front, at the command of their officers were recalled for rest in order that they might be ready for a future fray. They came from their trenches covered with blood, besmeared with mire, staggering from exhaustion, a body of men as heroic as were those who fought at Thermopylæ, as Spartan as were those who died on American soil in the celebrated battle between the Mexicans and the Texans, when the last man gave up his life in the Alamo. As they passed along an officer stepped from a well-polished limousine.

His boots had been recently rubbed and oiled and polished by a lackey; his uniform was in excellent condition; he had been burnished like a brass railing. He had not been within gunshot; the smoke of battle was not upon his immaculate garments. He viewed the staggering hosts of heroes as they retired for rest. He saw that some of the officers who had stood by these boys in the trenches, who had been sustained by their courage, and in turn had given back courage to their men, who for four days lived in the very mouth of a seething hell, looking into the face of death, were talking to their men, cheering them on, fraternizing with them, treating them as human beings, treating them as they ought to have been treated by American officers in command of American freemen. He thereupon wrote the following report upon the Thirty-fifth Division of the National Army:

> The division has all the earmarks of a National Guard unit, which it is. The National Guard attitude which now permeates the various units must be gotten rid of. The division needs the elimination of the old type National Guard officer. There is entirely too much familiarity between the officers and the enlisted men.

It was a gratuitous and uncalled-for insult to the men of the Thirty-fifth Division, to every volunteer soldier of the Army. It was an insult to the military profession; it was a disgrace to the American Army.

He criticizes the marching order of men staggering from exhaustion; he criticizes the condition of the clothing of men who had stood in trenches filled with mud and who had marched and crawled across terrain plowed and furrowed by cannon shot and shell. He criticizes the attitude of officers who had come from homes where the boys under their command were their neighbors and their neighbors' sons. He treated with contumely and scorn those who ought to have had their brows wreathed with laurels and whose breasts should have been decorated with the insignia of courage.

His name was once sent to the Senate for confirmation, and the nomination was rejected. I shall not discuss the present appointment, but I shall discuss the man and his methods. Let a soldier speak—a free man of America, a sovereign citizen, a taxpayer who must contribute to the support of the Army and to the salaries of Army officers; a man whose profession and business are not arms but the arts of peace, yet who nevertheless willingly went to the front as did millions of other American citizens. I will now read from an article which was written to a Chicago newspaper, and which is entitled "The Voice of the People":

> Since you have devoted so much space to the defense of Maj. R. G. Peck, of the Regular Army, relative to his criticism of the Thirty-fifth Division, won't you let the division's side of the case be known? I was a member of the One hundred and fortieth Infantry, of the Thirty-fifth, and am thoroughly familiar with the facts in dispute.
>
> Maj. Peck (then lieutenant colonel) chose to inspect us as we were on our way out of the Argonne, after suffering more than 7,000 casualties in a week of some of the hardest fighting of the war. He rolled up in his Cadillac limousine (out of reach of the big guns) and cast his eye upon us as we marched—no; staggered—by, dirty, lousy, ragged, mud-bespattered, equipment short, hungry, weak, and exhausted—well, anyway, comes the inspector to give us the eagle eye. And, ah, what did he find? Our clothes were torn. Our shoes were muddy. And—horrors! We weren't shaved! Worse still, our rifles had specks of rust on 'em. And the men didn't march with much snap and didn't keep very good ranks. Right. Most of them were doing damned good to stay there at all. And once in a while one of them would tumble on his face. That, we learned from Mr. Peck, was straggling.
>
> Some of our wagons were overloaded—due to the fact that we were short only 3,000 horses. Worse still, our officers were detected talking to enlisted men as though the latter were really human beings. Some owed their lives to these enlisted men. He found also that officers were not stationed at proper intervals through the column. One of our battalions came out with one lone second louie still functioning. Now, how in—well, you know what I mean.
>
> Now, here's the rub: In his entire report never once did Maj. Peck make one solitary mention of the fact that we were just then walking away from the battle field. Even Maj. Gen. Traub (Regular Army), of the Thirty-fifth, stated in his reply to Peck that he "regretted the inspector did not state the true facts."
>
> Let us peruse the facts: The Thirty-fifth lost more than 7,000 men in six days. More than 60 per cent of its officers were casualties. More than 50 per cent of its infantry was killed or wounded. It advanced 12 kilometers over hills and valleys against strong defenses, and when it stopped it had driven deeper into the German lines than any division on its front. Records will prove that.
>
> Why were many of the veteran National Guard officers removed on the eve of the battle and replaced by unknown Regular Army officers? Does anyone know that many, if not a large majority, of higher commands in the division which "bore all earmarks of being a National Guard outfit" were held by Regular Army officers during the Argonne? Why was the Infantry ordered forward day after day against murderous artillery and machine-gun fire with virtually little or no artillery support, since the guns could not be moved up owing to bad roads and lack of horses? Why, on the second day, was the Infantry forced to lie under a terrific barrage from dawn until 5.30 p. m. waiting for tanks and artillery support, when both had been asked for early that morning? Why, on the fourth day, was the Infantry, with still little or no artillery support, ordered to advance when we were then in a salient and were being fired on from all sides except the rear? Why, after taking the town of Exermont on that day at a cost of fully 500 men killed and wounded, was the Infantry ordered to withdraw from it after holding it for a day? (The First Division, which relieved us, did not retake Exermont for four days, and then did it with scores of heavy guns aiding.
>
> The First lost 9,000 men after relieving us. Yet they were not inspected and insulted when they left the battle field.
>
> Perhaps some one did "blunder" in the Thirty-fifth. But methinks the errors bear a distinct Regular Army flavor.
>
> JOHN W. KEYS.

Mr. President, I have many letters and telegrams similar in their spirit to the one I have just read.

The Thirty-fifth Division was composed almost exclusively of Missouri and Kansas troops. The man who challenges their courage, the man who challenges their loyalty, would be willing to challenge the loyalty of Napoleon's guard. These men belonged to the militia, and if we had possessed no militia we would have been in a desperate condition even in our once threatened conflict with Mexico. It is no part of my purpose to reflect on the Regular Army; but the Regular Army never has defended this country, and never can defend this country. They have never fought any war, and they never will fight any war, for the simple reason that there are not enough of them. The National Guard has been the backbone of our defense and our offense, and it must be the main reliance until some entirely new system of military defense is devised.

If I recall rightly, 17 divisions of the National Guard were on the fighting line before there were over 7 divisions of the Regulars there. If the National Guard does not represent American manhood and American chivalry, then it is not represented in the Army. These National Guard organizations, as everyone knows, are recruited from the ranks of young men in the various districts of the United States. They come from the farm, the factory, the countinghouse. They are typical of our citizenship. They are officered by men who have seen fit to devote a large part of their time to the public service, practically without money and without pay. They have been held together for years when Congress has made inadequate appropriations and State governments have been equally neglectful. In many instances in years past the officers out of their own pockets, or the men out of their pockets, have sustained the headquarters and the upkeep of regiments to a very large extent.

When the call came to arms in this great conflict, the response of the National Guard was one of the bright and splendid manifestations of American patriotism. They were called into the Army as a body. When it was known that the war was coming, men crowded into the ranks, companies were recruited to the full limit, regiments found themselves overwhelmed with applications, and these boys went out under the command of officers whom they knew, who knew them, and who loved them. There was no flinching. There was no holding back. In almost every instance the regiments were ready to move before the Federal Government could supply the trains to carry them to concentration camps. They went across the sea under their own officers. They endured the fatigues of the march, the hardships of the camps, and the horrors of the battle field with uncomplaining lips. They held their ground when both wings of the Army fell back. Their officers, I unhesitatingly say, were grossly mistreated in many instances.

The general who had organized and brought the Thirty-fifth Division to a state of perfection was displaced without reason and without cause, and a man in every way inferior to him was placed in command. Their company officers were taken from them in many instances, regulars with whom they had no acquaintance were placed over them upon the very eve of battle, and still the enlisted men went forward and did not complain. When they had stood until their ranks were thinned, until nature could no longer sustain their bodies, with spirits undaunted, with eyes still blazing the light of battle, they obeyed the order to retire in order that they might rest and renew the strife. And as they came out of the flaming vortex they were insulted by Maj. Peck.

Under similar circumstances French officers would have stood to congratulate the ragged, muddy horde of heroes. They would have pinned decorations upon them. They would have cited them for gallantry in their general orders. They would have inspired them by that recognition which a just Government invariably gives to men who have sacrificed in its behalf. But on the road from the front we find a Regular Army officer, in shining leather and epaulets, who looked at these men who had suffered where he had not suffered, who had toiled where he had not toiled, who had endured where he had not endured, who had bled where he had not bled. That gentleman was posted on the highway to sneer at these men as they went by, and it is now proposed that we shall promote that gentleman.

The posture of that immaculate major has its precedent. The breed was known 300 years ago, as Shakespeare's lines attest. Indeed, Hotspur might be some Missouri sergeant or lieutenant speaking in just indignation in his own defense:

> "I remember, when the fight was done,
> When I was dry with rage and extreme toil,
> Breathless and faint, leaning upon my sword,
> Came there a certain lord, neat and trimly dress'd
> Fresh as a bridegroom; and his chin new reap'd
> Show'd like a stubble-land at harvest-home;
> Perfumed like a milliner;
> * * * * *
> And, as the soldiers bore dead bodies by,
> He call'd them untaught knaves, unmannerly,
> To bring a slovenly unhandsome corse
> Betwixt the wind and his nobility.
> With many holiday and lady terms
> He question'd me;
> * * * * *
> I then, all smarting with my wounds being cold,
> Out of my grief and my impatience
> To be so pester'd with a popinjay,
> Answer'd neglectingly, I know not what,
> He should, or he should not; for 't made me mad
> To see him shine so brisk, and smell so sweet,
> And talk so like a waiting-gentlewoman
> Of guns and drums and wounds—God save the mark!
> * * * * *
> This bald unjointed chat of his, my lord,
> I answer'd indirectly, as I said;
> And I beseech you, let not his report
> Come current for an accusation."

"The officers actually talked with their men!" God in heaven—and I say it reverently—will we ever be able in this world to drive out of the hearts and souls of our people the idea of distinction and class?

Who was this man in the uniform of the Army? A boy born of ordinary parents, I presume in the ordinary way; educated, I assume, no better than the ordinary boy. I think his history is that he himself entered the Army as a private, graduated from the ranks to become a second lieutenant, and then, of course, promotions were very rapid after the war began. What was there about this gentleman to make it pollution for his aristocratic lips to speak to an American boy who had been putting his body between the enemy and his country? But, of course, he did not commit that offense. You could not imagine Maj. Peck talking to an enlisted man. But others did talk with their men. That was done by the captain of a company organized in some little town, a company composed of his neighbor boys, sons of parents as good as there were anywhere, honorable folk, boys whose mothers gave them to their country and choked back the tears as they gave them, that the sons might go forth with Spartan courage.

They were the sons of fathers some of whom were only farmers, some of them only laboring men, some of them only ministers, some of them only lawyers, some of them only bankers, but all of them were loyal American citizens, and every boy who went forth and took enlistment under that officer, selected in the town, went forth because he was willing to pour out his heart's blood in order that the flag might float with undimmed glory and the honor of the United States remain without a blot.

The captain knew them and knew their parents, knew their mothers, and knew their sisters, and as he saw one of them stagger as he went along, or even if he saw fit without so good a cause, he spoke a word to him. The captain happened to have epaulets upon his shoulders, the private had none; and because the captain spoke to this American citizen, willing to die for his country, this American citizen who was walking out of the jaws of death and the bowels of hell, where he had stood for four days, that was the subject for reprimand by Maj. Peck.

Whence come these ideas which we find in the Army and which have been its curse from the first, a system which is un-American, which, in my judgment, has reduced the Regular Army officer to about one-third of the efficiency he would have possessed under a different system? Whence comes that system, I inquire? It was born in Prussia, about the seventeenth century, at a time when that country had not advanced to anything like the degree of civilization it afterwards attained. It was based upon the idea that the king was the master, that the people were servants; that the king, or the master, had the right to command men to their death; that monarchs were the sole source of authority; and that he who would not serve should be made to serve.

Hence grew up the idea that the spirits of men must be broken; that they should be so treated and so trained until they possessed no souls of their own; that they should be transformed into automatons, obeying the will of one master. It was a system which might have been, not tolerable, but which might have had some reason back of it in those days, and those times, and in that civilization. When you apply that, sirs, to the independent citizenry of this country you destroy the Army and you take away that spirit which must exist in every army if it is made effective.

It is high time that this fact should be recognized, that any officer who is so poor and pitiable and miserable a creature that he can only sustain his dignity by refusing to speak to a private has no dignity to sustain and no position to lose; that any officer who is a real officer is a big enough man to speak to anybody, at any time, under any circumstances. But better than that, we must recognize the fact that an American Army called in defense of its country is an army of citizens, and that the citizen does not lose his manhood when he puts on the

uniform of his country; that, of course, he must obey proper commands, and every citizen is willing to do that; outside of the mere observance of the necessary rules, that he shall be treated as a free man ought to be treated, as a citizen ought to be treated.

Mr. President, a man who had a dog engaged in his defense, an honest dog that fought for his life, would pet him, would love him, would make a companion of him. But here is a gentleman who says to the officer whose life perhaps was saved by the gallantry of some private soldier, "You are to be reprimanded because you put your hands upon the shoulder of that boy as he staggered from weakness, marching from the battle's ghastly front."

A second time this name comes here. I protest in the name of the Thirty-fifth Division. I claim for it no better record than the records that were made by the other gallant troops who went from America to defend America's honor, for all of them fought with heroic courage, all of them served with distinction, and in what I am about to say I pluck no blossom from the wreath which will forever be fresh and glorious upon the pages of their story.

When I say that the Missouri troops and the Kansas troops were as brave as the bravest, as good as the best, I state the plain and simple truth. There is not a page of history that I have ever read that tells the story of Missouri regiments playing the coward in any war. Missourians marched with Doniphan across the plains when it was a trackless desert. They fought battle after battle against superior numbers. They made, it is said, the most remarkable military expedition in the history of the world. In the Civil War, when our people were divided, Missouri sent into the Federal Army more troops than were required of her by the Federal Government, and then sent into the Confederate Army more troops than were called for as Missouri's quota on the Confederate side.

I know the officers who went out with the Thirty-fifth Division, some of them men who were making $10,000 and $20,000 a year in their business and profession, who willingly laid it down, who brought to the business of the war their training as experts in civil life and a long preparatory training as officers of the guard; men who had passed their examination with distinction; men who so treated their troops that there was not a man who would not have followed them into the grave itself. They sometimes talked to their men; they always treated them as human beings. If Maj. Peck was in command of Missouri troops very long, he would either talk to them or they would talk to him. It ought to be so of the troops of every State.

This snobbery of the Army, this miserable self-exaltation, this aristocracy of West Point, this spirit that leads men to think that because they have been educated at Government expense and a uniform put upon their backs they are thereby transmuted into a finer clay, is the intolerable thing in the Army. I am told that this gentleman did not come from the school, but he imbibed its worst spirit; he stands as its worst exhibit.

What is in the heart of a man who can do these things? Imagine Robert E. Lee or Gen. Grant standing and criticising and maligning his troops as they returned from a desperate battle. What those real military commanders wanted was men who when they were on the fighting line knew how to advance and how to hold the line. They were not so much interested in whether their shoes were blacked when they tramped back off the battle field as whether the toes of their shoes pointed toward the enemy when the order came to advance. I think it was at Lookout Mountain that a Regular Army officer said to the commander of a regiment of Volunteers who were sweeping up the heights, firing and cheering and advancing, going on even without command, "Your line is irregular, Colonel"; and the colonel said, "Yes; but they are fighting like hell."

To advance this man is an insult to the volunteer soldier. They have protested and protested. Men standing upon wooden legs have protested. Men with arms shot away have protested. Men with their lungs burned out by poison gases have protested. It is the universal protest of all the men of that great division, of all who are living, and if they could speak I am sure it would be the universal voice of the 7,000 dead.

"There is entirely too much familiarity between the officers and the enlisted men," said this distinguished major. Some things make us familiar. It never was my lot to stand upon the battle front. I do not know whether I would have the courage to stand there or not. I hope I would; but no one knows until he has been tried. But it does seem to me, whether it is a sergeant or a lieutenant or a captain who is out there with the shells bursting all around, with the air filled with smoke, with the roar and din of perdition beating into your ears, with boys whom you knew and loved falling dead by your side, that somehow or other you would forget about your caste and about the bars on your shoulders, and you would think of the big, rugged fellow who touched elbows with you and stood with firm nerves firing the machine gun or firing the rifle or with fixed bayonet driving back an oncoming foe. It seems to me the companionship of danger and the brotherhood of death would bring you together, and that as you walked out, realizing that for the time being you were safe, you would feel like putting your hand on that fellow's shoulder and saying at least, "I am glad you are safe. You did well." But do not do it if you are in command of volunteer troops. There may be some gentleman over yonder, who never smelled gunpowder in battle, who will say, "*You are too familiar* with this boy who stood with you foot to foot and elbow to elbow fighting, fighting, while all about the dead and dying lay. Do not do it. It is *too familiar*."

And if, as you march out, some boy, whose mother you knew and who gave him in your care, weak, hungry, exhausted, staggers, and is about to fall, do not say to him, "Brace up my boy. A little bit farther and we will have rest." Above all things do not say to him, "You have done well; you have been a gallant lad." Do not say that. *It is too familiar.* Maj. Peck might hear you. Do not say to this other boy who is coughing up his lungs, who knows even as he gasps for breath where poison has burned away the vitals, that he has only a few hours perhaps to live, but whose gallantry takes him staggering back to camp—do not say to him, "My boy, you have done well." Maj. Peck might see you speaking to him, and you will be *too familiar.*

Why let this insult be put upon the thousands of men in this great division? Why should their universal voice not be heeded? Why should their unanimous protest be spat upon? Are their feelings to have no consideration? Are we to think only of the debonair gentleman with the spotless boots who that morning stood and sneered while they staggered by? The lesson ought to be taught now and for all time that Army officers can not accuse men without being held accountable at least in the matter of promotion.

Books could be written about the conduct of this gallant division, books that would disparage not one whit the luster of other divisions. I say that it is my opinion that this single division in the battle of the Argonne alone performed deeds which, had they been done in days of the past, would have been embalmed in history and glorified in song, so that we would have regarded them as unexampled heroes.

I protest, sir, in their name against this thing that is sought to be done. I protest because it is unjust; it is an insult to the National Guard; it is an insult to the men of the ranks and to the officers, who have now returned to the walks of peace and who are keeping up the old organization, rebuilding it and making it stronger and better for the future.

Mr. President, I could discuss this question at very great length; I could read from the stories of this division; but if what I have said is without effect, then nothing I might be able to say would be of any force. I regret that this appointment is again sent to the Senate. One rejection ought to have been enough. Let this man, if he does not like his present position in the Army, do what the National Guard officers have done—go out in the world and earn a living for himself. They had to do that. They are not whining around about promotion. They went back to work to their places of business. I apprehend that if this great officer shall go out and embark in the ordinary business of the world he will find himself matched intellectually, morally, physically, in business ability, and in every way by many of the very privates he sneered at as those privates marched out from the field of glory to the field of insult.

This man should have been tried by court-martial for the report he made; he should have been cashiered and dismissed the Army for the report he made. Instead of that he is brought here for promotion over other and better men.

Mr. President, I warn the Congress of the United States, I warn every man who is charged with a governmental duty at this time, that if they expect to maintain a spirit in our people that will always respond when the country is in need, they should see to it that every man who mistreats a volunteer soldier of America shall be punished, not rewarded.

That is all I now desire to say on this question.

Mr. WADSWORTH. Mr. President, the senior Senator from Missouri has seen fit to discuss this case in open session. The Senator from Missouri is the master of his own tactics; I shall make no comment upon them.

The gross unfairness of the situation may be apparent when I say—and I think I have a right to say it without violating the rules of the Senate—that a large volume of testimony on

this most extraordinary case was taken by the Military Affairs Committee of the Senate, and one of the most—if not, in fact, the most—important witness before that committee was the officer to whom the Senator from Missouri has referred in such scathing terms, and who is helpless in defense of himself at this hour.

That testimony, Mr. President, was taken, in accordance with the rules of the Senate, in executive session. It covers the whole story of this incident in the most exhaustive fashion. Such portions of it as the Senator from Missouri has referred to constitute but one-tenth of the story. As the result of that testimony taken by a committee of the Senate, I think, endowed with the average intelligence of Senators, and with as high a regard for the soldiers of the Army as any other group of men, by a most substantial majority the action with which the Senator from Missouri is familiar was taken by that committee the last time this matter came up. I am precluded by the rules of the Senate from reading from that testimony. I shall not violate the rules of the Senate. I feel a moral obligation to abide by them, even though in doing so a comparatively defenseless individual is subjected to attack in public.

There is, however, one point, Mr. President, to which the Senator from Missouri has referred, and that is the nomination of this officer for promotion a second time by the President of the United States. I gather from his remarks that he criticizes the Executive for sending in the nomination a second time. The Senator from Missouri apparently does not realize that the President has no discretion in the matter. The law is mandatory. The name must be sent in whenever a vacancy in the grade above that of major occurs and when the officer in question is the senior major. That is why the nomination has been made; that is the only reason, the compelling and controlling reason, for the nomination having been made. The nomination was made in accordance with the statute, and no reflection can lie against the President or the Secretary of War or any other official of the Government for it having been sent here a second time.

Mr. President, the Senate will settle this question in executive session, and it will settle it in accordance with its convictions and in accordance with the facts which have been elicited in the testimony gathered by a committee of the Senate, which sets forth facts which have not been related here to-day and which can not be related. For one, Mr. President, I am satisfied, with this brief statement, to leave the matter as it is.

Mr. REED. Mr. President, by innuendo at least, if not by direct statement, the Senator from New York criticizes me for discussing in public what he claims can only be properly discussed in executive session. My conception of the rule is that appointments are considered in executive session when we come to vote upon them for the purpose of protecting the secrecy of the vote and for the purpose of permitting any Senator who chooses to speak in private to speak in private, but that when any matter comes to the Senate, unless the matter itself be secret, so that there can be no reference to it, it is then a public question which any Senator may discuss in open session if he so desires. If a treaty were sent here secretly, until it was released I could not discuss the terms of the treaty, because I would be exposing that which is confidential.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. REED. When a nomination is sent here, however, it is a matter sent in open session; it is reported in open session and recorded in the RECORD, and that nomination I have the right to discuss because it is open. I can not use the testimony given in executive session, but I can use any fact which comes to my knowledge from whatsoever source I can get it, including in this case the order. The only things I have commented on are excerpts from the order, which is part of the Army records, and therefore open to me or any other Senator. I carefully abstained fom reading from the confidential testimony. I now yield to the Senator.

Mr. WADSWORTH. Mr. President, I merely have this observation to make, that the last statement of the Senator from Missouri illustrates the unfairness of the situation, because it is in the testimony that the defense lies.

Mr. REED. Now I come to the question of unfairness; it is my next point. There is a way to make this so fair that even the Senator from New York, though a member of the Military Affairs Committee, can not err therein, and that is to proceed to the consideration of this question in open executive session, and in a moment, Mr. President, I shall make that motion.

The Senator states that Maj. Peck is being attacked; that he is helpless and without defense. He is no more helpless than the men of the Thirty-fifth Division were when he attacked them. Moreover, he seems to be here with very competent defense in the person of the Senator from New York. He says that Maj. Peck is being attacked in public; but Maj. Peck's order reflecting upon the Thirty-fifth Division was made in public, and these thousands of men had no one to speak for them.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the appointment of Maj. Peck in open executive session, so that he will be allowed all the benefits of this defense.

Mr. WADSWORTH. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. WADSWORTH. May I ask what, under those circumstances, would become of the pending business?

The VICE PRESIDENT. The question before the Senate is the motion of the Senator from Massachusetts [Mr. LODGE] to amend the resolution now before the Senate.

Mr. WADSWORTH. Mr. President, irrespective of what is before the Senate at this time, the Senate has a well-defined rule of practice in a matter of this kind that the testimony shall be regarded as confidential; and in spite of the fact that this officer for the moment suffers under a very grave handicap as the result in part, at least, of the publicity of the criticism against him, I do not myself believe that the Senate should abandon its practice.

This does not affect alone the officer whose nomination for promotion to the grade of lieutenant colonel is pending before the Senate. It affects many, many other officers and men; and some of the statements which of necessity must be made in order to portray the entire truth will be most embarrassing and painful if made in open session, and no good will come of it.

The ends of justice and fair dealing will be attained, I am sure, by the Senate proceeding under its usual practice. If we are to abandon the practice and discuss all these matters in open executive session, we might as well abandon it for good on all similar matters. I can see no distinction in some respects, at least, between this case and others which may come up in the future and cases which most assuredly have come up in the past.

So, Mr. President, in spite of the situation which I referred to a moment ago in my very brief statement following the remarks of the Senator from Missouri, I shall object to taking up this matter in open executive session.

The VICE PRESIDENT. Objection is made.

Mr. REED. Mr. President, I regret that my very good friend the distinguished Senator from New York deprives Maj. Peck of the benefit of this evidence and of publicity. I regret that he takes that position, particularly since he has claimed that I have not fairly stated the case. The reason he advances is, however, the same reason that we have heard with reference to every case where we have sought to have an open executive session. We were told some time back that if treaties were considered in open executive session all sorts of deplorable things would be said which would be offensive to foreign governments; but we finally came to the doctrine of considering most of the treaties in open executive session, and we are now engaged in so considering five of them.

The Senator speaks of reflections upon other Army officers. I take it that no one will reflect upon another Army officer, aside from Maj. Peck, unless that Army officer has been guilty of conduct that brings its own condemnation. There is nothing in the evidence that I have read that reflects upon other Army officers. If there is, it is sworn testimony. I have looked through the parts that I thought applied to Maj. Peck.

Now, Mr. President, I am going to submit another request for unanimous consent, and that is that the seal of secrecy be removed from the evidence in the Peck case, and that it shall be made public.

Mr. WADSWORTH. Mr. President, I object to any such suggestion until after the case is settled in executive session.

The VICE PRESIDENT. Objection is made.

Mr. REED. Mr. President, why should there be objection until after the case is settled?

Mr. WADSWORTH. That is the usual course of procedure, as the Senator knows.

Mr. REED. If it is proper to give it out after the case is settled, then it certainly is proper to give it out now.

Mr. WADSWORTH. Mr. President, the Senator knows perfectly well that in very many of these matters, when the cases have been closed, the motion has been made that thereafter the seal of secrecy should be removed.

Mr. REED. I can see no reason for that rule, and I never have known it to obtain as a rule. It has been sometimes done that way, and sometimes the seal has been removed in advance. There is no use in removing the seal of secrecy after the decision has been rendered unless it be feared that if the facts are known in advance of the decision public opinion might manifest itself, and might affect the decision; in other words,

that if the Senate can vote here in secret without the public knowing what the facts are it may vote one way, but if the public does know what the facts are the Senate may vote the other way. That has not been my conception of what the Senate would do.

Mr. President, having failed in both of these requests, I now move that the Senate proceed to the consideration of the nomination of Maj. Peck in open executive session; and on that I ask for the yeas and nays.

Mr. WADSWORTH. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harrison	Myers	Sheppard
Ball	Heflin	Nelson	Shortridge
Brandegee	Johnson	New	Simmons
Bursum	Jones, N. Mex.	Newberry	Smith
Cameron	Jones, Wash.	Norris	Spencer
Capper	Kendrick	Oddie	Stanfield
Caraway	Keyes	Overman	Stanley
Culberson	King	Page	Sutherland
Cummins	Ladd	Pepper	Wadsworth
Fernald	Lenroot	Phipps	Walsh, Mass.
Fletcher	Lodge	Poindexter	Warren
Glass	McKellar	Pomerene	Watson, Ga.
Hale	McKinley	Rawson	Weller
Harreld	McNary	Reed	Willis
Harris	Moses	Robinson	

Mr. FLETCHER. I desire to announce that my colleague [Mr. TRAMMELL] is unavoidably absent on account of serious illness in his family. I ask that this announcement may stand for the day.

Mr. WALSH of Massachusetts. I desire to announce that the Senator from Michigan [Mr. TOWNSEND] and the Senator from South Dakota [Mr. STERLING] are in attendance at a hearing before the Committee on Post Offices and Post Roads.

Mr. JONES of Washington. I desire to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from New York [Mr. CALDER], the Senator from Indiana [Mr. WATSON], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained at a meeting of the Committee on Finance.

The VICE PRESIDENT. Fifty-nine Senators having answered to their names, a quorum is present.

Mr. WADSWORTH. Mr. President, I make a point of order against the motion made by the senior Senator from Missouri [Mr. REED].

The VICE PRESIDENT. The Senator will state his point of order.

Mr. WADSWORTH. I call the attention of the Chair to the second paragraph of Rule XXXVIII, which reads:

> All information communicated or remarks made by a Senator when acting upon nominations concerning the character or qualifications of the person nominated, also all votes upon any nomination, shall be kept secret.

That is the rule of the Senate, and the consideration of this nomination in open executive session can not be had unless the rule itself is suspended.

Mr. REED. Mr. President, there is another rule with regard to this matter to which I wish to call attention. I refer to paragraph 2 of Rule XXXVI, which reads:

> When acting upon confidential or executive business, unless the same shall be considered in open executive session, the Senate Chamber shall be cleared of all persons—

And so forth.

Paragraph 3 of that rule reads:

> All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret; and all treaties which may be laid before the Senate, and all remarks, votes, and proceedings thereon shall also be kept secret until the Senate shall, by their resolution, take off the injunction of secrecy, or unless the same shall be considered in open executive session.

Mr. LODGE. That rule applies only to treaties.

Mr. REED. It is perfectly clear that paragraph 2 and paragraph 3 embrace all executive business taken together. Each provides specifically for the matter being considered in open executive session. That is all I desire to say on it. It has been the general practice in the Senate for years.

The VICE PRESIDENT. It does not seem to the Chair to be exactly clear whether paragraphs 2 and 3 of Rule XXXVI apply exclusively to treaties. The implication would seem to be that they do; but whether they do or not, paragraph 2 of Rule XXXVIII seems to be conclusive in the statement that—

> All information communicated or remarks made by a Senator when acting upon nominations concerning the character or qualifications of the person nominated, also all votes upon any nomination, shall be kept secret.

That would seem to control, and the point of order would seem to be well taken.

Mr. REED. That construction would resolve itself into this, that there could be no open executive sessions.

Mr. WADSWORTH. May I observe that it could not be held to consider nominations in open executive session unless the rule were changed or suspended?

Mr. REED. That is the opinion of the Senator, of course.

Mr. NORRIS. Mr. President, I think this question was before the Senate during the last Congress. I remember I had formed a decided opinion on it, and the Senate overruled me, as I remember it now. It seems to me plain, if I may be permitted to have the attention of the Chair for a moment, that paragraph 2 of Rule XXXVI applies to any executive business. It provides that—

> When acting upon confidential or executive business—

Considering nominations is executive business, as I understand it, the same as acting on treaties—

> unless the same shall be considered in open executive session.

In the first place, Mr. President, if acting on nominations is executive business, then section 2 of Rule XXXVI applies; and if it applies, the parenthetical clause, "unless the same shall be considered in open executive session," is absolutely meaningless, unless a nomination can be considered in open executive session.

That would apparently be perfectly plain, and there would be no difficulty about reaching that construction of the language, as I look at it, if it were not for the language which has been cited to the Chair contained in paragraph 2 of Rule XXXVIII respecting executive sessions, and in my judgment it applies to them where it is secret, and where it is secret then section 2 of that rule applies. That sort of a construction of each one of these clauses would give effect to both provisions of the rule, and any court in construing any instrument would, if it could, without abuse of the English language or shocking the sensibilities of construction, give effect to the entire instrument.

So, while it is not entirely clear, and there seems to be somewhat of a conflict, that construction will be borne out, I think, by the language used, and the apparent conflict between those provisions of the rule will be cleared up. It seems to me, therefore, that it is in order to make a motion to consider a nomination in open executive session.

Another reason why that would appear to be the proper construction is that it is, in my judgment, the reasonable construction to be put upon the language. Any other construction would mean that the Senate was absolutely bound to consider every nomination in secret session; that it has no right to open the doors.

It is suggested that the rules be suspended; but that would require a day's notice and a two-thirds vote. That construction, therefore, would tie the hands of the Senate, and is one which should not be resorted to, it seems to me, unless we are driven to it.

Mr. REED. Mr. President, I desire to call attention to a clause on page 247 of the Precedents by Gilfry, as follows:

> There is no inflexible rule requiring that confidential or executive business shall be considered with closed doors, and, since the adoption of the amendments to Rules XXXVI and XXXVII proposed by Senator Aldrich, March 6, 1888, it is clearly set out that such business may, at the will of the Senate, be considered with open doors.

That is the rule as it now stands, and that is the construction which Mr. Gilfry put upon it. That was the object of the change, namely, that the Senate could consider in secret executive or in open executive session any matters, in its own discretion.

Mr. LENROOT. Mr. President, so far as the statements of the parliamentary expert who prepared these precedents are concerned, it is clear that they relate only to such communications as clearly may be considered in open executive session, and concerning which the seal of secrecy may be removed. Paragraph 2 of Rule XXXVI, cited by the Senator from Missouri, relates only to the clearing of the galleries. It requires that the galleries shall be cleared unless executive communications are to be considered in open executive session. We must look elsewhere, of course, to find what executive business may be considered in open executive session. That we find in the next paragraph, which reads:

> All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret; and all treaties which may be laid before the Senate and all remarks, votes, and proceedings thereon shall also be kept secret—

Now we come to the permission for an open executive session—

> until the Senate shall, by their resolution, take off the injunction of secrecy, or unless the same shall be considered in open executive session.

Mr. REED. Exactly; that is what I moved.

Mr. LENROOT. Therefore, it is really in order, in the consideration of a treaty, to consider the same in open executive session, and the seal of secrecy may be removed; but when we come to Rule XXXVIII, paragraph 2, there is no exception made, as there is in the case of a treaty, and the rule is inflexible that all votes and remarks of Senators when acting upon nominations concerning the character or qualifications of the person nominated shall be kept secret.

Is it not entirely clear that if it had been the intention to permit open executive sessions in the consideration of nominations, the same exception would have been made that was made to paragraph 3 relating to treaties? The fact that it is not made as applying to nominations, and is made as applying to treaties, is conclusive, it seems to me, that the motion is not in order.

Mr. HARRISON. Mr. President, may I ask the Senator a question before he takes his seat? He contends, then, that in the matter of treaties two-thirds of the Senators voting could bring about an open executive session?

Mr. LENROOT. No; I think a majority could.

Mr. HARRISON. The rule says two-thirds. But it is the Senator's contention that so far as nominations are concerned it must be done by unanimous consent.

Mr. LENROOT. Yes.

Mr. HARRISON. I wanted to get that clear, because that has been a question we have been fighting about before, and I have a resolution on the calendar that I shall press to cure that defect.

Mr. NORRIS. Mr. President, I would like to ask the Senator from Wisconsin a question. I want to get the Senator's opinion as to whether the consideration of nominations is executive business. Does the Senator think it is?

Mr. LENROOT. Oh, yes.

Mr. NORRIS. Assuming that—and I agree with the Senator; I think he is right—paragraph 2 of Rule XXXVI must apply to nominations?

Mr. LENROOT. No.

Mr. NORRIS. That says executive business.

Mr. LENROOT. Yes; but that only applies to clearing the galleries. The galleries must be cleared unless the business is of such a nature as under the rules it may be considered in open executive session, and then provision is made for certain executive business which may be considered in open executive session. So the rule is entirely harmonious.

Mr. NORRIS. Let me read section 2 of Rule XXXVI:

> When acting upon confidential or executive business, unless the same shall be considered in open executive session, the Senate Chamber shall be cleared—

And so forth.

Mr. LENROOT. Under the next paragraph certain executive business may be considered in open executive session.

Mr. NORRIS. I understand that, but the language "when acting upon confidential or executive business" would include nominations, would it not?

Mr. LENROOT. Not necessarily. This is only with reference to the clearing of the galleries. There are certain kinds of executive business which may be considered in open executive session; and if the business is of that character, of course, this rule shall not apply. That is all this rule has reference to.

Mr. NORRIS. What follows in paragraph 2 reduces the business to secret consideration, of course. It says that—

> the Senate Chamber shall be cleared of all persons except the Secretary, the Chief Clerk, the principal legislative clerk, the executive clerk, the minute and Journal clerk, the Sergeant at Arms, the Assistant Doorkeeper, and such other officers as the Presiding Officer shall think necessary, and all such officers shall be sworn to secrecy.

We have all those officers here always when we are in secret executive session.

Mr. LENROOT. That is only done to insure secrecy where the rules require it.

Mr. NORRIS. Exactly; but I can not understand how the Senator can admit that the consideration of a nomination is executive business and then say that section 2 of Rule XXXVI does not apply to the consideration of nominations.

Mr. LENROOT. I would like to ask the Senator a question there. If the Senator's construction is correct, what possible purpose could there have been in adding the last clause to paragraph 3 if it is already covered by paragraph 2, as the Senator contends—

> Or unless the same shall be considered in open executive session.

Mr. REED. Mr. President, if I may inquire——

Mr. LENROOT. Before the Senator does that I would like to have an answer to my question from the Senator from Nebraska. If the Senator thinks that is all covered by paragraph 1, the paragraph which covers all executive business, that it may all be considered in open executive session, why is the last clause added to paragraph 3?

Mr. NORRIS. "Unless the same shall be considered in open executive session"?

Mr. LENROOT. Yes.

Mr. NORRIS. I will read paragraph 3 of Rule XXXVI:

> All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret; and all treaties which may be laid before the Senate, and all remarks, votes, and proceedings thereon shall also be kept secret until the Senate shall, by their resolution, take off the injunction of secrecy, or unless the same shall be considered in open executive session.

That applies to treaties.

Mr. LENROOT. Yes, but——

Mr. NORRIS. It applies to another form of executive business.

Mr. LENROOT. Exactly.

Mr. NORRIS. The other rule applies to a different form of executive business, which is nominations.

Mr. LODGE. The first refers to nominations, of course.

Mr. LENROOT. Exactly.

Mr. NORRIS. "All confidential communications." I would not take that to mean nominations. The making of a nomination is by our rules expressly stated not to be a secret.

Mr. LENROOT. Does the Senator admit that the consideration of treaties is executive business?

Mr. NORRIS. Yes.

Mr. LENROOT. Then the Senator contends that paragraph 1 covers all executive business?

Mr. NORRIS. Yes.

Mr. LENROOT. Does the Senator say that treaties are to be considered in open executive session except for the last portion of paragraph 3?

Mr. NORRIS. At least, that would cover it. I am not saying there is nothing else in the rule which would permit it, and I concede to the Senator that that is sufficient authority to consider a treaty in open executive session.

Mr. LENROOT. There is no such authority in paragraph 2 relating to nominations, and there being none, the conclusion is irresistible that there can not be an open executive session without dispensing with the rules for the consideration of nominations.

Mr. NORRIS. If the Senator's contention were right, then the makers of this rule would never have printed the clause "unless the same shall be considered in open executive session," because that as to treaties is repeated. I admit with the Senator that what is in paragraph 3 of the rule does not apply to nominations. It applies exclusively to treaties and other confidential communications.

Mr. LENROOT. Does the Senator think that if there be any other executive business than treaties or nominations, it may be considered in open executive session if the Senate sees fit to do so, and that where the rule provides that proceedings must be kept secret, without at the same time providing that the injunction of secrecy may be removed and the matter considered in open executive session, it can not be done?

Mr. NORRIS. The point that seems to me clear is that all executive business of all kinds, whether it is nominations or confidential communications—everything that can come under the definition of executive business—can be considered in open executive session. That must follow, or the language is absolutely meaningless. That is the way it seems to me.

Mr. REED. Mr. President, I am unable to follow the reasoning of the Senator from Wisconsin. I think it very easy to follow the language through and understand it. The first paragraph of Rule XXXVI provides that—

> When the President of the United States shall meet the Senate in the Senate Chamber for the consideration of executive business, he shall have a seat on the right of the Presiding Officer. When the Senate shall be convened by the President of the United States to any other place, the Presiding Officer of the Senate and the Senators shall attend the place appointed, with the necessary officers of the Senate.

That contemplates that when the President has any executive business whatsoever, he may come to the Senate in person, as was once the custom. He may, of course, proceed by written message, which is now the custom. Paragraph 2 reads:

> When acting upon confidential or executive business——

Now, executive business embraces everything the Executive may submit to Congress. There may be, in addition to executive business, business of a confidential character which the Senate itself desires to consider in secret, but when acting upon a confidential matter or anything the Executive may submit—

> Unless the same shall be considered in open executive session, the Senate Chamber shall be cleared.

The language there clearly implies that there may be an open executive session on any executive matter or upon any confidential matter whatsoever, but it will require action by the Senate to proceed in open executive session.

Paragraph 3 reads:

All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret; and all treaties which may be laid before the Senate, and all remarks, votes, and proceedings thereon shall also be kept secret * * * unless the same shall be considered in open executive session.

So treaties may be considered in open executive session. The language of the rule so implies. If the language there implies that treaties may be considered in open executive session, then the language of paragraph 2 applying to all executive business being the same, namely, "unless the same shall be considered in open executive session," applies to all executive business.

Now I come to the rule to which the Vice President calls attention, Rule XXXVII, which provides, when treaties shall be laid before the Senate, how the Senate shall proceed, that the treaty may be printed in confidence for the use of the Senate, and that in any stage of the proceedings the Senate may remove the injunction of secrecy from the treaty. That is merely carrying into effect the provision which regulates entirely the proceedings with reference to treaties, the same provision which had already been in the rule.

When we come to nominations in Rule XXXVIII we find—

When nominations shall be made by the President of the United States to the Senate they shall, unless otherwise ordered, be referred to appropriate committees.

But we all know that the words "unless otherwise ordered" have been construed to give the Senate the full right to pass upon the appointments without any reference to a committee. We ordinarily do refer nominations to committees, but we have the power to not refer them to committees. Indeed, I think that was done in the case of former Senator Kenyon a few days ago.

Then follow the provisions with reference to the discussion of nominations. They are to be in secret "unless otherwise ordered," and that runs through the entire proposition.

Mr. President, the Senate, I think, will hardly be willing to say that it can not consider a nomination in open executive session. Nomination after nomination has been considered in this body in open executive session. It happens time and again. The nomination of former Senator Kenyon was considered the other day in open executive session and the galleries were not cleared.

Mr. LENROOT. Does the Senator know of any nomination considered in open session except by unanimous consent?

Mr. REED. The question of unanimous consent does not come in here. There is an absolute rule, and we can not waive the rule by unanimous consent where the rule is absolute. Where the rule says the body can only proceed in secret, we can not by unanimous consent proceed otherwise.

Mr. LENROOT. Does the Senator assert that?

Mr. REED. I assert it.

Mr. LENROOT. Does not the Senator know that by unanimous consent the rules of the Senate can be disregarded and the Senate can do anything it sees fit?

Mr. REED. I assert that just as I assert any question which goes to the question of jurisdiction. The Senate can waive many matters by unanimous consent. The Senate could not waive the Constitution of the United States by unanimous consent, nor could it waive a constitutional provision. We have considered appointment after appointment in open executive session.

I will undertake to find plenty of such precedents if given a little time. The language of Rule XXXVI is, "unless the same shall be considered in open executive session," implying that there is such a thing as an open executive session.

I do not care to argue the question further, and I care very little about this particular case. I would not have made the motion except that a statement was made here that Maj. Peck was being put in a bad light by having his report discussed in the open session—an Army report, which was all I did discuss—and the evidence being kept from the public. Thereupon I moved to consider the nomination in open executive session, so that Maj. Peck could have the benefit of the evidence and of the discussion.

Mr. KING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. KING. What is the status of the motion that is now before the Senate?

The VICE PRESIDENT. The Chair ruled some time ago that, in his opinion, the point of order was well taken, and that the motion was not in order.

Mr. FLETCHER. I will say to the Senator from Missouri that Rule XL itself provides:

Any rule may be suspended without notice by the unanimous consent of the Senate, except as otherwise provided in clause 1, Rule XII.

Mr. REED. Mr. President, I do not want to appeal from the decision of the Chair, but I simply state at this time that I shall take the trouble to look into the precedents in this matter, and if I can convince the Chair, in order that our precedents may be kept straight, I shall ask the Chair to reconsider the matter at a later time.

The VICE PRESIDENT. The Chair will be very glad to do that.

Mr. REED. Mr. President, if I may ask the indulgence of the Senate for one moment further, in my remarks I may have been understood to criticize the President for sending in this nomination. What the Senator from New York [Mr. WADSWORTH] has stated is true. The nomination had to be sent in under the law, and, therefore, anything I may have said that appeared to reflect on the President I should withdraw; but, at the same time, I desire further to remark that I protest against any law that proposes to promote men automatically. I think this is an illustration of the vice of such a law.

Mr. LODGE. Mr. President, in glancing at Gilfry's Precedents I have found one which seems to me to bear very directly on the point which has recently been under discussion. A resolution was offered by Mr. Riddleberger on July 8, 1886:

That the doors of the Senate shall not be closed during the time that the executive nominations are pending, discussed, or voted upon.

On July 9, 1886, the President pro tempore (John Sherman) laid before the Senate the resolution yesterday submitted by Mr. Riddleberger, providing that the doors shall not be closed during the discussions of executive nominations; when Mr. Harris—

That was Senator Harris, of Tennessee, who was a very able parliamentarian—

raised a question of order that the resolution proposed an amendment to the Standing Rules of the Senate, and that the provisions of Rule XL, prescribing the mode of amendment to the rules, were not complied with.

The President pro tempore sustained the point of order.

That was general instead of particular, but it covers, I think, the point which has been raised.

Mr. JONES of Washington. Mr. President, I call for the regular order.

The VICE PRESIDENT. The regular order is demanded, which is Senate resolution 213.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, to amend the Standing Rules of the Senate, so that all general appropriation bills shall be referred to the Committee on Appropriations.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Massachusetts to the amendment of the Committee on Rules.

Mr. HARRISON. Mr. President, I had understood on yesterday that we were going to have an executive session to consider the case which has been under discussion this afternoon. May I ask the Senator when it is his intention to move an executive session?

Mr. LODGE. I made no statement about it. The Senator from New York [Mr. WADSWORTH] gave notice that when the Senate next went into executive session he would bring up the Peck nomination.

Mr. HARRISON. I understood on yesterday that some Senator stated that to-day an effort would be made to have an executive session earlier than usual.

Mr. LODGE. No; nothing of that sort was said, so far as I know; but the Senator from New York, as I have stated, gave notice that at the next executive session he would call up the nomination to which reference has been made. That is the only notice, so far as I know, that has been given.

Mr. HARRISON. I understand that there has been considerable discussion on that proposition. May I ask when it is the intention to go into executive session to consider that nomination?

Mr. WADSWORTH. Mr. President, is the Senator addressing his inquiry to me?

Mr. HARRISON. Yes.

Mr. WADSWORTH. So far as I am concerned, I am willing to go into closed executive session immediately.

Mr. HARRISON. That is satisfactory.

Mr. WADSWORTH. But the Senator from Wyoming [Mr. WARREN] and the Senator from Kansas [Mr. CURTIS] are in charge of the matter which is the unfinished business before the Senate, and naturally I defer to their judgment as to the procedure.

Mr. HARRISON. I move that the Senate proceed to the consideration of executive business. I shall not request the yeas and nays on that motion at present.

The VICE PRESIDENT. The question is on the motion of the Senator from Mississippi that the Senate proceed to the consideration of executive business.

Mr. HARRISON. I withhold the motion for just a moment, if some Senator on the other side desires to make the motion.

Mr. WADSWORTH. Mr. President, may I suggest to the Senator from Mississippi that, perhaps, it is possible to dispose of pending motion relating to the resolution to amend the rules? My disposition would be to delay, if possible, going into executive session until a vote may be taken upon that motion. Then I would ask, if it be not too late, that we go into executive session for the remainder of the afternoon.

Mr. KING. Mr. President, I think I can state to the Senator from New York that there will be considerable discussion of the proposed amendment of the rules, a discussion which could not be completed within several hours.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. WADSWORTH. Then, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 2 hours and 10 minutes spent in secret executive session, the Senate (at 6 o'clock and 30 minutes p. m.) took a recess in secret session until tomorrow, March 4, 1922, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 3, 1922.*

The House met at 12 o'clock noon and was called to order by Mr. WALSH as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, we bless Thee that Thou hast taken pleasure in sparing our lives and condescending to our needs. This day give us great thoughts, great hopes, and sure visions. Brighten our joys and let the light of the upper world fall upon us. Teach us that sometimes standing still is progress, waiting means victory, and failure often contributes to success. Inspire our wills with the spirit of obedience and service and all our days may we know that we are not forgotten. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CORRECTION.

Mr. DAVILA. Mr. Speaker, when the gentleman from Kansas [Mr. TINCHER] was delivering his remarks yesterday and when he was stating that Gov. Reily hoisted the American flag over the schools of Porto Rico over the protests of the people who I said he removed from office, I arose and said: "I deny that most emphatically. The gentleman is entirely incorrect." I have the stenographic notes, which are correct, and have seen that my denial was suppressed from the RECORD.

The following words appeared also suppressed:

Mr. DAVILA. Mr. Chairman, will the gentleman yield? That is a personal attack upon me, and I must ask unanimous consent to address the House for five minutes on a question of personal privilege.

The CHAIRMAN. The gentleman may do that later when we are in the House.

I also ask permission to make the following correction: On page 3302 instead of "They were Americans" insert "They are two continental Americans appointed as heads of departments."

The SPEAKER pro tempore. The Commissioner from Porto Rico [Mr. DAVILA] asks unanimous consent to correct the RECORD by inserting certain remarks which he says were made by him during the remarks of the gentleman from Kansas [Mr. TINCHER]. The Chair understands the rule to be that if a Member having the floor yields to another Member, that the Member having the floor in revising and extending his remarks can not strike out the remarks of the person to whom he yielded. But if the Member having the floor has not yielded to another Member, the interpolations of a Member may be stricken out of the remarks by the person having the floor. The Chair understands that the Commissioner from Porto Rico asked the gentleman from Kansas to yield and the gentleman from Kansas yielded, and in revising his remarks the gentleman from Kansas omitted to include the remarks of the Commissioner of Porto Rico. Is that the fact?

Mr. MONDELL. I think that is not the fact, Mr. Speaker.

Mr. STRONG of Kansas. I understand, Mr. Speaker, that the gentleman from Kansas did not yield to the gentleman from Porto Rico, but that the gentleman from Porto Rico injected his remarks into the remarks of my colleague. My colleague is not here and I object to any such correction until he has been consulted.

The SPEAKER pro tempore. The gentleman from Kansas objects.

Mr. HUMPHREYS. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Mississippi rise?

Mr. HUMPHREYS. There is another correction which the gentleman from Porto Rico asks to have made in his own remarks. I suppose there is no objection to that.

The SPEAKER pro tempore. The gentleman from Porto Rico asks unanimous consent to extend his remarks by making certain corrections in his own remarks. Is there objection?

Mr. STRONG of Kansas. If it is contained in the same matter, I object.

The SPEAKER pro tempore. The gentleman from Kansas objects.

Mr. DYER. Mr. Speaker, the gentleman from Porto Rico only wanted to extend his remarks to make corrections.

Mr. STRONG of Kansas. I think it is only fair that the gentleman from Porto Rico should consult with the gentleman from Kansas, and I therefore object.

The SPEAKER pro tempore. The gentleman from Kansas objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 2492) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes," approved June 30, 1921.

The message also announced that the Senate had concurred in the following resolution:

House concurrent resolution 49.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 5013) entitled "An act to authorize the Secretary of the Navy to sanction the use of certain titles on tablets and other memorials," the Clerk be authorized and directed to enroll the title so as to read as follows:

"An act to authorize the Secretary of the Navy to sanction the inscription of titles upon certain monuments, tablets, or other memorials."

EXTENSION OF REMARKS.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the farm risk insurance.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on farm risk insurance. Is there objection?

There was no objection.

Mr. GAHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech by the gentleman from Ohio [Mr. FITZGERALD] and broadcasted by radio.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing a speech by his colleague [Mr. FITZGERALD], broadcasted by radio. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD to include an address delivered by J. B. Powell, secretary of the Chamber of Commerce of China, which he delivered before the Board of Trade at Washington on American trade with China.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by printing a speech delivered by J. B. Powell before the Board of Trade at Washington on American trade with China. Is there objection?

Mr. GARNER. Mr. Speaker, in view of the fact that Mr. WALSH, of Massachusetts, is not on the floor and the fact that he makes it a uniform rule to object to the printing of such matter, I am going to object until he can be again on the floor.

The SPEAKER pro tempore. The gentleman from Texas objects.

SECOND DEFICIENCY BILL.

Mr. MADDEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10663, the deficiency bill.

The SPEAKER pro tempore. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole

House on the state of the Union for the further consideration of the deficiency bill.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SANDERS of Indiana in the chair.

The Clerk read as follows:

The three foregoing appropriations shall be disbursed by the Sergeant at Arms of the House of Representatives.

Mr. MADDEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 2, after line 10, insert a new paragraph, as follows:

"For payment to Henry T. Rainey for expenses incurred as contestant in the contested-election case of Rainey *v.* Shaw, audited and recommended by the Committee on Elections No. 2, $1,999.38."

Mr. MADDEN. Mr. Chairman, this item was certified by the Committee on Elections after the bill was reported. Hence the necessity for the amendment.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARRETT of Tennessee. Does this include counsel fees?

Mr. MADDEN. These are the expenses certified by the committee. They are within 62 cents of the statutory limit.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For stationery for Representatives, Delegates, and Resident Commissioners, fiscal year 1921, $250.

Mr. MADDEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 2, line 24, strike out "fiscal year 1921" and insert in lieu thereof the following: "for the first session of the Sixty-seventh Congress."

Mr. MADDEN. Mr. Chairman, the reason for offering this amendment is that the expenses referred to begin to accrue after July, 1922, and carry over into another year, and we have to change the language to make it conform to the facts.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

To enable the Clerk of the House of Representatives to pay to such persons as were actually engaged in the work designated by him, and in such proportion as he may deem just for the assistance rendered during the Sixty-seventh Congress in compiling the list of reports to be made to Congress by public officials, compiling copy, and revising proof for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; and for recording and filing statements of political committees and candidates for nomination and election to the House of Representatives, pursuant to the campaign contribution laws, $5,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word, to ask a question with regard to the directories. The gentleman from Illinois will probably remember that when the first edition of the Congressional Directory was gotten out in this Congress it was discovered that the little mark which indicates whether a Member is a Democrat or a Republican was changed or omitted with respect to one Member from Connecticut. Because of that one little error all of those directories which had been printed and which had been distributed were recalled and the directory was corrected. The gentleman from Illinois is pledged to economy. Does he think that it is carrying out economy to recall a whole directory simply because of one little error like that?

Mr. MADDEN. The directory was not recalled, as I understand it. They just cut the page out. That is a matter for the Committee on Public Printing.

Mr. JOHNSON of Washington. Mr. Chairman, if the gentleman will yield, the directories distributed in the Capitol, which could be easily reached, were called in, opened, and a new page inserted. The cost of that was not much, a little more than the cost would have been to paste a slip on. This was not done at the request of the Members, it was done in the interest of having the directory accurate.

Mr. BLANTON. I am just calling attention to the insignificance of this mistake, because everyone knows the gentleman from Connecticut is a stanch, orthodox, lifelong Republican.

Mr. JOHNSON of Washington. The point lies here: Directories, encyclopedias, and other books of reference should not have mistakes in them. The committee were of opinion that that was a mistake which they were entitled to correct and which should be corrected, and it was corrected at a small cost.

Mr. BLANTON. I withdraw the pro forma amendment.

The CHAIRMAN. The Chair calls the attention of the gentleman from Illinois to the fact that the word "committee" in line 23, page 3, is misspelled. Without objection, the spelling will be corrected.

There was no objection.

The Clerk read as follows:

ARCHITECT OF THE CAPITOL.

House Office Building: For maintenance, including miscellaneous items, and for all necessary services, $49,800.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word. Is this $49,800 in addition to the regular appropriation and the estimates made when the regular appropriation bill was before the House?

Mr. MADDEN. Yes. The House Office Building is controlled by the House Office Building Commission, who ordered the Architect of the Capitol to paint the office rooms there, put in new mail chutes, and make other repairs, all of which have been done. This is the amount that they cost. I think they put in some new lighting fixtures.

Mr. DOWELL. May I inquire of the chairman, as this matter has been before us frequently, if the officers are entirely ignoring the appropriation in making these expenditures without reference to the appropriation?

Mr. MADDEN. They authorized the work to be done, and it was done, and of course there is nothing left for us to do except to make the appropriation to pay the bills.

Mr. DOWELL. Has this commission authority to expend an unlimited amount of money and compel the payment by appropriation in a deficiency bill?

Mr. MADDEN. They have authority to make any improvements or repairs that may be necessary in the building under their jurisdiction. What they did, as I understand it, was to order the rooms painted. I understand that most of them have been painted. They ordered new mail chutes because they found that the mail chutes that were there held the mail and it got stuck and did not get to its destination. I think also that they ordered some new lighting fixtures. All of those are included in the item appropriated.

Mr. DOWELL. Did the committee allow this simply because it was a necessary improvement or because the commission had proceeded to expend the money?

Mr. MADDEN. They first ordered this appropriation because the bills had been contracted, and the work had been done. We assumed, I will say, that the commission having charge of the building and having authority would not have ordered the work unless they thought it was an essential improvement.

Mr. DOWELL. But the committee had not further data and no further responsibility than to allow the claims as presented, without reference to the nature of the improvement?

Mr. MADDEN. Of course we could not go into that because it was all done. We did not know whether it was needed or not.

Mr. DOWELL. I want to get the policy of this committee, and I am trying to inquire, not with reference to this item alone. This item may be perfectly all right, but I think we ought to stop somewhere these commissions and officials contracting indebtedness where there is no appropriation for the expenditure.

Mr. MADDEN. Of course, as far as we are able to do that we are doing it.

Mr. MANN. May I ask my colleague—I do not see any member of the House Office Commission on the floor—the items covered by this item in the bill were for various expenses incurred in the House Office Building where contracts were let and money expended under authority of the House Office Commission, but no money appropriated to pay it?

Mr. MADDEN. I think that is the fact.

Mr. MANN. I know that is the fact; that is stated in the estimate; there is no controversy about it; but I just wondered when I read that item whether it was the policy of the House Office Commission to authorize the Architect of the Capitol, and the ex officio Superintendent of the House Office Building, to let contracts for various improvements, and carry out contracts where no money has been appropriated for that purpose.

Mr. MADDEN. Well, it seems to have been the policy in this case.

Mr. MANN. I served on the House Office Commission for a great many years, and I feel quite confident, without attempting in any way to reflect upon the action of the present commission, while I was a member of the House Office Commission we did not undertake to do that thing. We undertook to get the appropriation before we spent the money.

Mr. DOWELL. Can the gentleman explain to the House how we can curtail expenses if all these commissions, boards, and officials are proceeding to make contracts and bring them to the Committee on Appropriations for appropriation?

Mr. MANN. Well, I do not think it would have curtailed the expenses any, because the improvements which were made in the House Office Building were all necessary improvements. All the money was not expended. Part is for reconstructing the mail chutes over there, which I am told did not work very well, and part of it is for painting roofs and other improvements, part of which has been done and part has not been done.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

RECORDER OF DEEDS.

The recorder of deeds of the District of Columbia is authorized to purchase book typewriter machines or parts thereof to an amount not exceeding $6,549: *Provided*, That not to exceed $5,872.20 of the purchase price shall be paid from the fees and emoluments of his office, and that he shall exchange, as the balance of the purchase price, old book typewriter machines of the value of not less than $676.80.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I want to ask the chairman of the committee if he could tell us about how many women there are employed in this department?

Mr. MADDEN. I do not think I can tell the gentleman how many women there are, but the recorder, who came before the committee, said that he needed five more record writers to operate these typewriting machines; that the work of the office was six months in arrears and the typewriters he had now are worn out.

Mr. BLANTON. That is not the particular point I want to get at. Is it not a fact that there are some less than 100 white women in this department?

Mr. MADDEN. I do not know how many there are. This is all a fee office, and we do not go into that very much.

Mr. BLANTON. The point I did want to go into was this: I do not know how the chairman of the great Committee on Appropriations feels about it, but I do know that the American people do not believe in having a whole department of good white women working under the direct supervision of a colored chief over them. That is the condition in this department, because I understand the recorder of deeds, a colored man, has been appointed and confirmed, and these white women, some of them I guess may come from Illinois, they either have to work there and take their orders from him as chief or they have to get up and leave their jobs and quit the Government service. Now, that is not a political question. It is a bigger thing than a question of politics. It is a question of what is right and wrong with regard to these white women employees of the Government. Go to them and the chairman will find out they do not like it. Go to them and he will find out that their relatives do not like it. Ask the people generally over the country or in Illinois or in Massachusetts and you will find out that the white people of this country do not like it. A political exigency does not make it right.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

SEWERS.

For operation and maintenance of the sewage pumping service, including repairs to boilers, machinery, and pumping stations, and employment of mechanics, laborers, and two watchmen, purchase of coal, oils, waste, and other supplies, and for maintenance of motor trucks, $18,000.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word. May I inquire of the chairman if these items were not provided for in the regular appropriation bill?

Mr. MADDEN. No. The $18,000 is to maintain the pumping stations which pump the sewage for the District for the balance of the year. It was shown beyond any question of doubt that unless they get this money to buy additional fuel, coal, oil, and other things like that, and keep the men at work, that a bad sanitary condition might result.

Mr. DOWELL. Was not that estimated for at all?

Mr. MADDEN. It was estimated for.

Mr. DOWELL. But was not sufficient?

Mr. MADDEN. Was not sufficient.

Mr. DOWELL. I notice there are a number of employees added?

Mr. MADDEN. No; no employees are added; not any.

Mr. DOWELL. It says employment of mechanics.

Mr. MADDEN. Those are the mechanics who are there.

Mr. DOWELL. And two watchmen.

Mr. MADDEN. That is the language of the law.

Mr. DOWELL. Are not these provided for in the regular appropriation bill?

Mr. MADDEN. Yes; in the regular appropriation bill, but if they do not get this money they can not keep the engineers at work. They have not enough coal, oil, and so forth, to keep the system going.

Mr. DOWELL. I understand from the gentleman's explanation that coal and oil is needed, and that in the regular appropriation you have the employees designated, and you make provision in the regular appropriation bill——

Mr. MANN. But if the gentleman will yield, I simply want to suggest that in making a deficiency appropriation it is customary to use the same language as in the original appropriation, so you would not have to keep two sets of book accounts.

Mr. DOWELL. As to all these men so far as it relates to employees it is a mere copy of the language of the original appropriation?

Mr. MANN. That is all.

Mr. MADDEN. That was all.

Mr. DOWELL. And the item really is for the purchase of coal and oil?

Mr. MADDEN. Yes. And the next item, I wish to say to my good friends, is for permit work for sewers, to connect new buildings that are going up, and all this work is reimbursable, so it does not cost the Government anything. It is all paid back by the owners of the property.

The Clerk read as follows:

STREETS.

Dust prevention, cleaning, and snow removal: For dust prevention, sweeping, and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the commissioners, and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters, including the same objects specified under this head in the District of Columbia appropriation act for the fiscal year 1922, $30,000.

Mr. DOWELL. Mr. Chairman, just one other item. I notice an item of $30,000 here which might be used for the cleaning of snow from the streets.

Mr. MADDEN. Yes.

Mr. DOWELL. Has the gentleman detected anybody in the city of Washington making an attempt to clear the streets of snow?

Mr. MADDEN. I will say that I was not very well satisfied with the job they did, but they had, when the great snowstorm came, an unexpended balance of about $173,000 in the street and snow cleaning fund, which would have enabled them to go without any deficiency if the snow had not come, and they showed us they had expended $30,000 out of that; that is, to clean snow. And without having it restored——

Mr. DOWELL. Did they show the gentleman from the books or from the streets?

Mr. MADDEN. We are not very well satisfied about the condition of the streets; but they say they did a good job, and, of course, we did not make the examination, because the snow had gone by the time they came to us.

Mr. DOWELL. That is, the sun cleared the streets?

Mr. MADDEN. Yes; cleared some of them.

Mr. DOWELL. Does not the gentleman think we should withhold this $30,000 until at least some effort is made by the departments to do a little work?

Mr. MADDEN. I am afraid we ought not, because they undoubtedly spent it. Whether they did a good job or not, I do not know. If this $30,000 is not added to the fund which they had before that they might not have anything to clean the streets with near the end of this fiscal year.

Mr. DOWELL. As I understand it, there was an ample amount appropriated for the cleaning of the streets of snow, and so forth. They have used only $30,000 for this purpose.

Mr. MADDEN. They used the $30,000 for snow.

Mr. DOWELL. At least, some part of that was included in the regular appropriation?

Mr. MADDEN. Yes.

Mr. DOWELL. And why should they come here and ask for reimbursement of every cent they spent for cleaning the snow when that was the purpose of the original appropriation?

Mr. MADDEN. Of course, nobody dreamed that any such snowstorm as that had——

Mr. DOWELL. Conceding it was extreme, why should they ask for the actual amount they expended, some part of the original appropriation being intended for the purpose of cleaning the snow?

Mr. MADDEN. I will say to my friend that if everybody was as hard on the applicants for deficiencies as our committee has been, he would discover that we do not let anything get by unless they prove their case.

Mr. DOWELL. I concede the gentleman is very careful. But I fear he is reimbursing the entire sum, when at least a

part of it that had already been appropriated has been used for this purpose.

Mr. MANN. Mr. Chairman, in view of what has been said on the floor, and in view of some of the comments which have been made concerning the clearing of snow from the streets after the recent snowstorm, I want to say that in my opinion the District Commissioners did exceedingly good work in cleaning off the snow in the District of Columbia. Perhaps out in Iowa, in one of these country towns, they carry all the snow from the streets and dump it onto somebody's farm, though I somewhat doubt it. Now, as to the appropriation here, snow cleaning is included by language every year in the street-cleaning item, though it is not expected that it will be used ordinarily, and it is not used, because there had not been an especially large snowstorm in Washington to use up that appropriation of late years, but unless it were included in the item the District Commissioners could not commence to clean snow at all until Congress had acted specially.

Mr. DOWELL. The gentleman, then, means to have us understand when we put this item in we did not mean it; that it had no reference to the snow?

Mr. MANN. My friend from Iowa may believe that. I do not think anybody else in the House believes it. I say—and I repeat it for the benefit of my distinguished friend from Iowa—that in order to permit snow cleaning to be had without special action of Congress the language authorizing snow cleaning is included in that street-cleaning item, and there is no sum added to the amount originally appropriated for snow cleaning.

Mr. DOWELL. My experience has been, however, that Congress has plenty of time to act before the departments act in the District of Columbia.

Mr. MANN. The gentleman has had long experience in Congress and knows that sometimes we have made a special appropriation for snow cleaning. My experience is that the last time the District Commissioners went to work at snow cleaning just as soon as the snow had fallen. They did not cart it all away. They did not open up all the sidewalks and all the street crossings at once, because my friend from Iowa would not go down and work and help them do it. They were short of labor. And we preferred to loaf around in our easy, warm quarters rather than to go and shovel snow.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

FIRE DEPARTMENT.

For repairs and improvements of fire boat, fiscal year 1921, $20.91.

Mr. WILLIAMS. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes out of order. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAMS. Mr. Chairman, to-day marks the close of the career of Mr. Will Hays as a member of the Cabinet. To millions of Republicans it is a day of thanksgiving and rejoicing. As an old-line Republican, representing a rock-ribbed Republican district in Illinois, I join in this feeling, a feeling that is well-nigh universal among Republicans, a feeling that I know is overwhelming in my district. Mr. Hays has been the one disappointment of the first year of Republican administration. He entered the Cabinet with the confidence, the love, and affection of that great army of Republican workers throughout the country who made possible the tremendous Republican victory in 1920. They believed and felt he was one of them. He had in millions of letters bearing his signature, in public speeches, and in private conversation led them to believe that. He had preached organization, and had always impressed the vital importance of a change of administration and the removal of Democratic officials from their places. Entering the Cabinet one of its most popular members, he is quitting to-day by unanimous consent. [Laughter.] This is because in the minds of Republicans he is to-day the prince of mugwumps. They may be wrong. Mr. Hays may be the greatest Postmaster General the country has seen. He may be the great "humanizer" uplift publications picture him to be. But the cold fact remains that the great army of loyal Republicans who carried the last election do not view him in that light. To them the most popular act of his life is his retirement from the Cabinet. [Laughter.] They feel under everlasting obligations to the movies for the great service they have rendered the Republican Party. [Laughter.]

If there are those high in the councils of the Republican Party or of this administration who do not know and appreciate the universal dissatisfaction among Republicans over the management of the Post Office Department, they had better wake up to that situation. This disappointment is not confined to applicants seeking postal appointments by any means. If that was the extent of the resentment and ill feeling, it would not be a very serious matter. It takes in whole communities and is general in every county and every State of the Union.

The people know this: That when the Democratic Party came into power in 1913 every Republican postmaster and official was kicked out and a good Democrat put in his place. The people approved that. No Republican complains about it, because it was the natural and proper thing to do. Republicans remember the great housecleaning in 1913, and they do not understand, they can not understand, why it is almost impossible to get a Democrat out of an office he holds simply because he is a Democrat. It may be Mr. Hays is not responsible for this situation, but in the mind of Republicans he is looked upon as the guilty person, and for that reason his retirement is universally popular and satisfactory.

THE BURIAL OF SIR WILL HAYS.

Not a sob is heard, nor a mournful note,
As Sir Will to the movies is hurried;
Not a Republican breathes a farewell sigh,
Over the grave where their Jonah is buried.

[Laughter.]

We part with him gladly, so young and bright,
His going leaves not an ache nor a yearning;
In the rays of the movies' calcium light
He is welcome to all he is earning.

[Laughter.]

No heroic medal adorns his breast,
Nor in love's affections we wind him;
But he lies like a mugwump taking his rest,
With his high-brow cloak around him.

[Laughter.]

Few and short are the praises said,
And we speak not a word of sorrow;
But we joyfully gaze on the face of our dead,
And we cheerfully think of the morrow.

[Laughter.]

We think as we gaze on his gorgeous bed,
And watch movie stars arrange his soft pillow;
Our Democratic friends will no longer be fed
While Republicans, blue, weep under the willow.

[Laughter.]

Sadly the Demies will mourn him that's gone,
And o'er fond recollections upbraid us;
But little we'll reck if they'll cease to hold on,
To places the people at the election gave us.

[Laughter.]

Mr. BLANTON. Mr. Chairman, I rise in opposition.

The CHAIRMAN. No motion was made.

Mr. BLANTON. I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. BLANTON. Mr. Chairman, ingratitude is the dominant characteristic of the great Republican Party.

Mr. McARTHUR. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McARTHUR. I make the point of order that the gentleman is not discussing the last word.

Mr. BLANTON. I am discussing the last speech. [Laughter.] Mr. Chairman, the subject of attack in the last speech, Hon. Will H. Hays, managed the campaign that made it possible for this other side of the House to have 170 majority in the House of Representatives. It made it possible for a Republican to occupy the White House. It made it possible for a landslide to come to the gentleman's party. Will H. Hays was in charge of the political fortunes of all Republican politicians last campaign, and when he performed his duty so well that he brought into this House 170 new Republican Members——

Mr. NORTON. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No; I regret I can not yield.

When he did all this, now that he is retiring, the hammer is used on him.

Ingratitude, I say, ingratitude is a great attribute of your party, a party that promised this and that to the voters of this country for their votes, and a party that should be grateful to Will H. Hays for the great landslide, yet after the votes were secured, after the seats are now being held by the recipients of those votes, ingratitude steps in; they are forgetting what has been done for them, and they seek to strike the very one who did most to help make that success possible. What can you expect in the elections of the future?

I have no brief for Will H. Hays, but when any Republican voluntarily quits public office, I am for him. He has removed more good Democrats from post offices in my district than I can count. He has done that much for the Republican Party. He displeases, however, because he would not blindly obey

orders. But he is quitting now, and when a man is quitting public life, even though he is a Republican, I would rather give him a bunch of flowers than stab him when he can not answer. I do not believe in stabbing men when they have no opportunity to reply. Will H. Hays is this moment a Cabinet officer, but he ceases to be so to-day. He can not come upon this floor and defend himself. He has to stand the stab that a member of his own party gives him when he is retiring from public office. [Applause.]

Mr. FAIRFIELD. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Indiana is recognized for five minutes.

Mr. FAIRFIELD. Mr. Chairman, Will H. Hays, after all, is no insignificant individual. We from Indiana know something of his public career. It has always been difficult for an incoming administration, without doing violence to the very fundamental principles of all government, to change too rapidly the personnel.

In a way the attack on Mr. Hays does him honor, for it reveals that he was unwilling, through ultra partisanship, to recognize accusations made against men simply and only because they were Democrats and thus have them removed from office before their time expired.

Really Mr. Hays needs no defense. I doubt if any man could have taken the position he occupied without having been subjected to some degree of criticism if he had tried to do his honest duty obligated by the oath he had taken. In the beginning of Mr. Wilson's administration the Democrats of my own district walked up and down the streets damning the administration because it had not moved more rapidly in the removal of Republicans from office, and so in this instance such an accusation against Mr. Hays does him honor instead of doing him dishonor.

I hold no brief for him. He needs none. It was no mean thing for a man to come into the chairmanship in the State of Indiana when the party was split asunder; it was no mean thing for a man to be so fair, so honest, so clean in his methods that before the campaign was over both sides recognized that standpat and progressives had been forgotten. The Republican Party, cemented together by the wisdom and the honesty and the ability of Will H. Hays, moved forward and won and won, until Indiana presented a solid delegation in the House of Representatives and in the Senate. [Applause on the Republican side.] And then, chosen as national chairman, he was one of those most efficient in healing the breaches in the Republican Party throughout the length and breadth of the Nation, because both sides had confidence that they were working under a chairman who, above all else, loved the country and believed from the bottom of his heart that its vast interests would be safeguarded in the hands of the Republican Party. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

WASHINGTON ASYLUM AND JAIL.

Hospital: For provisions, fuel, forage, harness and vehicles and repair to same, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, including an allowance to the superintendent of not exceeding $360 per annum for maintenance of vehicles for use in discharge of his official duties, for the fiscal years that follow:
Fiscal year 1920, $1,307.35;
Fiscal year 1921, $1,244.61.

Mr. SEARS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Florida moves to strike out the last word.

Mr. SEARS. Mr. Chairman, I enjoyed the speech of my colleague from Indiana [Mr. FAIRFIELD]. It was ably put, and as a Member on this side I neither desire to defend nor to criticize. Repeatedly I have stated my position on this floor, and that is "To the victors belong the spoils." But what I object to is the present system or method of appointing postmasters, and what I am wondering about is whether the future administration of the Post Office Department will change that system or not, to wit, the so-called civil service proclamation method of appointing postmasters. In other words, at present it is simply used as a screen, and civil service means nothing.

My colleague from Indiana said the objection in his State was because Will Hays had not been active enough. Perhaps, as was stated by the gentleman from Texas [Mr. BLANTON], and as was also the case in my district, he was too busy looking southward to have time enough to attend to any of the applications of Republicans up in Indiana. I want either the civil service or the spoils system, if they are going to name them that way. But I am tired of the shell game, under the operation of which one is not able to tell what you can do, and when you can do it, and who is going to be appointed, except at some time, somehow, a Republican will be appointed.

I know of one case in my district where a Democratic postmaster was removed because he was active in politics, on a charge made by an anonymous writer, and the Post Office Department refused to give the name of the man making the charge.

Against such methods I object and I believe and so wrote to the department, saying that it was unfair and unkind and not just to remove a man on charges made by any person who was not willing to sign his name to the charges, so that the accused might meet his accuser.

To show you the present efficiency of the Post Office Department, of which my Republican colleagues on the right have boasted so much—and it is very efficient—I have been trying for about nine months to get some action in several cases in my district where acting postmasters were appointed. The acting postmasters happen to be Republicans and the other applicants are Republicans, but, although it has been from 9 to 12 months, the Post Office Department will not decide among those Republicans which one is the most capable of filling the position.

On the 8th of February I wrote a letter to my son in my home town. The letter was addressed to Joseph Sears, Kissimmee, Fla. On the 11th of February that letter was returned to Washington. In the left-hand corner, following the instruction of the Post Office Department, I wrote "From W. J. SEARS, M. C., Washington, D. C."

On the 1st day of March I received that letter in my office here. Of course, Mr. Chairman, having lived 40 years in my home town, and my son having been born in the town and having lived there 18 years, it was impossible in a city of only a few thousand, and where there is city delivery, like that in which my friend from Iowa lives, perhaps, to know who he was. I am not objecting to that, because I get many letters addressed to Joe Sears, and the postal employees forward them promptly to me, believing they are for me, and in this instance evidently overlooked the statement in the left-hand corner showing by whom the letter had been written. But I have been unable to understand why this efficient Post Office Department should hold the letter in Washington from the 13th of February until the 1st of March, while Will Hays was down in Florida, the best State in the Union, enjoying our beautiful winter climate and our health-giving atmosphere. I simply cite that as an illustration that it is very easy to criticize and to condemn. Now that a new Postmaster General is coming in, I trust that a Member of Congress, even if he is not known at home, may be known to some of the employees in Washington who are in the Postal Service and that important letters may be returned to him promptly if they can not be delivered to the person to whom they are addressed.

The CHAIRMAN. The time of the gentleman from Florida has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. WILLIAMS having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

SECOND DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

WATER DEPARTMENT.

For extension of the water department distribution system, laying of such service mains as may be necessary under the assessment system, to be paid wholly from the revenues of the water department, $50,000.

Mr. SNELL. Mr. Chairman, I move to strike out the last word. There has been considerable discussion lately with reference to the water system of the city of Washington. I think the average man desires to do what is right in connection with it and desires to have all the information available regarding this very important adjunct of our public service. I would like to ask the chairman of the committee what are the receipts from the water department? Are there any excess funds in that department, or is it all used in the upkeep? As a usual thing in any community the water department is the one paying public utility.

Mr. MADDEN. I am sorry to say that I have not the figures as to the water revenues here, but I am sure that the water department of Washington is more than self-sustaining.

Mr. SNELL. Has the gentleman the idea that the water rates should be increased and still not be out of proportion to what people are paying in other cities, so as to take care of any necessary improvements in order to provide for the future?

Mr. MADDEN. There is no trouble about water-main extensions being paid out of the revenues. I doubt if it would be possible to make the revenues meet such a capital expenditure as will be required for the new water system which has been proposed.

Mr. SNELL. I have understood from some statements made here on the floor of the House that the average householder in Washington pays only about one-half as much for his water as the average householder in other communities of similar size.

Mr. MADDEN. I think that is not true, judging from my own experience here and in Chicago.

Mr. SNELL. That would be a fair standard to judge by.

Mr. MADDEN. We pay a much smaller rate for water in Chicago than people pay here.

Mr. MANN. Much less.

Mr. MADDEN. The rate in Chicago is not more than two-thirds of the Washington rate, and I doubt if it is that much.

Mr. MANN. I do not believe the rate in Chicago is more than a third or a fourth of what it is here.

Mr. SNELL. In the small town in which I live I pay twice as much.

Mr. MADDEN. We have revenue enough to maintain the service in Chicago and also to build the tunnels and extensions; but I may say to the gentleman from New York that it costs a little more money to run the water department here than it does in Chicago in proportion to the volume of business done, because no filtration is necessary there, and here it is necessary to filter the water.

Mr. SNELL. What I had in mind was to find out if I could whether it was possible under proper organization, with proper rates, for this city to go forward and construct and maintain an adequate water supply for its present and future needs.

Mr. MADDEN. It is, without any additional charge being made for the water. I do not mean to say that they could build a great addition to the plant, costing millions of dollars, out of the revenues of the water department.

Mr. SNELL. That is, like the conduit from the Great Falls?

Mr. MADDEN. No; but they can cover everything else and still have a little revenue left. This $50,000 is an item for the extension of mains to the territory where there is a lot of new building going on, and the people who own the houses there will pay this back.

Mr. SNELL. Was any information brought before the gentleman's committee relative to the general subject of the improvements of the water system which have been so much discussed in the papers?

Mr. MADDEN. That did not come before this subcommittee, but we had it before one of our subcommittees, and we went into it very exhaustively. I think it may be fairly said that for safety in the future there ought to be some beginning on the work of water-plant extension.

Mr. SNELL. For the general supply of the city?

Mr. MADDEN. Yes; so that when the population increases you will have the supply ready to meet the increased population.

Mr. SNELL. As that is a subject which will come before the House very soon I thought that if the gentleman had the information before his committee it would not be a bad idea to have it brought out at the present time.

Mr. MADDEN. I will say that I think there ought to be something done.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

UNITED STATES VETERANS' BUREAU.

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, including personal services in the District of Columbia and elsewhere, funeral and other incidental expenses (including transportation of remains) of deceased trainees of the board, necessary medical service and treatment to trainees hereafter required in cases where such service or treatment is not provided by the war risk insurance act as amended; printing and binding to be done at the Government Printing Office; law books, books of reference, and periodicals, $73,714,182: *Provided*, That the salary limitations placed upon the appropriation for vocational rehabilitation by the sundry civil appropriation act approved July 19, 1919, modified as provided by the sundry civil appropriation act approved June 5, 1920, shall apply to the appropriation herein made.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 15, after the word "made," in line 11, insert the following: "*Provided further*, That no part of the foregoing appropriation shall be expended for construction work except making necessary repairs at any Army camp acquired by the United States Veterans' Bureau for use as a training center."

Mr. MADDEN. Mr. Chairman, this is the same limitation that was carried in the last bill. We forgot to include it, and I hope it will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. STEVENSON. Mr. Chairman, I desire to make a motion to strike out the last word, or whatever is necessary. I am not a chronic critic and I do not propose to become one of this bureau now because they have an enormous duty to perform, both to the people and the ex-soldiers. But I want to call attention to the fact that their medical bureaus hold so many examinations and vary so much in their conclusions that in some places the service is being criticized and discredited.

In my district, in my county, there are only a few claims coming from the county, although there were many soldiers at the front, but a young man was awarded total permanent disability. He carried a $10,000 life insurance, and that made his life insurance available and relieved him of paying the premiums and also gave him $90 a month compensation in addition to his insurance. He also had a policy in the New York Life Insurance Co.—and this is where the criticism comes in—that the Government is harder on its people than the soulless corporation. As I say, he had a policy in the New York Life Insurance Co. which provided that the premium should be waived if he was totally disabled, and the installments were provided for just as the Government life insurance does. Probably many of you are familiar with those policies.

Now, what happened? He went along for two years on his total permanent disability with both concerns. Last December the New York Life Insurance Co.'s medical authorities examined him and continued him as totally disabled permanently, waiving the premiums and paying the installments, but the medical officers at Atlanta examined him, and they reduced him to total temporary disability. Mind you, he had been three years not able to do anything and two years on the totally disabled list, and yet the New York Life Insurance Co., a corporation merely in it for the money they can make out of it, held his condition to be totally disabled and continued to waive its premium, while the Veterans' Bureau, by a ruling made by the medical director, has notified him that he is no longer permanently disabled but only temporarily disabled. There has been no change in his condition, and yet his insurance installment will stop and he must begin paying the premium this month.

Of course, when I appealed to the bureau here, they have required another examination, and I believe they will correct it. But that kind of a thing of the Veterans' Bureau dealing more harshly with these soldiers than the soulless corporation is not creditable to the medical department in the veterans' examination, of which they have one about every three months. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE.

BUREAU OF PLANT INDUSTRY.

White-pine blister rust control: For meeting the emergency caused by the appearance of the white-pine blister rust in the white and sugar pine regions of the Pacific coast, threatening the extensive Federal holdings of these essential woods as well as private and State holdings, thus endangering the entire supply thereof, $150,000, which sum shall be available for investigation and control work on the white-pine blister rust in the white-pine and sugar-pine areas in the West, in such manner as in the judgment of the Secretary of Agriculture may best accomplish the suppression of the disease, and shall remain available until March 31, 1923: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed. And the Secretary of Agriculture is hereby authorized to incur all necessary expenses, including the employment of such persons and means in the city of Washington and elsewhere, in cooperation with such authorities of the States concerned, organizations, or individuals, as he may deem necessary to accomplish such purposes.

Mr. SNELL. Mr. Chairman, I move to strike out the last word. I am very much interested in the $150,000 appropriation made available for this investigation of the white-pine blister rust in the white and sugar pine regions of the West and Pacific coast. Although I was not successful in getting $50,000 in this bill for the same purpose in the East, I feel that this appropriation is right and is very much needed at the present time.

Mr. WHITE of Kansas. Will the gentleman yield?

Mr. SNELL. I will.

Mr. WHITE of Kansas. I would like to ask the gentleman whether it has been demonstrated, as stated in the hearings,

that the method adopted and employed for the eradication of this evil is successful?

Mr. SNELL. That is a hard question to answer, but they feel that to a certain extent they are controlling it in the East, but do not expect to entirely wipe it out. But they think that if they start early enough in the West they will be able to wipe it out, and that is the reason they want the $150,000 at this time, as the springtime is the most propitious time to do this exterminating work.

Mr. WHITE of Kansas. If the gentleman will yield further, for I know that the gentleman is familiar with this subject, is this rust that is discussed in the hearings—and I have only examined it cursorily—is it as destructive to pine as is claimed?

Mr. SNELL. It will kill young pine right away, but the mature pine is not absolutely ruined for market for several years.

Mr. WHITE of Kansas. This is a new thing to me, and we are all very much interested in the conservation of our white-pine timber and its growth. Does the gentleman know that the means which have already been employed have been effectual?

Mr. SNELL. Yes; they have been absolutely effectual where they have had money enough to carry them out. They can actually prevent the spread if the work is done properly and at the right time. The disease got the start of them in the East, and probably never will be entirely wiped out, but we hope to control it as much as possible; but if they have this emergency appropriation it is thought that they can stop it in the West.

Mr. DALLINGER. Why is it that the gentleman was unable to get the appropriation to stop this disease in the East?

Mr. SNELL. That is perhaps a fair question, but I went before the committee, and they think, as long as they provide $175,000 in the regular appropriation bill and that $50,000 of that would be available for work immediately, which will take care of the situation fairly satisfactorily in the East at the present. One object I had in rising at this time was to see if the chairman of the Committee on Appropriations understands the situation the same as I do, namely, that if we make this appropriation of $150,000 for use in the West the other appropriation of $175,000 which is carried in the regular Agricultural appropriation bill is intended to be used in the North and the East.

Mr. MADDEN. My understanding is that in the Agricultural bill for 1923 there will be a provision carrying $175,000 to be used entirely in the North and in the East, some of which it is intended to have made immediately available. This item is for the extreme West. It appears that the pine blister rust is brought about largely through a beetle.

Mr. SNELL. Yes; and the spores fly from the pine tree to the currant bushes and back to the pine trees.

Mr. MADDEN. And the only way it can be extended to the tree is by having blackberry or currant bushes and things of that kind surrounding the trees. The disease is not transmitted from one tree to another, the scientists say; and it is to clear this undergrowth away from the trees, so that the disease can be eliminated, that this appropriation is proposed.

Mr. SNELL. I agree with the gentleman on that; but I do not want to have any misunderstanding with regard to what is going to be done with a regular appropriation carried in the Agricultural appropriation bill.

Mr. MADDEN. There is no misunderstanding. It is thoroughly clear to us.

Mr. SNELL. Of course, in the bill the language does not say that it is confined to work in the North and the East, but it is the understanding that that is where the $175,000 carried in the regular bill will be expended?

Mr. MADDEN. Oh, yes.

Mr. SNELL. And $50,000 of that will be made immediately available?

Mr. MADDEN. Yes.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DOWELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate numbered 28 to House bill 10267, the legislative appropriation bill.

SECOND DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

DEPARTMENT OF JUSTICE.

Not to exceed $5,000 of the appropriation of $35,000 made in section 6 of the act approved March 4, 1921, entitled "An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by the act entitled 'An act to incorporate the Washington Market Co.,' approved May 28, 1870," in addition to the sum not in excess of $3,500 provided for the same purpose by the act approved December 15, 1921 (Public, No. 399, 66th Cong.), is made available to enable the Attorney General to compensate expert witnesses and pay necessary expenses incident to the duties imposed upon him by section 7 of the said act approved March 4, 1921.

Mr. MADDEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 22, line 10, strike out the word "sixty-sixth" and insert the word "sixty-seventh."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For refund of immigration fine erroneously assessed and collected from the United States Shipping Co., Norfolk, Va., $340.

Mr. DALLINGER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 25, line 22, after the figures "$340" insert a new paragraph as follows:

"For the enforcement of the laws regulating immigration of aliens into the United States, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1922, $150,000."

Mr. DALLINGER. Mr. Chairman, I understand that it is proposed to furlough all of the immigration inspectors for 30 days sometime between the 1st day of March and the 1st day of July. Anyone connected with or informed in respect to the Immigration Service knows that the immigration inspectors have been working very hard. A great many of the men have been working nights and Sundays to keep up with the work. As we know, the steamship companies have been bringing people over to this country even where the quota allowed for the different countries had been exceeded, and it has caused a very large amount of work to be thrown upon the officials concerned. I understand that through a mistake on the part of those having charge of the accounting in the Department of Labor there is a deficit of $150,000 just discovered, and in order to carry on the service until the 1st of July all of these men who have been working so faithfully and working overtime are to be rewarded for that faithful work by being laid off between now and the 1st of July for 30 days without pay. It seems to me it is pretty small business on the part of the United States Government to treat its employees in that way. The amendment that I have offered proposes to give the Department of Labor enough money so that these men, who it is admitted are needed to do the work, can be kept upon the pay roll for the full amount of their regular salary authorized by law until the 1st of July.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DALLINGER. Yes.

Mr. BYRNS of Tennessee. Why is it that the Immigration Bureau did not ask for this appropriation?

Mr. MADDEN. They do not need any more money.

Mr. DALLINGER. I understand from the Commissioner General of Immigration that he did not think there was any use in asking for it. The Department of Labor received an additional appropriation of $300,000, as the gentleman knows, under the first deficiency appropriation act, and I presume they are probably ashamed that the mistake was made, but it is a fact. The commissioner general informs me that all of these inspectors are going to be laid off for 30 days between now and the 1st of July, and the first batch of them have been notified of that fact.

Mr. BYRNS of Tennessee. Does the gentleman think it would be good policy in making appropriations to appropriate money when the bureau involved does not think it important enough to come to Congress and make a representation as to the need for the appropriation?

Certainly the commissioner general has no way of determining whether or not the Congress would allow it unless he asked for it, and there has been no statement made to the committee, so far as I know, that he desires such an appropriation.

Mr. DALLINGER. Mr. Chairman, it seems to me that the Members of this House are concerned with the sort of treatment accorded Government employees. It is a fact that these men are going to be furloughed, the first division of them having been so notified; and I submit that it is not a fair, decent way to treat the employees of the Government. They were employed at these salaries fixed by law. Many of them have been in the service for many years, and the salaries that they receive are small, and now they are confronted with this situation: That

after having worked overtime, without any extra compensation—because they do not get any extra compensation for overtime—having worked nights and Sundays because of this deficit in the Department of Labor, they are going to be furloughed for 30 days between now and the 1st of July. In other words, a whole month's pay will be taken away from them; and it seems to me, whether the Commissioner General of Immigration asked for this money at the time the hearings were held or not, that such treatment ought not to be allowed by the Congress. I understand that a similar amendment will be offered in the Senate if it is defeated here. In other words, I think Congress is concerned with having the employees of the Government treated decently; and this is not a decent way to treat them.

Mr. MADDEN. Mr. Chairman, in November of last year there was certified to the Speaker of the House by the President of the United States, on the request of the Labor Department, a recommendation for the appropriation of $300,000 to carry on the work of the Immigration Bureau for the rest of the fiscal year 1922. Every dollar that they asked was given. They asked for $300,000 and they got it. They have not asked for any more. There is no information in the possession of the Committee on Appropriations that they need it. Nobody connected with the Labor Department has ever communicated directly or indirectly with anybody on the Committee on Appropriations so far as I know to say that they wanted that sum of money. Now, we are not mind readers, and I do not think it would be good practice for us to force the Labor Department to take money whether it wants it or not. Why should Congress urge the departments, that are always willing to take money, to come and ask for it. They will come fast enough without anybody asking them to do it. Our job should be to discourage them from coming. It is our function never to appropriate for any activity unless the appropriation is necessary. Now, we have no information from any source whatever, except the statement of the gentleman from Massachusetts who lives close by an immigration district station and has probably felt the heartbeats of the immigration inspectors, who always have some doubts of what is going to happen to them in common with all other people who are on the Government pay roll.

Mr. SNELL. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. SNELL. Is there any doubt in the gentleman's mind that there is enough money available to keep the necessary agents employed?

Mr. MADDEN. We can only judge. I have never seen any evidence on the part of any Government functionary of any modesty when he wants money. He comes and demands and pleads and argues and uses every power that he knows how to use, and if he does not get what he wants he generally wires to somebody to wire to somebody else, and you get a flood of telegrams as the result of his wiring that there is need for something when there is no justification for it. Every telegram you get urging you to do something generally originates here. It does not originate anywhere else. These departments have a sense of smell that prompts them to send telegrams to every place in the United States from which they think a telegram may come back to you to tell you to do something you ought not to do, and these telegrams you have been getting in connection with this proposed amendment of $150,000 are the result of that sort of propaganda. Now, why do not these men in the departments who are the responsible management come to the Congress and ask for it? Why do not they go to the Budget officer, why do they not go to the President, prove their case, have it certified, and let it be considered in the only legitimate way that it should be considered?

Mr. SEARS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SEARS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to extend and revise his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MACGREGOR. Mr. Chairman, I would like to ask the chairman of the committee on the subject of things that ought not to be done.

Mr. MADDEN. Go right along.

Mr. MACGREGOR. I observe in this bill there are several items included for payment——

Mr. MADDEN. This amendment is pending.

Mr. MACGREGOR. This is connected with this subject. Here is a refund of an immigration fine erroneously assessed and collected——

Mr. MADDEN. I would be delighted to inform the gentleman about that.

Mr. MACGREGOR. I am not interested in the particular item.

Mr. MADDEN. There are several items of that sort——

Mr. MACGREGOR. I am interested in the practice which we rebelled against or tried to rebel against last year, of having claims propositions tacked on bills.

Mr. MADDEN. There are not claims. Here is the situation. A ship comes into the port. The immigration officer at the port decides that the captain of the ship has violated a port regulation, and he imposes a fine. Immediately upon the imposition of the fine the money must be deposited with the proper official of the Government.

The case is not tried at all after that happens, and when the case is tried the money is already in the Treasury of the United States.

Mr. MANN. I think ordinarily the money is retained and refunded if necessary, but sometimes erroneously paid into the Treasury of the United States.

Mr. MADDEN. Maybe that is true, but there is no trial of the case until after the money is deposited. If the money was held in the port by the local officials and the case was tried while it was in their hands, they could pay it back themselves, but if it was paid into the Treasury of course there is no way after the trial in which to show the man on whom the fine was imposed was not guilty, except in this way.

Mr. MACGREGOR. Can that not go through the Claims Committee?

Mr. MADDEN. This is not a claim.

Mr. MACGREGOR. Take, on page 34, the claim of the Harriman National Bank——

Mr. MADDEN. I will explain that. That is a peculiar situation. The Alaska Railroad management way up there in the frozen north generally carry about $100,000 in current funds to meet their daily obligations. They used to carry them in their pockets. They had no place in which to store them. There happened to be a bank in Fairbanks, I think, named the Harriman National Bank. It had a capital of $25,000. The Government wanted to deposit their daily funds, amounting to about $100,000, in this bank. They agreed to accept it. The order went out to make the bank the Government depository, and then it was discovered that they did not have either securities or capital enough to guarantee the safety of the deposit. Well, it so happened that this bank in Alaska, having the same name, was the correspondent of the Harriman National Bank in New York, and having no other relation to it except correspondent. The bank in Alaska suggested to the officials of the Treasury that the Harriman National Bank in New York would probably be glad to guarantee the safety of the funds if they deposited them up there. So the Secretary of the Treasury asked the Harriman National Bank in New York if they would do this. They said that they would as a matter of accommodation to the Government. They did not have the money, so they gave security for the deposits in this bank. They did not have the money on deposit.

Then the Secretary of the Treasury sent the contract over to the Harriman National Bank in New York. One of the provisions of the contract was that 2 per cent interest should be paid on deposits which they guaranteed in another bank, and the Harriman National Bank wrote a letter to the Secretary of the Treasury saying they would not pay the interest, because they did not have the money, but that they would give any security for the safekeeping of the money in the other bank. And the Secretary of the Treasury forgot to reply to the letter and correct the conditions that existed. So it went along, and the bookkeeper in charge of the payment of interest on monthly balances in the Harriman National Bank automatically every month sent a check from the Harriman National Bank to the Secretary of the Treasury for the payment of the interest on the balances on deposit when they had not any balances on deposit. They had not anything on deposit, and it was not discovered for quite a long while. And the Treasury Department says, of course, they never should have received the money and the Harriman National Bank never should have paid the money. There was no obligation on their part to pay it, and the other bank had nothing to do except to conserve the daily interests of their railroad company up there, and without any interest charges whatever. So, you see, there is nothing to do but pay it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DALLINGER. Mr. Chairman, I wanted to ask the gentleman from Illinois one question. I ask unanimous consent that he have five minutes more.

The CHAIRMAN. The time of the gentleman from New York [Mr. MACGREGOR] has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent for two minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DALLINGER. I want to ask the gentleman from Illinois when the hearings on this appropriation bill closed?

Mr. MADDEN. I will tell the gentleman if I can. I do not have the exact date, but I will say that it was about a week ago—about the 21st of February.

Mr. DALLINGER. I am informed as to this matter that it was not known that these furloughs were necessary until after the hearings were closed on this bill.

Mr. MADDEN. They did not come to us.

Mr. DALLINGER. Do I understand that no one connected with the Department of Labor ever brought this matter to your attention?

Mr. MADDEN. Absolutely. The gentleman has a definite understanding of it.

Mr. MANN. May I ask the gentleman from Massachusetts a question? The Department of Labor knows how much money it has and how many employees it has, and have they not enough of efficiency to divide the two and find out if there is enough money appropriated to keep those employees in service, with or without a furlough?

Mr. DALLINGER. I am informed that they discovered there was a mistake of $150,000, within 10 days or two weeks.

Mr. MANN. That is not a good reason for giving them $150,000. If they can not keep their accounts, they ought to have some one who can keep them.

Mr. DALLINGER. I am informed that these men are going to be furloughed. I am not blaming the committee, the department never having called their attention to this matter.

Mr. MADDEN. Of course they did not.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment of the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

CHILDREN'S BUREAU.

For carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, including printing and binding, $370,000: *Provided*, That no salary shall be paid from the portion of this appropriation allotted for administrative purposes at a rate exceeding $2,400 per annum except the following: One at $3,600, one at $3,500, and one at $3,000.

Mr. TOWNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TOWNER: Page 26, line 3, strike out the amount "$370,000" and insert in lieu thereof the amount "$730,000."

Mr. TOWNER. Mr. Chairman, I offer this amendment in order to call attention to a proposition that I think ought to be submitted to the committee. It really is a question of the interpretation of the law. The law for the promotion of the welfare and hygiene of maternity and infancy provided a fund in two parts, one of them the sum of $480,000 for the first year to be divided among the States in sums of $10,000 to each State. In regard to this particular part of the authorization it was provided that this amount was to go to the States without any cooperation or corresponding appropriation on their part. Then there was provided a further fund of $1,000,000, which was to be divided among the States according to their population, provided they made an appropriation of a like sum. The $10,000 that was appropriated for the first year was intended really for the institution of the service in the States. The Committee on Appropriations, in considering the matter, especially the $1,000,000, took the view that while it should be divided among the States, that as this particular fiscal year expired on the 30th day of June they ought not to appropriate more than a proportionate amount for the remainder of the year.

I am inclined to think that there is a great deal of justification for that view. However, the committee also made a like distribution of the $480,000 fund. I am inclined to think that such a determination is hardly a fair interpretation of the law. It was intended that this preliminary amount should be used for the institution of the service among the States. If now only one-quarter of this amount is given to the States for institutional purposes, if they all accept it, they will receive only $2,500 each instead of what was intended, the amount of $10,000 for the institution of this service in each State.

I am inclined to think that there will be a very great disappointment among the people who are very greatly interested in this bill if that view shall prevail in the committee.

There is a further proposition that really——

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. TOWNER. I will ask for five additional minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman permit a question?

Mr. TOWNER. Yes.

Mr. BYRNS of Tennessee. The law provides that $480,000 shall be distributed by the States without the necessity of cooperation for the first year, and after that the sum of $240,000 shall be distributed for the second year. Now, the bill which will be passed, the regular annual appropriation bill, will carry an appropriation for the States. If the gentleman's contention is correct, would it not result in appropriating the $480,000 plus $240,000 for 15 months instead of for 3 months?

Mr. TOWNER. That will be the effect if this sum is to be considered in the same light as the other sum.

Mr. BYRNS of Tennessee. It would seem to me that this being a deficiency bill, and taking care only of a portion of the fiscal year, under the proper construction of the law we could only appropriate for the proportionate part of the year, and not the entire year.

Mr. TOWNER. I admit that the gentleman's view is correct in regard to the sum that is to be apportioned among the States upon what might be called the permanent basis. But it occurs to me that it might be a fair interpretation that each State would be entitled to the full amount of money provided in the act for the institution of the service, and unless that interpretation is taken of the law it will deprive them of what really was intended by the passage of the law.

I think the committee has acted very fairly regarding the matter. I am quite sure the Appropriations Committee has endeavored to give to the Children's Bureau all that they thought the Children's Bureau is entitled to, and I am simply presenting this matter for the full committee's determination. I believe that it will be a very great disappointment to those who are interested in the law and its institution and enforcement, and I am very much afraid that it may seriously handicap them in the institution of this service in the States. For that reason I am submitting the matter for such interpretation as the committee may give to the law. Of course, the original act is merely an authorization. The determination of the matter comes up on the appropriation, as is now being done. It is for the committee to determine as to whether or not a fair interpretation of the law would entitle the States to this $10,000 each which was provided for in the act.

Mr. MADDEN. Mr. Chairman, I suppose it may be fair to say that the question at issue is one of interpretation of the law. The question is how you would interpret the act under which this appropriation is being proposed.

There is one provision of the act which says that so much of the amount apportioned to any State for any fiscal year that remains unpaid at the close thereof shall remain available for expenditure in that State until the close of the fiscal year. In considering the duty imposed on the Committee on Appropriations the members of the committee had no desire whatever to embarrass the activity that is proposed under this act. We interpreted the law to say that for the first year there should be $480,000, or $10,000 allotted to each State without reference to population, and we considered that to mean that it was for the entire fiscal year. Now, whether we construed it improperly or not I do not know, but that is the way we construed it. It was not done with any intention to embarrass the activity, but rather to carry out the law as we understood it.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BARKLEY. It seems to me it could not be construed to apply to the entire fiscal year, because part of the fiscal year had gone by when the act was passed, so that the committee and the Congress should take into consideration the fact that part of the year had already passed when the bill was enacted and should keep that in mind.

Mr. MADDEN. Yes. The question is, What is a fiscal year? That is a matter of construction. Is it three months?

Mr. BARKLEY. I think I am correct in stating that the committee which reported this bill assumed that the entire amount authorized would be appropriated for the first fiscal year or any remaining part of it, and would not be apportioned

according to what there might be remaining of the fiscal year at the time the appropriation should be brought in; because it was realized that in order to get this work started it would take a larger sum to begin with than would be available if you appropriated only for the remaining three months of the fiscal year.

Mr. MADDEN. Of course, it would not be fair to appropriate that part of the $1,000,000 that is authorized in this bill for more than the three months, but it might not be unfair to appropriate the $480,000 which gives a $10,000 allotment to each State.

Mr. BARKLEY. Yes.

Mr. MADDEN. I think we may have erred in that. I do not say that we did err, but if we did, it was because we wanted to be overcautious; not that we wanted to discriminate; but we wanted to see that the law was not violated by us.

Mr. BARKLEY. I understand that if the bill is passed as it is brought in it will make no provision for the $10,000 for each State, except that portion of it that would be allotted for the last three months?

Mr. MADDEN. That is right. It would give them only $2,500 for each of those States, and the reason why we reached that conclusion was this: In the first place we thought we were construing the law properly. In the next place, there are only 6 States that have accepted, and 35 States the governors of which have indicated a friendly interest, but have not accepted because they have not the power to accept. In any case, if you allotted this money or appropriated it, they could not apportion it, because I assume they can not apportion the money until the State comes within the terms of the law.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I should like two or three minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. BARKLEY. When the gentleman says six States have accepted, he means that the legislatures of those States have definitely accepted the provisions of this bill?

Mr. MADDEN. Yes; and 35 States have been communicated with through their governors.

Mr. BARKLEY. In some States they may have provisions relieving the legislature of the necessity of affirmatively accepting the provisions of the bill by reason of appropriations already made.

Mr. MADDEN. As far as our information goes that condition does not exist anywhere. I think the witness before our committee indicated that the governors had communicated with the bureau but only tentatively accepted on condition that the legislature approve.

Mr. MANN. Will my colleague [Mr. MADDEN] allow me to ask the gentleman from Kentucky a question?

Mr. MADDEN. Certainly.

Mr. MANN. Suppose the maternity bill had become a law on June 29, providing for $10,000 for the current fiscal year, when it would be impossible to make the appropriation during the current fiscal year. Then what would happen?

Mr. BARKLEY. Of course, I do not think anybody would be technical enough to argue that the entire amount should be appropriated for the one day remaining of the fiscal year, especially if the deficiency bill was not brought in until after the new fiscal year began. But that is not the case here. This work will require more money to begin with, to get started, than it will for any like period after it is begun.

Mr. MANN. That may be, but it is perfectly manifest that this money will not be expended to any extent during this fiscal year. Now, there will be an appropriation of $5,000 for each State for the next fiscal year.

Mr. MADDEN. And $2,500 in this bill for each State.

Mr. MANN. If they got the full $10,000 they would get $15,000 practically for the next fiscal year.

Mr. BARKLEY. I would like to ask the gentleman from Illinois whether I understood him correctly to say that any portion of this $10,000 not used by the State this year would be available to the same State next year, in addition to the $10,000 which it would get normally?

Mr. MANN. The law provides, as I understand it—my colleague [Mr. MADDEN] will know better than I—that an appropriation for one fiscal year if not expended during that fiscal year is available during the next fiscal year.

Mr. BARKLEY. Yes; but does the gentleman construe the fact that we do not appropriate the entire amount for the current fiscal year as allowing what is not appropriated this year to go over and be available for next year?

Mr. MANN. I do not think so.

Mr. MADDEN. No; I do not think that.

Mr. BARKLEY. Then your construction is that only that part of the $2,500 that you now provide which is not used during this year will be available for next year?

Mr. MADDEN. If they made an allotment of this $2,500 this year, of course that would be available for next year, and $5,000 more next year.

Mr. MANN. If I may make the suggestion, whatever the reasons may have been—and I assume there were good reasons—the act contemplated an expenditure of $10,000 by each State during the first year that it was in operation, and thereafter $5,000. Why is not that the proper thing to do here, because no part of this, or practically very little of it, will be expended this fiscal year? Make the appropriations now equal to $5,000 for this fiscal year, which will amount to $10,000 to be expended during the next fiscal year. It will be added as an expenditure for the next fiscal year, and that practically gives them $10,000 for the first year.

Mr. MADDEN. I think that is an excellent suggestion, and I am willing to accept it.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent to modify my amendment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the modified amendment.

The Clerk read as follows:

Page 26, line 3, strike out the amount of $370,000 and insert in lieu thereof $490,000.

Mr. MANN. Mr. Chairman, I want to make this suggestion to my colleague and gentlemen specially interested in this law: The maternity act provides for two classes of appropriations—one to be paid to the States direct, regardless of population, and the other to be divided among the States in the ratio of population, or whatever it is. This item is one lump sum. How will the bureau know how to divide this item? I should think the item ought to be in some way divided.

Mr. TOWNER. I have no objection to its being divided.

Mr. MANN. I think if it is not divided the bureau will not know how to divide it.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to pass over this item for the present until we can work out the proper language dividing the item.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to pass over the item for the present.

Mr. NEWTON of Minnesota. Will the whole item be left open not only for the consideration of this amendment but for the consideration of other amendments?

The CHAIRMAN. The paragraph is passed over to be again returned to, subject to any amendment. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

For 1921, $518,500; for 1922, $1,600,000;

Mr. SNELL. Mr. Chairman, I move to strike out the last word. I would like to have the chairman tell us what this $1,600,000 for 1922 is for, and what the $518,500 for 1921 is for.

Mr. MADDEN. That is freight on all sources of supplies, food, equipment, clothing, and everything except fuel, for the Navy Department.

Mr. SNELL. The reason I ask is a constituent of mine had a small claim against the Navy Department that was allowed for supplies during the war. He received a letter saying there was no money available to pay it, and I wondered if this would cover it.

Mr. MADDEN. There is one claim in here of $5,000——

Mr. SNELL. This was an account for supplies. There was no question about it; they simply said they had no money available to pay it.

Mr. MADDEN. This covers everything of that kind; it is all in this bill, and it consists of a lot of items.

The Clerk read as follows:

Fuel and transportation: For coal and other fuel for steamers' and ships' use, including expenses of transportation, storage, and handling the same; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels; and ice for the cooling of water, including the expense of transportation and storage of both, $6,282,685.33.

Mr. HICKS. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Illinois, chairman of the committee, a question. I suppose this is to take care of the situation where the Navy finds itself without money for fuel. I want to ask the gentleman if this will enable them

to have joint maneuvers in the Pacific and Atlantic as contemplated.

Mr. MADDEN. I do not think it would. Those joint maneuvers were called off some time ago by order of the President.

Mr. HICKS. They were called off in July by reason of a lack of fuel.

Mr. MADDEN. I do not know about that, but I know they were called off.

Mr. HICKS. This would allow the independent maneuvers of each fleet, would it not?

Mr. MADDEN. The individual maneuvers are all over; there are no more maneuvers to be had, and this will enable the department to use $1,250,000 a month for fuel for the next five months. Two million five hundred thousand dollars was the highest sum they used in a month last year, and oil then was about $3 a barrel compared with $1.60 a barrel now. When the estimates for fuel supply for the fiscal year of 1922 were made they were made on a basis of $3.85 a barrel for fuel oil, and now it has gone down to $1.80 on the west coast, and practically all the ships burning oil are on the west coast. Those that are not on the west coast are in reserve. It is the judgment of the committee that it will give the Navy Department such an amount of fuel as ought to be expended for all proper discharge of naval functions between now and the 30th day of June.

Mr. HICKS. And this, with the amount already appropriated for this fiscal year, amounts to about $24,000,000.

Mr. MADDEN. About that; yes.

Mr. HICKS. Of that original amount for this year, practically all of it has been expended, up to about the 15th of February.

Mr. MADDEN. That is what I understand.

The Clerk proceeded to read the bill.

The CHAIRMAN. Without objection, the word "the," where it occurs the second time in line 22 on page 29, will be changed to the word "this."

There was no objection.

The Clerk read as follows:

POST OFFICE DEPARTMENT.

CONTINGENT EXPENSES.

For fuel and repairs to heating, lighting, ice, and power plant, including repairs to elevators, purchase and exchange of tools, and electrical supplies, and removal of ashes, $4,000.

Mr. COCKRAN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the Committee on Appropriations why the recommendation of the post-office authorities to the committee that an appropriation be made for continuing the tube service has been denied?

Mr. MADDEN. There was pending before the committee that is in charge of this bill a recommendation for the reinstallation of the tube system in New York City, but it was admitted by the Post Office Department that it is not a deficiency, in the first instance, and it was also admitted that it changes the law and thereby involves legislation. Regardless of what the merits of the subject might be, it was not within the jurisdiction of this subcommittee or of the Committee on Appropriations to report the item which they suggested.

Mr. COCKRAN. Then it was left out purely as a matter of parliamentary procedure?

Mr. MADDEN. Parliamentary procedure was one of the reasons why it was left out. We would not have been able under the circumstances to justify the item under the rules of the House as a deficiency appropriation.

Mr. COCKRAN. And I suppose the committee took the ground that it supplied no deficiency?

Mr. MADDEN. In the first place it is legislation. The existing law giving the authority to the Post Office Department to use tubes provides that not to exceed $17,500 per annum per mile shall be paid for the use of the tubes. Their proposal was to pay $18,500 per mile up to $19,500 per mile, and more later. That would be an amendment to the law, and the Committee on Appropriations having no jurisdiction over bills that create legislation refuse to accept jurisdiction. There is no question about the fact that we have no jurisdiction at all.

Mr. COCKRAN. Of course, if there is no jurisdiction in the committee, that is abundant reason for not having it reported.

The Clerk read as follows:

Payment to Harriman National Bank, of New York, N. Y.: To refund to the Harriman National Bank, of New York, N. Y., the sum erroneously paid into the United States Treasury by the claimant bank as interest on deposits of public moneys from April 18, 1918, to June 30, 1920, $4,950.04.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent to return to page 25 of the bill, to the item providing for the Children's Bureau.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent to modify the amendment which I have at the desk and offer in its stead the following.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the modified amendment.

The Clerk read as follows:

Amendment offered by Mr. TOWNER: Page 26, line 3, strike out the figures "$370,000," and insert in lieu thereof the figures "$490,000," and the following: "of which sum $240,000 shall be for equal apportionment among the States without reference to population, and $250,000 shall be for apportionment among the States with reference to population and for administrative expenses in accordance with said act."

Mr. TOWNER. Mr. Chairman, I understand that the committee has no objection to the amendment as now presented.

Mr. NEWTON of Minnesota. Mr. Chairman, I rise in opposition to the amendment for the purpose of making a few observations. My understanding of the maternity bill provisions is that there was an initial appropriation authorized of $10,000 to each one of the 48 States of the Union that comply with the provisions of the Federal law for the first year, and that the further sum of $1,000,000 is to be apportioned in accordance with the population of the States. For the second year there is to be apportioned to the complying States, without regard to population, an initial sum of $5,000, and then an additional amount for the second year in proportion to the population, and so on, during the period of five years, the theory of the law being that to encourage the States to get this work under way Congress would appropriate a fixed amount to aid the States, without regard to population, in starting the work, and that Congress would in addition match the appropriation made by the States in accordance with figures based on population. The maternity bill, as I recall, passed the House during the latter days of the first session of this Congress. The fiscal year then had run on something like four or five months. If we had intended that something less than the sum of $10,000 was to be apportioned to each State as an initial appropriation, we would have used language so providing, but appreciating the fact that we were then on the current fiscal year we then advisedly used these words—

For the purpose of carrying out the provisions of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated for the current fiscal year, $480,000.

That is, we authorized to be appropriated the sum of $480,000 for the present fiscal year. That is clear and plain. There is a direct authorization for $480,000. How is that to be apportioned according to the law? It is to be equally apportioned among the several States. There is nothing in the act, there is nothing in the general law, so far as I have been able to find, which provides that the ordinary law pertaining to deficiencies shall apply to money appropriated by the Federal Government to the several States which the several States shall have the power and right to expend.

Mr. MADDEN. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. MADDEN. I suppose the gentleman would be willing to concede that the apportionment to the State could not be made until after the State had come within the provisions of the act?

Mr. NEWTON of Minnesota. Exactly.

Mr. MADDEN. And there are six States that have come within the provisions of the act.

Mr. NEWTON of Minnesota. Yes; I am so informed. But under my understanding of the law it is only those States which have come within the provisions of the law that are entitled to any money under the act. Now, it is my contention—and in that I differ with the chairman of the committee; we did not understand each other yesterday—that when a State in this, the current fiscal year, complies with the Federal law it is then entitled not to what the Committee on Appropriations may determine to give them but to an equal share of the amount apportioned to the 48 States.

Mr. MADDEN. Will the gentleman yield further?

Mr. NEWTON of Minnesota. Yes.

Mr. MADDEN. The Committee on Appropriations do not determine to give anything. The Committee on Appropriations only recommends to the House.

Mr. NEWTON of Minnesota. I know. I have agreed with the Committee on Appropriations on many occasions myself. I can well appreciate the fact that the action of the committee comes before the House with a great deal of weight. I would point out——

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. I ask unanimous consent for five minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none.

Mr. MADDEN. Now, I was just wondering—of course, I do not know that the question I am going to ask has any sense to it—whether the fact that we only appropriate $240,000, because we intend to give $10,000 to each State as of the 1st of next July, would prevent, when all the conditions under the law have been complied with and all organization is complete, the authorities from giving to the State that has complied any additional amount that is authorized to be paid under the act?

Mr. NEWTON of Minnesota. If I understand the gentleman's position, it is this: He contends that under this $480,000 authorization, that because eight months of this year have gone by——

Mr. MADDEN. Nine when we get through the bill.

Mr. NEWTON of Minnesota. Whatever it is, that there should only be paid to the States three-twelfths of the $480,000, and that should be apportioned equally?

Mr. MANN. Will the gentleman yield?

Mr. NEWTON of Minnesota. In just a moment. Under the amendment it would be only half, and it is much better than the original provision; but I still maintain that under the law as we intended it and as I think it has been written the initial appropriation of $10,000 should be made to any State actually complying within the one-year period.

Mr. MANN. Was not the purpose of the act to give $10,000 to each State for the first year of the operation of the law and $5,000 thereafter?

Mr. NEWTON of Minnesota. That is my understanding.

Mr. MANN. Is not that practically carried out by giving them $5,000 for this fiscal year, $5,000 for the next fiscal year. They get $10,000 for the first year the law is in operation. Suppose the law was to become effective June 29, as it could easily have been——

Mr. NEWTON of Minnesota. Yes.

Mr. MANN. Does the gentleman claim they ought to have $15,000 for the first fiscal year?

Mr. NEWTON of Minnesota. I contend under the law they were entitled to $10,000 this year and $5,000 the next year.

Mr. MANN. Under the law they are entitled to what we appropriate. The general authorization would permit the making of an appropriation for $10,000 for this fiscal year and $5,000 for the next, but the theory of the law was to give them $10,000 for the initial year the law was in operation. Now it is not in operation yet, and it will not be during this fiscal year.

Mr. NEWTON of Minnesota. I will say in the State of Minnesota it has been in operation for something over a year.

Mr. MANN. The law may have been on the statute books, but it is not in practical operation, I mean.

Mr. NEWTON of Minnesota. They have been ready to use the money.

Mr. MANN. You will not use it during this fiscal year, the $10,000. Now that the appropriation for this fiscal year runs over to the next fiscal year under the law, they get under this amendment $10,000 practically for the first year the law is being operated. That was the theory of the law, and we carry out that theory.

Mr. NEWTON of Minnesota. It is being carried out better in the amendment than in the bill as it came from the Committee on Appropriations, but at the same time I feel for the purpose of promoting this work that it was the intent to give the States $10,000 to start out with and each year thereafter $5,000.

Mr. MANN. Oh, well, the bill was introduced in Congress in the last fiscal year, and it might have become a law on the 29th of June last.

The theory of the bill was to give $10,000 for the first year the law was in operation to each State in order to start it into operation, and $5,000 a year thereafter. Now if we give $10,000 for the next 15 months, considering the time it takes to put the law into operation they will be getting $10,000 for the first year to carry out the theory of the law.

Mr. NEWTON of Minnesota. Let me ask the gentleman this question: The initial appropriation for the second year is $5,000. Now, there will be a large number of States who, if they comply with the law at all, will comply with it some time during the second year.

Mr. MANN. And this appropriation holds over for the second year.

Mr. NEWTON of Minnesota. This present appropriation of $5,000 would hold over until then?

Mr. MANN. As I understand, the law expressly provides that.

Mr. NEWTON of Minnesota. Now, would the apportionment on the second provision of $5,000 be prorated for only a portion of next year?

Mr. MANN. Oh, the full amount would be appropriated.

Mr. TOWNER. It has all passed the House.

Mr. MADDEN. They would get the $10,000 under this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. TOWNER. I agree with the gentleman in the interpretation of the law. I think the amendment suggested by the gentleman from Illinois is so much better than the bill that it would be best for us and fairly satisfactory to the people who are interested.

Mr. MADDEN. We are very happy to cooperate.

Mr. NEWTON of Minnesota. I shall vote for the amendment, because I think it is much better than the original provision, but I merely wanted to state my own opinion of what in my judgment was intended when the bill was passed.

Mr. MADDEN. The Committee on Appropriations is always willing to be complimented on its parsimony.

The CHAIRMAN. The question is on the modified amendment of the gentleman from Iowa.

Mr. RAMSEYER. May we have the amendment again reported?

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

HOSPITALS.

Fort Mackenzie, Wyo., Public Health Service Hospital: For repairs and alterations of existing buildings, and mechanical equipment, approaches, etc., an additional sum of $100,000 is made available from the appropriation contained in the act approved March 4, 1921.

Mr. SNELL. Mr. Chairman, I want to reserve a point of order on this section for the moment.

Mr. MADDEN. That is not subject to a point of order.

Mr. SNELL. In looking over the hearings, Mr. Wetmore, who seems to be advocating this appropriation, states that it is for remodeling buildings, and so forth and so on, to double the capacity of the hospital at the present time, and also provide a certain amount for recreation, and so forth. Could that legitimately come in here on a deficiency appropriation?

Mr. MADDEN. This is a great plant, a million-dollar plant, at Fort Mackenzie, taken over by the Public Health Service for the Veterans' Bureau. Of the $18,600,000 authorized for expenditure some time ago for hospital purposes, $600,000 was allotted to Walla Walla and to Fort Mackenzie. The presumption was that a reasonably equitable proportion would be made between the two places.

Mr. SNELL. Yet I understand, after they made that allotment, they got additional information that there were not enough men in the vicinity of Fort Mackenzie to really need the additional amount.

Mr. MADDEN. The place is crowded, and they have already spent $108,000 out of the allotment, and unless they spend $100,000 more the work will be incomplete. Now, we propose to make this allotment out of the $861,000 yet unallotted out of the $18,600,000, and it ought to be done beyond any question. There is no doubt about it.

Mr. SNELL. I understand that the hospital board, after they looked over this matter and had gone into it very thoroughly, thought it was a mistake to spend any more money at Fort Mackenzie, and for that reason the original allotment was reduced.

Mr. MADDEN. That was not the information we had, I am sorry to say, because we would be glad to save this if we could, but we could not justify the refusal.

Mr. SNELL. You take the whole surrounding country that is contiguous to Fort Mackenzie, and, as I understood from the original plans they had down there in this hospitalization board, there were very few soldiers to be sent to that institution.

Mr. MADDEN. There are lots of them there.

Mr. SNELL. They are there, but they are sent from long distances when they ought to be hospitalized nearer home.

Mr. MADDEN. While they are there they have got to be provided for.

Mr. SNELL. If we have as many beds as the gentleman spoke of yesterday, why should we provide for Fort Mackenzie, when the men could be as well taken care of nearer home?

Mr. MADDEN. Seventy-eight hundred beds means about 20 per cent surplus, and all the doctors everywhere will say we must have at least 15 per cent surplus beds in order to accommodate the patients that come to the various places.

Mr. SNELL. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Transportation of the Army and its supplies: The amounts allotted for animal-drawn transportation and motor transportation by the Army appropriation act for the fiscal year 1922 are made available during such fiscal year for rail transportation in the amounts required to provide the following: The sum of $511,892.77 for returning surplus officers and enlisted men from Germany and making such movements of troops as become necessary therefrom to meet the most pressing needs of the Government, and the sum of $150,000 for expenditures made during the months of September and October, 1921, in connection with the West Virginia mine troubles.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the word "Germany," in line 24. I would like to ask the gentleman from Illinois [Mr. MADDEN] if he has in his possession what the policy of the Government is in reference to the retention of the troops now in Germany?

Mr. MADDEN. Most of the troops have been ordered home. I do not know how many there are to remain, but the appropriation provided for here is to transport the troops that are on the way home, or are ordered home, to their various stations after they reach here.

Mr. CONNALLY of Texas. After they reach here?

Mr. MADDEN. After they reach American soil. There is no provision here for the transportation of troops across the sea; but if we do not allow this item here, they would not be able to send them to the different places in the country to which they are to go.

Mr. CONNALLY of Texas. I will say to the gentleman that, in line 24, the language is:

For returning surplus officers and enlisted men from Germany and making such movement of troops as becomes necessary therefrom to meet the most pressing needs of the Government.

Mr. MADDEN. Railroad transportation here is part of their return. There is not any provision here for transportation across the ocean. It is just for the transportation on land after they reach here.

Mr. CONNALLY of Texas. Has the gentleman from Illinois any information as to what the policy of the Government is as to how long the troops are to be kept in Germany? As I understand it, the United States is now at peace with Germany, and I am rather curious to know just what the real status of the American Army is in German territory. I am not criticizing the attitude of the Government, because there may be reasons why they should remain, but it does seem to me that the Congress ought to have more information in making appropriations for the Army, which we will have to do in a short time, as to what the Government's policy is going to be with reference to retaining the Army on German territory long after we are at peace with that nation.

Mr. MADDEN. I wish to say to the gentleman from Texas that the Army bill for the fiscal year 1923 is under consideration in our committee, and all of this question is being gone into very carefully. I think we shall be able to come in here with some definite information for the gentleman within the next 10 days. We expect to report the Army appropriation bill within 10 days and take it up for consideration.

Mr. CONNALLY of Texas. I will say to the gentleman that I am very glad to hear that statement. I do not care to criticize the fact of the troops being there. It may be very proper, but it does seem to me that the Congress, since it has no control over the question where the troops shall be sent, and has control only over its appropriations, ought to have some knowledge as to what the policy of the President will be with reference to keeping troops in German territory. If they are to be kept there under the treaty of Versailles, they might be kept there, as I understand it, for 15 years. If they are to be kept there at the request of the Allies——

Mr. MADDEN. I will say to the gentleman that they can not be brought back too soon to suit me.

Mr. MANN. We have been trying to get that information for several years. My colleague holds out the hope that it will be furnished in 10 days.

Mr. CONNALLY of Texas. That is no more extravagant than the idea expressed by the gentleman from Ohio [Mr. FESS] yesterday as to the progress that has been made by the present administration in other directions since it came into power.

Mr. MANN. In the one case the information will be forthcoming within 10 days, and in the other case we have been asking for it in vain for several years.

Mr. CONNALLY of Texas. I will say in reply to the gentleman from Illinois [Mr. MADDEN] that it is encouraging to hear that we will get this information in 10 days, because we have been attempting to get it without avail since 1919.

Mr. MADDEN. I can assure the gentleman from Texas that we will get that information for his benefit within that time.

Mr. CONNALLY of Texas. I am thankful for small favors and will be thankful for this when it comes. [Laughter.]

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. JONES of Texas. I notice in the Washington Post this morning a statement to the effect that the Allies were going to close up the German factories which are manufacturing the large lighter-than-air balloons and are going to forbid them making the balloons such as they have been constructing for the company which contemplates an air-line service with lighter-than-air craft from New York to Chicago because of the possibility of those machines carrying bombs in war time. Does the gentleman know whether or not the United States Government has adopted a policy of preventing the manufacture of these lighter-than-air craft?

Mr. MADDEN. I am sorry I can not answer the gentleman's question.

Mr. JONES of Texas. I notice that the morning Post uses it as in the nature of a piece of news with reference to the attitude of the Allies with respect to the manufacture of lighter-than-air craft.

Mr. MADDEN. I do not think it would be wise for a man to guide his actions through life by what he reads in the newspapers.

Mr. JONES of Texas. That is the reason why I wanted the information. I thought the gentleman, perhaps, would be able to give me more information on this than he has given in the past. The gentleman knows that a corporation has been organized which has for its purpose the establishment of a passenger service with these large balloons or dirigibles, whatever they may be called, between New York and Chicago, and this article this morning attempted to give the news that this was all going to be done away with and the factory scrapped and its supplies on hand required to be thrown aside by virtue of the simple fact that these passenger-carrying aircraft are of such a nature that they could carry large supplies of bombs in the event of war. It seems to me that is going a long way toward destroying an industry that ought to be regarded as perfectly legitimate.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. CONNALLY].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Not exceeding $236,095 of unobligated balances of appropriations for the support and operation of the Quartermaster Corps of the Army for the fiscal year 1921 may be applied to reconditioning the United States Army transport *Madawaska*.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the word "transport" in line 8. May I ask the gentleman from Illinois as to where this reconditioning is to be had, in a Government yard or in a private yard?

Mr. MADDEN. It is in a Government yard. I will say that it is on the ways, and has been since last November.

Mr. CONNALLY of Texas. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

ORDNANCE DEPARTMENT.

For the handling and transportation of ordnance stores in connection with the evacuation of the ordnance depots located at or near South Amboy, Hammonton, and Westville, N. J.; Middletown and Tullytown, Pa.; Seven Pines and Penniman, Va.; Sparta, Wis.; and Toledo, Ohio, $1,642,351.

Mr. LANHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 37, line 16, after the figures "$1,642,351." insert a new paragraph, as follows:

"Air Service: For experimentation, conservation, and production of helium, $150,000."

Mr. MADDEN. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Illinois reserves a point of order against the amendment.

Mr. LANHAM. Mr. Chairman, I thank the gentleman for reserving the point of order, although I do not concede that a point of order would be good against the amendment.

I wish that the Members of this House had studied with the same serious care that I have this helium proposition, because that study forces the realization of the importance of this project. The helium plant at Fort Worth, Tex., which is the only one in the world which produces helium in quantities, was closed on the 30th day of last November because of a lack of sufficient appropriations to continue it in operation. In the brief five months of its operation, despite the fact that the helium project is entirely a new one, more than 2,000,000 cubic feet of this new chemical element were extracted at that plant. The plant is now in a stand-by condition, and the personnel necessarily more or less scattered by reason of the closing. The helium for which we have contracted is being wasted very largely through commercial use of the gas which contains it. Both the time and the helium that this Government is thus losing will never be brought back to us. We have a practical monopoly of the world's sources of supply of helium, this wonderful inert element which makes aerial transportation with lighter-than-air craft absolutely safe and explosions impossible. The cost of the extraction of it from the natural gas which contains it has been brought down to a very low figure.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a moment?

Mr. LANHAM. I will.

Mr. MADDEN. I would just like to inform the gentleman from Texas that a very thorough investigation of this question is being made by the military subcommittee of our committee. The whole question is being gone into thoroughly. I hope the gentleman will wait, because we are going to have a bill in here in a week, and it ought not to be on this bill.

Mr. LANHAM. Mr. Chairman, I appreciate the fact that the subcommittee of the Appropriations Committee has given consideration and attention to this matter, but that is for the next fiscal year.

Mr. MADDEN. Yes.

Mr. LANHAM. In the meantime the helium that is going off in the natural gas that is used commercially is being lost, and there is no way to save it unless it is saved by the present operation of the plant.

Mr. MADDEN. But there has been no request made by any executive branch of the Government for an appropriation to cover the activity provided for in the amendment offered by the gentleman.

Mr. LANHAM. Such requests as were made for appropriations by the War Department were submitted to the committee before the recent *Roma* disaster which plunged the whole Nation in grief.

Mr. MADDEN. There was nothing to prevent them from sending in a supplemental estimate if they wanted to do so.

Mr. LANHAM. That may be true.

Mr. MADDEN. And they are making an investigation now of the cause of the disaster, and of a lot of other things, and our committee is making investigations as to the whole subject, and it seems to me that the orderly process would be to wait until we get through with this examination that we are making.

Mr. LANHAM. May I ask the gentleman if the Director of the Budget, upon the solicitation of the Secretaries of the various departments from which the helium board is made up, has not made a recommendation to the committee that for the next fiscal year we continue our operation for helium production?

Mr. MADDEN. I was just saying that the subcommittee having charge of appropriations for the War Department is giving consideration to all of these questions now, and will soon be able to report.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANHAM. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. STAFFORD. The subcommittee in preparation of the appropriation bill for the War Department gave an audience to the gentleman to present his views of the need of further production of helium. The committee has not determined what the policy should be for the next year. Certainly there is no deficiency. I make this remark in connection with the point of order. There are 2,500,000 cubic feet of helium in store. As the gentleman knows, it would have taken 1,500,000 feet of helium to fill the *Roma*.

Mr. LANHAM. One million two hundred thousand feet.

Mr. STAFFORD. One million two hundred thousand feet. There is more money available for aircraft than can be expended during the fiscal year or than will be expended, and yet the gentleman is offering an amendment under the guise of a deficiency appropriation when there is no deficiency.

Mr. LANHAM. Mr. Chairman, that would come up on the point of order. I think it is clear from the law that there is a deficiency. But I will say in reply to the gentleman that the Committee on Appropriations has been considering the appropriation for the next fiscal year.

Mr. STAFFORD. Surely.

Mr. LANHAM. This amendment is offered for the operation of this plant for the remainder of this fiscal year. The plant was operated up until November 30, and closed at that time for the lack of sufficient funds to continue the operation.

Mr. STAFFORD. Not, as I understand, for the lack of sufficient funds, but because the War Department saw fit to discontinue that operation under the economy program.

Mr. LANHAM. As I understand it, the War Department had expended that part of the appropriation for helium conservation and extraction embraced in the Army appropriation bill for this fiscal year.

Mr. STAFFORD. May I set forth further that there is no limitation on the total sum appropriated for helium production.

Mr. LANHAM. I should like to call the attention of the gentleman to page 6 of the present law in this regard, where out of a lump-sum appropriation for several different purposes it is provided that—

not exceeding $250,000 may be expended for experimentation, conservation, and production of helium.

And this amendment is offered to provide $150,000 for the remainder of the fiscal year, the $250,000 appropriated in the Army appropriation bill for this year not having been sufficient for the purpose.

Mr. STAFFORD. There is no deficiency, and the gentleman is asking for more money than was appropriated. The Congress determined the amount of money that should be used for this purpose, and there is no deficiency.

Mr. LANHAM. That amount of money has been used and it was not sufficient, and if I understand the purpose of a deficiency bill it is to make provision to carry on those various projects during the fiscal year for which appropriations were originally made.

Now, Mr. Chairman, I want to say a word or two further with reference to the importance of this subject and to impress upon the membership of this House that we are losing the helium and we are losing the time. The plant is in a stand-by condition, deteriorating, despite the fact that in the short period of its operation we extracted more than 2,000,000 cubic feet of this product. Recent developments in this matter show several things. The flights made by the C-7, the Navy dirigible, have demonstrated the superiority of helium over hydrogen, not only because of its noninflammability, which makes explosion impossible, but also from the fact that it does not contract and expand as hydrogen does, and it is not lost by valving, and the whole process of aerial navigation with it is much safer and is greatly facilitated.

Mr. MANN. Will the gentleman yield?

Mr. LANHAM. Certainly.

Mr. MANN. Is Fort Worth the only place where helium can be extracted?

Mr. LANHAM. No, sir; it is not; but at Fort Worth is the only plant in the United States and the only plant in the world that is now available for quantity production of helium.

Mr. MANN. Does the gentleman think we ought to construct a plant wherever helium can be produced, to keep it from going to waste?

Mr. LANHAM. I do not, but I think we ought properly to conserve our helium.

Mr. MANN. I am a helium enthusiast, but I do not think we ought to make a deficiency appropriation here for it.

Mr. DUNBAR. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. DUNBAR. I am also a helium enthusiast, and I am interested in the statement just made by the gentleman which, if it is true, violates all known laws heretofore existing as applying to the expansion or contraction of gases. The gentleman stated that helium did not expand or contract, as did hydrogen. My information when I studied chemistry was that all gases expanded alike with an increase of temperature or with the lowering of the barometric pressure.

Mr. LANHAM. In reply to the gentleman I will say that I can not answer him in technical terms, because my education has been along the line of the arts rather than the sciences; but, as I understand, helium is much more satisfactory in that you do not have to valve it as you do hydrogen, and not one cubic foot of helium has been lost in the C-7 since it was filled.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LANHAM. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANTHONY. Will the gentleman yield?

Mr. LANHAM. I will.

Mr. ANTHONY. Is the gentleman aware that the plant at Fort Worth is not in a proper condition to produce helium on a commercial basis?

Mr. LANHAM. I am not aware of it.

Mr. ANTHONY. That was the evidence before the committee, and that it would require a considerable amount of money to put it in a proper condition.

Mr. LANHAM. Is not that because of the fact that we did not appropriate a sufficient amount originally to run it? And yet up to November 30 we extracted more than 2,000,000 cubic feet of helium.

Mr. ANTHONY. I think the gentleman must concede that inasmuch as we have spent over $10,000,000 since the war started in attempting to produce helium, Congress has been fairly liberal.

Mr. LANHAM. In reply to that let me say that a great deal of it has been in experimentation and then to build the plant. Then for the operation of the plant for this fiscal year the Army appropriation bill made an appropriation of $100,000, which was later increased to $250,000 in conference after the Senate had passed it at $400,000. Consequently, it is not fair to charge up the capital expense to the production of helium, because for the little sum that we really have expended we have produced over 2,000,000 cubic feet of helium gas.

Mr. ANTHONY. Is the gentleman aware of the fact that the mechanical engineers of the Government who have recently inspected the Fort Worth establishment recommend material physical changes before any further manufacture of helium?

Mr. LANHAM. Then, if that is the case, that is an additional reason why this apppropriation should be made and the plant put in condition.

Mr. ANTHONY. And that with the machinery now installed and with which they would have to work it is impossible to produce helium from a commercial standpoint, and that taking the case of the *Roma*, if we had filled the *Roma* with helium—and the *Roma* cost $400,000—if we had filled it with helium it would have cost $1,200,000 to fill it.

Mr. LANHAM. With all due deference to the gentleman, I have made some figures as to what it would have cost us. Applying the most excessive cost of helium during the operation of the plant, it would have cost $216,000 to fill the *Roma* with helium. But if the *Roma* had been filled with helium, to-day you would in all likelihood have the helium and the *Roma* and you would have the men who lost their lives in that great disaster. I have made an inquiry of the Veterans' Bureau as to how many of those men lost with the *Roma* had war-risk insurance. I have got the number, but I have not the amount. There were 30 men who went down with the *Roma* who had war-risk insurance. Assuming that they were carrying insurance at $10,000 each, there is $300,000, and if that $300,000 had been applied for this fiscal year in order that we might have a continuous operation of the plant we would have had enough helium on hand to fill six or eight *Romas*.

Mr. MANN. Have not we enough helium on hand to fill the *Roma*?

Mr. LANHAM. Yes.

Mr. MANN. Then if we had had a great deal more, they would not have filled it.

Mr. LANHAM. In so far as I am concerned, I am willing to see a law enacted that when you send men into the air in dirigibles they shall not go in anything but those filled with helium.

Mr. MANN. Would the gentleman provide by law that they should not send them up unless in a ship filled with helium?

Mr. LANHAM. Personally I am willing to have a law of that kind.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I realize the eloquence of the gentleman and his interest in this wonderful development, and I realize what a wonderful thing it would be if we had large quantities of helium that could be used, but the Army is now investigating the question of the destruction of the *Roma*, and the Committee on Appropriations, through its subcommittee on military affairs, is investigating the question of the development of helium and the advisability of appropriating money to carry on the work. It seems to me that we ought to move along in an orderly fashion. The War Department has not made any request for a dollar in connection with this activity. They know where they can make that request, and they know how to do it. If they have any justification for making it, why have they not made it? It will not do, it seems to me, for us to say that, notwithstanding the fact that the War Department itself has made no request, we rise in superior wisdom and knowledge and experience and must appropriate money based on that, regardless of whether the department charged with the responsibility wants it or not.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. JONES of Texas. In connection with the gentleman's statement that the War Department has made no request, I call his attention to the fact that in the hearings on the regular appropriation bill for this fiscal year, the one now pending, the War Department asked for $1,375,250 for this purpose, according to the statement of the gentleman from Kansas [Mr. ANTHONY], on page 293 of those hearings. He there asked the question of the officer being interrogated—

> You are asking for $1,375,250 for helium extraction, conservation, and production. What success has been had—

And so forth.

The answer indicates that they have asked for that amount.

Mr. MADDEN. But that was last year.

Mr. JONES of Texas. That is for this fiscal year?

Mr. MADDEN. Yes.

Mr. JONES of Texas. They asked for enough and far more than enough to have operated the plant for the entire year, and Congress saw fit to limit that amount.

Mr. MADDEN. They say now that the machinery of the plant is not of the kind or the type that will separate the helium from the other gases.

Mr. JONES of Texas. It may not be the best type, or it may be that their experiments have shown that there is a better type of machinery, or that improvements are needed to conduct experiments, but the fact remains that they have the machinery and that it has operated and that it has produced helium.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. LANHAM. I think my colleague from Texas has expressed accurately the view of the experts on this subject. This is a practical plant that is now established at Fort Worth—a production plant—but it is hoped through further experimentation gradually to reduce per cubic foot the cost of the extraction of helium from the natural gas. I do not think the contention has been seriously made by the department that this plant is not feasible, because they have extracted more than 2,000,000 cubic feet. Of course, being a new project, there were some mechanical defects, naturally, that could not well have been anticipated, and those troubles charged up to the operation of the plant necessarily have made the price per cubic foot somewhat higher than it would be under normal operation.

Mr. HARDY of Texas. How is it possible to make corrections and secure additional expenditures if there is no money to do it with?

Mr. MADDEN. Mr. Chairman, I withdraw the reservation of the point of order and ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. LANHAM) there were—ayes 20, noes 47.

So the amendment was rejected.

Mr. DUNBAR. Mr. Chairman, I move to strike out the last word. I rise for the purpose of getting information. If I remember rightly Mariotte's law in chemistry or physics says that all gases at the same temperature and pressure have an equal number of molecules, and that the rate of expansion depends upon the increase of temperature and the decrease in the barometric pressure. In round numbers, all gas will expand 2 per cent for every 10° F. increase in temperature, barometric pressure remaining unchanged. It will also contract in the same proportion, so that it would be possible if we had a million cubic feet of gas at 60° F. and 30° of barometric pressure, if the temperature could be reduced to absolute zero, that we would not have a cubic inch of the million feet of gas. The gentleman has said that helium gas does not expand or contract as does hydrogen. If that is true, then the former accepted law regarding the contraction and expansion of gases has been proven to be untrue, and there is a new law which may be applied to scientific investigation

which will enable the arts and sciences to develop along lines not heretofore accepted.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. LANHAM. My phraseology may not have been technically accurate, but the practical demonstration of the superiority of helium over hydrogen, according to all of the experts, was demonstrated in the flights of the *C*–7. Concerning the action of gases and the gentleman's statement that all gases act alike at equal temperature, which is not quite what he said, I would say that the very process of extraction of helium is by refrigeration and liquefaction through refrigeration of the other constituent elements of the gas, leaving the helium. For instance, you get liquid nitrogen, and at the same temperature all those gases do not behave alike. What the scientific terms are I am unable to say.

Mr. DUNBAR. I know, but when you obtain liquid nitrogen or liquid helium it is necessary, in order to obtain the gases, to apply heat, and if you have applied heat sufficiently, then there is no longer a liquid but a gas, so that the law of expansion and contraction of gases would apply to helium as a gas when in a gaseous state—and as it is when used in lighter-than-air craft—unless helium is different from any other gas, and if it is different, then a new law has been discovered in physics and chemistry.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LANHAM. They have not lost any helium out of the *C*–7 in any of its flights.

Mr. DUNBAR. Mr. Chairman, I ask for three minutes additional.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DUNBAR. I will state that it is possible that no amount of helium may have been lost out of any lighter-than-air craft which may be in existence, and that the reason that none has been lost is that in the inflation of the container they have been very careful not to put in an amount of gas which might be affected to an extent by expansion and which would leave no additional space available in the container due to temperature, or to the difference in barometer due to the height to which it might ascend; so that while the gentleman's statement may be true it is only true because extra precautions may have been taken to have sufficient extra space in container to take care of increased volume due to expansion, so as not to permit the escape of helium. Now, hydrogen being ordinarily cheaply produced is capable of being produced at very low cost—ordinary coal gas containing 50 per cent of hydrogen, while it is possible to produce hydrogen——

Mr. JONES of Texas. Will the gentleman yield?

Mr. DUNBAR. I will.

Mr. JONES of Texas. I want to suggest in connection with what my colleague has said, that in the preparation of helium the helium gas is not liquefied. They liquefy the other gases, but helium remains a gas. The liquid is drawn off leaving the helium as a gas, so it does not behave exactly like the other gases which are liquefied.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. DUNBAR. I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. JONES of Texas. Just to finish. The helium gas remains in a gaseous form. All the other gases are reduced to liquid form and drawn off, so that, in fact, the gentleman's theory is not wholly correct that they behave exactly alike and respond exactly alike to pressure, heat, and cold, because the other gases become, under pressure, liquids, so they can be drawn off, while helium gas, being a distinctive form, remains helium in a gaseous form. The other gases that have been broken down, the other gases extracted, are then restored to gaseous form by releasing the pressure and increasing the heat.

Mr. DUNBAR. The gentleman labors under a misapprehension that all gases are reduced to liquid form at the same pressure and temperature.

Mr. JONES of Texas. That is the theory on which the gentleman is basing his remarks.

Mr. DUNBAR. No, sir; that is not the basis upon which I base my remarks. Expansion and contraction of gas is due to the temperature and to pressure. Most gases have critical temperatures at which they become liquids, but the temperature varies with every gas.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. I notice the bill carries an item of $1,600,000 for the transportation of ordnance stores. Can the gentleman give the value of the stores, and if all these establishments are to be permanently abandoned?

Mr. MADDEN. They are to be abandoned. The value of the stores amounts to several hundred million dollars and the cost of the equipment, and so forth, now amounts to about $50,000 a year, all of which will be saved by the expenditure of this money.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

The action of the Executive in directing the issue, and the issuance of quartermaster stores and medical supplies out of the reserve supplies for the field service of the Army, and in directing payment for services for the repair of supplies, of a value not exceeding $82,858.15, for the relief of sufferers from storm and flood at Corpus Christi, Tex., and vicinity, in September, 1919, is approved; and credit for all such supplies so issued and funds so disbursed shall be allowed in the settlement of the accounts of the officers of the Army.

Mr. HUDSPETH. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman what is the purpose of this sum here? Is it to reimburse——

Mr. MADDEN. It is to enable the disbursing officers to settle their accounts with the accounting officers. There is not any money involved in this appropriation.

Mr. HUDSPETH. I will state to the gentleman that this says it is for relief of sufferers from storm and flood at Corpus Christi, Tex.

Mr. MADDEN. That is in 1919—way back. This is just to ratify the action of the President in authorizing the expenditure, so that the accounts may be settled with the accounting officers.

Mr. HUDSPETH. Where did these supplies go to—to individuals or to the Army down there?

Mr. MADDEN. It was an emergency, and they went to individuals, citizens of Texas, under authority of the President of the United States, who acted without any authority of law, and we are simply now ratifying what the President did, in order that the accounts may be adjusted.

Mr. HUDSPETH. I withdraw the pro forma amendment.

The Clerk resumed and concluded the reading of the bill.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to go back to page 3, line 7, for the purpose of making a correction in the figures. Instead of "$2,484.68" the figures should be "$2,483.68." I ask permission to make that correction.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent, page 3, line 7, that the figures may read "$2,483.68." Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. I would also like to go back to make another correction. In line 10, page 22, where it appears as "Public act No. 399," it should be "199."

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I notice that it is necessary now to designate the particular deficiency bill as we pass them by number so that we will not get them mixed up. This particular bill is designated as the second deficiency bill. May I ask the distinguished chairman of the committee how many more deficiency bills we may expect before we adjourn in June?

Mr. SNELL. When?

Mr. BLANTON. Before adjournment in June.

Mr. MADDEN. I presume before adjournment some items will have to be incorporated in a deficiency bill. Of course, I do not know, but it is usual to have a deficiency bill just before final adjournment.

Mr. BLANTON. The main point I desired to ask of the chairman of the committee was, what policy may the Members expect from his committee with regard to permitting bureau chiefs to make their plans and often go so far as to spend money that has not been appropriated, hoping that the Congress is going to come along in a deficiency bill and supply them with funds?

Mr. MADDEN. I think the gentleman heard what I said yesterday, did he not?

Mr. BLANTON. Well, yes.

Mr. MADDEN. That is what I meant. [Applause.]

Mr. BLANTON. There are a number of such items in this bill. I have not made any points of order against them, but there are several of them that are subject to points of order.

Mr. MADDEN. I think there were one or two things here subject to a point of order.

Mr. BLANTON. And there were one or two things here which the chairman well knows, because he is well informed, that cover matters where bureau chiefs exceeded their authority with respect to appropriations, and went beyond what the Congress had authorized in previous appropriation bills.

Mr. MADDEN. I think I may say to the gentleman that that probably would not be the case except now in the Navy for 1922 and in the Veterans' Bureau, of course. Nobody can tell what the amount of appropriations will be for the Veterans' Bureau.

Mr. BLANTON. I am not complaining about the appropriations for the Veterans' Bureau.

Mr. MADDEN. Those are the two things.

Mr. BLANTON. I want to see every dollar spent that is necessary to rehabilitate our soldiers, but I refer to other bureaus where they are daily exceeding their authority with respect to appropriations.

Mr. MADDEN. I do not think there are many such items in this bill. Most of these items, or a great many of them, are back to 1916, 1917, 1918, 1919, 1920, and 1921.

Mr. BLANTON. I am going to call the gentleman's attention to several of them in the next appropriation bill.

Mr. MADDEN. I want to say to the gentleman that if you take out the Colombia treaty item and the Veterans' Bureau, and the claims in judgment, that we can not control, and the settlements that are made back from 1916 to 1919, that we could not control, there is only $5,000,000 in this bill.

Mr. BLANTON. The gentleman knows just how carefully the various departments watch the law in order to go just as far as they can without coming within the law that permits a prosecution against them.

Mr. MADDEN. I will say to the gentleman very frankly that to the extent it is in my power to prevent that sort of practice in the future it will be prevented.

Mr. BLANTON. I am glad to hear that.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MADDEN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having resumed the chair as Speaker pro tempore, Mr. SANDERS of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 10663, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. BLANTON. Mr. Speaker, I demand a division.

The House divided, and there were—ayes 58, noes 2.

So the bill was passed.

On motion of Mr. MADDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

VETO MESSAGE OF PRESIDENT—H. R. 77.

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States, which was read:

To the HOUSE OF REPRESENTATIVES:

I am returning herewith H. R. 77 without my approval.

Whatever is the purport of the act, there has developed such a conflict of opinion regarding it in the State of Idaho, where the lands covered by the act are located, that the Members of both Houses of Congress from that State have requested my disapproval, in order that the whole question may be taken up anew and fuller understanding secured.

Quite apart from the agreeableness of complying with this request, I am interested to have this very appropriate opportunity to suggest that it will be wise to have Congress give consideration to the adoption of the policy of definitely describing all such lands as are ordered transferred from the public domain for the benefit of private individuals or of the Forest Service, in exchange for lands within the forest reserves. If it is not possible to arrange for an accurate description by metes and bounds there may be acquired such descriptions as to locality as will leave no doubt in any mind relating to the purpose to be served.

WARREN G. HARDING.

THE WHITE HOUSE, *March 3, 1922.*

Mr. SINNOTT. Mr. Chairman, I move that the bill and the President's message be referred to the Committee on the Public Lands.

The SPEAKER pro tempore. The gentleman from Oregon moves that the bill and the President's message be referred to the Committee on the Public Lands.

Mr. SINNOTT. In explanation, Mr. Speaker, I wish to state that after this bill was messaged from the Senate to the House with Senate amendments a controversy arose in Idaho regarding the bill. The House deferred for some time before asking for a conference. The conference was not asked for until we were assured that all the differences in Idaho regarding the measure had been composed. Then the bill went to conference, and certain features of the bill that were objected to were eliminated from the measure. But since then an additional controversy has arisen, and the author of the bill, the gentleman from Idaho [Mr. FRENCH], together with the entire delegation from Idaho in the House and Senate, who supported the measure, requested the President to veto it, so that the bill might have further consideration. For this reason I move that the bill and message be referred to the Committee on the Public Lands, and I move the previous question on that motion.

Mr. GARNER. Mr. Speaker, will the gentleman yield there for a moment?

The SPEAKER pro tempore. Does the gentleman from Oregon withhold his motion?

Mr. SINNOTT. Yes.

Mr. GARNER. This is just one instance where not only the House but the Senate has passed legislation without information. I merely call attention to it, because we have had so many bills coming in here from various committees without information as to their effect that it is time we take note of it. This is one bill where action has been had, both in the House and in the Senate, without information.

Mr. SINNOTT. I do not concede the gentleman's position. I believe both the House and the Senate had full information on this measure. I move the previous question, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Oregon moves the previous question on his motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to refer the President's message and the bill to the Committee on the Public Lands.

The motion was agreed to.

ADJUSTMENT OF ARMY, NAVY, AND MARINE CORPS PAY.

Mr. KRAUS. Mr. Speaker, as a member of the joint committee appointed under the act of May 18, 1920, to report on Army, Navy, and Marine Corps pay, I request that the time for filing minority views be extended to next Monday. I ask unanimous consent that the minority be allowed time until next Monday in which to file their views.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that the time for filing the minority views on the question of the adjustment of Army, Navy, Marine Corps, and other service pay be extended until Monday next. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, may I ask the gentleman if the views that have been filed as majority views represented the joint committee or were they merely the views of the House Members?

Mr. KRAUS. I think they represent the views of at least 7, and possibly 8, members of the committee of 10. I am confident all the minority views will be represented by Members of the House.

Mr. GARRETT of Tennessee. The minority views will be represented by Members of the House?

Mr. KRAUS. Yes; the minority views will be represented by Members of the House—by from one to three Members.

Mr. GARRETT of Tennessee. The committee has not reported yet, as I understand, and I have no objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. CHINDBLOM. Mr. Speaker, I wish to ask unanimous consent that my colleague and fellow member on the Committee on the Merchant Marine and Fisheries, the gentleman from Michigan [Mr. SCOTT], may have leave to extend his remarks by printing an address which he delivered this morning before the National Merchant Marine Association in this city. I

may say that I have read the address, and I think it will be of interest to Members of the House.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the gentleman from Michigan [Mr. SCOTT] may extend his remarks in the RECORD by inserting an address delivered before the National Merchant Marine Association this morning. Is there objection?

There was no objection.

Following is the address referred to:

SPEECH OF FRANK D. SCOTT, MEMBER OF CONGRESS FROM MICHIGAN, BEFORE THE NATIONAL MERCHANT MARINE ASSOCIATION, MARCH 3, 1922.

I have presumed to address you in the hope of emphasizing the inseparable relationship of business and legislation and to recall outstanding facts in the progress of our merchant marine which, when considered in chronological sequence, unmistakably point out their cause.

Laws touching any character of business should be predicated on their protection to the public and their assistance to the industry involved. If they are restrictive in purpose, they must not be destructive in effect. They should be helpful, not harmful. The pioneer efforts of the American merchant marine encountered the obstacles of other maritime nations. The necessity of transportation, the hazards, the inefficient and now obsolete utilities precluded legislative exactions. The restrictions were meager and the "rights of the road" were uniform. Requirements and increased production compelled increased and more effective transportation. This in turn impelled invention. National welfare produced national maritime identity and competition. Up until 1850 we had legislative encouragement and protection of our overseas trade. We were then carrying in American bottoms approximately 90 per cent of our exports and imports. The industry had developed such proportions as to attract attention. At this point in our history there was a radical change in our legislative attitude toward commerce on the high seas. I find indications of a meager effort on the part of the industry to direct an intelligent legislative course, and by almost utter default the policy of legislation changed from practical to theoretical. Other maritime nations have adhered to the policy which we abandoned. The only saving exception was in the instance of our coastwise trade. This was so close at hand, so capable of observation and appreciation, sheer force of merit persuaded its legislative protection. In the wake of the period we find a glowing contrast between our foreign and our coastwise commerce. In 1870 we were carrying less than 50 per cent of our foreign cargoes. In 1880 our ships were only carrying 17.4 per cent, and in 1914, with a foreign commerce of four billion and a half dollars annually, 8.9 per cent was transported under the American flag.

The following table indicates the efforts of maritime nations from 1870 to and including the year 1921. During that period all the countries, except the United States, have maintained a continuous program of assisting and protecting their foreign commerce. Except as to the coastwise trade, the United States in this period has given no assistance or protection to its foreign commerce. In considering the table it is important to remember that in 1870 three-fourths of our accredited tonnage was engaged in the coastwise trade. This increased gradually, and in 1914 six-sevenths of our tonnage was engaged in the coastwise trade. This deduction will indicate our comparative participation in world commerce. It is also important to note that from 1870 to 1914 our coastwise tonnage increased from 3,000,000 tons to 7,000,000 tons, and from 1914 to 1921 it has decreased from 7,000,000 tons to 6,000,000 tons.

Tonnage of merchant sailing and steam vessels belonging to United States, Great Britain, Germany, France, Japan, Norway, Holland, Italy, and Belgium, 1870–1911.

Year.	United States.	Great Britain.	Germany.	France.	Japan.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*
1870	4,246,507	5,617,693	982,355	1,072,241	.....
1871	4,282,607	5,622,660	988,680	1,077,811	.....
1872	4,437,747	5,681,963	999,158	1,089,075	.....
1873	4,696,027	5,736,368	1,033,725	1,068,031	.....
1874	4,800,652	5,912,314	1,068,383	1,037,272	.....
1875	4,853,732	6,087,701	1,084,882	1,028,228	.....
1876	4,279,458	6,197,958	1,105,650	1,011,285	.....
1877	4,242,600	6,336,360	1,117,935	989,128	.....
1878	4,212,765	6,492,121	1,129,129	975,883	.....
1879	4,169,601	6,579,975	1,171,280	962,853	70,314
1880	4,068,034	6,574,513	1,181,525	919,298	89,309
1881	4,057,734	6,691,996	1,194,407	914,373	84,547
1882	4,165,933	6,956,865	1,226,650	963,017	91,202
1883	4,233,487	7,242,216	1,269,477	1,003,679	91,533
1884	4,271,229	7,409,251	1,294,288	1,033,829	94,221
1885	4,265,934	7,430,045	1,282,449	1,000,215	112,256
1886	4,131,136	7,362,499	1,284,709	993,291	120,241
1887	4,105,845	7,335,182	1,240,182	972,525	133,297
1888	4,191,916	7,464,167	1,233,894	961,073	144,194
1889	4,307,475	7,759,008	1,320,720	932,730	141,144
1890	4,424,497	7,978,538	1,433,413	944,013	145,602
1891	4,694,759	8,279,297	1,468,965	948,079	145,725
1892	4,764,921	8,644,754	1,511,579	905,605	148,332
1893	4,825,071	8,778,503	1,522,058	895,423	155,172
1894	4,684,029	8,956,181	1,553,902	890,539	212,925
1895	4,635,960	8,988,450	1,502,044	887,078	254,602
1896	4,703,880	9,020,282	1,487,577	894,071	275,387
1897	4,769,020	8,963,171	1,555,371	920,871	495,909
1898	4,749,738	9,001,800	1,639,552	900,288	648,324
1899	4,864,238	9,164,342	1,737,798	957,756	796,930
1900	5,164,839	9,364,108	1,941,645	1,007,726	893,838
1901	5,524,218	9,608,420	2,003,033	1,110,988	917,971
1902	5,797,902	10,054,770	2,208,804	1,217,614	944,458
1903	6,087,345	10,268,604	2,322,045	1,235,341	969,612
1904	6,291,535	10,554,520	2,352,575	1,349,327	1,124,695
1905	6,456,543	10,735,582	2,409,293	1,387,220	1,273,467
1906	6,674,909	11,107,332	2,629,093	1,409,542	1,392,706
1907	6,938,794	11,485,099	2,790,435	1,402,647	1,491,205
1908	7,365,445	11,541,394	2,825,449	1,452,495	1,544,921
1909	7,388,755	11,585,878	2,859,307	1,444,338	1,602,283
1910	7,508,082	11,535,663	2,905,570	1,451,648	1,647,622
1911	7,638,790	11,698,508	3,023,725	1,462,639	1,833,351

Tonnage of merchant sailing and steam vessels belonging to United States, Great Britain, Germany, France, Japan, Norway, Holland, Italy, and Belgium, 1870–1911—Continued.

Year.	Norway.	Holland.	Italy.	Belgium.
	Tons.	*Tons.*	*Tons.*	*Tons.*
1870	1,022,515	389,526	1,012,164	30,149
1871	1,062,274	384,465	1,031,429	26,004
1872	1,120,388	384,958	1,030,773	32,346
1873	1,245,293	386,322	1,046,439	46,439
1874	1,388,861	390,345	1,031,889	45,322
1875	1,419,308	410,689	1,044,337	50,185
1876	1,436,278	419,775	1,078,369	44,980
1877	1,493,041	338,978	1,068,449	48,405
1878	1,526,689	341,482	1,029,157	60,708
1879	1,510,669	347,665	1,005,972	71,191
1880	1,518,658	328,281	999,196	75,666
1881	1,520,404	305,046	989,057	77,840
1882	1,530,004	302,790	990,004	82,647
1883	1,547,194	309,764	973,333	85,360
1884	1,583,434	308,339	971,001	80,502
1885	1,563,220	302,769	953,419	84,862
1886	1,524,076	286,455	945,678	86,837
1887	1,503,572	256,310	895,625	86,391
1888	1,534,540	245,416	853,033	77,655
1889	1,611,300	247,050	824,474	70,220
1890	1,705,699	255,711	820,716	75,946
1891	1,738,580	292,301	825,731	72,905
1892	1,744,993	292,763	811,264	70,396
1893	1,696,911	294,783	796,461	75,538
1894	1,599,117	293,226	779,135	79,188
1895	1,604,965	290,657	776,977	87,213
1896	1,566,598	294,949	765,281	85,739
1897	1,552,199	296,081	786,644	85,427
1898	1,558,378	302,224	815,162	90,971
1899	1,534,934	320,320	873,054	108,537
1900	1,508,118	346,923	945,008	113,259
1901	1,467,089	382,102	999,918	110,457
1902	1,451,116	404,680	1,018,907	106,182
1903	1,443,904	395,696	1,044,758	102,760
1904	1,451,425	399,533	1,052,614	102,737
1905	1,482,094	411,307	1,025,603	99,733
1906	1,547,884	436,749	1,000,797	112,515
1907	1,589,904	447,606	996,260	120,137
1908	1,581,146	458,345	1,030,062	152,328
1909	1,479,684	511,346	1,071,193	187,444
1910	1,526,156	534,275	1,107,187	191,132
1911	1,640,000	565,613	.....	168,420

Tonnage of merchant sailing and steam vessels belonging to United States, Great Britain, Germany, France, Japan, Norway, Holland, Belgium, and Italy, 1912–1921.

Year.	United States.	Great Britain.	Germany.	France.	Japan.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*
1912	7,714,183	18,213,620	4,628,983	2,052,518	1,344,991
1913	7,886,551	18,696,217	5,082,061	2,201,164	1,500,014
1914	7,928,688	19,256,766	5,459,296	2,319,438	1,708,386
1915	8,389,429	19,541,368	4,706,027	2,285,728	1,826,068
1916	8,469,649	19,134,857	4,151,552	2,216,643	1,847,453
1917	8,871,037	19,637,418	3,156,008	2,152,524	2,059,001
1918	9,924,518	21,035,149	3,225,294	2,029,884	2,299,405
1919	12,907,300	16,555,471	3,503,380	2,233,631	2,325,266
1920	16,324,024	13,330,424	672,671	3,245,194	2,995,878
1921	17,026,002	19,571,554	717,450	3,652,249	3,354,806

Year.	Norway.	Holland.	Belgium.	Italy
	Tons.	*Tons.*	*Tons.*	*Tons.*
1912	2,292,506	1,129,906	271,684	1,298,582
1913	2,457,890	1,309,849	304,386	1,521,942
1914	2,504,722	1,496,455	352,124	1,668,296
1915	2,529,188	1,522,547	276,427	1,736,545
1916	2,771,022	1,508,916	272,160	1,896,534
1917	2,307,164	1,532,382	233,606	1,757,605
1918	1,808,576	1,288,245	193,538	1,283,790
1919	1,857,829	1,591,911	313,276	1,370,097
1920	2,114,190	1,848,348	464,659	2,406,959
1921	2,584,058	2,225,787	551,081	2,630,573

Early in the nineteenth century we had a coastwise trade of approximately 70,000 tons. In 1870 the fleet had increased to 3,000,000 tons and in 1914 we had the magnificent coastwise fleet of nearly 7,000,000 tons. This was seven times larger than our transoceanic fleet. Is it possible that success and expansion brings with it jealous, prejudicial, and even destructive legislation? Do we purpose penalizing our entire citizenry for the industry and venture which has made us the premier Nation of the world? What other deductions can we make? When our ships were carrying 90 per cent of our foreign cargoes we revised our legislation with a reward of losing 80 per cent of the trade to which we were rightfully entitled. Is it possible that the American farmer does not realize that two bushels out of ten of everything he raises must be shipped abroad? Is it possible that the manufacturer does not appreciate that $4,000,000,000 worth of his manufactured product must be shipped abroad annually to permit the operation of his concern and insure the standard of living and wages which we enjoy? Our foreign-trade policy has been a tragedy. The future will be worse unless some heroic effort is made to avert an impending catastrophe. We have just survived our foreign-trade experience through sheer dominance of productive superiority, in spite of ignominious legislative disparity and rebuke. We are now at another milestone. We emerged from the war with a rehabilitated ocean tonnage as a governmental heritage. We have our coastwise ships, but a new legislative prescription has been offered to this trade, as one was offered to our foreign trade some 70

years ago. I refer to the so-called seamen's act, which became operative March 4, 1915, in which ocean traffic, ocean coastwise, and lake navigation are treated as a unit. Although a brief time has intervened between 1915 and the present, in view of the virtual suspension of this law during the war its ultimate effect is beyond conjecture. The results have been so patent that any uncertainty is confined to the extent of its damage. This is particularly true of Great Lakes navigation. Thriving towns and cities dot the islands of Lake Erie and the shores of Lake Huron. Prosperous, healthy industries employ thousands. The success of this section and its remarkable upbuilding has been made possible by the low expense of water transportation, permitting them to thus overcome the differential in distance from the market. Since the adoption of this law the fleets of passenger-freight steamers, which had for the last 50 years served this million population and made possible the upbuilding of the towns and the success of their industries, have now ceased operation entirely. Not one of these passenger-freight vessels visits the islands of Lake Erie or stops at any of the numerous ports on Lake Huron.

The resulting damage to this area has been very serious and will be accumulatively increasing unless this law is substantially modified. Great Lakes navigation can not exist, let alone thrive, unless the pronounced differences between Great Lakes and ocean operations are recognized in law as they are in fact. This distinct industry is entitled to recognition when it is considered that in 1914 nearly one-half of the tonnage operating under the American flag plied the waters of the Great Lakes. I have referred to the Great Lakes because it is, and has been, a very important factor in our system of transportation. This law is not as injurious to ocean transportation, but even as to this trade it should be modified, particularly in its regulation of the standard and personnel of the crew.

I consider the distress of our transoceanic trade comparable to that of the Great Lakes. We have not failed in legislation to recognize the needs of agriculture, and certainly the country must appreciate that the transportation of the product is as important as the stimulation of the product itself. Production means little without adequate and economic distribution.

It is universally admitted that our ocean transportation presents a very difficult problem. Its solution will require the active assistance of the honest business judgment of the country. Although our situation is not our fault, the responsibility is real and most important. At such a time soft words of flattery are a cowardly evasion and a disguised habituary. Men must speak what they think. I submit these few suggestions solely in the hope that they may possess some value in the solution of our problem.

The United States Shipping Board was created to meet a war emergency. It is an independent organization with all the overhead expenses incident to an independent concern. It was in reality a "first aid," and we have attempted to promote it to "family physician." Duplication in Government activities is our greatest evil. The United States Shipping Board and the Department of Commerce are covering each other's tracks in innumerable instances. I can not avoid the conclusion that the United States Shipping Board should be abolished and that all its functions should be placed in the Department of Commerce. I also urge the intelligent revision of the seamen's act so that it will apply to fact, not fiction. I also urge to your consideration the free use of the Government-owned terminals and port facilities to American ships with a program of extension as necessity may require and such other subventions as will permit fair competition. I also suggest the calling of an international convention for the purpose of correcting our commercial treaties to meet present needs and conditions, with a view of having national participation and national subventions in accord with the spirit and terms of the recent Disarmament Conference. I do not wish to be understood as recommending an attempted limitation of national commerce, but I do insist that governmental subventions should be so controlled and regulated as to avoid the possible maintenance of a well-armored floating arsenal in the guise of a national merchant marine. If we can discuss our war plans with our neighbors, we certainly can, with equal propriety and safety, discuss with them our peace plans. I offer these few suggestions for your consideration. Laws are enacted in consequence of necessity and demand. The necessity is apparent. The intelligence of the industry and the intelligence of the country should mobilize in making the demand.

REPORT OF THE NATIONAL AGRICULTURAL CONFERENCE.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that the report of the National Agricultural Conference, which met in Washington from January 23 to 27, 1922, also the report of the committee on resolutions and the minority report of the committee on transportation, be printed as a public document.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that the report of the National Agricultural Conference and the report of the committee on resolutions and the minority views of the committee on water transportation be printed as a public document. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Speaker, I ask that additional copies be printed at a cost not to exceed $500.

The SPEAKER pro tempore. The gentleman from Iowa further asks unanimous consent that additional copies of this document, not exceeding $500 in cost, may be printed. Is there objection?

Mr. BLANTON. Mr. Speaker, will that be distributed through the folding room? It will not be unless some action is taken.

Mr. HAUGEN. I ask unanimous consent that the document and additional copies be distributed through the folding room.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that the document referred to and the additional copies be distributed through the folding room. Is there objection to his request as modified?

Mr. BARKLEY. Mr. Speaker, reserving the right to object, how many copies will that deposit in the folding room?

Mr. HAUGEN. About 5,000 or 6,000 copies. The additional cost will be about $92.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

LEAVE OF ABSENCE.

Mr. BULWINKLE, by unanimous consent, was granted leave of absence, for seven days, on account of private business.

EXTENSION OF REMARKS.

Mr. SANDERS of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address which I delivered in New Orleans on the third day of February on the transportation question.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD by inserting an address delivered by him at New Orleans on the 3d day of February on the transportation question. Is there objection?

There was no objection.

Following is the address referred to:

Mr. SANDERS of Indiana. Mr. Speaker, under leave granted, I am printing an address delivered by me before the National Association of Sand and Gravel Producers at the sixth annual convention held at New Orleans:

THE TRANSPORTATION PROBLEM AND ITS RELATION TO THE SAND AND GRAVEL INDUSTRY.

The sand and gravel industry has the transportation problem, like the poor, with it always. After the beginning of the war all business had its feed of freight trouble, but with your industry it has been served as a regular diet, for breakfast, dinner, and supper, while those who have been at the front have had it served to them buffet style between midnight and bedtime.

When freight rates were low enough to furnish a good shipping area and business was good enough to furnish customers, priority orders in some other so-called essential industries had gobbled up all available cars. When by the grace of Providence and the Interstate Commerce Commission you had freight cars in sufficient numbers to take all the gravel out of a pit through to China, high freight rates had cut down your shipping area and a business depression had ruined your market. Like the man who already had rheumatism and St. Vitus dance, you had the satisfaction of knowing that no one could make more trouble for you.

It is my purpose to analyze the factors which enter into your freight problem and then to discuss where your energies should be centered in order to accomplish best results. The cost of production up to the point of shipment is relatively small. In these days of the expert cost accountant and the efficiency genius, each item of cost is carefully considered, but it takes no expert to see the item of freight frequently amounts to 75 per cent of your total delivered cost. Sand and gravel is a bulky product. The hauls are usually short. The ratio of freight charge to delivered cost determines the importance of freight schedules to any industry. All of these elements make the industry extremely sensitive to all changes in freight schedules.

It is not surprising that the shifting of the railroads from private operation to Government operation and then returning again to private operation, all in 26 months, with the consequent changes in policies, in freight rate tribunals, in methods of effecting changes in schedules, should work havoc with an industry so easily affected by rate changes.

My presence in Congress and my study and observation on the Interstate and Foreign Commerce Committee, having jurisdiction of the legislation respecting railroads, brings to my mind a few salient points which caused the trouble.

After the roads were taken over by the Government, Congress passed the Federal control act, which, among other things, gave to the President the power to initiate freight rates and took away from the Interstate Commerce Commission the power to suspend the taking effect of the rates during the pending of a hearing. Formerly interested parties could have a hearing and it might be developed that certain proposed rates would result in great hardship, which even the carriers proposing the schedule had not appreciated. The opportunity was also afforded to protect and defend against an unwarranted increase of rates. This gave stability to business involving transportation. Contracts could be entered into between consignor and consignee in advance of their consummation with assurance that they would not overnight be vitally affected by a change in the cost of transportation.

When the rate-making power was delegated to the Director General of Railroads, and the necessity was presented for an increase in railroad revenues, the Director General issued General Order No. 28. In some cases there was a percentage increase of a little over 25 per cent, and in other cases a flat increase of so much per ton, which reached as high as 200 per cent.

When application was made to secure a reduction, the shippers were informed that the shipment of construction materials should be discouraged, because road building was not one of the essential industries. Without passing upon the merit of that proposition, it ought to be quite clear that the power to initiate and adjust freight rates was never meant to be used for the purpose of regulating the business activities of the country.

The difficulties were not ended when Federal control ended. At the time of the return to private operation, notwithstanding the high advance in freight rates, the roads of the country were operating at a deficit. A six months' guaranty period was given, at the end of which the new schedule of freight rates was to go into operation. In the meantime the Railroad Labor Board had added some $600,000,000 to the labor bill, making a necessity for still higher freight rates, and Ex parte 74 was the result. The new schedule affected many industries, but the sand and gravel industry, being so sensitive to freight changes, was hit very hard. In many cases auto trucks were used in place of freight cars.

There is no other situation that entered into the freight troubles of the sand and gravel industry. A considerable part of the industry is dependent upon the construction of streets, public roads, and other

public structures, the contracts for which are let by competitive bidding. The uncertainty of the freight rates frequently made it almost impossible to give estimates to contractors so that they could submit bids.

I have undertaken to enumerate the basic causes of your transportation difficulties. General Order 28 and Ex parte 74 were the Gold Dust Twins that did the work.

What is the best course to pursue to remedy the evil? Should there be a change in legislation affecting the roads? There have been three propositions urged: First, it is contended that the provision of the commerce act granting the right to the commission to use priority orders unjustly discriminates against the sand and gravel industry. I think these provisions should be carefully studied with the view of securing such an amendment from the Congress as will protect the industry in its right to an equitable distribution of cars. This matter is not pressing now, but since large bodies move slowly, the association should not wait until the pinch comes to make preparation.

For instance, while it may be all right to give coal a preferential right of shipment in emergencies, the preference ought always be measured by the emergency. For instance, under preferential orders in time of great scarcity of cars, coal was sent to factories manufacturing toys, while cars were refused to gravel plants when the gravel would have been used to complete the construction of a road which would have been of the greatest benefit to the public. I do not think that Congress will ever entirely eliminate priority orders in cases of emergency, but I feel that an effort with considerable hope of success could be made to hedge the priority provisions with such limitations as to make it accomplish only the purposes originally intended—that is, to meet the real emergency.

The second suggestion is to repeal the provision of the transportation act giving to the Interstate Commerce Commission supervisory power over freight rates within a State when it is found that they are unjustly discriminatory or unduly preferential in view of the rate fixed on interstate commerce.

Upon that question I assume that there will be differences of opinion amongst the several members. There may be some instances in which greater benefits will accrue to certain producers by giving to the State commission exclusive power. Viewing the interests of the industry as a whole, I feel very sure that the law is more advantageous as it is now written.

Suppose there is a plant within shipping distance of Chicago on the Illinois side. Suppose there is one within a like shipping distance of Chicago on the Indiana side. The Interstate Commerce Commission has exclusive authority to fix the rate of the shipper from the plant in Indiana to Chicago, and the Illinois commission has the power to fix the rates from the plant in Illinois to Chicago.

If the Interstate Commerce Commission hasn't the power to prevent discrimination, the plant in Illinois may be able to secure from the State commission a rate which will absolutely destroy the power of the Indiana plant to compete. This sort of situation ought not to exist, and the remedy in the present law is adequate to secure immediate relief. While it might be to the advantage to the Illinois shipper, in the instance I have cited, if it were the question between an Illinois shipper whose products went into St. Louis, Mo., and a Missouri shipper whose products went to the same point, the reverse would be true.

The third suggestion is to repeal the rule of rate making in the transportation act. This ought not to be done. This was a rule which required the Interstate Commerce Commission to "establish rates so that the carriers as a whole (or as a whole in each of such rate groups or territories as the commission may from time to time designate) will under honest, efficient, and economical management and reasonable expenditures for maintenance of way, structures, and equipment earn an aggregate annual net railway operating income equal as nearly as may be to a fair return upon the aggregate value of the railway property of such carriers."

For a period ending March 1 next, the act specified that a fair return was 5½ per cent (and under certain conditions 5 per cent) on the property value. This is sometimes erroneously referred to as a guaranty. It was not a guaranty, was never meant as a guaranty, and can not possibly be construed as a guaranty. As a matter of fact, the roads earned less than 3 per cent on the value of their property as fixed by the Interstate Commerce Commission for the first year after the expiration of the six months' guaranty period, and are earning less than 3 per cent now, according to the report of the Interstate Commerce Commission. The roads suffer the loss, however, and the Government has not agreed to and will not make up the difference, as would be the case if there was a guaranty.

There is an important provision coupled with this rule of rate making that where any road earns more than 6 per cent, one-half of the excess shall be held as excess return and be paid to the United States Government. Under this provision the Government will receive millions of dollars this year.

Thus the rule of rate making, improperly called a guaranty, is to serve the purpose of preventing the commission from establishing rates that would not be a fair return on the actual property value (which, by the way, is also protected by the Constitution), and at the same time of preventing the strong roads from getting unconscionable returns.

Whatever may be said of the wisdom of these provisions, it can unquestionably be said that neither the guaranty for the six months nor the rule of rate making is responsible for high freight rates. The obvious proof of this is that the six months' guaranty was not added to freight rates, but was paid out of the Treasury just like the deficit under Federal control, and rule of rate making did not yield either 5½ or 6 per cent, but less than 3 per cent on the property value of the roads. This rate of return would have been commanded by the provision of the Federal and State Constitutions against confiscation of private property.

There is just one thing that is mainly responsible for high freight rates, and that is the high operating expenses of the roads. If the rates were reduced so that the roads would not receive any net return on investment, the reduction would not be a substantial one and would give but little relief.

From September 1, 1920, to August 31, 1921, the year following the guaranty period, the total operating revenues of the class I railways, which represent 95 per cent of the revenues, was $6,045,338,100. Of that, there was a net railway operating income of $530,655,927. This is but 2.9 per cent on the property value of the railroads. The total operating expenses, including taxes, were $5,514,682,173. It is clear that relief is not in providing less than the 2.9 per cent return which is represented by the five hundred millions, but in attacking the operating expenses which represent five thousand five hundred millions of the amount paid in rates. The latter is about eleven times greater than the former.

This reduction in operating expenses is being made. Reductions in the cost of materials and equipment, reduction in labor costs have been of a substantial nature, and reduction in freight rates are following. The transportation act has weathered two threatened strikes. It has weathered almost two years of the most trying days of readjustment, and in spite of business depression it has so sustained railroad credit as to prevent the financial disaster which would have resulted if railroad failures and receiverships had occurred. The railroads, as an instrumentality for transportation, have been preserved and improved. The net earnings are moving upward as the operating costs are being lowered. This will be accelerated as the increase in business shall increase the freight and passenger revenues. Capital for additions and betterments can now be obtained. We thus have the safe and secure basis for reduction in freight rates in the full measure that is permitted under sound economic principles which will at the same time sustain an adequately equipped and properly operated transportation system under private ownership and operation.

Having advised you to seek legislative remedy on the question of car distribution and having undertaken to show that no legislative remedy can aid in reducing freight rates, I don't want you to think that I do not believe you can get the desired reduction in freight rates. I think the rates on sand and gravel are relatively higher than on other commodities. Your remedy, however, must not be in legislation, for under the present laws you have the right, first, to a reasonable rate; second, you have a right to a rate which is not discriminatory, as between different commodities, and you have the right to see that your competitors' rate does not so discriminate against you as to keep you out of a market to which all are entitled. The remedy is administrative, and will be affected just to the extent to which you apply your energies in securing the administrative relief. The existence of this association forms the basis for the most effective work to be done in that respect. You must bring up all your forces to make war on high freight rates. Make out your cases clearly; overwhelm the tribunal with proof. Let all the members of the association give closest cooperation; furnish your Washington office with the proper data, so that the facts may be presented to the commission.

Business is already on the mend. With the increase of business and the increase of revenue on the railroads, freight rates can come down. There is every reason for optimism in the sand and gravel industry for several years to come. I personally know there is contemplated appropriations of $50,000,000 or $100,000,000 annually to meet like appropriations from the States for the construction of highways alone in the next three years. While the high surtax, in which I do not believe, will retard business to a certain extent, your business is the one business which it will help. Municipal bonds and bonds of the States and State agencies for road and street building are free from Federal taxation, and a high surtax creates a ready market for such securities at a reasonable rate of interest. Looking the whole situation over from your viewpoint, it seems to me that there is every stimulus in the world for successful business.

Having recited to you some of your trials and tribulations of the past, in your look toward the future I want to offer you my hearty congratulations on the success which I am sure awaits you.

ADJOURNMENT OVER UNTIL MONDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 12 o'clock noon on Monday. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 12 minutes p. m.) the House adjourned, pursuant to the order just made, until Monday, March 6, 1922, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HAUGEN: Committee on Agriculture. S. 2897. An act to appropriate $5,000,000 for the purchase of seed grain and feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture; with amendments. (Rept. No. 763). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 10672. A bill to amend the act of July 24, 1919, entitled "An act making an appropriation for the Department of Agriculture for the fiscal year ending June 30, 1920"; without amendment (Rept. No. 764). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 10673. A bill to enable the Secretary of Agriculture to pay miscellaneous expenses incurred during the fiscal years 1916 and 1917 in connection with the eradication of citrus canker in the State of Alabama; without amendment (Rept. No. 765). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. EDMONDS: Committee on Claims. S. 2664. An act for the relief of Jesse Goodin; without amendment (Rept. No. 761). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. S. 2666. An act for the relief of Ed Thomas and Pauline Thomas; without amendment (Rept. No. 762). Referred to the Committee of the Whole House.

Mr. HAUGEN: Committee on Agriculture. H. R. 10677. A bill for the relief of Quincy R. Craft; without amendment (Rept. No. 766). Referred to the Committee of the Whole House.

Mr. HAUGEN: Committee on Agriculture. H. R. 10675. A bill for the relief of Henry McGuire; without amendment (Rept. No. 767). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HICKS: A bill (H. R. 10712) to authorize the conversion of battle cruisers into airplane carriers; to the Committee on Naval Affairs.

By Mr. MORIN: A bill (H. R. 10713) to authorize the Secretary of War to sell to the city of Pittsburgh, Pa., and to the county of Allegheny, Pa., or either of them, the whole or part of the property known as the Pittsburgh Storage and Supply Depot; to the Committee on Military Affairs.

By Mr. WOODRUFF: A bill (H. R. 10714) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes; to the Committee on Roads.

By Mr. KNIGHT: A bill (H. R. 10715) granting to officers and enlisted men who served in the military or naval service in the World War, and also in the War with Spain, the Philippine insurrection, or the Chinese Boxer rebellion campaign, an appropriate medal and ribbon bar; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 10716) granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: A bill (H. R. 10717) to encourage commercial aviation and authorizing the Postmaster General to contract for air mail service; to the Committee on the Post Office and Post Roads.

By Mr. SUTHERLAND: Joint resolution (H. J. Res. 282) to authorize the Secretary of War to incur obligations for the construction and maintenance of roads, bridges, and trails in Alaska, said obligations to be paid from the appropriation for the fiscal year ending June 30, 1923; to the Committee on the Territories.

By Mr. ANSORGE: Joint resolution (H. J. Res. 283) granting consent of Congress and authority to the Port of New York Authority to execute the comprehensive plan approved by the States of New York and New Jersey by chapter 43, Laws of New York, 1922, and chapter 9, Laws of New Jersey, 1922; to the Committee on the Judiciary.

By Mr. HUMPHREYS: Resolution (H. Res. 298) to investigate the official conduct of the Governor of Porto Rico; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 10718) for the relief of Henry H. Curtis, deceased; to the Committee on Military Affairs.

By Mr. BURTON: A bill (H. R. 10719) granting a pension to Jane Ann Robinson; to the Committee on Pensions.

Also, a bill (H. R. 10720) granting an increase of pension to Mary E. Chandler; to the Committee on Invalid Pensions.

By Mr. CHALMERS: A bill (H. R. 10721) granting an increase of Pension to Henry O. Weckle; to the Committee on Pensions.

By Mr. FREAR: A bill (H. R. 10722) granting a pension to Marie Thorson; to the Committee on Pensions.

By Mr. GERNERD: A bill (H. R. 10723) to provide for the carrying out of the award of the War Labor Board of July 31, 1918, in favor of certain employees of the Bethlehem Steel Co. at Bethlehem, Pa.; to the Committee on Claims.

By Mr. HAYDEN: A bill (H. R. 10724) granting an increase of pension to Martha M. Robb; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 10725) authorizing the Secretary of the Treasury to pay certain claims, the result of a fire in the Government ordnance plant at Baldwin, N. Y.; to the Committee on Claims.

By Mr. KIESS: A bill (H. R. 10726) granting a pension to John A. O'Dell; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 10727) to provide for the carrying out of the award of the War Labor Board of July 31, 1918, in favor of certain employees of the Bethlehem Steel Co., at Bethlehem, Pa.; to the Committee on Claims.

By Mr. RODENBERG: A bill (H. R. 10728) granting a pension to Margaret B. Harrington; to the Committee on Invalid Pensions.

By Mr. VOLK: A bill (H. R. 10729) for the relief of Irving James Pausin; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4420. By Mr. COLE of Ohio: Petition of residents of Kenton, Ohio, favoring immediate passage of a tariff law based upon American valuations; to the Committee on Ways and Means.

4421. By Mr. CULLEN: Petition of the Hudson Chamber of Commerce, of Hudson, N. Y., opposing the St. Lawrence River project; to the Committee on Rivers and Harbors.

4422. By Mr. DYER: Resolution passed by the executive committee of the Kansas City Bar Association, relative to additional judges in Kansas; to the Committee on the Judiciary.

4423. By Mr. FENN: Petition of the court of common council, of Hartford, Conn., asking that Congress amend its position and allow the manufacture and distribution of beer and light wines, levying a tax thereon to pay bonus to ex-service men; to the Committee on the Judiciary.

4424. By Mr. GALLIVAN: Petition of the New England Association of Marketing Officials, protesting against the proposed transfer of the Bureau of Markets and Crop Estimates from the Department of Agriculture to the Department of Commerce, and recommending that the Bureau of Markets and Crop Estimates be contained, merged in, and operated under the Department of Agriculture; to the Committee on Agriculture.

4425. By Mr. HOCH: Petition of E. F. Hebrank and other citizens of Morris County, Kans., urging the revival of the United States Grain Corporation and the fixing of the price of wheat to cover cost of production and a reasonable profit; to the Committee on Agriculture.

4426. By Mr. KIESS: Evidence in support of House bill 10655, granting a pension to Clara J. Hicks; to the Committee on Invalid Pensions.

4427. By Mr. KISSEL: Petition of John A. Maier, of Brooklyn, N. Y., opposing the passage of the bonus bill; to the Committee on Ways and Means.

4428. Also, petition of C. A. Marden, of Brooklyn, N. Y., urging legislation giving work for Government supplies to Government arsenals, shops, and navy yards; to the Committee on Naval Affairs.

4429. Also, petition of Campbell, Metzger & Jacobson, of New York City, N. Y., opposing the passage of the proposed bonus bill; to the Committee on Ways and Means.

4430. Also, petition of W. P. Tanner-Gross & Co. (Inc.), of New York City, N. Y., opposing the passage of the bonus bill; to the Committee on Ways and Means.

4431. Also, petition of protesting committees against the Palo Alto site, San Francisco, Calif.; to the Committee on Public Buildings and Grounds.

4432. By Mr. KREIDER: Petition of Steelton Post, No. 420, American Legion, of Steelton, Pa., favoring legislation for adjusted compensation for the ex-service men; to the Committee on Ways and Means.

4433. By Mr. MEAD: Petition of the Central Mercantile Association, urging the passage of the amendment to the post roads bill for reestablishing pneumatic mail-tube service in New York City; to the Committee on the Post Office and Post Roads.

4434. Also, resolution of the Hudson (N. Y.) Chamber of Commerce, protesting against the enactment of the St. Lawrence waterway project; to the Committee on Interstate and Foreign Commerce.

4435. By Mr. ROSSDALE: Resolution adopted by the board of directors of the Hudson Chamber of Commerce, protesting against the proposed St. Lawrence Ship Canal project; to the Committee on Interstate and Foreign Commerce.

4436. By Mr. TINKHAM: Resolution of the Women's International League for Peace and Freedom, of Boston, Mass., urging the extension of the payment of Austria's debt to the United States for at least 20 years; to the Committee on Ways and Means.

SENATE.

SATURDAY, *March 4, 1922.*

(Legislative day of Thursday, February 23, 1922.)

The Senate met in secret executive session at 11 o'clock a. m., on the expiration of the recess.

After 1 hour and 45 minutes spent in secret executive session the doors were reopened, and the Senate resumed the consideration of legislative business.

THE FOUR-POWER TREATY.

Mr. NEW. Mr. President, I wish to give notice that at the close of the routine morning business on Monday, if there shall be a morning hour, otherwise upon the assembling of the Senate, I shall ask the indulgence of the Senate to address it briefly on the subject of the four-power treaty.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, proposing to amend the Standing Rules of the Senate so that all general appropriation bills shall be referred to the Committee on Appropriations.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Massachusetts [Mr. LODGE] to the amendment of the Committee on Rules.

Mr. REED. Mr. President, I do not see the Senator from Indiana [Mr. NEW] in the Chamber.

The VICE PRESIDENT. That Senator is present.

Mr. REED. I did not want to make the request I am about to put in his absence. I now observe that he is here. The Senate has given its permission that the vote on the confirmation of Maj. Peck shall be made public. That gives only a part of the record. The objections which have been urged to unanimous consent to making public the vote when Maj. Peck was rejected some weeks ago might be good objections if it were not for the fact that the final vote has been already made public. The final vote having been made public, I beg to suggest to the Senator from Indiana that the record is only partial, and I ask now if he will not give his consent——

Mr. LODGE. Mr. President, I make a point of order that what is now being discussed is executive business, and is out of order.

Mr. REED. Are we not in open executive session?

Mr. LODGE. We are in legislative session.

Mr. REED. I thought the Senator moved to go into open executive session.

The VICE PRESIDENT. The Senate is in legislative session.

Mr. REED. I could not hear what took place owing to the confusion in the Chamber. I thought it was an open executive session.

Mr. LODGE. The Senate is in legislative session, and I make a point of order that it is not proper to discuss in legislative session what was done in executive session.

Mr. REED. I can ask unanimous consent for a thing of that kind, if there be no objection. That is all I am asking.

Mr. NEW. I do not withdraw my objection.

Mr. REED. Very well.

Mr. NEW. Now that we are in open legislative session, I wish to state how I voted on the Peck nomination if it will contribute anything to the peace of mind of the Senator from Missouri or anyone else. I voted for the confirmation of Maj. Peck. We are now in public session, and that can go to the world. I voted for it because I believed it to be right. I made the point of order for distinctly different reasons, and I do not withdraw my objection.

Mr. REED. I had no personal reference to the Senator, I want to say. I did not suppose he would object on personal grounds.

Mr. NEW. I did not, and I so stated.

Mr. REED. Very well.

Mr. LODGE. Mr. President, I ask for the regular order.

The VICE PRESIDENT. The regular order is Senate resolution 213, and the question is on agreeing to the amendment offered by the Senator from Massachusetts to the amendment of the Committee on Rules.

SUPPLEMENTAL ESTIMATE, WIRELESS COMMUNICATIONS, 1923 (S. DOC. NO. 144).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Commerce for the fiscal year ending June 30, 1923, for the Bureau of Navigation, enforcement of the wireless communication laws, in amount $50,000, in addition to the $80,000 included in the Budget for 1923, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. HALE presented resolutions adopted by the executive board of the Maine State Federation of Labor, indorsing the proposal of Henry Ford relative to the Muscle Shoals project, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

MAINE STATE FEDERATION OF LABOR,
Lewiston, Me.

Resolutions unanimously adopted by the executive board of the Maine State Federation of Labor, February 27, 1922:

Whereas the great question before the American people to-day and the Congress of the United States is the proper utilization for the benefit of all the people of the great natural resources that have heretofore remained dormant at Muscle Shoals; and

Whereas Henry Ford, the mechanical wizard of the age, has made a proposal to the Government that meets with almost unanimous approval by the people of the entire Nation and apparently by a large number of Representatives in Congress and the Senate; and

Whereas Mr. Ford's offer for the operation of the Muscle Shoals properties was made in good faith to the proper person as spokesman for the Government, Secretary of War Weeks, and after due consideration by the Secretary was submitted to Congress for its approval or rejection and was apparently about to be ratified; and

Whereas selfish interests, such as the Fertilizer Trust, power monopolies, and others supported by the gigantic monied powers of Wall Street are opposed to the Government disposing of these resources in a way that would be of benefit to the people as a whole; and

Whereas a sequel to this great opposition is shown by the submission of a bid by the Alabama Power Co., a foreign corporation whose principal stockholders are not even citizens of the United States, and a corporation that has never been of any material benefit to any other than its foreign stockholders: Therefore be it

Resolved, That we, the executive board of the Maine State Federation of Labor, speaking in behalf of the citizens of our State, go on record as being unalterably opposed to the Government of the United States considering the bid of or entering into any agreement with said corporation, the Alabama Power Co.; and be it further

Resolved, That we believe that Muscle Shoals should be developed by Americans with American capital in the interests of the American people; and be it further

Resolved, That we, citizens of Maine, believing in the future of our Nation, heartily indorse the proposal of Henry Ford to take over and develop Muscle Shoals, and that we recommend to the Congressmen and Senators from Maine that they accept the bid of and enter into an agreement between Henry Ford and the Government of the United States for the operation and development of Muscle Shoals properties; and be it further

Resolved, That these resolutions be given the widest publicity by furnishing a copy to the press, to the Senators and Congressmen from Maine, and to the committee of Congress before whom the proposals are now pending.

EDWARD S. BOULOS, *President.*
H. B. BRAWN, *Secretary.*

Mr. FRANCE presented memorials of sundry citizens of Cumberland and Hagerstown, Md., remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. ROBINSON presented a resolution adopted by Greene County Local, No. 69, F. E. and C. U. of A., of Rector, Ark., protesting against the proposed transfer of the Bureau of Markets and Forest Service from the Department of Agriculture to other departments, which was referred to the Committee on Agriculture and Forestry.

He also presented a letter in the nature of a memorial from the A. Karcher Candy Co., of Little Rock, Ark., remonstrating against any increase in the duty on dried-egg products under schedule 7, paragraph 13, of the pending tariff bill, which was referred to the Committee on Finance.

He also presented resolutions adopted by Frisco Division No. 228, Order of Railway Conductors of America, of Fort Smith, Ark., protesting against the passage of the so-called Volk sales tax bill and the connecting of such legislation to the so-called soldiers' bonus bill, which were referred to the Committee on Finance.

He also presented telegrams in the nature of memorials from the Batesville Chamber of Commerce, Ernest Neill, and W. M. Shelby, of Batesville, Ark., protesting against the placing of manganese on the free list and urging inclusion in the pending tariff bill of the manganese schedule as passed by the House, which were referred to the Committee on Finance.

Mr. LADD presented the petition of E. L. Stels and 62 other citizens of Hazen, N. Dak., and vicinity, praying for the passage

of Senate bill 2604, the so-called Ladd honest money bill, which was referred to the Committee on Banking and Currency.

He also presented the petitions of W. J. Bingham and three others, of Gardena; Louis Knutson and two others, of Stady; E. M. Braun and 78 others, of Wahpeton and vicinity; Hans A. Oyen and 60 others, of Grenora and vicinity; C. H. Skagga and three others, of Mapes; and Peder M. Johnson and 52 others, of Park River, all in the State of North Dakota, praying for the enactment of legislation reviving the Government Grain Corporation, so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Nekoma, N. Dak., and vicinity, praying that Europe be allowed 50 years to pay its $11,000,000,000 debt with 4 per cent interest, giving the United States her bonds therefor; that the United States Treasury issue greenbacks or notes to the full amount of such bonds, said greenbacks or notes to be redeemable at the end of 50 years; the Treasury to pay in full the so-called soldiers' bonus, loan the remainder at 5 per cent interest equally to each State, and to take each State's bonds to secure the Government, the States to loan their portions to the farmers at 6 per cent interest, and the farmers to give first mortgages of 75 per cent of the appraised value of their farms, which was referred to the Committee on Finance.

Mr. LODGE presented a resolution adopted at the midwinter conference of Lend-a-Hand Clubs, at Boston, Mass., favoring reduced appropriations for the Army and Navy and reduction in the number of Army officers, which was ordered to lie on the table.

He also presented a petition of the executive committee of the Massachusetts branch, Women's International League for Peace and Freedom, of Boston, Mass., praying that appropriations for the Army and Navy be reduced to the standard of 1914, which was ordered to lie on the table.

PENSIONS AND INCREASE OF PENSIONS.

Mr. BURSUM, from the Committee on Pensions, to which was referred the bill (H. R. 6507) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 529) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARRISON:

A bill (S. 3230) conferring jurisdiction upon the Court of Claims to hear and determine the claim of Mary Ella Webster; to the Committee on Claims.

By Mr. OVERMAN:

A bill (S. 3231) authorizing and directing the Secretary of Commerce to collect and publish semiannually or oftener statistics concerning the production and consumption of cotton and its by-products; to the Committee on Agriculture and Forestry.

By Mr. POMERENE:

A bill (S. 3232) to provide for the further investigation of the proposed waterway projects to connect the Ohio River with Lake Erie; to the Committee on Commerce.

By Mr. HARRELD:

A bill (S. 3233) granting an increase of pension to Catherine F. Edsall; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 3234) granting a pension to Mrs. R. A. Robinson; to the Committee on Pensions.

A bill (S. 3235) validating certain applications for and entries of public lands;

A bill (S. 3236) to authorize and regulate the grazing of live stock on the public domain, and for other purposes;

A bill (S. 3237) to repeal section 2458, and to amend sections 2450, 2451, and 2456, Revised Statutes of the United States;

A bill (S. 3238) to facilitate the use of and settlement upon the public lands of the United States through the improvement, construction, and maintenance of public roads, and for other purposes;

A bill (S. 3239) to extend the provisions of section 2455, United States Revised Statutes, to the lands within the Fort Fetterman Abandoned Military Reservation in the State of Wyoming; and

A bill (S. 3240) to amend section 13, chapter 431, of an act approved June 25, 1910 (36 Stat., 855), so as to authorize the Secretary of the Interior to issue trust and final patents on lands withdrawn or classified as power or reservoir sites, with a reservation of the right of the United States or its permittees to enter upon and use any part of such land for reservoir or power site purposes; to the Committee on Public Lands and Surveys.

By Mr. FRANCE:

A bill (S. 3241) for the relief of pensioners of the police and fire departments of the District of Columbia; to the Committee on the District of Columbia.

By Mr. EDGE (for Mr. FRELINGHUYSEN):

A bill (S. 3242) to provide for payment of the amount of a war risk insurance policy to a beneficiary designated by Capt. John W. Loveland, jr., deceased; to the Committee on Finance.

Mr. FLETCHER. I ask unanimous consent to introduce on behalf of the junior Senator from South Carolina [Mr. DIAL], who is detained by illness, a joint resolution for reference to the Committee on Military Affairs.

By Mr. FLETCHER (for Mr. DIAL):

A joint resolution (S. J. Res. 170) authorizing the Secretary of War to loan to the city of Darlington, S. C., tents, cots, etc., for the use of Confederate Veterans in their State convention, May 17 and 18, 1922 (with an accompanying paper); to the Committee on Military Affairs.

By Mr. EDGE:

A joint resolution (S. J. Res. 171) granting consent of Congress and authority to the Port of New York Authority to execute the comprehensive plan approved by the States of New York and New Jersey, by chapter 43, Laws of New York, 1922, and chapter 9, laws of New Jersey, 1922; to the Committee on the Judiciary.

By Mr. EDGE (for Mr. FRELINGHUYSEN):

A joint resolution (S. J. Res. 172) authorizing the President to require the United States Sugar Equalization Board (Inc.) to take over and dispose of 2,000 tons of sugar imported from the Argentine Republic and adjust the loss sustained thereby; to the Committee on Agriculture and Forestry.

By Mr. LODGE:

A joint resolution (S. J. Res. 173) authorizing the President to appoint a commission to represent the Government of the United States at the centennial celebration of the independence of Brazil, to be held at Rio de Janeiro in September next; to the Committee on Foreign Relations.

AMENDMENT TO SECOND DEFICIENCY APPROPRIATION BILL.

Mr. HARRIS submitted an amendment directing the Secretary of the Treasury to refund to William Howard May $280.32 for rent of quarters while holding the office of marshal of the district of the Canal Zone; to refund to William K. Jackson $77.13 for rent of quarters while holding the office of district attorney of the Canal Zone, the refunds to be made out of the appropriation for maintenance and operation of the Panama Canal; and the Comptroller General of the United States to reopen and credit the accounts of John H. McLean, former paymaster of the Panama Canal, in $470.12 paid to Charles R. Williams as a refund of the amount collected from him for rent of quarters while holding the office of district attorney of the Canal Zone; in $403.33, paid to Miguel A. Otero as a refund to him of the amount collected for rent of quarters while holding the office of marshal of the Canal Zone; in $214.83, paid to Burt New as a refund of the amount collected from him for rent of quarters while a land commissioner in the Canal Zone; and in $114.68 paid to George A. Connolly as a refund of the amount collected from him for the rent of quarters while a land commissioner in the Canal Zone, intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

RELIEF OF DISTRESS IN AUSTRIA.

Mr. WALSH of Massachusetts. I ask unanimous consent to have printed in the RECORD a communication from Edward A. Filene, a well-known and public-spirited citizen of Boston, Mass., relative to the need of legislative relief for Austria's starving people, and I ask that it be referred to the Committee on Finance. Attached to the letter is a very excellent digest of conditions in Austria as observed during Mr. Filene's recent visit to that country.

There being no objection, the communication was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

WM. FILENE'S SONS CO.,
OFFICE OF THE PRESIDENT,
Boston, February 27, 1922.

Hon. DAVID I. WALSH,
Senate Chamber, United States Senate, Washington, D. C.

MY DEAR SENATOR: * * * I venture to address you in behalf of Austria and to urge a prompt and favorable report of the bill introduced by Senator LODGE, S. J. Res. 160.

Hundreds of thousands of the people of Austria are at the door of starvation and will perish of hunger and the diseases that accompany starvation unless early relief is obtained. The American Congress and people intended, when two years ago they gave Austria the $24,000,000 credit with the United States Grain Corporation, actually to save her people and never intended that their loan should result in tying her hands and rendering her helpless, with the result that the starvation of her people would only be delayed.

The situation now is vastly worse than when the loan was made. I visited Austria last summer and early autumn and have been in close touch with the situation there since that time. My last report was from the American Friends service committee and was received only a few days ago. The months between now and the coming harvest will be the worst that Austria has experienced.

The door to relief should be opened at once by release of the assets pledged to payment of this and like loans from other nations. I am credibly informed that all the other creditor nations, either by formal action or through diplomatic channels, have assured Austria that they would take the action proposed by Senator LODGE'S resolution, but whether or not this information is correct as regards all of them, we are not justified in delaying favorable action until all others have relinquished their claims. The bill provides, as you will no doubt notice, that the release of the assets shall take effect only when all the others have also waived their liens.

As an act of charity and mercy, I urge that this bill be reported and passed at once. I am in touch with the sentiment on this subject throughout the country, and am convinced that the people of all sections will support you in the proposed action. * * *

Very sincerely, yours,

EDWARD A. FILENE.

P. S.: I inclose with this letter a brief statement covering the whole situation, which you may care to refer to.

LEGISLATIVE RELIEF FOR AUSTRIA'S STARVING PEOPLE.

THE HISTORY OF RELIEF PLANS.

As long ago as March 17 last the supreme council of the Allies, meeting at London, after conference with an official commission from Austria in which a plan for the financial and material rehabilitation of Austria was under discussion, asked the financial committee of the League of Nations "to meet within the following fortnight, examine the financial situation of Austria, and seek means of remedying it."

At the same time that the supreme council made this request the Governments represented in the meeting, namely, Great Britain, France, Italy, and Japan, to all of which Austria was owing money secured by a lien on the Austrian State assets, agreed "to release for a period of years, to be determined later, their liens under the treaty of St. Germain in respect of claims against the Austrian Government for the cost of armies of occupation, for relief credit bonds, and reparations, provided other interested Governments will agree to similar postponement."

The committee of the League of Nations which was requested to make the inquiry and report was a most competent one. As requested by the supreme council it met in Paris from March 28 to 31, where, in conference with the official commission from Austria that had previously conferred with the supreme council, it considered the whole situation.

It then sent a delegation to Vienna, which from April 15 to May 12 studied the situation on the ground, conferred with officials and leading financial men of Austria, with representatives of all the political parties in Austria, and formulated its report.

On May 31 the financial committee, having considered the report of their delegation to Austria, rendered a report to the supreme council of the Allies which closed with the following words: "The committee * * * have approved a program of financial action competent, in their opinion, to restore the Austrian economy. Temporary advances to initiate this program are assured. It rests with the Governments concerned to allow the work to be undertaken on the conditions indicated in the committee's note of April 4."

The condition thus referred to in the committee's note of April 4 that would "allow the work to be undertaken" was that other creditor Governments of Austria which had a lien on Austrian assets should agree to take action regarding the debts due them similar to action already taken by the powers represented in the London meeting of the supreme council of the Allies.

The program of financial action which, in the opinion of the financial committee, was "competent to restore the Austrian economy" included (a) negotiation of a foreign loan secured by Ter Meulen bonds resting on the following assets of the Austrian Government: Customs receipts, revenues from the State tobacco monopoly and from forests and mortgages on all real estate of the country; (b) a reform of the currency to be effected by a strong and independent bank of issue; (c) the balancing of the budget; (d) the flotation of a substantial internal loan which should make it unnecessary to continue the issuance of paper money.

To this program the Austrian Government and the responsible leaders of all the parties of Austria had pledged themselves, as had also the bankers and leaders of finance and industry.

As the temporary advances necessary to put the plan into execution had been agreed upon, and as Great Britain, France, Italy, and Japan had agreed to release their claim on the State assets of Austria in favor of the new foreign loan, it remained only for the other creditor nations to take like action.

Of these remaining creditor nations the United States was the chief creditor and most influential. It was generally understood that if we acted, the other and smaller nations would also act; but since we failed to take action, other and minor creditors waited for us, and the matter was delayed from month to month, during which time Austria drifted nearer and nearer to the financial collapse which finally has come.

STARVATION IN AUSTRIA REQUIRES IMMEDIATE RELIEF.

This delay creates a most dangerous situation for Austria. It requires only legislation by the United States to save the nation from the great dangers arising from unbearable conditions, and great masses of her people from starvation and death.

Usually the foremost in all philanthropic work, the United States in this case is holding up the procession led by the other powers. If countries such as Belgium and France, themselves cruelly ravished by war, can favor this suspension of the Austrian debt, surely we can do so also, especially as Austria is utterly incapable of paying this debt or arrears of interest at present.

FEDERAL COUNCIL ASKS SPECIAL LEGISLATION.

On December 15 the Federal Council of the Churches of Christ in America, in view of the increasingly critical situation of the Austrian population, passed a formal resolution petitioning Congress to take separate action on Austria's debt to the United States. The council specifically petitioned that special and immediate legislation be enacted to the end that payment of Austria's debt of $24,000,000 be suspended for at least 20 years. The nations referred to above have already agreed to this arrangement.

The Federal council has sent this petition to 150,000 churches in America, suggesting that the congregations take like action. Knowing first-hand, as I do, the severe straits in which Austria finds herself, I am supplementing the campaign of the Federal council in behalf of help to Austria by sending the facts, and a covering petition to Congress, to influential leaders and organizations in every State of the Union.

AMERICAN INACTION PREVENTS RELIEF.

Our loan to Austria, enabling her to purchase from us $24,000,000 worth of flour, was authorized under special act of Congress, March, 1920. Payment for these foodstuffs, according to the act, must be made within five years.

The failure of Congress to authorize deferment of this debt, a debt which Austria is absolutely incapable of paying at the present time, is holding up a new international loan which would place Austria in a position of physical and economic rebirth.

Yet this debt of $24,000,000, contracted solely for the purchase of foodstuffs to relieve a starving people, is lumped in with a debt of over $11,000,000,000 owed to the United States by all the European debtor countries for purchases of war materials as well as of foodstuffs.

AUSTRIA IS STARVING.

Meanwhile Austria starves. In the midst of a bitter winter her people are suffering from disease, starvation, and death. The situation is extremely critical. The crown, which before the war was worth 20 cents, is now quoted in Vienna at one one-hundredth of a cent. That is, where before the war 5 crowns would buy a dollar, 10,000 are at this date needed to buy a dollar or its equivalent in merchandise. Even in its own country the purchasing value of the crown has fallen so low that a 10-cent loaf of bread costs, according to the normal value of the crown, over $200.

As an American keenly interested in the rehabilitation of a world torn now by peace as it was formerly by war, and after personal study of conditions in Austria, I am taking the liberty to write you this digest of Austria's situation and to suggest a remedy in the form of special action by Congress. The inclosed resolution is the one approved by the Federal Council of the Churches of Christ in America and by other national organizations.

WHAT YOU CAN DO ABOUT IT.

If you will get your organization to adopt and send this resolution to the President and to your Senators and Representatives in Congress, will induce individuals to write letters to them, and will give the matter as much publicity in the press as possible, you will have done your part toward keeping practically the whole population of Austria from becoming the victims of a situation for the relief of which the United States seems to have the chief responsibility.

May I request that you let me know what action you and others take on this grave and pressing matter? I stand ready to furnish as many copies of the resolution as you believe can be used to advantage.

EDWARD A. FILENE

HOUSE BILL REFERRED.

The bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, proposing to amend the Standing Rules of the Senate so that all general appropriation bills shall be referred to the Committee on Appropriations.

The VICE PRESIDENT. The question is upon the amendment proposed by the Senator from Massachusetts [Mr. LODGE] to the amendment of the Committee on Rules.

Mr. HARRISON. Mr. President, the amendment offered by the Senator from Massachusetts provides that one member of committees of conference shall come from the committee which, under the rules of the Senate, would have jurisdiction of the particular bill in conference. Part of the amendment I have offered provides that two members from any one of these various committees shall go on the conference committee.

The unfairness of the amendment proposed by the Senator from Massachusetts lies in the fact that one member from the Committee on Agriculture, we will say, or the Committee on Military Affairs, would go on any conference committee. Of course, that one member would be the chairman of the committee, and to-day the chairmen of the committees are Republicans. Consequently, we would have no minority representation in conference. All that is necessary to be done is to state the proposition to show the unfairness of it.

Under the peculiar parliamentary situation I can not move to amend this amendment, because it is an amendment to the committee amendment; but if the amendment of the Senator from Massachusetts is voted down, I shall then offer an amendment providing that at least two members from any one of these various legislative committees shall be on any conference committee. That is fair, it is just, and it is the right thing to do. The minority should be represented the same as the majority,

and the third member of the conference committee, if there are no more than three members, of course, will be a member of the Committee on Appropriations.

I therefore sincerely hope that the amendment offered by the Senator from Massachusetts will be defeated, and in this connection I want to propound a parliamentary inquiry.

The PRESIDING OFFICER (Mr. LENROOT in the chair). The Senator will state his inquiry.

Mr. HARRISON. This being an amendment to the committee amendment, if it should be adopted it would provide that one member of each conference committee on appropriation bills shall be a member of one of the various legislative committees. Would that preclude the consideration afterwards by the Senate of an amendment which would provide that two members of such conference committees shall be members of one of the legislative committees?

The PRESIDING OFFICER. The present occupant of the chair is not familiar with the rule on that question, but he is free to give his impression to the Senator from Mississippi.

Mr. HARRISON. May we have order, because this is very material.

The PRESIDING OFFICER. The Chair is free to give his first impression to the Senator from Mississippi, that being an amendment in the third degree, the Senate would be precluded from making such a change as is suggested by the Senator from Mississippi.

Mr. HARRISON. We are considering a change in the rules which affects every section and every industry of the country, and at this moment there are not over eight Senators on the other side of the aisle. The Chair has just stated that if the amendment offered by the Senator from Massachusetts should be agreed to, we would be precluded from offering another amendment providing that two members of any one of these various committees should go on a conference committee.

The PRESIDING OFFICER. The present occupant of the chair would qualify his ruling to this extent, that of course the amendment would be subject to a motion to reconsider.

Mr. HARRISON. It would be open to reconsideration; that is to say, if it should prevail, then there might be a motion to reconsider it, naturally.

Now is the time to present the finished product, and yet, under the statement of the Chair, if this amendment is adopted, only one member of a conference committee will come from the membership of any of the legislative committees having jurisdiction of the particular bill which may be in conference.

Every Senator knows that it is in conference where these questions are decided, where amendments which have been agreed to in the Senate are excluded, where the power is wielded by three men to undo what 96 men have done in the Senate.

Mr. FLETCHER. Mr. President——

Mr. HARRISON. If it is fair for one member of a committee, representing the majority, to go on a conference committee, without any representation of the minority, if that is to be the voice of the Senate, well and good.

I am calling the attention of the Senate to the consequences of this vote, and yet, as I said, there are not eight Senators on the other side of the aisle at this time. No Republican representation is on the floor at this time save the senior Senator from Oregon [Mr. MCNARY], the junior Senator from Oregon [Mr. STANFIELD], the Senator from South Dakota [Mr. STERLING], the Senator from Illinois [Mr. MCKINLEY], the Senator from Michigan [Mr. TOWNSEND], the Senator from Washington [Mr. JONES], the Senator from Wyoming [Mr. WARREN], the Senator from Iowa [Mr. CUMMINS], the Senator from Utah [Mr. SMOOT], and the Senator from Ohio [Mr. WILLIS]. All the other States are not represented now and have not heard what the ruling of the Chair will be and the consequences of this vote.

Mr. STERLING. Mr. President, may I call the attention of the Senator to the fact that there are two Republican Senators on the opposite side of the Chamber?

Mr. HARRISON. I beg the Senator's pardon. I want to congratulate the new Senator from Iowa [Mr. RAWSON], who has been in his seat from the beginning to the close of each session of the Senate ever since he took his oath here, and the Senator from New Mexico [Mr. BURSUM], who are now present. Of course, the Democratic side is here. We are always here.

Mr. WARREN and Mr. SMOOT. Name them!

Mr. WILLIS. Name the Democrats present.

Mr. HARRISON. I want the great section of the West to know that in such a great crisis as this the representation is not present on the Republican side.

Mr. President, I have said with reference to the pending amendment all that I desire to say.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Florida?

Mr. HARRISON. Certainly.

Mr. FLETCHER. I desire to present a parliamentary inquiry. I would like to know if the proposed amendment offered by the Senator from Massachusetts would be subject to an amendment by changing the word "one" to the word "two"; in other words, whether it would be in order to offer an amendment to the amendment proposed by the Senator from Massachusetts?

The PRESIDING OFFICER. The present occupant of the chair will state to the Senator from Florida, in answer to his parliamentary inquiry, that the present occupant of the chair would not undertake to give a definite ruling upon any question of that character, but, as the Chair said in response to the question of the Senator from Mississippi, it is the impression of the Chair that the amendment of the Senator from Massachusetts, once being adopted, the opportunity not being availed of to perfect the amendment, it is not thereafter open to amendment.

Mr. FLETCHER. I understood that; but my inquiry is whether we will have the opportunity to perfect the amendment, if we may term it that, by proposing that the language "one member" in line 9 of the proposed Lodge amendment and in each one of those clauses be changed to "two members"? I understand the Senator from Mississippi insists that there ought to be two members from the committees outside of the Committee on Appropriations.

Mr. HARRISON. There should be at least two, and really there ought to be three. All we have ought to come from there.

Mr. FLETCHER. What I am inquiring about is whether it would be in order for the Senator from Mississippi or any other Senator to propose an amendment to the Lodge amendment by way of perfecting it, if you please, so as to change the words "one member" to "two members"?

The PRESIDING OFFICER. Does not the Senator from Florida think that is an amendment in the third degree?

Mr. FLETCHER. That is the question in my mind. I was not sure whether the rule would permit us to perfect the Lodge amendment.

The PRESIDING OFFICER. The Chair thinks it would not be in order, but the Chair may state that the matter is in full control of the Senate, and that the Senate, if it desires, may defeat the amendment, and the Senator from Mississippi or the Senator from Florida may then offer such other amendment as he may choose. It is wholly within the control of the Senate.

Mr. HARRISON. I think the Chair is exactly right. I only propounded the parliamentary inquiry so that Senators would know what they are voting on. If it were within my power now to offer an amendment and have it adopted, I would do so, but, being an amendment in the third degree, it is not in order.

Mr. SMITH. Mr. President, will the Senator allow me?

Mr. HARRISON. I yield to the Senator from South Carolina.

Mr. SMITH. I would like to have the attention of the Senator who has the matter in charge. I am addressing my query to the chairman of the committee, the Senator from Wyoming [Mr. WARREN]. I would like to know what objection there would be to having it stated, now that we are changing the rule, that at least two members, or definitely two members, although I prefer the term "at least two members," from the committee that has had that particular matter in charge shall be appointed. What objection would there be to naming two instead of naming one, as the Senator from Massachusetts has already proposed?

Mr. WARREN. I would like the attention of the Senator who has raised the question. There is no rule of the Senate that requires the appointment of a Democrat or a Republican on any conference committee. The rule requires only that conferees shall be appointed. It has been the practice, ever since the United States has had a government, so far as I know, to appoint from the minority and the majority in proportion equal to party strength, as nearly as may be.

The amendment offered by the Senator from Massachusetts is entirely unnecessary, although I have no objection to it. But if we make it two instead of one we are going to be in this position: We shall have in some cases two different committees that will be drawn from at once and we will thus have three committees represented and operating, and two of each is too many. The other committees which are interested will each have two representatives, if we adopt the suggestion that there shall be two appointed from each of such committees, and there will then be four outside conferees, rather too many to start with if we expect to have any conferees at all from the Appropriations Committee itself. There is no objection to having one member from the other committees. There will always be two when it can be arranged that way, because the precedents of the Senate

call for it, but I think the Senator is perfectly well aware that there has seldom been any complaint from any committee about the division of representation made by the Committee on Committees, which has the naming of the members of the various committees. The Committee on Finance, of course, in tax matters proceeds differently. As I said, the practice has been to put the party in the majority in charge first and call the minority in later.

There is another thing to be considered. There are times, for instance, when this situation might arise: It is desirable to have three on the conference committee, and there might be an absence or illness that would prevent two being taken from the committee out of the three. Then we would have to provide otherwise. A Senator might say, "I am going away, but I wish you would put in my place on the committee so-and-so, who agrees with me."

But to come back to the original proposition, I think it is unnecessary to undertake to discuss further the contention of those who perhaps have not had so much practice in the matter of appropriations that they are going to have some outrage committed upon them, because, as I said, without any question whatever and without any reason why whatever, except that fairness always exists between the two parties here in the Senate.

Mr. SMITH. Mr. President, if the Senator from Mississippi will allow me——

Mr. HARRISON. Certainly.

Mr. SMITH. I do not see the force of the argument of the Senator from Wyoming in case one would be sick, for the reason that the proposition, as I understand it, is that two from the committee that heretofore has had charge of the matter—to illustrate, two from the Committee on Agriculture and Forestry—are to be appointed. I do not understand that even the amendment of the Senator from Massachusetts meant that we had to take one of those who had conferred with the Appropriations Committee.

Mr. WARREN. If they are to do their duty and have the knowledge to execute that duty, the conferees must naturally have served on the subcommittee. It is only in cases of absence or illness that any man is placed upon a conference committee who has not participated in the consideration and construction of the bill.

Mr. SMITH. I know that would be natural in conference, but in a matter relating to the Committee on Agriculture and Forestry or to the Committee on Military Affairs there will be members who are as thoroughly conversant with the matter and as competent to serve on a conference committee as those who might accidentally be delegated to serve with the Appropriations Committee.

Mr. OVERMAN. Suppose we had referred to this committee the Agricultural appropriation bill, and the rule required two conferees to be appointed from that committee, and the Committee on Military Affairs was also interested before the committee in the same bill, we would have to have two members appointed from each of those committees and therefore we would have four, two from the Committee on Agriculture and Forestry and two from the Committee on Military Affairs. What would be the result?

Mr. SMITH. Oh, not on the same bill.

Mr. OVERMAN. Yes; on the same bill. I can refer to a bill now pending, the Interior Department appropriation bill now before the Senate. That is an argument on the very question that we have before us now. The pension appropriations are in that bill. The appropriations for the Indian Bureau are in that bill. Heretofore they have been referred to different committees, to the Committee on Indian Affairs and to the Committee on Pensions. If the rule requires that two be appointed from the Committee on Indian Affairs and two from the Committee on Pensions, there we would have four; we would have one more than we have ever appointed heretofore. There is the trouble.

If the chairman of a committee would refuse to give representation on the Appropriations Committee in this matter, of course he would be denounced in the Senate and denounced everywhere. Really it ought to be left to the chairman of the committee to choose the conferees, because the chairman always gives the minority representation; but if we adopt the hidebound rule that two shall be appointed from each committee, then we would have four conferees instead of three, as has usually been the case.

Mr. SMITH. Where certain appropriation bills are involved, I see the difficulty.

Mr. WARREN. Mr. President, will the Senator permit me?

Mr. HARRISON. Certainly.

Mr. WARREN. Under this rule the river and harbor appropriation items are in the Army appropriation bill, which goes to the Committee on Military Affairs; yet if the Senator's proposal were agreed to we would have to have three members from the Committee on Military Affairs and three members from the Committee on Commerce, which has charge of the river and harbor appropriations. If we make this two conferees instead of one from each we would have two members from the Committee on Commerce and two from the Committee on Military Affairs to start with before anybody was put on from the Committee on Appropriations. A conference committee of six is too large for that purpose. The House will not act in a conference that would be like a town meeting.

Mr. SMITH. I understand. My misapprehension of the matter was that we had merged into one bill certain bills that heretofore had gone to separate committees. That would not apply, of course, to the Agricultural appropriation bill unless we should merge it in with the Army appropriation bill as well, which now goes to the Committee on Military Affairs. But it seems to me in that event the rule might be so modified as to provide that where the bill under consideration has not been merged into another, two may be appointed.

However, I recognize the point the Senator from North Carolina has made. When I rose I had not taken that point into consideration. As the chairman of the Committee on Appropriations has said, these appointees would be accommodated to the condition as it arose. I offer no further objection to the proposed amendment.

Mr. HARRISON. Mr. President, I am not going to delay the Senate further. I think the very few Senators who are on the floor realize evidently what they are going to vote on. I would like to have the yeas and nays on it, however. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMITH. Mr. President, I am not going to make the point of no quorum at this time, though I think there ought to have been more Senators here. In justice to the members of the committee who have framed the legislation I think the matter ought to be understood before we take the vote. I frankly admit that I did not understand until the Senator from North Carolina made the point or called my attention to the fact that under the proposed new rule certain bills that heretofore have gone to different committees are now merged into one and go to the Committee on Appropriations as one bill. Therefore, if we provide for more than one conferee on the matter of particular bills that have heretofore gone to different committees, I can see how it would be almost impossible to accommodate the conferees.

However, if this is voted down, then I think perhaps the matter might be adjusted by providing that where there has not been a merger of bills, in that event two from the committee that had the particular bill in charge should be appointed. I think the Senator from North Carolina agrees with me that that might be done, and in case the pending amendment to the committee amendment is voted down, I believe an amendment of that kind should be offered and voted upon.

Mr. OVERMAN. I am willing to leave it to the chairman of the committee, as we have always left it. The Senator from South Carolina suggests a proposition that might solve the difficulty; but I shall vote against any requirement that the chairman shall appoint one, two, three, or four or any other particular number. I am willing to leave it where it has always been, with the chairman of the committee, knowing that he will give proper representation on the committee. Therefore I shall vote against the pending amendment and any other amendment that proposes to fix the number of conferees. I favor leaving it to the chairman, knowing that he will do his duty, as any Senator will do his duty, on all occasions and give fair representation to the minority as well as the majority. Let us leave it where it has been for the last 100 years.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the Senator from Massachusetts [Mr. LODGE] to the amendment of the Committee on Rules.

The Assistant Secretary proceeded to call the roll.

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. LODGE (when his name was called). I am informed that the Senator from Alabama [Mr. UNDERWOOD], with whom I have a general pair, if present, would vote as I intend to vote upon this question. Therefore, it is unnecessary for me to make a transfer of my pair, and I am at liberty to vote. I vote "yea."

Mr. PHIPPS (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. DIAL] to the junior Senator from Pennsylvania [Mr. CROW] and vote "yea."

Mr. SIMMONS (when his name was called). I transfer my pair with the junior Senator from Wisconsin [Mr. KELLOGG] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. WILLIAMS (when his name was called). I have a pair with the senior senator from Indiana [Mr. WATSON]. In his unavoidable absense, I am not entitled to vote. If I were free to vote, I should vote "nay."

The roll call was concluded.

Mr. EDGE (after having voted in the negative). I transfer my pair with the Senator from Oklahoma [Mr. OWEN] to the junior Senator from Missouri [Mr. SPENCER] and allow my vote to stand.

Mr. ERNST. I transfer my general pair with the senior Senator from Kentucky [Mr. STANLEY] to the junior Senator from California [Mr. SHORTRIDGE] and vote "yea."

Mr. COLT. I transfer my pair with the Senator from Florida [Mr. TRAMMELL] to the junior Senator from Pennsylvania [Mr. PEPPER] and vote "yea."

Mr. JONES of Washington (after having voted in the affirmative). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent, and I have agreed to take care of him by pairing with him. I understand that I may transfer that pair to the junior Senator from New York [Mr. CALDER]. I do so, and allow my vote to stand.

The result was announced—yeas 46, nays 20, as follows:

YEAS—46.

Ball	Frelinghuysen	McNary	Stanfield
Brandegee	Gerry	New	Sterling
Cameron	Gooding	Newberry	Sutherland
Capper	Harreld	Nicholson	Townsend
Colt	Harris	Norris	Wadsworth
Cummins	Jones, Wash.	Oddie	Walsh, Mass.
Curtis	Kendrick	Page	Warren
Dillingham	Keyes	Phipps	Watson, Ga.
Ernst	Ladd	Poindexter	Weller
Fernald	Lodge	Rawson	Willis
Fletcher	McCumber	Sheppard	
France	McLean	Smoot	

NAYS—20.

Ashurst	Hale	Lenroot	Reed
Borah	Harrison	McCormick	Robinson
Caraway	Heflin	McKellar	Simmons
Edge	Jones, N. Mex.	McKinley	Smith
Glass	King	Overman	Walsh, Mont.

NOT VOTING—30.

Broussard	Hitchcock	Owen	Stanley
Bursum	Johnson	Pepper	Swanson
Calder	Kellogg	Pittman	Trammell
Crow	La Follette	Pomerene	Underwood
Culberson	Moses	Ransdell	Watson, Ind.
Dial	Myers	Shields	Williams
du Pont	Nelson	Shortridge	
Elkins	Norbeck	Spencer	

So Mr. LODGE's amendment to the amendment reported by the committee was agreed to, as follows:

On page 2, line 16, after the word "Appropriations," insert the following: ", and at least one member of the Committee on Agriculture shall be a member of any conference committee appointed to confer with the House upon said Agricultural appropriation bill";

On page 2, line 22, after "Appropriations," insert the following: ", and at least one member of the Committee on Post Offices and Post Roads shall be a member of any conference committee appointed to confer with the House upon said Post Office appropriation bill";

On page 3, line 3, after the word "Appropriations," insert the following: ", and at least one member of the Committee on Military Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of War";

On page 3, line 9, after the word "Appropriations," insert: ", and at least one member of the Committee on Naval Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of the Navy";

On page 3, line 16, after the words "Department of War," insert: ", and at least one member of the Committee on Commerce shall be a member of any conference committee appointed to confer with the House upon items pertaining to rivers and harbors contained in the bill making appropriations for the Department of War"; and

On page 3, line 24, after the words "Departments of State and Justice," insert: ", and at least one member of the Committee on Foreign Relations shall be a member of any conference committee appointed to confer with the House when the items pertaining to the diplomatic and consular service are being considered in the bill making appropriations for the Department of State and Justice."

So as to make the amendment of the committee read:

The Committee on Appropriations shall not report an appropriation bill containing new or general legislation, and if an appropriation bill is reported to the Senate containing new or general legislation, a point of order may be made against the bill, and if the point is sustained, the bill shall be recommitted to the Committee on Appropriations: *Provided, however*, That the chairman of the Committee on Agriculture, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Department of Agriculture is being considered by the Committee on Appropriations, and at least one member of the Committee on Agriculture shall be a member of any conference committee appointed to confer with the House upon said Agricultural appropriation bill; that the chairman of the Committee on Post Offices and Post Roads, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Post Office Department is being considered by the Committee on Appropriations, and at least one member of the Committee on Post Offices and Post Roads shall be a member of any conference committee appointed to confer with the House upon said Post Office appropriation bill; that the chairman of the Committee on Military Affairs, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Department of War is being considered by the Committee on Appropriations, and at least one member of the Committee on Military Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of War; that the chairman of the Committee on Naval Affairs, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Department of the Navy is being considered by the Committee on Appropriations, and at least one member of the Committee on Naval Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of the Navy; that the chairman of the Committee on Commerce, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the items pertaining to rivers and harbors are being considered by the Committee on Appropriations in the bill making appropriations for the Department of War, and at least one member of the Committee on Commerce shall be a member of any conference committee appointed to confer with the House upon items pertaining to rivers and harbors contained in the bill making appropriations for the Department of War; and that the chairman of the Committee on Foreign Relations, and two other members of said committee, to be selected by the chairman of said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the items pertaining to the Diplomatic and Consular Service are being considered by the Committee on Appropriations in the bill making appropriations for the Departments of State and Justice, and at least one member of the Committee on Foreign Relations shall be a member of any conference committee appointed to confer with the House when the items pertaining to the Diplomatic and Consular Service are being considered in the bill making appropriations for the Departments of State and Justice.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

Mr. HARRISON. I understood the ruling of the Chair in answer to a parliamentary inquiry a few moments ago to be that if the amendment of the Senator from Massachusetts to the amendment of the committee were adopted I could not offer an amendment providing that two members of the respective committees which heretofore have handled various appropriation bills shall be members of the conference committee. I now offer an amendment to strike out the words "one member" where they appear in the amendment to the amendment just adopted and to insert the words "two members," so that in the conference committees two members of the respective appropriating committees shall be represented upon the conference when the appropriation bill in which they are interested is being considered.

The PRESIDING OFFICER. The Senator from Mississippi offers an amendment to the amendment, which will be stated by the Secretary.

Mr. WARREN. Mr. President, I think that amendment is entirely out of order. If it is in order, I say in all seriousness that I hope it will be defeated.

The PRESIDING OFFICER. Does the Senator from Wyoming make a point of order against the amendment?

Mr. WARREN. There would arise under it conditions in connection with the arrangement of conference committees with which it would be almost impossible to comply, which I have explained to the Senator from Mississippi and to other Senators.

I therefore make the point of order against the amendment offered by the Senator from Mississippi and ask that the Chair rule on it.

The PRESIDING OFFICER. The point of order is sustained.

Mr. HARRISON. Mr. President, I understood the Chair, in answer to the parliamentary inquiry, to say that as in Committee of the Whole the amendment would be one in the third degree and consequently the point of order could be raised against it and would be sustained. I inquire, What is the parliamentary status of the resolution?

The PRESIDING OFFICER. The present occupant of the Chair is advised that the parliamentary status of the resolution is that it is in the Senate. Being purely a Senate resolution, it is not considered as in Committee of the Whole.

Mr. HARRISON. I did not think that the resolution would be considered as in Committee of the Whole, but when the Chair stated that my amendment would not be in order, thereby implying, of course, that when the resolution passed into the Senate an amendment providing for the appointment of two conferees from other committees instead of one might be offered, I imagine there were quite a number of Senators who voted for the amendment providing for one conferee on the

supposition that one would be better than none at all if, under the parliamentary status, we could not get two. So I ask unanimous consent that the amendment may be considered in order.

Mr. WARREN. Mr. President, the Senator has recourse, without doubt, at the proper time in the consideration of the measure; but this is not the proper time, and I shall have to object.

Mr. HARRISON. I ask the Senator what would be the proper time for me to offer an amendment that would make it two instead of one? If the Senator will tell me, I shall not insist on the amendment at this time.

Mr. WARREN. I do not have to tell the Senator. He knows the rules of the Senate.

Mr. HARRISON. Under the ruling of the Chair that we are now in the Senate and not in Committee of the Whole, and since this amendment has been adopted, I know of no rule by which I am now permitted to offer another amendment that will provide for the appointment of two members on the conference committee. If the Senator will suggest it, I shall be delighted.

Mr. WARREN. I sincerely object to occupying the time of the Senator. I would not think of doing it, because he is entitled to the time, and has been waiting some days now, nearly a week.

Mr. HARRISON. Yes; I have not said anything on this rule.

Mr. WARREN. Furthermore, the Senator is a master of the rules himself.

Mr. HARRISON. No; I know nothing about the rules. I wish I did, so that I could secure a vote by the Senate on the question of having two conferees.

The PRESIDING OFFICER. The Chair does not wish the Senator from Mississippi to misunderstand the position of the Chair. The Chair did not intend to convey to the Senator from Mississippi the belief of the Chair that what he desired to be accomplished could not be accomplished if the amendment of the Senator from Massachusetts [Mr. LODGE] were adopted. What the Chair did intend to say was that the Senator's amendment would not be in order to accomplish what he desired.

Mr. HARRISON. Yes. So now we are in the position that we are precluded, except by a motion to recommit this resolution, from offering an amendment making it two.

The PRESIDING OFFICER. Did the Senator make a request?

Mr. HARRISON. No.

The PRESIDING OFFICER. The question is upon agreeing to the committee amendment as amended.

Mr. WARREN. Mr. President, I believe there are one or two amendments on the table offered by certain Senators.

Mr. HARRISON. I am going to present an amendment when this other matter gets out of the way; but I had understood that the Senator from Delaware [Mr. BALL] was very much interested in offering an amendment to the committee amendment so that one of the conferees shall come from the Committee on the District of Columbia.

The PRESIDING OFFICER. The Chair will state that there is no amendment pending. Unless some amendment is proposed, the question is on the amendment of the committee as amended.

Mr. JONES of Washington. Mr. President, I spoke to the Senator from Delaware [Mr. BALL] just a moment ago, and he said he understood that even if he should not be on the floor his amendment would be proposed. I supposed he had that understanding with the chairman of the committee.

Mr. WARREN. I will say that at the proper time the amendment of the Senator from Delaware should be offered. I have been waiting for him to come into the Chamber, because, as he has drawn the amendment, it is like the amendment in regard to rivers and harbors and the diplomatic and consular part of the resolution rather than like the Army and Navy and agricultural part of it. Perhaps the Senator does not understand that, and I had waited for him to give it some attention. It is a matter that the Senate, of course, ought to pass upon. However, it can be added to the resolution as a separate section. There is no reason why we should not vote on the main question.

Mr. BALL entered the Chamber.

Mr. JONES of Washington. Mr. President, while the Senator from Delaware is preparing to offer his amendment I want to suggest the amendment of the Senator from Nebraska [Mr. NORRIS]. I do not think the chairman of the committee will have any objection to it.

On page 2, line 5, after the word "containing," insert the words "amendments proposing," and also in line 6 the same words. I will send up the printed amendment.

The PRESIDING OFFICER. The Senator from Washington, on behalf of the Senator from Nebraska, proposes an amendment, which will be stated by the Secretary.

The ASSISTANT SECRETARY. On page 2, line 5, after the word "containing," it is proposed to insert the words "amendments proposing"; and at the end of line 6, on the same page, after the word "containing," it is proposed to insert the words "amendments proposing"; so that, if amended, those lines will read:

> The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation, and if an appropriation bill is reported to the Senate containing amendments proposing new or general legislation, a point of order may be made against the bill.

Mr. JONES of Washington. I offer that amendment in behalf of the Senator from Nebraska [Mr. NORRIS].

Mr. FLETCHER. Mr. President, as I understand, the purpose of that is to make the bill subject to a point of order where the amendment is proposed in the Senate; but if the bill comes over from the House containing new legislation, the point of order would not lie against it.

Mr. JONES of Washington. That is substantially the purpose of this amendment, so that the Committee on Appropriations will not be prohibited from reporting a bill that has House provisions containing legislation. That is the purpose of the amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Washington, on behalf of the Senator from Nebraska, to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. HARRISON. Mr. President, I see the Senator from Delaware [Mr. BALL] now in the Chamber. He had an amendment with regard to the Committee on the District of Columbia. I offer an amendment, to be inserted at the proper place, and will ask the Secretary to alter it accordingly, so that on matters that come under the jurisdiction of the Committee on Indian Affairs that committee shall also have one representative in the conference. Let the amendment read as it is written in this proposed rule.

Mr. OVERMAN. Mr. President, I want to say to the Senator that the Indian Affairs Committee is not fighting this rule, and is not asking for the provision that the Senator proposes. The bill that contains the appropriations for Indian affairs has passed the Senate and is now in conference. It is true that several members of the Indian Affairs Committee are on the general Appropriations Committee, but they are not asking for representation on this committee. They are perfectly satisfied with what has been done, as the Senator from Mississippi will be when this rule is adopted.

Mr. HARRISON. I am going to express myself on this rule in a few moments, and I shall elaborate in detail how it will affect every interest and every section of this country, and I shall show how a few Members of this body are trying to grab the whole power of making all appropriations by the United States Senate. The Indian Affairs Committee is an important committee. It deals with the appropriations for the Indian tribes throughout this country. It has a right to have one representative in the conferences on appropriation bills for these tribes, the same as the other committees to which representation has been given. So I have offered the amendment; and if the Senator from Delaware does not offer his amendment with regard to the District of Columbia Committee I shall offer one, and I shall also offer one touching irrigation for the great West, if no Senator from that section offers such an amendment, and I shall try to secure a record vote on the proposition.

Mr. BALL. Mr. President, I offer an amendment——

The PRESIDING OFFICER. Does the Senator from Mississippi withdraw his amendment?

Mr. HARRISON. Yes.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BALL. I offer the amendment which I send to the desk to the committee amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. On page 3, line 9, after the semicolon, it is proposed to insert the following words:

> That the chairman of the Committee on the District of Columbia and two other members of said committee to be selected by the chairman of said committee shall be ex officio members of the Committee on Appropriations to serve on said committee when the bill making appropriations for the District of Columbia is being considered by the Committee on Appropriations.

Mr. WARREN. Mr. President, the amendment as written corresponds, I take it, to the amendments referring to other committees. The Committee on the District of Columbia differs from all other committees of Congress. In reality, the Senate and the House take up District matters as city councilmen, I might say; and the Committee on the District of Columbia has to sit a great deal of its time for the consideration of small matters of city management. Therefore I have no objection to the amendment, and I hope it may be agreed to.

Mr. HARRISON. Mr. President, I offer an amendment to the amendment of the Senator from Delaware.

Mr. WARREN. Mr. President, the Senator can not offer an amendment to the amendment of the Senator from Delaware.

The PRESIDING OFFICER. Does the Senator make the point of order?

Mr. WARREN. I do.

The PRESIDING OFFICER. The point of order is sustained. The question is on agreeing to the amendment offered by the Senator from Delaware to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. HARRISON. Mr. President, I offer an amendment to come in at the end of the amendment just offered and agreed to, in the following words:

And that two members of the Committee on the District of Columbia, on any conference with the House on the District of Columbia appropriation bill, shall be appointed to serve at said conference.

Mr. WARREN. I raise a point of order against that, Mr. President.

Mr. HARRISON. What is the point of order?

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. WARREN. It is not necessary for me to state the point of order. If the point of order should be properly overruled, I am ready to have it overruled.

The PRESIDING OFFICER. The present occupant of the chair thinks that the amendment now offered by the Senator from Mississippi is an amendment to the committee amendment.

Mr. WARREN. Very well. I am perfectly ready to let it go to a vote.

The PRESIDING OFFICER. The Chair overrules the point of order. The Secretary will state the amendment proposed by the Senator from Mississippi to the amendment of the committee.

The ASSISTANT SECRETARY. At the end of the amendment just agreed to, it is proposed to insert the following words:

And that two members of the Committee on the District of Columbia, on any conference with the House on the District of Columbia appropriation bill, shall be appointed to serve at said conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi to the amendment of the committee.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. JONES of Washington. Mr. President, no one has as yet answered to the roll call. Is the amendment of the Senator from Mississippi to require two members from the District of Columbia Committee to be placed on the conference committee on District of Columbia appropriation bills?

The PRESIDING OFFICER. It is. The Secretary will proceed with the call of the roll.

The call of the roll was resumed.

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. PHIPPS (when his name was called). I transfer my pair with the junior Senator from South Carolina [Mr. DIAL] to the senior Senator from Pennsylvania [Mr. CROW] and vote "nay."

The roll call was concluded.

Mr. ERNST. Making the same announcement as before, I vote "nay."

Mr. JONES of Washington (after having voted in the negative). I understand that my pair, the senior Senator from Virginia [Mr. SWANSON], would vote as I have voted on this amendment. I allow my vote to stand without a transfer.

Mr. GLASS (after having voted in the negative). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. I assume he would vote as I have voted, and therefore I will allow my vote to stand.

Mr. EDGE (after having voted in the negative). Making the same announcement as before, I allow my vote to stand.

Mr. COLT. Making the same announcement as before, I vote "nay."

The result was announced—yeas 16, nays 49, as follows:

YEAS—16.

Ashurst	France	McKellar	Sheppard
Broussard	Gerry	McNary	Walsh, Mass.
Capper	Harrison	Pittman	Walsh, Mont.
Fletcher	Heflin	Reed	Williams

NAYS—49.

Ball	Hale	New	Stanfield
Brandegee	Harreld	Newberry	Stanley
Calder	Harris	Nicholson	Sterling
Cameron	Jones, N. Mex.	Norbeck	Sutherland
Caraway	Jones, Wash.	Norris	Townsend
Colt	Kendrick	Oddie	Wadsworth
Curtis	Keyes	Overman	Warren
Edge	King	Page	Watson, Ind.
Ernst	Ladd	Phipps	Weller
Fernald	Lenroot	Poindexter	Willis
Frelinghuysen	Lodge	Robinson	
Glass	McCumber	Smith	
Gooding	McKinley	Smoot	

NOT VOTING—31.

Borah	Elkins	Myers	Shortridge
Bursum	Hitchcock	Nelson	Simmons
Crow	Johnson	Owen	Spencer
Culberson	Kellogg	Pepper	Swanson
Cummins	La Follette	Pomerene	Trammell
Dial	McCormick	Ransdell	Underwood
Dillingham	McLean	Rawson	Watson, Ga.
du Pont	Moses	Shields	

So Mr. HARRISON'S amendment to the committee amendment was rejected.

Mr. WARREN. Mr. President, the intention of the Senator from Delaware [Mr. BALL] and the intention of the chairman of the committee was that the Committee on the District of Columbia should be on an exact basis with the other full committees. So I ask that the amendment of the Senator from Massachusetts [Mr. LODGE], applying to the various other committees, have written into it the amendment of the Senator from Delaware [Mr. BALL.]

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. Add at the end a comma and the following words:

And at least one member of the Committee on the District of Columbia shall be a member of any conference committee appointed to confer with the House upon the District of Columbia appropriation bill.

Mr. WARREN. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Wyoming to the committee amendment.

The amendment to the amendment was agreed to.

Mr. NORRIS. Mr. President, I would like to have the attention of the chairman of the committee, and also of other Senators, to an amendment I want to suggest to the committee amendment. I want to make it possible for the various committees which, under this amendment, are to be entitled to have three members on the Appropriations Committee, to select those members, instead of giving that right and authority to the chairman, and instead of necessarily naming the chairman. I suppose, as a matter of practice, the committee would select the chairman, and probably one ranking member from each side, and they would make the three, very likely, so that in most instances I do not suppose this amendment would change the practical operation of it. But it seems to me we should not give to one person the absolute power to appoint three members of the Committee on Appropriations.

Then, we must remember that often it will happen that the chairman, who is automatically named as a member of the Committee on Appropriations, is sometimes a member of the Appropriations Committee anyway. I do not know of any instance now, but in the last Congress that was true of the chairman of the Committee on Agriculture. I have not looked it up, and it may be true of several other committees now; but it is likely to occur at any time. If that should be true, then the spirit of the law could not be carried out unless this amendment were amended.

Therefore I offer this amendment. I will have to make one or two changes, but I have explained the object of the amendment.

After the word "that" in line 10, page 2, strike out the words "the chairman" and insert the words "three members"; in line 11 strike out the words, at the beginning of the line, "and two other members of said committee"; at the end of line 11 strike out the word "the"; and at the beginning of line 12

strike out the words "chairman of," so that as amended the language would be as follows:

That three members of the Committee on Agriculture, to be selected by said committee, shall be ex officio members of the Committee on Appropriations.

It seems to me there can be no objection to that, and I do not have any idea that anybody will object to it. I am not going to take up the time of the Senate to argue it, because I believe it will appeal to the Senate.

The PRESIDING OFFICER. The Senator from Nebraska offers the amendment to the amendment which will be reported by the Secretary.

The READING CLERK. On page 2, line 10, after the word "that," insert the words "three members"; then, in the same line, strike out the words "the chairman," and in lines 11 and 12 strike out the words "the chairman of," so that it will read:

That three members of the Committee on Agriculture, to be selected by said committee, shall be ex officio members of the Committee on Appropriations.

Mr. NORRIS. If this amendment is agreed to, then I shall ask unanimous consent that the same amendment be inserted wherever the other committees are referred to.

Mr. WILLIAMS. Mr. President, I want to propound a parliamentary inquiry, and instead of propounding it to the Chair I will propound it to the Senator from Nebraska. If I understand this amendment, there is no provision that any one of these three members shall be a member of the minority party.

Mr. NORRIS. No; there is not. As far as that is concerned, however, let me call the Senator's attention to the fact that the language as it stands does not make that distinction, either.

Mr. WILLIAMS. I know that.

Mr. NORRIS. My amendment does not change it in that respect.

Mr. WILLIAMS. Where a chairman appoints three members, the custom of taking one of those members from the adverse party has grown so strong that it has the force and sacredness of law.

Mr. NORRIS. The same thing is true of a committee.

Mr. WILLIAMS. The Senator proposes to change it so that instead of the chairman appointing the three members, the committee shall appoint them, and he ought to safeguard the bipartisan character of the Government.

Mr. NORRIS. I am perfectly willing to safeguard it. I am perfectly willing to say that one of them shall be a member of the minority party.

Mr. WILLIAMS. I suggest that where the Senator says three members——

Mr. NORRIS. I do not think there will ever be a case where they will all be selected from one political party; but I am perfectly willing to accept an amendment if the Senator will offer it.

Mr. WILLIAMS. I suggest that where the Senator proposes the insertion of the words "three members," he add the words "one of whom shall be a member of the minority."

Mr. NORRIS. All right; I agree to that.

The PRESIDING OFFICER. The Secretary will report the amendment to the amendment, as modified by the Senator from Nebraska.

The READING CLERK. As modified, the amendment to the amendment would make the clause read as follows:

That three members, one of whom shall be a member of the minority party, of the Committee on Agriculture, to be selected by said committee, shall be ex officio members of the Committee on Appropriations.

Mr. WARREN. Has the Senator from Nebraska accepted an amendment to his amendment?

Mr. NORRIS. No; I simply modified my amendment to correspond to the suggestion made by the Senator from Mississippi.

Mr. WARREN. That brings an entirely new matter in which we have never had in our rules. Of course, it will always be true that there will be a member of the minority party on such a committee, but I do not believe that the Senator should put that clause in.

Mr. NORRIS. I put it in to bring harmony. I do not care for it, and if I am getting into trouble by putting it in, I will, of course, leave it off.

Mr. WARREN. I will not object to the amendment if the Senator takes off that part of it. In view of the fact that we have gone for a hundred years without anything in our legislation which provides that there shall be so many Republicans and so many Democrats selected for service on conference committees, I would like to continue along that line. There has never been any complaint in a hundred years that I know of.

Mr. NORRIS. I agree with the Senator; but I am just as much in favor of having the minority represented on a conference committee as is the Senator from Mississippi.

Mr. WARREN. And so am I, absolutely. I want to say to the Senator from Mississippi that in all my long service here there never has been a complaint, and never will be, not only with me but with any other Senator who is chairman of the Committee on Appropriations.

Mr. WILLIAMS. The Senator from Wyoming perhaps did not hear what I said a moment ago. The present status has been sanctified by time and by precedent. No chairman of any committee would dare appoint conferees without giving the minority representation, because the precedent has become sacred by long usage; but the moment we make a change and deprive the chairman of the right to appoint the conferees and say that that power shall rest in the committee, then a motion may be made by any member of the committee to appoint any three named members as conferees, and the motion would be in order and no objection could be made to it.

If the Presiding Officer of this body appointed three conferees with the minority totally unrepresented, he would disgrace himself in the estimation of the Senate and of the country, because he would be violating the long-established custom; but when we make a change in the custom we open the door wide and the committee may not follow the precedent which chairmen hitherto have followed. The only reason why the chairmen have followed it is because it was very early established as a part of the ethics of this body; and the Senator knows as well as I do that when we vest responsibility in an individual he obeys the custom and the precedents, but when we vest it in a body of men they are not bound by any precedents unless we name the limitations under which they operate.

Of course, if the pending amendment is adopted with regard to this particular committee, it ought to be adopted with regard to all the others. I thought I would ask unanimous consent later that wherever the language occurred about three members, the words "one of whom shall be a member of the minority" shall be inserted.

Mr. WARREN. I appreciate the point the Senator from Mississippi makes. I am sorry to say that I can not believe that it ought to go into the rule, and therefore I shall have to object to the whole matter and leave it with the chairmen, rather than have the committees select the members. I would have no objection to it, but I am opposed to expressing in our legislation an utter lack of confidence in the members of our different committees. They have always acted well and they always will, undoubtedly, so I think we would better let the matter remain as it is.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, as proposed by the Senator from Nebraska to the amendment of the committee.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. WILLIAMS. Does the Senator's amendment cover the situation now without my suggestion embodied in it?

Mr. NORRIS. It does.

Mr. WARREN. I ask for the yeas and nays on the question.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "nay."

Mr. PHIPPS (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. DIAL] to the senior Senator from Pennsylvania [Mr. CROW] and vote "nay."

The roll call was concluded.

Mr. JONES of Washington (after having voted in the negative). I make the same announcement with reference to my pair with the senior Senator from Virginia [Mr. SWANSON]. I transfer that pair to the senior Senator from Kansas [Mr. CURTIS] and allow my vote to stand.

Mr. ERNST. Making the same announcement as before with reference to my pair and its transfer, I vote "nay."

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. McLEAN], and in his absence withhold my vote.

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. McCUMBER], the Senator from Kansas [Mr. CURTIS], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the

Senator from Connecticut [Mr. McLEAN], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained at a hearing before the Committee on Finance.

I was also requested to announce that the Senator from Delaware [Mr. DU PONT] is paired with the Senator from Louisiana [Mr. RANSDELL].

Mr. BROUSSARD. I wish to announce the absence of my colleague [Mr. RANSDELL] on official business.

The result was announced—yeas 20, nays 37, as follows:

YEAS—20.

Ashurst	Gerry	Norris	Stanley
Borah	Harris	Pittman	Walsh, Mass.
Broussard	Heflin	Reed	Walsh, Mont.
Caraway	Jones, N. Mex.	Robinson	Watson, Ga.
Fletcher	McNary	Stanfield	Williams

NAYS—37.

Brandegee	Hale	New	Sutherland
Calder	Harreld	Newberry	Townsend
Cameron	Jones, Wash.	Nicholson	Wadsworth
Capper	Kendrick	Oddie	Warren
Cummins	Keyes	Page	Watson, Ind.
Edge	Ladd	Phipps	Weller
Ernst	Lenroot	Poindexter	Willis
France	Lodge	Rawson	
Frelinghuysen	McKellar	Sheppard	
Gooding	McKinley	Sterling	

NOT VOTING—39.

Ball	Fernald	McLean	Shields
Barsum	Glass	Moses	Shortridge
Colt	Harrison	Myers	Simmons
Crow	Hitchcock	Nelson	Smith
Culberson	Johnson	Norbeck	Smoot
Curtis	Kellogg	Overman	Spencer
Dial	King	Owen	Swanson
Dillingham	La Follette	Pepper	Trammell
du Pont	McCormick	Pomerene	Underwood
Elkins	McCumber	Ransdell	

So Mr. NORRIS's amendment to the amendment was rejected.

Mr. NORRIS. Mr. President, I reoffer the amendment without the modification. I offer it now as I offered it originally.

The PRESIDING OFFICER. The Senator from Nebraska offers an amendment to the amendment, which will be reported by the Secretary.

The ASSISTANT SECRETARY. On page 2, line 10, strike out the words "the chairman" and insert "three members," so that it will read:

"That three members of the Committee on Agriculture and Forestry to be selected by said committee,"

And so forth.

Mr. WILLIAMS. Mr. President, may I ask that the amendment be read again?

Mr. NORRIS. I think I can state the effect of it so that the Senator will understand it more easily than he would from the reading. It is the same amendment that I offered originally without the modifying words that I put in before at the request of the Senator from Mississippi.

Mr. WILLIAMS. Then I move to amend the amendment by inserting the words "one of whom shall be a member of the minority."

Mr. NORRIS. We have had a square vote on that on a roll call and it has been defeated.

Mr. WILLIAMS. This will be defeated—at least so far as one vote can help to defeat it.

Mr. NORRIS. I do not think so. We have had a test vote on it. Will not the Senator allow us to have a fair test vote without the language he proposes to have inserted? I am just as anxious, I want to say to the Senator——

Mr. WILLIAMS. I have no objection, but there will be at least one vote less for it.

Mr. NORRIS. There always ought to be one minority member of a conference, and it will be that way, in my judgment, just the same as though we had it in the rule.

Mr. WILLIAMS. I would take it for granted that the principle has become somewhat sacred in every free country, and there are no free countries which are not governed by two parties where it would not be observed except that here lately——

Mr. NORRIS. I make the point of order against the amendment of the Senator from Mississippi on the ground that it is an amendment in the third degree.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The point of order is sustained.

Mr. WILLIAMS. I was about to observe that here lately I saw a principle equally sanctified in time violated by the Executive when he appointed the commissioners to settle our debt with Europe. The Executive found it possible to appoint them all from one party. So I am not prepared to believe that a committee, after we have destroyed the prerogative of the chairman to appoint conferees, would be bound by the old, long-established precedents.

I have no objection to withdrawing my motion and letting the Senator have a vote upon his motion without my suggestion, but, for one, while I voted for his motion with the suggestion embodied in it, I should certainly vote against his motion without the suggestion, because I know as well as I know my name that the very first time a committee appoints conferees the question will come up in the committee as to whether it is permissible to appoint exclusively members of the majority party, and the argument will be made that a motion with a provision for minority representation was voted down, and that subsequently a motion to put in a proposition of like character was withdrawn, and the contention will be made that having destroyed the precedent of the chairman appointing the conference committee, having put the appointment in the committee instead of the chairman, the old rule of ethics does not apply. I know that as well as I know that my name is JOHN SHARP WILLIAMS. Therefore I shall vote against the motion without that limitation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska to the committee amendment as amended.

The amendment to the committee amendment as amended was agreed to.

Mr. NORRIS. I wish to offer another amendment to the amendment; but first I ask unanimous consent that the amendment to the committee amendment which has just been adopted be inserted in each case where the provision is made in the proposed amendment to the rules for additional members to come from other committees.

Mr. WILLIAMS. Mr. President, I shall be forced to object to the request for unanimous consent unless there accompanies the request a provision that at least one member of the minority shall be selected.

Mr. NORRIS. Then I offer the same amendment to the amendment in each of the other instances in the committee amendment where it will apply.

The PRESIDING OFFICER. The Senator from Nebraska offers an amendment to the amendment which will be stated.

The ASSISTANT SECRETARY. On page 2, line 16, it is proposed to strike out the words "that the chairman of the Committee on Post Offices and Post Roads, and two other members of said committee, to be selected by the chairman of said committee" and to insert "that three members of the Committee on Post Offices and Post Roads, to be selected by said committee."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Nebraska [Mr. NORRIS] to the amendment of the committee will be stated.

The ASSISTANT SECRETARY. On page 2, line 22, it is proposed to strike out the words "that the chairman of the Committee on Military Affairs and two other members of said committee, to be selected by the chairman of said committee," and to insert "three members of the Committee on Military Affairs, to be selected by said committee."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Nebraska to the amendment of the committee will be stated.

The ASSISTANT SECRETARY. On page 3, line 3, it is proposed to strike out the words "that the chairman of the Committee on Naval Affairs, and two other members of said committee, to be selected by the chairman of said committee," and to insert "that three members of the Committee on Naval Affairs, to be selected by said committee."

The amendment to the amendment was agreed to.

Mr. NORRIS. Mr. President, I renew my request for unanimous consent for the adoption of the same amendment in each of the other cases.

The PRESIDING OFFICER. The Senator from Nebraska asks unanimous consent that the amendment proposed by him to the amendment of the committee may be made in the other portions of the amendment relating to the different committees concerning which the amendment may apply.

Mr. WILLIAMS. Just one moment. I have indicated why I can not fail to object to that request.

The PRESIDING OFFICER. Does the Senator object?

Mr. NORRIS. I will ask the Senator to consent that we vote at one time on all the other amendments to the amendment. Instead of taking up each one separately, let us vote on them en bloc. I think the Senator will not object to that, and I ask unanimous consent that that may be done.

Mr. WILLIAMS. No; I suggest to the Senator to make the motion that in connection with the other amendments the change shall be made.

Mr. NORRIS. Of course, if the Senator from Mississippi objects, we shall have to take a separate vote on each amendment to the amendment. I have offered each one of the amendments. I ask that we vote on all of the amendments to the amendment at once.

Mr. WILLIAMS. I can not consent to sacrifice the right of the minority or to run any risk as to the right of the minority; so I refuse consent.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Nebraska to the committee amendment will be stated.

The ASSISTANT SECRETARY. On page 3, line 9, after the word "Appropriation," in the amendment inserted in that place relative to the Committee on the District of Columbia, it is proposed to strike out the words "that the chairman of the Committee on the District of Columbia, and two other members of said committee to be selected by the chairman of said committee," and to insert "that three members of the Committee on the District of Columbia, to be selected by said committee."

The PRESIDING OFFICER. The question is on agreement to the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Nebraska to the amendment of the committee will be stated.

The ASSISTANT SECRETARY. On page 3, line 16, after the word "war," it is proposed to strike out "that the chairman of the Committee on Foreign Relations, and two other members of said committee," and to insert "that three members of the Committee on Foreign Relations, to be selected by said committee."

The amendment to the amendment was agreed to.

Mr. NORRIS. I believe that concludes all of the amendments I have offered to the committee amendment, does it not?

The PRESIDING OFFICER. It does.

Mr. NORRIS. Now, I have another amendment, for which I ask the attention of the Senate for just a few moments. I have stated a number of times that I wanted to strike out all of the committee amendment after the word "however," in line 10, on page 2.

I want to eliminate from the committee amendment all of that portion which provides that from the respective committees that have heretofore had jurisdiction of appropriation measures three members shall be sent to the Committee on Appropriations whenever an appropriation bill, which would otherwise go to those committees, shall be considered by the Committee on Appropriations.

I realize from the discussion which has taken place on this proposed rule that such an amendment would fail. I feel deeply interested in it, and I think the Senate is making a sad mistake to build up the Appropriations Committee with a number of Senators who will be on that committee to-day and off it to-morrow. The only argument that has appealed to me as being logical and the one that has been persisted in and which I think has some merit is that if we adopt my proposed amendment now it will deprive the Appropriations Committee of the services of the members of other committees who are more or less familiar now with the various appropriation bills. I think there is something in that contention.

It is said that after a few years we may take the question up again and further amend the rule, because then the Appropriations Committee will have become familiar with the other appropriation bills as they are already familiar with the appropriation bills which are now within its jurisdiction.

I desire to offer an amendment which will automatically eliminate the representation of other committees after a sufficient time has elapsed for the Appropriations Committee to become familiar with its work. So I move, Mr. President, to insert after the word "That," in line 10, page 2, the words "until the close of the Sixty-seventh Congress." If the Senator from Wyoming, or any other Senator, objects seriously to the limitation of the Sixty-seventh Congress, I will make it the Sixty-eighth Congress; but, if Senators will accept the suggestion, I will make it the Sixty-seventh Congress; so that it will read in this way:

Provided, however, That, until the close of the Sixty-seventh Congress, three members of the Committee on Agriculture—

And so on and so forth—

shall be members of the Committee on Appropriations.

I offer the amendment to meet the argument that the Committee on Appropriations needs the assistance of three members from each of the other appropriating committees until they familiarize themselves with the work. I ask the Senator from Wyoming if he will not accept that amendment.

Mr. WARREN. Mr. President, I have great respect for the opinion of the Senator from Nebraska and all the more so when in taking the stand he has taken he deprives himself of whatever privilege he might enjoy under the proposed rule in sitting as a member of the Committee on Appropriations. However, after some twenty-odd years of the practice of referring appropriation measures to various committees instead of to one committee, under the rules which were adopted many years ago, the conditions became such that the Committee on Appropriations felt that the only proper course was to call upon the Committee on Rules to suggest a new rule which, in that committee's judgment, would harmonize matters and instead of adding to the confusion would eliminate as much of the confusion as was possible. So they have brought in this report, and I would not feel that I could in good faith accept an amendment of the kind suggested by the Senator.

Having myself served on the Committee on Appropriations when all of the appropriation bills were considered by the Committee on Appropriations, I know how possible and how practicable it is for that committee, with the proper selection of its personnel, to carry on its work and conduct its business in the manner which the Senator from Nebraska indicates. However, the suggestion of the Senator from Nebraska as to a time limit after which the provision in regard to members of other committees sitting ex officio with the Appropriations Committee shall not apply, carries with it in my mind the idea that, having adopted this principle and having followed it for some months or years, it will prove itself to be satisfactory to the Senate, on the one hand, or, on the other, if it shall meet with disfavor, then I presume the Senate would immediately repeal it. Of course they could repeal it at any time after it becomes a part of the rules. So I would not be able, on behalf of the committee, to accept the amendment offered by the Senator from Nebraska.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). The question is on the amendment offered by the Senator from Nebraska to the amendment of the committee as amended.

Mr. JONES of Washington. Mr. President, I desire to say merely a word or two. Personally I would favor the amendment of the Senator from Nebraska, and, if my judgment alone would control the matter, I would gladly vote for it. I am inclined to think, however, that the majority sentiment of the Senate at the present time is in favor of the proposition that is now contained in the resolution, and so I would be afraid that if the amendment were adopted the Senate might reject the whole proposition. I think that would be very unfortunate and very unwise. So I am perfectly willing to take the judgment of what I believe to be a majority of the Senate.

In line with the suggestion of the Senator from Wyoming, the chairman of the Committee on Appropriations, I think, if the plan should not work out satisfactorily, there would be no trouble about the Senate amending the rule and doing what the Senator from Nebraska now proposes to do. After a certain lapse of time, if the various committees should be dissatisfied with the manner in which the rule is working or should be dissatisfied with having three of their members from time to time taken off the committees and away from their legislative work, they would ask the Senate then to make the change, and there would be no trouble about making it. For that reason, although personally I think the proposal of the Senator from Nebraska suggests the best course to be followed, I shall vote against it.

Mr. NORRIS. Mr. President, it is discouraging to me to have my friend from Washington [Mr. JONES] cheer me up so by saying that he is personally in favor of an amendment that I offer, and then, after I have been lifted up to the skies in the bright hope of his able support, to have him announce that he is going to vote against it. I think it illustrates what has been mentioned before, Mr. President, that we are apt to follow the lead of the committee. I speak of that with perfect respect. I do not agree with it, but other Senators do. They have as good a right to their opinion as I have to mine; but I think we have had it illustrated to-day on the roll call on the first amendment that I offered. Most of the Senate, I think, were favorable to it. All were in favor of the principle involved. Some thought it better not to state it in words, but they all wanted to carry out the principle of having the minority represented on this committee; but because the chairman of the committee having the resolution in charge was opposed to it, the Senate, as far as his side of the Chamber was concerned, voted almost to a man to sustain the committee on the roll call, although a majority of them had not heard the debate.

Some Senators say we are afraid to give any more power to the Committee on Appropriations. If we did not have a provision in this proposed rule that takes away the legislative

jurisdiction of the Committee on Appropriations, I should be opposed to the entire change. I think, however, that provision relieves it of all danger; but if there is anything in that argument, we are building up here a Committee on Appropriations that will constitute a majority of the Senate when every Member of the Senate votes. That, in reality, is what we will do. They will not be members of the committee all the time; they will be on again and off again; but when it comes to voting they probably will have a prejudice—if such a prejudice ever exists in favor of a committee—in favor of the Appropriations Committee, because part of the time they are going to be on the committee. So if we are going to follow committees we will have a voting proposition in the Senate that will make everything in the past look like 30 cents.

The committee is not to blame for that. I am not criticizing the committee. I am simply asserting that if there is anything in the argument, that Senators come in and blindly follow the committee, which they do, as everybody knows, and probably ought to do, because they can not always be posted on every proposition that comes up—we are constituting now a committee that will be over 40 in number.

Mr. President, there are only two reasons for doing it. One is to put it in so as to ease up gradually on these Senators who are losing some of their power in the other committees that heretofore have had appropriation bills. The other is to assist the Committee on Appropriations, and give it information for a time, by putting on its roll Members who are posted better than they are on some of the appropriation bills that will go to that committee. That objection is met by the amendment I have offered. Let them do that until the end of this Congress, or, if anybody wishes—I do not care—let it be done until the end of the next Congress. The Senator from Washington says, however, that he favors the amendment as I have offered it, and I have no doubt that that is the position of a large number of other Members who are going to follow the Senator from Washington, who is an honored member of the Appropriations Committee, and is also the chairman of one of the standing committees that heretofore has had appropriation bills, and that now will be entitled to have three of its members placed upon the roll of the Appropriations Committee.

The Senator says we can change this rule in the future. Technically, that is true; but all Senators know how difficult it is to get that kind of a change. I shall be out of the Senate, and the Senator from Washington will be dead from old age before that change will be brought about if it is not made now, in my humble judgment.

Mr. McCORMICK. Mr. President, will the Senator permit an interruption?

Mr. NORRIS. Yes.

Mr. McCORMICK. If it be true that the change could be made in the future, would it not be reasonable for the Senators supporting the amendment to the rule to accept the change at this time?

Mr. NORRIS. I think so. It seems to me it would.

Mr. McCORMICK. If they are not in precise agreement with the Senator from Nebraska, a conference might bring them into agreement, at least in so far as the chairmen of the committees may be concerned.

Mr. NORRIS. Mr. President, let me say further that if this amendment is agreed to I shall not move to strike out all of the language. I shall accept it as it is. If it is not agreed to, I shall have to ask the Senate at least to take another vote on my proposition to strike it all out.

Mr. EDGE. Mr. President, will the Senator state again the length of time his amendment provides for?

Mr. NORRIS. Until the close of the Sixty-seventh Congress. That means that all the appropriation bills for this session and all the appropriation bills for next session will be provided for under the rule with the three additional members from the other committees.

Mr. KING, Mr. JONES of Washington, and Mr. McCORMICK addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield, and to whom?

Mr. NORRIS. I yield first to the Senator from Utah, who rose first.

Mr. KING. Mr. President, on behalf of some of us who have been absent from the Chamber attending committee meetings, I should like to ask the Senator the full significance of his amendment, and to what extent it would affect the general rules now existing?

Mr. NORRIS. If the Senator has the printed resolution before him——

Mr. KING. I am entirely familiar with that.

Mr. NORRIS. I move to insert, after the word "That" in line 10, on page 2, the words "until the close of the Sixty-seventh Congress," so that the proviso, which constitutes in words the largest part of the amendment, will be in force only during the Sixty-seventh Congress.

Mr. KING. And the Senator thinks that at the expiration of that time this experiment will have demonstrated whether it is wise or otherwise? Is that the object?

Mr. NORRIS. Yes.

Mr. JONES of Washington. Mr. President, I do not think the Senator from Nebraska intended to put me in the wrong light in my position on this matter, and yet it seems to me that he did.

Mr. NORRIS. Mr. President, if the Senator feels that way, I want to apologize to him and assure him that I have no such disposition.

Mr. JONES of Washington. I know the Senator has not.

Mr. NORRIS. I had no such intention, and I was not aware that I had done that. I assure the Senator that if I have said anything that has that effect I shall be very glad to take it all back and strike it out.

Mr. JONES of Washington. I knew absolutely that the Senator did not intend that. My recollection is, however, that the Senator started out by saying that what I had said illustrated how Senators follow committees. I am not taking my position on this proposition because of any committee action, or for the purpose of following the committee, or anything of the sort. I am taking my position with reference to this matter on the same principle, in my judgment, that the Senator from Nebraska would allow this adopted provision to run for a year or two. I think he thinks that he can come closer to effecting the proposal that he makes now than to cut this out right now and refer these bills directly to the committee. He thinks there is a better chance of securing its adoption. I think that is true. It is no compromise of conviction for a Senator to take a course like that. It is simply a question of what he may think, under all the circumstances, it is best to do.

I thought I stated pretty clearly that the reason why I did not feel like voting for the amendment of the Senator from Nebraska was because I feared that if it were adopted the Senate would vote down the whole proposition. That is what I am afraid of. I think I know somewhat the sentiment of various Senators. I have heard them express themselves, and I know that there is quite a feeling among members of the different committees that have been making appropriations heretofore that they do not like to see this power taken away from their committees, and they are reconciled to it by having representation on the Appropriations Committee when their bills are under consideration. I believe that the membership of the Post Office Committee, for instance, are better satisfied with the proposition that when the Post Office bill is up three members of their committee shall aid in its consideration than they would be with a proposition to have them cut off entirely from participating in its consideration. Personally I should be in favor of doing that right now, not because I am a member of the Committee on Appropriations but because I believe it to be the best thing to turn all these appropriations over to the Appropriations Committee as it stands. That would be my personal preference, and I think that would be the preference of the Senator from Nebraska, instead of extending for a couple of years the time when it shall take effect; but I doubt if that proposition would be approved by a majority of the Senate, and so I am perfectly willing to compromise some part of my judgment—not of my conviction, because that is not involved—in order to get results, in order to get what I think would be better than the condition that confronts us now.

Mr. President, that is a perfect expression of my position in the matter. To reiterate, personally I believe that in the end it would be the best thing for the whole Senate if the Appropriations Committee, constituted with the membership that it has, were given full authority over appropriations, and if the various other committees had full and complete authority over legislation. I agree with the Senator from Nebraska that the vital thing here, so far as the Senate itself is concerned, is really the matter of taking away the possible power of the Appropriations Committee to legislate if any Member of the Senate does not desire it to do so. I think that is a very important thing, and I think putting all of these appropriation bills before the Appropriations Committee will make the other committees more jealous of their rights and their powers over legislative matters, and they will see to it that the Appropriations Committee does not overstep its jurisdiction.

Mr. EDGE. Mr. President, in my judgment, if we propose to carry out the real intent of a modern budget system we shall sooner or later be compelled to adopt the very provision that the Senator from Nebraska now proposes. We should approach the entire question from a very broad standpoint, satisfied that the Appropriations Committee will carry out the great responsibilities delegated to them as a disbursing board similar and parallel to a disbursing board in any successful business enterprise. A modern budget originates with the Budget officer in connection with the estimates made by the departments, and is then transmitted to the Congress by the President. If we do not make the appropriations in the ordinarily accepted business way that has inspired budgets and has been accepted by all successful concerns, then, in my judgment, the entire plan will be a failure.

I agree entirely with the Senator from Nebraska [Mr. NORRIS] in this matter. I would prefer to see the Committee on Appropriations at once charged with the full responsibility of making the appropriations for all the departments of the Government, without temporary influence from other committees, upon which they might sooner or later to some extent fall back. From the standpoint of the administration of a business budget, accepted throughout the business world, in my judgment, it must ultimately be carried out in that manner if it is to be successful.

I recognize, as does the Senator from Nebraska, the peculiar conditions which exist here; the fact that for years and years we have had the other system; the realization that separate committees necessarily are better acquainted with the subject matter over which they exercise a certain jurisdiction, and perhaps for a year or so the assignment of members of those committees to the Committee on Appropriations will be helpful because of that knowledge; but if it was with any other idea that these three men were assigned, ex officio, to temporary membership on the Appropriations Committee, then I think we would be initiating the Budget system by making a most monumental error.

One committee must assume the responsibility and be in a position so that they can not separate or delegate the responsibility. The fundamental principle of a budget system is to estimate the income and to make the disbursements accordingly, and just the moment you divide those responsibilities with members of the other committees, particularly interested in the activities of that particular work—be it Army, Navy, Post Office, Commerce, or whatever department—just that moment you are not carrying out the real intent of successful budget making and budget balancing. You would be inviting the very thing we have had—only in a minor degree, I will admit, because this is a great step forward—the encouraging of deficits, as we have to-day, always have had, and always will have as long as separate committees have the responsibility they have had or even if a few members of separate committees have the responsibility.

When you can charge the one committee with the entire responsibility and their clerical force is organized for the purpose of carefully arranging and having at hand the details of income and all the allowances for the various departments of the Government are in one appropriation bill or under one committee and the expenditure is kept, in the ordinary business way, within the Budget, then we will have a modern budget system.

I agree with the Senator from Nebraska that it will be very much more difficult, when we are not in the atmosphere and not really dealing with a settlement of the details of the Budget system, to make further changes. Now, we have a rule before us, and we realize and recognize that we must make certain changes in order to meet the situation at the other end of the Capitol and in order to cooperate with the executive system so successfully operating at the other end of the Avenue.

This is the time to make the changes and to provide ultimately to have responsibility centered, as it must be centered if the administration of the Budget is to be successful, giving two years' leeway, which I think is wise.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. NORRIS] to the committee amendment.

Mr. NORRIS. I ask for the yeas and nays on the amendment to the amendment.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Making the same announcement as to my pair and its transfer as before, I vote "yea."

Mr. ERNST (when his name was called). With the same announcement as before, I vote "nay."

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS], and not knowing how he would vote, I withhold my vote.

Mr. MYERS (when his name was called). I have a pair with the senior Senator from Connecticut [Mr. MCLEAN]. In his absence I withhold my vote.

Mr. PHIPPS (when his name was called). Transferring my pair with the junior Senator from South Carolina [Mr. DIAL] to the senior Senator from Pennsylvania [Mr. CROW], I vote "nay."

Mr. WALSH of Montana (when his name was called). Has the senior Senator from New Jersey [Mr. FRELINGHUYSEN] voted?

The VICE PRESIDENT. He has not.

Mr. WALSH of Montana. I have a general pair with that Senator, and in his absence I withhold my vote.

The roll call was concluded.

Mr. JONES of Washington. I desire to announce that the Senator from Delaware [Mr. DU PONT] is paired with the Senator from Louisiana [Mr. RANSDELL].

Mr. COLT. Making the same announcement as before with regard to my pair and its transfer, I vote "nay."

Mr. KING. I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. SIMMONS. I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. In his absence, I withhold my vote.

Mr. SUTHERLAND. I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. I transfer that pair to the senior Senator from Utah [Mr. SMOOT] and vote "nay."

I desire also to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Indiana [Mr. WATSON], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Kansas [Mr. CURTIS], the Senator from Connecticut [Mr. MCLEAN], the Senator from New York [Mr. CALDER], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained on business of the Senate.

Mr. FERNALD (after having voted in the negative). Has the senior Senator from New Mexico [Mr. JONES] voted?

The VICE PRESIDENT. He has not.

Mr. FERNALD. I have a pair with that Senator, which I transfer to the junior Senator from New York [Mr. CALDER], and allow my vote to stand.

Mr. JONES of Washington (after having voted in the negative). Making the same announcement with reference to my pair with the senior Senator from Virginia [Mr. SWANSON] and the transfer of that pair to the senior Senator from Kansas [Mr. CURTIS], I will let my vote stand.

The result was announced—yeas 14, nays 39, as follows:

YEAS—14.

Capper	France	McCormick	Stanfield
Caraway	Heflin	McKellar	Stanley
Cummins	Keyes	McNary	
Edge	Ladd	Norris	

NAYS—39.

Brandegee	Harris	Oddie	Sterling
Cameron	Jones, Wash.	Overman	Sutherland
Colt	Kendrick	Page	Townsend
Culberson	King	Phipps	Wadsworth
Ernst	Lenroot	Poindexter	Walsh, Mass.
Fernald	Lodge	Pomerene	Warren
Fletcher	McKinley	Rawson	Watson, Ga.
Gerry	New	Reed	Weller
Gooding	Newberry	Sheppard	Willis
Hale	Nicholson	Smith	

NOT VOTING—43.

Ashurst	Elkins	McLean	Shortridge
Ball	Frelinghuysen	Moses	Simmons
Borah	Glass	Myers	Smoot
Broussard	Harreld	Nelson	Spencer
Bursum	Harrison	Norbeck	Swanson
Calder	Hitchcock	Owen	Trammell
Crow	Johnson	Pepper	Underwood
Curtis	Jones, N. Mex.	Pittman	Walsh, Mont.
Dial	Kellogg	Ransdell	Watson, Ind.
Dillingham	La Follette	Robinson	Williams
du Pont	McCumber	Shields	

So Mr. NORRIS's amendment to the committee amendment was rejected.

Mr. MCKELLAR. I move, after the word "That," on line 10, page 2, that there be inserted the words "beginning with the December, 1922, session of the Congress."

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 2, line 10, after the word "That," insert the words "beginning with the December, 1922, session of the Congress," so as to make it read:

That, beginning with the December, 1922, session of the Congress, three members of the Committee on Agriculture, to be selected by said committee, shall be ex officio members of the Committee on Appropriations—

And so forth.

Mr. McKELLAR. Before my amendment to the amendment is voted on, I wish to say that a great many of the appropriation bills have been virtually prepared. Take the Post Office appropriation bill, for instance. I think we have some 15 items of general legislation on that bill. It has already been considered carefully by the committee in the greatest detail, it has been tentatively agreed to, and it seems to me that to undo that now, put it in the hands of another committee, and make it impossible for us to add that very much-needed legislation to the appropriation bill, would be a great mistake. That is my judgment about it.

Mr. NORRIS. I did not hear the Senator's amendment. I wish he would tell me what it provides.

Mr. McKELLAR. It provides that on page 2, line 10, after the word "That," there be inserted the words "beginning with the December, 1922, session of the Congress."

Mr. NORRIS. That means that it would not take effect until when?

Mr. McKELLAR. Until next December.

Mr. NORRIS. I presume the Senator, when he speaks of the Post Office appropriation bill, has reference to the bill which is now before the Committee on Post Offices and Post Roads?

Mr. McKELLAR. I have reference to that bill.

Mr. NORRIS. My understanding is that the adoption of this rule would not affect that reference. The bill is already here and has been referred to the Committee on Post Offices and Post Roads.

Mr. McKELLAR. I do not know what effect it would have upon it. I think it would have the effect of immediately vacating it, and if any appropriation bill is reported with legislation on it it would be subject to the rule.

Mr. NORRIS. Oh, no.

Mr. McKELLAR. How could it be otherwise?

Mr. NORRIS. The rule, so far as a point of order is concerned, applies to the Committee on Appropriations only. The bill to which the Senator has reference has already passed the House, has been in the Senate and referred to the Committee on Post Offices and Post Roads, and they now have it there.

Mr. WARREN. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I gladly yield.

Mr. WARREN. That bill is in the hands of the Committee on Post Offices and Post Roads and we could not take it from that committee. The Committee on Appropriations could not take it from the Committee on Post Offices and Post Roads if they would, and would not if they could. That bill, I hope, will come out at an early date from the Committee on Post Offices and Post Roads, and under their guidance I hope it will pass without any interference on the part of other committees.

Mr. McKELLAR. Let us take the Post Office appropriation bill, for illustration: When the bill comes from the committee it will not be subject to this rule. Is that the understanding—that it will not be subject to a point of order? Here is a rule that applies to appropriation bills. Is it possible that the rule will be held not to affect legislation that comes in an appropriation bill from the Committee on Post Offices and Post Roads?

Mr. WARREN. What the Senator is talking about is in effect already. In fact, the first part of the rule is simply a repetition of the rule as it now stands to-day in the Senate.

Mr. McKELLAR. Let me read the Senator's proposed amendment:

And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it is made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate.

That has reference to general legislation. Further down in the proposed amendment this language is found:

And if an appropriation bill is reported to the Senate—

It does not say by the Appropriations Committee, but any committee. I suppose it refers to—

containing new or general legislation, a point of order may be made against the bill.

I take it, if we adopt the rule and if the Committee on Post Offices and Post Roads reports the present Post Office appropriation bill to the Senate containing 15 or any number of items of general legislation, that all any Senator would have to do would be to rise in his place and make a point of order against the bill because it contains this new legislation, and it would go back to the committee. I do not see how it could be avoided. If the Senator from Wyoming would point out how it can be avoided I would like to have him do so. I can not see it.

Mr. WARREN. Is the Senator trying to get something through in that bill which is contrary to the usual practice? I assume not, of course.

Mr. McKELLAR. Oh, no; not at all; but the committee has already in its discussions agreed upon, my recollection is, about 15 items of general legislation; that is, they are usually held to be general legislation. That legislation is very much needed by the department in many particulars and many respects. Of course that legislation would be subject to a point of order, and the whole bill would go back to the committee. That is the reason why I have introduced the amendment postponing the effect of the rule until the next session of Congress.

I think it would be confusion worse confounded to undertake to deal with those bills now right in the middle of the session, when some bills have already been reported out and passed and others are in the course of preparation in the various committees. The Committee on Military Affairs has a bill of its own to report out later, and it will be subject to a point of order if anything is contained in it in the way of legislation for the Army.

It seems to me the language ought to be corrected and the rule ought to take effect in the future. I see no better time for making that correction, if the rule is to be adopted, though I am opposed to any change in the rule absolutely, but if the majority have agreed upon it and we are obliged to have the rule, it ought to take effect at some time in the future when we know just what will happen.

Mr. JONES of Washington. Mr. President, may I offer a suggestion to the Senator?

Mr. McKELLAR. Certainly.

Mr. JONES of Washington. I think there is considerable force to what the Senator has said, but——

Mr. WARREN. Mr. President, we do not know what the Senator from Tennessee is talking about until we can have his proposed amendment written and read from the desk. I would like to know what the Senator is offering.

Mr. JONES of Washington. I was going to suggest making the amendment apply only to appropriation bills that are now here and that have gone to other committees than the Committee on Appropriations. I think there is only one.

Mr. WARREN. The Senator from Tennessee is certainly not quite up with the times, because there is only one appropriation bill in the Senate that is not already in the hands of the Committee on Appropriations. There are others in preparation in the House, it is true, but when they come here they will be referred according to the rules of the Senate as those rules may be in existence when the bills come over here.

Mr. McKELLAR. That would certainly take in the Post Office appropriation bill, which is virtually completed. I know that is true, because I serve on that committee.

Mr. JONES of Washington. There is no contest about that.

Mr. McKELLAR. It would take it out of the hands of the Committee on Post Offices and Post Roads.

Mr. WARREN. Will the Senator present his amendment, so we may have it read and understand what it is?

Mr. McKELLAR. Let the Secretary read the amendment.

The ASSISTANT SECRETARY. On page 2, line 10, after the word "That," insert the following:

beginning with the third session of the Sixty-seventh Congress.

Mr. WARREN. That will not do. If the Senator wants to except but one bill, that is entirely another matter.

Mr. JONES of Washington. May I suggest to the Senator, too, that this rule would not apply to the Post Office appropriation bill when it is reported, because it is not reported from the Committee on Appropriations. A point of order that would send a bill back to the committee is only upon an amendment to a bill reported from the Committee on Appropriations.

Mr. McKELLAR. Let us see whether that is correct or not. I call the attention of the Senator and the Senate to the part of the amendment beginning in line 4, page 2:

The Committee on Appropriations shall not report an appropriation bill containing new or general legislation, and if an appropriation bill—

"If an appropriation bill." It does not make any difference where it comes from at any time, whether the Committee on Post Offices and Post Roads or anywhere else—

is reported to the Senate—

That includes the bill to which the Committee on Post Offices and Post Roads have virtually agreed.

Mr. NORRIS. Mr. President, may I interrupt the Senator again?

Mr. McKELLAR. I am delighted to yield.

Mr. NORRIS. I believe that the Senator's construction would not be given by the Presiding Officer or the Senate as he has outlined it. Let us read further. It would look to me to be clear that the rule applies only to general appropriation bills reported from the Committee on Appropriations. Let us read it clear through and see:

The Committee on Appropriations shall not report an appropriation bill containing new or general legislation, and if an appropriation bill is reported to the Senate—

The Senator thinks that means from any committee, and if we did not read it all we might reach that conclusion—

and if an appropriation bill is reported to the Senate containing new or general legislation, a point of order may be made against the bill, and if the point is sustained the bill shall be recommitted—

Now, where?—

to the Committee on Appropriations.

Mr. WARREN. Recommitted.

Mr. NORRIS. Yes; recommitted.

Mr. McKELLAR. Of course, it would go right back there.

Mr. NORRIS. Take the case of the Post Office appropriation bill. Suppose the committee agree upon that bill after we have adopted this rule. The question then arises whether the rule applies to that bill. I submit that anyone reading the entire rule would say it can have no application, because if we enforce it the bill would be recommitted, and that means sent back to the place from whence it came. The rule says "recommitted to the Committee on Appropriations," not to the Committee on Post Offices and Post Roads.

Mr. WARREN. The Senator is absolutely right in his construction.

Mr. McKELLAR. There is no doubt in the world about the language and there can not be any doubt how the Presiding Officer would construe it. If it is not the intention to include the present Post Office appropriation bill, I ask the chairman of the Committee on Appropriations if he will accept an amendment like this: In line 6, after the word "Senate," insert the following:

If an appropriation bill is reported to the Senate other than the pending Post Office appropriation bill.

That will exclude it.

Mr. WARREN. I have no objection to that.

Mr. McKELLAR. I offer that amendment.

Mr. NORRIS. I want to suggest to the Senator some language that it seems to me would be less objectionable than that. Why not say, if the Senator wants it—although I do not think it is necessary—"if an appropriation bill is reported to the Senate by the Appropriations Committee," or "by said committee."

Mr. McKELLAR. I think the other way is the better way to arrange it. There can not be any doubt about it then.

Mr. NORRIS. This is going to be a permanent rule. If it was a temporary affair, I would not object to the wording the Senator from Tennessee suggests.

Mr. McKELLAR. But we are taking over for the Appropriations Committee the work of the various other committees. The work has been done in our committee, and the Post Office appropriation bill is virtually completed.

Mr. WARREN. Will the Senator wait just a moment? There is no objection to the Senator's exception of that bill if he refers only to the present Post Office appropriation bill, but so far as he has read his amendment it would constitute part of a standing rule hereafter applicable to other Post Office appropriation bills.

Mr. McKELLAR. What suggestion would the Senator from Wyoming make about it?

Mr. SMITH. Mr. President, may I suggest to the Senator from Tennessee that it would meet the point at which he is driving to add a proviso at the end of the rule providing that the rule shall not apply to those bills which have already been referred to the committees of the Senate.

Mr. McKELLAR. If that is satisfactory to the chairman of the Committee on Appropriations, I am willing to so arrange it.

Mr. WARREN. If the Senator has the confidence that I have in the Assistant Secretary at the desk, let me say that I have no objection to the exception being made to the present Post Office appropriation bill that is in the hands of that committee, and to permitting the Assistant Secretary to prepare an amendment to that effect; but I would object to having it generally apply hereafter to that particular bill.

Mr. McKELLAR. If I may, I withdraw the amendment which I have offered, and propose after the word "justice," on page 3, to strike out the period and insert a colon and add the following:

Provided, That this rule shall not apply to the Post Office appropriation bill——

Mr. WARREN. Let the Assistant Secretary state it.

The ASSISTANT SECRETARY. Add at the end of the resolution the following proviso:

Provided, That this rule shall not apply to the bill making appropriations for the Post Office Department for the fiscal year ending June 30, 1923.

Mr. WARREN. There is no objection to that.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment as amended.

Mr. HARRISON. Mr. President, I serve notice that I shall offer a certain amendment, but before doing so I desire to call the attention of the Senate to the effect on Indian appropriations if the proposed rule is adopted in its present form. Of course, it will do no good to do that. There are not more than three Senators on the other side now present in the Senate who are interested in appropriations for the Indian tribes. I am sorry there are not more present now. Of course, questions will be asked them, perhaps, when they return to their States and their constituents wake up to the fact that a rule has been adopted here that takes away from the Indian Affairs Committee the power and authority to make appropriations for their respective Indian tribes, and that it has been given over to the Appropriations Committee of the Senate, and that under that rule the appropriations they have received for years can not be made and will not be made under existing law. Arizona and Nevada and Washington and Colorado will be affected by it. Of course, Oklahoma will be more affected than will any other State, because more Indians live within its borders than in any other State. It is useless for me to try to pick out in a resolution which proposes to change the rules of the Senate a defect that will rob Indian tribes of the appropriations which they have received for years. It will have no effect unless the champions of those Indians on the floor of the Senate aid in the fight.

Of course, I know that there is a coterie of Senators here with influence and power who are grasping for more power, and under this rule will obtain it. If clerks or employees of the Senate are interested in the political welfare of absent Senators who represent States in which there are tribes of Indians, they would do well to summon them here, for there shall be a roll call. At present only the junior Senator from Nevada [Mr. ODDIE], the junior Senator from Kansas [Mr. CAPPER], the junior Senator from Arizona [Mr. CAMERON], the junior Senator from Nebraska [Mr. NORRIS], the senior Senator from Colorado [Mr. PHIPPS], and the senior Senator from Washington [Mr. JONES] are in their seats on the Republican side of the Chamber; and yet we are now discussing and are about to adopt a rule which will take away from the committee that has heretofore provided appropriations for the Indian tribes the right to bring in a bill for that purpose.

I base that statement on the ground that there are at least a hundred provisions in the Indian appropriation bill wherein appropriations are made for the education and civilization of certain tribes. That is done without authority of law; but it has been a beneficent act on the part of the Government to make these appropriations year by year. There is, however, not a line of law giving authority for such appropriations. I have here the act of the last Congress making appropriations for Indians and I wish to read certain portions of it. Those provisions could not be included in the bill under the language of the pending resolution, for it provides that—

The Committee on Appropriations shall not report an appropriation bill containing new or general legislation, and if an appropriation bill is reported to the Senate containing new or general legislation, a point of order may be made against the bill, and if the point is sustained, the bill shall be recommitted to the Committee on Appropriations.

So when the Committee on Appropriations is given this proposed enlarged authority and they begin to provide for the appropriation of money, say, for the support and civilization of Indians in Arizona to the amount of $190,000, there being no authority of law for the appropriation, some Senator will make the point of order against it; and if no other Senator does so, I shall, not because I am against such appropriations but because I wish to show the rottenness of the system that will concentrate in the hands of a few Senators on the Appropriations Committee the power to decide what appropriations shall be made for all the interests of the entire United States. So all

that need be done if this resolution shall pass is simply for a point of order to be made, and not merely the particular provision as to which the point of order is made will go out, but, under the proposed rule, the appropriation bill will be recommitted to the Appropriations Committee.

There are now fewer Senators on the other side of the Chamber than there were a moment ago. The chairman of the Committee on Appropriations, the Senator from Wyoming [Mr. WARREN], however, has now come into the Chamber.

Mr. WARREN. I observe, Mr. President, that on the side of the Chamber of the Senator from Mississippi there are only three Democratic Senators present.

Mr. HARRISON. The attendance is full over here.

Mr. NORRIS. How can they get full now?

Mr. HARRISON. Because they have been associating with Members on the Republican side.

But, Mr. President, I wish to get back to this discussion. This is a very serious matter. If I am wrong in my construction of the proposed rule, I wish the chairman of the powerful Committee on Appropriations to tell me wherein I am wrong. I put the question to him now.

Mr. WARREN. The Senator from Mississippi can not be wrong.

Mr. HARRISON. I know I am not wrong about this matter.

Mr. WARREN. I do not know what the Senator is talking about; but he must be right.

Mr. HARRISON. I thank the Senator from Wyoming. I say that under the provision of the pending resolution which prevents any new or general legislation being brought in on an appropriation bill, if a point of order is made against such provision the whole bill shall be recommitted to the Appropriations Committee. Am I wrong in that statement?

Mr. WARREN. Not at all. That is the rule to-day, only, instead of going back to the committee, under the present practice as to which the point of order is made, if the point be sustained, the item goes out of the bill.

Mr. HARRISON. Yes; that is right. So that, under the present practice, if a general appropriation bill contains such an item of general legislation, and the point of order is made against it, if the point be sustained, the particular provision goes out, but the entire bill does not go back to the committee.

I have stated that under the head of Indian appropriations there are many items for which there is no authority of existing law. I will read some of those items. For instance, under the heading of "California," there are items:

For support and civilization of the Indians of California, * * * $42,000.

* * * * * * *

For the support and education of 750 Indian pupils at the Sherman Institute, Riverside, Calif., * * * $152,600.

* * * * * * *

IDAHO.

For support and civilization of the Indians on the Fort Hall Reservation, in Idaho, * * * $29,000.

* * * * * * *

KANSAS.

For support and education of 750 Indian pupils at the Indian school, Haskell Institute—

And so forth. Yet there is not an iota of law for the appropriation of any money for the civilization and support of any Indians of any tribe in the United States.

Mr. WARREN. Mr. President, the Senator makes that statement to us in a very loud voice, but he knows as well as I do that the fact is quite to the contrary, and that there is authority of law for such items.

Mr. HARRISON. Does the Senator tell me that there is authority of law for an appropriation for the support and civilization of the Indians in Arizona?

Mr. WARREN. In the case of all the Indians, for that matter, for the support of whom provision is made, the action is taken under treaties and laws; and a treaty has the same effect as a law in such cases, as, of course, the Senator well knows.

Mr. HARRISON. I do not know it. I happened to have some experience in the other House, and I know that in at least two sessions of Congress while I was a Member practically every provision of the bill was stricken out on points of order because there was no authority of law for them. They are gratuities; they are beneficent acts upon the part of the Government, to provide money for the support and civilization of the Indians. Of course, if an appropriation is designed to carry out some treaty stipulation, the statement I have made would not apply; but only at the last session of Congress, I believe it was, when the scheme of enlarging the Appropriations Committee and taking away from the other committees any authority to provide appropriations was suggested, it will be recalled that a Representative from New York, Mr. SNYDER, made points of order against the various provisions as they came from the Appropriations Committee, and there was nothing but a skeleton left of the bill when he finished; all of the provisions of this character went out; and finally in the House they had to bring in a special rule reported by the Rules Committee to make the items in order.

Of course, there is no authority of law for such provisions, and so if this rule is adopted and the great Appropriations Committee, presided over by the distinguished Senator from Wyoming, should bring in the appropriation bill providing for the support and civilization of the Indian tribes, if there is no authority of law for the appropriations, they will go out on points of order and the bill itself will be recommitted to the committee. Yet when the roll is called there will be some Senators who are interested in the Indian tribes and who, knowing these facts—or they should know them, and if they were present here and would listen to and participate in the discussion they would know them—who will vote for the resolution. I put them on guard, so that when they go back, after helping to create that situation, and no appropriation is made to care for the support of the Indians, the responsibility will be upon them.

So, Mr. President, before the consideration of the pending resolution is over I shall offer an amendment to strike out that part of the committee amendment which provides that when new matter is brought in in a general appropriation bill and a point of order is made against it that the bill shall be recommitted to the committee. If that provision shall be stricken out, it will leave the rule as it is to-day, namely, that in the case of general appropriation bills, if there is an item subject to a point of order and the point of order shall be made and sustained, it shall apply only to the particular provision and not affect the whole bill.

But, Mr. President, I am first going to offer an amendment in the form of a substitute that goes to the very meat of this question. The amendment is in the form of a substitute, and I send it to the desk and ask that it may be read, so that I may discuss it.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. It is proposed to amend the amendment reported by the committee as amended by striking out all after line 9, on page 2, and inserting the following:

however, when appropriations for rivers and harbors are being considered by such committee, the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Commerce as ex officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Department of Agriculture are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Agriculture as ex officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Diplomatic Consular Service are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Foreign Relations as ex officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Department of War are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Military Affairs as ex officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for Indian Affairs are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Indian Affairs as ex officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Department of the Navy are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Naval Affairs as ex officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the Post Office Department are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on Post Offices and Post Roads as ex officio members of the Committee on Appropriations, shall consider such appropriations; when appropriations for the District of Columbia are being considered by such committee the chairman thereof shall appoint three members of such committee as a subcommittee, which, together with the members of the Committee on the District of Columbia as ex officio members of the Committee on Appropriations, shall consider such appropriation. When a bill making appropriations enumerated in this paragraph is in conference, at least two such ex officio members who considered such bill shall be appointed as conferees, one of whom shall be of the minority party.

Mr. EDGE. Mr. President, if the Senator will yield before discussing the proposed amendment, did I understand the Senator to state a few moments ago, when I came into the Chamber, that he approved of the system of enacting general legislation as part of a general appropriation bill?

Mr. HARRISON. I think there are instances where it is very advantageous to incorporate general legislation in an appropriation bill. We never would have had rural free delivery in this country had it not been for the incorporation in a gen-

eral appropriation bill of the provision that started the present system of rural free delivery. The regulation of cotton exchanges was included in a general appropriation bill. The standardization of warehouses came in on a general appropriation bill; and I could enumerate instance after instance of very wise and beneficent legislation that was enacted on general appropriation bills.

Mr. EDGE. Why does the Senator assume that we never would have had any of that remedial or beneficial legislation if it had not been passed through that method? I can not see any reason for such an assumption. If the bills were meritorious—and the bills which the Senator has mentioned certainly were—is there any reason why they could not have been discussed as many other independent or individual measures have been discussed, separately from an appropriation bill, and finally have secured the approval of the majority of the Senate and of the other House and of the President?

I am simply asking the Senator if he approves of the system of using appropriation bills for the enactment of general legislation; that is all.

Mr. HARRISON. I think there are instances where it is very wise to put general legislation on appropriation bills. Of course, as a general rule, I think they should not go there; but there are exceptions to the general rule. I think it is all right, though, to make these appropriations for the civilization and education of these Indian tribes in the general appropriation bill, and if they stay in the bill there must be some law enacted before it can be done in the future.

Mr. President, the Senator from Wyoming [Mr. WARREN], the chairman, and other members of the Appropriations Committee, who soon will have enlarged authority and greater powers and who have been very constant in their attendance here, appear to feel good over the prospects of their greater influence in the Senate. I do not blame them, for we are about to thrust on them great powers, and none of them are running away from it. Of course, arrayed with the majority are some minority Senators of long standing who stand highest on the committee. They think they will be taken into this new—I will not say "conspiracy," because it is not a conspiracy; there has been no lobbying for this proposition—this new association, not of "nations," but of "persons."

Mr. EDGE. This syndicate, perhaps.

Mr. HARRISON. So it is very hard even to find one of the minority members over here who is the highest man on one of the committees who will oppose this proposition.

This is the finest scheme I ever saw originated by smart men. Senators on the other side know that they would have no chance of passing this resolution in its original form. When the Senator from Wyoming offered it first, he did not ask for an enlargement of the membership of the Appropriations Committee. He did not ask to have three ex officio members brought in from the Agricultural Committee or the Military Affairs Committee or the Naval Affairs Committee or the Commerce Committee; but he asked that all of these bills that formerly were referred to the various other committees should be sent over to the Appropriations Committee, and that the same membership that now composes the Appropriations Committee should consider these bills and handle them.

There were certain very distinguished leaders of the Rules Committee, when they considered the Senator's proposed rule, who knew and told him frankly that he could not get that proposition passed in that form. They said to him, "You may be able to get just the votes of the 18 members of the Appropriations Committee when it comes up, but that will leave some 78 other Members of the Senate, and they will not vote for it." The Senator from Wyoming is wise and able and smart and shrewd. He knows the devious ways of putting through resolutions as well as bills here. There are not any paths that he has not walked. He knows all the movements of the inner circle. He has been a part of the controlling powers that have dominated the Senate of the United States for a long time. When he realized that he would only be able to get 18 votes to give this committee all this power, namely, the votes of the Appropriations Committee, his eyes were opened, and he said to the Senator from Kansas [Mr. CURTIS], who is another smart one, now chairman of the Rules Committee, "Well, let us bring in these three ex officio members of the Naval Affairs Committee. That will get LODGE, and that will get PAGE, and that will get the ranking Democrat on that committee."

Let us do the same thing with the Commerce Committee, and that will get JONES of Washington—well, he is already on the committee, and "it will get the next influential Senator." Then they took up the Agricultural Committee, and they thought it would get the Senator from Nebraska [Mr. NORRIS], but he did not fall for it, and the Senator from Oregon [Mr. MCNARY] did not fall for it. I do not know whether the Senator from South Carolina [Mr. SMITH], the ranking Democrat, will fall for it or not. He has been pretty regular in his attendance here.

Mr. McCORMICK. Mr. President, what was that language?

Mr. HARRISON. They have offered something to the Senator from Illinois. I have not been able to detect it yet, but I will if he votes for it. It may be that he is a condidate for this vacancy on the Appropriations Committee. No; I beg the Senator's pardon, because Illinois already has a member on the Appropriations Committee—a splendid Senator, a lovable character. He has not been here very long. Of course I know it will be very pleasing to Senators over there who have been here for years to see the power taken away from them and given over to the junior Senator from Illinois, who has been here only a few months; but there is a vacancy there, and no doubt if the junior Senator from Illinois were not on the Appropriations Committee the senior Senator from Illinois would be a candidate for it.

Mr. McCORMICK. He would not.

Mr. HARRISON. I am surprised. He is generally in favor of being on the inside. At any rate, there are a lot of candidates for it, and they have overworked that proposition, and I can see that there is competition over there between certain Senators for the place made vacant by the resignation of the junior Senator from Iowa [Mr. KENYON].

Mr. WARREN. Mr. President, will the Senator make his selection?

Mr. HARRISON. Oh, I shall not be consulted. You would get a good man if I were.

Mr. WARREN. We are consulting the Senator now for a nomination.

Mr. HARRISON. You have already promised it, I think, and the Senator to whom you have promised it has been very vigilant and very active in defending this resolution.

Mr. WARREN. I have not promised, and I will not promise the Senator from Mississippi, but if he will make a nomination I will consider it.

Mr. HARRISON. No; I shall not get much consideration—not any more than I shall get in the fight I am waging against this proposition; so you can see just what we are up against.

Mr. McCORMICK. The steam roller.

Mr. HARRISON. The steam roller; yes. I know that the resolution is going to pass, but I want to call the attention of the country to the concentration of power here in the Senate—more than there has been in the history of the Senate, I presume, or at least more than since 1896, when it was all in the Appropriations Committee of the Senate and when the Senate saw that it was not working well, that there was too much power in the hands of a few men and that it should be segregated and divided among the Members. Of course, that did not meet the approval of the Senator from Wyoming at that time, because he was a Member of the Senate then, and he is the only Member of the Senate to-day who was a Member of the Senate at that time who voted against it.

Mr. McCORMICK. What about the Senator from Massachusetts [Mr. LODGE]?

Mr. HARRISON. The Senator asks me about the Senator from Massachusetts. I am coming to him.

Mr. McCORMICK. The Senator generally does.

Mr. HARRISON. I always hate to do it, but he makes me do it.

Mr. McCORMICK. "All roads lead to Rome."

Mr. HARRISON. No; some roads are going to lead to destruction, and one of them is going to be in Massachusetts.

Mr. McCORMICK. And the Senator from Mississippi and Gov. Cox will lead the way.

Mr. HARRISON. Anybody can lead the way and do the job.

The Senator calls my attention to the senior Senator from Massachusetts [Mr. LODGE]. He was a Member of the Senate at the time this great power was exercised by the Appropriations Committee. He made a speech on that question, and he advocated doing away with that policy. I want to read part of that speech. Of course, it is in line with the general conduct of the Senator from Massachusetts in changing on propositions.

Mr. WARREN. Mr. President, the Senator probably noticed that it was very soon after the Senator from Massachusetts came to the Senate, and as a youth he was likely to do what the Senator from Mississippi so often does—get wrong.

Mr. HARRISON. It was before he had become contaminated over here, though. He voted right in those days.

Mr. WARREN. Did he not keep on voting right, then?

Mr. HARRISON. He has since made a lot of slips.

Here is what the Senator from Massachusetts said at that time, when the Senate had up the question of taking away from the Appropriations Committee the power to make all appropriations and to distribute it around to other committees. Of course, I know this will not have any influence upon Senators on the other side.

I know from service on one committee—

Says the senior Senator from Massachusetts—

I was on the Naval Committee which prepared the naval appropriation bill—how it worked in practice.

He was talking about the other House, and from 1867, I believe, or some time following the War between the States, up until 1885, the House followed the system of one committee making all the appropriations, namely, the Appropriations Committee. They changed that system in 1885.

Mr. McCORMICK. Why?

Mr. HARRISON. They changed it because they saw that there was too much power placed in the hands of one committee, and so, by a vote of 256 to 70, I think it was, they did away with that practice and gave the authority to the various committees to make appropriations.

Mr. EDGE. Mr. President——

Mr. HARRISON. And from 1885 up until 1920 or 1921, when the House changed the plan again and brought about all this confusion, they got along splendidly over there by letting the various committees make the appropriations for the various interests of the country. I yield to the Senator.

Mr. EDGE. Does not the Senator recognize the difference between the situation in those days and the recently installed Budget system, through which now estimates are pruned and considered carefully by men appointed for that specific purpose, with staffs working for weeks and months, and are then brought to the Appropriations Committees and to Congress? Does not the Senator recognize the difference between that kind of preparation and the situation in those days, when each one of those committees probably had to do all the investigating themselves?

Mr. HARRISON. Yes and I am going to tell the difference between then and now. The Senator knows it, so I will not be telling him anything new; but just to refresh his memory I am going to tell him the difference between what happened under this administration, before we got the Budget, and what has happened since we got the Budget. The Senator says the change has been rendered necessary because of the Budget. He did not come to that conclusion, I think, until about 6 o'clock yesterday afternoon, because the argument made then was that because the House had one committee to make these appropriations the Senate had to follow suit, because you could not segregate the bills. That was the reason the Senator from Wyoming outlined in his speech some weeks ago.

Mr. WARREN. That was one of very many reasons.

Mr. HARRISON. That was the main reason. Now, they say it is the Budget. The Budget has nothing to do with this change of policy. The President sends in his estimates after they have been approved by the Director of the Budget. They come here just the same as they did in the old days, in a big Book of Estimates. Some of them are cut down, perhaps some of them are enlarged. The Congress must deal with the proposition the same as it dealt with it in the olden days.

The Senator from Wyoming knows that the House could segregate the propositions and bring in the bills in the same manner and form as they did in former days. They do not do it just that way now. They have one committee, and the plan which I propose, which I expect to discuss, will take care of the situation against which the Senator spoke on yesterday.

The Senator from New Jersey [Mr. EDGE] asked me the difference between conditions now, when there is a Budget, and the system in effect in the old times. We used to get our estimates. We would appropriate the money, and we would appropriate enough in a general appropriation bill to take care of the situation. We did not believe in deficiencies. We thought that when you formulated a plan and made an estimate of how much it was going to cost this year, you should stay within those limits; but since the Budget has been adopted under present control of affairs we have more deficiency bills than ever before.

Mr. WARREN. In number or amount?

Mr. HARRISON. In amount and in number.

Mr. WARREN. The Senator is getting so extravagant that the facts are not even in sight. The deficiency bills to-day are but a fraction of what they were before. We had one deficiency bill carrying between eight and nine million dollars. We had others carrying hundreds of millions of dollars.

Mr. HARRISON. The Senator is one of the fairest Senators here——

Mr. WARREN. I thank the Senator.

Mr. HARRISON. He knows that you can not compare the figures of to-day with the figures during the war, and that the only fair comparison is of appropriations to-day with appropriations during normal times before the war. The Senator knows that before we entered the war the deficiencies were quite small, never in any instance over $37,000,000, and they were very few in number; but all during this Congress, although it was claimed by the administration that they were going to stay within the estimates originally given to the Congress by the Director of the Budget, we have had three deficiency bills; there is another one being considered in the House and on its way over here; two of them were for over a hundred million dollars each, and the other was so high that the figures just bewilder me.

Mr. WARREN. I think the Senator would like to be truthful; it is just as easy. We have had but two deficiency bills passed.

Mr. HARRISON. How much did the first one provide for?

Mr. WARREN. Aside from the Veterans' Bureau——

Mr. HARRISON. I am including the Veterans' Bureau.

Mr. WARREN. It was about $5,000,000.

Mr. HARRISON. The amount of the deficiency, I mean.

Mr. WARREN. The Senator has just stated the difference between war time and the old times. There is a difference between the present, when there is a hang-over of the war, and the old times. We are now appropriating about half a billion a year for the disabled veterans. Does the Senator object to that?

Mr. HARRISON. The Senator from Wyoming knows that I have been fighting here for months to persuade him and his party to redeem the pledge they made to the soldiers of the country, when they promised them an adjusted compensation bill; yet our efforts have been in vain.

Mr. WARREN. I am talking about the disabled soldiers. Does the Senator object to those appropriations we have made?

Mr. HARRISON. Of course not. I voted for them and voted for amendments to make them larger when the Senator and other Senators over there fought the amendment of the Senator from Arkansas [Mr. ROBINSON] to give them a fair amount, which they needed and deserved.

Mr. WARREN. Let me say to the Senator that those things loudly said do not affect the facts.

Mr. HARRISON. The record speaks for itself.

Mr. WARREN. Let me say to the Senator that when he says we have smaller amounts in deficiency bills than in the olden times he forgets that we appropriated less then to run the Government—less than one-tenth what we are appropriating now—and, of course, the deficiency bills were smaller accordingly. Furthermore, there was no war until the Spanish War, and then we had the effect of that. But now we are really in the war, so far as appropriations are concerned, because we are settling these great expenses, besides taking care liberally and well of all the disabled soldiers. The fact that the soldiers who are well and strong have not yet received the amounts which they expected cuts no figure as to the other. They can well wait.

Mr. HARRISON. They know who did it. I thought the Senator was going to answer my question, but he got off on the subject of disabled soldiers. I asked the Senator the total amount of the first deficiency bill passed by this Congress.

Mr. WARREN. About $120,000,000.

Mr. HARRISON. How much was the second?

Mr. WARREN. About $90,000,000; and almost all of that for the Veterans' Bureau.

Mr. HARRISON. The other was for how many millions? It was enormous. The whole amount was somewhere around $300,000,000, according to the figures which the clerk of the Appropriations Committee gave me the other day. It looks as if it is hard for the Senator from Wyoming and myself to agree.

Mr. WARREN. That is wonderful!

Mr. HARRISON. I started out to read from the speech which the senior Senator from Massachusetts [Mr. LODGE] made away back in 1896, in advocacy of a rule to take away from the Appropriations Committee the power to make all appropriations and place it in other committees, but the Senator from Wyoming diverted me. I suppose it was because he did not want to hear the speech.

Mr. WARREN. I would be very glad to hear it. I would like to hear the speech of the Senator from Massachusetts [Mr. LODGE] in place of the speech of the Senator from Mississippi. It would be a better speech I am sure.

Mr. HARRISON. I hope the speech of the Senator from Massachusetts, as I read it, will have more effect now on the Senator than when the Senator from Massachusetts made it in 1896.

Mr. WARREN. Undoubtedly the Senator is right in that.

Mr. HARRISON. Because it did not have much influence on him then. The Senator from Massachusetts said:

I was on the Naval Committee which prepared the naval appropriation bill and know how it worked in practice.

Mr. WARREN. And he is on the Naval Affairs Committee of the Senate now.

Mr. HARRISON. So he speaks by the card. He would not vote for this resolution at this time if he were not under the hypnotic influence of the Senator from Wyoming.

Mr. WARREN. He speaks and votes to-day by the card, too.

Mr. HARRISON. Because the Senator from Wyoming tells him what to do.

Mr. WARREN. Not at all.

Mr. HARRISON. The Senator from Massachusetts knows that as chairman of the Foreign Relations Committee he will be brought into this coalition, that he will be a part of the "association of persons," if not the "association of nations"; so you have him. You have a lot of them. The Senator from Wyoming holds such a great position, in control of the purse strings of our Government, they naturally will have to come into his office with hats in hand and plead with him, and some of them get on their knees, I imagine, at times.

Mr. WARREN. Just as the Senator from Mississippi has now.

Mr. HARRISON. No; I have not, because it takes all my time to fight the Republican extravagance; but with the great power which the Senator wields, all he has to do is just take that magic wand, and he gets the support of those Senators who have not been here very long; who realize that some day they must get an appropriation; that the powers that be are going to put over this proposition, and that they had better be found on the right side of the ledger when the votes are read, so that the scrutinizing eye of the distinguished Senator from Wyoming will see that they voted right. He will be more liberal with them and they will not have to come into his office with hats in hand; they can have seats near the throne. So I want to read the argument which was made in those days by the distinguished Senator who is to-day the leader of the majority. He said:

In the first place, a committee having only one appropriation bill gives great attention to it, and I think it prepares a better bill than can be prepared by a committee which has 14 bills.

That is what he said in those days. Let me read it again, so that it will burn into Senators' minds, whether they pay any attention to it or not:

In the first place, a committee having only one appropriation bill gives great attention to it, and I think it prepares a better bill than can be prepared by a committee which has 14 bills.

When an appropriation bill comes into the House from the Naval Committee or any other committee which has a single appropriation bill to consider it is subjected to the watchful and very jealous scrutiny of the Committee on Appropriations, who follow everything the other committee undertakes to do.

That is always true. If the Committee on Agriculture to-day had the Agricultural appropriation bill before this body, either the influential Senator from Wyoming or one of his great lieutenants would be on the floor of the Senate all the time, watching every movement, to see that too great an appropriation was not made for the agricultural interests of the country. So the Senator from Massachusetts was right.

Further he said:

Those bills were distributed in the House of Representatives, and there is not a suggestion or a thought in that House of going back to the old system. It is universally conceded that the new system has worked well.

That was the system which was put in force in 1885, when the one-committee idea was abolished and the various committees were given the power to make the appropriations. The Senator from Massachusetts spoke with authority and from experience, as he had observed it in the House from 1885 to 1896, when he made that argument.

Mr. CARAWAY. Mr. President, I would like to ask the Senator who the witness is he is quoting.

Mr. HARRISON. This is a speech delivered by the distinguished leader of the majority [Mr. LODGE], who has now fallen under the spell of the distinguished Senator from Wyoming, the chairman of the Committee on Appropriations. The Senator from Massachusetts is running true to form, at one time expressing himself one way, then changing, and at another time expressing himself another way.

Mr. CARAWAY. In other words, being on both sides of the question?

Mr. HARRISON. Yes.

Mr. CARAWAY. Is that the dashing knight the Senator recently referred to?

Mr. HARRISON. He is now the "subdued knight."

Mr. President, of course it is difficult for me to get the distinguished Senators of the majority, who compose the Committee on Appropriations and who are now about the only ones on the floor, to listen to me. For instance, there is the distinguished Senator from Wyoming [Mr. WARREN] reading or studying some bill.

Mr. WARREN. I beg the Senator's pardon. Is the Senator from Mississippi still talking?

Mr. HARRISON. Oh, yes.

Mr. WARREN. The Senator from Mississippi is still on the floor?

Mr. HARRISON. I am still quoting the eloquent remarks of the leader on the Republican side of the aisle.

Mr. WARREN. I did not know but that the Senator had forgotten he was talking, and had gone away somewhere as to his physical being.

Mr. HARRISON. I know the Senator from Wyoming is not paying any attention to what we say. He is not paying any attention to anybody except those whom he thinks he can corral to pass this resolution. He is now thoroughly contented, well pleased, and satisfied that he has enough Members pledged to put over the resolution that will give him greater power, and consequently he proceeds to read and pay no attention to the discussion.

Mr. PITTMAN. Mr. President——

Mr. HARRISON. I yield to the Senator from Nevada.

Mr. PITTMAN. I am satisfied that a larger number of Senators would like to be present if they realized that the speech of the Senator from Massachusetts [Mr. LODGE] is being read, so I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CAMERON in the chair). The Secretary will call the roll.

The reading clerk called the roll and the following Senators answered to their names:

Ball	Hale	Nelson	Sheppard
Brandegee	Harris	New	Stanfield
Cameron	Harrison	Newberry	Sterling
Capper	Heflin	Norris	Townsend
Caraway	Jones, Wash.	Overman	Wadsworth
Cummins	Kendrick	Page	Walsh, Mont.
Ernst	Ladd	Phipps	Warren
Fletcher	Lenroot	Pittman	Watson, Ga.
Gerry	Lodge	Rawson	Willis
Gooding	McKinley	Reed	

Mr. HEFLIN. I wish to announce that my colleague [Mr. UNDERWOOD] is absent on account of illness.

The PRESIDING OFFICER. Thirty-nine Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The reading clerk called the names of absent Senators, and the following Senators answered to their names:

Fernald	King	Oddie	Poindexter

The following Senators entered the Chamber and answered to their names:

Bursum	Colt	Glass

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum is not present.

Mr. WARREN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

The following Senators entered the Chamber and answered to their names:

Walsh, Mass.	Sutherland	Smith

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. There is a quorum present. The Senator from Mississippi will proceed.

Mr. PITTMAN. Mr. President, it is evident that the Senator from Mississippi desires to continue for some time longer. It is Saturday afternoon, and rather late in the afternoon. Would not the Senator from Wyoming, if there is no objection, agree to adjourning at this time?

Mr. WARREN. There is objection to adjourning. We have nearly finished with the resolution under consideration, and it is my desire that we should remain in session until it is finished. It was so understood this morning when we started, and I do not now wish to adjourn over to another day. We have been nearly a week considering the matter. I understood from what the Senator from Mississippi told me that he has nearly finished, but I do not wish to cut him short. I would rather stay until midnight than do that.

Mr. HARRISON. I desire to quote from some other distinguished Senators who condemned this system, which is about to be put upon us, when it was before the Senate for considera-

tion in 1896. That will take some time, and then I desire to analyze the subject before us.

Mr. WARREN. We are entirely agreeable to patiently hear the Senator.

Mr. REED. Mr. President, I move that the Senate adjourn.

Mr. WARREN. I ask for the yeas and nays on the motion.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. PHIPPS (when his name was called). Making the same announcement as before relative to my pair and its transfer, I vote "nay."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. He seems to be absent from the Chamber, and I accordingly withhold my vote.

The roll call was concluded.

Mr. SIMMONS. I transfer my pair with the Senator from Minnesota [Mr. KELLOGG] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. COLT. Transferring my pair with the Senator from Florida [Mr. TRAMMELL] to the Senator from New York [Mr. CALDER], I vote "nay."

Mr. JONES of Washington (after having voted in the negative). I make the same announcement as I previously made with reference to my pair with the senior Senator from Virginia [Mr. SWANSON]. I transfer that pair to the senior Senator from Minnesota [Mr. NELSON] and will let my vote stand.

While on my feet I desire to announce the absence of the Senator from Oregon [Mr. MCNARY] on official business.

I also desire to announce that the Senator from New Hampshire [Mr. MOSES] is necessarily absent from the Chamber and is paired with the Senator from Louisiana [Mr. BROUSSARD].

Mr. FERNALD (after having voted in the negative). I have a pair with the senior Senator from New Mexico [Mr. JONES]. I transfer that pair to the Senator from New Hampshire [Mr. KEYES] and will allow my vote to stand.

Mr. ERNST. Making the same announcement as before relative to my pair and its transfer, I vote "nay."

Mr. SUTHERLAND (after having voted in the negative). I transfer my pair with the Senator from Arkansas [Mr. ROBINSON] to the junior Senator from Oklahoma [Mr. HARRELD] and allow my vote to stand.

Mr. EDGE. Transferring my pair with the Senator from Oklahoma [Mr. OWEN] to the Senator from Missouri [Mr. SPENCER], I vote "nay."

The result was announced—yeas 9, nays 51, as follows:

YEAS—9.

Ashurst	McKellar	Reed	Stanley
France	Pittman	Sheppard	Walsh, Mass.
Harrison			

NAYS—51.

Ball	Frelinghuysen	McKinley	Smith
Brandegee	Gerry	New	Smoot
Bursum	Glass	Newberry	Sterling
Cameron	Gooding	Nicholson	Sutherland
Capper	Hale	Norris	Townsend
Colt	Harris	Oddie	Wadsworth
Cummins	Heflin	Overman	Warren
Curtis	Jones, Wash.	Page	Watson, Ga.
Dillingham	Kendrick	Phipps	Watson, Ind.
Edge	Lenroot	Poindexter	Weller
Ernst	Lodge	Ransdell	Williams
Fernald	McCormick	Rawson	Willis
Fletcher	McCumber	Simmons	

NOT VOTING—36.

Borah	Harreld	McLean	Robinson
Broussard	Hitchcock	McNary	Shields
Calder	Johnson	Moses	Shortridge
Caraway	Jones, N. Mex.	Myers	Spencer
Crow	Kellogg	Nelson	Stanfield
Culberson	Keyes	Norbeck	Swanson
Dial	King	Owen	Trammell
du Pont	Ladd	Pepper	Underwood
Elkins	La Follette	Pomerene	Walsh, Mont.

So the Senate refused to adjourn.

MICHIGAN SENATORIAL ELECTION.

Mr. CARAWAY. Mr. President, in the CONGRESSIONAL RECORD of February 3 last, there was inserted, at his own request, a copy of a letter written by the junior Senator from Washington [Mr. POINDEXTER] dealing with the Newberry case. The letter is dated January 26, 1922, and is addressed to Mr. Thomas Marshall, lock box 561, Kirkland, Wash., and reads as follows:

DEAR MR. MARSHALL: I appreciate very much your courteous letter of 20th. I have made several statements as to my views of the Newberry case, but do not suppose the newspapers to which they were sent have printed them in such a way as to attract attention.

There is no dispute about the central features of the case. Senator NEWBERRY was not in Michigan during either the primary campaign or the final campaign, but during all that time was serving in the Navy at the place to which he was ordered, New York City. At the same time he had three sons and a brother in the military service. He paid little attention to what was going on in Michigan. It is not charged that he expended any money, or at least no amount subject to criticism. A large amount of money was raised by Republicans in Michigan in his behalf and expended in advertising and other legitimate purposes, although the amount, of course, was larger than it should have been. The incentive, no doubt, which influenced the Republicans in this effort was to offset the tremendous publicity carried on at perhaps ten times the expense of the Republican campaign by Mr. Ford through his various business agencies, probably the greatest publicity organization in the country. The campaign was in 1918, in the spring and early summer, at the critical stage of the war, and it was made a war issue. The entire Wilson administration, with every powerful agency under its command, was for Henry Ford, who was attempting to be nominated on the Democratic ticket as well as on the Republican ticket, and who was a pacifist, had opposed the effort to bring the war to a victorious conclusion, was in favor of a compromise peace, and who had secured the military exemption of his son. I only mention these circumstances to show the conditions under which the campaign was carried on.

I should like, if I may, to have the attention of the Senate while I read two paragraphs of this very remarkable letter:

Senator NEWBERRY was prosecuted, with great venom, by the Democratic administration which had backed Ford, and the powerful machinery of the Government, with its myriad of secret service agents, and with its machinery of district attorneys and marshals, was ordered to the task of securing evidence against NEWBERRY and sending him to prison. This, of course, was also backed up by the powerful influence of Henry Ford, controlling and owning one of the greatest and most powerful and wealthy industrial organizations in the world.

Fortunately for the liberties of the country this tremendous combination was halted by the Supreme Court of the United States—

If I may have the attention of the Senators——

Mr. HEFLIN. Mr. President, I ask that the Senate be in order, so that we can hear what the Senator is saying.

Mr. CARAWAY. I should not care to interrupt their private conversations.

which, in a decision going most thoroughly into the matter in every respect, completely vindicated Senator NEWBERRY of any offense. They also held that the law under which he was prosecuted was unconstitutional, but, in addition to that—

Mark you, if you will hear it—

they went into the merits of the case and held that he had not received a fair trial and that he was not guilty of any misconduct.

Upon a vote in the Senate, in which every Democrat who voted was arrayed against Senator NEWBERRY, following the partisan attacks which had been made upon him in the election and in prosecution referred to above, the Senate, following the Supreme Court of the United States, exonerated him from blame and declared his election to the Senate valid.

The country has been filled with malicious propaganda and false charges as to this case. The assertion is constantly made that Senator NEWBERRY's seat in the Senate was bought for $200,000. As stated above, there is not a single word of evidence to show that a dollar was improperly spent in the general election at which NEWBERRY was elected, and in which the whole matter was fairly submitted to the people of Michigan. It is also repeatedly stated that NEWBERRY bought his seat in the Senate. The evidence shows that he expended no undue amount of money and took no interest in the campaign, but devoted himself to his work in the Navy throughout the campaign, both the primary and final.

Various false assertions have been made as to influences brought to bear to secure votes in NEWBERRY's behalf in the Senate. I notice a detailed statement in that connection published in several Washington State papers as to my own vote. This statement is libelous and false from beginning to end, as no such influences were brought to bear and no such statements or anything resembling them or anything to that effect were made to me.

On the contrary, certain multimillionaire organizations, profiting financially by any popular excitement which they can arouse, were seeking by every means in their power to influence and intimidate Senators to vote against NEWBERRY. This may be referred to in more detail later on.

I want to pause here long enough to say that if there were any influences, corrupt and malign, as the Senator from Washington said, seeking to intimidate Senators and prevent them from voting their honest convictions, the Senate should know it and the country should know it. Therefore, at the conclusion of this statement I am going to offer a resolution asking for an investigation, so that the Senator from Washington may have an opportunity to produce his witnesses to show what those malign influences were that sought to prevent him and other Senators from voting their convictions in the Newberry case.

The concluding paragraph of this wonderful letter is:

To have condemned an innocent man, under the whip and lash of powerful agencies of the kind mentioned above, seeking to control the public affairs of the country, would have been a gross act of injustice.

With sincere regards, very truly, yours,

MILES POINDEXTER.

Mr. President, all agree that those Senators who voted to ratify the purchase of his seat by the junior Senator from Michigan [Mr. NEWBERRY] in this body are entitled to the widest latitude in explaining and apologizing to their constituents for so voting. None, I am sure, is inclined to criticize the reasons given, however much they may misrepresent the facts, so long as these explanations and apologies are not inserted in the CONGRESSIONAL RECORD and thereby sought to be incorporated as a part of the record in the Newberry case itself.

Personally, for the Senator from Washington I entertain a very high regard; but I do not think, in the interest of fairness and truth, the letter should be permitted to go unchallenged.

There are 11 assertions as to what the facts are alleged to be in the Newberry case, and I venture the assertion that every one of them is unsubstantiated and incorrect.

In paragraph 2 the Senator from Washington says, speaking of Mr. NEWBERRY, that he was in New York during the period of the campaign, both the primary election and the general election, and that "he paid little attention to what was going on in Michigan."

In reply one needs but quote the declaration of Mr. NEWBERRY, the junior Senator from Michigan, himself, in his speech of January 12, that his campaign manager and agent, Mr. King, kept him in close touch with what was going on in Michigan. The able Senator from Indiana, Mr. WATSON, a close friend and champion of the Senator from Michigan, also stated that Mr. NEWBERRY was kept informed of the progress of the campaign. NEWBERRY's lawyer also admits that he, NEWBERRY, knew everything that was transpiring in the campaign except about the money. His exact language was this:

I will concede he—.

Mr. TRUMAN NEWBERRY—

kept in intimate touch with the campaign.

That is from the record, page 532, and was a statement of Mr. Murfin, the chief counsel for Mr. NEWBERRY.

Of course they had to except that he knew about the expenditures of money. Therefore it is hardly to be expected that this statement that Mr. NEWBERRY was not in touch with the campaign in Michigan will be accepted. But, aside from all this, Senator NEWBERRY in his speech of January 9 indorsed in toto everything his "committee" did in his behalf. Therefore he is chargeable with their acts as if these had been performed by his expressed direction. A principal can not accept the benefits of his agents' acts and at the same time repudiate the agency or escape liability for the deeds. That is elementary law.

In the same paragraph the Senator from Washington says:

A large amount of money was raised by Republicans in Michigan in his [NEWBERRY'S] behalf and expended in advertising and other legitimate purposes.

Why did the Senator from Washington say this money was raised by Republicans? He knew it was raised by Senator NEWBERRY's family and near relatives. Practically every dollar came from them, and it was not a contribution by Republicans as such, but by NEWBERRY's family.

Did he desire that his constituents should not know this? The evidence further shows that some of this money was drawn out of TRUMAN H. NEWBERRY'S, the Senator's, own account and passed into the campaign fund through his brother's, John Newberry's, account. Permit me to say here that Smith, the confidential agent of Senator NEWBERRY and John Newberry and the whole Newberry estate, so testified—that he drew money out of Senator TRUMAN NEWBERRY'S account and put it in John Newberry's account so as to keep from having an overdraft while he was contributing this money to Senator NEWBERRY'S campaign. One hundred and twenty thousand dollars of it came through John Newberry's account, whether John's money or his brother's; but whether contributed by him or by the Senator is open to argument. It is contended that afterwards some one reimbursed him for $21,000. Who it was nobody seems to know.

As to the manner of disbursing this $263,000 shown to have been expended, and a much larger sum suspected, the Senator from Washington says that it was expended for "advertising and other legitimate purposes."

I am curious to know under which head the Senator from Washington will classify the expenditures that I shall now read. I am going to read the sworn testimony of J. Scott Hunter, of Detroit, who has not been impeached, whose veracity was not even questioned by the senior Senator from Michigan [Mr. TOWNSEND], and therefore I presume he could not have been attacked.

He asked me—

He was testifying about going to Newberry headquarters and meeting B. Frank Emery—

He asked me at that time to assist in the campaign, but there was no transaction between us. I returned to headquarters a few days afterwards by appointment. At that time he gave me $300 in currency. He requested me to work for Mr. Newberry's interest with the $300, and he gave me a lot of literature, buttons, etc., to distribute. I took the literature and buttons and I expended this $300. I spent it around advertising Mr. Newberry from one place to another, buying drinks and cigars. I spent the entire $300 that way. * * * After the $300 was gone I paid more visits to the headquarters. * * * Mr. Emery delivered a second $300 to me in cash. I did not give him a receipt. It was given to me for the same purpose. There was nothing mentioned in regards to it. I supposed it was meant for services. I spent it the same way as the other; that is, for liquor and cigars and treating through the city.

I shall be glad if the Senator from Washington will tell us whether that was "advertising" or "other legitimate expenses."

Mr. President, without taking the time of the Senate to read it again now, with the permission of the Senate I shall put into the RECORD another case, that of a gentleman whose name I am not now able to call, but with the Senate's permission I shall have it inserted in the RECORD. He went to Newberry headquarters. He and Paul King, who was the agent of Newberry and his campaign manager, were standing at a table. An employee of this committee brought to him an envelope and laid it down in front of him for him to take with him. He took it, and when he opened it he found that it contained $400. When the Senator from Washington answers, if he sees fit to do so, I shall be glad if he will tell us under which head he classifies this $400—whether it was "advertising" or some other "legitimate expense"; and if it was, I should love to have his definition of what constitutes "legitimate expense."

The matter referred to was subsequently furnished by Mr. CARAWAY, as follows:

John E. Kern testified:

"I reside at Midland, Mich., which is in Midland County, about 135 or 140 miles northwest from Grand Rapids and about 117 miles from Detroit. I am in the real estate business and have lived at Midland about 16 years. * * * Probably a week or so afterwards, and a week or 10 days before the primary, Corliss asked me to go to Detroit to meet Paul King, and I went to Detroit and had a conversation with Mr. King at his office, where I was taken by Mr. Corliss. * * * While Mr. King and I were talking there, and in the presence of King, a sealed envelope was put on the table right beside me there to take all right. I do not recall whether my name was on it or not. I put it in my pocket. I did not open it there. I left Detroit to return to Midland on the evening train. I opened the envelop on the train during the course of the trip and found $400 in it. This occurred, I would judge, between the 15th or 20th, or some place along there, in August, along there, may be the 20th or 25th. I was probably called secretary of the Newberry organization of Midland County."

Mr. CARAWAY. This $600 about which I have been reading was given to one man by Senator NEWBERRY'S campaign committee to be expended in the purchase, in Mr. NEWBERRY'S behalf, of liquors and cigars, and the testimony was that it was so expended in the city of Detroit alone.

Mr. REED. Can the Senator tell us whether the evidence shows that this particular individual had exclusive charge of that branch of the advertising or whether there were others?

Mr. CARAWAY. I am sorry that I can not answer the Senator from Missouri, but I take it for granted that if they were so interested in advertising by buying liquor they would not have intrusted their whole advertising fund to one agent. It would be fair to presume that other men were engaged in this "legitimate" expenditure of money.

I would like to ask how the Senator from Washington would class the purchase of votes? I would like to have the Senator's attention, and to have him answer under which head he would classify this expenditure.

This is the sworn testimony of Frank P. Bohn:

Frank P. Bohn said he lived at Newberry, in Luce County, Mich., and was a physician and banker. He said that he did not believe that Mr. NEWBERRY had any interest in his town now; he said the family did have at one time. He said that "Paul King came to my office in the spring of 1918 and asked me to manage the Newberry campaign for Luce County, and I agreed." He said: "James F. McGregor first spoke to me about compensation; this was two or three weeks after Paul King's visit. He said that he was there as field secretary, looking after the Upper Peninsula, and Mr. McGregor said he would send up sufficient funds to take care of what I needed. He left no money, but I received a cashier's check on the Commonwealth State Bank of Detroit, and also a draft drawn by the Union Trust Co. on the People's State Bank of New York."

I would like, in passing, to say just this: There is no evidence in this record, except this one man's statement, that they had a campaign fund in a bank in New York. They led us to believe that all their funds were contained in deposits made in two banks in the city of Detroit, and yet they evidently had a fund in a New York bank, because he referred to a draft drawn by the Union Trust Co. on the People's State Bank of New York.

One was for $100 and one for $50. He said: "I expended further $125 for workers distributing literature and getting the vote out. Also had a list of voters in the various townships made, which I used." He said: "I employed about 15 men to work primary day; paid them $5 apiece; two of them $10, who worked before primary day"—

I would like to have the attention of the Senator from Washington—

He said that he paid men who worked before primary day, and the two he paid the $10 to; the names were William J. Campbell and Howard Reynolds. He said: "I told the men to get boys out to distribute literature and do what they could for the interest of Mr. NEWBERRY." He said the draft and check came in August some time. He said he wrote for $50, and that the balance came voluntarily. He said that he did not know who sent the letters. He said: "Mr. McGregor had told me the money would come."

I call attention to this:

He said, I had told Mr. McGregor that it would take $100 to $150 to take care of the work. He said the men selected had worked for him in politics before; that I didn't know who they were supporting before I hired them; my purpose was to get them to support NEWBERRY; simply asked them if they were not tied up to support NEWBERRY. It was my intention to get their support and vote for NEWBERRY. I did not know who they were for for Senator. I had some correspondence with Detroit, and Paul King was there just the once; that James McGregor was there twice, and also a publicity man, I believe Mr. Phillips was the man.

He said he paid 15 men $5 apiece to get their support and vote for NEWBERRY. The Senator from Washington says that none of this money was expended except for advertising and other legitimate purposes. Since buying votes is not advertising, I am forced to the conclusion that the Senator from Washington thinks that buying votes is a legitimate purpose.

These are not isolated cases. The record teems with them. Men by the hundreds were corrupted with money, and with money corrupted the election. If such expenditures can be classified as either advertising or other legitimate expenses, I ask the apologists who voted for Senator NEWBERRY to tell us under which head to classify them.

In the same paragraph the statement is made that—

The incentive, no doubt, which influenced the Republicans in this effort was to offset the tremendous publicity carried on at perhaps ten times the expense of the Republican campaign by Mr. Ford through his various business agencies.

The Senator from Washington knows that a very large part of these expenses were incurred by Mr. NEWBERRY and the foundation laid for the others, not by Republicans of Michigan but by Mr. NEWBERRY and his family, long before Ford became a candidate and long before his name ever appeared in any of the numerous letters that passed between Mr. NEWBERRY and his campaign agencies, and therefore long before Mr. Ford was ever suspected of being a candidate. They were incurred to defeat Gov. Osborn, a staunch Republican and a man who would not buy an office. They were incurred to defeat ex-Gov. Warner, three times elected the chief executive of Michigan, and several other prominent Michiganders who were thought to be candidates, including the then sitting Senator, William Alden Smith.

I have a clipping from the RECORD here, but I do not see it just this minute, and I ask permission to insert a quotation from a letter of Senator NEWBERRY himself urging King to keep up "our publicity campaign," because Warner was already scared out, and it would keep others out. I shall insert that, with the reference to the record.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

I am glad Mr. Warner is scared out for the present and as long as we keep up our publicity work at full pressure it will be harder and harder for any new man to get any kind of a start that will make it seem worth while for him to be a serious candidate.

Again, the Senator from Washington knows the evidence discloses that Henry Ford never spent one dollar in his campaign for the Senate, and, as far as this record shows, and as far as the Senator from Washington or anyone else knows, no one else spent any money in his behalf. Even the attorneys for Mr. NEWBERRY abandoned the contention before the Committee on Privileges and Elections that any money had been spent by Mr. Ford or his friends in the race.

Oh, then, the charge is made that Mr. Ford "was a pacifist, had opposed the effort to bring the war to a victorious conclusion, was in favor of a compromise peace, and who had secured the military exemption of his son."

The Senator so kindly says that he "only mentions these circumstances to show the conditions under which the campaign was carried on."

I will here insert the military records of Henry Ford and his son and that of Senator NEWBERRY, and do so without comment.

Henry Ford hoped that we would stay out of the war. And so far as his record discloses, I think he could be classed as a pacifist.

Before we entered the war, but after the President had issued his call for the meeting in April, 1917, of the extraordinary session of Congress and in anticipation of war, Mr. Ford came to Washington and offered to his Government every resource of the Ford industrial plant, which the Senator from Washington says was the greatest in the world. Mr. Ford stated that he was opposed to war, but since war was to come, he wanted to help make it a war to end wars, and, therefore, gave every resource he had to his Government to help wage this contest. After the war commenced his son, Edsel Ford, was offered a commission in the Army and told then that he would be detailed to help manage the great Ford plants, which were to turn out Government supplies. He declined this. He stated that if he was to wear a uniform, he wanted to go to war as other boys went and serve in the trenches, but that if he was to be detailed to serve at home, he would serve as a civilian, and did.

When Mr. Ford made his contracts with the Navy Department, like the contracts that were being made with other people, on a cost plus 10 per cent plan—that is, 10 per cent profit on his contract—he then stated to the Secretary of the Navy that he would turn back 58 per cent of the profits, that being the amount of stock he held at that time in the Ford plants. However, before the contracts were completed, Ford had bought out the minority stockholders, and did, as a matter of fact, give back to the Government every penny that he made on those contracts. He had other contracts with the Government, and he turned back every dollar that he made above cost of manufacture and experimental costs to carry on the work. So Henry Ford did not profit one penny out of the Government from war contracts, though at the close of the war every wheel in his factories and every lathe was turning out munitions and equipments of some kind or another for the Government to use in the war. As a single instance, the Government was paying $18 for every cylinder made to use in the Liberty motor. Mr. Ford invented a new process of making them, and let the Government have them at $8.25 each.

Senator NEWBERRY'S military record was published in the Washington Daily News of a few weeks ago. I insert it as it appeared:

NEWBERRY'S WAR RECORD.

The NEWBERRY defense emphasizes his "patriotic war services."

An official report in the files of the Navy Department, prepared by Maj. John C. Muir, United States Marine Corps, discloses:

1. That NEWBERRY, lieutenant commander in the Naval Reserves and chief personnel officer of the third naval district (New York), was directly responsible for conditions of enlistment and enrollment in that district.

2. That NEWBERRY'S office, at 280 Broadway, was the medium through which rich men's sons obtained safe and easy berths.

3. That one of NEWBERRY'S immediate subordinates, Lieut. B. J. Elbert, confessed that he had been instrumental in placing many men in safe, easy berths, and had accepted bribes ranging from $100 to $3,000 for such services.

4. That Frederick Cody, of New York, a "friend for many years"—NEWBERRY'S language—and business associate of NEWBERRY, on various occasions introduced people who "were subsequently enrolled under peculiar and suspicious circumstances." The record in the Newberry case discloses that Cody, lobbyist for Standard Oil, the American Telephone & Telegraph Co., and the American Book Co., was one of the active directors of the Newberry campaign in Michigan. A brief filed on behalf of NEWBERRY states that Cody, on account of personal favors, frequently acted as "messenger boy" for NEWBERRY.

5. That NEWBERRY denied by letter that Cody was an "intimate friend" and stated, "Mr. Cody did not represent me and has never represented me at any time or at any place."

6. That conditions with regard to securing bombproof jobs for rich men's sons at NEWBERRY'S office, 280 Broadway, were so flagrant that they became the subject of vaudeville jokes.

7. That a large number of persons paid money for preference in enrollment, detail and rating, and that the greater portion of the amounts involved were received by an officer under immediate command of NEWBERRY.

8. That in July, 1918, Rear Admiral Usher, commander of the third naval district, said he would take the matter up with the personnel officer [NEWBERRY]. That a short time afterwards Usher told Lieut. Commander Frost, his aide, that the matter had been taken up by him with NEWBERRY, who informed him that he felt the rumors were groundless, but had warned Lieut. Elbert. That nevertheless the sale of easy berths continued.

9. That NEWBERRY, after his election to the Senate, refused to appear before the naval board of inquiry in New York, taking refuge in his senatorial immunity, and that Maj. Muir thereupon reported that "as Lieut. Commander NEWBERRY [Senator NEWBERRY] is not available for interview, it is impracticable for me to go further in this phase of the case."

Let me add further, the evidence shows that Mr. Templeton, the so-styled chairman of the general committee of the Newberry campaign committee, and Mr. NEWBERRY were the largest stockholders in a corporation that had large contracts with the Government to manufacture war materials, and it is to be presumed they made large profits. Neither Mr. NEWBERRY nor Mr. Templeton, so far as the Senate has been informed, or the public, for that matter, turned back a penny of their profits to the Government, but kept them, and Mr. NEWBERRY invested his, it would seem, in a seat in this Senate, the purchase of which the Senator from Washington voted to ratify.

As to NEWBERRY'S sons' and brothers' military record, I shall make no comment. I leave to the bad taste of those on the other side to strike at a father over the shoulder of his son. I venture the assertion, however, in passing, that Edsel Ford rendered as valuable services to his country during the war as did any of the Newberry name. Whatever consolation the friends and supporters of Mr. NEWBERRY may get in the comparison of the records of Mr. Ford and Mr. NEWBERRY, I leave for them to determine.

In passing, it is suggested Senator NEWBERRY holds the world's record for refusing to testify when his own good name and his own honor were at stake. He refused to testify when he was indicted and arraigned before a court of his own State charged with crime. He refused to testify when a senatorial committee

was conducting an investigation to determine whether he had been guilty of acts which rendered him unworthy to serve as a Member of this Senate. He refused to testify when a naval inquiry was being attempted to be conducted to determine who was responsible for the selling of assignments to berths of safety in the Navy, the sales having taken place within the bureau of which he was the immediate chief. I would like the Senator from Washington to explain this strange reluctance when he next writes for publicity to his constituent.

The Senator from Washington says the result "vindicated" Mr. NEWBERRY. I am curious to know what constitutes vindication in the eyes of a Republican when another Republican has been charged with election frauds. Mr. NEWBERRY was scratched, as I am informed, by nearly 150,000 Republicans in his State at the general election, when not, as here claimed, all of the facts were known, because none of these investigations had been had then, and it would require a daring soul to contend that had these records been known, that Mr. NEWBERRY would have been elected at all. And this in face of the fact that the most vindictive campaign ever waged in this country was waged against Mr. Ford in that contest.

Again says the Senator in his letter:

It is not charged that NEWBERRY was guilty of any misconduct.

If the Senator can say that in the face of the record of 2,000 pages of charges, I think it needs no response.

Senator POINDEXTER then charges that Senator NEWBERRY—

was prosecuted with great venom by the Democratic administration, which backed Ford, and the powerful machinery of the Government, with its myriad of secret service agents, and with its machinery of district attorneys and marshals, was ordered to the task of securing evidence against NEWBERRY and sending him to prison.

He also says that this was—

backed up by the influence of Henry Ford, controlling and owning one of the most powerful and wealthy industrial organizations in the world.

Permit me to say that there is not a line of evidence in the record that the Democratic administration took any part in the primary election in Michigan in which these expenditures were charged, or that the administration took any part except through the ordinary machinery of justice in bringing Mr. NEWBERRY to trial. In fact, the investigation was urged not by Democrats but by Republicans, and the record discloses it. There is not a line of evidence that Henry Ford, directly or indirectly, or his organization, directly or indirectly, had any part or parcel in the prosecution of the case against NEWBERRY and his codefendants. I challenge the Senator to show one line of proof to sustain that charge.

There were letters from Mr. Osborn, there was a letter from the lieutenant governor, calling attention to the situation, and the charges against Mr. NEWBERRY were made then, as later, not by Democrats but by Republicans and Republican officeholders of Michigan.

I want to read just one line of the letter that Mr. NEWBERRY wrote this confidential agent, Mr. King, in explaining his letter which he had written in answer to Mr. Vandenberg. He said:

I am inclosing a copy of my noncommittal letter to the Grand Rapids people, which covers the situation in a rather flimsy manner.

Noncommittal, indeed! Flimsy!

On August 8, 1918, nearly three weeks before the primary election, Mr. Vandenberg, of the Grand Rapids Herald, wrote Mr. NEWBERRY that—

DEAR SIR: I desire to direct your attention to certain phases of the Michigan Republican senatorial campaign which seem to demand very clear and explicit public statement from you well in advance of primary election day. * * *

I direct your attention to these specific charges which have appeared in responsible newspapers. They are charges, furthermore, which find kinship in very general rumor and report. I fully realise that gossip is deadly and a ruthless assassin. But gossip, in this instance, is too widespread to be longer ignored. It charges you and your associates with the expenditure of money running into six figures in the erection of your senatorial organization. Such a situation must be as intolerable for you, if these reports are false, as it is intolerable for the State if the reports are true. Therefore, it is a situation which must be challenged, because if not challenged by you it will have to be challenged by the electorate. * * *

While this letter is purely personal to you, I should be glad to have an answer from you which could be published simultaneously with this letter, so that the issue may be made clear.

Mr. KING. Mr. President——

Mr. CARAWAY. I yield to the Senator from Utah.

Mr. KING. Further replying to what I conceive to be a rather inaccurate statement of the Senator from Washington, if I understand his letter, it appears that Mr. NEWBERRY was indicted and was tried by a grand jury, the majority of whom were Republicans, and tried by a petit jury, a majority of whom were Republicans——

Mr. CARAWAY. Eleven of them, I understand.

Mr. KING. And by a Republican judge, and the evidence before the court was not nearly so strong as that which was before the Senate committee, but it was sufficient to warrant the submission of it to the jury, and not only to warrant it but demanded on that proof the conviction of Mr. NEWBERRY and his associates. How it can be charged that it was a Democratic prosecution is something I can not conceive.

Mr. CARAWAY. I can conceive how it can be charged, but I know it can not be proved to have been true.

Mr. KING. It can not be charged in fairness.

Mr. CARAWAY. Not in good faith.

I challenge the Senator from Washington now to show that Henry Ford was instrumental or had anything to do with the conviction of Mr. NEWBERRY in Michigan. In this paragraph it will also be observed that the Senator says:

The Supreme Court completely vindicated Senator NEWBERRY of any offense.

That is the exact language of the Senator from Washington.

The Supreme Court made no such finding. Every man, lawyer or layman, who read the opinion of that court in that case knows that the Supreme Court held the act under which NEWBERRY was prosecuted unconstitutional. The question of his guilt or innocence was not determined by the Supreme Court, and no expression in relation thereto was made by the court, because the facts were not inquired into, but simply the act was determined to be unconstitutional. But, in spite of this, the Senator adds:

But, in addition to that, they went into the merits of the case and held that he had not received a fair trial and that he was not guilty of any misconduct.

That is the exact language of the Senator from Washington.

Again, everyone conversant with the case knows—and let me repeat it—that the Supreme Court held no such thing. It did not pass upon that question at all. It expressed no opinion as to his guilt or innocence, and the Senator from Washington surely never read this opinion, or he could not make such an assertion.

Mr. KING. Mr. President, the Senator could with propriety there state that the Supreme Court did not pretend to pass upon the validity of the State statute; indeed, they have no authority to do so. No one challenges the validity of the State statute, and no one can read the evidence and say that Mr. NEWBERRY and others did not violate the State statute.

Mr. CARAWAY. I am going to be entirely charitable to the Senator from Washington. I do not think he read the evidence, and I know he did not read the opinion of the Supreme Court, because he would not have made that assertion if he had read it.

In the next paragraph appears the statement by the Senator that—

the Senate, following the Supreme Court of the United States, exonerated him—

Meaning NEWBERRY—

from blame and declared his election to the Senate valid.

The Senate did not follow the Supreme Court and did not find Senator NEWBERRY without blame, because the Senator from Washington himself voted for a resolution, as follows:

Resolved, (1) That the contest of Henry Ford against TRUMAN H. NEWBERRY be, and it is hereby, dismissed.

(2) That TRUMAN H. NEWBERRY is hereby declared to be a duly elected Senator from the State of Michigan for the term of six years, commencing on the 4th day of March, 1919, and is entitled to hold his seat in the Senate of the United States.

(3) That whether the amount expended in this primary was $195,000, as was fully reported or openly acknowledged, or whether there were some few thousand dollars in excess, the amount expended was in either case too large, much larger than ought to have been expended.

The expenditure of such excessive sums in behalf of a candidate, either with or without his knowledge and consent, being contrary to sound public policy, harmful to the honor and dignity of the Senate, and dangerous to the perpetuity of a free government, such excessive expenditures are hereby severely condemned and disapproved.

In this resolution the Senate found that Mr. NEWBERRY and his friends were guilty of conduct hurtful to sound public policy and injurious to the honor and dignity of the Senate, and were guilty of acts which endangered the perpetuity of free government itself, but added that in order to retain a Republican Member of the Senate it condoned these offenses and said to Senator NEWBERRY: "The method you employed to secure your seat was against public policy and hurtful to the honor of this body, of which you are about to be declared a member, and endangered free institutions; but since you are a Republican and contributed to the Republican campaign fund we welcome you as a brother."

In the next paragraph of Senator POINDEXTER's letter there appears this sentence:

As stated above, there is not a single word of evidence to show that a dollar was improperly spent in the general election.

Mark the Senator's statement that not a dollar had been spent. Here is the sworn statement of the man who for 15 or 20 years had been an election officer in Michigan:

I, John Wagley, Cross Village, being duly sworn, say that I am a resident of Cross Village, county of Emmet, State of Michigan; that my occupation is that of a retired farmer; that I have been advised that the persons to whom I am giving this affidavit, to wit, Walter O. Lewis, Jesse H. Williamson, and Edward S. Ridley, are Government employees and special agents of the Department of Justice; further, that this statement is made by me on my own free will and accord and that no promise or inducement of any kind or character has been made to me in order to obtain this statement and affidavit; that the night before the general election of November 5, 1918, W. S. Darling, of Harbor Springs, Mich., came to me at my home and in the presence of my wife, Anna, told me that he would like to interest me in Mr. NEWBERRY; that I told him that I would not vote for NEWBERRY. And in response Darling said that he had some money for me and showed some paper money in his hand; that on the morning of election day I served as an election inspector at the polls, Darling came to me and again endeavored to interest me in NEWBERRY; he further added, "I would like to get you to assist these Indians in voting." I told Darling that was my duty anyhow, and Darling said that, "If you will do that I will pay you for it"; that for the past 10 or 12 years I have been active at the polls on election day, assisting the Indian voters in order to prevent any of their votes being thrown out and spoiled; that on election day, 1918, quite a number of the Indians came to me and I would say, "Now how do you want to vote?" whereupon they would reach in their pockets and produce one of NEWBERRY'S cards and say, "I want to vote for that man." At the close of the polls on election day Darling again came to me and handed me $10 and told me to put it in my pocket; that there were about 150 votes in my voting district, 100 of which are Indians; further, that Darling has told me that he rented an automobile on election day from Henry Sullivan which he used to bring Indian voters to the polls, and Sullivan has told me that Darling paid him $16 for automobile hire on election day. Charles Warren is reported to have received $50 or $60 for his work around the polls, but Warren told me that he only received $5, and that was from Darling.

JOHN WAGLEY.

If that is not an expenditure of some money in the general election, I am curious to know under just which head it will be classified. And that is not an isolated case; there are numbers of them. And this is not an isolated case. I shall leave to the constituents of Senator POINDEXTER to say, after all the record has been examined, whether this money was improperly spent.

In the same paragraph appears this sentence:

He—

Meaning NEWBERRY—

took no interest in the campaign, but devoted himself to his work in the Navy throughout the campaign, both the primary and the final.

Oh, how can one say that in view of the 2,000 pages of testimony in this case and Senator NEWBERRY'S own admissions on the floor of the Senate? One is tempted to ask, however, what was the work of Mr. NEWBERRY in the Navy? Was it protecting those who, under his immediate command, were selling secure berths to the sons of rich parents?

The next to last paragraph of this wonderful letter reads as follows:

On the contrary, certain multimillionaire organizations, profiting financially by any popular excitement which they can arouse, were seeking by every means in their power to influence and intimidate Senators to vote against NEWBERRY.

That is a charge that somebody was making money out of the Newberry case; that somebody was standing here and trying by intimidation or bribery to secure the rejection of Senator NEWBERRY. I have prepared a resolution which I wish to present—and, of course, I know the Senator from Washington would be glad to have it presented and adopted—providing that the Presiding Officer shall appoint five Senators to inquire into this malign influence.

I want to say frankly that so far as I know, until the Senator from Washington made the declaration, no one had heard of any such influences. It was never indicated. Of course, I think all understand why the charge is now made.

But for the Senator from Washington I have had a very great liking, and for him and those who, like him, find themselves subject to criticism by their constituents for having voted to ratify this purchase of a seat in the Senate by Senator NEWBERRY I think a very wide latitude should be given in explaining the motives that tempted them so to vote. For the Senator himself I peculiarly sympathize, because in this letter he discloses the fact that the news editors in his State had refused, perhaps because they found themselves unable, to accept his version of the Newberry record as correct, and had declined to print his explanation, and therefore he was driven to the use of the CONGRESSIONAL RECORD, in order to try to get before the people of Washington his "version" of what the facts are, as disclosed by the record in the Newberry case. It seems to me that the people of Washington, at least those who have any opportunity to examine the record, will be as averse to accepting as authentic his statements touching the Newberry case as were the newspaper editors reluctant to publish them.

I was under the impression that I had brought over from my office with me the resolution of investigation which I wish to offer. However, I can not put my hand on it at this moment, but I desire to say that on Monday next I shall, immediately after the convening of the Senate, offer the resolution of investigation and ask for its immediate consideration.

Mr. POINDEXTER. Mr. President, I am not surprised at the persistence with which the Senator from Arkansas follows up this question. Unfortunately partisanship seems to have entered into it to a very large extent, and the Senator from Arkansas, while he has the respect of every Senator, is known to be one of the most intense party men and followers of the former President Wilson in the Senate. It would therefore be exceedingly strange and unusual if the Senator from Arkansas, in view of the influences that have been exerted from those sources in this case from the beginning to its end, should lose any of the intensity of his feeling about it or should give any evidences of treating it in an impartial manner or with what I might call a judicial frame of mind.

Mr. CARAWAY. May I interrupt the Senator?

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Washington yield to the Senator from Arkansas?

Mr. POINDEXTER. I yield to the Senator. I hope he will not interrupt me long, because I wish to make a very brief statement. I am, however, perfectly willing to yield to the Senator.

Mr. CARAWAY. No; I shall not interrupt the Senator. I think the Senator will need all of his time.

Mr. POINDEXTER. Mr. President, the salient points in the letter which the Senator from Arkansas has reread into the RECORD, it having already been published in the RECORD, thereby giving it added emphasis and publicity, for which I am very much obliged to him, can very readily be carried in one's mind. I adverted in that letter to the fact, which I think even the Senator from Arkansas will not deny, that a great many charges have been made—at least, the charge has been repeated often—that Senator NEWBERRY had bought his seat in the Senate. Another form of that statement has been that a seat in the Senate had been bought by some one. The statement made in my letter to the effect that such charges have been repeated throughout the country is correct; but I reassert that the charges are unsubstantiated by any testimony worthy of the consideration of any intelligent man. Neither the Senator from Arkansas nor anybody else has offered any testimony tending to show or making any color of substantiation of the charge that Senator NEWBERRY bought his seat in the Senate. Neither is there any testimony of any substance worthy of serious consideration that anybody bought a seat in the Senate or that any appreciable number of people, if any at all, were corruptly influenced by the use of money in the Michigan election. That is one of the statements which the Senator from Arkansas challenges and which he utterly fails to overthrow by the citation of any evidence, either that which has been given already or by the production of any new evidence relating to the election in Michigan.

Another statement which I made in this letter was that the excessive and improper use of money charged or alleged was said to have been used in the primary election and not in the general election. Nobody can successfully dispute that. I assume that the Senator from Arkansas, with the interest that he has in defending his party and his candidate that were involved in this election, has exhausted his resources and the possibilities of proof in his addresses to the Senate, and especially in the prepared speech which he has delivered here this afternoon, very much to my surprise; yet in that prepared speech the showing which he makes to dispute the statement that there was no illegal or improper use of money either as to the manner in which it was spent or as to the amount expended in the general election is so trivial that it does not deserve any consideration. It never would receive the attention or the consideration of any tribunal, either political or judicial, had it been presented to them and had the case depended upon any such thing as that.

The fact of the matter is that all the Senator from Arkansas has reiterated here this afternoon, being the refined proof after his judicial mind has sifted all the dross and put in concentrated form the evidence that he could produce or that could be produced to invalidate the election of Mr. NEWBERRY, contains nothing whatever to show that the decision which the people of Michigan rendered when this issue, which he has now reiterated here this evening in revised form, was presented to them, did not completely exonerate Senator NEWBERRY from every charge that was made against him, so far as the verdict of the people of that great State could exonerate him.

I take it that in a matter of this kind the decision of the sovereign voters of the State who are to be represented by the Senator from that State as to the issues which are raised against him in the election, which are the same issues that are presented by the Senator from Arkansas here this afternoon, ought to have some weight with the Senate and with the country, because we are presumed here to represent sovereign States, and under the amended form of the Constitution of the United States to represent the people of those States; and the assertion made in this letter that Senator NEWBERRY had been chosen by the people of Michigan in an election in which it is not charged that any corrupt influence was used has not been successfully disputed by the Senator from Arkansas, and can not be.

Far be it from me to set up my judgment in this case against that of any other man. I am responsible only for my own. Many of the great questions which have interested and concerned the people of this country have been questions upon which those who were responsible for their decision had differing opinions. I never have challenged the sincerity or the good faith of any man who formed an opinion contrary to mine, either in this case or in any other case submitted to the vote of the Senate.

Some time ago I received a letter from a constituent who differed with me in regard to this particular matter, pointing out that certain other Senators had taken a different view of it from mine. I replied to him that in a matter which involved my own action I had at least as much confidence in my own judgment as I had in theirs, and that if it came to a question of counting noses and balancing numbers as to who was for and who was against in this issue I would call his attention to the fact that a majority of the Senate of the United States had sustained the election of Mr. NEWBERRY as a valid one, and had confirmed him in his seat in the Senate.

Mr. President, without following the exact order of the various points in my letter to which the Senator from Arkansas has referred, I may call attention to a good many misstatements which he has made in regard to the letter which he had lying before him, and which he had just read to the Senate, from which I infer that if he is as fallible in his statement of a fact so recent as was that in his mind we may doubt exceedingly his recollection and the accuracy of his statements in regard to matters involved in this election which occurred so long ago.

The Senator states that the letter to which he has referred contained the statement by me that I had been unable to get my views in regard to this case published in the State or received by the editors of newspapers, and that consequently I was obliged to rely upon the CONGRESSIONAL RECORD to get them published. I think the stenographic notes will corroborate me in that quotation from the remarks just made by the Senator from Arkansas. Without any invidious abruptness, I beg leave to say that it is absolutely incorrect and that no such statement was contained in my letter, nor anything resembling it. I never have had any trouble in getting my views in this case published in any newspaper to which I cared to send them. I did make some remark to my correspondent in this particular case to the effect that I doubted very much whether a hostile editor would print a letter of mine on this subject with the same conspicuousness in his paper as he did his own editorials; but that is a very different thing from what the Senator from Arkansas has distorted my statement into.

So, Mr. President, as to the concluding remark of the Senator, in which he cites this allegation which I made:

> Various false assertions have been made as to influences brought to bear to secure votes in NEWBERRY's behalf in the Senate. I notice a detailed statement in that connection published in several Washington State papers as to my own vote. This statement is libelous and false from beginning to end, as no such influences were brought to bear and no such statements, or anything resembling them or anything to that effect, were made to me.

I did not state in the letter what the details of the matter to which I referred consisted of, but I am perfectly willing to do so at any time that anybody is interested in them. I am always loath to take up the time of the Senate in talking about personal matters and going into the details of conversations which are not supposed, at least, to be of paramount interest to anyone except those whom they immediately concern. I do not know what the Senator from Arkansas intends to make out of that, but I am perfectly ready to inform him or anyone else as to what particulars they referred to—certain conversations that people were alleged to have had with me about the vote in the Newberry case that were published in certain hostile papers in my State—reports coming from this Capitol, which, as stated in this letter, were libelous and false from beginning to end, in that no such conversations or anything like them ever took place, and no such advice in an attempt to influence my vote was ever given to me. The Senator from Arkansas can make what he chooses out of that.

So, with the statement:

> On the contrary, certain multimillionaire organizations, profiting financially by any popular excitement which they can arouse, were seeking by every means in their power to influence and intimidate Senators to vote against NEWBERRY. This may be referred to in more detail later on.

The Senator says he is going to introduce on Monday a resolution to inquire about that. I have not the slightest objection to a resolution to inquire about it. All that I have to say about it could be said in five minutes, and said in such a way that I am perfectly confident that it will not be disputed by anybody who is familiar with the circumstances. That statement was made in answer to the charges with which every Senator on this floor is familiar, which went around the country from gossips and from suspicious minds, as to influences which were brought to bear to secure votes, to whip votes into line for Senator NEWBERRY, published in various newspapers in the country. No such influences were brought to bear upon me; but, on the contrary, if the Senator's resolution is adopted and if the great Senate of the United States wants to turn aside from the important national issues which ought to secure its constant attention and go into that matter, I will present to the Senator from Arkansas in printed form editorials of a most insolent character, published long before the vote in the Senate was had upon the Newberry case, arrogating to themselves the authority to tell Senators here how they should vote upon that case—editorials appearing in papers which belonged to a great multimillionaire organization, to quote the language of this letter, "profiting financially by any popular excitement which they can arouse."

Does the Senate want to inquire into that? Does the Senator from Arkansas want information on that subject? It ought to be known to him already. If not, I can inform him about it in a very short space of time, and furnish him with the evidence.

> Seeking by every means in their power to influence and intimidate Senators to vote against NEWBERRY—

Because they pretended to hold in their hands control of the votes to determine their continuance in their seat in this body. It is known to thousands, perhaps to millions. At the present time, aside from the question involved in the remarks of the Senator from Arkansas as to the Newberry case, I do not care to go into a discussion of these influences, as to their position in the community, their attitude about the Government and about public men, and their constant effort to make it appear that they are the friends of the downtrodden poor, while as a matter of fact they themselves are among the greatest financial corporations in the United States, profiting by every influence that can be brought to bear in favor of wealth and of power of the kind which they exercise, and attempting to use them in order to influence the vote of Senators here.

Mr. President, the Senator repeated time and time again the statement which he quoted from my letter that Senator NEWBERRY paid but little attention to the campaign, as though a great deal could be made out of challenging that statement. I do not mean to say that he paid no attention at all to it.

My letter said that he paid but little attention to the campaign. To go back of the evidence in this case, I recollect some contact with the situation generally in the senatorial election of 1918 as a member of the senatorial committee. At that time various efforts were made from the headquarters of the committee here to find out what the situation was in the different States; and I have a very distinct recollection of the inquiries which were made of Senator NEWBERRY as to what his prospects were in the campaign, what he was going to do about his election, and of the result that the senatorial committee which was especially charged with an interest in the election of Republican Senators could get no satisfaction at all from him, and could get no resonse from him to amount to anything.

He refused to leave the post to which he was ordered in New York, or to take any active part in his campaign, and all the evidence which has been brought to bear and focused upon this case, in the prosecution of NEWBERRY and various others since that time, has not in any way tended to disprove or dispute that general situation.

Senator NEWBERRY testified here upon the floor that he was not in Michigan an hour during either the primary or the final election. Some reference has been made to the fact that he was kept informed. I suppose reports were made to him, and yet, notwithstanding that, I repeat that he paid but little attention to the campaign, and there is no substantial evidence to show anything to the contrary.

Reference has been made to the statement in this letter that the Republicans of Michigan raised the money for this cam-

puign. The Senator from Arkansas says that is not so, because most of it was raised by relatives of NEWBERRY. That may be true. All of it was not raised by them. We can not escape from the well-known condition which existed in that campaign, that Mr. Ford was the candidate of the Democratic administration; that he was a candidate upon the Democratic ticket, also upon the Republican ticket; that Mr. NEWBERRY was a candidate of those who believed in the prosecution of the war to a victorious conclusion; that Mr. Ford was a candidate of those who believed in a compromise peace. Senator NEWBERRY was the candidate of those whose sons went to war. Mr. Ford was the candidate of those who kept their sons out of the war.

It can not be denied that the Republicans of Michigan made a special effort and had a special appeal made to them to exert themselves to meet the tremendous influence and the tremendous publicity and power which were at the command of a national administration, and of the tremendous industrial organization which was under control of Mr. Ford.

The Senator from Arkansas says there is no evidence that Mr. Ford expended any money in this campaign. There is a great deal of evidence that he expended money in the campaign. I have had evidence given me that every agent handling the Ford automobile, in every town and hamlet in the State of Michigan, was busily engaged working for him.

Mr. CARAWAY. The Senator never put that in the RECORD for anybody else to see it.

Mr. POINDEXTER. No; a great deal has never been put in the RECORD. I was never called before the Committee on Privileges and Elections, never had any part whatever in the proceedings. Yet the Senator from Arkansas no doubt knows that the statement I have just made is true. The Senator knows that Mr. Ford had perhaps the greatest publicity organization in the country at that time and that it was engaged in furthering his candidacy in this election.

There is no doubt whatever that the expenses of that organization during that campaign, the advertising of Mr. Ford, the bringing of Mr. Ford's name before the people of Michigan and to the people of the country, amounted to many times the amount that was expended by the Republicans of Michigan in behalf of Mr. NEWBERRY.

The Senator challenges the statement that the money which was raised in behalf of the Republican candidate was expended for legitimate purposes. If it was expended for illegitimate purposes, how does it happen that with all of the venom which has been displayed by the leaders of the Democratic Party on the floor here and in the prosecution of this case in the courts and before the Senate none of these men have been punished under the law for the illegitimate use of money? If the power which was brought to bear in this prosecution to put these men behind the bars could not succeed in doing it I think it is very good evidence that they did not violate the law.

So, if you read the testimony in the case, you will find that with all the labor of these great organizations and this great party to get evidence to show the corrupt use of money, it is centered and brought to a final consummation in the statement of the Senator from Arkansas this evening, that one man got $600, and that he spent part of it in buying liquor and cigars for his friends. That is the end of the Newberry case, so far as the corrupt use of money is concerned, I assume, for that is the most I ever heard of it. That is the most the Senator from Arkansas has been able to show, that a man got some money to take out buttons and take out literature, and that the testimony is that he bought some liquor and cigars for his friends. I do not approve of that; yet, if it is illegal under the laws of Michigan, I assume that the Senator from Arkansas and the others who are so much interested in the prosecution of this case would have had them arrested and punished. I can not assume that the expenditure of $600 had a great deal to do with convincing the public opinion of the State of Michigan, a State with more than three and a half million inhabitants.

I think there was one other item mentioned by the Senator from Arkansas. He said that one man, Mr. Frank T. Bohn, received $150 for looking after the Upper Peninsula, and that he spent that money in hiring men to work. Is that contrary to the law? I would like to see a law against it, and see the law enforced; but that is a very pitiable result of the months of debate in this case, of the tremendous efforts which have been made to show corruption of the election, that a man got $150 and that upon his own motion he used it to hire a few men to go out and work for Mr. NEWBERRY.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Montana?

Mr. POINDEXTER. I yield.

Mr. WALSH of Montana. I do not imagine the Senator from Arkansas intended to review all the testimony upon the corrupt use of money in the election, but if the Senator from Washington assumes that that is the case, I am prepared to show that he is quite in error. I myself reviewed the testimony, showing, as I think, corrupt use of money in many other instances than those referred to in this brief discussion by the Senator from Arkansas.

Mr. CARAWAY. If the Senator will permit me, I simply want to say that these were not isolated cases; they were picked out as merely typical cases.

Mr. POINDEXTER. I assume they were the most heinous offenses. I suppose the Senator picked out the worst ones. Are there some worse than the ones he picked out?

Mr. CARAWAY. Oh, yes; there are worse ones than that, and it would take but a brief time to bring them to the attention of the Senator. The Senator ought to have known about them.

Mr. POINDEXTER. I think there was a case the Senator mentioned where some money was handed to a man in an envelope, but no evidence of what it was to be used for. That is probably the one to which he referred.

Mr. CARAWAY. If I may be permitted, I think the most reprehensible thing in this record was where the ex-mayor of Flint, tried and convicted and under a sentence of from 2 to 15 years in the penitentiary for assault and robbery, was approached by King and Fletcher, the latter of whom was a State official of Michigan, and two other men, and when he told them that he was not for NEWBERRY they said he had to support NEWBERRY or go to jail. They said, "We will not ask you whether you will or not, but we know you can carry this district, and if you do, it is all right with you; but if you do not, you go to jail." I do not say that they could control the Supreme Court of the State of Michigan, for I do not know, but the court did reverse the case after TRUMAN NEWBERRY carried the district. But if those men could not do it, they went there and lied to this man who was under sentence, told him they could do it, and got his support for NEWBERRY under the belief that they could. It is all the more reprehensible if State officials, representing themselves to be in a position to influence a decision of the supreme court, and with the power to send a man to jail or release him, were just lying. Let us say that they could not influence the court, and I rather think they could not, and I never said I thought they could; but they made this man, who was under a sentence of from 2 to 15 years, believe it, and if they knew they could not, they were just common liars, trying to deprive him of his right to decide who should be the Senator from Michigan.

Mr. POINDEXTER. Mr. President, the Senator from Arkansas says he is curious to know in what way Senator NEWBERRY has been vindicated. He has been tried by the people of Michigan, and they elected him to the Senate on all of the issues presented here, as I said before. He was prosecuted in the court, and he was acquitted by the highest court in the land. The proceedings which were brought against him were held to be invalid, and I want to read a short extract from the decision of the court, and also from the opinions of some of the concurring judges, in order that it may be in the RECORD.

Mr. CARAWAY. May I ask the Senator a question before he commences to read that?

Mr. POINDEXTER. Yes.

Mr. CARAWAY. Does the Senator call the opinion of a judge merely setting out his views a decision of the court?

Mr. POINDEXTER. No; I do not call the decision of one judge the decision of a court.

Mr. CARAWAY. Did the court decide anything except that the act of Congress undertaking to limit expenditures in primary elections was unconstitutional?

Mr. POINDEXTER. There was only one judge——

Mr. CARAWAY. Did the court decide more than that?

Mr. POINDEXTER. No; that was all they decided.

Mr. CARAWAY. Why did the Senator say, then, that the court went further and found that he was innocent?

Mr. POINDEXTER. The court did go further.

Mr. CARAWAY. Did the court find anything other than that the act was unconstitutional?

Mr. POINDEXTER. The court made only that decision, so far as the judgment of the court was concerned; but in the opinion of the judges, including that of the majority of the court, they discussed the general merits of the situation, and if the Senator will give me an opportunity, I will read to him what the court said.

In the opinion rendered by Mr. Justice McReynolds, he said, reading from page 11 of his opinion:

> Who should participate in the specified elections was clearly indicated—members of State legislatures and those having—
>
> "The qualifications requisite for electors of the most numerous branch of the State legislature."

Who should be eligible for election was also stated:

"No person shall be a Representative who shall not have attained the age of 25 years and been seven years a citizen of the United States and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

"No person shall be a Senator who shall not have attained the age of 30 years and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen."

Two Senators were allotted to each State, and the method was prescribed for determining the number of Representatives. Subject to these important limitations, Congress was empowered by law to regulate the times, places, and manner of holding the elections, except as to the places of choosing Senators. "These words are used without any veiled or obscure significance" but in their natural and usual sense.

If it be practically true that under present conditions a designated party candidate is necessary for an election—a preliminary thereto—nevertheless his selection is in no real sense part of the manner of holding the election. This does not depend upon the scheme by which candidates are put forward. Whether the candidate be offered through primary, or convention, or petition, or request of a few, or as the result of his own unsupported ambition does not directly affect the manner of holding the election. Birth must precede, but it is no part of either funeral or apotheosis.

Many things are prerequisites to elections or may affect their outcome—voters, education, means of transportation, health, public discussion, immigration, private animosities, even the face and figure of the candidate; but authority to regulate the manner of holding them gives no right to control any of these. It is settled, e. g., that the power to regulate interstate and foreign commerce does not reach whatever is essential thereto. Without agriculture, manufacture, mining, etc., commerce could not exist, but this fact does not suffice to subject them to the control of Congress. (Kidd v. Pearson, 128 U. S., 1.)

Election of Senators by State legislatures presupposed selection of their members by the people; but it would hardly be argued that therefore Congress could regulate such selection. In the Constitutional Convention of 1787, when replying to the suggestion that State legislatures should have uncontrolled power over elections of Members of Congress, Mr. Madison said:

"It seems as improper in principle, though it might be less inconvenient in practice, to give to the State legislatures this great authority over the election of the Representatives of the people in the General Legislature as it would be to give to the latter a like power over the election of their representatives in the State legislatures." (Supplement to Elliot's Debates, Vol. V, p. 402.)

We can not conclude that authority to control party primaries or conventions for designating candidates was bestowed on Congress by the grant of power to regulate the manner of holding elections. The fair intendment of the words does not extend so far; the framers of the Constitution did not ascribe to them any such meaning. Nor is this control necessary in order to effectuate the power expressly granted. On the other hand, its exercise would interfere with purely domestic affairs of the State and infringe upon liberties reserved to the people.

It should not be forgotten that, exercising inherent police power, the State may suppress whatever evils may be incident to primary or convention. As "each House shall be the judge of the elections, qualifications, and returns of its own Members," and as Congress may by law regulate the times, places, and manner of holding elections, the National Government is not without power to protect itself against corruption, fraud, or other malign influences.

The judgment of the court below must be reversed and the cause remanded for further proceedings in conformity with this opinion.

Reversed.

Mr. Justice McKenna concurs in this opinion as applied to the statute under consideration, which was enacted prior to the seventeenth amendment; but he reserves the question of the power of Congress under that amendment.

Only one other justice of the court concurred in the opinion, although the entire court concurred in the result. Mr. Chief Justice White, concurring in the result and thereby taking part in the decision and action of the court, gave his reasons as entering into the ultimate decision, which included what I have read, and also included the additional views of the Chief Justice, as follows:

Having thus fixed the meaning of the prohibitions of the statute, the court came to apply them as thus defined to the particular case before it, saying:

"(c) To apply these rules to this case: If you are satisfied from the evidence that the defendant, TRUMAN H. NEWBERRY, at or about the time that he became a candidate for United States Senator, was informed and knew that his campaign for the nomination and election would require the expenditure and use of more money than is permitted by law and with such knowledge became a candidate, and thereafter, by advice, by conduct, by his acts, by his direction, by his counsel, or by his procurement he actively participated and took part in the expenditure and use of an excessive sum of money, of an unlawful sum of money, you would be warranted in finding that he did violate this statute, known as the corrupt practices act."

Mr. Chief Justice White proceeds after that statement, in dealing with the instructions of the lower court, with the question of whether or not, therefore, a fair trial was had by the defendant, as follows:

Whether the instructions marked (a) and (b), if unexplained, were, in view of the ambiguity lurking in many of the expressions used therein, prejudicially erroneous, I do not think necessary to consider, since I see no escape from the conclusion that the instruction marked (c), which made application of the view of the statute stated in the previous passages (a) and (b), were in clear conflict with the text of the statute and were necessarily of a seriously prejudicial nature, since in substance they announced the doctrine that, under the statute, although a candidate for the office of Senator might not have contributed a cent to the campaign or caused others to do so, he nevertheless was guilty if he became a candidate or continued as such after acquiring knowledge that more than $3,750 had been contributed and was being expended in the campaign. The error in the instruction plainly resulted from a failure to distinguish between the subject with which the statute dealt—contributions and expenditures made or caused to be made by the candidate—and campaign contributions and expenditures not so made or caused to be made, and therefore not within the statute.

Without reading all of the remarks of the Chief Justice, I call attention to this language:

Under the instruction given, in every case where to the knowledge of the candidate a sum in excess of the amount limited by the statute was contributed by citizens to the campaign, the candidate, if he failed to withdraw, would be subject to criminal prosecution and punishment. So, also, contributions by citizens to the expenses of the campaign, if only knowledge could be brought home to them that the aggregate of such contributions would exceed the limit of the statute, would bring them, as illustrated by this case, within the conspiracy statute and accordingly subject to prosecution. Under this view the greater the public service and the higher the character of the candidate, giving rise to a correspondingly complete and self-sacrificing support by the electorate to his candidacy, the more inevitably would criminality and infamous punishment result both to the candidate and to the citizen who contributed.

I ask leave to print in connection with my remarks a number of extracts from the concurring opinion of Mr. Justice Pitney.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

Since the majority of the court hold that the act is invalid, it would serve no useful purpose to spend time in discussing those assignments of error that relate to the conduct of the trial. It may be said, however, that, in my opinion, the trial court did not err in refusing to direct a verdict for the defendants for want of evidence of the alleged conspiracy; nor in instructing the jury that the prohibition of the statute against the expenditure and use of money by a candidate beyond the specified limit is not confined to his own money, but extends to the expenditure or use of excessive sums of money by him, from whatever source and from whomsoever derived; nor in instructing them that in order to warrant a verdict of guilty upon an indictment for conspiracy it was not necessary that the Government should show that defendants knew that some statute forbade the acts they were contemplating, but only to show an agreement to do acts constituting a violation of the statute; their knowledge of the law being presumed.

I find prejudicial error, however, in that part of the charge which assumed to define the extent to which a candidate must participate in expenditures beyond the amount limited in order that he may be held to have violated the prohibition—an instruction vitally important because it was largely upon overt acts supposed to have been done in carrying out the alleged conspiracy that the Government relied to prove the making of the conspiracy and its character, and because, unless the purposes of defendants involved a violation of the corrupt practices act, they were not guilty of a conspiracy to commit an "offense against the United States" within the meaning of section 37, Criminal Code.

The instruction upon this topic, excepted to and assigned for error, was as follows: "The phrase which constitutes the prohibition against the candidate 'Causing to be given, contributed, expended or used' excessive sums of money, is not limited and not confined to expenditures and use of money made directly and personally by himself. This prohibition extends to the expenditure and use of excessive sums of money in which the candidate actively participates, or assists, or advises, or directs, or induces, or procures. The prohibition extends not only to the expenditure and use of excessive sums of money by the candidate directly and personally but to such use and expenditure through his agency, or procurement, or assistance. To constitute a violation of this statute knowledge of the expenditure and use of excessive sums of money on the part of the candidate is not sufficient; neither is it sufficient to constitute a violation of this statute that the candidate merely acquiesces in such expenditures and use. But it is sufficient to constitute a violation of this statute if the candidate actively participates in doing the things which occasion such expenditures and use of money and so actively participates with knowledge that the money is being expended and used. To apply these rules to this case: If you are satisfied from the evidence that the defendant, TRUMAN H. NEWBERRY, at or about the time that he became a candidate for United States Senator was informed and knew that his campaign for the nomination and election would require the expenditure and use of more money than is permitted by law and with such knowledge became a candidate, and thereafter by advice, by conduct, by his acts, by his direction, by his counsel, or by his procurement he actively participated and took part in the expenditure and use of an excessive sum of money, of an unlawful sum of money, you will be warranted in finding that he did violate this statute known as the corrupt practices act."

However this may be regarded when considered in the abstract, the difficulty with it, when viewed in connection with the evidence in the case to which the jury was called upon to apply it, is that it permitted and perhaps encouraged the jury to find the defendants guilty of a conspiracy to violate the corrupt practices act if they merely contemplated a campaign requiring the expenditure of money beyond the statutory limit, even though Mr. NEWBERRY, the candidate, had not, and it was not contemplated that he should have, any part in causing or procuring such expenditure beyond his mere standing voluntarily as a candidate and participating in the campaign with knowledge that moneys contributed and expended by others without his participation were to be expended.

The language of the corrupt practices act (37 Stat., 28) is: "No candidate * * * shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised," etc. A reading of the entire act makes it plain that Congress did not intend to limit spontaneous contributions of money by others than a candidate, nor expenditures of such money except as he should participate therein. Of course, it does not mean that he must be alone in expending or causing to be expended the excessive sums of money; if he does it through an agent or agents, or through associates who stand in the position of agents, no doubt he is guilty; qui facit per alium facit per se; but unless he is an offender as a principal there is no offense. Section 332, Criminal Code, declares: "Whoever directly commits any act constituting an offense defined in any law of the United States, or aids, abets, counsels, commands, induces, or procures its commission, is a principal." Clearly this makes anyone who abets a candidate in expending or causing to be expended excessive sums a principal offender; but it can not change the definition of the offense itself as contained in the corrupt practices act, so as to make a candidate a principal offender unless he directly commits the offense denounced. Spontaneous

expenditures by others being without the scope of the prohibition, neither he nor anybody else can be held criminally responsible for merely abetting such expenditures.

It follows that one's entry upon a candidacy for nomination and election as a Senator with knowledge that such candidacy will come to naught unless supported by expenditure of money beyond the specified limit, is not within the inhibition of the act unless it is contemplated that the candidate shall have a part in procuring the excessive expenditures beyond the effect of his mere candidacy in evoking spontaneous contributions and expenditures by his supporters; and that his remaining in the field and participating in the ordinary activitives of the campaign with knowledge that such activities furnish in a general sense the "occasion" for the expenditure is not to be regarded as a "causing" by the candidate of such expenditure within the meaning of the statute.

The state of the evidence made it important that, in connection with that portion of the charge above quoted the jury should be cautioned that unless it was a part of defendants' plan that Mr. NEWBERRY should actually participate in giving, contributing, expending, using, or promising, or causing to be given, contributed, expended, used, or promised moneys in excess of the limited amount—either himself or through others as his agents—his mere participation in the activities of the campaign, even with knowledge that moneys spontaneously contributed and expended by others, without his agency, procurement, or assistance, were to be or were being expended, would not of itself amount to his causing such excessive expenditure. The effect of the instruction that was given may well have been to convey to the jury the view that Mr. NEWBERRY's conduct in becoming and remaining a candidate with knowledge that spontaneous contributions and expenditures of money by his supporters would exceed the statutory limit, and his active participation in the campaign, were necessarily equivalent to an active participation by him in causing the expenditure and use of an excessive sum of money and that a combination among defendants having for its object Mr. NEWBERRY's participation in a campaign where money in excess of the prescribed limit was to be expended, even without his participation in the contribution or expenditure of such money, amounted to a conspiracy on their part to commit an offense against the act.

For error in the instructions in this particular the judgment should be reversed, with directions for a new trial.

Mr. Justice Brandeis and Mr. Justice Clarke concur in this opinion.

Mr. POINDEXTER. In conclusion, I desire to reiterate, in support of the statement which has been challenged by the Senator from Arkansas, that Mr. NEWBERRY has been vindicated by the people of Michigan; he has been vindicated of any offense by the Supreme Court of the United States, and in speaking in regard to the opinion of the Supreme Court of the United States I am speaking only of the issues which were involved in the case which were submitted to the Supreme Court of the United States; that he was held not guilty of the violation of any law in effect—that was the effect of the decision. He was discharged by the highest judicial authority in the land from the prosecution which was brought against him. Then, again, for the third time, he was vindicated, if any action of human authority can be held capable of vindicating a man whose conduct is challenged, by the Senate of the United States, after a most thorough and exhaustive discussion, prosecuted with the greatest zeal by people who have the deepest political and personal interest, apparently, in excluding him from a seat in this body—vindicated by a majority of his collengues here, vindicated of any offense, and held entitled to his seat as a United States Senator.

Mr. CARAWAY. Mr. President, just briefly in answer to the Senator's speech, commencing with his last statement, if he holds that the vote in the Senate vindicated Senator NEWBERRY he owes to Senator NEWBERRY and every friend of his in the world an apology, an abject apology, for attaching to his vote of vindication a resolution of condemnation.

Mr. POINDEXTER. Mr. President——

Mr. CARAWAY. I yield to the Senator.

Mr. POINDEXTER. I intended to comment on that vote of condemnation, as the Senator describes it. He called attention incorrectly to a portion of the resolution. He read that part of the resolution which condemned the expenditure of money in a campaign and said that was a condemnation of Senator NEWBERRY. He also stated, perhaps inadvertently, as he will see by referring to the stenographic record of his remarks, that the Senate found Senator NEWBERRY expended an undue amount of money. There is not a word in the resolution to the effect that Senator NEWBERRY expended an undue amount of money or that he was guilty of any offense. The resolution condemned the use of that amount of money. It did not undertake to fix upon Senator NEWBERRY the responsibility for the expenditure. That question was one of the principal questions in the case, which the Senator from Arkansas assumes to have been defined and to have been affirmed in the resolution, knowing there is not a word in the resolution to that effect.

Mr. WARREN. Mr. President, will the Senator yield a moment that I may make a request?

Mr. CARAWAY. Certainly.

Mr. WARREN. Certain Members of the Senate on both sides prefer that we should agree to vote upon the pending resolution on Monday next at or before 4 o'clock, and the Assistant Secretary is drawing the unanimous-consent agreement. So I ask the Senator if he will not suspend for the time being until we may either accept or reject that agreement?

Mr. CARAWAY. May I suggest that I hope if we can agree here among ourselves no Senator will make the point of no quorum until I am through. It will only take me a moment or two.

Mr. NORRIS. It is not necessary to do that at all. This is not a bill; it is a resolution.

Mr. CARAWAY. I suspend for the purpose, as requested by the Senator from Wyoming.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, to amend the standing rules of the Senate, so that all general appropriation bills shall be referred to the Committee on Appropriations.

Mr. WARREN. I submit the unanimous-consent agreement.

The VICE PRESIDENT. The proposed unanimous-consent agreement will be read.

The Assistant Secretary read as follows:

UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that at the conclusion of to-day's business the Senate will take a recess until 11 o'clock a. m. on Monday next, and at the conclusion of the speech of the Senator from Indiana [Mr. NEW] on the so-called "four-power treaty" the Senate will proceed to the consideration of S. Res. 218, and at not later than 4 o'clock p. m. on said day (Monday, Mar. 6, 1922) the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and then upon the question of agreeing to the resolution as amended.

Mr. HARRISON. May I say, Mr. President, that I have no objection to the proposed agreement? I think we will get to a vote about 2 o'clock on Monday.

Mr. WARREN. I do not remember exactly how the agreement reads in that respect.

Mr. HARRISON. It says not later than 4 o'clock.

Mr. WARREN. Very well.

Mr. HEFLIN. Mr. President, I have no objection to making that arrangement, provided we can couple with it that immediately after the vote is had upon this resolution the Senate will vote, without further debate, upon the motion of the Senator from New Jersey [Mr. EDGE] to refer my resolution to investigate the Federal reserve bank at Atlanta to the Committee on Banking and Currency. I want that matter disposed of, and if I can get that done I shall have no objection to the agreement proposed by the Senator from Wyoming.

Mr. WARREN. I have no objection to that as a separate proposition, but the one I have proposed should not be joined with other subjects.

Mr. EDGE. Mr. President, if the Senator from Alabama desires my assurance, so far as securing unanimous consent is concerned, I can, of course, only speak for myself, but I am only too anxious to have a vote on the Senator's resolution which I moved should be so referred. If it can be done without debate, I shall be glad to join with him in having a vote taken at any time.

Mr. HEFLIN. There will be no harm in coupling it with this proposition. There seems to be no objection to my proposal.

Mr. WARREN. Since I asked for this agreement, the Senator will see the inconsistency of consenting to any agreement in behalf of the committee in the absence of its chairman. I think there will be no trouble if the Senator from Alabama wants to ask it as a separate proposition, but I dislike to undertake to accompany my proposition with such a proposition as that.

Mr. HEFLIN. I have no desire to hamper the chairman of the committee or the Senate in the passage of the resolution which they have in hand. The Senate is going to pass the resolution which they have up. Although I am opposed to it I am not in favor of doing anything to delay a vote on it, so I will withdraw my request for the present and present it later as a separate proposition.

The VICE PRESIDENT. Is there objection to the unanimous-consent agreement presented by the Senator from Wyoming? The Chair hears none, and it is entered into.

Mr. WARREN. Mr. President, I ask that the pending resolution may be reprinted showing the amendments which have been adopted, so that we may have the matter before us in better shape to take it up on Monday next.

The VICE PRESIDENT. Without objection, it is so ordered.

MICHIGAN SENATORIAL ELECTION.

Mr. CARAWAY. Mr. President, I shall detain the Senate only a minute. I want to reiterate my statement that for the Senator from Washington personally I have a very kind feeling. Personally I do not like to criticize him, and I kept as far away from doing that as I could. I shall refer briefly to his

first statement that, although I had his letter before me, I misquoted him when I inferred that he could not get suitable publicity in the State of Washington for his statement of what the record of the Newberry case disclosed. I read his statement as follows:

> I have made several statements as to my views of the Newberry case, but do not suppose the newspapers to which they were sent have printed them in such a way as to attract attention.

The mere fact of publishing matter, but publishing it in such a way that no publicity may be obtained for it is denying to the Senator from Washington the publicity of his views, and he himself says that he has furnished the statements, but the newspapers will not publish them in such a way that people may be able to read what he says. If that was not what the Senator from Washington intended to say to his correspondent, I am frank to say that he was unhappy in the language which he used, because everyone who has read it has understood that the Senator was complaining, and, therefore, was compelled to use the CONGRESSIONAL RECORD in order to get publicity.

Mr. POINDEXTER. What did my statement say, I will ask the Senator, about the CONGRESSIONAL RECORD? Why does the Senator say that? There is nothing said about the CONGRESSIONAL RECORD in my statement.

Mr. CARAWAY. What was the Senator's object in putting the letter in the RECORD?

Mr. POINDEXTER. That letter was not put into the RECORD until after it was printed. It was in reply to a letter of a constituent. There was nothing said in it about the CONGRESSIONAL RECORD.

Mr. CARAWAY. What was the object of the Senator in putting it in the CONGRESSIONAL RECORD?

Mr. POINDEXTER. There were various objects, but its publication in the RECORD had no relation to the point the Senator is making. The point the Senator is making is as to the contents of the letter, and the statement he quotes is not contained in the letter.

Mr. CARAWAY. The statement which I have read is contained in the letter. I was reading from the Senator's letter.

Mr. POINDEXTER. I do not want to delay the Senate, and I do not think the Senator intends to misrepresent, but I wish him to point out where there is anything said in the letter about wanting to get it in the CONGRESSIONAL RECORD.

Mr. CARAWAY. I did not say that was in the letter.

Mr. POINDEXTER. I understood the Senator to say that.

Mr. CARAWAY. No; I said that evidently the Senator could not get publicity for his views and was therefore driven to that course. That is the conclusion which the Senator from Arkansas reached.

Mr. POINDEXTER. Oh, well, I have no complaint of the Senator's conclusion.

Mr. CARAWAY. Very well. Now, if I understood the Senator correctly—and I want to be sure I did—in speaking of the vindication of Senator NEWBERRY in the election in Michigan I understood the Senator from Washington to say that Senator NEWBERRY had sons and brothers in the Army; that the people who had relatives in the Army voted for NEWBERRY; that Ford kept his son out of the Army, and that the people who agreed with him voted for Ford. Is that the Senator's statement?

Mr. POINDEXTER. No; that was not my statement.

Mr. CARAWAY. Can the Senator tell me the difference between my summary and his statement?

Mr. POINDEXTER. Yes; I can. There was an issue made between the people who had sons in the Army and those who kept their sons out of the Army, and between those who were in favor of a victorious peace and those who were in favor of a peace without victory. That is true. I did not say that everybody who kept their sons out of the Army voted for Ford.

Mr. CARAWAY. Was it the intention of the Senator that the people should understand that those who were loyal and let their sons serve in the Army voted for NEWBERRY?

Mr. POINDEXTER. I said that that issue was made in the State; that that was one of the issues.

Mr. CARAWAY. Yes.

Mr. POINDEXTER. I did not say for whom they voted.

Mr. CARAWAY. But that was the inference.

Mr. POINDEXTER. That is the Senator's own inference.

Mr. CARAWAY. Yes; and it is the only inference that could be drawn from the Senator's statement. If that is true, if the Senator's statement is correct, there were only a few more than 4,000 people who voted in the election in Michigan who were loyal as distinguished from those who were not loyal.

Mr. POINDEXTER. The Senator from Arkansas means if his inference is correct, not my statement.

Mr. CARAWAY. My inference is from what the Senator said. I can not know what he has in his mind as a mental reservation. The Senator takes issue with the statement that money was the cause of Senator NEWBERRY being elected to the Senate. I am going to quote from Senator NEWBERRY himself, the highest authority of whom I know. Here is what he said in his speech which was carefully prepared——

Mr. POINDEXTER. Let me correct the Senator. I do not know whether or not the Senator is annoyed by my interrupting him. If so, I shall not do so further.

Mr. CARAWAY. I do not object in the least.

Mr. POINDEXTER. I merely wanted again to correct the Senator. In his reference to the statement made by me the form in which he states it now is that the use of money was the cause of Mr. NEWBERRY being elected to the Senate. I can imagine that, to some extent at least, publicity might be the cause of a man being elected to the Senate. Advertisements in newspapers, the circulation of literature, mailing letters to voters, all of which cost a great deal of money, might be the cause of his being elected to the Senate. That was not the statement that I challenged. The statement which I challenged was the statement that the seat in the Senate had been bought. That was one statement. Another statement was that Senator NEWBERRY had bought a seat in the Senate. That is a very different thing from what the Senator from Arkansas is now stating. I repeat that neither one of those statements is substantiated by any evidence.

Mr. CARAWAY. If the Senator would not change his position so often, we would reach a conclusion; but I realize the impossibility of ever reaching a final issue with the Senator when he undertakes to give an explanation that differs from his original statement. I say that if a man uses more money than is legitimate and right and uses it as the record in this case shows money was used, to buy votes, if he himself says that the money he used was responsible for his election, he concedes that he bought his seat. NEWBERRY himself said:

> The amount expended was large, more than I had any idea was being expended, and more than ought to be necessary to expend in any ordinary campaign. But this was not an ordinary campaign.
>
> I shall not dwell upon the reasons which the committee thought imperatively demanded a campaign of newspaper publicity involving this expenditure of money. I can only say that I regret exceedingly the fact that so large an amount of money was necessarily expended.

In other words, if that means anything, it means that if he had limited his expenses to a reasonable and lawful amount he could not have been elected. No other explanation under any refinement of the language is possible. "I regret that it was necessary to expend so much money"—necessary for what purpose? Necessary in order that he might be nominated; that is all. If it does not mean that, it does not mean anything.

The Senator from Washington says that the sin of buying the nomination was wiped out by the ratification by the people of Mr. NEWBERRY's candidacy in the November election. I regret that Senators in the course of their careers find it impossible to be consistent. Senator Isaac Stephenson, of Wisconsin, and his friends together, according to the record, expended $107,000 for the nomination, and he was afterwards elected. Subsequent to his election the Senator from Washington, when he was a progressive and before he became a standpatter, in one of the ablest speeches delivered in the Senate declared that Senator Stephenson was not entitled to his seat; that, although his election had been ratified by the people of Wisconsin, it was vitiated and void by reason of the excessive expenditure of money in the primary election.

Mr. POINDEXTER. Mr. President——

Mr. CARAWAY. I yield to the Senator.

Mr. POINDEXTER. I think that there is some difference between the Stephenson case and this case.

Mr. CARAWAY. Oh, yes; one arose in Wisconsin and the other in Michigan; the Senator in one case was named Isaac Stephenson and in the other TRUMAN H. NEWBERRY; otherwise, except that NEWBERRY spent three times as much and twice as corruptly, the cases are exactly alike.

Mr. POINDEXTER. The Senator says they are.

Mr. CARAWAY. Yes; and the Senator from Washington agreed with me at one time. I have read his speech since I commenced preparing my remarks delivered on this occasion.

Mr. POINDEXTER. No; the Senator from Washington never agreed with that, and he never made any such statement. There was a vital difference between the case of Senator Stephenson, of Wisconsin, and the case of Senator NEWBERRY, of Michigan. The Senator from Arkansas may not think that the difference is important, but nevertheless there was a difference, although he says now that it does not exist. One was that in the Wisconsin case the candidate himself put up the money,

knowing for what purpose it was to be used, while in the Michigan case, at least the weight of the testimony is that the Senator from Michigan did not know how much money was being put up and did not put it up himself. Another difference—and a much more important difference, in my opinion—is that in the Wisconsin case the matter never was submitted to the people of the State of Wisconsin, while in the Michigan case, under the seventeenth amendment to the Constitution, it was submitted to the people, the highest authority of the State, thoroughly discussed, and determined by them upon this issue, practically exclusive of any other consideration. That, in my opinion, is a very vital distinction between the Michigan case and the Wisconsin case.

Mr. CARAWAY. I am curious to know why the Senator says that was the issue, when he stated in his letter to Thomas Marshall on the 26th day of last January that the war and patriotism were the issues. That is what the Senator from Washington said in his letter to Marshall, and now he says that the issue was money.

Mr. POINDEXTER. Will the Senator let me read two or three lines from what I did say?

Mr. CARAWAY. I know what the Senator said, but I shall yield.

Mr. POINDEXTER. I quote from my letter as follows:

Another circumstance, which is not disputed at all, is that there is no evidence whatever that any improper amount of money was used in the general election campaign at which NEWBERRY was elected to the Senate. The only evidence introduced was as to the expenditure of money in the primary election, at which he was nominated. In the general election at which he was chosen Senator—

I wish the Senator would mark this statement—

the very question of the expenditure of money in the primary election was submitted to the voters of Michigan and made the chief issue in the campaign.

The Senator disputes that.

Mr. CARAWAY. No; I do not dispute it; but the Senator also states that the election was in war time, and that patriotism was the issue in the primary, where the expenditure of money occurred. Of course, I may always be answered, like anyone else, that wise men change their opinions, but it will amuse other people and somewhat plague the Senator from Washington to lay his speech in the Stephenson case alongside of his speech in the Newberry case and determine that the same man made them both. It could very well be said, I think, that they were made by two men bearing the same name, because it seems improbable that the same man, an able lawyer and a distinguished Senator, a man of whom I am very fond, indeed, should have made two speeches touching the same question, the corrupt use of money in a primary and election, and reach such diametrically opposite conclusions.

The Senator says I was wholly mistaken in reference to the nature of the resolution for which the Senator voted; that that was a general resolution and had nothing to do with the Newberry case. I want to read it for the Senator again, because I am frank to say that I imagine there are many things in this record which the Senator, in his haste to vote for Senator NEWBERRY and to get rid of the influences that were trying to keep him from doing so, overlooked.

Here is the resolution:

That whether the amount expended in this primary—

Whose primary? TRUMAN H. NEWBERRY'S; the only one the Senate had before it; the only primary it was discussing.

That whether the amount expended in this primary—

The NEWBERRY primary—

was $195,000, as was fully reported or openly acknowledged, or whether there were some few thousand dollars in excess, the amount expended was in either case too large, much larger than ought to have been expended.

The expenditure of such excessive sums—

What sums? The NEWBERRY sums.

in behalf of a candidate—

What candidate? NEWBERRY.

either with or without his knowledge—

The Senator from Washington cuts himself off now from his defense that it was spent without NEWBERRY'S knowledge, because the resolution says that this expenditure is condemned whether it was made with or without his knowledge.

Either with or without his knowledge and consent, being contrary to sound public policy, harmful to the honor and dignity of the Senate, and dangerous to the perpetuity of a free government, such excessive expenditures—

What expenditures? By NEWBERRY and NEWBERRY'S friends.

are hereby severely condemned and disapproved.

They were not talking about some hypothetical case. The resolution was dealing with the NEWBERRY case; and when the Senator from Washington voted for that resolution, and when the majority of the Senate voted for it, they voted for a resolution condemning the methods by which TRUMAN H. NEWBERRY obtained his nomination and election, and then they call that a vindication! I pray God that I shall not get vindicated in that way.

Mr. POINDEXTER. Mr. President, let me ask the Senator from Arkansas a question. Suppose it had been shown that a large number of voters in the State had been prohibited from access to the polls by the criminal act of some man in Michigan, and Senator NEWBERRY was admitted to know nothing about it and not to have any part whatever in it, and the Senate should pass a resolution condemning it. Would the Senator say that that would be equivalent to a resolution condemning Senator NEWBERRY?

Mr. CARAWAY. I say that no Senator would have voted for a resolution of any such nature coupling it with a resolution to seat Senator NEWBERRY if that had been the fact; and it is perfectly ridiculous, if I may be permitted to say it—and yet I am entirely respectful to other people's opinions, although the Senator from Washington prefaced his remarks by saying that I was a bitter partisan——

Mr. POINDEXTER. I did not say "bitter."

Mr. CARAWAY. Well, that is what the Senator's statement meant, and I do not take offense at it. I am a partisan; but, so help me Almighty God, no partisanship ever entered into my mind when it came to a question of whether a man did right or wrong. That is a declaration of mine and it has no other evidence back of it except my simple declaration. I would not have voted to seat any man from any party if I had believed, as I think every man who reads this record must know, that this seat was obtained by the corrupt use of money. I say, sir, and I believe I state the simple truth, that 90 per cent of the Senators who voted to seat Senator NEWBERRY never read the 2,000 pages of the record. I can not conceive that they did. The Senator from Pennsylvania [Mr. PEPPER], who got here one day and voted the next, or the next after that, sat here in the Senate all the time and did not have an opportunity to read it, and yet he goes out and arraigns everybody else who did not agree with him, and I venture the assertion that he could not have read one-tenth of the record. I read every line of that record.

It took me not two days nor two weeks, but to try to know what it contained took more than a month; and before I ever gave expression to a view with reference to TRUMAN H. NEWBERRY'S right to a seat here I had read every line of the evidence of every witness who testified in that case that was available in this printed record. I would not have voted for or against Senator NEWBERRY, to give him a seat or to restrain him from a seat in this body, without knowing all the evidence that could be obtained, any more than, if I were on a jury, I would ever sentence a man to death without having heard the evidence that disclosed that he was guilty of a crime. A man's honor, valuable property rights, the honor of a seat in the Senate, and the welfare of 110,000,000 of American citizens—aye, good government everywhere—demanded that the man who cast a vote there should know what the facts were, and vote in accordance with the facts.

I was upbraided because it was said that I was a follower of Woodrow Wilson. I voted for him, and I am rather proud of the fact; and if to-day God should be so kind as to restore his physical health, and it could be known that he would be in a place in these United States and address the people upon public issues he would get ten times more people to hear him than any other man who walks the earth to-day. It is not a question of whether he was right or wrong. Much of his administration I did not approve, and much of it I do not approve now; and if the Senator meant to say that I was a blind follower of Woodrow Wilson, of course, the Senator never read my record at all.

Mr. POINDEXTER. That is the reason why I did not say that the Senator was a blind follower of Mr. Wilson.

Mr. CARAWAY. That is what the Senator intended to say, but he wanted to leave room to explain that that was not what he meant. I do not fall out with the Senator, for that is one of the soft impeachments.

The Senator did not answer this question.

I want to call the attention of the Senator from Washington to the fact that he did not say in his letter that this money was expended for advertisements or other legal expenditures, but legitimate expenditures—proper expenditures. That is what it means—not legal; not the naked, legal question of whether it was an offense against the law, but whether it was proper or not. I asked the Senator, and he did not answer me, whether he thought it was a legitimate expenditure when this man hired 15 men at $5 apiece, and said that the men he selected had worked for him in politics before—worked for *him*,

mind you, is his language. They had not worked for a cause, but had been his henchmen, his machine.

They were the things with which he could control results. He said they had worked for him before. He did not know whom they were supporting before he hired them. His purpose was to get them to support NEWBERRY. He hired them for what purpose? To support NEWBERRY. He simply asked them, if they were not tied up, to support NEWBERRY. He said it was his intention to get their support and their votes for NEWBERRY.

Mr. POINDEXTER. How much money did he pay them?

Mr. CARAWAY. Oh, he hired 15 men at one polling place.

Mr. POINDEXTER. That was $150.

Mr. CARAWAY. Well, wait; the amount is not the important thing. The Senator does not say that most of this money was spent for advertisements or other legal expenses, but that it was all expended for advertising or other legitimate expenses. Now, does the Senator call that a legitimate expense or expenditure?

Mr. POINDEXTER. I assume that there is no law in the State of Michigan against hiring a man to work up to the limit fixed by the statute.

Mr. CARAWAY. Oh, that is not it. The Senator knows the difference between "legal" and "legitimate." Does the Senator call that a legitimate expenditure?

Mr. POINDEXTER. Yes; in the sense that it is not prohibited by the law.

Mr. CARAWAY. That is legal. The Senator must know the difference between "legitimate" and "legal." Is that a legitimate expenditure?

Mr. POINDEXTER. I do not regard it as a proper expenditure, but I do regard it as legitimate and allowed by the law up to the very narrow limit fixed by the statute of Michigan; and if you want to make a case of expulsion over that, then you ought to pass a law prohibiting it altogether.

Mr. CARAWAY. That is not the point. The Senator, then, unqualifiedly says he thinks that is a legitimate expenditure?

Mr. POINDEXTER. Yes.

Mr. CARAWAY. All right. Does the Senator think it was an entirely legitimate expenditure to put $400 in an envelope——

Mr. POINDEXTER. I want to say this, if the Senator will permit me: I do not undertake to go into every punctilio. I am dealing with the substance of the case. I have no doubt that there were some instances, perhaps, where the law was violated, although if there were it is a wonder that the great organization that was on the track of these men did not get some of them and send them to jail; but the instances that the Senator has cited so far do not constitute any violation of the law and constitute no substantial question which would affect the result of the election in any way whatever.

Mr. CARAWAY. The Senator now is wandering away from the point. He made the definite answer that he regarded that as a legitimate expenditure. Does he regard the putting of $400 into an envelope and giving it to a man in the headquarters to go out, of course, and do what he pleased with it, as legitimate? Just "yes" or "no."

Mr. POINDEXTER. It depends on the purpose for which it was given to him.

Mr. CARAWAY. That is what the record shows—that they had him in the office, and wanted him to support NEWBERRY, and laid before him an envelope, sealed, for him to take, and he took it and went away, and when he opened it he found that it contained $400.

Mr. POINDEXTER. How much money was that?

Mr. CARAWAY. That was $400.

Mr. POINDEXTER. With the $150, that makes $550.

Mr. CARAWAY. Just wait. We will get more than that in a minute. Is that a legitimate expenditure, in the eyes of the Senator from Washington?

Mr. POINDEXTER. It depends altogether upon the purpose for which it was given. Let me complete my answer. There are certain expenditures on which, under the laws of Michigan, no limit of expense is fixed at all—traveling expenses, postage, advertising. Then, in addition to that, there are certain other expenses, which I assume might cover the case of Bohn, from the northern peninsula, which are limited by the law; but there is no contention that the comparatively trivial amounts to which the Senator refers exceed the limit provided in the statutes of Michigan.

Mr. CARAWAY. There is not any statute of Michigan permitting the buying of votes, and the Senator must know that. The Senator evades the question. Does he regard the putting of $400 in an envelope and sealing it up and handing it to a man in the headquarters of a candidate for the Senate as a legitimate expenditure of that candidate's money?

Mr. POINDEXTER. I have answered the Senator's question. I do not care to repeat my answer.

Mr. CARAWAY. Very well. Does the Senator regard as legitimate—I shall not now be able to recall the names, because there were so many of them—the case where one man testified that he and another man went over a county, took two days, and gave to about 30 different people from $10 to $20 each, and said, "Our purpose was to get their influence and their votes"? Was that a legitimate expenditure of money?

Mr. POINDEXTER. I should like to see the evidence about that; as to who was responsible for it.

Mr. CARAWAY. If the Senator had read the record he would have found it. I shall be glad to get it and show it to him, however.

Mr. POINDEXTER. I shall be glad to see it.

Mr. CARAWAY. There are innumerable cases of the kind.

I think, if the Senator wants to figure it up, that $263,000 can be traced in this election. The candidate himself admits $195,000 of it, and the fact that the candidate had knowledge of it is so apparent that nobody conscientiously can deny it. The candidate knew in advance that he was going to have $50,000 expended for him; and I want to call the attention of the Senator right here to this statement:

The candidate is a business man, a big business man. I do not fall out with him for that, for men of that kind develop this country, largely. An honest man is an honest man whether he is worth ten millions or ten cents, and wealth does not make dishonor nor does poverty make honor; and while the Senator rather imputed that to me a minute ago, he never heard me give utterance to any such sentiment at all.

The Senator from Michigan was a big business man. He entered a race where he was told that it would cost at least $50,000 to elect him, and this record is as silent as the tomb as to what source he expected this $50,000 to come from. I know, and everybody knows, I do not care what the record shows or does not show, that Senator NEWBERRY knew who was going to furnish that money. He would have been a fool to have gone into a campaign, hire his campaign manager, and open headquarters, knowing it was to cost $50,000, and not knowing a single individual who would contribute a penny. If anybody believes Senator NEWBERRY did a thing like that he is unkind to Senator NEWBERRY, because I know he has too much sense to have done a foolish thing like that.

Smith testified that on the 27th day of July, 1918, a month before the election, he and NEWBERRY were talking over the phone, and NEWBERRY was complaining about the balances, and when asked what balances, he said the balances that were being taken from all the accounts to feed into John Newberry's account in order to feed this election machine that was buying a sent for him in Michigan. He knew it a month, if he knew it no time longer than that, that they were using his own money, and they were using so much of it and taking it from all the accounts until he was complaining and saying, "Oh, when will these expenses cease?" He was told they would cease on primary day.

Mr. POINDEXTER. Mr. President, the Senator knows, does he not, that all those questions were submitted to the people of Michigan in a general election; that the circumstances he refers to occurred in the primary election, and were made an issue in the general election, and that the people of Michigan decided that question?

Mr. CARAWAY. Is that a satisfactory answer of the Senator, that if NEWBERRY bought his seat, if the people of Michigan were willing for him to buy it, the Senator has no objection to his purchasing a seat?

Mr. POINDEXTER. I have discussed that at considerable length.

Mr. CARAWAY. If the Senator's answer meant anything, that is what it meant, that the people of Michigan, knowing that NEWBERRY bought his seat, ratified it, and therefore the Senator from Washington has no concern with it.

Mr. POINDEXTER. The Senator has repeated his statement that Mr. NEWBERRY bought his seat. That is one of the charges without any substantiation whatever.

Mr. CARAWAY. The evidence I was reciting proves that; but I want to say right now, just to correct the Senator, because I know he wants to be exactly fair, that these things were not submitted to the people of Michigan, because the investigation before the grand jury, the trial before the petit jury, and the investigation before the Senate committee were not had until after the election, and all the people knew were the published statements of the campaign committee, and they disclosed none of these facts, and to say that those questions were submitted to the people of Michigan is wholly incorrect. The people of Michigan did not have that knowledge.

Mr. POINDEXTER. It was all submitted to the people of Michigan in a fair and free election, which was held months after the alleged occurrences the Senator refers to, and in which the whole issue was thoroughly discussed. It was later on submitted to the Supreme Court of the United States.

Mr. CARAWAY. And the Supreme Court decided that inasmuch as the law under which the expenditures were made was unconstitutional it could not punish him. That is what the Supreme Court said.

Mr. POINDEXTER. Four of the judges who concurred in that decision, notwithstanding the assertion of the Senator from Arkansas, as shown by their opinions I have read into the RECORD, consequently whose judgment went to make it the judgment of the court, found that the instructions at the trial were erroneous.

Mr. CARAWAY. The Senator made two misstatements. Four judges did not concur in that opinion. The Chief Justice dissented from the opinion that the act was unconstitutional. He did think that the instruction of the court was in error, but he thought the man was guilty, because he said the case should be remanded for a new trial under proper instructions.

How the Senator could stand in his place and say that the court vindicated him is beyond the comprehension of anybody who knows what the meaning of a court decision is, because the court did not say any such thing, and I hope the Senator will publish the entire personal opinions of the four judges on whom he relies for the vindication of Senator NEWBERRY, because they do not bear out what the Senator claims, even if they had a right to call an individual opinion an opinion of the court.

I shall, however, not discuss it further at this time. I shall put all the citations in the RECORD again.

RECESS.

Mr. WARREN. I ask that the Senate shall take a recess until 11 o'clock Monday morning.

The VICE PRESIDENT. Under the unanimous-consent agreement, the Senate stands in recess until 11 o'clock on Monday next.

Thereupon the Senate (at 6 o'clock and 50 minutes p. m.) took a recess until Monday, March 6, 1922, at 11 o'clock a. m.

CONFIRMATION OF LIEUT. COL. ROBERT GRAY PECK.

In executive session this day, following the confirmation of Maj. Robert Gray Peck to be a lieutenant colonel in the Regular Army, on request of Mr. REED, and by unanimous consent, the injunction of secrecy was removed from the vote by which Lieut. Col. Peck was confirmed.

The vote on confirmation resulted—yeas 41, nays 19, as follows:

YEAS—41.

Ball	Johnson	New	Stanfield
Brandegee	Keyes	Newberry	Sutherland
Calder	King	Norbeck	Townsend
Cameron	Ladd	Oddie	Wadsworth
Cummins	Lenroot	Page	Warren
Dillingham	Lodge	Pepper	Watson, Ind.
Fernald	McCormick	Phipps	Weller
Frelinghuysen	McCumber	Poindexter	Williams
Glass	McKinley	Sheppard	
Gooding	McNary	Shortridge	
Hale	Myers	Smoot	

NAYS—19.

Ashurst	Heflin	Norris	Simmons
Capper	Jones, N. Mex.	Pomerene	Stanley
Caraway	Kendrick	Rawson	Watson, Ga.
France	McKellar	Reed	Willis
Harreld	Nelson	Shields	

NOT VOTING—36.

Borah	Edge	Kellogg	Robinson
Broussard	Elkins	La Follette	Smith
Bursum	Ernst	McLean	Spencer
Colt	Fletcher	Moses	Sterling
Crow	Gerry	Nicholson	Swanson
Culberson	Harris	Overman	Trammell
Curtis	Harrison	Owen	Underwood
Dial	Hitchcock	Pittman	Walsh, Mass.
du Pont	Jones, Wash.	Ransdell	Walsh, Mont.

So Maj. Robert Gray Peck was confirmed as a lieutenant colonel.

The Senator from Rhode Island [Mr. COLT] withheld his vote on account of his general pair with the Senator from Florida [Mr. TRAMMELL] but stated that, if permitted to vote, he would vote "yea."

The Senator from Mississippi [Mr. HARRISON] withheld his vote on account of his general pair with the Senator from West Virginia [Mr. ELKINS].

The Senator from North Carolina [Mr. SIMMONS] transferred his general pair with the Senator from Minnesota [Mr. KELLOGG] to the Senator from Rhode Island [Mr. GERRY] and voted "nay."

The Senator from Massachusetts [Mr. LODGE] transferred his general pair with the Senator from Alabama [Mr. UNDERWOOD] to the Senator from Pennsylvania [Mr. CROW] and voted "yea."

The Senator from Kansas [Mr. CURTIS] announced that he was paired with the Senator from Connecticut [Mr. MCLEAN] and that, if permitted to vote, he would vote "nay" and the Senator from Connecticut would vote "yea."

The Senator from New Hampshire [Mr. MOSES] announced his general pair with the Senator from Louisiana [Mr. BROUSSARD] and stated that, if permitted to vote, he would vote "yea."

The Senator from Colorado [Mr. PHIPPS] transferred his general pair with the Senator from South Carolina [Mr. DIAL] to the Senator from Colorado [Mr. NICHOLSON] and voted "yea."

The Senator from New Jersey [Mr. EDGE], after having voted "yea," withdrew his vote on account of his general pair with the Senator from Oklahoma [Mr. OWEN], not being able to secure a transfer.

On this question, the Senator from Florida [Mr. FLETCHER] was paired with the Senator from Georgia [Mr. HARRIS]. Senator FLETCHER would have voted "yea," if present, and Senator HARRIS would have voted "nay."

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 4 (legislative day of February 23), 1922.

PROMOTION IN THE ARMY.

To be lieutenant colonel, Infantry.

Robert Gray Peck.

PROMOTIONS IN THE NAVY.

To be captains.

Walter M. Hunt.
Zachariah H. Madison.
Austin Kautz.

To be commanders.

Charles H. Shaw.	Albert S. Rees.
Eldred B. Armstrong.	Claude A. Bonvillian.
Arthur W. Sears.	William B. Howe.
Walter B. Decker.	George H. Bowdey.
Randolph P. Scudder.	Charles F. Russell.
George A. Alexander.	Garret L. Schuyler.
James P. Olding.	Alfred W. Brown, jr.

To be lieutenant commanders.

Edward H. Connor.	Miles P. Refo, jr.
James D. Maloney.	Edgar M. Williams.
John H. S. Dessez.	Howard A. Flanigan.
James S. Spore.	Marc A. Mitscher.
George W. Hewlett.	George L. Weyler.
Frank Slingluff, jr.	Earle W. Spencer, jr.
John M. Ashley.	Clarkson J. Bright.
Mervyn S. Bennion.	William D. Kilduff.
Herbert W. Underwood.	Joseph F. Crowell, jr.
Frank H. Kelley, jr.	Charlton E. Battle, jr.
Lorain Anderson.	Herbert A. Ellis.

To be naval constructors, with rank of captain.

Lewis B. McBride.
Clayton M. Simmers.

To be naval constructors, with rank of commander.

Robert B. Hilliard.	Philip G. Lauman.
Lee S. Border.	Ralph T. Hanson.
James O. Gawne.	Ralph D. Weyerbacher.
Alva B. Court.	Henry E. Rossell.
Allan J. Chantry, jr.	Edmund R. Norton.
Lew M. Atkins.	Thomas B. Richey.

To be medical inspectors, with rank of commander.

Isaac S. K. Reeves.
George L. Wickes.

To be pay inspectors, with the rank of commander.

Edward T. Hoopes.
Elijah H. Cope.

To be surgeons, with rank of lieutenant commander.

John J. O'Malley.	Walter C. Espach.
Frederick Ceres.	Howard A. Tribou.

To be dental surgeon, with the rank of lieutenant commander.

Franklin L. Morey.

To be paymaster, with the rank of lieutenant commander.

Robert W. Clark.

To be passed assistant paymasters, with the rank of lieutenant.

Tucker C. Gibbs.
Louis H. Huebner.
Thomas S. Wylly.

To be passed assistant surgeons.

Henry P. Merrill.
William F. Crouse.

To be dental surgeons.

Anson F. McCreary.
Hugh T. Meyers.

To be passed assistant dental surgeons, with the rank of lieutenant.

James C. Lough.
Armin T. Fellows.

To be passed assistant surgeon, with rank of lieutenant.

Horace R. Boone.

To be assistant naval constructor, with the rank of lieutenant (junior grade).

William F. Twitchell.

To be chaplains, with the rank of lieutenant.

Henry G. Gatlin.
Herbert Dumstrey.

To be chaplain, with the rank of lieutenant (junior grade).

Thomas F. Regan.

To be lieutenants.

Adolph V. S. Pickhardt.
Robert D. Kirkpatrick.
Stanely L. Wilson.
Forrest B. Royal.
Horace E. Burks.
Nelson N. Gates.
George W. McIver, jr.
William E. O'Connor.
John N. Whelan.
George O. Etheredge.
Gordon B. Woolley.
Fred M. Byers.
Stanley C. Norton.
John B. Lawrence.
Albert S. Marley, jr.

To be lieutenants (junior grade).

Nelson N. Gates.
George W. McIver, jr.
William E. O'Connor.
John N. Whelan.
George O. Etheredge.
Gordon B. Woolley.
Stanley C. Norton.
Thomas J. Griffin.
Morton T. Seligman.
Dorrance K. Day.
Cecil F. Harper.

To be ensigns.

August Rettig.
Frederick J. Legere.
William F. Skyles.
Frederick H. Ottaway.
William B. Gwin.

To be chief gunner, to rank with but after ensign.

Chesley Jones.

POSTMASTERS.

CALIFORNIA.

William A. Garton, Hawthorne.
Mary L. Courtright, Larkspur.
Orynthia Copeland, Los Altos.
Joseph Chattwood, Manhattan.
Josephine Montgomery, Randsburg.
Robert L. Abell, San Joaquin.
Clarence Beckley, Santa Paula.

GEORGIA.

Fred G. Brewton, Mount Vernon.

MINNESOTA.

Erick L. Slindee, Adams.
Samuel A. Terrell, Elysian.
Erwin O. King, Hackensack.
Hazel W. Pike, Hewitt.
James J. Lannon, Prior Lake.

NORTH DAKOTA.

Catherine Ross, Arthur.
Flora Walker, Kathryn.
Lawrence D. Larsen, Kindred.
Katie H. Hanson, Munich.
Frank L. Lewis, Neche.
Abbie I. Boyd, Pingree.

OHIO.

Oscar A. Tisher, Hannibal.
Joseph C. Gill, McArthur.
Rosa M. Birch, McConnelsville.

SOUTH CAROLINA.

Louis Stockley, Kingstree.
Delma B. Liddell, Lowndesville.
Cary Smith, Manning.

SOUTH DAKOTA.

Samuel G. Mortimer, Bellefourche.
Leonard D. Walters, Bruce.
William A. Hodson, Cresbard.
Gottlieb J. Walth, Hosmer.
Melville C. Burnham, Murdo.
Frank W. Farrington, New Effington.
Charles P. Decker, Roscoe.
Minnie C. Lumbard, Wolsey.

TENNESSEE.

Prior T. Livesay, Sneedville.
Newton S. Moore, Whiteville.

WASHINGTON.

Edwin R. Larson, Hamilton.

SENATE.

MONDAY, *March 6, 1922.*

(Legislative day of Thursday, February 23, 1922.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

PACKERS IN UNRELATED LINES OF BUSINESS (S. DOC. NO. 145).

Mr. NORRIS. Mr. President, on Thursday last, during my temporary absence from the Senate, a communication came in from the Attorney General transmitting, in response to Senate resolution 211, a report of the steps taken to enforce and carry out the consent decree entered by the Supreme Court of the District of Columbia on February 27, 1920, in the suit of the United States of America against Swift & Co. and others. The resolution itself was referred to the Committee on Agriculture and Forestry and they were directed to take certain action. The report is still on the table, I understand. I ask that the report of the Attorney General be printed and referred to the Committee on Agriculture.

The VICE PRESIDENT. Without objection, the report will be taken from the table, printed, and referred to the Committee on Agriculture and Forestry.

CALL OF THE ROLL.

Mr. LODGE. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	McNary	Smith
Ball	Hale	Myers	Spencer
Borah	Harreld	Nelson	Stanfield
Brandegee	Harris	New	Sterling
Bursum	Harrison	Newberry	Sutherland
Cameron	Heflin	Norris	Townsend
Capper	Johnson	Oddie	Underwood
Caraway	Jones, Wash.	Overman	Wadsworth
Colt	Kellogg	Page	Walsh, Mass.
Culberson	Kendrick	Phipps	Walsh, Mont.
Cummins	Keyes	Poindexter	Warren
Edge	King	Pomerene	Watson, Ga.
Fernald	Ladd	Ransdell	Weller
Fletcher	Lodge	Rawson	Willis
France	McKellar	Reed	
Glass	McKinley	Sheppard	

Mr. JONES of Washington. I wish to announce that the Senator from Vermont [Mr. DILLINGHAM] is absent on account of a death in his family.

I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from Connecticut [Mr. MCLEAN], and the Senator from Indiana [Mr. WATSON] are detained at a hearing before the Committee on Finance.

Mr. SMITH. I wish to announce that my colleague [Mr. DIAL] is absent on account of illness.

Mr. FLETCHER. I wish to announce that my colleague [Mr. TRAMMELL] is necessarily absent on account of illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-two Senators having answered to their names, there is a quorum present.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting the petition of Albert G. Gilpin, chairman of a committee of former service men of the Mount Alto Hospital, and others, praying for the granting of adequate relief to disabled ex-service men and the semimonthly payment of compensation, etc., which was referred to the Committee on Finance.

He also laid before the Senate a resolution unanimously adopted by a convention of manufacturers held under the auspices of the National Association of Manufacturers, at Washington, D. C., January 30-31, 1922, favoring inclusion of the American valuation plan in the pending tariff bill, which was referred to the Committee on Finance.

Mr. EDGE. I present a numerously signed petition from citizens of New Jersey. The petition has been signed by approximately 10,000 citizens of that State, and prays for a modification of the so-called Volstead Act. I ask that it be given the appropriate reference.

The VICE PRESIDENT. The petition will be referred to the Committee on the Judiciary.

Mr. KEYES presented a resolution adopted by the New Hampshire Savings Bank Association, protesting against the proposal to increase the rate of interest upon postal savings from 2 per cent to 3 per cent, which was referred to the Committee on Post Offices and Post Roads.

Mr. CAPPER presented a resolution adopted by the directors of the Concordia (Kans.) Chamber of Commerce, favoring acceptance of the proposal of Henry Ford relative to Muscle Shoals project, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Liberal National Loan Association, of Liberal, Kans., protesting against the enactment of legislation tending to repeal or amend the Federal farm loan act, which was referred to the Committee on Banking and Currency.

Mr. LADD presented the petition of W. P. Jinnett, of Williston, N. Dak., praying for relief to the suffering peoples of Austria by deferring payment of Austria's debt for 20 years, which was referred to the Committee on Finance.

He also presented the petitions of S. J. Jensen and 40 others of Englevale, Herman Hall and 18 others of Overly, E. B. Larson and 21 others of Hillsboro, Fred E. Sims and 7 others of Willow City, Walter Huether and 2 others of Elliott, Mrs. Zelpha Hedbert and 15 others of Carpio and vicinity, F. W. Stedman and 24 others of Berg, John Underland and 5 others of Hettinger, E. N. Sterner and 62 others of Hazelton and vicinity, and H. J. Zehner and 45 others of Epworth and vicinity, all in the State of North Dakota, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Massachusetts:

A bill (S. 3243) for the relief of Abram Burke; to the Committee on Commerce.

By Mr. JONES of New Mexico:

A bill (S. 3244) to authorize the transfer of surplus books from the Navy Department to the Interior Department; to the Committee on Naval Affairs.

By Mr. WALSH of Montana:

A joint resolution (S. J. Res. 174) providing for the presentation of a replica of the statue of Robert Emmet to the National Gallery of Ireland and to the Irish people; to the Committee on the Library.

AMBASSADOR EXTRAORDINARY TO HAITI.

Mr. LODGE obtained the floor.

Mr. KING. Will the Senator yield to me for just a moment? If what I desire to suggest shall provoke any debate, I shall not ask the Senator to yield.

Mr. LODGE. I yield.

Mr. KING. I tried to obtain recognition on Saturday last to offer a resolution which I shall now offer. If it provokes any debate, I shall withdraw it. The resolution asks the opinion of the Committee on the Judiciary as to a certain matter. I send the resolution to the Secretary's desk and ask that it may be read.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 249) was read, as follows:

Whereas the President of the United States has designated Brig. Gen. John H. Russell as high commissioner to Haiti, with the rank of ambassador extraordinary to the Government of that country, without having sent the nomination of said Brig. Gen. John H. Russell to the Senate for the advice and consent of the Senate with respect to his appointment to said office: Now, therefore, be it

Resolved, That the Committee on the Judiciary is hereby requested to investigate the question as to the power of the President under the Constitution to appoint an ambassador extraordinary to Haiti without the advice and consent of the Senate in that behalf, and report their findings and opinion to the Senate.

Mr. KING. I ask for the present consideration and adoption of the resolution.

Mr. LODGE. I think the resolution had better go over.

The VICE PRESIDENT. The resolution will go over.

MEMORIAL SERVICES IN HONOR OF THE LATE MAJ. GEN. WILLIAM CRAWFORD GORGAS.

Mr. HEFLIN submitted the following resolution (S. Res. 250), which was referred to the Committee on Printing:

Resolved, That there be printed 2,500 copies of Senate Document No. 390, Sixty-sixth Congress, third session, entitled "Memorial Services Held in Honor of Maj. Gen. William Crawford Gorgas," for the use of the Senate document room.

REPORT OF THE WOOD-FORBES PHILIPPINE MISSION.

Mr. NEW. Mr. President, there has been a great demand for copies of the report of the special mission on investigation to the Philippine Islands, which was submitted to the Secretary of War. The document has been entirely exhausted, the copy which I hold in my hand being the last one remaining in the document room. I ask unanimous consent that there may be ordered a reprint of the document.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Indiana desire to have the matter referred to the Committee on Printing?

Mr. WARREN. That will not be necessary if it is only desired to print a small number of copies.

Mr. FLETCHER. I should like to inquire whether the report was originally printed by the Senate or by the department?

Mr. NEW. It was, I think, printed by the Senate.

The PRESIDING OFFICER. The Secretary advises the Chair that the report appears to have been printed by the War Department.

Mr. NEW. I may be mistaken in my statement as to how the report was printed. The senior Senator from Tennessee [Mr. SHIELDS] brought the copy of the report which I have to me a few moments ago with the request that I ask for a reprint. I have had similar requests from two or three other Senators, and a number of requests from outside sources for copies of the report. I am not sure whether it was printed by the Senate or by the War Department.

The PRESIDING OFFICER. The Chair suggests that the report be referred to the Committee on Printing with a view to its being printed as a Senate document.

Mr. NEW. Very well; let the report be referred to the Committee on Printing.

Mr. FLETCHER. If it is referred to the Committee on Printing, the question whether Congress should bear the cost of the printing or the War Department should bear it may be determined, and possibly it may be printed as a Senate document.

The PRESIDING OFFICER. Without objection, the report will be referred to the Committee on Printing.

STATEMENT OF SENATOR CULBERSON.

Mr. McKELLAR. Mr. President, a day of two ago the senior Senator from Texas [Mr. CULBERSON] issued a statement which has been widely published in his State, and I ask unanimous consent to have it printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none and it is so ordered.

Mr. McKELLAR. I ask that it be printed in 8-point type.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

UNITED STATES SENATE,
Washington, D. C., March 4, 1922.

To the Democrats of Texas:

On the 25th day of January last I issued a statement to you to the effect that I purposed submitting my name to the Democratic primary next summer for the nomination for the United States Senate, and that later on I would issue a further statement to you on the subject.

This further statement which I now make will, generally and broadly speaking, be a review of my record in the Senate

during my present term and my position on important public questions of the day.

As is well known, I took an active part in the nomination of Woodrow Wilson for the Presidency in 1912.

His first term as President, beginning in 1913, was largely devoted to domestic affairs and was a record of unexampled achievement in such policies. So strongly did he impress the country, and so prosperous was it under his administration, that he was unanimously renominated in 1916 and reelected, being the only Democrat since Andrew Jackson to succeed himself in the Presidency.

During the first four years of my present term, beginning in 1917, Mr. Wilson was President of the United States, and, as in his first term, so in his second term I supported his policies.

During his second term, beginning in 1917, foreign affairs largely dominated his administration, and he carried the United States to the leadership of the nations.

His doctrine of self-determination restored the liberties of Poland, made Ireland a free State, and gave fresh hope to countless other millions struggling for liberty throughout the world.

In truth, the stand of the United States under his leadership saved democracy for mankind and rescued our imperiled civilization.

Coming to particular measures of legislation during this period, and my attitude upon them, I supported the declaration that a state of war existed between the United States and the Imperial German Government, in April, 1917.

I supported the draft act, under which the American Army was organized.

In cooperation with the Texas delegation in Congress, I urged upon the President and the Secretary of War the policy, which was pursued, of establishing large training camps in Texas.

I favored the emergency bond issue to meet the expenditures for national security and defense to assist in prosecuting the war.

I supported the food control bill encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

I favored the resolution to limit debate in the Senate, the purpose being to expedite urgent war measures.

As chairman of the Senate Committee on the Judiciary during the entire period of the war, I introduced some of the important legislative acts of the war.

Among these, the act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes.

This law, commonly called the espionage act, protected the Government in its conduct of the war by punishing spies and restricting their opportunities, by penalizing obstruction of Army and Navy recruiting and enlistment, by safeguarding the ocean-borne commerce, and by eliminating freedom of foreign propagandists.

The act under which all German liners in American ports were seized, and later all Austrian liners, which authorized the President to take over for the United States the possession and title of any vessel within its jurisdiction which at the time of coming therein was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States was at war.

The act to punish the willful injury or destruction of war materials or of war premises or utilities used in connection with war material.

The armistice, which ended active hostilities, was signed November 11, 1918.

The Peace Conference, which settled all matters arising out of the war, met in December, 1918.

I voted for the ratification of the treaty of Versailles, which was the result of this conference.

This treaty was the greatest forward step ever taken to secure the peace of the world.

It was defeated by the Republicans of the Senate, because its ratification would have redounded to the credit of the Democratic Party and the fame of President Wilson.

Its rejection by the Senate has kept the world in political and economic disorder.

Its ratification, on the contrary, would have tended toward peace among all nations and restoration of normal economic conditions.

The benefit to the United States of its ratification can not be overestimated along economic lines, because, producing a surplus of agricultural and manufactured products, it would have stabilized European conditions and given us a market for this surplus, whereas now, under present conditions, this surplus is either not produced or it is a drug upon our domestic market.

I opposed the submission of the eighteenth amendment to the Constitution of the United States as an invasion of the reserved rights of the States, but when it was adopted I favored its enforcement, under my oath of office.

I voted against the so-called light wine and beer bill, believing it to be an evasion of the eighteenth amendment.

I am proud to say that I favored the submission of the nineteenth amendment to the Constitution of the United States, extending the right of suffrage to women.

I voted for its submission three times. First in October, 1918, when it failed to get the necessary two-thirds vote; in February, 1919, when it failed again; and, finally, in June, 1919, when it passed the Senate.

I voted for the act providing for the termination of Federal control of the railroads.

I opposed the Esch-Cummins railroad transportation bill.

I voted to continue the War Finance Corporation, for the relief of the agricultural depression, which corporation has to date approved advances of approximately $12,800,000 to Texas banks and financial institutions and has extended nearly $10,000,000 in credit to cooperative associations.

I voted for the Federal good roads act, appropriating $75,000,000 for the construction and maintenance of roads.

I voted for the Federal farm loan act and had a share in the creation of a separate district for Texas and the establishment of the Federal land bank at Houston, which has already loaned to Texas farmers nearly $50,000,000 at reasonable rates of interest.

I voted for the act to create a Federal live-stock commission to regulate the meat-packing industry.

I voted for the act making appropriations to continue the nitrate plant at Muscle Shoals, Ala.

I favor the idea of leasing or selling Muscle Shoals to Henry Ford on proper terms.

I voted for the bill providing adjusted compensation for the veterans of the World War. I shall continue my support of that legislation.

I voted for the act providing additional hospital facilities for disabled ex-soldiers.

I voted for the Sheppard Maternity Act.

I voted against the new Republican revenue tax law, which ought to be designated as a method of relieving the rich from the payment of their just share of taxation.

I voted against the Republican emergency tariff act, and voted against extending it later.

I voted to ratify the treaty with Colombia, making restitution for the seizure of the Panama Canal site.

I voted against the bill providing free tolls through the Panama Canal for American ships engaged in coastwise trade because these ships already enjoy a legal monopoly of that trade which should not be added to by this gratuity.

I voted against the separate treaty with Germany terminating the state of war.

I voted against the resolution declaring Senator NEWBERRY entitled to his seat as a Senator from Michigan.

I am opposed, of course, to the antilynching bill which recently passed the House of Representatives because, among other reasons, it is an encroachment upon the reserved police powers of the States.

I stand unreservedly on the declaration adopted in the Clayton antitrust law, on my motion, that "the labor of a human being is not a commodity or article of commerce."

While there are other matters of importance and gravity, yet, in my judgment, the paramount and pressing questions which now confront the American people are the restoration of economic conditions and the application of sound principles of taxation in raising the necessary revenue for the support of the Government.

To restore economic conditions many things may be done, but nothing is more important in this connection than the curtailment of governmental expenditures wherever practicable, the encouragement of labor and agriculture, and the enlargement of markets for American products.

To provide the necessary funds for the support of the Government, resort should be had primarily to the indirect method of tariff taxation and the direct method of income and other direct taxation.

With reference to the tariff, I favor the levying of revenue duties on practically all imports, whether raw material or the finished product, and I am opposed to the levying of protective duties on any imports, whether raw material or the finished product.

In respect to direct taxes, the basic principle to be followed is to levy such taxes in proportion to the benefits received from the Government and the ability to pay the taxes.

It is perhaps not extravagant to say that no more important sessions of the Congress have been held in its history than during my present term.

As is well known, I have not enjoyed robust health for some time, but, notwithstanding this, I have been a daily attendant upon the sessions of the Senate.

The sessions of the Congress, during my present term, cover 1,217 days, and I have not missed a day.

During the five years which I have served of this term I have voted on practically all important questions which were before the Senate, and where I have not voted on minor questions I have usually been protected by a pair.

While my name will be submitted to you in the forthcoming primary, yet candor impels me to say that I am not strong enough to make a canvass of the State. My candidacy must therefore be left largely to the Democrats generally, men and women, who approve my views upon public questions and for whose support and friendship I will be profoundly grateful.

C. A. CULBERSON.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on March 4, 1922, the President approved and signed the act (S. 2265) to regulate marine insurance in the District of Columbia, and for other purposes.

THE FOUR-POWER TREATY.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in open session, with a view to the consideration of the four-power treaty.

The motion was agreed to; and the Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. KELLOGG. Mr. President, I wish to announce that on the assembling of the Senate on to-morrow, if a recess shall be taken, I shall address the Senate upon the subject of the four-power and other treaties, and if an adjournment shall be taken to-day I shall take occasion to do so at the close of the morning hour.

Mr. NEW. Mr. President, on Saturday last I gave notice that I would ask the indulgence of the Senate on the opening of the session this morning to address it upon the subject of the treaties, particularly with reference to the four-power treaty. It is pursuant to that notice that I now rise.

For two or three reasons I particularly request that I be permitted to proceed without interruption, first, frankly, because I prefer that what I have to say may appear consecutively in the RECORD, and, secondly, because the Senate is operating under a unanimous-consent agreement to vote on another matter at 4 o'clock this afternoon, a matter which has been before the Senate for some days, on which several Senators still desire to be heard, and, therefore, interpolated remarks and interruptions might unduly prolong my own address.

Mr. President, before proceeding to a brief consideration of the four-power treaty between the United States, Great Britain, France, and Japan, I wish to offer a few remarks on certain matters which lie at the root of all the treaties concluded at the recent conference.

All the agreements, except those dealing directly with the limitation of armament, take the place of various bilateral or multipower treaties, arrangements, or understandings, formal or informal, with reference to matters in which all of the powers signatory were, if not equally, at least essentially concerned.

All the powers came to the conference for the purpose of dealing with a series of present, practical situations affecting their international relations and calling for adjustment; they had a mutual interest and incentive for reaching a common understanding and working arrangement as to all of them. They accordingly applied themselves to the finding of a way to meet those situations and were happily able to come to agreements mutually satisfactory concerning them. I shall not perhaps be far afield in saying that this consideration and disposition of actualities affecting the lives of nations, as distinguished from an attempt to legislate for nonexistent world idealities, is perhaps the characteristic element of these engagements. The powers have taken the world as they found it in fact, and then have dealt with the fact in the necessary aspects to the end that the welfare and happiness of mankind and the peace of the world might be advanced.

Furthermore, the powers concerned did not consort together for the purpose of forcibly dispossessing any power of any right or property which it had theretofore claimed or possessed. As it has worked out, all the powers assembled have in fact given up certain rights which they had, and others have relinquished certain rights or prerogatives which they asserted; but all have surrendered such rights willingly, without pressure or constraint, and with the maximum of good feeling and neighborliness.

Again, this conference did not aim its deliberations against any power or group of powers. It had no punishments to inflict, no rewards to bestow. Mutual consideration and advancement and the general welfare and peace of the whole world have been its guiding principles. The conclusions come to neither require nor contemplate any compulsory measures against any power in the world, signatory or nonsignatory. The offerings made were free-will; their observance is to be likewise.

It thus comes that the measures concerted at the conference, the conclusions embodied in these treaties, leave no power despoiled. The powers left the conference possessed of every right, enjoying every power, which was theirs when they came, save only those they willingly and gladly gave up for the general good. They thus are more firmly united, more strongly willed for right and justice in international relations, stauncher friends and neighbors, with keener and more sympathetic mutual understandings, than ever before. The spirit of sacrifice which has flowed in and through the conference leaves the world a safer and better place in which to live.

Thus the elements out of which has been built the treaty fabric are mutual and essential interests affecting the welfare and peace of the nations concerned and of the world, actual problems calling for solution, unconstrained relinquishment of rights or prerogatives by equal to equal, there being no enemy to be punished or friend to be rewarded, no compulsory measures of enforcement, no power despoiled—surely these are the elements to which we have a right to look and upon which we must depend for further progress in world righteousness. Take away any of them and the result, whatever it may be, will be of questionable effectiveness and may be of doubtful morality. While man is what he is, it is difficult to see how nations can ever associate themselves together and work in harmony except upon these great elemental bases.

And may I be allowed here a word of admonition? It will not do for us to think these treaties may be dismissed with the contemptuous smirk that being merely treaties they mean nothing, are made only to be broken, that they are valueless. This is the doctrine of despair and must not be propagated. For what, I ask you, is the alternative? If nations may not establish by mutual undertaking the rules and principles by which they are to be governed, if the sovereign plighted faith of mighty peoples is hereafter to be freely and without censure flouted, if, in short, nations may not trust one another, then, I say to you, the world is lost. Because the alternative to life under free, common understanding, with mutual trust and forbearance, in an association of recognized, unconstrained peers, is domination by one or by few under such a rule of brute force as will plunge the world into chaos and threaten humanity with oblivion. No; we may not cast aside these treaties as mere idle words, under penalty of being overwhelmed by the outburst of righteous condemnation from all the peoples of the world.

It can not be denied that the great fundamentals to which I have just referred materially narrow the field of international endeavor which, looking only to the frailties and needs of mankind, we fain would cover when nations negotiate together; but the limitations I have named are inevitably incident to the present and all other wisely conceived international arrangements, and arrangements of any other sort hinder rather than help the true progress of civilization. The nations of the earth have not in the past and can not in future find progress and peace in any other association together than that which shall administer to actual needs; shall adjust actual and not artificial disparities and conditions; shall recognize to the full the existing deep fundamental laws which have always governed and controlled the growth and development of societies and nations; and shall provide always for the building of a stable and lasting peace founded on common consent, order, law, justice, and reality.

It is the absence of these elements that has strewn the past with dead endeavors for some effective world organization of the nations, as a brief survey will show.

The primary "Great Design"—Memoirs of the Duke of Sully, Lennox translation (1810 ed. vol. v, pp. 78–118, inclusive)—conceived seemingly by Queen Elizabeth and elaborated and perfected by Henry of France—the Grand Monarch—failed because it lacked a part of these great elements. This "Design" provided for an association of the nations, for the creation, by arbitrary readjustment, of a new Europe with constituent States set up and bounded as seemed wisest to the author of the

"Design," for the expulsion of the infidel from Europe, for the taking of the possessions of one nation and the bestowal thereof upon another, for the creation of a body of laws, ordinances, and engagements for the government of the new world created by the "Design," for the establishment of a great international senate to legislate for the nations in their international relations and to adjust the differences arising between them, for the setting up of tribunals inferior to the senate and with appeals thereto, and for establishment of an international army and navy to enforce the mandates of the senate. Thus the "Great Design" of Elizabeth and Henry has been the parent of all similar plans since born. It failed because it aimed at coercing the consciences of men, at the forcible spoliation of nations, at the creation of an artificial status among the peoples of the earth, at the curtailment particularly of one great power without its consent. The good of the "Design," and it had good, was so fouled by the evil which lay all through it that the master of our destinies refused his consent to its imposition upon men.

The first great successor of this plan to be tried upon the world—the Holy Alliance—came 200 years later (Phillips—Confederation of Europe, p. 19). Consciously framed by the visionary Alexander of Russia to accomplish, as it would seem, the great purposes sought through the "Great Design," it also was in fact aimed primarily at the overthrow of a single nation. Couched in language benedictory in its loftiness, the Holy Alliance devoted its actual energies and powers toward unholy ends, and largely by the action of our own great country, it fell. It had endangered freedom of conscience, it had sought to perpetuate tyranny and to trample upon human liberty.

Recently the principles and provisions of the "Great Design" were rediscovered, and an attempt was made to impose them upon the nations and to set up a world government. Like the "Great Design" and the Holy Alliance, this plan also was primarily aimed against one great power; it also attempted a redistribution of Europe in the manner which seemed best to its proponents—setting up and pulling down nations; it also dealt with idealities not realities; it also was to impose its will upon powers in disfavor; it also would—if its proponents prevailed—coerce the consciences of men, this time politically. Looking to the past, can we doubt the fate which must await every effort that has lying at its base these fatal defects, and which wants those fundamentals I have already pointed out as indispensable to the establishment of a workable association of nations?

But is it too much to hope that hereafter and out of our present efforts, enlightened and fortified as they may be by the experiences of the past, we may find it possible in a future not too remote to make further practical advance toward a further association of the nations as to matters beneficent to humanity?

The treaties which the President has laid before us are six in number. None of them contain matters new to our diplomacy; they are but the renewed application of principles that are already well-grounded in our recognized foreign policies.

I shall take first—as I have already stated—the treaty signed by the United States, the British Empire, France, and Japan, pledging mutual respect for their rights in the Far East.

The waters of the Pacific are not strange seas to the people of the United States, nor are its farther shores new and unknown lands to our citizens.

Hardly had our national existence been secured and recognized before the vigorous, youthful merchant marine of our country thrust its prows into the Pacific (Moore's International Relations of the Chinese Empire, 1910 ed., vol. 1, p. 58) and opened up with the Far East an American trade which within a few years shared with Great Britain the great bulk of the commerce of that part of the world. This trade continued to increase in amount and importance, till, following the treaty of Nanking of 1842 between Great Britain and China, which opened the "treaty ports," we negotiated our first treaty with China in 1844 (Moore's International Relations of the Chinese Empire, 1910 ed., vol. 1, pp. 323, 342, 343), and our merchants threw into the eastern trade their famous clipper ships, which enabled us by 1852 to acquire almost half of the trade of Shanghai and a large part of the trade of other treaty ports.

In 1854 we made our first treaty with Japan, which opened our trade with that country, and it is a source of gratification to all Americans that this great people with whom we were the first to come in direct and intimate contact have developed into the mighty nation they have now become. It is a matter of good augury that between us there has existed during this entire period an unbroken peace, which it is hoped that the treaties now before us shall make perpetual.

Since the middle of the last century our trade with the Orient has gradually expanded, until it now covers the entire East and the continents and islands of Oceania.

Our territorial expansion toward and in the Pacific has at least kept pace with our trade.

In 1792 our adventurous citizens made discoveries under which we became possessed of the regions of the Columbia River and Puget Sound. In 1803 we acquired through the Louisiana Purchase from France a vast expanse of territory which lay beyond our then western boundary and which brought us to the Rocky Mountains. In 1819 we confirmed by purchase from Spain a title to the region south of the Columbia, where we had already made settlements in 1811. In 1848 Mexico ceded to us another mighty empire, which carried our land through to the waters of the Pacific and filled out our entire western main coast line south of Canada. In 1867 we obtained by purchase from Russia the great Territory of Alaska, which still more greatly extended our shores and first carried our possessions on the north into the Eastern Hemisphere.

But moved by the influences of a rapidly expanding commerce we had long before this time begun to manifest an exclusive interest in islands of the mid-Pacific. As early as 1820 we had appointed to reside in the Hawaiian Islands "an agent of the United States for commerce and seamen." (Moore's Digest, p. 475.) Six years later we negotiated with the Hawaiian King the first treaty ever negotiated by Hawaii with a representative of a foreign power. (Moore's Digest, p. 476.) Following intimations made in 1848 (Moore's Digest, pp. 477–479) by Mr. Buchanan, the Secretary of State, the great Webster in 1851 declared that, as to Hawaii, the policy of the United States was that it—

> can never consent to see those islands taken possession of by either of the great commercial powers of Europe, nor can it consent that demands manifestly unjust and derogatory and inconsistent with a bona fide independence shall be enforced against that Government.

But the common interests of the United States and Hawaii, the close trade relationship between the two countries, and their territorial propinquity which led us to speak of them as "an outpost fronting and commanding the whole of our possessions on the Pacific Ocean" (Moore's Digest, I, p. 484), "an outpost of American commerce" (Moore's Digest, I, p. 491), "the predominance of our interest in the regions of these islands" (Moore's Digest, I, p. 493), the emigration of American citizens to and settlement in Hawaii, and, finally, the conviction that the "possession of these islands by a great maritime power (Moore's Digest, p. 481) would be a positive threat to interests too large and important to be lightly risked" (Moore's Digest, I, p. 486), all combined to bring about a result which was inevitable from the first. Accordingly after an abortive effort at annexation in 1893 (Moore's Digest, I, p. 497) the islands finally were added to the possessions of the United States in 1898 (Moore's Digest, I, p. 503). Thus we pushed our holdings into mid-Pacific.

Nor did the maritime affluence and paramountcy that were ours before the Civil War permit us to confine our interests to northern and central Pacific waters. We went also to the South Seas.

In 1853 we placed a commercial agent at Apia, in Samoa (Moore's Digest, p. 536). In 1872 we entered into an agreement (never ratified) with Maunga, great chief of the Bay of Pago-Pago (Moore's Digest, p. 475), in the island of Tutuila, under which we obtained the exclusive privilege of establishing in that harbor a naval station for the use and convenience of United States Government vessels (Moore's Digest, p. 537). At about this time the attention of the President of the United States was directed "to the importance of the growing trade and commerce of the United States with the islands in the South Pacific Ocean and to the opportunities of increasing our commercial relations in that quarter of the globe" (Moore's Digest, p. 537). The stipulations of the unperfected agreement of 1872 were incorporated in the treaty of 1878 (Malloy's Treaties, II, 5, 1575), which contained also this significant provision, to which I call special attention:

> If, unhappily, any differences should have arisen or shall hereafter arise between the Samoan Government and any other Government in amity with the United States, the Government of the latter will employ its good offices for the purpose of adjusting these differences upon a satisfactory and solid foundation.

The mediatory rôle which we thus assumed was immediately given point by the conclusion by Samoa of a treaty with Germany conveying rights for a naval station, and with Great Britain for a naval station and coaling depot (Moore's Digest, I, p. 539).

It is unnecessary to detail the rather tumultuous history of Samoa during the next few years, which was perhaps the inevitable result of the peculiar situation in which Samoa's treaties with the various powers left her. By 1889 it was clear the obligation to mediate which we had undertaken in 1878 was insufficient to safeguard Samoa, and in an effort to meet

the existing situation we, with Germany and Great Britain, entered into a general act for the neutrality of the Samoan Government (Malloy's Treaties, p. 1574). This was our first national experience in joint international politics, and Secretary Gresham thought it "made the first departure from our traditional and well-established policy of avoiding entangling alliances with foreign powers in relation to objects remote from this hemisphere" (Moore's Digest, I, p. 549). But our joint plan for neutralizing Samoa succeeded no better than had the mediating plan to which we alone were parties, and accordingly in 1899 the islands were divided among the three powers (Malloy's Treaties, p. 1595).

Thus we pushed our possessions into the region of the South Seas.

The results of the War with Spain in 1898 devolved upon us still further possessions in the Southern Hemisphere of the Far East. The Philippines, with their considerable areas, population, trade, and resources, came to us, and we secured the far-flung bit of land called Guam. By all this we have become territorially interested almost in the center of the Far East, and possess there a domain that is exceeded by few powers.

These expanding territorial interests have brought home to us our intimate relationship to all questions affecting the peace and development of the Far East, and have shown us that as to these possessions we are all but as vitally concerned in the happenings and developments in that region as we are with the course of events in this hemisphere, which affect the order about our homeland. We do not enter the far eastern situation as quixotic busybodies.

Always sympathetic with China and for the Chinese people, and desirous that peace should prevail in those regions, we entered into a treaty (1882) with Korea (over which China claimed suzerainty), by which we agreed that—

> If other powers deal unjustly or oppressively with either Government, the other will exert their good offices, on being informed of the case, to bring about an amicable arrangement, thus showing their friendly feelings. (Malloy's Treaties, p. 335.)

Thus we again assumed in the Far East a mediatory rôle.

Nearly two decades after this, when the dismemberment of China seemed to have moved within the range of probability, the United States sought for and secured from the various powers interested a declaration of adherence to the so-called "open-door" policy. (MacMurray's Treaties, p. 221.) This, like the action in Samoa, involved us in understandings with other powers regarding the status of the Far East.

In 1908, some differences having arisen between the United States and Japan, notes were formally exchanged between the Secretary of State, Mr. Root, and the Japanese ambassador, Mr. Takahira, the important parts of which read:

> 1. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.
> 2. The policy of both Governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned, and to the defense of the principle of equal opportunity for commerce and industry in China.
> 3. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.
> 4. They are also determined to preserve the common interests of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that empire.
> 5. Should any event occur threatening the status quo as above described, or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take. (MacMurray's Treaties, p. 769.)

So for the third time we entered into a joint understanding regarding the affairs of the Far East.

In 1909 the United States made a further effort to bring among the powers interested in the Far East good understandings and mutual renunciations of interests inimical to the integrity of China by proposing the neutralization of the Manchurian railways by the powers interested therein. For reasons which need not be recounted here this effort failed.

Thus our present interposition in trans-Pacific affairs is not a new venture for the United States. We do but follow the course upon which we entered more than half a century ago. And our present proposed commitments are not different in character nor of materially greater extent than those we have undertaken in the past.

We covet the possessions of no one in the Far East; the lessons taught us by our own past experiences, as also by the experiences of others, abundantly persuade us we want no further or greater territorial or government responsibilities there; we wish only the opportunity to develop in that region our trade and commerce peacefully and on an equality with others, and with them to share the great markets which in the future that part of the world will afford.

Entertaining these views, is there, can there be, any reason why we should not make a declaration, an engagement, to respect the territories of others in the Far East and thus quiet in the minds of certain powers an apprehension the existence of which seems too well vouched to allow us wisely to ignore it? On the other hand, it would be but blind folly to deny or to fail to appreciate that certain of our own citizens are not convinced of the disinterest of certain powers in the possessions of the United States in Asia. Surely it is wise to calm the feelings of these citizens by taking the pledged assurance of these powers that they will in turn respect our possessions in the Far East.

To remove this mutual apprehension of territorial greed by the one in the other, an apprehension of the kind which, since history began, has been one of the most fruitful causes of war between nations, must command the approval of all right-minded loyal citizens, because it stabilizes a peace we all cherish and for breaking which there is not the shadow of a real excuse or reason.

What have we lost, what can we lose by this declaration to respect the rights of others? Has this touched our liberties, our institutions, our independence, or our sovereignty? Have we less of any of these than before? Have our professions, past and present, of altruistic ideals toward the peoples of the world, of consideration for the rights of others, of great self-denial in the use of tremendous power, been idle boasts or smug disclaimers to deceive the world of our true intentions? If we have been honest in the past, as I know we have, then what have we lost by agreeing to do that which in any event we had intended to do?

On the other hand, if the plighted word of sovereign powers has not lost all virtue, have we not gained in security for our possessions and freed their peoples from the dangers of absorption by other powers? Have we not added to our own peace of mind and to fellowship and good, neighborly understanding with those who live about us by receiving the solemn assurance of our neighbors in the East that they will respect our rights in that region? Instead of threatening, injuring, or impairing our liberties, free institutions, independence, or sovereignty, this treaty adds to the security of all of them.

The consummation of this mutual agreement alone would have justified the calling of the conference.

It thus must be that no valid objection can be made to the first paragraph of the so-called four-power treaty, which pledges the contracting powers as among themselves—

> to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

It is, indeed, but a reaffirmation of the principle which, formally declared more than a decade ago, has governed for that period the relations between the United States and Japan, and which has subsisted between Great Britain and Japan for twice that period.

In view of certain criticisms which have already been heard, I may with propriety repeat here the language of article 10 of the League of Nations covenant. The two need only to be placed side by side to make their fundamental differences entirely obvious. Article 10 reads in its first sentence:

> The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league.

The second paragraph of article 1 of this treaty provides that—

> If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

I must in the first place observe that there is in the treaty before us no provision for force by one against the others or by the others against the one; there is here not even a covert threat of force. Force is not in this provision, explicitly or implicitly, either in the foreground or in the background. There is here only an undertaking of and among friends to talk over controversies and adjust them in a spirit of amity and brotherhood.

The eagerly responsive imagination of Polonius may see in it shapes and attributes it does not possess.

> HAMLET. Do you see yonder cloud that's almost in shape of a camel?
> POLONIUS. By the mass, and 'tis like a camel, indeed.
> HAMLET. Methinks it's like a weasel.
> POLONIUS. It is backed like a weasel.
> HAMLET. Or like a whale?
> POLONIUS. Very like a whale.

Place this provision as high as you wish and it can not go beyond a stipulation for obligatory arbitration, or its equivalent,

of all controversies arising out of any Pacific question and affecting the rights of the parties in relation to their insular possessions and insular dominions in the region of the Pacific Ocean. Surely our conduct in the past and our professions at present as to the peaceful adjustment of international disputes will not permit us to falter at this step now proposed.

One of the proudest achievements of our whole history is our early espousal of and our subsequent fidelity to this principle of the peaceful adjustment of international disputes. When more than a century and a quarter ago troubles arose between us and the mother country, who had but recently recognized our independence, we negotiated with her a treaty under which we settled by arbitration our then existing difficulties. From that great precedent on until the present moment, this method of composing differences between America and other peoples has been a fundamental principle of our foreign policy.

It would be a long and I am sure an unnecessary task to follow the details of the history of our arbitrations, but we may with profit refresh at this time our memories as to the scope we have given this principle of adjustment in our international affairs. It is well we should recall the past that, advised of what we have done, we may press constantly forward. Great mistakes grow sometimes from want of information. We have arbitrated with more than 30 different countries the claims of our citizens for injuries inflicted upon either their persons or their properties through the illegal acts of the authorities of these countries. We have in turn answered in damages to the citizens of other countries for the results of unlawful acts upon the part of our own officers, State or National.

These adjudications cover almost an infinitude of circumstances. We have submitted to arbitration the far-reaching, sovereignty-touching question as to whether or not we have conducted our belligerent operations in accordance with the laws of war. We have invoked the judgment of international tribunals as to whether we have fulfilled our obligations under treaties, and have done this even where it involved the question of our rights on the high seas. (Fur-seal arbitration.)

We have intrusted to such tribunals the questions of the neutral or unneutral conduct of a neutral toward ourselves as a belligerent in respect of matters involving the honor of both ourselves and the other country, and have done this when the tempers of both peoples were so aroused as to threaten to engulf our two mighty nations in a fratricidal war. (Geneva arbitration relative to *Alabama* claims.)

We have called for the opinion of an unbiased international tribunal upon the question as to whether the judgments of our own Supreme Court—the most powerful court in Christendom—were in accord with the applicable and controlling rules and principles of international law. (*Spring-bok* and other cases concerning questions of seizure by United States of British vessels during the Civil War.)

We have appealed to such a tribunal for determination as to whether or not certain military operations we had conducted were warranted or unwarranted under all the attending circumstances, a question involving the propriety of our exercise of the most fundamental attribute of our sovereignty. (Arbitration of Civil War claims of Great Britain and other powers; also of Cuba and Philippines during the Spanish War, but particularly our Samoan arbitrations.)

We have adjusted in large part our northern boundaries and a considerable part of our southern boundaries, land and water, by the same method and have thereby lost this same claimed territory of our homeland.

Finally we have sought and obeyed the decisions of international tribunals as to our ownership of territory forming by proximity and asserted claim an integral portion of our own homeland, even where that decision required us to relinquish title to what we had honestly believed to belong to us. (Jay treaty with Great Britain arbitrating Canadian boundary, and subsequent arbitration of practically the entire Canadian boundary through to Lake of the Woods. Shanizal tract arbitration on southern boundary and adjustment of Rio Grande boundary.)

Shall we, Mr. President, now turn our backs upon this glorious record of effort to sustain the peace of the world, or shall we hesitate and stop when righteousness and destiny bid us go further along that course of civilization, progress, and humanity which we have ourselves marked out? What question could arise under the treaty before us which would be more vital to our interests, more nearly affect our independence, reach more closely to our honor than those which we have already intrusted to international tribunals for adjustment? I can think of but one class of questions which might arise and which we have not in the past arbitrated, and that class would include those matters which affect our internal or domestic affairs. But as to this class the contracting powers on signing the agreement joined in a declaration that—

> The controversies to which the second paragraph of article 1 refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective powers.

Surely there is nothing in this provision of the treaty which the stanchest patriot, the patriot most apprehensive for the maintenance of our national honor, integrity, independence, and free institutions—and I count myself among these—need to fear or to condemn.

But there is another consideration to which I feel I must direct attention. The arbitrations of the past to which I have referred as involving principles of vital import to our existence have primarily and in almost every instance affected immediately our own homeland or its adjacent seas. But under this treaty it is not possible for any matter involving our mainland or its neighboring waters to be called in question. This treaty relates to our "insular possessions * * * in the region of the Pacific," not to the United States proper nor to Alaska nor Hawaii nor to any of our possessions in the region of the Caribbean, and no question involving these latter can arise under the treaty. Therefore if we have in the past repeatedly arbitrated matters affecting directly these Territories, the homeland and its approaches, it can not be we shall find difficulty in agreeing to adjust in a similar manner questions of like import and affecting our rights in regions so remote as to render any decision concerning them without any direct effect upon the safety or security of the home territory and its environs.

I pass now to the second article of the treaty, which provides that—

> If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the situation.

Comment already aimed at this provision might induce a belief in the minds of some of our citizens that this provision creates an aggressive military alliance among the powers signatory. But I wish to emphasize that it is not an alliance in any heretofore accepted meaning of the word, and that if it were an alliance in fact, if it were an alliance in effect, if it were an alliance in contemplation, and, furthermore, if it was not clearly understood by all the powers party to it that it was none of these, I should not venture to propose to this body that it advise and consent to its ratification. The men of intelligence and discretion in our Nation who pronounce it an alliance can not have carefully and impartially examined it, because the passing years of our history have demonstrated nothing more clearly than that the warning of Washington against entangling alliances was conceived of a lofty patriotism and inspired wisdom rarely vouched for the guidance of a people; and from the safe path so marked by the immortal founders, I shall be the last willingly and knowingly to stray. No matter what form the suggestion may take, no matter how alluring the prospect held out shall be, we shall have with my consent no entangling alliances. Thus far in our history it has been possible to exert to the full our beneficent influence and to extend to their utmost our philanthropies among the peoples of the earth without the necessity and in the absence of all such alliances; and I perceive in the present situation of the world nothing that calls for the abandonment of our traditional position in order to continue to exercise the maximum of good in the future.

Another species of criticism, sometimes disguised as faint praise, is that this is but an imitation of the covenant of the League of Nations and specifically of article 10 of that instrument. This suggestion is equally unfounded with the first.

I wish to make now, regarding this provision of the treaty, a few observations which will, in my judgment, meet both these points of objection.

In the first place, the subject matter of this provision, as to which the powers enter into undertakings relates only to "their rights in relation to their insular possessions and insular dominions in the region of the Pacific." It is to be observed in the first instance that each and all of the powers are mutually interested and concerned with reference to the disturbance of any of their described "rights" in the Far East. None of these "rights" of any one of the parties could be materially altered or affected without the influence being felt for good or ill by all the others. This obligation, therefore, relates only to matters in which we are intimately concerned and in the adjustment of which we have a selfish interest.

The provision has nothing whatever to do with the homeland of France, Great Britain, or the United States, nor with

their environs, nor with their possessions in any other region than the Pacific. Therefore, whatever may be the extent of the obligation here imposed, and I shall discuss that later, it relates only to this one region, and disturbances arising in other regions, whatever their cause, can not fall within the purview of this treaty obligation. It is to be further observed that the provision relates to the "rights" of the powers in their insular possessions and insular dominions; there is here nothing that has to do with the political relationships of a country to its possessions.

In contrast to this, the provisions of article 10 of the league covenant covered "the territorial integrity and existing political independence of all members of the league." This provision was therefore of world-wide application, not restricted to one particular area. Moreover, the homelands of all members of the league were as intimately concerned, were as clearly within the purview of the treaty as were any other portions of the world. Whatever the rights, the duties, the powers, the obligations which were involved in this article they would have covered, if we had entered the league, the ground on which we stand as fully as they covered any other part of our national domain. Moreover, being thus world-wide in its application, article 10 related to and (if accepted by us) would have involved us in matters in which we had not the remotest concern, except only the interest which arose from the obligations we would have assumed under the covenant. We were thus to be thrust into every quarrel wherever originating and whatever its relation. Again, the phrase "existing political independence" of article 10 is pregnant with an infinity of dire possibilities as to its application. Does it cover the political relations between the mother country and the colonies; does it embrace the political status of the homeland itself; does it prevent evolution in political systems anywhere; does it curtail the progress of human liberty and free institutions? All these matters, vital to the perpetuation and development of our civilization, are left in ominous obscurity by this provision.

The treaty before us has none of this; it stands free of political significance or threat. So much then for the subject matter of the treaty.

I pass now to the nature of the undertaking of the treaty before us. It is in the first place directed against the "aggressive action of any other power." That is, this article is directed against powers stranger to this treaty, and whatever its sanctions are they apply only to such powers; they do not concern the contracting powers themselves for they may not be invoked against them. If any such action should come from any of the powers themselves, it must be settled by the methods already described and provided in article 1, that is, by friendly, neighborly discussion and adjustment; such a controversy among the powers who contract here is entirely outside the purview of this article. This is not a union of any of the powers against the others of the powers; they have dealt on the basis of continuing friends, not of potential enemies, and agreement could not have been reached on any other basis.

But the league covenant was wholly different. It was a combination of the members even against their own members. This indeed is one of the great iniquities of that instrument, it constitutes the nations in it in an alliance, not alone against stranger powers but against the erring constituent members themselves.

I pass now to the obligation itself as undertaken in the present treaty. The language used is that "the high contracting powers shall communicate with one another fully and frankly in order to arrive at an understanding." Surely an obligation to discuss with other friendly powers concerned, a matter of mutual concern to all, is not and can not be considered as a military alliance. We have had for a decade an obligation with Japan couched in practically identical language and yet no one has heretofore suggested that this constituted, nor has it proved to be, anything resembling an alliance. The language of the Root-Takahira agreement in its paragraph No. 5 asserted that—

> Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

Certainly during the 10 years of its existence this has led us into no trouble, no embroilment, no operations under a military alliance, as is shown by the fact that we have had none of these that was even remotely connected with this undertaking. It is true that the Root-Takahira agreement was not a treaty, and that therefore the obligation imposed upon us by it was not of that binding character which is imposed by treaty. But obviously the character, the extent of the undertaking is not the same thing as the occasion calling for its performance, and I am here speaking of the occasion that calls the undertaking into life. Nor indeed does the laxity of an undertaking mean generally that situations calling for its operation will be less frequent than under a more stringent obligation.

I anticipate with confidence that the very existence of this undertaking for full and frank discussion and communication will make less frequent if not, indeed, entirely obviate the occasions for its use.

In this connection we may recall that under the league the parties did not agree themselves to consult together in relation merely to matters in which they were mutually concerned, but they agreed to refer to the council of the league—not to themselves—controversies and difficulties in which they had no concern whatever, and this council, not the powers immediately concerned and mutually interested, was to decide upon the course to be followed.

Finally I come to the sanction of this part of the treaty now before us. It is that the contracting powers shall communicate freely "in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the situation."

I may first observe again that the situation about which the powers are to communicate is one in which they are all concerned. In the next place the powers concerned, and only those powers, consult together. In the third place they consult regarding the "measures" to be taken, jointly or severally, to meet the exigencies of the situation. But they are not committed beforehand—and this is the vital point—to any definite measures, nor are they either committed or under any obligation to concert any measures at all. That is to say, if and when a prescribed aggressive action were taken by any stranger power the United States felt that its own interests were not put in jeopardy or that the threat to the other powers was not real or that the peace of the world and the welfare of its peoples would be best served by inaction there is no obligation here that we should counsel, consent to, or participate in the measures which any other power might propose as necessary. In other words, there is here not the slightest surrender of our independence of action; we have here no impairment of our sovereignty. Under these circumstances it is obvious that if at any time in the future circumstances should arise that led to the invoking by any power or powers of provisions of this article we should communicate with the other powers parties to this agreement, in full possession of a complete freedom of action, unconstrained by any treaty obligation, legal or moral, to take any measures at all, or believing some measures necessary, to adopt any which we did not at the time deem expedient and indispensable. We should enter and participate in such a conference uncommitted and with full and complete right to function in the emergency then before us in strict accordance with our due constitutional order. So that if the exigencies of the situation finally appeared to require the use of armed force we might face the question uncompromised, free, and unfettered to do the thing that then seemed wisest and best, for there is not in this treaty, nor arising from it, any obligation whatever to proceed to this extremity unless and until Congress, in the due exercise of its high constitutional, sovereign prerogative had fully debated the situation, reached its decision, and formally authorized the waging of war. Is this not the crux of the whole matter, and does it not destroy every vestige of legitimate objection to the treaty?

Furthermore, as we are an eminently practical people, may I not ask a blunt question? With the United States, Great Britain, France, and Japan bound by treaty oath to respect their mutual rights in the Far East, which is the nation outside the concord strong enough to challenge their potential power by aggressive action in the Far East and so make necessary the invocation of the sanctions of this article of the treaty?

We may be permitted to observe that the situation existing under the league is wholly different. The members are obligated to "preserve * * * the territorial integrity and existing independence of the members of the league," no matter in what part of the world the threat may arise and without regard to the fact that threat arising might relate to matters in which the particular member had no concern whatever. In the next place, the decision as to what should be done is not to be determined by the interested powers themselves, sitting together, but by an extraneous body in which would sit powers who might be without interest yet whose voice would carry as much weight to the decision as that of any party directly involved. In the third place this extraneous body would decide the means to be taken to secure the "preservation" of the threatened territorial integrity or independence. Furthermore, if there were measures to be taken against a member under article 16 there would be an obligation, perfect in its

form and operative without any further action by any member of the league, to subject the offending power to—

the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State whether a member of the league or not.

Moreover, in such case—

The members of the league agree further that they will mutually support one another in the financial and economic measures which are taken under this article in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the members of the league which are cooperating to protect the covenants of the league.

In addition to all this, the council is to work out the contribution which each power ought to make, and is under a moral obligation to make, in the military operations contemplated by the council, which, through its permanent military commission, the council might, indeed, have directed the actual military operations themselves.

And all these obligations could be imposed not only to situations in which we had no direct concern but also as to measures of which we might positively disapprove.

Those who see in the cooperative spirit of the present treaty, with its retention of full freedom of action for each and all the powers party thereto when the exigency arises, any resemblance to the drastic, compulsory provisions of the covenant of the league either have read blindly or, at least, without a proper understanding.

This provision, its enemies to the contrary notwithstanding, was not germinated from the covenant of the League of Nations, to which in substance it bears not even a superficial resemblance, but from principles already long fixed in our active foreign policy when the plan of the league first cast its evil shadows in the minds that rediscovered that old and abandoned system.

Thus we came to have with respect to a region in which we have extensive interests, and in reference to great territories of which we are possessed, an agreement among powers actually interested in that region—those powers who alone ought to determine matters vitally affecting it—which contains all the advantages and safeguards, all the inherent guaranties of peace, all the blessings for the peoples concerned, which the covenant of the league has been erroneously declared to afford, without any of the pitfalls, entanglements, and sovereignty-impairing provisions of that instrument.

And it should be further understood that the inevitable effect of our failure to ratify this treaty will be to revive and perpetuate the Anglo-Japanese alliance. There can be nothing more important to this country than the substitution of this engagement for that compact. We can not attach too much importance to this. It should be apparent to all who will give it a moment's thought.

I can not conceive of more fitting language with which to close this presentation of my case than to quote from the address made by the President when he presented the treaties to this body, to the effect that "nothing in any of these treaties commits the United States, or any other power, to any kind of an alliance, entanglement, or involvement. * * * There is no commitment to armed force, no alliance, no written or moral obligation to join in defense, no expressed or implied commitment to arrive at any agreement except in accordance with our constitutional methods. * * * If nations may not safely agree to respect each other's rights, and may not agree to confer if one party to the compact threatens trespass, or may not agree to advise if one party to the pact is threatened by an outside power, then all concerted efforts to tranquilize the world and stabilize peace must be flung to the winds."

Mr. UNDERWOOD and Mr. LODGE addressed the Chair.

The PRESIDING OFFICER (Mr. LADD in the chair). The Senator from Alabama.

Mr. UNDERWOOD. I merely wish to say a few words on the resolution proposing to amend the rules of the Senate, but I yield to the Senator from Massachusetts if he desires the floor.

Mr. LODGE. I desire that the Senate shall resume the consideration of legislative business.

Mr. UNDERWOOD. Very well.

Mr. LODGE. Mr. President, I am about to make a motion that the Senate return to legislative session in order to proceed with the consideration of the proposed amendment of the rules, which we have agreed to vote upon to-day at 4 o'clock. Before doing so, however, I wish to say that it is my intention on to-morrow to ask that the four-power treaty be taken up at the beginning of the session, and I desire that it shall be kept before the Senate. I have no desire to press it unduly, for I realize the importance of full debate upon it, and I should dislike extremely to be compelled to ask the Senate to resort to long hours or any other means of pressing for a result. I hope, however, that the Senate will debate the treaty as fully and as rapidly as may be. I now make the motion that the Senate resume its legislative session.

The motion was agreed to.

CELEBRATION OF BRAZILIAN INDEPENDENCE.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. UNDERWOOD. I yield.

Mr. LODGE. I wish to ask unanimous consent to report from the Committee on Foreign Relations a joint resolution and a bill. They are unanimous reports, and I think there can be no objection to the consideration and passage of either measure. I should be very glad if the Senator from Alabama would let me ask unanimous consent to report them and have them immediately considered. If they give rise to any debate I shall withdraw them.

Mr. UNDERWOOD. I yield to the Senator from Massachusetts for that purpose.

Mr. LODGE. From the Committee on Foreign Relations, I report back favorably without amendment the joint resolution (S. J. Res. 173) authorizing the President to appoint a commission to represent the Government of the United States at the centennial celebration of the independence of Brazil, to be held at Rio de Janeiro in September next, and I submit a report (No. 531) thereon.

I will say, Mr. President, that I can explain the joint resolution in a few words. It involves no expenditure of money, but simply authorizes the President to take what money is necessary for the purpose from the million dollars which have already been appropriated for the participation of the United States in the exposition to be held at Rio de Janeiro.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. OVERMAN. Let the joint resolution be read, Mr. President.

The PRESIDING OFFICER. The Secretary will read the joint resolution.

The Assistant Secretary read the joint resolution, as follows:

Whereas the Government of Brazil has invited the Government of the United States to be represented at the centennial celebration of the independence of Brazil, to be held in September next at Rio de Janeiro: Be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to apopint and send to Brizil a commission not to exceed five members to represent the Government of the United States at the said celebration.

SEC. 2. That the expenses of the said commission shall be paid, under the direction and subject to the approval of the Secretary of State, from the appropriation of $1,000,000 for the expenses of taking part in an international exposition to be held at Rio de Janeiro, Brazil, provided for in the act of Congress approved December 15, 1921, entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, supplemental appropriations for the fiscal year ending June 30, 1922, and subsequent fiscal years, and for other purposes."

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TRAVELING SALESMEN IN SOUTH AMERICAN COUNTRIES.

Mr. LODGE. From the Committee on Foreign Relations, I report back favorably without amendment the bill (S. 2716) to give effect to certain provisions of conventions with foreign Governments for the purpose of facilitating the work of traveling salesmen, and I submit a report (No. 530) thereon. I ask unanimous consent for the immediate consideration of the bill.

I will say, by way of explanation, that we have entered into a series of treaties with some of the South American States for improving the arrangements for traveling salesmen throughout those countries, by eliminating local fees, duties, and so forth. This bill, simply in order to carry out those treaties, authorizes the State Department to issue certificates of identification to salesmen from the United States going to those countries.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Whereas the United States has entered into conventions with the Governments of Uruguay, Guatemala, Salvador, Panama, and Venezuela, which were signed on August 27, 1918, December 3, 1918, January 28, 1919, February 8, 1919, and July 3, 1919, respectively, for facilitating the work of traveling selesmen; and

Whereas Articles I and II of each of said conventions read as follows:

"ARTICLE I. Manufacturers, merchants, and traders domiciled within the jurisdiction of one of the high contracting parties may operate as commercial travelers either personally or by means of agents or employees within the jurisdiction of the other high contracting party on obtaining from the latter, upon payment of a single fee, a license which shall be valid throughout its entire territorial jurisdiction.

"In case either of the high contracting parties shall be engaged in war it reserves to itself the right to prevent from operating within its jurisdiction under the provisions of this treaty, or otherwise, enemy nationals or other aliens whose presence it may consider prejudicial to public order and national safety.

"ART. II. In order to secure the license above mentioned the applicant must obtain from the country of domicile of the manufacturers, merchants, and traders represented a certificate attesting his character as commercial traveler. This certificate, which shall be issued by the authority to be designated in each country for the purpose, shall be viseed by the consul of the country in which the applicant proposes to operate, and the authorities of the latter shall, upon the presentation of such certificate, issue to the applicant the national license as provided in Article I."

Now, therefore,

Be it enacted, etc., That the Secretary of Commerce, or any person in the Department of Commerce designated by him, is hereby authorized to issue the licenses and certificates of identification which are provided for by the said Articles I and II, respectively, of the said conventions, or which may be provided for by similar articles in any convention or treaty that may hereafter be concluded by the United States with a foreign Government, and is further authorized to collect a reasonable fee for each license and certificate of identification issued. The amount of such fee shall be fixed by regulations made by the Secretary of Commerce and shall be paid into the Treasury of the United States quarterly.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. LODGE. I am very much obliged to the Senator from Alabama.

SPECIAL POSTAL CANCELING STAMPS.

Mr. TOWNSEND. Mr. President, will the Senator from Alabama yield to me?

Mr. UNDERWOOD. I will.

Mr. TOWNSEND. Mr. President, the House has passed five bills granting permission for the use of special postal canceling stamps in certain cities in connection with the celebrations or gatherings being held in such cities. The Senate has passed some of those bills and they have gone over to the House. The cities to which it is proposed to grant such permission are Richmond, Va.; Phoenix, Ariz.; Fayetteville, Ark.; Hutchinson, Kans.; and Pasadena, Calif.

From the Committee on Post Offices and Post Roads I report favorably without amendment the bill (H. R. 10161) to authorize the use of special canceling stamps in certain post offices. I ask unanimous consent for the immediate consideration of the bill. I understand that there can be no possible objection to it.

Mr. UNDERWOOD. What does the bill provide?

Mr. TOWNSEND. It gives the postmasters of the cities where expositions or other celebrations are to be held, or whatever the occasion may be, the right to use extra canceling stamps without any expense to or additional burden upon the Government. We have frequently heretofore taken similar action. It merely relates to postal canceling stamps.

Mr. OVERMAN. Is the authority granted confined entirely to cases where expositions are being held?

Mr. TOWNSEND. No; the bill is not confined to cities where expositions are being held, but to cities where there is some special occasion which is deemed of sufficient importance to allow the use of special canceling stamps.

Mr. KING. It is to advertise the towns.

Mr. TOWNSEND. That is right.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. OVERMAN. Let the bill be read.

Mr. TOWNSEND. Very well.

The bill was read, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed, under rules and regulations to be prescribed by him, to permit the use of special canceling stamps as follows: In the Richmond, Va., post office, dies bearing the words and figures "Virginia Historical Pageant, Richmond, Va., May 22 to 28, 1922." In the Phoenix, Ariz., post office, dies bearing the words and figures "Visit Phoenix, Ariz., April 24–29, United States Good Roads Week." In the Fayetteville, Ark., post office, dies bearing the words and figures "Semicentennial, University of Arkansas, June 10–14, 1922 (50 years of service)." In the Hutchinson, Kans., post office, dies bearing the words and figures "Fiftieth Anniversary, Hutchinson and Reno County, Kansas State Fair, September 16–22, 1922." In the Pasadena, Calif., post office, dies bearing the words and figures "Fiftieth Anniversary, Pasadena, All the Year 1924": *Provided*, That no permit shall be granted for a longer period than six months.

SEC. 2. That nothing in this act shall be construed to authorize the expenditure of any postal funds or appropriations either for the purchase of special dies or for furnishing or adapting canceling machines for the use of special dies.

Mr. BORAH. Mr. President, may I ask the Senator whether Hollywood, Calif., is included in this bill?

Mr. TOWNSEND. I do not know what would be included in Pasadena, but I imagine that it is a suburb and might possibly be reached.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE LANSING-ISHII AGREEMENT.

Mr. BORAH. Mr. President, will the Senator from Alabama permit me to introduce a resolution?

Mr. UNDERWOOD. I yield.

Mr. BORAH. I offer a resolution to which I call the attention of the Senator from Massachusetts [Mr. LODGE]. If he desires it to go to the committee, I will consent that it go to the committee; otherwise, I should be glad to have it adopted.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 251) was read, as follows:

Resolved, That the President be, and he is hereby, requested, if not incompatible with the public interests, to advise the Senate as to the present status and binding effect of what is known as the Lansing-Ishii agreement between the United States and the Empire of Japan.

Secondly, as to whether or not the four-power pact, now before the Senate for consideration, if ratified, will abrogate, nullify, or in any way modify such agreement; and as to what will be the status of said agreement after the ratification of said four-power pact.

Mr. LODGE. I have no objection.

Mr. BORAH. I ask for the adoption of the resolution.

The PRESIDING OFFICER. Is there any objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. UNDERWOOD. Mr. President, I do not want to discuss the resolution, except to say this, as I happen to be on my feet: It seems to me that anybody who will read the treaties that are now before the Senate in connection with the Lansing-Ishii agreement is bound to come to the conclusion that the Lansing-Ishii agreement or understanding has no further binding effect. The very terms of that understanding are wiped out by these treaties.

Mr. BORAH. Mr. President, there is a wide difference of opinion about that. I have been unable to ascertain that it was ever discussed at all by the delegation. If it has been, of course, I presume that this discussion will throw some light upon the meaning of the treaty. I thought perhaps by this resolution we might get the facts in reference to its consideration or discussion.

Mr. ROBINSON. Mr. President, will the Senator from Alabama yield for a question?

Mr. UNDERWOOD. Yes.

Mr. ROBINSON. Why does the Senator from Alabama say that by the terms of the four-power treaty the Lansing-Ishii agreement is expressly nullified? There is no reference to it in the four-power treaty.

Mr. UNDERWOOD. I said by the treaties that were negotiated at the conference—not alone the four-power pact. The Lansing-Ishii note—it was not a treaty, but it was a note——

Mr. ROBINSON. It is referred to as a "note" or as an agreement.

Mr. UNDERWOOD. An agreement or an understanding—recognized certain spheres of interest. Of course, all questions of spheres of interest in the islands in the region of the Pacific are settled in the four-power treaty. The agreement that was made in reference to the general treaty recognizing the sovereignty and integrity of China, and other recognitions that were made at that time through the resolutions passed by the conference, in which it was agreed to remove the foreign post offices from China, and Japan agreed to it, in which it was agreed that the extraterritorial courts should be removed if after investigation conditions were found to be such as to warrant it, and so on—I can not go into all the details now—clearly and absolutely negative any idea that Japan should have any special influence in the affairs of China or the region of the Pacific by reason of contiguity of soil, and that was what the Lansing-Ishii note said.

Mr. KING. The note calls it "propinquity" instead of "contiguity."

Mr. UNDERWOOD. I may not have used the right word, because I have not read the note for some months.

Mr. ROBINSON. Will the Senator yield to me for a brief statement?

Mr. UNDERWOOD. Certainly.

Mr. ROBINSON. The Lansing-Ishii agreement expressly reaffirmed the obligation of both the United States and Japan to regard the territorial integrity and political independence

of China. At the same time it recognized that Japan had special interests in China; so that unless there is something in the treaties to which the Senator has referred which expressly revokes the Lansing-Ishii agreement in the particular that it recognized the alleged special interests of Japan in China or in certain territory in the Orient, I doubt whether those treaties would have the effect of revoking it.

Mr. UNDERWOOD. I disagree with the Senator. One of the reasons why I am for the four-power treaty is that I think it negatives the Lansing-Ishii note, because I am not in favor of recognizing that Japan or anybody else has any special interests in China by reason of nearness of soil.

Mr. ROBINSON. Will the Senator permit another interruption?

Mr. UNDERWOOD. Yes.

Mr. ROBINSON. That was my understanding of the Senator's statement at first—that it was particularly the four-power treaty that impliedly revoked the Lansing-Ishii agreement.

Mr. UNDERWOOD. Not entirely, but it is one of the propositions. Of course, the four-power treaty does not relate to China proper.

Mr. ROBINSON. Certainly not, and therefore it could not rescind an understanding relating to Chinese territory.

Mr. UNDERWOOD. No; it does not; but it puts something else between the United States and Japan—a conference rather than a recognition of any special interest by reason of nearness of soil or territorial propinquity.

Mr. ROBINSON. Yes; in case of a controversy relating to insular rights or dominions among the four powers which are parties to the treaty they agree to get together and settle their differences, and in case of an act of aggression by any other power they agree to confer as to the best method of repelling that aggression; but I still can not see how that is inconsistent with the Lansing-Ishii agreement.

Mr. UNDERWOOD. I say that I think the general trend of the treaties—the four-power treaty is one; the general Chinese treaty is another—is all contrary to the idea that Japan has any special rights in connection with China, and negatives that idea. More than that, while I am not sure that I am right about this statement——

Mr. NORRIS. Mr. President, I should like to call the attention of Senators to the unanimous-consent agreement. I do not want to make any objection to this resolution, because I have none, but——

Mr. ROBINSON. The Senator from Alabama has the floor.

Mr. NORRIS. I understand that; but I think the unanimous-consent agreement will take him off the floor and take this resolution away from the Senate.

Mr. UNDERWOOD. I did not intend to trespass on the unanimous-consent agreement.

Mr. ROBINSON. I thank the Senator for yielding to me.

Mr. UNDERWOOD. If the Senator will allow me to say just one word more, while I am not sure I am right about this, I think if the Senator will examine the discussions in the far eastern committee he will find there some statements indicating that what I have said is so, and that it was said at the time of the adoption of the treaty.

Mr. ROBINSON. The Senator means as reported to the Senate in the document that has been printed?

Mr. UNDERWOOD. Yes. I am not sure that I am right about that, but my recollection is that statements along that line were made.

Mr. BRANDEGEE. Mr. President, if the Senator will permit me, the four-power treaty provides in article 2 for a conference of the contracting powers only in case "the said rights"—that is, the rights in relation to the insular possessions and dominions of the powers—"are threatened"; not as to any continental matters.

Mr. ROBINSON. And it has no relation to any controversy growing out of China.

Mr. UNDERWOOD. No; I agree with the Senator about that.

Mr. BORAH. Mr. President, may we have the resolution disposed of now?

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

MUSCLE SHOALS—PROPOSAL OF FREDERICK E. ENGSTRUM.

Mr. NICHOLSON. Mr. President, I have before me the proposal made by Mr. Frederick E. Engstrum to the Secretary of War for the completion of the Muscle Shoals project. Mr. Engstrum is an eminent and prominent civil engineer who has been connected with many large industrial enterprises. This is a matter of public interest, and I ask unanimous consent that his proposal may be printed in the RECORD in the usual 8-point type.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

FEBRUARY 23, 1922.

Hon. JOHN W. WEEKS,
Secretary of War, Washington, D. C.

SIR: I submit herewith amended proposal for the completion, lease, and operation of the Muscle Shoals project.

The declared policy of the United States as expressed in the national defense act of June 3, 1916, is to develop water power at the best location for the generation of electricity for the production of nitrates needed for the manufacture of fertilizer, and also to construct locks or lifts at such location as may be necessary for the improvement of navigation.

At that time, in the midst of war, the primary purpose was to make nitrates needed for explosives, while the making of the kind of nitrates needed for fertilizers and the improvement of navigation were of secondary importance.

To-day, in time of peace, the matter of primary importance is the making of the kind of nitrates needed for fertilizers. But to be prepared to make nitrates needed for munitions of war is still a matter of great importance, because the end of the supply of Chilean nitrates is already in sight, and, besides, the United States can not afford to be dependent upon any other country for an adequate supply of nitrates for explosives.

The Chief of Ordnance of the United States Army, in an official report to the Secretary of War on the advisability of completing the Muscle Shoals project in the interest of "nitrogen preparedness," under date of January 22, 1922, says:

NITROGEN PREPAREDNESS.

The main objective of the Ordnance Department in the matter of nitrogen compounds is to make the United States able to be self-sustaining in their supply in time of need. It believes that such ability can only be achieved through the fixation of atmospheric nitrogen by one or more processes, and it further believes that the most economical and enduring method of developing nitrogen fixation is its establishment on a commercial basis.

Thus it is held that the development of nitrogen fixation from the air is now necessary as a measure of nitrate preparedness to keep the country self-sustaining in time of need, and that the best way to develop the nitrogen fixation process is its establishment on a commercial basis.

My proposal is designed to accomplish this very purpose and no other. I propose to devote the whole Muscle Shoals project to fixation of nitrogen from the air by the best-known process for making the best kind of nitrates needed for fertilizers and to keep in readiness the best-known process for making the kind of nitrates needed for explosives, and also to operate a research plant for the development of better processes for the fixation of atmospheric nitrogen. I also provide for the development of navigation at Muscle Shoals as fast as the power dams are completed.

The objects can now be obtained by the completion of Dam No. 2. The expenditure of the money necessary to build Dam No. 3 can not at this time be justified on any grounds. I agree, however, that when required to do so by the Government, to build Dam No. 3 and to lease and operate the same on the same terms as Dam No. 2; also to build storage reservoirs and other power plants when required by the growing needs for nitrates.

I submit that to accomplish the public purpose in view that the nitrate plants and the power to be developed should be leased to the same parties. The success of nitrate manufacture which can be economically used for fertilizer is dependent entirely on sale of power; without the support of the power development and sale of excess power to finance the nitrate plants it would not be possible to manufacture and sell such nitrates. The power end of the industry is to be solely developed for the benefit of the nitrate plants and fertilizer factory. The separation of such plants and factory from the power would destroy the unity and purpose of the industry.

The other outstanding features of my proposal may be summarized as follows:

1. The United States is not divested of title to any of its property, but retains ownership and preserves assets of approximately $143,000,000.

2. Returns from investment on a basis of 400,000-kilowatt gross development, under my lease will pay to the Government approximately three and a half million dollars per year for 50 years, or a total, at compound interest at 4 per cent, of approximately $537,000,000, which cash will be used to produce cheap nitrates for fertilizer or will be turned in to the Treasury at the option of the Government. This is a liberal return for investment of the Government to produce the indicated power.

3. I propose to devote the entire power development to the fixation of nitrogen from the air and to the manufacture of fertilizers, including the operation of a research plant for the development of the improved methods for the reduction of the cost of producing such nitrates.

4. The method proposed to finance, by the sale of excess power, the manufacture of nitrates is the only possible method by which nitrates can be produced under present known methods and sold to the American farmer at a price less than the Chilean products. The quantity of nitrates and fertilizers annually produced will be limited only by the amount of excess power sold and the price at which the nitrates may be sold.

Respectfully submitted.

FREDERICK E. ENGSTRUM.

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(Copy.)

PROPOSED CONTRACT FOR COMPLETION AND LEASE OF MUSCLE SHOALS.

(By Frederick E. Engstrum.)

1. PARTIES.

Memoranda of contract made this —— day of ——, 1922, by and between the Government of the United States, party of the first part and hereinafter referred to as the "Government," and Frederick E. Engstrum, of the city of Washington, D. C., for and in behalf of a corporation to be formed by him to carry out the provisions of this contract and to be governed by a board of seven directors, one to be selected by the Secretary of War, one by the Secretary of Agriculture, and the remaining five by proponent, party of the second part, and hereinafter referred to as the "lessee."

2. LEASE.

The lessee hereby leases all the property, real, personal, or mixed, now owned or hereinafter acquired by the Government in connection with or forming part of, or the possession, use, construction, maintenance, operation, or extension of the Muscle Shoals project, or any part or appurtenance thereof, including the steam plant located at Gorgas, Ala., on the Warrior River, together with transmission lines. Said property is included or intended to be included in the maps, deeds, descriptions, invoices, lists, and schedules furnished to the lessee by the Government and receipted for, and such maps, deeds, descriptions, invoices, lists, and schedules, together with receipts for same, hereinafter referred to as the "schedule," shall be a part of this agreement and shall bind both parties as truly as if they were written herein.

3. TERM.

This lease is to continue in full force for a period of 50 years from date the lessee acquires possession of the property. The lessee shall return said property at the termination of this lease to the Government in good operating condition, subject to damage beyond fault or control of lessee.

4. PLANS AND SPECIFICATIONS.

It is mutually agreed by both the Government and the lessee that for and in consideration of the lease, construction, operation, rights, privileges, payments, and other considerations hereinafter mentioned or otherwise provided for in this agreement that the lessee will construct Dam No. 2, power station, and such other structures now under construction or agreed to be constructed at Muscle Shoals on the Tennessee River in the State of Alabama, and hereinafter referred to as the "property," as are set forth and described more particularly in the maps, plans, specifications, photographs, and other engineering data (hereinafter referred to as the "plans"), copies of which have been delivered to lessee and duly receipted for by lessee, and such plans thus receipted for are hereby made an essential part of this contract and are as binding on both parties as if they were fully set forth and written herein. When the Government shall require the construction of Dam No. 3, for which there is no complete engineering plans, the lessee agrees and is to build the same on plans and specifications to be prepared by the Government and on a location to be approved by the Government, and the lessee shall lease the same under the terms of this contract.

5. LOCKS OR LIFTS.

It is further agreed that the lessee will construct for the Government the locks or lifts for the purpose of maintaining navigation over the dam or dams to be constructed at Muscle Shoals.

6. MANUFACTURE OF NITRATES.

The lessee agrees to operate the nitrate plants, now a part of the property (which have an estimated capacity of 120,000 tons per annum), together with other plants that may hereinafter be built, to manufacture such fertilizer compounds or mixtures and complete fertilizers as approved by the Secretary of Agriculture, and to commence operation of one plant within one year after it acquires possession, and as soon as sufficient power is generated by the hydroelectric plants belonging to the property, it will operate at full capacity all the plants that can be operated from the receipts of the sale of the fertilizer compounds, together with the receipts from one mill per kilowatt hour, from sale of all power generated in excess of that required to operate the plants.

7. ALTERATIONS OF NITRATE PLANTS.

It is also agreed that the lessee will make such alterations, additions or changes in the nitrate plants as may be required to produce the nitrates or other fertilizer compounds approved by the Secretary of Agriculture, and to be completed within the time required to produce hydroelectric power at Dam No. 2. After the plants have been put in operation under this lease the lessee shall make such additions or changes, from time to time, as may be necessary to produce the required fertilizer or fertilizer compounds approved by the Secretary of Agriculture, and such changes, and the cost of producing complete fertilizers, are to be made as an operating charge from the funds on hand derived from the sale of fertilizer compounds and the power not required to operate the plants.

8. PLANS OF ALTERATIONS.

It is agreed that the lessee will furnish the Secretary of War copies of the plans and specifications of the proposed changes to be made in the nitrate plants to fit them to produce the fertilizer compounds approved by the Secretary of Agriculture. Such alterations are to be so designated as to keep the nitrate plant No. 2 in condition to produce explosive compounds with the least delay and expense.

9. RESEARCH.

The lessee agrees to maintain and operate a research department in cooperation with the Agriculture Department of the Government for the purpose of developing the processes for the fixation of atmospheric nitrogen, the cost of research work to be charged to operating expenses of the plant.

10. CONSTRUCTION.

Lessee agrees to begin construction within 60 days from the time it is given possession of the property and to continue such construction in a diligent, business, and workmanlike manner until all construction work provided for under this contract shall be completed, according to terms hereinafter set forth, within three years from the time of possession, reasonable extension of time to be granted for delays over which the lessee has no control.

11. CHANGES.

It is further agreed that at any time during the construction, if, in the opinion of either party herein, the structures provided for in the plans have become, or are liable to become, weak, dangerous, uncertain, or inefficient they may request changes, extensions, or additions to be made in the plans for the purpose of increasing the strength, stability, duty, endurance, or efficiency of the dams, locks, power stations, or other structures to be built by lessee under provisions of this contract, such changes, extensions, or additions shall be submitted to the engineer representing the other party and to the surety company furnishing the bond of the lessee, and if such changes, extensions, or additions shall be approved by the engineer representing the other party and the surety company they are to become a part of this contract and become as binding on both parties, and the bonds of the lessee, as if originally written herein.

12. ARBITRATION.

It is also provided that, in event a request of either party for changes, extensions, or additions in the plans for any of the purposes set forth in the foregoing paragraph of this contract has been approved by the surety on the bond of the lessee, and has not been approved by the engineer representing the other party, then the question of endurance or strength of such material or members as can be determined by physical test shall be submitted to the United States Bureau of Standards for final determination, and all questions as to the effect of the proposed changes, extensions, or additions upon the increase of strength, stability, duty, endurance, or efficiency of the dams, locks, power stations, or other structures to be built under this agreement, the plans for the changes as requested shall be submitted to the engineering faculty or such members thereof who will undertake the work of one or both of the following named universities or schools of technology: Massachusetts Institute of Technology, Cambridge, Mass.; Cornell University, Ithaca, N. Y., and the report of such faculty or faculties, if submitted to more than one, together with the report of the Bureau of Standards, shall be final, and if such report of the Bureau of Standards and faculties of technical schools, mentioned herein, show that the proposed changes, extensions, or additions will materially increase the strength, stability, duty, endurance, or efficiency of the structure affected by the changes, extensions, or additions, then such changes, extensions, or additions shall become a part of the working plans of this contract the same as if they were originally written herein, or had been approved by the engineers of both parties and the surety bond.

13. COSTS OF TESTS.

It is also understood and agreed that the cost of testing, consulting, or other expenses caused by the request for changes in the plans, as provided for, shall be a part of the construction cost provided herein.

14. REPRESENTATIVES.

It is understood and agreed that during the time of construction that both parties hereto shall designate an engineer to represent them on the work and the acts of such engineer shall be binding as to the party designating him as a representative.

15. INVESTMENT.

It is further agreed that the lessee will not be required to invest in the manufacture of nitrates or other fertilizer compounds any money other than that received from the sale of the products of the nitrate plants plus 1 mill per kilowatt hour received from the sale of power in excess of that required to operate the plant.

16. SALE OF PRODUCTS.

It is further agreed that the lessee will sell all fertilizer and fertilizer compounds produced by the plant at prices and on conditions and terms approved by the Secretary of Agriculture.

17. ADDITIONAL PLANTS.

It is further agreed that in event the development of power for use and sale from this plant, together with the receipts from the sale of products, should be insufficient to produce the amount of fertilizer compounds required to supply the demands, the lessee agrees to construct, under the terms of this agreement, other power plants or storage reservoirs upon sites owned by the Government and selected by the Secretary of War and itself, said plants or storage reservoirs to be constructed and operated under the general terms of this agreement for the purpose of enabling it to provide the fertilizer compounds to meet growing needs.

18. PROFITS FROM NITRATES.

It is also further agreed that when nitrates can be made at a profit or when the cost of the same has been so reduced that the funds arising from the sale of excess power and fertilizer compounds are not needed in whole or in part for financing such productions as herein provided, the said funds shall be paid by the lessee into the Treasury of the United States.

19. CONSIDERATION.

In consideration of the performance of the foregoing proposals and conditions the Government shall agree to pay to the lessee the cost, plus 5 per cent, of the completion of Dam No. 2, the initial alterations of nitrate plants No. 1 and No. 2, and the completion of the locks at Dam No. 2, and when required by the Government to build Dam No. 3 and the locks at Dam No. 3 and additional plants and storage reservoirs on the same terms, in monthly payments, as per estimates of the engineers upon schedule of work performed.

20. PAYMENTS.

It is agreed herein that the engineer representing the Government will on the first of each month give the lessee an estimate of the work performed and a statement of the amount earned by it during the preceding month.

21. STORES, STOCK, AND EQUIPMENT.

All stores, supplies, equipment, including engineers' supplies, files and instruments, and other loose personal property now on or about the premises, whether or not required for construction purposes, but not including subsistence stores, shall become the property of the lessee upon the execution of this contract.

22. COMPENSATION.

It is further agreed that as a part of the compensation for the performance of this contract the lessee will retain the proceeds from the sale of power not required to operate the plant or plants and locks or lifts, over and above the 1 mill per kilowatt hour required for financing the production of fertilizer compounds, or to be paid into the United States Treasury as set forth in this agreement.

23. POWER FOR LOCKS.

The lessee agrees to furnish to the Government free of charge all power required to operate the locks or lifts which are to be operated by the Government.

24. EMERGENCY PROVISION.

The lessee agrees to place the property, or any part thereof, at the disposal of the Government in the event of war or any other public emergency, or to operate the same for the Government to manufacture nitrates, explosives, or munitions of war, or for other purposes necessary for the safety of the United States as the Government may require.

25. BOND.

The lessee agrees to protect the Government for the full and faithful performance of the contract by giving a good and sufficient surety bond, to be approved by the Government.

26. INSPECTION.

It is agreed that the Government experts, inspectors, and accountants can, at all reasonable times, examine the books, papers, accounts, meters, and such other accessories of the plant necessary to satisfy them whether or not the lessee is executing this contract in good faith.

27. REPAIRS.

It is also agreed that should the foundation of Dam No. 2 be found defective or show excessive leakage, the Government will pay to the lessee the expense of the necessary repairs, including a reasonable allowance for overhead.

In witness whereof the United States of America has caused these presents to be executed by the Secretary of War, pursuant to the authority conferred upon him by act of Congress approved the — day of ———, 1922, entitled "An act to provide for the lease and completion of Muscle Shoals, and for other purposes," and the said Frederick E. Engstrum has set his hand on the day and year first herein above set forth.

UNITED STATES OF AMERICA,
By ——— ———,
Secretary of War.
FREDERICK E. ENGSTRUM.

STABILIZATION OF PRICES OF CERTAIN AGRICULTURAL PRODUCTS.

Mr. LADD. Mr. President, I ask unanimous consent to have printed in the RECORD a report, which I think will be of general interest, made by the National Farmers' Union, with regard to agricultural matters.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Is there objection to the request of the Senator from North Dakota? The Chair hears none, and it is so ordered.

The report, referred to the Committee on Agriculture and Forestry, is as follows:

(By C. S. Barrett, president National Farmers' Union.)

Some persons oppose stabilization of major farm products through the exercise of the collective power of the people because, to them, it looks like paternalism. Others object because, in their judgment, the free operation of the law of supply and demand will be interfered with. Some cooperators see in the plan a danger to the development of commodity organizations.

None of these objections, in my judgment, possesses any merit. We should not be afraid of terms. The truth is that the Government is the great parent, the great protector of the people, although it can not be denied that the people who are least governed are best governed.

Ordinarily and under normal conditions—though what is normal nobody has succeeded in determining, at least to the satisfaction of the masses—cooperation by the Government in private affairs may not be wise. But we are not now living in normal times.

There are some things which private enterprise can not achieve. There are some things which private enterprise ought not attempt to accomplish. For instance, private exertion can not make or execute war. It can not achieve peace. It can not readjust the affairs of a war-riven world.

When this Government decided to enter the war against the Central Powers one of the first steps taken was to assure an adequate supply of food, not alone for the soldiers of the Republic but to enable the armies of France, Italy, Great Britain, and others associated in the

terrible enterprise to remain in the field. Nobody at that time suggested that the Government should keep its hands off the farms or should refrain from making such arrangements with agriculture as would guarantee an abundant crop.

That was paternalism. But as far as agriculture was concerned, it was disciplinary rather than beneficent paternalism. The farmer was told that the price fixed was a minimum, and this at the time was generally believed. In practice, however, it proved to be a maximum. The kind of paternalism practiced by the Government of Australia was entirely different. That Government said:

"We will see that you are not required to sell your grain below a certain figure, but if the market should develop such a demand as will justify a higher price, you may take advantage of such a condition."

The consequence is to-day that while the American farmer is groaning under a crushing load of debt, which is increasing at the rate of a million dollars a day, the Australian is enjoying gratifying prosperity. This is said on the authority of one of the most distinguished of Australia's statesmen who visted this country during the deliberations of the International Conference on Limitation of Armaments.

The stabilization plan of the national committee which we recently created provides for exactly what was done and what is now done in a manner adapted to peace needs in Australia. Under it the American wheat producer, cotton producer, corn producer, and wool producer would not be required to dispose of his commodities at a price below a certain minimum, but if market conditions should justify a higher level he would participate in the greater price advantages given.

The methods which our Government would adopt would, of course, be adapted to meet conditions in this country. A. W. Ferrin, late American trade commissioner to Australia, in a communication to the Department of Commerce in relation to the Australian stabilization plan, says that a plan of stabilization to meet peace conditions has been agreed upon.

"The Commonwealth Government will advance to farmers on delivery of wheat at sidings 3 shillings a bushel in cash, with a negotiable certificate for further payment when the wheat is sold, freight and handling charge up to 8 pence—or 16 cents a bushel—to be first charge against the wheat."

Mr. Ferrin points out that the advance is arranged through the Commonwealth bank, a financial organization created especially for use by farmers. The cost of producing wheat in Australia is much less than in the United States, so that the minimum advance by the Government need not be as much as in this country.

Through the enlightened policy of the Australian Commonwealth during the war the cooperative spirit was stimulated, and now an overwhelming majority of the wheat farmers and wool producers are members of a common pool. Before the war the Australian farmer had no confidence in organization. He refused to cooperate with anybody, and the consequence was he was the prey of the special interests and food for the speculative manipulating middleman.

My information is that the stabilization plan worked so well during the war that the Government decided that it shall continue in operation. I am assured on the word of an Australian statesman who was one of the pioneers in working out a plan for the stabilization of the farming industry that in any protection the Government has afforded the pool it has never been involved in the loss of a single cent.

I said there were some things which private enterprise can not accomplish. One of these is the salvation of agriculture from the extreme consequences of the recent deflative methods of those in charge of the agencies of government which directly affect the farmers. During the war agriculture suffered from disciplinary paternalism. After the war the Government carried disciplinary paternalism to a cruel extreme, involving hundreds of thousands in ruin and bringing despair and sorrow to hundreds of thousands more.

Now, is it not time that we follow the example of Australia by adopting something of a beneficent paternal attitude toward the only completely essential public utility which exists? It was by the exercise of disciplinary paternalism that agriculture was brought to its present sad plight; now we must do our best to erase the marks of cruel discipline by the exercise of that repairing kindness which necessarily makes up a part of the character of a true parent.

Those who object to the exercise of the power of government to save an industry which the census bureau says is worth $80,000,000,000 could do well to examine the Pittman bill. This measure was adopted to prevent the loss of the silver of America and its purchase by Europe and Asia to be used in minor money coinage.

The Government, seeing that it would lose a vast amount of the metal necessary in coinage, decided to pay a minimum price of $1 for every ounce of pure silver produced in the United States. It did not matter what the markets of the world offered for the same metal. It was necessary to stabilize the American product.

There is no evidence of opposition to this bill in the Senate or in the other branch of Congress. No statesman believes it has done the slightest injury. Nobody asks for its repeal. On the contrary, there is a very lively sentiment for an extension of the bill after it expires in two years from now. The author of the measure says that the great silver mines of Nevada and other States are working at a profit, and the practical effect of the measure has been to stabilize and steady the white-metal markets of the world.

During the debate on the bill before it was enacted it was insisted that money being absolutely essential to commerce and industry, we must save to America one of the two precious metals that was in danger of being shipped in too great abundance to Europe and Asia. To do this it was necessary to pay the men who produced silver a sum which at least approximated the cost of production. This was regarded as sound, reasonable, and logical, and the judgment of the champion of the measure was written into law.

Nobody called such legislation paternalistic or socialistic. On the contrary, they accepted the principle that in an emergency the Government should use its power to save to the Nation a metal deemed essential for coinage purposes and necessary to commerce and industry.

Now the question arises if it is necessary to save a coinage metal, how much more necessary is it to save an industry upon which we are wholly dependent for our existence? We may at some inconvenience to ourselves be able to dispense with silver coin. We may close the silver mines of the country and still be able to worry along and collect sufficient food on which to live. But what would happen to this Nation and to the world were we to close the farms?

I am not attempting to go into the merits of the silver stabilization bill, for it is that and nothing more. I am only showing that if a great national crisis had suggested to our Congress the need for enacting legislation which would assure a continual and necessary supply of silver money, how much greater must be the impression on the official mind when the necessity for saving agriculture is presented?

I am convinced that if the farmers next fall are unable to collect cost of production, or something approximating it, the financial and mental condition of agriculture will be such as to constitute a real peril to the Nation. Scores of thousands of men who earn their living on the farms are preparing to leave, and they will leave at a great sacrifice to themselves and their families. The mental attitude of such men toward this Nation and this Government will be such as ought to cause statesmen real concern.

There is, of course, the possibility that markets may be so adjusted or more probably manipulated as to enable the farmers after the next crop is harvested to collect cost of production. But we should forge the weapon and create the instrumentalities which will assure this. Without them farmers are assuming a risk which will have a depressing, almost paralyzing, effect on productive effort. Assured of some reward, assured that they may be able to cease borrowing and even pay something on old and long-standing accounts, the mental attitude of Uncle Reuben will necessarily undergo a complete change.

I am not proposing a cure-all. This plan will not prove to be a remedy for all agricultural ills. It merely steadies the agricultural ship and sustains it while going through the rapids of deflation, falling markets, and other evils. It makes possible orderly marketing and paves the way for complete commodity organization, when I hope all we will require of the Government will be sympathetic cooperation in our purpose to find a more direct way to the consumer.

There is now before Congress a bill which commits the Government to the stabilization of the shipbuilding and ship-operating enterprise. Such a bill would cost the country hundreds of millions of dollars. Those who characterize the demand of the farmers for price stabilization legislation as socialistic applaud this bill, declaring it to be enlightened, progressive, and constructive legislation.

The bill which we ask for, unless all precedent is set aside, would not cost the Government a cent. It would lay no tax burdens on the people, but, on the contrary, it would fill empty box cars by the thousands, would open idle factories, and set millions of unemployed to work. But it is characterized by some statesmen as an idle dream, by others it is associated with the most repugnant form of socialism, while still others see in it a return or reversion to what they regard as the worst type of paternalism in government.

The ship subsidy bill constitutes business in government, but the agricultural stabilization measure is government in business. It is peculiar how the diversified mentality of American statesmenship works. Some persons believe if the factories of the United States were opened the farmers would once more prosper. I agree with this, but the only way to open the factories is to restore the buying power of the farmers. If prosperity returns, it must be initiated on the farm.

CONSIDERATION OF APPROPRIATION BILLS.

The Senate resumed the consideration of Senate resolution 213, proposing to amend the Standing Rules of the Senate so that all general appropriation bills shall be referred to the Committee on Appropriations.

Mr. UNDERWOOD. Mr. President, I beg the pardon of the Senate for taking up its time about a matter that was not strictly within the unanimous-consent agreement. What I rose for this morning was to discuss briefly the pending resolution in reference to a change of the rules so as to put all the appropriation bills of the Senate in the hands of one committee.

A number of years ago in the House of Representatives, when every effort was being made to economize, cut out unnecessary expenditures, and prevent the duplication of appropriations and of work, I made an effort to concentrate the power of appropriation under one general head that was proposed to be called a budget committee. The effort did not succeed at that time; but it was apparent to me then, and it has been apparent to me since, that the system that existed in the past has been one cause of wasteful expenditures. I do not mean to say that a vast amount of the expenditures of the Government of the United States are wasteful—not by any means—but I do mean to say that there are a great many expenditures that we make every year that can be classed as wasteful, not only because the Government and the people of the United States do not receive value for the appropriation but because it often causes the same work to be done twice over; it causes double expenditures. More than that, my experience on the Appropriations Committee of the House of Representatives a number of years ago, and for six years on the Appropriations Committee of the Senate, has led me to believe that by reason of the fact that in the old days the appropriations were scattered through a number of committees in the House and in the Senate, departments of the Government that had some special object that they wanted to accomplish and desired the money to do it with were enabled to run from one committee to another, and if they could not get the appropriation from the general committees they would try to bring in the item on an appropriation bill. After it had been disposed of and rejected in the ordinary course, they would come back from every angle possible and try to work out their special schemes.

Up to the eighties the appropriations of the Government were confined to a single committee in the House and a single committee in the Senate. I am told that it grew largely out of an effort to take away from the power of Mr. Randall, of Pennsylvania, who was then chairman of the Appropriations Committee, and who was not in entire accord with some of his party leaders in the House of Representatives, but in the eighties a number of the appropriation bills were divided and given to other committees. Of course, the Senate had to re-

spond when a division came, and later on there were other divisions, and again the Senate responded, for as long as the appropriation bills originate in the House of Representatives, the manner of disposing of those bills must be primarily determinated by the House, because when a bill is made up it can not be divided up. A bill is an entity in itself, a creation in itself.

The actual paper has to pass. I know that we are so much in the habit of dealing with numbers of printed documents and printed bills that we do not visualize the engrossed and the enrolled bill as it goes through. But it is one bill. The Senate can not act on it until the House sends that actual bill to the Senate. It comes here and is referred, and when it is in the committee the Senate can not act because it does not have possession of it.

Therefore, when the House makes up certain items in one bill, in one document, the Senate is bound by that proposition, unless it should make up its mind to defeat the bill and start a new practice of originating appropriation bills in the Senate instead of allowing the House to do so. Of course, if that occurred, it would bring on endless conflicts between the two Houses of Congress.

The House of Representatives has changed its method of doing business. It has concentrated the appropriation bills in one committee, and it has entirely changed the forms of those bills. It has taken many items which did not go together formerly and classified them in a new formation, into one bill, which, of course, entirely changes the conditions under which we were in the habit of acting upon them in the Senate. In other words, if we are to recognize those bills as they come from the House—and we must—then we find the jurisdiction of the committees which had control of these matters before entirely gone, as to a bill over which one or two or three committees of the Senate formerly had control. As I have said, we can not change that. Of course, a portion of a bill could not be referred to one committee and another portion to another committee, because the bill is an entity itself which has to go to the committee.

I recognize, of course, that a bill might be referred to one committee, and that committee allowed to act upon it, and then it could be referred to another committee, and that committee allowed to act upon it, and then to a third committee, to allow it to act upon it; but when you got through that process you would only have delayed legislation, you would have put a block in the way of a good deal of good and effective and useful legislation, and really would accomplish no great object by it. So it seems to me that the only thing which can be done, now that the House has changed its rules, if the Senate is not going into legislative war with the House, is for us to make our rules conform to the rules of the House and provide for these bills all being considered in one committee.

More than that, Mr. President, we have good warrant for that proposition; and the reason why I am speaking on this matter, and the only reason, is that I am a member of the Committee on Rules. This proposal came before our committee for consideration. It became necessary for me to act on it one way or the other—to accept it or reject it. I believed it was in the public interest and that it should be accepted, and that the consolidation of the appropriation bills in one committee should take place. I had good authority for that. During a large part of the last Congress and in the term of Mr. Wilson, the last Democratic President, he urged upon the Congress the passage of a budget bill and the taking of this action. One of the measures he urged in the interest of economy in the expenditure of public money was the passage of a budget bill and the consolidation of appropriations in the hands of one committee. Is there any less reason for economy to-day than there was when Woodrow Wilson was President of the United States?

In addition to the urgent request of the Democratic administration to have this consolidation in the interest of economy, the last Democratic convention, speaking with the authority of my party, declared in favor of the consolidation of all appropriation bills in one committee.

It seems to me that under those circumstances there was but one thing for the Democratic members of the Rules Committee to do when this proposal came before them for consideration. Knowing that it was in the interest of economy, knowing that it had the approval of their party in the past, and knowing that it had the sanction of the highest authority in their party, the proper course to pursue was to be in accord with the proposal and support the resolution.

I want to say, however, that, although I agreed to the proposition and felt that it was our duty to act along these lines, I was in favor of making the proposition as liberal as possible. I realized fully that the legislative committees of the Senate which had had jurisdiction of the appropriation bills for many years past naturally would not want to give up their jurisdiction. More than that, I realized that there were men on those legislative committees who had handled the appropriation bills in the past, knew their details, had the information in reference to them, and could be of vast service to the Government, because the real thing which makes service here is knowledge and information, not brains or brilliancy.

Therefore I was glad to join with other Senators on the Rules Committee in liberalizing the proposed rule as it was originally introduced and in providing that a certain number of the members of the legislative committees of the Senate should have a right to sit and act with the Appropriations Committee when appropriations concerning matters over which those several committees had legislative jurisdiction were before the Appropriations Committee. Of course, all the members of those committees could not be taken; but in providing that three of them shall be on the Committee on Appropriations I think the rule exceedingly liberalized a proposition which was commended by my party and, I believe, by the party on the other side of the aisle.

There was only one danger in the bill, it seemed to me. I think it will work great economy to have the power and the responsibility of these great appropriation bills contained in one committee, and have one set of men exercising that power, and being chargeable with that responsibility; but I felt that there was one danger, and that was of legislation creeping into the appropriation bills more than it has done in the past, the jurisdiction of the legislative committees of the Senate being taken away. I made the suggestion in the committee that we go further than the present rule, which prohibits general legislation on appropriation bills, and makes it subject to a point of order. I suggested that we go so far as to prohibit it, and make the entire bill subject to a point of order if any general or new legislation should be reported on the bill. That was agreed to in the committee, and if the amendment is adopted, as I believe it will be, it will be a part of the rule.

I know the temptation, under stress of circumstances, to write legislation in appropriation bills, because it is the direct method of securing the enactment of law. More than that, I am free to confess that during the period of the war I was guilty myself of adopting such methods, because it was the most expeditious way to accomplish results. But under ordinary circumstances it is not the way that legislation should be considered. I think the legislative committees of the Senate should be fully protected in their rights. An amendment of great import put in an appropriation bill would attract general attention, but a vast number of minor items creating new legislation might be inserted in appropriation bills without attracting any attention and at the same time possibly wipe out the viewpoint and the desire and the intent of the legislative committees of the Senate.

So I believe it worth while to put a supreme penalty on the Committee on Appropriations reporting new legislation. It is done in this amendment. Under the old rule if they reported new general legislation a point of order could be made on the floor and that item would go out of the bill, but if this rule is adopted and the general appropriations committee puts new legislation in the bill, they then endanger the passage of the whole bill and no committee will take a chance of that kind.

So I think that the rule is not only in conformity with the best public interests for economy, it is not only in accord with the principles of my party and the declarations of my party, but I contend that under these circumstances it is an exceedingly fair, just, and liberal rule as it has been reported, and I hope the Senate will adopt it.

Mr. NORRIS. Mr. President, I wish to offer now an amendment to the committee amendment.

Mr. WARREN. Mr. President, may I ask if there is not an amendment now pending?

Mr. HARRISON. There is an amendment pending in the form of a substitute, but the Senator has a right to perfect it, as I understand.

Mr. NORRIS. If it is in the form of a substitute, my amendment is in order.

Mr. HARRISON. I was under the impression that all amendments had been offered, and that is the reason why I offered a substitute at that time.

Mr. NORRIS. I move to amend the committee amendment as follows: Insert, on line 9——

Mr. FLETCHER. Is the Senator referring to the new print containing the amendments which have been agreed to?

Mr. NORRIS. It is the only print I know of.

Mr. WARREN. I hand the Senator a print of the resolution with the amendments, showing how it has been amended up to this time.

Mr. NORRIS. If there is a new print, I will refer to it. By a short explanation I can make it plain to all Senators. In fact, I have already given notice that I intended to offer this amendment. I am using the new print now, I will say to the Senator from Florida.

On page 2, line 10, after the word "appropriations," I move to amend by striking out the remainder of the committee amendment as amended.

Mr. President, the effect of this amendment, if agreed to, will be to take away that provision of the new rule which provides that three members of the various other committees shall go over to the Appropriations Committee and be a part of the Appropriations Committee when particular bills now going to such other committees are referred to and are before the Committee on Appropriations. In other words, if my amendment is agreed to, then all appropriation bills coming from the House will be referred to the Committee on Appropriations as it is now constituted, and there will be no transferring to that committee of three members from any other committee in any case.

That part of the committee amendment which provides that if any legislation is contained in an appropriation bill a point of order sustained against it will send the entire bill back to the committee is still left, and will still be in the rule if my motion prevails. It has no other effect than to take away from the rule that part which provides for additional members from other committees to be ex officio members of the Committee on Appropriations in certain cases. To my mind that part of the rule is indefensible.

After all is said and done, though it may not be the only reason for incorporating it, one of the principal reasons, as has been said, was to secure votes for the resolution. There are some in the Senate who are in favor of the motion to amend I am now making who will vote against it, because they fear it will endanger the rule itself if my motion should prevail. I am not at all afraid of that. I am for the rule. I would not want to endanger it. I have no such object in view. I am going to vote for it whether my motion to amend prevails or does not prevail. I agree with the Senator from Alabama [Mr. UNDERWOOD], who has so well pointed out this morning that efficiency in legislation requires that appropriations should be handled by one committee and that the responsibility for them should not be divided, divided responsibility bringing in, as we know, all kinds of difficulties.

I fear that those who are opposed to any change in the existing rules are opposed to this amendment for the reason that they believe that the rule, in whatever form it may be agreed to, will give to the Appropriations Committee too much power; that it is a committee which already has a great deal of power and that the rule will give to it more jurisdiction over appropriations. But Senators forget that part of the rule which is new, which is not in the rules now, which provides that if the committee reports any legislation on an appropriation bill it will be within the power of any Senator to send the whole bill back to the committee, or to recommit the bill in effect.

Mr. President, it seems to me that does away with the danger of more power. It leaves every appropriation in such a condition that we can always put our finger upon the responsible party. There is no divided responsibility. Senators on other committees, jealous, and properly so, of that jurisdiction and their power, are opposed to the change unless the proposed transfer is left in the rule. While I have great respect for those who hold that opinion, I believe they are fundamentally wrong. I want to call attention to what ought to be done if they are right.

There is no provision in the resolution for putting any members of the Judiciary Committee on the Appropriations Committee when there is an appropriation bill pending making appropriations for the Department of Justice. There are other instances of that kind. Why should not members of the Committee on the Judiciary be placed on the Appropriations Committee when the Department of Justice is being appropriated for if, for instance, members of the Committee on Agriculture and Forestry are going to be placed on that committee when the Agriculture Department is being appropriated for? Why should not members of the Committee on Indian Affairs be placed on the Appropriations Committee when appropriations are being made for the Indian Bureau, if we place on the Appropriations Committee members of the Commerce Committee or the Committee on Military Affairs when appropriations are being made for the Army?

I do not believe there is any answer to that question. Fundamentally it is wrong. It can not be defended or excused, in my judgment, without going the full length and applying to other committees the same rule that is being applied to the particular committees which are mentioned in the amendment.

Mr. CARAWAY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. NORRIS. I yield.

Mr. CARAWAY. This is certainly carrying the bloc system, which some Senators have been condemning, into the Appropriations Committee, because if we are to have an agricultural bloc on the Appropriations Committee we shall have a District of Columbia bloc on it, too. It is carrying the bloc from every committee in the proposition to put the chairman and two other members of those committees on the Appropriations Committee. That is what it means.

Mr. NORRIS. Yes.

Mr. CARAWAY. There has been some condemnation of blocs in the Senate, and yet Senators are trying now to write into the rules of the Senate a provision encouraging the bloc system. That is what it amounts to.

Mr. NORRIS. I said so the other day. I do not know whether the Senator was here.

Mr. CARAWAY. I heard the Senator's statement that the agricultural bloc ought to be recognized.

Mr. NORRIS. There is just as much reason to recognize it.

Mr. CARAWAY. That is the bloc system. It is recognizing in the rules that unless a man is related to some particular industry he is not competent to legislate or appropriate for that industry.

Mr. NORRIS. If the object in putting committees on here would be the same, and that was the only object that I could see in putting the bloc on, it would make too many candidates for presidential favor.

Mr. CARAWAY. I realize the temptation it would be to Members.

Mr. NORRIS. And the President would not have offices enough to go around.

Mr. CARAWAY. We can create some new ones and take care of them.

Mr. NORRIS. That might be possible. If all of the blocs were as successful in getting their heads and leaders placed in like positions as was the agricultural bloc, we would have to devise a whole lot more offices.

Mr. President, as I said, there is no reason why members of the Committee on Military Affairs or the other committees named in the rule should be placed on the Committee on Appropriations any more than there is that other committees not named in the proposed rule should have representatives on the Committee on Appropriations. That must be apparent. That can not be disputed. That is self-evident. Why the discrimination, then? Is there any other reason than that which has been given and was intimated, that when they made this change they realized that the committees which now have appropriation powers would be jealous and would not want to give them up, and they might not get sufficient votes to make the change, so therefore they eased them up, as the Senator from Minnesota [Mr. NELSON] said, and put three members on the Committee on Appropriations from each one of those committees, and that later on probably they would be taken off. I think they ought to be taken off now.

It is either right or it is wrong. If it is right—and I believe, especially since we have adopted the Budget system, that it is right—we ought to place the responsibility on the Appropriations Committee and give them the power over all general appropriation bills. If experience demonstrates that the committee is too small we will make it larger. My own judgment is that experience will demonstrate that it is already large enough, because we have taken away, if we adopt this rule, all temptation for them to legislate.

I think I realize that a great many of the Senators are opposed to the proposition which I make in the way of this amendment, and I shall probably lack sufficient votes to get it adopted. I would like to have a vote on it and would like to have a record vote on it.

The PRESIDING OFFICER. The Chair suggests to the Senator that he understands that the question on the amendment offered by the Senator from Mississippi would come first.

Mr. HARRISON. I withdraw that amendment for the present.

Mr. NORRIS. I understand that the amendment of the Senator from Mississippi is in the nature of a substitute.

Mr. HARRISON. Yes.

The PRESIDING OFFICER. It proposes to strike out and then to insert new matter in lieu of that which is stricken out. Therefore the amendment of the Senator from Mississippi would be in order after the amendment of the Senator from Nebraska should have been voted upon, whether it is adopted or not.

Mr. HARRISON. I withdraw my amendment.

Mr. NORRIS. If my amendment proposed to strike out all of the committee amendment I think the suggestion of the Chair would be correct, but my amendment only proposes to strike out a portion of the committee amendment.

The PRESIDING OFFICER. The Chair understands the Senator from Mississippi to withdraw his amendment?

Mr. HARRISON. I withdraw it.

Mr. NORRIS. Very well; then there will be no misunderstanding.

Mr. FLETCHER. Mr. President, before the vote is taken on the amendment of the Senator from Nebraska I desire to say just a few words in opposition to it. I am opposed to the Senator's amendment because it leaves the resolution practically as it was originally introduced, with the exception of the amendment providing for a point of order being raised against the entire bill in case any item of new legislation or additional appropriation is reported. That amendment itself is not bad; I have no objection to it; but I seriously object to the resolution as it was originally introduced. I think that the amendment reported by the Committee on Rules providing for representation on the Committee on Appropriations of three members from various other committees which have heretofore had jurisdiction of certain appropriation bills very much improves the resolution.

I think that the resolution as amended by the committee ought to be agreed to. I had no objection to it as it stood, but the Senate has seen fit to change it in some respects, so that instead of the chairman of each of the other committees and two other members of the committee named by him serving on the Appropriations Committee when the appropriation bills of which those committees have heretofore had jurisdiction are being considered, the amendment to the resolution adopted by the Senate leaves it for the respective committees to select the three members who shall represent them on the Committee on Appropriations. I have no particular objection to that; I do not think that weakens the resolution as originally proposed to be amended by the committee, but I do not agree with the Senator from Nebraska that it would be better to adopt the resolution practically as introduced, sending all the general appropriation bills to one committee without any sort of representation on that committee of the various other committees having legislative jurisdiction of the various subject matters. The amendment by the committee very much improves the resolution, and in view of the situation in the House of Representatives, with the idea of facilitating the work of Congress, I think the proposed rule as embodied in the resolution as amended by the committee might very well be accepted by the Senate. I am inclined to think it would promote both economy and efficiency in the handling of legislation and, perhaps, speed action, if such a thing is possible, in the Senate.

I can not, however, agree with the Senator from Nebraska that by adding three members from each of the large committees having legislative jurisdiction and heretofore handling appropriation bills coming within their jurisdiction there would be thereby created divided authority. That seems to be the only point which the Senator makes; that by adding other members divided responsibility will be created. I can not see that it has that effect at all. There will be added to the Committee on Appropriations three members from the Committee on Military Affairs when the Military appropriation bill is being considered; three members of the Committee on Commerce, to be selected by that committee, will be added to the Committee on Appropriations whenever there is being considered the bill providing appropriations for rivers and harbors, and so on with the various other committees, the Committee on Post Offices and Post Roads, the Committee on Agriculture and Forestry, and so forth.

Those additional members will not be permanent members of the Committee on Appropriations at all; they will simply serve while the particular bill heretofore handled in their committee is under consideration. I think the plan will work all right and that it would be a great mistake entirely to eliminate all representation of the large committees on the Committee on Appropriations in the circumstances I have mentioned, as would be the case if the amendment offered by the Senator from Nebraska prevailed. I therefore hope that that amendment will not prevail. In view of all the circumstances, I much prefer and I cordially favor the resolution, with the amendment reported by the committee. The amendment already adopted to that amendment providing for the selection of the three members by the committee instead of their being named by the chairman is unobjectionable, I think, and perhaps may be more satisfactory; but I am quite clear that there would be no divided responsibility such as the Senator from Nebraska seems to apprehend.

There is no argument, it seems to me, against the representation as provided by the committee amendment of the large standing committees which have jurisdiction generally of the various subjects matter when appropriation bills affecting them are under consideration by the Committee on Appropriations. I think the resolution as originally introduced is very much improved by the committee amendment. Therefore I should, I think, feel compelled to vote against the resolution if the amendment offered by the Senator from Nebraska should prevail.

Mr. TOWNSEND. Mr. President, as chairman of the Committee on Post Offices and Post Roads, which now has jurisdiction of one of the largest appropriation bills which come before the Senate, I certainly have no objection to the duties of that committee respecting the appropriation bill being transferred to any other committee if thereby the work may be done better and more in the interest of the public. I certainly am not looking for a continuation of that work.

I am satisfied, however, that in each case undoubtedly three Members who are at the head of the respective committees concerned will be assigned to the Committee on Appropriations when the appropriation bills in which they are interested are being considered. Those three Members, generally speaking, have had years of experience in connection with the consideration of appropriations for the various departments over which their jurisdiction extends; and, at least at the beginning, I think it would be most desirable to have the experience and knowledge of those Members and that it would be valuable to the Committee on Appropriations.

I think the House of Representatives recognized that fact when it enlarged its Committee on Appropriations by taking experienced members from various other committees which had theretofore had charge of separate appropriation bills and making them members of the Committee on Appropriations.

I believe that the proposed change in the rules will add a great deal to the work of the Committee on Appropriations, and that many subcommittees of that committee will have to be created. Certainly, therefore, in my opinfon, there should be an enlargement of the general Committee on Appropriations if it is not to be temporarily enlarged by the assignment of members of the respective legislative committees which have heretofore handled appropriation bills.

So, Mr. President, without desiring to keep more work before my committee—for I could readily, if I were to consult my own comfort, transfer much of that work to another committee, retaining only the jurisdiction of the general legislation that may come before it—in the interest of what I believe is the good of the Government during at least the next few years, I believe that the method suggested by the Committee on Rules under the amendment which it has reported is a desirable one for us to follow. For that reason alone I shall vote against the amendment offered by the Senator from Nebraska.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska.

The amendment was rejected.

Mr. HARRISON. Mr. President, I offer the amendment which was pending when I withdrew it in order that the Senate might consider the amendment offered by the Senator from Nebraska.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Mississippi, which has heretofore been read.

Mr. HARRISON. Mr. President, a good many of the Senators are now at lunch. In their absence I want to place a statement in the RECORD so that they may read it, perhaps, when they find out what this rule does to them and to their constituents.

The distinguished Senator from Delaware [Mr. BALL] is on the Naval Affairs Committee. Naturally his State is greatly interested in matters affecting the Navy. He will be eliminated from the consideration of appropriations when this rule is adopted.

The senior Senator from Arizona [Mr. ASHURST] is a member of the Indian Affairs Committee, the committee that heretofore has made the appropriations for the Indian tribes. Few States are more interested in the welfare of the Indians than is Arizona; and yet under this rule, if it should be adopted, Arizona's representation will be taken away from her, and the subject will be placed in the hands of the distinguished junior Senator from Maine [Mr. HALE] and his colleagues on the Appropriations Committee.

Mr. WALSH of Massachusetts. There are a few Indians in Maine.

Mr. HARRISON. Yes; and pretty wild ones.

Louisiana is represented on the Post Offices and Post Roads Committee by the junior Senator from that State [Mr. BROUSSARD]. It is a very important committee, which for years has made the appropriations to carry on the Postal Service of the country; and yet under this rule, if it should be adopted, Louisiana's representation in the matter of appropriations to care for post offices and postmasters and the Postal Service of the country will be taken away from her.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Massachusetts?

Mr. HARRISON. I do.

Mr. WALSH of Massachusetts. I do not want to interrupt the Senator in his line of argument, but I desire to make this suggestion to him: A great deal has been said here about making this resolution of such a character that no legislation could be passed hereafter in appropriation bills. I should like to ask the Senator if the most powerful and effective way of passing legislation is not through the control of the purse strings of the Government?

Mr. HARRISON. Absolutely. That is my experience.

Mr. WALSH of Massachusetts. And is it not a fact that an appropriations committee can so cut down appropriations as to nullify any legislation which the rest of the Congress passes?

Mr. HARRISON. The Senator is correct.

To-day the great State of New York is represented on the Commerce Committee, the committee that heretofore has considered appropriations for the improvement of the great harbor of New York and its rivers, the committee that will deal with the ship-subsidy proposition concerning which the President appeared before Congress the other day and which he is now advocating. That question and all the questions that affect the merchant marine and shipbuilding are now in the hands of the Commerce Committee, and that committee makes the appropriations; and yet, if this resolution is adopted, New York's representation on the Commerce Committee, so far as the appropriations for her harbors and her rivers are concerned, will be taken away and placed in the hands of the distinguished Senator from Wyoming [Mr. WARREN] and his colleagues on the Appropriations Committee.

Mr. WARREN. Mr. President, will the Senator yield?

Mr. HARRISON. Yes.

Mr. WARREN. I wish to say to the Senator that New York was represented upon the Committee on Appropriations by the very able junior Senator from New York [Mr. CALDER] when he requested release from that committee in order that he might go on others which he thought more important for his State. On the other hand, it would seem as if the position of the senior Senator from New York [Mr. WADSWORTH] on the Committee on Appropriations as to part of the appropriation bills would perhaps atone in some measure for the absence of the junior Senator. However, there are 48 States, and the Senator will observe that with 16 Members on the committee it is hardly possible that every State shall be represented.

Mr. HARRISON. If there is one State in this Union that is entitled to representation on the Appropriations Committee, however, it is the great State of New York.

Mr. WARREN. And the junior Senator from that State wished to vacate the place because he wanted more power somewhere else.

Mr. HARRISON. The Senator says that the junior Senator from New York [Mr. CALDER] went off the Appropriations Committee in order to go on the Finance Committee. That, however, was before the ambitious gentlemen who now compose the Appropriations Committee sought to enlarge its jurisdiction and usurp the powers of other committees. I have no doubt that if at that time this proposed rule had been presented to the Senate, to take away from the Commerce Committee the power to make appropriations for the great harbor of New York and lodge it in the hands of the Appropriations Committee, the junior Senator from New York would not have sought the Finance Committee and gone off the Appropriations Committee; so the illustration that the Senator from Wyoming gives shows the outrageous character and disastrous consequences of this proposed rule.

Take the State of Arizona, represented in part by the junior Senator from that State [Mr. CAMERON]. When he came here he sought, no doubt, and there were given to him, places on two important committees. One was the Indian Affairs Committee; the other was the Military Affairs Committee. Both committees appropriate money for the welfare and the interests of Arizona as well as the rest of the country. Service on those two committees particularly appealed to the junior Senator from Arizona; and yet he is called upon here to vote for a resolution that takes away from those committees that allured him to become a member of them part of the jurisdiction which they now have, and places it in the hands of this new and powerful Committee on Appropriations. I can not believe that the junior Senator from Arizona will vote for any such proposed rule that will affect his standing in the Senate as this rule will, or that will affect the welfare or the interests of his State as it is sure to do.

Here is the junior Senator from Arkansas [Mr. CARAWAY]. He is on two committees which are very powerful under the present rules of the Senate. Both make appropriations. One is the Committee on Agriculture and Forestry. The Senator's heart is vitally interested in the agricultural welfare of the country. The other is the Committee on Commerce. If this proposed rule is adopted, and those committees lose their authority to make appropriations, what will be left for the Senator from Arkansas to do?

Going down the list, here is the junior Senator from South Carolina [Mr. DIAL]. He is on the Commerce Committee, and on the Committee on Post Offices and Post Roads. Those are his two committees. Both make appropriations; and yet under this proposed rule that authority is taken away from those two committees and given over to the 16 Senators comprising the Appropriations Committee.

On day before yesterday the junior Senator from New Jersey [Mr. EDGE] made a speech. He advocated the passage of this resolution. I wonder if he had ever looked into the fact that if this resolution is adopted and the Appropriations Committee is given this enlarged authority, New Jersey, one of the great States of this Union, will have no representation on any committee of the Senate that makes appropriations for anything. He is to-day on the Committee on Commerce and on the Committee on Post Offices and Post Roads. His State is vitally interested in the upbuilding of the merchant marine; it is interested in the appropriations that go to improve the rivers and the harbors of the country; and yet, if this proposed rule is adopted, neither the senior Senator from New Jersey [Mr. FRELINGHUYSEN] nor the junior Senator from New Jersey [Mr. EDGE] will be on any committee that makes any kind of appropriations; and yet when the line-up comes, and the vote is cast, they will be found voting with the powerful chairman of the Committee on Appropriations to foist this rule upon them.

We come now to the distinguished junior Senator from West Virginia [Mr. ELKINS]. He is on the Committee on Post Offices and Post Roads, and yet that great committee will lose an important part of its jurisdiction if this rule should be adopted.

The distinguished senior Senator from Maine [Mr. FERNALD] is on the Commerce Committee. He has been here long enough and studied these problems enough to understand them. Maine is interested in shipbuilding and she is interested in rivers and harbors, and yet, if this rule is adopted, the appropriations for all rivers and harbors and shipbuilding will be placed in the hands of the Committee on Appropriations.

Rhode Island is a small State, and yet, if this proposed rule is adopted, Rhode Island, interested in shipbuilding, in rivers and harbors, and in naval affairs, will have no representation on any committee that appropriates money for anything in the Government service.

Here is the junior Senator from Idaho [Mr. GOODING]. When he came here he sought membership on the Agricultural Committee, yet if he votes for the adoption of this rule he is surrendering his voice and his vote for the agricultural interests of the country, as far as appropriations are concerned, and saying to the Senator from Wyoming, "You cast my vote instead of me."

I am sorry the junior Senator from Oklahoma [Mr. HARREID] is not in his seat. He is affected more than any other Senator by this proposed rule. There are more Indians in Oklahoma than in any other State of the Union. More appropriations are carried in the Indian appropriation bill for the tribes in Oklahoma than for the tribes of any other State, so the Senator from Oklahoma sought membership on committees where he believed he could be of the best service, committees that he thought would deal with the interests of his people more particularly, and he was placed on the Agricultural Committee, the Indian Affairs Committee, and the Post Office Committee, three committees all of which make appropriations. If this rule is adopted, the junior Senator from Oklahoma will lose his ability to vote in committee for any appropriation in the appropriation bills for post offices and post roads, for the Indian tribes, or for the agricultural interests of the country.

The junior Senator from Alabama [Mr. HEFLIN] is on the Committee on Agriculture and Forestry and the Committee on Post Offices and Post Roads, and he loses on both committees.

The senior Senator from Nebraska [Mr. HITCHCOCK] is on the Committee on Foreign Relations and the Committee on Military Affairs. He loses, by virtue of this rule, on both committees.

The senior Senator from California [Mr. JOHNSON] loses by virtue of being on the Committee on Foreign Relations.

The junior Senator from Minnesota [Mr. KELLOGG] loses by being on the Foreign Relations Committee.

The junior Senator from Wyoming [Mr. KENDRICK] is on the Committee on Agriculture and Forestry and the Committee on Indian Affairs. Both committees lose their authority to recommend appropriations, and if this rule should be adopted, the Appropriations Committee would recommend those appropriations.

Few men in this body have higher committee assignments than has the junior Senator from New Hampshire [Mr. KEYES]. He is on the Committee on Naval Affairs and the Committee on Agriculture and Forestry. Yet he is asked to vote for a rule which will take away from him the power to vote for the appropriations for the Navy and for the agricultural interests of the country.

If this rule is adopted the junior Senator from North Dakota [Mr. LADD] will lose his power as a member of the Committee on Agriculture and Forestry, and also as a member of the Committee on Indian Affairs.

The junior Senator from Tennessee [Mr. MCKELLAR], if this proposed rule is adopted, will lose his influence as a member of the Military Affairs Committee and the Committee on Post Offices and Post Roads.

The senior Senator from Oregon [Mr. MCNARY], one of the most influential Senators in this body, because of his membership on important committees, is a member of the Committee on Agriculture and Forestry, a member of the Committee on Commerce, and a member of the Committee on Indian Affairs. He sought membership on those committees because he believed his talents qualified him to serve on them, and he knew that the people of his State were interested in the upbuilding of the merchant marine in the great agricultural interests of the country, and in the Indian tribes who live in the haunts and the hollows and on the hills of Oregon. Yet if this rule is adopted, he will lose his influential position as a member of these three appropriation committees, and will bow to the mighty power of his colleague from Washington [Mr. JONES], and the senior Senator from Wyoming [Mr. WARREN], the chairman of the Committee on Appropriations.

I can not understand how one can imagine that a man will vote away his position and influence and authority and give it over to some other men simply because they want greater power and enlarged influence.

The senior Senator from New Hampshire [Mr. MOSES] is one of the most powerful members of the Committee on Post Offices and Post Roads, and a very influential member of the Foreign Relations Committee. He will lose, by virtue of being on those two committees, if this proposed rule shall be adopted.

The junior Senator from Indiana [Mr. NEW] is up for reelection. Of course, if you ask his opponents whether he has a hard fight on his hands, they will say "yes," but if you ask the friends of the junior Senator from Indiana if he has a hard fight, they will say "no." Yet he has a fight. He is asked at this time to vote for a rule which will take away his influence over two big appropriation bills, and allow other Senators on other committees to handle those appropriations. He is a member of the Foreign Relations Committee, now making the appropriations for the Diplomatic Service of the country, and the Military Affairs Committee, to which he has given great study. Is it fair to his constituents to force him to do it?

Next I come to the distinguished junior Senator from Kansas [Mr. CAPPER], who has recently been honored, and justly so, by being made chairman of the agricultural group. He has by his votes, by his expressions, and by his editorials, wielded an influence for the agricultural welfare of the country. If this proposed rule is adopted, he will lose his influence, as well as his votes, to provide appropriations for agriculture, as well as for military affairs, being a member of the two committees which now recommend those appropriations. He will surrender that influence, and give it over to the senior Senator from Wyoming [Mr. WARREN] and his colleagues on the Appropriations Committee.

Mr. President, I shall not go through this list. I have read enough to show how it would affect different Senators, but I want to talk a little about the membership of the Committee on Appropriations as it is now constituted. It is unfair to them to give this additional power to the Committee on Appropriations. They are worked almost to death now. You can not get a word with one of them. They hold meetings morning, afternoon, and night; yet we are trying to give them more power and to impose on them additional burdens.

Let us take the senior Senator from Wyoming [Mr. WARREN], for instance. As chairman of this committee practically all of his time is taken up in the consideration of the questions which come before that committee; yet he is a member of other committees. He is a member of the Committee on Education and Labor. That committee is entitled to part of his time. He is a member of the Military Affairs Committee, and certainly at this period of readjustment in military matters and of fixing the military program that committee is entitled to his attendance at times. He is a member also of the Committee on Public Buildings and Grounds, and he certainly ought to be in attendance on that committee some time. Yet, though he is a member of all these various committees, they want to give him additional power and more burdens. It is impossible for one man to attend to so many duties.

Another member of the Committee on Appropriations is the senior Senator from Utah [Mr. SMOOT]. If a Senator were on that committee, and that committee alone, he could handle the situation, perhaps, by working 24 hours a day; but when these Senators are on other committees which take a good deal of their time it is impossible to perform and perform well the duties which are now conferred upon them. The Senator from Utah is a member of the Committee on Public Lands and Surveys, a committee in the work of which he is interested and of which I think he was once chairman. He is a member of the Committee on Pensions, a committee which at times, just before election especially, gets very busy; and as an election is now approaching that committee will need some of his time. He is a member also of the Finance Committee, a committee which has been working for three years on one proposition but has not been able to get together, though they are slowly approaching the end. That committee calls for a great deal of the time of the Senator from Utah. It is impossible for these hard-worked men to take on additional burdens. In the interest of humanity this should not be done.

There are other Senators who are in similar positions. The senior Senator from Washington [Mr. JONES] is one of the hardest-working Senators in this body. He is in attendance on the floor of the Senate whenever he is not in attendance upon one of the committees, but he is in attendance on the Committee on Appropriations so much that he is not very often on the floor of the Senate. He is here now, because this rule is being considered; but the Senator from Washington is on other Committees. He is chairman of the powerful Commerce Committee.

It will take weeks and months for them to consider this new proposal to give a subsidy to the Shipping Trust. They have to work that out, and it will take time. The rivers and harbors bill must also be considered. They can not make the appropriation, but they can pass on some kind of a bill. He is on other committees. He is on the Committee on the District of Columbia. What committee is of more importance, especially to the people of Washington, than the great Committee on the District of Columbia? It takes a lot of his time. Many bills he has championed now bear his name. He is on the Committee on Irrigation and Reclamation. I understand that committee has before it the McNary bill, an important measure for the great western sections of this country. That takes part of his time. I say that it is humanly impossible for these members of the Committee on Appropriations to take on additional work, when they have now more than they can possibly do.

The senior Senator from Kansas [Mr. CURTIS] is chairman of the Committee on Rules, and that takes a great deal of his time. It would naturally take the time of any Senator to try to keep the Senate straight. He is on the Finance Committee also, and they have been working hard trying to get the tariff bill out. The Senator from Kansas, who is usually on the floor of the Senate, has not been here for days and weeks. They are trying to evolve this bill, which has been in the minds of a few Senators for three years. I hope he will not be taken away from it. If he is, and given these increased burdens, we will never get a tariff bill out. Let us not give the Senator from Kansas and the Senator from Indiana [Mr. WATSON] more excuse for longer delay in passing the tariff bill. Yet if this proposed change in the rules is made, they will use it as an excuse for not having time to consider the tariff question; they will claim that they had to go on to the Appropriations Committee and make these appropriations.

Mr. WATSON of Indiana. I did not quite understand what the Senator said.

Mr. HARRISON. The Senator would have agreed with me thoroughly if he had. There would not have been any difference about it.

Mr. WATSON of Indiana. In order to be absolutely sure about it, will the Senator repeat what he said.

Mr. HARRISON. No; I am afraid it would not please the Senator.

Mr. WATSON of Indiana. If it would not please me, I would not agree with it.

Mr. HARRISON. I do not want the Senator to feel badly, because he has enough troubles now.

Now I come to the junior Senator from Maine [Mr. HALE]. Of course, the Senator from Maine is worthy and well qualified, a very powerful member of the Committee on Appropriations. He is also on the Naval Affairs Committee, and he has other duties to perform on other committees.

Then he is upon the Committee on Rules. Now, it is not fair to Senator HALE, and it is not fair to his friends in Maine or to the great State of Maine that has sent so many distinguished and illustrious men to the Senate and the House, to place so much on the shoulders of Senator HALE that he could not bear it, and that he would have to surrender some of his hard work. He has enough duties to perform. He is upon the Committee on Rules, the Committee on Naval Affairs, and the Committee on Appropriations, and yet you want to give to him the right to recommend all the appropriations for agriculture, for military affairs, for the merchant marine, for Indian affairs, for post offices and post roads, for everything. He can not stand that. He is not a strong man as it is. If he were hale and hearty and big in physique he could do it, but he can not stand the strain under the circumstances.

Then here is the Senator from Missouri [Mr. SPENCER], a member of the Committee on Appropriations. He is on a number of other committees. He must give some of his time to them. He is chairman of the Committee on Indian Affairs. He is upon the Committee on Claims. He has to consider all the claims against the Government of the United States. He is a member of the Committee on Military Affairs, a most important committee. He is a member of the Committee on Privileges and Elections. He has the peculiar position, the responsible position, of granting the privilege to those who may apply for seats in this august body. He is the man who looks over contested elections and says whether or not Senators are entitled to their seats. We should not burden him with greater responsibility. He has been under a severe test for months. He can not carry more burdens. He is working now morning, afternoon, and night, and yet you want to place on him additional responsibilities, to appropriate for agriculture, for the merchant marine, for Post Office and Post Roads, and for every other branch and activity of the Federal Government.

Now I come to the senior Senator from Colorado [Mr. PHIPPS]. He is on important committees—Education and Labor, Irrigation and Reclamation, Post Offices and Post Roads, and he is also a member of the powerful Committee on Appropriations.

The junior Senator from Michigan [Mr. NEWBERRY] is a member of the powerful Committee on Appropriations, and yet they want to give him more responsibility in this body. I am not surprised at that; but, considering the strain through which he has gone, he can not stand to have new burdens placed upon him. In addition to being a member of the Committee on Appropriations, Senator NEWBERRY is a member of the Banking and Currency Committee, and there are a lot of matters of importance before that committee. He is also a member of the Committee on Mines and Mining and a member of the Committee on Naval Affairs, and yet you want to enlarge his jurisdiction and add greater responsibilities.

The junior Senator from Illinois [Mr. MCKINLEY] has not been here long, but he is in the harness and is working well. He is on other committees besides the Committee on Appropriations. He is a member of the Committees on Interoceanic Canals, Manufactures, and Public Buildings and Grounds, and yet you want to give him at this early stage of his senatorial career additional powers to make appropriations for all the other interests of the country.

Mr. President, I do not care how high Senators may be in this body or what influence they wield, this proposed rule is wrong. The public interests will not be safeguarded by placing in the hands of a few men all the responsibility for all the appropriations for all the interests of the country. Seventeen members of the Appropriations Committee, selected without any respect to section or interest, are certainly bequeathed this great additional power. If you want one body to make the appropriations, well and good.

I was for the Budget system. The amendment which I have offered takes care of the situation under the circumstances. When the Senator from Wyoming [Mr. WARREN] presented this measure to the Committee on Rules he presented it "because," he said, "Senators, I must do it because of the peculiar rules of the House. They have a single Committee on Appropriations and all bills appropriating money will come here from that one committee. Those bills are so interlocked and interlaced that it is impossible to segregate them, and there must be one Senate committee to handle all appropriation bills."

Mr. WATSON of Indiana. Mr. President, will the Senator yield?

Mr. HARRISON. Certainly; although what the Senator holds in his hand has been read fourteen times already.

Mr. WATSON of Indiana. I am going to make it fifteen, in order that it may be appropriately impressed upon the mind of the Senator.

Mr. HARRISON. I am going to let the Senator put it in my remarks.

Mr. WATSON of Indiana. No; I do not want to do that. I do not want to interrupt the harmonious and mellifluous flow of the Senator's modulated speech, but I just want to read this clause:

> The appropriation bills should be considered by single committees of the House and Senate.

The Senator, I believe, made a speech in the Democratic national convention, and perhaps presided for a time over that body——

Mr. HARRISON. It did not do much good.

Mr. WATSON of Indiana. He presided, I believe, for a time in the absence of my friend, the Senator from Arkansas [Mr. ROBINSON], who was the presiding officer of that convention. Did the Senator indorse that part of the plank in the Democratic platform?

Mr. HARRISON. Is the Senator querying me?

Mr. WATSON of Indiana. Yes; I am asking the Senator from Mississippi a question.

Mr. HARRISON. When the Senator has finished I am going to talk about that. It is one of the principal things about which I rose to speak.

Mr. WATSON of Indiana. Did the Senator indorse it at the Democratic convention?

Mr. HARRISON. I voted for the platform.

Mr. WATSON of Indiana. The Senator upheld the platform, then. Was there anything said about it in the campaign?

Mr. HARRISON. Not a thing.

Mr. WATSON of Indiana. Does the Senator know whether or not this plank in regard to the Budget system and the clause I read from that particular plank was discussed generally throughout the campaign?

Mr. HARRISON. I may say to the Senator that, of course, the party to which I belong has always believed in a Budget system, and that plank was intended to indorse the Budget system. We passed it long before and President Wilson vetoed it. You know why he vetoed it. It was on a technical objection that was later acquiesced in by the Republican Congress. It was finally passed with the technical objection eliminated from the provision. The provision in the platform to which the Senator calls my attention was not discussed in the committee on resolutions. It was evidently presented, but I did not know it was in there until it was read by some alert Senator the other day.

Mr. CARAWAY. Mr. President——

Mr. HARRISON. I yield to the Senator from Arkansas.

Mr. CARAWAY. This particular platform did not get us many votes?

Mr. WATSON of Indiana. That is quite true, but that is no reason why Democratic Senators should repudiate it.

Mr. CARAWAY. We believe in the people's rule.

Mr. HARRISON. What the Senator called my attention to was a provision about one committee on the House and the Senate and not about the Budget particularly. That is all right. If you want one committee, I am willing to go through and vote for one committee, but when the House of Representatives adopted this proposal the membership of the Appropriations Committee over there was 17. They have increased it and reorganized it.

Mr. WARREN. The membership was twenty-odd before the reorganization.

Mr. HARRISON. When I was in the House I think it was 17. It never was over 21. I ask the Senator from Wisconsin [Mr. LENROOT] if I am not right in that respect? He responds yes. It never was over 21, and I think when I was a Member there three years ago it was only 17. Anyway, it was reorganized, increased in membership to 35, and was increased with a view of taking care of every interest in the country. It was made permanent and was not a piecemeal arrangement with some ex officio members involved in the proposition.

This matter should have come up in the beginning of the present session of Congress. The plan should have been conceived then for one committee to handle all appropriations. The committee should have been organized with a view to taking care of the agricultural interests, Indian affairs, the mer-

chant marine, and every other interest in the country, giving them all a fair, square deal, and yet we are asked here to turn it all over to a committee that has been named years ago in part and added to by 1 or 2 at a time for years and now is made up of 16 members without respect to any interest or anything else.

Mr. WATSON of Indiana. Mr. President——

The PRESIDING OFFICER (Mr. BALL in the chair). Does the Senator from Mississippi yield to the Senator from Indiana?

Mr. HARRISON. Certainly.

Mr. WATSON of Indiana. Of course, the Senator is aware, if he will permit the interruption, that the Budget system has been adopted within the last few months, and that this single committee proposition is naturally a direct outgrowth of the Budget system. That the House adopted the single committee plan is in consonance and harmony with the Budget system.

Mr. HARRISON. I think that is right.

Mr. WATSON of Indiana. After the Budget system was adopted in the House and appropriation bills were all referred to one committee for the purpose of carrying out the Budget system, they send their bills over here in such form that it makes it much easier and so frees us from accompanying involvements and complexities that all appropriation bills should be referred here to one single committee. As the Senator is aware, the Committee on Rules, of which he and I alike are members, reported favorably on the proposition.

Mr. HARRISON. I did not vote for it. I was one of two members on the committee who did not vote for it.

Mr. WATSON of Indiana. Yes; I think there were two. I understand the Senator did not vote for it, but the majority did vote for it, and the honorable Senator from Arkansas [Mr. ROBINSON], now present, was one of those who supported it.

Mr. HARRISON. As the Senator recalls, the proposed resolution was reported to the Committee on Rules and presented to the Senate because of the peculiar situation in which they found themselves in the House because of there being one committee, and the various bills coming to the Senate from that committee might have various subjects in them to be appropriated for. That is true. That was the sole purpose of it, or it never would have been presented. I do not think there is any dispute about that. The amendment which I have offered in the form of a substitute will take care of that situation in the Senate and will not affect the present arrangement.

There is no politics in this. There will be more Senators affected on the majority side than on this side of the Chamber; but it is not fair to those new Senators who have come here within the last year and now occupy places on important committees, way down on the list, to have all of their responsibilities taken away from them to vote for appropriations, and to give those responsibilities over to a committee made up of only 16 Senators selected without regard to section and without regard to interest.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. HARRISON. Certainly.

Mr. WALSH of Massachusetts. The Senator will be interested to know of the practical result of the rule which they have in the House. The Post Office Department appropriation bill is now before the Senate Committee on Post Offices and Post Roads. It was the unanimous opinion of the Republican members of that committee that it was the poorest drafted Post Office Department appropriation bill they had ever had under consideration, and that it was evidently drafted by men who knew nothing about the Post Office Department. That was the comment in that committee about the bill which came from the House under the new rules of the House.

Mr. HARRISON. Yes; and I suppose other bills will be found in the same condition, drafted by men who had not studied the questions and knew nothing about the subject matter.

Mr. WALSH of Massachusetts. And drafted in the House.

Mr. HARRISON. No Senator could speak with greater authority than the distinguished senior Senator from Massachusetts [Mr. LODGE]. He had experience with both propositions. He was in the House and he saw how it worked there with several committees making the appropriations. He knows that it did not breed extravagance and it did not cause delay in the passage of the appropriation bills, but it worked well and everybody was satisfied. He saw in this body one committee handling all the appropriations and he had the courage and the wisdom to assist in destroying that system, and he voted to segregate and send appropriation matters into the hands of various committees.

I read to the Senate on Saturday last from the speech of the Senator from Massachusetts [Mr. LODGE] on that subject. The situation is right in line to-day with that which existed then. The same conditions confronted us then that confront us now. We will have a jam here that will prevent us from passing appropriation bills if you give them all to one committee made up of 16 members. You will find yourselves in the end in the worst confusion that has ever confronted this body.

The amendment I have offered I care nothing about except that I want to see the present situation taken care of with the least feeling about it and with as little disarrangement as possible. The substitute that I have offered will accomplish that purpose. The rule proposes that all appropriation bills shall go to the Appropriations Committee, and it will give to that committee greater powers than they have had in the past. They have had no power heretofore in the Committee on Appropriations to appropriate for agriculture, for Indian affairs, for post offices and post roads, for naval affairs, or military affairs; but the substitute which I have offered gives to the Committee on Appropriations, through its chairman, the power to name a subcommittee of three who will sit, not with three members from the Committee on Agriculture and Forestry when appropriations for agriculture are under consideration, but with the whole Committee on Agriculture and Forestry acting as ex officio members of the Committee on Appropriations.

They will consider it as they have previously done; they will pass on it and the Appropriations Committee will make its report. There will be no trouble about it; everything will be held intact, everything will run smoothly. Then at the next Congress, if it is desired to change the system and to have one big Appropriations Committee, let that committee be appointed, and let it do the work. The present personnel of that committee was not made up with a view of giving to it all the power to provide appropriations for all the interests of the country. Therefore, if that committee is to be given this additional power, let us put additional Senators on the committee, thereby enlarging it. So, I say, instead of providing that the whole Appropriations Committee and three members from other committees, acting as ex officio members, shall frame the appropriation, let us reverse the process so that the entire legislative committee which has studied the subject matter now coming within the jurisdiction may consider the appropriation bill together with a subcommittee acting for and representing the Appropriations Committee.

The Senator from Wyoming [Mr. WARREN] on Saturday last stated that such a method would destroy the Appropriations Committee, but I contend that it would not affect that committee one particle, except that as to deficiency bills the additional ex officio members of the Committee on Appropriations would help in the consideration of those subjects. Why should they not do so? If there is a deficiency in the appropriations for agricultural purposes, why should not the Committee on Agriculture and Forestry consider that deficiency? Why should the Appropriations Committee alone consider it? If there is a deficiency in the appropriations for naval operations, then the substitute provides that the Naval Affairs Committee shall be brought in as a whole in considering that deficiency. Why should it not be so? However, instead of taking power away from the Appropriations Committee it would give them more power, because now as to appropriations for agricultural interests, for the Navy, for the Army, for post offices and post roads, for Indian affairs, the Appropriations Committee have nothing to do.

We now propose to let that committee have something to do with the appropriations for those purposes. They would have three members sitting with the various legislative committees which have to study the respective subject matter questions and make their report. So far, however, as concerns matters coming up in the sundry civil bill, in the legislative bill, and in other bills of which the Appropriations Committee have had exclusive control in the past, my amendment would not affect them in the slightest degree and will take no power away from that committee.

How jealous this powerful committee is lest some little power should be taken from it! And, at the same time, it is always grasping for more power.

Mr. LODGE. Mr. President——

Mr. HARRISON. I yield to the Senator from Massachusetts.

Mr. LODGE. I only wish to say, as the Senator referred to me and the argument which I have previously made, that when the appropriation bills were distributed here amongst the committees—and I have served under both systems—I did not believe in concentrating all appropriation bills in one committee. That practice may work well in the other House; it never worked well here; and I thought we got better results and I still think we did from a distribution of bills amongst the committees. Now, however, after full deliberation, Con-

gress has adopted the Budget system. Our whole system of appropriating has been changed by adopting the Budget plan.

The House has changed its system of making appropriations, and I do not really see how we can possibly get along or transact the business of the Government unless we conform to the requirements of the Budget system and to the requirements which the House system has forced upon us. However much I may dislike it theoretically as a general system, we can not repeal the Budget law, and I think the Budget law makes necessary some arrangement of this kind, and the one which is proposed by the Committee on Rules seems a reasonable one.

Mr. HARRISON. I agree with the Senator that some kind of arrangement has to be made between the other House and the Senate about this matter, since the House has adopted the single appropriating committee plan; but I desire to ask the Senator a question. Instead of the arrangement which is suggested in this proposed change of the rules, allowing all the appropriation bills to go to the Committee on Appropriations to be considered by that committee in conjunction with a subcommittee representing the various legislative committees acting as ex officio members on matters pertaining to the subjects of which the respective committees have jurisdiction, does not the Senator think that we can achieve the same results and that it will cause less friction if we continue to allow the various legislative committees as a whole to act with subcommittees of the Appropriations Committee, the bills being referred to the Appropriations Committee and still being reported back from that committee, the only difference in the two plans being that instead of having three members, say, of the Committee on Agriculture and Forestry acting as ex officio members of the Committee on Appropriations we would have the whole committee acting as ex officio members, together with a subcommittee of the Appropriations Committee?

Mr. LODGE. I am inclined to think, Mr. President, that the new system proposed by the Committee on Rules would work better than the plan which the Senator from Mississippi proposes. I think, under the Budget system, we have got to have the appropriation bills centralized; and, furthermore, the appropriation bills themselves have been so changed that they no longer can be distributed as they have been heretofore. Subjects have been joined together in one bill which heretofore have been in separate bills. For instance, the small appropriation bill pertaining to the Diplomatic and Consular Service, of which my committee has heretofore had charge, as I understand, is mingled with a bill covering the Department of Justice. I will inquire of the Senator from Wyoming if I am correct as to that?

Mr. WARREN. All items pertaining to the State Department and the Department of Justice are included in one bill.

Mr. LODGE. So there are two different subject matters embraced in one bill.

Mr. HARRISON. I understand that.

Mr. LODGE. Of course my committee has no relations with the Department of Justice, and we would have to have, I presume, representation from the Committee on the Judiciary when the bill for the State Department was being considered.

Mr. HARRISON. In the instance cited by the Senator from Massachusetts, if the proposed rule presented by the Committee on Rules should be adopted three members of the Committee on Foreign Relations would be called in to sit with the Committee on Appropriations or with a subcommittee of that committee.

Mr. LODGE. Yes.

Mr. HARRISON. So that that part of the bill as it came from the House which related purely to the State Department affairs would be segregated, considered, and studied by a subcommittee together with the ex officio members from the other committees.

Mr. LODGE. Yes.

Mr. HARRISON. Could not that be done equally well under the proposal which I submit, inasmuch as the items would have to be segregated in any event? The Committee on Appropriations works through subcommittees, as I understand.

Mr. LODGE. I see the point the Senator has in mind; but it seems to me under the proposal of the Senator from Mississippi the bill embodying items for the State Department and Department of Justice would have to be carried around from one committee to another. It seems to me better to have the bill in the possession of one committee and members of the other committees interested coming to that committee to deal with it. I think that three members will represent the various committees in a perfectly fair way.

Mr. HARRISON. Under the amendment in the nature of a substitute which I have offered the bill referred to would not have to go from one committee to the other. The only difference would be the necessity of providing instead of 3 seats perhaps 17 seats, or whatever the membership of the committee might be.

Mr. LODGE. The bill to which I refer would first have to be considered by the Foreign Relations Committee and then by the Committee on the Judiciary.

Mr. HARRISON. But that would have to be done in any event.

Mr. LODGE. No; not under the system proposed by the Committee on Rules.

Mr. HARRISON. The items would have to be segregated.

Mr. LODGE. In the one case the bill would be considered by different committees, while in the other case it would be considered by the same committee with the addition of some other Senators.

Mr. HARRISON. Of course, there would not be as many Senators considering the bill under the plan proposed by the committee.

Mr. LODGE. It seems to me the plan proposed by the Senator from Mississippi would make the system clumsier than it should be.

Mr. HARRISON. The only difference is that there would be more Senators looking after the bill under my substitute than under the committee plan.

Mr. LODGE. I think the system proposed by the Committee on Rules will work better than that suggested by the Senator from Mississippi.

Mr. HARRISON. I should like to see the scheme worked out in this way for a while, and then when a new committee is created it could be enlarged so that all interests would be taken care of.

Mr. President, I have no desire to prolong this discussion or to say more about the pending amendment. I have offered it in the hope that it will be accepted, because I am quite sure that it treats fairly and justly the new membership in the Senate, and that under it the same results will be obtained as will follow under the proposed amendment to the rules reported by the Committee on Rules. Furthermore the plan proposed by me will keep one committee from having too much power and being overburdened with too many duties. We are going to have a congestion here if the proposed rule is adopted and confusion will ensue.

I have two more amendments to offer if the substitute should be defeated. One is to strike out the provision that the bill shall be recommitted to the committee if a point of order is made and sustained against an item as being new or general legislation. The other amendment I will discuss later. Mr. President, I ask for the yeas and nays on the pending amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

Mr. WARREN. Mr. President, I have listened with great admiration to the Senator from Mississippi, who has assumed to speak in defense of a number of Senators whom he has named, but who do not themselves care to be represented, I imagine, in the way he has represented them. I trust that he has their authority, or, if not, that at least he has their consent to make the suggestions in regard to them which he has made; but I doubt whether he has such authority. However, be that as it may, this is the first time in a somewhat long service in the Senate that I have ever heard such heart-rending appeals, such bursts of eloquence, and such feeling displayed over the hardships which may be imposed upon Senators from 48 States by a Senator from one State only, especially when, according to my information, no considerable number, and perhaps none, of them have asked for that kind of defense, if it is defense, which the Senator from Mississippi has undertaken to make. On the other hand, the Senator knows, as we all know, that there are 96 Members of this body from the 48 States, and there are only 16 members of the Appropriations Committee. Now the Senator seems to have switched from his first proposition, in that now he would vote for placing all appropriation bills in the hands of one committee, without representation from the others; but I observe that his vote was not recorded for the amendment to that effect offered by the Senator from Nebraska [Mr. NORRIS], who proposed to do that very thing.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. WARREN. Yes.

Mr. HARRISON. I did not vote for the amendment offered by the Senator from Nebraska. The Senator from Nebraska wanted to give these additional powers to the committee of which the Senator is chairman without adding new members to that committee. I do not want to overwork the Senator.

Mr. WARREN. I judge, however, from what the Senator says that he is satisfied with the size of the House committee, which is represented, as he says, by 35 Members out of the

four hundred and odd Members of the other House. I think the number is 36, but as 35 or 36 is to four hundred and odd is the ratio in the House of representation upon the Committee on Appropriations. The size of the Appropriations Committee is not demanded by the chairman of that committee, nor by any members of the committee. The size of that committee, and the selection of the men on it, are intrusted to the duly organized Committee on Committees. Those of us who have served on the Committee on Appropriations accept with grace and without comment the Members who are placed upon our committee. Not long ago the membership of our committee was cut from 20 or 21 to 16. So far as I know, no complaint has come from any one of its members.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. WARREN. Certainly.

Mr. ROBINSON. The main complaint of the Senator from Mississippi seems to be that this rule reposes too much power in the Appropriations Committee. If the rule should be adopted as it was reported from the committee, it would deprive the Appropriations Committee of the power to report legislation——

Mr. WARREN. As it ought to do.

Mr. ROBINSON. And the functions of the Appropriations Committee would be confined to providing for the expenditure of money already authorized by law, so that in practical effect the power of the Appropriations Committee will be diminished in a very important particular. The committee no longer will have the power to report legislation, under the penalty of having its bills sent back to it.

I have heretofore expressed the opinion that under the Budget system, and the method of procedure which has become well established in the House of Representatives, it is almost imperative that the Senate adopt this rule. I reaffirm that position.

Mr. WARREN. The Senator is absolutely right.

I observe that the Senator from Mississippi predicts confusion and delay. I will acknowledge to the Senator that it is within his power, under the present rules, to make confusion and delay; and I shall have to acknowledge that he and some colleagues have quite considerably delayed some appropriation bills heretofore. That, however, is all within the game. The Senator had a right to do it.

Mr. HARRISON. Mr. President, the Senator from Mississippi has only delayed to the extent of arguing against any appropriation that he thought was outrageous. As a rule, the Senator from Mississippi has not even discussed the appropriation bills reported by the Senator from Wyoming. He looks over them, generally, and if he thinks everything is all right he does not say a word. I have not discussed any appropriation made in any of the appropriation bills at this session, as I recall, except some items for the Shipping Board which I thought were not just and right.

Mr. WARREN. And the Senator very justly, and with perfect good feeling and grace upon the part of the chairman of the committee, discussed in an able manner and at considerable length those items; and he will acknowledge that other Senators had the same right as to other matters that he had as to the Shipping Board matters. At present we often find here three or four appropriation bills seeking the floor at once, because there is no coordination of these appropriating committees, or perhaps it is impossible for them to coordinate, whereas if the entire subject were placed in the management of one committee that committee would seek the convenience of the committees from which other Senators served ex officio on the Committee on Appropriations, so that they would not all come to the floor at once. That committee will undertake, in the case of those that it has had heretofore, and also the new bills that it has been forcing through here I think almost without precedent as to the number of bills early in the long session, first to ascertain, as to these five or six bills where we have Senators serving ex officio, their convenience, when they can consider them, and how. Of course, we must wait to get them from the House, but subsequently to the receipt of those bills from the House we will follow an arrangement that will avoid the confusion and avoid the congestion that the Senator mentions. The congestion that we have had already will be done away with, with the one exception that I make. Of course, Members now have the privilege, or they have taken the privilege, and I think I have never objected to it, of talking on subjects entirely foreign to the subject before the body, and talking for hours.

Mr. OVERMAN. Mr. President, the best illustration of the efficiency produced by this rule is given by the appropriations for the Interior Department. Heretofore the Indian bill has taken weeks and weeks to discuss, and the pension bill has taken a week to discuss. At the present session the Interior Department appropriation bill has passed the Senate, and is now in conference. Therefore we have passed the Indian bill, the pension bill, the land bill, and the reclamation appropriation bill all in one bill within three days, whereas in every previous session that I have been here it has taken weeks and weeks to pass them.

Mr. JONES of Washington. Mr. President, I do not intend to delay a vote on the amendment of the Senate from Mississippi [Mr. HARRISON], nor do I intend to discuss it now. I do want, however, to call attention to an amendment which I have had printed and which I intend to propose to this rule. I do this because of the agreement we have made that at 4 o'clock we will vote on this rule, all amendments that may be pending, and all amendments that may be proposed, without further debate.

A few days ago I gave notice that I intended to propose an amendment to the rules of the Senate with reference to debate on appropriation bills. At the same time I gave notice that I intended to propose it as an amendment to this bill. On the calendar day of March 2 I gave notice of my intention to propose the following amendment:

> When an appropriation bill is under consideration by the Senate debate shall be confined to the bill, unless otherwise ordered by unanimous consent. A point of order that a Senator is not speaking to the bill shall be decided by the Presiding Officer, and an appeal from his decision shall be decided without debate.

I simply call attention to this so that if it is desired to discuss it before 4 o'clock that may be done. I expect to propose it as an amendment to the resolution, and to have it voted on.

Mr. ROBINSON. Mr. President, the proposal of the Senator from Washington [Mr. JONES] is to limit debate in the Senate. Under the Constitution and under the practice both Houses of Congress within the limitations of the Constitution determine their own procedure. I doubt the propriety of attempting to prescribe one method of procedure in this body when an appropriation bill is being considered and leave in force a different rule as to other measures.

The provision of the Senator's amendment has been the subject matter of proposed amendments to the rules ever since my service in the Senate began. For many years there have been Senators who advocated a more effective method than is now found in our rules of confining debate to the subject immediately under discussion. So far as I know, there has never before been submitted to the Senate or to the House of Representatives——

Mr. OVERMAN. Mr. President, will the Senator allow me to call for a quorum? This is a very important amendment which has been brought up here.

Mr. ROBINSON. I have no objection.

Mr. OVERMAN. I suggest the absence of a quorum. I want the other Senators to hear the Senator discuss this amendment. It is a very important one.

Mr. ROBINSON. The Senator from North Carolina has suggested the absence of a quorum, and, of course, under the rules of the Senate it becomes the duty of the Presiding Officer to order the call of the roll.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harris	Norris	Stanfield
Ball	Harrison	Oddie	Stanley
Brandegee	Heflin	Overman	Sterling
Broussard	Johnson	Page	Sutherland
Bursum	Jones, N. Mex.	Pepper	Swanson
Cameron	Jones, Wash.	Phipps	Townsend
Capper	Kellogg	Poindexter	Underwood
Caraway	King	Pomerene	Wadsworth
Colt	Lenroot	Ransdell	Walsh, Mass.
Culberson	McCormick	Rawson	Walsh, Mont.
Cummins	McKellar	Reed	Warren
Edge	McKinley	Robinson	Watson, Ga.
Fernald	McNary	Sheppard	Weller
Fletcher	New	Shields	Willis
Gerry	Newberry	Shortridge	
Gooding	Nicholson	Smith	
Hale	Norbeck	Spencer	

Mr. JONES of Washington. I desire to announce the absence of the senior Senator from Vermont [Mr. DILLINGHAM], because of a death in his family. I also desire to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from New York [Mr. CALDER], and the Senator from Indiana [Mr. WATSON] are in attendance on the Committee on Finance.

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum is present.

Mr. ROBINSON. Mr. President, when the absence of a quorum was suggested I was attempting to discuss an amendment proposed to this rule by the Senator from Washington [Mr. JONES], which, in my opinion, has no immediate relationship to the subject matter of the rule proper, and which, if

adopted, would probably prevent many Senators who are in favor of the rule as reported from the committee from supporting it.

The proposal of the Senator from Washington in his amendment is a limitation on debate while the Senate has under consideration an appropriation bill. Under the rules of the Senate as they now exist, a Senator is technically required to address his remarks to the subject before the Senate. The precedents, however, hold that when a point of order is raised to the effect that the Senator speaking is not discussing the subject before the Senate, the Chair does not pass upon that question as other points of order are disposed of, but the Chair, according to the precedents, inquires of the Senator having the floor whether he is discussing the subject before the Senate, and if the Senator who is speaking answers that he is, no matter what he is in fact saying, the Chair overrules the point of order. It is a strained form of senatorial courtesy, perhaps, but it does operate to protect the freedom of debate.

The amendment of the Senator from Washington would prescribe one rule for the Senate while the Senate is considering an appropriation bill, and leave in force the existing rule while the Senate may be considering other bills. I think manifestly that whatever rule the Senate may agree to concerning the limitation of debate ought to apply to all subjects before the Senate. There should not be one rule which expressly requires the Presiding Officer to determine whether a Senator is discussing the matter before the Senate when an appropriation bill is under consideration, and another rule leaving it to the Senator who is speaking himself to determine whether he is observing the rule when another matter is under consideration.

Another objection to this amendment is one I have already implied; it is foreign to the subject matter of this resolution. As I stated, when the resolution was first presented to the Senate I was induced to support the amendment to the rules providing for the consideration of all appropriation bills by a single committee of the Senate, namely, the Committee on Appropriations, because after investigating the subject I had reached the conclusion that under the Budget system and the method of procedure which the House of Representatives has adopted it will be very inconvenient, if not impracticable, for the Senate to pursue any other rule than that which is proposed by the Committee on Rules. I had not the slightest idea that into this controversy would be injected a question of limitation on debate.

The House of Representatives has no such rule as this amendment contemplates. When an appropriation bill is in Committee of the Whole in the House of Representatives almost universally there is allowed what is called general debate. Usually by agreement some period is fixed for that general debate, and while the general debate is in progress any Member who can secure the floor may address his remarks to any subject he chooses. He is not required, under the rules of the body at the other end of the Capitol, to confine his remarks to the bill under consideration or to any other special subject.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Washington?

Mr. ROBINSON. I yield.

Mr. JONES of Washington. While, as I have stated, I offered this amendment several days ago and called attention to it at the time, I offered it entirely on my own responsibility, without conference with the chairman of the Committee on Appropriations or any other member of the committee. I do not want to press this to a vote if Senators feel that they did not have any notice of it. I know the amendment is quite different from the general terms of the proposed rule, so I can see how Senators may justly feel that they did not have a right to expect that anything of this kind would come up. I would like, some time, to get a vote upon the rule which I proposed, but I feel that under the circumstances it would probably be better for me to state that I will not offer the amendment. I do not want to embarrass any Senator, I do not want to embarrass the rule which is pending, and I do not want any Senator to feel that any advantage has been taken in any way, shape, or form.

So I say to the Senator from Arkansas that I will not propose the amendment in accordance with my notice. I do wish to express the hope that in the near future we can get a vote on the rule anyhow. If a majority of the Senate do not desire to adopt it, well and good; but I shall not propose the amendment when the time comes to vote.

Mr. ROBINSON. In view of the statement just made by the Senator from Washington, that he has decided not to propose the amendment to which he called the attention of the Senate just before I rose, and to which I was addressing my remarks, I find no further justification for inflicting my observations on the Senate at this time further than to reply to one statement which the Senator from Washington made when he announced his purpose to present the amendment.

He expressed the hope that a vote on this amendment, or a measure along this line, might be had in the Senate at an early date. The subject of this amendment was submitted to the Committee on Rules some time ago. The rule proposed was then offered by the Senator from Washington [Mr. JONES], but it was made applicable to all matters under consideration before the Senate, and was not limited to appropriation bills. The Senate Committee on Rules decided by a very large majority not to report that rule. Of course, the Senator from Washington is at liberty to take any course he chooses to secure a vote on the question at another time.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. HARRISON] to the committee amendment.

Mr. HARRISON. Mr. President, I merely desire to say that I know when the forces here have the machinery well oiled, and in this instance they certainly have it well oiled. So I shall not ask for the yeas and nays on this proposition. I know the Senate is not going to adopt my substitute, but is going to adopt the proposed change in the rule. There are enough votes; the scheme is well carried out; so I shall content myself with a division, not asking for a roll call.

On a division, the amendment to the committee amendment was rejected.

Mr. HARRISON. There are two more amendments I desire to offer. On page 2, I move to strike out lines 4, 5, 6, 7, 8, 9, and 10, to the words "*Provided, however.*"

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. On page 2, strike out lines 4 to 10, as follows:

> The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation, and if an appropriation bill is reported to the Senate containing amendments proposing new or general legislation, a point of order may be made against the bill, and if the point is sustained, the bill shall be recommitted to the Committee on Appropriations.

Mr. HARRISON. If that amendment should be adopted, it would leave the rule the same as it is now touching provisions in general appropriation bills which are not authorized by law. Under the present rule if a provision is put in a general appropriation bill which is subject to a point of order, and the point of order is made and sustained, that particular provision is eliminated from the bill. Under the part of this proposed rule which I desire to strike out it is provided that if a provision is incorporated in a general appropriation bill which is subject to a point of order and the point of order is made and sustained, the bill will be referred back to the committee.

I put Senators on their guard that there are few, if any, appropriation bills reported out of the Appropriations Committee some parts of which are not subject to points of order, and if this provision is adopted there will be confusion here; practically every appropriation bill will be sent back to the Committee on Appropriations.

I ask for a vote on my amendment.

On a division, Mr. HARRISON'S amendment to the committee amendment was rejected.

Mr. HARRISON. I desire to offer an amendment to be inserted at the end of the resolution.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. Add at the end of the proposed amendment of the committee the following proviso:

> *Provided*, That in cases where points of order are made against amendments offered by individual Senators to general appropriation bills it shall not be necessary for the Senator proposing the amendment, or for a Senator favoring it, to give "one day's notice" of an intention to move a suspension of any rule or part thereof in order to gain consideration for and a vote upon said amendment, nor shall it require a two-thirds vote to secure such suspension, anything in Rule XL or in the precedents of the Senate in construing such rule to the contrary notwithstanding.

Mr. HARRISON. Mr. President, under the rule as it is now framed, where a point of order is made against any provision not authorized by law, the bill will be referred back to the Committee on Appropriations, and consequently there will be no legislation on a general appropriation bill. Well and good. Many believe that there should not be. I believe in exceptional cases there might be and should be. But Senators now, under the proposed arrangement, must make their fight on general appropriation bills upon the floor of the Senate. Amendments must be offered to the bills by the individual Senators and the fight will be waged here. The great influence that has been exerted and wielded by the Appropriations Committee will be

manifested against every amendment that is proposed upon the floor of the Senate by any Senator on any general appropriation bill. They can exercise their right or any Member can exercise his right by making the point of order. Then the individual Senator who is interested in his amendment must give his day's notice and get a two-thirds vote of the Senate to pass his amendment. My amendment merely proposes to change that rule as far as the day's notice and the two-thirds vote are concerned.

The VICE PRESIDENT. The question is on the adoption of the amendment offered by the Senator from Mississippi to the committee amendment.

The amendment to the amendment was rejected.

Mr. HARRISON. Mr. President, those are all the amendments I have to offer. The resolution is now upon its final passage and will be passed. I serve notice as an individual Senator that if there are any amendments or any provisions in any general appropriation bill from now on not authorized by law there will be a point of order made against them and the bill will go back to the Committee on Appropriations.

Mr. NORRIS. I believe if the Senator does that and follows it faithfully he will perform a great service for the country.

Mr. HARRISON. And it will create a lot of confusion, too.

Mr. WARREN. Mr. President, notwithstanding the threat of the Senator from Mississippi, I shall venture to offer an amendment myself.

In the amendment offered to the original resolution the Committee on Rules, in enumerating the committees, overlooked the proper title of the Committee on Agriculture and Forestry. In the resolution amendment it was designated merely as the Committee on Agriculture. I move to insert the words "and Forestry" after each place in the bill where the Committee on Agriculture and Forestry is erroneously named.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. In the reprint, on page 2, line 11, and on page 2, line 17, after the word "Agriculture," in each place insert the words "and Forestry."

The amendment to the amendment was agreed to.

Mr. REED. Mr. President, not because I expect to change the situation, which is arranged, but because I want to put on record a protest, I desire to take a few minutes of the Senate's time.

The proposed rule concentrates control of all appropriations in the hands of one committee. The committee, already very powerful, will be made almost omnipotent. The movement is in direct opposition to the general talk we constantly hear of democratizing the public business. It is a process of concentration which is well nigh revolutionary.

Every man experienced in legislative bodies knows that a power such as is here conferred can be employed in many ways to influence legislation not coming strictly within the purview of the committee's authority. The movement is well disguised and is brought here with the excuse that it is compelled by virtue of the action of the House of Representatives; but the originators of the plan of concentration saw fit to begin in the House of Representatives. They there secured the action they desired, which places the House of Representaties in a control which will be far more potential than was the control under the Cannon rule. Because that has been done in the House, the excuse is made that it must be done here; and members of the Democratic Party upon the Committee on Rules have accepted the situation with a pliability that must be very welcome to those who are back of this scheme of concentration.

Mr. OVERMAN. It complies with the Democratic platform.

Mr. REED. Oh, my friend says it complies with the Democratic platform. In the first place, the rule was not before the Democratic convention. There was a resolution there to the effect that appropriations should be placed in the hands of single committees in the House and Senate. That does not mean an indorsement of this rule; and if it did I wonder who would think it binding? What did the Democratic national convention know regarding legislative proceedings in the two bodies of Congress? All that this character of resolution in the platform means is that somebody was present who saw fit to slip the resolution through the committee, and when it went on the floor of the convention it was accepted as a matter of course.

Mr. WARREN. Mr. President, will the Senator yield a moment?

Mr. REED. I yield.

Mr. WARREN. Were there not a great many Members of Congress, from both the House and Senate, in the Democratic national convention?

Mr. REED. Yes; there were a great many Members of Congress, from both House and Senate, in that convention.

Mr. WARREN. They ought to know the method of procedure in Congress.

Mr. REED. Not a single one of them probably, except the man who introduced the resolution, paid any attention to it. They probably never heard it read from the desk.

There are certain principles which go into a political platform that represent the sentiments of the people, that are understood when they are brought forward, and every party man regards them as very persuasive, if not binding. But a thing like this had no more business in a party platform than a resolution in regard to the character of collar that should be put on every dog in the country. It has not anything to do with a political party's business and has nothing to do with political principles. It has to do with the technical work of the two bodies of Congress, and I do not propose to dignify it by discussing it.

This is a deliberate plan brought forward by the masters, or the leaders, I should say, of the majority party for the purpose of concentrating the power of Congress in the two committees. They put it through the House, and then the members of the Senate on the committee, to use a slang expression, "fell for it," and are aiding and abetting in the passage of the rule.

Mr. WARREN. Mr. President, will the Senator allow me?

Mr. REED. I yield.

Mr. WARREN. Has the Senator overlooked the fact that President Wilson in the strongest terms appealed to Congress to do the very thing of putting appropriations in one committee of the House and one committee of the Senate?

Mr. REED. I do not want to say a single word reflecting upon the former President, and I will not, but Congress might just as well have gone down and told the President whom he should have for his doorkeeper and whom he should have for his clerks and how the clerks should do their work, as for the President to have come to Congress to tell us what kind of committees we should have. If that is the only reason, you have to advance for the rule you had better withdraw it even with all the majority you have here. Somebody else at some other time said it ought to be done, whether it was a Democratic national convention or whether it was a very fine man who was at one time President of the United States.

The rule gives to a few men in the Senate control to a very large extent, and it is intended back of that to give to one man known as the Director of the Budget, a control over the committees themselves, and to give to the man who appoints the Director of the Budget, to wit, the President, the power through the Director of the Budget and through the committees to control the acts of Congress with reference to what? With reference to revenue matters. For 500 years and more the English-speaking race have maintained their independence and enlarged their liberties by the exercise of one power, the power to control the revenues, by holding it within their own hands, away from the domination of any Executive whatsoever.

When one king at least undertook to override that power he went to the block, as he should have gone.

The concentration of legislative power in the hands of the Executive has been going on in this country until to-day there are a large number of people who believe that it is the duty of those who are members of the same political party to which the President happens to belong to obey the presidential will just as the Reichstag obeyed the mandate and will of the German Emperor. I voted against the bill creating the Budget Bureau, and every day I live and hear about the Budget Bureau the more certain I am that I was right. Let me tell Senators of an incident. The last river and harbor bill carried something like $13,000,000. The amount recommended by the Budget Bureau this year, I believe, is $12,500,000. Inquiry was made as to why the amount was made $12,500,000, and the head of the Budget Bureau admitted, so I am informed, that he had found that in one year we had appropriated $12,000,000; that in another year we had appropriated $13,000,000; and that he had split the difference and made it $12,500,000. He did not know that the reason we had appropriated only $13,000,000 last year was because there were $48,000,000 unexpended of former appropriations, and therefore we had cut the amount to $13,000,000, because that left a total of $61,000,000.

Under the Budget system we go outside of Congress and appoint one man, whose chief title to fame is that he came down and cursed a committee of Congress, who is supposed to tell a committee of Congress how much money they should appropriate. Then that committee of Congress, being all powerful under this resolution, will follow his mandate, or at least it is expected that they will follow his mandate.

This resolution ought to be entitled "a resolution to authorize the President of the United States to regulate the appropriations of Congress." That is exactly the way it will work out. I know Senators are going to vote for it; I know it is idle to stand here expecting to change any votes in the Senate; but I simply want to state the case, so that it may be in the RECORD,

in order that the few people in the country who may hear of these debates may have the suggestion made to them.

The next observation I want to make is that inevitably by this action we are going to lessen the real guardianship of the public revenues. All this talk about the various committees not doing proper work in looking into revenue measures is, in my opinion, idle. I have served upon committees, as have all of us, that have had to do with appropriations for various departments, and I have never yet seen a committee fail to study a bill carefully and to bring to its consideration a knowledge relative to the particular department whose needs they were considering that could not be possessed by any committee that had not intimately and closely studied the particular question under consideration. The Agricultural Committee will know a very great deal about agricultural problems, and when it sits down to study the question of an appropriation it brings to that question the knowledge it possesses with reference to the subject of agriculture. When the business is transferred over to the general committee the knowledge is not at the same time transferred to that committee. What I have said of the Agricultural Committee is true as to the Naval Committee, the Committee on Military Affairs, and of all of the great committees.

A palliation of that manifest evil is undertaken to be offered by the scheme of having the chairman of these various committees and one or two members meet with the general Appropriations Committee, but when they meet with the general Appropriations Committee they only represent a minority of the committee. They can not lay before the committee the knowledge of the committee; they can only lay their individual views before the committee. Then when it comes to voting they have nothing to say about that, because they are so small a part of the membership of the committee that their votes do not count.

The bill having thus been formulated and having been reported by the dominant majority of the Appropriations Committee, it is brought here to this floor. Every Senator who has heard appropriation bills discussed knows that if they have not been properly thrashed out in committee they very seldom get real consideration upon the floor of the Senate. Accordingly, this great bill, embracing many items, will be thrust here upon the Senate, five or six or a dozen Senators will be willing to stay here and follow the items through, but no Senator will be familiar with the bill except a few who are on the general Appropriations Committee.

Mr. WARREN. Will the Senator allow me to interrupt him?

Mr. REED. Just let me finish the sentence. The result will be that the Appropriations Committee will be omnipotent and will absolutely control the situation.

Mr. WARREN. I think the Senator from Missouri knows that some of the members of the Appropriations Committee have served for a long time upon various other committees, so that in addition to the ex officio members of the particular committee a majority, I might say, in most cases, or, at any rate, a considerable number of Senators on the regular Appropriations Committee will have severally served on the other committees.

Mr. REED. There will be some Senators who will have served on other committees; but this is a concentration of the power of the Senate in one committee. All the quibbling and dodging and twisting and excuses that can be put forward will deceive no man who has any sense or who has had any experience. If the amendment to the rules is not going to make any change, why is it proposed? If it is not going to concentrate power, why is not the rule left just as it is? You all know what you are doing. I merely want you to know that I know what you are doing.

Mr. WARREN. I somewhat doubt it.

Mr. REED. The Senator may doubt it, but when I get so far into the dark that I can not see my way out I will get the Senator to carry an intellectual torch for me so that I may find my way out.

Mr. WARREN. I thank the Senator.

Mr. REED. The next observation I desire to make—and it is the last one—is that when we try the new system out we are going to find such a congestion in this one committee that in all human probability we will find that, instead of facilitating the business of the Senate and of the country, we will have produced exactly the opposite result; but you are going to do it, and—

'Twere well
It were done quickly.

For one I want to record my protest, and having done so I am content.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	New	Smith
Ball	Hale	Newberry	Smoot
Borah	Harreld	Nicholson	Spencer
Brandegee	Harris	Norbeck	Stanfield
Broussard	Harrison	Norris	Stanley
Bursum	Heflin	Oddie	Sterling
Calder	Jones, N. Mex.	Overman	Sutherland
Cameron	Jones, Wash.	Page	Swanson
Capper	Kellogg	Pepper	Townsend
Caraway	Keyes	Phipps	Underwood
Colt	King	Poindexter	Wadsworth
Cummins	Ladd	Pomerene	Walsh, Mass.
Curtis	Lenroot	Ransdell	Walsh, Mont.
Edge	Lodge	Rawson	Warren
Fernald	McCormick	Reed	Watson, Ga.
Fletcher	McCumber	Robinson	Watson, Ind.
France	McKellar	Sheppard	Weller
Frelinghuysen	McKinley	Shields	Williams
Gerry	McNary	Shortridge	Willis
Glass	Nelson	Simmons	

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

Mr. HARRISON. Mr. President, is the question on the final passage of the resolution?

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The VICE PRESIDENT. There is one further amendment of the Committee on Rules, which will be stated.

The first amendment of the Committee on Rules was, on page 2, line 2, to strike out the words "of the head of some one of the departments," and to insert "submitted in accordance with law," so as to read:

Resolved, That clause 1 of Rule XVI of the Standing Rules of the Senate be amended so as to read as follows, to wit:

"1. All general appropriation bills shall be referred to the Committee on Appropriations, and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law."

The amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the resolution as amended.

Mr. HARRISON. On that I ask for the yeas and nays.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. SMITH. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SMITH. I desire to know if the yeas and nays have been ordered previously on this question?

The VICE PRESIDENT. They have not been, and perhaps the Chair was in haste in concluding that a sufficient number of Senators had joined in the demand.

Mr. SMITH. I observed only one hand going up.

Mr. HARRISON. I suggest that the roll call has started, and I make the point of order that the roll call is proceeding.

The VICE PRESIDENT. The Chair thinks, without objection, that he ought to inquire whether the demand is supported. If there is no objection, those who join in the demand for the call of the yeas and nays will raise their hands. [A pause.] The supposition of the Chair was correct, and the Secretary will call the roll.

Mr. WALSH of Montana. Mr. President, may the question be stated?

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. WALSH of Montana. Is it in the Senate or in Committee of the Whole?

The VICE PRESIDENT. It is a Senate resolution and does not go into the Committee of the Whole.

Mr. WALSH of Massachusetts. I ask to have the resolution, as amended, read from the desk.

The VICE PRESIDENT. The resolution, as amended, will be read.

The Assistant Secretary read as follows:

Resolved, That clause 1 of Rule XVI of the Standing Rules of the Senate be amended so as to read as follows, to wit:

"1. All general appropriation bills shall be referred to the Committee on Appropriations, and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law.

"The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation, and if an appropriation bill is reported to the Senate containing amendments

proposing new or general legislation, a point of order may be made against the bill, and if the point is sustained, the bill shall be recommitted to the Committee on Appropriations: *Provided, however,* That three members of the Committee on Agriculture and Forestry, to be selected by said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Department of Agriculture is being considered by the Committee on Appropriations, and at least one member of the Committee on Agriculture and Forestry shall be a member of the conference committee appointed to confer with the House upon said agricultural appropriation bill; that three members of the Committee on Post Offices and Post Roads, to be selected by said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Post Office Department is being considered by the Committee on Appropriations, and at least one member of the Committee on Post Offices and Post Roads shall be a member of any conference committee appointed to confer with the House upon said Post Office appropriation bill; that three members of the Committee on Military Affairs, to be selected by said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Department of War is being considered by the Committee on Appropriations, and at least one member of the Committee on Military Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of War; that three members of the Committee on Naval Affairs, to be selected by said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Department of the Navy is being considered by the Committee on Appropriations, and at least one member of the Committee on Naval Affairs shall be a member of any conference committee appointed to confer with the House upon said bill making appropriations for the Department of the Navy; that three members of the Committee on the District of Columbia, to be selected by said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the District of Columbia is being considered by the Committee on Appropriations, and at least one member of the Committee on the District of Columbia shall be a member of the conference committee appointed to confer with the House upon said District of Columbia appropriation bill; that three members of the Committee on Commerce, to be selected by said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the items pertaining to rivers and harbors are being considered by the Committee on Appropriations in the bill making appropriations for the Department of War, and at least one member of the Committee on Commerce shall be a member of any conference committee appointed to confer with the House upon items pertaining to rivers and harbors contained in the bill making appropriations for the Department of War; and that three members of the Committee on Foreign Relations, to be selected by said committee, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the items pertaining to the Diplomatic and Consular Service are being considered by the Committee on Appropriations in the bill making appropriations for the Departments of State and Justice, and at least one member of the Committee on Foreign Relations shall be a member of any conference committee appointed to confer with the House when the items pertaining to the Diplomatic and Consular Service are being considered in the bill making appropriations for the Departments of State and Justice: *Provided,* That this rule shall not apply to the bill making appropriations for the Post Office Department for the fiscal year ending June 30, 1923.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended, on which the yeas and nays have been ordered.

Mr. KING. Mr. President, I should like to inquire of the Senator from Wyoming whether, under the first paragraph of this resolution, the Senate would be prevented, when a bill was before the Senate, from adopting an amendment increasing any item found in the bill?

Mr. WARREN. No more so than now. It can not be done now, as the rules stand, if a point of order is made. The only difference is that now, when attention is called to the fact, the amendment can be stricken out and the remainder of the bill can be considered at once. Under this new attachment to the old rule, a point of order can be made which, if sustained, will send the bill back to the committee.

Mr. KING. Mr. President, do I understand the Senator to mean that under the provision of the Budget law no increase may be made upon the floor of the Senate in any item carried in any appropriation bill?

Mr. WARREN. No; that is incorrect. If the Budget estimate is higher than the amount contained in the bill, the difference between the two amounts can be offered as an amendment by any Senator, and it will be in order. If the matter itself is in order, the amendment is in order.

Mr. KING. Suppose the Budget Committee had recommended an appropriation of $100,000 for a given purpose, and the Appropriations Committee had made it $150,000, and the Senate was convinced that it should be $160,000. As I understand this amendment to the rules, that amount can not be increased.

Mr. WARREN. That does not change the situation a single iota from what it is now. Of course the ability of the Senate or of the House to allow more money than the Budget calls for is acknowledged, although so far at this session I do not recall a single item, either on the House side or on this side, that has been increased above the limit that the Budget has proposed.

Mr. KING. Mr. President, my understanding has been that in the past there was no limitation upon the authority of either branch of Congress to increase any appropriation that was reported by any Appropriations Committee of the Senate or the House.

Mr. WARREN. It had to be, under the rules. There are several rules relating to this. First, if it is sought, as the Senator will see if he reads the old rule, to raise the amount over what the committee has recommended, it must be sustained by another point. It must not be legislation. It must be by an amendment offered the day before and sent to the Committee on Appropriations, or it must be something that has been reported regularly from some other committee or to carry out a law or a treaty that has already passed the Senate. Those rules are not changed in any way whatever.

Mr. KING. Then, as I understand the Senator, an amendment may be offered for the purpose of increasing any item of appropriation in an appropriation bill, notwithstanding the rule which is now proposed, to the same extent as if this rule were not adopted?

Mr. WARREN. Precisely, except as to the one item of the late rule I mentioned; and instead of knocking one item out, leaving the bill before the Senate, the bill would have to go back before the committee if so demanded.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. BROUSSARD (when his name was called). I have a general pair with the Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. COLT (when his name was called). I have a general pair with the junior Senator from Florida [Mr. TRAMMELL]. I transfer that pair to the junior Senator from Delaware [Mr. DU PONT] and vote "yea."

Mr. EDGE (when his name was called). I have a general pair with the senior Senator from Oklahoma [Mr. OWEN], which I transfer to the senior Senator from Pennsylvania [Mr. CROW] and vote "yea."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM], who is necessarily absent. I am informed that he would vote on this question as I shall vote, and I therefore vote. I vote "yea."

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS], which I transfer to the senior Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. GERRY (when Mr. KENDRICK's name was called). The junior Senator from Wyoming [Mr. KENDRICK] is paired with the Senator from Wisconsin [Mr. LA FOLLETTE]. The junior Senator from Wyoming is detained from the Senate on official business. If he were present, he would vote "yea," and the Senator from Wisconsin would vote "nay."

Mr. PHIPPS (when his name was called). I transfer my pair with the junior Senator from South Carolina [Mr. DIAL] to the senior Senator from Vermont [Mr. DILLINGHAM] and vote "yea."

The roll call was concluded.

Mr. JONES of Washington. The Senator from Vermont [Mr. DILLINGHAM] is absent on account of a death in his family. If present, he would vote "yea."

Mr. STANLEY. I have a general pair with the junior Senator from Kentucky [Mr. ERNST]. In his absence, I withhold my vote.

Mr. GERRY. I desire to announce that the Senator from South Carolina [Mr. DIAL] is absent on account of illness. He is paired with the senior Senator from Colorado [Mr. PHIPPS].

The result was announced—yeas 63, nays 14, as follows:

YEAS—63.

Ball	Hale	Nicholson	Simmons
Brandegee	Harreld	Norbeck	Smith
Bursum	Harris	Norris	Smoot
Calder	Jones, N. Mex.	Oddie	Spencer
Cameron	Jones, Wash.	Overman	Sterling
Colt	Kellogg	Page	Sutherland
Cummins	King	Pepper	Swanson
Curtis	Lenroot	Phipps	Townsend
Edge	Lodge	Poindexter	Underwood
Fernald	McCormick	Pomerene	Wadsworth
Fletcher	McCumber	Ransdell	Walsh, Mont.
France	McKellar	Rawson	Warren
Frelinghuysen	McKinley	Robinson	Watson, Ind.
Gerry	Nelson	Sheppard	Weller
Glass	New	Shields	Willis
Gooding	Newberry	Shortridge	

NAYS—14.

Ashurst	Caraway	McNary	Watson, Ga.
Borah	Harrison	Reed	Williams
Broussard	Heflin	Stanfield	
Capper	Ladd	Walsh, Mass.	

NOT VOTING—19.

Crow	Elkins	Keyes	Owen
Culberson	Ernst	La Follette	Pittman
Dial	Hitchcock	McLean	Sanley
Dillingham	Johnson	Moses	Trammell
du Pont	Kendrick	Myers	

So the resolution as amended was agreed to.

ADDITIONAL DISTRICT JUDGES.

Mr. CUMMINS. Mr. President, I move that the Senate proceed to the consideration of House bill 9103, an act for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside their districts, and for other purposes.

This is what is commonly known as the "judges'" bill. I think Senators are generally familiar with its main provisions, and I need say no more until after the motion I have made is submitted to the Senate.

Mr. KING. May I inquire of the Senator whether he expects to prosecute the consideration of the bill to a conclusion this afternoon?

Mr. CUMMINS. That I can not predict. I do not know whether there is to be any opposition to the bill or not. If there is no opposition to it, I see no reason why it should not be disposed of this afternoon.

Mr. KING. I think there will be some opposition to it.

Mr. CUMMINS. I can easily understand that there will be some opposition.

Mr. SHIELDS. Mr. President, I want to inform Senators, so that they may govern their actions accordingly, that there will be a great deal of opposition to the bill, and it will be impossible to dispose of it this afternoon.

Mr. CUMMINS. The fact that we may not be able to dispose of it this afternoon should not be a reason for not taking it up.

Mr. SHIELDS. I do not object to taking it up.

Mr. CUMMINS. I have understood that the Senator from Tennessee has been willing for some time that it should be taken up.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Alabama?

Mr. CUMMINS. I yield to the Senator from Alabama.

Mr. HEFLIN. On Saturday, when the Senator from Wyoming [Mr. WARREN] asked unanimous consent to fix the hour for voting upon the resolution just agreed to at 4 o'clock, I suggested that he couple with that my request to vote upon the motion of the Senator from New Jersey [Mr. EDGE] to refer my resolution to investigate the Federal reserve bank at Atlanta to the Committee on Banking and Currency. The Senator from Wyoming prevailed on me to withdraw my request, and the Senator from New Jersey assured me that he thought there would be no objection on the other side to having a vote on my resolution following the vote we have just taken. I would like to have that vote taken if possible, and if the motion to send the resolution to the Committee on Banking and Currency is defeated, as I hope it will be, I shall move to refer the resolution to the Committee on Rules.

Mr. WARREN. Let me say to the Senator from Alabama that I recall the incident to which he has referred. The Senator from Iowa [Mr. CUMMINS] gave notice long ago that he would bring up his judiciary matter in order to make it the unfinished business. I am hoping that he will be willing to lay it aside after he gets it up in order to allow the Committee on Appropriations to bring up the District of Columbia appropriation bill; but I am sure that the Senator from Colorado [Mr. PHIPPS], who has charge of that bill, would be glad to yield to the wish of the Senator from Alabama for a vote, if it does not lead to long debate.

Mr. HEFLIN. I have no desire to delay the Senator from Colorado in the consideration of the bill in his charge, nor to delay the Senator from Iowa in his matter. I merely ask that a vote may be had.

Mr. CUMMINS. I gave notice, I think, quite two weeks ago that at the very first opportunity I would move that the Senate take up the bill to which I have referred. I have been as patient as I think Senators usually are, and have given way to matters which seemed to be of immediate, momentary importance. I do not feel that I can give way longer. What may be the proper thing to be done after the Senate shall proceed to the consideration of this bill is yet to be determined. I have never felt disposed to insist upon any general legislation of this character preventing the consideration and passage of appropriation bills, because they must be considered; but I feel that I must insist upon the motion I have made.

CONSIDERATION OF WASHINGTON CONFERENCE TREATIES.

Mr. LODGE. Mr. President, I have no objection, of course, to the motion which the Senator from Iowa has made. I have no objection to his making the bill the unfinished business or to his allowing the District of Columbia appropriation bill to come up and giving way temporarily to that, if that is the desire; but I do not want any misunderstanding in regard to the treaties. I think the treaties are a matter of first importance for the Senate to dispose of. It is my intention to call up the four-power treaty to-morrow immediately after the assembling of the Senate, whether in recess or in adjournment. I shall keep them before the Senate in order to reach, as soon as possible, a vote upon them. They are of very first importance, and, though I do not mean to press them unduly and do not desire to inconvenience Senators, I must press them for discussion and to a vote.

Mr. CUMMINS. I recognize the right of the Senator from Massachusetts to move at any time that the Senate shall proceed to the consideration of the treaties to which he refers. I do not conclude myself by any promise with regard to the matter. All I am interested in now is that the Senate shall agree to the motion I have made to take up the judges' bill for consideration.

Mr. LODGE. May I say just one more word? I have not quite concluded: I ask Senators who desire to speak and intend to speak on the treaties to do so as soon as possible, and to be prepared. I do not want to put the treaties over any further on the ground that there is no one ready to speak. I should like Senators who intend to speak to prepare to do so. I want to have the fullest debate, and I ask Senators to be ready to speak, so as to enable me to press the treaties to a conclusion.

Mr. JOHNSON. Mr. President, will the Senator permit an inquiry?

Mr. LODGE. Certainly.

Mr. JOHNSON. The four-power treaty was presented by the Senator from Massachusetts, as the leader upon the Republican side, and the Senator from Alabama [Mr. UNDERWOOD], as the leader upon the Democratic side. It is my hope to make some observations upon it, but it is my hope as well to have a clear explanation of the treaty by the two Members of the Senate, who are parties to it, before general debate ensues. May I ask, therefore, whether the Senator from Massachusetts and the Senator from Alabama are not going at least to indulge in some exposition of the treaty?

Mr. LODGE. The Senator from Alabama told me this morning that it is his intention to speak as soon as possible, and it is my own intention to speak as soon as possible. I shall not interfere with the Senator from Minnesota [Mr. KELLOGG] to-morrow, but I shall speak at a very early date and give the best explanation I can.

Mr. JOHNSON. I am sure of that, and that it will be a very excellent one, but some of us will desire to respond to it as well.

FEDERAL RESERVE BANK AT ATLANTA.

Mr. EDGE. Mr. President——

Mr. CUMMINS. I yield to the Senator from New Jersey.

Mr. EDGE. In reply to the suggestion of the Senator from Alabama [Mr. HEFLIN], he is entirely correct in his statement that it seemed to have been a matter of mutual consent, without any unanimous-consent agreement being entered into, that following the vote on the resolution changing the rule, which has now been completed, a vote without further debate would be taken upon my motion that the resolution introduced by the Senator from Alabama be referred to the Committee on Banking and Currency. I trust that that may be done, because it will not require any time of the Senate beyond a call of the roll. As I recall, it was the suggestion of the Senator from Alabama that the vote should be taken without further debate.

Mr. ROBINSON. Mr. President, may I suggest to the Senator from New Jersey, as a means to relieve the Senate from the controversy which has been pending so long, why not refer the resolution to the Committee on Rules?

Mr. EDGE. It seems to me that that suggestion is entirely out of order. The proponent of the measure himself has made the request that the pending motion be voted upon, and I acquiesced in that request so far as an individual Senator could do so. It seems to me that it would require very little time of the Senate to have a roll call to dispose of the motion, if the Senator from Iowa will permit that to be done.

Mr. ROBINSON. I had not understood that the proponent of the resolution was ready to have the motion voted upon without further debate. If that is the case, of course I withdraw my suggestion.

Mr. EDGE. That was the suggestion of the proponent of the resolution.

Mr. HEFLIN. I suggested that if the motion to refer the resolution to the Committee on Banking and Currency was defeated, then I would ask to have it referred to the Committee on Rules. I am ready to have a roll call. Let us have a vote.

ADDITIONAL DISTRICT JUDGES.

Mr. EDGE. If I may, I will ask the Senator from Iowa if he will permit us to have unanimous consent——

Mr. CUMMINS. I must object to that until my pending motion is disposed of.

The VICE PRESIDENT. The question is on the motion of the Senator from Iowa that the Senate proceed to the consideration of House bill 9103.

The motion was agreed to, and the Senate as in Committee of the Whole proceeded to the consideration of the bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of the United States courts, to authorize the designation, assignment, and appointment of judges outside their districts, and for other purposes.

Mr. CUMMINS. In view of the complications which seem to have arisen and in view of the desire of the chairman of the Committee on Appropriations to proceed with an appropriation bill, I ask unanimous consent that the unfinished business be temporarily laid aside.

Mr. NORRIS. Mr. President, what is the unfinished business?

Mr. CUMMINS. The so-called judges bill.

Mr. NORRIS. When did that become the unfinished business?

The VICE PRESIDENT. Just now.

Mr. NORRIS. Does that make it the unfinished business to-morrow?

The VICE PRESIDENT. It does.

Mr. NORRIS. This is the first time any such thing as that ever happened.

Mr. LODGE. It was taken up in legislative session after 2 o'clock.

Mr. NORRIS. It depends on what happens in the meantime whether it is the unfinished business or not.

Mr. PHIPPS. Mr. President, on February 28, for the Committee on Appropriations I reported to the Senate the District of Columbia appropriation bill, making appropriations for the District of Columbia for the fiscal year ending June 30, 1923. I am going to ask that, the judges bill being temporarily laid aside, the District of Columbia appropriation bill may be taken up for consideration, but I have no objection whatever to consenting that a vote be taken immediately on the motion of the Senator from New Jersey with reference to the resolution introduced by the Senator from Alabama. As I understand, that vote is to be had without debate.

Mr. HEFLIN. Yes.

FEDERAL RESERVE BANK AT ATLANTA.

Mr. EDGE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state the inquiry.

Mr. EDGE. Will the Secretary please state the pending question, so Senators may thoroughly understand it?

The VICE PRESIDENT. Without objection, the pending business is temporarily laid aside in order that a vote may be taken on the motion of the Senator from New Jersey. The Assistant Secretary will state the motion.

The ASSISTANT SECRETARY. Senate resolution 242, by Mr. HEFLIN, providing for the appointment of a committee to investigate certain alleged political activities of officials of the Federal reserve bank in Atlanta, Ga., with a motion by the Senator from New Jersey [Mr. EDGE] pending that the resolution be referred to the Committee on Banking and Currency.

The VICE PRESIDENT. The question is on the motion of the Senator from New Jersey.

Mr. HEFLIN. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. COLT (when his name was called). Making the same announcement as before with reference to my pair and its transfer, I vote "yea."

Mr. EDGE (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "yea."

Mr. HARRISON (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. ELKINS] to the senior Senator from Nevada [Mr. PITTMAN], and vote "nay."

Mr. PHIPPS (when his name was called). Making the same announcement as before regarding my pair and its transfer, I vote "yea."

Mr. STANLEY (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. ERNST]. I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

The roll call was concluded.

Mr. GERRY. I desire to announce the unavoidable absence of the Senator from Wyoming [Mr. KENDRICK], who is absent on official business. He is paired with the senior Senator from Illinois [Mr. MCCORMICK].

I also desire to announce the absence of the Senator from South Carolina [Mr. DIAL], who is absent on account of illness and is paired with the Senator from Colorado [Mr. PHIPPS].

Mr. BROUSSARD. I am paired with the Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. WATSON of Indiana. I transfer my pair with the Senator from Mississippi [Mr. WILLIAMS] to the Senator from North Dakota [Mr. MCCUMBER] and vote "yea."

Mr. MCCORMICK. I have a standing pair with the junior Senator from Wyoming [Mr. KENDRICK], who is not present. I transfer that pair to the junior Senator from Pennsylvania [Mr. PEPPER] and vote "yea."

The result was announced—yeas 37, nays 32, as follows:

YEAS—37.

Ball	Harreld	Nicholson	Sutherland
Brandegee	Jones, Wash.	Oddie	Townsend
Bursum	Kellogg	Page	Wadsworth
Calder	Keyes	Phipps	Warren
Cameron	Lenroot	Poindexter	Watson, Ind.
Colt	Lodge	Rawson	Weller
Curtis	McCormick	Shortridge	Willis
Edge	Nelson	Smoot	
Frelinghuysen	New	Spencer	
Hale	Newberry	Sterling	

NAYS—32.

Ashurst	Harris	McNary	Simmons
Broussard	Harrison	Norris	Smith
Capper	Heflin	Overman	Stanfield
Caraway	Johnson	Ransdell	Stanley
Fletcher	Jones, N. Mex.	Reed	Underwood
France	King	Robinson	Walsh, Mass.
Gerry	Ladd	Sheppard	Walsh, Mont.
Gooding	McKellar	Shields	Watson, Ga.

NOT VOTING—27.

Borah	Elkins	McCumber	Pepper
Crow	Ernst	McKinley	Pittman
Culberson	Fernald	McLean	Pomerene
Cummins	Glass	Moses	Swanson
Dial	Hitchcock	Myers	Trammell
Dillingham	Kendrick	Norbeck	Williams
du Pont	La Follette	Owen	

So Mr. HEFLIN's resolution was referred to the Committee on Banking and Currency.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. PHIPPS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 10101) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, and for other purposes.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent for the present consideration of the bill named by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. PHIPPS. I ask that the formal reading of the bill may be dispensed with and that the bill may be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Without objection——

Mr. HARRISON. Mr. President, that means that the bill will not be taken up and read from the beginning, paragraph by paragraph.

Mr. PHIPPS. If my request be granted, the bill must be read, Mr. President.

Mr. HARRISON. I think the bill should be read paragraph by paragraph, so that we may follow the reading. If the other procedure is followed, we can not follow the reading of the bill.

Mr. LODGE. Mr. President, of course the bill must be read in the way the Senator has suggested, but if it is read for amendment, of course amendments may be offered. The Senator, I presume, has no objection to that?

Mr. HARRISON. I should like the reading of the bill to start at the beginning and go to the end, so that we may the better keep up with it.

Mr. JONES of Washington. Let me say to the Senator from Mississippi that, as I understand, if the request of the Senator from Colorado be granted the bill has to be read through entirely, and it will be read paragraph by paragraph, but an amendment may be offered at any place in the bill.

Mr. HARRISON. I understand that.

Mr. PHIPPS. My request was that the formal reading of the bill be dispensed with and that it be read first for committee amendments, other amendments to be in order after the committee amendments shall have been disposed of.

The VICE PRESIDENT. Is there objection to the request of the Senator from Colorado?

Mr. HARRISON. It requires unanimous consent to change the rule that the bill shall first be read.

Mr. LODGE. Certainly it does.

Mr. HARRISON. And I have objected to the request. I desire that the bill shall be read, so that we may keep up with it.

Mr. WARREN. Mr. President, I desire to say to the Senator from Mississippi that the bill, of course, must be read, but under the rule a formal reading is required. If that is insisted on, we must sit here during that time and do nothing except listen to the reading of the bill, as no amendment or interruption can be allowed; but by consenting to the request for unanimous consent, made by the Senator from Colorado [Mr. PHIPPS], to dispense with the formal reading of the bill, the bill will be read for amendment, the committee amendments will first be considered and acted on, and then other amendments will be in order. In that way the consideration of the bill will be expedited. I know that the Senator from Mississippi does not intend needlessly to delay the consideration of the bill, because he is anxious to have it passed.

Mr. HARRISON. I do not desire to delay the bill at all.

Mr. WARREN. The Senator will lose no advantage nor will his privilege of making any point he may desire be interfered with by allowing the first formal reading of the bill to be dispensed with, as has been requested by the Senator from Colorado.

Mr. HARRISON. I object to the request of the Senator from Colorado, because I think it is the better practice to begin the reading of the bill at the beginning and to read it paragraph by paragraph. When the Secretary comes to a committee amendment, then we may vote on that amendment; and if it is desired to offer an amendment to the bill, that should be permitted to be done. So, I repeat, I think we should begin at the beginning and read the bill through.

Mr. LODGE. That is what will have to be done.

The VICE PRESIDENT. The Chair understands there is objection to the request of the Senator from Colorado.

Mr. PHIPPS. Then I ask that the Secretary proceed with the reading of the bill.

The VICE PRESIDENT. The Secretary will read the bill.

Mr. WADSWORTH. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WADSWORTH. During the formal reading of the bill there is nothing in order, is there?

The VICE PRESIDENT. During the formal reading of the bill nothing else is in order.

Mr. WADSWORTH. The Senator from Mississippi by his objection insists upon the letter of the rule being observed.

Mr. LODGE. I did not understand that the Senator from Mississippi had insisted on the formal reading of the bill.

Mr. WADSWORTH. That is what the Senator is insisting on, in order that he may keep up with the matter.

Mr. LODGE. Then the bill has to be read in its entirety, without considering amendments.

Mr. WADSWORTH. The objection is made in order to consume time.

Mr. HARRISON. I care nothing about the reading of the bill as a formality or the consideration of committee amendments, as well as any other amendments that may be offered when there is no committee amendment pending; but I think that we should begin with the first line of the bill and read it through.

Mr. WADSWORTH. If I may say so, the Senator from Colorado asked that that very thing be done, and the Senator from Mississippi objected.

Mr. HARRISON. The Senator from Colorado asked that the committee amendments be first considered. I objected to that.

Mr. WADSWORTH. The Senator from Mississippi is mistaken. The Senator from Colorado asked that the bill be read for committee amendments.

Mr. HARRISON. That it be read for committee amendments?

Mr. WADSWORTH. Yes.

Mr. HARRISON. I have objected to that.

Mr. LODGE. The Senator has no objection to the bill being read for amendments, but he does not wish to give precedence to committee amendments?

Mr. HARRISON. Absolutely, that is my position.

Mr. PHIPPS. I have no objection——

The VICE PRESIDENT. Without objection, the bill will be read for amendment.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, after line 2, to strike out:

That 40 per cent of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and 60 per cent out of the revenues of the District of Columbia, for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, only, namely:

If the estimated net revenues of the District of Columbia for the fiscal year ending June 30, 1923, are not sufficient to meet the proportion of the appropriations for that fiscal year charged against such revenues by this and all other acts, or which may be estimated to be charged against such revenues by acts that may be approved during such fiscal year, the Commissioners of the District of Columbia shall increase the rates of taxation on real estate and tangible personal property sufficiently to make up the difference: *Provided, however,* That such rates of taxation shall in no event be less than 1½ per cent nor more than 2 per cent.

And in lieu thereof to insert:

That the general expenses of the District of Columbia shall be chargeable to and paid out of the Treasury of the United States.

For the fiscal year 1923 and annually thereafter the rate of taxation in the District of Columbia shall be fair and reasonable, and the revenues derived from this source shall be covered into the Treasury of the United States as miscellaneous revenue.

Until otherwise provided by law the rate of taxation in the District of Columbia on tangible personal property and real estate shall be $1.75 per hundred, and other taxes shall be as now provided.

The appropriation of an amount equal to the unexpended or unappropriated surpluses of the District revenue shown by the reports of the commissioners to have been heretofore accumulated and deposited in the Treasury of the United States in addition to the estimates submitted for the next fiscal year is hereby authorized, and hereafter there shall be no limit upon the amount of the estimates to be submitted to Congress to meet the annual needs of the District, any law to the contrary notwithstanding.

In fixing the value of improvements on any lot or tract of real estate for the purpose of taxation the first $2,000 of value thereof shall be exempt, and shall not be taken into consideration in fixing such value.

Mr. HARRISON. I make the point of order against that amendment. I do not think there is any authority of law for changing the present law which governs this matter and to substitute what is proposed by the committee amendment.

Mr. PHIPPS. Mr. President——

Mr. JONES of Washington. Mr. President, if the Senator from Colorado will permit me, I should like to ask that this amendment may be passed over temporarily. I think I can find some rulings by Presiding Officers of the Senate covering the point which the Senator from Mississippi makes. At any rate, I should like to have it passed over temporarily, if the Senator has no objection.

Mr. HARRISON. I do not think that any Senator could contend that this is not new legislation, and if it is new legislation, in view of the adoption of the new rule which has just been imposed upon us, the bill should go back to the Committee on Appropriations.

Mr. JONES of Washington. I wish to submit some observations on the point the Senator has made.

Mr. HARRISON. There is no use in taking up the time of the Senate on this question, because the rule that has been adopted provides that if new matter is reported in a general appropriation bill and a point of order is made against it and sustained the bill shall go back to the committee. So I make the point of order.

Mr. JONES of Washington. Mr. President, I will not take very much time in discussing the question, but I desire to look up the precedents. I will present my reasons in perfect good faith. I think the amendment is in order, and I desire to give my reasons for so thinking; but I wish to have an opportunity to look up the record and some decisions by former Presiding Officers bearing on this very question. I am sure the Senator would have no objection to passing the amendment over temporarily.

Mr. HARRISON. I desire to help the other side expedite the public business——

Mr. LODGE. That is perfectly obvious——

Mr. HARRISON. And there is no use in discussing an item in the District of Columbia appropriation bill if, under the rule which has just been adopted, when a point of order is made

against an amendment and sustained the item has got to go out and the bill go back to the committee.

Mr. JONES of Washington. Certainly; but I contend that that is not the correct position; that is all.

Mr. HARRISON. Why would it not be better to lay this bill aside until to-morrow and allow the Senator from Iowa to go on with his judiciary bill?

Mr. JONES of Washington. There are many provisions in this bill, some of which, probably, will create discussion.

Mr. HARRISON. Yes; but what is the use of discussing these provisions if, under the new rule just adopted, the bill must go back to the committee if a point of order is made and sustained that it contains new or general legislation?

Mr. ASHURST. Mr. President, if the Senator will yield; take, for instance, page 100, on which there is obviously new legislation, to which a point of order will be made, which will send the bill back to the committee. Senators in the majority may just as well face the new rule, which they put through with an iron hand on their side and with blandishments to this side, which were successful. They have adopted the new rule, and now within 40 minutes they refuse to take the medicine which they have prepared. Mr. President, the question should be tested and fought out now. This bill is filled with new legislation. On page 100, for instance, several hundred thousand dollars are appropriated in an amendment embodying new legislation for which there is no authorization under existing law.

Mr. LODGE. Mr. President, if the Senator will allow me——

Mr. ASHURST. I have not the floor.

Mr. LODGE. With all deference, the statement of the Senator from Mississippi that the first amendment embodies new legislation and the statement of the Senator from Arizona that something else is new legislation do not make those items new legislation.

Mr. ASHURST. I understand that, but I am expressing my opinion.

Mr. LODGE. The question is open to decision by the Chair.

Mr. ASHURST. I understand that.

Mr. HARRISON. The Senator does not contend that the first amendment is not new legislation, does he?

Mr. LODGE. I have not examined it at all; I never saw it until this moment.

Mr. ROBINSON. Mr. President, I invite the attention of the Senator from Mississippi to this proposition: Does the Senator from Mississippi think that the rule which has just been adopted is retroactive? In other words, does he think that it would apply to an appropriation bill which was reported to the Senate a week before the new rule was adopted?

Mr. HARRISON. I think it would be a violation of the very spirit of the rule if it should be held not to apply in this instance.

Mr. ROBINSON. The spirit of the rule is one thing, but the question as to whether the rule is retroactive is another. The Committee on Appropriations reported this bill under the rules of the Senate as they then existed. The question which I have raised is as to whether or not the rule is retroactive; that is to say, whether, in the case of a bill which was reported before the new rule was adopted, a point of order that an amendment embodied new or general legislation, if sustained, would send the bill back to the committee. I do not think it would.

Mr. LODGE. The item itself would go out of the bill.

Mr. ASHURST. In other words, in order to get business done, it is necessary to work under the old rule, thereby demonstrating the folly of the new rule.

Mr. LODGE. I suggest the advisability of taking three days more to discuss the rule we have just adopted.

Mr. ASHURST. We would do a very great service to the country if we would go back to the old rule.

Mr. ROBINSON. Mr. President, there is not the least cause for excitement about this matter.

Mr. ASHURST. The Senator from Arkansas is excited.

The VICE PRESIDENT. The Chair is ready to rule.

Mr. ROBINSON. I think that the rule is not retroactive and that it would not apply to a bill reported before the rule was adopted.

Mr. HARRISON. Mr. President, if the Chair is going to rule just on the letter of the rule and not on the spirit of the rule, if what has been done to-day and all the arguments that have been made are to be held for naught, of course the Chair would not sustain a point of order to send the bill back to the committee. I am sure, however, that the Chair would not by a decision violate the very spirit that pervaded this Chamber to-day—namely, that new legislation should not be placed upon a general appropriation bill—and rule that it should continue to be considered by the Senate even after a point of order is made and sustained to matter that has no place in the bill.

Mr. PHIPPS. Mr. President, I ask the Senator from Mississippi if there was anything for the Committee on Appropriations to do but to follow the line that the Senate itself had laid down in passing the Jones bill? Could they ignore the express declaration of this body that instead of some 50-50 or 60-40 proposition there should be a flat rate of assessment for purposes of taxation which the District should pay into the Federal Treasury as its contribution to the upkeep of the District?

Mr. HARRISON. I may say to the Senator that if this new provision in the bill touching taxation in the District of Columbia follows the law, it, of course, is not subject to a point of order.

Mr. PHIPPS. I have stated that it follows the expression of the Senate. The House has not yet passed upon the Senate bill known as the Jones-Caraway bill.

Mr. HARRISON. That is not what the rule that we adopted said. It said that the item must be to carry out the provisions of some law. Of course, the Senator knows that the mere action of the Senate in passing a proposition, without the sanction of the House, does not make it a law.

Mr. PHIPPS. I said that this bill was reported to the Senate on February 28, before the new rule was adopted. I ask for the ruling of the Chair.

Mr. CARAWAY. Mr. President, may I ask the Senator from Mississippi a question?

Mr. HARRISON. Yes.

Mr. CARAWAY. Is there anything in the new rule that we have just adopted that says that it shall apply to legislation that comes after its adoption, but that it does not have anything to do with bills now pending?

Mr. HARRISON. No; I do not think so.

Mr. CARAWAY. Then how do we except one class of bills from it and make it apply to another? When does it become operative?

Mr. HARRISON. It became operative immediately after its adoption.

Mr. CARAWAY. Evidently that is not going to be the ruling of the Chair. Then when does it become operative?

Mr. HARRISON. I think it becomes operative at the time it is passed.

Mr. CARAWAY. In other words, there is something in it that we can not see that says that it shall not affect bills that we do not want it to apply to, but that it shall affect those that we do want it to apply to.

Mr. HARRISON. Mr. President, to get this matter straight, and in order to carry out the spirit of the Senate as expressed by the adoption of the resolution to-day, I move that the District of Columbia appropriation bill be recommitted to the Appropriations Committee.

Mr. LODGE. I make the point of order that the ruling of the Chair must be had first. A point of order has been made, and I think we are entitled to the ruling of the Chair.

The VICE PRESIDENT. The Chair rules that the rule which reads—

> The Committee on Appropriations shall not report an appropriation bill—

And so forth, can not apply to reports made before the adoption of the rule.

Mr. HARRISON. Then, Mr. President, to carry out the spirit of the ruling of the Chair and the spirit of the Senate as expressed in the adoption of the rule to-day, I move that this bill, carrying appropriations for the District of Columbia, be recommitted to the Committee on Appropriations.

Mr. FLETCHER. Mr. President, let me suggest to the Senator that it has been decided by the Chair that the new rule does not apply to this bill; but that does not dispose of the point of order. Under the old rule, if this is new legislation, the point of order is good as to this particular item; so the Senator has a right to insist upon that point of order.

Mr. LODGE. Oh, yes; that point of order can be made, but the result under the old rule would be simply to throw out that item, and not carry back the entire bill to the committee.

Mr. FLETCHER. Precisely.

Mr. PHIPPS. I move that the motion of the Senator from Mississippi be laid on the table.

The VICE PRESIDENT. The Senator from Mississippi [Mr. HARRISON] moves that the bill be recommitted to the Committee on Appropriations. The Senator from Colorado moves that the motion to recommit be laid on the table. The question is on the motion of the Senator from Colorado.

Mr. REED. Mr. President——

The VICE PRESIDENT. That question is not debatable.

Mr. REED. I understand that it is not debatable, but I wanted to ask the Senator a question, to wit, if he does not think that a proceeding of that kind is very likely to make some trouble in getting this bill through?

Mr. PHIPPS. I think not.

Mr. REED. Here is a motion made, on which we are entitled to a vote.

Mr. PHIPPS. I think we might as well have the vote this way instead of the other way.

Mr. REED. Very well. We shall be very glad to stay with you a while.

The VICE PRESIDENT. The question is on the motion of the Senator from Colorado [Mr. PHIPPS] to lay on the table the motion of the Senator from Mississippi [Mr. HARRISON]. [Putting the question.] The Chair is in doubt.

Mr. REED and Mr. HARRISON called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. BROUSSARD (when his name was called). I transfer my pair with the Senator from New Hampshire [Mr. MOSES] to the Senator from Texas [Mr. CULBERSON] and will vote. I vote "nay."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. I am sure that if that Senator were present he would vote as I shall vote, and therefore feel at liberty to vote. I vote "yea."

Mr. HARRISON (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. ELKINS] to the senior Senator from Nevada [Mr. PITTMAN] and will vote. I vote "nay."

Mr. PHIPPS (when his name was called). Making the same announcement as before regarding my pair and its transfer, I vote "yea."

Mr. STANLEY (when his name was called). Making the same announcement as before with reference to my pair with my colleague [Mr. ERNST] and its transfer to the Senator from Nebraska [Mr. HITCHCOCK], I vote "nay."

The roll call was concluded.

Mr. LODGE (after having voted in the affirmative). I am paired with the Senator from Alabama [Mr. UNDERWOOD], who did not vote. I transfer that pair to the Senator from Delaware [Mr. DU PONT] and will allow my vote to stand.

Mr. KING (after having voted in the negative). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. I am advised that that Senator has not voted, and in his absence I withdraw my vote.

Mr. JONES of Washington. I desire to announce that the senior Senator from Vermont [Mr. DILLINGHAM] is absent on account of a death in his family.

The result was announced—yeas 40, nays 18, as follows:

YEAS—40.

Brandegee	Jones, Wash.	Norris	Smith
Bursum	Keyes	Oddie	Spencer
Cameron	Ladd	Overman	Sterling
Capper	Lenroot	Page	Sutherland
Curtis	Lodge	Pepper	Townsend
France	McKinley	Phipps	Wadsworth
Frelinghuysen	Nelson	Poindexter	Walsh, Mont.
Glass	New	Rawson	Warren
Hale	Newberry	Robinson	Watson, Ind.
Harris	Nicholson	Shortridge	Willis

NAYS—18

Ashurst	Gerry	Reed	Walsh, Mass.
Borah	Harrison	Sheppard	Watson, Ga.
Broussard	Heflin	Shields	Williams
Caraway	McKellar	Stanley	
Fletcher	Ransdell	Swanson	

NOT VOTING—38.

Ball	Elkins	King	Pittman
Calder	Ernst	La Follette	Pomerene
Colt	Fernald	McCormick	Simmons
Crow	Gooding	McCumber	Smoot
Culberson	Harreld	McLean	Stanfield
Cummins	Hitchcock	McNary	Trammell
Dial	Johnson	Moses	Underwood
Dillingham	Jones, N. Mex.	Myers	Weller
du Pont	Kellogg	Norbeck	
Edge	Kendrick	Owen	

So Mr. HARRISON's motion to recommit the bill to the Committee on Appropriations was laid on the table.

The VICE PRESIDENT. The question is on agreeing to the first committee amendment.

Mr. HARRISON. Mr. President, I make a point of order against the amendment.

The VICE PRESIDENT. The Senator will state his point of order.

Mr. HARRISON. My point of order is that it changes existing law.

Mr. NORRIS. The point of order made by the Senator from Mississippi is in reference to the first amendment on the first page of the bill, I understand, on the ground that that changes existing law?

The VICE PRESIDENT. On the ground that it is general legislation on an appropriation bill.

Mr. NORRIS. I want to call the attention of the Chair to a principle to which I think he will find no exception in any of the precedents. Generally speaking, that point of order would be good as to this language, but the amendment of the committee is in reference to the language of the House, which of itself, if it were original language here, would be subject to the same point of order. In other words, the language of the House text is subject to the same point of order to which the Senate committee amendment is subject.

I think the principle of parliamentary law is as old as the hills, that an amendment to a provision in a bill which would be of itself, if other things were taken away, subject to a point of order, is not subject to a point of order because it is new legislation or because it is a change of existing law. We can not make the point of order as to the House text, and the point of order could not be good as to the Senate committee text, which violates the very rule violated by the House text.

The Chair can see in a moment where we would be left if that were the rule. The House could send a bill here with ever so much legislation in it, and it would be a physical impossibility for us to amend it. The point of order made in the House when the House had this bill before it would have been good and would have been sustained, but the bill passed the House and comes here in the shape of a bill which has passed the House, and therefore we have a right to change it by any amendment which is germane to the subject.

The VICE PRESIDENT. The principle stated by the Senator from Nebraska is undoubtedly correct. The Chair is not informed as to whether the part that is proposed to be stricken out is new legislation. As far as the Chair knows, it is not new legislation, but a statement of existing law.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. The Senator from Washington.

Mr. NORRIS. Will the Senator permit me?

Mr. JONES of Washington. I was about to state to the Chair the fact.

Mr. NORRIS. I will yield in a moment. I want to be fair with the Chair. Of course, if the last statement of the Chair were correct, then the point of order ought to be sustained, I will admit; but I think the Senator from Washington will be able to convince the Chair that that is not the fact. He has the floor, and is about to speak to that point.

Mr. BRANDEGEE. Mr. President, I wish to make a suggestion to the Senator from Nebraska. I do not think a point of order can be made in the Senate on the ground that a matter changes existing law. That is ground for a point of order in the House, but the point of order in the Senate must be based on the ground that the language is general legislation on an appropriation bill, as I understand it.

Mr. NORRIS. That is true. My point was that the language was general legislation, but that it was an attempt to change what had passed the House, which was itself general legislation.

Mr. BRANDEGEE. Whether it changes it or not, if it is general legislation it is subject to a point of order in the Senate, not because it changes the law, but because it is legislation.

Mr. JONES of Washington. Mr. President, the general law with reference to the District of Columbia now provides that the expenses of the District shall be divided equally between the Federal Treasury and the people of the District; in other words, that 50 per cent of the expenses of the District shall be paid out of the Treasury of the United States and 50 per cent from the revenues of the District. That is one provision of the law. I am talking about general legislation now, not about the provisions in past appropriation bills. The general legislation, passed in 1878, is that the expenses of the District shall be borne equally from the United States Treasury and from taxes raised in the District.

Then there is another law with reference to the rate of taxation in the District to the effect that the rate of taxation on tangible personal property and real estate in the District of Columbia shall be 1.50 per cent. The House has changed both those provisions in this bill. The House provides that instead of these appropriations being made on the 50–50 basis, they shall be made on the basis of 60 per cent out of the revenues of the District, and 40 per cent out of the Treasury, and the House has provided that the rate of taxation may be changed from 1.50 to not exceeding 2 per cent.

It is true that this applies only for the fiscal year ending June 30, 1923; but the House has opened the door. It has changed

the law for that time. I have not had time to look up the rulings of Vice President Marshall, but I remember very distinctly that he held that when the field was opened, it was as wide as it could be for legislation, and that when the House opened the door for legislation, no matter how slightly, the whole field of legislation is open to the Senate; in other words, that the Senate is within its rule, even when it is amending the provision of the House, because, as the Senator from Nebraska says, if the House can put provisions in a bill in the nature of legislation, no matter how restricted they may be, and the Senate can not amend such legislation, of course the Senate is helpless in that respect.

The point I make is that the House has opened the door, however slightly, for legislation; that it has changed the law which applies to the District of Columbia, not only in the matter of determining the ratio which shall be borne by the District and borne by the Federal Treasury, but that it has also changed the rate of taxation, and has permitted the law to be changed by the commissioners from 1.50 up to as high as 2 per cent. When it has opened the door in that way——

The VICE PRESIDENT. The Chair understands the point the Senator is making. Has the Senator in mind the act of the Sixty-sixth Congress, which appears to the Chair to contain the exact language which has been stricken out by the Senate committee?

Mr. JONES of Washington. The Chair refers to the appropriation act of the Sixty-sixth Congress?

The VICE PRESIDENT. Yes.

Mr. JONES of Washington. Certainly; that is not legislation at all. There the House again violated the rule, and the Senate changed that for the year. That was only an appropriation bill. That might go on for 40 years, and yet it would not become permanent at all. I am citing the Chair to the permanent legislation of 1878; that is, the permanent legislation which makes this legislation of the House out of order.

Mr. LENROOT. Will the Senator yield?

Mr. JONES of Washington. I yield to the Senator from Wisconsin.

Mr. LENROOT. If both the House provision and the Senate committee amendment were stricken out, the permanent legislation would at once apply for the next fiscal year?

Mr. JONES of Washington. Yes; on the basis provided in the law of 1878, and by the tax law; in other words, the organic law. I do not want the Vice President to become confused by the fact that for two or three years past we have been providing in appropriation bills for a different ratio than 50-50. That is true. The House and the Senate have had quite a controversy in conference, and some of the District of Columbia appropriation bills have been held up until almost the last day of the session, then the yielding has been had simply in order to get the legislation; but those provisions apply only to the one year, that is all. They do not change the permanent law, except for that year.

The Senate committee has seen fit to take advantage of the situation which is presented by the House language in this bill. We have attempted to put in a provision which, if adopted, will change the annual controversy which has been going on between the House and the Senate. We think we are clearly within our rights, that we are clearly within the rules of the Senate, and clearly within the precedents made by the rulings of the Vice President heretofore, that the House having opened the door, the Senate can enter the field of legislation.

The VICE PRESIDENT. The Chair understands that the Senator says the act of last year was to apply only to one year?

Mr. JONES of Washington. That is all.

The VICE PRESIDENT. And at the end of the year, or whenever its terms were carried out, it goes out of existence and the old law of 1878 comes into existence?

Mr. JONES of Washington. That is true.

The VICE PRESIDENT. That the part proposed to be stricken out is the attempt of the House to begin an amendment of the act of 1878?

Mr. JONES of Washington. It changes the act of 1878 so far as the coming fiscal year is concerned.

The VICE PRESIDENT. That the House having begun it, the rule is that it is not to be construed as a proposal of new legislation when the Senate starts to amend the new legislation which the House has placed in the bill?

Mr. JONES of Washington. That is correct.

Mr. HARRISON. My point of order is raised not to the House provision but to the Senate committee amendment to the House provision.

The VICE PRESIDENT. The Chair understands that; the question then arises, when a bill comes over to the Senate from the House in which there is a proposal to amend existing law and enact new legislation, whether the Senate has a right to amend it by inserting new legislation.

Mr. ASHURST. Mr. President, this point of order is made under Rule XVI, and particularly, I assume, under paragraph 3 of that rule, and no amount of arguing, no sophistry can change the plain language of that rule. There are no exceptions mentioned in it. It reads:

> No amendment which proposes general legislation shall be received to any general appropriation bill.

Human language could not be plainer. There are no reservations, absolutely no qualifications of any kind.

The VICE PRESIDENT. Does the Senator doubt the principle laid down by the Senator from Nebraska [Mr. NORRIS]?

Mr. ASHURST. I do indeed, Mr. President. If the House sees fit, under its rules, to change existing law it may do so, but upon that domain the Senate is not permitted to enter unless by a two-thirds vote or by unanimous consent.

One of the wisest rules we have set up to guard the Treasury, one that by unanimous consent Senators seem to agree should be the rule, is that new legislation shall not be placed upon a general appropriation bill. To say that because the House entered that domain, therefore the House has stricken down the Senate rule, would mean that the House is making our rules. If, because the House enters the domain, this point of order is of no value, we are without a rule, and the House is making our own rule.

Mr. President, it may be that in justice and in morals when the House enters a domain the Senate should be permitted also to go into the matter and enter into new legislation; but that is not the rule. The rule is written specifically the other way. I call attention to the first two lines, and two lines only, of paragraph 3 of Rule XVI.

The VICE PRESIDENT. Then, the Senator must hold that if the House undertakes to propose new legislation contrary to its rule, the Senate can not change it, but must accept it?

Mr. ASHURST. Not at all. It is within the power of the majority of the Senate to change it. It is within the power of the Senate by a separate bill to change it. It is within the power of the House to disagree to it. It is within the power of the Senate to disagree to the House provision. But the right of the Senate to protect itself against new or general legislation upon an appropriation bill can not be swept aside by the action of the House. If the Vice President holds that the point of order is good, then the Vice President is inevitably bound to hold, in effect, that the House sweeps away a part of our rule.

The VICE PRESIDENT. Then the Senator would hold that the Senate can agree to a part of it, but can not disagree to a part of it?

Mr. ASHURST. It can disagree to a part of it, but it can not propose new or general legislation which is obnoxious to a point of order.

Mr. NORRIS. Mr. President, may I ask the Senator a question?

Mr. ASHURST. Certainly.

Mr. NORRIS. If the Senator is right, then does it not follow in the case now before the Senate that it would be an impossibility for the Senate to amend the House text?

Mr. ASHURST. Why, no.

Mr. NORRIS. How could we do it?

Mr. ASHURST. In the first place, the Senator claims that the House text is general legislation, does he not?

Mr. NORRIS. Of course I do. That is the reason why I agree to the amendment.

Mr. ASHURST. Then let us require the other House to live up to that salutary rule of not putting general legislation upon an appropriation bill.

Mr. NORRIS. How can we do it without an amendment?

Mr. ASHURST. Live up to the existing law.

Mr. NORRIS. How are we going to live up to the law when the House text is in violation of it and we are prohibited from offering an amendment to it?

Mr. ASHURST. Then the Senator will admit, will he, or will he not, that we are driven to violate or set aside a Senate rule in order to deal with the House text?

Mr. NORRIS. No. My contention is that the rule does not apply.

Mr. ASHURST. The Senator will admit that if this language stood alone and we had no House text, it would be subject to a point of order?

Mr. NORRIS. Yes.

Mr. ASHURST. If the Senator admits that, and the House therefore swept away the Senate rule, his very admission puts him out of court.

Mr. NORRIS. No; the House text repeals the law. We can offer an amendment to it or we can not. If we offer an amendment to it, then, if the Senator's position is correct, it is subject to a point of order under the Senate rule, and therefore we are prohibited from amending it.

Mr. ASHURST. Not at all, Mr. President.

Mr. NORRIS. I wish the Senator would tell me how it can be amended.

Mr. ASHURST. Mr. President, for 500 years in the English-speaking world the policy of passing general legislation on a general appropriation bill has been condemned as a vicious policy. For 100 years in this Government nothing was considered more pregnant with vice than to attach general legislation to an appropriation bill. So unanimous was the idea in the Senate and in the Congress that this wise rule, which prevents general legislation on an appropriation bill, was set up. The way to reach the evil is to refuse to agree to the House text, remand them to the old parliamentary law, and send the bill back in that way.

Mr. NORRIS. But how are we going to refuse to agree to the House text without an amendment? Tell me that.

Mr. ASHURST. We are substituting new and altogether different legislation.

Mr. NORRIS. I understand that; but the Senator is going to take some other method. If we did not agree to the House text we would be obliged to have a Senate amendment striking it out or modifying it in some manner. How can we disagree without an amendment?

Mr. McKELLAR. The House has rules against general legislation on appropriation bills.

Mr. NORRIS. But the House did not enforce those rules in this case.

Mr. McKELLAR. And the Senate has a rule. If the argument of the Senator from Nebraska is right, of course, whenever the House violates its rule, then, perforce, the Senate must violate its rule. We have no such exception in our rules. The Senator asks what we shall do in a case like that. We shall have to vote it down or change our rules.

Mr. NORRIS. How can we vote it down without an amendment?

Mr. McKELLAR. There can not be any doubt about our rule. Because the House violates its rule is certainly no reason why the Senate should violate its rule.

Mr. NORRIS. Still the fact remains that the Senate will have to accept the House text in an appropriation bill wherever it legislates, if the Senator's contention is correct——

Mr. ASHURST. Or reject it.

Mr. NORRIS. How can we reject it? Could we reject the whole bill?

Mr. McKELLAR. Amend it by striking it out.

Mr. NORRIS. But that is an amendment.

Mr. ASHURST. No; an amendment is general legislation, and the pungent brain of the Senator from Nebraska is not going to pretend that to strike out language is general legislation. He is not going to contend that, because he would not make a specious argument. He really does not believe that. The rule does not say we shall not amend the bill. It says general legislation shall not be added.

Mr. NORRIS. And the proposition is that there is only one motion to amend which we can make, and that is to strike out the language of the House text?

Mr. McKELLAR. That is the only thing we have ever done under our rules.

Mr. NORRIS. That is the only thing that can be done?

Mr. ASHURST. It is the only thing that ought to be done or need to be done under the circumstances.

Mr. McKELLAR. It ought to be done if we are going to live up to our rules.

Mr. LENROOT. Mr. President, may I suggest that it seems to me this is a very simple proposition. Our rules prohibit an amendment in the Senate proposing general legislation on an appropriation bill, but if the House chooses to send us general legislation on an appropriation bill it is the duty of the Senate to consider it. When an amendment is proposed it is not a proposal of the committee proposing new or general legislation, because the original proposal has come from the House. The proposal is in the bill and that is not subject to a point of order. All the committee does in this amendment is not to propose general legislation but to modify the legislation which has been proposed by the House.

Mr. HARRISON. Mr. President, the Senate to-day adopted a resolution changing the rule, and some Senators voted for that change in the rules, notably the Senator from Nebraska [Mr. NORRIS], because of that part of the rule which provided that new matter could not be included on a general appropriation bill, and, if it should be, a point of order being sustained against it, it would send the bill back to the committee, thus making the new rule stronger than the present rule. But the rule which was adopted to-day did not say that simply because there is a provision in a general appropriation bill, which is there without authority of law, that in itself shall send the bill back to the committee. The point of order must be made to it, and it must be sustained by the Chair before the bill goes back to the committee.

Here is a provision which was incorporated in the bill by the House, called the 60-40 plan. That is not now the existing law. The existing law is the 50-50 plan. The bill comes to the Senate. The Senate committee places an amendment on it. The first question is on the Senate amendment. I have made a point of order against the Senate amendment. All must concede that this is a change in existing law. It is on a general appropriation bill. If the Senate committee amendment had not been included in the bill, the provision which was adopted by the House would be subject to a point of order.

Mr. LENROOT. Oh, no; it would not.

Mr. HARRISON. The Senator says it would not be subject to a point of order?

Mr. LENROOT. Certainly it would not. The House provision, under either the old rule or the new rule, would not be subject to a point of order.

Mr. HARRISON. After the adoption of the rule to-day?

Mr. LENROOT. Of course not.

Mr. HARRISON. I do not understand it in that way.

Mr. LENROOT. The rule is very clear. The rule prohibits amendments proposing new or general legislation from being reported upon an appropriation bill, but it has nothing to do with the language in the bill as it came from the House.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. LENROOT. Certainly.

Mr. ASHURST. I think we can find a common denominator on which we can all agree. Under the new rule it would clearly be subject to a point of order.

Mr. LENROOT. The House provision?

Mr. ASHURST. No; the Senate committee provision.

Mr. LENROOT. The rule would be the same in either case. As the Senator knows, the point of order must first be made and a ruling made whether the point of order would apply or not.

Mr. ASHURST. Under the present rule the Senate committee text standing alone would be subject to a point of order, would it not?

Mr. LENROOT. I agree.

Mr. ASHURST. The Senator is frank and always intellectually honest. So we agree about that—the Senate committee text standing alone would be subject to a point of order. Although the text standing alone, if the Senate committee brought it in, would be subject to a point of order, yet because it relates to a matter upon which the House entered, but is general legislation nevertheless, and we are attempting to change that general legislation, the Senator says it is not subject to a point of order.

Mr. LENROOT. Does not the Senator see the distinction?

Mr. ASHURST. Frankly, I do not.

Mr. LENROOT. In the one case the new legislation is proposed by the House and is sent over here by the House, but in the other case the legislation is proposed by the Senate committee, which is prohibited.

Mr. ASHURST. That would be a good argument, and I admit the force of the argument, but we must take these rules as they are written. We can not go out in the byways and highways to find exceptions. All there is in the rule is contemplated within the first line of paragraph 3, which reads:

No amendment which proposes—

It is not an affirmative proposition; it begins by negativing all other propositions.

No amendment—

It is a negative proposition. Now, it is a rule under which we have operated a long time, and if it were intended not to apply to the House text it would have stated so. We can not go out in the unreturned parabola of distant fields and find some reservation to this rule. It plainly says "no amendment." It does not say "no amendment, except to the House text."

There is no need to talk about it any further, but it seems that we find a rule that will not work and then we vote for rules in the Senate under which we are supposed to work, and the very first thing we find some hesitancy on the part of able Senators about allowing individual Senators to make points of order upon matters never debated or doubted before.

Mr. LENROOT. I can not put my hand upon the decisions now, because they are not yet reported in the Precedents, but

does not the Senator remember that this very question came up and Vice President Marshall ruled that an amendment standing by itself would be held to be general legislation and not in order, but the door being opened by a proposal that is not subject to a point of order the amendment itself is in order because the amendment does not in that case propose general legislation?

Mr. ASHURST. I am not going to dodge or evade that question. I believe that a careful search of the Precedents, though I am unable to lay my hand on it, will disclose that such a rule has been announced from the Chair, but my learned friend knows that there are at least 80 or 90 the other way. Certainly he is not going to pin his faith on that one lone decision.

Mr. LENROOT. I wish to say that I have searched the precedents very diligently and I have been able to find only this one.

Mr. ASHURST. I am sure there are 100 which prevent and preclude general legislation on an appropriation bill.

Mr. LENROOT. Oh, yes; but not on an amendment going to general legislation which has been put in the bill by the House.

Mr. ASHURST. I presume that there is a case where some temporary Presiding Officer, though some say the Vice President, might have held thus, but the common law of the Senate, the common opinion of every Senator here is and always has been, since I have been here, that general legislation would not be permitted on an appropriation bill. Suppose the House makes an appropriation for a particular purpose unknown to the law of the land and then the Senate says, "Ah, but the House entered that domain. There is no existing law for it, but the House appropriated $30,000, and we will appropriate $60,000 because the House entered that domain." Can not Senators see that they would be striking down one of our most salutary rules? The rules provide that the amount of an appropriation may not be increased by way of amendment, except under certain conditions, and an amendment providing such an increase would be obnoxious to a point of order, if raised. Are Senators going to argue that because the House entered that domain we will—if the Senators will pardon the expression—"go them one better" and will appropriate even more, notwithstanding the plain language of the rule that the amount of an appropriation can not be increased?

"But," it is said, "the House entered that domain. Can the House enter a domain and we not be permitted to enter it?"

The rule is for the very purpose of saying to the House, "You must change existing law by general law. We have here a precious parliamentary weapon when it is wielded in behalf of the Treasury, the people, and law in general, which will prevent and preclude you from raising appropriations." Even though the House did go into it, we can strike it out if the House entered a domain that it should not enter. It seems to me we can not escape that reasoning. If we can say that because the House entered the domain of new legislation we can follow, it must inevitably be held that when the House enters the domain and provides an appropriation theretofore unknown to the existing law we must have the power to increase it; and we know the rules do not permit that.

I do not see, Mr. President, how we can escape applying the same construction to both provisions of the rule.

The VICE PRESIDENT. The Chair is ready to rule.

Mr. ASHURST. I thank the Chair for the patience with which he has listened to me.

The VICE PRESIDENT. The Chair is glad to hear the Senator.

Mr. HARRISON. Before the Chair rules I desire to say that the Senator from Wisconsin [Mr. LENROOT] called attention to some decision of former Vice President Marshall. I do not recall any decision such as the Senator cited. I remember a decision to the effect that if a provision was subject to a point of order and the point of order was not made, another amendment could be offered to it which was not in order and the point of order would not be sustained.

Mr. LENROOT. That could hardly have arisen, because under the practice of the Senate a point of order may be made at any time, so it could not have been the kind of case to which the Senator from Mississippi refers.

Mr. HARRISON. That is the rule of the other House.

Mr. LENROOT. In the House that is true; that is the rule of the House.

Mr. HARRISON. But in this instance, Mr. President, if the Chair will note, he will observe that the Senate committee amendment proposes to place permanent legislation in the bill. The House provision is only for the coming fiscal year, but the Senate committee amendment proposes to provide for the fiscal year 1923 and annually thereafter, proposing permanent legislation. Certainly we would not adopt any rule here as a precedent to be followed that, simply because the House had exceeded its authority and written into a general appropriation bill a provision without authority of law, then the Senate could widen it and make it permanent authority. The Senate committee then, in order to make legislation in order, could insert simple provisions which would be incorporated in a general appropriation bill, and add to them in order to carry out its point and undo what was done to-day by the resolution proposing to change the rules of the Senate.

I submit that the point of order being made merely to the Senate committee amendment does not affect the House provision at all; that it is left for the Senate upon motion either to strike out or adopt it.

Mr. JONES of Washington. The action of the Senate committee, being an amendment to strike out the House provision and insert other matter, is one amendment.

Mr. HARRISON. Yes; but the Senate committee proposes to provide a permanent law, a law not only for the fiscal year 1923 but for years hereafter, while the House amendment pertains only to this year.

Mr. JONES of Washington. Certainly; because the House opened the door in changing existing law.

The VICE PRESIDENT. The rule is perfectly plain that no amendment which proposes general legislation shall be received on any general appropriation bill. If this provision came up as an original proposition, the Chair would be inclined to rule that the point of order was well taken. It seems, however, to be established by precedents, which nobody denies, that the Senate has adopted the other conclusion—and there is a great deal of force to it—that, as the proposition for the new legislation does not originate in the Senate but comes here on a bill from the House of Representatives, therefore the Senate has an inherent right to amend the proposed legislation of the House of Representatives. The Chair therefore rules that the point of order is not well taken.

Mr. HARRISON. Mr. President, I respectfully—because I have never yet done so—appeal from the decision of the Chair, for this decision, if followed, would absolutely nullify the provisions of the resolution which the Senate adopted to-day.

The Senator from Nebraska [Mr. NORRIS] contended that one reason why he favored that resolution was that it prevented the placing in general appropriation bills of general or new legislation not authorized by law. Now, under the ruling which the Chair has just made since the resolution was adopted to-day, that whole contention is nullified; and so here we are in a position where we find that the Senate now proposes to undo what they did only a few moments ago. I respectfully appeal from the decision of the Chair, but shall not ask for the yeas and nays on my appeal. I do, however, ask for a division on it. I do not make the appeal because the present occupant of the chair has made the ruling.

The VICE PRESIDENT. The Chair understands that.

Mr. HARRISON. I make the appeal more on account of the action of the Senate to-day in adopting the resolution. I wish to know if Senators acted in good faith and meant what they said when they adopted the resolution.

The VICE PRESIDENT. The question is: Shall the ruling of the Chair stand as the judgment of the Senate?

On a division, the decision of the Chair was sustained.

Mr. HARRISON. Mr. President, if I understand, then, the point of order is overruled?

The VICE PRESIDENT. It is.

Mr. HARRISON. Then, the vote will come first on the adoption of the committee amendment, will it not?

The VICE PRESIDENT. It will.

Mr. HARRISON. Does the Senator in charge of the bill expect to proceed with the discussion of this matter to-night?

Mr. PHIPPS. Not for any length of time. If the item would lead to any considerable discussion, I think it would, perhaps, be better to allow it to go over for later consideration, so that Senators may be thinking the matter over. We could then proceed for a short time with the reading of the bill before adjourning, as it will not be possible to conclude the consideration of this bill to-night.

Mr. HARRISON. It is such an important matter that we would hardly be able to finish it to-night. I therefore ask that the amendment be passed over for the present.

Mr. PHIPPS. It is not the intention to conclude the consideration of the bill to-night. I have no objection to the item going over, and proceeding a short time with the reading of the bill.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was in the items for build-

ing inspection division, on page 4, line 8, after the word "buildings," to strike out "principal $2,000," and to insert "five at $2,000 each," and in line 12, after the figures "$1,800," to insert "one $1,140," so as to make the paragraph read:

Building inspection division: Inspector of buildings, $3,000; assistant inspectors of buildings, 5 at $2,000 each, 1 $1,500, 1 $1,400, 9 at $1,360 each; fire-escape inspector, $1,400; civil engineers or computers—one $2,000, one $1,800, one $1,500; clerks—chief $1,800, 1 $1,140, 1 $1,050, 1 $1,000, one (who shall be a stenographer and typewriter) $1,000, 1 $900; messenger, $600; assistant inspector, $1,500.

The amendment was agreed to.

The next amendment was, in the items for plumbing-inspection division, on page 4, line 16, after the word "plumbing," to strike out "principal, $1,550," and to insert "two at $1,550 each"; in line 20, after the word "necessary," to strike out "$2,000" and to insert "$3,000," and in line 21, to strike out "sewer tapper, $1,000"; so as to make the paragraph read:

Plumbing-inspection division: Inspector of plumbing, $2,000; assistant inspectors of plumbing—two at $1,550 each, six at $1,360 each; clerks—two at $1,200 each, one $900; temporary employment of additional assistant inspectors of plumbing and laborers for such time as their services may be necessary, $3,000; draftsman, $1,350; three members of plumbing board, at $150 each.

The amendment was agreed to.

The next amendment was, on page 4, line 23, to increase the total for the executive office from "$126,520" to "$137,210."

The amendment was agreed to.

Mr. PHIPPS. Mr. President, I ask unanimous consent that the Secretary may be authorized to correct all totals in the bill where it becomes necessary to correct them because of any change in the items of appropriation.

The VICE PRESIDENT. Without objection, it will be so ordered.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the items for care of District Building, on page 5, line 3, before the words "assistant engineers," to strike out "three" and to insert "four," and in line 13 to change the total from "$40,000" to "$41,200."

The amendment was agreed to.

The next amendment was, in the items for assessor's office, on page 5, line 22, to increase the number of clerks at "$1,400" each from "three" to "four"; in the same line, to increase the number of clerks at $1,200 each from "two" to "three," and on page 6, line 3, to increase the total appropriation for assessor's office from "$56,920" to "$59,520."

The amendment was agreed to.

The next amendment was, in the items for license bureau, on page 6, line 21, after the figures "$600," to insert "temporary clerk hire, $1,500," and in line 22, to increase the total appropriation for license bureau from "$11,700" to "$13,200."

The amendment was agreed to.

The next item was, in the items for collector's office, on page 7, line 2, before the word "bailiffs," to strike out "two" and to insert "three," and in line 5, to increase the total appropriation for collector's office from "$52,420" to "$53,620," so as to make the paragraph read:

Salaries: Collector, $4,000; deputy collector, $2,000; chief clerk, arrears division, $2,000; cashier, $1,800; two assistant cashiers, at $1,500 each; bookkeeper, $1,600; three bailiffs, at $1,200 each; clerks—6 at $1,400 each, 13 at $1,200 each, 4 at $1,000 each, 5 at $900 each, 1 $720; clerk and bank messenger, $1,200; two messengers, at $600 each; in all, $53,620.

The amendment was agreed to.

The next amendment was, under the subhead "Office of corporation counsel," on page 7, after line 22, to insert:

Sinking-fund office, under control of the Treasurer of the United States: For additional compensation to the clerk in the office of the Treasurer of the United States designated by the Treasurer to perform the necessary clerical service in connection with the sinking fund and payment of interest on the debt of the District of Columbia, $500.

The amendment was agreed to.

The next amendment was, in the items for coroner's office, on page 8, line 6, after the figures "$600," to insert "hostler and janitor, $480," and in line 7 to strike out "$3,120" and to insert "$3,600," so as to read:

Salaries: Coroner, $1,800; morgue master, $720; assistant morgue master and janitor, $600; hostler and janitor, $480; in all, $3,600.

The amendment was agreed to.

The next amendment was, on page 8, line 11, after the words "Office of," to strike out "superintendent" and to insert "department," so as to make the subhead read: "Office of department of weights, measures, and markets."

The amendment was agreed to.

The next amendment was, in the items for the engineer commissioner's office, on page 9, line 7, after the word "inspectors," to strike out "one $1,400," and to insert "two at $1,400 each"; in line 8, after the word "five," to strike out the words "including two of streets"; in line 17, before the words "steam engineers," to insert "janitor, $720"; and in line 22 to increase the total appropriation from "$180,810" to "$182,930," so as to make the paragraph read:

Salaries: Engineer of highways, $3,000; engineer of bridges, $2,500; superintendents—one of streets, $2,000, one of suburban roads, $2,250; sanitary engineer, $3,300; inspector of asphalts and cements, $2,400; trees and parkings—superintendent $2,000, assistant superintendent $1,350; assistant engineers—2 at $2,200 each, 4 at $1,800 each, 2 at $1,600 each, 4 at $1,500 each, 2 at $1,350 each, 1 $1,200; transitmen—3 at $1,200 each, 1 $1,050; rodmen—8 at $900 each, 4 at $780 each; chainmen—6 at $720 each, 6 at $650 each; draftsmen—1 $1,500, 2 at $1,200 each, 1 $1,050; general inspector of sewers, $1,300; inspector of sewers, $1,200; bridge inspector, $1,200; inspectors—2 at $1,400 each, 5 at $1,200 each, 1 $1,000, 1 $900; foremen—13 at $1,200 each, 4 at $1,050 each, 8 at $900 each; bridge keepers—1 $650, 3 at $600 each; chief clerk, $2,250; permit clerk, $1,500; assistant permit clerk, $1,000; clerks—1 $1,800, 3 at $1,500 each, 1 $1,400, 2 at $1,350 each, 7 at $1,200 each, 2 at $1,000 each, 1 $900, 3 at $840 each, 1 $720, 1 $600; 7 messengers, at $600 each; skilled laborer, $625; laboratory assistant, $1,200; janitor, $720; steam engineers—principal, $2,090, 1 $1,800, 2 at $1,760 each, 3 assistants at $1,460 each; 6 oilers, at $960 each; 6 firemen, at $1,180 each; storekeeper, $900; superintendent of stables, $1,500; blacksmith, $975; 2 watchmen, at $630 each; 2 drivers, at $630 each; in all, $182,930.

The amendment was agreed to.

The next amendment was, on page 9, line 24, after the word "mechanics," to insert "and drivers," so as to read:

CENTRAL GARAGE.

Salaries: Superintendent, $1,500; two mechanics and drivers, at $1,000 each; in all, $3,500.

The amendment was agreed to.

The next amendment was, in the items for municipal architect's office, on page 10, line 6, after the figures "$1,800," to insert "boss carpenter, boss tinner, boss painter, boss plumber, boss steam fitter, boss grader, six in all, at $1,200 each"; and in line 10 to increase the appropriation for municipal architect's office from "$23,060" to "$30,260," so as to make the paragraph read:

Salaries: Municipal architect, $3,600; engineering assistant, $2,400; superintendent of construction, $2,000; chief draftsman, $1,800; draftsmen—one $1,400, one $1,300; heating, ventilating, and sanitary engineer, $2,000; superintendent of repairs, $1,800; boss carpenter, boss tinner, boss painter, boss plumber, boss steam fitter, boss grader, six in all, at $1,200 each; assistant superintendent of repairs, $1,350; clerks—one $1,200, one $1,050, one $1,000, one $720; copyist, $840; driver, $600; in all, $30,260.

The amendment was agreed to.

The next amendment was, in the items for Public Utilities Commission, on page 10, line 12, to increase the salary of "executive secretary" from "$3,500" to "$4,000," and in line 18 to increase the appropriation for Public Utilities Commission from "$31,020" to "$31,520."

Mr. HARRISON. Mr. President, will the Senator explain the reason for the increase in the salary of the executive secretary of the Public Utilities Commission from $3,500 to $4,000?

Mr. PHIPPS. Yes. The salary at the present times is $4,000, and it has been at that figure, I think, for two or possibly for three years past. The reduction was made in the Budget Commission before the item came to the House.

Mr. HARRISON. The Director of the Budget recommended that it be $3,500?

Mr. PHIPPS. He recommended that it be $3,500.

Mr. HARRISON. This officer has been getting $4,000 for the past three or four years?

Mr. PHIPPS. The position has paid $4,000 for two or three years past.

Mr. HARRISON. Was any reason assigned by the Director of the Budget for reducing it from $4,000 to $3,500?

Mr. PHIPPS. I am not informed as to that, but I do know that the Senate committee made inquiry and had the point up with the commissioners before restoring the figure of $4,000. The Senator will find it in the Senate hearings.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 10, line 21, after the word "law," to insert "including the employment of expert services where necessary, and including the purchase of one automobile not to exceed $650, and for the maintenance of the same, $8,000," so as to make the paragraph read:

For incidental and all other general necessary expenses authorized by law, including the employment of expert services where necessary, and including the purchase of one automobile not to exceed $650, and for the maintenance of the same, $8,000.

The amendment was agreed to.

The next amendment was, in the items for the department of insurance, on page 11, line 16, after the figures "$1,000," to insert "temporary clerk hire, $600"; and in line 17, to change

the total of the appropriation from "$11,400" to "$12,000," so as to make the paragraph read:

Salaries: Superintendent of insurance, $3,500; deputy and examiner, $2,000; statistician, $1,700; clerks—one $1,200, two at $1,000 each; stenographer, $1,000; temporary clerk hire, $800; in all, $12,000.

The amendment was agreed to.

The next amendment was, on page 12, line 3, after the word "teams," to strike out "$7,000" and to insert "$8,000," so as to make the paragraph read:

For services of temporary draftsmen, computers, laborers, additional field party when required, purchase of supplies, care or hire of teams, $8,000, all expenditures hereunder to be made only on the written authority of the commissioners.

The amendment was agreed to.

The next amendment was, in the items for the Minimum Wage Board, on page 12, line 7, after the word "secretary," to strike out "$2,400" and to insert "$2,500"; in line 8, after the word "expenses," to strike out "$1,600" and to insert "$2,500"; and in line 9, to strike out "$4,000" and to insert "$5,000," so as to make the paragraph read:

Salaries: Secretary, $2,500; clerical, contingent, and miscellaneous expenses, $2,500; in all, $5,000, to be paid wholly out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 12, line 20, after the word "Park," to strike out "branch" and to insert ",and southeast branches," so as to make the subhead read:

Free Public Library, including Takoma Park and southeast branches.

The amendment was agreed to.

The next amendment was, on page 13, after line 17, to insert:

Southeast Branch Library: For salaries in connection with the organization of the Southeast Branch Library, $5,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,500 per annum.

The amendment was agreed to.

The next amendment was, in the items for free public library, on page 13, line 24, to increase the appropriation for substitutes and other special and temporary service from "$3,000" to "$3,500."

The amendment was agreed to.

The next amendment was, on page 13, after line 24, to strike out:

Provided, That no money appropriated by this act shall be expended in conducting library stations not now in existence, but this limitation shall not apply to public-school buildings.

The amendment was agreed to.

The next amendment was, on page 14, line 6, after the name "Takoma Park," to strike out "branch" and to insert "and southeast branches," and in line 10, after the word "publications," in line 9, to strike out "$12,500" and to insert "$17,500," so as to make the paragraph read:

Miscellaneous, including Takoma Park and southeast branches: For books, periodicals, and newspapers, including payment in advance for subscriptions to periodicals, newspapers, subscriptions books, and society publications, $17,500.

The amendment was agreed to.

The next amendment was, on page 14, line 16, after the word "expenses," to strike out "$12,500" and to insert "$11,000," so as to make the paragraph read:

For maintenance, repairs, fuel, lighting, fitting up buildings, lunchroom equipment; purchase, exchange, and maintenance of bicycles and motor-delivery vehicles, and other contingent expenses, $11,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 16, to insert:

For repairs and improvements to the buildings and equipment of the free public libraries, $3,000.

The amendment was agreed to.

The next amendment was, in the items for contingent and miscellaneous expenses, on page 15, line 6, after the word "board," to insert "sinking-fund office," and, in line 14, to increase the appropriation from "$45,000" to "$50,000," so as to make the paragraph read:

For printing, checks, books, law books, books of reference, periodicals, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; purchase of laboratory apparatus and equipment and maintenance of laboratory in the office of the inspector of asphalt and cement; damages; livery, purchase, and care of horses and carriages or buggies and bicycles not otherwise provided for; horseshoeing; ice; repairs to pound and vehicles; use of bicycles by inspectors in the engineer department not to exceed $800 in the aggregate; and other general necessary expenses of District offices, including the personal-tax board, sinking-fund office, harbor master, health department, surveyor's office, office of superintendent of weights, measures, and markets, department of insurance, and Board of Charities, including an allowance to the purchasing officer of the District and to the secretary of the Board of Charities, not exceeding the rate of $26 per month for each, for the maintenance of an automobile to be furnished by them, respectively, and used in the discharge of their official duties, $50,000.

The amendment was agreed to.

The next amendment was, on page 16, line 3, after the words "provided for," to insert "including such personal services in connection therewith not otherwise herein authorized as the commissioners shall in writing specially order," so as to make the paragraph read:

For maintenance, care, and repair of automobiles, motor cycles, and motor trucks owned by the District of Columbia, that are not otherwise herein provided for, including such personal services in connection therewith not otherwise herein authorized as the commissioners shall in writing specially order, $30,000.

The amendment was agreed to.

The next amendment was, on page 18, line 6, to increase the appropriation for postage for strictly official mail matter from "$12,500" to "$15,000."

The amendment was agreed to.

The next amendment was, on page 18, line 13, after the words "total of" to strike out "$7,000" and to insert "$8,000," so as to read:

The commissioners are authorized, in their discretion, to furnish necessary transportation in connection with strictly official business of the District of Columbia by the purchase of street car and bus fares from appropriations contained in this act: *Provided*, That the expenditures herein authorized shall be so apportioned as not to exceed a total of $8,000.

The amendment was agreed to.

The next amendment was, on page 19, line 8, to increase the appropriation for general advertising, authorized and required by law, etc., from "$6,000" to "$8,000."

The amendment was agreed to.

Mr. KING. Mr. President, I have been called from the Chamber. May I inquire of the Senator whether the item with respect to increase in the number of policemen will come up to-night?

Mr. PHIPPS. If it does, we shall be glad to let it go over until to-morrow. We shall run along for only a very few minutes longer. We are making progress, and I should not like to stop just at this moment.

Mr. KING. I am advised that there has been an increase of 75 in the number of policemen.

Mr. PHIPPS. That is correct.

Mr. KING. I think that is too many, and I desire to have some explanation of the matter. If it may go over until to-morrow, I shall be much obliged.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 21, line 18, after the words "office of" to strike out "superintendent," and to insert "department," so as to make the subhead read: "Office of department of weights, measures, and markets."

The amendment was agreed to.

The next amendment was, on page 21, line 21, to increase the appropriation for purchase of small quantities of groceries, meats, provisions, etc., from "$100" to "$300."

The amendment was agreed to.

The next amendment was, on page 22, line 8, to increase the appropriation for personal services and miscellaneous and contingent expenses required for maintaining a public employment service for the District of Columbia, from "$5,000" to "$7,500."

The amendment was agreed to.

The next amendment was, on page 22, after line 8, to insert:

HISTORICAL PLACES.

For erection of suitable tablets to mark historical places in the District of Columbia, $500.

The amendment was agreed to.

The next amendment was, on page 22, after line 11, to insert:

PROPERTY YARD.

For alterations and improvements to the old Mott School for use as a property yard, to be immediately available, $3,500.

The amendment was agreed to.

The next amendment was, on page 22, line 19, to increase the appropriation for assessment and permit work, including maintenance of motor vehicle, from "$225,000" to "$285,000."

The amendment was agreed to.

The next amendment was, on page 22, after line 19, to insert:

PAVING ROADWAY UNDER PERMIT SYSTEM.

For paving roadways under the permit system, $50,000.

The amendment was agreed to.

Mr. PHIPPS. Mr. President, in view of the lateness of the hour, and the fact that many Senators probably will be interested in the next paragraph, which includes the items for streets, I think we might stop now for this evening and take an

adjournment. Of course the understanding is that the treaties will have precedence after the morning hour if it is desired by the committee to take them up.

I move that the Senate adjourn.

MICHIGAN SENATORIAL ELECTION.

Mr. CARAWAY. Mr. President, will the Senator withhold that motion for just a moment?

Mr. PHIPPS. I yield.

Mr. CARAWAY. I wish to ask unanimous consent for the introduction out of order and immediate consideration of a resolution. If it leads to any discussion, I shall ask its reference.

The PRESIDING OFFICER. Is there objection?

Mr. WADSWORTH. Let it be read.

The PRESIDING OFFICER. The resolution will be read from the desk.

The reading clerk read the resolution, as follows:

Whereas by unanimous consent, first obtained, the junior Senator from Washington, Mr. POINDEXTER, on the 3d day of February, 1922, caused to be inserted in the CONGRESSIONAL RECORD a copy of a letter by him written to a constituent, Mr. Thomas Marshall, of the State of Washington; and

Whereas in said letter the said Senator charges that certain malign and unlawful influences were used, or attempted to be used, to prevent Senators from voting to declare that TRUMAN H. NEWBERRY was a duly elected Senator from the State of Michigan and entitled to his seat, a resolution so to declare the said TRUMAN H. NEWBERRY entitled to his seat being then pending in the Senate. Among other charges in said letter appears the following paragraphs:

"Various false assertions have been made as to influences brought to bear to secure votes in NEWBERRY'S behalf in the Senate. I notice a detailed statement in that connection published in several Washington State papers as to my own vote. This statement is libelous and false from beginning to end, as no such influences were brought to bear and no such statements or anything resembling them or anything to that effect were made to me.

"On the contrary, certain multimillionaire organizations, profiting financially by any popular excitement which they can arouse, were seeking by every means in their power to influence and intimidate Senators to vote against NEWBERRY. This may be referred to in more detail later on."

Now, therefore, be it

Resolved, That the Chair appoint a special committee of three Senators to investigate the charges made by the Senator from Washington, Mr. POINDEXTER.

Further, that the committee be authorized to subpœna witnesses, send for and examine books and papers, and administer oaths, and do all things necessary to procure the evidence in this case, and the expenses hereof shall be paid out of the contingent fund of the Senate.

Mr. WADSWORTH. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CARAWAY. Just one moment. Does the Senator from New York object?

Mr. WADSWORTH. I certainly do.

Mr. CARAWAY. All I wish to say is that the Senator from Washington [Mr. POINDEXTER] said he would be glad to have it done. Of course, if the Senator from New York does not desire that it shall be done——

Mr. WADSWORTH. No, Mr. President; I object.

Mr. CARAWAY. I will ask then that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JONES of Washington. Mr. President, should not the resolution go to the Committee on Privileges and Elections?

Mr. WADSWORTH. Mr. President, I understand that——

The PRESIDING OFFICER. Under the rule, the Chair is advised that the resolution will have to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JONES of Washington. Of course, eventually it would have to go to that committee, before any warrants could be paid under it; but it does seem to me that the committee that would have jurisdiction over the merits of the proposition should consider it first, and see whether or not an investigation should be made. If it should so decide, then, of course, the resolution would have to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. Does the Senator from Washington move——

Mr. WADSWORTH. Mr. President, just a moment.

The PRESIDING OFFICER. The Senator from New York.

Mr. WADSWORTH. I understand that the Senator from Arkansas asked unanimous consent to present the resolution.

Mr. CARAWAY. No; I asked unanimous consent to present it and have it immediately considered. Does the Senator from New York object?

Mr. WADSWORTH. It takes unanimous consent to do either, does it not? I asked that the resolution be read. It takes unanimous consent to do either. We are not in the order of business of the introduction of resolutions.

The PRESIDING OFFICER. The Chair understood the Senator from Arkansas to request permission for consideration, whereupon the Senator from New York asked that the resolution be read. That is the status now.

Mr. KING. Mr. President, I understand that the resolution having been read, it is now before the Senate.

Mr. WADSWORTH. No, Mr. President. It was I who asked that the resolution be read in order that I, for one, could pass upon the question whether or not the Senator should have unanimous consent to introduce it at this time.

The PRESIDING OFFICER. The Chair understands that the resolution was read for information——

Mr. WADSWORTH. That is all.

The PRESIDING OFFICER. And that the Senator from New York now has a right to object to its present consideration.

Mr. CARAWAY. That is not the status of the matter at all. I asked, out of order, to introduce the resolution, and then I asked unanimous consent for its immediate consideration; and then the Senator wanted it read, so that he might determine whether he would consent to its immediate consideration. The resolution is before the Senate, and the Presiding Officer will refer it to some appropriate committee. That is the way the resolution stands.

Mr. WADSWORTH. Mr. President, that was not my intention in asking that the resolution be read. The Senator from Arkansas must get unanimous consent to introduce the resolution at this time, much less have it referred; and when he asked consent to introduce it—and he must ask consent to do so—I asked that it be read.

My reason for objecting is just this: There are only about seven or eight Senators here. The preamble is very long. It recites a lot of things and contains some assumptions. I want the Senate to hear the resolution read and then decide what it wants to do with it. The Senator from Arkansas wants it read and then referred to a committee. I do not know whether that is the right committee, whether it should go to the Committee on Privileges and Elections or the Committee to Audit and Control the Contingent Expenses of the Senate or the Committee on Rules, and I do not think that a few Senators sitting here in the last waning hours of the evening should permit a thing like this to go through and be referred to a committee.

Mr. CARAWAY. That is not what the Senator from New York had in his mind, Mr. President.

Mr. WADSWORTH. It most certainly is. The Senator from Arkansas can not read the mind of the Senator from New York.

Mr. CARAWAY. No; I do not think I could. I do not make any pretense of doing that. The status was that unanimous consent was asked to introduce the resolution and have it immediately considered.

Mr. WADSWORTH. I object to its introduction.

Mr. CARAWAY. That was not what the Senator did object to; I do not care what he says now. He objected to its immediate consideration. I am not going to quibble with the Senator about it.

The PRESIDING OFFICER. The Chair understood that when the resolution was sought to be offered by the Senator from Arkansas, the Senator from New York reserved his right to object to the introduction of the resolution. That was the understanding of the Chair, and the Chair so rules.

Mr. CUMMINS. I ask that the unfinished business be laid before the Senate.

ADDITIONAL DISTRICT JUDGES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside their districts, and for other purposes.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. KING. I understood that we were considering the District appropriation bill. Is it contemplated now that that bill shall be laid aside for the purpose of taking up, as the unfinished business, the so-called judges' bill?

The PRESIDING OFFICER. The present occupant of the chair understood that the unfinished business was temporarily laid aside to permit the consideration of the District appropriation bill. Now the unfinished business has again been laid before the Senate.

Mr. CUMMINS. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 46 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 7, 1922, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 6, 1922.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, our God, we are grateful for the manifestation of Thyself through the dawn of a new day. Rich and abundant art Thou in depths of mercy, and may we fear not. Continue to enlarge our conception of Thee, of life, and of our obligations. Again we would take the pledge of service; and may we feel the high honor which is ours in serving our country and our fellow men. May all intelligence work toward purity and strength, and fill us with faith as we approach, with joyful confidence, the duties of the day. Lift up all nations, and may the long night soon be dissolved into the hope and promise of the world's morning. Through Christ. Amen.

The Journal of the proceedings of Friday, March 3, 1922, was read and approved.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. This being the first Monday in the month, business on the Calendar for Unanimous Consent is in order. The Clerk will report the first bill on the calendar.

AMERICAN RED CROSS BUILDINGS, WASHINGTON, D. C.

The first business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 43) to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. MANN. Reserving the right to object, may I suggest to the gentleman from Massachusetts [Mr. LUCE], who is a member of the Committee on the Library, that these buildings of the Red Cross are there by permission of Congress, the time for their remaining there having expired. The Senate joint resolution as amended by the House Committee on the Library proposes to extend the time for the buildings to remain there until December 31 next. Practically that would be of no advantage to the Red Cross. I am inclined to think that the buildings ought to be permitted to remain there much longer. They are in nobody's way, and they are necessary in the administration of the work of the Red Cross. Would it not be well to send this resolution back to the Committee on the Library and let that committee investigate the subject very thoroughly?

Mr. LUCE. Mr. Speaker, I am grateful to the gentleman from Illinois [Mr. MANN] for having held up this matter on a previous occasion, because it has led to my familiarizing myself with the situation, not alone as to the buildings but as to the work of the Red Cross.

There are on the ground now four buildings. There is first the marble building in front. Behind this is a building which is not discreditable in appearance and which it would be a pity to tear down soon. It will serve the purposes of the organization for some years yet to come.

There is a third building which the officials of the Red Cross had contemplated destroying immediately, but they are now weighing the merits of a proposition to transfer to Washington the work of two of their regional offices, and until that has been decided upon—and if decided upon, carried out—they can not well tell how long the third building should stay.

The fourth building is the brick church which was there when the property was acquired.

I will ask unanimous consent, Mr. Speaker, to put into my remarks a brief statement of the work being done by the Red Cross, not alone as bearing upon this proposal but also in order that there may be accessible a concise record of the extent of the activities of this very noble philanthropy.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD by inserting the statement referred to. Is there objection?

There was no objection.

The statement is as follows:

The report of chapter activities for the month of November, 1921, the last complete report available, is typical of the Red Cross activities throughout the United States.

The high lights of this report are as follows:

Number of active Red Cross chapters	3,452
Number of chapters continuing war work (largely for disabled soldiers and sailors and their families)	2,657
Chapters employing Public Health nurses	938
Chapters engaged in some form of production (for local hospitals or work overseas)	1,460
Chapters giving courses in home hygiene and care of the sick	636
Chapters carrying on some form of health work, such as health centers or community clinics	699
Chapters giving instruction in life saving	272
Chapters giving courses in first aid	316

The total adult and junior membership is approximately 10,000,000.

Home service of some character was extended to 120,000 disabled men or their families by the chapters in November. Eight disasters were served by the Red Cross. More than 123,000 visits were made by the Public Health nurses. Approximately 20,000 students are enrolled in the courses in home hygiene and care of the sick. More than 2,500 students are enrolled in courses in first aid, and members enrolled in the life-saving corps exceed 9,000.

In the calendar year 1921 the Red Cross spent $9,782,000 in assisting the disabled veterans of the World War. Of this sum approximately $7,000,000 was disbursed by Red Cross chapters and the balance by the national organization. National headquarters' expenditure includes an item of $72,600 expended for the Red Cross Institute for the Blind at Evergreen, Roland Park, Md.

The foreign work is mainly concerned with the operation of 325 child health stations. In Poland the organization has been very successful in its efforts to aid in the establishment of schools for the training of nurses.

The juniors are carrying on a number of special projects, such as playgrounds and vacation colonies for the destitute children. The juniors have also developed the system of the interchange of school correspondence between designated schools in the United States and the schools abroad. This activity is an outstanding feature in the development of a closer understanding between those who later will be called upon to carry public responsibility in their respective countries in years to come.

Mr. LUCE. This statement shows quite clearly that the work of the central office could not well be conducted in less than two of these buildings, and inasmuch as by the time the ink was dry upon the signature to this bill the Red Cross people would have to begin again to get a further extension of time, I quite agree with the gentleman from Illinois that there should be such an extension made now. I do not believe that the members of my committee would demur if when the bill is considered this morning I should move to strike out the limitation of one year and make it three years.

Mr. MANN. Personally I have no objection to the language of the Senate resolution providing that in such time as may hereafter be provided by Congress the buildings shall be removed, because I feel very certain that these buildings, or a portion of them, will be needed permanently, and probably ought to remain there until the Red Cross is prepared to put up some better buildings.

Mr. STAFFORD. Will the gentleman yield?

Mr. MANN. Yes.

Mr. STAFFORD. Does not the gentleman believe it would be better to follow the suggestion of the gentleman from Massachusetts and limit it to three years more? There is one building, Annex No. 2, a frame building, which in three years from now will be in a more or less dilapidated condition. Annex No. 4 is a rather well-constructed building that may last 10 years, but I believe that Annex No. 2, the one in the rear of the church, will in a couple of years be in a dilapidated condition, and should not be continued there indefinitely by act of Congress.

Mr. MANN. Probably that will be removed, and under the Senate resolution it could be removed at any time.

Mr. STAFFORD. Yes; but there is the difficulty of legislative inertia.

Mr. MANN. What is the use of making them come before Congress in order to get an extension for a building which ought to remain there?

Mr. STAFFORD. In my opinion that other building should not remain there. Annex No. 4 might consistently remain, perhaps, five years.

Mr. MANN. We could order it removed whenever we desired.

Mr. STAFFORD. But with the legislative inertia it is not likely to be removed then, and if they should come back in three years we would know the condition of the building.

Mr. MANN. We are experiencing the result of legislative inertia now. Their building is there, although under the act of Congress it should have been removed before this. I do not like to make them violate the law, because they are law-abiding people, I think.

Mr. CHINDBLOM. I wish to suggest that if this is postponed for three years, that will carry it to a time when Congress will have a short session.

Mr. MANN. Let us hope so, for we have not had many short sessions lately.

Mr. CHINDBLOM. It might be more difficult to get the action of Congress in a short session than during a long session.

Mr. LUCE. I think that, following the practice of the Committee on the Library, on the whole it is more prudent to require affirmative action on the part of Congress than the reverse procedure. Personally, I do not feel strongly at all in the matter.

Mr. STAFFORD. The gentleman intends to offer an amendment to make it three years from date?

Mr. LUCE. Yes.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Whereas by joint resolution of Congress approved the 22d day of May, 1917, authority was granted to the American National Red Cross to erect temporary structures upon square No. 172 in the city of Washington, District of Columbia, for use in connection with its work in cooperation with the United States Government, provided said buildings erected under said authority should be removed and the site or sites thereof placed in good condition within such time as may hereafter be provided by Congress; and

Whereas the buildings erected pursuant to said resolution are still needed for use in connection with its work in cooperation with the United States Government: Therefore be it

Resolved, etc., That authority be and is hereby given to the central committee of the American National Red Cross to continue the use of such temporary buildings as are now erected upon square 172 in the city of Washington, for the use of the American Red Cross in connection with its work in cooperation with the Government of the United States: *Provided*, That any building or buildings, the use of which is extended under this authority, shall be removed and the site or sites thereof placed in good condition within such time as may hereafter be provided by Congress. *Provided further*, That the United States shall be put to no expense of any kind by reason of the exercise of the authority hereby conferred.

The following committee amendment was read:

Page 2, lines 12 and 13, strike out "within such time as may hereafter be provided by Congress," and in lieu thereof insert the following: "not later than December 31, 1922." Strike out the preamble of the resolution.

Mr. LUCE. Mr. Speaker, I offer the following amendment to the committee amendment.

The Clerk read as follows:

Page 2, line 13, strike out the figures 1922 and insert in lieu thereof the figures 1924.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The joint resolution as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. LUCE, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

STATUE OF JEANNE D'ARC.

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 108) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Jeanne d'Arc.

The SPEAKER. Is there objection to the present consideration of the joint resolution.

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant the Société des Femmes de France à New York permission to erect on public grounds of the United States in the city of Washington, D. C., other than those of the Capitol, the Library of Congress, and the White House, a copy of the statue of Jeanne d'Arc by Paul Dubois: *Provided*, That the site chosen and the design of the pedestal shall be approved by the National Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of the said memorial.

The SPEAKER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. LUCE, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

FURNISHING CLOTHING TO EX-SERVICE MEN.

The next business on the Calendar for Unanimous Consent was House joint resolution 221, directing the Secretary of War to furnish clothing to ex-service men while patients in Public Health Service hospitals.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Texas if he does not think that if this resolution were recommitted to his committee a proper amendment might be put into the measure so as to have it accomplish just what the committee desires to accomplish rather than to leave it as it is now.

Mr. GARRETT of Texas. Mr. Speaker, I have an amendment that I would like to have the Clerk read for information, which I propose to offer.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

Amend House joint resolution 221 by striking out everything after the word "assembled," in line 2, and add the following:

"That the Secretary of War be, and he is hereby, authorized and directed, upon requisition made upon him by the Surgeon General of the Public Health Service, to furnish all ex-service men of the World War now in the United States Public Health Service hospitals, or who may hereafter be admitted to such hospitals, who are without financial means and who are not receiving compensation, with necessary and suitable clothing and wearing apparel for their comfort while patients in such hospitals receiving treatment or convalescing;

"Such clothing to be furnished out of any reserve material now on hand for the use of the Army, under rules and regulations to be adopted by the Surgeon General of the United States Public Health Service and the Secretary of War;

"And all clothing and wearing apparel so furnished such patients while retained in such hospitals shall, upon their discharge from such hospitals, become the property of such ex-service men."

Mr. MONDELL. Mr. Speaker, the amendment proposed to be offered by the gentleman from Texas indicates very clearly how little consideration this measure must have had in the committee. It was so drawn originally that it is very uncertain who would receive the benefits it proposed. Both of the Government agencies involved, the War Department and the Public Health Service, protested against the legislation, and no one knew how much it might cost. The cost might be trifling or it might run into hundreds of millions. Now, the gentleman from Texas has proposed an amendment changing vitally the character of the bill, and really establishing a new compensation or pension system. Manifestly in the consideration of measures by unanimous consent a matter as involved and uncertain as this can not be considered intelligently. This measure deals with matters that properly relate to the Veterans' Bureau. It is not a War Department matter, and therefore should not be considered by the Military Committee. If there is any feature of aid to ex-soldiers that has not been provided for, it should be referred to the committee having charge of such matters. Therefore, I object to the consideration of this matter at this time.

The SPEAKER. The gentleman from Wyoming objects.

SEQUOIA NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7452) to add certain lands to the Sequoia National Park, Calif., and to change the name of said park to Roosevelt-Sequoia National Park.

Mr. BARBOUR. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER. The gentleman from California asks that the bill be passed over without prejudice. Is there objection?

There was no objection.

CREDIT FOR MILITARY SERVICE IN THE WORLD WAR.

The next business on the Calendar for Unaimous Consent was the joint resolution (H. J. Res. 180) extending the provisions of the act of February 25, 1919, allowing credit for military service during the war with Germany in homestead entries, and of public resolution No. 29, approved February 14, 1920, allowing a preferred right of entry for at least 60 days after the date of opening in connection with lands opened or restored to entry to citizens of the United States who served with the allied armies during the World War.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. MANN. Mr. Speaker, reserving the right to object, I doubt the propriety of extending these special privileges to men who served in the allied armies, however noble that service may have been. As no one seems to want to be heard upon the resolution, I object.

The SPEAKER. Objection is made by the gentleman from Illinois.

Mr. GARRETT of Texas rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARRETT of Texas. Mr. Speaker, I rise to move to suspend the rules and pass House joint resolution 221.

The SPEAKER. The Chair can not recognize the gentleman at present for that purpose. He should consult the Chair in advance.

The Clerk will report the next bill.

AMENDING THE NATIONAL DEFENSE ACT.

The next business on the Calendar for Unanimous Consent was the bill (S. 2307) to amend an act entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, in my opinion this bill is too important to be taken up under the Unanimous Consent Calendar. There are various amendments proposed to the national defense act, and I think it would require the consideration of half an hour or more if we should get into it. It involves a change of policy upon the part of the Government in certain particulars.

Mr. CRAGO. Mr. Speaker, I have no disposition to take up the time of the House in arguing with the gentleman from Wis-

consin [Mr. STAFFORD] in regard to the bill. I would be very glad to explain the purpose of the bill, but if the gentleman intends to object, that would be hardly worth while. This bill was given very careful consideration by the subcommittee of the Military Affairs Committee and by the full committee. The matters which are incorporated in the bill are matters which have been under consideration for something like a year, and they are recommended by the legislative committee of the National Guard Association of the United States, by the Secretary of War, and by the Chief of the Militia Bureau. In my opinion, and in the opinion of these men who have given a careful study to the development and building up of the National Guard these amendments to the national defense act are very important. In fact, they have been insisting on them and claiming that the lack of these amendments is hampering them in their work. The bill, of course, is rather lengthy; but, as the gentleman from Illinois [Mr. MANN] remarked the other day, that is because it is a reenactment of the present legislation, with a few minor changes in each of the paragraphs or sections.

Mr. STAFFORD. Mr. Speaker, I believe there are six or eight or more amendments affecting the act that are incorporated in the bill.

Mr. CRAGO. There are four.

Mr. STAFFORD. Oh, there are more than four. There are some that I take issue with, particularly in respect to authorizing the hiring of clerks for the property and disbursing officers of the National Guard, work now being performed by the Quartermaster Corps. I think the bill is too important to be considered under unanimous consent, and therefore I object.

FORT FETTERMAN MILITARY RESERVATION, WYO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10002) to extend the provisions of section 2455, United States Revised Statutes, to the lands within the abandoned Fort Fetterman Military Reservation, in the State of Wyoming.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to know what abandoned lands there are in this fort in Wyoming.

Mr. MONDELL. Mr. Speaker, Fort Fetterman Military Reservation comprises a comparatively small area. At one time there was an Army post there on the overland trail. When the post was abandoned and the lands were opened for settlement, we did what we ordinarily do in such cases. We opened the lands for settlement only under the homestead law, the purpose being to give the homesteader the first opportunity to take the better of the lands, and there are none that are very choice. Applying to the public lands generally there is a law under which after public lands have been surrounded by entered lands for a certain length of time, these isolated tracts being rocky, broken, not valuable for cultivation, may be sold at not less than an appraised price by the Secretary of the Interior in areas not exceeding 160 acres. That general law does not apply to this small area, because the lands were opened to entry not under the general land laws but under the homestead laws. Notwithstanding that fact there were some isolated tracts sold. This bill comes from the Secretary of the Interior to the chairman of the committee, and it proposes to extend the isolated tract law that applies to other public lands in the country of this sort to this comparatively small area of abandoned reservations. It was abandoned over 20 years ago.

Mr. WALSH. So that they might be disposed of?

Mr. MONDELL. They can now be disposed of under the homestead law, but so that the isolated areas within this tract may be sold at auction.

The SPEAKER. Is there objection?

Mr. GARRETT of Texas. Mr. Speaker, in view of the long explanation made by the gentleman from Wyoming of this bill it is very evident to my mind that the matter has been very ill considered in the committee. It is on the Unanimous Consent Calendar now and is not understood even by the gentleman from Massachusetts [Mr. WALSH]. I think it has no business on the calendar in that sort of condition. It opens up the great public-land question and is liable to cost millions and millions of dollars to the people of this country. If we can not get a few old clothes for the soldiers, you can not get this bill, and, Mr. Speaker, I object.

POST-OFFICE SITE AT MADISON, WIS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9604) for the acquisition of a post-office site at Madison, Wis.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provision of the act of Congress approved September 7, 1916 (39 Stats., p. 742), which authorizes the acquisition of a site and the erection and completion thereon of a suitable building for the use and accommodation of the post office, United States courts, and other governmental offices in the city of Madison, Wis., at a limit of cost of $550,000, be, and the same is hereby, amended so as to authorize and direct the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a suitable site in said city at a cost of not exceeding $350,000.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. GARRETT of Tennessee. Mr. Speaker, I should like to make an inquiry or two about the bill if the gentleman will yield. I believe the objection stage is passed. Is this a new project?

Mr. J. M. NELSON. No; it is not. It was first authorized in 1913.

Mr. GARRETT of Tennessee. If the gentleman will permit, was it one of the bills which was carried in the omnibus bill of 1913?

Mr. J. M. NELSON. It was. Briefly the history of the project is as follows: In the omnibus bill of 1913 the amount authorized for the construction of a post office and a courthouse at Madison was $550,000. It was subsequently found that the ground was not large enough for the erection of a suitable building. In 1916 I secured by special act an amendment to this project, which provided for the sale of the present Federal building property and the purchase of a suitable site elsewhere in said city.

Pursuant to this authorization the Committee on Appropriations in 1915 appropriated $200,000 for commencement and $15,000 for expenses incidental to the acquisition of temporary quarters. As condemnation proceedings had begun another appropriation of $400,000 was made in 1919, so that there is now available the appropriation of $415,000, out of which some incidental expenses have been incurred.

In 1917 the Committee on Public Buildings and Grounds reported favorably on my bill to increase the limit of cost to $1,050,000. On account of conditions in the Senate, owing to a filibuster, I did not press its passage.

In 1919 in an omnibus bill which passed the House, but did not pass the Senate, the Madison post-office project was increased to $1,075,000.

That, in brief, is the history of the legislation.

It being apparent at this time that no omnibus bill is likely to be enacted, an emergency has arisen. By my personal work, assisted by representative business men of Madison, we were able to find a suitable site only one block away from the capitol square. But on account of the delay the lot owners complained. Some of them wished to erect buildings on the grounds. I persuaded them to be patient and through the active aid of the chamber of commerce and Postmaster Devine options have been obtained on these lots at about $360,000. Condemnation proceedings had been begun, but were abandoned because the price of the lots reached too high a figure. I shall print with my remarks some letters that I have received from Postmaster Devine and also from officials of the Treasury Department. These letters show the nature of this emergency. If we do not purchase these lots now it is likely that the lot owners will erect buildings on them, in which event the site may be lost or cost the Government as much more as these buildings shall be worth:

UNITED STATES POST OFFICE,
Madison, Wis., May 27, 1921.

Hon. J. M. NELSON, M. C.,
Washington, D. C.

MY DEAR MR. NELSON: It seems like old times again to write you regarding the status of a Federal building for Madison. I would not have written you at this time but for the reason that Mr. A. A. Packard, superintendent of public buildings at Chicago, visited Madison May 25 to investigate conditions regarding the Monona Avenue site, which is generally conceded by all concerned to be the most logical location for the new Federal building.

Mr. Packard suggested that I write you and explain conditions at the present time. On the opposite corner of the proposed site, next to the Orpheum Theater on Monona Avenue, the Beavers' Fraternal Association have started to erect a five-story building, and this no doubt will enhance the value of adjoining property, and it is the opinion of many people that this is the opportune time to purchase the proposed site for the Federal building, as the Government will be able to save many thousands of dollars by purchasing as soon as possible.

Mr. Packard is also of the opinion that the entire block should be secured at this time, and I heartily concur in his opinion. If the 66 feet will be left running along Pinckney Street it will be a detriment and drawback to the new building. I feel satisfied that the entire block can be purchased for $300,000, or a shade under that figure. This amount is very reasonable when the location is considered, and a space of 264 by 330 feet can be secured right in a business district and within a few blocks of the Chicago & Northwestern and Chicago, Milwaukee & St. Paul East Side stations. About 80 per cent of our mail

is received from the Chicago & Northwestern station. The transportation of mail from depots to post office and vice versa is a big factor in determining the location of Federal buildings. The present transfers from Chicago & Northwestern station to the Chicago, Milwaukee & St. Paul West Side and Illinois Central stations are made on West Wilson Street, passing the proposed post-office site.

If some arrangement could be made to purchase the site at an early date and the property owners were assured that the Government meant business, I have no doubt that the entire block could be purchased at a very reasonable figure.

It must be remembered also that the valuation of the present old post-office site is increasing in value, and no doubt when the time comes will bring at least $250,000. When this amount is considered, the new site will not cost the Government a great sum of money even though the entire block is acquired.

I know, as every Madisonian knows, that you will be on the job and do everything you properly can to secure the purchase of a site and Federal building for Madison.

Very sincerely, yours,

W. A. DEVINE, *Postmaster.*

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UNITED STATES POST OFFICE,
Madison, Wis., October 13, 1921.

Hon. J. M. NELSON, M. C.,
Washington, D. C.

MY DEAR MR. NELSON: Referring further to my letter to you under date of May 27, 1921, I beg to inform you that on the strength of a report made to the Secretary of the Treasury by Mr. A. A. Packard, superintendent of public buildings, Chicago, Ill., who was sent to Madison May 25 to confer with me regarding the possibility of securing the Monona Avenue property for a post office site.

On June 9, 1921, I received the following letter from Mr. J. H. Moyle, Assistant Secretary, Treasury Department:

WASHINGTON, *June 9, 1921.*

THE POSTMASTER, *Madison, Wis.*

SIR: Reference is made to the matter of the acquisition of a new Federal building site in your city, and to the recent investigation of conditions relative thereto by Supervising Superintendent Packard, of this department.

It appears from his report that the owners of the site which the department attempted to acquire by condemnation proceedings are now willing to dispose of their land by voluntary conveyance if the department would take action within a reasonable time. It is also understood from his report that the entire block bounded by Pinckney Street on the north, Wilson Street on the east, Monona Avenue on the south, and Doty Street on the west may be obtained at an amount which the Government is justified in paying.

Will you please communicate with the owners of the above block and request them to submit proposals for the sale of their land upon the inclosed forms. This site matter has been pending for some time, and the department is anxious to take definite action regarding same if proposals for the sale of the land desired are submitted to which the department can give consideration.

Your prompt attention to this matter will be appreciated.

Respectfully,

J. H. MOYLE, *Assistant Secretary.*

I immediately called in the property owners of the entire block bounded by Pinckey Street on the north, Wilson Street on the east, Monona Avenue on the south, and Doty Street on the west, as it was the intention and was so recommended by Mr. Packard to secure the entire block, and I secured what I considered very reasonable proposals from the owners in said block and submitted them to the Treasury Department July 19, 1921. On August 26 I submitted a new proposal from Mr. Edward James Fisher, the present owner, for at the time he had given an option on said property to another man, and the option expired. In reply to my letter of above date I received a letter from the Assistant Secretary stating that the proposal would be placed with the other papers in the case, and that the department was now giving consideration to the matter.

It was the intention, as I understand it, to purchase the site with the original appropriation of $550,000 without waiting for an additional appropriation which would take some time. The property owners are getting anxious to know what the Treasury Department intends to do in regard to the matter. The property is increasing in value right along, and if it could be purchased at the price for which I received proposals, $336,448, I feel satisfied that the Government would be saving many thousands of dollars, for I am sure within a few years this block will be worth at least $500,000. Therefore I sincerely hope you will make every possible effort to have the site purchased at an early date.

Very sincerely yours,

W. A. DEVINE, *Postmaster.*

We have secured options on these lots at a cost not to exceed $336,000, which is considered to be a very reasonable price. Indeed, I am assured by Mr. Don E. Mowry, secretary of the chamber of commerce, and by Postmaster Devine that these lots probably are worth $500,000. I attribute this favorable proposition not only to the activity of members of the chamber of commerce but also to the public spirit of the citizens of Madison.

I have been very fortunate in having the cooperation of the Acting Supervising Architect, and before I introduced my bill I secured the assurance of the Treasury Department that the funds necessary would be applied at once for the purchase of this site. I received that assurance in the following letter:

TREASURY DEPARTMENT,
OFFICE OF ASSISTANT SECRETARY,
Washington, October 18, 1921.

Hon. J. M. NELSON,
House of Representatives.

MY DEAR CONGRESSMAN: Reference is made to your call at the department relative to the acquisition of a new Federal building site at Madison, Wis., and particularly to your inquiry as to what would be the attitude of the department if legislation could be passed authorizing the Secretary of the Treasury to purchase a site without regard as to whether the balance of the appropriation remaining was sufficient for the erection of a building, leaving that question for future legislation.

The existing legislation for this project authorizes a site and building at a limit of cost of $550,000. Of this amount $415,000 has been appropriated.

If a bill is introduced in Congress by you and forwarded here for consideration, authorizing the Secretary of the Treasury to acquire a site at Madison, Wis., and the appropriations heretofore made for site and building are made available for the acquisition of a site only, said bill will be reported upon favorably.

Very truly, yours,

EDWARD CLIFFORD,
Assistant Secretary.

I was also greatly assisted by the Committee on Public Buildings and Grounds, before which I appeared several times. The committee instructed the chairman to ascertain from the Treasury Department its attitude as to my bill and also whether or not a favorable report on my project would involve the committee in a charge of partiality to me. In reply to the inquiry the Treasury Department replied as follows:

TREASURY DEPARTMENT,
Washington, February 10, 1922.

CHAIRMAN COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

SIR: Reference is made to your request of January 14, 1922, for a recommendation in regard to the above-mentioned bill, which provides that the act of September 7, 1916, authorizing the acquisition of a site and erection of a post-office building thereon at Madison, Wis., at a limit of cost of $550,000, be amended so as to authorize the acquisition of a site at a limit of cost not to exceed $350,000.

Following the enactment of the legislation above referred to an effort was made to obtain a site in the city of Madison at a price that would leave a sufficient amount under the limit for the construction of the building, but without success. On account of the location of the city on a narrow strip of land between two lakes building sites are limited and the prices consequently high. The opinion of the local officials, as well as that of the department representatives sent to investigate the situation, is that prices will advance, and, owing to the rapid growth of the city, there will be increasing difficulty in obtaining a site suitable as to size and location for a Government building.

In view of the situation it would appear very much to the advantage of the Government to take prompt steps to obtain a site in this city, therefore it is recommended that the proposed bill be enacted into law at an early date, the amount of $350,000 being considered sufficient to purchase the necessary land.

Information as to places where conditions may be similar to those at Madison, requested in the last paragraph of your letter, will form the subject of a separate communication.

Respectfully,

A. W. MELLON, *Secretary.*

—

TREASURY DEPARTMENT,
Washington, February 16, 1922.

CHAIRMAN COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

SIR: Referring further to your letter of the 14th ultimo, in which you request a report on H. R. 9004, a bill for the acquisition of a post-office site at Madison, Wis.; also requesting a statement showing the number of propositions of a similar nature now pending before the department, I have the honor to inform you that, so far as this department is aware, there are no other similar cases.

A report upon the Madison project was submitted to your committee on the 10th instant.

Respectfully,

A. W. MELLON, *Secretary.*

Thereupon the Committee on Public Buildings and Grounds unanimously recommended the bill. I then had it placed upon the Unanimous Consent Calendar, believing that no Member of the House would oppose its consideration. In that belief I have not been disappointed.

The passage of this bill, Mr. Speaker, will relieve me from considerable anxiety, for I have given a great deal of attention to this project. I would not like to lose or endanger this very suitable site. It will also be of great satisfaction to many leading business men of my city, who have cooperated with me in locating the site and securing these lots. But it will especially be profitable for the Government. It secures this building at something like $150,000 less than its real value; and by acquiring it now, it avoids the necessity of the purchase of new buildings, which might add $100,000 or $150,000 to the final cost.

Having secured the site, I shall, of course, await the passage of an omnibus bill before I ask for the funds with which to construct the post-office and courthouse building, which must be in keeping with the setting of our beautiful capital city.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. J. M. NELSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

LASSEN VOLCANIC NATIONAL PARK, CALIFORNIA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 5588) to repeal section 5 of an act entitled "An act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains, in the State of California, and for other purposes," approved August 9, 1916.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. MANN. Mr. Speaker, reserving the right to object, when we passed the act for the creation of this park, I believe, several years ago, the bill as reported to the House or as introduced in the House had a limit of cost on the appropriation

of $10,000 annually. The bill was introduced, I think, by the distinguished gentleman from California [Mr. RAKER], and the Committee on Public Lands, of which he was a member, reported an amendment reducing the amount of the annual appropriation from $10,000 to $5,000, and with that amendment the bill passed. First it was purposed to have a limit of $10,000, which was reduced by the committee and Congress to $5,000. Now it is proposed to take the limit off altogether. Is that statement correct, may I ask the gentleman from California?

Mr. RAKER. In greater part.

Mr. MANN. What part was not correct?

Mr. RAKER. I will say we were compelled to do this by the attitude of gentlemen on the Committee on Appropriations. They did the same thing in regard to the Rocky Mountain National Park, and to get the legislation through we had to do that. It just tied us up.

Mr. MANN. When the Rocky Mountain Park bill was up before the House it is true the committee reported a limitation of a small amount. It was also true I warned them at the time that it ought not to be done. It is also true that since then they have removed the limitation.

Mr. RAKER. The Rocky Mountain Park bill went through first. To get it through the amendment was suggested. Now people all over the northern part of the State are using every endeavor on earth to develop this park, and they can not do it with this restriction.

Mr. MANN. Well, does it not seem a little odd that the original proposer of the park should say that he would be satisfied with the appropriation of $10,000 a year and put a limitation in to that effect and then report the bill with a limitation in it reduced to $5,000 a year, and then when the bill becomes a law it is proposed to remove the limitation entirely? Is not that a little odd?

Mr. RAKER. Will the gentleman yield? I was compelled to do that by the statement of gentlemen on the Committee on Appropriations. Our people wanted the bill put through, and I thought I could let it go a couple of years——

Mr. MANN. This bill did not come from the Committee on Appropriations.

Mr. RAKER. Oh, no. But the Committee on Appropriations were standing ready to object. Mr. TAYLOR had to amend his bill, and I was in the same fix and I said, "Let the bill go through, and in the next Congress or two we may come back and get the limitation off."

Mr. MANN. That is sort of working a confidence game either on the Congress or on the Committee on Appropriations.

Mr. RAKER. It is not exactly. I think it was public spirited.

Mr. MANN. It is a sort of confidence game.

Mr. RAKER. I should call it public-spirited legislation; I know it is.

Mr. MANN. Putting the limitation on was public spirited.

Mr. RAKER. No; because we were compelled to do it.

Mr. MANN. Well, it seems that way to me.

Mr. RAKER. Well, it was only in order to get it through.

Mr. MANN. If the committee consented to make an agreement, to pass the bill with the limitation in it and makes an agreement to pass the bill with that limitation in it, and as soon as it is passed it is proposed to revoke the agreement, that is what I call reneging.

Mr. RAKER. Will the gentleman yield there? They had us squeezed so we could not help ourselves.

Mr. MANN. This agreement only lasted a very few years.

Mr. RAKER. About two years.

Mr. MANN. It was to be binding only on one side——

Mr. RAKER. It was never intended to be binding——

Mr. MANN. Only on one side.

Mr. RAKER. That is all.

Mr. GARNER. The limitation ran out.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That section 5 of an act entitled "An act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains, in the State of California, and for other purposes," approved August 9, 1916, which is in the words and figures following:

"SEC. 5. That no appropriation for the maintenance, supervision, or improvement of said park in excess of $5,000 annually shall be made, unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed.

The committee amendment was read as follows:

Strike out all of line 6, page 1, after the figures "1916," lines 7, 8, 9, and all of lines 1 and 2, page 2, and insert "(Thirty-ninth Statutes at Large, page 442)."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time and passed.

On motion of Mr. RAKER a motion to reconsider the vote by which the bill was passed was laid on the table.

LANDS IN COCONINO COUNTY, ARIZ.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 2471) to amend an act entitled "An act authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof," approved July 28, 1914 (38 Stat. L., p. 558).

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Mr. Speaker, I wish to inquire as to this measure, what is the need of the last sentence as found in the act, granting the privilege to purchase this land at $1.25 per acre?

Mr. MANN. That is a customary provision where land is thrown open for settlement in this way.

Mr. SINNOTT. That is the land not covered by the valid applications. It is really a sale of isolated parks.

Mr. STAFFORD. As I understand the law, when there is a sale of isolated parks they are put up at auction?

Mr. SINNOTT. Yes.

Mr. STAFFORD. Here you do not do that, but enable them to be sold at a limited price—to be entered on at $1.25 an acre.

Mr. SINNOTT. Yes.

Mr. STAFFORD. I am asking why you make an exception to the general law in this particular?

Mr. SINNOTT. I think that was in the original act.

Mr. MANN. Yes; that was in the original act. The only amendment in this bill from the existing law is striking out "twenty" and inserting "eighty," and leaving off the letter "s" on "applications."

Mr. STAFFORD. I was anxious to know why the original law did not apply, so as to have the disjointed tracts put up at public auction and sold at the price they would bring at auction.

Mr. SINNOTT. The land would have to be isolated for two years before it could be sold under the isolated tract law.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The Clerk read as follows:

An act (S. 2471) to amend the act entitled "An act authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof," approved July 28, 1914 (38 Stat. L., p. 558).

Be it enacted, etc., That section 3 of the act entitled "An act authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof," approved July 28, 1914 (38 Stat. L., p. 558), is amended to reads as follows:

"SEC. 3. That any person, or his successors in interest, who prior to January 1, 1914, were in the actual occupancy of and improving one or more of said tracts for agricultural purposes, not exceeding in all 80 acres, and have maintained the same in good faith for said purposes, upon the filing of an application to enter the same within six months from the filing of the plat of said survey in the local land office, shall be entitled to a patent for such tract or tracts upon paying the sum of $1.25 per acre therefor. All such tracts not covered by valid application at the expiration of said six months shall thereafter be subject to cash entry upon payment of $1.25 per acre."

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

COMMITTEE FOR ADJUSTMENT OF PAY, ARMY AND NAVY DEPARTMENTS.

The SPEAKER. The Speaker appoints as the committee, under the resolution passed last week, for the adjustment of pay of the Army and Navy Departments:

Mr. MCKENZIE, Mr. TILSON, Mr. KRAUS, Mr. BYRNES of South Carolina, and Mr. OLIVER.

CONFLICTING LAND CLAIMS IN MOHAVE COUNTY, ARIZ.

The SPEAKER. The Clerk will report the next bill.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 9257) to permit adjustment of conflicting claims to certain lands in Mohave County, Ariz.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9257) to permit adjustment of conflicting claims to certain lands in Mohave County, Ariz.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and empowered, in his discretion, to accept a relinquishment from the owners of the odd-numbered sections of land

falling within townships 16, 16½, and 17 north, of range 13 west, Arizona, and permit said owners to select and receive in exchange therefor patents of an equal area of vacant surveyed, nonmineral, nontimbered public land of the United States in the county of Mohave, State of Arizona.

Also the following committee amendment was read:

Line 4, after the word "empowered," insert "in his discretion."

The SPEAKER pro tempore (Mr. WALSH). The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

TIMBER-CUTTING RIGHTS, NATIONAL FOREST, ARIZONA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 7812) to extend the time for cutting timber in the Coconino and Tusayan National Forests, Ariz.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I would like to inquire what is the need of extending for so long the privilege to this private timber company of the right of cutting timber on lands on which the privilege expires in 1925?

Mr. HAYDEN. The gentleman from Wisconsin is aware that only six sections of land are involved in this bill, a comparatively small area, and that the Arizona Lumber & Timber Co. is engaged in very large logging and sawmill operations in the national forests in my State. This bill is practically a duplicate of a bill passed in 1918 for the benefit of the Saginaw & Manistee Lumber Co., of Williams, Ariz., whose timber holdings were in the Tusayan National Forest. If the Arizona Lumber & Timber Co. is compelled to cut its timber on these six sections of land before December 31, 1925, it will be necessary to immediately build a line of logging railroad and to leave the timber on the intermediate sections of Government land uncut. The company is buying timber from the United States, and the timber on these sections can be handled in a more satisfactory manner if its cutting is continued to some future time as provided in this bill. The Forest Service is thoroughly satisfied that the term be extended to 1950.

Mr. STAFFORD. Are we to understand that on all the other sections of land than these sections the Government is going to have the right to the growing timber from this time on?

Mr. HAYDEN. Absolutely. The Forest Service will have the right to regulate the cutting, so that a seed tree will be left on each acre, and the tops and waste will be gathered up and burned in order to protect the forest against fire. All of the logging operations will be carried on as required by the Forest Service elsewhere, which is a real advantage to the United States.

Mr. STAFFORD. In the past few years they have asked a liberal extension of 25 years, when before they only asked for 10 years.

Mr. HAYDEN. The gentleman should understand that this company will in all probability continue its lumbering operations much longer than the next 25 years. In a letter written to me Mr. T. A. Riordan, president of the Arizona Lumber & Timber Co., makes the following statement:

The basis upon which the extension is asked has been thoroughly discussed with the Forestry Department. The extension will be of advantage to us, since it will not force us to build considerable trackage to secure this timber within the time limit, and which track would be useless at this time for the handling of any other timber, while with the extension granted us the timber can be cut when we are cutting adjoining timber, and, consequently, with a great saving in the matter of railway and other operating costs. In exchange for this extension we are giving the Forestry Department a very liberal consideration in the way of relinquishment of rights that we hold on certain lands reconveyed to the United States, the leaving of additional seed trees other than those stipulated in our present contract, and advantages in respect to the disposal of brush and waste, all of which considerations in favor of the Forestry Department were proposed by the department itself and agreed to by us. There is a well-defined consideration between the parties to the agreement, as we have no doubt you will find confirmed upon inquiry at the Forestry office.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 7812) to extend the time for cutting timber in the Coconino and Tusayan National Forests, Ariz.

Be it enacted, etc., That the rights of the Arizona Lumber & Timber Co. and its successors in interest to cut and remove the timber from such of the lands within the Coconino and Tusayan National Forests, Ariz., as have been reconveyed, or are under contract to be reconveyed, to the United States, subject to outstanding timber-right contracts held by said company under the rules, regulations, and conditions imposed by the Secretary of the Interior at the time of said reconveyance or contract to reconvey, are hereby extended to and until December 31, 1950: *Provided*, That said company executes and enters into an agreement with the Secretary of Agriculture to comply with such additional requirements as may be mutually agreed upon to promote forest-fire protection, reforestation, and forestry administration: *Provided further*, That all its rights to cut and remove timber from any lands within said national forests are to terminate on the 31st day of December, 1950, but this act shall not be construed to confer upon said company any rights in addition to those held by the company at the time of said reconveyance, and in the absence of the execution of such an agreement this act shall neither extend nor restrict the present rights of said company.

Also the following committee amendment was read:

Strike out all after the enacting clause and insert:

"That the Secretary of Agriculture is hereby authorized to extend the rights of the Arizona Lumber & Timber Co. and its successors in interest to cut and remove the timber from such of the following-described lands: Sections 3 and 9, township 19, north, range 5 east; section 33, township 20 north, range 5 east; section 31, township 21 north, range 5 east; section 35, township 20 north, range 6 east; section 31, township 20 north, range 7 east; all of the Gila and Salt River principal base and meridian, within the Coconino and Tusayan National Forests, Ariz., as have been reconveyed, or are under contract to be reconveyed, to the United States, subject to outstanding timber-right contracts held by said company under the rules, regulations, and conditions imposed by the Secretary of the Interior at the time of said reconveyance or contract to reconvey until such time as he may determine to be in the public interest, but not later than December 31, 1950: *Provided*, That said company executes and enters into an agreement with the Secretary of Agriculture to comply with such additional requirements upon the above-described lands and any other lands for which timber rights are claimed by said company within the Coconino and Tusayan National Forests, as may be mutually agreed upon to promote forest-fire protection, reforestation, and forestry administration: *Provided further*, That all of its present rights to cut and remove timber from any lands within said national forests are to terminate on the date fixed by the Secretary of Agriculture and agreed to by the company; but this act shall not be construed to confer upon said company rights in addition to those held by the company at the time of said reconveyances, and in the absence of the execution of such an agreement this act shall neither extend nor restrict the present rights of said company."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAYDEN, a motion to reconsidered the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. GREENE of Massachusetts, by unanimous consent, was granted leave of absence for one week on account of important business.

RESIGNATION OF A MEMBER.

The SPEAKER pro tempore. The Chair lays before the House the following communication, which the Clerk will read.

The Clerk read as follows:

FEBRUARY 27, 1922.

Hon. F. H. GILLETT,
Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I have this day transmitted to Gov. Miller, of New York, my resignation, to take place at midnight, February 28, 1922.

Yours, very truly,

A. B. HOUGHTON.

The SPEAKER pro tempore. The Clerk will report the next bill on the Unanimous Consent Calendar.

SITE FOR ADMINISTRATION BUILDING, ROCKY MOUNTAIN NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8675) to authorize the Secretary of the Interior to accept a certain tract of land donated as a site for an administration building for the Rocky Mountain National Park.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object.

Mr. MANN. Reserving the right to object, Mr. Speaker, this bill proposes to authorize the acceptance as a gift of the title to property upon which an administration building would be erected, with the provision that the gift is not to be effective unless the administration building is constructed by December 31, 1923.

Mr. VAILE. That is correct.

Mr. MANN. That is, during the year after the close of this fiscal year?

Mr. VAILE. That is right.

Mr. MANN. There is no proposition for an appropriation pending now that would authorize the construction of this administration building?

Mr. VAILE. That is also correct.

Mr. MANN. I doubt very much whether it would be possible, if a Government appropriation were made next year, to construct the building within six months' time.

Mr. VAILE. Let me suggest this to the gentleman: The building which is now being used for administration purposes is a small frame building, not over 25 feet wide. Of course, we hope that a two-story building, perhaps of brick or stone, could be constructed; not an expensive building but a building which would be ample for the purposes of administration of that park.

It need not be a very expensive building. I presume it could be built within six months.

Mr. MANN. Not as Government work goes. It is time enough to accept title when we determine to erect the building.

Mr. VAILE. I think we can accept title now. That does not impose any immediate obligation upon us. It is not the intention to put up an expensive building, but simply a small one sufficient for the purpose. We are now renting a small frame building there at $50 a month. These ladies have volunteered to donate a lot. It is centrally located.

Mr. MANN. Very likely; but I do not like to do things under compulsion. The gentleman from Colorado knows, and everybody else knows, that if you accept title to a piece of land with the agreement that the Government shall erect a building by December 31, 1923, then you will insist that we must construct the building within that time, whether we want to or not.

Mr. VAILE. Of course, I expect to urge the Committee on Appropriations to erect a small building there. It will be a saving to the Government. There are not many buildings in that village. We are now paying rent for the present administration building at a rather high rate of rent.

Mr. MANN. Yes. That is a case where they soak the Government. I can not see any warrant for this.

Mr. VAILE. If we do not put up the building, of course then our action is nugatory to-day. The lot will revert, or else we would have to ask these ladies to donate it again.

Mr. MANN. We can not put up the building within the next fiscal year unless it is the intention of the gentleman to go before the Senate committee, and I do not know but that it is too late for that. If an appropriation is not carried for this building in the appropriation bill under the Interior Department they can not get it. You can not get the appropriation for the next fiscal year unless the item passes the Senate. What is the hurry about getting title to property on an offer that soon runs out?

Mr. VAILE. The suggestion the gentleman makes in regard to the Senate was not brought to my attention. I did not think of that, as the appropriation bill had already been acted upon by the House.

Mr. MANN. It is too late now.

Mr. VAILE. This is a generous offer.

Mr. MANN. I do not think it is such a generous offer to say that they will give title limited to a certain time when we shall not be able to put up the building within that time.

Mr. VAILE. If the gentleman wants to move an amendment to have the time extended and have the gift extended on those conditions, I shall not object.

Mr. MANN. You can not do that. That is in the deed.

Mr. VAILE. We can say to these ladies that we will accept if they extend it; otherwise we will not accept it. If the gentleman wants to make it a year later, that is perfectly agreeable to me.

Mr. MANN. That is not in the bill.

Mr. VAILE. But we will accept it on these conditions.

Mr. MANN. Let it go over until you figure that out.

Mr. VAILE. Then, Mr. Speaker, I ask that the bill be passed over without prejudice.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

Mr. ANDERSON. Mr. Speaker, by direction of the Committee on Appropriations I present a privileged report, it being a report on the bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes.

The SPEAKER pro tempore. The gentleman from Minnesota reports a bill of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes.

Mr. BYRNES of South Carolina. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER pro tempore. The gentleman from South Carolina reserves all points of order on the bill. The bill is referred to the Committee of the Whole House on the state of the Union and ordered to be printed. The Clerk will report the next bill on the Calendar for Unanimous Consent.

COMMISSIONING OF MIDSHIPMEN IN THE MARINE CORPS.

The next business on the Calendar for Unanimous Consent was the resolution (H. J. Res. 274) authorizing the commissioning in the Marine Corps of midshipmen under certain conditions.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the House joint resolution.

The Clerk read as follows:

Resolved, etc., That any midshipman of the United States Naval Academy who has heretofore failed to graduate therefrom and who shall have served honorably in the Marine Corps for a period of one year, and who has passed satisfactorily the examination for appointment as a commissioned officer of the Marine Corps, may be commissioned prior to the graduation of the class at the Naval Academy of which he was a member.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the House joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. MANN, a motion to reconsider the vote whereby the resolution was passed was laid on the table.

CERTAIN APACHE INDIANS OF OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6512) for the relief of and purchase of lands for certain of the Apache Indians of Oklahoma lately confined as prisoners of war at Fort Sill Military Reservation, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, does it not seem like a rather large amount to appropriate $42,500 for the benefit of 13 people because they were prisoners of the United States?

Mr. ROACH. I will say to the gentleman from Illinois that the $42,500 carried in this bill was the estimate submitted to our committee by the Secretary of the Interior, and it is our information that there were some 85 Indians who were held as prisoners of war at Fort Sill, and that upon their discharge and removal from Fort Sill there was an agreement or understanding that they were to be given certain land allotments and given rations for one year, and that all of these Indians, except the 13 for whom this bill undertakes to provide, were given land allotments and were furnished the rations provided for under that agreement. It seems that the Interior Department looks upon this agreement to supply these 13 Indians, 12 of whom are minors, with these land allotments and rations, that were promised them, as a sacred obligation.

Mr. MANN. Where do they say it is a sacred obligation?

Mr. ROACH. In the report of the Commissioner of Indian Affairs to our committee, if the gentleman cares to read it, it is stated that they regard it as a sacred obligation to fulfill this promise. But the point is this: Whether they so regard it as a sacred obligation or not, if the agreement was made it should be carried out.

Mr. MANN. There was no agreement made by any authority.

Mr. ROACH. Apparently there must have been some understanding with these Indians that they were to be furnished land allotments and these rations. At any rate, the Government has given these things to all of them except the 13, and inasmuch as that has been done for all the others it would seem only fair and just that these 13 should be similarly treated.

Mr. MANN. A lot of these Apache Indians were taken as prisoners of war. They were confined—and the word "confined" should have a question mark after it—theoretically confined at Fort Sill for many years, living off the Government during that time. Then the Government authorized them to leave and to take certain lands.

I believe most of them did. I think some of them refused to go on those lands, although my recollection is a little bit hazy on that subject. Now, there is one of these adults left who has 12 minor children, and it is proposed to give to each of them nearly $2,500, because they were prisoners of war and because they were supported by the Government for many years, without any expense to them. As for this talk about an agreement, I do not know what some agent of the Indian Office may have promised them, except as stated here. Whatever promises were made were without authority, and, I assume, without authority from the War Department. This is quite a sum of money to appropriate for 1 adult and 12 minor children just because they were prisoners. To an ordinary prisoner we give a suit of clothes and railroad fare to take him some place—not very much, and not a very expensive suit of clothes.

Mr. ROACH. I am not sufficiently familiar with the facts leading up to the allotments made to these 85 Indians to be able to state what the agreement was, but if there was any justice and merit in alloting to them land and rations, which was evidently done, then certainly Congress is justified in seeing that the remainder receive equally fair treatment.

Mr. MANN. Oh, we supposed we had settled the whole thing years ago. This matter has been pending around Congress for years, and we supposed it was settled a number of years ago.

Mr. ROACH. I will state to the gentleman for his information that other appropriations similar to this have been made, and the allotments have been made and the rations furnished to the other Indians who were held as prisoners at Fort Sill, and they were not made to these Indians because the appropriations were exhausted before they got to them.

Mr. MANN. It may be that we have appropriated money heretofore, and the department, entirely disregarding the will of Congress limiting the amount, has gone ahead and spent the money for a part of the service to be performed instead of for the whole of the service. That would be very much like the administration which has frequently prevailed in the Indian Office.

Mr. ROACH. I am not so well informed on the history of these Indians and their rights or the agreement made by the Government with them as my friend from Oklahoma [Mr. GENSMAN], to whom I now yield.

Mr. MANN. I have been making these remarks for the purpose of trying to get a rise out of the gentleman from Oklahoma. [Laughter.]

Mr. SNYDER. My idea about this matter was very similar to that stated by the gentleman from Illinois [Mr. MANN]; but we had the Assistant Commissioner of Indian Affairs before us and we had the report of the Interior Department, and it is a fact that they insist that there was an agreement made originally whereby these Indians are now entitled to this consideration at the hands of the Government.

Mr. MANN. An agreement for what? The Indians were prisoners of war. To say that we had to pay them $2,000 or $3,000 each to discharge them is ridiculous.

Mr. SNYDER. The Bureau of Indian Affairs maintain that these other Indians were allotted lands and that this money will be spent directly to buy a farm for each one of these minors.

Mr. MANN. Which he will not cultivate and can not lease and can not dispose of.

Mr. SNYDER. I appreciate that, and if the gentleman will read the testimony he will see that my statement was practically the same as that which he is making now; but I was finally convinced that the matter ought to go to a subcommittee, and I appointed these gentlemen on that subcommittee, and they made an investigation, and they are making the best argument that they can for the measure.

Mr. ROACH. I yield to the gentleman from Oklahoma [Mr. GENSMAN].

Mr. GENSMAN. To begin with, there were about 100 Indians, and the rest of them have received their part under an absolute contract with the agent or the proper authority. They have all received their money except these 13. This does not only apply to allotments, but at the time these Indians were sent down to the Mescalero Reservation it was agreed that they were to be given $144 each in lieu of a year's rations. None has ever been paid to these.

Mr. MANN. Will the gentleman allow me to ask a question?

Mr. GENSMAN. Certainly.

Mr. MANN. The fact is that these Indians were prisoners of war, were they not?

Mr. GENSMAN. Yes.

Mr. MANN. With no rights whatever so far as the land itself was concerned. But in order to get rid of them somebody promised them something. They would not go, they liked to be prisoners of war; but the Government was not obliged to keep them as prisoners of war. Thereupon an agent made an agreement to pay them a sum of money if they would accept a dismissal from confinement.

Mr. GENSMAN. The gentleman does not take the right view of it.

Mr. MANN. Oh, I have been all through this several times.

Mr. GENSMAN. But the gentleman has not been around with the Apaches as much as I have.

Mr. MANN. That may be.

Mr. GENSMAN. The Indians were originally captured down at the Adobe Walls, and they wanted to go back there, and the Government had the Indians on their hands and was responsible for them.

Mr. MANN. While they kept them as prisoners of war.

Mr. GENSMAN. Yes. The Government wanted to send them back to Arizona to the Adobe Walls and get rid of them, and the Government was very fortunate to get rid of them.

Mr. MANN. Did not some of them refuse to go?

Mr. GENSMAN. Yes; 13. I do not blame them for not wanting to leave Oklahoma and go to Arizona. [Laughter.]

Mr. MANN. The gentleman does not blame any Indians who have received their support from the Government, who are theoretically prisoners of war and do not want to go to work. There are a good many white prisoners who do not want to go to work, but we do not pay them money.

Mr. GENSMAN. The gentleman from Illinois has the idea that these Indians did not do anything. That is not correct. They had large fields on the reservation, large herds of cattle, and, really, the Apache Indians are the most industrious of all the Indians. They come from a country where they had to farm.

Mr. SNYDER. Will the gentleman yield? These are not the people who were held as prisoners of war; they have all passed away except one. If there was an agreement made with the old people, the heirs are entitled to this consideration, or to some consideration. That is why I listened to the argument on the proposition. If we held the Indians in jail——

Mr. MANN. They were never in jail; they were theoretically prisoners of war. Perhaps the Government was under some obligation to them after they took them prisoners of war. But does any gentleman on the committee think that if we pass this appropriation that that will end it?

Mr. GENSMAN. Absolutely.

Mr. MANN. This matter has been before Congress in various forms many years. I came here before they got out of the theoretical confinement.

Mr. SNYDER. I do not think there is any possible way that you can fix it so as to end all these propositions.

Mr. MANN. The trouble with the department or the Indian Office is that it does not close up anything. Even the gentleman from New York was not here before, but the gentleman from Oklahoma and the gentleman from Missouri were not familiar with the history of this. Well, after we are all gone they will come here and say that we ought to carry out the obligations we owe them, and we must do that for these Indians; we must do this for these Indians.

Mr. SNYDER. I want the gentleman to know that so far as I am personally concerned as chairman of the committee there never has been any bill soft pedaled out of the committee. They have always had to have some merit.

Mr. MANN. I think the gentleman from New York makes a mighty good chairman of the Committee on Indian Affairs.

Mr. SNYDER. I am not fishing for compliments, but that is the fact.

Mr. MANN. We all know perfectly well that the committee acted on the recommendation of the Indian Office. The committee does not know anything about it except the information they get from the Indian Office.

Mr. SNYDER. The only thing we acted on was the information we got from that source. None of these people are living. We got most of our information from the gentleman from Oklahoma [Mr. GENSMAN]; that is, our real, authentic information.

Mr. MANN. I have a good deal of confidence in information furnished by the gentleman from Oklahoma.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to continue relief to the Apache Indians of Oklahoma lately confined as prisoners of war at Fort Sill Military Reservation, for their subsistence and for the purchase of lands for their settlement thereon, to be selected for them by the Secretary of the Interior and the Secretary of War; and there is hereby appropriated out of any moneys in the Treasury not otherwise appropriated the sum of $42,500 for said purpose, to be immediately available and to be expended under such rules and regulations as the Secretary of the Interior and the Secretary of War may prescribe.

With the following committee amendments:

Page 1, line 4, strike out the words "and directed."

Page 1, line 9, after the word "hereby," insert the words "authorized to be."

Page 1, line 10, and page 2, line 1, strike out the words "not otherwise appropriated."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GENSMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONSOLIDATING NATIONAL FOREST LANDS.

The next business on the Calendar for Unanimous Consent was the bill (S. 490) to consolidate national forest lands.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, let us have the bill read for information.

The SPEAKER. The Clerk will read the bill for information.

The Clerk read the bill, as follows:

Be it enacted, etc., That, when the public interests will be benefited thereby, the Secretary of the Interior be, and hereby is, authorized in his discretion to accept on behalf of the United States title to any lands within the exterior boundaries of the national forests which, in the opinion of the Secretary of Agriculture, are chiefly valuable for national forest purposes, and in exchange therefor may patent not to exceed an equal value of such national forest land, surveyed and nonmineral in character, or the Secretary of Agriculture may authorize the grantor to cut and remove an equal value of timber within the national forests of the same State, the values in each case to be determined by the Secretary of Agriculture: *Provided*, That before any such exchange is effected notice of the contemplated exchange reciting the lands involved shall be published once each week for four successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands to be accepted, and in some like newspaper published in any county in which may be situated any lands or timber to be given in such exchange. Timber given in such exchanges shall be cut and removed under the laws and regulations relating to the national forests, and under the direction and supervision and in accordance with the requirements of the Secretary of Agriculture. Lands conveyed to the United States under this act shall, upon acceptance of title, become parts of the national forest in which they are located.

With the following committee amendments.

Page 1, line 10, after the word "land," insert the words "in the same State."

Page 2, line 5, after the word "published," insert the words "without expense to the United States."

Page 2, line 17, strike out the words "in which" and insert in lieu thereof the words "within whose exterior boundaries."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, with the passage of this act are we to understand that Congress will be relieved of the consideration of various bills we have had up in the recent past for the taking over of privately cut-over lands and exchanging them for Government-owned lands in the national forests?

Mr. SINNOTT. Yes. We will be relieved of all the usual exchange bills, the terms of which are confined to the lands within the exterior boundaries of the national forests. Of course, bills may be reported hereafter where it is important to add outside lands to national forests or bills containing special features dealing with outside lands. This has nothing to do with the lands outside of national forests, except lands technically outside but within the exterior boundaries of the forests.

Mr. STAFFORD. This bill has been pending before the committee for many months past, while the committee has been reporting separate bills. What was the occasion for the change of heart on the part of the committee in bringing in this general legislation and saving the time of Congress in passing separate bills?

Mr. SINNOTT. If it is permissible to state committee matters on the floor of the House, we desired to give the matter very full consideration, and some members of the committee were opposed to the ordinary exchange bill applying to all the national forests. After full consideration some of the members of the committee opposed to such legislation withdrew their opposition.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. WALSH. One effect of this possibly may be to dispense with the veto of a particular bill where a delegation from a certain State changed their views on the advisability of the legislation.

Mr. SINNOTT. That was an entirely different bill from this bill. That bill embraced public lands on the outside of national forests.

Mr. WALSH. But it was an exchange bill.

Mr. SINNOTT. But controversy arose regarding the outside lands.

Mr. WALSH. This limits it to the exterior boundaries?

Mr. SINNOTT. To lands within the exterior boundaries of the forests.

Mr. STAFFORD. Who has to pay for the advertising in the restricted amendment which the committee has recommended?

Mr. SINNOTT. The private landowner pays for that. He does that now. Really this is writing into the law what they do to-day in all these exchanges.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

Mr. MOORE of Virginia. Mr. Speaker, reserving the right to object, will the gentleman explain the provisions of the bill which require that timber that may be given in exchange shall be cut and removed under the laws and regulations relating to national forests? Can the gentleman briefly tell us what that means in practice? It seems to me that the timber provision here is the important feature of the bill.

Mr. SINNOTT. Under the rules and regulations of the Forest Service only timber of a certain size may be cut, and it has to be cut in a certain way, and the tops and the branches must be piled up so as to not to become a fire menace.

Mr. MOORE of Virginia. Has it been found in practice that that is a sufficient requirement in order to protect the interest of the Government?

Mr. SINNOTT. That is found to be a very great protection to the Government.

Mr. MOORE of Virginia. Mr. Speaker, I withdraw the reservation of the objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk again reported the bill.

The Clerk reported the first committee amendment, as follows:

Page 1, line 10, after the word "land" insert the words "in the same State."

Mr. RAKER. Mr. Speaker, a number of bills have been reported out by the committee relating to exchange of national forest lands. A number have been passed by the House and some by the Senate. Some have already been signed by the President. Most of the separate exchange bills that have passed contain a different provision than the one in this general bill. Some allow lands to be exchanged within 6 miles of the exterior boundaries of the land, and some not so much, and some specify other particular conditions. Of course, those special provisions will not be changed by the passage of this present proposed legislation, because the provision in this proposed general law is not in conflict with the provisions in the separate bill. The special bills that we have already passed, so far as the different character of exchange allowed is concerned, will not be affected by this bill.

This bill has several important features. First, the one suggested, "within the same State." Some have been "within the same forest." The next, "expense to be borne by the private owner," and, third, "when the land exchanged is in the forest it should become a part of the forest." While all this legislation was before the committee, general legislation. I felt then and I feel now that a general bill is inadvisable. Of course, it covers the principle of exchange. The question that it takes the time of Congress to pass private bills ought not to be considered as affecting the general welfare of the Government. I just say this now in advance. The land that is now owned by private individuals is something over 25,000,000 acres. If each individual bill came up to be considered you get a perspective of the value of the exchange from the private individual; but now, with the general legislation going through, it will double and quadruple the privately owned land in value, and for which the Government will have to exchange what it receives from the private owner.

I simply judge from what I have seen in the past, and I am afraid that will be the effect in the future. Personally, I have several bills for California. They are suspended pending adjustment of affairs at home. We want to arrange for proper compensation from the Federal Government. The subject has been gone into with the private owners before the department would consider the question of reporting on the bills. I trust the matter will be arranged some way with the people in the counties in which the land is located and in which the particular national forest is located. The people are very intent and fearful that they are going to lose a large proportion of their revenues, and their thought is that if the exchange is permitted, there should be a general law covering or authorizing or directing compensation to the county in which the land is exchanged by reason of the fact that they lose their revenue upon this land. This general exchange bill will authorize the exchanges of lands within the national forests, but no privately owned lands lying without the exterior boundaries of the national forests. Just compensation should be made to the counties in which the national forest is located. Of course, that is met by the argument that if it is an equal exchange of land, the land obtained will pay its taxes, but upon the timber the most of it will be disposed of before the tax collector can get at it, and therefore they will lose the amount of taxes that would otherwise be theirs.

The SPEAKER. The time of the gentleman has expired.

Mr. RAKER. I would ask for five minutes more; I will not take more time.

The SPEAKER. The gentleman from California asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Under the present law there is 10 per cent for general administration paid out of the receipts from the sale of timber and permits of the national forest and 25 per cent of it goes to the various States, to be divided by the States in turn to the counties in which the forests are located, for public roads, school purposes, and so forth. And it clearly does not meet the contention that these people in the counties, who pay taxes for the upkeep of the civil government of the county, for the protection of Federal Government public property, are not paid a sufficient amount in return, and they place it on these grounds, and there is a good deal to it and there is real justice in it, that if the Government of the United States through its representatives believes in having a national forest for the purpose of maintaining a timber supply in the future for the Governmnt generally, the General Government should step in and pay its proportion of the taxes to the county in which the national forest is located because there are some counties of which practically half of the entire county is within the national forest; so the more you add to the national forest of necessity the less taxes will be paid to the county to pay its administrative functions and keep up its public duties to its citizens, the maintenance of order, and so forth. Just how and by what method they can obtain this compensation, this just payment on behalf of the Government for its property, is not as easy as it might be. It must be provided for by the Congress. It seems as though it will be the law. This bill will no doubt pass, and we must hereafter provide for the tax or compensation feature above stated. Congress seems to be inclined to put a blanket legislation through rather than to take a little time as each particular matter comes up and dispose of it. I think it is——

Mr. ARENTZ. Will the gentleman yield?

Mr. RAKER. I will.

Mr. ARENTZ. What does the gentleman contemplate doing with this bill to exchange of lands in the Tahoe Reservation with this committee amendment, page 1, line 10, "in the same State," inserted in this bill? Does the gentleman decide not to press the bill ?

Mr. RAKER. I will press them as far as I can, but here is the situation. The people in the community where these forests are located are in favor of exchanges, but they want the counties properly compensated for caring for the National Government property when it is for all the people. They say they want to be given time to fully present their side of the case. They want me to assist in legislation to compensate the counties. I am with them on that, and I am going to do my best to see the Government pays its proportion of taxes to the county by reason of the large extent of national forest lands, which are for the benefit of all people of the United States. No one county or no one State should bear the burden which in justice should be borne by all. I was in hopes that there would be an opportunity to amend this bill so as to place such legislation upon it. But under the rules of the House it is not in order, and then again it being a question of such large proportions. It has not had the consideration of the proper committee of the House.

The SPEAKER. The time of the gentleman has again expired.

Mr. RAKER. I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Under the permission given me by the House to extend my remarks, I will insert here certain correspondence regarding this matter.

I feel it is of that importance as to justify the inserting in the RECORD of such correspondence as directly relates to the question presented.

The Chamber of Commerce of Placerville, Calif., through its committee, Jos. Scherrer, chairman, and Hon. C. E. Hand, secretary, under date of December 30, 1921, present their views as follows:

EL DORADO NATIONAL FOREST EXCHANGE BILL.

PLACERVILLE, *December 30, 1921.*

Hon. JOHN E. RAKER,
Washington, D. C.

DEAR MR. RAKER: In the Bee of Saturday, December 24, 1921, under the heading, "Early action expected on land-exchange bills," there appeared two articles, one written by Leo A. McClatchy under a Washington date, and the other a statement issued by the district forester at San Francisco. Mr. McClatchy states that "Early action is expected in the House on the four bills of Representative JOHN E. RAKER, authorizing the Secretaries of Agriculture and Interior to make exchange for privately owned lands within the Shasta, Plumas, El Dorado, and Tahoe National Forests in California."

The district forester in his statement on the subject announces the policy of the Government as follows: Our first energies should be directed toward acquiring lands which are already within the national forest boundaries and are chiefly valuable for timber production and watershed protection, etc.

Secondly, our energies should be directed to a logical rounding out of present forest units. It is a fact that our present boundaries are in many cases unsatisfactory, many irregularities being made for the sole purpose of excluding private lands at the borders of the forests where the excluded areas are absolutely forest lands. It is extremely desirable to acquire them and reform our boundaries along permanent physical lines.

The forest service was consulted in drawing the boundaries of the various bills introduced, and that the boundaries of the forests mentioned do not now include areas of fine timber-producing lands which should ultimately be in public ownership, and it is hoped that through land-exchange legislation that they may be gradually acquired.

The matter was brought to the attention of the El Dorado County Chamber of Commerce, and was by that body referred to its legislative committee and Mr. Hand was added as a special member for the occasion. In the discussion in the chamber and also at the meeting of the legislative committee the policy of the Government acquiring privately owned lands, within the present boundaries, and also acquiring privately owned lands within the new or proposed boundaries of the forests were considered very objectionable because of the fact that every additional acre acquired by the Government ceases to be revenue producing, thus adding to the already overburden of the counties. Our chamber of commerce believes the principle on which the national forests were created to be right, in so far as conservation is concerned, and we have no objection to the Government acquiring privately owned lands, within or without the forests, provided legislation whereby the National Government would reimburse the counties along the lines suggested later in this letter, and which the bill prepared by you two years ago at the request of Mr. Hand would remedy, thus relieving the counties, and placing the burden where it belongs, even though we are not fully satisfied with the exchange provisions in the four bills introduced by you, for we view them as along similar lines as the old scrip and lieu land acts, and just as wide open to fraud.

A little over a year ago Mr. Paul G. Redington, district forester at San Francisco, sent out a circular letter to the various forest supervisors in his district, in which he quotes from a paper on the subject of exchange of lands within forests, which was read at Spokane by Mr. Huntington Taylor, general manager of the Edward Rutledge Timber Co., and which Mr. Redington advised "will form a basis to argue on should you (meaning his forest supervisors) have the opportunity to discuss the general subject with boards of supervisors and other public officials."

In the paper read by Mr. Taylor he says that "The question of the effect of land exchange on the tax receipts of the States and counties is important, but there seems to be small cause for public alarm." We certainly believe the effect on the counties to be "important," so much so that unless relief measures are forthcoming some, if not all, of the counties will be seriously injured in their sources of revenue from taxation. Mr. Taylor says that "In the timber regions the stumpage owner will have a keen interest in tax matters for a good many years to come, and there will be small likelihood of his supporting any measure which will mean an abrupt increase in his taxes," all of which means that they are on the job. The big timber interests are behind and backing the exchange bills, consequently they must be satisfied; so also is the district forester, Secretaries of Agriculture and Interior, but how about the counties, and what provision has been made for reimbursing them for this loss of revenue? Have the county boards of supervisors been consulted? Are they willing that the boundaries of the forests be enlarged by the taking in of vast areas of lands outside the present boundaries and from which they are now receiving tax revenue, said lands by your bills to become publicly owned, and therefore not subject to taxation? Are the taxpayers who maintain county government in counties a portion of which is in the Shasta, Plumas, El Dorado, and Tahoe Forests willing that cut-over lands now owned by private individuals be taken in exchange for standing timber, thus losing their percentage on stumpage sales? We do not think so and believe that they are entitled to consideration and to be heard in the matter.

On the subject of cut-over lands owned by private individuals within the forests Mr. Taylor mentions the possibility of the timber concerns allowing the taxes to become delinquent, and uses the following language: "Unquestionably, as time goes on and the accumulated burden of taxes becomes heavier the private owner will be forced to unload his cut-over lands." This, Mr. RAKER, is a serious problem, for should it happen the lands would become delinquent, be sold by the State for taxes, and would cease to be revenue producing or would fall into the hands of stock raisers and would lose much of their value as forest-producing lands. I am convinced that the Government should acquire the cut-over lands and allow them to reforest, but this should not be done at the expense of the counties in which the forests are located. The Federal Government should reimburse the counties, thus placing the burden where it belongs—that is, upon all of the people of the United States—and the counties should not be compelled to bear this burden for possibly 200 years, which time it would take for reforestation.

Quoting again from Mr. Taylor, "The national forests now turn over 35 per cent of their gross incomes to the counties in which they are situated. In some localities this already overbalances the tax returns which would have been secured if the lands had passed to private ownership, etc." If the statement of Mr. Taylor is true, then from the standpoint of the National Government, it is but another argument in favor of reimbursing the counties on a valuation basis, as it would be a gain for the Nation, and there is no question but that the counties would be better satisfied. I disagree with and doubt if there is a forest in the United States where the above is true, unless it be in one particular year, but surely it is not true covering a period of years. It is not so with any of the forests in California. Plumas County is, perhaps, receiving more revenue from stumpage sales than is any other county in this State. I have heard from most of the counties in all of the forests in this State and am informed that they are receiving very little returns from the sale of Government-owned timber. The greater part of the Eldorado National Forest is in Eldorado County, and is in part in Placer, Amador, Alpine, and a small part in Nevada. In the year 1915 the Federal Government paid into the treasury of Eldorado County, as returns from all sources, including timber sales, pasturage, etc., the sum of $1,271.34; in 1916, $1,947.44; in 1917, $466.22; in 1918, $1,823.88; in 1919, $2,485.80; and in 1920 the sum of $2,828.02, making a grand total for a period of six years, $11,782.80. The figures I quote are taken from the books of the treasurer of Eldorado County and his certificate accompanies this letter, and are not based on the mere say so of some person who is trying to create the impression that the counties are receiving substantial revenue from the forests. Trinity County alone has upward

of 16,000,000 feet of Government-owned standing timber, and practically none of it is being sold, hence no revenue, and such is the case in the other counties parts of which are in forest reserves. The large timber concerns now operating are not buying timber from the Government on a stumpage basis, but are cutting over their own lands, thus decreasing their assessed valuation, and in this county they get a reduction in assessed valuation of $13 per acre on each acre cut over, so you see it means decreased valuation of privately owned lands within the forests, and increased valuation on lands outside the forest to produce revenue sufficient to maintain county government.

About two years ago you prepared a bill which if enacted into law would result in reimbursing the counties in which national forests are located. We respectfully and urgently request that you again take the matter up and press it in the present session of Congress, for we believe that the justice of such a bill should insure its passage.

A glance at the map of the United States showing the national forests thereon will convince you of the importance to the West of a relief measure such as we ask, and more particularly to California and to your district, with a series of national forests along almost the entire east side of the State and for many miles along the coast. The legislation we ask would provide for the National Government reimbursing the forest counties on a valuation basis of Government-owned lands, the valuation to be fixed as per privately owned lands within the same forest or upon a standing-timber basis, either of which we believe to be just and equitable ways to solve the problem.

We wish to make our position clear, and being more familiar with the El Dorado National Forest than with any of the other forests we will use it as an example. This forest contains 840,128 acres of land, 553,388 acres of which are Government-owned lands, and being in a national forest are not subject to entry or to taxation. There are 246,740 acres of land in this forest owned by private individuals, and the average assessed valuation of this privately owned land is about $12 per acre. As above stated, there are 553,388 acres owned by the Government, which said last number of acres of land at the average assessed valuation of $12 per acre as per privately owned lands within said forest is a loss to us in assessed valuation of $6,500,000, and will continue to be so long as the law remains as it is.

The fact that $6,500,000 is lost to Placer, El Dorado, Amador, Alpine, and a part of Nevada in assessed valuation means that at our present rate of taxation we are losing in taxes annually about $150,000. I am assuming that you who are familiar with the rapidity with which timberlands and grazing lands have been taken up in the past will realize that every acre of available land within all forests would long ago have been in private hands had not the reserves been created.

The Government-owned timber on this reserve has been cruised and estimated, and the figures disclose that there are 4,841,862,000 feet board measure. An estimate of $1.50 stumpage per thousand feet, which is a low estimate, indeed, would fix a valuation of more than $7,000,000 on the timber alone, and with the land values would make a total valuation of upward of $10,000,000.

We are firm believers in the conservation of our natural resources and consider ourselves as friends of the Forest Service, and are sure that the enactment of a law such as we ask will result in placing them on a more firm basis, but under the present law do not believe the burden properly distributed. Instead of the few people who reside in counties a part of which happens to be in a district forest being compelled to bear the burden, the 110,000,000 who reside in all of the United States should assume their just proportion, for surely they are as much interested in conservation as are the people who live in a county or combination of counties comprising a district forest. The man who contemplates building in New York, Washington, or San Francisco, on the farms of the Middle West, or in the Prairie States must have timber; his interests in that respect lie in our national forests, yet the community in which he lives is not restricted as are the counties in which the forests are, because of the fact that all of their lands are open to entry and to taxation. No part of Sacramento or any of the other valley or bay counties are in a forest reserve; the forest counties have been cut in two so far as taxation is concerned for the benefit of these counties and also for the benefit of all of the people of the United States.

The entire California delegation in Congress should be behind you in this matter, for they can not say that they are not interested in the welfare of their sister counties, for they are; our prosperity adds to their prosperity; we are decreasing in population, all of which hurts business in their counties, and such is the case in nearly all of the counties in which district forests lie. The outside counties must look to these forests for material for their factories and shops, and if they carry out their building program they must have timber, they must have box stuff for their orchards, and must look to these forests for electricity for lights and power, and for water for domestic and irrigation purposes. We perform all police powers, furnish the courts, finance the prosecutions of all persons committing crimes within the forest; we must construct roads, build bridges, and erect and maintain schools within the forests. Then why are we not entitled to be reimbursed?

We will be pleased to hear from you, and hope that you will take vigorous hold of this matter and push the same until final enactment into law. We respectfully ask that you defer action on the four exchange bills until such time as we have an opportunity to take the matter up with the other counties in the four districts, which we will proceed to do at once.

Wishing you the compliments of the season, we remain,

Very truly, yours,

JOS. SCHIRRER, *Chairman.*
C. E. HAND, *Secretary.*
N. G. PATTON.
TED C. ATWOOD.
H. E. DILLINGER.
E. FITZGERALD.

—

ELDORADO COUNTY,
Placerville, Calif., December 30, 1921.

I, Don H. Goodrich, treasurer of the county of Eldorado, State of California, do hereby certify that the books of my office disclose that the Federal Government paid into the treasury of the county as returns from all sources, including stumpage, sales, pasturages, etc., in the Eldorado National Forest, the following sums from 1915 to 1920, inclusive:

1915	$1,231.74
1916	1,947.44
1917	1,466.22
1918	$1,823.88
1919	2,485.80
1920	2,828.02
Total for six years	11,783.10

DON H. GOODRICH,
Treasurer Eldorado County, Calif.

—

"Be it resolved by the grand jury of the county of Eldorado, State of California, That we heartily indorse the proposition now pending for the reimbursement of the counties by the National Government for the loss of revenue by inability to tax lands within the national forest reserves; and we ask our Representatives in Congress to use their efforts for the enactment of such a measure; and be it further

"*Resolved,* That our secretary be instructed to send a copy of this resolution, together with a copy of a letter given to us by Mr. Charles E. Hand and fully explaining the proposed legislation and the necessity for the same, to Congressman JOHN E. RAKER."

The foregoing resolution passed and adopted by the grand jury of the county of Eldorado, January 5, 1922.

R. L. DODSON, *Foreman.*
MAUDE A. HORN, *Secretary.*

My reply to the Placerville Chamber of Commerce is of date January 20, 1922, and is as follows:

JANUARY 20, 1922.

Mr. JOSEPH SCHERRER,
Chairman Eldorado County Chamber of Commerce,
Placerville, Calif.

In re: Exchange bills.

MY DEAR MR. SCHERRER: Yours of December 30, 1921, reached Washington in my absence and receipt thereof was acknowledged on January 5.

I have now fully and carefully gone over the presentation of this matter in your letter of above-named date. Such presentation is very clear and distinct, couched in language that one can not fail to understand. Statement by Hon. Don H. Goodrich, treasurer, of date December 30, 1921, showing receipts by the treasurer of Eldorado County from Eldorado National Forest, received.

The subject involved in these bills was discussed before the Committee on Public Lands of the House during the Sixty-sixth Congress. You will find my position therein expressed as to a general exchange bill, thinking local bills covering separate forests would be better, so that in each instance the county in which the national forest was situated might first be heard, since which time I have tried to follow that procedure. I am sending you a copy of such hearing, also copy of the four bills referred to in your letter, together with the reports thereon.

Before I asked for a hearing on these bills by the Public Lands Committee I had sent out quite extensively copies of the bills to public officials and to practically all the newspapers in the district, hoping thereby to obtain the sentiment of the localities and counties specifically affected. The only responses I obtained were favorable. I also on numerous occasions, while through California a year ago last summer, discussed this subject off and on with many parties and my understanding from such interviews was that such proposed legislation would be satisfactory, and, in the long run, beneficial. I during all the time had in mind and realized the taxation question so clearly presented in the letter of your Chamber of Commerce. The matter standing thus, I proceeded with the proposed legislation.

The Hand proposition is right, and, to my mind, unanswerable; but while I have been working on it in the House certain Senators have been working on it on a little different line in the Senate. We have not proceeded very far because of the general opposition in the East to provide for taxation for western counties in which forest reserves are situated, and then the contention that we are receiving now as much, if not more, than we could by direct taxation, from the revenue and receipts from permits, timber, etc., from the national forests. However, notwithstanding this contention and opposition, the Hand proposal will continue to have my favorable and earnest consideration and attention.

I note the last paragraph of this letter, which reads as follows:

"We respectfully ask that you defer action on the four exchange bills until such time as we have an opportunity to take the matter up with the other counties in the four districts, which we will proceed to do at once."

This request is but fair and will be complied with, notwithstanding the present status of such bills, or either of them, now on the calendar of the House.

Since receiving your letter I received a telegram yesterday from the Amador Chamber of Commerce, by W. D. Tam, president, and the Amador County Board of Supervisors, by D. V. Ramazzotti, chairman, indorsing the position of Eldorado County, its grand jury, and chamber of commerce in regard to the forest exchange bills, and they unite with you in asking that, before passage, compensation to the counties be made a part of the measure.

The matters will be held in abeyance, therefore, until all parties are given opportunity for hearing and every effort be made to secure an enactment of the Hand proposition.

Kindly advise your associates accordingly. I am acknowledging their joint letter, advising each one that I have written to you fully on the subject.

With personal regards, I am,

Yours, most truly,

JOHN E. RAKER, *M. C.,*

Mr. Scherrer, under date of January 31, 1922, wrote on this subject as follows:

SHERIFF ELDORADO COUNTY,
Placerville, Calif., January 31, 1922.

Hon. JOHN E. RAKER,
Washington, D. C.

DEAR JUDGE: Replying to your letter relative to forest matters, will say that we are pleased to note that you consider our position right and just, and that you propose using your efforts in an endeavor to have enacted into law a measure which will reimburse the counties for loss of revenue caused by the creation of forest reserves.

We have examined the exchange bill relative to the Eldorado Forest and find that in addition to the 840,128 acres already within the old forest boundaries this bill, if enacted into law, would take in

133,000 additional acres, 125,551 of which additional acres are in Eldorado County.

A careful study and examination has been made and we find that a large portion of the 125,551 acres aforesaid is privately owned and on which taxes are now being paid to the county, and that the present assessed valuation of what is in private hands is $905,924; this valuation, computed at our average tax rate of $2.28 on the $100 valuation, means that we will lose in taxes upward of $20,000 per year, in addition to what we are already losing in the original forest, should the boundaries proposed in the exchange bills relative to this forest, and the spirit of the bill and declared policy of the Government that "of acquiring all privately owned lands" be carried out, and if it is not carried out, then what is the purpose of the bills?

In the matter of the exchange of lands on the checkerboard plan, of which so much has been said, we submit that this will not decrease the number of acres of privately owned lands. If you exchange 40 acres here for 40 acres elsewhere, how will that decrease the privately owned acreage? Nor will the exchange of lands in one forest for lands in another forest decrease the privately owned lands: It will result in a change of holdings, and nothing more. We admit that the exchange of virgin timber for cut-over lands will decrease the privately owned acreage, but none of the above plans will result in a lessening of the fire hazard, unless campers and hunters are to be kept outside the forests, for experience has taught that most of the fires come from this source.

In the matter of the Tahoe Forest, will say that we have computed the acreage that bill will add to the present forest, and we find 452,480 acres will be annexed to the already large acreage of the old forest should that bill become the law.

The matter of the loss of an assessed valuation to Eldorado County of $905,924 and an annual loss of upwards of $20,000 in taxes may not be considered much to some of the large counties in the United States, but to us, with a total assessed valuation of about $10,000,000 and a population of about 7,000, seems to us to be quite a considerable sum and prompts us to again ask that before the exchange bills pass provision be made to reimburse the counties. The Department of Agriculture should see these things and the justice of what we ask should appeal to its officials, as well as to the Congressman and Senator from east or west, north or south.

You will hear from this committee again and also from other counties soon. Wishing you success and hoping that you have been successful in lining up the California Representatives and others, we remain,

Very truly, yours,

JOS. SCHERRER,
T. G. PATTON,
TED C. ATWOOD,
W. R. DILLINGER,
CHARLES E. HAND.

My reply to Mr. Scherrer's letter of January 31, 1922, is as follows:

FEBRUARY 18, 1922.

Mr. JOSEPH SCHERRER,
Placerville, Calif.

MY DEAR MR. SCHERRER: The letter from yourself, T. G. Patton, Ted C. Atwood, and W. R. Dillinger, as committee, and Chas. E. Hand, as secretary, of date January 31, 1922, at hand.

I note that you received the exchange bills. I have read very carefully your presentation of the matter after your study and examination, as it relates to the Eldorado Forest. While I have had Mr. Hand's proposition before me for some time, namely, a law which will reimburse the counties for loss of revenue caused by the creation of forest reserves, I find I have a difficult task on hand in properly framing such legislation.

I have written to Mr. Hand to give me his best suggestion and judgment on the matter so that I might be able to consummate the drawing of this legislation at the earliest time possible.

I note your statement in your letter of above date "that before the exchange bills pass, provision be made to reimburse the counties." I find that I have a task on hand that is not easy to prepare in the first instance, and then a Herculean task to have it effected. However, I shall continue to give it my every attention as suggested by your committee. Therefore, lend me such assistance as you can, and your committee and Mr. Hand consider yourselves free to make such suggestions as will assist in bringing about the proper inauguration of the policy suggested.

Kindly remember me to your associates, as this letter is for all of you. With kindest personal regards, believe me, I am,

Yours, most truly,

JOHN E. RAKER,
Member of Congress.

Sheriff C. E. Hand, of Placerville, Calif., under date of February 18, 1922, writes as follows:

SHERIFF OF ELDORADO COUNTY,
Placerville, Calif., February 18, 1922.

Hon. JOHN E. RAKER,
Washington, D. C.

DEAR JUDGE: I am mailing you under separate cover some copies of a booklet on the exchange bills and county reimbursement plan, and I would be pleased to have you see that each of the California Representatives and Senators receives a copy.

The booklet contains about all of the data I have collected, or at least all that I have had the time to prepare or tabulate up to the present time. I find it to be a big job.

I am told that one of the exchanges contemplated is that of the Central Pacific Railroad holdings in the forests of California for lands in Nevada; and here is where the checkerboard, so called, comes into operation, as the holdings of that company are the odd-numbered sections. Should this exchange be brought about, it will mean that Eldorado County would lose 65,000 acres of lands from which we are now receiving revenue from taxation, and Placer, Nevada, and Sierra, and some of the other counties will lose even more.

I realize that this exchange can not be made under the provisions of the bills introduced by you, as it is interstate, but it can be done under the Snell, or general, bill, which makes no provision for State lines. This exchange should not be allowed unless the interests of the counties are taken care of.

The Forest Service is citing the fact that the Government has millions of dollars invested in custom houses, ports, post offices, etc., in various cities throughout the country which are not subject to taxation, and are claiming they are parallel cases with the national forests.

I submit they are not parallel cases and are not so considered by the legislative branch of the Government or by the heads of the various departments of Government. If so, the cities would be receiving 25 per cent of the revenue from the customhouses, internal revenue, and post offices. There is a vast difference; one is for revenue and profit and the other is conservation, the conserving of resources created by nature, and narrow, indeed, is the vision of the person who claims to be a friend of conservation and can not see this.

The Government purchased the sites in cities from individuals and expended large sums of money for the erection of buildings; in other words, the Government created something. On the other hand, the Government did not even create one of the flakes of snow that falls direct into the forest lake and commingles with the waters thereof or that spreads its white mantle over the forest. Nature did that.

The Government did not create one particle of the soil that furnishes the nourishment for plant life, nor create even one of the needles on the stately pine. If conservation of our natural resources is to be measured in dollars and cents, then it is a failure, for it costs about $40,000 per year to administer the Eldorado National Forest and the revenue is but about $8,000 per year; it is not based on dollars and cents; its plan is broader.

When our State was formed boundaries were established between the various counties; the resources within the counties were a part of county assets. All of the lands were open to entry and to taxation. Later the National Government wisely took from us many of the resources we enjoyed in the beginning and set them aside for the benefit of all of the people, and no provision was made to reimburse us except the 25 per cent, which is inadequate. All of the revenue derived from the forests should be retained by the Government and the counties reimbursed on a valuation basis.

I will be pleased to hear from you, letting me know how you are progressing. With kindest regards, and assuring you of my support and best wishes, I remain,

As ever,

C. E. HAND.

My reply to Mr. Hand's letter, of date February 18, is as follows:

FEBRUARY 25, 1922.

Mr. C. E. HAND,
Placerville, Calif.

In re: Forest exchange bills.

DEAR MR. HAND: Yours of February 18, regarding the forest exchange bills and county reimbursement plan, at hand. The booklets on this subject were received, and, as you requested, I have presented a copy to the Senators and each of the California Representatives.

I am giving the data furnished in the booklet my best consideration. As I wrote Mr. Scherrer, this is not an easy task to accomplish, but it will be given my best personal consideration and attention, with a view to favorable results, difficult though they may be.

The general exchange bill passed the Senate and was reported out favorably by the House Committee on the Public Lands, and beyond doubt within the next couple of weeks it will pass the House and go to the President for his approval. The reimbursement plan legislation can go on, notwithstanding this enactment of the general exchange legislation. We are going to get but little encouragement from the Eastern and Middle Western States on any allowance for reimbursement, for they feel now that we are getting more than we are entitled to by virtue of the 35 per cent and then the amount allowed for road construction. Taking it all in all, we will have no easy sledding, but when a thing is worth while it is wholly immaterial the time and labor it takes to obtain it.

With personal regards, I am,

Yours, most truly,

JOHN E. RAKER,
Member of Congress.

On this same subject and directly bearing on the importance of it, I am inserting a letter written to Mr. Hand by Hon. Paul G. Redington, of San Francisco, of date February 21, 1922, which was sent to me by Mr. Hand, the letter reading as follows:

FEBRUARY 21, 1922.

ELDORADO COUNTY CHAMBER OF COMMERCE,
Placerville, Calif.

GENTLEMEN: I have been greatly interested in the discussion that has been going on in Eldorado County regarding the effect of a proposed land exchange bill in Congress on the county revenue. Some of the articles published in the Placerville Republican contain figures which do not at all accord with those shown in our official records. Nor does the real working of a land-exchange transaction seem to be locally fully understood by those arguing for relief from threatened loss of revenue. Conceiving that there will be no objection to my entrance into the discussion as the local representative of one of the main parties at interest, viz., Uncle Sam, I offer in the following a statement of the national forestry situation, the place of the exchange method of acquisition of lands in the forestry program, the operation of land-exchange legislation, and its immediate bearing on the finances of El Dorado County. I offer this with the hope that it may clear up some existing uncertainties and bring out points not heretofore considered in any of the discussions I have seen in the newspapers.

There has been a nation-wide discussion of the forestry question in the last three years, based on accepted premises, as follows:

1. Timber is a renewable resource if given adequate protection.

2. All lands chiefly valuable for production of timber should be kept in productive shape to avoid huge economic loss.

3. Our timber supplies are being cut much faster than they can be replaced by growth of young timber. Virgin supplies of timber have been depleted to an alarming extent in all forest regions of the United States except in the West, where cutting is being carried on at a rapid pace. There exists no doubt as to coming stringency of forest products.

4. To ameliorate the situation described under 3 above there is needed (a) a larger area of forest land in public ownership, (b) Federal or State legislation, or both, to insure the application of fire protection and reasonable forest practice to privately owned lands.

Two forestry bills have already been given much consideration in committees of the National Congress, namely, the Snell and Capper bills. They differ in the matter of the agency which shall regulate, but both include a provision for acquisition of forest lands by the Federal Government through exchange with private owners.

Many exchange bills have already passed Congress and are in operation. Many others are now pending, including the one which is applicable to the Eldorado Forest and against which Eldorado County has protested. The class of land which the Federal Government prefers to acquire under exchange is cut-over land. Please note this, as it has a direct bearing on the published statements of individuals of Eldorado County and on the figures given by them in support of their protest. Privately owned cut-over lands are not now being adequately protected by the majority of owners, although there is a growing appreciation on the part of many of them that they have a public responsibility in this regard. The Government and State are at present the only agencies who can give reasonably adequate protection to such lands, and the State is not yet largely in this business.

Under the exchange bills the Government may trade (1) land and timber for equal values of land and timber, or it may acquire (2) privately owned cut-over land in return for Government stumpage. The first method is to be used to consolidate scattered holdings for more facile administration. Under such kind of exchange, the values being equal, the county taxes would not be involved.

The second method is the one in which the Government is most greatly interested, because of the very great need of keeping up the production of timber on cut-over lands. It is the sole method with which the counties are concerned with respect to their tax returns.

It operates in this way: Cut-over land has a value of $2.50 per acre (assumed). Stumpage per thousand feet board measure has the same value (assumed). Therefore if the Government saw that it was to its advantage to acquire 10,000 acres of cut-over land worth to the owner $25,000, it would negotiate to give the owner $25,000 worth of merchantable timber. If the deal was consumed the title of the 10,000 acres of cut-over land would pass to the Government. The title of 10,000,000 feet of timber worth $25,000 would pass to the private owner. This timber is taxable by the county as long as it remains in private ownership. The title to the land on which the merchantable timber is located remains with the Government, and the timber when cut by the private owner must be cut under Government supervision.

Keeping in mind that the Government is interested in the acquisition of cut-over land primarily, the figures which follow will be of interest to your taxpayers. I think also they may be of value as showing that the statements and figures published by those in Eldorado County, who are arguing for relief from the Government, are based on misapprehension as to the operation of the exchange and its effect on county revenue.

Area of privately owned timberland in Eldorado County within Eldorado Forest, 188,700 acres.

Of this area there are 152,500 acres of land having a stand of merchantable timber and 36,200 acres of cut-over land.

The 36,200 acres of cut-over land have an assessed valuation of $2.50 per acre, a tax of $2 per hundred. Present county revenue from this class of land is $1,810.

Annually through operation of logging companies there is added 1,600 acres to the area of cut-over land. At the same valuation and rate this land would bring an annual return in taxes to the county of $80.

If, then, the Government acquired at once the 36,200 acres of cut-over land, the county would lose an annual revenue of $1,810. If the Government thereafter acquired annually the 1,600 acres of current cut-over land, the county revenues would suffer an annual loss of $80. The Chief Forester, appreciating the possible loss of revenue to the counties through land-exchange operations on any large scale, has plainly stated his policy that in no event should exchanges be made so as to cause more than 25 per cent reduction yearly in the annual revenue which counties receive (through the State) from the Federal Government as their share of the receipts from sales of forest resources. The amount of this fund received during the fiscal year 1920 by Eldorado County was $2,828. (The 1921 return figures are not available, but should be greater than 1920.) If an exchange was started with a private timberland owner immediately, we could not, under the forester's policy, negotiate a trade which would operate to annually decrease the forest return to the county more than $707. One of your citizens is stated, in an article published in the January 31 issue of the Placerville Republican, to have found that the exchange bill for the Eldorado Forest would take over 138,000 acres from the county and would bring an annual loss of $20,000 in revenue to Eldorado County. This gentleman has apparently concluded that the exchange bill would operate immediately on passage to transfer all the privately owned merchantable timberland into Government ownership. I trust that I have shown this as not within the realm of possibility.

As an offset to the slight reduction in Eldorado County's revenue which would result in a land-exchange transaction, there is to be considered the increasing value of the young timber on the transferred cut-over land. There is to be considered the increasing 25 per cent road and school and 10 per cent road funds with increase of Government-owned acreage within the county. There is to be considered the fact that the very existence of this valuable public property within the borders of the county has been responsible for direct congressional appropriations for road and trail projects, this appropriation amounting to thousands of dollars. As the Government acreage slowly increases, there should surely be no diminution of Federal aid in this respect.

There are other offsets which might be mentioned, but space does not permit.

I want to make clear to the counties that we have absolutely no quarrel with them in their desire to fully protect their county revenues. I think, however, you will agree with me that upon the receipt of such an appeal as you have made to your Representatives in Congress they will naturally desire to be in possession of all facts bearing on this problem. I have therefore endeavored in this letter to put up to you certain pertinent phases of this land-exchange plan which Congress would most certainly desire to consider before acting on your request.

If I can give you further information by letter or through personal conference, please do not hesitate to call upon me. Supervisor Smith, at Placerville, can also give you considerable data on this question and will be glad to do so.

Copies of this letter are being sent to the county boards of supervisors, chamber of commerce, and others who I have learned are interested in El Dorado County's appeal for relief.

Assuring you of the earnest desire of this organization to work closely in harmony with you at all times, I am,

Very truly, yours,

PAUL G. REDINGTON,
District Forester.

Mr. Hand replied to Mr. Redington's letter, which letter is as follows:

PLACERVILLE, CALIF., *February 23, 1922.*

Mr. PAUL G. REDINGTON,
United States District Forester, San Francisco, Calif.

DEAR SIR: In your letter of February 21, 1922, relative to exchange bills now pending in Congress we note the following: "Some of the articles published in the Placerville Republican contain figures which do not at all accord with those shown in our official records." We are not surprised at this, for at no time have you taken the counties' taxable interests into consideration, you figure along different lines.

We are surprised, however, at the arbitrary manner in which you fixed the new boundaries of the forest and the way in which you attempted to have this legislation passed, and your ignoring of boards of supervisors and other civic bodies in the counties concerned, and we shall make a strong endeavor to have the exchange bills now pending so amended that notice of proposed exchange be published locally and furnished the boards of supervisors in interested counties.

Again, you say, "Nor does the real working of a land-exchange transaction seem to be locally understood by those arguing for relief from threatened loss of revenue." We have the Shasta, Plumas, Tahoe, and Eldorado Forest exchange bills, also the reports thereon. We have the Snell and Capper bills, and all committee reports, views of the Secretaries of Agriculture and Interior, the testimony of Mr. Sherman, and all of the witnesses who testified before the Sinnott committee of the House, and if there is more information to be had we should be glad to receive it.

We understand, however, some of the provisions of the bills the same as you have explained them, but you are not frank in the matter; you are attempting to have the public believe that exchange can only be made in the same forest, while, as a matter of fact, they are interforest, intercounty, and interstate exchangeable. Why do you not tell the public that the real checkerboard proposition, so called, applies principally to the railroad holding every odd-numbered section and that you are contemplating acquiring these holdings in exchange for lands in Nevada? We know this exchange can not be made under either the Shasta, Plumas, Tahoe, or Eldorado exchange bills, but it can be done under the general bill, which makes no distinction as to State lines.

Why do you not tell the people that this single exchange of railroad holdings within national forests in this State would result in a loss of revenue on hundreds of thousands of acres to the counties? Eldorado County alone would lose in values on approximately 60,000 acres and several thousand dollars annually in taxes. By this exchange, based on past payments, we would lose more in one year in taxes than the National Government pays to this county as returns from stumpage and grazing on the entire forest area within the county in several years.

Quoting again from your letter, "Conceiving that there will be no objection to my entrance into the discussion as the local representative of one of the main parties at interest, viz, Uncle Sam," we accord to you as a citizen of the United States the right to enter into any discussion you may see fit, provided the same is of a lawful nature, but we question your wisdom as an administrative officer in attempting to dictate what legislation should be passed, particularly when you fail to take into consideration the best interests of the counties in which district forests lie.

Why should you oppose adequate reimbursement of counties and be so active in having passed legislation we deem not to our best interests, particularly when that legislation is so eagerly sought by the timber interests? All we are asking is that we be reimbursed and that the exchange bills be held until provision is made to reimburse us. What objection can you or the Forest Service have to this just demand? We wish to know, so that we may tell it to our people.

Nowhere in your letter have you touched on the point at issue, and what we maintain to be right—that is, that the forest counties are entitled to adequate reimbursement, and that the burden of forests be placed where it belong—that is, on the 110,000,000 people who reside in all of the United States. Please let us know on what grounds you oppose this demand.

We can not conceive that you will argue in the face of the fact that for the year 1921 Eldorado County received as compensation from forest-timber sales, pasturage, etc., the sum of $1,984, and the 39 forest counties of the entire State the sum of $132,406. Will you maintain that this is adequate reimbursement, or that what you have been claiming in the past "that the counties are receiving as much from the national forests as if the property had passed to private ownership and being taxed"?

Quoting from your letter, "cut-over land has a value of $2.50 per acre ($3 in this county), stumpage per board measure has the same value. Therefore if the Government saw that it was to its advantage to acquire 10,000 acres of cut-over land worth to the owner $25,000, it would negotiate to give to the owner $25,000 worth of merchantable timber. If the deal was consummated, the title to the 10,000 acres of cut-over land would pass to the Government. The title to the 10,000,000 feet of timber worth $25,000 would pass to the private owner. This timber is taxable by the county as long as it remains in private ownership, title to the land remaining in the Government." We will say that you make such an exchange with either the California Door Co. or the Michigan-California Lumber Co.; both of said companies have been approached on the subject of exchange of lands by your department.

The first-named company cuts some 18,000,000 or 20,000,000 feet per year, and the latter much more; so you see your timber may be cut and sold before the county has an opportunity to tax it, or it may stand for one or two years. Then what? As you say, "The figures will be of interest to your taxpayers." They are of interest and we are endeavoring to look out for our interests; that is why we are asking that we be reimbursed for this loss.

On the subject of cut-over lands, the Chamber of Commerce of Placer, Amador, and Eldorado Counties, and also the boards of supervisors of the three counties are squarely on record as follows:

"We are convinced that the Government should acquire the cut-over lands and allow them to reforest, but this should not be done at the expense of the counties in which forests are located, the counties should not be compelled to bear this burden for possibly 200 years, which time it would take for reforestation."

We aim to be just and right, and if there is injustice in this demand, please point it out, as we are seeking information and desire to accomplish nothing but what is right. If, on the other hand, you find honesty and justice of purpose on our part, then tell us just why you are so actively opposed to justice and right.

Quoting again from your letter, "One of your citizens is stated in an article published in the Placerville Republican to have found that the exchange bill for the Eldorado Forest would take over

133,000 acres from the county and would bring an annual loss of $20,000 in revenue from Eldorado County. This gentleman has apparently concluded that the exchange bill would operate immediately on passage." The gentleman is assuming nothing of the kind; he is simply taking you at your word when you say, "It is extremely desirable to acquire them and re-form our boundaries along permanent physical lines, * * * and it is hoped that through land-exchange legislation they may be gradually acquired." If you do not intend to acquire the lands, then why are you extending the boundaries?

The article above referred to gave the name of the person responsible for it and the subject was discussed by that person with Forest Supervisor Smith. Why do you not name him?

The computation was made from the description in the Eldorado Forest exchange bill itself, then checked with the 1921 tax rolls to ascertain loss of revenue. What was said on the subject follows:

"We have examined the exchange bill relative to the Eldorado Forest and find that in addition to the 840,128 acres already within the old forest boundaries this bill, if enacted into law, would take in 133,000 additional acres, 125,551 of which additional acres are in Eldorado County.

A careful study and examination has been made and we find that a large portion of the 125,551 acres aforesaid is privately owned and on which taxes are now being paid to the county and that the present assessed valuation of what is in private hands is $905,924. This valuation, computed at our average tax rate of $2.28 on the $100 valuation, means that we will lose in taxes upward of $20,000 per year, in addition to what we are already losing in the original forest, should the boundaries proposed in the exchange bills relative to this forest, and the spirit of the bill and declared policy of the Government that "of acquiring all privately owned lands" be carried out, and if it is not carried out what then is the purpose of the bills?

You state that "copies of your letter are being circulated to boards of supervisors, chambers of commerce, and others who, I have learned, are interested in Eldorado County's appeal for relief." Eldorado County is not appealing for relief, we are demanding justice; and you know that this movement is not confined to this county or even this State, but is a live issue in several of the States.

Inasmuch as you have circulated your letter, it is up to us to circulate this, our reply.

JOSEPH SCHERRER,
TED. C. ATWOOD,
H. E. DILLINGER,
Legislative Committee.
CHARLES SCHRODER,
Board of Supervisors.
CHAS. E. HAND,
Secretary Committee.

The importance of this matter is such that I feel it my duty to present it here and now. The question will have to be met and settled and settled right at that.

The counties in which national forests are located are deeply and vitally concerned.

Some method to compensate them must be devised and that at an early date.

The above will call it to the attention of the House, with the hopes of favorable action. Relief is what these counties ask. Let all of the people share in the burden of maintaining the Government's future timber supply.

The SPEAKER. The question is on the committee amendment.

The question was taken, and the first committee amendment was agreed to.

The Clerk read as follows:

Page 2, line 5, after the word "published," insert the words "without expense to the United States."

Mr. MANN. Mr. Speaker, I somewhat doubt the practicability of inserting that language in the law. As I understand as a rule the department requires people with whom it makes transfer to pay such expenses if there be such expenses. I do not think we want to require them to make publication by advertisement frequently; I should think generally it is the department that wants to make the exchange, not the private individual, and it is the Forest Service that really puts through the bill, and they want to get the land which is in private ownership in the forest. Now they will be required to publish an advertisement, inserted by the Government agent, Government official, and I suppose in a way the Government becomes responsible to the payment to the newspapers, although they may require the private individual to put up the money for it. I think it would complicate matters to put in a provision requiring the publication by the National Government of an advertisement without expense to the United States.

Mr. SINNOTT. Where a private person is compelled to pay he puts up in advance in the Land Office and we were informed this was their practice. We thought there was enough mutuality between the private owners and the Government that the Government might cause the private owner to advance the money for the exchanges.

Mr. MANN. Very likely they would usually do that, in which case this is necessary, although the bill for the advertisement has to be rendered to the Government officials and is an obligation of the United States.

Mr. SINNOTT. I am not a stickler for that. I think we would be willing to acquiesce in the gentleman's premises.

Mr. MANN. I think we ought to do it, as a practical matter.

Mr. SINNOTT. Possibly it is wise to do so, and I trust the House will disagree to that second committee amendment.

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 17, after the word "forest," strike out the words "in which" and insert "within whose exterior boundaries."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

RELIEF OF DISBURSING OFFICERS, WAR AND NAVY DEPARTMENTS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 10429) authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing officers of the War and Navy Departments in the settlement of certain accounts.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARRETT of Texas. Mr. Speaker, reserving the right to object, I would like to get some information from the gentleman who reported this bill, the gentleman from Massachusetts [Mr. WALSH], from the Committee on the Judiciary. I will say that the report bears the earmarks of the bill having been well considered in the committee, in that it cites precedents for the passage of the bill beginning on March 3, 1849, and coming down to date. But the bill has this sweeping language in it:

To relieve disbursing officers or special disbursing agents of the War and Navy Departments from accountability or responsibility for losses occurring between April 6, 1917, and November 18, 1921, of funds or accounts, papers, records, vouchers, or data pertaining to said funds, for which said officers or agents were accountable or responsible.

In the report of the gentleman he says:

These suspended accounts in the two departments are more than 7,000 in number.

But there is no mention whatever made of the amount of money involved. Then at the conclusion of his report I find these remarkable statements that I do not understand, and that is what I want to invite the gentleman's attention to:

The subject matter dealt with by this bill is purely one of accounting, the money involved in every instance having been disbursed.

Now comes this proposition. First—

The money involved in every instance having been disbursed.

And—

The enactment of the bill can give rise to no claims whatever against the Government. Further, the legislation in no way abrogates any of the rights of the Government to proceed against its agents where it has cause to do so.

I am wondering just what the bill would do. What effect would this bill have on these lost accounts, with nobody responsible, and everybody relieved, and the Government in no way estopped? What good would it do to pass the bill?

Mr. WALSH. If the gentleman desires information, I will state that with the many hundreds of thousands of transactions involving expenditures of Government money for war purposes, the accounting office finds when the accounts finally come to them the vouchers are missing; that bids and proposals do not accompany the accounts; that in many instances overpayments have been made of small amounts; and that in all these cases money has been paid and disbursed by the officers of the War and Navy Departments; that in some instances ships were torpedoed or sunk on the way back to the United States, having aboard large quantities of vouchers and supporting data. It is obviously impossible, of course, to have those produced in order to be filed in the accounting office. In other instances, small sums of money varying in amounts were given to Army officers when they were going out with small detachments of troops in order to have them buy coffee and rations—what is called "liquid coffee" money, in order to procure refreshments while they were out upon an expedition—and the officers in charge of the troops failed to get signed vouchers showing how the money was expended. His report shows he did expend a certain amount of money, but it is not separated by the vouchers from other data. Then, there are various other transactions in which the regulations and the law existing at the time were not complied with. But the expenditures of the money have been made. Now, the general accounting office states in the hearings before the Judiciary Committee that these accounts are known as "suspended accounts." They have all been filed with the comptroller, but he is not able to say upon the books of the Government what this money has been

expended for. He shows the money was placed to the credit of the War and Navy Departments, but it has not been expended because of losses or irregularities.

Mr. GARRETT of Texas. Is there anything before the committee to indicate the amount?

Mr. WALSH. Yes. The amount runs up into several hundreds of millions of dollars in toto—I am not sure, but nearly $2,000,000,000—of all classes of expenditures that were made during the war.

Mr. GARRETT of Texas. In view of the language used in the report, what would be the status of these claims if this legislation was never enacted?

Mr. WALSH. The Government would never be able to close its books. They would have these charges against the War Department and Navy Department, and the general accounting office would have 7,000 suspended accounts which are now disallowed because not in compliance with law or regulation, and they would go right along from year to year, or it would show from year to year that this tremendous sum and this vast number of accounts had never been closed.

I will say to the gentleman that the accounting officers will not construe this liberally. The assistant comptroller has stated that in every instance where it is possible to secure secondary evidence, if primary evidence is missing, the officers will be called upon to produce it, and that they will make a very earnest effort to do so because, of course, it is to the interest of the comptroller and of the accounting office to have these accounts in such a shape as to satisfy either a committee of Congress or the General Comptroller that everything pertaining to a transaction is proper and that there is no fraud or collusion apparent. So we inserted in the bill a provision that where it involves transactions of over $1,000 it can only be done on the recommendation of the Secretary of War or the Secretary of the Navy; that he must have in support of his action the recommendation of the head of the department in which the expenditure or transaction occurs.

Mr. GARRETT of Texas. Do I understand from the gentleman's statement that even after the passage of this act the department will construe it strictly and demand evidence?

Mr. WALSH. Yes. The Assistant Comptroller General stated that after this act is passed he would require the best evidence obtainable relating to each transaction. In many instances the evidence is already on file in the accounting office.

Mr. GARRETT of Texas. I submit to the gentleman as a member of the Committee on the Judiciary that under this act, as reported and if passed in this condition, if they could not settle all these accounts simply as a matter of bookkeeping under this act, and that no secondary evidence or any other kind of evidence need be required?

Mr. WALSH. Yes; but the gentleman will understand that the comptroller's office is the one bulwark, so to speak, that is standing out against all Government departments where an expenditure of money is made, and in these cases they will at least have to be satisfied of the absence of fraud and collusion, and also have to be satisfied that there is a loss or some irregularity that can not be explained or supplied by other data.

Mr. GARRETT of Texas. I wish to ask one further question, and I see other gentlemen have questions in mind to submit. After this act is passed suppose the Government has a charge against an officer of the Government for so many dollars where the vouchers have not been found, and he says that he did pay the amount of money that he says he paid, and the voucher was lost on a ship, or was lost in some way on a train from Philadelphia to Washington, or lost in any other way, but in the absence of all of that he pleads this statute, that Congress has relieved him of that matter, and you have no further evidence of it?

Mr. WALSH. Congress has not relieved him. It confers authority simply on the Comptroller General and leaves discretion with him as to when the relief will be granted. As I recall the hearings, the assistant comptroller said that it was very possible that there are cases pending of suspended accounts where, if the evidence is not forthcoming, the allowance or credits will not be granted.

I will say, if the gentleman will permit me further, that this is along the line of what Congress has found to be absolutely necessary to do after each war in which the Government has participated. It has found that bringing into the service a great number of men unfamiliar with Government accounting, and with great haste in the expenditure of money and great pressure connected with various transactions, a great many failures to comply with the law and regulations result.

Mr. GARRETT of Texas. I agree with the gentleman as to that, but in view of the fact that $2,000,000,000 is involved in this in a sweeping act to be passed like this on unanimous-consent day it might be well to have it explained.

Mr. WALSH. I am glad the gentleman asked the questions, and I am very glad to give him information.

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I would like to ask the gentleman as to the reason for extending the date down to as late a day as November 18, 1921?

Mr. WALSH. I will say to the gentleman that the request was to make the period range from April 6, 1917, to March 4, 1921, but when an examination was made of some prior acts it was found that the date was either extended to the termination of the war or the mustering of troops out of the service. I will say to the gentleman that it is better, inasmuch as it is to cover war expenditures, to include the duration of the war. The latter date is the day after the President's proclamation declaring that the treaties had been ratified and exchanged.

Mr. STAFFORD. I notice in some prior relief acts following other wars that the amount that could be checked off in this way is limited to $5,000, for example. Here you place no limit at all and allow the accounting officers to wipe out the entire amount. Can the gentleman tell us what is the largest amount in any case?

Mr. WALSH. The largest individual voucher, as I recall, was one for $97,000.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARNER. How much will be the total charge on the Treasury by virtue of the passage of this act?

Mr. WALSH. There will be no charge on the Treasury at all. This money has already been paid.

Mr. GARNER. Does the gentleman mean to say that by virtue of the passage of this law no money will go out of the Treasury?

Mr. WALSH. None. The money has already gone out of the Treasury, and in a number of instances overpayments have been made, and if this law is not enacted, of course, the Government would have a claim against the officer. There are several thousand of them. The overpayments run, I think, from a dollar up to $60 or $70.

Mr. GARNER. What would be the total amount of claims affected by this bill?

Mr. WALSH. I will say to the gentleman that there are 7,000 suspended accounts. Many of the accounts have thousands of separate items in them, and we were told that as to these disallowance sheets, in order for the Comptroller General to make a complete schedule for each account and present it to the committee, it will take from 5 to 10 clerks from two to three weeks to go over all these papers and classify them.

Mr. GARNER. But he could not give an estimate of the total amount of claims that would be settled under this bill?

Mr. WALSH. These are not claims, I will say to the gentleman from Texas. These are accounts. These are accounts that are suspended. It is shown in one case, which, I think, happened down in South Carolina or Georgia, that they purchased a large number of turkeys for the soldiers' Christmas or Thanksgiving dinner. They received the bill for the turkeys, showing that so many pounds of turkeys were supplied at so much per pound, and that so-and-so received so much money for them, but it was not accompanied by the bid and proposal to furnish those turkeys. Consequently that account was disallowed.

Mr. GARNER. The gentleman made the statement a moment ago that there were claims against certain officers of the Government, and that this would seek to relieve the officers from the claims. What is the total amount of claims pending against various officers of the Government?

Mr. WALSH. We were unable to get the total, but the claims in many instances are so small that it would cost a great deal more to institute proceedings to collect them than they are worth. They run in individual instances from $1 up to $60 or $70, which, if I remember correctly, is the maximum of any of these various claims resulting from overpayments or the expenditure of money irrespective of regulations.

Mr. STAFFORD. Does the testimony before the committee disclose how much is involved in suits that are now pending or that have been brought to recover excess payments where error or fraud is involved?

Mr. WALSH. There are no suits pending that have been brought to the attention of the committee, and if the Comptroller General finds any of these accounts to be tainted with fraud or collusion he is not authorized to apply this remedy.

Mr. NEWTON of Minnesota. I have in mind the case of an officer who in the handling of supplies was billed with them

and there was an error made in the extension. In settling the account that error was not discovered. He sold for cash and is only accountable for the cash which he disbursed. Three years after he left the Army the Government, noticing the error in the extension, charged him with the $100 which had been erroneously extended, and apparently they can not do anything except charge him with it, although they admit that there was an error in the extension and that he is not short in his cash account. I understand there are a large number of claims of that character.

Mr. WALSH. Errors in computation.

Mr. NEWTON of Minnesota. And the only way they can be settled is by legislative enactment.

Mr. WALSH. In a great many cases they are the result of errors in extension, in the carrying out of totals.

Mr. NEWTON of Minnesota. But so far as the Government is concerned, and so far as involving any substantial claim against the officer, there is nothing at all to it.

Mr. WALSH. No. We are advised that if there exist any instances where overpayment should be recovered, those claims when they are analyzed will be referred to the solicitor or the proper legal officer to institute proceedings.

Mr. CHINDBLOM. Will the gentleman yield for a moment?

Mr. WALSH. Yes.

Mr. CHINDBLOM. Some of the hardships in these cases have arisen, and, as I have personal knowledge, where paymasters in the Navy are involved.

Mr. WALSH. This includes the Navy Department.

Mr. CHINDBLOM. And the department has threatened to bring suit not only against the paymasters but against the sureties on their bonds, and these matters have been held in abeyance only upon the request of Members of Congress and others who have interceded. I consider this very important and desirable legislation.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized, through such officer as he may designate, and within two years from the passage of this act, (a) to relieve disbursing officers or special disbursing agents of the War and Navy Departments from accountability or responsibility for losses occurring between April 6, 1917, and November 18, 1921, of funds, or of accounts, papers, records, vouchers, or data pertaining to said funds, for which said officers or agents were accountable or responsible; and (b) to allow credits, in the settlement of accounts of said officers or agents, for payments made in good faith on public account during said period, notwithstanding failure to comply with requirements of existing law or regulations pursuant thereto: *Provided*, That in cases of losses or payments involving more than $1,000 the Comptroller General shall exercise the authority herein only upon the written recommendation of the Secretary of War or the Secretary of the Navy, which recommendation shall also set forth the facts relative to such loss or payment: *Provided further*, That the Comptroller General in all cases shall certify that the transactions, expenditures, losses, or payments appear to be free from fraud or collusion.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. WALSH, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. J. M. NELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Post Office bill, including the printing of some letters.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD on the Post Office bill. Is there objection?

There was no objection.

Mr. HAUGEN and Mr. MAPES rose.

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. MAPES. I have a bill on the calendar.

The SPEAKER. The Chair will recognize the gentleman from Iowa [Mr. HAUGEN].

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. MAPES. Will the gentleman withhold that for a moment?

Mr. MANN. I suggest to the gentleman from Michigan that his matter will be reached later.

The SPEAKER. The Chair is going to recognize the gentleman from Iowa [Mr. HAUGEN].

Mr. GARRETT of Tennessee. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order that there is no quorum present. Evidently there is no quorum present.

CALL OF THE HOUSE.

Mr. HAUGEN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

Ackerman	Frear	London	Reavis
Anderson	Funk	Longworth	Rebey
Ansorge	Gallivan	Lowrey	Riordan
Anthony	Glynn	Luhring	Robertson
Bacharach	Goldsborough	Lyon	Rogers
Bell	Gould	McKenzie	Rossdale
Benham	Green, Iowa	McLaughlin, Pa.	Ryan
Bond	Greene, Mass.	McSwain	Sabath
Bowers	Hadley	MacGregor	Sanders, N. Y.
Brennan	Hawes	Madden	Siegel
Britten	Hawley	Mansfield	Slemp
Brooks, Pa.	Hays	Martin	Snell
Bulwinkle	Himes	Michaelson	Speaks
Burdick	Ireland	Moore, Va.	Stevenson
Burke	Jeffers, Ala.	Morin	Stiness
Butler	Jones, Pa.	Mudd	Sullivan
Campbell, Pa.	Jones, Tex.	Norton	Taylor, Ark.
Cantrill	Kahn, Calif.	O'Brien	Taylor, Colo.
Chandler, N. Y.	Kelley, Mich.	Ogden	Tillman
Chandler, Okla.	Kendall	Olpp	Timberlake
Clague	Kiess	Padgett	Upshaw
Clark, Fla.	Kitchin	Parker, N. J.	Valle
Cockran	Knight	Parker, N. Y.	Vare
Codd	Kopp	Parrish	Vestal
Coughlin	Kraus	Patterson, Mo.	Volk
Cramton	Kreider	Perkins	Ward, N. Y.
Crowther	Kunz	Perlman	Watson
Cullen	Lampert	Petersen	White, Me.
Drane	Lankford	Porter	Williamson
Drewry	Larson, Minn.	Pou	Wingo
Dunn	Layton	Pringey	Wise
Edmonds	Lazaro	Radcliffe	Wurzbach
Ellis	Lea, Calif.	Rainey, Ala.	Yates
Fairfield	Lee, N. Y.	Ransley	
Fenn	Linthicum	Rayburn	

The SPEAKER pro tempore. On this call 292 Members have answered to their names. A quorum is present. Without objection, further proceedings under the call will be dispensed with.

There was no objection.

The doors were opened.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment the bill (H. R. 10161) authorizing the use of special canceling stamps in certain post offices.

ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 7158. An act to amend the Army appropriation act, approved July 11, 1919, so as to release appropriations for the completion of the acquisition of real estate in certain cases and making additional appropriations therefor; and

H. R. 8842. An act to provide for agricultural entries on coal lands in Alaska.

The SPEAKER announced his signature to enrolled joint resolution and bills of the following titles:

S. J. Res. 125. Joint resolution to continue the military status of persons deserting the military or naval service during the World War, and the amenability to trial of those persons who failed to comply with the terms of section 5 of the selective service law;

S. 2492. An act to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes," approved June 30, 1921; and

S. 1312. An act to amend the charter of the Potomac Insurance Co. of the District of Columbia.

PURCHASE OF SEED FOR THE RELIEF OF FARMERS.

Mr. HAUGEN. Mr. Speaker, I move to suspend the rules and pass the bill S. 2897, striking out all after the enacting clause and inserting the following——

The SPEAKER pro tempore. The gentleman from Iowa moves to suspend the rules, pass the bill S. 2897, striking out all after the enacting clause and inserting the matter to be reported by the Clerk.

The Clerk read as follows:

An act (S. 2897) to authorize the appropriation of $1,000,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture.

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized, for the crop of 1922, to make advances or loans to farmers in the crop-failure areas of the United States, where he shall find that special need for such asistance exists, for the purchase of wheat, oats, barley, and flaxseed, for seed purposes, and, when necessary, to procure such seed and sell same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including

an agreement by each farmer to use the seed thus obtained by him for the production of grain or flaxseed. A first lien on the crop to be produced from seed obtained through a loan, advance, or sale made under this section shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security therefor. The total amount of such advances, loans, or sales to any one farmer shall not exceed the sum of $300. All such advances or loans shall be made through such agencies as the Secretary of Agriculture shall designate. For carrying out the purposes of this section there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $1,000,000, to be immediately available, and not more than $20,000 may be used in the District of Columbia or elsewhere by the Secretary of Agriculture in the administration of this act.

SEC. 2. That any person who shall knowingly make any false representation for the purpose of obtaining an advance, loan, or sale under this act shall, upon conviction thereof, be punished by a fine of not exceeding $1,000 or by imprisonment not exceeding six months, or both.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the motion to suspend the rules may include the following amendment to the title:

Strike out the word "appropriate" in the first line of the title and insert the words "to authorize the appropriation of."

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the motion to suspend rules may include a motion to amend the title which the Clerk will report.

The Clerk read as follows:

Strike out the word "appropriate" and insert in lieu thereof the words "to authorize the appropriation of."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Is a second demanded?

Mr. JACOWAY. Mr. Speaker, I demand a second.

Mr. HAUGEN. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Iowa is entitled to 20 minutes and the gentleman from Arkansas to 20 minutes.

Mr. HAUGEN. Mr. Speaker, the Senate bill carried an appropriation of $5,000,000; the bill as amended carries $1,000,000 for the purchase of seed for the farmers in these drought-stricken areas where they lost their crops. It provides that the loan shall be made on terms prescribed by the Secretary of Agriculture. Two million dollars were advanced last year and up to the present time more than $600,000 of it has been collected. Judging from the correspondence received, there seems to be an urgent demand for the appropriation.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. HAUGEN. I will.

Mr. JOHNSON of Mississippi. The hearings show that $2,000,000 were advanced and $600,000 collected. The statement of the party representing the Agricultural Department was that the probabilities were that the Government would lose the other $1,400,000.

Mr. HAUGEN. The Secretary of Agriculture appeared before the committee and stated that over $600,000 had been collected of the $1,900,000 loan, and that it was probable that other collections would be made, but he did not state definitely what amount.

Mr. JOHNSON of Mississippi. The representative of the Agricultural Department who appeared before the Committee on Appropriations in this matter stated that they had not had a crop within four years, and that probabilities were that it was longer than four years, and that these places where they are loaning the money are not suited to raising grass and oats but adapted to grazing.

Mr. HAUGEN. I am familiar with the situation. In some localities that is true, but in some areas they have had crops. They had a fairly good crop a year ago in the western part of North Dakota, where they had in some instances as high as 20 bushels to the acre.

Mr. JOHNSON of Mississippi. Is it not a fact that the banks out there loaned the money to these farmers to make these crops and to buy the seed, and that they had all the seed and instead of loaning the money to the farmers the actual fact is the money was deposited in the banks and the banks gave them credit and took the money?

Mr. HAUGEN. I have no knowledge of that.

Mr. JOHNSON of Mississippi. I understand they admitted that fact before the Appropriations Committee, that instead of the farmers getting the money the banks got it. What does the gentleman say?

Mr. HAUGEN. I have no knowledge of it whatever. It was loaned through the banks, and I assume the banks loaned the money to the farmers or furnished the seed. Mr. Speaker, I reserve the balance of my time.

Mr. JACOWAY. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, last year we passed an appropriation bill giving $2,000,000 for the purchase of seed for these same States. Recently we had a hearing before the Appropriations Committee as to the administration and expenditure of that fund. We found that about $50,000 of that has been spent for overhead administration expenses. We found that it cost about $130 per farmer advanced for supposed purchase of seed. We found that they loaned to about 13,900 farmers money to buy seed, and we found that they collected back of that fund about $600,000, making a loss to the Government of a million and a quarter dollars on that enterprise. We further found at this hearing that this money, or a great portion of it, did not go for the purchase of seed to the farmers themselves, but the date was so late that the farmers already had the seed by virtue of advances from the banks or merchants and business men, and these bankers who had advanced money got the cash from the Government and credited the farmers' accounts with it. Those facts appeared in the hearings before the Appropriations Committee a few days ago. We further find that not since 1916 has this particular section of our country made a success of farming, and, further, that it is a grazing and not an agricultural country; that the great majority of Government advances are to landowners.

Mr. BURTNESS. Mr. Speaker, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. BURTNESS. I understood the gentleman to say that the overhead expenses amounted to about $50,000.

Mr. BUCHANAN. That is correct.

Mr. BURTNESS. I have here a letter from the chairman of the seed-loan committee and the chief of that department, in which he states that the expense involved in making the loans was approximately $10,000, with about $5,000 additional for recording the chattel mortgages taken on crops as security for the repayment of loans.

I can not quite see why there should be such a difference between the recollection of the gentleman and the statement of a member of the department who was in charge of this work, or why the discrepancy between the testimony as appears from the statement.

Mr. BUCHANAN. I care not what the letter states. I am telling what appears in the hearings; and if the gentleman will take the hearings recently held before the Committee on Agriculture, on page 833, he will find that it is stated there that $50,000 approximately has all been used up in making loans, recording mortgages, and collecting those mortgages.

Mr. MANN. There has been about $30,000 expended in making the collection.

Mr. BUCHANAN. Thirty thousand dollars in making the collection and the balance of it in making the loans. That is the administrative overhead charge, and it is entirely too much. If we pass this bill authorizing this $2,000,000 appropriation we must do it realizing that we get more than one-quarter, or at the most one-half, of the money back. If we are going into the alms business, let us make it general and treat all sections of the country alike. We have poverty in the big cities of the land and throughout the farming sections; and if we are going to dispense alms, let us treat them all alike, and not select four States of the Northwest to shower favors upon. Farming in that country is a failure, and will be until irrigation comes; and the longer we keep this up the greater injustice we are doing.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. HAUGEN. Mr. Speaker, I call the attention of the gentleman to the proviso in the bill that not more than $20,000 may be used in the District of Columbia and elsewhere by the Secretary of Agriculture in the administration of this act.

I yield one minute to the gentleman from Maryland [Mr. HILL].

Mr. HILL. Mr. Speaker, the greatest achievement of the Harding administration is the work of the Conference on Limitation of Armament as concretely embodied in the treaties submitted to the Senate by the President for ratification. This achievement reflects great credit upon the Republican Party, of which President Harding is the chief, but it is not alone a party achievement; it is a nonpartisan, American achievement, in which Senator UNDERWOOD, Democrat, cooperated with Senator LODGE, Republican, for the benefit of America and the whole world. [Applause.] Through these two Senators, representing the two great parties in this Nation, the Senate performed a constitutional function in assisting in the preparation of the treaties which it now has before it for final ratification. Theodore Roosevelt said that no man with any sense wanted war, and I think the American people feel that no man to-day who

thinks with large vision can possibly oppose the greatest step toward peace which has been made since the ending of the World War.

The Senate rules permit unlimited debate, and that sometimes means more or less inconclusive talk, but I can not conceive that ultimately the Senate will vote against the treaties which embody the work of the Conference on the Limitation of Armament; I can not conceive that Democratic Senators will vote to disapprove the work of Senator UNDERWOOD, for this is not a time for party or personal politics in the Senate. Nor can I conceive that any Republican Senator will vote against these treaties and be able still to claim to be a member of that party, of which Harding, Hughes, Root, and Lodge are leaders. Should any Senator from Maryland vote against these treaties, I feel sure that he would not represent the sentiment of the people of that historic State of Maryland, whose soldiers fought under that same Washington, whose principles of Government are today so often misinterpreted. I feel that we here in the House, in this crucial moment of the consideration of the treaties, should let our Senators know that we stand for the treaties.

On Wednesday, November 23, 1921, here in the House I quoted from the words of the President, "Less of armament and none of war," and I said that thus while the hush of sorrow for the unknown American soldier dead still hung over us the President of the United States, speaking to all the peoples of the world, voiced, as he opened the Conference on Limitation of Armament, the aspiration and the policy of the American people. Echoing his expression of our policy of peace, throughout the land rose a prayer against war:

O God of Love, O King of Peace,
Make wars throughout the world to cease;
The wrath of sinful men restrain,
Give peace, O God, give peace again.

I rise to say to you to-day that the people of Maryland and, I believe, the whole American people are behind the President and the work of the Conference on Limitation of Armament and desire the immediate ratification of the treaties. [Applause.]

Mr. HAUGEN. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, we try our best to have our land settled on and cultivated. We have a large area of land in the country which is not as tillable as the land in the section of the country from which I come. Men have gone out to this—I would call it—semiarid region, pledging their lives and all they have in the effort to cultivate the soil, not merely in their own interest but in the interest of the country and the whole people. They have undertaken a task commensurate with any of the tasks of the old pioneers. I sometimes have wondered at their courage and their hardihood. Comes along a time when these men, with no accumulation of property, meet with adverse climatic conditions. They can not raise a crop. In the course of time we will perhaps better learn how to handle the soil or the cultivation of the soil in those localities. I can remember back to the day when the pioneers who went to western Kansas came flocking back to the eastern portion of the country, and yet civilization and man have practically captured Kansas and the cultivation of the soil there. These men who meet these temporary failures of crops must either leave the ground there vacant or they must be helped by some one. They are asking now that we give them the money with which to buy the seed to sow. We just appropriated $20,000,000 to furnish corn for consumption and for seed to the starving in Russia. We have frequently appropriated money to aid where there was famine or drought in foreign lands. Here it is close at home among our own people, and I like to think that the great mass of American citizenship and the great country and the Government are willing in time of necessity to give a man another chance, not to drive him out to starvation, but to give him a chance to sow the seed and cultivate the soil and, let us hope, reap the crops. I think the people there have been extremely moderate in their requests and I believe that we are big enough to do this. [Applause.]

Mr. JACOWAY. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, I think this bill should be termed a bill for the relief of the Nonpartisan League of North Dakota. The reason I make that statement is because I have read the Senate hearings on the bill, and there are 29 letters and telegrams printed in those hearings asking for legislation of this kind. Every one of them is from the State of North Dakota. I have not opposed and do not expect to oppose constructive legislation for the benefit of the farming interests of the country. I gladly voted for the bill which passed the House several months ago directing the Secretary of the Treasury to deposit up to $25,000,000 with the farm loan banks during periods when their funds run low and they are waiting to sell their bonds, such sums of money to be repaid to the Treasury when the bonds are sold. That legislation is working well and will not cost the Treasury of the United States any loss and is wise and constructive relief. I voted for the provision amending the War Finance Corporation act so as to enlarge and extend its facilities for making agricultural and live stock advances, and as a member of the Committee on Banking and Currency I assisted in every way I could to get that legislation passed. It is along proper lines; the Government will not lose any money by this operation, and the loans which the corporation is making are materially relieving the financial pressure in the agricultural and live stock States.

Let us see what the War Finance Corporation is doing in the State of North Dakota. I received a letter a few days ago from Mr. A. W. McLean, one of the managing directors of the War Finance Corporation, and he says that up to the date of his letter—February 14, 1922—there has been loaned for agricultural and live-stock advances to banking and financial institutions in the United States $154,000,000, and something over $48,000,000 to cooperative organizations of farmers throughout the country. The State of North Dakota has borrowed of this amount $12,460,000, which is more than any other State except the State of Iowa, which State has borrowed $19,500,000, in round numbers.

We all know that the State of Iowa, next to the State of Texas, produces the largest amount of agricultural products of any State in the Union, and naturally we would expect large loans there; but the State of North Dakota, which takes much smaller rank in the value of its agricultural products, is ahead of even the State of Texas in this borrowing from the War Finance Corporation, Texas having borrowed $12,313,000. I submit that these figures show that we have provided ample means to take care of the North Dakota and Montana situation without making a direct appropriation of this kind. The overburdened taxpayer is needing some relief himself, and we will certainly never be able to give it to him if we keep on voting money out of the Public Treasury. I therefore shall vote against this bill. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HAUGEN. Will the gentleman from Arkansas yield some of his time?

Mr. GARRETT of Tennessee. Has the gentleman only one more speech on his side?

Mr. HAUGEN. The gentleman from Arkansas has 12 minutes and I have 8. Will he use part of his time?

Mr. JACOWAY. Has the gentleman one more speech?

Mr. HAUGEN. Probably two. I yield three minutes to the gentleman from Montana [Mr. RIDDICK].

Mr. RIDDICK. Mr. Speaker and gentlemen, if it were not for the fact that there is a real emergency in this western country, I would not ask for this legislation. In the State of Montana there are 30,000,000 acres of agricultural land, a section as large as the State of Illinois or of New York. Some of this agricultural land is equal to the best farm land in the United States. Land-hungry people have gone to that western country from every State in the Union——

Mr. JACOWAY. If the gentleman will permit a moment. I stated there was only one more speech, whereas I find there will be two more.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. RIDDICK. I do not.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. GARRETT of Tennessee. I ask that this be not taken out of the time. The gentleman from Arkansas simply wanted to correct an error which he had made, and I hope it will not be taken out of the time of the gentleman from Montana. The gentleman from Arkansas inadvertently stated that there would be only one other speech on this side. He was under a misapprehension, as he later ascertained that there would be two, and he wanted to correct that error. We want to tote fair in the matter.

Mr. RIDDICK. People in search of homes of their own have gone to Montana and other western country from every State in the Union. As a rule, they are people of very limited means. Severe and unusual drougths have temporarily blighted portions of that country for a period of years, until of my own personal knowledge I am able to advise you that there is actual want and suffering, and unless relief is afforded there is certain to follow more of real suffering that should appeal to the Congress.

In those sections the land and homes and all the other property is mortgaged to the limit. All assets have been exhausted except the fine courage, the splendid determination, and the

eternal hope of those pioneer people. They do not want to abandon their homes and depopulate that country and add to the numbers of destitute unemployed. They are willing to continue uncomplainingly to face hardships and privations, to labor long hours, and to courageously carry on in their laudable efforts to make for themselves happy farm homes in that new country, which is a part of the United States of America. But they have expended all of their means and all of their credit. They have the land and the tools and the will to work, but they have no seed for spring planting, and they have no way to get any, unless the Federal Government will now come to their aid. They ask no charity or alms. They do ask a modest loan for each needy farmer, who will repay the loan as soon as he will raise a crop. Without this aid their last hope is gone. Homes will be lost to them forever. There will be hunger and suffering, and want will be actually felt right here in our own land, and whole sections will be depopulated.

I much regret the fact that every speech that has been made against this measure has come from the Democratic side of this House, and that the Democratic floor leader is seeking to unite his party to defeat this bill. The northwestern farmer has learned during the past eight years to expect little interest in his welfare and section of the country from the party that looks to the South for its leadership. But in a case like this, where there is actual want and suffering, it seems to me that sectional lines and party lines should be forgotten in a general desire to deal as generously with our own people in their hour of need as we have been ready to help those in Russia.

This measure provides that as much as $300 may be loaned to farmers who have suffered crop losses, and who have no means or credit whereby they may secure seed to carry on further farming operations. The loan is to be secured by a lien on the crops to be raised. The loans are to be made by the Secretary of Agriculture under regulations he shall prescribe. There are many precedents for this kind of legislation to prevent suffering. Last year a similar loan was made, and much suffering and great losses were prevented, and nearly half of the money loaned has been paid back into the Treasury. It is thought this loan will be the last that will be necessary in this section of the country. We have not loaned, but have given generously to alleviate suffering and save life in Russia and other foreign countries, and we can not in justice turn a deaf ear to actual suffering among our own people and their requests for a loan, which they will repay, so they may feed themselves, and save their homes, and work out their own salvation.

The particular section of country where these loans are needed are in portions of the Dakotas and in eastern Montana. In some of these sections there have been four successive years of drouth. That country is not settled through real estate dealers, but by men and women of all the States, who have read Uncle Sam's official documents, and who then have migrated to that western country and settled upon Government homestead land to satisfy their longing to own a farm home that they could call their own. Most of these people are poor, and most of them are young folks. They lack the money to purchase live stock or machinery to carry on diversified farming, erect silos, or to carry them through bad years. They are compelled by the force of circumstances to confine their labor largely to the raising of wheat as a quick money crop.

Some sections of Montana hold the world's record at national and international grain shows for raising the finest grades of wheat, oats, barley, corn, flax, and timothy in the world. First prizes have been taken by Montana grain in competition with all other States and with all countries of the world. Moreover, for a 10-year period immediately preceding the drougth years the official statistics published by the United States Department of Agriculture show that Montana holds the record for larger yields per acre of wheat, oats, rye, potatoes, and hay than any other State in the Union.

In view of those established facts, it is not strange that people flocked to that country from every State and sought to make a successful farm home for themselves on Uncle Sam's domain, in a section that had made such a remarkable record for agricultural production. In addition to its mountains and forests and ranges, Montana has 30,000,000 acres of farm land, a territory as large as the State of Illinois, Wisconsin, or New York, and over that vast territory are many varieties of soil, altitude, rainfall, and climatic conditions.

Although this great territory was formerly all regarded as an arid country and a part of the great American desert, unsuitable for farming, it has been demonstrated that parts of the State have land and climate unexcelled by any other State in the Union for quality and quantity of crop production. But during the past five years in parts of the State there have been some most unusual and distressing conditions. There has been a new low record made for lack of rainfall. In some sections crops that gave promise of generous yield were later eaten up completely by grasshoppers. During last summer, at the time when the wheat kernels were in the milk, there were several days of unprecedented hot and dry winds that shriveled up the kernels, resulting in complete failure of the crop to produce a bushel of wheat. In still other sections fine fields of wheat already turning a golden brown and almost ready to be harvested, were swept by terrific hailstorms and the crops completely destroyed.

During the war, at the request of the Government, these farmers strained their resources and their credit and the resources and credit of their banker and merchant friends in order to raise grain more abundantly to help win the war. This they continued to do despite the fact that the Government fixed the price of the wheat they raised at less than the market price, and in some cases less than the cost of production, while at the same time permitting the prices of everything the farmer had to buy to soar without limit. The droughts following the war period of high costs have brought many of these farmers to absolute ruin and to a state where there is absolute hunger and lack of necessary clothing and real suffering. They are about to lose their homes, and they have no place to turn. They literally have no more assets and can secure no more credits from any source unless the Government gives aid. The banks and the merchants can go no further. The State has authorized the counties to aid, and the counties have given aid until they can go no further. The War Finance Corporation, through reconstruction legislation passed by this Congress, has been able to splendidly meet the needs of the larger live-stock men of the West, of the sugar-beet raisers, and of the cotton planters of the South, but have been absolutely unable to give loans to the small farmers in drought-stricken sections of the Northwest who have no liquidable assets as a basis for credit.

As a public policy it would be a mistake to permit the farmers who have settled upon and made their homes upon the land in these pioneer sections of country to leave their homes destitute and to add to the suffering and the unemployment in the country, as they will be compelled to do unless aid is given. No one dare say in the light of the agricultural experience of this country that this or that locality will not permit of successful farming. Such things were said of parts of Kansas, Nebraska, the Dakotas, and of Montana, that have since become recognized as among the successful farming sections of our country. Some of these sections were totally abandoned and again resettled. True, it is costly to make the experiment to determine how to successfully farm in new and undeveloped country, and it is a costly experiment sometimes to discover if a country will make a success as a farming country. It is costly not alone in money, but in sacrifice, in hardships, and in the hardest kind of toil, as I can personally testify as one who has developed a home from the open land of the public domain. The western home seekers are willing to make the attempt, and as a public policy they should be given every reasonable encouragement. In view of the unusual hardships that have overtaken some of them, that have now brought them to actual suffering and want, it is time for the Government to step in and give a loan to those who still desire to continue the experiment and who have not the seed wherewith to continue longer. There is precedent for this kind of legislation. A similar loan was made last year in certain sections of the West. It accomplished untold good in preventing loss of homes and actual suffering and in preventing a depopulation of large sections of country. Nearly one-half of that loan has been paid back into the Treasury, and practically all would have been paid back had it not been for the losses occasioned by hail, grasshoppers, hot winds, and drought, all of which were unusual and extraordinary conditions that were met by these pioneer farmers last year. Loss and actual suffering will be saved, the country will not be depopulated, homes will not be abandoned, if this bill is passed promptly, and most, if not all, the money loaned in this worthy cause will promptly be repaid, and in the hearts of thousands of loyal American citizens there will be established increased love and regard for their country, which came to their aid generously in the hour of their distress and need.

Mr. JACOWAY. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. KINCHELOE].

Mr. KINCHELOE. Mr. Speaker and gentlemen of the House, I think in the light of the evidence before the Committee on Agriculture there is no doubt but what a very serious situation confronts many farmers of the Northwest, but at the same time I think it will dawn upon every man who has given any study to the agricultural interests of this country that a serious condition confronts the farmers all over the country. Now, an amendment to the agricultural appropriation bill came into the House last year and we appropriated $2,000,000 with which

to purchase seed for the farmers of the Northwest, and I do not want any Member to deceive himself by this bill. It is a question of whether you are going to embark on this policy or not, because talk about this being a loan, it is going to be a gift, and it is a question, if you are going to embark upon that policy why make the farmers of the Northwest wards of the Government and the farmers of the other parts of our country not only not the wards of the Government but contribute their share of the taxes to pay this. There is a bill pending before the Committee on Agriculture now to relieve the farmers who were the beneficiaries of the appropriation of last year of the $2,000,000 from the payment of this seed bill. If this becomes the law, these same fellows next year will be before the Congress again wanting to be relieved of this situation.

Mr. RIDDICK. I want to say to the gentleman that the bill pending before the Committee on Agriculture provides for the relief of those who had an absolute failure this year, and more than one-half——

Mr. KINCHELOE. Absolutely relieves those who had a failure. Then others want to put in an amendment reimbursing those who have already paid in money and give it back to them. This bill as it originally passed the Senate—we know how legislation is conducted over there—provided for $5,000,000 as it came to our committee, and the other day the Agricultural Committee, not unanimously, however, reported this bill to the House carrying $2,000,000, with the provision that not over $1,000,000 should be used for the purchase of feed for live stock.

One man came before the Committee on Agriculture carrying a message from some of the farmers of the Northwest, saying, "If you do pass this bill limiting the amount to $300 to each farmer, do not compel him to buy seed with it, but give him a part of that $300 with which to buy stock." I live in a section where the agricultural interests are in bad shape. I have seen the tenants of the tobacco fields of Kentucky and Tennessee absolutely on the verge of starvation, not making as much as 20 cents a day. Every man here who represents an agricultural district knows the condition of the farmers. As a Member of Congress are you going to put the hands of the farmers of the Northwest into the Government's Treasury in order that they may be relieved, granting that they are in bad shape, and take the money from your farmers who are already overburdened with taxes and get no relief at all? I agree with the gentleman from Texas [Mr. BLACK]. I am for all agricultural legislation that is of a constructive character and that will do something to relieve the great agricultural interests of the country, no matter whether they live in the Northwest or in the East or the South or the central part of the United States, but we should not embark upon a policy like this. One of the other bills that is pending before our committee is to fix the price of agricultural products. These same people are for that. They say to you, "Give us money to buy seed; let us raise the crop, and then guarantee a minimum price for the crops that we raise, and if the law of supply and demand does not bring that minimum price, then Uncle Sam shall go in his pocket again and make the guaranty good." That is the policy you are establishing. As I say, do not deceive yourselves. Whenever you vote for this as a loan you are voting it as a gift. That is the question for you to decide on this proposition. As a true friend to all the farmers of the country I can not support this discriminatory legislation.

Mr. JACOWAY. Mr. Speaker, I yield seven minutes to the gentleman from Tennessee [Mr. GARRETT], the remainder of my time. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, it seems to me, in all seriousness, that it is high time that those of us here, and particularly the responsible majority, who are disposed to make even a pretense of economy should stop and inquire about this legislation, "Quo vadis—whither are we drifting?" This is the third time that precisely this character of relief has been suggested for that particular section of the country. Out of the President's fund, appropriated during the war if I remember correctly, there was set aside a certain amount—I do not recall now just what amount—to be loaned under the same conditions practically that are provided for in this bill. And, then, last year the Congress itself made a direct appropriation, as has been pointed out, of $2,000,000. Now, again, it is proposed this year to make an appropriation of $1,000,000. For what? To buy seed. Upon what basis? According to the testimony given before the Appropriations Committee by Mr. Warburton, 80 per cent of those who availed themselves of the fund last year were landowners. Now, there is not a word of testimony introduced before the Committee on Appropriations or, so far as I can ascertain, before the Committee on Agriculture to show that those landowners have exhausted their credit. Why is it the gentleman from Iowa [Mr. HAUGEN] can not present some facts to show destitution, if destitution exists? What more? It is only an exceptional year that grain crops can be made in this part of the country. It is not a grain-producing section. The same gentleman whom I quoted a few minutes ago said it was a grazing section. Of course, I suppose grain can be grown there. You could grow oranges in the potato region of Maine and crowd out the potatoes if you were willing to pay the price. But is that statesmanship? Bear in mind there is no destitution shown here. Bear in mind it was shown that last year before these loans were made the farmers had received credit from the banks, had borrowed money from their local banks with which to buy the wheat and other grain seeds, and by the time the Government fund got there they already had their seed on their own credit, and this Government fund simply operated to repay to the banks some of the credit that had been extended. The same thing will be true again this year, I dare say. And there is no way of getting all this money back.

The gentleman from Kansas [Mr. TINCHER] just a short while ago reported from the Committee on Agriculture a Senate bill designed to wipe out the debt that the Government holds against every man who did not make 5 bushels of grain, as I recall. In other words, it defines as a crop failure one that did not make 5 bushels per acre, and relieves the borrower of liability.

How far are we going with this, gentlemen? Where is the end to be? The gentleman from Illinois [Mr. MANN] spoke of it as though it were a case of suffering. The testimony does not show any such thing. There is nothing in the record to indicate it. It is really a matter of extending direct credits without there being even a showing that direct credit is extended. Already, as the gentleman from Texas [Mr. BLACK] pointed out, one of the States at least had been loaned large sums of money to be expended in this way. It is time, it seems to me, that there should be a cessation of this holding up the hands of the Government along these lines. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. HAUGEN. Mr. Speaker, I yield the balance of my time to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER pro tempore. The gentleman from Wyoming is recognized for six minutes.

Mr. MONDELL. Mr. Speaker, beginning at about the one hundredth meridian there is a great territory where the settler has been called upon to carry on a great experiment. Can the country be farmed or must it be left to the uses of grazing wholly? From time to time crops have failed. When the failure was only for a year or two the people have been able to tide over the time of stress, but in the Dakotas and in Montana there has been a succession of failures, and the failures have come at a time when costs were high and what products were produced were very low in value. And as to some of the area in those States it is a question whether the settlers, homesteaders in a large number of cases, are to abandon their homes, abandon the struggle, or are to be given an opportunity to pursue the experiment that means so much to the country, much more to the country as a whole than to any one of them individually or all of them collectively.

Last year we appropriated $2,000,000 to loan to buy seed; and I think it speaks well for those people in a year of drought, they have repaid $600,000 of it and are steadily repaying. The gentleman from Tennessee [Mr. GARRETT] says that the funds we appropriated last year in some cases were paid to banks. That is true. The Secretary of Agriculture gave notice immediately upon the passage of the bill that where moneys were advanced to these settlers for the purchase of seed, those advancing them would be reimbursed in worthy cases. It was necessary to do that in order to have the seed purchased and supplied and sown; otherwise there might have been a delay that would have prevented cropping. That procedure was a wise one. It was necessary under the circumstances.

I hope we shall not be called upon to continue these loans, a part of which we shall inevitably lose. But we have been pretty liberal in other parts of the country. As some gentlemen who have already spoken have said, we have used some $6,000,000 or $7,000,000 of the people's money for the eradication of the boll weevil. We have spent millions of the people's money in the eradication of the Texas tick, and properly, for it is a scourge that ought to be eradicated in the interest of all the people. But we have given those funds. We have not loaned them. We have asked no man who has received the benefit of those funds to repay any part of them.

Here we are simply making a loan to these people in the hope that this small loan, which can not be over $300 in any individual case, will tide them over this trying period, will enable them to remain on their lands and fight out this contest, which will, we hope, prove that that great area need not be aban-

doned by the home builder, but may be utilized for the establishment of permanently prosperous homes, made prosperous by mixed farming. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Wyoming has expired. The question is on agreeing to the motion of the gentleman from Iowa [Mr. HAUGEN] to suspend the rules and pass the bill with an amendment to the title and the text.

The question was taken.

The SPEAKER pro tempore. Two-thirds having voted, in the judgment of the Chair, in the affirmative——

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for a division.

The SPEAKER pro tempore. The gentleman from Tennessee asks for a division.

The House divided; and there were—ayes 107, noes 55.

The SPEAKER pro tempore. Two-thirds not having voted in the affirmative——

Mr. MONDELL. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Wyoming asks for the yeas and nays.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present and voting.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of order that there is no quorum present and voting. It is clear that there is no quorum present and voting. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the motion to suspend the rules and pass the bill with an amendment to the title and the text will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 191, nays 100, answered "present" 4, not voting 134, as follows:

YEAS—191.

Ackerman	Dempsey	Kline, Pa.	Rose
Almon	Denison	Knutson	Rosenbloom
Anderson	Dickinson	Lampert	Sanders, Ind.
Andrews, Nebr.	Doughton	Lawrence	Sandlin
Anthony	Dowell	Lea, Calif.	Schall
Arents	Dupré	Leatherwood	Scott, Mich.
Aswell	Echols	Lehlbach	Scott, Tenn.
Atkeson	Elliott	Lineberger	Shaw
Bankhead	Evans	Little	Shelton
Barbour	Fairchild	Logan	Shreve
Barkley	Faust	Luhring	Sinclair
Beck	Fairfield	McCormick	Sinnott
Beedy	Favrot	McFadden	Smith, Idaho
Benham	Fish	McLaughlin, Mich.	Smith, Mich.
Bird	Fitzgerald	McLaughlin, Nebr.	Smithwick
Bixler	French	Mann	Stedman
Boies	Fuller	Mapes	Steenerson
Brennan	Funk	Martin	Strong, Kans.
Briggs	Gahn	Michener	Strong, Pa.
Brooks, Ill.	Gensman	Miller	Summers, Wash.
Brown, Tenn.	Gernerd	Millspaugh	Sweet
Browne, Wis.	Graham, Ill.	Mondell	Swing
Burtness	Griest	Montoya	Taylor, Tenn.
Cable	Hardy, Colo.	Moore, Ill.	Temple
Campbell, Kans.	Haugen	Moore, Ohio	Thomas
Campbell, Pa.	Hawes	Morgan	Thompson
Cannon	Hayden	Mott	Tincher
Chalmers	Herrick	Murphy	Towner
Chindblom	Hersey	Nelson, A. P.	Vaile
Christopherson	Hill	Nelson, J. M.	Vestal
Clague	Hoch	Newton, Mo.	Voigt
Clarke, N. Y.	Huddleston	Nolan	Volstead
Classon	Hukriede	O'Connor	Walters
Clouse	Hull	Oliver	Weaver
Codd	Jefferis, Nebr.	Osborne	Webster
Cole, Iowa	Johnson, Ky.	Patterson, Mo.	Wheeler
Cole, Ohio	Johnson, S. Dak.	Purnell	White, Kans.
Collins	Johnson, Wash.	Quin	Williams
Colton	Keller	Raker	Williamson
Cooper, Ohio	Kelly, Pa.	Ramseyer	Wilson
Cooper, Wis.	Kendall	Rankin	Wood, Ind.
Crago	Ketcham	Reece	Woodruff
Cramton	Kiess	Reed, N. Y.	Woodyard
Crowther	King	Reed, W. Va.	Wurzbach
Curry	Kinkaid	Rhodes	Wyant
Dallinger	Kissel	Riddick	Young
Darrow	Kleczka	Roach	Zihlman
Davis, Minn.	Kline, N. Y.	Robsion	

NAYS—100.

Andrew, Mass.	Crisp	Garrett, Tex.	Kirkpatrick
Appleby	Dale	Gilbert	Kraus
Begg	Davis, Tenn.	Glynn	Lanham
Black	Deal	Graham, Pa.	Larsen, Ga.
Bland, Va.	Dominick	Hammer	Lee, Ga.
Blanton	Drane	Hardy, Tex.	Luce
Bowling	Dyer	Hickey	McClintic
Box	Fess	Hicks	McDuffie
Brand	Fields	Hooker	McPherson
Buchanan	Fisher	Hudspeth	Madden
Burroughs	Foster	Hutchinson	Magee
Burton	Freeman	Jacoway	Maloney
Byrnes, S. C.	Frothingham	Johnson, Miss.	Merritt
Byrns, Tenn.	Fulmer	Kearns	Mills
Carter	Garner	Kennedy	Montague
Connally, Tex.	Garrett, Tenn.	Kincheloe	Moore, Va.
Moores, Ind.	House	Stephens	Tinkham
Oldfield	Rucker	Stevenson	Tyson
Overstreet	Ryan	Stoll	Underhill
Paige	Sanders, Tex.	Sumners, Tex.	Vinson
Park, Ga.	Sears	Swank	Walsh
Parks, Ark.	Sisson	Tague	Ward, N. C.
Rainey, Ill.	Snyder	Taylor, N. J.	Wason
Ransley	Stafford	Tillman	Winslow
Ricketts	Steagall	Tilson	Woods, Va.

ANSWERED "PRESENT"—4.

Cockran	Collier	Gorman	Humphreys

NOT VOTING—134.

Ansorge	Free	Lee, N. Y.	Rayburn
Bacharach	Gallivan	Linthicum	Reavis
Bell	Goldsborough	London	Reber
Blakeney	Goodykoontz	Longworth	Riordan
Bland, Ind.	Gould	Lowrey	Robertson
Bond	Green, Iowa	Lyon	Rodenberg
Bowers	Greene, Mass.	McArthur	Rogers
Brinson	Greene, Vt.	McKenzie	Rossdale
Britten	Griffin	McLaughlin, Pa.	Sabath
Brooks, Pa.	Hadley	McSwain	Sanders, N. Y.
Bulwinkle	Harrison	MacGregor	Siegel
Burdick	Hawley	Mansfield	Slemp
Burke	Hays	Mead	Snell
Butler	Himes	Michaelson	Speaks
Cantrill	Hogan	Morin	Sproul
Carew	Husted	Mudd	Stiness
Chandler, N. Y.	Ireland	Newton, Minn.	Sullivan
Chandler, Okla.	James	Norton	Taylor, Ark.
Clark, Fla.	Jeffers, Ala.	O'Brien	Taylor, Colo.
Connell	Jones, Pa.	Ogden	Ten Eyck
Connolly, Pa.	Jones, Tex.	Olpp	Timberlake
Copley	Kahn	Padgett	Treadway
Coughlin	Kelley, Mich.	Parker, N. J.	Upshaw
Cullen	Kindred	Parker, N. Y.	Vare
Drewry	Kitchin	Parrish	Volk
Driver	Knight	Patterson, N. J.	Ward, N. Y.
Dunbar	Kopp	Perkins	Watson
Dunn	Kreider	Perlman	White, Me.
Edmonds	Kunz	Petersen	Wingo
Ellis	Langley	Porter	Wise
Fenn	Lankford	Pou	Wright
Focht	Larson, Minn.	Pringey	Yates
Fordney	Layton	Radcliffe	
Frear	Lazaro	Rainey, Ala.	

So, two-thirds not voting in the affirmative, the motion to suspend the rules and pass the bill was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. CHANDLER of Oklahoma with Mr. MEAD.

Mr. DUNBAR with Mr. WISE.

Mr. EDMONDS with Mr. KINDRED.

Mr. SPEAKS with Mr. BULWINKLE.

Mr. VARE with Mr. DRIVER.

Mr. MACGREGOR with Mr. SULLIVAN.

Mr. MORIN with Mr. PADGETT.

Mr. COUGHLIN with Mr. TAYLOR of Colorado.

Mr. HOGAN with Mr. JONES of Texas.

Mr. NORTON with Mr. LONDON.

Mr. RADCLIFFE with Mr. LINTHICUM.

Mr. OGDEN with Mr. RAINEY of Alabama.

Mr. VOLK with Mr. RAYBURN.

Mr. ROSSDALE with Mr. MANSFIELD.

Mr. PORTER with Mr. LYON.

Mr. PERLMAN with Mr. SABATH.

Mr. TREADWAY with Mr. COLLIER.

Mr. LANGLEY with Mr. CLARK of Floria.

Mr. BUTLER with Mr. WRIGHT.

Mr. ELLIS with Mr. HUMPHREYS.

Mr. DUNN with Mr. O'BRIEN.

Mr. IRELAND with Mr. BELL.

Mr. PATTERSON of New Jersey with Mr. CULLEN.

Mr. SNELL with Mr. UPSHAW.

Mr. MICHAELSON with Mr. LAZARO.

Mr. FORDNEY with Mr. MCSWAIN.

Mr. KREIDER with Mr. CAREW.

Mr. FREE with Mr. GALLIVAN.

Mr. MUDD with Mr. RIORDAN.

Miss ROBERTSON with Mr. DREWRY.

Mr. KAHN with Mr. BRINSON.

Mr. CONNOLLY of Pennsylvania with Mr. POU.

Mr. HIMES with Mr. TEN EYCK.

Mr. GORMAN with Mr. GOLDSBOROUGH.

Mr. BACHARACH with Mr. CANTRILL.

Mr. BLAND of Indiana with Mr. PARRISH.

Mr. CONNELL with Mr. TAYLOR of Arkansas.

Mr. BLAKENEY with Mr. HARRISON.

Mr. KNIGHT with Mr. LANKFORD.

Mr. MCARTHUR with Mr. WINGO.

Mr. REBER with Mr. GRIFFIN.

Mr. OLPP with Mr. KUNZ.

Mr. GREENE of Massachusetts with Mr. KITCHIN.

Mr. SPROUL with Mr. LOWREY.

Mr. HAYS with Mr. JEFFERS of Alabama.

Mr. CAMPBELL of Pennsylvania. Mr. Speaker, I am paired with my colleague [Mr. BUTLER], but I understand that if he were present he would vote "yea," and as I have voted in the affirmative, I desire my vote to be recorded.

The result of the vote was announced as above recorded.

COAST GUARD STATION ON GREEN BAY, WIS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2874) to authorize the establishment of a Coast Guard station on the coast of Green Bay at or in the vicinity of Strawberry Passage, in Door County, Wis.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WALSH). Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, this is to authorize a Coast Guard station at Green Bay, Wis. It is usual to carry a limitation of cost in bills of this character. There seems to be no limitation of cost in this bill. I notice that the Secretary of the Treasury estimates the cost of the buildings and equipment at $35,000. Is the gentleman in charge of the bill willing to agree to an amendment providing that the limit of cost of the station buildings and equipment thereof shall be $35,000?

Mr. MAPES. Mr. Speaker, it is the testimony of the captain commandant of the Coast Guard Service that that will be the limit of cost, and I see no particular objection to putting that amendment into the bill.

Mr. MANN. Very well. I have no objection to the consideration of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on the coast of Green Bay at or in the vicinity of Strawberry Passage, in Door County, Wis., in such locality as the captain commandant of the Coast Guard may recommend.

Mr. MANN. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: At the end of the bill add the following: "At a limit of cost for station buildings and equipment thereof of $35,000."

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. MAPES, a motion to reconsider the vote by which the bill was passed was laid on the table.

INDIANA HARBOR, IND.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2993) authorizing a modification of the adopted project for Indiana Harbor, Ind.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent for the present consideration of Senate bill 2993, which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the project adopted in the river and harbor act of June 25, 1910, for the improvement and maintenance of Indiana Harbor, Ind., is hereby so modified as to eliminate that part of the projected inner canal extending from the northwest corner of the southwest quarter of section 20, township 37 north, range 9 west of the second principal meridian, westwardly to Lake George; and the Secretary of War is hereby authorized to quitclaim and convey to local interests, on such terms and conditions as he may deem just and equitable, the rights of way which have been heretofore donated by local interests to the United States for the said section of the canal and for connecting the said Lake George with Wolf Lake.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GARNER. Mr. Speaker, I understand this is a unanimous report from the Committee on Rivers and Harbors?

Mr. WOOD of Indiana. The bill passed the Senate unanimously and is also unanimously reported from the Committee on Rivers and Harbors.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. WOOD of Indiana, a motion to reconsider the vote by which the bill was passed was laid on the table.

REQUEST TO EXTEND REMARKS.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having printed an editorial published in the Boston Evening Transcript on March 3 entitled "Our Republican House."

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection?

Mr. GARNER. Will the Chair state the purpose?

The SPEAKER. To publish in the RECORD an editorial from the Boston Transcript entitled "Our Republican House."

Mr. MANN. Reserving the right to object, it has not been customary to insert newspaper editorials in the RECORD. What is there special about this?

Mr. TINKHAM. It has often been done.

Mr. MANN. I have seen it done several times in the course of 25 years, but I have seen it objected to usually.

Mr. TINKHAM. The honorable Representative from Massachusetts [Mr. GALLIVAN] had an editorial published in the RECORD a few days ago.

Mr. GARNER. It is a splendid article; I read it myself, and I think it ought to go into the RECORD.

Mr. MANN. The gentleman from Massachusetts read an editorial the other day and said it was an editorial after he read it. We all thought it was original. This is on the bonus question, is it not?

Mr. TINKHAM. It is not. It expresses an opinion of the honorable Members of this Congress, and should be read by them.

Mr. MANN. I object.

ADJOURNMENT.

Mr. MANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 3 o'clock and 58 minutes p. m.) the House adjourned until to-morrow, Tuesday, March 7, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

557. A communication from the President of the United States transmitting correspondence from the Secretary of War and the Director of the Bureau of the Budget concerning proposed legislation to create a commission to erect suitable memorials commemorating the services of the American soldiers in Europe, and making an initial appropriation therefor (H. Doc. No. 197); to the Committee on Foreign Affairs and ordered to be printed.

558. A communication from the President of the United States transmitting a communication from the Assistant Secretary of Commerce submitting an estimate of appropriation in the sum of $107.02 required for the payment of claims for damages by lighthouse vessels (H. Doc. No. 198); to the Committee on Appropriations and ordered to be printed.

559. A communication from the President of the United States transmitting a supplemental estimate of appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, amounting to $975,000—$900,000 for the payment of indemnities in the work of eradication of tuberculosis among cattle and $75,000 for prevention of the spread of the European corn borer (H. Doc. No. 199); to the Committee on Appropriations and ordered to be printed.

560. A communication from the President of the United States transmitting memorial of a delegation of former service men from Mount Alto Hospital regarding the adjusted-compensation measure; to the Committee on Ways and Means.

561. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of Little Caillou Bayou, La. (H. Doc. No. 200); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KRAUS: Special Committee on Readjustment of the Pay of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service. Report No. 753. Minority views. Ordered to be printed.

Mr. McCORMICK: Committee on Indian Affairs. H. R. 2432. A bill for the relief of certain nations or tribes of Indians in Montana; with amendments (Rept. No. 773). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURTNESS: Committee on Indian Affairs. H. R. 6568. A bill for the relief of the Red Lake Band of Chippewa Indians of the State of Minnesota, and for other purposes; with amendments (Rept. No. 774). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ROACH: Committee on War Claims. H. R. 8214. A bill to compensate the owners of the American steamship *Vindul* for damages and expenses in repairing the said steamship, and to make an appropriation therefor; with an amendment (Rept. No. 768). Referred to the Committee of the Whole House.

Mr. JEFFERS of Alabama: Committee on the Public Lands. H. R. 9626. A bill granting a deed of quitclaim and release to the Traders' Brokerage Co., a corporation, of certain land in the city of Pensacola, Fla.; with an amendment (Rept. No. 770). Referred to the Committee of the Whole House.

Mr. LOGAN: Committee on Claims. H. R. 10234. A bill for the relief of Edward A. Purdy; with an amendment (Rept. No. 771). Referred to the Committee of the Whole House.

Mr. LOGAN: Committee on Claims. H. R. 8025. A bill for the relief of J. W. Harreld; with an amendment (Rept. No. 772). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 8426) granting a pension to Hattie Ousley, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes; committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. LINEBERGER (by request): A bill (H. R. 10731) to preserve the peace and welfare of the United States, its States, Territories, and possessions, and to secure protection against disloyal acts, and to that end securing protection from undesirable foreign born in the United States, its Territories, and possessions, and providing penalties for violations thereof; to the Committee on the Judiciary.

By Mr. HICKS: A bill (H. R. 10732) for the restoration and transfer of the U. S. S. *Hartford* from the navy yard at Charleston, S. C., to Washington, D. C.; to the Committee on Naval Affairs.

Also, a bill (H. R. 10733) to reorganize the Navy Yard Band, Washington, D. C., and for other purposes; to the Committee on Naval Affairs.

By Mr. McKENZIE: A bill (H. R. 10734) to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; to the Special Committee on Adjustment of Pay, etc.

By Mr. PORTER: A bill (H. R. 10735) to authorize the establishment and maintenance of post lantern lights and other aids to navigation on the Allegheny River, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. TEN EYCK: A bill (H. R. 10736) to amend the paragraph of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes," approved July 1, 1918, relating to the pay and allowances of members of the Naval Reserve Force (40 Stat., 712); to the Committee on Naval Affairs.

By Mr. PORTER: A bill (H. R. 10737) for the creation of an American battle monuments commission, to erect suitable memorials commemorating the services of the American soldier in Europe; to the Committee on Foreign Affairs.

By Mr. HAYDEN: A bill (H. R. 10738) to prohibit the transportation of peyote and marihuana; to the Committee on the Judiciary.

By Mr. FOCHT: A bill (H. R. 10739) to further regulate certain public service corporations operating within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ANDREW of Massachusetts: A bill (H. R. 10740) providing for use of a special canceling stamp in the Gloucester (Mass.) post office in connection with three hundredth anniversary celebration, August, 1923; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 10741) to eliminate from our Julian calendar all numbers in it prompted by the pride of Augustus and to incorporate in their places the original uniform numbers written by Caius Julius and enacted by the Roman Senate; to the Committee on the Judiciary.

By Mr. HICKS: A bill (H. R. 10742) to authorize the conversion of battle cruisers into airplane carriers; to the Committee on Naval Affairs.

By Mr. SANDERS of Texas: A bill (H. R. 10743) to prevent the sale of cotton in future markets; to the Committee on Agriculture.

By Mr. STEAGALL: A bill (H. R. 10744) amending section 13 of the Federal reserve act as amended; to the Committee on Banking and Currency.

By Mr. GRAHAM of Pennsylvania: Resolution (H. Res. 299) in behalf of Ukrainians and East Galician naturalized citizens of the United States; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAKENEY: A bill (H. R. 10745) granting an increase of pension to Louise Schenkel; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 10746) granting a pension to Charles E. Kidder; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 10747) granting a pension to Elizabeth Eutsey; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 10748) granting a pension to Mollie Cole; to the Committee on Invalid Pensions.

By Mr. HAYS: A bill (H. R. 10749) granting a pension to Sarah Patterson; to the Committee on Invalid Pensions.

By Mr. IRELAND: A bill (H. R. 10750) granting a pension to Mary E. Sage; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 10751) granting a pension to E. H. Clark; to the Committee on Pensions.

By Mr. KIESS: A bill (H. R. 10752) granting an increase of pension to Edward H. Dalton; to the Committee on Pensions.

By Mr. LARSON of Minnesota: A bill (H. R. 10753) granting an increase of pension to William R. Gallagher; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 10754) for the relief of Harry B. Shaw; to the Committee on Claims.

By Mr. McCORMICK: A bill (H. R. 10755) granting an increase of pension to Annie Veuve; to the Committee on Pensions.

Also, a bill (H. R. 10756) for the relief of Millie E. Clark and the minor children of Ernest B. Clark; to the Committee on Claims.

By Mr. McPHERSON: A bill (H. R. 10757) for the relief of Luke Stinnett; to the Committee on Military Affairs.

By Mr. MILLS: A bill (H. R. 10758) for the relief of Lanman & Kemp (Inc.); to the Committee on Claims.

By Mr. ROACH: A bill (H. R. 10759) granting a pension to Samuel G. Riggs; to the Committee on Invalid Pensions.

By Mr. ROBSION: A bill (H. R. 10760) granting a pension to George W. Huff; to the Committee on Pensions.

Also, a bill (H. R. 10761) granting a pension to Wright Kelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10762) granting an increase of pension to Chester A. Herd; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 10763) for the relief of C. R. Shaw; to the Committee on Claims.

By Mr. TOWNER: A bill (H. R. 10764) granting a pension to Floyd A. McPherren; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 10765) granting a pension to Jack B. Mills; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4437. By the SPEAKER (by request): Cablegram from Mont Reily, governor of Porto Rico, relative to certain conditions there, tending to injure him; to the Committee on Rules.

4438. Also (by request), resolutions passed at a meeting of the court of common council, of Hartford, Conn., urging that the existing prohibition laws be modified and amended to permit the sale of light wines and beer; to the Committee on the Judiciary.

4439. Also (by request), telegrams from the postmaster and the chairman of the board of supervisors of Hume Township, N. Dak., urging relief for the farmers in that drought-stricken section; to the Committee on Agriculture.

4440. Also (by request), resolution adopted by the Common Council of Rome, N. Y., urging the modification of the existing

prohibition laws to permit the manufacture and sale of light wines and beer; to the Committee on the Judiciary.

4441. Also (by request), resolutions adopted by the Lithuanians of Chicago, held at the Ashland Boulevard Auditorium, in commemoration of Lithuania's fourth anniversary of her declaration of independence; to the Committee on Foreign Affairs.

4442. Also (by request), cablegrams from C. Coll Cuchi, president of the Porto Rican house of representatives, and many others, indorsing the charges made by the Senate against E. Mont Reily and urging an investigation of his official acts; to the Committee on Rules.

4443. By Mr. BARBOUR: Petition of the Board of Supervisors of Alameda County, Calif., indorsing Senate bill 3031, providing for a forest experiment station in cooperation with the University of California; to the Committee on Agriculture.

4444. By Mr. COPLEY: Petition of R. E. Storm and other citizens of Aurora, Ill., protesting against the passage of House bills 4388 and 9753 and Senate bill 1948, or any other Sunday-observance bill; to the Committee on the District of Columbia.

4445. By Mr. DALLINGER: Resolution of the Lend a Hand Society of Boston, Mass., favoring proposal made by Gen. Pershing in regard to reduction of Army officers be carried out and also that the appropriations in regard to the Army and Navy be made as low as possible; to the Committee on Military Affairs.

4446. By Mr. FULLER: Petition of W. E. Fitch, of La Salle, Ill., general manager Laundry Owners' National Association, protesting against a tariff on certain oils used in the manufacture of soap; to the Committee on Ways and Means.

4447. By Mr. GALLIVAN: Petition of committee for international reduction of armament, of Boston, Mass., urging speedy ratification of the treaties adopted by the Washington conference and a drastic reduction of Army and Navy appropriations; to the Committee on Foreign Affairs.

4448. Also, petition of Boston College, of Boston, Mass., opposing pending legislation to impose duty on the importation of foreign books more than 20 years old and on other books written in foreign languages; to the Committee on Ways and Means.

4449. By Mr. KIESS: Petition of residents of Westfield, Pa., protesting against the passage of House bills 9753 and 4388 or any other Sunday observance bill; to the Committee on the District of Columbia.

4450. By Mr. KISSEL: Petition of William E. Williams, of New York City, N. Y., opposing the soldiers' bonus; to the Committee on Ways and Means.

4451. Also, petition of George C. Murphy, Esq., of Brooklyn, N. Y., favoring the passage of the soldiers' bonus bill; to the Committee on Ways and Means.

4452. Also, petition of Walter Farwell, of Soyosset, N. Y., relating to the soldiers' bonus bill; to the Committee on Ways and Means.

4453. Also, petition of the Brooklyn Chamber of Commerce, of Brooklyn, N. Y., protesting against the passage of the soldiers' bonus bill; to the Committee on Ways and Means.

4454. Also, petition of Misses Molly and Annie Rifkin, both of Brooklyn, N. Y., protesting against the passage of the soldiers' bonus bill; to the Committee on Ways and Means.

4455. By Mr. PAIGE: Resolutions from Clarence Pike and others of Massachusetts, urging the extension of Austria's debt to the United States for at least 20 years; to the Committee on Ways and Means.

4456. Also, petition of Joseph J. Dearborn and other citizens of Athol, Mass., protesting against the passage of any bill to regulate Sunday observance by civil force; to the Committee on the District of Columbia.

4457. By Mr. ROSSDALE: Petition adopted by residents of New York on the tariff law; to the Committee on Ways and Means.

4458. By Mr. SINCLAIR: Petition of Harry Hakonson and 41 others, of Englevale, N. Dak., urging the revival of the United States Grain Corporation and the stabilization of prices of farm products; to the Committee on Agriculture.

4459. Also, petition of B. J. Anderson and 16 others, of Minot, N. Dak., in support of House bill 9461, providing for a set price on wheat; to the Committee on Agriculture.

4460. Also, petition of T. J. Meekma and 19 others, of Sherwood, N. Dak., urging the revival of the United States Grain Corporation and the stabilization of prices of farm products; to the Committee on Agriculture.

4461. Also, petition of H. J. Zehner and 45 others, of Epworth, Palermo, and Belden, N. Dak., urging the revival of the United States Grain Corporation and the stabilization of prices of farm products; to the Committee on Agriculture.

4462. Also, petition submitted by Hon. J. B. Hagelbarger, of Beulah, N. Dak., signed by 60 farmers and their wives, in support of House bill 9461, fixing the price of wheat and other farm products; to the Committee on Agriculture.

4463. By Mr. SNELL: Resolutions adopted by Chase Mills Grange No. 986, of Chase Mills, N. Y., favoring the passage of the Voigt bill (H. R. 8086), which seeks to prohibit the movement of bogus milk in interstate commerce; to the Committee on Agriculture.

4464. By Mr. THOMPSON: Resolution of Harrison Township Grange, Paulding County, Ohio, urging the passage of the truth in fabric bill; to the Committee on Interstate and Foreign Commerce.

4465. Also, resolution of Springfield Grange, No. 499, favoring the early passage of the truth in fabric bill, signed by the grange members of Stryker, Ohio; to the Committee on Interstate and Foreign Commerce.

4466. By Mr. TILSON: Petition of Meriden Personal Liberty League, for amendment of the Volstead Act; to the Committee on the Judiciary.

4467. By Mr. TIMBERLAKE: Petition of citizens of Colorado, urging the revival of the United States Grain Corporation and to fix the price on wheat; to the Committee on Agriculture.

4468. By Mr. YOUNG: Petition in the form of a resolution of the directors of the Commercial Club of Grand Forks, N. Dak., urging the passage of the Mapes bill (H. R. 9575) in respect to the St. Lawrence deep waterway; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *March 7, 1922.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

O God, Thou art the author of our being. In Thee we live, move, and have our being. We recognize the blessings vouchsafed unto us day by day, and we do ask that the wisdom which cometh from Thee may always be at our command, and that we may willingly obey every impulse which leads us constantly to recognize our dependence upon Thee. Give us Thy presence this morning, and through every day manifest Thyself as our Father loving us. Through Jesus Christ our Lord. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday, February 23, 1922, when, on request of Mr. BRANDEGEE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

THE FOUR-POWER TREATY.

Mr. BRANDEGEE. Mr. President, I ask unanimous consent that the resolution of ratification of the four-power treaty, which was offered by the chairman of the Committee on Foreign Relations of the Senate when the treaties were reported to the Senate, may be read by the Secretary, so that it may appear in the RECORD. I make the request because many Senators have asked me if I knew where the proposed reservation reported by the committee could be found. I ask that it may be printed in the RECORD in 8-point type.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

"*Resolved* (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of Executive N, Sixty-seventh Congress, second session, a treaty between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean, concluded at Washington December 13, 1921, subject to the following reservation and understanding, which is hereby made a part and condition of this resolution of ratification:

"The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense."

Mr. BRANDEGEE. I wish to state, for the information of the Senators who may be present and so that it may appear in the RECORD, that the reservation which has just been read by the Secretary at the desk appears on the last page, page 8, of the Senate document which is called Executive N, and which I think has been distributed on the desks of Senators this morning.

HIGH COMMISSIONER IN HAITI.

Mr. NORRIS. Mr. President, I have here a protest signed on behalf of the Haiti-Santo Domingo Independence Society in relation to the alleged Executive creation of the office of high

commissioner in Haiti. I ask that the accompanying letter and the protest itself be printed in the RECORD and referred to the special committee appointed to investigate conditions in Haiti.

There being no objection, the letter and accompanying communication were referred to the Special Committee to Inquire into the Occupation and Administration of the Territories of the Republic of Haiti and the Dominican Republic by the Forces of the United States, and ordered to be printed in the RECORD, as follows:

HAITI-SANTO DOMINGO INDEPENDENCE SOCIETY,
Washington Office, March 7, 1922.

To the Senate of the United States:

The Haiti-Santo Domingo Independence Society respectfully submits to the Senate of the United States its protest against the Executive creation of the office of "high commissioner in Haiti, with the rank of ambassador extraordinary," without authority of Congress, and against the appointment to this office, should its creation be judged constitutional, of Brig. Gen. John H. Russell, of the United States Marine Corps, without the advice and consent of the Senate.

By order of the executive committee of the Haiti-Santo Domingo Independence Society.

HELENA HILL WEED, *Secretary.*

Without the advice and consent of the Senate, Brig. Gen. John H. Russell, high commissioner, clothed with extraordinary ambassadorial powers, has left for Haiti to assume the duties of his post. The following announcement appeared in the press February 19, 1922 (Washington Post, Official Service News), and the facts were confirmed by State Department officials, who also stated that this nomination would not be sent to the Senate for confirmation:

"Quite unusual are the powers given to Brig. Gen. John H. Russell, of the Marine Corps, by the instructions issued to him by the State Department in connection with his designation as 'high commissioner in Haiti with the rank of ambassador extraordinary,' this designation having been given him after his recent appointment as special representative of the President in that country.

"He will have, in effect, plenary authority over all the affairs of the country, both civil and military, including the marine forces and the gendarmerie d'Haiti, and of the United States legation, which will be in the immediate custody of the chargé d'affaires.

"All officials from this country appointed in accordance with the treaty of September, 1915, as well as the native appointees, and including the collector of customs, financial adviser, sanitary and public-health officers, etc., will come under the high commissioner, who will be in complete control of the country."

Such an appointment is without precedent in American history. True, special envoys, commissioners, etc., have been appointed whose nominations have not been referred to the Senate, but these have invariably been for purposes of investigation or to perform certain distinctly specified duties; and the authority of the President to make even such appointments has been questioned and never definitely established.

The appointment of an American high commissioner over a free and independent Republic, whose technical independence is still recognized by the United States in common with every other country, is the more extraordinary in that it is made before the Senate has accepted the report of the select committee which is still investigating our occupation of Haiti and Santo Domingo. The appointment therefore precedes the creation of such an office by Congress.

The appointment of Brig. Gen. Russell to be absolute dictator over a friendly and inoffensive neighbor people is the more unjustifiable in that his previous administrations, covering three years as commander in chief of the forces of occupation in Haiti, are the subject of grave indictment by the Haitian people. The abuses during his administration are still under investigation by the Senate select committee.

It is significant, however, that Gen. Russell, alone among the various commanders in Haiti since 1915, has not yet been called upon to appear before the committee for examination.

Two days after the announcement by the State Department that Brig. Gen. John H. Russell had been appointed by the President as "high commissioner in Haiti, with plenary authority, as the personal representative of the President of the United States, over all the affairs of that country," the announcement was made by the Navy Department that this appointment was made in conformity with the recommendation of the special committee of the Senate which had just returned from an investigation of the American occupation of Haiti.

This officer, it is to be noted, is to be in command of all the affairs of the country, both civil and military, including:

1. The American marine forces of occupation.
2. The gendarmerie of Haiti.
3. The United States Legation and its minister, appointed and confirmed by the Senate as the official representative of the United States in Haiti.
4. The American treaty officials appointed in accordance with the treaty of 1915.
5. The American financial adviser of Haiti.
6. The American collector of customs.
7. The Haitian officials appointed in accordance with the treaty of 1915.
8. The Haitian sanitary officers.
9. The Haitian public health officers.

The Haiti-Santo Domingo Independence Society points out that no such officer as "high commissioner in Haiti," with the sweeping powers named in this appointment, has ever been created by any competent authority in the United States.

No such office is created or contemplated in the treaty of 1915, even supposing that treaty is valid, a matter that is open to gravest doubt, in view of the established fact that this treaty was imposed on the Haitian people by military force and financial coercion.

No power was ever given to the Special Committee of Investigation, appointed by the Senate to investigate for that body the military occupation of Haiti and Santo Domingo, to put into effect the judgments of its individual members, through the executive departments of the Government, prior to its report to the Senate and to congressional action thereon.

No power has ever been invested in any of the executive departments of the United States Government to invade Haiti, an unoffending, friendly nation, whose independence and sovereignty we, in common with all the nations of the civilized world, recognize, or to wage war upon her, occupy, and govern her as a conquered nation.

No power has ever been given to the President of the United States to appoint, nor does any precedent exist in the history of the country for the appointment of "an ambassador extraordinary" to a friendly nation, with which we are at peace, to govern that country "as the personal representative of the President of the United States."

Even did the authority exist for the creation of such an office—and this society denies such authority in the absence of congressional action—this society would protest the appointment of Brig. Gen. John H. Russell to fill the post, on the following grounds:

His two administrations, as chief of the American Forces of Occupation in Haiti, are the subject of gravest indictment by the Haitian people and are still under investigation by the special Senate committee.

These two periods of duty, as the responsible head of the marine forces of occupation, covered the periods from November 27, 1917, until December 7, 1918, and from October 1, 1919, until January of the present year. It was during these periods that the following serious abuses are alleged to have occurred:

1. Illegal corvee or forced, unpaid road labor, involving abuse, imprisonment, and illegal killings of native Haitians.
2. "Indiscriminate killings" of untried native prisoners by marines.
3. Illegal imprisonment and torture of native Haitians with no charges against them.
4. Illegal imprisonment, at hard labor, for long periods of time, of natives who were only under suspicion of crimes.
5. Illegal imprisonment, at hard labor, of natives who were only suspected of opposing the American occupation of their country.
6. Jim-crowing of the cultured and intellectual classes of Haitians; this humiliation extending to the altars of their churches.
7. Overriding of the native courts by marine provost courts.
8. Suppression of legitimate criticism of the occupation and of all opposition to it by an arbitrary, illegal administration of martial law.
9. Using the military pressure to secure from the helpless Haitian officials special financial privileges for American private interests and for agricultural exploiters.
10. The imposition upon the Haitian people by military force of the constitution of 1918 by means of an illegal plebiscite, fraudulently carried out by the marines under his command.

This rape of the Haitian constitution was frankly demanded by the American agricultural interests that sought to exploit Haiti by securing ownership in the land. It was planned by Assistant Secretary Franklin Roosevelt by his own boast and was carried out under Col. John H. Russell's personal command, in the face of the protests of the Haitian people and the pleas of Americans living in Haiti that the "plebiscite" be postponed until the real facts of the situation could be presented to the authorities at Washington. According to the testimony before the special Senate committee Col. Russell not only refused to allow protests to be telegraphed to Washington and the facts of the case to be made clear, but he refused to send a statement himself giving the truth of the situation.

Brig. Gen. Eli K. Cole, in his testimony before the Senate committee (p. 694 et seq.), said that the reason the constitution of 1918 was "ratified" by means of a "plebiscite" was that he was satisfied that no elected national assembly would ever agree to the provisions demanded by the United States, and that it was necessary, in order to carry out the plans and policies of the United States in Haiti, to have a constitution adopted in some way embodying these provisions.

There were three provisions to which the Haitian people were unalterably opposed, and Gen. Russell was the officer who, with an iron hand, blocked all efforts of those who sought to explain their real meaning to Washington prior to their enforced adoption by the illegal "plebiscite."

1. The article granting to foreigners the same rights as Haitians in the Haitian courts was strongly opposed, although this article might have been compromised had not the remaining two articles been insisted upon.
2. Every element in the Haitian nation was unalterably opposed to granting to foreigners the right to own land. This was the absolutely unsurmountable objection which no power could overcome in the elected assembly and resulted in the illegal "plebiscite."
3. The special article ratifying and legalizing all the acts of the occupation and making it impossible for the Government or people, collectively or individually, to secure reparation for injury or loss as a result of the invasion and occupation of Haiti, was written into the Haitian constitution by the military force of the armed marines under the command of Gen. John H. Russell—the same officer who is now nominated by the President to govern Haiti as his personal representative. This article reads as follows:

SPECIAL ARTICLE.

"All the acts of the United States during its military occupation of Haiti are ratified and legalized.

"No Haitian may be liable for civil or criminal suits for any act committed by virtue of the orders of the occupation or under its authority.

"The acts of the courts-martial of the occupation, without in any way affecting the right of pardon, will not be subject to revision.

(The right of pardon was later taken over by the occupation.)

"The acts of the Executive power (the President) up to the promulgation of the present constitution, are equally ratified and legalized."

As a result of his part in conducting the "plebiscite" under these conditions, and of the fact that he participated, as chief of the occupation, in the attempted coercion of the President of Haiti to secure special financial privileges for the National City Bank, in 1920, he stands convicted, according to the testimony before the special Senate committee, of participation in acts which have been characterized as "international brigandage."

In addition to the indefensibility of the invasion and occupation itself these two acts of violation of the sovereignty of Haiti, as well as the forcible dispersal of the Haitian National Assembly in 1917 by armed American marines, are the insurmountable obstacles to any understanding between Haiti and the United States.

This society contends that no officer who participated in these indefensible acts should be sent to Haiti, even in the temporary period that must intervene between this time and the nearest date that the forces of occupation can be withdrawn.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore laid before the Senate resolutions adopted at a meeting of the Committee for Treaty Ratification, held at the Hotel McAlpin, New York City, March 1,

1922, favoring the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also laid before the Senate a petition of Richard J. Harden Camp, No. 2, United Spanish War Veterans, of Washington, D. C., praying for the prompt passage of House bill 4, providing increased pensions for widows of veterans of the Spanish War, which was referred to the Committee on Pensions.

Mr. LODGE presented resolutions adopted at a meeting of the Committee for Treaty Ratification, held at the Hotel McAlpin, New York City, March 1, 1922, favoring the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table and to be printed in the RECORD, as follows:

COMMITTEE FOR TREATY RATIFICATION,
Office of the Secretary.

Resolutions adopted at a meeting held in the Hotel McAlpin, New York, March 1, 1922, submitted by the committee to the President and Senate of the United States.

Whereas the conference of representatives of the United States and those of eight other nations called to consider the limitation of naval armaments and the problems of the Pacific, after three months' deliberation, under the wise and efficient leadership of President Harding and Secretary of State Hughes, has agreed upon a number of important international treaties. Six of these, in which the United States is a party, have been submitted by the President to the Senate of the United States for its constitutional approval; and

Whereas one of these treaties—between the United States, the British Empire, Japan, France, and Italy—provides for the reduction of naval armaments by the destruction of a large number of capital ships and the fixing of a ratio of naval establishments between the parties and the maximum number and strength of such ships to be possessed by each power during a period of 10 years, thus inaugurating an era of naval limitation in lieu of competition in naval establishments hitherto prevailing, a treaty which Secretary Hughes has declared "ends, absolutely ends, the race in competition of naval armament. At the same time it leaves the relative security of the great naval powers unimpaired"; and

Whereas another of such treaties adopts rules and regulations restricting the operation of submarines in time of war, making impossible such outrages upon common humanity as the destruction of the *Lusitania*, except at the cost of international outlawry, and further establishes rules against the use of noxious and poisonous gases; and

Whereas by another of these treaties made between the United States, Great Britain, Japan, and France, the parties agree to respect each other's rights in their insular possessions and insular dominions in the region of the Pacific, and agree to meet in conference to discuss any controversy which may arise between them respecting such rights, and in the event of any external aggression upon the rights of any of the parties to communicate fully and frankly with each other in order to determine what action shall be taken in view of such exigency, and which treaty, upon ratification, is to supersede the existing treaty creating the Anglo-Japanese alliance; and

Whereas other of such treaties bring to an end the policy of aggression by other nations upon the sovereignty of China and provide for the recognition of the unimpaired sovereignty of that country, and confirm the policy of equal opportunity for all nations in their trade and commerce with China, provide for a revision of her import duties, and establish a commission of the nine powers to deal with alleged infringements of the "open-door" agreements; and

Whereas a treaty between the United States and Japan settles the disputed question of the right of the United States to equal rights with Japan in the use of the island of Yap for ocean cable purposes, and also to equal rights with members of the League of Nations in the mandated islands of the Pacific north of the Equator; and

Whereas all of these treaties supplement each other and together constitute "a great and successful effort to diminish the burdens of peace and to render more remote the horrors of war"; and

Whereas the President of the United States in submitting these treaties to the United States Senate stated: "Either these treaties must have your cordial sanction or every proclaimed desire to promote peace and prevent war becomes a hollow mockery":

Resolved, That such treaties constitute great and important steps toward insuring world peace by providing for the peaceful settlement of questions which otherwise might disturb amicable relations between nations and by ending international competition in the building of navies and all its inevitable burdens and evil consequences.

Resolved further, That this committee does hereby emphatically commend the work of the Washington Conference on Limitation of Armaments and most earnestly urges the Senate of the United States promptly to ratify the treaties agreed upon by such conference, and as submitted to the Senate by the President of the United States.

In behalf of George W. Wickersham, chairman.

CHARLES S. MACFARLAND,
Secretary.

Mr. LODGE also presented a resolution adopted by the city council of Revere, Mass., favoring the passage of the so-called soldiers' adjusted compensation bill, which was referred to the Committee on Finance.

Mr. McCUMBER presented a petition of sundry citizens of North Dakota, praying that an appropriation of $15,000 be made for the investigation of the manufacture of flax straw into paper and pulp, which was referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a resolution adopted at the Twenty-fifth Annual Convention of the American National Live Stock Association at Colorado Springs, Colo., January 12, 1922, favoring the repeal of section 15a of the so-called Cummins-Esch Act and the further modification of the transportation act, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by Woodson Post, No. 185, Grand Army of the Republic, Department of Kansas, at Yates Center, Kans., favoring the passage of the so-called Morgan bill, providing increased pensions for veterans of the Civil War and their widows, which was referred to the Committee on Pensions.

Mr. BORAH presented petitions of sundry citizens of Cambridge, Fairfield, Blaine, Berger, Rogerson, Twin Falls, Hollister, Filer, Jerome, and Bliss, all in the State of Idaho, praying for the revival of the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

Mr. CALDER presented a resolution adopted by the State executive committee of the American Legion, Department of New York, at New York City, on February 25, 1922, favoring the passage of the so-called fivefold adjusted compensation plan for veterans of the World War, which was referred to the Committee on Finance.

He also presented a resolution adopted by the State executive committee of the American Legion, Department of New York, at New York City, on February 25, 1922, praying for the prompt passage of the so-called Langley bill providing proper hospitalization covering the needs of wounded ex-service men, which was referred to the Committee on Finance.

Mr. WILLIS presented the memorial of Robert R. Evans and sundry other citizens of Columbus, Shepard, and Godie, all in the State of Ohio, remonstrating against the enactment of Senate bill 1948, providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented the petition of P. H. Wagner and 212 other employees of the Owen China Co., of Minerva, Ohio, favoring inclusion of the American valuation plan in the pending tariff bill, which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 1087) for the relief of H. L. McFarlin, reported it with an amendment and submitted a report (No. 532) thereon.

He also, from the same committee, to which was referred the bill (S. 1651) for the relief of Prairie View State Normal and Industrial College, reported it without amendment and submitted a report (No. 539) thereon.

He also, from the same committee, to which was referred the bill (S. 820) for the relief of the Hunter-Brown Co., reported it with an amendment and submitted a report (No. 540) thereon.

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 288) for the relief of John T. Eaton (Rept. No. 533);

A bill (S. 289) for the relief of Kate Canniff (Rept. No. 534);

A bill (H. R. 1274) for the relief of Maude H. Mosher (Rept. No. 535);

A bill (H. R. 3057) for the relief of George Van Derburgh Brown (Rept. No. 536); and

A bill (H. R. 4504) for the relief of Annie M. Lepley (Rept. No. 537).

Mr. WALSH of Montana, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 9633) to extend the provisions of section 2305, Revised Statutes, and of the act of September 29, 1919, to those discharged from the military or naval service of the United States and subsequently awarded compensation or treated for wounds received or disability incurred in line of duty, reported it with an amendment and submitted a report (No. 538) thereon.

Mr. NEW, from the Committee on Military Affairs, to which were referred the following bills, submitted adverse reports thereon, which were agreed to and the bills were indefinitely postponed:

A bill (S. 586) for the relief of Alvin Harder;

A bill (S. 1454) for the relief of John Scott; and

A bill (S. 1455) for the relief of John W. Mercer.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 3245) in reference to pleas of guilty in the district courts of the United States by persons charged with certain criminal offenses; to the Committee on the Judiciary.

By Mr. KENDRICK:

A bill (S. 3246) granting a pension to John W. Jenkins (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 3247) to transfer to the classified service agents and inspectors in the field service, including general prohibition agents and field supervisors appointed and employed pursuant to the national prohibition act, and for other purposes; to the Committee on Civil Service.

By Mr. HARRELD:

A bill (S. 3248) to provide for the issuing of a patent to Richard Murphy for a certain tract of land in what is known as the Big Pasture of Oklahoma, and upon which he has made full payment of purchase price; to the Committee on Public Lands and Surveys.

By Mr. McCUMBER:

A bill (S. 3249) for the purchase of a site and the erection of a post-office building at Larimore, N. Dak.; to the Committee on Public Buildings and Grounds.

A bill (S. 3250) granting a pension to W. H. Chapel; and

A bill (S. 3251) granting an increase of pension to William Shoemaker; to the Committee on Pensions.

MICHIGAN SENATORIAL ELECTION.

Mr. CARAWAY. Mr. President, I offer a resolution for reference. The resolution was offered yesterday afternoon, read and objected to. It seeks an investigation with reference to the charge that certain corrupt influences had been exercised to restrain Senators from voting to seat the junior Senator from Michigan [Mr. NEWBERRY]. I have no particular choice of the committee to which it shall go. I suggest, if there is no objection, that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JONES of Washington. Mr. President, I think the resolution ought to go to the Committee on Privileges and Elections to investigate the merits of the proposition and see whether the committee think an investigation should be had. Then, if they report favorably, the resolution can go to the Committee to Audit and Control the Contingent Expenses of the Senate to recommend the expenditure of the money.

I may be wrong about it, but this is the view I have always taken with reference to these various resolutions. I think they ought to be referred first to the committee that passes upon the merits involved in the resolution. Then, if that committee reports and recommends the adoption of the resolution, it should go to the Committee to Audit and Control the Contingent Expenses of the Senate with reference to the financial expenditure involved. Otherwise, I have no objection whatever to the reference of the resolution as suggested by the Senator from Arkansas.

Mr. CARAWAY. I have no preference. I hope that the committee to which it may go will see fit to report it. It is not fair, it is not decent, for some Senator who wants to excuse his vote in this matter to pretend that he was beset by corrupt influences and that corrupt influences were exerted to compel Senators to vote one way or the other. A Senator may vote as he pleases, but after he has done so let him carry the responsibility for so voting without trying to besmirch the integrity of every other Senator who differs from him.

I want to see this resolution reported and the Senator who makes that sort of a charge given an opportunity to make good, or else let us determine that he had no information on which to base the charges. Therefore I do not want the resolution to go to a committee that is going to chloroform it; and I very greatly fear we will never hear of it if it goes to the Committee on Privileges and Elections.

Mr. JONES of Washington. I agree absolutely with the Senator from Arkansas with reference to the merits of the resolution. I can not conceive of the Committee on Privileges and Elections stifling or attempting to stifle the resolution. If I thought that would be the case, I would not favor its going there at all.

Mr. CARAWAY. I feel absolutely certain that the Senator from Washington feels that way about it. I have an apprehension, which may be absolutely unfounded, but I am not going to protest about where it shall go. However, I do intend to insist later on that we shall get some kind of a report on the resolution.

Mr. JONES of Washington. I think the Senator is entirely right in that, and I will vote with him. If the committee does not act on it within a reasonable time, I shall vote to discharge it from the consideration of the resolution.

Let me say that I voted to refer the resolution of the Senator from Alabama [Mr. HEFLIN] to the Committee on Banking and Currency, and I voted that way on the theory I have just expressed, that the resolution should go to the committee which deals with the merits of the proposition.

Mr. CARAWAY. I have no objection to the reference of the resolution to the Committee on Privileges and Elections if the Senator thinks we will get a report from that committee.

Mr. JONES of Washington. If the Senator from Arkansas has no objection, I ask that the resolution be referred to the Committee on Privileges and Elections.

The resolution (S. Res. 252) was referred to the Committee on Privileges and Elections, as follows:

Whereas by unanimous consent, first obtained, the junior Senator from Washington, Mr. POINDEXTER, on the 3d day of February, 1922, caused to be inserted in the CONGRESSIONAL RECORD a copy of a letter by him written to a constituent, Mr. Thomas Marshall, of the State of Washington; and

Whereas in said letter the said Senator charges that certain malign and unlawful influences were used, or attempted to be used, to prevent Senators from voting to declare that TRUMAN H. NEWBERRY was a duly elected Senator from the State of Michigan and entitled to his seat, a resolution so to declare the said TRUMAN H. NEWBERRY entitled to his seat being then pending in the Senate. Among other charges in said letter appears the following paragraphs:

"Various false assertions have been made as to influences brought to bear to secure votes in NEWBERRY'S behalf in the Senate. I notice a detailed statement in that connection published in several Washington State papers as to my own vote. This statement is libelous and false from beginning to end, as no such influences were brought to bear and no such statements or anything resembling them or anything to that effect were made to me.

"On the contrary, certain multimillionaire organizations, profiting financially by any popular excitement which they can arouse, were seeking by every means in their power to influence and intimidate Senators to vote against NEWBERRY. This may be referred to in more detail later on."

Now, therefore, be it

Resolved, That the Chair appoint a special committee of three Senators to investigate the charges made by the Senator from Washington, Mr. POINDEXTER.

Resolved further, That the committee be authorized to subpœna witnesses, send for and examine books and papers, and administer oaths, and do all things necessary to procure the evidence in this case, and the expenses hereof shall be paid out of the contingent fund of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed without amendment bills and a joint resolution of the following titles:

S. 2471. An act to amend the act entitled "An act authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof," approved July 28, 1914 (38 Stat. L., p. 558);

S. 2993. An act authorizing a modification of the adopted project for Indiana Harbor, Ind.; and

S. J. Res. 108. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Jeanne d'Arc.

The message also announced that the House had passed a bill and a joint resolution of the following titles, each with amendments, in which it requested the concurrence of the Senate:

S. 490. An act to consolidate national forest lands; and

S. J. Res. 43. Joint resolution to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C.

The message further announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 2874. An act to authorize the establishment of a Coast Guard station on the coast of Green Bay at or in the vicinity of Strawberry Passage, in Door County, Wis.;

H. R. 5588. An act to repeal section 5 of an act entitled "An act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains, in the State of California, and for other purposes," approved August 9, 1916;

H. R. 6512. An act for the relief of and purchase of lands for certain of the Apache Indians of Oklahoma lately confined as prisoners of war at Fort Sill Military Reservation, and for other purposes;

H. R. 7812. An act to extend the time for cutting timber in the Coconino and Tusayan National Forests, Ariz.;

H. R. 9257. An act to permit adjustment of conflicting claims to certain lands in Mohave County, Ariz.;

H. R. 9604. An act for the acquisition of a post-office site at Madison, Wis.;

H. R. 10429. An act authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing officers of the War and Navy Departments in the settlement of certain accounts; and

H. J. Res. 274. Joint resolution authorizing the commissioning in the Marine Corps of midshipmen under certain conditions.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and a joint resolution, and they were thereupon signed by the President pro tempore:

S. 1312. An act to amend the charter of the Potomac Insurance Co., of the District of Columbia;

S. 2492. An act to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes," approved June 30, 1921;

H. R. 244. An act to provide for the disposition of abandoned portions of rights of way granted to railroad companies;

H. R. 5013. An act to authorize the Secretary of the Navy to sanction the inscription of titles upon certain monuments, tablets, or other memorials;

H. R. 7158. An act to amend the Army appropriation act approved July 11, 1919, so as to release appropriations for the completion of the acquisition of real estate in certain cases and making additional appropriations therefor;

H. R. 8842. An act to provide for agricultural entries on coal lands in Alaska;

H. R. 10185. An act authorizing the exchange of lands within the exterior boundaries of the Malheur National Forest, in the State of Oregon, and for other purposes; and

S. J. Res. 125. Joint resolution to continue the military status of persons deserting the military or naval service during the World War and the amenability to trial of those persons who failed to comply with the terms of section 5 of the selective service law.

THE PNEUMATIC TUBE SYSTEM.

Mr. MCKELLAR. I ask unanimous consent that there may be placed in the RECORD the views of the three members of the Postal Commission in reference to the pneumatic tube system.

There being no objection, the views referred to were ordered to be printed in the RECORD, as follows:

MINORITY REPORT ON PNEUMATIC TUBES.

The following is quoted from a former report, July 26, 1921:

The pneumatic tubes have been a subject of a greater number of investigations by congressional and departmental commissions than any other postal facility, and in practically every instance reports have been submitted opposing as well as favoring the tubes. Their use in New York was abandoned after a thorough investigation by unbiased and unprejudiced postal experts. Those employed by this commission did not consider the question of the cost of the tubes but only the question as to whether mail could be expedited by their use. It is admitted that a small percentage of the mail could be expedited by pneumatic tubes, but the quantity expedited does not warrant the enormous expenditure necessary to obtain the service. The cost of tubes as compared to automobile service can best be illustrated by the fact that letter mail comprises about 12 per cent of the entire volume of mail. When the tubes were in use in New York less than 50 per cent of the letter mail, or 6 per cent of the entire volume of mail, was handled by this means of transportation. It is claimed that approximately 450,000 letters may be expedited daily by the tubes in New York City. The majority report shows at the time of their use 10,000,000 letters were transported daily on two occasions. If only 450,000, or 4½ per cent, would be actually advanced, it would mean that one-half of 1 per cent of the entire volume of mail in New York City was advanced by the use of the tubes. It is estimated by the engineers that it would cost from $850,000 to $1,000,000 per annum, approximately one-half of the entire cost for automobile service, to give the proposed tube service. The majority would therefore spend one-half as much to expedite one-half of 1 per cent of the entire volume of mail as is now spent for transporting the other 99½ per cent. The facts before the commission do not warrant the statement that half a million letters would be advanced daily, as this statement is based on theoretical conclusions and is arrived at by assuming that the amount of mail dispatched the next 30 minutes after the present closing would be expedited. This is only conjecture and would not work out in actual practice.

It has been estimated that there will be a saving of $200,000 in automobile service by the use of tubes, but to save this amount it will be necessary to reduce the frequency of the service from half-hour to hourly basis, which would greatly delay other classes of mail. If it is proposed to so delay mails, the frequency of these trips can be reduced without the establishment of pneumatic-tube service as an excuse to do it.

The majority states that for each letter delayed by tubes 3,900 letters are delayed by motor-vehicle service. To arrive at this conclusion there must be placed upon the auto service the responsibility of delays to trains, ferries, and other causes beyond its control. The letters delayed by the late arrival of trains and ferries were delayed just as much when handled by pneumatic tubes. The majority also states that tube service is not subject to the same interference as auto service, which is, no doubt, true; but, on the other hand, it is subject to even a more serious disturbance, which does not affect the auto service at all, such as cave-ins in the streets, construction work, and other causes. When a tube line fails in service the entire service is then out of commission.

Tubes may have had some value when first installed, but, owing to the great increase of the volume of mail, which naturally increased the frequency of the surface transportation, they have lost their original value. It is still true that they would expedite a small volume of mail, but their value as a postal facility is only equal to the expenditure justified by their use, which would be to measure in dollars and cents and benefits accruing from the advancement of mail, and which would be insignificant when compared to their enormous cost.

All the testimony before the commission is based solely on theory. First, it is claimed that half a million letters would be advanced daily by the use of the tubes; but this is based on the theoretical conclusion that all letters accumulating during the next 30 minutes after each closing would be advanced. Any person with an intimate knowledge of the Postal Service knows this can not be true. It is claimed $200,000 can be saved in autotruck service by the use of the tubes. To do so it is admitted that a large number of trips between stations must be discontinued and all other classes of mail delayed. Is it the purpose of the Post Office Department to deliberately delay all other classes of mail in New York in order to use the pneumatic tubes? The public would not and should not be compelled to submit to such delay of their mail, and there would not be a single auto trip omitted or a dollar saved.

The best evidence as to whether the tubes performed efficient service can only be gleaned from what they actually did while in service. When they were used it was necessary to revert to wagons frequently to dispatch the mails. E. M. Morgan, who served as postmaster under the last Republican administration and has again been appointed to that position, says in letters addressed to the postmaster:

UNITED STATES POST OFFICE,
New York, N. Y., January 8, 1917.

Mr. E. M. NORRIS,
Superintendent Railway Mail Service,
Second Division, New York, N. Y.

SIR: Assistant Superintendent of Delivery Jacob Abeles was assigned to observe if there was any congestion of the pneumatic tubes at station O on the evening of January 5, 1917. He reported that between the hours of 7.20 and 8.05 p. m. there were on an average of from 12 to 14 tube carriers ready for dispatch to Grand Central and Pennsylvania Terminal Stations which were delayed about 18 minutes each, due to the fact of the constant arrival of tube carriers from the general post office and stations V, A, and C, which had to be relayed to the Grand Central and Pennsylvania Terminal Stations. At 8.05 p. m. there was only one tube carrier left on the floor ready for dispatch, and there was no further congestion.

Assistant Superintendent of Delivery T. W. Collins was assigned to station D, and he reports that there was no congestion of the pneumatic tubes between 5.30 and 8 p. m. on January 5, 1917.

Very respectfully,

E. M. MORGAN, *Postmaster.*

UNITED STATES POST OFFICE,
New York, N. Y., January 11, 1917.

Mr. E. M. NORRIS,
Superintendent Railway Mail Service,
Second Division, New York, N. Y.

SIR: Assistant Superintendent of Delivery Jacob Abeles was assigned to observe if there was any congestion of the pneumatic tubes at Madison Square station on the evening of January 8, 1917. He reported that there was no congestion up to 7 p. m. At 7.05 p. m. there were 16 tube carriers containing mail on the floor ready for dispatch, and the last of these carriers was dispatched at 7.21 p. m., a delay of 16 minutes. At 7.32 p. m. there were 14 tube carriers on the floor, and the last one was dispatched at 7.44 p. m., a delay of 12 minutes. At 7.50 p. m. all tube carriers had been dispatched, and there was no more congestion.

Assistant Superintendent of Delivery T. W. Collins was assigned to Times Square Station and reports that there was no congestion of the pneumatic tubes between 5.30 and 8.30 p. m. on January 8, 1917.

Very respectfully,

E. M. MORGAN, *Postmaster.*

Post Office inspectors observed the operation of the tubes in New York on January 26, 1917, between the hours of 6.45 and 11 p. m. These observations were made of actual operation with full knowledge of the Post Office and pneumatic tube officials. It is natural to presume the tubes were being worked to their fullest capacity and utmost advantage. They reported as regards their observation as follows:

GRAND CENTRAL TERMINAL.

Inspectors Miller and Sharp report as follows: Eleven containers filled at this station at 8.30 p. m., 12 at 8.40 p. m., and 13 at 8.50 p. m., containing mails for train connection via Pennsylvania Terminal were delayed, the last containers being forwarded at 8.35 p. m., 8.45 p. m., and 8.56 p. m., respectively.

Three transit containers arriving between 7.12 and 7.19 p. m. were delayed 7 minutes, and three arriving at 8.40 p. m. were delayed 3 minutes.

MADISON SQUARE STATION.

Inspectors Mundell and McKew report as follows: The northbound tube line was more or less congested between the hours of 6.53 p. m. and 9.39 p. m., the greatest congestion occurring from 7.27 p. m. when 39 containers were on the floor until 9.29 when there were 19 containers awaiting dispatch. The average number of containers awaiting dispatch for each two-minute period during this interval was 36.

One of the containers which was ready at 7.09 p. m. was not dispatched until 7.44 p. m., resulting in a delay of 35 minutes, and another which was ready at 8.37 p. m. was not dispatched until 9.27 p. m., a delay of 50 minutes.

At 8.05 p. m. a tie out of approximately 20 containers for Grand Central Terminal was dispatched in an extra wagon, and at 8.18 p. m. another tie out of about the same quantity of mail was dispatched to Pennsylvania Terminal in an extra wagon. This was close-connection mail for outgoing trains, and an endeavor to dispatch it through the congested tubes at this hour would have caused excessive delay and failure to make train connection. (It is the custom at this and several other stations to revert to the use of wagons when train connections are jeopardized by reason of congestion in the tubes.)

TIMES SQUARE STATION.

Inspectors Neil and Kenyon report as follows: Eighteen containers waited dispatch at 7 p. m., 15 at 7.10 p. m., and 12 at 7.20 p. m. The last containers of each consignment were dispatched at 7.08 p. m., 7.16 p. m., and 7.38 p. m.

PENNSYLVANIA TERMINAL.

Inspectors Larabee and Lamiell report as follows: On several occasions, between 7.05 p. m. and 9 p. m., from 6 to 15 containers were on hand, and at 8.57 p. m. 27 were on hand, the last container of this consignment being dispatched eight minutes late. One container was dispatched three minutes late at 7 p. m., three five minutes late at 7.45 p. m., and three five minutes late at 8.30 p. m.

STATION P.

Inspector Clarahan reports that the first container in a consignment of 15, which were ready for dispatch at 5.45 p. m., was forwarded at 7.05 p. m. and the last at 7.24 p. m. He also reports that 19 containers were ready at 7.25 p. m., the first of which was dispatched at 7.41 p. m. and the last at 7.51 p. m.

STATION O.

Inspector Spillman reports as follows: Between 8.23 and 8.30 p. m. 2 containers were delayed an average of five minutes. From 6.45 to 6.55 p. m. 6 containers were delayed 10 minutes. From 7.03 to 7.15 p. m. 2 containers were delayed 12 minutes, and 1 container was delayed from 7.15 to 7.45 p. m., 10 containers were delayed 15 minutes, from 7.30 to 7.45. From 7.45 to 8 p. m. 6 containers were delayed 15 minutes. From 8 to 8.10 p. m. 4 containers were dispatched which had been delayed 15 minutes. One container was delayed from 7.45 to 8.10 p. m., 25 minutes. From 8.10 to 8.20 p. m. 2 containers were delayed 10 minutes. From 8.20 to 8.35 p. m. 11 containers were delayed 15 minutes. From 8.35 to 8.50 p. m. 2 containers were delayed 15 minutes, and 11 were dispatched which had been delayed 30 minutes. At 7.45 p. m. to 9 p. m. 1 container was dispatched which had been delayed 15 minutes and another which had been delayed 45 minutes.

HUDSON TERMINAL STATION.

Inspector Martin reports that containers which had been awaiting dispatch were delayed as follows: At 7.34 p. m. several containers were delayed from 1 to 3 minutes; at 7.51 p. m. 20 containers were delayed from 1 to 17 minutes; at 7.54 p. m. 9 containers were delayed from 1 to 3 minutes; at 8.02 p. m. 7 containers were delayed from 1 to 8 minutes; at 8.11 p. m. 4 containers were delayed from 1 to 7 minutes; at 8.14 p. m. 7 containers were delayed from 1 to 3 minutes; at 8.23 p. m. several containers were delayed from 1 to 7 minutes; at 8.25 p. m. several containers were delayed from 1 to 3 minutes; at 8.31 p. m. several containers were delayed from 1 to 8 minutes; at 8.44 p. m. 6 containers were delayed from 1 to 4 minutes; at 9.16 p. m. several containers were delayed from 1 to 12 minutes; at 9.54 p. m. 9 containers were delayed from 1 to 7 minutes; at 10 p. m. 10 containers were delayed from 1 to 6 minutes.

GENERAL POST OFFICE.

Inspectors Enteman, Opdyke, Hughes, and Keyes report as follows: At this station 319 containers were delayed from 1 to 20 minutes, but the delays occurred with such frequency that it was not found possible to record the details as to the time and number of containers involved in each dispatch.

The tube lines were in perfect running order and the employees of the tube company were fully aware of the fact that the delays were being recorded by inspectors, and the employees made every endeavor to expedite the dispatches.

In this connection attention is invited to the fact that, since a somewhat similar record was made by the New York office about two months ago, additional motor-wagon trips have been added to route 407012, between stations D, O, Madison Square, and Penn Terminal, in order to relieve the congestion in the tubes and to assure train connections.

F. H. GALBRAITH,
Superintendent of Mails.

These delays to letter mail would not in the ordinary course of business be reported, and accounts for the small number of letters reported by the engineers of the commission as being delayed. Some of the other delays to mail when the tubes were in actual use in New York are as follows:

(Minority report.)

NEW YORK, N. Y.

September 5, 1917: Northward line of pneumatic-tube service between general post office and Madison Square Station suspended operation from 8.40 p. m. to 9.50 p. m. Owing to this suspension the dispatch of approximately 6,000 pieces of mail was delayed.

October 30, 1917: As a result of the foregoing suspensions of service, the dispatch of approximately 25,000 pieces of mail was delayed from two to eight hours.

October 20, 1917: Northward line of tube service between Madison Square Station and Grand Central Station suspended operation from 1.07 p. m. and 3 p. m., delaying the dispatch of approximately 20,000 pieces of mail from three to eight hours.

February 3, 1917: The southward line of tube service between Times Square and Pennsylvania Terminal Station and Station O was interrupted from 4.10 a. m. to 11.08 a. m., mail intended for dispatch over the west side circuit was diverted and received at the main office over the east side circuit, resulting in delaying approximately two hours 400 letters addressed to Philadelphia.

The service between the general post office and the Hudson Terminal Station and between Hudson Terminal Station and the general post office was suspended from 4 p. m. and from 4.30 to 4.37 p. m., so that approximately 2,500 letters were delayed in dispatch from one-half to two hours.

May 18, 19, 1917: Tube service between stations Madison Square, D, and the general post office suspended from 9.35 p. m. (closing time) on May 18, and from 4 a. m. to 11 a. m. May 19. Approximately 2,100 letters delayed in transit on account of suspension of service from 8 to 20 hours, were turned over to the post office after being taken from the line by representative of tube company.

July 30, 1917: Northward line of tube service between Madison Square and Grand Central Station suspended operations 9.18 p. m. to 9.30 p. m., thereby delaying the dispatch of approximately 1,800 letters from two to five hours. The southward line of tube service between Station F, Grand Central, and Madison Square Station ceased operation from 10.05 p. m. until closing time, 11 p. m.

Mr. Morgan, postmaster of New York, who seems to favor the reestablishment of the pneumatic-tube service, has evidently changed his opinion from that of former years. He served as chairman of a committee appointed by former Postmaster General Hitchcock to study the transportation of mails in New York City, which committee, in their report on February 1, 1913, reached the following conclusion:

BRIEFS AND DATA.

"It is easily determinable that the most serious problem with which the postal authorities in New York City will be confronted as soon as the new building on Eighth Avenue is occupied is the moving of mails from the district of the present down-town general post office to the new building for dispatch over the Pennsylvania Railroad. According to present plans, the mails which are now worked in the main down-town office and at the Hudson Terminal Station will be worked in the new down-town building, and it is apparent that a condition will soon be reached when a tube of large dimensions or other system of rapid transportation will be essential between the down-town and uptown offices.

"It is recommended, therefore, that steps be taken looking to the establishment of a service by tunnel or tube operating carriers of not less than 24 inches in diameter between the central down-town post office, the new post-office building on Eighth Avenue, and the Grand Central postal station."

If the 8-inch tube was inadequate in 1913 to transport the mails in New York City, it is certainly useless at this time. The conclusions reached by the committee of post-office inspectors who made a thorough investigation of the pneumatic-tube service in New York City as set forth in their report of March 31, 1917, are as follows:

BRIEFS AND DATA.

In our efforts to offer the best solution of the transportation problem we are forced to the conclusion that the pneumatic-tube service should be abandoned entirely and that a complete and efficient motor-driven vehicular service should be inaugurated. It is recommended such action be taken, and that the advertisements as related to routes Nos. 407012 and 407013 be amended to provide for the employment of additional lightweight cars.

G. B. MILLER,
E. F. MARTIN,
C. E. ERTEMANN,
C. A. LARABEE,
P. D. COLVIN,
J. E. LANVILLE,
W. J. OPDYKE,
E. F. SHARP,
Post-Office Inspectors.

It is the judgment of the ablest men in the Postal Service that the pneumatic tube as was used is obsolete and practically useless as a factor in the transportation of mail. This view was also early expressed by a congressional committee which investigated the Postal Service, and in a report dated January 14, 1901, reported as follows regarding the tubes:

SENATE HEARINGS.

"While we believe that all reasonable means should be utilized to insure the most rapid transmission and delivery of mails possible, we do not believe that pneumatic-tube service in its present stage of development is sufficiently expeditious to warrant the enormous outlay of public money that must be called for if this service were generally extended. We might enter the field of discussion and suggest that if a tube could be constructed and operated which would transmit a full pouch of mail from post office to railroad station or railroad station to post office for a reasonable amount of money, or that a smaller and less expensive tube might be used for city service for the transmission of letters from post-office station to post-office station which should bear an additional charge to reimburse the Government, that it might be for the best interests of the service and the people to continue an appropriation for that purpose.

"But we prefer to confine ourselves to present conditions and the conclusions that we have reached from our examinations and the testimony before us.

"We therefore recommend that under existing conditions the pneumatic-tube service be discontinued."

To reestablish the pneumatic-tube service in New York in the face of these facts would be a step backward in efficient postal service, an extravagant waste of public funds, and a useless expenditure at the time when the public is already overburdened with taxation without benefit to the Postal Service.

A. B. ROUSE.
KENNETH MCKELLAR.

My views on this subject can be stated very briefly. There is only one question here for the consideration of the Congress, to wit, Is the amount of money necessary to have pneumatic-tube postal service in New York City warranted by reason of increased efficiency and expedition in the handling of the mail?

It can not be denied but that a limited percentage of the mail can be expedited by the use of pneumatic tubes, but I am not satisfied that those upon whom rests the burden of proving that the great expenditure necessary to give pneumatic-tube service to the postal service of New York have made out a case. In other words, I am not satisfied that the expedition of the mails is sufficient and the benefits to the service enlarged to such an extent as to justify the expenditure of over half a million dollars annually for this service in New York City alone.

Even if pneumatic-tube service is to be reestablished, I am firmly convinced that it should be done only through Government ownership of the tubes and Government operation of them. No sound reason has been advanced for adding this adjunct to our Postal Service (if it is as valuable as is claimed by its proponents) through a policy of permitting the tubes to be owned by a private corporation and leased by the Government.

Unquestionably in time it will be necessary to have some underground postal transportation system in New York City, but when that time comes the system set up must be capable of transporting all classes of mail with celerity and reasonable cost and owned and operated by the Government.

In view of the foregoing decision I can not support an appropriation for this service in the annual Post Office Department appropriation bill.

DAVID I. WALSH.

HOUSE BILLS REFERRED.

The following bills and joint resolution were severally read twice by title and referred as indicated below:

H. R. 2874. An act to authorize the establishment of a Coast Guard station on the coast of Green Bay, at or in the vicinity of Strawberry Passage, in Door County, Wis.; to the Committee on Commerce.

H. R. 6512. An act for the relief of and purchase of lands for certain of the Apache Indians of Oklahoma, lately confined as prisoners of war at Fort Sill Military Reservation, and for other purposes; to the Committee on Indian Affairs.

H. R. 5588. An act to repeal section 5 of an act entitled "An act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains, in the State of California, and for other purposes," approved August 9, 1916;

H. R. 7812. An act to extend the time for cutting timber in the Coconino and Tusayan National Forests, Ariz.; and

H. R. 9257. An act to permit adjustment of conflicting claims to certain lands in Mohave County, Ariz.; to the Committee on Public Lands and Surveys.

H. R. 9604. An act for the acquisition of a post-office site at Madison, Wis.; to the Committee on Public Buildings and Grounds.

H. R. 10429. An act authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing officers of the War and Navy Departments in the settlement of certain accounts; to the Committee on the Judiciary.

H. J. Res. 274. Joint resolution authorizing the commissioning in the Marine Corps of midshipmen under certain conditions; to the Committee on Naval Affairs.

AMBASSADOR EXTRAORDINARY TO HAITI.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, the resolution of the Senator from Utah [Mr. KING] relative to the appointment of Brig. Gen. John H. Russell as high commissioner to Haiti.

Mr. KING. Let the resolution be read.

The PRESIDENT pro tempore. The Secretary will report the resolution.

The reading clerk read the resolution (S. Res. 249) submitted by Mr. KING yesterday, as follows:

Whereas the President of the United States has designated Brig. Gen. John H. Russell as high commissioner to Haiti, with the rank of ambassador extraordinary to the Government of that country, without having sent the nomination of said Brig. Gen. John H. Russell to the Senate for the advice and consent of the Senate with respect to his appointment to said office: Now, therefore, be it

Resolved, That the Committee on the Judiciary is hereby requested to investigate the question as to the power of the President under the Constitution to appoint an ambassador extraordinary to Haiti, without the advice and consent of the Senate in that behalf, and report their findings and opinion to the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. LODGE. Mr. President, there is an error in the resolution to which I wish to call attention. The President, in reply to the inquiry of the Senate, sent the orders given by him to Gen. Russell and stated that he was sending him as commissioner, with the rank of ambassador, as his agent. Of course, he is an officer of the Army, and the President is sending him there with that rank. But I think in the absence of the Senator from Illinois [Mr. MCCORMICK] and the Senator from Ohio [Mr. POMERENE], who have special charge of matters relating to Haiti, it would be better if the Senator would allow the resolution to go over.

Mr. HARRISON. Mr. President, may I ask the Senator from Utah in considering the question whether he considered also that Lillian Russell was sent over to Europe to settle the immigration question under similar circumstances?

Mr. KING. I might say that this administration seems to have a penchant for the name "Russell," and there may be other Russells clothed with extraordinary powers and sent with roving commissions throughout the world. I can not answer the Senator from Mississippi any more in detail than that.

Mr. President, there ought to be no objection whatever to the adoption of the resolution. I do not wish, however, to seem to take advantage of the absence of any Senator who may be interested in the resolution, and if the Senator from Massachusetts so requests, out of deference to his request I will let the resolution lie on the table, to be called up when I can get the floor during the day.

Mr. LODGE. I am much obliged to the Senator. Of course, this appointment is one of the kind which all Presidents have made; it is not an office in any sense of the word; but I am not going to argue the question, because I think it is one that should, with reasonable deference to the Senator from Ohio and the Senator from Illinois, remain unacted upon until they can be present.

Mr. KING. Mr. President, I will, without prejudice to its further consideration, ask that the resolution go over, and I now give notice that I shall again call it up.

Mr. LODGE. Let the resolution lie upon the table, and the Senator from Utah may call it up at any time.

Mr. KING. I shall call the matter up to-morrow morning, if I can get the floor for the purpose during the day.

The PRESIDENT pro tempore. The resolution will lie over until to-morrow without prejudice.

ATTORNEYS EMPLOYED BY ALIEN PROPERTY CUSTODIAN.

Mr. KING. Mr. President, I submit the resolution which I send to the desk and move its adoption.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The reading clerk read the resolution (S. Res. 253), as follows:

Whereas the Senate on January 5, 1922, passed a certain resolution requiring the Alien Property Custodian to report to the Senate the names of all attorneys who have been appointed or employed by the Alien Property Custodian, together with certain other information specified in said resolution; and

Whereas the Alien Property Custodian has failed and neglected to respond to said resolution, although ample time has intervened since the passing of the same for him to report to the Senate the information requested: Now, therefore, be it

Resolved, That the Alien Property Custodian be, and he is hereby, directed to forthwith report to the Senate the information requested of him in said resolution.

The PRESIDENT pro tempore. The Chair understands that the Senator from Utah asks unanimous consent for the immediate consideration of the resolution?

Mr. KING. I do.

The PRESIDENT pro tempore. Is there objection?

Mr. WADSWORTH. Mr. President, I have no particular objection to the resolution unless some other Senator may desire to have it go over. I merely wish to state in this connection that, quite by accident, I happened to discuss with one of the officials in the office of the Alien Property Custodian some of the work being done by that office, and he mentioned to me the terrific task which had been imposed upon the office in its effort to reply to the resolution originally introduced by the Senator from Utah [Mr. KING].

Mr. KING. Let me say to the Senator, if I may interrupt him——

Mr. WADSWORTH. I have no right to speak for the official to whom I have referred, and I can not recollect the figures which he gave me, but I gathered the impression that, in order to furnish the information required, a large number of clerks had to be employed in the production of a very bulky document on which they were hard at work.

Mr. KING. Let me say to the Senator from New York that if the Alien Property Custodian had complied with the law, and had filed, as should have been done, on the 1st of January, a full and detailed report of all his proceedings, this resolution would not be necessary. If he has the data on hand which he should have, as by law required, it would be a very easy task to assemble the information called for by the resolution which was adopted by the Senate some time ago.

Mr. MCCORMICK. I ask that the resolution go over until to-morrow.

Mr. KING. I suppose under the rule I can do nothing but submit.

The PRESIDENT pro tempore. The resolution will go over.

UNEMPLOYMENT OF EX-SERVICE MEN.

Mr. HARRIS. Mr. President, some days ago I called attention to a statement which had been made that there were 200,000 unemployed in the city of New York, 75,000 of whom were ex-service men. I ask that the Secretary may read a statement which I send to the desk from the head of the American Legion showing that there are 700,000 ex-service men unemployed, and that he is asking the President of the United States to set aside a day in order to help remedy the situation. We are allowing between 300,000 and 400,000 immigrants each year to come into this country when at the same time several million of our own citizens, including hundreds of thousands of ex-service men, are unemployed. I have heretofore urged that all immigration be stopped for five years, and I shall continue my efforts to accomplish this.

I have also offered an amendment, now pending before the Senate Immigration Committee, which would require all aliens to come to the United States in American ships.

The PRESIDENT pro tempore. Is there objection to the reading of the statement presented by the Senator from Georgia?

There being no objection, the statement was read, as follows:

LEGION TO CAMPAIGN TO FIND JOBS FOR 700,000—MACNIDER ASSERTS CONCERTED EFFORT WOULD FIND EMPLOYMENT FOR 500,000.

[By the Associated Press.]

CHICAGO, *March 4*.

A campaign by the American Legion to obtain employment for 700,000 veterans of the World War now idle and in need has been under consideration by the legion, Col. Hanford MacNider, national commander, announced to-night in an address at a dinner given in his honor by the Illinois department.

National business, civic, fraternal, and welfare organizations have been asked to cooperate and a survey of conditions in each locality will be completed before March 20, which will be known as American Legion employment day, he said.

"Properly supported, this concerted, localized national effort will result in the relief of 500,000 men in 30 days," Col. MacNider asserted. President Harding has been requested to set aside the day by proclamation to obtain relief for unemployed veterans, and governors, mayors of cities, and local leaders have been asked to cooperate, it was announced.

"Resplendent dignitaries, great addresses, and solemn music paid homage to the unknown soldier last November," Col. MacNider said. "This unknown soldier even now is passing your door. Your faith and appreciation will inspire him. Give him work."

THE FOUR-POWER TREATY.

The PRESIDENT pro tempore. Morning business is closed.

Mr. LODGE. I move that the Senate proceed to consideration of executive business in open session in order that the four-power treaty may be considered.

The motion was agreed to; and the Senate as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. LODGE. I now make the point of no quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harreld	Newberry	Shortridge
Ball	Harris	Nicholson	Smith
Borah	Harrison	Norbeck	Spencer
Brandegee	Heflin	Norris	Stanley
Cameron	Jones, Wash.	Oddie	Sterling
Capper	Kellogg	Overman	Sutherland
Caraway	Kendrick	Page	Townsend
Colt	King	Pepper	Underwood
Culberson	Ladd	Phipps	Wadsworth
Cummins	Lenroot	Pittman	Walsh, Mass.
du Pont	Lodge	Poindexter	Walsh, Mont.
Fletcher	McKellar	Pomerene	Warren
France	McKinley	Rawson	Watson, Ga.
Gerry	McNary	Reed	Williams
Gooding	Nelson	Robinson	Willis
Hale	New	Sheppard	

Mr. JONES of Washington. I desire to announce that the Senator from Vermont [Mr. DILLINGHAM] is absent on account of a death in his family.

I also wish to announce that the following Senators are detained from the Senate in connection with the work of the Committee on Finance: The Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from New York [Mr. CALDER], the Senator from Indiana [Mr. WATSON], and the Senator from New Jersey [Mr. FRELINGHUYSEN].

The PRESIDENT pro tempore. Sixty-three Senators have answered to their names. A quorum of the Senate is present.

Mr. KELLOGG. Mr. President, when we consider the circumstances under which the conference of Washington was called, the condition of the world after the Great War, the burden of taxation under which the peoples of the belligerent nations are suffering, and what has been accomplished under the leadership of the United States, the Senate ought to ratify these treaties without the slightest hesitation. They were acclaimed by the people of all nations, and approved by the most enlightened sentiment of the world.

In June, 1921, the President announced his intention to call a conference in Washington for the purpose of the limitation of naval and land armament. So strong was the sentiment in the Congress for such a movement that on July 12, 1921, there was passed and approved an amendment to the naval appropriation bill authorizing and requesting the President to invite the Governments of Great Britain and Japan to send representatives to a conference—

which shall be charged with the duty of promptly entering into an understanding or an agreement by which the naval expenditures and building programs of each of said Governments shall be substantially reduced.

On August 11, 1921, the President issued his formal invitation for a conference to meet in Washington on November 11, 1921, for the limitation of armament and the settlement of the Pacific and Far Eastern questions. This conference therefore was called pursuant to a mandate adopted by substantially a unanimous vote of the Congress of the United States, and backed by the enthusiastic approval of the people of this country. The United States is probably the only country which could have taken the lead in this great movement with any hope of success. The war had left Europe torn by factions, inspired by rivalries, jealousies, and racial hatreds, which the treaty of Versailles had not allayed. This Government had held aloof from these disputes, though deeply interested in the peace of the world, for past experience had taught us that any great world conflagration involved the peace and security of this Nation.

The conference met in Washington on the anniversary of the armistice ending the Great War. I believe that few people expected such great accomplishment in so short a time. Various attempts had been made in the past without success. The competition in building navies and raising and equipping land forces had continued uninterruptedly until the war burst with all its fury upon Europe in 1914. Even when the leading statesmen of Europe were, in 1918 and 1919, discussing a proposed league or concert of nations, little if any hope was expressed that a limitation of armament could be agreed upon. This was particularly true of the discussions in the House of Commons and in the House of Lords, I believe, in 1918. But the peoples of the belligerent nations—yes, of all nations—were weary of war. They had passed through four years of ruin, devastation, and suffering unparalleled in history, leaving them burdened with debt and oppressed with taxation. They were determined to end the competition between nations in building armaments, the inevitable result of which must be another war.

With the vision of a statesman, realizing his responsibility as Executive head of a great Nation, the President decided to make a determined effort toward an understanding for the limitation of armament, which, confessedly, he knew must include the leading maritime nations of the world. In order to accomplish it the President realized, as I think all statesmen did, that to obtain an agreement for limitation of armament there must be a settlement of the disputes in the Far East and the Pacific which would remove the cause of war. The treaty of Versailles had not adjusted these questions. If anything, the disagreements between Japan and China over the 21 points, the possession of Shantung, and the open door had been aggravated rather than allayed. Japan had been given a mandate over the German islands north of the Equator. This country had not recognized that mandate, and insisted upon the right of constructing and maintaining a cable station upon one of those islands. Japan was proceeding to fortify its outlying islands and carrying on a large program of naval construction. England and the United States were also carrying on programs of naval construction. The burdens of naval armament were to increase instead of decrease. The next war was predicted in the East, and many thought it would come in the near future.

Under these conditions the conference met in Washington. The distinguished statesmen representing the various Governments were inspired with the highest motives and a determination to accomplish something substantial, and they have submitted their labors to the candid judgment of the world. The result of that conference was the following treaties:

(1) The four-power treaty between the United States, the British Empire, France, and Japan, wherein they agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific and agree to confer together to settle any disputes which may thereafter arise. This treaty canceled the Anglo-Japanese alliance.

(2) The treaty between the five powers for the limitation of naval armament and the limitation upon building fortifications on the Pacific islands.

(3) A treaty by the same powers limiting the use of submarines and noxious gases in warfare.

(4) A treaty between the nine powers relating to the principles and policies to be followed in matters concerning China, and to provide for an open door and equality of opportunity of trade and commerce.

(5) A treaty between the nine powers relating to the Chinese customs tariff.

(6) A treaty and an understanding recorded in the minutes between Japan and China adjusting and settling the disputes between those two countries, especially restoring to China the German territory and rights in Shantung which had been taken by Japan, including the railway.

I shall not at this time attempt to discuss in detail these various treaties, but in passing it seems to me important to emphasize those in relation to China. The limitation of armament treaty is well understood by everyone. It will be discussed in the Senate, undoubtedly, at great length. It is the first great constructive effort in the world in all the long centuries of war to limit the construction of naval armament, which, if it were to go on, undoubtedly would produce another conflict, and meanwhile burden the peoples of this country and of the world. I shall not, therefore, stop to discuss that treaty, because it was the object of this conference. All the other treaties are auxiliary to it and in aid of it, in order that this object might be attained.

The nine-power treaty between the powers and China in relation to the open door of China, I think, deserves brief consideration. The treaty between these nine powers relating to the principles and policies to be followed in matters concerning China is of very great importance to this country. It contains stipulations for the open door, which have been advocated by this country from the time John Hay was Secretary of State; and the nine powers having established in the principles of the sovereignty and independence of China the open door and equal

opportunity for trade and commerce, I believe that they will be adopted by all the other nations of the world.

So far as this country is concerned, it carries out a cherished policy, and I believe is of very great importance in settling the difficult problems in the Far East.

By article 1 of this treaty the contracting powers agree to respect the sovereignty, the independence, and the territorial and administrative integrity of China; to provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government; to use their influence for establishing and maintaining equal opportunity for commerce and industry of all nations throughout the territory of China; and to refrain from making any agreements for special rights or privileges.

By article 2 the powers agree not to make any treaty infringing upon the principles laid down in article 1, and in article 3 they agree that they will not support their nationals in obtaining any superior rights to commercial and economic development, or any monopoly of trade and industry in China.

By article 4 the contracting powers agree not to support any agreement by their respective nationals with each other designed to create spheres of influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

Article 5 provides that there shall be no discrimination upon the Chinese railways in respect of charges or of facilities for shipment between the nationals of different countries.

Mr. President, I listened yesterday to a resolution introduced by the Senator from Idaho [Mr. BORAH] requesting information from the President as to whether the Lansing-Ishii agreement was now in force, and a like question was addressed to the Senator from Alabama [Mr. UNDERWOOD] and the Senator from Massachusetts [Mr. LODGE], both of whom said that it was not in force.

Just for a moment let us see what the Lansing-Ishii agreement was. The question was undoubtedly asked with a view to raising the question of whether there was not now in existence an understanding between the State Department and Japan, whereby the latter retained special interests in China, which has not been abrogated by this nine-power treaty.

The Lansing-Ishii agreement, to commence with, is not a treaty. It was merely an exchange of notes between Mr. Lansing and Viscount Ishii, the special representative of Japan. I shall not read these notes, but two or three clauses will illustrate the point I am making.

In the note of November 2, 1917, to the ambassador extraordinary of Japan, Viscount Ishii, Mr. Lansing said:

> The Governments of the United States and Japan recognize that territorial propinquity creates special relations between countries, and consequently the Government of the United States recognizes that Japan has special interests in China, particularly in the part to which their possessions are contiguous.
>
> The territorial sovereignty of China, nevertheless, remains unimpaired, and the Government of the United States has every confidence in the repeated assurances of the Imperial Japanese Government that while geographical position gives Japan such special interests they have no desire to discriminate against the trade of other nations or to disregard the commercial rights heretofore granted by China in treaties with other powers.
>
> The Governments of the United States and Japan deny that they have any purpose to infringe in any way the independence or territorial integrity of China, and they declare, furthermore, that they always adhere to the principles of the so-called "open door" or equal opportunity for commerce and industry in China.

Mr. President, to commence with, those special interests were defined by the representative of Japan at the last conference as not conferring any sphere of influence or special interest other than that which would arise from the nearness of the Chinese territory to Japan, and Japan's necessary interest in the trade and commerce of China which were open to all countries.

Baron Shidehara, in the declaration he made in the conference, made clear what is meant by Japan when referring to special interests in China. As thus defined, these special interests are not claimed to connote either political domination or exclusive privileges, or any claim or pretension prejudicial to China or any other foreign nation, or any antagonism to the principles of the open door and equal opportunity. He said:

> To say that Japan has special interests in China is simply to state a plain and actual fact. It intimates no claim or pretension of any kind prejudicial to China or to any other foreign nation.
>
> Nor are we actuated by any intention of securing preferential or exclusive economic rights in China. Why should we need them? Why should we be afraid of foreign competition in the Chinese market, provided it is conducted squarely and honestly? Favored by geographical position, and having fair knowledge of the actual requirements of the Chinese people, our traders and business men can well take care of themselves in their commercial, industrial, and financial activities in China without any preference or exclusive rights.
>
> We do not seek any territory in China, but we do seek a field of economic activity beneficial as much to China as to Japan, based always on the principle of the open door and equal opportunity.

Then, he goes on to explain that the special interests arise simply from propinquity, and by reason of the fact that Japan has a large trade and commerce, and is dependent a great deal upon China for her raw materials, and so forth.

That this note was in the minds of the representatives of this Government and of the other Governments is perfectly evident from the discussion by Mr. Balfour on the 8th day of December, in the fourteenth meeting of the conference, reported on page 563 of the proceedings of the conference. He said:

> It might, of course, be said that China, not being a party to such treaties, need in no way recognize them nor consider herself bound by any of their provisions. That was legally true. But the political effect produced by a group of such treaties, just as in the case of spheres of influence, tended so to modify the political and economic situation in China that no efforts on the part of the Chinese Government would succeed in preserving its liberty of action. Should recognition be given to the practice that China need not be consulted, the total results of a group of such cases must be examined. In that case it was claimed that vital interests of China would be affected, and that the nature of activities and interests within China would be determined entirely by the action of outside powers. The Chinese Government would then find itself obliged to move along grooves laid down by others without having once had an opportunity of insisting upon her own life needs as seen by herself.
>
> It must therefore be concluded that though an individual agreement might, on the face of it, concern only the action of outside powers, if that action related to China, the Chinese Government could not remain indifferent to it because of the effect which the continued practice of making agreements of this kind would have upon the liberty of movement and the development of the Chinese Government and the nation itself.

This had been preceded, as the Senator from Massachusetts well remembers, by a statement of Mr. Koo substantially to the same effect. It shows, therefore, that the representatives of this Government had in mind exactly such a situation as would arise from any possible claim by the Japanese Government that this Lansing-Ishii note granted to her any special rights, like a sphere of influence or an exclusive right to trade within China.

When, therefore, we find a disclaimer by Japan, a statement in the open conference, of the class of treaties and notes and agreements and understandings between powers other than China which were intended to be covered by this treaty, and when we read the fourth provision of article 1, whereby the Governments agree to refrain from taking any advantage of conditions in China, or to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing any action inimical to the security of separate States, we can see that there is not anything left whatever that may have existed in the Lansing-Ishii agreement.

In any event, it seems by the declaration of Japan that all she claimed from that instrument was a superior right by reason of her contiguity to the Chinese territory. We were seven or eight thousand miles away. While we had trade in China, Japan was near China. Her interest, therefore, was greater and more vital to her national life than ours, although they were not special privileges which were not in the reach of any other country, and if they were they were rendered absolutely void by this treaty.

We all remember the discussion which took place in the Senate when the question of Shantung was before the Senate. I am not going to stir up the embers of the old Versailles treaty debate, but I believe that there was no question which interested the American people more than the provision of that treaty which gave the German leased territories in Shantung to Japan. There was a treaty made at this conference between Japan and China—although, to be sure, this country was not a party to it—undoubtedly induced by the good offices of representatives of this Government as well as those of other Governments. In one moment I shall mention the nature of this treaty.

This was a treaty, and also a resolution, which may be taken as a part of the whole document executed by the Japanese and Chinese representatives. This treaty is entirely a treaty for the settlement of outstanding questions relative to Shantung. It provides for an adjustment of nearly all the questions between those countries which were left unsettled by the treaty of Versailles and which resulted in the failure of China to sign that treaty. Japan agrees to transfer to China the former German leased territory of Kiachow, with all public property therein, and the Japanese troops are to be withdrawn from China. The customhouses are to be turned over to China. Japan also agrees to transfer the Tsing-Tao Railway and its branches, with all properties appertaining thereto, and China agreed to pay Japan 53,406,141 gold marks, being the assessed value of the railroads in the hands of the Germans, and to pay Japan for all permanent improvements made since that time. This sum to be secured upon the revenues of the railway for a period of 15 years and to be payable at the option

of China at any time after 5 years. All mines for which rights were formerly granted to Germany are to be turned over to a Chinese corporation, in which the capital of the two countries may be equally represented. Japan agrees that it will not seek any establishment of exclusive Japanese settlement or international settlement in the former German leased territory and China agrees that the same will be open for foreign trade and foreign nations will be permitted to freely reside and carry on commerce, industry, and other lawful pursuits within such area. The salt industry is to be transferred to China, and China agrees that exportation of salt to Japan shall be permitted on reasonable terms. The former German cables are to be transferred to China, with the exception of two cables which have been utilized by the Japanese Government. All wireless stations to be transferred to China for a fair compensation. These are the principal features of this most important treaty.

Mr. President, I think it was not one of the least of the accomplishments of the American delegates and the other delegates to this conference to bring about an adjustment and settlement of the questions in China and the maintenance of the open door, for which this country has struggled for many, many years.

It is not, however, my intention at this time to go into any detailed discussion of those various treaties. It is sufficient to say that, as a whole, they were made necessary in order that we might enter into an agreement with the naval powers for limitation of armament. Everyone knows that without these treaties we could not have brought Japan into an agreement—and Japan was a great naval power—which would have been accepted by her for the limitation of the building of armament.

This was evident to the President—to everybody attending the conference—and it must have been evident to the Congress when it passed the resolution calling for a limitation of naval armament, that it could never be accomplished without an adjustment of these differences and disputes in the Far East. There is no way of settling disputes between nations except by treaties, as there is no way to obtain a limitation of armament but in the same way, and it seems to me that Senators will take a heavy responsibility in attempting to defeat any one of these treaties so necessary to the accomplishment of the great object of this conference. The treaties may not in detail meet the ideas of every Senator, but we must remember that every Senator can not have his own way, and that if they are to be ratified and the work of the conference consummated there must be accommodation of views and a broad-minded attitude in order that this great work may be accomplished.

THE FOUR-POWER TREATY.

I now invite the Senate's attention to the four-power treaty, which seems to be the storm center of opposition. It was the first and one of the most necessary steps in arriving at the limitation of armament, and properly to understand the reasons for making it we must take into consideration the conditions existing in the Far East.

The United States, Japan, France, and England had possessions in the western and southern Pacific, and Japan and the British Empire had obtained mandates over certain of the Pacific islands. There existed a defensive alliance between the British Empire and Japan, known as the Anglo-Japanese alliance, under which it was agreed as follows:

> If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any power or powers, either high contracting party should be involved in war in defense of its territorial rights or special interests mentioned in the preamble of this agreement, the other high contracting party will at once come to the assistance of its ally, and will conduct the war in common and make peace in mutual agreement with it.

This was the Anglo-Japanese alliance that stood in the face of this conference when limitation of armament was proposed to the world.

This treaty was viewed by the United States and by other powers with suspicion, and it was thought by the distinguished statesmen representing this country that if we were to find a firm basis of mutual friendship and permament peace there should be no offensive or defensive alliances existing in the East, especially in view of the fact that Japan and the British Empire were two of the great naval powers of the world. It was therefore agreed that upon the ratification of the four-power treaty the agreement made between Great Britain and Japan, which was concluded in London on July 13, 1911, known as the Anglo-Japanese alliance, should terminate.

I saw an article this morning in The Outlook which seemed to me to put this question in a very few words:

> A vote—
>
> Says The Outlook—
>
> against the treaty is a vote for an alliance—a vote, in fact, for an alliance in which America has no part. A vote for the treaty is a vote not only against this alliance but against all alliances in the Far East. If the treaty is adopted, the Anglo-Japanese alliance is at an end; if it is not adopted, the Anglo-Japanese alliance will continue and will have added significance by the very fact of the rejection of its substitute.
>
> We can hardly believe that the country wishes the Senate to say virtually to Great Britain and Japan, "We decline to promise to respect your rights; we do not wish in any case of dispute even to confer with you; and we prefer that you should keep up your military partnership."

Very well said.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. KELLOGG. I yield.

Mr. POMERENE. I would like to ask the Senator a question, not in a controversial spirit, because I expect to vote for the treaty, possibly with a reservation. I would like the Senator's view with respect to this situation.

Great Britain and Japan have both ratified the Versailles treaty. Great Britain and Japan are both parties to the four-power pact. Under the Versailles treaty any controversy which may arise between any two of the signatory powers goes before the assembly or, under certain conditions, before the council of the League of Nations. Under the four-power pact any controversy which is the subject matter of consideration in the four-power pact must be considered by the four powers.

Query: Assume that a controversy arises between Great Britain and Japan relative to some island possession in the Pacific region. Under the terms of the Versailles treaty the assembly might have jurisdiction of it. Under the four-power pact the four signatory powers would have jurisdiction of it. Would that controversy have to be submitted to the two tribunals for consideration, or what would happen in the event that such a controversy as I have indicated should arise?

Mr. KELLOGG. I do not think it would have to be submitted to the League of Nations at all. We are not a party to the League of Nations——

Mr. POMERENE. Oh, no; Mr. President——

Mr. KELLOGG. Let me complete my answer, please. The league does not prohibit, so far as an outside country is concerned, Great Britain and Japan entering into an agreement with the United States whereby they agree to consult together as to any dispute which may arise between them or between those parties and any outside nations as to this particular subject. I do not think that the League of Nations could have any jurisdiction, because those countries have made, not agreements of arbitration with us, not binding agreements to submit to the decision of any conference or league, but simply an agreement to consult together as to any question in which they may be mutually interested.

Mr. POMERENE. If the Senator will pardon me, the Senator is answering me from the standpoint of the United States. That was not the phase of the problem which was in my mind or which was contemplated by my question. Looking at it from the standpoint of Great Britain and Japan, who are, in the hypothetical case I have submitted, parties to the controversy, should they submit it to the assembly under the treaty of Versailles or should they submit it for consideration to the conference of the four powers under the four-power treaty; and if either the one or the other or both, what would be the result?

Mr. KELLOGG. The four-power treaty is the latest treaty. This is a treaty made simply for conference as to the particular subjects with a country not a member of the League of Nations, and I see no reason whatever why this conference would have to go to the League of Nations. The League of Nations covenant does not provide that nations shall not confer over subjects in which they are mutually interested. That is the best answer I can make.

Now let us see what the four-power treaty provides for. The preamble of this treaty states that it is made with a view to the preservation of the general peace and the maintenance of the rights of the respective nations in their insular possessions in the region of the Pacific; and, in order to accomplish this, article 1 of the treaty provides that the high contracting parties agree as between themselves to respect their rights in relation to their insular possessions and dominions in this region. It is true that there is no definition as to just what those rights are, and no definition is necessary. We have absolute dominion over the Philippine Islands, and the other powers agree to respect those rights. The other powers have absolute dominion or mandatories over other islands, and we agree to respect their rights. There is little, if any, chance for disagreement as to what those rights are. But assume that the title of any country should be questioned, we do not agree to submit that question to arbitration or to the decision of any conference or to be bound by any finding, but simply to consult together with a view to the adjustment of any disagreements.

Has it come to this that this country can not agree to respect the rights of other countries in order that there may be a better understanding and a preservation of the peace of the world? Shall we decline to meet in conference or to communicate with other nations with a view to settling international difficulties and maintaining peace? Shall we follow a policy of isolation and competition in building navies and land armaments, a policy which brought on the great European war? In my judgment conferences, communications as to disputes, and intimate associations are the surest means for preservation of peace. If nations can be induced to talk over their disputes and controversies, war is very unlikely. Had Germany consented to a European conference, the Great War would, in all probability, have been prevented.

But it is said that we are entering into an alliance which will involve us in the disputes of the Far East and may bring on a war. An alliance is generally understood to be an agreement between nations whereby if one is attacked the other agrees to go to war in its defense, like the Anglo-Japanese alliance, terminated by this treaty, the triple alliance, the Franco-Russian alliance, or the alliance between the United States and France of 1778. If this four-power treaty constitutes an alliance, then practically all the treaties we have ever made, by which we agree to consult together to arbitrate questions, to lay down rules of action in war or in peace, to limit armament upon the Great Lakes, are alliances. Have any of those treaties ever drawn us into war? Again, are we liable to be drawn into disputes in the Far East by consulting with interested nations more than by holding aloof and taking the position that we will look after our own affairs? The questions and differences are more liable to arise without this treaty than with it; and if differences arise in which we are interested they are much more liable to be adjusted after consultation with other nations than by taking the attitude that we will protect our own rights and they must look out for theirs. The treaty does not create the questions; the questions exist to-day and are bound to exist, whether we ratify the treaty or whether we do not. For nearly three years we held absolutely aloof from the war in Europe, and yet we were drawn into it.

I do not say that had a treaty existed by which the European nations had agreed to consult with each other before war should be declared it would certainly have prevented the conflict, because Germany had built up a great war machine and believed she could dominate Europe. But I do believe that had there been in existence an understanding for the limitation of armament, whereby armament had been kept down to a reasonable basis and an agreement to consult together before resorting to arms, there would have been no war in Europe in 1914. That is exactly what this country is now trying to do by the conference which has just adjourned. In view of the appalling calamity of the World War and the present disordered condition of the world, is it possible that the United States Senate is willing to take any chances whatever of defeating the objects sought to be attained by the leadership of the United States? The results of this conference have been hailed as the hope of the world by the afflicted nations of Europe. As this country led in the conference, it should lead in the consummation of its labors.

But why this sudden opposition to entering into a treaty whereby we agree to consult with other nations in order to prevent misunderstanding and avoid war? We have been making conventions and agreements with other nations for mutual action and understandings for many years, notably the following: Treaties with all the leading nations of the world, entered into by Mr. Bryan as Secretary of State, for arbitration and settlement of disputes. These treaties are substantially in the same form. Article 1 is as follows, and I invite attention to its language:

> The high contracting parties agree that all disputes between them, of every nature whatsoever, which can not be adjusted through diplomatic methods, or are not submitted to arbitration, shall be referred for investigation and report to a permanent international commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

Then article 2 provides for the creation of an international commission. There is much more of an alliance under every one of those treaties than there is under the four-power treaty, whereby we simply agree to consult with the other powers in the event of a dispute arising in the East or in the event of an aggression by any outside power on the rights of any of the signatory nations.

An agreement between Great Britain, Russia, and Japan for the protection of fur seals; a convention between Great Britain and the United States, entered into in 1817, regulating the naval forces upon the Great Lakes; the postal convention; the international wireless and telegraph convention; the international law commission; an agreement for the unification of rules with respect to assistance and salvage at sea; international prize court convention; international naval conference; international sanitary convention; convention relating to patents, designs, and industrial models; and many others too numerous to mention. These agreements require constant cooperation with other countries. Some of them affect territory and rights of citizens, regulate rules of warfare, rights upon the high seas, and questions of armament on the Great Lakes. Why not an agreement between the four leading powers to respect their rights in the Pacific and to consult together with a view of settling any disputes? Is there any more danger of involving us in entangling alliances by reason of this agreement to respect each other's territory than by reason of all the other numerous treaties, agreements, conventions, and arbitration tribunals heretofore made and now in existence with other nations?

Mr. President, it has been said that this treaty constitutes, or at least from it there may be implied, some agreement to defend the possessions of the other parties to it, and in order to satisfy those who are afraid of committing this country to anything of that kind a reservation was adopted by the majority of the Committee on Foreign Relations reading as follows:

> The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.

This, therefore, brings me to a discussion of the particular language of this treaty to ascertain if it implies any agreement to come to the defense of the other parties to it, or any obligation to use force, or, as the Senator from Massachusetts said in presenting the treaty, if any force lurks in the background.

Some, at least, of the members who voted for this reservation did not believe it was necessary, but apparently did so because they thought it could do no harm. I voted against the reservation in the committee, and I desire to state my reasons for doing so, for they involve a construction of the four-power treaty. It has been claimed on the floor of the Senate that there is at least a moral obligation to defend the territory of other countries and to come to their assistance with armed forces, and that in this regard the treaty resembles article 10 of the League of Nations covenant. I submit there is no semblance of similarity. There is no agreement to maintain any nation's rights to territory, no commitment to any force whatever, no obligation, expressed or implied, resembling article 10, except to respect the rights of the other nations. It will be remembered that article 10 of the League of Nations covenant not only undertook to respect the territorial integrity and existing political independence of all members of the league but to preserve the same as against external aggression. Here was a direct, individual obligation, and the article further provided that in case of any aggression the council of the league should advise upon the means by which the obligation was to be fulfilled.

I am aware that some Senators believed there was no obligation without the advice of the league, and that we were under no obligation to accept that advice. If that is true, then there is certainly no obligation here. I do not think that was the proper construction, but I know other Senators differ from me. Does anyone believe, in view of the record of the Senate, and the expressed wish of the Nation, that the distinguished statesmen who negotiated this treaty—Messrs. Hughes, Lodge, Underwood, and Root—undertook to bind this country to any defense of other nations' territory? I do not believe the most vivid imagination can conjure up, from the language of this treaty, any obligation of this kind whatever. Let us examine the language.

Under section 1, if there should develop a controversy between the high contracting parties, arising out of any question involving their said rights, which is not settled by diplomacy and is likely to affect the harmonious accord subsisting between these countries, it is agreed that—

> They shall invite the other high contracting parties to a joint conference, to which the whole subject will be referred for consideration and adjustment.

There is absolutely no binding agreement for us to do anything else than to meet and discuss any differences in order to avoid the calamities of war. No principle is better settled, by the universal practice of nations, by the principles of international law, by the history of all conferences, than that this simply provides for a conference, subject to all the rules of such conferences. The language is plain and unambiguous. There is no agreement for arbitration, there must be unanimity, and no action can be taken except by the respective Governments through their constitutional authority.

I shall not attempt to go into the authorities on this question, but I desire to refer to a decision of the Supreme Court of the United States which bears upon it. What I have stated would

be true even as between private parties; how much more so between sovereign nations? To show the Senate how different the language in agreements referring matters for consideration and adjustment is from the language used in arbitration agreements, let me cite the decision of the Supreme Court of the United States in the case of Gordon against the United States, reported in Seventh Wallace.

That case involved the construction of an act of Congress referring claims against the Government to the Secretary of War "to examine and adjust their claims on principles of equity and justice, having due regard to the proofs for the value of the property taken or destroyed." "Examine and adjust" is the language of the act of Congress. The language of this treaty is "they shall invite the other high contracting powers to a joint conference, to which the whole subject will be referred for consideration and adjustment." It was claimed that the act of Congress constituted the Secretary of War an arbitrator, and that the Government was bound by his adjustment. The Supreme Court held to the contrary. The court said:

> It is asserted that this is a case of arbitrament and award, and was binding as such on the Government, and that the repeal of the resolution of Congress could not affect or invalidate the rights vested by the award previously made under it. But the Secretary of War was not an arbitrator. An arbitrator is defined as "a private extraordinary judge chosen by the parties who have a matter in dispute invested with power to decide the same." The Secretary of War acted ministerially. The resolution conferred no judicial power upon him.

Here is the language to which I wish to invite especial attention:

> In order to clothe a person with the authority of an arbitrator the parties must mutually agree to be bound by the decision of the person chosen to determine the matter in controversy.

Now, of course, that is the universal rule as to conferences in international law and as to conferences between private parties. How much more so, as I have said, would it be in the case of sovereign governments?

The same principle applies to section 2 of the treaty. If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly, in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

Here, again, there is nothing but an understanding to communicate fully and frankly with each other in order that the threatened aggression may be warded off or adjusted, and the same principle applies—there is no binding agreement, no arbitration; there must be unanimity, and any action is subject to the approval of the home Government, according to its constitutional methods. But it is said that as, under article 2, the powers agree to communicate with each other in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation, the power to act and bind this Government to defensive means is implied. I submit that no power to bind this Government to go to war or to assist in the defense of any territory of another power can possibly be implied from the language here used, especially in view of the constitutional limitations of this Government. Every presumption would be against such implied power.

Mr. POINDEXTER. Mr. President, I should like to ask the Senator if he believes that by this language this country can be bound to go to war by an implication or in any other way except by the most express language?

Mr. KELLOGG. Certainly not. The claim that by the language of this treaty this country is bound to go to war in the defense of other territories is one that no lawyer would make for a moment in a court of justice. It could only be made in the Senate of the United States.

Mr. KING. Mr. President, if the Senator will pardon me, I think our treaty with Panama is an obligation which compels us to protect that country; and if that protection eventuated in war, then the guaranty of protection would lead us into war.

Mr. KELLOGG. What is in the Panama treaty is entirely lacking here. There is an agreement in the Panama treaty to protect her territory; and while, as the Senator from Washington says, that is what is called a treaty obligation, of course even that could not be carried out without the action of the Congress. There, however, was a treaty obligation. Here it is entirely lacking.

Mr. KING. Mr. President, if the Senator will pardon me, I was not attacking the provision here or differing from the construction which the Senator was placing upon it. I was attempting to answer what I understood to be the position of the Senator from Washington [Mr. POINDEXTER], namely, that there could not be a treaty obligation which imposed upon the United States the obligation of going to war. Of course, I agree that notwithstanding the treaty obligation the Senate might refuse to declare war.

Mr. KELLOGG. The Senator from Washington did not make any such statement.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the Senator from Minnesota yield; and if so, to whom?

Mr. KELLOGG. I yield to the Senator from Washington.

Mr. POINDEXTER. I made no such statement as that just quoted by the Senator from Utah. I do not believe there is any such limitation on the treaty-making power. What I said was that the United States can not be bound to go to war by an implication. There must be an express agreement before such a radical obligation as war is imposed upon a nation. I did not say that a treaty can not be made in express terms to that effect. On the contrary, I said that in all probability it could be made, and the Panama treaty does contain the express obligation on our part to protect that country.

Mr. KING. Mr. President, so that it may not be left as though I did any injustice to the Senator, permit me to say that I understood him differently from the statement which he now makes. With the statement which he now makes I have no controversy whatever.

Mr. KELLOGG. I understood the Senator. I am speaking now from the plain, simple, well-understood language of this instrument. It was so understood by every delegate at the convention, so announced when the treaty was adopted, and this announcement clearly accepted; but it was not necessary to announce this, because the language is so plain that it is not subject to any other construction, and I doubt if any member of the conference ever dreamed that such a construction would be placed upon it until he read the proceedings of the Senate.

It was so understood by the delegates framing the treaty, the understanding expressed at the meeting of the conference when it was adopted, so understood by the President, and I am at a loss to see how it could be understood otherwise.

In reporting the treaty to the joint conference, Senator LODGE stated as follows:

> To put it in a few words, the treaty provides that the four signatory powers will agree as between themselves to respect their insular possessions and dominions in the region of the Pacific, and that if any controversy should arise as to such rights, all the high contracting parties shall be invited to a joint conference looking to the adjustment of such controversy. They agree to take similar action in the case of aggression by any other power upon these insular possessions or dominions. The agreement is to remain in force for 10 years, and after ratification under the constitutional methods of the high contracting parties, the existing agreement between Great Britain and Japan, which was concluded in London on July 13, 1911, shall terminate. And that is all. Each signer is bound to respect the rights of the others and before taking action in any controversy to consult with them. There is no provision for the use of force to carry out any of the terms of the agreement and no military or naval sanction lurks anywhere in the background or under cover of these plain and direct clauses.

As said by the American delegates in their report to the President:

> This statement was made in open conference, in the presence of the delegates who signed the treaty, and must be regarded as an authority of accepted exposition of its import.

If anything was necessary, here is a plain statement of what the document means. The President, in his speech to Congress, stated substantially the same thing, but no construction is necessary. There is no doubtful language, no real opportunity for disagreement. No principle is better settled than the one that if a sovereign nation is to be bound by a joint conference, there must be the clearest and most specific language to that effect, and that if a representative of the United States in such conference is to bind his country to any course of action, there must be clear and specific language conferring the power for him to do so. Any such language is lacking in this instrument. It was not lacking in article 10 of the League of Nations covenant; that is, if that covenant had been ratified. While it was admitted in the discussion in the Senate upon the ratification of the Versailles treaty that the council of the league could not bind this country to go to war without the vote of Congress, it could not be denied, I think, that there was a positive agreement to preserve the territorial integrity and political independence of every member of the league, and when the council had advised upon the means of enforcing the obligation, there was a treaty obligation for this country to act. There is no such language here.

Again, it is said some country may claim there is a moral obligation for us to defend its territory in the case of such aggression. In view of the contemporaneous construction placed upon this treaty by the delegates at the open conference when it was adopted, what standing would any country have to claim that any such obligation, moral or legal, existed? On what ground could any country appeal to the judgment of the

world in view of this construction? Everyone knows the controlling influence of contemporaneous construction placed upon treaties. But suppose some nation should make the claim? Our position, in the light of these declarations, would strongly appeal to the judgment of the nations of the world. We can certainly not be drawn into a war any more than we would be if we had not attended the conference. We certainly would have the right to rely upon the plain language of the instrument as interpreted by all of the delegates at the time of its adoption.

Mr. President, I listened the other day to a statement by the Senator from Nebraska [Mr. HITCHCOCK]. I think, on mature consideration, he will change his view. He stated that he spoke without much preparation, because he was leaving the Senate; but let me read in that connection the statement that he made about the Versailles treaty in 1919.

On March 2 of this year, when this treaty was before the Senate, the Senator from Nebraska said:

> Mr. President, I have expressed in a somewhat rambling way my criticisms of the treaty. I would be glad to see such reservations and amendments as can, first, make it definite and certain that we are not bound to assist any of the other nations in any way against an aggression from any other country unless it is unprovoked; and, again, that if the President of the United States is to have the power to enter into an agreement with other nations at a conference as to taking efficient action for their protection, his agreement must be subject to the approval of the Congress of the United States, or at least, of the Senate of the United States.

Now let me show the Senate what the Senator from Nebraska said about article 10 of the League of Nations. I was claiming in the Senate that article 10 contained a distinct and separate obligation on the part of each country to preserve the territorial integrity and political independence of each other member of the league. The Senator from Nebraska said:

> I am very much surprised that the Senator should insert something into the league which is not there at all. I think there is not a word in the constitution of the league anywhere which justifies any nation in calling upon any other for protection. On the other hand, specific provision is made that the advice must come from the council of nine nations, which must be unanimous, and we constitute one of the nine.

If there was no obligation in article 10 that needed a reservation—and that was the position of the distinguished Senator—how he can conjure up any obligation from this language is beyond my comprehension.

Mr. POINDEXTER. Mr. President, to show that the phase of this question which the Senator is now discussing is a very practical political question before the country, I want to call his attention to and ask his views about a brief statement published a few days ago in the Seattle Post-Intelligencer, one of a series of papers owned by Mr. Hearst, which has taken a very active part throughout the country in the discussion of this question:

> Suppose there should be war between Russia and Japan! Suppose Russia, big but inactive, now a sleeping Goliath, should awake and demand a return of her Siberian territory! Suppose she attacks Japan and her insular possessions by force of arms, as is quite possible, what then?
>
> Under the terms of the European and Asiatic four-party alliance the United States would be morally and legally bound, at the instance of Japan, to come to her aid—to send the pick of our youth to help preserve the Japanese Empire and all its war grabs.
>
> Is Senator MILES POINDEXTER, of Washington, in favor of such a course? Is he willing that the blood of our American boys be shed that an Oriental dynasty might flourish and grow more powerful?

I should like to get the views of the Senator from Minnesota as to whether we would be under such a fearful obligation as that.

Mr. KELLOGG. Mr. President, there is not a word in this document that even implies any such obligation. I know that just such statements as that have been circulated industriously over the country, to give the impression to those who have not studied this treaty that we are entering into an alliance whereby we bind ourselves to go to war in defense of any territory of another country if attacked by a third party, or in the event of any dispute between the four powers. There never was such a propaganda with less foundation. Of course, it was started for effect, and some of it has been industriously encouraged in the Senate.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Utah?

Mr. KELLOGG. I do.

Mr. KING. In the absence of the Senator from Nebraska, may I inquire whether the Senator from Minnesota, in reading from the speech delivered by the Senator from Nebraska and last quoted by him, takes issue with the statements there made by the Senator from Nebraska.

Mr. KELLOGG. I was not of the same opinion as the Senator, as my speech at that time showed. I thought there was a distinct several obligation on each country to preserve the territorial integrity and political independence of the other countries. I know many Senators disagreed with me.

Mr. KING. The Senator understands that the position of the Senator from Nebraska was that whatever obligation there was, it was merged in the action of the council, and when the council took action the obligation, if there was one, would be called into life.

Mr. KELLOGG. Oh, yes; but it was also the opinion of the Senator, I think, and many other Senators, that that was merely advice, and that we were morally and legally entitled to use our own judgment as to whether we would follow it or not.

As the Senator calls it to my attention, let me illustrate it by reading a clause from the speech of the Senator from Virginia [Mr. SWANSON] in which he said, as to article 10:

> The unanimous recommendation of the council is only advisory and must be approved by the Governments of the several members of the league. This insures that the burden under this article will be fairly and properly distributed. While each member of the league makes a solemn pledge of mutual protection, yet each reserves its right of judgment as to duty and obligation in each case as it arises and the means by which it shall be discharged. Thus, under article 10, no troops of the United States could be sent to engage in war without the advice of her representatives in the council and the approval of her Congress. This insures us against undue burdens and impositions. It leaves the extent of our moral and political obligations to our own sense of honor, and we ourselves measure the just demands upon our plighted promise.

If it be true as to article 10, how can anyone believe that there is a moral obligation to go to war under this treaty?

Mr. KING. If I may interrupt the Senator, I am inclined to think, speaking for myself, that the Senator's construction was right, and I think that was the view of President Wilson; but may I say to the Senator that that view is not the one which has been more recently taken by the league itself. They have announced that the obligation rested upon the several members of the league to act as they might determine, regardless of the recommendation of the council.

Mr. KELLOGG. But the Senator realizes the difference between that obligation and any conference called under this treaty?

Mr. KING. Oh, yes; I did not mean to institute any comparison.

Mr. KELLOGG. The senior Senator from Montana [Mr. WALSH], a very distinguished lawyer, gave this subject very careful consideration. In a colloquy between him and the senior Senator from Idaho [Mr. BORAH], referring to article 10 of the covenant of the League of Nations, he stated as follows:

> The purpose of this clause is obviously to secure concert of action, but it is left to each nation to determine for itself, the recommendation of the council notwithstanding, whether the occasion calls for action in fulfillment of its obligation and how that obligation ought to be discharged.
>
> Mr. KELLOGG. But I understand the Senator from Virginia [Mr. SWANSON] claims that not only are the recommendations of the council merely advisory, but as to the extent of our obligation it is for the Congress of the United States to determine the justness of the demand.
>
> Mr. WALSH. I agree with that.

Again, in a colloquy between the Senator from Montana [Mr. WALSH] and the Senator from Idaho [Mr. BORAH], the following occurred:

> Mr. BORAH. The Senator may look it up later, but let me ask the Senator—I may have misconstrued his speech—what is the Senator's position now? May we disregard at our own discretion the advice of the council?
>
> Mr. WALSH of Montana. Undoubtedly we may.
>
> Mr. BORAH. May we do so without any discredit and dishonor to ourselves?
>
> Mr. WALSH of Montana. Undoubtedly we may do so without any discredit or dishonor to ourselves. I have called the attention of the Senate to the fact that the language is that the council may advise. We do not undertake to follow the advice. Mr. President, the question as to whether we ought to act in accordance with the advice as a question of policy or wisdom is one thing, but we have not bound ourselves to do so.

As I have said before, this conference was called in Washington by the President, and by the authority of Congress, in response to the overwhelming sentiment of the American people. A number of treaties, adjusting and settling questions in the Pacific and the Far East, have been adopted in order to make possible an agreement for the limitation of naval armament, and while I recognize the perfect right and the duty of the Senate, in the event it believes American rights are jeopardized, to place reservations upon, to amend, or to refuse to ratify a treaty, this should not be done upon unsubstantial grounds and mere vague suspicions and fears. The United States today, I believe, is the greatest moral force in the world, whose strength and leadership made possible the work of this conference.

I hope we will not weaken that leadership or discredit the work of the conference by throwing obstacles in the way of making these treaties by inviting criticism and changes by other countries. It will undoubtedly be said that if my construction of the treaty is correct, the reservation can do no harm. This may be so; but what assurance have we that it is so? There should be stronger ground for the adoption of reser-

vations by the Senate than the argument that they can do no harm. If we are going to ratify the treaty covered over with unnecessary reservations because they can do no harm, we may find that other countries will do the same, and some of the reservations—theirs or ours—may hinder the ratification or weaken the effect of the treaty.

I have tried to present this matter to the Senate candidly, with due regard to the responsibilities of a Senator, and in no dogmatic spirit or in any spirit of criticism of Senators who disagree with me. I realize that the opinion of others is entitled to the same weight as my own, if not greater. All I am trying to do is to aid as much as possible in the ratification of these treaties, and I shall do everything in my power to that end. I do think, however, that the judgment of the distinguished statesmen representing this country, who participated in the conference, should be given great weight in the deliberations of the Senate.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading cerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKinley	Rawson
Borah	Harreld	McNary	Robinson
Broussard	Harris	Nelson	Sheppard
Calder	Harrison	Newberry	Shields
Cameron	Heflin	Nicholson	Shortridge
Capper	Johnson	Norbeck	Smith
Caraway	Jones, Wash.	Norris	Smoot
Colt	Kellogg	Oddie	Spencer
Cummins	Kendrick	Overman	Sutherland
Curtis	King	Page	Townsend
du Pont	Lenroot	Pepper	Underwood
Fernald	Lodge	Phipps	Wadsworth
Fletcher	McCormick	Pittman	Warren
Glass	McCumber	Poindexter	Watson, Ga.
Gooding	McKellar	Pomerene	Willis

Mr. PAGE. I wish to announce the absence of my colleague [Mr. DILLINGHAM], on account of a death in his family.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is unavoidably detained and will be all through the day. I ask that this announcement may stand for the day.

Mr. FLETCHER. I desire to announce that my colleague [Mr. TRAMMELL] is necessarily absent on account of serious illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty Senators having answered to their names, a quorum is present.

Mr. LODGE. Mr. President, I should like to ask if there is any Senator who desires at this time to continue the discussion of the treaty now pending? [After a pause.] There appears to be no Senator present ready to go on. I wish to give notice that to-morrow I shall ask the Senate to vote if there is no one ready to speak. I have allowed the treaty to go thus far without pressing anyone, but I think the time has come when we at least ought to debate it, if we are going to debate it, and if we are not going to debate it, then the sooner we get a vote the better. I merely give this notice so that there need to be no misunderstanding.

I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to, and the Senate resumed legislative session.

SUPPLEMENTAL AND DEFICIENCY ESTIMATES (S. DOC. NO. 148).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting supplemental and deficiency estimates, fiscal year 1923 and prior years, for the General Accounting Office, $466,333.33; for the Department of State, $1,823.41; for the Treasury Department, $27,468,000; for the War Department, $94,703.44; for the Interior Department, $2,500; and for the District of Columbia, $9,736.26; in total amount, $28,043,096.44, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF COMMERCE, 1923 (S. DOC. NO. 146).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Commerce, fiscal year ending June 30, 1923, for repairs and improvement at Barnegat Light Station, N. J., $100,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES, DISTRICT OF COLUMBIA, 1923 (S. DOC. NO. 147).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting supplemental estimates of appropriations for the District of Columbia, fiscal year ending June 30, 1923, for buildings and grounds, public schools, $150,000, and for salaries, office of the inspector of buildings, $9,140, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

GOV. REILY OF PORTO RICO.

The VICE PRESIDENT laid before the Senate the following resolution of the senate of Porto Rico, with an accompanying letter of transmittal, which were referred to the Committee on Territories and Insular Possessions:

SENADO DE PUERTO RICO,
San Juan, Porto Rico, February 28, 1922.

Hon. CALVIN COOLIDGE,
President of the Senate, Washington, D. C.

SIR: To give due course to the request contained in the second paragraph of the Senate resolution relative to the Governor of Porto Rico, E. Montgomery Reily, adopted by said body on February 25, I have the honor to inclose herewith a certified copy of said resolution.

Respectfully,

JOSÉ MUÑOZ RIVERA,
Secretary of the Senate.

—

Certified copy of a resolution adopted by the Senate of Porto Rico on February 25, 1922.

I, José Munoz Rivera, secretary of the Senate of Porto Rico, do hereby certify that on February 25, 1922, the Senate of Porto Rico adopted the following resolution:

Resolution.

Whereas E. Montgomery Reily was appointed by the President of the United States to the office of Governor of Porto Rico, said appointment having been made under the provisions of the organic law known as the Jones Act;

Whereas immediately after said appointment and before he knew the country upon whose government he was about to enter, said E. Montgomery Reily expressed himself in the press of Kansas City, Mo., in a manner unbecoming a fair and even-minded man by making public statements in conflict with the dignity and rights of Porto Rico;

Whereas E. Montgomery Reily has shown that he lacks the most elementary qualifications of rectitude, tact, impartiality, and mental training required by the office held by him, as has been shown by his public and official acts in violation of the organic act of Porto Rico, such as the appointment of incompetent persons to public office, the corruption of the judiciary by threatening and removing judicial officers without just cause, and the attempted coercion of the liberty of the courts of justice;

Whereas said E. Montgomery Reily, on an official trip made by him over the island, acted as a vulgar agitator, and in several speeches delivered by him expressed himself in the most insulting language against the Porto Rican flag, which is a symbol of local sentiment, and as such is consecrated and respected by the entire Porto Rican community;

Whereas the conduct of E. Montgomery Reily, in refusing to execute important laws of a financial nature, duly passed by the legislature and approved by the preceding chief executive, has created a chaotic condition in the public administration, greatly injuring the community and the credit of the island;

Whereas said E. Montgomery Reily has not only endeavored to corrupt and defame insular judicial officials, but has also tried to exercise undue influence on the federal administration of justice by publicly, personally, and notoriously seeking the modification of a sentence pronounced by the judge of the United States District Court on an officer of the insular government for having committed contempt of court, thus weakening the moral support due by all citizens to the United States District Court and to the magistrate presiding over said court;

Whereas far from being a faithful interpreter of the law and an assurance of the constitutional rights granted to Porto Rico by the fundamental law approved by Congress, E. Montgomery Reily has become an irresponsible autocrat, ignoring and despising the Senate of Porto Rico in his appointments to the highest offices in the insular government, having sought in his purpose the sole advice of members of the minority, in detriment and mockery of the rights of the legitimate representatives of the greater part of public opinion;

Whereas the conduct of E. Montgomery Reily prior to his appointment as representative of the national sovereignty in Porto Rico has been incorrect and immoral to such a degree as to deprive him of the prestige and authority indispensable in the chief executive of a community of American citizens jealous of their culture and high civilization;

Whereas the continuance of said E. Montgomery Reily at the head of the insular government is an offense against the decorum and dignity of the people of Porto Rico, and determines a state of insecurity and distrust throughout the whole of Porto Rican society: Now, therefore, be it

Resolved by the Senate of Porto Rico,

First. Solemnly to accuse E. Montgomery Reily before the Congress of the United States of having violated the organic act and other statutes of Porto Rico, and of having done everything possible to discredit in Porto Rico the great Nation which is the cradle of liberty and democracy, by acting not as a true representative of the United States of America but as a vulgar agitator and an irresponsible despot.

Second. To request the United States Congress to direct a number of Members thereof to make an investigation of the conditions brought about in the administration and society of Porto Rico by E. Montgomery Reily.

Third. To request the President of the United States of America to remove E. Montgomery Reily from the office of Governor of Porto Rico for the good of the island and to vindicate the prestige and good name of the United States as assailed by their representative in Porto Rico.

Given under my hand, at San Juan, P. R., this 28th day of February, A. D. 1922.

[SEAL.]

JOSÉ MUÑOZ RIVERA,
Secretary of the Senate of Porto Rico.

DEPARTMENTS OF COMMERCE AND LABOR APPROPRIATIONS.

Mr. JONES of Washington. From the Committee on Appropriations I report back favorably with amendments House bill 10559, making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes, and I submit a report (No. 541) thereon. I will state that as soon as possible after the District of Columbia appropriation bill is disposed of I shall call up this bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

ADDITIONAL DISTRICT JUDGES.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside their districts, and for other purposes.

Mr. CUMMINS. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. PHIPPS. Mr. President, I ask that the reading of the appropriation bill be continued for action on the committee amendments.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10101) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, and for other purposes.

The reading of the bill was continued.

The next amendment of the Committee on Appropriations was, on page 24, after line 6, to insert:

Northwest: For paving west side of Connecticut Avenue, Ingomar Street to Chevy Chase Circle, 60 feet wide, $45,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 8, to insert:

Northeast: For paving East Capitol Street, Fifteenth Street to Eighteenth Street, 50 feet wide, $37,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 10, to insert:

Northeast: For paving Rhode Island Avenue, Twelfth Street to Sixteenth Street, 50 feet wide, $45,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 12, to insert:

Northeast: For paving Twelfth Street, Michigan Avenue to Upshur Street, 40 feet wide, $17,200.

The amendment was agreed to.

The next amendment was, on page 24, after line 14, to insert:

Northwest: For paving Randolph Street, Thirteenth Street to Fourteenth Street, 30 feet wide, $10,700.

The amendment was agreed to.

The next amendment was, on page 24, after line 16, to insert:

Northwest: For paving Twenty-eighth Street from Woodley Road to Cathedral Avenue, $10,000.

The amendment was agreed to.

The next amendment was, on page 24, line 19, to increase the total of the appropriation for "street improvements" from "$113,600" to "$278,500."

The amendment was agreed to.

Mr. HARRISON. Mr. President, the several amendments just agreed to apparently contemplate increased amounts for paving streets. Is that due to the recent snowstorm and that the streets are in such bad condition, or are these new streets which are being opened up?

Mr. PHIPPS. These are new streets where the houses have been built up practically 100 per cent and where the grading has all been done, and the sewer, water line, and other underground work has been completed. These appropriations are 50 per cent reimbursable. The owners of abutting property repay into the Treasury 50 per cent of the cost of the improvements. All these items have been approved by the Budget Bureau.

Mr. FLETCHER. Mr. President, among the items just referred to for the pavement of streets is an item for the paving of Randolph Street, Thirteenth Street to Fourteenth Street, 30 feet wide, $10,700. That, of course, is just one block. It connects Thirteenth Street with Fourteenth Street, I believe.

Mr. PHIPPS. Yes.

Mr. FLETCHER. My understanding is that the public needs out there would be very much more conserved if Thirteenth Street itself were paved from Spring Road to Shepherd Street. Would it be possible to insert a provision for that at this time? I do not know whether an estimate has been made for it or not.

Mr. PHIPPS. I will say to the Senator that there was no estimate made for the paving of Thirteenth Street at that point. The subcommittee inspected Randolph Street and ascertained the situation there. It is not quite 100 per cent complete in buildings, but the buildings are to go up within a year in the remaining section of that street. It was the judgment of the committee that it was best to complete Randolph Street this year and to allow the Thirteenth Street item to come in next year.

Mr. FLETCHER. The committee, then, has in mind continuing the paving of Thirteenth Street, which is now paved as far north as Spring Road, I understand, on up to Shepherd Street? That would accommodate the whole region out there, as I understand it. It is a very important street.

Mr. PHIPPS. As the Senator knows, that section has grown up very rapidly, and within a year or two it will be almost solidly built up, judging from present indications.

Mr. FLETCHER. The Senator then proposes in the next District appropriation bill to take care of Thirteenth Street between Spring Road and Shepherd Street?

Mr. PHIPPS. That is in contemplation, I will say to the Senator.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 24, line 24, after the word "horses," to strike out "$35,000" and insert "$50,000," so as to make the paragraph read:

STREETS, ALLEYS, AND ROADS.

Grading: For labor, purchase and repair of carts, tools, or hire of same, and horses, $50,000.

The amendment was agreed to.

The next amendment was, on page 25, line 15, after the word "material," to insert "and including the purchase of a motor truck at a cost not to exceed $2,000," and in line 20, after the word "purposes," to strike out "$431,250" and insert "$500,000," so as to read:

For current work of repairs of streets, avenues, and alleys, including resurfacing and repairs to asphalt pavements with the same or other not inferior material, and including the purchase of a motor truck at a cost not to exceed $2,000, and including the maintenance of motor vehicles used in this work, and including an allowance of not to exceed $26 per month for an automobile for use for official purposes, $500,000.

The amendment was agreed to.

The next amendment was, on page 26, line 15, to increase the appropriation for construction and repair of sidewalks and curbs around public reservations and municipal and United States buildings from "$15,000" to "$20,000."

The amendment was agreed to.

The next amendment was, on page 26, line 19, to increase the appropriation for current work of repairs to suburban roads and suburban streets, including maintenance of motor vehicles used in this work, from "$200,000" to "$250,000."

The amendment was agreed to.

The next amendment was, in the items for "Bridges," on page 26, line 22, after the word "repair," in line 21, to insert "including the purchase of one special motor vehicle at a cost not to exceed $2,000, and," and on page 27, line 1, to strike out "$27,500" and to insert "$30,000," so as to read:

Construction and repair: For construction and repair, including the purchase of one special motor vehicle at a cost not to exceed $2,000, and including the allowance to the overseer of bridges for the maintenance of an automobile for use in performance of his official duties of not to exceed $26 per month, $30,000.

The amendment was agreed to.

The next amendment was, in the items for "Sewers," on page 28, line 18, to increase the appropriation for main and pipe sewers and receiving basins from "$120,000" to "$125,000."

The amendment was agreed to.

The next amendment was, on page 28, line 21, to increase the appropriation for suburban sewers from "$125,000" to "$150,000."

Mr. KING. Mr. President, may I inquire of the Senator regarding this item? A great many criticisms have been made to me by residents concerning the management of the street department. Was anything brought out before the committee which would indicate a lack of proper care and executive or administrative activity and ability upon the part of those in charge?

Mr. PHIPPS. The testimony of the commissioner in charge of that particular branch of the work and of the officer in charge of street construction and street repair was not such as to disclose any lack of organization in doing the work, but rather a lack of money. I should say for the subcommittee that we were very favorably impressed with the testimony of Col. Keller,

Maj. Besson, and Maj. Brown, all of whom showed a very intimate knowledge of the condition of the streets and the requirements of the city. As the Senator knows, the area is very large, and there is quite an extensive mileage of streets that must be cared for. We talked with them regarding the types of machines that are used in cleaning up the streets and the methods used for dust prevention and for the removal of snow where that is necessary, which, fortunately, is not frequent. We found them very much alive to the situation and the needs of the city.

Mr. KING. Let me say to the Senator that the criticisms which came to me preceded the advent of Col. Keller. They were not directed against the commissioner but against the subordinates in the street department. There has been a great deal of complaint made because of extravagance in the laying of asphalt pavement in various sections where it was not needed. That is, they tore up asphalt where they ought not to have done it—where slight repairs would have been adequate—so it is claimed. I recall one place which was called to my attention on Florida Avenue. It was claimed generally that there was laxity and extravagance upon the part of subordinates in the resurfacing of streets. I have no personal information.

Mr. PHIPPS. I may say to the Senator in this connection that, estimating the average life of asphalt at 20 years, we have been doing less than replacing what would wear out in the course of a year. When the streets are allowed to go to a point where the water and the frost get under the asphalt, the deterioration is so rapid that the street is ruined, whereas repairs made promptly will prevent a lot of that loss. I know that these men are wide awake and are organizing the department in the best possible manner.

Mr. KING. Does the Senator think there ought to be this increase over the House bill?

Mr. PHIPPS. The committee were unanimous in feeling that it was a very moderate increase. We are still within the amount which was estimated for, although, as I recall, the allowance we proposed putting in the bill is the exact figure the Bureau of the Budget approved.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 29, line 19, to increase the appropriation for dust prevention, cleaning, and snow removal from "$350,000" to "$400,000."

The amendment was agreed to.

The next amendment was, on page 29, line 25, after the name "District of Columbia," to strike out "including the purchase and maintenance of a dead-animal wagon, and no contract shall be let for the collection of dead animals," and on page 30, in line 17, after the word "business," to strike out "large apartment houses, and large" and insert "and apartment and," so as to make the paragraph read:

To enable the commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, and including inspection and allowance to inspectors for maintenance of horses and vehicles or motor vehicles used in the performance of official duties, not to exceed $20 per month for each inspector for horse-drawn vehicles, $26 per month for automobiles, and $13 per month for motor cycles; fencing of public and private property designated by the commissioners as public dumps; and incidental expenses, $750,000: *Provided*, That any proceeds received from the disposal of city refuse or garbage shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in the same proportions as the appropriations for such purposes are paid from the Treasury of the United States and the revenues of the District of Columbia: *Provided further*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels, places of business, and apartment and boarding houses.

The amendment was agreed to.

The next amendment was, on page 30, line 19, to change the subhead from "Trees and parkings" to "Parking commission."

The amendment was agreed to.

The next amendment was, on page 32, after line 11, to insert:

For the purchase or condemnation of a piece of ground to take the place of Columbia Heights Playground, $50,000.

Mr. KING. May I inquire of the Senator in charge of the bill whether the purchase of this additional property for $50,000 will commend itself to the judgment of the House? Is not that bound to lead to a controversy which will in the end require the Senate to recede?

Mr. PHIPPS. I confess that the subcommittee in deciding in its judgment that the grounds should be acquired and is necessary to provide playgrounds in that neighborhood, where we have been using property by permission of the owners, which property is going to be improved and will no longer be available, did not consider whether or not the House would consent, but the committee decided on the necessities as we saw them. Of course, we are aware of the fact that the estimate had been made and that the estimate had received the approval of the Bureau of the Budget.

The amendment was agreed to.

The next amendment was, on page 32, line 21, after the word "playgrounds," to strike out "$109,220" and insert "$159,220," and, in the same line, to strike out "to be paid wholly out of the revenues of the District of Columbia," so as to make the paragraph read:

In all, for playgrounds, $159,220.

The amendment was agreed to.

The next amendment was, on page 33, line 7, to increase the appropriation for the board for condemnation of insanitary buildings from "$2,000" to "$2,500."

The amendment was agreed to.

The next amendment was, on page 34, line 20, after the words "public spaces," to insert "including the Highway Bridge across the Potomac River and its approaches," so as to make the paragraph read:

Lighting: For purchase, installation, and maintenance of public lamps, lamp-posts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, including the Highway Bridge across the Potomac River and its approaches, and for all necessary expenses in connection therewith, including rental of stables and storerooms, livery and extra labor, this sum to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia appropriation act for the fiscal year 1912 and with the provisions of the District of Columbia appropriation act for the fiscal year 1913, and other laws applicable thereto, $430,000.

The amendment was agreed to.

The next amendment was, on page 35, line 11, before the word "bidder," to insert the word "responsible," so as to read:

For replacing gas lamps and fixtures and older and less effective electric lamps and fixtures, on streets, avenues, roads, and public spaces by improved electric installations, purchase of posts and fixtures of all kinds, and for all necessary expenses in connection therewith, $20,000: *Provided*, That no part of this appropriation shall be available for the payment on any contract required by law to be awarded through competitive bidding, which is not awarded to the lowest responsible bidder on specifications, and such specifications shall be so drawn as to admit of fair competition.

The amendment was agreed to.

The next amendment was, in the items for public schools, on page 35, line 24, after "$6,000," to insert "business manager, $4,000"; and, on page 36, line 9, to strike out "$72,220" and insert "$76,220," so as to make the paragraph read:

Salaries: Superintendent, $6,000; business manager, $4,000; two assistant superintendents, at $3,750 each; director of intermediate instruction, 13 supervising principals, supervisor of manual training, and director of primary instruction, 16 in all, at a minimum salary of $2,400 each; secretary, $2,000; financial clerk, $2,000; clerks—one $1,600, two at $1,500 each, one $1,400, three at $1,200 each, four at $1,000 each (one of whom to carry out the provisions of the child labor law); two stenographers, at $1,000 each; messenger, $720; in all, $76,220.

The amendment was agreed to.

Mr. KING. May I inquire of the Senator whether there have been any changes from existing law in the items regarding the school-teachers?

Mr. PHIPPS. There have been no changes whatever. The schedule is identical with that of the current year.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the items for night schools, on page 41, line 23, to increase the appropriation for teachers and janitors of night schools, etc., from "$75,000" to "$90,000."

The amendment was agreed to.

The next amendment was, on page 41, after line 23, to insert:

Section 6 of the legislative, executive, and judicial appropriation act, approved May 10, 1916, as amended by the naval appropriation act, approved August 29, 1916, shall not apply to persons in the employ of the Federal Government who are also employed as teachers of night schools and vacation schools in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 42, line 10, to increase the appropriation for payment of teachers' annuities from "$36,500" to "$40,500."

The amendment was agreed to.

The next amendment was, on page 43, line 1, after the word "engineers," to strike out "four" and to insert "five"; in line 3, after the word "each," to strike out "twenty-three" and to insert "twenty-eight"; in line 4, after the figures "$860," to strike out "seventy-one" and to insert "sixty-nine"; in line 6, after the word "janitors," to strike out "six" and to insert "seven"; in line 7, before the word "firemen," to strike out "nine" and to insert "ten"; in line 8, before the words "coal passers," to strike out "four" and insert "five"; in the same line, after the word "each," to strike out "five" and insert "six"; in line 9, after the word "each," to strike out "10 skilled laborers, at $720 each; 96," and to insert "one hundred

and thirteen"; and, in line 12, to strike out "$236,810" and insert "$249,350," so as to make the paragraph read:

JANITORS AND CARE OF BUILDINGS AND GROUNDS.

Salaries: Superintendent of janitors, $1,500; engineers and instructors in steam engineering—1 $1,500, 1 $1,200; engineers—1 $1,500, 1 $1,200, 2 at $1,000 each; assistant engineers—5 at $1,000 each, 1 $900; 2 electricians at $1,200 each; janitors—2 at $1,100 each, 28 at $1,000 each, 1 $900, 34 at $840 each, 1 $800, 69 at $720 each, 13 at $600 each, 3 at $250 each; assistant janitors—7 at $900 each, 2 at $720 each; 10 firemen at $720 each; gardener, $840; 5 coal passers at $600 each; 6 night watchmen at $720 each; 113 laborers at $720 each; 11 matrons at $600 each; 5 charwomen at $480 each; in all, $249,350.

The amendment was agreed to.

The next amendment was, on page 45, line 4, to strike out "$200,000" and to insert "$250,000," so as to make the paragraph read:

For repairs and improvements to school buildings and grounds and for repairing and renewing heating, plumbing, and ventilating apparatus, and installation of sanitary drinking fountains in buildings not supplied with same, $250,000.

The amendment was agreed to.

The next amendment was, on page 45, line 22, to strike out "$101,760" and to insert "$125,000," and in line 26, to strike out "$110,000" and insert "$133,240," so as to make the paragraph read:

For furniture, including clocks, pianos, and window shades for additions to buildings, equipment for kindergartens, and tools and furnishings for manual-training, cooking, and sewing schools, as follows: Twelve-room addition to the Wheatley School, 8-room addition to the Mott School, 8-room addition to the Eaton School, 4-room addition to the Smothers School, 4-room addition to the Monroe School, 8-room addition to the Buchanan School, 8-room addition to the Bell School, for the Iowa Avenue Junior High School (24 rooms), Eckington Junior High School (24 rooms), school in the vicinity of Lincoln Park (8 rooms), $125,000, to be immediately available; three kindergartens, $2,400; two sewing schools, $800; two housekeeping and cooking schools, $2,000; two cooking schools, $1,400; two manual-training shops, $1,640; in all, $133,240.

The amendment was agreed to.

The next amendment was, on page 47, after line 7, to insert:

For equipment, grading, and improving six additional school yards for the purposes of play of pupils, $2,400.

The amendment was agreed to.

The next amendment was, in the item for community center department, on page 48, line 17, after the figures "$35,000," to strike out ", to be paid wholly out of the revenues of the District of Columbia," so as to read:

For salaries of directors, supervisors, teachers, clerks, and other employees for civic, educational, recreational, and social activities under the direction of the board of education; for payment of janitor service; for equipment and supplies; for lighting fixtures; for maintenance of automobiles. Employees of the day schools may also be employees of the community center department; in all, $35,000.

The amendment was agreed to.

The next amendment was, on page 48, line 21, after the word "teachers," to strike out "clerks, and janitors" and to insert "and clerks," so as to make the proviso read:

Provided, That not more than 60 per cent of this sum shall be expended for salaries of directors, supervisors, teachers, and clerks.

The amendment was agreed to.

The next amendment was, on page 49, line 2, after the word "Navy," to insert "and children of other employees of the United States," so as to make the paragraph read:

The children of officers and men of the United States Army and Navy and children of other employees of the United States stationed outside of the District of Columbia shall be admitted to the public schools without payment of tuition.

The amendment was agreed to.

The next amendment was, on page 49, after line 5, to insert:

Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended, shall not apply from July 1 to September 15, 1921, to teachers of the public schools of the District of Columbia when employed by any of the executive departments or independent establishments of the United States Government.

The amendment was agreed to.

The next amendment was, on page 49, after line 16, to insert:

For the erection of an eight-room addition to the Lovejoy School, including additional land, $140,000.

The amendment was agreed to.

The next amendment was, on page 49, after line 18, to insert:

For the erection of an eight-room addition to the Phillips School, including additional land, $140,000.

The amendment was agreed to.

The next amendment was, on page 49, after line 20, to insert:

For the purchase of a new site on which to locate a 16-room building to take the place of the Tenley School, $25,000.

The amendment was agreed to.

The next amendment was, on page 49, after line 22, to strike out:

For completing the construction of a junior high school north of Taylor Street and east of Fourteenth Street, $200,000.

And to insert:

For continuing the construction of a junior high school north of Taylor Street and east of Fourteenth Street, $200,000, and the limit of cost is hereby increased to $400,000, and the commissioners are authorized to enter into contract or contracts to the extent of the increased limit herein authorized: *Provided*, That this building shall, when completed, contain not less than 24 classrooms.

The amendment was agreed to.

The next amendment was, on page 50, after line 7, to strike out:

For completing the construction of a junior high school on the site in the vicinity of the Gage, Emery, and Eckington Schools, $200,000.

And to insert:

For continuing the construction of a junior high school on the site in the vicinity of the Gage, Emery, and Eckington Schools, $200,000, and the limit of cost is hereby increased to $400,000, and the commissioners are authorized to enter into contract or contracts to the extent of the increased limit herein authorized: *Provided*, That this building shall, when completed, contain not less than 24 classrooms.

Mr. KING. Mr. President, may I inquire of the Senator from Colorado why the limit of cost in this case was increased from $200,000 to $400,000? It seems to me that 100 per cent is a very large increase.

Mr. PHIPPS. I will say to the Senator that the limit of cost was originally $300,000.

Mr. KING. When was that fixed?

Mr. PHIPPS. That was fixed in the bill passed at the last session making appropriations for the government of the District of Columbia for the fiscal year 1922, the present fiscal year. The building was authorized and work on the plans has advanced to the point where the authorities are prepared to begin construction; but it was found impossible to construct the building within the limit of cost. The Senator will notice a proviso similar to that contained in the preceding item, which has been agreed to, that the building when completed shall contain not less than 24 classrooms; so that there will be erected a 24-room building instead of an 18-room building, as was originally contemplated. We find the demand for space in junior high schools is so great that they are coming to be a very important feature in the scheme of education.

Mr. KING. I do not want the Senator to misunderstand me. A subcommittee, of which I am a member, have been making rather extensive investigations in regard to this matter; and I think I am betraying no confidence when I say that the members of the subcommittee are deeply interested in the junior high schools as well as in the senior high schools. I am sure we shall recommend that suitable junior high schools be constructed. The point that challenged my attention was not the fact that it was proposed to construct a junior high-school building, but that there should be a 100 per cent increase in the amount allowed for that purpose in one year.

Mr. PHIPPS. It is only an increase of one-third, for the amount originally authorized was $300,000, and it has been raised to $400,000.

Mr. KING. A year ago, as I understand the Senator, estimates were submitted, based, of course, upon investigations made and the statement of the architect, calling for $300,000, but we are now increasing that amount to $400,000.

Mr. PHIPPS. Yes; with the proviso that the building must contain not less than 24 classrooms.

Mr. KING. Does the difference in the size account for the additional $100,000?

Mr. PHIPPS. It accounts for it very largely.

Mr. KING. Or is it due to an increase in the cost of building in the District of Columbia?

Mr. PHIPPS. Oh, no; on the other hand, the cost of building has decreased slightly, and we are hoping for a further decrease in the cost of construction.

Mr. KING. We will not get very much of a decrease until the grand jury indicts some of the conspirators in the District who are holding up building prices.

Mr. SPENCER. Mr. President, will the Senator yield to me?

Mr. KING. I yield.

Mr. SPENCER. I should like to say to the Senator that we could erect a building for $300,000, precisely as was estimated last year, the plans for which are already drawn, but if that $300,000 structure were completed, as was originally intended, it would take care of but 500 students. There are now 800 students who are waiting for this building. When those facts were presented before the committee they provided for a 24-room school to cost $400,000, rather than an inadequate school which would cost only $300,000.

Mr. KING. I want to repeat that I am not complaining about the increase in size; indeed, the evidence before our committee—and we heard the testimony of some of the leading educators of the United States—demonstrated that the larger units are

not only economically superior but accomplish better results. I have favored, and shall continue to favor, even larger units than 24 rooms certainly for the senior high schools, and, I think, for the junior high school as well. I heartily approve of the plan to erect buildings of not less than 24 rooms instead of 18; but I do complain against the high cost of building and of building materials and building accessories in the District of Columbia. They are now more than 100 per cent in the excess of the prices before the war, and all the efforts made to secure reductions have proven abortive.

Rents have gone up here nearly 100 per cent in the past year, instead of going down, and there seems to be a conspiracy upon the part of some real estate men and builders and certain labor leaders to continue in the District extortionate prices for building. So long as that condition exists we will have a housing shortage and all of the inconveniences and hardships which come to Government employees and to people of moderate means who wish to make their homes in the District of Columbia.

I regret very much that the Department of Justice and the district attorney do not make an investigation, even if they have to turn it over to the grand jury, in regard to these conditions in the District of Columbia. Instead of improving, the conditions in some respects have grown worse, and when the Ball Rent Act expires, unless there shall be supplemental legislation, undoubtedly there will be an enormous advance not only in the rent of buildings for residence purposes, but for business as well. It is regrettable that such conditions exist. We will have to have a Lockwood committee here to make an investigation and indict a number of people and prosecute them, as has been done in New York. The result there has been very salutary; building now is going forward in New York with considerable celerity, and prices have gone down very greatly. I have read recently that across the river in Alexandria a schoolhouse may be erected for a certain figure, whereas in Washington the cost is nearly 100 per cent greater. That shows the condition that exists with respect to building.

Mr. POMERENE. Mr. President, does the Senator mean that the difference is due to the greater cost both of labor and of material?

Mr. KING. The cost of construction in the District is very much higher than across the river in Alexandria.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

THE FEDERAL RESERVE BOARD.

Mr. WATSON of Georgia. Mr. President, I wish to call the attention of the Senate and the country to a very remarkable process that is going on in the Federal reserve system. The law limits the stockholders of Federal reserve banks to net profits of 6 per cent. One of the results of the war was to increase the lust for big earnings, and that fever has not yet subsided. The Federal reserve banks have appropriated to themselves over and above the 6 per cent profits, $67,000,000 of the net earnings of these banks, and they have done most of this within the last two years.

Mr. President, as I understand the law, the title to the land and the buildings erected upon the land vests in the stockholder banks. Therefore, they are appropriating to themselves money which belongs to the Federal Government and to the people, and they are doing this at a rate that is startling. The country does not know it, and I crave the pardon of the Senate for a few minutes, while I put the information in the RECORD.

In the city of Atlanta they have signed contracts for a lot and a building that will cost $1,700,000. The Washington Monument, begun in 1853 and finished in 1884, cost $1,187,000. Therefore, this regional bank in Atlanta has appropriated to itself from the Government's money a larger sum than Congress and the States together during 30 years devoted to the erection of this loftiest monument that ever was reared to the memory of a great man.

The bank in Cleveland is to cost $10,000,000, five times as much as the memorial hall to Abraham Lincoln.

The bank in New York City paid $4,000,000 for the lot and is to spend twenty-odd million dollars upon the building. To that extent Gov. Strong and his associates have appropriated to their own personal use a sum of money greater than that which Louis XIV, the grand monarch, spent on the palace building at Versailles.

As I say, Mr. President, these pieces of property, aggregating now $67,000,000, become the private estate of these bankers. Are we to remain idle and allow them to commit what is really larceny after trust on so grand a scale as this? Will not the Senate investigate?

In the future, thanks to the amendment offered by my colleague [Mr. HARRIS], Congress will control these building contracts.

Here is the Secretary of the Treasury, Mr. Mellon, who is disqualified by law to hold his office. I have said so twice; I say it now thrice, and I should like to have any lawyer on the other side dispute the proposition. I am ready to debate it with him. He is holding his office in violation of section 243 of the Revised Statutes, one of the first laws that the First Congress ever passed. It is a part of the structure of the Treasury Department that the man who holds the office shall not own Government bonds, shall not be engaged in trade or commerce, shall not own a single ship. If he does so, he violates a penal statute whose penalty is a $3,000 fine, a term in the penitentiary, and a disqualification forever afterwards to hold office. Why do we allow this man to violate the law in that way? Why do we not impeach him? Instead of that, he was placed on the board to handle the $11,000,000,000 that Europe owes us, and that Europe never intends to pay. Even now he is building a $3,000,000 banking house in Pittsburgh.

Mr. President, without taking up further time of the Senate——

Mr. HEFLIN. Mr. President, one minute, if the Senator will yield to me.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Alabama?

Mr. WATSON of Georgia. With pleasure.

Mr. HEFLIN. Referring to this money that is invested in the lot and the building in New York, if it had not been so invested some of it would have gone into the Public Treasury and would have become the funds of the United States Government?

Mr. WATSON of Georgia. Absolutely.

Mr. HEFLIN. Does the Senator mean to say that since they have appropriated this money for this purpose this lot and this building are going to belong to private individuals and the Government will not have an interest in them?

Mr. WATSON of Georgia. Unquestionably. They are diverting that much of the net earnings from the channels through which they should flow into the common funds of the Treasury. In morals it is larceny after trust. They are the only body of men on earth that exercise the function of fixing their own salaries. Gov. Strong assigned himself a salary of $50,000. Some of his assistants get $35,000.

Mr. HEFLIN. And all of these salaries were approved, of course, by the Federal Reserve Board.

Mr. WATSON of Georgia. Precisely; after Congress had fixed the standard by allowing the governor of all the banks a salary of $12,000 a year. Here we Senators draw only $7,500 a year, and we are constantly creating new offices and paying salaries that range from $5,000 to $50,000. We have to pay our own expenses of living here. These men are paid these tremendous salaries, and then we allow them the expenses. Why, some of the allowances shown in the last report of the Secretary of the Treasury are amazing. You wonder how on earth those men traveled to that extent and went to personal expenses to that extent. It is a scandal, and the Senate ought to do something about it.

We all read in the newspapers a few days ago where a trifling sum of money was loaned out at 10 per cent interest, to be compounded every month, 25 years ago, and when the judge came to render a judgment in favor of the plaintiff, in a suit upon that note, the amount ran up not into millions, not into billions, but into trillions—thirty-four, as I remember—$34,000,000,000,000. Napoleon once said, after rising from a study of the compound-interest table: "The principle in those tables will devour the human race." That is what it is doing right now. These Federal reserve banks are making from 100 per cent to 200 per cent profit, after allowing themselves expense accounts which are shocking.

For instance, Mr. President, in Boston the gross earnings were, in round numbers, $7,000,000 for 1921. The expense account was $2,684,000; and after taking out that tremendous amount of money for operating expenses the net earnings were $4,283,000; being, as you will see, more than 50 per cent on the investment after they had gouged the gross earnings to the extent I have mentioned.

The Atlanta Federal Reserve Bank, which has been after my friend the Senator from Alabama [Mr. HEFLIN], and after which I am going now, earned gross earnings of $7,476,000. They took out, in round numbers, $2,000,000 for salaries and other operating expenses.

Mr. KING. Was part of that for rent?

Mr. WATSON of Georgia. Yes; I think so; and they had left $5,505,000; and these are the men who are going into

Alabama and trying to create opposition to one of her Senators. Well, we will try to create some opposition to them.

Take the New York bank, Mr. President. The gross earnings were, in round numbers, $35,000,000. They took out for expenses more than $8,500,000 for their salaries and had left $20,500,000 as net profits. That was 200 per cent upon the cash actually invested.

If a trifling sum of money like $25 loaned out at compound interest for 25 years will run up into the trillions, what will these banks do when they have already earned $246,000,000 in the space of two years? Suppose they roll that over from year to year at compound interest. What will be the result as to our people?

During the whole time that they were making these enormous profits—and, mind you, I have not stated the surplus at all; the surplus is $215,000,000—the tax they paid the Government was $125,000,000.

The original capital invested was $36,000,000, and the present paid-up capital is $103,000,000 and the surplus carried over is $215,000,000. Let them keep on compounding that for 25 years, and where will our people be? The man who controls the money controls the country. That is a truism. Every Senator here is aware of it. From Aristotle's time down to now it has been conceded that the man who controls the money controls the life of the country—necessarily so, it being its life blood so far as commerce is concerned—and if the industrial system withers and dies, the man dies with it.

I have spoken already longer than I had intended. I ask unanimous consent, Mr. President, that the editorial from the Manufacturers' Record of March 2, 1922, entitled, "Net earnings that may well startle the country" be published in the RECORD in 8-point type.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection.

The matter referred to is as follows:

[From the Manufacturers' Record of Mar. 2, 1922.]

NET EARNINGS THAT MAY WELL STARTLE THE COUNTRY.

The Wall Street Journal in its issue of February 6, in a comprehensive review of the operations of the Federal Reserve Board, gave some remarkably interesting facts regarding the earnings and the building operations of that system. Since the Wall Street Journal is an upholder of the Federal reserve system, none of its statements, of course, can be credited to any desire on the part of that paper to criticize the earnings or the management of the Federal Reserve Board or the Federal reserve banks.

According to the Journal the paid-in capital and surplus and original capital of each of the Federal reserve banks is as follows:

[Last three figures omitted.]

Cities.	Original capital.[1]	Present paid-in capital.	Present surplus.
Boston	$3,217	$7,935	$16,483
New York	6,640	26,958	60,197
Philadelphia	4,156	8,728	17,945
Cleveland	4,009	11,134	22,509
Richmond	2,211	5,430	11,030
Atlanta	1,586	4,192	9,114
Chicago	4,405	14,312	29,025
St. Louis	1,861	4,605	9,338
Minneapolis	1,634	3,569	7,468
Kansas City	1,863	4,575	9,646
Dallas	1,936	4,201	7,394
San Francisco	2,605	7,380	15,199
Total system	36,123	103,020	215,398

[1] Apr. 2, 1915.

In the aggregate these banks have paid to the Government as franchise tax since they were established nearly $125,000,000.

With an accumulated surplus of $215,000,000 added to $125,000,000 paid to the Government, this shows a total of $340,000,000 as earnings since 1915, and mainly since 1919, on an original paid-in capital of $36,123,000, in addition to the earnings paid to the stockholders.

For the first three years of operation from 1915 to 1917, inclusive, the gross earnings amounted to $22,500,000, but during the next three years the gross earnings amounted to $351,000,000, and in 1921 to $122,000,000, making $473,000,000, in round figures, for the last four years of operation. That any business organization of any kind in the world can start with $36,000,000 capital, even though the capital was later increased partly by new banks joining the system, to $103,000,000, and within seven years, after paying all operating expenses, earn net $540,000,000, holding on to $215,000,000 as surplus, indicates a degree of profiteering which it seems to us puts to shame any profiteering made by any other business organization in the United States within that period.

These enormous earnings have been at the expense of the public, but they do not begin to measure the cost to the public of the management of this system, for as the rate of usury was increased by the Federal reserve system the rate of interest to the business people of the country was advanced on every dollar that they had to borrow from banks in all parts of the land, and thus an enormous additional expense was added to the burden of carrying the business operations of the country, and the inevitable result of high money rates was to destroy values, and thus the borrower and the producer were cut with a two-edged sword.

In giving the details of the earnings of the Federal reserve banks the Wall Street Journal says:

From the returns of the Federal reserve banks to hand it appears that their smaller net earnings last year, a little over half of what they were in 1920, were due in a large measure to actually higher expenses. Their gross earnings are estimated at $122,000,000, compared with $181,000,000 in 1920. Expenses in 1921 were about $38,000,000, or 31 per cent of gross earnings. Included in these expenses are deductions for sundry reserve accounts and depreciation, etc. It is evident that the Federal reserve banks had not adjusted their expenses last year in keeping with smaller rediscounts and advances. Curtailment of office forces and salaries were not such as to make much of an impression upon the 1921 figures.

Details of the earnings and expenses of the different Federal reserve banks for last year as given by the Wall Street Journal were:

As a criterion of the reduced business done last year the case of the New York Federal Reserve Bank may be cited. At the close of the year that institution had only $385,000,000 in loans to members and in investments, compared with $1,046,000,000 at the close of 1920. Discounts and advances handled during the year aggregated $30,700,000,000, compared with $50,500,000,000 in 1920 and $42,400,000,000 in 1919.

Following table shows gross earnings, expenses (including certain reserves and depreciation) and net earnings of the 12 Federal reserve banks in detail, totals being compared with previous years. In the case of Dallas and San Francisco the three items are estimated. In the case of Cleveland, only net earnings are definite. The totals for 1921 can only therefore be estimated.

	Gross earnings.	Expenses, etc.	Net earnings.
1921.			
Boston	$6,968,662	$2,684,928	$4,283,734
New York	34,767,288	8,673,456	26,093,832
Philadelphia	8,016,282	2,676,828	5,339,454
Cleveland	[1] 10,000,000	[1] 3,716,000	6,284,000
Richmond	6,729,679	2,336,052	4,393,627
Atlanta	7,476,431	1,980,213	5,496,218
Chicago	20,382,170	5,887,054	14,505,116
St. Louis	5,166,314	1,868,212	3,298,102
Minneapolis	4,983,991	1,327,564	3,656,427
Kansas City	5,712,858	2,656,763	3,056,095
Dallas	[1] 3,500,000	[1] 1,500,000	[1] 2,000,000
San Francisco	[1] 9,000,000	[1] 3,000,000	[1] 6,000,000
Total	[1] 122,000,000	[1] 38,000,000	[1] 84,000,000
1920	181,297,338	32,002,564	149,294,774
1919	102,380,583	24,013,079	78,367,504
1918	67,584,417	12,137,438	55,44[illegible],979
1917	15,438,858	4,235,866	11,202,992
1916	4,955,243	2,204,344	2,750,999
1915	2,140,457	1,500,576	639,881

[1] Estimated.

The building operations of the Federal reserve banks were given as follows:

Federal reserve building cost.

[000 omitted.]

Operations.	Original investment.	Building cost to Sept. 30.	Total cost to Sept. 30.	Approximate additional cost.	Estimated final cost.
Boston	$1,296	$3,160	$4,456	$900	$5,356
New York:					
Main building	4,798	758	5,556	12,078	[1] 17,634
Annex	681	1,529	2,210	.....	.....
Philadelphia	600	[2] 1,099	1,699	.....	1,700
Cleveland [3]	910	1,197	2,107	4,000	6,107
Cincinnati	380	(4)	380	.....	380
Pittsburgh	515	[5] 406	921	.....	921
Richmond	208	2,103	2,311	260	2,570

[1] Net after sale of annex building.
[2] Remodeling bank buildings purchased.
[3] Contracted for purchase of additional property, $375,000.
[4] Building not begun.
[5] Cost of remodeling.

Federal reserve building cost—Continued.

Operations.	Original investment.	Building cost to Sept. 30.	Total cost to Sept. 30.	Approximate additional cost.	Estimated final cost.
Baltimore	$451	(1)	$451	.....	$451
Atlanta	282	$504	786	$923	1,709
Jacksonville [2]	.....	(1)	.....	.....	.....
Nashville	85	(1)	85	90	175
New Orleans	201	[1] 2	203	500	703
Chicago	2,936	2,900	5,836	4,629	10,465
St. Louis	1,051	(1)	1,051	.....	1,051
Little Rock	85	(1)	85	.....	85
Louisville	175	(1)	175	.....	175
Minneapolis	600	[1] 91	691	3,000	3,691
Helena	15	[3] 161	176	.....	176
Kansas City	500	2,792	3,292	1,180	4,472
Denver [4]	.....	.....	.....	600	700
Oklahoma City	65	(1)	65	450	515
Omaha	165	[1] 33	198	200	398
Dallas	295	1,563	1,858	30	1,888
El Paso	39	108	147	.....	147
Houston	66	143	209	195	404
San Francisco	406	681	1,087	3,100	4,187
Salt Lake City	115	(1)	115	.....	115
Total	16,923	19,234	36,158	32,870	66,818

[1] Building unplanned or plans uncompleted.
[2] Authorized to purchase property, $45,000.
[3] Remodeling bank buildings purchased.
[4] Authorized to purchase property for $100,000.

The Journal adds:

According to a recent compilation, the Federal banks had incurred a cost of over $36,000,000 for new buildings. Of this, nearly $17,000,000 was for original investment of land, etc., and over $19,000,000 for building costs or remodeling. Plans for additional construction, in some cases held up on account of the present congressional investigation, called for outlays of nearly $35,000,000. This means that exclusive of undeveloped plans, the Federal reserve banks have already buildings of about $67,000,000. It is probable that when in prospect an aggregate of real estate investment for bank finally consummated in home cities and in branches, Federal reserve bank buildings may represent a total investment of about $75,000,000 or $80,000,000.

Perhaps the greatest evil to the country which has come from this profiteering system of enormous earnings by the Federal reserve banks has been the change of the moral tone or the ethical spirit of a great many bankers who have felt that if this system could be permitted to earn such enormous profits they might follow its example and do some profiteering on their own account.

Banking should be a profession of the highest ethics, if it would set an example to the business men of the country as to morality in business. To a large extent in the past this has been its policy. In the past most bankers have felt a sense of personal moral responsibility in the great work which they have done, feeling that upon their ethical standards the country at large would base its operations. But when a great banking organization, representing the National Government, carries on a definite campaign, through various reserve banks, to wreck other banks which do not comply with its demands, and which is guilty of profiteering to an extent such as indicated by the figures which we have given from the Wall Street Journal, it sows the seed for unethical conduct in banking to an extent which endangers the moral sense of the entire Nation. Business men will say if these things can be done by our bankers and great financial interests, why should we not follow their example?

The Wall Street Journal's figures were taken from the annual report of the Federal Reserve Board, but we have preferred to use its details and comments since no one can possibly charge that publication with any unfriendly feeling for the management of the reserve system.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10101), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, and for other purposes.

The reading of the bill was continued.

The next amendment of the Committee on Appropriations was, on page 50, line 20, to insert the following proviso: "*Provided*, That the unexpended balance of the appropriation of $40,000 for the purchase of a site for this building is made available, to such extent as may be necessary, for the erection of the building," so as to make the paragraph read:

For the erection of an eight-room extensible building on a site west of Sixteenth Street NW., in the Ingleside section, $140,000: *Provided*, That the unexpended balance of the appropriation of $40,000 for the purchase of a site for this building is made available, to such extent as may be necessary, for the erection of the building.

Mr. HARRISON. Mr. President, I have just noted the various items which go to the construction of new school buildings, and the Committee on Appropriations is to be congratulated, and especially the Senator from Colorado, on bringing out these very splendid provisions which take care of what has been a want of the city for a long time.

I wanted to ask the Senator touching the recommendation of the commissioners as to the Western High School and the appeal of the patrons of that school. There is an instance, I understand, where the present accommodations do not take care of the number of children who seek entrance to that school, and the gymnasium facilities are not very good, and there are various other things needed. Did the committee give any consideration to that project?

Mr. PHIPPS. I will say to the Senator that the committee did. The Senator is quite correct in his statements as to the needs of that section for additional high-school accommodations. However, your subcommittee on inspection of the building talked with the superintendent of the buildings and talked with the superintendent of the schools and others and found that no estimate had been prepared at the time estimates for other school buildings were prepared, but that the estimate for the Western High proposed addition was brought in much later; in fact, was passed upon by the Budget Bureau after the bill we are now considering had been passed by the House.

Your committee felt that not sufficient time and consideration had been given to the proposed plans, which, of course, are only tentative, but which, in the judgment of your committee, would not afford relief that would justify an expenditure of about $550,000.

The cost per room was figured at about $30,000, but of course that included an assembly hall and a new gymnasium. I want to say now that these facilities are needed for that high school. They have no fit place of assemblage for the pupils. There is one large room, perhaps almost of the extent of this Chamber we are sitting in, but the ceiling is only about 12 feet high, so Senators can see how impossible it would be to use that for any form of entertainment.

Your committee could not see its way clear to either the acceptance of the estimate based on the plans which were presented, or at this time to include in this bill an additional sum of $550,000 for school purposes. Therefore, the thought of the subcommittee, which had the approval of the entire Committee on Appropriations, was that this item should be allowed to go over until next year, and in the meantime proper plans could be prepared and made, and perhaps next year the District funds will be in better shape to afford this expenditure. I may say that not one member of the committee advocated the inclusion of an item for the Western High School this year.

Mr. HARRISON. Outside of the provisions which go toward the construction of the new buildings which are provided for, does the Senator know of any other instance in the District which really calls for more urgent action upon the part of Congress than the Western High School?

Mr. PHIPPS. Not in the high-school class.

Mr. HARRISON. That being true, then, if these buildings which are provided for are constructed, the Western High School will receive the attention of Congress next, in the opinion of the Senator?

Mr. PHIPPS. That is my judgment.

Mr. HARRISON. I had thought I would offer an amendment to provide $550,000 for the alteration of the existing building, the Western High School, but in view of what the Senator has said, I shall not do that. Would the Senator object to having incorporated in the bill a provision directing the commissioners to have plans prepared for an addition to and the alteration of that building?

Mr. PHIPPS. Will the Senator specify what character of building?

Mr. HARRISON. I offer the amendment I send to the desk.

The PRESIDING OFFICER. The Senator from Mississippi offers an amendment, which the Secretary will report.

Mr. HARRISON. It is to be inserted on page 52, after line 9.

Mr. PHIPPS. That will bring this amendment in at the end of all the items.

Mr. HARRISON. I will just withhold the amendment for the present.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 50.

The amendment was agreed to.

The next amendment was, in the item for the erection of an eight-room addition to the Garrison School, $140,000, on page 51, line 2, to strike out the following provisos:

Provided, That none of the money appropriated by this act shall be paid or obligated toward the construction of or addition to any building the whole and entire construction of which shall not have been awarded in one or a single contract to the lowest bidder complying with all the legal requirements as to a deposit of money or the execution of a bond, or both, for the faithful performance of the contract: *Provided further*, That this limitation shall in no wise apply to contracts already awarded; nor shall it be construed to impair the legal rights or status of any unsuccessful bidder on a contract already awarded: *Provided further*, That no architect's fee shall be paid or obligated for plans, specifications, or any professional services whatever, unless they are such as will enable the Commissioners of the District of Columbia, or those letting a contract, to secure a legal bid within the amount authorized by Congress for the building or other project: *Provided further*, That nothing herein shall be construed as repealing existing law giving the commissioners the right to reject all bids.

Mr. KING. I would like to inquire of the Senator why these lines were stricken out. There seemed to be some proper, legitimate restrictions upon the contractor and those who attempted the construction of the building.

Mr. PHIPPS. I will say to the Senator that in contracting for a structure such as a school building it is often found possible to make separate contracts for certain parts of the building, thereby dealing directly with the contractors, whereas if you stipulate that the contract for the entire building, finished completely, must be given to one contractor in a single contract, that contractor will add his profit to the two or three single bids. Take, for instance, a heating plant or the electrical equipment which is necessary in one of these large buildings. It is not economical to contract for such a building complete, including those various items. That was the sense of your committee, and for that reason the language was stricken out.

The amendment was agreed to.

The next amendment was, on page 51, after line 22, to insert:

For the purchase of land adjoining the Dunbar High School, $50,000.

The amendment was agreed to.

The next amendment was, at the top of page 52, to insert:

For the purchase of land adjoining the Armstrong Manual Training School, $50,000.

The amendment was agreed to.

The next amendment was, on page 52, after line 2, to insert:

For beginning the erection of an addition to the Armstrong Manual Training School and alterations thereto, to include an assembly hall, additional classrooms, shops, and laboratories, within a limit of cost of $500,000 which is hereby authorized, $100,000, and the commissioners are authorized to enter into contract or contracts for said addition at a cost not to exceed $500,000.

The amendment was agreed to.

Mr. PHIPPS. At this point the amendment offered by the Senator from Mississippi would appropriately come in, if it should be adopted.

The PRESIDING OFFICER. Let the amendment be reported.

The READING CLERK. On page 52, after line 9, insert the following:

The Commissioners of the District of Columbia are hereby authorized and directed to have plans prepared for an addition to Western High School, including repairs to the present building, with a view to providing not less than 24 additional classrooms.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Mississippi.

Mr. PHIPPS. I desire to say that the amendment will have my support, and, so far as I may, on behalf of the committee, I accept it.

The amendment was agreed to.

The reading was continued to page 54, line 17.

Mr. HARRISON. I ask unanimous consent to return to page 10 for the purpose of offering an amendment.

The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent to return to page 10 of the bill for the purpose of submitting an amendment. Is there objection? The Chair hears none, and the Senator from Mississippi may submit his amendment, which the Secretary will report.

The READING CLERK. On page 10, at the end of line 19, after the figures "$31,520," insert the following proviso:

Provided, That this appropriation shall not become available until the Public Utilities Commission shall have issued and made effective an order requiring the street railway companies operating in the District of Columbia to give transportation to any one passenger for each continuous ride between all points of its main and branch lines within the District of Columbia at the rate of fare not exceeding 5 cents, and to sell six tickets or tokens to their patrons for not exceeding 25 cents, all transfer requirements and regulations as now existing and in force to be continued and respected.

Mr. HARRISON. I have offered this amendment because the fares which have been charged by the street car companies here have been very exorbitant for some time; but they were raised to the high limit, and they gave as an excuse the war and the consequent high cost of things.

The Utilities Commission have recently passed an order that the companies can sell six tokens for 40 cents. They reduced it from the old amount about one-third of a cent. One can not buy three tokens for 20 cents. If a person buys one token, he is charged 8 cents. Of course there are many poor people who never get as much as 40 cents together at one time, and consequently they have to pay the full fare, while those who are better able and have 40 cents in their pockets, get the reduced rate of 6⅔ cents a token.

The charters which were granted to these traction companies expressly provided that they were not to charge a fare of over 5 cents a person, and that they might sell six tokens or six tickets for 25 cents. So the amendment I have proposed merely places a limitation upon the appropriation, and will compel the companies, if they utilize this appropriation, to reduce their fares, so that they may charge not over 5 cents a person for a ride on the street cars.

Mr. PHIPPS. Mr. President, I regret that I can not see my way clear to accept the amendment. I think it is clearly subject to a point of order, and it is my duty to make the point of order.

The PRESIDING OFFICER. What is the point of order?

Mr. PHIPPS. The point of order is that it is legislation on an appropriation bill.

Mr. HARRISON. Of course, Mr. President, it is purely a limitation upon the appropriations, and it does not change existing law.

The PRESIDING OFFICER. The amendment proposed by the Senator from Mississippi is in the following language:

Provided, That this appropriation shall not become available until the Public Utilities Commission shall have issued and made effective an order requiring the street railway companies operating in the District of Columbia to give transportation—

And so forth.

Under the form in which the amendment is presented, the Chair——

Mr. JONES of Washington. Will the Chair permit me to suggest that we have no rule in the Senate similar to that in the House permitting limitations upon appropriations. The House has an express rule, according to my recollection, making in order a limitation upon an appropriation, but the Senate has no such rule as that, and it seems to me this really is legislation on an appropriation bill.

I want to say that personally I am in favor of the proposition. I have been urging for quite a good while a reduction in the passenger rates on street cars in the District. I have thought that these companies have been charging exorbitant rates; but I would not like to see the principle established in the Senate that by a limitation on an appropriation we can nullify existing law, and that is what it would amount to. We nullify it for a year, we nullify it for two years, we nullify it for three years. I think it is very unfortunate that there is a rule of that kind in any legislative body.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JONES of Washington. I yield.

Mr. LENROOT. I think the Senator is mistaken. There is no such rule in the House. The limitation rule applies upon general principles, that a limitation does not change existing law, that a limitation upon an appropriation is not either new or general legislation.

Mr. JONES of Washington. My recollection was that there was an express rule. I may be mistaken in that respect. I know it is the uniform practice.

Mr. LENROOT. Of course there is the Holman law, so called, but that has no application.

The PRESIDING OFFICER. The Chair thinks it is competent for the Senate to limit the use of any appropriation that it authorizes——

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. The Chair will hear the Senator from New York.

Mr. WADSWORTH. I did not mean to interrupt the occupant of the Chair. I wanted to ask a question before the Chair rules finally.

The PRESIDING OFFICER. The Chair will hear the Senator from New York.

Mr. WADSWORTH. Is this in effect a limitation on an appropriation?

The PRESIDING OFFICER. The Chair is just about to pass upon the matter, which will answer the Senator's question.

Mr. WADSWORTH. I desired to ask the question in that categorical form. My understanding of a limitation on an appropriation is some provision, mandatory or otherwise, limit-

ing the purpose of the appropriation. The amendment of the Senator from Mississippi does not go to the purpose of the appropriation, either in whole or in part. It simply provides that none of the money shall be spent unless the utilities commission issue a ruling. If that is in order, we can legislate on pretty nearly any item in an appropriation bill. We could say to the Federal Trade Commission, "The salaries herein appropriated are not to be paid until the Federal Trade Commission does a certain thing in the matter of a ruling or order," and practically legislate in that way. I think it is not truly a limitation upon the appropriation.

The PRESIDING OFFICER (Mr. ROBINSON). It is true that any limitation may have the practical effect of accomplishing legislation in advance. Under the rules of the Senate the present occupant of the chair thinks that it is competent for the Senate, in providing an appropriation, to limit its use, and that that limitation is accomplished by the specification of a condition under which the appropriation may be used just as well as otherwise.

Under the form in which the amendment is presented the Chair thinks that it is not general legislation in the sense of Rule XVI of the Senate and that it is not obnoxious to the rule, and therefore the Chair overrules the point of order. The question is on the amendment offered by the Senator from Mississippi.

Mr. HARRISON. I ask for the yeas and nays on agreeing to my amendment.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. BROUSSARD (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent. I have promised to take care of him for the day with a pair, and therefore I withhold my vote.

Mr. KELLOGG (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. In his absence I withhold my vote.

Mr. PHIPPS (when his name was called). I transfer my pair with the junior Senator from South Carolina [Mr. DIAL] to the senior Senator from Pennsylvania [Mr. CROW] and vote "nay."

Mr. OVERMAN (when Mr. SIMMONS's name was called). I wish to announce the necessary absence of my colleague [Mr. SIMMONS], who is paired with the Senator from Minnesota [Mr. KELLOGG].

The roll call was concluded.

Mr. HALE (after having voted in the negative). I transfer my pair with the Senator from Tennessee [Mr. SHIELDS] to the senior Senator from Utah [Mr. SMOOT] and allow my vote to stand.

Mr. KELLOGG. I transfer my pair with the senior Senator from North Carolina [Mr. SIMMONS] to the junior Senator from New York [Mr. CALDER] and vote "nay."

Mr. ROBINSON. Has the Senator from West Virginia [Mr. SUTHERLAND] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. ROBINSON. I have a pair with that Senator and in his absence withhold my vote. If I were at liberty to vote I would vote "yea."

Mr. KING. I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. In his absence I am unable to vote.

Mr. FERNALD. I have a general pair with the senior Senator from New Mexico [Mr. JONES]. I transfer that pair to the junior Senator from Oregon [Mr. STANFIELD] and vote "nay."

Mr. COLT. I transfer my pair with the junior Senator from Florida [Mr. TRAMMELL] to the senior Senator from Kansas [Mr. CURTIS] and vote "nay."

Mr. GLASS. I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote.

Mr. MCKELLAR. Has the junior Senator from Indiana [Mr. NEW] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. MCKELLAR. I have a general pair with that Senator, which I transfer to the senior Senator from Arizona [Mr. ASHURST], and vote "yea."

Mr. KENDRICK. Has the senior Senator from Illinois [Mr. MCCORMICK] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. KENDRICK. I have a pair with that Senator which I transfer to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from New York [Mr. CALDER], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from New Jersey [Mr. FRELINGHUYSEN], and the Senator from West Virginia [Mr. SUTHERLAND] are detained at a hearing before the Committee on Finance.

Mr. WILLIAMS. I transfer my pair with the Senator from Indiana [Mr. WATSON] to the senior Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. JONES of Washington. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The junior Senator from Kentucky [Mr. ERNST] with the senior Senator from Kentucky [Mr. STANLEY];

The senior Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

The result was announced—yeas 21, nays 27, as follows:

YEAS—21.

Broussard	Harrison	Nelson	Walsh, Mass.
Capper	Heflin	Norbeck	Watson, Ga.
Caraway	Johnson	Overman	Williams
Fletcher	Kendrick	Sheppard	
Gerry	Ladd	Smith	
Harris	McKellar	Underwood	

NAYS—27.

Ball	Fernald	Lodge	Spencer
Brandegee	France	McKinley	Sterling
Bursum	Gooding	Newberry	Townsend
Cameron	Hale	Oddie	Wadsworth
Colt	Kellogg	Page	Warren
Cummins	Keyes	Phipps	Willis
du Pont	Lenroot	Rawson	

NOT VOTING—48.

Ashurst	Glass	Myers	Shields
Borah	Harreld	New	Shortridge
Calder	Hitchcock	Nicholson	Simmons
Crow	Jones, N. Mex.	Norris	Smoot
Culberson	Jones, Wash.	Owen	Stanfield
Curtis	King	Pepper	Stanley
Dial	La Follette	Pittman	Sutherland
Dillingham	McCormick	Poindexter	Swanson
Edge	McCumber	Pomerene	Trammell
Elkins	McLean	Ransdell	Walsh, Mont.
Ernst	McNary	Reed	Watson, Ind.
Frelinghuysen	Moses	Robinson	Weller

So Mr. HARRISON's amendment was rejected.

Mr. FRANCE. Mr. President, I ask unanimous consent to return to page 33 of the bill in order that I may offer an amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. FRANCE. On page 33, line 13, I move to strike out the numerals "$1,200" and insert in lieu thereof the numerals "$1,500."

I will say that the amendment proposes to increase the salary of this electrical expert, who has been in the employ of the city government for some time; he is a very skilled worker, and has not, in my judgment, been adequately compensated for a long time. I think he should receive this increase in salary, if any increases of salary are to be granted.

The VICE PRESIDENT. The amendment proposed by the Senator from Maryland will be stated.

The ASSISTANT SECRETARY. On page 33, after the word "expert," at the end of line 12, and under the heading of "Electrical department," it is proposed to strike out "$1,200" and in lieu thereof to insert "$1,500."

Mr. PHIPPS. Mr. President, the Committee on Appropriations in considering this bill have felt that, in view of pending legislation in the reclassification bill which is now before Congress, it should not go into the question of salary adjustments at this time. No changes have been made in basic salaries in any part of the bill. If we were to open the door and grant increases in certain instances we should, in justice, go through the entire salary list and adjust all salaries. Therefore I regret that I can not, for the committee, accept the amendment which has been offered by the Senator from Maryland.

Mr. FRANCE. Mr. President, I realize the force of what the Senator from Colorado has said, and I shall not, therefore, take the time of the Senate to continue to urge the amendment. I

also realize that the committee is acting wisely in deferring increases of salary until action is taken on the reclassification bill. I happened to know, however, of this very meritorious case, and felt it my duty to offer the amendment, which I wish might be accepted. However, I understand the position of the committee with reference to the matter. I shall not ask for a yea-and-nay vote on the amendment.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Maryland.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Metropolitan police," on page 55, line 16, to increase the number of privates at $1,460 each from "17" to "92"; in line 22, after the words "allowance of," to strike out "$480 to one inspector" and to insert "$312 to each of two inspectors"; and on page 56, line 4, to increase the total from "$1,658,286.36" to "$1,767,930.36," so as to make the paragraph read:

Major and superintendent, $4,500; two assistant superintendents, at $3,000 each; 3 inspectors, at $2,400 each; 12 captains, at $2,400 each; chief clerk, who shall also be property clerk, $2,400; clerk (who shall be a stenographer), $1,800; 2 clerks (who shall be stenographers), at $1,500 each; clerks—one (who shall be assistant property clerk), $1,200, one $1,200, three at $1,000 each, one $700; four surgeons of the police and fire departments, at $1,600 each; additional compensation for 35 privates detailed for special service in the detection and prevention of crime, $16,800; additional compensation for 14 privates detailed for special service in the various precincts for the prevention and detection of crime, at the rate of $120 per annum, $1,680; additional compensation for 1 inspector or captain and 1 lieutenant detailed for special service in the detection and prevention of crime, at $400 each; 21 lieutenants, 1 of whom shall be harbor master, at $2,000 each; 56 sergeants, 1 of whom may be detailed for duty in the harbor patrol, at $1,800 each; privates—550 of class 3 at $1,660 each, 237 of class 2 at $1,560 each, 92 of class 1 at $1,460 each; amount required to pay salaries of privates of class 2 who will be promoted to class 3 and privates of class 1 who will be promoted to class 2 during the fiscal year 1923, $6,686.36; 9 telephone clerks, at $900 each; 18 janitors, at $600 each; laborer, $720; messenger, $660; motor-vehicle allowance of $312 to each of two inspectors; 38 captains, lieutenants, sergeants, and privates, mounted on horses, at $540 each; motor-vehicle allowance to 20 sergeants and privates, at $480 each; 64 lieutenants, sergeants, and privates, mounted on bicycles, at $70 each; driver-privates—36 of class 2 at $1,560 each; 6 police matrons, at $720 each; in all, $1,767,930.36.

The amendment was agreed to.

Mr. PHIPPS. Mr. President, the amendment on page 55, line 16, in the items for the Metropolitan police has been agreed to. The junior Senator from Utah [Mr. KING] last evening on the floor made a remark about the item which proposes to increase the number of police. I think it only proper to give him an opportunity to discuss the item if he wishes to do so. I shall send word to him, and if he cares to reopen the matter I would reserve that privilege.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 57, line 14, to increase the appropriation for additional motor vehicles from "$5,000" to "$10,000."

The amendment was agreed to.

The next amendment was, on page 57, after line 17, to insert:

Additional amount required for the erection of a station house in the suburban section of the District of Columbia, $20,000.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 20, on page 59, the last paragraph being as follows:

FIRE DEPARTMENT.

SALARIES.

Chief engineer, $4,000; 2 deputy chief engineers, at $3,000 each; 8 battalion chief engineers, at $2,400 each; fire marshal $2,400; deputy fire marshal, $2,000; 4 inspectors, at $1,660 each; chief clerk, $2,400; clerk, $1,400; clerk (who shall be a stenographer and typewriter), $1,600; 38 captains, at $1,900 each; 41 lieutenants at $1,760 each; 41 sergeants, at $1,700 each; superintendent of machinery, $2,500; assistant superintendent of machinery, $2,000; 2 pilots, at $1,700 each; 2 marine engineers, at $1,700 each; 2 assistant marine engineers, at $1,660 each; 2 marine firemen, at $1,460 each; privates—428 of class 3, at $1,660 each, 71 of class 2, at $1,560 each, 12 of class 1, at $1,460 each; amount required to pay salaries of private of class 2 who will be promoted to class 3, and private of class 1 who will be promoted to class 2, during the fiscal year 1923, $2,455.44; hostler, $1,080; laborer, $1,000; in all, $1,120,595.44.

Mr. CAMERON. Mr. President, on page 59, line 16, I move to strike out the word "twelve" and to insert in lieu thereof the word "twenty-five." I hope the Senator in charge of the bill will agree to that amendment.

Mr. PHIPPS. The Senator's amendment proposes to increase from 12 to 25 the number of firemen of class 1, 25 being the number asked for by the fire department. I frankly state that those preferring that request made a very strong argument and a good showing in behalf of the increase. We are giving the fire department additional fire apparatus. Personally I am convinced that the department does not have a sufficient number of firemen to handle the heavy hose, particularly when it becomes necessary to deal with a fire in a three or four story building, for only four men in each company are available to drag the hose line up the stairways. The Budget Bureau approved the item for 25 men; it has been estimated for; and, so far as I may for the committee, I am willing to accept the amendment offered by the Senator from Arizona.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arizona.

The amendment was agreed to.

Mr. CAMERON. On page 59, in line 20, I move to strike out the figures "$1,120,595.44" and to insert in lieu thereof the figures "$1,139,575.44." I offer that amendment in order to take care of the additional firemen who have been provided for by the amendment just adopted by the Senate.

Mr. PHIPPS. The clerks have authority to change the totals to correspond with any amendments which may be agreed to in the bill.

The VICE PRESIDENT. Without objection, the amendment proposed by the Senator from Arizona is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Fire department," on page 60, line 8, to increase the appropriation for hose from "$12,000" to "$15,000."

The amendment was agreed to.

The next amendment was, on page 60, line 11, after the words "fire boat," to strike out "$1,500" and to insert "$2,000, to be immediately available," so as to read:

For repairs and improvements of fire boat, $2,000, to be immediately available.

The amendment was agreed to.

The next amendment was, in the item for permanent improvements, fire department, on page 60, line 19, to strike out "for one combination chemical and hose wagon, motor driven, $8,150," and to insert "for two combination chemical and hose wagons, motor driven, at $8,150 each."

The amendment was agreed to.

The next amendment was, at the top of page 61, to strike out: "For one pumping engine, triple combination, motor driven, $12,500," and to insert: "For two pumping engines, triple combination, motor driven, at $12,500 each."

The amendment was agreed to.

The next amendment was, on page 61, after line 6, to insert:

For repairs, improvements, and alterations to engine house No. 16, D Street between Twelfth and Thirteenth Streets NW., $5,000.

The amendment was agreed to.

The next amendment was, under the head "Health Department," on page 63, line 18, to increase the appropriation for maintenance of disinfecting service, etc., from "$6,000" to "$7,000."

The amendment was agreed to.

The next amendment was, on page 63, line 24, to increase the appropriation for enforcement of the provisions of an act to provide for the drainage of lots in the District of Columbia, etc., and for the abatement of nuisances in the District of Columbia, etc., from "$1,000" to "$2,000."

The amendment was agreed to.

The next amendment was, on page 64, line 3, to increase the appropriation for special services in connection with the detection of the adulteration of drugs and of foods, including candy and milk, from "$100" to "$200."

The amendment was agreed to.

The next amendment was, on page 64, line 13, to increase the appropriation for maintaining the chemical laboratory from "$750" to "$1,500."

The amendment was agreed to.

The next amendment was, on page 65, after line 16, to insert:

For necessary repairs to the annex (contagious-disease ward) of the Garfield Memorial Hospital, $5,000.

The amendment was agreed to.

The next amendment was, on page 66, line 2, before the word "persons," to insert "indigent"; in line 4, after the word "service," to insert "rent"; and in line 5 to strike out "$12,500" and insert "$13,500," so as to read:

For the maintenance of a dispensary or dispensaries for the treatment of indigent persons suffering from tuberculosis and of indigent persons suffering from venereal diseases, including payment for personal service, rent, and supplies, $13,500.

The amendment was agreed to.

The next amendment was, on page 66, line 15, to increase the appropriation for clinical examination, advice, care, and maintenance of children under 6 years of age, from "$15,000" to "$18,000."

Mr. ROBINSON. Mr. President, I propose an amendment to the committee amendment, to strike out "$18,000" and insert

in lieu thereof "$20,000." The welfare work to which this fund is devoted has accomplished great good. A number of ladies who are giving their time and services to this work have advised me that it will require at least $20,000 to accomplish their purposes during the next fiscal year, and the nature of the work is such that I feel this small additional amount should be provided in order that it may not be embarrassed.

Mr. PHIPPS. The officers of the Child Welfare Society interviewed some of the members of the committee, myself included, and called attention to the fact that they had $18,000 in the bill for the current year, and that for the ensuing fiscal year the House cut that allowance down to $15,000, although $18,000 had been approved by the Budget Bureau. Our committee have restored the figure to $18,000; but I am inclined to agree with the Senator from Arkansas. I believe this is a worthy work, indeed; that it is really a necessary work; and we do not provide a great deal in this bill for strictly charitable purposes. I shall make no objection to the amendment offered by the Senator, and for the committee, so far as I may, I accept it.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arkansas to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 66, after line 15, to insert:

To aid persons of moderate means who are suffering from tuberculosis, to obtain adequate sanitarium and hospital care, $3,000.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, on page 69, line 22, I offer an amendment striking out "$9,000" and inserting "$10,000" for compensation of jurors.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 69, line 22, in the item of $9,000 for compensation of jurors, it is proposed to strike out "$9,000," and in lieu thereof to insert "$10,000."

Mr. JONES of Washington. I will say that is in accordance with the estimate. I understand that a deficiency appropriation has been asked for, running it up probably to twelve or more thousand dollars; but I am not in favor of offering amendments exceeding the estimate, so I have confined my amendment to $10,000.

Mr. PHIPPS. Mr. President, I have no objection to the adoption of that amendment and accept it for the committee as far as I may.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was agreed to.

Mr. JONES of Washington. Now, I move to strike out the two provisos beginning in line 22, page 69, and ending in line 3 on page 70, in the following words:

Provided, That none of the money appropriated in this act shall be available for the payment of jurors' fees unless the actual cost of the trial jury be taxed as part of the costs and judgment rendered therefor, to be paid by the unsuccessful litigant: *Provided further*, That no person in default of payment thereof shall be imprisoned on that account.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 71, line 4, to increase the appropriation for expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to St. Elizabeths Hospital, etc., from "$5,500" to "$6,500."

The amendment was agreed to.

The next amendment was, on page 71, line 7, to insert: "payable one-half out of the revenues of the District of Columbia and one-half out of any money in the Treasury not otherwise appropriated," so as to read:

For interest and sinking fund on the funded debt, payable one-half out of the revenues of the District of Columbia and one-half out of any money in the Treasury not otherwise appropriated, $400,000.

The amendment was agreed to.

The next amendment was, on page 71, line 15, after the word "character," to strike out "$3,000" and to insert "and in all cases of emergency not otherwise sufficiently provided for, in the discretion of the commissioners, $8,000," so as to read:

EMERGENCY FUND.

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood or fire or storm, and of like character, and in all cases of emergency not otherwise sufficiently provided for, in the discretion of the commissioners, $8,000.

The amendment was agreed to.

The next amendment was, under the head "Courts and prisons," on page 73, line 7, to increase the appropriation for fees of jurors from "$55,000" to "$60,000."

The amendment was agreed to.

The next amendment was, on page 80, line 3, to increase the appropriation for the Eastern Dispensary and Casualty Hospital from $5,000 to $15,000.

The amendment was agreed to.

The next amendment was, on page 80, line 17, after the name "United States," to strike out "to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institution are paid from the Treasury of the United States and the revenues of the District of Columbia," so as to make the paragraph read:

COLUMBIA HOSPITAL AND LYING-IN ASYLUM.

For general repairs and for additional construction, including labor and material for each and every item connected therewith, $5,000; for expenses of heat, light, and power required in and about the operation of the hospital, $15,000; in all, $20,000, to be expended in the discretion and under the direction of the Architect of the Capitol, and on July 1, 1922, the sum of $25,000 of the surplus revenues of the hospital shall be deposited and covered into the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 81, after line 16, to insert:

Hereafter patients may be admitted to the Tuberculosis Hospital for care and treatment at such rates and under such regulations as may be established by the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Gallinger Municipal Hospital," on page 82, line 2, to strike out the provisos in the following words:

Provided, That during the fiscal year 1923 the number of persons whom it may be actually necessary to employ at any one time shall not exceed the proportion that the force to attend the actual number of beds available shall bear to the force required to attend the ultimate maximum capacity of 300 beds: *Provided further*, That no person employed hereunder shall be paid at a rate in excess of the rate specifically appropriated for a similar grade of work for the Washington Asylum Hospital for the fiscal year 1922.

The amendment was agreed to.

The next amendment was, on page 82, line 13, to increase the appropriation for maintenance of Gallinger Municipal Hospital from "$45,000" to "$90,000."

The amendment was agreed to.

The next amendment was, on page 82, after line 19, to insert:

For repairs to buildings, including repairs and alterations of old psychopathic hospital building to make it available for female nurses and employees, $10,000.

The amendment was agreed to.

The next amendment was, on page 82, after line 22, to insert:

Hereafter patients may be admitted to the psychopathic ward of the Gallinger Municipal Hospital for care and treatment at such rates and under such regulations as may be established by the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Board of Children's Guardians," on page 83, line 25, after the figures "$1,800," to insert "two supervisors, at $1,740 each; two investigators, at $1,500 each"; on page 84, line 1, after the figures "$900," to insert "stenographer, $1,200"; and, in line 4, to increase the appropriation from "$24,900" to "$32,580," so as to make the paragraph read:

Salaries: Agent, $1,800; two supervisors, at $1,740 each; two investigators, at $1,500 each; clerks—one $1,200, one $900; stenographer, $1,200; stenographer, $900; placing and investigating officers—6 at $1,200 each, 2 at $1,000 each, 10 at $900 each; record clerk, $900; messenger, $500; laborer, $500; in all, $32,580.

The amendment was agreed to.

The next amendment was, on page 84, after line 6, to insert:

The Commissioners of the District of Columbia are authorized and directed to acquire a site for a home and school for feeble-minded persons, said site to be located in the District of Columbia or in the State of Maryland or in the State of Virginia, and to erect thereon suitable buildings at a total cost not exceeding $300,000, of which not more than $40,000 shall be expended for a site, and toward said purpose there is appropriated the sum of $125,000; if the land proposed to be acquired is within the District of Columbia, and the same can not be acquired by purchase at a price satisfactory to the commissioners, they are authorized to condemn the same under the provisions of chapter 15 of the Code of Law for the District of Columbia. If the land can not be acquired within the District of Columbia, the Attorney General of the United States, at the request of the Commissioners of the District of Columbia, shall institute condemnation proceedings to acquire such land as may be selected for said site either in the State of Maryland or in the State of Virginia in accordance with the laws of said States, the title of said land to be taken directly to and in the name of the United States, but the land so acquired shall be under the jurisdiction of the Commissioners of the District of Columbia as agents of the United States, and expenses of procuring evidence of title or of condemnation, or both, shall be paid out of the appropriation herein made for the purchase of said site.

The amendment was agreed to.

The next amendment was, under the subhead "Industrial Home School for Colored Children," on page 87, line 12, to strike out "$25,000" and insert "$22,500," so as to read:

For maintenance, including care of horses, purchase and care of wagons and harness, and maintenance of motor vehicle, $22,500.

The amendment was agreed to.

The next amendment was, on page 87, line 14, to strike out "$5,000" and insert "$3,000," so as to read:

For repairs and improvement to buildings and grounds, $3,000.

The amendment was agreed to.

The next amendment was, on page 88, line 16, after the word "motor," to insert "vehicle and," so as to read:

For provisions, fuel, forage, harness, and vehicles and repairs to same, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, including maintenance of motor vehicle and trucks, $50,000.

The amendment was agreed to.

The next amendment was, on page 88, line 22, to strike out "$6,000" and insert "$7,500," so as to read:

For building and equipment for ice making and refrigeration, $7,500.

The amendment was agreed to.

The next amendment was, under the subhead "Municipal lodging house and wood yard," on page 89, line 4, after the figures "$360" in line 3, to insert "night watchmen, for six months, at $40 per month"; in line 5, after the word "maintenance," to strike out "$2,000" and insert "$3,000"; and at the end of the same line to strike out "$4,040" and insert "$5,280," so as to read:

Superintendent, $1,200; foreman, $480; cook, $360; night watchmen, for six months, at $40 per month; maintenance, $3,000; in all, $5,280.

Mr. PHIPPS. Mr. President, on line 4, page 89, there is a typographical error. The word "watchmen" appears in the bill. It should be "watchman." I ask that that correction may be made.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 90, to insert:

National Library for the Blind: For aid and support of the National Library for the Blind, located at 1729 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, $5,000.

The amendment was agreed to.

The next amendment was, on page 90, after line 5, to insert:

Columbia Polytechnic Institute: To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, $1,500.

Mr. KING. Mr. President, may I inquire whether these institutions for the blind are owned by the Government, or are they private institutions, and is the District making contributions to private institutions?

Mr. PHIPPS. They are private institutions, but these allowances always have been made year by year. For some reason the House declines to insert the items in the bill, but invariably it has agreed in conference to allow them. They are well-conducted establishments, both of them.

Mr. KING. Is there any Government institution for the blind in the District?

Mr. PHIPPS. None whatever within the District. We have them for the deaf and dumb and for persons suffering from other infirmities, but none whatever for the blind.

Mr. KING. And does the Government, aside from these two items, make any contribution for the care of the blind?

Mr. PHIPPS. There is an appropriation made, I believe, but it is carried now in the Interior Department bill. I believe the allowance is about $12,000.

Mr. KING. Does the Senator know whether any appropriation is made for caring for the blind in some institution in Maryland or Virginia?

Mr. PHIPPS. Provision is made. It is carried in a bill with which I have not been familiar, however.

Mr. KING. I was about to say that if the items to which the District makes contribution—namely, $6,500—carried in this bill are all that are paid by the District for the blind, I think the District is escaping very lightly.

Mr. PHIPPS. I will say to the Senator that I hope in another year all of these items will be brought together in one bill, as they should be, so that upon looking at a bill Senators may know how the different establishments are cared for.

Mr. KING. I was wondering whether the appropriation carried in the other bill all came out of the Treasury of the United States, or whether half of it was chargeable to the District.

Mr. PHIPPS. It has been charged for the last three years on the 60–40 basis. The District has been paying 60 per cent.

Mr. KING. The Senator now alludes to the other bill, the Interior Department bill?

Mr. PHIPPS. I refer to the other bills, one carrying $12,000, and I do not recall what the other item is, but I think it is about $6,500.

Mr. KING. Is there any supervisory care over these private institutions which are receiving contributions from the treasury of the District?

Mr. PHIPPS. Our Board of Charities are supposed to exercise proper supervision, and unless they recommend the institution as being properly conducted and under good management, they refuse to pass upon or approve any estimate.

The amendment was agreed to.

The next amendment was, on page 90, line 11, to strike out the subhead "Hospital for the Insane," and to insert in lieu thereof "St. Elizabeths Hospital."

The amendment was agreed to.

The next amendment was, on page 90, line 14, to strike out "$850,000" and insert "$900,000," so as to read:

For support of indigent insane of the District of Columbia in St. Elizabeths Hospital, as provided by law, $900,000.

The amendment was agreed to.

The next amendment was, under the head "Public buildings and grounds," on page 94, line 13, to increase the appropriation for contingent and incidental expenses, office of public buildings and grounds, from "$700" to "$800."

The amendment was agreed to.

The next amendment was, under the subhead "Park police," on page 94, line 16, before the word "privates," to strike out "fifty-three" and insert "sixty-one," and in line 17, to strike out "$78,840" and insert "$89,720," so as to read:

Salaries: Lieutenants, $1,900; first sergeants, $1,700; 2 sergeants, at $1,580 each; 61 privates, at $1,360 each; in all, $89,720.

Mr. KING. An item was passed a moment ago, when I was absent from the Chamber, increasing the police of the District by 75. I notice that one of the newspapers this morning stated that my objection yesterday went to the inspectors. I had no objection whatever to the inspectors.

Mr. PHIPPS. Inspectors of buildings?

Mr. KING. Yes; inspectors of buildings. I did challenge attention to the large increase in the number of policemen in the District, and I observe that the number of park police has also been increased.

Mr. PHIPPS. Only an increase of eight.

Mr. KING. From 53 to 61.

Mr. PHIPPS. An increase of eight. There are in Rock Creek Park alone 13 miles of driveways, not counting bridle paths or foot paths. The park police not only cover that area of some 1,740 acres, but also care for Potomac Park. Complaint has been made by people driving through the park as to the lack of sufficient police supervision. It may not be the direct or proper duty of a policeman to see that citizens who own property adjoining park land are prevented from dumping refuse on the park property, but, as a matter of fact, they have had to pay quite a little attention to that.

The committee very carefully heard the commissioners, and particularly Col. Sherrill, who has that department in charge, regarding the necessity for these park policemen. As the Senator knows, there is quite a tendency on the part of the people to congregate in the parks, particularly on summer evenings, and stay there late at night. A very great number of complaints have been made by residents of the District as to the conduct which is sometimes carried on in the parks after nightfall.

Mr. KING. Does the Senator think there should be such a large increase in the police force within the city? During the war, of course, there was a very large congestion of population in the District. I think, perhaps, the tide is receding somewhat, and it occurs to me that if we got along during the war and for the three years following the war with the personnel at the standard which it has attained there would be no necessity for increasing it now, at least increasing it by such a great number as 75.

Mr. PHIPPS. While it is true that that is about 9 per cent increase, it is further true that we have not given them increases during the preceding three years. Our force consists of 804 policemen this year. That is less than 1 man for every 500 inhabitants, and compared with the number of policemen who are employed in other large cities comparable to Washington we find that that figure is much under the average, notwithstanding the fact that the District covers a larger area than the majority of those cities with which we compared it. The committee has the figures giving the records of various cities, and we gave very careful consideration to that item of increase in the police force. The committee was convinced

that it was a proper increase to make at this time, and the finding and recommendation of the subcommittee met with the approval of the entire committee.

Mr. SPENCER. May I add that during the war the park policing was very much neglected? The present force of the park police—and this has only to do with the park police——

Mr. KING. I challenged attention to the other item.

Mr. SPENCER. But, so far as the park police are concerned, there are now 1,600 acres more under their charge, running from Rock Creek Park to the Potomac, than there were when the original number of policemen was used. That is the reason why the police department requested the increase from 53 to 61. There are 500 reservations which are under the control of the park police of the city, and the Senator will see in a moment that 61 is almost an inadequate number for them, and from the testimony as it appeared before the committee, even with the 61 the parks will be nowhere near adequately protected. The number ought to be very much larger.

Mr. KING. I express no opinion in regard to the parks. I have not made sufficient investigation to determine whether or not the 61 which this bill provides for are needed. It would occur to me, however, that the number was rather too large. The population of Washington—I think we might compliment it—is very much different from that in many of the industrial centers, to which are attracted a very large number of transients and those who have the wanderlust; but, speaking generally, the inhabitants of the city of Washington are law-abiding; a great number of them are employees of the Government, and thousands have come here for the purpose of enjoying the benefits which are derived from living in the Capital of the Nation. Thousands of them are retired business men, men of means, and business women, and, generally speaking, I submit that the population of Washington is not to be compared with the population of other cities.

The needs of police protection here would be less in proportion to the number of population than would be found in many of the industrial centers and in other cities of the United States to which I might call attention, but which I shall not refer to for fear of any invidious comparison.

Mr. TOWNSEND. Mr. President, I think that as a general proposition what the Senator states is true; but I have been surprised at the statements which I have read in the papers relative to the amount of crime in the District of Columbia. I myself know that there have been many crimes committed here, such, for instance, as stealing automobiles or breaking into garages and stealing tires. It has come to be almost a profession with some people to break into garages or to take a car from the street or to take the tires off a car, and when talking to the police about it I have been informed by them that the department is altogether inadequate; that they can not cover even the most thickly settled portions of the city with the present police force.

I will not attempt to state the amount of area one policeman must cover, but I think one beat runs from K Street to S Street; at any rate, the area which he guards is altogether too large, and he reported that right in that district there would be theft after theft, and they seem to be absolutely helpless, because the thieves can watch the policemen, know where they are, and go into the section of the beat which the policeman has left and perpetrate these crimes.

I know it is a general complaint upon the part of the policemen that they do not have enough on the force to properly guard the city, and I repeat, I was startled by a comparison of the number of crimes committed in the District of Columbia and those committed in other cities, where, I agree with the Senator, we would naturally expect a larger amount of crimes; but I do not think the statistics bear out that statement. The crime here is far beyond what it ought to be, and the policemen insist that it is because they do not have a sufficient force.

Mr. PHIPPS. I ask the Senator if that is not partly accounted for by the fact that we have a much larger percentage of visitors coming to the Capital City than go to other cities of like size? It is not our own population alone whom the police must keep in mind, but they must look after the "trippers," the excursionists, and those who come here to prey upon our people.

Mr. BALL. Mr. President, I do not agree at all with the Senator from Utah that we do not need a greater number of policemen in Washington in comparison with the population than in other cities. Just as the Senator in charge of the bill has said, it is not the population of Washington which has to be looked after, but at all times Washington is the Mecca of many visitors. Many drive in in their automobiles from other cities and there are many crossing accidents. There is no city which can be compared wth Washington in the necessity for protection along that line.

Mr. KING. Does the Senator mean automobile accidents?

Mr. BALL. Automobile accidents, as well as looking after visitors of all classes who come here, because they know that the crowds are in Washington. The daily visitors to Washington are many more than to any other city, compared to the population.

Mr. KING. I would like to ask the Senator from Delaware, the chairman of the Committee on the District of Columbia, if complaints have been made to him, as they have been to me as a member of the committee, that in the past, particularly the past two or three years, the police organization has not been as efficient as it should have been, and if there have not been very many complaints about the administration of the department?

Mr. BALL. Complaints have been made, and the reply from the commissioners has always been that they had not a sufficient number, and they very frequently cited to me the fact that they have to transfer their traffic policemen from one place to another in the city as the accidents seem to occur, and people driving in their machines comment on that very freely. If there is an accident in one place there will be a traffic policeman there the next morning and for a week or two, then they have to transfer him to some other street. They have not a sufficient number to take care of the dangers on the streets. Further than that, the streets of Washington have so many avenues cutting across them that it makes it more dangerous for traffic. Instead of having only the cross streets, as there are in those cities to which the Senator refers, we have here avenues cutting in from every direction, which require more protection, especially of traffic policemen, than in the ordinary city.

Mr. KING. I have made some investigation with regard to the police situation in Washington. I think Washington has some of the finest police that can be found in any municipality. Some of the officers and some of the men on the beats are of very high character. I do believe that there have been some members of the police force who have not been up to the standard. I believe that for the past two years the efficiency of the organization has not been as great as it should have been, and there has been a lack of discipline. I think that a careful examination will disclose the accuracy of that statement. The new person in charge, I feel sure, will make some improvement, and I have no doubt that, if he will apply himself as I think he will, some of the evils that have existed will be corrected.

I do not think we need an increase of 75 in the police force. I would be willing to have an increase of 40 or 50. I will ask the Senator in charge of the bill if he will consent to make it 50 instead of 75?

Mr. PHIPPS. I would like to suggest to the Senator from Utah that this item, if agreed to in the Senate providing for an increase of 75 as recommended by the committee, will have to go to conference necessarily, and we will there develop the views of the House regarding the matter. Personally, I would like to go a little further and elicit some further information on this very point. I would prefer to have the item go in the bill as recommended by the committee, and hold an open mind when it comes into conference with the House.

Mr. KING. Will the conferees make further investigation in regard to this question?

Mr. PHIPPS. I shall be very glad to cooperate with the Senator in any possible way to elicit further information.

Mr. KING. I shall not press the motion which I was about to submit to strike out "75" and insert "50," trusting to the assurances given by the distinguished Senator from Colorado.

Mr. PHIPPS. We are only 25 apart in the number.

Mr. KING. He has devoted himself with a great deal of ability to the preparation of the bill. I feel that the Senator from Colorado ought to be complimented for the splendid work he has performed in the preparation of the bill.

Mr. UNDERWOOD. Mr. President, I want to say just a word in reference to the pending item. I am not opposed to the item increasing the police force 75 men. I think the first duty any Government owes to its citizens is protection. I am not sure that the citizens of the District of Columbia are now getting the proper kind of protection at this time.

I have not any sympathy whatever, though, with the cry of the Commissioners of the District. Whenever they are called upon to do anything or to accomplish any result they fall back in their chairs and say, "Congress will not give us the money." Sometimes that may be true, but often it is merely a smoke cloud to hide inefficiency. The man who, when he is charged with not fulfilling to the utmost a public duty, especially where he is charged with the duty of protecting the lives and limbs of the people of a community, contents himself with falling back and saying, "Somebody else is at fault, because I have

not got enough money," is not the proper man to hold public office. If I had the authority and an officer under my charge should come to me with excuses of that kind, I would find another man to fill the job.

I have not heard a more severe indictment of the administration of public affairs than the chairman of the Committee on the District of Columbia [Mr. BALL] has just delivered against the Commissioners of the District. I know he did not intend it as an indictment, but it seemed to me that it was an indictment. Everyone knows there are more automobile accidents in this city than in any city of its size in America or in any city near its size. We pick up the papers and almost every day find that another man is dead because he has been run over by an automobile.

Mr. BALL. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from Delaware.

Mr. BALL. Does not the Senator realize, from the construction of the avenues and streets in Washington and the fact that there are drivers from so many different States not entirely familiar with the traffic rules of Washington, that there would be a cause of more accidents here than elsewhere?

Mr. UNDERWOOD. No; I do not at all. I think that is merely an excuse to hide inefficiency. As has just been suggested to me by the Senator from Arkansas [Mr. CARAWAY] it is not the nonresidents who are running over and killing these people; it is people who live in the District of Columbia and near-by Maryland and Virginia, who transact business in this city.

No; the trouble is that we are palliating offenses, which I will not call murder but which are often manslaughter, with excuses instead of trying to remedy them, just as the Senator from Delaware is giving excuses now. Because some of the streets run into avenues and there are four or five cross streets at a given point there is no reason in the world why men and women should be injured there any more than at any other place if the traffic laws of the District of Columbia were enforced and obeyed. The reason why an accident happens at places of that kind is because men drive into those places at reckless rates of speed and the Commissioners of the District of Columbia will not order the police force of the city to arrest men for violating the speed regulations, but content themselves, when a man is injured or killed on the street, with sending a policeman around there for a day or two to see if another accident is going to happen in that street at that particular point.

Mr. BALL. Mr. President——

Mr. UNDERWOOD. I yield if the Senator wants to interrupt me.

Mr. BALL. Does not the Senator realize that the commissioners are limited in the number of employees granted by Congress?

Mr. UNDERWOOD. Oh, that is just another excuse.

Mr. BALL. Oh, no.

Mr. UNDERWOOD. That is all it is; it is just another excuse. Of course, they are limited.

Mr. BALL. If Congress would allow the commissioners to employ only half the number of policemen they have now, would it still be only an excuse for accidents?

Mr. UNDERWOOD. Oh, no; but if Congress would double the police force in this town and there was not a more intelligent administration of the laws in the District of Columbia, we would still have the accidents. That is my viewpoint. It is because of a lack of intelligent enforcement of the law. If the Senator will allow me, I have no patience with that sort of excuses. When men, women, and children are killed daily in the streets, I have no patience with the men who are charged with the authority to administer the law idling in their chairs and, when some one calls their attention to the fact that these conditions exist, say that they can not enforce the law because Congress has not given them enough money or Congress has not given them enough men. If they would show by their actions that they are trying to enforce the law, they would have a Congress to appeal to that would respond if they need more money to protect the lives and limbs of the people of the District.

No, Mr. President, I am not opposed to giving the administration of the District of Columbia a sufficient force. I shall cheerfully vote for the amendment brought in by the committee to increase the police force 75 men. I would increase it more than that if necessary, because I want to cut out any opportunity for excuses for failing to enforce the law of the land. But I can stand for 15 minutes on any of the prominent corners of this town, at dusk in the evening, when the departments are closed and the business people and the clerks are returning home, and count in those 15 minutes from 10 to 15 or 20 automobilists who will drive across those corners at reckless rates of speed, and the only reason why they do not kill some one is because the pedestrian has reached the curb and is staying there. But whenever you find the halt, the lame, and the blind trying to cross a street in the city of Washington at hours of that kind, the next morning you read in the papers of a death.

If the commissioners are going to enforce the law, they would not wait for a post-mortem examination after a man has been killed. They should put a policeman on the prominent corners, and when a man drove past at 30 or 40 miles an hour, as they so frequently do, he should arrest that man, and the second time he violated the law, they should take his license away from him and not let him operate an automobile again.

I have no patience with these excuses. I am not given to criticism. I realize that men in public office labor under great difficulties. This is not the first time I have made these statements.

Right in front of my house on a quiet corner within the last three weeks I saw the reckless driver of a truck collide with a street car crossing a street. It did not hurt anybody, it did not kill anybody, because he hit only the corner of the street car and tore a piece off of it, but if he had hit the car in the middle he might have killed several people.

There is only one way in which this reckless driving can be prevented, and that is not to wait until the automobile driver has killed somebody, but to start out and arrest men every day when they violate the laws of the District, and either put them in jail or take their licenses away from them. When that is done we shall have a proper administration of the law.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "Buildings and grounds in and around Washington," on page 96, line 16, to increase the appropriation "for laying cement and other walks in various reservations" from "$3,000" to "$3,500."

The amendment was agreed to.

The next amendment was, on page 96, line 18, to increase the appropriation "for broken-stone road covering for parks" from "$7,000" to "$10,000."

The amendment was agreed to.

The next amendment was, on page 96, line 22, after the word "Parkway," to strike out "exclusive of building for superintendent's residence," so as to read:

For care and improvement of Rock Creek Park and the Piney Branch Parkway, $30,000.

The amendment was agreed to.

The next amendment was, on page 96, line 26, to strike out "$25,000" and insert "$30,000," so as to read:

For improvement, care, and maintenance of West Potomac Park, including grading, soiling, seeding, planting, and constructing paths, $30,000.

The amendment was agreed to.

The next amendment was, on page 97, line 3, to increase the appropriation "for care and improvement of East Potomac Park" from "$30,000" to "$35,000."

The amendment was agreed to.

The next amendment was, on page 97, after line 3, to insert:

For the maintenance of a tourists' camp in East Potomac Park, $5,000.

The amendment was agreed to.

The next amendment was, on page 97, line 9, to strike out "$10,000" and to insert "$15,000," so as to read:

For placing and maintaining special portions of the parks in condition for outdoor sports, $15,000.

The amendment was agreed to.

The next amendment was, on page 97, line 19, to increase the appropriation "to provide for the increased cost in park maintenance" from "$50,000" to "$65,000."

The amendment was agreed to.

The next amendment was, on page 97, line 21, to strike out "$2,000" and to insert "$2,500," so as to read:

For care of the center parking in Pennsylvania Avenue between Second and Seventeenth Streets SE., $2,500.

The amendment was agreed to.

The next amendment was, on page 97, line 25, to strike out "$10,000" and insert "$12,000," so as to read:

Tidal Basin bathing beach: For purification of waters of the Tidal Basin and care, maintenance, and operation of the bathhouse and beach, $12,000.

The amendment was agreed to.

The next amendment was, on page 98, line 2, to strike out "$25,000" and insert "$50,000," so as to read:

For construction of bathing beach and bathhouse for the colored population of the city, $50,000.

The amendment was agreed to.

The next amendment was, on page 98, line 4, to strike out "$2,000" and insert "$2,500," so as to read:

For necessary repairs to the statue of Gen. Washington in Washington Circle, $2,500.

The amendment was agreed to.

The next amendment was, on page 98, after line 4, to strike out:

For continuing the construction of a sea wall along the water front, between the foot of New Hampshire Avenue and the north building line of G Street, including the grading and filling incident thereto, $20,000.

The amendment was agreed to.

The next amendment was, on page 98, after line 8, to insert:

For care and maintenance of Mount Vernon Park, $1,000.

The amendment was agreed to.

The next amendment was, on page 98, after line 10, to insert:

For operation, care, repair, and maintenance of the pumps which operate the Dupont Fountain in Dupont Circle, $2,500.

The amendment was agreed to.

The next amendment was, on page 98, line 24, to strike out "$4,500" and insert "$6,000," so as to read:

For heating offices, watchmen's lodges, and greenhouses at the propagating gardens, $6,000.

The amendment was agreed to.

The next amendment was, on page 100, after line 5, to insert:

The jurisdiction of the Rock Creek and Potomac Parkway Commission, as granted in section 22, public buildings act, approved March 4, 1913 (Public, No. 432), is hereby extended to cover the following tracts of land for park purposes, to wit: The tract known as the Klingle Road Valley Park, containing about 17.21 acres, as shown on map filed in the office of the surveyor of the District of Columbia, and designated as park map No. 647 D, the Piney Branch Valley Park, containing about 16⅞ acres, as shown on a map filed in the office of the surveyor of the District of Columbia, and designated as park map No. 291, and the Patterson tract, known as parcel 129 (sub 2), containing about 81.76 acres; the commission is further authorized to reduce the area to be acquired in either of said tracts, where, by reason of improvements constructed or unreasonable prices asked, or for other reasons in their judgments the public interests may require and the limit hereinafter fixed to be paid for said tracts shall be reduced accordingly: *Provided*, That if acquired by purchase the cost of the respective tracts shall not exceed the following sums: The Klingle Road Valley Park, $186,600; the Piney Branch Valley Park, $237,700; and the Patterson tract, $800,000; and there is hereby appropriated toward the purposes authorized herein the sum of $300,000: *Provided further*, That the tracts authorized to be acquired by this act shall become part of the park system of the District of Columbia and be under control of the Chief of Engineers of the United States Army: *Provided further*, That an agreement of purchase shall be entered into or condemnation proceedings begun with reference to the Patterson tract within one year from the approval of this act.

The amendment was agreed to.

The next amendment was, on page 102, after line 6, to insert:

INCREASED WATER SUPPLY.

For increasing the water supply of the city of Washington in accordance with the project E submitted in Senate Document No. 403, Sixty-sixth Congress, third session, including the purchase of land, $1,500,000, to be immediately available and to be expended in such manner as will afford an increased water supply at the earliest possible date: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $1,450,000, exclusive of the amount herein appropriated: *Provided further*, That the Secretary of War is authorized to acquire any lands, easements, or rights of way that may be needed in connection with this project; and whenever he causes proceedings to be instituted for the acquirement by condemnation of any such lands, easements, or rights of way, the United States, upon the filing of the petition in such proceedings, shall have the right to take immediate possession of said lands, easements, or rights of way, to the extent of the interest to be acquired, and use the same in the prosecution of the said project.

The amendment was agreed to.

The next amendment was, under the subhead "Water department," on page 106, line 3, to strike out "$30,000" and insert "$40,000," so as to read:

For installing water meters on services to private residences and business places as may not be required to install meters under existing regulations, as may be directed by the commissioners; said meters at all times to remain the property of the District of Columbia, $40,000.

The amendment was agreed to.

The next amendment was, on page 110, line 20, after the word "supplies," to insert "passenger-carrying and other motor vehicles," so as to make the section read:

SEC. 6. That the commissioners and other responsible officials, in expending appropriations contained in this act, so far as possible, shall purchase material, supplies, including food supplies and equipment, when needed and funds are available, from the various services of the Government of the United States possessing material, supplies, passenger-carrying and other motor vehicles, and equipment no longer required because of the cessation of war activities. It shall be the duty of the commissioners and other officials, before purchasing any of the articles described herein, to ascertain from the Government of the United States whether it has articles of the character described that are serviceable. And articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such articles to the municipal government under the conditions specified and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

The amendment was agreed to.

The reading of the bill was concluded.

The VICE PRESIDENT. The committee amendments have been completed, except the one which was passed over.

Mr. PHIPPS. The amendment passed over is on the first page of the bill, and I ask that it now may be taken up for consideration.

The VICE PRESIDENT. The amendment passed over will be stated.

The READING CLERK. The amendment passed over is on page 1, beginning in line 1, to strike out:

That 40 per cent of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and 60 per cent out of the revenues of the District of Columbia, for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, only, namely:

If the estimated net revenues of the District of Columbia for the fiscal year ending June 30, 1923, are not sufficient to meet the proportion of the appropriations for that fiscal year charged against such revenues by this and all other acts, or which may be estimated to be charged against such revenues by acts that may be approved during such fiscal year, the Commissioners of the District of Columbia shall increase the rates of taxation on real estate and tangible personal property sufficiently to make up the difference: *Provided, however*, That such rates of taxation shall in no event be less than 1½ per cent nor more than 2 per cent.

And in lieu thereof to insert:

That the general expenses of the District of Columbia shall be chargeable to and paid out of the Treasury of the United States.

For the fiscal year 1923 and annually thereafter the rate of taxation in the District of Columbia shall be fair and reasonable, and the revenues derived from this source shall be covered into the Treasury of the United States as miscellaneous revenue.

Until otherwise provided by law the rate of taxation in the District of Columbia on tangible personal property and real estate shall be $1.75 per hundred, and other taxes shall be as now provided.

The appropriation of an amount equal to the unexpended or unappropriated surpluses of the District revenue shown by the reports of the commissioners to have been heretofore accumulated and deposited in the Treasury of the United States in addition to the estimates submitted for the next fiscal year is hereby authorized, and hereafter there shall be no limit upon the amount of the estimates to be submitted to Congress to meet the annual needs of the District, any law to the contrary notwithstanding.

In fixing the value of improvements on any lot or tract of real estate for the purpose of taxation the first $2,000 of value thereof shall be exempt, and shall not be taken into consideration in fixing such value.

Mr. HARRISON. Does the Senator from Colorado expect to conclude the consideration of the bill this afternoon?

Mr. PHIPPS. I do not know of any reason why the bill should not be concluded this afternoon. The hour is not late. The bill has been read through; all the amendments have been acted upon except the one on page 1, and I do not know of any other amendments which are to be offered. We have disposed of all of the amendments as we have progressed with the consideration of the bill. It now comes down to the question of agreeing to the first amendment recommended by the committee.

Mr. HARRISON. Mr. President, this amendment is an amendment of great importance; it proposes to change completely the fiscal relations between the General Government and the District of Columbia; and it would seem to me that the advocates of the amendment certainly ought to present their views in support of it and to give some reasons why it, instead of the 60–40 plan, should be incorporated in the bill. The Senator from Colorado on yesterday stated that the Senate had passed a bill in reference to this matter but that the House had not yet passed it, and that the committee amendment was for the purpose of carrying out the idea embodied in that proposed legislation.

Mr. PHIPPS. The Senator from Mississippi is correct in his statement.

Mr. HARRISON. It would seem to me there ought to be some explanation made of that proposition.

Mr. PHIPPS. I referred, of course, to the so-called Jones bill. The amendment reported by the committee is copied verbatim from that bill as it was sent to the House after receiving the approval of this body. The Jones bill is now in the House, although, as I stated on yesterday, I have not been informed of the House having taken any action regarding it up to date. Of course, the Senate might reverse itself, but it would have to reverse itself in order to change the language of the first section of the bill.

Mr. JONES of Washington. Mr. President, I desire to say a word or two in reference to this matter. The general law governing the fiscal relations between the District of Columbia and

the Federal Government is embodied in the act of 1878 and provides for what is known as the 50–50 plan, whereby appropriations to meet the expenses of the District government are contributed equally from the Federal Treasury and taxes raised in the District. As the Senator from Mississippi knows, there has been quite a controversy over this question between the House and the Senate. As the Senator will remember, the House has been contending that the law of 1878 was not just and that reasonable taxes should be assessed against the people in the District, and then that the balance of the money which was needed to carry on the government of the District should be appropriated out of the Treasury. In the preceding Congress a bill passed the House known as the Mapes bill, which provided substantially that taxes raised by the District should go into the Federal Treasury, and then whatever was necessary for carrying on the expenses of the District should be paid by appropriation out of the Federal Treasury. The Senate has long been quite strongly in favor of what is known as the 50–50 plan, but the House has insisted for two or three years upon inserting in the District of Columbia appropriation bills a provision making the appropriations on a 60–40 basis. According to my recollection, the first time that that was done by the House an amendment was adopted in the Senate making the basis 50–50 instead of 60–40, and then we had quite a controversy with the House. On several occasions the District of Columbia appropriation bill has been held up on that account, particularly in the short sessions, until the closing days of the session, when finally the Senate conferees gave way in order to insure the passage of the bill.

During the present Congress this matter has again come up. It was hoped that we might obtain general legislation under which this annual controversy between the House and the Senate would be terminated. The Senate Committee on the District of Columbia reported a bill to the Senate providing for the 50–50 basis and establishing, or reestablishing it, I might say, as permanent law. That bill came up in the Senate for consideration; after consideration it was amended and as amended passed the Senate without even a division. The bill as it passed the Senate has been incorporated as an amendment to the pending appropriation bill as embodying the last expression of the Senate upon this question.

Let me say that the committee amendment is subtsantially in almost complete accord with the position heretofore taken by the House of Representatives; in other words, to use a very common expression, the Senate has "called the bluff" of the House on this proposition. Now we want to see what they will do. It is rather amusing to me to see interviews in the newspapers with the prominent leaders of the House who have heretofore supported substantially the same proposition which we have put in the pending bill, in which they are quoted as saying that the District will be ruined and that they are going to organize their forces to prevent the adoption of this amendment and adhere to the 50–50 plan or whatever it may be.

The committee felt that they should like to get this controversy at an end, and so they put in the last expression of the Senate with the view to sending the question to conference, in the hope, especially as the Senate committee amendment is very similar to the provision which the House has heretofore adopted as an expression of its views, of securing an agreement that will terminate this controversy. We may not be able to do so. The bill which we passed through the Senate is now before the District Committee of the House. Of course, if we are not able to reach an agreement in conference and get this question satisfactorily settled, we will have to go back, probably, to the 60–40 basis. It may be that the House committee will act upon the Senate bill, but if they do not see fit to adopt it, we will then try to work the problem out in conference on the appropriation bill. Briefly, that is the situation, and that is what the committee hope to accomplish. I trust that the amendment will be agreed to, so that the matter may go to conference and that we may endeavor to settle the question.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. HARRISON. Mr. President, of course, I would not be precluded in the Senate from raising a point of order against this provision; the point of order was made yesterday but was overruled; but when the bill reaches the Senate, I expect to renew the point of order.

I may say that I have voted in every instance for the 60–40 plan as against the 50–50 plan. The reason why I thought some explanation should be made of the proposition is that it is new. I thought the fight heretofore had been as between the 50–50 plan and the 60–40 plan; I did not know this proposition had come up heretofore.

Mr. JONES of Washington. That has been the controversy, so far as the appropriation bill is concerned, but the Mapes bill was substantially the same as the committee amendment. That bill passed the House, came over to the Senate, and the Senate amended it by restoring the 50–50 plan, with certain tax provisions. The bill went to conference, but we were never able to agree, the House conferees insisting upon their provision. The Senator will realize, therefore, that we have attempted to solve the problem by means of general, independent legislation.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. HARRISON. Mr. President, I desire to make the point of order that I made yesterday against the first provision in the bill, on page 2, lines 13 to 26, inclusive, and page 3, lines 1 to 11, inclusive. That is the amendment that was just adopted, changing the fiscal policy touching the District of Columbia.

On yesterday the Chair overruled the point of order on the theory, as I understood—because the arguments were presented in that way—that Vice President Marshall had ruled heretofore in one case that where an amendment had been placed on a general appropriation bill in the House and was subject to a point of order, when it came to the Senate the Senate Appropriations Committee was permitted to put in another provision enlarging that provision, even though it might be subject to a point of order.

I have looked into that decision, Mr. President, and if the decision of the Vice President in that case is to be followed the point of order should be sustained.

The amendment that was placed in this bill by the House Appropriations Committee applies to the coming fiscal year. The amendment to that amendment incorporated in the bill by the Senate Appropriations Committee does not apply merely to the coming fiscal year, but it is permanent legislation. It applies during the fiscal year 1923, and thereafter through the coming years; and that is the distinction between this case and the case decided by Vice President Marshall.

The case that has just been referred to arose on the Post Office appropriation bill, and touched only the appropriation for that year. When it came to the Senate the amendment was enlarged, but it was not made permanent legislation at all; and here is what the Vice President said at that time:

> What has the Senator from Georgia to say about the contention of the Senator from Florida that the provision of the House bill is nothing more nor less than a limitation upon the appropriation; that it is not legislation with reference to motor-drawn vehicles, but simply a limitation on the appropriation? What has the Senator from Georgia to say to that?

Again:

> The VICE PRESIDENT. The difficulty with the ruling on the part of the Chair is a difficulty of fact and not one of law, and it arises in the disputed statement of fact between the Senator from Florida and the Senator from Georgia.
>
> The Chair has no doubt that Rule XVI, with reference to general legislation upon an appropriation bill, does not apply where the House puts general legislation in the bill.

That was what was cited to the Chair yesterday, and on that the Chair overruled the point of order; but the following was not read to the Chair, and the Chair did not at that time see what else the Vice President said. He further said:

> The Chair believes that when the House enters into that field the Senate has a right to pursue the field. But here is a disputed question of fact between the two Senators about which the Chair knows nothing and has no way of ascertaining as far as the Chair can see.
>
> The Senator from Florida is insisting that the House provision is nothing in the world save a limitation upon the expenditure of money provided by the bill for rural free service, in that it provides that the money shall not be expended upon a motor-vehicle route "until a majority of the patrons to be served by such motor-vehicle route shall by written petition ask the Post Office Department to establish such motor-vehicle route." * * *
>
> If this provision does apply to all motor-vehicle routes to be hereafter established by the Post Office Department, then, in the opinion of the Chair, the Senator from Georgia is right, and the Senate has the right to legislate upon the question. On the other hand—

Says the Vice President—

> if it applies only to those motor-vehicle routes that are now in existence, then clearly it is only a limitation upon the appropriation, and the point of order to the amendment should be sustained.
>
> The Chair, not being able to settle that question of fact, will submit the point of order to the Senate.

And so he did.

The Vice President again said:

> There is a clear conflict as to what this House provision means. It may mean either of two things: It may apply only to the present motor-vehicle routes or it may apply to those that are to be estab-

lished hereafter. If it applies to those to be established hereafter, the amendment is in order. If it applies only to the routes now in existence, it is not in order.

Mr. President, such is this case. The House provision applied only to this year, and we have placed on it an amendment that enlarges it and makes it permanent legislation, applying hereafter as well. I submit, therefore, that it would be a very dangerous proposition if a ruling such as was announced here yesterday should be followed in the future. If the amendment offered by the Senate committee did not have the word "hereafter" in it and were not permanent legislation, then the ruling of Vice President Marshall might be followed. I submit, however, that under the ruling of Vice President Marshall the ruling of yesterday was incorrect, so I make the point of order again.

Mr. JONES of Washington. Mr. President, I do not know how the President of the Senate feels about the matter, but I think the situation is entirely different. Vice President Marshall said that the difference there was upon the facts. There is not any question about the facts here. The fact is here, and this is not pretended to be a limitation upon the appropriations in this bill. This is a change in the law relating to the payment of money for the expenses of the District for the year. Of course, the House provided that. It does not provide it by way of limitation, but it simply says that for the year the existing law shall not be followed; that instead of the 50-50 plan being followed the District shall pay 60 per cent and 40 per cent shall be paid out of the Treasury. That opens the door wide so far as the year is concerned, and it is legislation. It not only makes that change, but it changes the rate of taxation that is fixed by law. There is no limitation in that, but it actually changes the rate of taxation.

The fact that the House makes that apply only for a year does not limit the Senate in dealing with the subject. The House has gone into it, not by putting a limitation upon it but by changing for the year the terms upon which the expenses of the District shall be met. It has also, not by way of limitation, actually changed the way in which the tax rate shall be determined and the taxes shall be raised. If the House has done that for a year it is very proper for the Senate to insert an amendment making it any time that it sees fit, and then the two Houses can work the matter out. In other words, the House opened the door—entered the field, as the Vice President said—as a principle, and therefore the Senate can follow it up.

Mr. BRANDEGEE. Mr. President, I confess that while the Senator from Mississippi was speaking I thought he was right about the matter; but the Senator from Washington has called attention to the fact that on page 1 of the bill the limitation spoken of is simply a limitation in time as to when this appropriation shall be made, and it is not a limitation upon the expenditure of the funds; so the limitation of time is immaterial so far as it relates to the point of order.

Mr. JONES of Washington. Yes; it is an appropriation for a year.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. JONES of Washington. Yes.

Mr. NORRIS. Is not this the same point that the Chair decided yesterday, raised over again?

Mr. JONES of Washington. It is.

Mr. BRANDEGEE. The bill is in the Senate now.

Mr. NORRIS. There was an appeal taken from the ruling of the Chair, was there not?

Mr. JONES of Washington. Yes.

Mr. NORRIS. And the Senate sustained the Chair?

Mr. JONES of Washington. Yes.

Mr. NORRIS. I take it, then, that it is unnecessary to take up time in debating it now.

Mr. JONES of Washington. I think so. I only want to say that I think the Chair stated most clearly the rule that should govern and the real basis for the ruling, namely:

> Therefore the Senate has an inherent right to amend the proposed legislation.

When the House sees fit to enter into that sort of a field, the Senate has an inherent right to make such amendments as it sees fit to make, and then allow the matter, of course, to be worked out in conference.

Mr. HARRISON. Mr. President, may I say for the information of the Senator from Nebraska that the ruling of the Chair yesterday was based on a ruling by Vice President Marshall that was cited to the Chair. I read the ruling and analyzed it to show that the Chair did not follow the ruling in that instance; but in all fairness to the Chair, that part of the ruling was not read to him, and he did not see it at that time. If he had followed the ruling of Vice President Marshall he would have sustained the point of order.

Mr. NORRIS. Mr. President, if I may be permitted, I was not in the Chamber and did not hear the point of order argued here to-day, but I was here yesterday. The matter got beyond the Chair, unless the Chair wants to go in the face of the decision of the Senate. The Senate on a vote yesterday decided this question, as I understand. If there is a different question now, I shall be glad to be informed to that effect; but it seems to me it is not a question of the Chair's decision, because, right or wrong, the Senate passed on it yesterday.

Mr. HARRISON. May I say that this matter is of no interest at all to me except as it is to every other Senator here. If the decision made yesterday is to be sustained to-day, and that rule is followed, then, of course, that would be the rule hereafter in the Senate; but I call the attention of the Chair to it because I thought yesterday he did not have all of the decision before him, and I am sure he wanted to rule according to precedent and correctly upon the proposition.

Mr. JONES of Washington. Let me say that while I do not think the decision that the Senator has referred to is contrary to the ruling of the Chair yesterday, I know that there are other rulings of Vice President Marshall along the same line. I did not think about this matter coming up again, or I should have looked them up. I remember one or two decisions that he made upon points that I made myself in connection with the Post Office appropriation bill; and I think the precedents are clearly in line with the decision of the Chair on yesterday.

Mr. HARRISON. Would the Senator in charge of the bill have any objection to letting this matter go over until to-morrow, so that the Senator from Washington can get those decisions?

Mr. PHIPPS. On account of the business that is pending, I think I shall ask for a ruling of the Chair on the point now.

The VICE PRESIDENT. The question does not seem to be one of great difficulty. The former Vice President stated the rule, and stated it correctly. When the House institutes general legislation the Senate has a right to amend it. That was the principle that was enunciated in the decision that the Senator from Mississippi has just read. The only element of difficulty in that decision was the question of fact. After enunciating the rule clearly and distinctly, the Vice President there said that he did not know whether the House had instituted general legislation or whether it had merely made a limitation on a proposed appropriation. That difficulty does not seem to arise here, because it seems to be perfectly plain that the proposed legislation of the House is general legislation, and, therefore, that the Senate can amend it by general legislation when it comes here.

The point of order, therefore, is overruled.

The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

UNITED STATES HOUSING CORPORATION.

Mr. FERNALD. Mr. President, I ask unanimous consent to have taken from the calendar the bill (H. R. 9597) to amend an act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918. I think there can be no objection to it. It is simply to give the United States Housing Corporation authority to close up the affairs of the corporation.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, on page 4, line 3, after the word "law," to strike out the colon and the proviso down to and including the word "record" in line 11, as follows:

> *And provided further*, That no settlement or adjustment of any contract or other obligation, made or incurred with any municipality, or other political subdivision, under the provisions of this act, may be made until all taxes and special assessments upon the property of the United States of America, the title to which is in the name of the United States Housing Corporation, and which is situate within such municipality, or other political subdivision, shall have been first canceled or otherwise satisfied or record.

So as to make the bill read:

> *Be it enacted, etc.*, That section 5 of an act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, as amended by an act approved July 19, 1919, be, and the same is hereby, amended to read as follows:
>
> "SEC. 5. That the power and authority granted herein shall cease with the termination of the present war as formally proclaimed by the President, except the power and authority to care for, rent, operate, and sell such property as remains undisposed of; to conclude, execute, settle, and adjust all contracts or other obligations made or incurred during the war, or in carrying out the provisions of this act, including contracts or other obligations made or incurred with municipalities or

other political subdivisions for the furnishing of services and facilities to the property of such corporations, and for the construction of public utilities by such municipalities or other political subdivisions in pursuance to the terms of said contracts or other obligations; to collect the principal and interest of loans made or other sums due under obligations entered into under this act; and to take such other steps as are necessary to protect the interests of the Government and to fulfill the obligations duly incurred in carrying out the powers granted by said act. All property shall be sold at its fair market value as soon as can be advantageously done, and a reasonable effort shall be made to sell the houses direct to prospective individual home owners for their own occupancy before they are offered for sale in bulk or to speculative investors. Full power and authority is hereby given to sell and convey all such property remaining undisposed of after the termination of the present war. All deeds, contracts, or other instruments of conveyance executed by the United States Housing Corporation by its duly authorized officer or officers where the legal title to the property in question is in the name of the said corporation, and by the United States of America by the Secretary of Labor where the title to the property in question is in the name of the United States of America, shall be conclusive evidence of the transfer of title to the property in question according to the purport of such deeds, contracts, or other instruments of conveyance, and in no case shall any purchaser or grantee thereunder be required to see to the application of any purchase money: *Provided*, That no sale or conveyance shall be made hereunder on credit without reserving a first lien on such property for the unpaid purchase money: *Provided further*, That in no case shall any such property be given away; nor shall rents be furnished free, but the rental charges shall be reasonable and just as between the tenants and the Government. The United States Housing Corporation (a corporation organized by authority of the President of the United States, pursuant to the provisions of an act approved May 16, 1918, entitled 'An act to authorize the President to provide housing for war needs,' and an act approved June 4, 1918, entitled 'An act making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, on account of war expenses, and for other purposes') shall wind up its affairs and dissolve as soon as it has disposed of said property and performed the duties and obligations herein set forth: *And provided further*, That the corporation shall report to Congress on December 31, 1919, and on June 30, 1920, all sales made and the amounts received therefrom, together with a detailed statement of receipts and expenditures on account of the other activities authorized by law; and said corporation shall report to Congress from time to time all settlements or adjustments made under the authority hereof."

The amendment was agreed to.

Mr. BRANDEGEE. The bill comes from the Committee on Public Buildings and Grounds?

Mr. FERNALD. It does.

Mr. BRANDEGEE. Let me ask the Senator from Maine a question about it. I had a letter from a Member of the House from my State, I think, about this bill, though I am not sure that this is the bill. I do not intend to object to it, but I simply want to ask the Senator a question, in view of the fact that there are several cities in the country which have claims for taxes against this Housing Corporation.

Mr. FERNALD. This is to take care of those particular cities.

Mr. BRANDEGEE. I understood the Senator to announce, or the Secretary to state, that the bill provides for winding up the affairs of the corporation.

Mr. FERNALD. It does.

Mr. BRANDEGEE. I did not want the corporation to go out of business until it paid its debts.

Mr. FERNALD. It can not go out of existence until its debts are settled. The bill was introduced to take care of those matters.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

FORT BANKS MILITARY RESERVATION.

Mr. WADSWORTH. Mr. President, I ask unanimous consent to report favorably from the Committee on Military Affairs two bills of comparatively small importance, to which I call the attention, respectively, of the Senator from Massachusetts [Mr. LODGE] and the Senator from Nebraska [Mr. NORRIS].

The first bill I report favorably without amendment from the Committee on Military Affairs is the bill (H. R. 9047) authorizing the Secretary of War to grant to the town of Winthrop, Mass., a perpetual right of way over approximately 755 square feet of the Fort Banks Military Reservation for the purpose of widening Revere Street. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to grant to the town of Winthrop, Mass., a perpetual right of way over approximately 755 square feet of the Fort Banks Military Reservation for the purpose of widening Revere Street at or near the intersection of Hutchinson Street in said town of Winthrop, Mass., upon such location as the Secretary of War may approve, and subject to such conditions, restrictions, and reservations as the Secretary of War may impose for the protection of the reservation.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FORT ROBINSON MILITARY RESERVATION.

Mr. WADSWORTH. I report back favorably from the Committee on Military Affairs without amendment the bill (H. R. 8193) to amend the first proviso in an act entitled "An act to grant a certain parcel of land, part of the Fort Robinson Military Reservation, Nebr., to the village of Crawford, Nebr., for park purposes," approved June 25, 1906.

Mr. NORRIS. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the first proviso contained in the act entitled "An act to grant a certain parcel of land, part of the Fort Robinson Military Reservation, Nebr., to the village of Crawford, Nebr., for park purposes," approved June 25, 1906, is amended to read as follows: "*Provided*, That the said tract shall be used for park and water-power purposes, and that not to exceed 5 acres thereof may also be used as a site for a pavilion to be used for the exhibition and sale of live stock, and for auditorium purposes."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIMS OF HOBOKEN, N. J.

Mr. WADSWORTH. The senior Senator from New Jersey [Mr. FRELINGHUYSEN] has just sent word asking me to offer for him a Senate resolution. I ask that it be printed and lie on the table for proper disposition, as I am not aware of the disposition the Senator wants to make of it.

The resolution (S. Res. 254) was read and ordered to lie on the table, as follows:

Resolved, That a committee composed of three Senators, of the Committee on Commerce, to be appointed by the chairman of such committee, is authorized and directed to investigate the claims of the city of Hoboken, N. J., for losses and damage sustained by such city as a result of the acquisition and retention by the United States of certain docks, piers, warehouses, wharves, and terminal equipment and facilities, including all leaseholds, easements, rights of way, riparian rights, and other rights, estates, and interests therein or appurtenant thereto, on the Hudson River, formerly the property of the North German Lloyd Dock Co. and the Hamburg-American Line Terminal & Navigation Co., and to report its findings to the Senate with such recommendations as it deems proper. Such committee is authorized to hold hearings and to sit during the recesses or sessions of the Sixty-seventh Congress, at such times and places as it may deem advisable, to send for persons and papers, to administer oaths, and to employ a stenographer to report such hearings and findings at a cost not exceeding $1.25 per printed page, the expenses of such investigation to be paid from the contingent fund of the Senate.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session, the doors were reopened.

THE FOUR-POWER TREATY—RECESS.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in open session, with a view to the consideration of the four-power treaty.

The motion was agreed to, and the Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. LODGE. I move the adoption of the reservation in the resolution of ratification reported by the Committee on Foreign Relations.

SEVERAL SENATORS. Let it be read.

The reservation was read, as follows:

The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.

Mr. LODGE. I desire to give notice that immediately upon the assembling of the Senate to-morrow I shall address it on the pending treaty.

I move that the Senate take a recess, in open executive session, until 12 o'clock to-morrow.

The motion was agreed to, and (at 5 o'clock p. m.) the Senate, in open executive session, took a recess until to-morrow, Wednesday, March 8, 1922, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 7, 1922.

FIRST ASSISTANT POSTMASTER GENERAL.

John H. Bartlett, of New Hampshire, to be First Assistant Postmaster General, vice Hubert Work, appointed Postmaster General.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Gerhard A. Bading, of Wisconsin, to be envoy extraordinary and minister plenipotentiary of the United States of America to Ecuador.

UNITED STATES MARSHALS.

Thurston R. Porter, of New York, to be marshal of the United States court for China.

James C. McGregor, of Pennsylvania, to be United States marshal, Western District of Pennsylvania, vice John F. Short, resigned, effective April 1, 1922.

UNITED STATES COAST AND GEODETIC SURVEY.

Ernest Lester Jones, of Virginia, to be hydrographic and geodetic engineer, with relative rank of captain in the Navy, in the United States Coast and Geodetic Survey.

PROMOTION IN THE REGULAR ARMY.

MEDICAL CORPS.

To be captain.

First Lieut. Wilbur Manson Blackshare, Medical Corps, from February 25, 1922.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY.

FIELD ARTILLERY.

Capt. Charles Porterfield, jr., Infantry, with rank from October 12, 1917.

PROMOTIONS IN THE NAVY.

MARINE CORPS.

Second Lieut. Paul R. Cowley to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Edward G. Hagen to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Dan E. Root to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. George D. Hamilton to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Conrad S. Grove, 3d, to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Cleghorn Foote to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Francis B. Reed to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Samuel A. Milliken to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. William E. Quaster to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Charles W. Lavlett to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. James D. Waller to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Leo Healey to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Clifford Prichard to be a first lieutenant in the Marine Corps from the 1st day of July, 1921.

Second Lieut. Francis I. Fenton to be a first lieutenant in the Marine Corps from the 3d day of September, 1921.

Second Lieut. Ralph W. Luce to be a first lieutenant in the Marine Corps from the 18th day of October, 1921.

POSTMASTERS.

ALABAMA.

Tommie P. Lewis to be postmaster at Seale, Ala. Office became presidential October 1, 1920.

CALIFORNIA.

Oliver A. Washburn to be postmaster at Nelson, Calif. Office became presidential January 1, 1922.

John W. G. Mauger to be postmaster at Standard, Calif. Office became presidential January 1, 1922.

COLORADO.

Thomas J. Bradshaw to be postmaster at Ignacio, Colo. Office became presidential October 1, 1920.

IDAHO.

Charles H. Hoag to be postmaster at Worley, Idaho. Office became presidential January 1, 1922.

ILLINOIS.

Myron N. Hughes to be postmaster at Wauconda, Ill. Office became presidential January 1, 1921.

IOWA.

Alvin G. Rollins to be postmaster at Rembrandt, Iowa. Office became presidential January 1, 1921.

Leo E. Perry to be postmaster at Rhodes, Iowa. Office became presidential January 1, 1921.

Ralph S. Van Hooser to be postmaster at Terril, Iowa, in place of M. E. Nefzger. Incumbent's commission expired January 24, 1922.

Charles P. Warrell to be postmaster at Whiting, Iowa, in place of Elmer Hopkins. Incumbent's commission expired January 24, 1922.

KANSAS.

Minnie Temple to be postmaster at Bennington, Kans. Office became presidential July 1, 1920.

KENTUCKY.

Jackson L. Montgomery to be postmaster at Valley Station, Ky. Office became presidential January 1, 1921.

LOUISIANA.

Eugenie L. Richard to be postmaster at Bayou Goula, La. Office became presidential April 1, 1921.

Augustine M. Dugas to be postmaster at Centerville, La. Office became presidential April 1, 1921.

Beatrice Joseph to be postmaster at Edgard, La. Office became presidential July 1, 1921.

William E. Phillips to be postmaster at Greensburg, La. Office became presidential April 1, 1921.

Esther Malmstadt to be postmaster at Ludington, La. Office became presidential April 1, 1921.

Theodore A. Rains to be postmaster at Marthaville, La. Office became presidential April 1, 1921.

Eula M. Jones to be postmaster at Trout, La. Office became presidential April 1, 1921.

Russell A. Dilly to be postmaster at Clinton, La., in place of W. H. Bennett. Incumbent's commission expired January 31, 1922.

H. Ernest Benefiel to be postmaster at Kenner, La., in place of H. E. Benefiel. Incumbent's commission expired January 31, 1922.

MARYLAND.

William A. Brown to be postmaster at Ceciliton, Md. Office became presidential July 1, 1920.

MASSACHUSETTS.

Benjamin Taylor to be postmaster at South Barre, Mass. Office became presidential July 1, 1920.

Effie M. Ellis to be postmaster at East Wareham, Mass. Office became presidential July 1, 1920.

MICHIGAN.

Augustus J. Bills to be postmaster at Grand Ledge, Mich., in place of J. W. Ewing. Incumbent's commission expired January 24, 1922.

MISSOURI.

Victor N. Remley to be postmaster at Orrick, Mo., in place of C. D. Perdue. Incumbent's commission expired January 24, 1922.

MONTANA.

James S. Honnold to be postmaster at Joliet, Mont., in place of J. S. Honnold. Incumbent's commission expired March 8, 1922.

OHIO.

Fred J. Gillam to be postmaster at Bloomville, Ohio, in place of C. A. Weidaw. Incumbent's commission expired January 31, 1922.

Harry H. Davis to be postmaster at New Holland, Ohio, in place of William Briggs. Incumbent's commission expired January 31, 1922.

Theodore S. Hephinger to be postmaster at New Philadelphia, Ohio, in place of W. T. Alberson. Incumbent's commission expired January 31, 1922.

William T. Sprankel to be postmaster at New Straitsville, Ohio, in place of E. E. Curran. Incumbent's commission expired January 31, 1922.

PENNSYLVANIA.

Maurice L. Zimmerman to be postmaster at Soudersburg, Pa. Office became presidential July 1, 1921.

Thomas H. Probert to be postmaster at Hazleton, Pa., in place of Hugh McKenna, deceased.

SOUTH CAROLINA.

James J. Vernon, jr., to be postmaster at Wellford, S. C. Office became presidential January 1, 1921.

SOUTH DAKOTA.

Harry E. Kjenstad to be postmaster at Brandt, S. Dak. Office became presidential January 1, 1921.

TENNESSEE.

John L. Sullivan to be postmaster at Lexington, Tenn., in place of S. M. Barnett, resigned.

TEXAS.

Isaiah Sadler to be postmaster at Gustine, Tex. Office became presidential April 1, 1920.

Silas T. Compton to be postmaster at Mount Enterprise, Tex. Office became presidential January 1, 1921.

Henry Bernauer to be postmaster at Muenster, Tex. Office became presidential October 1, 1920.

Francis M. Bell to be postmaster at North Zulch, Tex. Office became presidential July 1, 1921.

Royce E. Dowdy to be postmaster at Trent, Tex. Office became presidential January 1, 1921.

Collins M. Click to be postmaster at Lovelady, Tex., in place of C. B. Moore. Incumbent's commission expired July 21, 1921.

VIRGINIA.

Harry L. Johnson to be postmaster at Belle Haven, Va. Office became presidential January 1, 1921.

Roland L. Somers to be postmaster at Bloxom, Va. Office became presidential April 1, 1921.

James C. Huff to be postmaster at Cheriton, Va. Office became presidential January 1, 1921.

Silverius C. Hall to be postmaster at Hallwood, Va. Office became presidential July 1, 1921.

Arthur P. Bundick to be postmaster at Kellar, Va. Office became presidential April 1, 1920.

John R. Brittingham to be postmaster at Wachapreague, Va. Office became presidential July 1, 1920.

WASHINGTON.

Robert J. Chamberlain to be postmaster at Charleston, Wash., in place of W. R. Brown. Incumbent's commission expired December 20, 1920.

WEST VIRGINIA.

Henry N. Murphy to be postmaster at Anawalt, W. Va. Office became presidential July 1, 1920.

Sherman Pullen to be postmaster at Branchland, W. Va Office became presidential October 1, 1921.

Alexander W. Ewing to be postmaster at Pickens, W. Va. Office became presidential October 1, 1921.

George A. Brooks to be postmaster at Pineville, W. Va. Office became presidential October 1, 1921.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 7, 1922.

DIRECTOR OF THE MINT.

F. E. Scobey to be Director of the Mint.

PUBLIC HEALTH SERVICE.

Clifford E. Waller to be surgeon in the United States Public Health Service.

UNITED STATES COAST GUARD.

Eugene A. Coffin to be lieutenant.
John S. Baylis to be lieutenant.
Merlin O'Neil to be lieutenant (junior grade).
Norman H. Leslie to be lieutenant (junior grade).
Carleton T. Smith to be lieutenant (junior grade).

UNITED STATES ATTORNEY.

Charles F. Cole to be United States attorney, eastern district of Arkansas.

POSTMASTERS.

ALABAMA.

Nell L. Brady, Searles.

ARIZONA.

Charles A. Overlook, Douglas.
Donald McIntyre, Yuma.

COLORADO.

John W. Moore, Las Animas.
Kiah C. Brown, Merino.

DELAWARE.

Gertrude West, Dagsboro.
William H. Rogers, Frederica.
John J. Jolls, Middletown.

HAWAII.

John F. Rapozo, Kapaa.
Louis W. Jongeneel, Wahiawa.
Elizabeth H. Travis, Waipahu.

LOUISIANA.

Leonard L. Thompson, Montgomery.
James W. Campbell, Morganza.
Kate P. McDonnell, Pelican.
Maria G. Avcoin, Plattenville.
Lewis A. Wood, Ponchatoula.
Dorothy J. Fetzer, South Mansfield.

MAINE.

Harold S. Chase, Limestone.
Theresa M. Tozier, Patten.

MARYLAND.

Samuel G. Nuttle, Denton.
Mary W. Stewart, Oxford.
Morris L. Rouzer, Thurmont.

MASSACHUSETTS.

George L. Minott, Gardner.
Harry L. Claflin, Hubbardston.
Frances C. Hill, Templeton.

MICHIGAN.

Isaac Hurst, Akron.
Edwin L. Fox, Athens.
John N. Kart, Augusta.
Webster C. Casselman, Baroda.
Percy W. Totten, Brooklyn.
Duncan McRae, Harrisville.
Olin M. Thrasher, Mount Morris.
Amos H. Crosby, New Buffalo.

MISSISSIPPI.

George C. Gunn, A. & M. College (late Agricultural College).

NEW MEXICO.

Elizabeth A. Gumm, Carrizozo.
Frank P. Brown, Hachita.
Henry L. Kelly, Mogollon.

NEW YORK.

John D. Davies, Camden.
Melvin A. Marble, Clayton.
Norman S. Taylor, Clayville.
Earl A. Wheeler, East Randolph.
Harry J. Goodfellow, Fayetteville.
Lena M. Johnson, Interlaken.
Darwin A. Sanders, Keene Valley.
Charles L. Huggins, Lewistown.
David C. Gilmour, Morristown.
John B. Mullan, Rochester.

OKLAHOMA.

Leo C. Sharp, Antlers.
Thomas H. W. McDowell, Blackwell.
William C. Cooley, Cashion.
Dallas M. Rose, Davis.
William J. Krebs, Kaw.
Marshal H. Whaley, Morrison.
Etta B. Henderson, Wayne.

PENNSYLVANIA.

Lois Hill, Baden.
Harry N. Beazell, Belle Vernon.
Samuel W. Hodgson, Cochranville.
Robert B. McCaa, Gallitzin.
Katherine A. White, Mildred.
Henry N. Hoff, Mount Wolf.
Howard S. Madeira, Shoemakersville.
George N. Turner, Toughkenamon.
Joseph H. Dalton, Upland.
Clara S. Lewis, Wysox.

TEXAS.

Emil Gold, Kerrville.

UTAH.

James M. Whitesides, Layton.

VERMONT.

Burton L. Hard, Arlington.
Milton B. Hoag, Grand Isle.
Otto R. Bennett, Manchester.
Arthur G. Hinman, Middlebury.

WEST VIRGINIA.

Archie N. Cook, Cameron.
Thomas H. Hurt, Hemphill.

WISCONSIN.

Annie Jordan, Barneveld.
G. Andrew Braemer, Blackcreek.
Royal C. Taylor, Boyceville.
Leo O. Dietrich, Cassville.
Benjamin F. Querhammer, Cazenovia.
Clarence L. Jordalen, Deerfield.
Henry E. Johnson, Frederic.
Kate C. Conrad, Hammond.
John T. Johnson, Hollandale.
Bogue S. Burnett, Mosinee.
Emmet W. Zimmerman, Phelps.
William T. Hoyt, Rosendale.
Joseph F. Matts, Verona.
Christian R. Mau, West Salem.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 7, 1922.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

The Lord hear us while we pray: We would register our allegiance to Thee and own Thee as our God. Sustain us as we try to hold our loyalty in all integrity and in the uttermost meaning of goodness. We are before Thee not with self-approval but to ask wisdom and that it may be manifested in the ardor of our labor and in the loftiness of our purpose. Give us the mind that sees and understands and the filial spirit that counts obedience an acceptable oblation to lay at Thy altar. May Thy spirit have open access to all plans and thus symbolize Thy love so great, so free, and so impartial. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

IMPROVEMENTS OF RIVERS AND HARBORS.

Mr. DEMPSEY, by direction of the Committee on Rivers and Harbors, reported the bill (H. R. 10766) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union.

Mr. GARNER. Mr. Speaker, I desire to submit a parliamentary inquiry as to whether or not it is necessary to reserve points of order when appropriation bills and bills similar to this are introduced in the House. It has been the custom ever since I have been here, but I have never been able to discover the philosophy of that rule which requires points of order to be reserved at this time in order that they might be made in Committee of the Whole House on the state of the Union. Is it necessary to reserve the points of order now in order to make the points of order in the Committee of the Whole?

The SPEAKER. It is simply a matter of precedent. It has always been the custom that points of order must be reserved in the House in order that they may be then made in the Committee of the Whole.

Mr. GARNER. Mr. Speaker, I reserve all points of order on the bill.

Mr. GARRETT of Tennessee. Mr. Speaker, there is considerable reasoning about the matter in Hinds' Precedents, and while, as the Speaker says, it is a matter of precedent, yet it seems to be a precedent based on very good reason, as I have read the statements of Mr. Hinds in regard to it. Immediately upon being presented, the matter is referred to the Committee of the Whole House on the state of the Union, and he argues, and it seems to me with a good deal of force, that that being the case it is necessary that all points of order shall be reserved in the House. It is some time since I refreshed my memory by reading over those statements of Mr. Hinds.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed Senate joint resolution and bill of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 173. Joint resolution authorizing the President to appoint a commission to represent the Government of the United States at the centennial celebration of the independence of Brazil, to be held at Rio de Janeiro in September next; and

S. 2716. An act to give effect to certain provisions of conventions with foreign Governments for facilitating the work of traveling salesmen.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 173. Joint resolution authorizing the President to appoint a commission to represent the Government of the United States at the centennial celebration of the independence of Brazil, to be held at Rio de Janeiro in September next; to the Committee on Foreign Affairs.

AGRICULTURAL APPROPRIATION BILL.

Mr. ANDERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes. Pending that I desire to make some arrangements with the gentleman from Texas [Mr. BUCHANAN] with respect to the time to be used in general debate.

Mr. BUCHANAN. Mr. Speaker, I have had requests on this side for four hours. I might perhaps eliminate 45 minutes of those 4 hours, making it 3 hours and 15 minutes for which I have very urgent requests.

Mr. ANDERSON. I have requests for about three hours. Would not the gentleman be willing to agree to six hours of general debate?

Mr. BUCHANAN. That would take off only 15 minutes of the requests that I have had, and I would regret very much to discriminate against one man out of so many.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to six hours and one-half, one-half to be controlled by the gentleman from Texas [Mr. BUCHANAN] and one-half by myself.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Minnesota that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Agricultural appropriation bill.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Agricultural appropriation bill, with Mr. HICKS in the chair.

The Clerk reported the title of the bill.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ANDERSON. Mr. Chairman, the total appropriations carried for the regular work of the Department of Agriculture during the present year amounts to $38,688,059. The amount recommended in the bill now pending is $34,978,033. This sum, compared with the present appropriations, is $3,710,026 less than the appropriations for the current year and $1,554,835 less than the estimates submitted by the Director of the Budget through the President. It should be remembered, however, that the current law carries an appropriation of $1,000,000 for the purchase of forest lands in the Appalachian Mountain Range and also carries an appropriation of $2,000,000, to be loaned to farmers in the Great Plains area of the country for the purchase of seed, so that the bill in fact, eliminating new items which have been added, is approximately $700,000 less than the regular items carried in the current appropriation bill. It should also be considered that the pending bill carries three or four new items, one for the operation of the Center Market, carrying, as I now recall, about $165,000; an item for the enforcement of the packers and stockyards act carrying $410,500; and an item for the enforcement of the futures trading act which carries, I think, $103,000 or thereabouts, making the total carried in this bill, which is not carried in the prior bills, approximately $700,000.

Of the total appropriations for the Department of Agriculture, speaking roughly and generally, $18,000,000 is spent for the conduct of regulatory services, many of which are as directly of interest and concern to the consumers of the country as they are to the farmers of the country. Approximately $8,000,000 is spent for research of various kinds. Three million dollars is spent for service work, such as that involved in the inspection of fruit and vegetables, and approximately $4,000,000 is expended for extension.

There is very little change in the language of the items of the bill. Quite a number of limitations have been carried, however, and there are a number of increases and decreases to which it seems to me it is proper at this time to call the attention of the committee. The first of these limitations or legislative provisions is contained on page 3, which provides for the reimbursement of the appropriation for the general repair and mechanical work of the department from the funds of the bureaus on account of the work done by the mechanical force for those bureaus. In consideration of that provision the committee has reduced the estimate, cutting it from $100,000 to $90,000.

There is also a provision on page 4 of the bill which provides for the construction of a vault for the storage of inflammatory material now stored in various buildings of the department. This vault, it is estimated, will cost $2,500, and the cost will be prorated out of the appropriations carried for the various bureaus which will store inflammatory material in this vault. The item for the eradication of tuberculosis in cattle, at page 12, as proposed by the committee, carries $2,578,800, which is the

same amount as has been spent or is being spent by the department for this work this year, including a deficiency of $600,000. The division between the administrative expenses and the amount allotted for the payment of indemnities under this bill is very different from that carried in the current bill. The current bill provides for a division between administration and the payment of indemnities of approximately 50 per cent each, while this bill calls for a division of 33 per cent for administration and 67 per cent for the payment of indemnities. It is impossible to tell exactly the amount which will have to be paid out for indemnities in any one year owing to the fact that the amount of indemnities depends upon the prevalence of tuberculosis in the territory in which the money is expended; that is to say, upon the area in which work is done and the percentage of tuberculosis of the herds that are actually tested. The testimony before our committee was that owing to the discovery of a new method of testing the cattle a much larger amount of work could be done with the same appropriation in the future. The probable ratio of administrative expenses and the cost of indemnities would be about 33–67, so the committee adopted that ratio, and we felt that its adoption would prevent the probability of any deficiency arising under this item in the next fiscal year. There is also on page 20 an increase of $75,000 in the appropriation for the eradication of the white-pine blister rust.

Up to this last year the white-pine blister rust was confined, so far as it was then known, to the section of the country east of Minnesota. During the last year considerable infection has been found in Oregon and Washington. That, however, is being taken care of in the deficiency bill. It is necessary, however, that the work of the control of the white-pine blister rust should be expanded somewhat in order to prevent the extension of the disease into new territory.

There is also a small item included for a heating plant at the Arlington Farm. The boilers in the heating plant are now more than 20 years old. Two of them were second hand at the time they were put into the plant. They are worn out, and the engineers to whom the matter was submitted by the Budget Director's office were of the opinion that they should be renewed. There is a very large collection of plants in the greenhouses at Arlington, representing a very large investment of money and also a very great expenditure of time and research, which would be entirely wiped out if there should be a failure of the heating plant during severe weather, and in order that that chance may be avoided, as well as the danger which is incident to the condition of these boilers, an appropriation of $50,000 for the installation of new boilers and a new house for them is carried in this bill.

Prior to this year the appropriation for the individual forests controlled and operated by the Forest Service have been carried in something like 139 separate forest items. It has never been possible for the committee to examine each one of these forest-reserves items and determine whether the allocation made to each of the individual forests specified in the estimates was a sound allocation or not. The amount which will have to be spent on a forest reserve depends somewhat on contingencies which can not be definitely foreseen in advance; in other words, the expenditure depends in part upon whether there are sales of timber in the forest which are consummated during the year and in part upon the number of forest fires which occur in one forest in comparison with another. In accordance with the suggestion made by the Forest Service to the Director of the Budget, the items for the 139 individual forests have been consolidated into eight forest-district items without any increase in the total appropriation for the forests with this exception, that there is allocated to the current appropriations in these districts an additional appropriation of $80,000, which is divided in this way: $50,000 additional for fire guards; $20,000 for additional technical men in these forests where the sales of timber are increasing or likely to increase; $10,000 for additional employment in connection with the grazing in the national forests.

The committee was in part influenced in granting this increase by the fact that the air patrol service, which has heretofore been conducted by the War Department in the national forests and in conjunction with the Forest Service, will be discontinued next year owing to the fact that the War Department was not willing to continue it, and in order to get an approximate amount or an equal amount of fire protection we have provided for these additional fire guards. There is also on page 32 a provision for the construction of some sanitary facilities in connection with the experimental farm at Beltsville, Md. This is quite a large farm of some 400 acres and employs 20 or 30 men altogether. There are more than 100 cattle, mules, horses, and the sewage from this farm has been deposited heretofore in a small creek or river which flows through the village of Beltsville. There has been a great deal of complaint about it, and the public health authorities of the State of Maryland have notified the Government that it should install a sewage-disposal plant to take care of this sewage. The committee has provided an appropriation of $5,000 for the purpose of construction of this sewage-disposal plant at the Beltsville Farm. There is also a new item——

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. SUMMERS of Washington. Returning to the protection of the forests, other than the air patrol, how does the amount this year compare with the previous amount?

Mr. ANDERSON. The gentleman means the total amount for the Forest Service?

Mr. SUMMERS of Washington. Well, for fire protection?

Mr. ANDERSON. It is approximately the same as it was last year.

Mr. MONDELL. I am very much interested in what the gentleman says with regard to the consolidation of forest reserve items. It seems to me it is probably wise to make the consolidations that have been made. Certainly it is better practice if we shall have very careful administration. It seems to me that the service should be able to get along with a somewhat smaller appropriation where the appropriations are consolidated, assuming the same area is to be cared for and the same amount of work is to be done, than when the appropriations are made for each individual forest. Necessarily in the case of appropriations for each individual forest there was some unexpended balance, or likely to be some unexpended balance, in the appropriations for every forest. With the items consolidated there are only eight items, as I understand it. Am I correct?

Mr. ANDERSON. Yes.

Mr. MONDELL. Therefore the service would undoubtedly be able to draw more closely upon its appropriations and ought to be able to get along with less total of appropriations for the same activities. However, the work on the reserves is growing, I realize. I am not criticizing the action of the committee, because I have no doubt but that they had good and sufficient reason for making the appropriations as they have. I think we shall all be very much interested, however, in watching the effect of this new policy. I think the committee will find it very interesting next year to inquire very closely as to the effect of it. At one time, if my memory serves me right, we had a lump-sum appropriation. There was some complaint of that on the ground that a very large part was used on certain national forests and very little used on other forests where it was claimed there was a real need and demand. There is just a little chance for favoritism, a little more chance for favoritism, perhaps, under the consolidated method than under the method of dividing appropriations, although of course there is a chance for favoritism in making up the estimates when the appropriations are divided.

I am very glad that the committee has modified this appropriation in this way, and I hope the new policy will prove to be a wise one. That will depend wholly upon the character of the administration of the reserves.

Mr. ANDERSON. The gentleman well knows there has been a deficiency in this item practically every year, running from $57,000, or thereabouts, to over $3,000,000 in one year. The deficit, I think, has averaged $567,000. The forester has for a long time felt that the deficiencies could be reduced and the total expenditure of the Forest Service diminished by increasing the regular force on the national forests and catching the fires at their inception, instead of following the policy which we have had to follow heretofore of keeping the regular force in the forest at a rather low point and taking care of the forest fires on an emergency basis, with a resulting deficiency. As a matter of fact, in the last two or three years we have very gradually and very slightly increased the appropriations for the regular fire-fighting force in the forests, bringing a gradual decrease in the number of fires and a gradual decrease in the damage done in these forests and a gradual decrease in the deficiency appropriations. On the whole, I think the policy so far has rather proven itself.

Mr. MANN. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. MANN. Does the gentleman happen to have before him the figures which show the appropriation for the Forest Service in the last fiscal year, the total receipts from the sale of timber, and the total receipts from the sale of grazing privileges?

Mr. ANDERSON. I do not have the total appropriations in a statement combined with the sales of timber and the receipts from the sale of grazing privileges. I can, however, give the

gentleman the figures of the receipts from the sale of forest timber and the receipts from the sale of grazing privileges. How far back does the gentleman want to go?

Mr. MANN. I just asked for the last fiscal year.

Mr. ANDERSON. The last fiscal year. In 1921 the receipts from the sale of timber amounted to $1,775,901, as compared with $2,067,295 in the preceding year, while the receipts from the grazing privileges in 1920 were $2,486,040. It has not all been paid in, but the grazing receipts for 1921 will amount to about $2,130,174.

Mr. MANN. That is between $3,000,000 and $4,000,000?

Mr. ANDERSON. Yes.

Mr. MANN. What are the total appropriations carried in this bill for the Forest Service?

Mr. ANDERSON. The total appropriations carried in this bill for the Forest Service is $6,532,302, as compared with an expenditure last year, including deficiencies, of $6,990,302.

Mr. MANN. A considerable proportion of the amount expended is recovered back to the Treasury?

Mr. ANDERSON. About two-thirds of it. Of course, the last fiscal year was not a fair guide, because the sales of timber and the grazing receipts from the forests were affected by the conditions which have affected other industries, and were considerably lower last year than in the preceding year.

Mr. KINCHELOE. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. KINCHELOE. I do not want to destroy the continuity of the gentleman's thought, but I wish to refer to another branch of this service, on page 71, under miscellaneous items, for the acquisition of additional lands at the headwaters of navigable streams, under the act of March 4, 1911. I presume that is the Weeks Act, is it not?

Mr. ANDERSON. Yes.

Mr. KINCHELOE. The Committee on Agriculture has been holding quite extensive hearings on the question of extending that act, and I think the sentiment of the committee is very much in favor of it, and I am, but we got indirect information from your committee that you took the position that you did not have the power to appropriate additional amounts unless the organic law was extended, and I was anxious to know if that is the gentleman's opinion about the matter?

Mr. ANDERSON. Well, my opinion about it is just this, and arises from this situation: I have been of the opinion ever since I knew anything about this particular item, that whatever policy is adopted ought to be a continuing policy. That is to say, there is no economy in spending a million dollars in the purchase of these various lands in one year and building up the organization necessary to survey and consummate those purchases, and then the next year make no appropriation at all, necessitating the destruction of the organization you have built up and which cost money to build up.

But it seemed to me that the policy, whatever it was, should be determined not by the Committee on Appropriations but by the Committee on Agriculture, and that the Committee on Agriculture should determine whether or not this policy hereafter was to be a policy of spending a million or two million or three million or four million dollars a year. When those favoring this policy came before us last year I told them I was willing to give them an appropriation last year with the understanding that before the item came up in the next year in the appropriation bill they would go to the Committee on Agriculture and ask that committee to determine the policy by which we should be guided in the future. I told them that so far as I was concerned a further appropriation should not be made until this policy was determined.

Mr. KINCHELOE. I agree with the gentleman. Now, I want to ask the gentleman what is this $50,000 supposed to take care of? Is that simply to keep the organization together, or what is it for?

Mr. ANDERSON. That will simply enable them to consummate the contracts already made, to make the surveys and do the work incident to the consummation of the purchases that have already been made or the purchases that are in contemplation of making and which there is moral obligation at least to consummate.

Mr. KINCHELOE. But, of course, it is not sufficient to extend the work any?

Mr. ANDERSON. It will not be sufficient to provide surveys of additional land in case an additional appropriation is made for purchase, as I understand it. Now, in addition to the items to which I have referred, there is an increase in the appropriation on pages 44 and 45 of the bill of $200,000 for the control of the brown-tail and gypsy moth. There are now two infestations, one in New England and one in New Jersey. That in New England has been there for several years, and that in New Jersey for two years. There is a possibility of eradicating it in New Jersey, and it is clearly desirable that this be done if possible, if it can be done with something like a reasonable expenditure of money. In other words, it is cheaper to eradicate these infestations by a considerable expenditure of money at the outset, if you can, than to attempt to control them, which involves a considerable expenditure for all time to prevent the spread. The committee was convinced that an additional appropriation was absolutely necessary for this purpose if there was to be any hope at all of regulating the moths in the New Jersey district and keeping them from spreading very rapidly throughout the West.

In the division of publications, on page 49, there have been consolidated all of the mimeographic activities of the Government, so that this work, instead of being done throughout the various bureaus, is now done under the division of publications. We have also consolidated eight small items which covered expenses for labor-saving devices, for stationery, twine, and a number of other small items, which we thought would be more economically and more conveniently handled under one general item.

Mr. CLARKE of New York. Mr. Chairman, will the gentleman permit a question?

Mr. ANDERSON. Yes.

Mr. CLARKE of New York. Has the appropriation for the distribution of seeds for buncombe purposes been eliminated from this bill?

Mr. ANDERSON. I will say to the gentleman that the committee did not report the provision for the congressional seed distribution. That is not included in the bill.

Mr. CLARKE of New York. Thank God for that. I am glad of it.

Mr. ANDERSON. There is one considerable reduction on the face of this bill in the items for the extension of activities of the Department of Agriculture along the line of the work now being done under the Smith-Lever Act. These items are now carried in four separate items. The first of these items carried $715,720 and was for farm demonstration work in the North. The second carried $634,800 for the same sort of work in the South under a general camouflage of boll-weevil eradication and control, the third was a small item of $16,360 carried for supervising expenses in connection with the extension services of the Government, and the fourth was a general item of $1,500,000, which was originally made for the purpose of advancing the maturity of the Smith-Lever Act by three years. The first three items have been consolidated in one item in this bill with a reduction of $53,280, and the fourth item, which is now the second item, has been reduced from $1,500,000 to $1,000,000.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. JOHNSON of Mississippi. I was interested to know why the gentleman made the statement that this work was done throughout the South under the camouflage of exterminating the boll weevil.

Mr. ANDERSON. I did not mean that in any invidious sense. What I meant to say was simply this: It has been carried as an item for the extermination of the boll weevil. As a matter of fact the work has been exactly the same as the farm demonstration work done in the North, and I do not think there is any reason why they both should not be carried in the same language and under the same head. There is no difference in the character of the work done under them.

In explanation of the reduction of $500,000 in this item on page 55 I would like to say this: As I have just indicated, this appropriation of $1,500,000 was first made in 1920, on the theory that it was necessary to expand production and that there ought to be a county agent in every county in the United States. In order to provide for that we appropriated $1,500,000, which had the effect of maturing the Smith-Lever Act three years earlier than it otherwise would have been. This was done with the idea that as $500,000 became available under that act the committee would deduct from this appropriation. However, that was not done until this year. This year the $500,000 matures under the act, and we have reduced the item in this bill by $500,000, so that the department next year, notwithstanding this reduction, will have the same amount to spend for these activities as last year.

It might be interesting to know that during the current fiscal year the total amount for extension purposes contributed by State, county, and Federal Governments is in excess of $18,000,000, and next year will be very close to the $20,000,000 mark.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. GREEN of Iowa. Can the gentleman tell us just how much the State, county, and local authorities have expended? Or just approximately?

Mr. ANDERSON. I have not the exact figures here, but approximately my recollection is that of that $18,000,000, $7,433,280 represents the expenditures of the Federal Government.

Under this bill the Bureaus of Markets and Crop Estimates are consolidated with the Bureau of Farm Management and Farm Economics, so that on the basis of two years ago the Bureau of Agricultural Economics now includes under this bill the Bureau of Markets, the Bureau of Crop Estimates, and the Bureau of Farm Management.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield there?

Mr. ANDERSON. Yes.

Mr. GREEN of Iowa. Does the bill show how much money is appropriated for each of these several divisions?

Mr. ANDERSON. I can not give the gentleman that information.

Mr. GREEN of Iowa. I mean in the total, whether it is segregated in the bill.

Mr. ANDERSON. It is not segregated in the bill. It would have to be calculated out of the bill to determine just how much is for each individual service.

Mr. GREEN of Iowa. I was speaking more particularly of the expenditure for the Bureau of Markets and the Bureau of Crop Estimates.

Mr. ANDERSON. I will say to the gentleman that there is no change in the lump-sum items of the bill at all. In other words, we simply took the general farm-management item, of which there is only one, and carried it bodily over into this consolidation without changing the language at all. The only consolidation that is made is a consolidation of the statutory rolls of the two bureaus, which are consolidated exactly on the existing basis, with the exception that the head of the Bureau of Crop Estimates is eliminated and the head of the Bureau of Farm Management is eliminated and one or two other employees are eliminated as a result of the consolidation of the statutory rolls.

Mr. GREEN of Iowa. As far as I am concerned, I should not feel very badly if they were all eliminated, because I have not been able to discover any great benefit from either of these two activities which I mentioned last.

Mr. ANDERSON. The gentleman will find the same target to shoot at this year as he did last.

Mr. WHITE of Kansas. Will the gentleman yield for a question?

Mr. ANDERSON. Yes.

Mr. WHITE of Kansas. Is the chairman of the subcommittee prepared to give his own opinion as to the value of the daily market reports published by the Bureau of Markets?

Mr. ANDERSON. Of course, that is a general question, which can be answered only by generalization. There has been a good deal of complaint recently, particularly with reference to the cotton statistics, and occasionally there has been very great complaint on account of the grain statistics. Two or three years ago there was complaint that the live-stock statistics did not go out as promptly as they should, but I am under the general impression that live-stock statistics are now being gotten out fairly promptly and with a fairly wide degree of dissemination.

Mr. WHITE of Kansas. If the gentleman will yield further, I think the annual report of the Department of Agriculture states the number of subscribers to whom copies go out as something like 43,000, and these market reports are all issued from Washington, as I understand it.

Mr. ANDERSON. No; I think the gentleman is mistaken about that.

Mr. WHITE of Kansas. The information is collected daily at Washington; and my understanding has been—I may be mistaken—that it is circulated from Washington. If the gentleman will pardon the further interruption, he knows that the markets at Chicago, Kansas City, Omaha, St. Louis, Indianapolis, and all the great centers for grain and stock furnish their subscribers daily with a market report which reaches them much earlier than the Government report, and it is a feeling quite general that these reports are fully as reliable as those which emanate from the Bureau of Markets. I have wondered if the duplication is really necessary and if it is worth much to the individual subscribers.

Mr. ANDERSON. I think if the gentleman will just cast his memory back over the period before we had any Government statistics on live-stock prices he will agree that the service is very much better on both sides since the Department of Agriculture entered the field.

Mr. WHITE of Kansas. "The gentleman from Kansas" casts his memory back, and he has been very familiar with this subject as a practical stockman and shipper for 45 years, and he has not become convinced that there is great benefit to the subscribers to the Government market reports, taking into consideration the limited number of personal subscribers who receive these reports as compared with the enormous number who are served by the daily reports published at the markets I have mentioned.

Mr. ANDERSON. I would not be surprised if the gentleman should find that a good many of the private reports to which he refers are based largely upon original information obtained from the Bureau of Markets.

There is some new language on page 71 designed to eliminate an experimental station which has been established for some years at New Iberia, La. There is a good deal of history connected with the establishment of this station. Gentlemen will remember that when sugar was placed on the free list in the tariff bill of some years ago there was a great deal of apprehension as to what might be the effect upon the sugar-cane growers of Louisiana, and it was thought necessary that they have some assistance in converting their production from sugar cane to live stock or something of that sort, and this station was established with that in mind. It has gone along now for seven or eight years at a cost of about $50,000 a year, and a large amount, perhaps $60,000, has been spent on buildings.

It is now discovered that the land on which the station is located will produce very little, if anything. It is only a few inches above the water table in the region, and the whole proposition is badly located. It should be redirected and relocated if it is to be conducted at all. So we carry a provision authorizing the Secretary of Agriculture to dispose of the property and the cattle owned by the Government at this point with the idea that if a showing can be made it will be relocated at some other point.

Mr. MANN. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. MANN. If the commissioners did not have sense and knowledge enough to locate the experimental station in a proper place, what hope is there that they will have knowledge and sense enough to do anything of benefit with the experiment hereafter?

Mr. ANDERSON. I do not think they are doing any good with it at present, and we have proposed to eliminate it.

Mr. MARTIN. Will the gentleman yield?

Mr. ANDERSON. Certainly.

Mr. MARTIN. Did the department recommend the elimination of this station?

Mr. ANDERSON. It did not.

Mr. MARTIN. Upon whose recommendation was the provision put in?

Mr. ANDERSON. The committee arrived at the conclusion as a result of the testimony brought before it. Of course, the department did not recommend its elimination; it seldom recommends the elimination of anything. [Laughter.]

Mr. MARTIN. I think the gentleman is mistaken in saying that it is not doing good work. I think it is doing remarkably good work for that section of the country.

Mr. ANDERSON. It is not well located and can not produce the feed necessary for the stock that they have at the station. It is not a question of genetics; it is not a question of breeding, but a question of the variety of cattle feed that can be raised in this section of the country to sustain live-stock production, and from that point of view it is badly located.

Now, I think that completes, in a general way, the principal items involved in the bill.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. GREEN of Iowa. I would like to inquire something about this item of $165,000 for the Center Market.

Mr. ANDERSON. That appropriation represents something less than the amount that is now being expended in the operation of the Center Market. The salary roll basis is substantially the same as the present salary roll, with the exception that some supervising officials have been eliminated.

Mr. GREEN of Iowa. I thought the Center Market was leased out.

Mr. ANDERSON. The gentleman does not have any idea of what is down there.

Mr. GREEN of Iowa. Likely not, but I do not see why this expenditure should be made.

Mr. ANDERSON. In the first place, there is a large refrigerating plant which had to be operated, and in the second place, there is a large amount of service in connection with the icing and refrigerating, and the whole business has to be superintended under the law.

Mr. GREEN of Iowa. I might say that they have in my town an icing plant beside which anything that they have at the Center Market, even if they had the whole building full of ice, would be very small, indeed, and if it requires any such expense to carry it on, I am mistaken.

Mr. ANDERSON. This involves an administration expense to the Government, including the warehouse foreman, the receiving clerks, assistant superintendents, chief engineer, administration assistants, and accountants of $28,680 as compared with the salary roll of the market company of $39,008. It involves a personnel in the engine and boiler rooms of the average of $12,840 as compared with $12,960 by the market company. It involves an expenditure of $12,000 for salaries in the repair shop of the Government as compared with $12,077 of the market company. It involves the payment of salaries to provide a porter force in the storage plant of $8,520 as compared with $8,792 for the market company.

There is an item of approximately $58,000 for repairs and remodeling of the plant, which is an expense somewhat higher than the expense of the Market Co. The whole interior has to be repainted and the refrigerating plant has to be rebuilt and some new machinery purchased, all of which was not involved by the Market Co. last year.

Mr. GREEN of Iowa. How much revenue does the Government get out of it?

Mr. ANDERSON. I have not the exact figures, but it is larger than the expense of operation.

Mr. GREEN of Iowa. A little larger than the expense of operation?

Mr. ANDERSON. $280,000 last year.

Mr. GREEN of Iowa. Can the gentleman tell us how much the plant cost?

Mr. ANDERSON. It has never been ascertained yet. A commission was created and has been at work on it for three or four months, and I am sure the gentleman would not expect me to have in my head information that they have not been able to get in that time.

Mr. GREEN of Iowa. I should not expect the commission to get through with it inside of 10 years, judging from the way other commissions have proceeded. I had forgotten that for the moment or I would not have asked the gentleman the question, but in any event there ought to be some profit out of this thing.

Mr. ANDERSON. The profit this year will be very largely absorbed by the expense incident to the reconstruction of the refrigerating plant and work of that kind which is to be done. The gentleman can realize that in property of that kind about to be taken over by the Government the repairs to the plant would not be kept up to a high degree, with the result that the plant has greatly run down.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. NEWTON of Minnesota. With reference to the eradication of the barberry, is there any change in the amount given for the next fiscal year as compared with what is in effect for the present year?

Mr. ANDERSON. There is no change in that item.

Mr. NEWTON of Minnesota. Did the department recommend any increase in the item?

Mr. ANDERSON. There was no increase recommended in the Budget.

Mr. NEWTON of Minnesota. What about the appropriation for white-pine blister rust?

Mr. ANDERSON. There is an increase in that appropriation of $75,000.

Mr. Chairman, in this somewhat materialistic age we are rather prone to gauge the value of things by their money return. I have asked the Department of Agriculture to make a statement showing some of the accomplishments of the department along scientific research lines and in connection with the regulatory services, and as well in connection with the services like the fruit and vegetable inspection, and I ask unanimous consent to extend my remarks in the RECORD by inserting a statement which the department prepared.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The statement referred to is as follows:

RECENT DEVELOPMENTS IN AGRICULTURE.

Those who have watched the progress of agriculture in recent years, the striking increase in the demand for scientific information regarding the multitude of processes in growing, marketing, and producing farm crops constitutes one of the striking features. The demand for information and the demand for increasing investigation by which this information is discovered or created is continually increasing. The application of this information to actual practice is much more prompt and much more general than even a decade ago.

LENGTH OF DAY.

It has been known and recognized for centuries that native plants are adapted to their particular environment, so that they develop seeds, fruits, bulbs, or tubers, as the case may be, in time to serve for the propagation of the species. Just what the factor was that provided this regulation of the activities of the plant has never been known.

It has been thought that it was the difference in the intensity and composition or quality of the sunlight, the range of temperature, the fluctuation of day and night temperature, and other factors have been investigated.

Recently a study of the effect of the length of day was undertaken, and it was found that by artificially regulating the length of the daily light period many plants are readily forced into flowering and fruiting out of season, or, on the other hand, these activities may be indefinitely delayed. In a similar manner it has been shown that the formation of bulbs and tubers is largely conditioned by seasonal change in the length of day.

It now appears that a very large number of the phenomena of the adaptation of plants to different environments are controlled by the length of the daylight period. These discoveries open up a tremendous field for further scientific development. It is probable that this is one of the factors that explains the constant movement of civilization toward the more temperate regions during the many centuries past. It has long been known that the maximum productivity of most of the food plants is found near the northern limit of their adaptation, and it is probable that the explanation for this will be found in the influence of length of day.

This discovery will enable the scientists to test the possibilities of modifying a plant so as to adapt it to different environments in a preliminary way without the expense of testing it in each one of these different regions. In this way it will undoubtedly be possible to extend beyond the northern and southern range of many plants far beyond their present limitations by subjecting them to extreme changes and selecting those that more readily respond to the process. It will enable the plant breeder to force plants into flowering at any given time, and thus enable him to hybridize plants that can not normally be utilized on account of difference of time in flowering. The commercial applications of this discovery will undoubtedly be very numerous; one is already in operation. The Maryland Mammoth tobacco is a very valuable type but does not mature seed in this section. By growing the seed plants in Florida in the short days of the winter period it is found to seed abundantly. It has already been found that the adaptability of different varieties of alfalfa to different regions can be more rapidly determined by subjecting them to tests with different lengths of daylight than by any other method.

This reaction to the length of day has been found to be a very wide application in nature. It has been experimentally proven that lower forms of animal life respond to changing day length, and this seems to be the most satisfactory explanation of the phenomena of bird migration that has been suggested. Many other applications will undoubtedly be found.

IMPROVEMENT THROUGH BUD SELECTION.

It has long been held that by budding and grafting the valuable features of a given variety of fruit might be transmitted to all the progeny unchanged. Recently investigations have proved that there are wide differences in the productive power and commercial value of budded stock. This has been worked out by the department in a careful study of the oranges, lemons, and grapefruits in California and certain strains of high production have been selected.

From these proven high-producing varieties scions and buds have been distributed in large numbers. This work has already proven so valuable that the California Fruit Growers' Exchange has organized a bud department, through which the propagating work of the high-producing trees is made available to nurserymen and fruit growers, thereby insuring so far as possible the production of a uniform, highly desirable quality of fruit for marketing in future years. Nearly 1,300,000 buds have already been distributed and the demand is increasing. Two hundred and seventy-five thousand buds were supplied in three months of the past year.

Undoubtedly this discovery will only be a stepping-stone to others in other lines of production. The apple, pear, peach, plum, and grape are similarly propagated, and if uniform and high-yielding varieties of these fruits can be definitely established it will be of tremendous importance in the development of the fruit industry.

EXPANSION OF DATE CULTURE.

The United States has within its borders almost an endless variety of climatic conditions, a variation far greater than can be found within the confines of any other great nation. From the extremely short season of our northern borders and high altitudes to the extreme Southwest, which contains the hottest place in the world from which meteorological reports are obtained, is an extremely wide variation. Rainfall also varies from 4 inches to over 100 inches in different regions under many variations in temperature. The earlier settlements of this country were started in the temperate regions and have spread from there outward in all directions, usually taking with them the plants and animals adapted to this median climate. Recent researches have shown that other plants and animals are much more highly adapted to some of these extremes, and will give far more profitable returns when once their requirements are ascertained.

The date industry, which has flourished on the Sahara Desert, has in recent years been partially transferred to the deserts of the Southwest. In southern California, Arizona, and Texas nearly 200 varieties have been tested, and out of these two have been selected of outstanding value. The first to be established in the Southwest, the Deglet Noor, the choicest of the dates of the western Sahara, has been growing in the Southwest for 10 years, and there are now nearly 10,000 plants in this country. There is a Deglet Noor Date Growers' Association, using up-to-date scientific methods for the curing, standardizing, packing, and marketing of this variety. The second valuable variety, the Saidy, which, unlike the other, improves rather than deteriorates in storage,

was found just before the war in the oases of the Libyan Desert. This date has shown so much promise that heavy importations are now being made, and 10,000 offshoots will be planted in America before the end of this season.

The experts who have studied it have no doubt but that date culture will prove to be an important new fruit industry where the climate is suitable and irrigation water is available. Several million dollars have already been invested, and there is every reason to expect that it will develop to a twenty-five or fifty million dollar industry. The natural development of this industry must, however, be slow, because the date palm is only propagated by offshoots, of which only a limited number are produced during the early life of the palm.

The department has only been studying date culture for 20 years, but has accomplished more in a scientific way than has been accomplished in the Old World in 20 centuries.

CEDAR RUST OF APPLE.

Pathologists discovered the relation of the cedar fungus to the disease of apples over 30 years ago, but little practical application was made of it until recent years. Within the past two or three years these investigations have reached the point where methods of commercial protection could be recommended. Organized efforts to eliminate the cedars from the apple regions most seriously affected had been made and great saving to the apple growers and an increased production of apples for market have resulted.

APPLE SCALD.

Immense losses have been suffered annually from this storage disease of apples. After long investigation the disease was recently found to be due to gases emanating from the apple itself and deadly in its effect when closely confined in the package. Two methods were then tried for its control—one by ventilation, the other by absorbing the poisonous gases with oil wrappers. The first method has been only partially successful under ordinary storage conditions. The oil-wrapper method has proven to be a complete commercial success.

APPLE ROSETTE.

Immense loss to fruit growers has been suffered for years through the western regions due to an obscure physiological disease called apple rosettes, or chlorosis. Much time and money have been spent in the investigation of these problems with but little success. Recently it was discovered that the planting of a legume, such as alfalfa and clovers, have proved to be a specific remedy for these diseases. In the same way cowpeas and velvet beans have had the same effect on citrus chlorosis and the pecan rosette and allied diseases which were seriously threatening these industries.

WHEAT IMPROVEMENT.

The varieties of spring wheat in the great wheat producing regions have almost all been changed in the past 30 years. The rapid increase in results in plant breeding work in the past few years has enabled the development of still better varieties either because of their higher yielding value, better quality, or greater rust resistance, with the result that 11,000,000 acres of one new variety (the Marquis) were planted last year, and much of the remainder was planted to other improved strains. Even in the winter wheat sections improved varieties of Turkey and such as the Kanred, which have been proved to be highly rust resistant, have been substituted for the varieties previously grown.

LEGUMES.

Tests of different varieties of leguminous crops have resulted in the selection of satisfactory varieties of soy beans with a resultant tremendous increase in the number of acres devoted. A number of oil mills have been established for the handling of this product, and America bids fair to successfully compete with the Old World in this item.

Continued studies and improvement of varieties of sweet clover have resulted in a similar increase in the plantings of this soil renovating crop. Red clover has been rapidly failing throughout the United States for reasons that are not well understood, and the sweet clover is coming just in time to take its place.

The development of early maturing varieties of velvet beans have rendered this crop available to large areas, especially of the southern region, and has resulted in a tenfold increase in the acreage devoted to this crop.

The increase in the use of legumes is one of the most hopeful factors in the fight for the establishment of a permanent agriculture which is to mean so much for the future prosperity of the Nation.

TUBERCULOSIS.

Tuberculosis work was originally started with the idea of testing and preventing the interstate shipment of tubercular animals. This rapidly developed into the accredited herd plan whereby instead of testing individuals tests were limited to herds in which all individuals would be subjected to tests, and when a herd had been found to be free it was given an accredited certificate. This work proved to be so popular and successful that the demand has always exceeded the ability of the department to carry it out. Eight thousand two hundred herds have been tested and fully accredited as free from tuberculosis, while at the close of 1921 more than 27,000 herds were on the waiting list, showing the widespread appreciation of this effort. In the course of this work this disease has been practically eliminated from 100 counties in 23 States, and has resulted in the gradual but steady decrease in the amount of tuberculosis found in the herds that are being tested.

The wonderful success of this movement gave encouragement for extending the work to a definite program of complete eradication of the disease. Taking the county as a unit it was found possible to secure cooperation in the testing of every herd in the area, and in the course of time of the eradication of the disease and the accrediting of the entire herd. Within the year the first county was officially declared to be free from this process, and the work is under way in a large number of counties in various States. As in the accredited herd work, the limitation of funds available has prevented its inauguration in all of the herds desiring it. In Michigan 29 counties are actively engaged in the work and 4 others are ready to begin. In Iowa 2 counties are at work and 12 other counties have made application. In Wisconsin the entire northern section is working toward this basis. Tuberculosis eradication is moving with very much greater rapidity at the present time than tick eradication did at its inception, and bids fair to rival the wonderful success of that other movement in eradicating this disease, with its tremendous losses from large areas of the cattle-producing region.

TICK ERADICATION.

In the United States tick eradication is 70 per cent completed, and is going forward at the rate of about 40,000 square miles per year. A large amount of well-bred live stock, especially of dairy herds, is now flourishing in the area freed from the tick. This work is costing about 32 cents per acre. The extra milk given by one good cow in one day would be more than enough to pay for the cost of eradicating ticks from an acre.

HOG-CHOLERA CONTROL.

Hog cholera was up until a few years ago a scourge which menaced the swine industry, and spread swiftly from time to time through entire herds, leaving death and destruction in its wake. Although due to several causes, this achievement is essentially the outcome of the preventative-serum treatment, combined with active field-control work. As the result of this campaign losses from hog cholera have declined from about 120 per thousand in 1914 to 38 per thousand in 1921, the lowest swine mortality figure on record.

One of the most recent of the many important scientific and practical discoveries in parasite control has been the method of handling the deadly round worm of the hog. This method has received thorough and practical tests under farm conditions in Illinois with striking results, and is now ready for practical application throughout the industry. The announcement of this discovery has aroused widespread interest, and 26 copies of the motion-picture film showing the process are in almost constant use carrying this message to the people.

NEW BREED OF SHEEP.

The department's sheep-breeding work for range conditions has developed a new type, the Columbia, which had on the average more wool, mutton, and heavier lambs than the best types of range sheep heretofore used.

HORSE BREEDING.

The utility horse being developed at the Wyoming station has proved so popular that there has been a large demand for this breed in the western section.

BETTER CHEESES.

The dairy division has so perfected its method of standardizing the production of high quality Swiss cheese that it has become well established in the commercial industry of this country. In fact, American-made Swiss cheese was recently shipped to Switzerland. Similar success has been achieved in the production of Roquefort and Camembert and other types of cheese formerly obtainable only from abroad.

PEACH CURCULIO.

A year ago the peach growers of Georgia and the southern section generally were in the depths of despair. One-half of their expected peach crop had been destroyed by the extraordinary attack of plum curculio and brown rot. The department was appealed to, experts were sent to study the situation, clean-up methods were employed, and an active spraying and dusting campaign was inaugurated with a net result of the shipment the past year of the largest crop that the State has ever marketed. The entire situation of these fruit growers has been changed from one of extreme pessimism to one of confident optimism.

THE PEACH BORER.

The new remedy for this insect—para-dichlorobenzene—has been demonstrated as successful beyond the slightest doubt and has been adopted by the growers with remarkable promptness. The extreme injury of this pest has threatened the industry and the growers are turning to this remedy with such rapidity that its use apparently will be almost universal in the course of two or three years with savings running into the millions of dollars.

SAN JOSE SCALE REMEDY.

If the tests of the last year or two are confirmed during this season the department expects to announce a more efficient and cheaper remedy for the San Jose scale than has been established heretofore.

SWEET POTATO WEEVIL ERADICATION.

Only two small infestations of this weevil remain in Georgia and a similar area in northern Florida. Every condition looks favorable for the complete extermination of this insect in this large commercial area, thus saving losses running into the millions of dollars that would otherwise have occurred.

CELERY SPRAYING.

The celery industry of two counties in southern California dropped from 11,000,000 acres to 2,000,000 acres owing to the attack of a celery insect. A method of control has been worked out so that there is no reason why the industry should not again resume its original proportions.

TIPBURN OF POTATOES.

Tipburn of potatoes has caused serious and widespread losses to the potato industry throughout the northern region in the past few years. This has been discovered to be caused by a leaf hopper, and experiments have demonstrated a practicable and efficient method of control by spraying with Bordeaux mixture. Potato production was doubled in many commercial fields last year where this remedy was applied.

OX WARBLE.

Methods of treatment of cattle infested with warbles have been developed which make it possible to rid the herds of this grub with a minimum of effort and expense. During the coming season it is planned to demonstrate its effectiveness when applied to a whole county with the expectation that the use of this remedy will become widespread and that ultimately it may result in an organization for the entire eradication of this pest.

PINE BEETLE CONTROL.

This beetle has killed trees with 1,500,000,000 board feet of lumber value in the past 10 years. During this period methods of control have been constantly increasing in success, until recently the department has been able to put on control of considerable areas. Its success in this small area work has been so pronounced that the States of California and Oregon united in requesting the United States Government to join with them in a clean-up of over 1,000,000 acres of Federal, State, and private land with a stumpage value of over $25,000,000. The protection of this entire area is expected to be accomplished with the expenditure of less than $150,000.

THE GIPSY MOTH.

A widespread outbreak of this seriously injurious insect was discovered in New Jersey less than two years ago. Already the department has the infestation reduced to a small fraction of its previous

numbers and hopes by unceasing watchfulness to be able to continue this reduction to a point where eradication may be brought about. This insect spreads rapidly by means of the wind, and if the New Jersey area is not entirely eradicated, it will undoubtedly spread through the New England region and westward to the Alleghenies where its proclivities for stripping and killing the forests will make it a pest of tremendous magnitude.

FOREST FIRES.

The Forest Service has been gradually increasing in economy and efficiency of fire control until now its fire-suppression cost is $16,000,000 and the number of fires and the area burned have been gradually but steadily decreasing from year to year.

FOREST RESOURCES.

Nearly a billion feet of timber are now being cut annually from the national forests, and at the present rate of increase this will be doubled within a short time. The national forests can furnish seven times as much timber as at present and still keep within the current growth and replacement. As other supplies are exhausted this reserve will be called on and the forests of the Nation will become a resource.

The forests furnish grazing for over 9,500,000 head of live stock, and with all their efforts toward increasing the carrying capacity they have not been able to keep up with the demand.

The forest products laboratories have eliminated enormous losses in the use of timber by perfecting methods of seasoning and preservation and by eliminating wastes in the manufacture of commercial products. They have tested out the paper-making quality of over 100 species of American woods and have brought into commercial use a number of species formerly discarded as waste.

IMPROVED CANE SIRUP.

The department has perfected a process for preventing cane sirup from fermenting or crystallizing under ordinary conditions, and has succeeded in getting this established on a commercial scale. This will enable the cane producer to make a sirup of uniform and satisfactory consistency which should be acceptable on all markets and should result in a great expansion in the industry.

CITRUS BY-PRODUCTS THROUGH INVESTIGATIONS OF THE DEPARTMENT.

It has been possible to utilize the cull and surplus oranges, lemons, and grapefruit, and those that have been bruised in handling as the result of investigations of the department in processes of utilization. As the result of an experimental laboratory in Los Angeles 4 companies are manufacturing lemon by-products and 20 concerns are producing orange by-products. This work has created an outlet for practically all of the cull and surplus citrus fruits of the California region and has developed a new American industry.

SWEET POTATO SIRUP.

Sirup from sweet potatoes is now being manufactured on a commercial scale and is being introduced into the trade for baking, candy making, and table purposes. The possibilities of this as a commercial industry lie largely in the utilization and marketing on the part of the sweet potato crop which hitherto it has not been practical to either store or ship to northern markets. Potatoes that are too small or too large for table use or for commercial canning are as useful for sirup making as the perfect ones.

DUST EXPLOSIONS.

As the result of the investigations of the department the number of explosions in thrashers in the Pacific Northwest has been reduced from 300, with a property loss of $1,000,000, in 1914 to less than 60, with a property loss of $15,000, at the present time. Practically no explosions have occurred in thrashers equipped with safety devices as recommended. The work on the prevention of explosion in flour mills and grain elevators has been equally successful. During 20 months previous to 1917, 5 disastrous explosions occurred, resulting in the loss of 36 lives and a property loss of $6,500,000. A nation-wide campaign was put on at that time, and not a single explosion occurred in a plant where the precautionary measures recommended by the department had been adopted during the next 20 months.

FARM MANAGEMENT.

This work has furnished much information of value on the cost of production of different farm crops and live stock and the relative cost under different methods of handling, thereby leading to the adoption of more efficient and economic methods. It has studied the relative cost and usefulness of the horse and tractor. It has studied the problems of tenancy and helped bring about uniformity in leasing contracts. It has studied the problem of the economic use of the present farming area and the possibilities of extension. It has furnished valuable information with reference to the shifts in American agriculture and their causes, and will be in a position to recommend bases for further readjustments in relation to conditions as they arise.

CONTROL OF PREDATORY ANIMALS AND REDUCTION OF STOCK LOSS.

The Biological Survey has in the past few years organized an almost nation-wide attempt at the control of predacious animals and rodent pests, and has as a result of this interested the States and communities very largely in the support of the enterprise. As a result of this campaign over 300,000 coyotes and 4,000 big gray wolves have been killed, and stock losses that used to amount to over $20,000,000 a year have been rapidly reduced. In the same way the losses from prairie dogs and ground squirrels have been notably decreased in many areas, and the methods of controlling them have been so thoroughly perfected that they will be carried out in many more in the near future.

RABIES OUTBREAK.

An outbreak of rabies on the Pacific coast which spread from Oregon southward to California and extended across the deserts into the Wasatch Mountains, and in which more than 2,100 people were bitten, 59 of whom died; more than a million dollars' worth of live stock was destroyed by this same outbreak by the rabid animals. This menace at one time threatened to spread to the entire United States, but prompt action on the part of the Biological Survey in poisoning and trapping the coyotes which were spreading the disease absolutely exterminated it in five out of six States and brought it under practical control in the sixth, thus eliminating what appeared at one time to be a national menace. The campaign for the eradication of the house rats is just now reaching the stage in which the predatory animal work was a few years ago, and undoubtedly tremendous losses by these pests will be prevented in the near future.

NEW POISON.

A new and more effective method of poisoning predatory animals has been worked out within the last year. Two men working in northern Arizona for one month during the past season destroyed coyotes on such a scale that the carcasses of over 300 were found. These results with those achieved in the rodent work indicate the probability of eventually eliminating these pests and relieving agriculture and stock growing from the heavy drain to which it has long been subjected from the inroads of these animals.

The fur-farming industry has now reached a growth of aproximately $8,000,000. The reindeer industry of Alaska, which has been hampered by lack of proper methods, is believed to be capable of development from the present size of 200,000 animals up to 4,000,000 and thus provide Alaska with an industry the income of which will exceed that of the precious metals and be second only to the fisheries.

THE PINK BOLLWORM.

The pink bollworm menace to cotton has been kept in control and very notable progress toward the elimination of this pest from the United States has been made.

The State of Louisiana was entirely free from this pest in 1921 so far as could be determined by the most intensive field inspection, and the large area in the southwestern part of the State has been free from this pest now for over two years, and cotton growing in this section under regulation will be resumed.

The areas in eastern and central Texas have been enormously reduced; in fact, but a single infested boll and a single bollworm were found in the huge Trinity Bay area in 1921.

The pink bollworm has never reappeared in the Hearne area, one of the original points of infestation, now for a period of five years, and extermination is apparently assured for that district.

All of the States concerned—Louisiana, Texas, and New Mexico—are giving adequate cooperation and particularly in the case of Louisiana and also in Texas have made considerable cooperative appropriations. The outlook, therefore, is more favorable than ever before and if this pest can be eradicated and kept out of the United States it will mean the saving of hundreds of millions of dollars annually to the cotton crop.

THE POTATO WART.

The potato wart has been held to the limited districts in mining sections of Pennsylvania, western Maryland, and West Virginia. The determination of the fact that many important varieties of potatoes are immune to this disease and the enforcement of the growing of such immune varieties in the invaded section, together with quarantine control, has accomplished this purpose and eliminated very largely the dread of disaster to the potato crop of this country which the discovery of the invasion of this disease first occasioned.

QUARANTINES AGAINST INSECT PESTS AND PLANT DISEASES.

The department is enforcing quarantines against the importation of injurious insect pests and plant diseases from all the countries of the world. With the cooperative assistance of Florida and California especially, this quarantine is maintained at every port of entry to the United States and is serving as a constant protection to the agricultural, horticultural, forestry, and nursery interests of this country. In this work it annually inspects and safeguards importations totaling several hundred million dollars. Last year over 8,000 contraband shipments were intercepted at other ports than those on the Mexican border. Many of these were infested with injurious pests.

On the Mexican border 20,000 cars were fumigated in the past six months and 31,000 contraband parcels and shipments were seized. Many of these parcels contained cotton seed, much of which was infested with the pink bollworm. Others contained fruits infested with fruit flies and other injurious insects. A few examples may give a better understanding of this service.

There have been intercepted during the short period since this service was inaugurated 192 brown-tail moth nests filled with half-grown larvæ, 36 egg masses of the gipsy moth, each one of which may contain from 500 to 1,000 eggs, 59 examples of the pink bollworm with cotton seed, a good many of which came in through northern and eastern ports of entry, one big shipment of broom corn from Italy heavily infested with the European corn borer, numerous interceptions of Mediterranean and other fruit flies with imported fruits from tropical countries, 35 shipments of citrus fruits infected with citrus canker, and some hundreds of other pests, involving at least a dozen of probably great importance not yet established in this country. Two specific illustrations of these interceptions follow:

Exclusion of a potato enemy, probably worse than any now occurring in the country: Early in February an inspector of the board discovered on a vessel coming into the port of New Orleans 1,000 pounds of potatoes taken on in Mexico. These potatoes proved to be riddled with the large grubs of a potato weevil, the entry and establishment of which in the United States might very easily jeopardize the entire potato crop of America. This lot of potatoes was burned. This and closely related weevils infest potatoes on the Andes Mountains of South America and apparently also in Mexico. Fortunately, with the original distribution of the potatoes from these regions to other quarters of the world this weevil was left behind. No tuber-destroying pest of this kind is known anywhere else in the world and the potato tuber has been practically free from injury. This is only one of several interceptions of this pest.

A new establishment of the pink bollworm prevented: A regular Pandora's box was intercepted by the inspector of the department at Baltimore, Md., February 23. It contained, among many other things—plants and seeds—59 small packages of cotton seed from Brazil, infested with living larvæ, pupæ, and adults of the pink bollworm. Incidentally, this interception indicates the grip which this great cotton pest has obtained on Brazil in the course of a very few years. If this seed had not been intercepted through the effective work of the plant quarantine inspector, the innocent-looking personal package would have carried to the heart of Mississippi, the destination of the passenger, enough pink bollworms to have started an invasion in that State which might have gotten entirely out of control before discovery. This interception alone is worth to the country many times the cost of the administration of the entire port inspection service, State and Federal.

CITRUS CANKER.

Three or four years ago the citrus canker was threatening to absolutely annihilate a $300,000,000 citrus industry in the Gulf States, and its presence there was seriously threatening the entire citrus industry of California, of approximately twice that magnitude. To-day the citrus canker has apparently been eradicated from every commercial orchard district in the South and there only remains the task of watching the formerly infested centers and the clearing up of scattered infestations in outlying regions in Louisiana and Texas.

SOIL SURVEY.

The survey, in cooperation with the States, is progressing at a rate of a little less than 40,000 square miles per year and has covered about 37 per cent of the total land area of the United States. These surveys furnish the basis for further studies by the department and experiment stations on the fertilizer needs and methods of handling these soils. They also furnish the basis for accurate extension work of methods already worked out on similar soils in other regions.

ROAD WORK.

The department has studied the effect of hard tires, rubber-cushioned tires, and inflated tires on trucks and their relative disintegrating effect on concrete. This study has shown immensely greater destructive effect of the heavy truck, especially on slight inequalities in the road or worn places in the solid-rubber tires. These studies will enable us to build roads that will withstand reasonable truck service and formulate regulations for the prevention of the abuse of roads.

Other studies have shown that the failure of many concrete roads has been due to conditions of the subgrade, and pointed out methods of remedying these conditions so that permanent roads can be built in the future. With the road-building program involving as much expenditure as at present, these studies are highly important and will effect tremendous savings in increased efficiency of the roads built. With highway improvements going forward at the rate of 24,000 miles annually, with 10,000,000 motor vehicles out on these roads, and with an army of a million men, with a total annual expenditure by the Federal, State, and local governments almost double the whole cost of the Panama Canal, these discoveries, which go directly to the foundation of the science of road building, will yield their return to the people of this country so great and far-reaching as to be practically beyond estimation.

SERVICES.

The department is furnishing a large number of valuable services to the public. Many of these—in fact, the majority of them—are of much more value to the consumer than to the producer. All of these services are being improved from time to time, their efficiency increased, and more economical methods introduced. The meat inspection protects all importations of meat and all meat in interstate commerce. As all meat concerns do interstate work, it results in the protection of practically all meat in the country except the local butcher shop.

The weather service is furnished daily to all the people in the country and even hourly in emergencies in the form of storm warnings, frost warnings, floods, and other emergencies. The development of the frost-warning service has enabled whole orchard valleys to protect their holdings against frost danger. The flood warnings have enabled the saving of millions of dollars of property and many human lives. Hurricane warnings reduce to a tremendous degree the hazards of the shipping industry.

The Crop Reports give us a monthly basis of estimation of production and the Market Reports a daily index of market trends. They also furnish annual summaries, estimates of stocks from time to time, and all available information with reference to production in foreign countries.

The department supervises the pure-food legislation, preventing fraud, adulteration, and misbranding of the thousands of articles that make up the foodstuffs of the country.

The extension work carries the message of every new discovery directly to the community to which it is applicable and encourages its use. It encourages the organization of cow-testing associations, of better-sire associations, of community improvement, of crops and live stock, and in general serves as a connecting link between the progress of organized science of agriculture and the farmer in the field.

The Forestry Service protects the forests from fire, arranges for the sale of timber, and supervises its cutting so as to insure reforestation, regulates grazing, and in general acts as a manager of the Nation's most important single asset in such a way as to annually increase its productive value and its future potential worth.

The road department supervises and directs the building of every mile of highway on which Federal funds are expended, thus tying the State and Federal expenditures into a single uniform system. The requirements for Federal cooperation are such as to have brought about a tremendous improvement in the efficiency of the personnel of the State highway commissions, and thus indirectly has contributed to an increased efficiency in the expenditure of every dollar of State as well as national funds.

The department as a whole considers itself intrusted with the development of the agricultural interests of the Nation in their broadest and most comprehensive sense. It recognizes that the development of an adequate supply of food and raw materials is fundamental to the development of a prosperous, enduring Nation, and directs its efforts to that end.

Mr. BUCHANAN. Mr. Chairman, I would say to my colleagues on this side of the House that at this time I think it is unnecessary for me to make any speech on this bill. I want to say, however, that in the deliberations of the subcommittee preparing the bill there was absolutely no politics, and nothing was done which was actuated by sectional prejudice or discrimination. The entire committee had their heads and hearts together in an effort to bring back a bill that would forward the interests of agriculture in the United States, and we think we have done it. [Applause.]

I yield 40 minutes to the gentleman from Louisiana [Mr. ASWELL].

Mr. ROUSE. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] Seventy-five Members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ansorge	Bankhead	Brinson	Burdick
Anthony	Bell	Britten	Burke
Bacharach	Blakeney	Bulwinkle	Burtness
Cantrill	Ireland	Montoya	Rucker
Chandler, N. Y.	James	Morin	Ryan
Chandler, Okla.	Jeffers, Ala.	Mudd	Sabath
Clark, Fla.	Johnson, S. Dak.	Nolan	Sanders, N. Y.
Coughlin	Jones, Pa.	Norton	Sinnott
Doughton	Kahn	O'Brien	Slemp
Drane	Kitchin	Ogden	Snell
Drewry	Kline, N. Y.	Oliver	Speaks
Edmonds	Kopp	Osborne	Stiness
Ellis	Kreider	Parrish	Sullivan
Fairchild	Kunz	Patterson, N. J.	Taylor, Ark.
Focht	Langley	Perlman	Taylor, Colo.
Goldsborough	Lankford	Pou	Tillman
Gould	Larson, Minn.	Rainey, Ala.	Timberlake
Graham, Pa.	Layton	Rainey, Ill.	Vare
Greene, Mass.	Lee, N. Y.	Rayburn	Ward, N. Y.
Greene, Vt.	Linthicum	Reavis	Weaver
Griffin	McClintic	Reber	Wingo
Hays	McCormick	Riordan	Winslow
Herrick	McLaughlin, Pa.	Robertson	Wise
Himes	McSwain	Rodenberg	Woods, Va.
Hogan	MacGregor	Rogers	Yates
Husted	Mansfield	Rossdale	Zihlman

The committee rose; and the Speaker having resumed the chair, Mr. HICKS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10730, that it found itself without a quorum, and he caused the roll to be called, whereupon 325 Members responded to their names, a quorum, and he handed in a list of the absentees to be printed in the Journal.

The committee resumed its session.

The CHAIRMAN. The gentleman from Louisiana is recognized for 40 minutes. [Applause.]

Mr. ASWELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Chairman, much has been said recently with reference to the appropriations by this Congress and by the last Congress. Senator LODGE, of Massachusetts, juggled the figures down to about a billion and some odd dollars. The gentleman from Ohio [Mr. FESS] did some more juggling and brought them down to something over a billion dollars the other day, but it is not a question of opinion, it is a question of the facts of record. I hold in my hand the actual records made up by the clerks of the Committees on Appropriations in both Houses. The Congress for the fiscal year of 1922, under discussion, appropriated $4,780,829,510. It is not a question of debate or of opinion. This statement carries also with it the appropriations for the Department of Agriculture since 1882, and I call the attention of the committee to the astounding fact that in spite of the depressed conditions of agriculture at this time and the struggle that is being made in behalf of that industry, the Republican Congress in this bill, while finding plenty of money for other activities in support of special privileges, for the first time in 15 years has reduced the appropriation for agriculture over $3,000,000.

I am a member of the Committee on Agriculture and I think I am within my rights when I present the record of a most extraordinary procedure a few days ago. This is not a personal matter; it is a matter of principle. If my own floor leader, the gentleman from Tennessee [Mr. GARRETT] were to come before the Committee on Agriculture, of which I was at the time a member, and should undertake to dictate to that committee what its duties are, what it can do and can not do, what it should do and should not do, what it must do and must not do, if he were to presume to have that autocratic authority and that notion of his duties, I would speak of his procedure precisely as I shall of the dictatorial procedure of the gentleman from Wyoming [Mr. MONDELL], the Republican floor leader of this House.

I want it particularly understood that the gentleman from Wyoming [Mr. MONDELL] let it be known that he wanted to appear before the Committee on Agriculture. On page 14 of the official stenographer's report he so states that fact. The Committee on Agriculture, eager to do everything possible for the distressed agricultural conditions in this country, gladly invited him, for it had been announced that he wanted to come. So last Tuesday he came to the Committee on Agriculture, and for an hour and a half proceeded to assail the bills pending before that committee for the benefit of agriculture in this country in these depressed times. I do not know with what authority the gentleman from Wyoming came to that committee. He appeared to have commanding authority, but I do not know whether his authority was from the White House, authority from Dr. FESS, Republican chairman of the congressional committee, or authority from the millionaire steering committee, or authority from the organization of his party. He certainly appeared to have commanding authority, and he appeared to

speak with a superabundance of wisdom superlative in form of a certain kind, but he was shockingly short on information as to the contents of the measures pending for relief of agriculture. I do not know whether it was a mosaic or composite from the White House, Dr. FESS, and the steering committee, or whether it was the effusion of a great single individual intellect; I do not know which, but he seemed to possess much wisdom, telling the committee what it should do and what it should not do. Why did he come? He knew that these pending bills before the Committee on Agriculture were so strong before that committee, right as they are and worthy as they are, that that committee was about to report them out unanimously, and he knew, too, that if the Purnell bill reached the floor of this Chamber increasing the service of experimental stations in every State in this Union—he knew that if that bill reached the floor of this Chamber it would pass in spite of him, and he went there to assault it on the side. He did. Now, gentlemen, I hold in my hand a report of the official stenographer. It is not revised and it is not compressed or extended. It is exactly what he said. Gentlemen will recall when he wanted to say something he did not want the country to know about he always told the stenographer to lift his pen.

I remember what he said when the pen was lifted—and the committee members do. He took us through a most charming trip; he journeyed us over the vast plains of the great West and portrayed what seemed to be his young, innocent, and heroic life individually—his early career. He finally reached the point on the thirteenth page of this closely written stenographer's report. Mr. RIDDICK asked, What about the stabilization of agricultural products? The gentleman from Wyoming spewed it from his mouth, scorned it, denounced it, and ridiculed it until nobody else said a word about it while he was in the room. Then, on page 14, he came to the bill he came there to assault. Referring to the Purnell bill, which is a bill to enlarge and extend the experimental stations in the different States of the Union, he attacked it vigorously, persistently, and forcibly, and, of course, he rambled around it for 14 pages before he got to it. But he said it was out of the question, substantially, to consider any bill on agriculture that entailed additional appropriations. He said, "I have expressed a willingness to come and talk about this bill," and then he wandered away again. It was very entertaining—delightful. He wandered on and on again and on again until he came to the nineteenth page, and then he said that the Purnell bill was a bill that he knew something about. Mr. PURNELL insisted that his bill meant to reduce the cost of production to the farmer, and the gentleman from Wyoming startled the committee with this astounding statement. He said: "I think I know quite a bit about experiment stations." Now, we never found out what "quite a bit" was, and we do not know yet; and when Mr. PURNELL insisted that it was to improve farming the gentleman from Wyoming made this statement. He said: "You claim it will help the farmers to help themselves. What is proposed in the bill is to help the professors." That is "quite a bit" about the subject of experiment stations.

If the gentleman from Wyoming [Mr. MONDELL] will spend one hour eagerly studying the testimony presented before the Committee on Agriculture by Dean Russell, of the University of Wisconsin, proving the value and imperative need of the Purnell bill to the farmers of the country, I confidently predict that the gentleman from Wyoming will come back to the Committee on Agriculture and apologize for his assaults upon the Purnell bill.

Now, Mr. Chairman and gentlemen, when we brought up the question of these various activities for the relief of the farmers, Mr. MONDELL said that there was no money for public buildings, no money for anything we would like to do for the farmers. He said, "We will cut the river and harbor appropriations to the bone. We propose to cut everything." Then I said to him, "What about the Sheppard-Towner education bill?" and that is when he told the reporter to lift his pen, but I am going to tell you what he said. He said, "Oh, no. No gentleman informed would for a moment believe that the Sheppard-Towner bill or any bill of that kind will be even considered by this Congress." Is not that what he said? Of course he said that. [Applause on the Republican side.] He sent aglimmering the ambitions of a lifetime of Mr. TOWNER in his education bill and the great soldier, Brig. Gen. Sawyer, in his ambitious Department of Public Welfare schemes.

Mr. MONDELL. Will the gentleman yield?

Mr. ASWELL. I will yield, gladly, but do not take up so much of my time. You are taking a lot of my time before you start. [Laughter.]

Mr. MONDELL. I did not say before the committee——

Mr. ASWELL. Did not say what?

Mr. MONDELL. I did not say before the committee that no bill like the Sheppard-Towner bill would ever be considered by the Congress. I did say that it would not in my opinion be considered this session of this Congress, and that was what I was talking about in regard to all these bills—that I did not think they should be considered this session of Congress.

Mr. ASWELL. Now, let me see what the gentleman did actually say. It is not a question of veracity. I will read his own language in the official stenographer's report. Let me answer that question. The gentleman from Wyoming, discussing this agricultural legislation, said that there is no constitutional warrant or authority to do this thing and that there is no authority to do any of this sort of thing we were discussing before that committee. That was his language. I will read it again:

I do not know of any authority in Congress to do anything of that kind.

I do not say, sir, that you said you would never consider this bill, but you said that this Congress would not.

Mr. MONDELL. Will the gentleman yield?

Mr. ASWELL. I can not yield further.

Mr. MONDELL. The gentleman must not misstate what I said before that committee.

Mr. ASWELL. What better evidence can I have than the stenographer's report?

Mr. MONDELL. Whatever there is in the stenographer's report stands, but the gentleman's alleged recollection is quite another thing, and when I spoke about unconstitutionality——

Mr. ASWELL. I did not yield for a speech.

Mr. MONDELL. I was talking about the fixing of prices in time of peace.

Mr. ASWELL. I want to call your attention to this fact, that after the gentleman from Wyoming came and insisted that no constitutional authority existed to aid the farmers, in 30 minutes we were assembled in this Chamber and we listened to the President of the United States call upon Congress to stabilize shipping in the country.

The question arises, How does it happen, in the opinion of the gentleman from Wyoming, that there is no constitutional authority to stabilize agriculture when the same Constitution permits the Congress to stabilize railroad and ship owners of the country? That is the question. [Applause on the Democratic side.]

Why, Mr. Chairman, the gentleman from Wyoming in his philosophy reminds me of the young fellow who was studying medicine and practicing with an old doctor. The old doctor took him to see a sick Irishman. The patient had a high temperature, and the old doctor said, "Get up and eat some corn beef and cabbage." The next day the Irishman was back at work. Then the young doctor went to see a sick German, who had a high temperature, and he told him to eat corn beef and cabbage. The next day the German was dead. The young fellow made a note, "Corn beef and cabbage will cure an Irishman of high fever, but will kill a German." That is the philosophy of the gentleman from Wyoming. The Constitution cures the difficulties of railroads and shipping, but is death for the farmer.

I was in Wyoming twice. It was my impression that there are farmers in that great State, but after hearing Mr. MONDELL'S assaults upon what the Committee on Agriculture is trying to do for the farmers, I am convinced that I was mistaken, because he could not possibly have farmer constituents. I am sure now that he represents not farmers, but railroad and ship owners, as revealed by his interpretation of the Constitution against the farmer, but in favor of private corporate interests.

We had a most interesting speech here the other day. I wonder if the gentleman from Ohio [Mr. FESS] is in the building. I wish you would send for him, because I want to make some observations about his speech. Dr. FESS is a schoolmaster; so am I. But Dr. FESS has strayed away from the tenets of the faith. The ideal of the schoolmaster is to learn the truth and speak it with exactness. Dr. FESS has strayed away in political discussion. I saw a Negro in France, black and sleek, meet a Moroccan.

Our American Negro undertook to talk to the French Negro. The American Negro spoke in English, of course, and the Moroccan in French. Finally the American Negro turned away in disgust and said, "That fool has been over here so long he has forgot how to talk his own language." Dr. FESS has played cheap partisan politics in Congress for so long he has forgotten to speak the language of the schoolmaster, which puts accuracy above everything else in the world. [Applause on the Democratic side.] He makes one accurate statement in reference to this administration. He makes one statement that is accurately true, but it is astounding; it amazes you in the fact that it reveals so much. He gives five specific policies of

this Harding administration. He names four, and then the climax, the fifth one, is that the policy is to delay every new thing carrying a burden on the Treasury. Why, of course, the country knows the policy is to delay everything, but it is amazing that the gentleman from Ohio would confess it and print it in the RECORD. Delay is the policy and is so asserted by the gentleman from Ohio. In enumerating the achievements of this administration, asserting that only a billion and a half would be appropriated for the expenses of the Government and that the administration now has a balanced budget, claiming credit for the Federal reserve banking system and highway construction acts, he puts foremost in achievements the emergency tariff bill. Ah, gentlemen, it is an unfortunate claim.

The emergency tariff bill became the law on May 27, 1921. Chicago wheat No. 2 was selling on that date at $1.57¼. It went down and still down until wheat got out of the farmers' hands, and then the Republican Congress thrust $20,000,000 into the market for buying grain for Russia in an effort to force the price back—although the grain was out of the hands of the farmer before that was done; to-day the price of the same wheat in the same market is $1.32½—25 cents a bushel cheaper than when the tariff bill passed. That is an achievement of the administration.

Corn was selling on that day at 60 cents and is selling to-day at 57 cents. These figures are taken from Wallace's Farmer, owned by the Secretary of Agriculture, certainly the highest authority on questions of that kind. To verify that, here are some figures gotten up by the legislative reference service of the Library of Congress. The same trend of prices on wheat and corn is shown in Boston and New York as in Chicago—the same ratio of differences. The price of sugar, for example, under the emergency tariff bill declined 1.1 cents a pound, and all other farm products have met the same disaster. I could name a dozen articles, but these are sufficient to prove the principle. And the emergency tariff has not done one solitary thing to help any farmer. [Applause on the Democratic side.] While the gentleman from Ohio [Mr. FESS] makes so much noise and so much ado about it, it has not been worth one nickel to a farmer. If he could find anything in the administration worth a dime, I do not know what he would do.

But I must hurry on. He claims that this administration deserves credit for adding $25,000,000 to the farm loan banks of the country. The record shows that the Democrats in this Chamber undertook to make it $50,000,000. Mr. WINGO made the motion, and the gentleman from Wyoming [Mr. MONDELL] made a speech against it, and the gentleman from Ohio [Mr. FESS] joined the gentleman from Wyoming on the roll call and voted against the $50,000,000 and helped to vote it down to $25,000,000 for the farm banks of this country.

Yet he claims that that is one of his party's achievements. He speaks of the packers' bill and the grain futures bill. I voted for those bills after listening to the hearings for months, but I decided it was the best thing to be gotten from a Republican Congress. The packers were for the packers' bill and the gamblers were for the grain futures bill. Neither bill is of any value to the farmer or grower.

Now he speaks of the work of the Commission on Agriculture, a commission made up of splendid men. They have made two reports, and they have brought out two astounding facts. Do you know what they are? The first fact is that the serious difficulty for the farmer is the high railroad rates; and that is a Republican measure, put through by a Republican Congress in the Esch-Cummins bill.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. I will.

Mr. JOHNSON of Mississippi. In my committee we have been conducting for several weeks past hearings as to paragraphs 3 and 4 of section 13 and section 15a for the purpose of reducing rates and giving to the State railway commissions the authority they had before the Esch-Cummins Act was enacted. I want to make this observation, that a banking concern in New York has sent out a letter in which it advised people to buy stock in railroads, for the reason that the administration had given assurance that there will be no change in railroad rates.

Mr. ASWELL. That is very interesting, although very discouraging from the standpoint of the farmers and the average man, but fine for big business and special privilege in control of this administration.

The gentleman from Ohio says the banking system is first class. Of course it is. It is a Democratic creature.

The only time you tried to change it was when you opposed the Democratic plan of adding $50,000,000. The gentleman boasts that they have given $75,000,000 for public roads. The Democratic administration never gave less than $100,000,000 when in power.

But here is an amazing claim that I do not understand. The gentleman from Ohio says, "Our managerial ability is first class." It must be a misprint. He must mean menagerie ability. [Laughter.] The gentleman from Ohio speaks of lower interest rates to the farmer. The rates that the farmers are paying never approached the rates you recommended the other day of 2 per cent for the benefit of big business.

Gentlemen of the committee, the gentleman from Ohio makes the astounding statement that "The symptoms of the farmer are altogether encouraging," and that "freight rates must come down." Ah, it is a most amazing and amusing situation, Mr. Chairman and gentlemen of the committee. This proposition of letting the farmer drift, letting the conditions go as they may or may not go, has reached the point where the American people individually know that they are being camouflaged and deceived, and that the party in power is trying to use them for its own promotion and continuance in power.

Let me ask you this question: Would you tax the farmers in your district to give $32,000,000 a year to the private owners of ships and to force now the giving away of the ships owned by this Government? Why, the private owners would get them at a song, and set the tune themselves. Would you be willing to give them a bonus of 10 per cent on the imports of the country, and then permit the railroads to own the ship lines while they now get 6 per cent profit, thereby enabling them to make an average of 8 per cent on the shipping and railroads together?

Gentlemen, the proposition is unthinkable and intolerable.

You ask me, What shall we do? The gentleman from Wyoming [Mr. MONDELL], the Republican floor leader of the House, and the gentleman from Ohio [Mr. FESS], chairman of the Republican campaign committee, and all your other spellbinders constantly shout that under this Republican administration the industrial, agricultural, and economic conditions of the country are about to begin to improve, that there are signs of the dawning of a better day. Well, with the vigor, the industry, and the genius of the American people, if there can be seen no sign yet of improved conditions, three years after the war, then in Heaven's name when may we hope again to become a happy and prosperous people? Why do your leaders sit here for days whimpering in public with dim-eyed pity for the farmer, saying—I quote from the language of Dr. FESS:

> His symptoms indicate a promising future, and railroad rates must come down—

On the theory, I suppose, that everything that goes up must come down, and therefore railroad rates some time, somewhere, somehow, will come down.

But here are the facts, gentlemen: The farmer does not want or need your maudlin sympathy. He wants available credit at a fair rate of interest and an accessible market, and money in return for the products of his labor. He resents your taxing him and his children to give a subsidy or bonus to the private corporations in the interest of your national campaign fund. He demands a square deal in business; the right to earn a decent and honorable living. He resents your shutting him off from the markets of the country and from the business of the world by oppressive and prohibitive railroad rates, for which a Republican Congress is wholly responsible. If you are sincere, pause a moment.

If you are sincere, why not forthwith force down railroad rates that the farmer may live? Mr. Fechner, of the Federation of Labor, and head of the machinists' union, testified before the Committee on Agriculture the other day that the unemployment situation is worse than it was six months ago. He declared that since the unemployment conference the situation, regardless of reassuring statements from the White House, is growing not better but worse. He declared that 250,000 expert machinists belonged to his union and that more than 100,000 of these expert machinists were now walking the streets seeking work to-day.

The CHAIRMAN. The gentleman from Louisiana has consumed 30 minutes.

Mr. ASWELL. I thank the Chairman.

Mr. BEGG. Will the gentleman yield for a question?

Mr. ASWELL. Yes.

Mr. BEGG. About 20 minutes ago the gentleman made the statement that my colleague, Dr. FESS, in his speech had made a great many inaccurate statements. In fact, the gentleman said my colleague misstated the truth.

Mr. ASWELL. I said he told the truth about one thing.

Mr. BEGG. I have listened for 20 minutes to the gentleman from Louisiana and I have not heard him disprove a single statement made by my colleague, Dr. FESS. Now, in the rest of his time will the gentleman disprove some of the statements that Dr. FESS made?

Mr. ASWELL. You do not have to disprove a thing that is so patent on its face that everybody knows it.

Mr. BEGG. The gentleman does not mean just to call everybody untruthful and not prove it, does he? I think the gentleman owes it to my colleague to prove wherein he misstated anything.

Mr. ASWELL. What do you want me to prove he said?

Mr. BEGG. I want you to prove that anything he said is not true. We all know it is true, and I want you to prove that it is not.

Mr. ASWELL. That depends entirely upon who "we all" are.

Mr. BEGG. That is your own challenge that you laid down, and I think you owe it to this reputable body to prove that my colleague, Dr. FESS, misstated conditions. If you can prove that, he owes it to the Congress to apologize. Otherwise we know that you do not mean what you say.

Mr. ASWELL. I do not yield to the gentleman for a speech.

Mr. BEGG. I will say that he can, against this kind of competition.

Mr. ASWELL. Everybody knows that the claims which the gentleman from Ohio [Mr. FESS] made for this administration were exaggerated and extended and expanded. He claimed that the Congress will appropriate for the 1923 expenses only $1,500,000,000 and that this Government has a balanced budget. Everybody knows these statements are not correct. These misstatements are amply sufficient to condemn his entire political speech. I said he told one exact truth. That was that this administration seeks to delay everything that it talks about, and I can prove that statement to be true. We were told about the ship subsidy bill of $32,000,000, and the next day from the White House the message went out that that would be delayed until after the November election. I do not know by whose authority. All the gentleman from Ohio [Mr. FESS] said about delay shines out in brilliant truth. But allow me to proceed.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. ASWELL. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. ASWELL. The statements of Mr. Fechner as to unemployment were corroborated by Mr. Wallace, of the Federation of Labor. It is estimated that there are altogether 4,000,000 men out of work. They could earn an average of $5 a day—$20,000,000 a day lost and wasted for lack of work, or $6,000,000,000 wasted by unemployment during the first year of the Harding administration! This is the promised Harding prosperity!

What is the remedy? The remedy is definite, concrete, and clear. If this Republican administration, in complete control of all branches of the Government, would eagerly seek to help the average citizen, freight rates would be at once forced back to normal and the unemployment calamity that has befallen the country by the stupidity of reactionary leaders would be remedied in 30 days. You know well that this is true. How?

First, cease quibbling and dickering for big-business political advantage while truckling to corporate interests, for the fertilizer and the automobile trusts. Turn over Muscle Shoals at once to Henry Ford [applause] who would employ a million men in that one enterprise, to say nothing of the vast wealth he would bring to the country as by a magic hand. It would be ultimately economical for the Government to give Muscle Shoals to Henry Ford rather than to sell it or lease it to other applicants.

Then, find work for the other 3,000,000 idle men in internal improvements. Put millions of money into a sanitary system—invest money and labor to help the citizens keep well. It will pay. If is our duty to do it. Nothing that we can legislate on is more important. Then put an additional million men to work in highway construction, which is the imperative need of this hour.

As I look at the picture to-day, I see 4,000,000 of workers idle. Think of the tragedy! Nothing to do! Breeder of anarchy and bolshevism! They are asking for work, but what are you Republican leaders doing except talking and promising? On the other hand, I see public roads to be built, public buildings in each State, including hospitals for the disabled soldiers, to be erected, great sanitary systems to be constructed, light and power and other far-reaching public utilities to be developed, a million homes to be built, reclamation work to be done, our forests to be preserved, terminal facilities, and rivers and harbors to be improved—all calling for workers—when 4,000,000 workers are idle.

In the face of these plain facts the country is staggered to behold Republican leaders in control talking and jabbering and writing and wondering what to do. There is a plain thing to do. Put the workers and the works together.

The Government should do these things and do them now, because they represent the highest functions of serviceable government. They are the things that concern vitally the general welfare for which governments exist. This is the favorable time to act. The existing economic crisis offers opportunity and demands action.

Let the Republican majority wake up and make haste now to authorize the War Finance Corporation to invest $3,000,000,000, not in throwing credits across the Atlantic but in stopping the loss of six billions a year in unemployment. Utilize this vast sum in stimulating internal improvements of all kinds—sanitation, reclamation, levees, highways, public buildings, public utilities, and waterways. Do this and there will be money in the country. The farmer will have a home market for his products, money for his taxes, and money upon which to operate his business. There is no excuse or defense in this country now for unemployment or for agricultural or industrial depression. The opportunity for relief is here. The remedy is clear. Will the reactionary Republicans in control stand erect and permit us to apply the remedy, or will they wobble on, contenting themselves with vain promises and claims for services not rendered? [Applause.]

Mr. WASON. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, I do not know just how much time it ought to take to answer the political argument that is based on the suggestion that we give Henry Ford Muscle Shoals, and he will put a million men at work on it at once. That is a little like a statement made a little while ago by a man with reference to the German mark. There was complaint made that the German mark was too cheap, and some politician advocated the raising of the price by printing more of them.

I rise for the purpose of giving the committee the benefit of facts concerning the visit of the floor leader of the House to the Agricultural Committee. He was invited to appear before the committee by the majority members of the committee for the reason that we had been holding hearings for several weeks on several important measures, and we wanted to discuss with the floor leader the program for legislation. My genial friend did not hear all of the statement of the gentleman from Wyoming. In the first place, the first bill he discussed was a regulatory bill which the lumber interests advocated, prepared by the lumber interests and introduced at their suggestion, which involved the expenditure of several millions of dollars a year to regulate them in the way that they wanted to be regulated. We had extensive hearings before the committee. The floor leader suggested to the committee that in his judgment it was no time for the American Congress to engage in that expense. I agreed with him. I do not think there will ever come a time when it will be the duty of the American Congress to engage in that expense. Most of the committee that heard the evidence except, perhaps, our friend from Louisiana, expressed the opinion that the other plan advocated in another measure before Congress was the better plan. That plan proposed to make them pay the expenses of their own regulation; that it was better than to take the money out of the Federal Treasury. The floor leader did on that occasion suggest to our committee that on all measures contemplating a large expenditure of public funds we ought to go slow and be careful. [Applause.] I claim that we should take that advice.

I suppose this speech of the gentleman from Louisiana which we just listened to was made for only one purpose. It is patent to anyone that it was made for the purpose of circulating it in the State of Wyoming in the coming election, and I predict that it is such a horrible failure that it never will be used for the purpose for which it was intended. [Applause on the Republican side.] I want to defend any man that stands for right. FRANK MONDELL was floor leader of the House during the last session, when we had a Democratic President and we could not pass agricultural legislation. He told me then as one member of the Agricultural Committee, when we could not procure this legislation, that when we had an administration in sympathy with legislation favorable to the agricultural interests we would pass these measures. Congress convened on April 11, and under his leadership, and being as much responsible for it as any other one man in Congress if not more, we passed many measures, one regulating the packers and the other regulating the grain exchanges, that had been pending in Congress for more than a quarter of a century. They were signed by the President and are now law. Also every stockman in America is a beneficiary by the amendment to the War Finance Corporation act, and I say that no man in the history of the American Congress can claim credit for more legislation friendly to the interests of the farmer than the gentleman from Wyoming [Mr. MONDELL] who has been attacked here. [Applause on the Republican side.]

You say he stood in this Congress and pleaded against the demagogic amendment making $50,000,000 available for the farm-loan banks when only $25,000,000 was asked for the farm-loan banks. The former chairman of the Agricultural Committee, one of the gentleman's associates [Mr. LEVER], only asked for $25,000,000, and said it was all the money desired by the farm-loan banks and all they needed to function. Was he right? He said that with the revolving fund they could sell the bonds. Was he right? They offered $75,000,000 in bonds for sale, and while they thought it would take weeks they sold them in two days. This Congress stands ready to appropriate $100,000,000 if needed, but not one dime to be demagogic and try to fool somebody.

I do not know how you can condemn Mr. MONDELL for that attitude, when every one on the Democratic side of the aisle knows that Frank Lever was on the square when he asked for only $25,000,000.

My friend says that the legislation that we have passed has not benefited the farmer. Ask the farmer. I challenge any man to say that it is not a fact that every day since the packer regulation act went into effect that every stockman on the market will tell you that conditions have improved. I challenge any man to cite me a farmer who will say that there has been a single day since the grain futures act went into effect on the 24th of December when the condition of the producers of grain in this country have not improved. Oh, I suppose my genial friend, when separated from his Chautauqua duties, will question that—and, by the way, I was reminded this morning of the first time I ever had the pleasure of meeting the gentleman. I remembered him by that whisper. The gentleman was a Member of this body. During all those years why did you not pass some of those laws? I say that this Congress will go down in history as having been the hardest-working and most effective Congress this country has ever had.

The gentleman says that conditions are bad. They are. But who made them bad? When this Congress assembled on the 11th of April, 1921, what was the economic condition of this country? Could it have been worse? Is there any way to draw a picture of a worse condition? No one representing a majority in this Congress has ever predicted to the American people that a magic wand might be waved that will save them. You get that kind of a story from speeches like the one we just listened to, where war prices are compared with peace prices, and then some political party blamed for it.

FRANK MONDELL was invited before our committee. He came before it, and while he might have gone a little further in his economy advice and advised against spending every dollar that every member of the committee wanted to spend, yet I challenge my friend to find another member of that committee, Democrat or Republican, who will question the soundness, the propriety, and the honest intention of Mr. MONDELL in being for America in his advice to the committee. [Applause on the Republican side.] He did say that there was a constitutional question with reference to price fixing in peace times, and there is. I invited the advocates of the bill to fix prices on all products to come before the committee and show us wherein under the Constitution we can enact such legislation. I wonder if my friend, in reading that part of his speech applying to Mr. MONDELL, meant to be categoried with those that favor the extensive price-fixing program which is advocated by some before our committee, and I now yield time to my friend to declare himself on the proposition of price fixing, as advocated by those measures.

Mr. ASWELL. Mr. Chairman, it is not my purpose or desire or intention to make any report to the gentleman from Kansas on this or any other subject.

Mr. TINCHER. I did not know. I thought, perhaps, because he had criticized Mr. MONDELL for wondering about the constitutionality of such proposed legislation, that he had some fixed ideas upon it. I still persist, though I may be wrong, that that speech will never be used in Wyoming for what it was intended for. [Laughter on the Republican side.]

Mr. BUCHANAN. Mr. Chairman, I yield 20 mintues to the gentleman from Georgia [Mr. BRAND].

Mr. BRAND. Mr. Chairman, before I begin to discuss the subject I wish to bring to the attention of the House I want to answer one or two statements made by the gentleman from Kansas [Mr. TINCHER] who just left the floor. He made the statement here just now that Frank Lever asked for only $25,000,000 at the hands of this Congress because he thought that was enough to meet the demands of the farmers. That is not the reason. The reason that Mr. Lever never insisted on more than $25,000,000 when that bill was before the Congress was because he knew very well that he could not get any more at the hands of the Banking and Currency Committee, because of orders from Mr. Mellon, the Secretary of the Treasury. I notice the gentleman from Kansas [Mr. TINCHER] is leaving the Hall. He knows that I know more about it than he does, because I was on that committee. In addition to this I wish to answer his talk about this little appropriation being sufficient to satisfy the farmers of the country. It is all poppy-cock to make such a contention. The Senate passed an amendment to one of the appropriation bills authorizing a loan to the farmers through the Federal Farm Loan Board of $100,000,000, and the Banking and Currency Committee of this House refused to agree to the amendment, and subsequently, when the Democrats made an effort to restore the Senate amendment to the bill, this House voted it down and let the amount stand at $25,000,000, as agreed upon by the committee. The western Members agreed to the small amount simply for the reason that Mr. Mellon and others had arranged for a private loan with bankers in the North and East amounting to $50,000,000 for the western farmers. Mr. Lever did not ask for any more at the hands of our committee because he knew he could not get any more, as we Democratic members from the South did not have the backing of the western members of the Banking and Currency Committee.

Mr. STRONG of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BRAND. Yes.

Mr. STRONG of Kansas. I want to say to my friend that when that bill was being considered before the Banking and Currency Committee Mr. Lever did state that $25,000,000 was all they needed.

Mr. BRAND. I was there when Mr. Lever appeared before our committee.

Mr. STRONG of Kansas. Oh, I beg the gentleman's pardon. It is right out here in the Hall of the House.

Mr. BRAND. I mean in the committee.

Mr. STRONG of Kansas. Mr. Lever and Charlie Lobdell were together, and they agreed on $25,000,000.

Mr. BRAND. Of course, Mr. Lobdell would agree to this amount, because, according to my information, though a splendid man and in sympathy with the farmers, he never has been in favor of the Federal farm loan system.

Mr. STRONG of Kansas. Frank Lever was in favor of it, was he not, and he agreed to $25,000,000?

Mr. BRAND. He did not.

Mr. STRONG of Kansas. I say that he did agree to it in the conference which finally determined the form of the bill.

Mr. BRAND. Not in the committee room.

Mr. STEAGALL. Mr. Chairman, if the gentleman from Georgia will permit, the gentleman from Kansas is not talking about what happened before the Banking and Currency Committee in the House. He is talking about what happened in conferences between certain members of the Farm Loan Board and the steering committee of the House.

Mr. STRONG of Kansas. Oh, I beg the gentleman's pardon.

Mr. STEAGALL. The steering committee had before it at the time a bill providing for $50,000,000 of aid. It had been reported by the committee, and the chairman of the Banking and Currency Committee had been asked to get a rule for the consideration of that measure.

Mr. BRAND. Mr. Chairman, I decline to yield further.

Mr. STRONG of Kansas. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. BRAND. No; I do not.

The CHAIRMAN. The gentleman declines to yield.

Mr. BRAND. When I finish with the speech which I want to deliver, I will yield to the gentleman, because I am very fond of him, and I shall be glad to argue this thing out with him right here.

Mr. STRONG of Kansas. What is that?

Mr. BRAND. I say I am very fond of the gentleman from Kansas, and I will argue it out——

Mr. STRONG of Kansas. I would just like——

Mr. BRAND. Let me get through with my speech first. [Laughter.] Mr. Chairman, I ask permission to revise and extend my remarks.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. BRAND. Mr. Chairman, I want to call the attention of Congress to a matter of the utmost importance which is in no sense political or partisan. While the Senate is investigating the eligibility of Senator SMOOT and Representative BURTON to act as members of the refunding commission, I think it advisable that they include in this investigation the qualifications and eligibility of Secretary Mellon as Secretary of the Treasury to act upon this commission. The question involved is one in which every taxpayer of the United States is interested. It

is world-wide known fact that certain European nations owe the United States about $11,000,000,000. It is generally known also that they owe a group of international bankers about $5,000,000,000. The taxpayers of the United States are becoming intensely interested in the collection of the debts due them. This group of international bankers are bent on having their money and are interested in collecting it whether the United States ever collects a dollar or not. Here are two classes of creditors with claims against a common debtor which is generally reputed to be bankrupt. Their interests are in conflict and are adverse. Therefore it becomes a very important matter to know whether or not Mr. Mellon is the owner of any of these obligations due these private bankers or whether any of his kinfolks within the prohibited degree are the owners of them, or whether any of the great banking and financial institutions to which he belongs are the owners of any of them or are interested in any of these debts.

These debts can not be collected by law, as everybody knows. The only way if the debtors refuse to pay them is to collect them by war. The question which I raise, and I do it in all seriousness, Is Mr. Mellon disqualified to act on the Refunding Commission by reason of interest? The answer to this inquiry depends upon the question whether Mr. Mellon owns any of these obligations that are due these private bankers, or whether any of his kinfolks within the prohibited degree do, or whether any of the great banking and business institutions of which he is a director and stockholder and to which I shall call attention in a few moments, own any of them. If he owns any of these obligations, or is financially interested in their collection, he is disqualified by every rule of law known laid down by any law writer from acting on this commission.

A short time ago, and when the refunding bill was on its passage, Senator WATSON of Georgia called the Senate's attention to a statute passed in 1789 at the first session of the American Congress. I do not believe there are a half dozen men either in the House or Senate who knew such a law was in existence until Senator WATSON called the Senate's attention to it. This statute is now a part of the Revised Statutes of the United States, second edition of 1878, and I will incorporate it as part of my remarks. The substance of it is that the Secretary of the Treasury is disqualified from acting in this capacity if he is engaged in the business of trade or commerce or if he owns any State or national securities. The point made by Senator WATSON is different from the one I am making. This act reads as follows:

SEC. 243. No person appointed to the office of Secretary of the Treasury, or First Comptroller, or First Auditor, or Treasurer, or Register, shall, directly or indirectly, be concerned or interested in carrying on the business of trade or commerce, or be owner in whole or in part of any sea vessel, or purchase by himself, or another in trust for him, any public lands or other public property, or be concerned in the purchase or disposal of any public securities of any State or of the United States, or take or apply to his own use any emolument or gain for negotiating or transacting any business in the Treasury Department, other than what shall be allowed by law; and every person who offends against any of the prohibitions of this section shall be deemed guilty of a high misdemeanor and forfeit to the United States the penalty of $3,000, and shall, upon conviction, be removed from office and forever thereafter be incapable of holding any office under the United States; and if any other person than a public prosecutor shall give information of any such offense, upon which a prosecution and conviction shall be had, one-half the aforesaid penalty of $3,000, when recovered, shall be for the use of the person giving such information.

The validity of this statute was brought into question, as shown by Senator WATSON, when President Grant appointed A. T. Stewart, then the king merchant of this country, to be Secretary of the Treasury. The Senate had confirmed Mr. Stewart and he had qualified before this statute was called to the attention of the President. After it was discovered it appears, Senator WATSON quoting from Mr. Blaine's "Twenty Years in Congress," that an effort was made, led by Mr. Sherman, of Ohio, to repeal so much of this act as applied to the Secretary of the Treasury. Mr. Sumner objected. The Senate failing to come to his rescue, Mr. Stewart resigned and Hon. George S. Boutwell was nominated and confirmed as Secretary of the Treasury. Senator WATSON contended under the terms of this act that Mr. Mellon, being engaged in the business of trade and commerce, is disqualified from acting as Secretary of the Treasury and that he is violating the law every day he holds this office, for which he could be arrested and convicted.

Mr. LONDON. Will the gentleman yield?

Mr. BRAND. I will yield, but I have not much time.

Mr. LONDON. For just a short question. Does not the same principle apply to a legislator, to a Member of the House or of the Senate, who legislates on matters directly affecting his personal interest?

Mr. BRAND. It does.

Mr. LONDON. But we have no prohibition, however, either in present morals or present law against it.

Mr. BRAND. Yes; we have ample law which disqualifies anybody in interest from serving in any capacity where his interests are involved.

Mr. CRISP. But if the gentleman will permit, the rules of this House expressly provide that a Member can not vote on any question in which he is personally interested.

Mr. LONDON. And that would prevent a man engaged in industry from voting for a protective tariff; that would prevent a banker from voting on any matter affecting the financial interests; that would prevent a Member from exercising the right to legislate.

Mr. BRAND. The gentleman speaks very often and well, but as my time is limited I can not yield further.

Mr. LONDON. I beg the gentleman's pardon.

Mr. BRAND. The contention of Senator WATSON is confined to the disqualification of Secretary Mellon under this act of Congress. My contention is, Mr. Mellon is disqualified to act as a member of the Refunding Commission on account of interest, if he is the owner of any of the obligations due these private bankers, or if any of the business and banking institutions in which he is a director or stockholder are the owners thereof, or if he has any kinspeople who own any of these obligations, who are related to Mr. Mellon within the prohibited degree.

This question Mr. Mellon can decide for and answer to the country himself without an investigation, if he chooses to do so. If he will not do so, then the investigation ought to be had to determine whether he is interested as I have indicated. If he is not disqualified from interest, it is easy for him to say so. If he is disqualified, he ought not to serve on this commission, because every intelligent man knows that the interest of the taxpayers of the United States and the interest of the international bankers who own these obligations against the same debtors is adverse.

Subsequently Senator WATSON again brought this matter before the Senate, at which time he inserted in the RECORD an article from Current Opinion, which shows Mr. Mellon's business connections in the United States. The editorial is entitled a "Rival of Rockefeller is Secretary of the Treasury." Says the author:

The record of the personal activities of Secretary Mellon includes 4 banks, of one of which he recently resigned the presidency to enter the Cabinet, 4 insurance companies, 7 educational and philanthropic institutions, and 62 other corporations. Their products—oil, aluminum, railway cars, locomotives, steel, plate glass, radiators, carborundum, bolts and rivets, motor trucks, and a hundred other things—go all over the world. The Mellon National Bank, of Pittsburgh, has resources of $132,000,000 and deposits aggregating $105,000,000. The concerns in which he was actively interested prior to March 4 have resources in excess of $800,000,000.

Senator REED, in discussing the question of Mr. Mellon's business connections, identifies among these 62 corporations in which Mr. Mellon is a stockholder the following:

The Mellon National Bank, the Pittsburgh Coal Co., the Union Trust Co.

The Aluminum Co. of America; capitalization, $20,000,000; controlling five companies with a combined capital of $20,000,000.

The American Locomotive Co.; capital, $50,000,000.

The American Metal Co., a holding company, $25,000,000 capital, which controls 12 companies with combined capitalization of $8,000,000.

The Baltimore Car & Foundry Co., $1,500,000.

The Carborundum Co., $2,500,000.

The Gulf Oil Corporation, $60,000,000, which controls nine companies with a combined capitalization of $24,000,000.

This makes a total capitalization of $210,000,000.

Banks and trust companies, $33,500,000. Total capitalization, $243,500,000.

National Bank of Commerce of New York; capitalization, $25,000,000; surplus, $25,000,000; deposits, $363,000,000. Mellon National Bank; capitalization, $6,000,000; surplus, $5,000,000; deposits, $102,000,000. Union Savings Bank; capitalization, $1,000,000; surplus, $1,000,000; deposits, $20,000,000. Union Trust Co.; capitalization, $1,500,000; surplus, $35,000,000; deposits, $100,000,000.

Pennsylvania Railroad Co., of which prior to January, 1921, he was a director, with a total capital of $440,000,000. Grand total capitalization, $683,500,000.

I summon Mr. Mellon to the witness stand and ask him if he or any of these great moneyed institutions own or have any interest in the debts due these private bankers.

It must not be forgotten that when this question of refunding the allied debt was first raised it was contended by the administration, if not by Mr. Mellon himself, that he should be given entire control of refunding the $11,000,000,000 due the United States by the European debtors. The Senate very properly refused consent to this, and instead of giving him full control over the matter it was provided that a commission be appointed to have jurisdiction of this question, of which the Secretary of the Treasury should be a member.

Congress should have gone further and provided that no final action could be taken by the commission without first obtaining the approval of the Congress, which Congress refused to do.

The truth is, some of these international bankers want the debts due the United States canceled, knowing, if this is done, that it will make their debts against the European nations

worth a hundred cents on the dollar. Those who do not come out squarely for cancellation of these debts are intensely interested in having the United States agree to a long-time postponement of the collection of its loans. Mr. Mellon believes in this. The minute this is done, and it is going to be done, the debts of the private bankers will increase in value and every dollar of the same will be collected before the United States collects a dollar of its principal debt. It will be remembered when this question was first raised Mr. Mellon himself wanted to have entire control of this refunding proposition. The administration wanted him to take entire control of it. If he had entire control of it he could regulate the rate of interest, when payments should be made, and how long a time they should be postponed. He wanted it all in his own hands.

In submitting this question I do not for a minute impugn the honesty and integrity of Mr. Mellon. His life and character as a private citizen and as a public man, from what I have read of him, seem to be above reproach; and yet, being moved by self-interest, as all humanity is, he can not disassociate himself from Mr. Mellon as an owner or an interested party in these private debts and Mr. Mellon as a representative of the United States Government. As such owner or interested party his interests first, last, and all the time will be to collect his debts first. This is natural. Self-interest has been from the beginning of time and will be until the end of the human family the first concern of all men. In The Last of the Barons a colloquy is recorded in regard to the purpose of King Edward, who was trying to increase his power abroad and to repair what he has lost in the eyes of Europe, through his marriage with Elizabeth Grey, by allying his sister Margaret with the brother of Louis XI, when one of Bulwer's characters said:

> He was not overpleased with this French marriage making, and asked: "What will become of our trade with Flanders—answer me that, Master Stokton? The House of York is a good house, and the king is a good king, but trade is trade. Every man must draw water to his own mill.

Every State of the Union has enacted statutes providing for the disqualification from interest from the humblest officer in the smallest division of the State to the judge of the highest court.

There is not a court of last resort who would not hold, if Mr. Mellon is interested as indicated and the issue is properly presented, that he is disqualified.

There is not a judge on earth who would not rule that a juror who was thus interested in a case was disqualified.

There is not a judge of any important court in this Republic if thus interested in a case pending before him who would not disqualify himself.

The President would not appoint Senator SMOOT if he owned or was interested in any of these private obligations. He would not appoint Mr. BURTON if he was likewise interested.

I do not believe he would knowingly appoint Mr. Mellon as a member of this commission if he knew he owned or is interested in any of these private obligations.

There is no rule of law laid down in any law book which has ever been written which would authorize Mr. Mellon to be a qualified member of this commission if he is interested as I have indicated, with one exception, and that is the one known to the law as the "rule of necessity."

If the President could not get anyone else in the country to act who was qualified under the law, then under the "rule of necessity" the President would be authorized to appoint Mr. Mellon.

For instance, when a member of the Supreme Court of the United States has any interest in a case or any of his kinfolks within the prohibited degree have any interest, he declines to preside. In an extreme case there might come before this court a case where all the members of the court were disqualified from interest or otherwise, in which event, there being no law to appoint a judge pro hac vice for this court, there would be no qualified court to try the case. Then under the "rule of necessity" the members of the court could preside, notwithstanding their disqualification.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. LEE of Georgia. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. BRAND. In the Senate a short time ago Senator BORAH, in discussing this question, said:

> Mr. President, I was going to say that in a conversation a few days ago with a gentleman, perhaps well known to all Members of the Senate, a man of national reputation, whose name possibly I am not privileged to use in public discussion, a man who has just returned from a four months' stay in Europe, he said the only place he knows of where the payment of this debt is still discussed is in the United States; that in the chancelleries of Europe, among the bankers of Europe, among the business men of Europe, among the economists of Europe, it is considered that the debt will never be paid, and that it is simply a question of postponing the settlement until, as they say, the public mind of America will accede to the wisdom of canceling the debts.

I concur in this view, because I do not believe there is a man in this House who will live to see any part of the principal of these debts paid.

If section 243 disqualifies Mr. Mellon from acting as Secretary of the Treasury—and from this conclusion there seems to be no escape, and there certainly has been no answer to this point raised by Senator WATSON—then he can not act on this commission. If this statute is to be ignored and treated as a dead letter, then, I insist in all seriousness and fairness, an investigation ought to be had to determine whether Mr. Mellon is disqualified from acting as a member of said commission from interest, because it is manifest in his case that the "rule of necessity" can not be invoked.

If anything is willfully done or left undone by those who may be charged with the collection of the loans which this country made to the European nations whereby these loans are not collected or the payment of the same is indefinitely postponed, those who are parties to this calamity will go to their graves disgraced and dishonored and with the scorn and curses of their fellow countrymen, and history will brand their memory with the mark of eternal infamy. [Applause.]

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. BRAND. Yes.

Mr. STRONG of Kansas. I want to say that my friend [Mr. STEAGALL] is very much mistaken. The fact is that Mr. Lever and Mr. Lobdell never had any meeting with any member of the steering committee. We disagreed in the Committee on Banking and Currency as to how much money was necessary to deposit with farm loan banks to make them function. Mr. Lever and Mr. Lobdell, as members of the Farm Loan Board, were sent for, and they agreed in my presence that $25,000,000 was all they needed. And we appropriated that amount and the system has functioned.

Mr. BRAND. The thing had been fixed before they ever saw you.

Mr. MONDELL. Will the gentleman yield?

Mr. BRAND. I will.

Mr. MONDELL. I would like to bear testimony in this matter. Both Mr. Lever, for whom I have a high regard——

Mr. BRAND. I have, too.

Mr. MONDELL (continuing). And Mr. Lobdell came to my office and without any persuasion on my part told me that the sum of $25,000,000 would meet the situation and care for it and provide all that was necessary. And that their judgment was sound has been proven by the facts.

Mr. BRAND. The people of my district have been trying for nine months to get what they need and applied for from this sluggish Federal Farm Loan Board here in Washington and the bank at Columbia, S. C., in order to save themselves from bankruptcy. It is silly to claim that this system as operated has been equal to the emergency. In one county of my district there were advertised for sale last month 35 farms for State and county taxes. The bank at Columbia claims it has not had enough money to supply the demands. This bank went so far as to notify some of the loan associations not to make any more applications for loans. And yet we are told that $25,000,000 was all the country needed. This statement is not true. We not only need more money, but we need to vitalize, if not revolutionize, the present operations and activities of the system, particularly of the bank at Columbia, so that, whatever may be the cause or whoever may be guilty of negligence, there may be an end to the inexcusable and intolerable delay in granting loans. [Applause.]

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. ANDERSON. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. WOOD].

The CHAIRMAN. The gentleman from Indiana is recognized for 15 minutes.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, criticism, ever alive, is always more active in periods of depression. When we have not got anything else to do we busy ourselves by criticizing. Much criticism is heard now throughout the land, and some of it is not founded, certainly, upon fact.

I wish briefly to advert to the criticism that we hear that not enough has been done or is being done for the soldiers of the World War. I wish to invite the attention of the committee for a few moments to some of the facts of history in order that we may make comparisons, because it is only by comparison that we can have intelligent thought as to what has been done and is being done by the Congress of the United

States for the World War veterans, all of whom we respect and all of whom we desire to honor.

It was two years after the close of the Civil War before a single dollar was voted by the Congress for the benefit of the survivors of the Civil War. It was 25 years after the close of the Civil War before a pension in excess of $8 per month was granted to a survivor. To-day the minimum compensation received by a soldier of the World War is equal to what the maximum was for 25 years to the soldier of the Civil War, and after 60 years the greatest amount that a soldier of the Civil War can receive is $50, unless he establishes to the satisfaction of the Commissioner of Pensions that he is totally disabled, and then he may receive a pension of $72 per month. On the other hand, the maximum that we are to-day paying the soldier of the World War is $157 per month.

Mr. LINEBERGER. Mr. Chairman, will the gentleman yield right there?

Mr. WOOD of Indiana. No; I can not yield.

The Spanish-American War veterans for 20 years after the close of the Spanish-American War were allowed only $30 per month for commissioned officers of the rank of lieutenant colonel and higher rank who were totally disabled, and $8 per month for noncommissioned officers and privates who were totally disabled. Spanish-American War veterans are now limited to a maximum of $30 per month and a minimum of $12 per month, depending upon the degree of disability.

It may be interesting to call the attention of the committee to the amount of money that the American Congress since the beginning of our Government has appropriated as pensions and compensations:

Table showing total amounts paid to soldiers of the various wars in which the United States has been engaged from 1790–1917.

Revolutionary War	$70,000,000
War of 1812	46,094,572
Indian wars	20,017,919
Mexican War	54,471,001
Civil War	5,749,030,456
War with Spain and Philippine insurrection	76,000,000

It is well also to take into consideration, when we are comparing and contrasting the amount that has been paid by the American Government to her protectors, what we have paid in comparison with what other Governments are paying, and for that purpose I have compiled the figures showing what our allies have done in this war, as follows:

Rates of pay for enlisted men.

	Per month.
Great Britain	$11.40
France	1.50
Japan	1.78
Italy	1.58
United States (if overseas, $33 per month)	30.00

Comparative table of annual pensions of allied countries in comparison with compensation paid by United States, per annum.

TOTAL PERMANENT DISABILITY (MAN ALONE).

Great Britain	£104
(Value in United States dollars, $376.48.)	
Canada	$600
(Value in United States dollars, $540.)	
France	francs 4,000
(Value in United States dollars, $314.)	
Italy	lire 1,260
(Value in United States dollars, $55.44.)	
United States	$1,200

N. B.—In addition to compensation benefits above referred to, the United States also pays insurance. If ex-soldier becomes permanently and totally disabled, this policy matures and he receives such payments in addition to payments of compensation.

The allowances of various countries for the benefit of families of soldiers when they were in the war were these:

Allowances by the various Governments for benefit of families of soldiers while they were absent in the military or naval service.

	Per annum.
France	$50.14
Great Britain	202.36
Italy	11.24
United States	360.00

I now wish to invite your attention to some figures that show the operations with reference to the Veterans' Bureau and the amount of money that we have expended:

Principal operations as of Feb. 1, 1922.

INSURANCE.

Number of claims received	172,849
Number of claims allowed	150,971
Commuted value of claims allowed	$1,323,206,545.98
Amount paid in awards to date	$294,621,689.83
Amount paid out in January	$9,432,913.51

COMPENSATION.

Claims received	775,812
Claims allowed	388,069
Claims active	204,133
Commuted value of claims allowed	$13,158,758.32
Amount paid in awards to date	$310,149,892.17
Amount paid in January	$10,194,506.92

VOCATIONAL TRAINING.

1. Number of applications	508,726
2. Number entered training	138,524
3. Number now in training	104,923
4. Disbursements to date	$226,293,259.70
5. Disbursements in January	$15,012,960.75

HOSPITALIZATION.

1. Total number of admissions to hospitals to date		212,131
2. Number in hospitals:		
Tuberculosis	12,198	
Neuropsychiatric	8,833	
General and surgical	9,614	
Total		30,645
3. Disbursements for medical and hospital services		$105,655,210.91
4. Disbursements monthly		$6,500,000.00

Summary of expenditures.

Vocational training	$226,293,259.70
Insurance	294,621,689.83
Compensation	310,149,892.17
Allotments	300,947,327.60
Allowances	282,107,540.78
Medical and hospital services	105,655,210.91
Administrative	47,561,869.53
Total	1,567,336,790.52

The assumed liability of the Government by reason of insurance awards amounts to $860,154,495.65 in addition to amounts already paid.

The assumed liability of the Government by reason of the insurance awards amounts to $860,154,495.65, in addition to these amounts to which I have called attention.

Mr. LINEBERGER. Will the gentleman yield right there for one short question?

Mr. WOOD of Indiana. Make it very brief. I have not much time.

Mr. LINEBERGER. I think it is very important, and I should like to direct the gentleman's attention to the fact that a great many of these figures which he has presented are for insurance paid out, for which the men have paid.

Mr. WOOD of Indiana. I gave those figures, and it is a very easy matter to make the computation.

Mr. LINEBERGER. The gentleman has made no observation to that effect.

Mr. WOOD of Indiana. If the gentleman will allow me to proceed, perhaps I may before I get through.

Mr. LINEBERGER. The gentleman is disinclined to yield.

Mr. WOOD of Indiana. My time is very short. The United States has spent $1,567,336,790.52 for benefits for ex-service men and women; also $256,239,900 for the $60 bonus given each man on his discharge from the service. Also it has assumed a definite liability as concerns insurance awards for death and disability, exclusive of premiums received from soldiers and sailors, of $860,154,495.65.

The Government has spent and definitely obligated itself to date for ex-service men and women the sum of $2,683,731,186.17. Or in other words we have appropriated and obligated ourselves for the benefit of the survivors of the World War and their dependents an amount equal to one-half of what we have appropriated in 60 years to the survivors of the Civil War, and there were more than half as many engaged in the Civil War as were engaged in the World War.

I also want to call attention to some comparative statements showing the annual pensions allowed by different countries.

In Great Britain the total amount allowed for permanent disability is $376.48 per year; in Canada, $540; in France, $314; in Italy, $55; and in the United States, $1,200.

In addition to the compensation and benefits above referred to the United States also pays insurance. If the ex-soldier becomes permanently and totally disabled his policy matures and he receives that payment in addition to his other payments and compensations.

The United States has approved for vocational training 303,276 applications, and 104,923 are still in training. The minister of labor states that England under the labor ministry's scheme has approved 58,000 ex-service men for training and that 24,000 are still in training.

The United States has spent as much as both France and Great Britain combined for benefits in favor of ex-service men, despite the fact that the casualties of France and Great Britain were fifteen times greater than those of the United States. The English casualties were 1,400,000, with 9,000,000 men engaged. The French casualties were 1,800,000, with 9,500,000 men engaged. The United States casualties were 295,000, with 2,085,000 men engaged in warfare upon the other side of the sea. There were 4,000,000 men enrolled, but only 2,085,000 were at the front.

I have felt, in view of the criticism that is being made and continually made that the Congress of the United States is not doing what it should do for the survivors of the World War,

that it was only due to the committee and due to the country that these figures be presented and these comparisons made.

Never since the beginning of time has there been a republic more grateful to its defenders than the United States, and I hope the time will never come when the doors of the United States Treasury will be closed against the afflicted soldier, against the wounded soldier, and against those who are dependent upon them. I know that it is the duty and the desire of the generous-hearted American people that the utmost care be given to those who are in need by reason of the sacrifice made upon the altar of their country, but I do think it comes with bad grace for anyone, without knowing the facts, to criticize the American Congress and the American people as being niggardly in the treatment of those who served them on the battle front. [Applause.]

I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back one minute.

Mr. BUCHANAN. Mr. Chairman, I yield two minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Chairman, three and seventy years ago to-day there was born in the State of Kentucky a man child who became one of the glories of his generation. One year ago to-day all that was mortal of him was entombed in his beloved adopted State of Missouri. The record of his life was fresh in the memories of all of us who are here assembled, and even his personal presence is vivid in the recollection of practically every person who sits within the sound of my voice. In view of the eminent position which he occupied in the country, and particularly in this House, and in view of the affection and esteem in which he was held by all of those who are now listening to me, I trust there may be thought to be nothing inappropriate in expressing a fond and tender recollection of our beloved friend and statesman, the Hon. Champ Clark. [Applause, the Members rising.]

Mr. BUCHANAN. Mr. Chairman, I yield 10 minutes to my colleague the gentleman from Georgia [Mr. OVERSTREET].

Mr. OVERSTREET. Mr. Chairman, in the remarks I shall make I do not intend to reflect upon the members of the Farm Loan Board, because from what I know of this board as now constituted the services they have rendered in other fields of public endeavor entitle them to fair and courteous treatment at our hands. One of the distinguished gentlemen on the board is a friend of mine, and in recent years no one who has served in this House is held in higher esteem by the membership of this body than he. But the farming industry of this country is in a deplorable condition, as we all know, and I want to do something, if I can, to help relieve the financial distress among the people in my State.

The Congress in recent years has been responsive to the needs of agriculture, and in 1916, under a Democratic administration, there was passed a law known as the Federal farm loan act that established a firm basis for the development of agriculture. If this law is administered according to the intentions and purposes of the act it will prove most helpful and beneficial in meeting the financial needs of a great many of our citizens who, unless they get relief from this agency of the Government, are desperately, and I might say hopelessly, involved. There is no need for me to tell you that the situation is serious. Reports from the daily press would seem to indicate that business in certain lines is on the upgrade, but I can speak from an intimate and painful knowledge of conditions as they exist in my part of the country, and I declare to you that they are distressing beyond exaggeration. Pick up almost any newspaper published in Georgia and you will see farms upon farms advertised by the sheriff to sell at public auction for the payment of State and county taxes, and this has been going on for months and months. These people have land, live stock, farming implements, and almost anything else but the ready cash, and they can not get that. Some may ask, "Why do they not go to the banks and private money lenders and borrow from them?" The reply is the banks have no money, and what money the private lender had was loaned out long ago, and he can not get it back. That is the situation in Georgia, and my information is that practically the same conditions exist in other Southern and Western States. Upon investigation, I have ascertained that there have been 87 State bank failures, or suspensions, in Georgia since October, 1920, and they are still closing their doors. I am actually ashamed to say how many such failures have occurred in my own district during this dreadful period of depression. And not only banks have failed, but cotton factors, merchants, farmers, machinists, individuals, and so forth, and the bankruptcy courts are doing more business than they have ever done.

We think that the rapid deflation of our national currency was largely caused by the action of the Federal Reserve Board, and this brought about a great shrinkage in the value of all farm products; therefore we feel that we are justified in coming to another agency of the Government, the Farm Loan Board, for assistance.

The Federal farm loan act is an act "to provide for agricultural development." It says:

No loan shall be made to any person who is not at the time engaged in the cultivation of the farm or shortly to become engaged in the cultivation of the farm mortgaged.

It is clearly the purpose of the act to afford assistance to all those who comply with this simple requirement. In pursuance of the provisions of this act there have been established in different parts of the United States 12 farm land banks; and I cheerfully admit that these banks have given timely assistance to a number of persons who were fortunate enough to have their application for a loan approved. But where one person secures a loan a half dozen, perhaps, are turned down. These people are not asking charity of the Federal Treasury. They are only asking fair and equitable treatment at the hands of the Government they are helping to support.

In this connection, if you will permit, I will read an utterance made by a former Secretary of the United States Treasury. He says:

The American farmer is not a pauper seeking alms. Neither is he a ward of the Government, to be treated as an irresponsible child.

Up to the time of the passage of the farm loan act the system of farming credits in operation in this country was exceedingly cumbersome. It was so cumbersome that it would not furnish the kind of service the farmer required at any price; that is, it could not furnish loans on the long-term amortization plan. Also, the entire field of farm credits was without anything more than the most primitive, and therefore futile, regulations as to rates of interest and commission charges.

After an exhaustive study of the needs of the country, and after another exhaustive study of the credit system of the European countries, Congress decided to adequately finance agriculture as a great underlying industry essential to the life of the Nation.

Congress did not contemplate any petty remedy. It did not contemplate charity for the small farmer. It did not contemplate a special privilege for the big farmer.

But Congress did contemplate establishing a practical system of rural credits by which the farmer would be enabled to secure as a right—not as a favor—adequate funds at reasonable rates.

I will quote briefly from a speech made in the Senate February 3, 1922, by Hon. DUNCAN U. FLETCHER, of Florida, who, I understand, originated the scheme or plan embodied in the act I have been discussing. On that occasion the distinguished Senator spoke as follows:

The system was intended as a system of farm finance, based upon the cooperative principle, to be controlled by the farmers managed by them, and independent of private capital and independent of political influence.

Conclusive evidence has come to me to the effect that although the needs of the farmers of the country have never been as great as they are to-day for the use of the facilities provided by this act they have been denied the benefits which they were entitled to have and should have had if the act had been allowed its proper scope and function and operation.

A ready and plausible excuse can always be given by those selected to administer the law when they are called upon to give a reason why a certain application for a loan has been denied. To illustrate, the Farm Loan Board have been contending and still contend that sufficient funds are not available to accommodate all those who applied for loans, and for that reason they separated the borrowers into three classes. First, the farmer who lives on his farm and is engaged in no other occupation except cultivating the soil; second, the farmer who lives in a town or city, but is engaged exclusively in agriculture; and, third, a person while engaged in agriculture is engaged in other business enterprises in addition to that of farming. Those in the first class have been given preference in passing upon application for loans, and I can find no objection to this arrangement. But I want these farm land banks to accommodate every farmer who can furnish the security for a loan and comply with the provisions of the law. And that is the purpose of the farm loan act. It was not intended that these banks should single out a person here and there for a loan and turn the rest down because funds are not available. In the United States there are 6,449,242 farms. Of these, 3,924,851 are operated by the owners, 68,512 by managers, and 2,455,879 by tenants. The value of these farms, as shown by the last census, is a little over $54,000,000,000, and the value of the improvements thereon is over $11,000,000,000, making a total value of farms, with improvements, of over $65,000,000,000. It has been nearly six years since the farm loan act was passed and yet there has been loaned to the farmers of the whole country only $573,666,713—a mere pittance, a drop in the bucket compared to the actual needs and the value of the security they have to offer.

Under the act the money which is loaned to farmers is obtained by the sale of farm-loan bonds, which are issued upon the authority of the Federal Farm Loan Board, who are clothed with wide discretion and broad powers in issuing them. One trouble in administering the law has been the timidity,

you might say, of the members of this board in offering these bonds to the investing public for fear they would not be readily absorbed. And the members of this board have given that as a reason why loans have not been made in greater numbers to the farmers throughout the country. Only a few days ago, I understand, this Farm Loan Board, with some degree of trepidation, had issued and put upon the market $70,000,000 worth of bonds, and they were subscribed for in less than two days. I am trying to impress upon the Members of this House and upon the country that it is the solemn duty of this board, clothed with such broad discretion and almost unlimited powers, to exercise that discretion less grudgingly, and to have and to hold available at all times the funds necessary to supply the needs of the people this law was intended to benefit. Every day's delay puts out of business some good farmer who ought to be helped, and this is no time to procrastinate and experiment with this legislation. The law has ample safeguards to protect the Government, and I say let the Farm Loan Board sell enough bonds to take care of all the applications that ought to be approved, and in this way they will effectually administer an act of Congress that was made to serve a good purpose in a time of great need. [Applause.]

Mr. HARDY of Texas. Will the gentleman yield?

Mr. OVERSTREET. Certainly.

Mr. HARDY of Texas. Is it not true that if the bonds were issued to supply the market and the demands of all the landowners, that would help to increase the supply of a circulating medium, and indirectly in that way also lead to an added price of commodities?

Mr. OVERSTREET. It would greatly increase the supply of a circulating medium, because they would lend the money out to the farmers and that would materially help the circulation.

Mr. HARDY of Texas. That would again inure to the benefit of those who have things to sell, to the farmer, and thereby tend to elevate the market price and thus relieve the stagnation to some extent.

Mr. OVERSTREET. I think that would furnish considerable relief. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back one minute.

Mr. WASON. Mr. Chairman, I yield seven minutes to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER of Ohio. Mr. Chairman and Members of the House, I have asked for a few minutes to address the House at this time on a question which I believe of great national importance to the people of our country. The newspapers of Monday, February 27, published articles relative to the action taken by the executive council of the American Federation of Labor in attacking the Volstead law and calling upon the voters of the country to support only such candidates for Congress who would pledge themselves to the modification of the prohibition enforcement law in such a way as would permit the manufacture and sale of wine and beer.

Upon this question the statement of the American Federation of Labor council is as follows:

> We urge, therefore, that all citizens in every walk of life demand from their Representatives and Senators in Washington immediate relief from the restrictions contained in the Volstead Act, bearing in mind their attitude toward this issue in the coming election in order that there may be restored to the people light wines and beer.

INTERESTED IN LABOR LEGISLATION.

I have taken a great interest in the activities and efforts of the American Federation of Labor on behalf of the working people of the country, and while I have not at all times supported their views on legislation, yet I believe that my record in Congress will show that I have tried to be fair upon all legislation for the benefit of those who labor.

As one who has been a member of a labor organization for the past 20 years I can not subscribe to the action of the executive council of the American Federation of Labor in asking for the modification of the Volstead Act in order to permit the sale of wine and beer, and I believe that my attitude will be approved by a very large proportion of the men and women who are affiliated with the labor organizations of our country.

Mr. Chairman, I wish briefly to take up point by point the reasons given by the council of the American Federation of Labor in demanding the manufacture and sale of beer and wine. The council's action is based on the following claims:

1. A GENERAL DISREGARD OF THE LAW AMONG ALL CLASSES OF PEOPLE, INCLUDING THOSE WHO MADE THE LAW.

In answer to statement No. 1, I reply by saying that prohibition has not made liquor dealers lawless. They have always been lawbreakers. They started the whisky rebellion in 1794, and have been in rebellion against the Government ever since. The statement that those who made the law have great disregard for it is not borne out when we remember that recently both Congress and State legislatures have strengthened the prohibition law. Those who opposed prohibition in and out of Congress have for the most part kept up their fight against it.

2. CREATION OF THOUSANDS OF MOONSHINERS AMONG BOTH COUNTRY AND CITY DWELLERS.

Of course, everyone knows the moonshiner was on the job before prohibition. When the first revenue laws were enacted the moonshine business throve in order to furnish liquor without paying the tax and that the makers might make an easy living out of the liquor business. The increased value of whisky now may induce an increased number to engage in the hazardous business. If we are to repeal a law, however, because some people break it, every law on the statute books will be repealed. It must be remembered also that many of these moonshiners are criminals of other classes and transferred their efforts to this line because it proved more profitable.

3. THE CREATION OF AN ARMY OF BOOTLEGGERS.

Mr. Chairman, the bootleggers and the moonshiners are not as a rule creations from heretofore law-abiding citizens. They are former liquor dealers or criminals in some other line of activity. The reason why the bootlegger is so conspicuous is that selling liquor is a crime. When we had the licensed saloons statistics show that in many States there were more illicit dealers than in the same States after they voted for prohibition. The illicit dealer under license was not fought aggressively by the temperance people, because his suppression only meant more sale for the regular dealers. The regular dealer was afraid to oppose him because he feared the outlaw would retaliate on him. Nearly every one of the liquor dealers violated some regulative law.

4. AN AMAZING INCREASE IN THE TRAFFIC IN POISONS AND DEADLY CONCOCTIONS AND DRUGS.

Investigations show there is no evidence that there is an increase in the use of drugs due to the prohibition of liquor. Prohibition has not increased narcotic-drug consumption, is the verdict of the narcotic officials who were asked by Commissioner Haynes to investigate the subject, and in this they are corroborated by Miss Rose Rosenberg, woman district attorney of New York, who recently declared:

> Since prohibition there is a great decrease in the number of women appearing in the police courts. Less of them spend their evenings in barrooms or drug joints. Even some of the hardened women are dropping from the notice of the police, and we attribute this to the difficulty in obtaining both liquor and drugs.

Dr. Doane, of the Philadelphia General Hospital, is reported to have said:

> I have made a point of asking all drug patients if lack of alcohol has turned them to drugs, but have yet to find such the case. I can say positively there has been no increase in the use of drugs since prohibition.
> Alcoholic drinkers have not become drug addicts—

Is the testimony of William L. Woodward of a large Portland, Oreg., drug concern.

Commissioner Haynes says:

> Our experience clearly indicates that those who sought alcoholic stimulants do not turn to drugs.
> It has not been proven there is any connection between the dope habit and alcohol, nor has the eighteenth amendment caused an increase of addicts.

5. AN INCREASED RATE OF INSANITY, BLINDNESS, AND CRIME AMONG THE USERS OF THESE CONCOCTIONS AND DRUGS.

Of course, there is much blindness and probably some insanity caused by drinking bootleg whisky and denatured alcohol. The number of deaths from alcohol in most places has not increased in spite of the death of the unfortunate victims of wood alcohol. In New York City in 1917 deaths from alcohol were 568; in 1921, 119. These fatalities from wood alcohol are slowly teaching the people the dangerous character of liquor. With all of these deaths from wood alcohol, however, there is not one killed to-day by it to where half a dozen died through the use of liquor under the license system.

6. INCREASE IN UNEMPLOYMENT DUE TO LOSS OF EMPLOYMENT BY WORKERS IN 45 INDUSTRIES DIRECTLY OR INDIRECTLY CONNECTED WITH THE MANUFACTURE OF LIQUORS.

Mr. Chairman, a large number of these factories, breweries, and distilleries are now used for legitimate business.

At least 90 per cent of former saloon, brewery, and distillery property has been converted to legitimate uses. For example: National Capital Brewing Co., Washington, D. C., now Carry Ice Cream Co.; House of Correction, Ipswich, Mass., now a shoe factory; Coors Brewery, Golden, Colo., now making malted milk; Lone Star Brewery, San Antonio, Tex., now cotton mill; at New Orleans one brewery is now operated by Farmers' Co-

operative Rice Milling Co. (Inc.), and another brewery plant has erected a four-story chocolate products manufacturing plant and is planning to convert its brewing plant into fruit and vegetable dehydrating plant; the Manila-Anchor Brewery, Dobbs Ferry, is being run by Pacific Trading Corporation, which manufactures butter substitute; the Wahl-Henius Institute, Chicago, formerly devoted to research in connection with brewing industry, purchased by American Institute of Baking for research work; in New York City three famous old cafés have been leased by Nedick Orange Drink Co., they are Bridge Café, old Easter Hotel, and Miller's Café; Sherry's Restaurant, New York City, has become a candy shop.

Many of these places are reported as employing more men than before being converted.

7. INCREASE IN TAXES TO CITY, STATE, AND NATIONAL GOVERNMENTS AMOUNTING TO APPROXIMATELY $1,000,000,000 A YEAR.

Oh, yes; it is true there has been some loss of revenue. The people understood this when they prohibited liquor. They reached the conclusion that it is just as bad for the Government to take money from a business which debauches the people as it would be for a parent to take money from an individual who would drunkardize or debauch a member of the family. We can not build a great Nation out of blood money. There are many compensations for the loss of the revenue; less drunkenness, less crime and misery coming from the drink craze; increased wealth, health, and happiness.

WORKERS VOTE DRY.

Mr. Chairman, it is not the working people of our country who are clamoring for the return of the liquor traffic. It is a known fact that during the last six years whenever the question has been voted upon in industrial States and the great manufacturing centers, prohibition of the liquor traffic has been sustained by increasing majorities.

Some time ago the Literary Digest desired to learn the attitude of the workingmen regarding prohibition and sent out a questionnaire to labor leaders in the different States of the Union. The question asked was:

HAS PROHIBITION BEEN A BENEFIT TO THE WORKINGMAN AND HIS FAMILY?

Replies came from every State in the country, and 345 of the spokesmen of labor who replied stated unreservedly that prohibition has been a great benefit to the workingman and his family. Only 143 were of the opposite opinion.

I desire to read one or two of the answers submitted by union labor officials to the questionnaire:

STRONG FOR PROHIBITION.

One Washington union official declares that he has worked for prohibition in that State for 20 years and that his organization is unreservedly for prohibition. A Pennsylvania secretary claims that prohibition has been a great cause for clear thinking among the workers, and another Washington district organizer tells us that prohibition has developed independence in the worker.

An Illinois secretary says that he is not a "dry man," but that it is his honest conviction that "booze will ruin the best of men," and another Illinois union official from a coal-mining community gives as his interesting opinion the fact that in that vicinity they attribute the success of the coal miners' negotiations to the fact that prohibition was the rule. "It kept men's brains clear and kept a little money in their pockets while the negotiations were going on," he adds.

A Kansas official tells us that his organization believes that prohibition has been a benefit to workingmen and their families. Out in Montana, where "bad booze brings 50 cents a drink," a union secretary favors us with the following intergsting news:

HOW "WETS" WORKED.

"During the prohibition fight certain officials of labor unions, at the instigation and in the pay of the 'wet' interests, campaigned the State in autos, proclaiming that they represented a certain number of union men and women who were opposed to making Montana dry.

"Other members of the same unions, in several instances, inserted advertisements in the daily papers to the effect that the campaigners were representing nothing but their own interests and the interests of the persons who were financing the propaganda work."

From Texas comes the theory that "with booze gone and reason restored" the era of unrest will soon pass, while other union secretaries in New York and Michigan give identical statements to the effect that "since prohibition is in force the workers are capable of clearer thinking and do more of it. Consequently, the labor movement is sure to advance as private stocks and 'bootleggers' decrease." A Massachusetts secretary tells us that "money which formerly bought whisky is now buying happiness for the workingman's family."

GLAD TO VOTE DRY.

"Prohibition now, henceforth, and forever!" is the slogan of a New Orleans union official, and a Florida secretary declares emphatically that prohibition has been a benefit to workingmen and their families, and thanks us for the opportunity of voting. From Iowa comes detailed reasons why the majority of the executive board of the State federation of labor favors prohibition:

"Prohibition has been a benefit to organized laboring men and women. Trade-union activities are directed principally along two lines—the securing of better wages and working conditions, and legislation that will be beneficial to labor.

"If a union is to be successful in bettering the condition under which its members work and increasing their wages, it is necessary that the membership give the organization their cooperation and support. This can be done in no better way than by attending the meetings and taking an interest in affairs. Practically all business of the union originates in the meetings. In the days when the union meeting was competing with the saloon for attendance it was usually the rule that the saloon was more attractive to some than the union meeting. This fact alone deprived the union of a number of men who would have been active workers and whose counsel would have been beneficial. Many of the best workers we have in the trade-union movement to-day were a few years ago taking little interest in union affairs. You ask about their families. I take the position—and it is not original—that anything that is of real benefit to the workingman is of equal benefit to his family. I believe that a dollar invested in the home or for food or clothing is better for the family than the same dollar invested in liquor would be.

"Before prohibition became effective the wet and dry issue entered into nearly every political campaign in the Nation, State, county, and municipality. The result was that a great number of laboring men voted for a candidate who was wet or dry and paid little attention to his attitude on questions which were of vital interest to laboring men and women. It was a difficult matter to get laboring men to unite on a candidate who was fair with labor, as they were usually split by the injection of the wet and dry issue. We have now eliminated this question, and it will be easier to get our own membership aligned with candidates for public office who are fair when labor legislation is being considered. I believe that the future elections will show that to be a fact."

FAMILIES BETTER FED AND CLOTHED.

"We are now building homes for families and children with the money which we used to spend for whisky, and our families are better fed and clothed," asserts a California union official, and a Colorado secretary echoes this sentiment.

"God bless our prohibition leaders!" cries a Louisiana union official; "prohibition is a blessing to the workingmen of America." A Maine secretary believes that prohibition "protects the weak man or boy not only from himself but from his friends; it is making new men out of derelicts every day," he adds. One secretary from Massachusetts, who is for prohibition nevertheless, protests against the "bitter hop beers sold since 1914," and another Massachusetts union official "hankers for his beer," although he admits that "prohibition is doing a lot of good." The desire for beer is echoed by many other officials in different States, although each agrees that whisky and brandy should be under the prohibition ban. One secretary in Missouri, who represents 225,000 members, tells us that the majority are in favor of prohibition, and another Missouri assistant chief of police declares that "the more the workingmen see of prohibition the better they like it."

WHISKY A CURSE.

"Whisky has been a curse to the workingman," declares a New Jersey union official, and a New Hampshire secretary is glad that prohibition is being enforced, and asserts that it will "improve the morals of the workingman and raise his standard of living." Another New Jersey secretary votes for prohibition "with reservations," and believes that our digest "will lead to a better understanding of this important question, and that in handling it you will have accomplished a great work." Says this man, who tells us he represents the attitude of the majority of the 30,000 workers in his organization:

"There can be no question but that prohibition is beneficial to workingmen and their families. Still its enforcement appeals to our men as an infringement on their personal liberties. It also seriously affects thousands of workers who for years have made their living in breweries, saloons, and kindred places. Some of these men may be able to adjust themselves in new employments in many instances, while others will find it next to impossible to do so. We find that our men want prohibition for their children, but not for themselves."

SALVATION OF UNION LABOR.

"Prohibition means the salvation of union labor," we are told by a business agent of the Shipping Union of California, and a Montana secretary submits the interesting fact that 6,000 workingmen in his State voted themselves dry and would not care to go back to the old conditions. "Many notorious drunkards have paid up their debts and are now well dressed, happy, and contented," he adds. "The passing of the saloon is welcomed by all," agrees a New Jersey union official, and a New York secretary declares that its passing has meant to the laboring man "better health, a happier home, and more comforts for his children."

We are told by a union secretary from New Jersey that "outside the Declaration of Independence the prohibition amendment is the best thing that has happened to this glorious country." From Alabama, Illinois, Washington, and Massachusetts come statements to the effect that crime has decreased during the era of prohibition. A union official of Portland, Oreg., declares that while the organization of which he is the secretary is made up of Greeks, Italians, Turks, and Negroes, "they are unanimously for prohibition." A Montana secretary tells us that 95 per cent of the organized workers are benefited by prohibition, and a Washington secretary of an international union wishes to go on record as saying that "prohibition has been one of the greatest blessings to the workers, and that they are truly grateful for it." In conclusion, he adds, "in making this statement I speak for the great majority."

THE REAL PURPOSE.

Mr. Chairman, what is the real purpose of the agitation for light wine and beer? It is nothing more nor less than an attempt to resurrect the legalized liquor traffic, with its inevitable trail or misery, want, and crime. It would be only the opening wedge. If beer and wine are only the harmless beverages that their advocates claim, does anybody honestly think that those who crave intoxicating drink would be satisfied? Of course not. They would still insist on their whisky, their brandy, and their gin.

How could the sale and distribution of beer and wine be regulated? Is it proposed to permit the traffic in these liquors indiscriminately in public places, restaurants, hotels, and cafés, and throw the cloak of respectability about the business, thus making it an even greater temptation to young men and women than the old-time saloon? Is it proposed to permit the sale of beer and wine over the grocery-store counter and encourage the use of alcohol in the homes?

No; this Nation knows that the liquor traffic can not be regulated. Years of experience all over the country have proven

that. It always has defied the law of the land, as much or more before prohibition as since. Traffic in beer and wine would only vastly increase the opportunity for the sale and use of illicit hard liquors and bootleg whisky. The country would be far worse off from the standpoint of prohibition enforcement than it is now even if the present laws are being violated as generally as the advocates of beer and wine contend. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BUCHANAN. Mr. Chairman, I yield 15 minutes to the gentleman from South Carolina [Mr. STOLL].

Mr. STOLL. Mr. Chairman, the condition of the country since the close of the World War, and the slowness with which we have returned to normal conditions, have been cause for deep concern to all. While a reaction was due to follow this cataclysm that affected the world, it was confidently expected that America would be able to rapidly readjust herself. But this was an error. Unfortunately, at the close of the war and since, the Congress has been in control of the Republican Party and the policies pursued have been both ill timed and ill conceived. It has been a case of the blind leading the blind. The country has continued to grope its way in darkness through a labyrinth of business depression and general confusion, and our ship of state has been as an unmanned barque on an unknown sea. The Republican Party, true to form, set out to legislate for the special interest, unmindful of the crying needs of the masses, with the result that the country is still suffering, and as yet no relief is in sight. Great promises were made, the so-called great minds were called into conference, a great hue and cry were made to chase away the bugaboo of hard times, the Congress was called in extra session, and with great ado and pomp proceeded to do nothing.

The people are dissatisfied, millions are without employment, financial ruin is staring hundreds of thousands in the face, chaotic conditions are existing in many sections, our strong young men who answered the call in time of war and fought our battles beyond the seas are apparently forgotten and many are unable to get employment.

In the meantime the country is suffering, and it will continue to suffer until Congress turns its back on the insistent demands of the special interest and seeks to find a solution of the troubles of the great mass of the people who are murmuring under their present-day burdens.

In seeking to find the real problems that confront us and the proper solution of them we frequently go far afield in our search, and oftentimes undertake to remedy a supposed trouble of the body politic before we ascertain the truth concerning it. A country as big as ours of necessity has manifold resources, and the development of these various resources makes many problems. There are problems peculiar to different sections of the country, and they each in turn present problems, some small and some large, some local and some national.

It is the duty of the Government to promote certain commercial or business activities for the common good, and it is equally the function of the Government to regulate certain commercial or business activities for the protection of the Government. For instance, any business that grows so big that it absorbs all competition and arbitrarily undertakes through its monopoly to control trade for its own selfish ends and to the detriment of the masses of the people should properly be regulated by the Government through salutary laws. This is supposed to be a Government of the people, and as such should so function year by year as to make possible living conditions that guarantee a prosperous and happy people, and which compel all agencies that function under it to stay all operations that work an injustice on the whole people for the benefit of the few. Interference by the Government with private business is not desirable and should only be done when the public welfare demands it; but when it becomes necessary to do so to safeguard the interest of the people, then we should not hesitate to act. This Government must be kept a Government of the people.

In order to keep this a Government of the people and at the same time make possible a minimum regulation of private business it is necessary for the Government to promote certain commercial or business activities for the common good.

There is a particular business that needs attention and which has long been neglected that I desire to call to the attention of the Congress, with the hope that some efforts will be made to establish a new basis on which it can be operated. I refer to the business of farming. There are some who are always ready to decry any legislation that refers to this particular interest, on the ground that it is class legislation. This is untenable. The farming interest is so large that it touches every other industry and directly affects every individual.

I can not conceive of legislation that benefits the farming interest that can be unfair to the balance of the people of the country. Agriculture is not sectional; if the farmers are prosperous, the balance of the country will be prosperous also; and legislation which helps the condition of the farmer helps also the rest of the country, and therefore can not be properly designated as class legislation.

The census of 1920 gives some valuable information relative to our agricultural operations, and it is advisable for those whose business it is to legislate to study this most interesting compendium. In it we find that there are 6,448,343 farms in the United States. By "farms" is meant a given acreage of land which is farmed by one person directing agricultural operations by his own labor or by assistance of others. A farmer, according to the census definition, must direct the operations of his farm, and does not include owners of farming land cultivated by others under rent contracts. Of these farms 3,925,090 are operated by owners, 2,454,804 by tenants, and 68,449 by managers.

The total acreage in farms in 1920 was 955,883,715 acres, and of this 503,073,007 acres were classified as improved land. The average acreage per farm was 148.2 acres. The value per farm is fixed at $12,084. It is interesting to note that of the total number of farms 796,535 have an average of less than 20 acres each, that there are 1,503,732 farms with an acreage between 20 and 49 acres, and that of farms with acreage of 50 to 99 acres there are 1,474,745. This means that of all the farms in the United States more than one-half of them, or to be exact 3,775,012, are small farms of less than 100 acres, and that of this number 2,300,267 are farms of less than 50 acres. In other words, more than one-third of the farmers of the United States are small farmers, and tend less than 50 acres of land. It is also worthy of note that there are 261,719 farms that are operated by females, and that of the total number of farms in the United States in 1920, 76.3 per cent were operated by native white farmers, 9 per cent by foreign-born white farmers, and 14.7 per cent by colored farmers.

Of the total farms in the United States operated in 1920 by their owners, 1,416,306, or 37.2 per cent, were mortgaged, while in 1910 census 33.2 per cent were reported as mortgaged. These figures do not include the farms operated by tenants of managers; if these were included it would probably bring the per cent of mortgaged farms up to about 50 per cent. Of the total number of farmers reporting a mortgage, only 1,193,047 gave the amount of the debt, which in the aggregate amounted to $4,003,767,192. On this same property the value was placed at $13,775,500,013, showing the property to be mortgaged to about one-third of its value.

These statistics show how big the farming industry is, how necessary it is to the Nation, and the general condition it is in, and it behooves the Congress to consider it the first big business of the country and to treat it accordingly. When we stop to reflect that there are nearly 6,500,000 individual farmers in the United States and there are more than 12,000,000 men who are engaged in this work; that the permanent investment of these farmers in land and equipment amounts to approximately $80,000,000,000, and that the output of these farms is worth $25,000,000,000 annually, can we longer dispute the right of the farmer to demand the necessary legislation to safeguard his interest?

To properly equip his farm so as to successfully produce the soil crops and raise his live stock, the farmer must annually purchase great quantities of manufactured material, and to enable his family to enjoy the comforts to which they are entitled he must purchase on the open market wares and merchandise of all kinds. This means, in the aggregate, an expenditure of many billions of dollars. For the farmer to purchase on the market as his needs require, he must be prosperous. And to be prosperous he must get a fair price plus his cost in putting his products on the market, otherwise he will have nothing with which to buy, and in the proportion that he fails to realize a profit on his produce the general business of the country suffers.

In considering the business of farming there are three primary questions that must be given consideration, namely, production, transportation, and marketing. Neither of these questions have been given the attention to which they are entitled. They are interwoven each with the other and bear on the general question so proportionately that each must be solved in order to reach the farmer's basic trouble. And until it is done we need not expect peace, happiness, and contentment to abound; when solved we may expect an era of unprecedented prosperity.

The first problem that confronts the farmer is production. He must produce intelligently and economically. In other

words, he must produce that for which there is a market; he must produce only in such quantities as the market requires; and he must produce as economically as possible.

In considering the question of production, if we give it intelligent consideration, we must take notice of irrigation and drainage, both of which are most important adjuncts of cultivation. One of the greatest expenses of farmers is the failure of his farm to produce. To prepare his soil, plant and cultivate, and then fail to make a crop is most disastrous, yet it frequently happens, and in this way heavy financial losses annually befall the farmer. There is uncertainty as to what the yield of his fields will be, as he has to depend entirely upon what the seasons will be. In certain sections there is too much moisture, and in other sections there is too little. It is, therefore, of paramount importance that the dry zones should be irrigated and the moist zones should be drained. If this is done, the farmer can plant with a reasonable assurance that he will get a fair yield. To irrigate and drain properly there must be Federal aid. Already forward steps have been taken in irrigating the arid areas of the West, but to date nothing has been done to drain the fertile lands that are now useless for cultivation because of an excess of moisture. In the South nothing has been done by the Federal Government to aid in making the swamp lands fit for agricultural purposes, while in the West the Government has been reclaiming arid lands by irrigation for two decades. In the South there are millions of acres of swamp and low lands that are now unfit for cultivation that would be the most productive of our farm lands if properly drained. In my own district there are thousands upon thousands of acres of land that do not yield revenue sufficient to pay the taxes on it, and yet this same land if drained would produce abundantly. Our rivers are as crooked as the proverbial ram's horn, and so sluggish that they fail to act as drainage basins to any appreciable extent. If these rivers were straightened and the beds lowered a few feet they each would drain great areas that are now useless swamps.

The real problem of reclaiming our swamp lands by drainage is a financial one, and the Federal Government is the only source from which adequate aid can be secured. To drain successfully large areas must be included in any given drainage basin, and this means large expenditures, so large in fact that few drainage projects in my section have been successfully financed. The average drainage district in South Carolina, in which a small creek is the drainage basin for the area to be drained, the average cost is about $20 per acre. To drain 50,000 acres means, therefore, an expenditure of $1,000,000. This presents a financial problem not easy to solve, and unless provision is made for Federal aid, by which the landowners can borrow the necessary money from the Government on a plan that permits amortization to extend over a period of years, these swamp lands will ever remain as they now are—a liability rather than an asset to the farmers who own them.

And in this connection I desire to call attention to the Bankhead bill, H. R. 6048. Under the provisions of this bill a great forward step would be taken in developing our natural resources, and would make possible the drainage of thousands of acres of land that are now useless, but which once drained would prove among the most fertile lands known to agriculture. To my mind it is most expedient at this time to enact such legislation. To reclaim our rich lowlands would make it possible for the farmer to produce at a reduced cost of production. He could plant with more definite ideas of what his yield would be, for with drainage his hazards would be materially lessened. Not only would the farmer be benefited but the country at large would also be benefited in the general prosperity incident thereto accruing in the savings in cost to producer and in cost to consumer.

It is rather remarkable that our Government has given so little attention to drainage, and it is as inexcusable as it is remarkable. Drainage statistics were gathered for the first time with the taking of the last census. Only 5.5 per cent of all the lands in the United States is provided with sufficient artificial drainage to benefit it for agricultural purposes. To-day 40,000,000 acres of our land need drainage. And yet the question is not apparently receiving serious consideration, despite the fact that the average cost of draining in the United States is only $6.64 per acre as against $26.80 per acre for irrigation. The value of the crops raised on irrigated lands of the West in 1919 was $800,000,000, or an average of $76.41 per acre. With the climate of the South and the natural fertility of its soil as factors the drainage of its lowlands is a better agricultural proposition than is irrigation of arid lands, and it is a crime that its sectional location should have caused Federal aid to be denied all these years to the most fertile, if drained, agricultural lands in our country.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. STOLL. Yes.

Mr. ARENTZ. Would it not be well for the gentleman to mention the fact that in addition to the cost of six dollars and some odd cents for drainage, in the lands of the South, there is also a clearing charge which must be met and which is a much larger item than even the cost of drainage?

Mr. STOLL. That is true, but that is a question which will solve itself.

Mr. ARENTZ. That must follow the drainage, because without clearing the drainage would do no good.

Mr. STOLL. Oh, there is a great deal of land that needs drainage, that is already cleared—a great deal of it.

Of all businesses farming is the biggest and it is also the most important, and yet it is the most loosely run. The farmer takes more chances, does more disagreeable work, works longer hours, takes less vacation, undergoes more hardships, gets the minimum of thanks for what he does, is given more promises, is humbugged by more people, swindled more in the marts of trade, and gets less for his year's work than any other business man in the world. And there is a reason for it. Scattered here and there throughout the country he plants, cultivates, harvests, and markets his produce almost wholly independent of his fellow farmers. As a result they are unconsciously antagonistic one to the other and frequently what one does is detrimental to the interest of his neighbor. The great majority of farmers plant without any knowledge of what the market conditions are and without any idea of what will be realized in money from the sale of their produce. There is absolutely no system among them and the law of supply and demand is utterly ignored, primarily because of the farmer's isolation from his fellow farmers and his inability to obtain the necessary information on which to plan and work out successfully these economic problems.

A farmer plants for two purposes—to supply his own needs and to exchange his surplus and raw material crops on the markets for its equivelant in money. He plants with the idea of selling the bulk of his produce on the market. Our lands are fertile, our farmers hard working, and the crops raised by them are abundant, and yet the great majority of our agriculturists are needy and very few really make any money. At best the average farmer gets only a poor living for himself and family. To-day farming is not a profitable industry. That this is the case shows that there is something radically wrong.

The question of farm production is one that should receive our most serious consideration. It is not merely a question for the individual farmer, but it is one for the Nation. It is too big a proposition for the individual farmer or a group of farmers to undertake to solve. The individual producers of a given farm product can not even begin to solve the problem of production, and even one State of a belt of States that grow a certain farm product can not of itself successfully solve it. There must be a united effort of all growers of a given product along stated plans in order to effect any results. Of all businesses farming is the only one where billions of dollars worth of stuff is placed upon the market every year without any thought as to the demands of the markets. Farmers alone blindly produce, blindly throw their produce on the market, and blindly accept the buyer's price as the market value of their produce. Manufacturers of leather goods, cotton goods, woolen goods, farm implements, and so forth, manufacture according to orders received for their product or upon accurate knowledge as to what supply the market will demand. A farmer plants his crop without knowledge of what the supply on hand is and not knowing what the demand for his product will be. He just trusts to luck and plants. If the seasons are bad generally for a given belt and the yield is small, perhaps he realizes a fair price for what his farm produces. But if it is a good crop year, and usually it is, he finds that there is an overproduction and he is forced to sell for what he can get, and frequently finds out that he can not sell at all. But even when he can find a market he frequently has to sell at a price that is below the cost of production, and he gets no interest on the money he invested in his farming, no wages for the work that he did, and often finds that his capital is impaired as a result of his year's farming.

For the farmer to get what he is rightfully entitled to there must be some new rules in his economics. For a farmer to be a business success he should realize a sum that would represent a fair interest on the money he has invested in farming lands and equipment; a sum that would represent a fair wage for his daily labors, and then a sum that would represent a fair profit on the output of his farm. He is entitled to this, and when he fails to get it, his business can not be considered successful. As it is, however, the average farmer does not even get a profit on what

he sells. There are many expenses incident to planting, harvesting, and marketing a crop, or to raising and marketing live stock, or to producing whatever goes to the market from the farm, and the farmer should get a reasonable profit above what it cost him. To do this there is one eternal law of economics that must be observed, and that is the law of supply and demand. To realize a fair price there must be a healthy demand, and in proportion that the supply is greater than the demand in that same proportion will the price decrease.

To observe the law of supply and demand there must be some source that will give information and intelligent direction to the farmer. This can not be done successfully by county or State bureaus because its scope is too restricted. Therefore, if it is done, it must be done by an agency of the Federal Government. It is the duty of the Congress to establish such an agency and see that it functions properly.

The second problem of the farmer is transportation. There is little demand for a farmer's produce on his farm; he must get it to the market, and the transportation of his produce is one of the most serious of his problems. There are three methods of transportation. The first is to the local market over the county highways; the second is over the railroads; and the third is over the waterways.

The highway that connects the farmer with the local market and shipping point is very important, though in this discussion it is secondary. It is sufficient to say that the aid that the Federal Government is giving to the States in building its highways is giving a great impetus to road building, and that if the progress that has been made in the last few years continues we will soon have comparatively good roads throughout the Nation. By all means the present policy of Federal aid to the State highways should continue, and every effort made to encourage the States to build permanent roads.

Rail and water transportation is a more serious problem and one which should receive immediate attention. The policy of our Government to foster the railroads to the detriment of the waterways has proven most disastrous. I am not hostile to railroads and am not adverse to legislation to aid them in solving their transportation problems, but I am unalterably opposed to the present policy of strangling inland water transportation in order to give the railroads a monopoly. Nature has given us many rivers that could be made navigable and which would give outlets to isolated sections and make possible a general development. In many sections profitable water transportation can be acquired by canals, and on the Atlantic seaboard, from Maine to Florida, untold development is possible through the perfecting of the intracoastal waterway projects. By cutting a few short canals, notably connecting Conway, S. C., with Wilmington, N. C., and Georgetown, S. C., and Charleston, S. C., inland transportation by water would be possible from the Gulf to New England. This would mean the cheapest possible transportation, and the freight rates which are now so prohibitory would of necessity have to be reduced by the railroads.

Water transportation by means of light-draft boats would be most economical. While it would be slower than by rail, the economy of it would make it worth while. Nonperishable goods can be shipped as well by boat as by rail, and the saving that would result in this cheaper mode of transportation would revolutionize business. To continue our present policy of neglecting our waterways in order to give the railroads a monopoly of the freight of the country is suicidal. Our inland waterways should become great carriers of freight, and if sufficient appropriations were made to open these natural highways of commerce between the States and protection withheld from the railroads in discriminating rates one of the country's real problems would be solved.

One of the principal causes that brought about the bankruptcy of the farmer is the high freight rates that they have been compelled to pay the railroads. It is estimated that the farmer purchases almost 50 per cent of all products of this country, and that they furnish about 40 per cent of the transportation. With the farmer buying and selling this large per cent of the country's produce, and having to pay the confiscatory rates that are now charged on all freight shipments, there is no wonder that he has reached a condition that borders on collapse. One cheek of the farmer is slapped when he buys and the other cheek slapped when he sells, and now he has no other cheek to turn, and from now on he is proposing to fight it out with all who conspire to his undoing. The farmer is in reality the foundation of our national prosperity, and in proportion that he is depressed in the same proportion will the country be depressed. He can not prosper when the railroads are paid more for hauling his produce than he receives for producing it. As it is, he is a vassal to the railroads. The Congress should act, and the most direct way to remedy the existing wrongs of interstate transportation is by developing our inland waterways.

While the development of our inland waterways is most important and its direct bearing on interstate and intrastate commerce can not be overestimated when considered from the viewpoint of the interest of the producing and consuming masses, still, to get the relief that the country is entitled to, the railroads must be compelled to adjust their freight rates. Farmers who specialize in truck, dairy products, and so forth, must rely on the quick transportation that the railroads furnish, for perishable stuffs must of necessity get a quick market. But it is poor business to both the farmer and the railroads for the freight and express charges to be greater than the selling price of the commodity, for when the farmer pays more freight than his product is worth he will quit shipping, and in the same proportion will the business of the railroads decrease. It is therefore urgently necessary that something be done at once to lower the tariffs that the farmer has to pay on freight shipments. Once the question of transporting the produce of the farmer to market on a fair and equitable basis is solved, a great barrier that now obstructs his road to prosperity will be removed and the first forward step in reducing the high cost of living will have been taken.

For the farmer to really prosper he must not only be assisted by the Government in producing economically and in accord with the law of supply and demand and in getting his produce to market at a reasonable cost, but he also must be assisted in marketing his produce in a business way. And the only way to do this is on a cooperative marketing plan. For this to be done successfully by the farmer it is necessary for the Federal Government to assist. Loans must be made available to cooperative marketing association so as to properly finance them. Farmers' marketing associations are not incompatible with the common good, for they can be so regulated as to protect the consumer. To the farmer they are absolutely necessary if he ever expects to sell in a businesslike way the produce which his farm yields him. The farmer of to-day takes the price fixed by the purchaser of his commodity; I hope the farmer of to-morrow will be able to fix his own price on what he sells. Other business men do, why not the farmer? To do this successfully he can not act independently or without due consideration of existing market conditions. The growers of a given farm product must act together, otherwise they will be at cross purposes, and thereby fulfill the prophecy that a house divided against itself must fall. Cooperative marketing means business methods applied to selling of his produce by the farmer.

I want to recapitulate what I have tried to give expression to in these remarks—that the Congress can by legislation give help to the farmers, and, I believe, very materially, in the following particulars:

First. Assist the farmers in regulating production, so as to keep within the well-defined rules of supply and demand, by furnishing them through Federal agencies accurate information as to the supply of every known farm product at the time of planting and the probable demand at the time of harvest, with an estimate of the acreage necessary to produce a reasonable supply.

Second. Assist the farmers in reducing the cost of production by Federal aid in irrigating arid areas and draining moist lands, thereby making possible to a reasonable certainty the yield farmers may expect on acreage planted and reduce to a minimum the loss now incident to too much or too little moisture.

Third. Continued assistance to the States in building good roads, thereby aiding the farmer in getting to the local market and shipping point his produce with the least possible delay and at the smallest expense.

Fourth. Necessary legislation to provide a system of inland waterways that will make available all navigable inland waters for purposes of transportation by means of light-draft boats, and thereby reduce freight tariffs.

Fifth. Regulation of railroad freight rates so as to guarantee fair rates to the shipper.

Sixth. Necessary legislation to provide loans for financing farmers' cooperative marketing associations, thereby making it possible for the individual farmer to operate in harmony with his fellow farmers in marketing his produce on a business basis that will give him a fair profit on what his farm produces.

This outline of legislation contains nothing revolutionary and would prove, if enacted into law, salutary upon the whole country. I am firmly convinced that if legislation as I have outlined were enacted wide development of the farming industry would result. Conferences and propaganda may have their proper place and may do some good, but what the country now needs is some affirmative action. The farming interest can not longer be made secondary in the scheme of restoring this country to normal conditions, for of all our industries the farming industry stands first in its need for legislation that will rehabili-

tate it. The work done by the farmer is most unique, for he creates. The manufacturer of cotton, wool, and leather depends on the farmer for his raw material and upon mother earth for the fuel or waterpower to run his machinery with which to manufacture it. The great steel and iron industries dig from the bosom of the earth the raw material that they manufacture into the finished product. For millions of years old mother earth has been storing for the kings of industry fuels and ores that make possible these great industrial plants. But not so with the farmer. He must dig, plant, and cultivate; he must take the hazards of the seasons and risk the ravages of insects and pests; his work is that of making fertile the spots that are barren, of transforming waste lands into fields of production, of cultivating from the sprouted seed to the fruition of harvest, of creating from the soil the substance for the world's millions.

I want to see prosperity return again to America, not to one section but to all sections, not to one industry or class but to all industries and to all classes. But the needs of my people—the people of my district and of my State I know more of, and it is them that I especially would serve. They have suffered long and as no other section of our land has suffered, and long have they looked for the coming of the day when they would shake the shackles of their oppression from them and achieve their commercial freedom. The fields of the sunny South are the Nation's most fertile; her husbandmen are skilled in the art of producing from the soil, yet they are still denied the recompense that should be given honest labor.

I shall continue to look toward the dawn and hope for the sunshine of the day when the southron will stand firm and serene, unburdened by debt and undisturbed by the exigencies of the morrow, monarch of his own broad acres, glorifying his Creator in making his fields yield the fruits of its kind, and serving his country as a planter and patriot.

Mr. ANDERSON. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. NEWTON].

Mr. NEWTON of Minnesota. Mr. Chairman, I may not be able to get through with my remarks in the allotted time, and I also have some tables that I want to insert in the RECORD. Therefore I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. Mr. Chairman, we have up for consideration to-day the annual appropriation bill for the Department of Agriculture, the department of the Government having to do with the most important of all of our basic industries. In view of some things that have occurred of late, and what a patient public has had to put up with for a long time, it seems to me that this is an appropriate time for presenting to the House and to the country some information with reference to another basic industry which is second only to agriculture. I refer to the coal industry.

The coal industry is basic because our economic and industrial life is absolutely dependent upon a supply of coal. Industry in this age of mechanics and machinery depends upon power to run the various agencies of production and distribution. The source of the major portion of this power is coal. The maintenance of civilization as we know depends upon maintaining industry, and the maintenance of industry depends upon coal. There is nothing that can better command the attention of Congress, therefore, than the maintenance of our coal supply. Nature has done well by the United States, for we have inside of our own territorial limits one-half of the total world's supply of coal. It is estimated to be from three to four thousand billion tons. What a great advantage that is to us commercially and from the standpoint of national defense. The coal fields of Europe and the struggle for their possession has brought nations to war. Of this supply we are consuming something like 500,000,000 to 600,000,000 tons of coal a year, divided up approximately as follows: For manufacturing purposes, 50 per cent; for railroads, 25 per cent; for domestic uses, 18 per cent; for export purposes, 7 per cent. Bituminous coal can be found in various parts of the country, but the anthracite coal is located almost exclusively in a very small district of the State of Pennsylvania. It is estimated that 90 per cent of the coal mined goes into interstate or foreign commerce. Notwithstanding that the coal industry forms the very foundation of our economic and industrial life, the Nation finds its supply again threatened. Just as industry is emerging from a period of depression it is confronted with a coal strike and its attendant ills. The wage contract between the miners and the mine operators expires on April 1 next. The operators refuse to renew the present wage scale, claiming that the wages paid are excessive. The miners claim that they are underpaid now, and that they work only about 200 days a year instead of 300 days, as other people do. They demand a 6-hour day and a 5-day week, and to have their work better distributed over the 365 days in the year. As the operators and the miners quarrel, the public stands by practically helpless.

The public first fears that the strike will not be settled. Then it fears that it will be settled. It knows full well from past experiences that the interests of the public will be a matter of secondary consideration to both. Each group is principally interested in itself. If the strike comes and the President should follow the precedent of Roosevelt in 1903, an impartial tribunal will be established to adjust the differences between the mine operators and the workmen. But the tribunal will not have authoritative information as to the costs and profits of the owners or the yearly earnings and purchasing power of the workmen. It must depend upon information furnished by both operators and workmen, both of which are interested parties.

The miners claim that the value of anthracite coal has increased far more than wages. We know this, that in the hearings before the Senate Committee on Reconstruction it was undisputed that for the period 1914 to 1918, inclusive, the increase of labor costs at the mouth of the mine was $1.41 per gross ton. During the same period the increase of the retail price in New York City was $4.48 per gross ton. This is three times the labor cost increase during the same period.

There should be some governmental agency clothed with power to gather information currently and to keep it available for emergencies such as we had in 1920 and such as we are about to confront this spring. As it is, it must listen to the claims and proofs of both groups and practically confine itself to the evidence submitted by these groups who, as I have said, are primarily interested in themselves and the advancement of their own interests.

If my recollection is correct, anthracite coal in my own city of Minneapolis sold for about $9 per ton during the period 1914–15. To-day the retail selling price is about $18. Bituminous coal has increased in a similar proportion.

The farmer and the great user of coal, the manufacturer, have seen the prices of their products go down materially during the past two years. The farmer feels that the prices for his product have, in fact, reached the bottom. At the same time, the manufacturer and the farmer have witnessed the price of coal advance steadily year by year until at the present time it is considerably above the price charged during the war. The coal operator alone appears to be able to not only maintain war-time prices but to materially advance them.

Is this 100 per cent advance during the past six or seven years justified or is it the result of profiteering? The retailer denies any profiteering on his part, and substantiates his claim by the submission of proof. In any event, retailing is largely an intrastate transaction and is without the jurisdiction of the Federal Government.

The coal operator and the wholesale dealer blame the railroads and attribute the advance to increased freight rates. The horizontal increases in freight rates have borne heavily on commodity rates, and in my judgment the rates on coal bear an undue proportion of the advances in recent years. It is particularly true of the anthracite coal carrying railroads. The impression seems to be quite general that these rates should come down.

The lake and rail rate from the anthracite fields of Pennsylvania to Minneapolis was $8.30 per ton last fall, and is made up as follows:

Approximate cost of a ton of anthracite at Minneapolis, Sept. 1, 1921.

(Prepared sizes, net ton—2,000 pounds.)

Freight rate to Buffalo (dumping charge included)	$8.50
Tax on same	.105
Vessel rate	.50
Tax on same	.105
Insurance	.005
Dockage (including unloading from boats, storing, handling, reloading, and degradation cost)	1.88
Freight rate to Twin Cities	2.23
Tax on same	.0669
	8.3019
Price per ton at mines ($8 per gross ton of 2,240 pounds) or per net ton of 2,000 pounds	7.14
Cost on cars Twin Cities	15.44

These figures were given me by the Director of the Geological Survey.

But while the freight rates are high and should, in my judgment, come down, the big factor in the present high prices of coal is not the retailer or the ordinary railroad company, but the coal operator and the mine owner.

In 1902, according to the figures furnished by the anthracite operators themselves, anthracite sold for $3.75 per ton at the mouth of the mine. It remained at this figure until June, 1912, when it was raised to $4 per ton.

The advances since then are as follows:

June, 1912	$4.00
May, 1916	4.40
May, 1917	4.70
December, 1917	5.05
November, 1918	6.10
August, 1919	6.60
April, 1920	7.45
October, 1920	7.95

A portion of one of these advances was made to cover an alleged increased cost of mining coal due to the imposition of a tonnage tax by the State of Pennsylvania. The tax was equivalent to a tax of about 10 cents per ton. The price of the coal at the mouth of the mine was increased 25 cents per ton, which the consumer, of course, paid. The operators contested the constitutionality of the law and refused to pay the tax, and the law was eventually held unconstitutional. The consumer paid to the operator, but the operator did not pay out the tax to the State.

Is this increase of 100 per cent in the cost of anthracite coal at the mouth of the mines justified? About one year ago the Federal Trade Commission endeavored to find out. With full appreciation of the effect of these advances and the added burden upon industry and the ultimate consumer, the Federal Trade Commission sought information from the coal operators as to the cost of operation, wages paid, sales realization, and margin of profits. Some of the companies complied. This information was published in groups and districts containing a considerable number of mines. The names of the individual operators were wholly eliminated and shielded. This order was contested by the attorneys for the National Coal Association, which comprises about 60 per cent of the coal operators of the country. They contended that the production of coal did not involve a question of interstate commerce, and therefore the Federal Government was without jurisdiction. An injunction was secured, and upon the granting of this injunction the Government appealed. That appeal is still pending in the courts in the District of Columbia.

Therefore, through the efforts of the operators the Government has been prevented from acquiring information which, in the face of the threatened strike and the effort that the Government is making and will continue to make to settle it, it would be found to be very helpful.

Note that the injunction was applied for and granted upon the theory that the production of coal did not involve interstate commerce.

About the same time, the regulatory commission of the State of Indiana issued an order from certain coal companies in Indiana requiring them to file with the State authorities a statement of the cost of mining coal. The National Coal Association, or some of its members, contested this order on the ground that almost the entire output of these mines would go largely into interstate commerce, and that the order therefore constituted an interference with interstate commerce and was wholly without the jurisdiction of the State of Indiana, and that only the Federal Government had the jurisdiction to require any such information. I quote from the opinion of the trial judges in the case of Vandalia Co. against Coal Commission of Indiana:

> When coal is severed from ground it becomes an article of commerce, and the owner, under the interstate commerce clause of the Federal Constitution, which recognizes no State lines, has the right, so far as any State is concerned, to contract to sell entire his output to citizens of other States.

In other words, the mining of coal is intrastate commerce when the Federal Government steps in for regulatory purposes, but it becomes interstate commerce when one of the States of the Union attempts to pass regulatory legislation. The National Coal Association and its members have, by these two proceedings, placed the public in a sort of constitutional "no man's land," where it is being shot at from both sides through the levying of increased prices for this necessity of life.

If these increased prices are justified, why the necessity for such tactics? If there is nothing to hide and conceal, there should be nothing to fear upon the part of the coal operators or its association.

However, the case against the coal operators for profiteering during the past two years does not rest upon conjecture and suspicion due to the suppression of information as to the cost of production and extent of earnings. It is proved by their own statements and dividend sheets.

It may be interesting to know that one coal operator, defending the industry before the Senate Committee on Manufacturing in the Sixty-sixth Congress, admitted that the coal profiteering in 1920 may have cost the American consumer $200,000,000 or, even, perhaps, six hundred millions.

Both bituminous and anthracite operators and mine owners have profiteered, as the several tables I shall place in the RECORD will show. These tables have been prepared by the Federal Trade Commission, or prepared by others and checked by the commission from figures submitted by the coal companies, either to the commission or the various financial publications.

Table 1, which follows, gives the net income of certain large bituminous coal companies during the period of 1912–1919:

LAUCK TABLE 1.—*Profits of bituminous coal companies—Net income.*

	Total net income.								Average for period.[1]	
	1912	1913	1914	1915	1916	1917	1918	1919	1912–1915	1916–1919
Pocahontas Fuel Co. (Inc.)	$424,600	$1,077,252	$1,027,150	$1,161,794	$1,655,089	[2]$4,354,514	[2]$3,016,580	[2]$2,659,330	$922,699	$2,921,378
Pittsburgh Coal Co.[3]	2,025,483	2,726,268	1,371,059	1,653,574	3,143,927	14,076,852	7,167,384	3,431,439	1,944,096	6,954,901
Island Creek Coal Co.[3]	677,132	723,672	823,481	690,232	1,125,567	2,185,529	1,245,060	1,184,602	728,634	1,435,039
Consolidation Coal Co.[3]	2,503,358	2,459,729	2,009,733	2,535,681	4,075,556	8,511,224	5,213,920	3,207,423	2,377,125	5,252,031
Central Coal & Coke Co	631,509	544,004	318,921	213,757	334,224	819,583	1,316,559	65,457	427,048	883,956
Jefferson & Clearfield Coal & Iron Co	47,947	124,320	134,554	9,316	103,476	789,745	398,682	450,724	79,035	485,507
American Coal Co. of Allegheny County	102,318	146,187	120,914	162,488	187,471	513,376	243,525	190,966	132,977	283,835
Battle Creek Coal & Coke Co	10,999	22,698	7,264	1,732	[4]16,363	636	44,264	37,983	10,673	16,630
Carnegie Coal Co.[4]	129,558	196,809	186,373	73,059	146,557	1,058,765	862,326	885,775	146,449	763,356
Rochester & Pittsburgh Coal & Iron Co	217,572	377,522	148,263	[4]27,622	43,077	1,124,530	911,148	236,488	178,934	578,811
West Kentucky Coal Co	[4]178,805	[4]104,183	[4]74,988	100,388	126,569	220,064	401,184	254,414	[4]64,397	250,554
Total of 11 companies	6,591,673	8,294,278	6,072,724	6,574,419	10,925,150	33,654,818	21,020,032	12,604,001	6,883,273	19,576,022
Montana Coal & Iron Co		6,735	23,372	34,441	76,359	214,614	235,482	123,155	21,516	162,403
New River Collieries Co.[5]	9,785	47,327	64,159	195,137	350,316	555,498	649,440		79,102	518,413
Altoona Coal & Coke Co.[6]		15,914	15,914	15,914	[4]2,985	58,959	39,362	[4]14,090	15,914	20,287
Jamison Coal & Coke Co.[5]		847,776	1,316,413	1,201,571	1,538,723	3,389,715	2,017,511	1,186,707	1,151,920	2,033,164
Clinchfield Coal Corporation			215,574	147,413	74,675	2,033,349	2,129,375	426,616	181,496	1,166,004
Solvay Collieries Co			96,407	142,374	114,922	306,463	321,368	96,635	119,391	209,872
De Bardeleben Coal Co			78,486	76,931	55,411	92,774	135,796	133,852	77,709	104,708
Pond Creek Coal Co			[4]19,456	[4]22,313	200,000	750,727	571,398	207,770	[4]20,887	432,474
Victor-American Fuel Co	358,464	257,107	[4]64,000	68,188	[4]51,430	141,022			154,940	44,796
Verner Coal & Coke Co				25,599	156,243	659,432	316,987	2,305	25,599	283,742
Fairmount & Cleveland Coal Co					130,911	345,293	200,223	146,333		(7)
Hillman Coal & Coke Co						911,838	654,073	831,813		(7)
Rocky Mountain Fuel Co			81,528	[4]101,857	17,163	33,482	[4]3,114	[4]38,852	[4]10,105	2,170
Elk Horn Coal Corporation					659,608	1,723,198	1,250,645	64,587		(7)
Elkins Coal & Coke Co				57,316	99,205	417,917	454,334		57,316	323,819
Grand total	6,960,922	9,469,137	7,881,120	8,505,133	14,324,271	45,289,099	29,994,012	15,764,832	8,737,124	24,827,839

[1] Where data is shown for less than 4 years of period, the average is based on years included.
[2] Before deducting Federal taxes.
[3] Federal taxes shown as deducted. Unless specifically noted otherwise, taxes are presumed to have been deducted.
[4] Deficit.
[5] Net earnings.
[6] Figures for 1913, 1914, 1915 are averages.
[7] As average for 1912–1915 could not be computed, average for 1916–1919 is omitted.

Table 2 gives the yearly production of bituminous coal in tons during the period mentioned; also the yearly average net income in cents per ton:

LAUCK TABLE 2.—*Net income per ton.*

	Production of coal (tons).							
	1912	1913	1914	1915	1916	1917	1918	1919
Pittsburgh Coal Co.	18,363,417	24,707,204	18,295,851	19,134,436	18,709,926	18,388,739	17,157,169	13,852,515
Island Creek Coal Co.	2,039,887	1,916,100	2,207,444	2,213,616	2,280,661	1,933,805	1,891,375	1,781,413
Consolidation Coal Co.	10,347,100	11,154,987	10,710,016	11,722,384	11,107,684	9,533,543	8,053,010	7,200,333
American Coal Co., of Allegheny County	592,378	677,838	557,687	708,155	680,543	627,961	568,446	518,731
West Kentucky Coal Co.	675,577	826,967	970,010	1,108,854	1,166,453	988,675	895,895	811,281
Montana Coal & Iron Co.	90,945	122,476	141,262	160,754	169,693	220,479	282,822	243,805
Total	32,109,304	39,405,572	32,882,270	35,048,199	34,114,960	31,693,202	28,848,717	24,408,078
Jefferson & Clearfield Coal & Iron Co.				1,711,826	2,142,990	2,609,676	2,598,477	1,252,627
Carnegie Coal Co.		1,500,000				1,263,151		
Rochester & Pittsburgh Coal & Iron Co.	3,159,232	3,693,284		2,803,080	2,931,189	3,107,429	2,958,044	1,269,813
New River Collieries Co.	933,727	930,356	833,081	1,019,812	1,125,048	1,008,482	848,443	
Altoona Coal & Coke Co.			212,701		185,421		144,250	
Jamison Coal & Coke Co.		3,833,210				3,599,270		
Clinchfield Coal Corporation						2,301,718	2,134,199	1,960,838
Solvay Collieries Co.				1,136,218	1,203,157	1,142,097	1,272,910	
De Bardeleben Coal Co.		145,758		279,985	283,531	264,509	265,221	295,322
Pond Creek Coal Co.		566,965	690,653	753,798	942,951	1,038,296	1,080,602	801,454
Victor American Fuel Co.	2,121,986	2,087,935	1,308,137	1,240,465	1,543,352	1,584,981		
Verner Coal & Coke Co.		297,600				447,427		
Fairmount & Cleveland Coal Co.							240,216	291,082
Hillman Coal & Coke Co.		1,079,107				1,774,388		
Rocky Mountain Fuel Co.					1,175,830		1,224,515	1,064,763
Elkins Coal & Coke Co.		644,560		750,000		565,016	568,101	
Grand total	38,324,249	54,184,347	35,926,842	44,743,383	45,648,399	52,399,642	42,183,695	31,343,977

	Net income per ton.							
	1912	1913	1914	1915	1916	1917	1918	1919
Pittsburgh Coal Co.	11.00	11.00	7.50	8.60	16.80	76.50	41.80	24.80
Island Creek Coal Co.	33.20	37.80	37.30	31.20	49.40	113.00	65.80	66.50
Consolidation Coal Co.	24.20	22.10	18.80	21.60	36.70	89.30	64.70	44.50
American Coal Co., of Allegheny County	17.27	21.57	21.68	22.95	27.55	81.75	42.84	36.82
West Kentucky Coal Co.	[1]26.50	[1]12.60	[1]7.70	9.10	10.90	22.30	44.80	31.40
Montana Coal & Iron Co.		[1]5.50	16.50	21.40	45.00	97.30	83.30	50.50
Total	[2]16.50	15.10	13.00	14.80	25.60	81.20	50.30	34.40
Jefferson & Clearfield Coal & Iron Co.				.50	4.80	30.30	23.00	36.00
Carnegie Coal Co.		13.10				83.80		
Rochester & Pittsburgh Coal & Iron Co.	6.89	10.22		[1].98	1.47	36.20	30.80	18.60
New River Collieries Co.	1.00	5.10	7.70	19.10	31.10	55.10	76.50	
Altoona Coal & Coke Co.			7.50		8.60		40.90	
Jamison Coal & Coke Co.		22.10				94.20		
Clinchfield Coal Corporation						88.30	99.80	21.80
Solvay Collieries Co.				12.50	9.60	26.80	25.30	
De Bardeleben Coal Co.				27.50	19.50	35.10	51.60	45.30
Pond Creek Coal Co.			[1]2.80	[1]3.00	21.20	72.30	52.90	25.90
Victor American Fuel Co.	16.90	12.30	[1]4.90	5.50	[1]3.30	8.90		
Verner Coal & Coke Co.						1.47		
Fairmount & Cleveland Coal Co.							83.40	48.20
Hillman Coal & Coke Co.						51.40		
Rocky Mountain Fuel Co.					1.50		[1].25	[1]3.6
Elkins Coal & Coke Co.				7.60		74.00	80.00	
Grand total								

[1] Deficit.
[2] Production of Montana Coal & Iron Co. deducted for 1912 in computing total income per ton, as no income was shown.

Table 3 gives the percentage of what the companies designated earned on their capital stock during the period referred to:

LAUCK TABLE 3.—*Profits of bituminous coal companies.*

	Capital stock.							
	1912	1913	1914	1915	1916	1917	1918	1919
Pocahontas Fuel Co. (Inc.)	$7,251,600	$7,320,000	$7,155,700	$7,148,100	$7,097,300	$7,097,300	$7,092,300	$7,092,300
Pittsburgh Coal Co.	64,000,000	64,000,000	64,000,000	64,000,000	64,000,000	68,169,200	68,169,200	68,169,200
Island Creek Coal Co.	4,487,016	4,493,974	4,502,355	4,507,313	4,507,313	[1]168,671	168,671	168,671
Consolidation Coal Co.	25,000,000	25,000,000	25,000,000	25,000,000	25,024,600	35,121,304	40,205,448	40,205,448
Central Coal & Coke Co.	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000	7,000,000
Jefferson & Clearfield Coal & Iron Co.	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
American Coal Co. of Allegheny County	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,214,950	1,214,950
Battle Creek Coal Co.	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000
Carnegie Coal Co.	694,850	659,850	659,850	715,000	500,000	500,000	500,000	500,000
Rochester & Pittsburgh Coal & Iron Co.	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000
West Kentucky Coal Co.	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	2,500,000
Total of 11 companies	118,133,466	118,173,824	118,017,905	118,070,413	117,829,213	129,756,475	134,550,569	134,550,569
Montana Coal & Iron Co.		1,955,600	1,955,600	1,955,600	1,955,600	1,955,600	1,955,600	1,955,600
New River Collieries Co.	6,503,500	6,503,500	6,503,500	6,503,500	6,503,500	6,503,500	6,503,500	
Altoona Coal & Coke Co.		250,000	250,000	250,000	250,000	250,000	250,000	250,000
Jamison Coal & Coke Co.		6,000,000	6,000,000	6,000,000	6,000,000	5,146,000	5,146,000	5,146,000
Clinchfield Coal Corporation			18,000,000	18,000,000	17,908,400	17,363,540	17,313,300	17,262,200
Solvay Collieries Co.			1,000,000	1,000,000	1,000,000	1,500,000	1,650,000	1,649,800
DeBardeleben Coal Co.			600,000	600,000	600,000	600,000	600,000	600,000
Pond Creek Coal Co.			2,000,000	2,000,000	2,000,000	2,089,000	2,129,200	2,129,200

LAUCK TABLE 3.—*Profits of bituminous coal companies*—Continued.

	Capital stock.							
	1912	1913	1914	1915	1916	1917	1918	1919
Victor American Fuel Co	$9,400,000	$9,400,000	$9,400,000	$9,400,000	$9,400,000	$9,400,000		
Verner Coal & Coke Co				200,000	200,000	200,000	$200,000	$200,000
Fairmount & Cleveland Coal Co					561,800	561,800	600,000	600,000
Hillman Coal & Coke Co						9,746,500	9,652,200	9,332,500
Rocky Mountain Fuel Co			8,000,000	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000
Elk Horn Coal Corporation					28,600,000	18,600,000	18,600,000	18,600,000
Elkins Coal & Coke Co				6,000,000	6,000,000	6,000,000	6,000,000	
Grand total	134,036,986	142,282,924	171,727,005	177,979,513	206,808,513	217,672,415	213,150,369	200,275,869

	Percentage earned on capital stock.							
	1912	1913	1914	1915	1916	1917	1918	1919
Pocahontas Fuel Co. (Inc.)	5.9	14.7	14.4	16.3	23.3	61.3	42.5	37.5
Pittsburgh Coal Co	3.2	4.3	2.1	2.6	4.9	20.6	10.5	5.0
Island Creek Coal Co	15.1	16.1	18.3	15.3	25.0	1,295.7	738.2	702.0
Consolidation Coal Co	10.0	9.8	8.0	10.1	16.3	24.2	13.0	8.0
Central Coal & Coke Co	9.0	7.8	4.6	3.1	4.8	11.7	18.3	.94
Jefferson & Clearfield Coal & Iron Co	1.6	4.1	4.5	.3	3.4	26.3	19.9	15.0
American Coal Co. of Allegheny County	6.82	9.7	8.1	10.8	12.5	34.2	20.0	15.7
Battle Creek Coal Co	1.6	3.2	1.0	.3	[2] 2.3	.1	6.3	5.4
Carnegie Coal Co	18.6	29.8	28.2	10.2	29.3	211.8	172.5	177.2
Rochester & Pittsburgh Coal & Iron Co	5.44	9.4	3.7	[1] .7	1.08	28.1	22.8	5.9
West Kentucky Coal Co	[1] 35.8	[1] 20.8	[1] 15.0	20.1	25.3	8.8	16.0	10.2
Total of 11 companies	5.6	7.0	5.1	5.6	9.3	25.9	15.6	9.4
Montana Coal & Iron Co			1.2	1.8	3.9	11.0	12.0	6.3
New River Collieries Co	.2	.7	1.0	3.0	5.4	8.5	10.0	
Altoona Coal & Coke Co		6.4	6.4	6.4	[1] 1.2	23.6	15.7	[1] 5.6
Jamison Coal & Coke Co		14.1	21.9	21.5	25.6	65.9	39.2	23.1
Clinchfield Coal Corporation			1.2	0.8	0.4	11.7	12.3	2.5
Solvay Collieries Co			9.6	14.2	11.5	20.4	19.5	5.9
DeBardeleben Coal Co			13.1	12.8	9.2	15.5	22.8	22.3
Pond Creek Coal Co			[1] 1.0	[1] 1.1	10.0	35.9	26.8	9.8
Victor American Fuel Co	3.8	2.7	[1] .7	.7	[1] .5	1.5		
Verner Coal & Coke Co				12.8	78.1	329.7	158.5	1.2
Fairmount & Cleveland Coal Co					23.3	61.5	33.4	23.4
Hillman Coal & Coke Co				8.9		9.4	7.0	
Rocky Mountain Fuel Co			1.0	[1] 1.3	.2	[1] .42	[1] .04	[1] .5
Elk Horn Coal Corporation					2.2	2.3	0.7	.3
Elkins Coal & Coke Co				1.0	1.7	7.0	7.6	
Grand total	5.2	6.7	4.6	4.8	6.9	20.8	14.1	7.9

[1] Book value only of stock reduced.

Table 4 covers one-sixth of the bituminous operators of the country. They are scattered through several of the States. It gives comparative margins of profits during the period indicated. The average net income of this group in the year 1917 was 295 per cent over and above that of 1916. The average net income of 1918 was 185 per cent over that of 1916:

TABLE 4.—*Comparative margins of coal operators, 1916, 1917, and 1918, as shown by Federal Trade Commission reports.*

	1916		1917		1918		Per cent increase in margin.	
	Production.	Margin.	Production.	Margin.	Production.	Margin.	1917 over 1916	1918 over 1916
Pennsylvania:								
(1) Southwest field	23,121,579	0.17	23,142,426	1.12	22,373,904	0.60	558.8	252.0
(2) Central field	9,046,567	.08	8,958,147	.92	9,007,989	.78	1,050.0	875.0
Illinois:								
(3) District No. 1	2,279,028	.03	2,570,975	.33	2,247,384	.42	1,000.0	1,300.0
(4) District No. 2	[1] 863,468	.20	1,687,322	.33	1,532,628	.42	65.0	110.0
(5) District No. 3	[2] 5,008,363	.23	13,344,532	.42	12,751,131	.46	82.6	110.0
(6) District No. 4	1,501,890	.10	2,121,068	.31	2,397,992	.40	210.0	300.0
(7) District No. 6	[3] 5,017,276	.26	11,260,174	.63	12,660,093	.45	161.5	73.1
Tennessee:								
(8) District No. 1	1,497,300	.01	1,335,032	.74	1,337,980	.44	7,300.0	4,300.0
(9) Blue Gem district	210,869	.27	195,349	.89	176,488	.62	229.6	129.6
Kentucky:								
(10) District No. 1	[3] 1,806,837	.11	3,559,993	.50	3,413,164	.63	354.5	472.7
(11) District No. 3	1,622,439	.19	1,404,316	1.11	1,515,623	.66	484.2	247.4
Ohio:								
(12) District No. 2	256,701	.17	245,944	.70	298,987	.59	311.8	247.1
(13) District No. 3	2,502,375	.21	2,977,561	.82	2,729,262	.55	290.5	161.9
(14) District No. 4	488,527	.31	665,299	1.08	560,641	.81	248.4	161.3
(15) Districts Nos. 5 and 9	4,968,566	.21	4,515,960	1.13	4,753,541	.86	438.1	309.5
(16) District No. 6	1,693,822	.30	1,740,040	1.20	1,861,784	.73	300.0	143.3
(17) District No. 7	359,239	.34	382,885	1.17	404,839	.97	244.1	185.3
(18) District No. 8	7,264,571	.30	7,396,937	1.09	8,135,207	.68	263.3	126.7
Indiana:								
(19) District No. 1	[3] 7,985,564	.23	12,901,206	.62	16,874,014	.48	173.9	108.7
(20) Brazil block district	182,670	.11	308,386	.80	298,646	.50	627.3	354.5
Michigan:								
(21) State	[4] 493,952	.49	1,161,626	.80	1,229,468	.58	63.3	18.4

[1] 8 months of year, May to December only.
[2] 6 months of year, July to December only.
[3] 9 months of year, April to December only.
[4] 6 months of year, July to December only.

TABLE 4.—*Comparative margins of coal operators, 1916, 1917, and 1918, as shown by Federal Trade Commission reports*—Continued.

	1916		1917		1918		Per cent increase in margin.	
	Production.	Margin.	Production.	Margin.	Production.	Margin.	1917 over 1916	1918 over 1916
Maryland and West Virginia:								
(22) Upper Potomac, Cumberland, and Piedmont district	1,013,861	0.33	1,035,022	1.06	950,949	0.51	221.2	54.5
West Virginia:								
(23) Pocahontas district	9,016,755	.37	[1] 7,313,292	1.15	8,836,182	.89	210.8	140.5
(24) Tug River district	1,810,749	.23	1,659,842	1.19	1,532,616	.55	417.4	139.1
(25) New River district	[2] 5,642,542	.27	[1] 5,919,479	.93	6,436,599	.79	244.5	192.6
Total and weighted average	95,655,590	.213	117,812,983	.843	123,737,117	.605	295.8	184.0
Per cent increase over 1916								

[1] June and July, 1917, not included for reasons shown on page 88 of report. [2] 9 months of year, April to December only.

Now, let us take a glance at the anthracite operators. Anthracite coal is located in a tract covering about 490 square miles in Pennsylvania. Geographically nature made it a monopoly. Taking lessons from nature, a group of men have made it a business monopoly, for seven or eight corporations control 75 to 80 per cent of the anthracite output.

Table 5 shows the percentage of net income of these large anthracite companies on their capital stock. It means the percentage of net income in the war period over the prewar period. It will be observed that increases range from 9.2 per cent minimum to a maximum of 494 per cent. The general average was 89 per cent.

TABLE 5.—*Profits of anthracite coal companies, 1912–1918, as shown by their published financial statements.*

NET INCOME, BY YEARS.

Name of company.	1912	1913	1914	1915	1916	1917	1918	Total net income for period—		Per cent increase, war period over prewar period.
								1912–1914	1916–1918	
Railroad companies:										
Lehigh Coal & Navigation Co.	$2,288,256	$2,372,511	$2,483,579	$2,298,340	$2,788,348	$3,362,400	$2,805,099	$7,144,346	$8,955,837	25.4
Lehigh & Wilkes-Barre Coal Co.	2,485,971	4,423,051	3,343,478	2,730,929	2,695,469	5,431,899	3,069,281	9,799,522	11,196,649	9.2
The Lehigh Valley Coal Co.	1,151,317	227,603	511,446	882,329	886,872	2,431,465	3,886,189	1,890,366	7,204,526	281.1
The Delaware & Hudson Co.	586,037	1,296,692	963,989	1,243,971	738,393	2,925,000	1,610,572	2,846,718	5,273,965	85.3
Delaware, Lackawanna & Western Coal Co.	2,111,897	1,270,020	2,355,562	1,536,916	2,899,309	4,321,268	5,626,710	5,737,479	10,847,287	89.1
Philadelphia & Reading Coal & Iron Co.	171,576	1,139,592	715,390	60,572	2,463,790	5,436,633	4,160,162	2,026,558	12,050,585	494.6
Total	8,795,054	10,729,469	10,373,444	8,753,057	12,472,181	23,908,665	19,148,003	29,354,989	55,528,849	83.2
Temple Coal Co.	733,168	902,996	1,151,515	967,667	953,959	1,691,324	[3]			
Grand total	9,528,222	11,632,465	11,524,959	9,720,724	13,426,140	25,599,989	19,148,003	29,354,989	55,528,849	83.2

During this war period the Government was calling upon everyone to increase production. It was likewise true of coal. Did the production likewise increase? During the period 1912 to 1914—prewar—the total production in tons by these operators was 132,756,451, as against 148,118,826 for the 1916 to 1918 war period. The average increase in tons of war production over prewar production was 11.6 per cent, as against 89 per cent average percentage of increase of net income.

Mr. LONDON. Will the gentleman yield for a short question?

Mr. NEWTON of Minnesota. I will.

Mr. LONDON. Will the gentleman give the source of his information?

Mr. NEWTON of Minnesota. Yes. The authority for my information is the Federal Trade Commission, as they have obtained their figures from the carriers, the coal companies, or other sources.

Table 6 gives the large anthracite coal companies for the period 1912 to 1920, inclusive, and shows, so far as can be ascertained from the figures available, the capital stock, surplus, net worth, and bonded indebtedness. I call special attention to the marked increases in surplus and net worth during the period.

TABLE 6.—*Capital, dividends, and percentages of profit of anthracite coal companies, 1912 to 1920.*

[Figures taken from annual reports to stockholders and Moody's Manuals.]

Name of company.	Capital stock, surplus, net worth, bonded indebtedness, and capital invested.								
	1912	1913	1914	1915	1916	1917	1918	1919	1920
Lehigh Coal & Navigation Co.:									
Capital stock	$26,557,950	$26,557,950	$26,557,950	$26,557,950	$26,557,950	$28,736,570	$29,173,950	$29,173,950	$29,173,950
Surplus [1]	1,655,466	1,884,385	2,390,090	2,769,937	3,452,091	16,338,421	16,956,359	[2] 17,421,204	[2] 18,678,452
Net worth	28,213,416	28,442,335	28,948,040	29,327,887	30,010,041	45,074,991	46,130,309	46,595,154	47,852,402
Bonded indebtedness	21,409,333	22,722,520	26,653,000	26,518,000	26,980,000	26,674,000	26,401,000	26,083,000	25,188,000
Capital invested	49,622,749	51,164,855	55,601,040	55,845,887	56,990,041	71,748,991	72,531,309	72,678,154	73,040,402
Lehigh & Wilkes-Barre Coal Co.:									
Capital stock	9,212,500	9,210,000	9,210,000	9,210,000	9,210,000	9,210,000	9,210,000	9,210,000	9,210,000
Surplus	3,569,691	6,795,280	8,398,480	9,932,110	11,430,279	15,222,870	16,994,850	[2] 21,466,073	[2] 27,023,286
Net worth	12,782,191	16,005,280	17,608,480	19,142,110	20,640,279	24,432,870	26,204,850	30,676,073	36,233,286
Bonded indebtedness	19,687,000	16,996,000	16,996,000	14,500,000	14,496,000	7,719,000	8,188,000	8,068,000	5,564,000
Capital invested	32,469,191	33,001,280	34,604,480	33,651,110	35,136,279	32,151,870	34,390,850	38,744,073	41,797,286
The Lehigh Valley Coal Co.:									
Capital stock	1,965,000	1,965,000	1,965,000	1,965,000	1,965,000	9,465,000	9,465,000	9,465,000	9,465,000
Surplus	3,486,637	3,714,239	4,225,686	5,108,015	5,994,886	6,238,690	8,095,230	10,600,632	2,616,832
Net worth	5,451,637	5,679,239	6,190,686	7,073,015	7,959,886	15,703,690	17,560,230	20,065,632	12,081,832
Bonded indebtedness	20,296,000	20,296,000	20,296,000	19,892,000	19,688,000	11,815,000	11,693,000	11,683,000	11,673,000
Capital invested	25,747,637	25,975,239	26,486,686	26,965,015	27,647,886	27,518,690	29,253,230	31,748,632	23,754,832
Lehigh Valley Coal Sales Co.:									
Capital stock	6,060,800	6,060,800	7,556,575	7,556,575	7,556,575	9,778,435	9,778,435	9,778,435	9,801,435
Surplus [4]	1,569,059								
Net worth	7,629,859								
Bonded indebtedness	None.	None.	None.	None.	None.	None.	None.	None.	None.
Capital invested	7,629,859								

[For footnotes see p. 3525.]

TABLE 6.—*Capital, dividends, and percentages of profit of anthracite coal companies, 1912 to 1920*—Continued.

Name of company.	Capital stock, surplus, net worth, bonded indebtedness, and capital invested.								
	1912	1913	1914	1915	1916	1917	1918	1919	1920
Delaware, Lackawanna & Western Coal Co.:[5]									
Capital stock	$6,590,700	$6,590,700	$6,590,700	$6,590,700	$6,590,700	$6,590,700	$6,590,700	$6,590,700	$11,533,725
Surplus[6]	4,498,383	4,617,953	----------	2,513,478	----------	----------	----------	----------	----------
Net worth	11,089,083	11,208,653	----------	6,104,178	----------	----------	----------	----------	----------
Bonded indebtedness	None.	None.	None.	None.	None.	None.	None.	None.	None.
Capital invested	11,089,083	11,208,653	----------	9,104,178	----------	----------	----------	----------	----------
Philadelphia & Reading Coal & Iron Co.:									
Capital stock	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000
Surplus	1,459,694	2,599,287	3,314,676	3,375,249	4,655,297	11,986,307	16,148,469	19,013,206	25,685,429
Net worth	9,459,694	10,599,287	11,314,676	11,375,249	12,655,297	19,986,307	24,148,469	27,013,206	33,685,429
Bonded indebtedness	1,110,000	1,080,000	1,050,000	1,020,000	990,000	960,000	[3]), 000	900,000	870,000
Capital invested	10,569,694	11,679,287	12,364,676	12,395,249	13,645,297	20,945,307	25,076,469	27,913,206	34,555,429
Temple Coal Co.:[7]									
Capital stock	2,500,000	2,500,000	3,000,000	3,000,000	2,200,000	2,200,000	1,600,000	1,000,000	1,000,000
Surplus	----------	----------	----------	----------	----------	----------	----------	----------	----------
Net worth	----------	----------	----------	----------	----------	----------	----------	----------	----------
Bonded indebtedness	492,000	462,000	2,320,000	2,027,000	1,794,000	1,515,000	1,382,000	894,000	555,000
Capital invested	----------	----------	----------	----------	----------	----------	----------	----------	----------

[1] Includes $11,100,151 unrealized surplus through appraisal of assets in 1917, and $11,244,151 in 1918.
[2] Includes $11,244,151 unrealized surplus through appraisal of assets.
[3] Includes $547,502 through revaluation in 1919 and $1,005,004 in 1920. See note (1) on dividend sheet.
[4] No balance sheet 1913 to 1918.
[5] Capital stock only shown after 1915; increased Dec. 21, 1920; authorized $20,000,000.
[6] No balance sheet for 1914, 1916, 1917, 1918.
[7] Temple Iron Co. in 1912 and 1913, dissolved by order of court; Temple Coal Co. incorporated June, 1914; no balance sheet: $2,000,000 preferred stock, $1,000,000 common stock in 1914; $800,000 preferred retired May 1, 1916; balance preferred retired Oct. 1, 1917.

THE LEHIGH VALLEY COAL CO.

In 1905 the coal company borrowed large sums from the railroad, and in return gave its certificates of indebtedness in the amount of $10,537,000. A part of these certificates were given in return for the stocks of some coal companies which were purchased from the railroad, and the remainder represented an exchange for some bonds of the coal company which had been held by the railroad. (Transcript of Record in Sherman Antitrust Case, v., p. 793.) It was not intended that any interest should be paid on these certificates, and up to 1912 none was paid. But in 1911 the Interstate Commerce Commission, in the case of Meeker & Co. *v.* Lehigh Valley Railroad, held that the interest on these certificates, amounting at 5 per cent to $526,850, constituted in all substantial respects a rebate to the Lehigh Valley Coal Co. (I. C. C. Reports, xxi, p. 161.) As the result of this finding the coal company, in March, 1912, paid up the arrearages of interest at the rate of 4 per cent, and canceled the certificates of indebtedness, payment being made partly in cash and partly by a new issue of 4 per cent bonds, which were given to the railroad. (Annual Report of the Lehigh Valley Coal Co., 1912, p. 7.)

Using the $9,465,000 as capital reduces the percentage of net income from 123.7 to 25.7 for 1917 and from 197.8 to 41.1 for 1918. This will also alter the total capital stock of all companies for 1917 and 1918; also the total percentage of net income would be 31.8 and 24.9, respectively, instead of 36.6 and 28.8. However, see note 4 to this company, page 1584.

Temple Coal Co. This was originally the Temple Iron Co. in 1912, with capital stock outstanding of $2,500,000. In June, 1914, the Temple Coal Co. was organized and took over the coal properties of Temple Iron Co. Capital stock issued $1,000,000 common and $2,000,000 cumulative preferred. May 1, 1916, $800,000 preferred was retired at $105 and accrued dividends, and October 1, 1917, balance of preferred, $1,200,000 was retired at $105. (Moody's 1913, p. 4684; and 1918, p. 1616.) No balance sheet given or referred to in Moody's.

Table 7 shows the net income per annum during the period 1912–1920. The very large increases will be noted:

TABLE 7.—*Profits of anthracite coal companies, 1912–1920.*

Name of company.	Net income, by years.								
	1912	1913	1914	1915	1916	1917	1918	1919	1920
Lehigh Coal & Navigation Co	$2,288,256	$2,372,511	$2,483,579	$2,298,340	$2,788,348	$3,382,400	$2,805,089	$2,874,883	$4,045,053
Lehigh & Wilkes-Barre Coal Co	2,485,971	4,423,051	[1] 3,343,478	2,730,929	2,695,460	[2] 5,431,899	3,069,281	4,819,930	5,142,939
The Lehigh Valley Coal Co	1,151,317	227,603	511,446	882,329	[3] 1,096,988	2,431,465	3,886,189	3,307,878	4,729,802
The Delaware & Hudson Co	586,037	1,296,692	963,989	1,243,971	738,393	2,925,000	1,610,572	[4]	----------
Delaware, Lackawanna & Western Coal Co	2,111,897	1,270,020	2,355,562	1,536,916	2,899,309	4,321,268	3,626,710	[5]	----------
Philadelphia & Reading Coal & Iron Co	171,576	1,139,592	715,390	60,572	2,463,790	5,436,633	4,160,162	2,886,737	6,672,222
Temple Coal Co	733,168	902,996	1,151,515	967,057	953,959	1,601,324	1,511,448	884,848	1,211,224

[1] Difference of $542,978 between figures in Mr. Lauck's table, and these figures is that amount charged to "New breakers and shop," which is in the nature of investment rather than operating expense and is added back to agree with figures in Moody's. (See Cumulative Corporation News, July, 1914.)
[2] Represents 18 months ending Dec. 31, 1917, when fiscal year changed from June 30.
[3] Difference of $210,116 between Lauck's figures and the above due to addition of that amount of net income for the period July 1 to Dec. 31, 1916, omitted by Lauck. Fiscal year changed.
[4] Not reported in Poor's Railroad Manual.
[5] Not reported in Moody's.

Table 8 gives the percentage of net income to capital stock, net worth, and capital investment during the same period:

TABLE 8.

	Percentage of net income to capital stock, to net worth, and to capital investment.								
	1912	1913	1914	1915	1916	1917	1918	1919	1920
Lehigh Coal & Navigation Co.:									
Capital stock	8.6	8.9	9.4	8.7	10.5	11.7	9.6	9.85	13.86
Net worth	8.11	8.34	8.58	7.84	9.29	7.46	6.08	6.17	8.45
Capital investment	4.61	4.64	4.47	4.12	4.89	4.69	3.87	3.95	5.54
Lehigh & Wilkes-Barre Coal Co.:									
Capital stock	27.0	48.0	36.3	29.7	29.3	59.0	33.3	52.33	55.84
Net worth	19.45	27.64	18.99	14.27	13.06	22.23	11.71	15.71	14.19
Capital investment	7.66	13.40	9.66	8.11	7.67	16.89	8.92	12.44	12.30
The Lehigh Valley Coal Co.:									
Capital stock	58.6	11.6	26.0	44.9	55.8	29.7	41.1	34.95	46.97
Net worth	21.12	4.01	8.26	12.47	13.78	15.48	22.13	16.49	59.15
Capital investment	4.47	.88	1.93	3.27	3.97	8.84	13.28	10.42	19.91

TABLE 8.—Continued.

	Percentage of net income to capital stock, to net worth, and to capital investment.								
	1912	1913	1914	1915	1916	1917	1918	1919	1920
Delaware, Lackawanna & Western Coal Co.:									
Capital stock	32.0	19.3	35.7	23.3	44.0	65.6	55.0	.....	.....
Net worth	19.04	11.34	.....	16.88	.....	.....	.....	.....	.....
Capital investment	19.04	11.34	.....	16.88	.....	.....	.....	.....	.....
Philadelphia & Reading Coal & Iron Co.:									
Capital stock	2.1	14.2	8.9	.8	30.8	68.0	52.0	35.8	83.4
Net worth	1.81	10.74	6.32	.53	19.46	27.20	17.23	10.61	19.81
Capital investment	1.62	9.76	5.78	.49	18.05	25.95	16.59	10.27	19.31
Temple Coal Co.: Capital stock	29.3	36.1	38.4	32.3	43.4	76.9	151.1	88.5	121.1

Table 9 gives the production in tons of anthracite per annum from 1912–1920. I commented a few minutes ago on bituminous and the increase of production of war period over prewar period of but 11.6 per cent. In other words, the increased profits heretofore shown and to be shown has been due not to increased production and increased tonnage sold but to practically the same tonnage at vastly greater margins of profit:

TABLE 9.—*Net income in relation to tonnage.*

	Production (tons).								
	1912	1913	1914	1915	1916	1917	1918	1919	1920
Lehigh Coal & Navigation Co	3,673,945	4,324,562	4,240,777	4,094,662	3,822,166	5,042,427	5,144,175	4,354,827	4,377,572
Lehigh & Wilkes-Barre Coal Co	5,180,450	5,678,373	5,207,047	4,738,745	4,903,623	6,896,034	4,388,221	4,126,303	3,916,757
The Lehigh Valley Coal Co	8,504,401	9,210,137	8,130,121	5,347,105	8,364,191	9,603,864	9,090,793	7,879,969	8,326,660
The Delaware & Hudson Co	6,438,555	7,170,553	7,400,695	8,100,767	7,186,390	8,643,824	9,059,228	8,205,495	8,089,182
Delaware, Lackawanna & West. Coal Co	9,233,230	9,244,763	9,427,906	9,113,144	9,868,297	11,558,476	10,850,474	9,280,897	9,098,674
Philadelphia & Reading Coal & Iron Co	10,194,690	10,748,603	8,747,643	8,083,487	10,006,688	11,517,904	11,572,061	10,067,588	10,786,261
Temple Coal Co	1,730,247	1,841,966	1,981,694	1,914,135	1,460,966	1,425,155	1,363,964	1,070,987	1,144,562

Table 10 gives the average yearly net income in cents per ton of coal mined during the period 1912–1920. Note the increase of the Philadelphia & Reading Coal Co. from 1.7 cents in 1912 to 61.9 cents in 1920. Furthermore, it will be observed that the Lehigh & Wilkes-Barre Coal Co. increased from 48 cents per ton to 134.7. This again illustrates that increased earnings and profits have been due to greater margins per sale rather than to increased tonnage sold.

TABLE 10.

	Net income per ton (cents)								
	1912	1913	1914	1915	1916	1917	1918	1919	1920
Lehigh Coal & Navigation Co	62.3	54.9	58.6	56.1	73.0	66.7	54.5	66.0	92.4
Lehigh & Wilkes-Barre Coal Co	48.0	77.9	64.2	57.6	55.0	78.8	69.9	116.3	134.7
The Lehigh Valley Coal Co	13.5	2.5	6.3	10.6	13.11	25.3	40.1	42.0	56.8
The Delaware & Hudson Co	9.1	18.1	13.0	15.4	10.3	33.8	17.8	.....	.....
Delaware, Lackawanna & Western Coal Co	22.9	13.7	25.0	16.9	29.4	37.4	33.4	.....	.....
Philadelphia & Reading Coal & Iron Co	1.7	10.6	8.2	.7	24.6	47.2	33.9	28.5	61.9
Temple Coal Co	42.2	48.0	58.1	50.6	65.3	118.7	110.8	82.2	105.8

Table 11 is the dividend table for the period 1912 to 1920:

TABLE 11.—*Profits of anthracite coal companies, 1912–1920.*

Name of company.	Dividends paid.								
	1912	1913	1914	1915	1916	1917	1918	1919	1920
Lehigh Coal & Navigation Co.:									
Per cent	8	8	8	8	8	8	8	8	8
Amount	$2,124,636	$2,124,636	$2,124,636	$2,124,636	$2,124,636	$2,124,636	$2,333,672	$2,333,916	$2,333,916
Lehigh & Wilkes-Barre Coal Co.:[1]									
Per cent	13	13	13	13	13	19½	13	13	13
Amount	$1,197,625	$1,197,462	$1,197,300	$1,197,300	$1,197,300	$1,795,950	$1,197,300	$1,197,300	$1,197,300
Lehigh Valley Coal Co.:									
Per cent	None.	None.	None.	None.	None.	25	21½	8.5	134.3
Amount	.....	.....	.....	.....	.....	$2,397,777	$2,029,650	$802,474	$12,713,601
Lehigh Valley Coal Sales Co.:[2]									
Per cent	5	10	1.0+25	10	10	14½+30	16+10	16+5	16
Amount	$303,040	$606,080	$2,270,857	$755,657	$755,657	$3,540,423	$2,542,393	$2,053,471	$1,568,230
Delaware & Hudson Co.[3]	.....	.....	.....	.....	.....	.....	.....	(4)	(4)
Delaware, Lackawanna & Western Coal Co.:[5]									
Per cent	10	10+20	10+10	10+30	10+10	10+90	10+30	10	[6] 10
Amount	$659,070	$1,977,210	$1,318,140	$3,954,420	$1,318,140	$6,590,700	$2,635,280	$659,070	$5,602,095
Philadelphia & Reading Coal & Iron Co.[7]	.....	.....	.....	.....	.....	.....	.....	[7] None.	[7] None.
Temple Coal Co.:[8]									
Per cent	6	6	(9)	8	8	8	.....	None.	None.
Amount	$150,000	$150,000	$155,000	$160,000	$117,333	$72,000	.....	.....	.....

[1] 18 months in 1917. A special cash dividend of 150 per cent was paid Mar. 5, 1921. (Poors & Moodys, 1921, p. 901.)

[2] Jan. 17, 1914, 25 per cent cash dividend, with permission to subscribe for 25 per cent of new stock. July 14, 1917, 30 per cent cash dividend, with permission to subscribe for 30 per cent of new stock. Ten per cent extra in 1918 paid in Second Liberty loan 4 per cent bonds. 1920 paid partly from surplus of former years. On Dec. 6, 1920, the United States Supreme Court ordered Lehigh Valley R. R. to dissolve the combination of the railroad and its principal subsidiary companies, and to redistribute stocks, bonds, and properties to make each component part in fact independent and competitive. Lehigh Valley Coal Co. was specifically named in the decree. (Poors & Moodys Manual of Industrials, 1921, p. 903.)

[3] Stock owned by railroad company. No dividends paid.

[4] Coal department Delaware & Hudson R. R. No information.

[5] 1917, 40 per cent paid as follows: $988,605 in British notes at par; $1,647,675 in United States Liberty loan 4 per cent bonds at par. 1918, $1,977,210 in 4½ per cent Liberty Loan bonds at par.

[6] And 75 stock dividend.

[7] All stock owned by Reading Co.

[8] No dividends paid on common stock. 1916, $40,000 (5 per cent) premium paid on $800,000 preferred stock retired; 1917, $60,000 (5 per cent) premium paid on $1,200,000 preferred stock retired.

[9] 6 first half, 8 last half.

It will be observed that the Lehigh Coal & Navigation Co.'s net income averaged 10.12 per cent during the period. The Lehigh & Wilkes-Barre Coal Co. was 41.20 per cent. The Lehigh Valley Coal Co. averaged 38.36 per cent. The Delaware, Lackawanna & Western Coal Co. from 1912 to 1918, inclusive, averaged 39.2 per cent. The Philadelphia & Reading Coal & Iron Co. during the period 1912 to 1920 averaged 32.9 per cent. The Temple Coal Co. during the same period averaged 69.6 per cent. The average percentage of net incomes to capital stock of the six companies as given above during the period 1912–1920 was 38.2 per cent. It will be observed that one company's next income during the year 1918 was 50 per cent more than its capital stock. Lehigh Coal & Navigation Co. averaged 8 per cent throughout the 1912–1920 period; that the Lehigh & Wilkes-Barre averaged 13 per cent throughout the same period; that the Lehigh Valley Coal Co. totaled 190 per cent in dividends during that period; that the Lehigh Valley Coal Sales Co., the selling agent of the Lehigh Valley Coal Co., totaled 177½ per cent during that period; that the Delaware, Lackawanna & Western Coal Co. totaled 375 per cent during the same period. These coal companies were controlled during this period by the anthracite railroads, and later I shall call attention to the goodly earnings and dividends of these anthracite carriers.

Table 12 gives the common stock dividends. It will be noted that the maximum was as high as 85 per cent in one instance:

TABLE 12.—*Common stock dividends paid by the anthracite carriers, 1898–1920.*

Year.	Reading Co.	Central of New Jersey.	Lehigh Valley.	Delaware, Lackawanna & Western.	Delaware & Hudson.	Pennsylvania.	New York, Ontario & Western.	Lehigh Coal & Navigation Co.
	Per cent.	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*
1898		4.00		7.00	5.00	5.00		4.00
1899		4.50		7.00	5.00	5.00		4.00
1900		5.00		7.00	5.00	6.00		5.50
1901		5.75		7.00	7.00	6.00		6.00
1902		(1)		7.00	7.00	6.00		[2]15.00
1903		12.00		7.00	7.00	6.00		6.00
1904		8.00	1.00	17.00	7.00	6.00		[2]17.00
1905	3.50	8.00	4.00	20.00	7.00	6.00	4.50	8.00
1906	4.00	8.00	4.00	20.00	7.00	6.50	2.00	8.00
1907	4.00	8.00	6.00	20.00	9.00	7.00	2.00	8.00
1908	4.00	8.00	6.00	20.00	9.00	6.00	2.00	[2]18.00
1909	4.00	8.00	6.00	85.00	9.00	6.00	2.00	9.00
1910	5.00	12.00	6.00	20.00	9.00	6.00	2.00	[3]33.00
1911	5.00	12.00	10.00	55.00	9.00	6.00	2.00	8.00
1912	6.00	13.00	20.00	20.00	9.00	6.00		8.00
1913	7.00	13.00	10.00	20.00	9.00	6.00	2.00	8.00
1914	8.00	13.00	10.00	20.00	9.00	6.00		8.00
1915	8.00	13.00	10.00	20.00	9.00	6.00		8.00
1916	8.00	13.00	10.00	20.00	9.00	6.00	1.00	8.00
1917	8.00	13.00	10.00	25.00	9.00	6.00	2.00	8.00
1918	8.00	13.00	10.00	20.00	9.00	6.00		8.00
1919		20.03	18.55	6.18	36.46	5.47	8.65	1.55
1920		26.28	10.27	22.29	33.30	6.44	6.72	1.26

[1] The Central of New Jersey paid regular quarterly dividends of 2 per cent in 1902, but none are shown because of a change in the date of the annual report.
[2] Including a 10 per cent stock allotment at par.
[3] Including a 10 per cent stock allotment at par and a 15 per cent scrip dividend.

I shall now analyze some of these figures.

LEHIGH COAL & NAVIGATION CO.

a. Increased surplus from 1912 of one and one-half millions to over eighteen and one-half millions in 1920. An increase of about 1,150 per cent.

b. At same time paid dividends of 8 per cent per annum.

c. Increased average yearly net income per ton of coal mined from 62.3 cents to 92.4, or approximately 50 per cent.

d. Only increased production in 1920 over 1912 of but 20 per cent.

LEHIGH & WILKES-BARRE COAL CO.

a. Tonnage production reduced from 1920 below that of 1912 about one and one-third million tons, approximating a reduced production of about 30 per cent.

b. Increased average yearly net income per ton of coal mined from 48 cents in 1912 to 134.7 cents in 1920.

c. Increased surplus of three and one-half million in 1912 to twenty-seven millions in 1920, or nearly 900 per cent.

d. Total dividends paid during this period amounted to 305 per cent.

The stock of this coal company was owned largely and controlled by the New Jersey Central Railroad, known as an anthracite carrier. During the period of 1898–1918 this railroad paid 200 per cent in dividends. During the period 1903–1913 its net earnings on capital stock was 20.4 per cent.

LEHIGH VALLEY COAL CO.

a. Decreased its tonnage production of eight and one-half millions in 1912 to eight and one-third millions in 1920.

b. During same period increased average yearly net income per ton of coal mined from 13.5 cents to 56.8 cents.

c. Reduced bounded debt from twenty millions to eleven and one-half millions.

d. Increased net worth from five and one-half millions to twelve millions.

e. And paid dividends during period of 190 per cent.

This coal company's stock is largely owned and the company controlled by the Lehigh Valley Railroad Co., which averaged during the same period 10 per cent yearly dividends.

LEHIGH VALLEY COAL SALES CO.

This company is the selling agency for the Lehigh Valley Coal Co. In the period 1912–1920 it paid in dividends 177½ per cent, equaling approximately 20 per cent per annum throughout the period. The combined dividends of railroad company, coal company, and sales company during this period totaled 457½ per cent, constituting an average combined dividend for these allied companies of 51 per cent per annum.

DELAWARE, LACKAWANNA & WESTERN COAL CO.

a. Tonnage production in 1912 was 9,233,000 tons. Reduced in 1920 to 9,098,000 tons, or a decreased production in tons of 2½ per cent.

b. At same time increased average yearly net income per ton from 22.9 cents in 1912 to 33.4 cents in 1920, or 50 per cent.

c. Paid in dividends during period a total of 375 per cent. I understand that during the period of 1898–1918 this coal company was under the control of a railroad company by the same name. This D., L. & W. R. R. Co. during the period of 1899–1918 paid in dividends a total of 444 per cent, constituting an average dividend per annum of 22½ per cent. The total dividend of coal company and coal carrier in the period of 1912–1920 is 580 per cent or an average combined dividend of 60 per cent per annum.

PHILADELPHIA & READING COAL CO.

a. Increased tonnage production from approximately 10,200,000 tons in 1912 to 10,800,000 tons in 1920—an increase of production of 6 per cent.

b. At same time increase average yearly net income per ton of coal mined from 1.7 cents in 1912 to 61.9 cents in 1920.

c. Increased surplus from one and one-half millions in 1912 to twenty-five and one-half millions in 1920—an increase of 1,700 per cent.

d. Increased net worth from nine and one-half millions to thirty-three and one-half millions, or 360 per cent.

e. No dividend information available.

During the period 1903–1913 the Philadelphia & Reading Railroad Co., controlling this coal company, paid dividends averaging 22.7 per cent per annum. During the same period their net earnings averaged 31.65 per cent of the capital stock.

TEMPLE COAL CO.

a. Decreased production from 1912 of 1,730,000 tons to 1,144,000 tons in 1920. Approximately 33⅓ per cent decrease.

b. At same time increased average yearly net income per ton of coal mined from 42.2 cents to 105.8 cents.

c. Increased percentage of net income on capital stock of 20.3 per cent in 1912 to 121 per cent in 1920.

While the coal companies were making these excessive profits the anthracite carriers owning or controlling the stock in the coal companies were paying good dividends or making large earnings. I have already called attention to some of them.

The Interstate Commerce Commission in its report of 1915 on anthracite rates recognizes the fact that the anthracite roads dominated anthracite coal production. I quote from the report as to ownership of stock, as follows:

Coal company.	Owner of stock of coal company.	Par value of stock owned.	Date stock was acquired by owner.
Lehigh & Wilkes-Barre Co..	Central Railroad of New Jersey.	$8,491,150	1874-1909.
Philadelphia & Reading Coal & Iron Co.	Reading Co.[1]	8,000,000	Dec. 1, 1896
Hillside Coal & Iron Co....	Erie Railroad Co.	1,000,000	Dec. 1, 1895.
Pennsylvania Coal Co.....	....do.....	5,000,000	March, 1901.
Lehigh Valley Coal Co.....	Lehigh Valley Railroad Co.	1,965,000	1875-1908.
Coxe Bros. & Co. (Inc.)....	....do.....	2,910,150	1906.
Scranton Coal Co.....	New York, Ontario & Western Railroad Co.	200,000	Feb. 2, 1899.
Elk Hill Coal & Iron Co....	....do.....	60,000	Mar. 1, 1899.
Susquehanna Coal Co.....	Pennsylvania Railroad Co..	2,136,300	1873-1886.
Mineral Railroad & Mining Co.	....do.....	100,002	1877-1891.
Summit Branch Mining Co..	....do.....	25,000	Mar. 12, 1902.
Mineral Railroad & Mining Co.	Northern Central Railway Co.	199,998	1887-1891.
Hudson Coal Co.....	Delaware & Hudson Co....	2,400,000	1901-1911.

[1] Holding company.

The carriers own the entire outstanding stock of the coal companies named above with but one exception; the Central Railroad Co. of New Jersey owns $8,491,150 of the $9,210,000 stock issued by the Lehigh & Wilkes-Barre Coal Co.

The claim was made before the Senate Committee on Reconstruction that the railroad rates for the carrying of anthracite coal by the anthracite carriers averaged two and one-half to three times the operating cost. The receipts from carrying coal constitute a great percentage of the gross income of these roads. The complaint is that these unreasonable and unjust rates have had their unreasonableness multiplied by the horizontal increases in commodity rates during the past four or five years. I again quote from this Interstate Commerce Commission report showing the tonnage shipped during the month of November, 1912, by the coal companies over the anthracite roads. This tonnage constitutes a very large proportion of the total tonnage.

Carrier.	Coal company.	Tons (2,240 pounds) shipped by affiliated coal company.	Ratio to total tonnage shipped by all shippers.
			Per cent.
Central R. R. Co. of New Jersey.	Lehigh & Wilkes-Barre Coal Co.	466,634	52.65
Do.....	Lehigh Coal & Navigation Co.	236,076	26.64
Philadelphia & Reading Ry. Co.	Philadelphia & Reading Coal & Iron Co.	1,074,443	80.04
Delaware, Lackawanna & Western R. R. Co.	Delaware, Lackawanna & Western Coal Co.	881,063	94.01
Lehigh Valley R. R. Co....	Lehigh Valley Coal Sales Co..	930,827	77.24
Delaware & Hudson Co....	Hudson Coal Co.....	644,084	76.25
Pennsylvania R. R. Co....	Susquehanna Coal Co.....	555,380	66.71
Northern Central Ry. Co...			
Erie Lines.....	Pennsylvania Coal Co.....	466,000	70.82
	Hillside Coal & Iron Co.....	126,000	19.15
New York, Ontario & Western Ry. Co.	Scranton Coal Co.....	277,508	89.58

I have several other tables pertaining to these anthracite carriers, which I shall place in the RECORD with brief explanations.

Table 13 gives the average yearly percentage of net income to capital stock for the period indicated:

TABLE 13.—*Net income earned by anthracite carriers on their capital stock.*

Year.	Reading Co.	Central of New Jersey.	Lehigh Valley.	Delaware, Lackawanna & Western.	Delaware & Hudson.	Pennsylvania.	Erie.	New York, Ontario & Western.	Lehigh Coal & Navigation Co.
	Per cent.	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*
1913.....	7.24	26.73	14.46	32.25	16.42	8.00	4.16	2.08	8.93
1914.....	7.73	20.86	11.65	24.35	9.68	7.16	.81	1.14	9.35
1915.....	6.15	19.38	10.79	25.72	13.04	6.66	.57	1.05	8.65
1916.....	6.75	21.77	13.00	29.93	13.66	10.80	5.90	1.69	10.49
1917.....	6.75	24.69	11.80	36.40	11.75	7.50	1.05	1.68	11.71
1918[1].....	.....	13.13	10.90	33.90	11.09	8.88	4.14	1.40	.....
1918[2].....	[3]7.33	10.54	2.92	35.20	1.82	.47	.....	.....	9.50

[1] Guaranteed income account.
[2] Combined Federal and corporate income account.
[3] Corporate income account.

Table 14 is taken from figures presented by Mr. Lauck, an economist who appeared before the Calder committee on reconstruction. These figures have not been checked by the Federal Trade Commission. They purport to give the actual investment in these anthracite coal companies with watered stock and fictitious values eliminated:

TABLE 14.—*Per cent of income earned by anthracite railroads on that proportion of their capital stock which represents actual investment.*

Year.	Reading Co.	Lehigh Valley.	Delaware, Lackawanna & Western.	Delaware & Hudson.	Pennsylvania.	Erie.	New York, Ontario & Western.
	Per cent.	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*
1913.....	37.52	19.63	53.04	21.93	11.19	61.17	8.81
1914.....	40.08	15.81	35.23	12.93	9.71	11.86	4.83
1915.....	31.90	14.65	37.15	17.41	8.87	8.42	4.46
1916.....	35.01	17.65	48.82	18.28	14.34	86.67	7.16
1917.....	35.02	16.02	60.68	15.69	9.90	15.40	7.11
1918[1].....	.....	14.77	48.83	14.82	11.86	60.89	5.86
1918[2].....	[3]38.00	3.97	55.91	2.43	6.35	.....	.....

[1] Guaranteed income account.
[2] Combined corporate and Federal income account.
[3] Corporate income account.

The figures for the period 1919–20, as furnished by the Inter state Commerce Commission, are as follows:

Name of company.	Per cent of net income to capital stock.		Dividends declared on common stock.	
	1919	1920	1919	1920
	Per cent.	*Per cent.*		
Central R. R. Co. of New Jersey	18.55	10.27	$3,292,416	$2,743,680
Delaware & Hudson Co.	5.47	6.44	3,825,234	3,825,234
Delaware, Lackawanna & Western R. R. Co.	36.46	30.30	8,444,097	8,444,110
Erie R. R. Co.	2.82	3.03		
Lehigh Valley R. R. Co.	6.18	22.29	4,668,832	4,235,119
New York, Ontario & Western Ry. Co.	1.55	1.26	581,073	581,073
Pennsylvania R. R. Co.	8.65	6.72	29,950,704	29,950,404
Philadelphia & Reading Ry. Co.	20.03	20.28	4,248,170	6,372,255

Table 15 gives some interesting figures on the earnings of two anthracite carriers—the Philadelphia & Reading Railroad Co. and the Central Railroad Co. of New Jersey:

TABLE 15.—*Extract from condensed income and profit and loss statement.*

PHILADELPHIA & READING RAILWAY CO.[1]

Year ended June 30—	Gross surplus.					Deductions from surplus.					Net surplus at end of year.
	Net income for year.		Surplus at beginning of year.	Miscellaneous credits.	Total.	Dividends declared.		Provisions for additions and betterments and new lines, etc.	Miscellaneous deductions.	Total.	
	Amount.	Ratio to capital stock.				Rate.	Amount.				
		Per cent.				*Per cent.*					
1913	$12,090,170	28.40	$8,765,980		$20,856,150	15	$6,372,255	$2,391,562	$332,247	$9,296,064	$11,560,086
1912	8,128,578	19.16	9,655,987	$44,061	17,838,626	15	6,372,255	2,629,740	70,651	9,072,646	8,765,980
1911	7,663,005	18.04	11,372,906	98,260	19,134,171	25	5,000,000	3,353,539	1,124,625	9,478,134	9,655,987
1910	8,709,030	43.51	9,721,612	82,618	18,507,266	25	5,000,000	2,070,661	63,089	7,134,200	11,372,906
1909	6,355,268	31.63	10,162,066		16,527,334	25	5,000,000	1,805,722		6,805,722	9,721,612
1908	7,280,578	36.45	9,816,427		17,107,305	30	6,000,000	937,660	7,579	6,945,239	10,162,066
1907	7,892,359	39.46	9,772,002		17,664,361	30	6,000,000	1,847,934		7,847,934	9,816,427
1906	8,924,908	44.62	10,387,530		19,312,438	30	6,000,000	3,539,352	1,084	9,540,436	9,772,002
1905	8,336,803	41.69	7,025,368		15,367,173	20	4,000,000	979,643		4,979,643	10,387,530
1904	5,490,030	27.45	5,112,103		10,602,133	12	2,400,000	1,173,765		3,573,765	7,025,368
1903	3,546,276	17.73	2,794,587		6,340,683			1,228,760		1,228,760	5,112,103
Average		31.65				22.7					

CENTRAL RAILROAD CO. OF NEW JERSEY.[1]

1913	$7,332,882	26.73	$13,969,878	$731,371	$22,034,131	12	$3,292,416	$4,040,466	$563,392	$7,896,274	$14,137,857
1912	6,018,662	21.94	13,519,634	41,300	19,579,656	12	3,292,416	2,000,000	317,362	5,609,778	13,969,878
1911	6,702,593	24.43	12,396,346	887,169	20,286,108	12	3,292,398	3,600,600	474,105	6,766,474	13,519,634
1910	8,957,788	32.65	10,939,487	102,111	20,069,386	12	3,292,368	4,600,600	260,672	7,403,640	12,595,346
1909	4,537,956	16.54	10,583,306	550,577	15,671,839	8	2,194,912	2,000,000	537,440	4,732,352	10,939,487
1908	5,123,441	18.67	9,579,874	626,070	15,329,385	8	2,194,912	2,000,000	551,167	4,746,079	10,583,306
1907	5,782,878	21.06	9,515,632		15,298,510	8	2,194,844	2,362,062	1,161,730	5,718,636	9,579,874
1906	5,659,705	20.63	9,211,227	212,923	15,083,855	8	2,194,424	1,954,444	1,419,355	5,568,223	9,515,632
1905	5,032,422	18.35	8,739,227	330,984	14,102,633	8	2,193,704	1,072,702	1,625,000	4,891,406	9,211,227
1904	4,396,204	15.78	8,840,881		13,167,085	8	2,193,464	665,146	1,569,248	4,427,858	8,739,227
1903	2,134,796	7.79	8,962,224		11,097,020	8	2,193,264		62,875	2,256,139	8,840,881
Average		20.41				9.4					

[1] Transcript of record, U. S. v. Reading Co. et al., United States Supreme Court, 1915, vol. 2, p. 113.

The Philadelphia & Reading average dividend for the 10-year period is 22.7 per cent. In addition it increased its net surplus from five millions to eleven and one-half millions, or over 100 per cent. Almost as good a showing is made by the Central Railroad of New Jersey, which increased its surplus from nine millions to over fourteen millions and at the same time paid dividends of a yearly average of 9.4 per cent.

Mr. STEVENSON. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. STEVENSON. Is there any reason, then, why the rate on coal should not be reduced on those coal-carrying roads?

Mr. NEWTON of Minnesota. There is certainly no reason, so far as I can find out, why the rates on the coal-carrying roads should not be reduced.

Mr. STEVENSON. Then the rate on all coal should naturally be reduced. They are getting more for it than is necessary to earn their 6 per cent.

Mr. NEWTON of Minnesota. But the beneficiary of the high rates on coal are not the roads or the lake companies that carry it, but these same interests that own the mines. They get a big price and a short haul.

Mr. CAMPBELL of Kansas. Does the excess of over 6 per cent go into the Treasury for the benefit of the smaller roads?

Mr. NEWTON of Minnesota. The anthracite roads are under the terms of the transportation act.

Mr. CAMPBELL of Kansas. Then the excess over the 6 per cent would not go into their fund?

Mr. NEWTON of Minnesota. Not since the passage of the transportation act. However, these figures are prior to 1920.

Mr. STEVENSON. That depends on whether the roads have signed the contract. They were not required to sign the contract to accept the first compensation during the first six months.

Mr. NEWTON of Minnesota. That was the 6-month period. That was a question of contract. But as to the standard return, following the 6-month guaranty period there is a recapture clause. But I want to say to the gentleman from South Carolina [Mr. STEVENSON] and the gentleman from

Kansas [Mr. CAMPBELL] that up to the present time no railroad, so far as I am advised, has paid over a penny on this provision. I do not know whether they ever will. They have not paid up to the present time.

Mr. LONDON. And under the Esch-Cummins Act the railroad companies have to turn over to the Government one-half of the amount earned above 6 per cent, do they not?

Mr. NEWTON of Minnesota. That is approximately correct.

Mr. LONDON. And if they earn a dividend, say, of 12 per cent they retain 9 per cent—only one-half of the excess?

Mr. NEWTON of Minnesota. That is the provision of the act; but, as I say, there is no railroad that has turned over any proportion of that under the terms of the act.

Mr. STEVENSON. That is put into a general fund for the purpose of advancing money for equipment to roads that have not sufficient equipment, but they have to pay that money back some time and have to pay interest on it. The road has not lost what it put in there itself—an investment on a certain trust fund.

Mr. NEWTON of Minnesota. The provision referred to was to help out the weaker roads.

Now, bear in mind that the figures that I have given here have in large part been based upon figures furnished by the companies voluntarily at some time or other, either for investment purposes in the various financial journals or publications or voluntarily through some governmental agency during the period of the war.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. NEWTON of Minnesota. I was told just a moment ago, Mr. Chairman, that I had seven minutes, and I am positive since then I have not used three.

The CHAIRMAN. The Clerk said that was a mistake.

Mr. NEWTON of Minnesota. I know; but it seriously interferes with my presentation.

Mr. ANDERSON. Mr. Chairman, I yield five additional minutes to the gentleman.

The CHAIRMAN. The gentleman from Minnesota is recognized for five additional minutes.

Mr. NEWTON of Minnesota. Mr. Chairman, I have no hesitancy in submitting to the committee that these earnings and profits, as shown by coal company and coal carrier, are excessive and constitute an unjust charge, not only on the domestic consumer but upon business and industry. Yet, I venture to say, if the payment of excessive prices for coal would bring real service and a steady maintenance of supply, that the country might be disposed to pay these excessive prices and say little. But the payment of these prices does not insure a maintenance of our coal supply. It is not a price paid for efficient service. Every year or two the maintenance of our coal supply is threatened. It either is a breakdown of production through a strike or a breakdown of distribution through lack of proper distributing facilities. The country is again threatened with a strike. If it comes, there is no counting its cost or duration. The coal famine or threatened coal famine of a year ago cost the country several hundred millions of dollars. What this strike will cost if it comes no one can predict. Truly, Mr. Secretary Hoover—I think it was he—was right in characterizing the coal industry as the worst run basic industry in the country.

Furthermore, we not only face a strike but we face it unprepared. We know nothing about the operators' business, except as here and there they have chosen to furnish information to the Government or public for reasons of their own. As to capitalization, costs and profits, depreciation charges, overhead expenses, and their reasonableness, the Government knows practically nothing. Wrapped up in the coal business are numerous contracts and leases skillfully drawn to baffle the understanding of the most expert lawyers. While the Government knows little about the business details of the operators, it knows little more by way of accurate, authoritative information as to the yearly earnings of the workmen, the number of days employed per year, and the purchasing power of the wage in the locality of the mine.

It seems to me that the Federal Government should have all this information, and it is the duty of this Congress, in my judgment, to confer this power in express terms upon some governmental agency, so that these coal companies can be compelled to currently report this information. It will then be available for use at any time for any emergency. [Applause.]

One year ago the Senate Committee on Reconstruction recommended such a measure. I introduced a similar measure in the House. It starts out on the broad premise that in this country coal is a public necessity and essential to the health and for the life of the people. It therefore expressly charges coal with a public use. It does this on the theory that the Federal Government is necessarily concerned with the health and lives of its citizens. Ninety per cent of the coal mined goes into interstate-commerce channels. In my judgment, the Federal Government has jurisdiction under the commerce clause, but this bill predicates jurisdiction not only on the commerce clause but upon the general obligation resting upon all governments, and our own Government in particular, to protect the health and lives of its citizens.

The power to ascertain this information is conferred upon the Federal Trade Commission. Soon the attention of everyone will be directed to the question of coal supply, owing to the threatened strike and the country's unpreparedness for meeting it. It occurs to me, therefore, that this is an appropriate time for Congress to consider a measure of this kind

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. STEVENSON. If the gentleman will permit, if the Federal Trade Commission's power is contested in the courts on the ground that the mining of coal is not an interstate effort, will not your legislation be subject to the same controversy?

Mr. NEWTON of Minnesota. In part, yes; but the Government would rest its case not only upon the interstate-commerce clause in the Constitution but on the broader ground that coal is a public necessity, and that it is required for the health and general welfare of the people, and that the commission, as an agency of Congress, has the right to acquire information pertaining to matters of such vital moment to all the people.

Mr. STEVENSON. If the gentleman will permit, flour or wheat is also in the nature of a public necessity, and we have not the right to go into the production of wheat unless it goes into interstate commerce.

Mr. NEWTON of Minnesota. I am sorry, but my time is so short and will not permit further discussion. But we regulate banks, and yet they are no more important than the mines and the distribution of coal at a reasonable price. We regulate public utilities and the railroads vastly more than is contemplated in this legislation, and yet the railroads can not run when the mines do not run.

Mr. LONDON. Mr. Chairman, will the gentleman yield for a short question?

Mr. NEWTON of Minnesota. Yes.

Mr. LONDON. Does not the gentleman draw a distinction between natural resources and things created by the effort of man?

Mr. NEWTON of Minnesota. Yes. But I could not take the time to enter into a discussion with the gentleman.

Mr. Chairman, the tables I have presented show gross profiteering upon one of the great necessities of life. Thousands of home owners in the north section of our country simply must use anthracite coal and they can not pay $18 per ton. There is no reason why they should pay it. The earnings made by these coal companies could not have been made if they had sold their coal at only a just and reasonable margin of profit. How much more they have made only they themselves know. The public is entitled to full and complete information regarding this basic industry. If the Government does not take steps to acquire this information it is not showing that regard for the health and lives of its citizens that it should. This bill is not a drastic, restrictive, regulatory measure; it only seeks information, and relies upon an informed and aroused public opinion to correct any abuses ascertained in acquiring the information.

The Director of our Geological Survey has aptly called coal "the staff of life of industry and the lifeblood of transportation." The statement is an accurate one. It is time for the Government to so consider this industry, and to that end, Mr. Chairman, this Congress ought to hasten the enactment of some legislation of this character. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ANDERSON. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. GENSMAN] such time as he desires.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. GENSMAN. Mr. Chairman, I take this opportunity of calling to the attention of the House a condition that exists in very few States of the Union. I recognize the fact that it is peculiar to only a few States, and on account of that fact in the past the House has not given the matter a great deal of consideration. I am not altogether certain that it has ever

been called to the attention of the House, but it is a matter that should receive the careful consideration of the Members of this great law-making body.

A number of the leading educators of my district and State have communicated with me on the subject, expressing their desires and wishes and offering such advice and suggestions as they have with regard to remedying the situation. I have taken all these suggestions into my most careful consideration and from the mass of information I have received I have prepared and introduced a bill for the consideration of the proper committee and the House, with the hope that at an early date this situation will be taken care of.

In every State where Indians have received allotments these tracts of land are intermingled with lands belonging to the white man, the Indian allotment being nontaxable and the white man's land being taxable, which results in whole geographical townships and school districts in some instances being principally nontaxable land.

The gradual trend toward the policy of sending Indians in districts of this kind to the State schools upon paying a certain inadequate amount daily per scholar results in the white man being overtaxed and having a very poor school and in the Indian paying for sending his children to a very poor school, to the disadvantage and detriment of Indians and whites alike.

The policy of the Government has been to discontinue such schools as Rainy Mountain and other Indian schools as rapidly as possible. I tried the other day on the floor of the House to get an appropriation for the Rainy Mountain school, with no success other than to have my esteemed and distinguished friend, the gentleman from Illinois [Mr. MANN], say to me, "Young man, you made an excellent presentation of the matter and a good fight." The amendment carrying the appropriation lost by three or four votes.

I feel that the Government ought to educate the Indian in separate schools or to arrange for adequate facilities for educating him in the white schools. We advocate the education of the Indian. Every Member seems to have his own theory on this proposition. We are trying to discontinue a system that has long been in vogue and inaugurate a new one. In some instances we are taking care of the education of the Indian in Government schools, while in others trying to send him to the white schools, with the inevitable result that, with a mixed-up system of this kind, the Indian is but poorly educated, or at least is not getting the full benefit of the money expended in his behalf, and the white children alike are not receiving what they are entitled to.

What I have said with regard to schools applies alike to other improvements in the various townships, precincts, and school districts. In townships where there are a great many Indian allotments the roads are neglected, the bridges inadequate, and general improvements are poor.

In discussing this subject, the Indian question, which is an old question in this House, in a general way comes up for debate. To begin with, the Government has agreed in various treaties with the Indian to take care of his needs. He is known as the ward of the Government. The responsibility rests alone and entirely upon the Government. The Government, representing all the people, should under the circumstances be solely and entirely responsible to the Indian for his care. That responsibility should not be shifted from the shoulders of the Government to those of the few white people who happen to live in close proximity to the Indian. The responsibility should be borne by all of those comprising our great Government. The fact that a small number of white people own and live upon lands within the township or subdivision where numerous Indian allotments have been selected is no reason why they should assume the responsibility. A few shoulder the major portion of the responsibility, which in all justice rests upon all. A few are compelled to travel over poorly kept roads, live in a township or county with few and poor schools, and poorly paid teachers, while at the same time these men pay more taxes to the county, State, and school district than the man who has better facilities.

In addition to the responsibility a man owes to his family, he owes to the Government the responsibility to raise his family in such a manner as to make of them citizens who will be a credit to it. The Government, on the other hand, has responsibilities to its citizens, one of which is equity of taxation among and upon its members. The contractual responsibility to the Indian embodied in the various treaties should be shared equally by all and should not be shifted so as to be borne principally by those who happen to live in certain localities. My opinion of the matter is that it is high time for us to determine whether we will educate the Indian in the white schools or in the Indians' school. The present "50-50" proposition is not conducive to the best interests of the Indians or the whites. Let us take one horn of the dilemma.

In my bill I propose that the Indian allotments be valued, and that, in lieu of taxes, the Government pay a sum equal to the taxes paid upon like property owned by whites. In that way every member of the Government shoulders his portion of the governmental responsibility. It would be of great benefit to the Indians and alike to the whites. To say the least of it, it would be an equitable distribution of the responsibility; but as it now stands, in a great many places not only do a few of the mature assume the burden of the entire people but the school children are adversely affected by this inequitable situation, and under no circumstances should they be called upon to suffer because of a responsibility which all the people assumed in the various contracts or treaties made between the Government and the Indians.

Mr. BUCHANAN. Mr. Chairman, I yield 30 minutes to my colleague from Texas [Mr. CONNALLY].

The CHAIRMAN. The gentleman from Texas is recognized for 30 minutes.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, on last Thursday, March 2, in this Chamber the gentleman from Ohio [Mr. FESS], speaking no doubt as the chairman of the Republican congressional campaign committee, delivered a speech in which he gave a glowing account of what he termed the accomplishments of the Republican administration. Prepared and delivered as a campaign document for use in the congressional elections, it may be regarded as the official pronouncement of the Republican political organization. On the buoyant bosom of that river of dreams float Republican hopes for success in the election this fall. In its fine phrases can be heard the plea of the mendicant for votes, and wrapped up in its partisan platitudes is the anxious appeal of a desperate and perplexed party begging for two more years of public patience and forbearance. [Laughter.]

The fervid orator, as he stood on this floor, pointed with pride to the emergency tariff act as a monumental accomplishment. Through the magic of that measure the rehabilitation of agriculture had been hastened and much progress made along the road of national rehabilitation. How vain, gentlemen, how empty is that boast revealed when we consult the real facts of the operation of that piece of legislative quackery! Now, we all know that in an effort to delude the farmer, in an effort to commit the agriculturists of the United States to the Republican protective tariff theory, this measure which levied a duty of 35 cents per bushel on wheat, 15 cents per bushel on corn, 20 cents a gallon on cottonseed oil and some other vegetable oils, 26 cents a gallon on peanut oil, 30 per cent ad valorem on cattle, $2 per head on sheep, and 15 cents per pound on unwashed wool, was enacted by the Republicans and became effective on the 27th day of May, 1921.

Those duties were levied because the Republican politicians were trying to make the farmer believe that if imports of agricultural products could be taxed at the customhouse, by the operation of law, the price of his products would be increased and prosperity would be assured.

Mr. CAMPBELL of Kansas. Will the gentleman yield for just a very short question?

Mr. CONNALLY of Texas. Yes.

Mr. CAMPBELL of Kansas. In order to make the RECORD entirely accurate, will not the gentleman say that some Texas Members who are Democrats voted for that measure?

Mr. CONNALLY of Texas. I do not deny that. I shall answer the gentleman. The gentleman from Kansas is never so sure that he is right as when he finds some Democrat from Texas voting with him. [Laughter and applause.] I will say to the gentleman that there were some Members of the Texas and other delegations who are Democrats who were so desperate, so anxious to do something for agriculture, knowing that the Republican Party was in control, knowing that it was only through your party that any relief could be granted, knowing that you would propose nothing else, grasped at that straw and voted for the emergency tariff. But deep down in their hearts, if they had taken counsel of the past, they would have known that your political nostrum could not have been of any substantial benefit to the agricultural interests of this Nation.

Mr. CAMPBELL of Kansas. Will the gentleman yield for another question?

Mr. CONNALLY of Texas. No; I regret I can not yield any more. I have only 30 minutes. When I get along a little further I shall yield again. I do not want to be discourteous to the gentleman from Kansas, because I realize that he is one of the outstanding agricultural figures in this body. He is successful each two years in cultivating the farmers, even more assiduously than they cultivate the soil. [Laughter and applause.]

But what in fact did the emergency tariff do for the agricultural interests? To what dizzy heights did agricultural prices soar on its powerful pinions? Where is the hoarded gold touched by this modern Midas and brought into the farmers' treasury? Let us see what are the statistics.

I want to say that in quoting these figures and statistics I quote the Bureau of Markets of the Department of Agriculture, the Department of Commerce, and the Joint Commission of Agricultural Inquiry, of which the gentleman from Minnesota [Mr. ANDERSON] was chairman. With information from these sources I want to call the attention of the country and of this House to the real operation of the Fordney emergency tariff.

The Bureau of Markets and Crop Estimates reports that for May, 1921, the month in which the cry of despair went up, the month in which the Republicans proposed the remedy, No. 2 red wheat was selling in Chicago at $1.67 a bushel. It declined in June to $1.47, and in December it went to the low point of $1.18 per bushel, from the point of $1.67, with a 35 cents per bushel duty.

And what else do we find? We find that the department reports disclose that for that entire time, with one exception, the export price of wheat was greater than the domestic price. It discloses that the price of wheat going out of the United States was greater than the price of wheat sold within the United States. It discloses that the markets in Great Britain were always higher than the domestic markets within the United States. It simply disclosed what we have always said, that for the farmers' surplus products over and above what is consumed within the United States, the export market fixes the domestic price. You can not fix it by any political or legislative legerdemain, as was sought to be done in the farmers' emergency tariff. It may be worth while to refer to other data showing the prices for wheat for each month since May, 1921, at Chicago, under the tariff, in comparison with prices for the year previous without a tariff, and in comparison with British prices.

At Chicago in June, 1921, No. 2 red winter was worth $1.47 per bushel, against $2.89 for the same month in 1920. In Great Britain for June, 1921, wheat was selling at $1.72, against $1.47 at Chicago.

July, 1921, found it at $1.24 at Chicago, against $2.59 in 1920. In July, 1921, it was $1.58 in Great Britain, against $1.24 at Chicago.

In August, 1921, the market at Chicago was $1.22, against $2.50 for 1920, and in Great Britain in August, 1921, it was $1.48, against $1.22 at Chicago.

In September, 1921, the price was $1.29 at Chicago, against $2.53 for 1920. In September, 1921, it was $1.47 in Great Britain, against $1.29 in Chicago.

October, 1921, found it at $1.18 at Chicago, against $2.20 for 1920. In Great Britain in October, 1921, it was $1.21, against $1.18 at Chicago.

For November, 1921, it was $1.23 at Chicago, against $2.01 for 1920. In Great Britain it was $1.17, against $1.23 at Chicago.

In December, 1921, it was $1.18 at Chicago, against $2.02 for 1920. In December, 1921, it was $1.32 in Great Britain, against $1.18 at Chicago.

In January, 1922, the Chicago market was $1.21, and for February it was $1.34.

From a table prepared by the Department of Commerce these facts are made to appear: In June, 1921, the farm price of wheat in the United States was $1.27, against an export price of $1.58; for July, $1.12 against $1.50; for August, $1.048 against $1.40; for September, $1.01 against $1.34; for October, $1.06 against $1.30; for November, $0.94 against $1.18; for December, $0.929 against $1.21. The foreign market, the export market, the free world market, was always higher than the domestic market, and the domestic market itself declined from May, 1921, until it went as low as $1.18 in December, 1921, after seven months of the operation of the emergency tariff. In January of the present year—January, 1922—the Chicago wheat market was only $1.21, and for February it was only $1.34. In these instances it rose because the world market rose first.

I hold in my hand an Associated Press report dated at Chicago February 14, 1922, detailing a sensational rise in the wheat market of 6¼ cents. This report stated that wheat had risen 6¼ cents a bushel at Chicago. Why? "The reason was the sensational advance of Liverpool and other foreign market centers over yesterday's holiday," says the dispatch. This morning's Washington Post carried the following:

CHICAGO GRAIN.

CHICAGO, *March 6.*

Export buying of United States wheat, together with an unexpected advance of prices at Buenos Aires, led to substantial gains here to-day in the value of wheat.

Well, if it did not help wheat, surely it helped corn in Iowa and Kansas. Let us see what it did for corn. Corn carried a duty of 15 cents a bushel. In June, 1921, the price at Chicago was 62 cents under the tariff as against $1.89 for the year preceding without a tariff, the year 1920. When it was 62 cents in Chicago it was 97 cents in Great Britain. Its performance was like that of wheat.

In July, 1921, it was 60 cents at Chicago against $1.58 in 1920. When 60 cents at Chicago it was 98 cents in Great Britain.

In August, 1921, it was 56 cents against $1.58 for 1920. When it was 56 cents in Chicago it was 93 cents in Great Britain.

September, 1921, it was 53 cents against $1.31 for 1920. When it was 53 cents in Chicago it was 82 cents in Great Britain.

In October, 1921, it was 45 cents against 91 cents for 1920. When it was 45 cents in Chicago it was 71 cents in Great Britain.

In November, 1921, it was 47 cents against 77 cents in 1920. When it was 47 cents in Chicago it was 74 cents in Great Britain.

In December, 1921, it was 47 cents against 74 cents for 1920. When it was 47 cents in Chicago it was 86 cents in Great Britain.

By a table prepared by the Department of Commerce it is shown that the farm prices of corn in the United States for 1921 compared with the export prices were as follows: June, $0.625 against $0.743; for July, $0.622 against $0.71; August, $0.617 against $0.64; September, $0.562 against $0.60; October, $0.51 against $0.595; November, $0.411 against $0.612; December, $0.423 against $0.635.

When in December, 1921, corn was 47 cents in Chicago it was 86 cents in the British foreign market. These instances, gentlemen of the House, simply disclose the fact that the prices of surplus agricultural products of the United States are fixed in the markets of the world. They are not fixed by tariff tinkering with importations. The United States is a great exporter of wheat and the foreign market will always continue the free market, and that free foreign market will continue to fix the domestic price of wheat, because if a purchaser wants to buy wheat or corn in the United States he will not buy except at a price less than is offered for it at the seaboard. Whenever wheat stops going abroad the price drops at home, because the domestic surplus naturally reduces the price.

Now, let us see about some of the other articles. They tried to delude some of us into the belief that if there be levied a tariff on cottonseed oil it would immediately raise the price of cotton seed. So they levied a tariff on a great number of vegetable oils. What happened? Cottonseed oil was provided with a duty of 20 cents a gallon, and from May, 1921, to January of the present year it increased in the New York market from $0.0713 to $0.0865 per pound, or a little over 20 per cent, but cotton seed, out of which the oil is manufactured and upon which there was not levied a cent of duty, increased for the same time from $20 to $35.50 per ton at Memphis—not 20 per cent, but an increase of over 75 per cent on the free markets of the world.

The following are the farm prices for cotton seed per pound, compared with the export prices as reported by the Department of Commerce for the last seven months of 1921: June, $0.009 against $0.037; July, $0.009 against $0.017; August, $0.011 against $0.019; September, $0.014; October, $0.015 against $0.026; November, $0.015 against $0.021; December, $0.014 against $0.054.

The market quotations further show that during all the period the British market for cottonseed oil and the market for cotton seed were always higher than the domestic market.

In June, 1921, cotton seed was $18.50 per ton at New Orleans, against $41.87 for Egyptian spot cotton seed in the British market; in July, $22.50 against $49.17; in November, $37 against $47.94; and in December, $36 against $54.56.

The following were the export prices of cottonseed oil for the last seven months of 1921: June, $0.078; July, $0.077; August, $0.092; September, $0.092; October, $0.093; November, $0.089; December, $0.084.

And the British market was: For June, 1921, $0.072 to $0.0827; July, $0.0776 to $0.0887; August, $0.0852 to $0.0946; September,

$0.0864 to $0.0956; October, $0.0971 to $0.1067; November, $0.0934 to $0.0934; December, $0.0811 to $0.0904.

The domestic market did not lead but followed the foreign markets.

Peanuts carried a duty of 3 cents per pound and peanut oil one of 26 cents a gallon. Surely peanuts must have gone skyward. In June, 1921, the domestic price per pound was $0.038, but the export price was $0.063; for July, $0.038 against $0.071; August, $0.039 against $0.061; September, $0.04 against $0.063; October, $0.04 against $0.063; November, $0.037 against $0.074; and December, $0.035 against $0.058.

At no time was the advance more than two-tenths of a cent over the June price, and December found them three-tenths of a cent lower. The price for foreign export was always much higher than the home price. Virginia Jumbo cleaned peanuts in the New York market in May, 1921, were $0.115 per pound. In January, 1922, they had declined to $0.093 and to $0.088 in February. The simple truth is that the United States before the war and since the war exported more vegetable oils than she imported, and the foreign market fixes the price at home.

Mr. SNYDER. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. SNYDER. Can the gentleman assure us by any information he may have at hand that if the emergency tariff had not been enacted the prices would not have gone lower than they did?

Mr. CONNALLY of Texas. Oh, I would prefer not to speculate on that now. I have not quite got to the object of the emergency tariff. The real object of the emergency tariff was not to raise the price of agricultural products. As a price for getting the agricultural schedules in that bill, what did the Republican Ways and Means Committee demand at the hands of the farmers? They demanded that there should be written into it an embargo on dyes, and they demanded as the price for the alluring bait that they held out the insertion in the tariff bill of an antidumping clause, which prohibits in a large measure the importation of foreign merchandise into the United States on the theory that it was being brought here at a price less than the cost of production.

Mr. SNYDER. One other suggestion: Does the gentleman realize that when the emergency tariff was enacted we were at the crisis of our speed of deflation, and the gentleman does not know, nor anyone else know, how far we would have gone if the emergency bill had not been enacted?

Mr. CONNALLY of Texas. How far would they have gone?

Mr. SNYDER. I do not know, and neither does the gentleman.

Mr. CONNALLY of Texas. I have not pretended to know; I only know that the legislative concoction prescribed by the political doctors on the Republican side of the House when administered did not improve the patient. [Laughter.] You said it was done to improve and cure the sick, and now because the patient has not already died the gentleman wants to believe that but for the administration of this medicine he would have died.

Mr. SNYDER rose.

Mr. CONNALLY of Texas. I can not yield again, because my time is limited and there are other phases I want to talk about. When I have time I am always very glad to yield to the gentleman, because he generally contributes enlightenment to the debate.

A little while ago the gentleman from New York [Mr. SNYDER] wanted to know if the prices of agricultural products would not have declined to still lower levels if the tariff had not been imposed. It is difficult to see how that could have occurred, because the export prices, the prices in foreign markets, were higher than domestic prices, and prevented home prices from going lower. Foreign prices held home prices up instead of driving them down. This is true, although whatever imports were shut out of the United States were forced upon the foreign market.

On the other hand, if deflation, the decline of European exchange, and the collapse of European markets caused prices to decline, the cure should have been applied to the cause.

What else do we find? We find, as I have already said, that the object in passing the emergency tariff legislation was to make it harder to import European merchandise and manufactured goods, because it was said that they were being brought in at a price less than the cost of production. The Agricultural Commission has reported that the crop of 1920 was sold at less than the cost of production; and if so, was it a crime that the farmer should have been able to exchange some of his goods, sold for less than the cost of production, for a few manufactured goods that were sold for less than the cost of production? Money is a relative value. If all of us go down together, we all sustain the same relative position, but if by law you pull up the manufacturer and the industries, you also by the same act let the farmer down toward the bottom of the scale.

How about wool? I may say here that wool is one agricultural product that in normal times would benefit by a tariff. A tariff in ordinary times would without doubt raise the price of wool, because we do not normally produce as much as we consume, but at the time the emergency tariff was enacted, and for some time thereafter, it did not benefit the woolgrower, and the figures disclose that fact.

What happened to wool? The report of the Agricultural Commission discloses that at the time of the passage of the emergency tariff law there were 4,000,000,000 pounds of wool in the world, and that the normal supply of wool was only 2,000,000,000 pounds. In other words, the world had more than twice as much on hand as it normally had, and until that surplus was somewhat reduced the world's price of wool was going to remain low. The Department of Commerce reports that the farm prices for wool in the United States were $0.154 in June, 1921, as against $0.232 for export; July, $0.155 against $0.216; August, $0.154 against $0.213; September, $0.155 against $0.24; October, $0.158 against $0.224; November, $0.156 against $0.212; December, $0.169 against $0.184.

The figures disclose that even during the operation of the emergency tariff act the export prices on wool were always higher than the domestic price. The domestic price of wool varied from about 15.5 cents until it rose to 16.9 cents, I believe in December, and wool is up some at the present time.

Mr. LONGWORTH. What does the gentleman mean by "some"?

Mr. CONNALLY of Texas. I can not find the exact figures. It is up over what it was in December.

Mr. LONGWORTH. It is over 40 cents a pound to-day.

Mr. CONNALLY of Texas. As I have already pointed out, a tariff will eventually raise the price of wool when stocks are reduced. The gentleman will not dispute the fact, however, that wool was much lower during the last six months of 1921, with his tariff, than it was the first six months without a tariff. The world price had declined.

Mr. LONGWORTH. At the time the emergency tariff act was passed there was no market for wool, and now it is worth over 40 cents a pound.

Mr. CONNALLY of Texas. If the emergency tariff act made it 40 cents a pound in February and March, 1922, why did not the gentleman's bill make it rise at least 1 cent in May or June, or July or August, 1921, when the emergency tariff act went into operation? In the hands of the farmer it rose only one-fifth of a cent from June to November.

Mr. LONGWORTH. I will answer the gentleman very briefly by saying that at that time the importations under the Underwood law had been so enormous that it took some time before the market was affected.

Mr. CONNALLY of Texas. The gentleman seems to contradict himself. He said a moment ago there was not any market for wool at that time; there was practically no market—no world market—for wool. Our tariff laws do not operate beyond our boundaries, and the 4,000,000,000 pounds of wool in the world were neither increased nor decreased by the Underwood Tariff Act, and the gentleman ought to know that.

The agricultural commission made a careful study of the situation. I quote from its report on page 112:

> Most of the Governments engaged in the war had built up large surplus stocks of wool in anticipation of war demands, and with the decline of this demand consumption rapidly fell the world over. This, coupled with the surplus stocks which came on the market in 1920, was without doubt the major factor in inducing the rapid and disastrous decline in wool prices which occurred the last half of 1920 and the first half of 1921.
>
> The peak of consumption of wool in the United States was reached in January, 1920, since which time it has steadily declined. This decline in consumption was doubtless a factor in reducing the price, although the enormous surplus stock of wool in this country as well as in the world was the major factor in bringing about that result.

The tremendous war surplus is shrinking. Wool has gone up the world over in recent months. It rose in the foreign markets before it rose here. The prices quoted by me were farm prices received by the producer. The quotation by the gentleman from Ohio is doubtless the Boston market for wool after it reached the hands of the wool merchant and the speculator.

Sheep over 1 year old carried a duty of $2 per head and $1 on less than 1 year old. How much did it help the price? The Department of Commerce says the farm price of sheep per hundred pounds was as follows: June, 1921, $4.74; July, $4.34; August, $4.38; September, $4.11; October, $3.96; November, $3.84; and December, $4.10. Sheep were selling for less in

December, 1921, than in June of the same year. At Chicago sheep in May, 1921, were worth $6.33, but declined to $4.92 in December, 1921. Sheep now are much higher. No doubt the rise in wool is reflected in sheep.

With a duty of 30 per cent ad valorem, how did cattle fare? The farm price of cattle per hundred pounds varied, as follows: June, 1921, $5.65; July, $5.40; August, $5.39; September, $4.98; October, $4.81; November, $4.67; December, $4.62. Cattle were selling for $1 per hundred pounds less in December, 1921, than in June of the same year, when the act first became effective. The Department of Agriculture reports that beef cattle at Chicago were $8.33 in May, 1921, and $7.12 in January, 1922, and $7.60 in February.

If the emergency tariff did not enhance farm prices measured in dollars, what was its effect? As I have said, money is a relative thing. It is only valuable in that it represents a purchasing power measured in other commodities.

The Joint Commission of Agriculture, composed of five Senators and five Members of the House, in its report says:

> Measured in terms of purchasing power, the farmers' dollar in 1920 was worth 89 cents. In May, 1921, it was worth 77 cents. During the past 12 months it has been worth less than in any preceding 12 months in 30 years.

It also states that a bushel of corn in 1921, measured in other commodities, would only purchase 59 per cent of what it would for the five-year average before the war; wheat, 78 per cent; cotton, 48 per cent; cotton seed, 48 per cent; beef cattle, 71 per cent; sheep, 64 per cent; wool, 63 per cent; and the average of 31 farm products, 67 per cent.

What was a farmer's dollar worth in other goods—not in money? The commission discloses that in 1921 a dollar received by the farmer for his agricultural products was worth a dollar anywhere in the world, of course, because gold is standard, but in 1921 a dollar's worth of agricultural products, measured by the average for five years preceding the war, was worth only 67 cents.

What does it mean? It means that the products of the farmer which are worth a dollar in gold in the market of the world, when measured in the United States domestic market, tariff protected, is only worth 67 cents in other goods. It means that an artificial market has been maintained here for manufactured goods at the expense of the farmer. That same table discloses that corn which is worth a dollar in the markets of the world in other goods of the United States is only worth 59 cents, measured by the standard of the five years preceding the war. It shows that cotton, although it is worth a gold dollar in the markets of the world, when measured in the domestic market in the United States in other goods which the farmer has to buy is only worth 48 cents. What does it mean? Does it mean that the farmer's labor is lighter or that his hours are shorter? No. It means that he must sell in a free world market and must buy in a tariff-protected market. It means that he must take what he can get—what the foreign market forces the domestic buyer to pay—and that he must buy in a highly organized domestic market, in which foreign goods are not allowed to compete.

The report also contains a table showing the average annual earnings of employees normally engaged in different industries; for 1909 average of all industries $622, against $302 for agriculture; for 1910, $656 against $301; for 1911, $648 against $317; for 1912, $692 against $319; for 1913, $723 against $328; and for 1918, $1,094 against $590. It is said that though about 30 per cent of the persons gainfully employed in the United States are engaged in agriculture, normally they received only about 17 or 18 per cent of the national income. These things, gentlemen, go to the very heart of the whole economic situation. These things disclose that the protective tariff principle of the Republican Party is responsible for building up an artificial stimulation for the manufactured products of the land and for the industries of this country at the expense of agricultural interests and the consuming public. But the tariff is the Republican cure-all. It has been its standard prescription from the beginning. Once there was a school of medicine that invariably prescribed bleeding, whatever the disease or condition of the patient. With lancet and cup, these cruel surgeons weakened their victims while professing to coax them back to health and strength. This political doctor, like the leech of old, prescribes bleeding for sick agriculture and is preparing now a permanent tariff bill for his weakened and debilitated patient. In the tariff laboratories he is sharpening the knife and preparing the anesthetic for another operation. You need not doubt when the American valuation clause is tacked on the tariff bill, or some substitute as unjust and inequitable, but that the agricultural interests and consuming public of the country will know that they have had a prescription of heroic proportions. [Applause on the Democratic side.] And that is what they are fixing to do. That is their chief treatment. The gentleman from Michigan [Mr. FORDNEY] said on the floor here, when sponsoring the permanent tariff bill through this body, when asked some question, I think by the gentleman from Texas [Mr. GARNER], as to what the Republicans were going to do to improve the conditions under which the country was suffering, held aloft the ponderous Fordney tariff bill and, in effect, said, "Here is our remedy for all ills and conditions." That is the Republican doctrine.

The gentleman from Ohio [Mr. FESS] the other day in making a catalogue of the accomplishments of the Republican Party did not point out that the emergency act contained the antidumping clause, which, in fact, shuts off the foreign market for the product of the farmer. The trouble with the farmer was he had no foreign market. The antidumping clause tended to shut out importation and hurt his market in foreign countries. Another trouble was that he had to buy in the domestic market, whereas his product is fixed in the market of the world, and at one fell swoop you injure the foreign market, where he sells, and protect the home market, in which he buys.

Gentlemen, these permanent tariff restrictions are being compounded in the face of the fact that Europe owes us $11,000,000,000 in gold, and has no gold with which to pay and can only pay in goods. The Republican Party is preparing to build up a barrier to shut out those goods, and whenever that time comes that $11,000,000,000 of debt must remain a debt.

Why is a protective tariff levied? What is the purpose of it? The purpose of it is to raise the price. Raise the price to whom? To the man who buys. Where? To raise the price in the United States. Raise the price in the domestic market, make it cost more for the consumer, whether he is a farmer or whether he is a machinist or whether he is a laborer or merchant or lawyer or doctor or whatever he may be. The object of a tariff is to make it cost more to the man that buys it or wears it or toils with it in his hands. That is the object of a tariff. To tax one man and give to another, to make one man work harder and longer that another man may get more money and work less.

But, gentlemen, the picture that the gentleman from Ohio [Mr. FESS] painted the other day was to him a pleasing prospect. He is marvelously endowed with the skill of the old-time photographers, who after producing a negative erased all the facial blemishes, rubbed out the wrinkles, retouched the rough places, blotted out the disfigurations with real architectural genius, until there remained a handsome, smooth picture, as pleasing as it was unlike the subject.

Now, the gentleman from Ohio said in his address that "freight rates must come down before agriculture and general business can become normal." The Commission on Agriculture, in its report, says: "In other cases commodities could not be moved at all, because the prices at the terminals would be entirely absorbed by the freight charges in transporting them"; that "no industry can survive or prosper under such conditions. An immediate reduction in freight rates is absolutely essential to anything approximating a normal return of profits for farming operations." However, although the gentleman from Ohio said freight rates must come down, the gentleman failed to point out that he and his party have done nothing whatever to reduce freight rates to where business and agriculture and commerce can live. Why did not the gentleman from Ohio decorate the list of Republican achievements with that signal performance?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUCHANAN. I yield three minutes more to the gentleman.

Mr. CONNALLY of Texas. The gentleman from Ohio failed to point out in his political panegyric of his party that the present administration is preparing to sell the great fleet of steel ships, for which the people of the United States paid $220 per ton—is preparing to sell them now on the worst and lowest market in the history of the shipping industry—for something like one-tenth of their cost. Why did not the gentleman from Ohio rise in his place and point with pride to that achievement?

The gentleman from Ohio failed to point out that his party and his administration have done nothing to restore foreign markets for American goods—foreign markets in which our produce and our manufactures must be sold if they are to be sold profitably.

The gentleman from Ohio failed to point out that the War Finance Corporation, for whose extension he took so much pride, was a Democratic accomplishment and a Democratic conception, and that its revival was urged by Democrats on this floor.

The gentleman failed to point out that during the time his party was in power unemployment has increased throughout the length of this Republic. The gentleman failed to point out that of the $818,000,000 which he claimed was lopped from the tax roll of the people $450,000,000 was lopped from the excess profits of great corporations rather than the ordinary man of the street, and that $90,000,000 more of it was cut from extremely high incomes of the land rather than from off the back of the man of moderate income or the man who works and toils with his hands.

The gentleman from Ohio failed to point out that the accomplishments of his administration toward world disarmament were successful only to the degree that they were patterned on the conception and inspiration of a Democratic administration. [Applause on the Democratic side.]

The gentleman from Ohio failed to point out that economies effected through a reduction in the personnel of the Army were forced upon the Republicans by the Democrats.

The gentleman from Ohio failed to point out that his party has failed to inspire confidence in business or enterprise.

The gentleman from Ohio failed to point out that his party now proposes to pass an iniquitous tariff measure with an American valuation clause.

Above all other things, the gentleman from Ohio carefully and studiously declined to point out that his party and his administration had approved and confirmed an election in which $200,000 had been admittedly spent in a campaign for high office. He avoided reference to it as he would shun a foul and unclean thing. He failed to point out that his party and his administration had adopted as its own the most notorious election in the history of any State. He failed to point out that his party and his administration stand before the people of the United States as sponsors of that disgraceful example of debauchery. Why did not the gentleman from Ohio point to that scandalous thing? Was he ashamed or did he forget? No. He did not forget—nor can he forget. I must remind the gentleman from Ohio that no catalogue of Republican achievements, no list of things done, no placard of partisan performance is complete unless it sets forth in letters of scarlet that bold, that shameful, that outrageous political scandal in the State of Michigan. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ANDERSON. Mr. Chairman, I yield 25 minutes to the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Mr. Chairman, I do not think I shall take up that much of the time of the House. It is getting pretty late, and rather than impose on the House I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. SINNOTT. Mr. Chairman, I further ask unanimous consent to insert in the RECORD, in 8-point type, certain statutory citations which I desire to make.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to insert in the RECORD, in 8-point type, certain citations as indicated. Is there objection?

There was no objection.

FEDERAL FARM LOANS ON UNITED STATES RECLAMATION PROJECTS.

Mr. SINNOTT. Mr. Chairman, to-morrow is Calendar Wednesday, and I understand that the Committee on Irrigation of Arid Lands will call up the bill H. R. 4382 to-morrow, and inasmuch as under the Calendar Wednesday rule there can be only one hour devoted to debate on the bill on each side, obviously there will not be sufficient time to-morrow to explain this bill, and for that reason I desire to-day to explain some features of the bill, so that the membership of the House may read the RECORD in the morning and get some information regarding the bill which the time allotted to-morrow will not enable it to obtain from the debate on the floor.

The following is a copy of the bill:

A bill (H. R. 4382) to provide for the application of the reclamation law to irrigation districts.

Be it enacted, etc., That in carrying out the purposes of the act of June 17, 1902 (32 Stats., p. 388), and acts amendatory thereof and supplementary thereto, and known as and called the reclamation law, the Secretary of the Interior may enter into contract with any legally organized irrigation district whereby such irrigation district shall agree to pay the moneys required to be paid to the United States, and in such event water-right applications on the part of landowners and entrymen, in the discretion of the Secretary of the Interior, may be dispensed with. In the event of such contract being made with an irrigation district the Secretary of the Interior, in his discretion, may contract that the payments, both for the construction of irrigation works and for operation and maintenance, on the part of the district shall be made upon such dates as will best conform to the district and taxation laws of the respective States under which such irrigation districts shall be formed, and if he deem it advisable he may contract for such penalties or interest charges in case of delinquency in payments as he may deem proper and consistent with such State laws, notwithstanding the provisions of sections 1, 2, 3, 5, and 6 of the reclamation extension act approved August 13, 1914 (38 Stats., p. 686). The Secretary of the Interior may accept a partial payment of the amount due from any district to the United States, providing such acceptance shall not constitute a waiver of the balance remaining due nor the interest or penalties, if any, accruing upon said balance: *Provided*, That no contract with an irrigation district under this act shall be binding on the United States until the proceedings on the part of the district for the authorization of the execution of the contract with the United States shall have been confirmed by decree of a court of competent jurisdiction, or pending appellate action if ground for appeal be laid.

SEC. 2. That patents and water-right certificates which shall hereafter be issued under the terms of the act entitled "An act providing for patents on reclamation entries, and for other purposes," approved August 9, 1912 (37 Stats. L., p. 265), for lands lying within any irrigation district with which the United States shall have contracted, by which the irrigation district agrees to make the payment of all charges for the building of irrigation works and for operation and maintenance, shall not reserve to the United States a lien for the payment of such charges; and where such a lien shall have been reserved in any patent or water-right certificate issued under the said act of Congress, the Secretary of the Interior is hereby empowered to release such lien in such manner and form as may be deemed effective; and the Secretary of the Interior is further empowered to release liens in favor of the United States contained in water-right applications and to assent to the release of liens to secure reimbursement of moneys due to the United States pursuant to water-right applications running in favor of the water users' association and contained in stock subscription contracts to such associations, when the lands covered by such liens shall be subject to assessment and levy for the collection of all moneys due and to become due to the United States by irrigation districts formed pursuant to State law and with which the United States shall have entered into contract therefor: *Provided*, That no such lien so reserved to the United States in any patent or water-right certificate shall be released until the owner of the land covered by the lien shall consent in writing to the assessment, levy, and collection by such irrigation district of taxes against said land for the payment to the United States of the contract obligation: *Provided further*, That before any lien is released under this act the Secretary of the Interior shall file a written report finding that the contracting irrigation district is legally organized under the laws of the State in which its lands are located, with full power to enter into the contract and to collect by assessment and levy against the lands of the district the amount of the contract obligation.

SEC. 3. That upon the execution of any contract between the United States and any irrigation district pursuant to this act the public lands included within such irrigation district, when subject to entry, and entered lands within such irrigation district, for which no final certificates shall have been issued and which may be designated by the Secretary of the Interior in said contract, shall be subject to all the provisions of the act entitled "An act to promote the reclamation of arid lands," approved August 11, 1916: *Provided*, That no map or plan as required by section 3 of the said act need be filed by the irrigation district for approval by the Secretary of the Interior.

This bill, H. R. 4382, is a bill which will not only give the Government better security than it now has under the reclamation law for governmental expenditures, but in addition to that it will enable the farmers upon Government reclamation projects to obtain farm loans which now they are unable to obtain.

Mr. GARNER. Mr. Chairman, will the gentleman yield there?

Mr. SINNOTT. Yes.

Mr. GARNER. Do you mean from the Federal Farm Loan Board?

Mr. SINNOTT. Yes; from the Federal Farm Loan Board.

Mr. GARNER. While I am on my feet, I would like to ask the gentleman what the prospects are of passing the so-called western reclamation act, carrying $250,000,000 for the next 10 years?

Mr. SINNOTT. I am unable to say what the prospects are for the passage of that bill, but I hope for its passage.

Mr. Chairman, farmers on Government reclamation projects labor under a great handicap because they can not secure loans under the Federal farm loan act. The reason they can not secure these loans is because under section 12 of the Federal farm loan act, approved July 17, 1916, it is provided:

SEC. 12. That no Federal land bank organized under this act shall make loans except upon the following terms and conditions:

1. Said loans shall be secured by duly recorded first mortgages on farm land within the land bank district in which the bank is situated.

Section 2 of said Federal farm loan act provides:

SEC. 2. That wherever the term "first mortgage" is used in this act it shall be held to include such classes of first liens on farm lands as shall be approved by the Federal Farm Loan Board, and the credit instruments secured thereby.

Farmers on Government reclamation projects can not comply with the provisions of said sections 12 and 2 of the Federal farm loan act, because they can not give a first-lien mortgage upon their farms for the reason that the Government, under the provisions of sections 2 and 3 of the act approved August 9, 1912, Thirty-seventh Statutes, 264, reserves a first lien. The pertinent provisions of section 2 of said act are as follows:

That every patent and water-right certificate issued under this act shall expressly reserve to the United States a prior lien on the land patented or for which water right is certified, together with all water rights appurtenant or belonging thereto, superior to all other liens,

claims, or demands whatsoever for the payment of all sums due or to become due to the United States or its successors in control of the irrigation project in connection with such lands and water rights.

SEC. 3. That upon full and final payment being made of all amounts due on account of the building and betterment charges to the United States or its successors in control of the project, the United States or its successors, as the case may be, shall issue upon request a certificate certifying that payment of the building and betterment charges in full has been made and that the lien upon the land has been so far satisfied and is no longer of any force or effect except the lien for annual charges for operation and maintenance.

The Federal Farm Loan Board's opinion on this subject, printed in the report on H. R. 4382, is as follows:

Board is unanimously of the opinion that loans can not be made on lands under reclamation projects where Government reserves lien in patent and such lien remains unsatisfied. We distinguish between above cases and those projects where irrigation charge is a fixed annual assessment and collected as taxes, complete title being in borrower. * * * Where the water assessment is merely a fixed annual charge, collectible as taxes, and the borrower's legal title is unimpaired, we feel that loans can be made, the question in this instance to consider being the effect of the assessment on the borrower's net earning power. Where the title reserves a specific lien for a specific amount, clearly the borrower does not have such title as enables him to give a first mortgage, construing the term first mortgage, as we must, to mean a paramount lien.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. STEVENSON. Why can not the man who has the land borrow and discharge the lien of the United States, just as he discharges the first mortgage and gets out of the lien, and get his title clear?

Mr. SINNOTT. Well, the construction charges run over a period of 20 years. Then when the settler receives his patent for the land the patent reserves a lien for the Government not only for the construction charge but for the future yearly operation and maintenance charges.

Mr. STEVENSON. But as I understand that opinion which the gentleman just read, that charge will be treated as taxes and not as a lien.

Mr. SINNOTT. Under the United States reclamation law they are not so treated, but will be so treated as taxes provided we pass this bill. This bill meets the objection of the Federal Farm Loan Board. The Federal Farm Loan Board in its decision is really speaking of the ordinary irrigation district project, disconnected from and dissociated with the Government reclamation project which retains the annual lien. Loans are made on lands in such an irrigation district. Now, the proposition of the Federal Farm Loan Board is that the irrigation project, disconnected with the Government irrigation project, although it may bond itself, those bonds are paid by yearly assessments which are collected just the same as taxes are collected. Now, they say that such obligations are not liens that militate against the Federal farm loan banks granting a mortgage.

Mr. STEVENSON. Then what does the bill that you speak of propose as to relieving the situation?

Mr. SINNOTT. I will insert in the RECORD a letter that I have received from J. F. McNaught, president of the Hermiston irrigation district, inclosing a letter from the president—D. G. O'Shea—of the Federal farm loan bank at Spokane, Wash., showing why loans can not be made to the farmers on the irrigation district upon the Umatilla project:

HERMISTON IRRIGATION DISTRICT,
Hermiston, Oreg., January 29, 1923.

Hon. N. J. SINNOTT,
House of Representatives, Washington, D. C.

DEAR MR. SINNOTT: I am inclosing herewith copy of letter received by Mr. S. C. Lochrie, cashier of the First National Bank of Hermiston. Mr. D. G. O'Shea, president of the Federal land bank at Spokane, has stated the case very succinctly. This is in answer to Mr. Lochrie's letter accompanying the application for a Federal loan of a farmer residing on this project, and is self-explanatory. You will recall that all lands in reclamation projects going to patent since the passage of the act of August 9, 1912, are by the terms of the patent made subject to a Government lien for the unpaid portion of the construction charge. The application which Mr. Lochrie sent to the Federal bank, perfect in every other respect, was sent in as a test case to ascertain definitely what the bank would do in such cases.

I beg to advise you that fully one-half of the lands in this project fall within that category, and I assume the situation is similar in other projects. I beg to further advise you that about two years ago the water users of this project were induced to form and enter into an irrigation district under the State law, and to enter into a contract with the Government in which the district obligated itself to pay all claims of the Government against the individual landowners, and the Government agreed to, and did, cancel all liens against said lands except the liens created by the said act of August 9, 1912, and that it was represented at the time of the execution of that contract that immediate steps would be taken to secure the repeal of said act and to secure the release of the lands which had heretofore gone to patent from the liens.

As further security goes, this provision in the patent is like the fifth wheel to a carriage, superfluous, as the district is bound to pay all Government claims against the lands whether they went to patent before or after the passage of the act of August 9, 1912. Under the conditions that prevail, where a district has been formed and a contract has been entered into, as set forth above, the act in question creates an unjust discrimination and precludes the owners of one-half of the lands from securing much-needed Federal loans, a right which they are rightfully entitled to.

Can we not look to you to introduce and foster a bill repealing this now unjust law? We suggest that the repealing act should be so worded as to release all lands from the lien heretofore created by the provisions of the original act. We are sending a copy of this letter to Secretary Fall, Senator MCNARY, and Director Davis, asking them to support the measure.

Very truly, yours,

J. F. MCNAUGHT,
President Hermiston Irrigation District.

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Mr. S. C. LOCHRIE,
Hermiston, Oreg.

DEAR SIR: We are in receipt of your letter of the 14th instant having reference to former correspondence on the matter of the consideration of applications for loans by farmers under a Government reclamation project on lands to which patent contains the reservation provided for under the act of Congress approved August 9, 1912.

We have read same and have noted the case set forth in the patent submitted by you for consideration.

We return the patent herewith.

In your letter of the 14th instant you stated as follows: "In our particular case we have many farmers whose lands have been patented since 1912, but at the same time their liens have been released by the United States Reclamation Service and the Umatilla River Water Users' Association." That is a pretty straight statement of a thing we thought could not be done, and we asked you to furnish us a record of a specific case, and we expressed also the thought that no public officer would execute a satisfaction of a lien unless authorized and empowered so to do. The abstract of title on page 2 thereof referred to by you shows record of patent from the Government to Mr. Carl Vertner, which patent is issued under the provisions of the act of August 9, 1912, and it contains a specific lien prior and superior to all and other liens, etc., to secure payment to the Government for the sums due and to become due for water furnished. The release of water lien shown on pages 17 and 18 of the abstract executed by the Acting Secretary of the Interior and for the Government satisfies the liens mentioned therein, but it clearly and specifically does not release or attempt to release the liens reserved to the United States in connection with patents issued under the act of August 9, 1912. We have marked with red pencil the particular clause in the release which excepts from the provisions of the release liens reserved in patents as aforesaid, wherefore the statement in your letter of the 11th that the liens had been released is not correct, for the liens reserved in the patents have not been released.

We will again say, where a lien has been reserved in the patent from the Government for irrigation construction charges we know of no way in which same can be satisfied except by payment of the construction charges in full; that it would not be considered advisable for the farmer to pay off a noninterest-bearing lien of the kind; and the Federal land bank under the law would not be authorized and can not make loans on lands the patents to which contain the reservation mentioned until such reservation be satisfied.

Yours, very truly,

D. G. O'SHEA, *President.*

The bill H. R. 4382 proposes that the Secretary of the Interior may enter into a contract with the irrigation district, which is a corporate entity. The moment that contract is entered into with the irrigation district all the lands of the irrigation district by operation of law become liable for the payment of the expenditures made by the Government. Now, that liability is not the technical lien referred to in the Federal farm loan act. In other words, that obligation on the part of the irrigation district will not prevent the Federal farm loan banks from making the necessary loans to the farmers upon the irrigation project, because under the laws of the various Western States the amount due the Government will be collected by annual assessments just the same as the ordinary county or city or municipal taxes are collected.

Mr. STEVENSON. And the debt that is due the Government, then, will just simply bear the same relation to the land in that irrigation district that the bonded debt of a county bears to the lands in the county?

Mr. SINNOTT. Yes; and it will really give the Government a better security for its expenditures than the Government has to-day. The security for the Government expenditures to-day is a lien upon each individual tract, upon each individual fund. Now, under the proposition contained in H. R. 4382 the Government will substantially have a lien upon every acre of the land in the district as a whole for the entire governmental expenditure. Suppose that on an irrigation project to-day some one's land becomes water-logged and thereby becomes worthless and irreclaimable. In that event the Government loses its investment in that particular tract of land; but under the operation of this bill the Government would not lose its expenditure in that particular tract of land, because the entire obligation is assumed by the entire district. Now, I have prepared a synopsis of the Oregon irrigation district laws regarding these contracts of irrigation districts with the United States, which I shall insert in the CONGRESSIONAL RECORD.

SYNOPSIS OF OREGON IRRIGATION DISTRICT LAWS REGARDING CONTRACT OF IRRIGATION DISTRICTS WITH THE UNITED STATES—FROM OLSON CODE.

"Section 7305 authorizes 50 or a majority of the owners of land irrigated or susceptible of irrigation to petition the county court to organize an irrigation district for the construction of irrigation works 'or for the assumption as principal or guar-

antor of indebtedness on account of district lands to the United States under the Federal reclamation laws.'

"Section 7308 authorizes the county court to declare the district duly organized when three-fifths of the votes cast are in favor of the district.

"Section 7309 provides 'that in case any district organized under this act is appointed fiscal agent of the United States or by the United States is authorized to make collections of moneys for and on behalf of the United States in connection with any Federal reclamation project, the treasurer and each director shall execute a further and additional official bond in such sum as the Secretary of the Interior may require, conditioned for the faithful discharge of the duties as fiscal or other agent of the United States under any such appointment or authorization.'

"Section 7316 provides 'that any water the right to use of which is acquired by the district under any contract with the United States shall be distributed and apportioned by the district in accordance with the acts of Congress, and rules and regulations of the Secretary of the Interior, and the provisions of said contract in relation thereto.'

"SEC. 7322. District may contract with the United States: For the purpose of acquiring control over Government land within the district and of complying with the provisions of the act of Congress entitled 'An act to promote reclamation of arid lands,' approved August 11, 1916, the board shall have authority to make such investigations, and based thereon, such representations and assurances to the Secretary of the Interior as may be requisite; and said board may enter into any obligation or contract with the United States for the construction, operation, and maintenance of the necessary works for the delivery and distribution of water therefrom under the provisions of the Federal reclamation act and all acts amendatory thereof or supplementary thereto and the rules and regulations established thereunder, and may contract for the refusal of water service to any lands which are in default in the payment of any assessment levied to carry out any contract between the district and the United States, or for the assumption, as principal or guarantor, of indebtedness to the United States on account of district lands; or the board may contract with the United States for a water supply or drainage works under any act of Congress providing for or permitting such contract, and in case contract has been or may hereafter be made with the United States as herein provided, bonds of the district may be deposited with the United States, at 90 per cent of their par value, to the amount to be paid by the district to the United States under any such contract, the interest on said bonds, if bearing interest, to be provided for by assessment and levy as in the case of other bonds of the district, and regularly paid to the United States to be applied as provided in such contract; and if the bonds of the district are not so deposited, it shall be the duty of the board of directors to include as part of any levy or assessment provided for in this act an amount sufficient to meet each year all payments accruing under the terms of any such contract; and the board may accept, on behalf of the district, appointment of the district as fiscal agent of the United States, or authorization of the district by the United States to make collections of money for or on behalf of the United States in connection with any Federal reclamation project, whereupon the district shall be authorized to so act and to assume the duties and liabilities incident to such action, and the said board shall have full power to do any and all things required by the Federal statutes now or hereafter enacted in connection therewith, and all things required by the rules and regulations now or that may hereafter be established by any department of the Federal Government in regard thereto.

"Any property acquired by the district may be conveyed to the United States in so far as the same may be needed by the United States for the construction, operation, and maintenance of works for the benefit of the district under any contract that may be entered into with the United States pursuant to this act.

"SEC. 7323. Election for bonds and contract with United States: This section provides for an election to determine 'whether the right to enter into an obligation or contract with the United States shall be authorized.' This section further provides, 'If a majority of the votes cast are "Contract with the United States—Yes," the board, acting in pursuance of said election, may negotiate and execute a contract with the United States.'

"SEC. 7324. Provides 'The contract provisions for the payment of construction charges to the United States, and the bonds securing the payment of the same, if any be issued and deposited, may be of such denominations and may call for the payment of such interest not exceeding 6 per cent per annum, may provide for such installments and for repayment of the principal at such times as may be required by the Federal laws and as may be agreed upon between the board and the Secretary of the Interior.'

"SEC. 7326. Bonds, how paid—Character of the obligation: Said bonds and the interest thereon and all payments due or to become due to the United States under any contract between the district and the United States, accompanying which bonds of the district have not been deposited with the United States as provided in this act, and all obligations for the payment of money authorized and incurred under this act, shall be paid by the revenue derived from the annual assessments upon the land in the district, and all the lands in the district shall be and remain liable to be assessed for such payments as herein provided and under and subject to the provisions of this act.

"In case the amount assessed against any tract of land shall not be paid the next assessment against the land in the district shall be so increased as to take care of such default. In addition to the provision for the payment of said bonds and interest by taxation and other provisions of this act, all the property of the district, including irrigation and other works, shall be liable for the indebtedness of the district, and the holder of the bonds or the United States, in case contract has been executed by the United States, may, in case of default in the payment of interest or principal on the bonds, or the amount due on the contract, upon the order of the circuit court, take possession of the irrigation and other works of the district and operate the same until the amount in default shall have been fully paid.

"Any assessment upon land shall be a lien against the property assessed, and such lien for all payments due or to become due under any contract with the United States or for the payment of principal or interest of bonds deposited with the United States shall be a preferred lien to any assessments for bonds issued subsequent to the date of such contract or the issuance of said bonds deposited with the United States, and no district assessment lien shall be removed until the assessments are paid with interest and penalties or the property sold for the payment thereof.

"SEC. 7327. Payment of coupons—Redemption of bonds: The treasurer shall keep a 'bond fund' account or a 'United States contract fund' account, or a 'bond and United States contract fund' account, as the case may be, into which shall be covered all moneys arising from the sale of refunding bonds and assessment and levy until there is sufficient money in such fund to meet the next installment of principal and interest upon bonds of the district and to meet all payments for construction and all other purposes to the United States. From said fund he shall pay moneys due as principal and interest on bonds as they shall mature and the bonds and coupons be presented and as payments to the United States shall fall due.

"SEC. 7328. Assessments: This section provides, among other things, 'that where contract has been made with the United States in addition to the amount hereinbefore determined and apportioned, the board of directors shall fix the amount payable by each tract within such district, and the amount so fixed shall be in accordance with the reclamation laws and the public notices, orders, and regulations issued thereunder, and shall be in compliance with any contract made by the United States with the owners of said lands and in compliance further with the contracts between the district and the United States, * * * and the amounts so determined, fixed, and apportioned shall constitute an assessment upon the lands of the district, * * * and the assessment and apportionment made by the board of directors as in this act provided is prima facie evidence that all of the requirements of the law in relation thereto have been complied with and that the same are liens against the property to the same extent as other taxes lawfully levied.'

"SEC. 7331. Levy of assessment and collection: This section provides for the entering of the apportionment against each land upon the county assessment roll in the same manner that other municipal assessments are entered, except that it is entered 'as the irrigation district tax against same.' This section provides that such tax shall be collected as the other taxes of the county. This act further provides 'In case of neglect or refusal of the board of directors to cause assessment and levy to be made, as in this act provided, then the assessment and levy herein provided for shall be made and equalized by the county court of the county in which the office of the board of directors is situated, sitting for the transaction of county business, in the same manner that said court levies county taxes, with like effect as the board of directors is required to make the same, and all expenses incident thereto shall be borne by such district, and such levy and assessment shall be entered on the county tax roll by the county assessor in the manner in this section provided.'

"SEC. 7339. This section provides in case a contract has been entered into by the district and the United States no change shall be made in the boundaries of the district unless the Secretary of the Interior shall assent thereto in writing.

"SEC. 7341. This section provides that the exclusion of lands from the district shall not affect, impair, or discharge any contract, obligation, lien, or charge for which the district is liable.

"SEC. 7343. This section provides in case a contract has been made between the district and the United States the board shall have no jurisdiction to consider a petition for dissolution of the district until it shall have been certified to the board of directors by the Secretary of the Interior that all payments and obligations due or to become due to the United States under such contract shall have been fully paid or that the Secretary of the Interior consents to such dissolution.

"SEC. 7354. May turn lands over to United States for development and colonization—To levy assessments to pay cost—Powers to contract: Any irrigation district organized pursuant to the laws of the State of Oregon may turn over to the Federal Government, or any agency thereof, any lands owned or controlled by said district for the purpose of having the same developed and colonized by said Federal Government, or any agency thereof, and may levy assessments for the repayment to the Federal Government, or any agency thereof, the sum expended in the development of such lands, with the interest thereon not to exceed 6 per cent per annum, and may pay such moneys over to the Federal Government, or any agency thereof, as the same is collected. Said districts may also assess such lands to cover repayment to the district of the cost, with interest thereon not to exceed 6 per cent per annum, and shall deposit the same in the 'bond fund' account, or the 'United States contract fund' account, or the 'bond and United States contract fund' account, as the case may be, and said assessments shall be in addition to the assessments which may be levied to meet the reclamation charges, interest thereon, and maintenance. Irrigation districts may enter into such contracts and assume such obligations with the Federal Government, or any agency thereof, as may be necessary, expedient, or desirable to bring about the development of the lands in said irrigation district by the Federal Government, or any agency thereof.

"SEC. 7358. This section provides for the commencement proceedings to secure a judicial determination of the regularity and legality of all the proceedings of the district including 'the regularity and legality of the authorization of contract with the United States, and as to the validity of said contract, whether or not the same shall have been executed, and whether or not bonds are to be deposited with the United States.'"

The chief counsel of the Reclamation Service, Mr. Hamele, informs me that the other Western States have irrigation district laws embracing these governmental contracts that are very similar to the Oregon irrigation district law. For that reason I am inserting only the Oregon irrigation district laws in the RECORD so that they may be studied to-morrow. I think the House will find that every contingency that may arise has been anticipated; that the interests of the Government are fully safeguarded. The Oregon irrigation district law, as well as the laws of other Western States, was really prepared by or in cooperation with the chief counsel of the Reclamation Service. They are designed really to correlate and to be linked into this bill, H. R. 4382, and I believe when Members of the House study the various provisions of the Oregon district law, which would take too much time to explain this evening, they will find that the entire matter has been very thoroughly and very carefully covered. These contracts can not be entered into unless there is a vote of the farmers in the district approving the contract. Thereafter the contract must be reviewed by the court and the court must pronounce all the proceedings of the district, the calling of the election, the election itself, and the negotiation and consummation of these negotiations with the Secretary of the Interior—all of these must be validated by the court before the contract is valid.

I shall also insert in the RECORD a memorandum prepared by the chief counsel of the Reclamation Service, Mr. Hamele, who gives further valuable information and citations regarding this bill and regarding the validity of such contracts as are proposed to be entered into between the Secretary of the Interior and the irrigation district in case this bill is passed.

The following is the memorandum of Mr. Hamele, chief counsel of the United States Reclamation Service:

Memorandum by chief counsel of the United States Reclamation Service regarding contracts between irrigation districts and the United States providing for the payment of water charges under Federal irrigation projects.

1. The irrigation district is a quasi municipal public corporation with the power to levy assessments against its lands for the payment of its obligations.

2. Congress has in a general way during the past 10 years approved the plan of making contracts between the United States and irrigation districts to provide for the payment of water charges due the United States on Federal irrigation projects. The Warren Act of February 24, 1911 (36 Stat., 925), provides for contracts with irrigation districts, and the extension act of August 13, 1914 (38 Stat., 686), at section 5, authorizes the transfer of the care, operation, and maintenance of Federal irrigation projects to irrigation districts. In section 7 of the last-named act the Secretary of the Interior is authorized to appoint irrigation districts as fiscal agents on Government projects. In the Smith Act of August 11, 1916 (39 Stat., 506), public lands of the United States were made subject to the assessment and levy of irrigation districts. The sundry civil appropriation act of June 12, 1917 (40 Stat., 148), provides that no moneys shall be expended for drainage on the Rio Grande project except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of all project investments. A similar provision appears in the sundry civil appropriation act of July 1, 1918 (40 Stat., 674), and in the sundry civil appropriation act of July 19, 1919 (41 Stat., 200). In the act of July 1, 1918, Congress specifically approved an agreement by which a developed Carey Act project in Idaho, which had been organized into an irrigation district, known as the King Hill irrigation district, contracted with the United States for the further development of the project and for repayment to the United States under the irrigation district plan. The sundry civil appropriation act of June 5, 1920 (41 Stat., 913), approves a further agreement with the King Hill irrigation district and also provides that no part of the appropriation made for the Boise Federal irrigation project in Idaho shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the cost thereof.

Each of the arid States of the West, in which a Federal irrigation project is located, has passed a specific statute authorizing contracts between the United States and irrigation districts of the kind in question. These statutes are as follows:

Arizona Laws, 1921, page 324, section 1; California Laws, 1917, page 243, section 1; Colorado Laws, 1921, pages 496, 498; Idaho Laws, 1915, page 304; Idaho Laws, 1917, page 297; Montana Laws, 1915, page 360; Montana Laws, 1917, page 333; Montana Laws, 1919, page 235, section 1; Nebraska Laws, 1915, page 461, sections 1 and 2; Nebraska Laws, 1917, page 467, section 1; Nebraska Laws, 1917, page 464, section 1; Nevada Laws, 1921, page 83, section 24; New Mexico Laws, 1917, page 66, section 12; North Dakota Laws, 1917, page 157, sections 68–69; Oregon Laws, 1917, page 246, sections 1–2; South Dakota Laws, 1917, page 583, section 68; Texas Laws, 1917, page 188, section 52; Utah Laws, 1917, pages 87–97, sections 15–41; Washington Laws, 1917, page 726, section 3A; Washington Laws, 1921; page 440; Wyoming Laws, 1921, page 167, section 963.

3. In each irrigation-district contract providing for the payment of water charges to the United States the following article is inserted:

"The district as a whole is obligated to pay to the United States the full amount herein agreed upon, according to the terms stated, regardless of any individual default in the payment of any assessment levied by the district."

4. Before the United States incurs any obligation under any of these contracts the contract is submitted to a vote of the electors of the district and thereafter such election on the contract and the execution of the contract are confirmed by a proceeding in court, which is binding upon all the electors of the district. No expenditure is made by the United States under any such contract until these confirmation proceedings have been had and until time for appeal therefrom has expired. We have many contracts of this nature, and in no case has any objection to their validity been sustained by the court. Usually no objections are raised, but the validity of such contracts was expressly decided in the State of Idaho in the case of Nampa and Meridian Irrigation District *v.* Petrie (153 Pac., 425).

5. The State statutes referred to above, which authorize the making of such contracts, are of a generally uniform nature. A leading case upon the right of such an irrigation district to reassess lands to make up delinquencies is that of Norris *v.* Montezuma Valley Irrigation District (248 Fed., 369), decided in 1918 in the United States Circuit Court of Appeals, eighth district. We quote the following from the opinion:

"The trial court was of the opinion that the Colorado statutes relating to irrigation districts impliedly prevented an additional levy as demanded by plaintiffs because the statute provided for taxation by special assessments to pay these bonds, that each acre was subject to only the same burden as every other acre for this purpose, and that a requirement of a new levy as prayed would impose an unequal burden on the lands on which the prior levy had been paid, as compared to those lands on which the levies remained unpaid. Undoubtedly the cost of the improvements in a local assessment district must be apportioned in some just mode according to the benefits received by the several portions of the district. (Gast Realty Co. *v.* Schneider Granite Co., 240 U. S., 55; 36 Sup. Ct., 254; 60 L. Ed. 523; Hagar *v.* Reclamation District No. 108, 111 U. S., 701, 4 Sup. Ct., 663; 28 L. Ed. 569; Illinois Central Railroad Co. *v.* Decatur, 147 U. S., 190; 13 Sup. Ct., 293; 37 L. Ed., 132.) * * *

"The legislature is presumed to have knowledge of the fact that under any system of taxation by assessment hitherto devised a portion of the taxpayers neglect to pay the taxes levied against their property for a long period after they become due. In partial recognition of this fact these statutes provide that the county board shall increase the rate of levy on an irrigation district 15 per cent to cover delinquencies. If the objection that is made to a reassessment be carried to its logical conclusion, the regular annual assessment would be excessive in part because of the practical certainty that some taxpayers would not pay their taxes before the obligations of the district became due. Such a stout requirement of equality of collection would make a system of taxation that would be unworkable in practice. The ordinary machinery for the collection of taxes is not so perfect that it induces payment at the same time from all alike and usually large portions of taxes upon real property, and larger portions of poll and personal-property taxes are never collected. It is supposed that the interest and penalties exacted from those who delay prompt payments and the summary means of enforcement of collection will somewhat equalize the burden that falls on those who pay promptly, but any final unpaid balance is a loss that falls uniformly upon the entire body of taxpayers. It is a common provision in the State constitutions and statutes that assessments or levies for taxation shall be uniform upon the same class of subjects or by value. Such provisions are not violated, when, after the lapse of a reasonable time and after reasonable efforts have been made to collect the first levy, an additional levy is made upon all the property in the district because of the failure of some of the taxpayers to

pay their portion of the first levy. (State *v.* Common Council, 15 Wis. 30; Sheridan *v.* Fleming, 93 Mo. 321, 5 S. W. 813; State *v.* Holt County Court, 135 Mo. 533, 37 S. W. 521; Wayne County Savings Bank *v.* Supervisor of Township of Roscommon, 97 Mich. 630, 56 N. W. 944; Huey *v.* Police Jury, 33 La. Ann. 1091. See Bates County *v.* Wills, supra; Francis *v.* A. T. & S. F. R. R. Co., 19 Kans. 303.) In the case of State *v.* Common Council it was said:

"'Nor is it of any importance, in a legal point of view, that many of the citizens have contributed their full proportions of the money which should have been applied in payment of these debts whilst others have refused, it matters not whether rightfully or wrongfully. It seems oppressive, and is in some respects, no doubt, a great hardship, that those who are diligent and prompt in the discharge of their obligations to the public should be compelled to suffer on account of the delinquencies of others, occasioned sometimes by the mistakes of the officers of the law, or, it may be, of the legislature, but more frequently the fault of the delinquents themselves. It is an evil inseparable from every system of taxation, a subject always difficult and never free from vices and imperfections—a misfortune which must ever attend those who dwell in communities where any are unwilling to bear their just share of the public burdens. In such affairs the taxpayers are, as it were, sureties for one another. What one gains by accident or fraud the other must lose. No deductions are ever made from the public revenues for such causes. The deficiencies of one year must be made up the next and diverted funds restored. If these inequalities, often inevitable, were to constitute an excuse for the nonpayment of taxes, public faith would be at an end and government must cease. Who doubts, for instance, that under our present law, rigid and impartial as the legislature have endeavored to make it, great injustice is frequently done; that some are charged beyond their due proportion, whilst very many fall far short of it? So long as men suppress truth and make false and corrupt statements of the amount and value of their property, and so long as mistakes occur so long these things will continue. But the remedy does not consist in a refusal to pay all taxes. The evils, so far as possible, are to be obviated by the rigid enforcement of the law, the punishment of those who transgress its provisions, and the election of faithful and competent officers. Clearly such grievances, however perplexing and burdensome, are nothing to the public creditor, who has the right to look to the whole people for the payment of his demand. The duty of the common council is continuing, and does not cease with the levying of one tax which is in part unsuccessful. It ends only when the whole money is collected and the debt actually paid. They can not, therefore, say that their powers are exhausted and no new tax can be levied.'"

OTTAMOR HAMELS, *Chief Counsel.*

Mr. ANDERSON. Mr. Chairman, I yield three minutes to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Vermont asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GREENE of Vermont. Mr. Chairman, I simply want to employ the short time given me to make a suggestion or two about the development of agriculture and animal industry in my own State of Vermont. I know that it is natural for some people who do not live in that State often to think of it as they see it on the map, a little place sprinkled all over with mountains. We do not have the vast areas for cultivation or grazing that are part of the wealth of the larger States of the West, but we do make good use of the land that we have and it is good soil and fertile and amply repays the labor put upon it. Yet there is little popular information to the effect that we have considerable agricultural resources or that they are highly specialized and intensely developed.

If I were to cite to you by way of one hint, for instance, that Vermont's average yield of corn per acre was larger than that of any other State in the Union and was nearly twice that of the average for the United States, gentlemen would get some idea about what intensive agriculture means in a little State like ours where people are really devoting their minds and energies to it. I have other figures and statistics that will tend to show something of what the people of my State through their energy and enterprise have done on the sides of the old Green Mountains and in the pleasant valleys that lie among them, and desire to place the statement in the RECORD as I have indicated. [Applause.]

The statement referred to is as follows:

Statistics compiled by the State publicity department, of which Walter H. Crockett is director, show that in 1921 Vermont's average yield of corn per acre was larger than that of any other State and was nearly twice that of the average for the United States; that only four States exceeded Vermont in value of oats per acre; that three States exceeded Vermont in value of spring wheat per acre; that six States exceeded Vermont in per acre yield of barley; that three States were better than Vermont in buckwheat per acre; that Vermont's potato yield was exceeded by four States in per acre value; that Vermont was eleventh State in hay yield per acre.

The average yield per acre in Vermont and the United States follows:

Corn: Vermont, 55 bushels; United States, 29.7. Oats: Vermont, 33; United States, 33.7. Barley: Vermont, 25; United States, 20.9. Spring wheat: Vermont, 14; United States, 10.5. Buckwheat: Vermont, 22; United States, 21. Potatoes: Vermont, 150; United States, 90.9. Hay: Vermont, 1.05 tons; United States, 1.39.

Following are the total yields in Vermont for the years 1921 and 1920:

Corn: 1921, 4,150,000 bushels; 1920, 3,807,000 bushels.
Oats: 1921, 2,673,000 bushels; 1920, 2,835,000 bushels.
Spring wheat: 1921, 126,000 bushels; 1920, 209,000 bushels.
Barley: 1921, 200,000 bushels; 1920, 308,000 bushels.
Buckwheat: 1921, 88,000 bushels; 1920, 84,000 bushels.
Potatoes: 1921, 3,750,000 bushels; 1920, 3,510,000 bushels.
Hay: 1921, 945,000 tons; 1920, 1,234,000 tons.
Apples: 1921, 600,000 bushels; 1920, 933,000 bushels.
Pears: 1921, 6,000 bushels; 1920, 10,000 bushels.

The farm values of Vermont crops for 1921 and 1920 follow:

	1921	1920
Corn	$3,428,000	$4,797,000
Oats	1,577,000	2,126,000
Spring wheat	158,000	418,000
Barley	180,000	370,000
Buckwheat	79,000	113,000
Potatoes	3,900,000	4,388,000
Hay	20,790,000	28,382,000
Apples	1,110,000	1,489,000
Pears	19,000	28,000
Total	31,281,000	42,411,000

This list does not include rye, field beans, tobacco, or garden truck. Rye is omitted for the first time. Its acreage in the State has been small for several years.

The average value per acre for the United States for the staple crops combined is $14.52. Three of these crops—cotton, rye, and tobacco—are not included in the Vermont report, but the average value per acre for the seven staple crops grown in this State is $42.52, or nearly three times the national average. The United States average for the 10 staple crops for a period of 56 years is $14.04.

Mr. BUCHANAN. Mr. Chairman, may I ask the status of the time?

The CHAIRMAN. The gentleman from Minnesota has 54 minutes remaining and the gentleman from Texas has 68 minutes remaining.

Mr. ANDERSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HICKS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Agricultural appropriation bill and had come to no resolution thereon.

ADJUSTED COMPENSATION.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that the bill (H. R. 10769) to provide adjusted compensation for veterans of the World War, and for other purposes, introduced by the gentleman from Michigan [Mr. FORDNEY] to-day, be printed in the RECORD in 8-point type.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill referred to be printed in the RECORD in eight-point type. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, is that the bonus bill?

Mr. LONGWORTH. That is the soldiers' adjusted compensation bill, sometimes referred to as the bonus bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, can the gentleman from Ohio [Mr. LONGWORTH] give us any idea as to when the adjusted compensation bill will be called up for consideration?

Mr. LONGWORTH. I can only say that it is contemplated that the committee will be called together on Saturday next for the purpose of reporting the bill, so that, of course, nothing will be done on the bill before next week under any circumstances. I can not answer further than that.

The bill referred to is as follows:

A bill (H. R. 10769) to provide adjusted compensation for veterans of the World War, and for other purposes.

Be it enacted, etc.—

TITLE I.—DEFINITIONS.

SECTION 1. This act may be cited as the "World War adjusted compensation act."

SEC. 2. As used in this act—

(a) The term "veteran" includes any individual, a member of the military or naval forces of the United States at any time after April 5, 1917, and before November 12, 1918; but does not include (1) any individual at any time during such period or thereafter separated from such forces under other than honorable conditions, (2) any conscientious objector who performed no military duty whatever or refused to wear the uniform, or (3) any alien at any time during such period or thereafter discharged from the military or naval forces on account of his alienage;

(b) The term "oversea service" means service on shore in Europe or Asia, exclusive of China, Japan, and the Philippine Islands; and service afloat, not on receiving ships; including in either case the period from the date of embarkation for such

service to the date of disembarkation on return from such service, both dates inclusive;

(c) The term "home service" means all service not oversea service;

(d) The term "adjusted service credit" means the amount of the credit computed under the provisions of Title II; and

(e) The term "person" includes a partnership, corporation, or association, as well as an individual.

TITLE II.—ADJUSTED SERVICE CREDIT.

SEC. 201. The amount of adjusted service credit shall be computed by allowing the following sums for each day of active service, in excess of 60 days, in the military or naval forces of the United States after April 5, 1917, and before July 1, 1919, as shown by the service or other record of the veteran: $1.25 for each day of oversea service, and $1 for each day of home service; but the amount of the credit of a veteran who performed no oversea service shall not exceed $500, and the amount of the credit of a veteran who performed any oversea service shall not exceed $625.

SEC. 202. In computing the adjusted service credit no allowance shall be made to—

(a) Any commissioned officer above the grade of captain in the Army or Marine Corps, lieutenant in the Navy, first lieutenant or first lieutenant of engineers in the Coast Guard, or passed assistant surgeon in the Public Health Service, or having the pay and allowances, if not the rank, of any officer superior in rank to any of such grades—in each case for the period of service as such;

(b) Any individual holding a permanent or provisional commission or permanent or acting warrant in any branch of the military or naval forces, or (while holding such commission or warrant) serving under a temporary commission in a higher grade—in each case for the period of service under such commission or warrant or in such higher grade after the accrual of the right to pay thereunder. This subdivision shall not apply to any noncommissioned officer;

(c) Any civilian officer or employee of any branch of the military or naval forces, contract surgeon, cadet of the United States Military Academy, midshipman, cadet of the Coast Guard, member of the Reserve Officers' Training Corps, member of the Students' Army Training Corps (except an enlisted man detailed thereto), Philippine Scout, member of the Philippine Guard, member of the Philippine Constabulary, member of the Porto Rico Regiment of Infantry, member of the National Guard of Hawaii, member of the insular force of the Navy, member of the Samoan native guard and band of the Navy, or Indian Scout—in each case for the period of service as such;

(d) Any individual entering the military or naval forces after November 11, 1918—for any period after such entrance;

(e) Any commissioned or warrant officer performing home service not with troops and receiving commutation of quarters or of subsistence—for the period of such service;

(f) Any member of the Public Health Service—for any period during which he was not detailed for duty with the Army or the Navy;

(g) Any individual granted a farm or industrial furlough—for the period of such furlough; or

(h) Any individual detailed for work on roads or other highway construction or repair work—for the period during which his pay was equalized to conform to the compensation paid to civilian employees in the same or like employment, pursuant to the provisions of section 9 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919.

SEC. 203. (a) The periods referred to in subdivision (e) of section 202 may be included in the case of any individual if and to the extent that the Secretary of War and the Secretary of the Navy jointly find that such service subjected such individual to exceptional hazard. A full statement of all action under this subdivision shall be included in the reports of the Secretary of War and the Secretary of the Navy required by section 307.

(b) In computing the credit to any veteran under this title effect shall be given to all subdivisions of section 202 which are applicable.

(c) If part of the service is oversea service and part is home service, the home service shall first be used in computing the 60 days' period referred to in section 201.

(d) For the purpose of computing the 60 days' period referred to in section 201, any period of service after April 5, 1917, and before July 1, 1919, in the military or naval forces in any capacity may be included, notwithstanding allowance of credit for such period, or a part thereof, is prohibited under the provisions of section 202, except that the periods referred to in subdivisions (b), (c), and (d) of that section shall not be included.

(e) For the purposes of section 201, in the case of members of the National Guard or of the National Guard Reserve called into service by the proclamation of the President dated July 3, 1917, the time of service between the date of call into the service as specified in such proclamation and August 5, 1917, both dates inclusive, shall be deemed to be active service in the military or naval forces of the United States.

TITLE III.—GENERAL PROVISIONS.

OPTIONAL PLANS.

SEC. 301. Each veteran shall have the right to avail himself of any one, but only one, of the following plans:

(1) To receive "adjusted service pay," as provided in Title IV; but the veteran can not choose this plan if the amount of his adjusted service credit is more than $50;

(2) To receive an "adjusted service certificate," as provided in Title V;

(3) To receive "vocational training aid," as provided in Title VI;

(4) To receive "farm or home aid," as provided in Title VII; or

(5) To receive "land settlement aid," as provided in Title VIII.

APPLICATION BY VETERAN.

SEC. 302. (a) The veteran's choice among the plans enumerated in section 301 shall be made by application filed with the Secretary of War, if he is serving in, or his last service was with, the military forces; or with the Secretary of the Navy, if he is serving in, or his last service was with, the naval forces.

(b) Such application shall be made on or before July 1, 1923, and if not made on or before such date shall be held void; but if application for land settlement aid is made on or before such date, the time for receiving the credits and exercising the preferences provided for in Title VIII shall be as specified in such title.

(c) An application shall be made (1) personally by the veteran, or (2) in case physical or mental incapacity prevents the making of a personal application, then by such representative of the veteran and in such manner as the Secretary of War and the Secretary of the Navy shall jointly by regulation prescribe. An application made by a representative other than one authorized by any such regulation shall be held void.

(d) The Secretary of War and the Secretary of the Navy shall jointly make any regulations necessary to the efficient administration of the provisions of this section.

PROOF OF VETERAN'S CHOICE OF PLAN.

SEC. 303. (a) As soon as practicable after the receipt of a valid application the Secretary of War or the Secretary of the Navy, as the case may be, shall transmit to the Secretary of the Treasury, if the veteran has chosen an adjusted service certificate, or to the Director of the United States Veterans' Bureau if the veteran has chosen vocational training aid, or to the National Veterans' Settlement Board if the veteran has chosen farm or home aid or land settlement aid, a certificate setting forth—

(1) That the applicant is a veteran;

(2) His name and address;

(3) The plan chosen; and

(4) The amount of his adjusted service credit.

(b) Upon receipt of such certificate the officer or board to which it is transmitted shall proceed to extend to the veteran the benefits conferred by the plan chosen, as provided for in this act.

PUBLICITY.

SEC. 304. (a) The Secretary of War and the Secretary of the Navy shall, as soon as practicable after the passage of this act, jointly prepare and publish a pamphlet or pamphlets containing a digest and explanation of the provisions of this act, accompanied by such statements as to the comparative advantages of each of the plans enumerated in section 301 as may be of assistance to veterans in making their choice among such plans; and shall from time to time thereafter jointly prepare and publish such additional or supplementary information as may be found necessary.

(b) The officer or board having charge of the administration of any plan or part thereof enumerated in section 301 shall transmit to the Secretary of War and the Secretary of the Navy as soon as practicable after the passage of this act full information and explanations as to the matters of which such officer or board has charge, which shall be considered by the Secretary of War and the Secretary of the Navy in preparing the publications referred to in subdivision (a).

(c) The publications provided for in subdivision (a) shall be distributed in such manner as the Secretary of War and the Secretary of the Navy may determine to be most effective to inform veterans of their rights under this act.

STATISTICS.

SEC. 305. Immediately upon the passage of this act the Secretary of War and the Secretary of the Navy shall ascertain the individuals who are veterans as defined in section 2 and, as to each veteran, the number of days of oversea service and of home service, as defined in section 2, for which he is entitled to receive adjusted service credit; and their decisions shall not be subject to review by the general accounting office.

ADMINISTRATIVE REGULATIONS.

SEC. 306. Any officer or board charged with any function under this act shall make such regulations, not inconsistent with this act, as may be necessary to the efficient administration of such function.

REPORTS.

SEC. 307. Any officer or board charged with the administration of any plan under this act, or of any part thereof, shall make a full report to Congress on the first Monday of December of each year.

EXEMPTION FROM ATTACHMENT AND TAXATION.

SEC. 308. No sum payable under this act to a veteran, or to his estate, or to any beneficiary named under Title V, no adjusted service certificate, and no proceeds of any loan made on such certificate, shall be subject to attachment, levy, or seizure under any legal or equitable process, or to national or State taxation.

UNLAWFUL FEES.

SEC. 309. Any person who charges or collects, or attempts to charge or collect, either directly or indirectly, any fee or other compensation for assisting in any manner a veteran in obtaining any of the benefits, privileges, or loans to which he is entitled under the provisions of this act shall, upon conviction thereof, be subject to a fine of not more than $500, or imprisonment for not more than one year, or both.

TITLE IV.—ADJUSTED SERVICE PAY.

SEC. 401. There shall be paid to any veteran, as soon as practicable after receipt of an application in accordance with the provisions of section 302, and in addition to any other amounts due him in pursuance of law, the amount of his adjusted service credit, if, and only if, such credit is not more than $50.

SEC. 402. Payment shall be made by the Secretary of War if the veteran is serving in, or his last service was with, the military forces; and by the Secretary of the Navy if he is serving in, or his last service was with, the naval forces.

SEC. 403. If the veteran dies after making application in accordance with the provisions of section 302 for adjusted service pay and before receiving payment, payment shall be made to his estate.

SEC. 404. No right to adjusted service pay under the provisions of this title shall be assignable or serve as security for any loan. Any assignment or loan made in violation of the provisions of this section shall be held void. The Secretary of War and the Secretary of the Navy shall not pay the amount of adjusted service pay to any person other than the veteran or his estate or such representative of the veteran as the Secretary of War and the Secretary of the Navy shall jointly by regulation prescribe.

TITLE V.—ADJUSTED SERVICE CERTIFICATES.

SEC. 501. The Secretary of the Treasury, upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 303, is hereby directed to issue without cost to the veteran designated therein an adjusted service certificate (hereinafter in this title referred to as a "certificate") of a face value equal to the sum of (1) the adjusted service credit of the veteran increased by 25 per cent, plus (2) interest thereon for 20 years at the rate of 4½ per cent per annum, compounded annually (such amount being approximately equal to 3.015 times the adjusted service credit of the veteran). The certificate shall be dated, and all rights conferred under the provisions of this title shall take effect as of, October 1, 1922. The veteran shall name the beneficiary of the certificate and may from time to time, with the approval of the Secretary of the Treasury, alter such beneficiary. The amount of the face value of the certificate (unless the certificate has been canceled as hereinafter in this title provided) shall be payable (1) to the veteran on September 30, 1942, or (2) upon the death of the veteran prior thereto, to the beneficiary named; except that if such beneficiary dies before the veteran and no new beneficiary is named, or if the beneficiary in the first instance has not yet been named, the amount of the face value of the certificate shall be paid to the estate of the veteran.

LOAN PRIVILEGES BEFORE OCTOBER 1, 1925.

SEC. 502. (a) A loan may be made to any veteran prior to September 30, 1925, upon his adjusted-service certificate only in accordance with the provisions of this section.

(b) Any national bank, or any bank or trust company incorporated under the laws of any State, Territory, possession, or the District of Columbia (hereinafter in this section called "bank"), is authorized to loan to any veteran upon his promissory note secured by his adjusted-service certificate (with or without the consent of the beneficiary thereof) any amount not in excess of 50 per cent of the loan basis (as defined in subdivision (f) of this section) of the certificate, such loan to mature on or before September 30, 1925. The rate of interest charged upon the loan by the bank shall not exceed by more than 2 per cent per annum the rate charged at the date of the loan for the discount of commercial paper under section 13 of the Federal reserve act by the Federal reserve bank for the Federal reserve district in which the bank is located.

(c) If the veteran does not pay the principal and interest of the loan within six months after its maturity (or on or before Sept. 30, 1925, if the loan matures on or after Mar. 30, 1925), the bank shall present the certificate and the note to the Secretary of the Treasury not earlier than May 30, 1925, and not later than October 15, 1925. The Secretary shall thereupon cancel the note and the certificate and pay to the bank the amount of the unpaid principal due it, and the unpaid interest accrued, at the rate fixed in the note up to the date of the check issued to the bank. The difference between 80 per cent of the loan basis of the certificate at the time of its receipt by the Secretary and the amount so paid to the bank shall be immediately paid by the Secretary to the veteran, if living. If the veteran dies before such difference can be paid to him, it shall be paid to the beneficiary under the certificate; except that if such beneficiary dies before the veteran and no new beneficiary is named, or if the beneficiary in the first instance has not yet been named, then the payment shall be made to the estate of the veteran.

(d) If the veteran dies before the maturity of the loan, the amount of the unpaid principal and the unpaid interest accrued up to the date of his death shall be immediately due and payable. In such case, or if the veteran dies after the maturity of the loan (but either before the expiration of six months after the maturity of the loan or before Oct. 1, 1925), the bank shall, upon notice of the death, present the certificate and note to the Secretary, who shall thereupon cancel the note (but not the certificate) and pay to the bank, in full satisfaction of its claim, the amount of the unpaid principal and unpaid interest, at the rate fixed in the note, accrued up to the date of the check issued to the bank; except that if, prior to the payment, the bank is notified of the death by the Secretary of the Treasury and fails to present the certificate and note to the Secretary within 15 days after the notice, such interest shall be only up to the fifteenth day after such notice. The Secretary shall deduct the amount so paid from the face value (as determined under section 501) of the certificate and pay the remainder in accordance with the provisions of section 501.

(e) When any loan becomes in default, the bank shall within 30 days thereafter notify the Secretary of the Treasury of the facts relative to the note, the name of the veteran, and the number of his certificate.

(f) The loan basis of any certificate at any time shall, for the purposes of this section, be the amount of the adjusted service credit, plus interest thereon from October 1, 1922, to such time at the rate of 4½ per cent per annum, compounded annually.

(g) No payment upon any note shall be made under this section by the Secretary of the Treasury to any bank unless the note when presented to him is accompanied by an affidavit made by an officer of the bank before a notary public or other officer designated for the purpose by regulation of the Secretary, and stating that the bank has not charged or collected, or attempted to charge or collect, directly or indirectly, any fee or other compensation (except interest as authorized by this section) in respect to or because of any loan made under this section by the bank to a veteran. Any bank which, or director, officer, or employee thereof who, does so charge, collect, or attempt to charge or collect any such fee or compensation shall be liable to the veteran for a penalty of $100, to be recovered in a civil suit brought by the veteran.

LOAN PRIVILEGES AFTER SEPTEMBER 30, 1925.

SEC. 503. The Postmaster General is hereby authorized and directed to instruct postmasters of the first, second, and third classes to take applications of veterans for Government loans and collect payments thereon.

SEC. 504. (a) Application for Government loans may be made at any post office of a first, second, or third class. Such loans,

secured by the adjusted-service certificate, shall be made by the Secretary of the Treasury, with or without the consent of the beneficiary, and payments thereon collected, in accordance with the provisions of this title, under rules and regulations prescribed by him. He shall supply postmasters of the first, second, and third classes with blanks upon which veterans may make applications for Government loans. Such applications shall be in the form prescribed by the Secretary of the Treasury, and have attached thereto a form of promissory note to be executed by the veteran, and a receipt, to be delivered to the veteran, which shall be signed by the postmaster receiving the application, and which shall acknowledge the receipt of the note and the certificate, and contain a description of each. The postmaster shall thereupon transmit to the Secretary of the Treasury the application, note, and certificate. Upon the approval of the loan by the Secretary of the Treasury, he shall transmit to the veteran a check for the amount of the loan. He shall also issue in triplicate a statement showing the name and service of the veteran, the number of his certificate, and a schedule of the amounts of the several payments and the dates when due. The original of the statement shall be retained with the application, the duplicate shall be transmitted to the postmaster receiving the application and the triplicate to the veteran. The postmaster holding such statement shall receive and indorse thereon the payments made by the veteran; shall give a receipt to the veteran; and shall promptly transmit payments to the Secretary of the Treasury. Such payments shall be covered into the Treasury as miscellaneous receipts. The veterans shall make repayment of the loan upon an amortization plan by means of a fixed number of annual installments sufficient to cover (1) interest on the unpaid principal at the rate of 4½ per cent per annum and (2) such amount of the principal as will extinguish the debt within an agreed period not exceeding the life of the certificate.

(b) If the veteran fails to make any payment when due, and such default continues for the period of one year, thereupon the Secretary of the Treasury shall declare the certificate of the veteran to be forfeited and cancel and surrender the note to the veteran; but if the Secretary of the Treasury subsequently finds any such certificate was forfeited by mistake, or under any misapprehension of fact, he shall reinstate the same upon payment of the amount then due the Government on the loan, and upon the receipt of a new note from the veteran on the same terms as the original note for the remaining amount due.

(c) If the veteran is in default and his certificate is forfeited, when he has borrowed an amount less than the maximum authorized under either subdivision (a) or (b) of section 505, the Secretary of the Treasury shall pay to him 80 per cent of the difference between what he has borrowed and the maximum which he was authorized to borrow under either subdivision (a) or (b) of section 505. If the veteran dies before such 80 per cent can be paid to him, it shall be paid to the beneficiary under the certificate; except that if such beneficiary dies before the veteran and no new beneficiary is named, or if the beneficiary in the first instance has not yet been named, then the payment shall be made to the estate of the veteran.

SEC. 505. No Government loan shall be made upon any certificate prior to October 1, 1925. The amount of such loans to any one veteran outstanding at any time shall not exceed:

(a) If the loan is made on or after October 1, 1925, and before October 1, 1928, 85 per cent of the sum of (1) the adjusted service credit of the veteran plus (2) interest thereon from October 1, 1922, to the date of the making of the loan, at the rate of 4½ per cent per annum, compounded annually, or

(b) If the loan is made on or after October 1, 1928, and before October 1, 1942, 70 per cent of the sum of (1) the adjusted service credit of the veteran increased by 25 per cent, plus (2) interest thereon from October 1, 1922, to the date of the making of the loan, at the rate of 4½ per cent per annum, compounded annually.

SEC. 506. No certificate issued or right conferred under the provisions of this title shall, except for the purpose of securing a loan under the provisions of section 502 or 504, be negotiable or assignable or serve as security for a loan. Any negotiation, assignment, or loan made in violation of any provision of this section shall be held void.

SEC. 507. In the case of the death of the veteran or the forfeiture of his certificate, any Government loan made upon the certificate, and the note in respect thereto, shall be canceled; and in case such loan has been canceled as a result of the death of the veteran, the Secretary of the Treasury shall deduct the amount of the unpaid principal and interest of the loan from the amount of the face value of the certificate in respect to which the loan is made.

SEC. 508. Any certificate issued under the provisions of this title shall have printed upon its face the conditions and terms upon which it is issued and to which it is subject, including loan values under sections 502 and 505.

SEC. 509. If the veteran dies after making application in accordance with the provisions of section 302 and before October 1, 1922, the amount of the adjusted service credit of the veteran shall be paid by the Secretary of the Treasury to his estate.

TITLE VI.—VOCATIONAL TRAINING AID.

SEC. 601. The Director of the United States Veterans' Bureau (hereinafter in this title referred to as the "director") upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 303, is hereby directed to pay to the veteran designated therein (if he is not receiving the benefits of the vocational rehabilitation act, as amended) the sum of $1.75 for each day of his attendance (on or after January 1, 1923), on a course of vocational training previously approved by the director as suitable for such veteran. Such payments shall be made without deduction for Sundays, holidays, or vacations not exceeding two weeks in duration, or for absence for other cause which the director deems justifiable; but the total payment shall not exceed 140 per cent of the amount of the adjusted service credit of the veteran.

Payments under this section shall be made monthly, or at more frequent intervals, as the director may determine generally or in special cases.

SEC. 602. The director shall establish such regulations as will insure the regular attendance of the veteran on his course of training, and no sum or sums shall be payable under this title unless the director has been furnished proof of such regular attendance. For each day of unjustifiable absence the veteran shall forfeit the sum payable for that day, and shall receive no reimbursement for it in any other form.

SEC. 603. If the payment under section 601 plus the amounts forfeited under section 602 is less than 140 per cent of the adjusted service credit, either by reason of the duration of the course approved, or by reason of the veteran's discontinuing, with the approval of the director, his attendance on his course of training, he shall be entitled to receive an amount equal to the difference between (1) his adjusted service credit and (2) that proportion thereof which the payments made or accrued under section 601 plus the amounts forfeited under section 602 bear to 140 per cent of his adjusted service credit: *Provided*, That from the amount thus computed there shall be deducted an amount equal to the sums forfeited under section 602.

SEC. 604. If before the completion of the payments under this title the veteran is separated from the military or naval forces under other than honorable conditions, or is discharged therefrom on account of his alienage, no further payments shall be made under this title.

SEC. 605. (a) If the veteran dies after making application in accordance with the provisions of section 302 and before any payments have been made or have accrued under this title, the amount of the adjusted service credit of the veteran shall be paid by the director to his estate.

(b) If the veteran dies after the course of training has begun, his estate shall be paid by the director the same amount as would have been paid to the veteran under section 603, treating for such purposes the date of his death as the date of discontinuance of attendance on his course of training.

SEC. 606. (a) The director is hereby authorized to cooperate with State boards for vocational education in such manner as will secure their assistance in the approval of courses of training for veterans and other assistance in carrying out the provisions of this title.

(b) Whenever any State provides funds for assistance to veterans in attendance upon approved courses or provides for free tuition in approved educational institutions, the director is authorized and directed to cooperate with the State board for vocational education of such State in securing the maximum educational opportunities to veterans entitled to the benefits of this title.

TITLE VII.—FARM OR HOME AID.

SEC. 701. (a) The National Veterans' Settlement Board created by Title VIII (hereinafter in this title referred to as the "board") upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 308, is hereby directed, on or after January 1, 1923, to pay to the veteran designated therein, in one payment or in installments, an amount equal to his adjusted service credit increased by 40 per cent.

(b) Such payment shall be made for the purpose, and only for the purpose, of enabling the veteran to make improvements on a city or suburban home, or a farm not selected under Title VIII, or to purchase or make payments on such a home or farm.

SEC. 702. No such payment shall be made unless and until the board has approved the purpose for which it is desired by the veteran, and has suitable assurance that the money will be

expended for such purpose. The board may, at the option of the veteran, or on its own motion, make the payment directly to the vendor or other person to whom such payment is due from the veteran.

SEC. 703. For the purpose of enabling it to pass upon the desirability of the investment the board may make use of the services of land bank appraisers of the Federal Farm Loan Board, to be designated by the latter board.

SEC. 704. (a) If the veteran dies, after making application in accordance with the provisions of section 302 for farm or home aid and before a contract has been entered into with the approval of the board, the amount of his adjusted service credit shall be paid by the board to his estate, but no such payment shall be made if the veteran has been separated from the military or naval forces under other than honorable conditions or discharged therefrom on account of his alienage.

(b) If before the veteran's death a contract has been entered into with the approval of the board, and payments under this title on such contract are still due, such payments shall be made by the board to the vendor or other person to whom such payments are due from the veteran.

TITLE VII.—LAND SETTLEMENT.

NATIONAL VETERANS' SETTLEMENT BOARD.

SEC. 801. (a) There is hereby established a board to be known as the "National Veterans' Settlement Board" (hereinafter in this title called the "board") and to be composed of five members as follows:

(1) The Secretary of the Interior (hereinafter in this title called the "Secretary") and

(2) Four members to be appointed by the President by and with the advice and consent of the Senate.

(b) No veteran retired for age or longevity of service from active service in the military or naval forces shall be eligible for appointment to, or remain eligible for membership upon, the board. Any vacancy in the office of an appointed member shall be filled in the same manner and under the same limitations as in the case of the original appointment.

(c) The Secretary shall be the executive and administrative officer to carry out the plans and purposes adopted by the board under the provisions of Title VII and of this title. The members of the board, except the Secretary, shall receive an annual salary of $7,500. Of the members appointed to the board in the first instance, one shall be appointed for a term of two years, one for three years, one for four years, and one for five years. Their successors shall hold office for terms of five years; except that any member appointed to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds.

ESTABLISHMENT OF PROJECTS.

SEC. 802. The board is hereby authorized to establish veteran settlement projects (hereinafter in this title called "projects") for the reclamation and settlement of lands by means of irrigation, drainage, or other manner or method of development and improvement thereof, including the building of necessary public roads within the projects. Projects shall be selected by the board with a view to the development of one or more projects in each of the several States where the establishment of a project is feasible.

SEC. 803. (a) The board may by gift, purchase, deed in trust, or otherwise acquire lands suitable for any project; but no project shall be finally selected, and no lands shall be acquired by purchase, unless the price and other conditions of acquisition have been submitted to and approved by (1) the governor of the State in which the lands are located, (2) as to price only, a land bank appraiser to be designated by the Federal Farm Loan Board, and (3) the board. If the governor of the State fails to signify his approval or disapproval within such time as the board by regulation shall determine, the land commissioner, or if there is in the State no official of such title, then the agency which under the laws of the State is authorized to perform the functions ordinarily exercised by a land commissioner, may act in lieu of the governor.

(b) In case any project includes privately owned land, no construction work shall be commenced upon the project until the owners of all such land in the project have each conveyed or agreed to convey to the United States title to all land owned by him in excess of a farm unit as established for the project under the provisions of section 806.

(c) The Secretary (1) may withdraw from location, sale, settlement, entry, or other disposition and place under the control of the board such unappropriated public lands as he deems necessary for any project, and (2) shall restore to public entry lands so withdrawn, if subsequently the board finds that such lands are not so required.

(d) The board may in its discretion contract with any irrigation or drainage district or other public corporation organized under the laws of the State in which the project is located to establish, develop, improve, and otherwise cooperate (in accordance with the provisions of this title) in the execution of, and the administration of the affairs of, any project comprising only the lands of such district or corporation.

COOPERATION WITH FEDERAL AND STATE AGENCIES.

SEC. 804. The board may, in executing the provisions of this title—

(a) Make use of, cooperate with, and allot moneys appropriated for its use to, any existing agency of the Federal Government which agrees to act as the agent of the board. Such agency is hereby authorized, within the limits of the moneys allotted it and under the direction of the board, to perform work in connection with any project.

(b) Whenever a State provides funds to be expended by the board in the establishment, development, and improvement of any project within the State, the board may contract with the State, or any agency thereof designated by the governor, to cooperate with the board, to such extent as the board deems advisable, in the work in connection with the project. The board may further establish a branch office in the State to administer matters arising in connection with projects in the State.

(c) Whenever a State provides not less than 25 per cent of the amount of the funds which are, in the opinion of the board, necessary to be expended by it in the establishment, development, and improvement of any project within the State, the board shall authorize the State, or any agency thereof designated by the governor, to undertake, subject to the general supervision of the board, (1) the selection, acquisition, and subdivision of lands for, and the improvement of farms within, any project, and (2) the development thereof after the project is open to settlement.

SEC. 805. So far as practicable, veterans shall be employed and their services utilized in the administrative and field work necessary to the establishment and development of any project by the board and all Federal agencies cooperating therewith. All contracts or other agreements of the board with any cooperating State or agency thereof shall contain a like stipulation. At the earliest practicable date each veteran so employed upon a project shall be allowed to select and shall be allotted, as hereinafter in this title provided, a farm unit upon which he may construct a dwelling and make other improvements.

ALLOTMENT AND SALE OF LANDS.

SEC. 806. (a) The board shall establish for each project or portion thereof (1) farm units of an acreage sufficient, in the opinion of the board, for cultivation by and the support of a family, and (2) farm worker's units of a small acreage sufficient, in the opinion of the board, for part-time cultivation by a farm worker's family.

(b) The board may set apart and reserve tracts within any project for use free from all charge for community and other public purposes, but the title to such lands shall remain in the United States. Whenever any such tract fails to be used for the purpose for which it was set apart and reserved, the board shall, after due notice and hearing, declare the tract forfeited to the United States. Such tract shall thereupon resume its original status.

(c) The board may establish town sites within any project and develop and sell lots therein to veterans and repatriates only, under such regulations and upon such terms as it shall prescribe.

SEC. 807. (a) When used in this title, the term "repatriate" includes (1) any citizen of the United States who has served with the military or naval forces of any nation allied against the German Government or its allies without loss of citizenship, and (2) any former citizen of the United States who has so served with loss of such citizenship but has since been repatriated; except that such term shall not include a veteran or any individual who was separated from such forces under other than honorable conditions.

(b) Whenever in the opinion of the board farm units or farm workers' units, within any project, are available for settlement, the board shall give public notice and description thereof, together with a statement of the construction charges and other conditions incident thereto, and shall mail individual notices to any veteran whose name has been certified to the board under the provisions of section 303. The board shall allot a farm unit or a farm worker's unit to any such veteran or repatriate who applies therefor in such manner as the board shall by regulation prescribe. As between applicants, preference in making allotments shall be given, first, to a veteran who has been employed upon and who has rendered substantial service in the development of any project; and, second, to a veteran or repatriate who, in the opinion of the board, is least likely to fail in his enterprise or to cause the United States loss.

(c) The board shall allot farm units, farm workers' units, and town lots to veterans and repatriates only.

SEC. 808. (a) The cost of construction, including the purchase price of any lands acquired for the project, but excluding administrative expenses and the expenses of maintaining general offices and exercising general supervision over projects, shall be apportioned equitably among the farm units, farm workers' units, town lots, and other tracts within the project in proportion to the selling value of each unit, lot, or tract; and the total sale price of all lands within the project shall be fixed with a view of repaying the total of such construction cost of the project.

(b) Each allottee of a farm unit or farm worker's unit shall pay to the board such price as the board shall fix for the unit in pursuance of the provisions of subdivision (a) of this section; except that in case the allottee is a veteran there shall be deducted from such price the amount of his adjusted service credit.

(c) A veteran or repatriate may, at his option, in lieu of payment in full at the time of entry, pay all balances due upon the purchase price for his unit upon an amortization plan by means of a fixed number of annual installments sufficient to cover (1) interest on the unpaid principal at the rate of 5 per cent per annum and (2) such amount of the principal as will extinguish the debt within an agreed period, not exceeding 25 years from the making of the contract of purchase. In the case of a veteran, the installments shall be so arranged that he will not be required to pay any installment until two years after the making of the contract of purchase. The board may in its discretion, whenever it is of the opinion that any emergency has caused default in the payment of any installment of the veteran or repatriate, postpone the payment of such installment until such date as it deems expedient. Such postponed payments shall continue to bear interest on the unpaid principal at the rate of 5 per cent per annum from the date of the contract of purchase. The board shall make such regulations as to residence upon, and use or cultivation of, units by a veteran or repatriate as in the opinion of the board will carry out the purpose of making the unit his permanent home.

SEC. 809. A patent or deed, as the case demands, shall immediately be issued to a purchaser who has paid the full price for his unit, and may be issued at any time more than five years after the date of purchase to any purchaser under the amortization plan who has met all payments then due from him to the board and has observed all conditions prescribed by regulations issued under the provisions of subdivision (c) of section 808. Each such patent or deed shall expressly reserve to the United States a prior lien on the land patented or deeded, superior to all other liens, claims, or demands whatsoever, for the repayment of all sums due or to become due to the board.

SEC. 810. (a) If the veteran dies after making application in accordance with the provisions of section 302 for land settlement aid and before having entered into a contract of purchase under section 808, the amount of his adjusted service credit shall be paid by the board to his estate, but no such payment shall be made if the veteran has been separated from the military or naval forces under other than honorable conditions or discharged therefrom on account of his alienage.

(b) If the veteran or repatriate dies previous to the completion of his contract of purchase the successor by law to his interest in the land, if a widow or heir at law, may assume the contract of purchase. If the successor is other than a widow or heir at law the balance due the board under the contract of purchase shall be due immediately and shall be paid the board within such time after the death of the veteran as the board shall by regulation prescribe.

SEC. 811. No lands within any project shall in any event become liable to the satisfaction of any debt contracted prior to the issue of the deed or patent therefor. No transfer, assignment, mortgage, or lease of the interest of any purchaser of a unit shall, unless approved by the board, be valid previous to the issue of the deed or patent for the land, or within five years after the date of purchase.

SEC. 812. Prior to the issue of a deed or patent, as the case may be, for any unit, lot, or tract within a project, such unit, lot, or tract shall be subject to taxation by any State, or political subdivision thereof, but only upon the appraised value of the owner's interest in the land and improvements thereon. If the owner fails to pay any such tax or assessment, the board is authorized to pay such tax or assessment and to include the amount of the payment, together with interest and penalties at the rate provided by law for delinquent taxes in the State in which the land is located, in the installments payable under the contract of purchase.

SEC. 813. Upon the default of any payment due to the board under, or upon the violation of, the provisions of subdivision (c) of section 808, or of section 810, 811, or 812, the interest of the purchaser in the unit shall revert to the United States free of all encumbrances, but subject to the right of the defaulting debtor, or any mortgagee, lien holder, judgment creditor, or subsequent purchaser, to redeem the land, within one year after the board gives notice of such default, by payment of all moneys due with interest at 8 per cent per annum from the date of default, and costs. The board, at its option, may cause the land to be sold at any time after such failure to redeem. From the proceeds of the sale the board shall retain all moneys due, with interest as provided, and costs. The balance of the proceeds, if any, shall be the property of the defaulting debtor or his assignee. In the case of sale after failure to redeem under this section, the board is authorized to bid in such land at not more than the amount in default, including interest and costs.

SEC. 814. In case a veteran has entered upon land reclaimed under the reclamation law, the board shall, upon application of the veteran, pay to the reclamation fund the amount of the adjusted service credit of the veteran, and the Secretary of the Interior shall thereupon credit such sum to the amount payable to the fund by the veteran.

RECEIPTS FROM PROJECTS.

SEC. 815. All moneys received by the board as payments in respect to lands within any project shall be covered into the Treasury of the United States as miscellaneous receipts; except that from such receipts shall be deducted the amounts required to make such repayment or reimbursement to any State or designated agency thereof, or to any district or other public corporation, as is necessary to carry into effect the provisions of subdivision (d) of section 803 and of subdivisions (b) and (c) of section 804.

APPLICABILITY OF RECLAMATION LAW.

SEC. 816. The board shall, so far as possible, in executing the provisions of this title, make use of existing agencies in the Department of the Interior and comply with the reclamation law in so far as such law is applicable and not inconsistent with the provisions of this title. Such reclamation law shall, for the purposes of this title, be deemed applicable to the reclamation of lands by drainage or by any other manner or method, as well as to reclamation by irrigation. This section shall not be construed to give the board any control over the disposition of moneys in the reclamation fund.

EFFECTIVE DATE.

SEC. 817. Sections 802 to 816, both inclusive, shall take effect on January 1, 1923.

TITLE IX.—MISCELLANEOUS PROVISIONS.

SEC. 901. The officers and boards having charge of the administration of any of the provisions of this act are authorized to appoint such officers, employees, and agents in the District of Columbia and elsewhere, and to make such expenditures for rent, furniture, office equipment, printing, binding, telegrams, telephone, law books, books of reference, stationery, motor-propelled vehicles or trucks used for official purposes, traveling expenses and per diem in lieu of subsistence at not exceeding $4 for officers, agents, and other employees, for the purchase of reports and materials for publications, and for other contingent and miscellaneous expenses, as may be necessary efficiently to execute the purposes of this act and as may be provided for by the Congress from time to time. With the exception of such special experts as may be found necessary for the conduct of the work, all such appointments shall be made subject to the civil service laws; but for the purposes of carrying out the provisions of section 305 such appointments may be made without regard to such laws until the services of persons duly qualified under such laws are available. In all appointments under this section preference shall, so far as practicable, be given to veterans.

SEC. 902. If any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 903. Whoever knowingly makes any false or fraudulent statement of a material fact in any application, certificate, or document made under the provisions of Title III, IV, V, VI, VII, or VIII, or of any regulation made under any such title, shall, upon conviction thereof, be fined not more than $1,000, or imprisoned not more than five years, or both.

SEC. 904. The Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Director of the United States Veterans' Bureau, and the National Veterans' Settlement Board shall severally submit to Congress in the manner provided by law estimates of the amounts necessary to be expended

in carrying out such provisions of this act as each is charged with administering, and there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, amounts sufficient to defray such expenditures.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 165. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a statue of Edmund Burke; to the Committee on the Library.

ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 10185. An act authorizing the exchange of lands within the exterior boundaries of the Malheur National Forest, in the State of Oregon, and for other purposes;

H. R. 5013. An act to authorize the Secretary of the Navy to sanction the inscription of titles upon certain monuments, tablets, or other memorials; and

H. R. 244. An act to provide for the disposition of abandoned portions of rights of way granted to railroad companies.

LEAVE OF ABSENCE.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent for leave of absence for my colleague [Mr. BURTON] until next Monday, on account of death in his family.

The SPEAKER. Is there objection?

There was no objection.

PERMITTING CERTAIN ALIENS TO REMAIN WITHIN THE UNITED STATES.

Mr. BOX. Mr. Speaker, I ask unanimous consent that the minority of the Committee on Immigration be given until midnight to-night to file their views on House joint resolution 279, to permit to remain within the United States certain aliens admitted temporarily under bond, in excess of quotas fixed under authority of the immigration act of May 19, 1921.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. ANDERSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned until to-morrow, Wednesday, March 8, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

562. Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1921 (H. Doc. No. 222), was taken from the Speaker's table, referred to the Committee on Ways and Means, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. JOHNSON of Washington: Committee on Immigration and Naturalization. H. J. Res. 279. A joint resolution to permit to remain within the United States certain aliens admitted temporarily under bond in excess of quotas fixed under authority of the immigration act of May 19, 1921; with an amendment (Rept. No. 776). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GLYNN: Committee on Claims. H. R. 6926. A bill for the relief of Abraham Leibovitz; with an amendment (Rept. No. 777). Referred to the Committee of the Whole House.

ADVERSE REPORTS.

Under clause 2 of Rule XIII,

Mr. BULWINKLE: Committee on Claims. S. 464. An act for the relief of the estate of Moses M. Bane (Rept. No. 778). Laid on the table.

Mr. BOX: Committee on Claims. H. R. 4179. A bill for the relief of Ida F. Baum (Rept. No. 779). Laid on the table.

Mr. BULWINKLE: Committee on Claims. H. R. 5832. A bill for the relief of James Doherty (Rept. No. 780). Laid on the table.

Mr. BULWINKLE: Committee on Claims. H. R. 4314. A bill for the relief of Mrs. M. P. Rodgers (Rept. No. 781). Laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DEMPSEY: A bill (H. R. 10766) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. SWING: A bill (H. R. 10767) to exempt from cancellation certain desert-land entries in San Bernardino County, Calif.; to the Committee on the Public Lands.

By Mr. VOLSTEAD: A bill (H. R. 10768) to amend an act entitled "An act to punish the unlawful breaking of seals of railroad cars containing interstate or foreign shipments, the unlawful entering of such cars, the stealing of freight and express packages or baggage or articles in process of transportation in interstate shipment, and the felonious asportation of such freight or express packages or baggage or articles therefrom into another district of the United States, and the felonious possession or reception of the same," approved February 13, 1913 (37 Stat., 670); to the Committee on the Judiciary.

By Mr. FORDNEY: A bill (H. R. 10769) to provide adjusted compensation for veterans of the World War, and for other purposes; to the Committee on Ways and Means.

By Mr. LARSON of Minnesota: A bill (H. R. 10770) granting the consent of Congress to the county of Itasca, State of Minnesota, to construct, maintain, and operate a bridge across the south arm of Pokegama Lake; to the Committee on Interstate and Foreign Commerce.

By Mr. VAILE: A bill (H. R. 10771) authorizing the Postmaster General to investigate conditions arising from contracts in star-route, screen-wagon, and other vehicle service entered into prior to January 1, 1919; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: A bill (H. R. 10772) providing that relief extended to any incompetent or restricted Indian in furnishing food, clothing, fuel, or medical care, or necessary assistance to him or to his family, shall be a charge against the said Indian or his estate; to the Committee on Indian Affairs.

By Mr. GENSMAN: A bill (H. R. 10773) to authorize the appraisal of the taxable value of Indian lands now not subject to taxation in the several States to determine the amount of taxes which would accrue to the several States if the Indian lands were subject to taxation by the States; to the Committee on Indian Affairs.

By Mr. LEHLBACH: Joint resolution (H. J. Res. 284) authorizing the President to require the United States Sugar Equalization Board (Inc.) to take over and dispose of 2,000 tons of sugar imported from the Argentine Republic and adjust the loss sustained thereby; to the Committee on Agriculture.

By Mr. RIDDICK: Joint resolution (H. J. Res. 285) for the purpose of aiding agriculture by providing facilities for nitrate plants, water for irrigation, and for promoting more efficiency in travel and transportation through the elimination of the expense or labor for motive power, and for other purposes; to the Committee on Patents.

By Mr. KAHN: Resolution (H. Res. 300) authorizing the Committee on Military Affairs, or any subcommittee thereof, to go to Muscle Shoals and Gorgas, Ala., for the purpose of investigating the advisability of completing the same; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 10774) for the relief of John H. Lang; to the Committee on Naval Affairs.

By Mr. HAWLEY: A bill (H. R. 10775) granting a pension to Elvira E. Clark; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 10776) to place John Bowles Jeffery upon the retired list of the Army with the rank of major; to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 10777) granting a pension to Ida B. Sechler; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 10778) granting a pension to Mary A. O'Neil; to the Committee on Invalid Pensions.

By Mr. LEATHERWOOD: A bill (H. R. 10779) for the relief of Willard Taylor Schell; to the Committee on Claims.

By Mr. LYON: A bill (H. R. 10780) granting a pension to James H. Brittain; to the Committee on Invalid Pensions.

By Mr. OLPP: A bill (H. R. 10781) authorizing and directing examination and survey of the Hudson River Channel along the Weehawken-Edgewater water front; to the Committee on Rivers and Harbors.

By Mr. RAMSEYER: A bill (H. R. 10782) granting an increase of pension to Malissa A. Hanes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10783) granting a pension to Elizabeth Graft; to the Committee on Pensions.

By Mr. REECE: A bill (H. R. 10784) granting a pension to John M. Tester; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10785) granting a pension to Bonnie O'Mara; to the Committee on Pensions.

Also, a bill (H. R. 10786) granting a pension to Malissa E. Hurst; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10787) granting a pension to Judie Cable; to the Committee on Pensions.

Also, a bill (H. R. 10788) granting an increase of pension to Marcus C. Luttrell; to the Committee on Pensions.

Also, a bill (H. R. 10789) granting a pension to Robert J. Jones; to the Committee on Pensions.

Also, a bill (H. R. 10790) granting a pension to John H. Bellamy; to the Committee on Pensions.

Also, a bill (H. R. 10791) granting an increase of pension to Carry D. Shultz; to the Committee on Pensions.

By Mr. RIDDICK: A bill (H. R. 10792) authorizing the Secretary of the Interior to allow the additional homestead application of Otha Potter; to the Committee on the Public Lands.

By Mr. ROBSION: A bill (H. R. 10793) granting a pension to Syntha Black; to the Committee on Pensions.

By Mr. SHAW: A bill (H. R. 10794) for the relief of William Black; to the Committee on Military Affairs.

By Mr. TINCHER: A bill (H. R. 10795) for the relief of Blanche Winters; to the Committee on War Claims.

By Mr. WASON: A bill (H. R. 10796) granting a pension to Susie C. York; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10797) granting a pension to Nellie Knight; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4469. By Mr. BRIGGS: Letter from T. E. Flick, of Galveston, Tex., urging an amendment to House bill 9105, Sixty-seventh Congress, first session, by adding at the end thereof the words "now valid and legal for postage or revenue;" to the Committee on the Judiciary.

4470. By Mr. CRAGO: Petition of 28 residents of Pennsylvania, protesting against House bill 9753; to the Committee on the District of Columbia.

4471. Also, resolution adopted by Hill Top Memorial Post, No. 438, American Legion, of Knoxville, Pa., protesting against the reported remarks of the Chamber of Commerce of Pittsburgh, in which its members openly slandered and castigated the ex-service men by comparing them with profiteers, by impugning their patriotism, and by villifying the ex-service man who is unable to obtain employment; to the Committee on Ways and Means.

4472. By Mr. CAREW: Petition of the Central Mercantile Association, urging the passage of an amendment to the post roads bill for reestablishing pneumatic-tube service in New York City; to the Committee on Appropriations.

4473. By Mr. FENN: Petition of the Meriden Personal Liberty League, amending the Volstead Act with a tax on beer and light wines; to the Committee on the Judiciary.

4474. By Mr. FUNK: Petition of citizens of Logan County, Ill., requesting the repeal of the Adamson law, etc.; to the Committee on Interstate and Foreign Commerce.

4475. By Mr. KISSEL: Petition of Battle Pass Chapter, Daughters of the American Revolution, of Brooklyn, N. Y., urging an amendment to the Barbour bill (H. R. 7452); to the Committee on the Public Lands.

4476. Also, petition of the Riley School of Chiropractic, of Washington, D. C., opposing the passage of Senate bill 2283; to the Committee on the District of Columbia.

4477. Also, petition of the New York Boat Owners Association (Inc.), of New York City, opposing the passage of House bill 5351; to the Committee on the Judiciary.

4478. Also, petition of Loggia Liberta'e Concordia, No. 769, of Mount Carmel, Pa., urging the early passage of the Calder-Kissel bill making the 12th of October each year a legal public holiday to be known as Columbus day; to the Committee on the Judiciary.

4479. Also petition of Allegheny Lodge, No. 339, Benevolent and Protective Order of Elks, of Pittsburgh Pa., urging the modification of the existing prohibition laws; to the Committee on the Judiciary.

4480. Also, petition of the Brooklyn Real Estate Board, of Brooklyn, N. Y., opposing the pending bonus bill; to the Committee on Ways and Means.

4481. By Mr. SPROUL: Petition by sundry citizens of the third congressional district of Illinois, protesting against the enactemnt of House bill 9753 and other Sunday enforcement laws; to the Committee on the District of Columbia.

4482. By Mr. SWING: Resolutions of the Orange Community Chamber of Commerce, of Orange, Calif., indorsing the adjusted compensation bill; to the Committee on Ways and Means.

4483. By Mr. TINKHAM: Petition of L. T. Price and others, favoring legislation for the suspension of Austria's debt to the United States for at least 20 years; to the Committee on Ways and Means.

4484. Also, resolution passed by the midwinter conference of Lend a Hand Clubs, supporting the proposal of Gen. Pershing relative to the size of the Army; to the Committee on Military Affairs.

4485. Also, resolution adopted at a meeting of the corporation of Simmons College, opposing the imposition of a duty on the importation of foreign books; to the Committee on Ways and Means.

4486. Also, resolution of Rosa P. Neinzen, urging the extension of Austria's debt to the United States be extended for at least 20 years; to the Committee on Ways and Means.

4487. Also, resolution adopted by the Charlestown (Mass.) United Veterans of the Republic, opposing the adoption of the four-power treaty; to the Committee on Foreign Affairs.

4488. By Mr. WILLIAMSON: Petition of South Dakota Conference, Seventh-Day Adventists, protesting against enactment of House bill 4388; to the Committee on the District of Columbia.

SENATE.

WEDNESDAY, *March 8, 1922.*

(Legislative day of Tuesday, March 7, 1922.)

The Senate met in open executive session at 12 o'clock meridian, on the expiration of the recess.

WORLD WAR FOREIGN DEBT COMMISSION.

Mr. CUMMINS. Mr. President, I ask unanimous consent, as in legislative session, to submit the following resolution and ask for its immediate consideration.

There being no objection, the Senate, as in legislative session, considered the resolution (S. Res. 255) and it was agreed to, as follows:

Whereas the Attorney General of the United States has rendered an opinion to the President of the United States touching the eligibility of Senator REED SMOOT and Representative THEODORE E. BURTON for membership on the commission created by the act of Congress approved February 9, 1922, entitled "An act to create a commission to refund or convert obligations of foreign Governments held by the United States of America, and for other purposes": Be it therefore

Resolved, That the President is requested, if not incompatible with the public interest, to furnish to the Senate a copy of said opinion.

SERVICES FOR SOLDIER DEAD AT BROOKLYN, N. Y.

As in legislative session,

The VICE PRESIDENT laid before the Senate a communication from E. A. Simmons, chairman of the committee for the reception and disposition of bodies from overseas of the American Legion, Department of New York, of New York City, requesting the appointment of a Senate committee to attend the services to be held at Brooklyn, N. Y., on Sunday, April 2, 1922, in honor of the last reception of bodies of American soldiers who died overseas in the World War, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. LODGE. Mr. President, I ask that the telegram which I send to the desk, which has been received here, containing a resolution relating to the ratification of the treaties, may be printed in the RECORD.

There being no objection, the telegram was ordered to lie on the table and to be printed in the RECORD, as follows:

CAMBRIDGE, MASS., *March 7, 1922.*

Hon. CALVIN COOLIDGE,
Vice President of the United States and
President of the Senate, Washington, D. C.

Harvard University and the Cambridge community in a crowded meeting to-night voted unanimously the following resolution:

We urge upon the Senate the ratification of the treaties of the Washington conference without reservation and without delay.

EDWIN CALDWELL MOORE.

Mr. KELLOGG. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McNary	Sheppard
Ball	Harreld	Nelson	Shields
Borah	Harris	New	Shortridge
Brandegee	Harrison	Newberry	Smith
Broussard	Heflin	Nicholson	Spencer
Cameron	Hitchcock	Norbeck	Sterling
Capper	Johnson	Norris	Townsend
Caraway	Jones, Wash.	Oddie	Underwood
Colt	Kellogg	Overman	Wadsworth
Culberson	Kendrick	Page	Walsh, Mont.
Cummins	Keyes	Phipps	Warren
du Pont	King	Pittman	Watson, Ga.
Fernald	Ladd	Poindexter	Weller
Fletcher	Lenroot	Pomerene	Williams
France	Lodge	Ransdell	Willis
Gerry	McCormick	Rawson	
Glass	McKellar	Reed	
Gooding	McKinley	Robinson	

Mr. FLETCHER. I wish to announce that my colleague [Mr. TRAMMELL] is necessarily absent on account of serious illness in his family. I ask that this announcement may stand for the day.

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. CALDER], the Senator from New Jersey [Mr. FRELINGHUYSEN], and the Senator from Pennsylvania [Mr. PEPPER] are detained at a hearing before the Committee on Finance.

Mr. PAGE. I wish to announce the absence of my colleague [Mr. DILLINGHAM] on account of a death in his family.

The VICE PRESIDENT. Sixty-nine Senators having answered to their names, there is a quorum present.

Mr. LODGE. Mr. President, in speaking to-day in regard to the four-power treaty, I desire first to trace briefly the negotiations which resulted in the adoption of that treaty by the four signatory powers.

The chief and most important point in the treaty is the termination of the Anglo-Japanese alliance. That was the main object of the treaty. The subject had been under discussion for some time before the conference met. It had been under discussion in the conference which was held in London last June between representatives of the British self-governing dominions and the Government of Great Britain itself. There was in that conference, although it has never been fully published to the world, a well known and very marked difference of opinion, to which I shall presently allude more in detail. No settlement was reached of the differences which arose upon the Anglo-Japanese alliance. During the time when that conference was in being, and later, during the summer, there was correspondence, I believe, and there certainly were conversations between the Secretary of State and representatives of the British Government in regard to this alliance, and the view of the United States upon it was very frankly and fully stated to the representatives of Great Britain.

At the imperial conference Canada was very strongly opposed to the continuation of the alliance. The feeling in Canada did not differ materially from that which was held in this country by all people who had given the subject consideration. Canada was anxious to see the alliance terminated. The New Zealand and Australian attitude was somewhat different. Both those dominions are extremely hostile to Japanese and Asian immigration, and have very stringent laws on the subject; but they felt that they were much more exposed, owing to their geographical position, than was Canada, and it seemed to them that the Anglo-Japanese alliance contained a measure of protection to them against any Japanese encroachments. They were, therefore, unwilling to have the alliance terminated unless some other arrangement was made; but Australia and New Zealand, through their prime ministers, and South Africa as well, stated that they favored no alliance between Great Britain and Japan which was not in all respects satisfactory to the United States.

When the conference met, after the preliminaries, after the appointment of committees and the presentation of the American proposition for the reduction of armament, the question of the Anglo-Japanese alliance was taken up almost at once for negotiation, and was very promptly disposed of, as the date of the treaty, December 16, shows. The Senator from Nebraska [Mr. HITCHCOCK] was very much distressed by the secrecy which, in his opinion, shrouded the negotiations which resulted in the four-power treaty. That the subject was under consideration, that the delegations of the four signatory powers were considering it, that there were meetings between them and the heads of the different delegations, were facts well known to the press, and about which no secrecy ever existed. The discussions were informal; no minutes were kept; no stenographers were present, for the simple reason that it was not thought necessary, I believe, by anyone; certainly it was suggested by nobody. The four delegations had many talks amongst themselves in regard to the subject, and with each other, but it was agreed, without objection on the part of anyone, that the delegations should be represented by their respective heads. So Mr. Hughes, Mr. Balfour, Baron Kato, or Baron Shidehara, and Mr. Viviani represented their respective delegations in the conferences, comparatively few in number, which were held. Everything that was proposed was submitted first to the delegations by their representatives and reported to the delegations subsequently. That is the whole story of the negotiation, and that is all that the secrecy amounted to. There was really nothing to conceal. The purpose of the meetings was the termination of the Anglo-Japanese alliance and the agreement on the two very simple articles which preceded it.

I may say at this point that no negotiations of which I have any knowledge—and I am speaking now of the conference and its work generally—were ever conducted with so little secrecy as were those held by the conference which has recently adjourned. Stenographers were present at all the meetings of the committees, communiqués were published every day after the meetings of the committees of the conference, and all that happened and all that was said in those meetings is in print in the volume of minutes which is now before the Senate.

In the particular case of the four-power treaty only the four powers represented were engaged and the negotiation was carried on as it was simply because it seemed the quickest and most direct way. The whole purpose was so obvious that the story was told by the result without any need of having stenographers to listen to informal conversations, a method which, I may say, if enforced, would probably put an end to all negotiations, for informal conversations amongst the representatives of the powers must be carried on, if at all, without the presence of stenographers. The fact that there were tentative drafts, of which some point was made by the Senator from Nebraska, seems to me, I must confess, wholly unimportant. Of course, different drafts were made and amended and considered and discussed in the conferences of the delegations and afterwards in the meetings of the heads of the delegations, just exactly as a committee of the Senate or a subcommittee in framing a bill will discuss amongst themselves various drafts and various amendments to the bill or the drafts.

Now, Mr. President, let me state, first, to what this treaty applies.

Mr. REED. Mr. President, is the Senator about to leave the topic he has been discussing?

Mr. LODGE. I was; yes.

Mr. REED. If the Senator does not object, I should like to ask him a question or two about it. Has anything been made public except the proceedings of the general meetings which were held in public?

Mr. LODGE. The Senator is speaking now of the conference generally?

Mr. REED. Yes.

Mr. LODGE. Everything has been made public. Of course, the proceedings at all the sessions of the plenary conference have been made public and all the meetings of the committees of the conference and subcommittees are published in the minutes. Stenographic minutes were taken of all of them and were published.

I will say to the Senator that there were two committees—one the committee on naval armaments, consisting of representatives of five powers, and one on questions affecting the Far East, consisting of representatives of nine powers. Those were the two committees appointed by the conference. There were subcommittees appointed by those committees for the consideration of specific subjects, and all that was said and done by those committees of the conference and by the subcommittees was taken down stenographically and printed.

Mr. REED. And distributed?

Mr. LODGE. They are in the hands of every Senator here and in our document room.

Mr. REED. In this volume which I hold in my hand?

Mr. LODGE. Yes.

Mr. REED. I do not wish to take the Senator's time, but the Senator stated the meetings of all the subcommittees were known to the press.

Mr. LODGE. In regard to the four-power meetings, I used the expression that the fact of those meetings was known to the press.

Mr. REED. The fact that they were having meetings?

Mr. LODGE. Yes. Of course, as to the others, all that was said was given to the press the same day.

Mr. REED. The fact that meetings were to be held was given to the press, but what took place at the meetings was not recorded?

Mr. LODGE. No; it was not recorded; there were no stenographers present.

Mr. REED. And never was given to the press?

Mr. LODGE. There were no minutes.

Mr. REED. What took place was never given to the press in any form?

Mr. LODGE. No; I do not think anybody repeated the conversations and gave them to the press.

Mr. REED. Were the conclusions given to the press?

Mr. LODGE. They were, as soon as they were reached. There was only one very simple conclusion.

Mr. REED. I wish to call the Senator's attention to one matter, in order to clear up the question we are on. I will state the facts as I understand them to be: That the President stated under the four-power pact the United States would be under no obligation with reference to what we call the mainland of Japan. Subsequently, on the same day, a statement was given to the press that the President had been informed that there had been an understanding between our representatives and the British, the French, and the Japanese representatives that the terms of the treaty did embrace the mainland of Japan, and thereupon the President gave a statement, according to the press, that he had been in error. Had such an understanding as that referred to been arrived at?

Mr. LODGE. There was no understanding about it at all; that was the clear meaning of the words used.

Mr. REED. The newspapers went further than that.

Mr. LODGE. I am not saying what the newspapers did; I am not responsible for them; I am saying what the view of the delegates was.

Mr. REED. I am only stating what the newspapers stated in order that I may ask a question. The newspapers went further and stated that the construction which had been put upon the language of the treaty by those who had framed the language was that it did embrace the mainland of Japan.

Mr. LODGE. Undoubtedly; in my opinion, there could be no question about it as originally phrased.

Mr. REED. Had such a construction been arrived at, discussed and talked over, by the representatives at the meetings which were not public?

Mr. LODGE. Under the language adopted that was the perfectly natural and inevitable interpretation. I quote from the second paragraph of the treaty:

> With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions of the Pacific Ocean—

"Insular possessions and insular dominions," in my opinion, and I think in the opinion of every delegate, could not help covering Japan. Her own islands were her insular dominion.

Mr. REED. But the general public construction and the construction which the President put upon the language was that it did not cover what we call, for want of a better term, the mainland of Japan; and I am inquiring now not as to the construction which the Senator gets from the words themselves but whether in the discussions between the representatives of these countries it was understood and talked over that the words would cover the mainland of Japan.

Mr. LODGE. No one that I know of who was concerned in making the agreement had any doubt that they did cover the mainland of Japan. The only discussion that occurred was that the representative of Japan objected, not to the construction, because there could be no other, but to the inclusion of Japan, and asked for time to consider it, did consider it, and then informed the other delegations that though he was reluctant to accept it he withdrew his objection.

Mr. REED. And, if I correctly understand the Senator, the representative of Japan did not want the mainland of Japan to be included within the protectorate of this treaty?

Mr. LODGE. He did not desire it at first, and then agreed to it.

Mr. REED. So that makes it perfectly plain, then, that there was a discussion between the delegates as to whether the language of the treaty——

Mr. LODGE. I have stated to the Senator the only discussion that occurred. There was no discussion as to what it meant. The only discussion was as to whether Japan was willing to have the mainland of Japan, Japan proper, included in the treaty at all.

Mr. REED. Would the Senator object to telling us why the representative of Japan objected to having the mainland of Japan—as we will call it for want of a better term—included in this protectorate?

Mr. LODGE. As I have said, that objection was withdrawn, and the treaty appeared as first drafted.

Mr. REED. I know it was withdrawn and afterwards was incorporated in the supplemental treaty.

Mr. LODGE. I can tell the story better if the Senator will allow me to tell it without interrupting me before I can get the words out of my mouth.

Mr. REED. Certainly; I thought the Senator had concluded.

Mr. LODGE. I had just started to tell the story.

Mr. REED. Very well.

Mr. LODGE. I am perfectly willing that the Senator shall ask any questions he desires, but when I am trying to answer one question I can not get far if I am interrupted at the end of my first half sentence.

Mr. REED. I simply misunderstood the Senator's attitude and manner of speech. All that I want is for the Senator to tell us all about it, and he shall take all the time he will.

Mr. LODGE. That is what I am trying to do, and I shall get on more rapidly if I am allowed to proceed.

Mr. REED. Very well.

Mr. LODGE. The Japanese representative made that objection and said he should like to consider it further. He then, the next day, informed the other delegations that he withdrew his objection. Subsequently it appeared that the Government of Japan and the people of Japan were also opposed to it, and the representative of Japan renewed his objection. That is, he renewed his request that the mainland, the home territory of Japan, should be specifically excluded, as was done by the supplementary treaty.

Mr. ROBINSON. Mr. President, will the Senator permit me to ask a question in that connection?

Mr. LODGE. Certainly.

Mr. ROBINSON. When Japan objected to her mainland being included, why did the other powers insist upon its being included?

Mr. LODGE. They did not insist.

Mr. ROBINSON. Why was it included?

Mr. LODGE. Because that was the natural meaning of the words used.

Mr. ROBINSON. What was her original objection?

Mr. LODGE. The original objection of Japan?

Mr. ROBINSON. Yes.

Mr. LODGE. I was going to explain that. As I understand it, the objection of Japan was that the mainland, the homeland, of the other three powers was not included, and they felt that it might be a reflection on her if she alone were included. In stating the Japanese position I am, of course, stating only what I understood. I have no right to speak for them.

Mr. ROBINSON. When Japan made that objection, whatever the ground upon which it was based, why did not the other powers yield to the objection at once and permit the mainland of Japan to be excepted?

Mr. LODGE. I am afraid I did not make myself clear. This language was agreed to by all. The Japanese representative, who was the Japanese ambassador at that time, said that he should like time to think it over before he assented. He did not ask that it be stricken out; he said that he should like time to think it over and consider it before he assented. He did consider it over one night and assented the next morning and withdrew any objection. To tell the truth, I do not think any of the other powers cared one way or the other about it.

Mr. REED. If the language included the mainland of Japan in the first instance, and was so understood, why was the treaty prepared in that way? Why was that language in the treaty?

Mr. LODGE. The purpose of the treaty was to include all the insular dominions and possessions of the four signatory powers, and, by using the words "insular dominions and insular possessions," carefully to exclude continents; and that was the phrase selected in order to reach that purpose. When

we said "insular dominions and insular possessions," of course, the main island of Japan, for instance, is an insular dominion of Japan in the Pacific Ocean and would be included.

Mr. REED. I understand that it is included in the term; but that is not the only term in the English language that could have been employed.

Mr. LODGE. No; no doubt the Senator could have found a better one, but that was the one that seemed to the delegations to cover it. After a good deal of consideration, that was thought to be the best descriptive term.

Mr. REED. And when you adopted it, you found it necessary afterwards, in order to straighten out the matter, to make a second treaty?

Mr. LODGE. We found it necessary to comply with the wishes of Japan; that is to say, we thought it desirable. Nobody considered it of any importance whether the home islands of Japan were included or whether they were not.

Mr. REED. It afterwards became of sufficient importance, so that a second treaty was made?

Mr. LODGE. Certainly, in compliance with the wishes of Japan; yes.

Mr. REED. And in that second treaty you specified what particular islands should be included. The clause to which I call the Senator's attention in the supplemental treaty is this:

> The term "insular possessions and insular dominions" used in the aforesaid treaty shall, in its application to Japan, include only Karafuto (or the southern portion of the island of Sakhalin), Formosa, and the Pescadores, and the islands under the mandate of Japan.

Why were the particular islands that have been named specified as being within the treaty?

Mr. LODGE. Because that was the most direct way of excluding the homeland of Japan.

Mr. REED. I know it would exclude the homeland of Japan, but why was the island of Sakhalin put in?

Mr. LODGE. The southern portion of the island of Karafuto, I believe they call it, belongs to Japan.

Mr. REED. Why is it that that particular island, which was not one of the mandated islands, was put within the terms of the four-power treaty and under its protection?

Mr. LODGE. It was put there for the simple reason that the islands of Japan, which they consider part of their homeland, as I am informed, when they speak of the homeland of Japan, are under the direct government of Japan and form a part of the Government. These other islands have separate governments. Of course they are controlled by Japan, but they have separate governments. They are not under the home government. They are not places where the writs run.

Mr. REED. There is no question about the southern half of Karafuto or Sakhalin being Japanese territory?

Mr. LODGE. None whatever; neither is there any about Formosa or the Pescadores.

Mr. REED. Was anything said about liability of controversy arising over this island of Karafuto or Sakhalin?

Mr. LODGE. No suggestion at all was made about it that I am aware of.

Mr. REED. Nothing was said about it?

Mr. LODGE. As a matter of fact, it lies just off of Vladivostok.

Mr. REED. It lies just north of the main islands of Japan. The Senator says it lies just off Vladivostok?

Mr. LODGE. Yes; it is off the coast of Siberia.

Mr. REED. The Japanese are now on the mainland of Russia, are they not?

Mr. LODGE. Yes; they have an army in eastern Siberia.

Mr. REED. This island is a very useful and important base for the Japanese in their occupancy of the mainland?

Mr. LODGE. I should not think so.

Mr. REED. Why not?

Mr. LODGE. I should not think it was of any particular importance to them. They have the mainland; that is, they have their troops on the mainland.

Mr. REED. Exactly; they have their troops on the mainland. If there is an effort made to push those troops out, does not the Senator think that this island might be very important for Japan to hold?

Mr. LODGE. It might be of value, of course. Japan owns half of it, and holds the other half on account of an uprising and a massacre which occurred there. It would be of military value to anyone attacking Vladivostok, no doubt; but, as far as being a base of support is concerned, they are practically as near their own islands as they are to Sakhalin.

Mr. REED. Are there valuable oil deposits in this island?

Mr. LODGE. Not that I am aware of.

Mr. REED. Is it not almost inevitable that if Russia undertakes to expel the Japanese from Russia, the fight will be carried to this island?

Mr. LODGE. Really, I can not undertake to predict what future wars may do.

Mr. REED. But the Senator is here engaged in making a treaty——

Mr. LODGE. I am.

Mr. REED. A treaty which has to do with the future, and with future wars.

Mr. LODGE. I hope not with future wars.

Mr. REED. With the prevention of future wars.

Mr. LODGE. That is what I hope.

Mr. REED. Therefore, the strategic questions must have been considered, and I want to ask if the question of the strategic importance of this island was not considered?

Mr. LODGE. Not to my knowledge. I never heard of its strategic importance being considered at all. I think it has little or none. That is a mere matter of opinion, where my opinion is just as good as that of the Senator from Missouri and no better.

Mr. REED. I am obliged to the Senator. We get on an equality for a moment.

Mr. LODGE. I am glad to do it even for a moment.

Mr. REED. The question, then, of the strategic importance of this island, and of its liability to be drawn into a war between Japan and Russia, was not even considered or thought of by the American delegation?

Mr. LODGE. I do not think we thought it of importance.

Mr. REED. Yet we agree to sit down at the table with the other three powers in the event any of these islands are attacked, this particular island now being named, and consult with them with reference to the best means of repelling the attack.

Mr. LODGE. Mr. President, I meant to give every opportunity to the Senator, but I should rather discuss that question in my own way when I come to it.

Mr. REED. Very well.

Mr. LODGE. I am going to say something about that later.

Mr. REED. I shall be glad to listen.

Mr. LODGE. The Senator was going on to speak of the terms of the treaty.

Mr. REED. I was.

Mr. LODGE. And they, of course, include that question.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Montana?

Mr. WALSH of Montana. Before the Senator closes on that point will he tell us, if he can, just why Japan desired to exclude the homeland from the operation of the treaty?

Mr. LODGE. It is difficult to explain the motives of other nations, or of other people, but as I understood it, the homelands of all the other signatories not being included, Japan regarded it, and apparently deeply regarded it, as some reflection on her national dignity.

Mr. POMERENE. Mr. President, will the Senator yield for just one question?

Mr. LODGE. Certainly.

Mr. POMERENE. It developed during the deliberations of the committee, and was later stated on the floor of the Senate, that there were probably other drafts of the four-power pact, tentative in character, perhaps, and we sought to get them. It was thought, I believe, at one time that if those drafts were in existence they were in the possession of the Secretary of State.

Mr. LODGE. I do not know whether they are in his possession, or whether they were kept at all.

Mr. POMERENE. I was simply going to ask the Senator whether he had received any further information on that subject since the Secretary of State had returned?

Mr. LODGE. None whatever. I have not talked with him on the subject, and I have received no further information.

Mr. FRANCE. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Maryland?

Mr. LODGE. Certainly.

Mr. FRANCE. The Senator from Massachusetts has indicated that he would prefer to proceed with the discussion in his own way.

Mr. LODGE. I am perfectly willing to answer any questions.

Mr. FRANCE. I would be very much pleased if, in the course of his remarks, the Senator would give us some information—information which for the moment I do not possess—as

to how the southern portion of Sakhalin came to be under the dominion of Japan.

Mr. LODGE. I am surprised that the Senator, who is so familiar with all Russian questions, should not know that that was ceded to Japan under the treaty of Portsmouth.

Mr. FRANCE. I would also like to ask the Senator if it is not true that, so far as the northern portion of Sakhalin is concerned, that is a matter already in controversy between Japan and Russia, and that controversy arose out of the valuable mineral deposits in the northern part of Sakhalin, particularly oil?

Mr. LODGE. That information was not presented to the conference in any way. There was a massacre at Nicolaievsk, on the island, in which a considerable number of Japanese citizens, including the Japanese consul, were killed. I have seen the number put as high as 700; but it was a large number. Japan thereupon took military possession of the northern half of Sakhalin, as she states, in order to hold security for reparation for this attack upon her nationals. She makes no claim of right to Sakhalin, but holds it only for the purpose of getting reparation for the massacre of her nationals. I am stating her position.

Mr. FRANCE. I would say that I was quite aware of the fact that all of Sakhalin was formerly Russian territory. I did not remember at the moment under what conditions the Japanese had acquired sovereignty over the southern portion of the island; but does not the Senator think that this question of Sakhalin might possibly develop into a serious controversy between Japan and Russia, which might involve a war?

Mr. LODGE. I can not possibly tell about future wars. I know it can not involve the United States. What involves Russia and Japan I have to bear with such philosophy as I may possess.

Mr. FRANCE. Unfortunately, countries are not always able to determine whether they shall have war or not.

Mr. LODGE. Are they not? I think the United States is able to determine it.

Mr. FRANCE. Sometimes nations have war thrust upon them, unfortunately, under conditions which prevail, conditions which I hope may be corrected.

Mr. LODGE. Now I return to the point at which I was interrupted, as to just what this treaty covers.

I have here some tables I am going to ask to have printed. They have been very carefully prepared for me by my secretary at the conference, Mr. Laughlin. The figures and other data were furnished by the hydrographic office of the Navy Department and by the Bureau of Eastern Affairs of the State Department. I think that they are nearly as correct in point of areas and population as it is possible to be, although it is very difficult to get the exact populations of these islands. I will read only enough to show in round numbers the areas and the populations and then I shall ask to have the tables printed, both in respect to these islands and the mandated islands of the Pacific. They contain information which I think will be very valuable to the Senate.

I will simply call attention to the total areas in square miles of the islands covered by this treaty. These are the possessions of the various powers in the Pacific after the war, corrected according to the mandates.

The United States has 126,000 square miles and 10,627,000 population.

The total British Empire, including Australia's and New Zealand's possessions, not the islands of Australia and New Zealand themselves, has 191,000 square miles and 1,491,000 population.

The Anglo-French condominium has an area of 6,000 square miles and about 60,000 population.

France has 8,588 square miles and 79,000 population.

The Netherlands has 683,000 square miles and 47,000,000 population.

Portugal has 7,330 square miles and 378,000 population.

Japan has 27,214 square miles and 3,606,000 population.

It will be observed that the Netherlands, for whose possessions provision was made by an exchange of notes, has the largest area and far the largest population. The next is the British Empire, with 191,000 square miles, but with only 1,491,000 population.

The United States is third, five times Japan's area, with 126,000 square miles and 10,000,000 population.

I read these to show the comparative interest of the United States in the Pacific islands.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. LODGE. Certainly.

Mr. ROBINSON. The statement the Senator from Massachusetts has just read shows that both the Netherlands and Portugal have substantial possessions in the regions of the Pacific indicated.

Mr. LODGE. The Portuguese possessions are very small.

Mr. ROBINSON. Particularly the Netherlands have substantial possessions in the regions of the Pacific comprehended by this treaty. Why were they not invited to participate in the four-power treaty?

Mr. LODGE. In the case of Portugal it was because their interest was a very small one, indeed. In the case of the Netherlands, specific notes were written by the powers extending a pledge to respect the possessions of the Netherlands.

Mr. ROBINSON. Why were not the Netherlands included in the treaty?

Mr. LODGE. Because their islands are almost all in the Indian Ocean, and not in the Pacific Ocean.

Mr. REED. Did we join in such a note as the Senator speaks of?

Mr. LODGE. We did. The note is printed.

Mr. REED. The Senator has been dealing with the areas of the possessions of the various countries in the Pacific. I have forgotten the figures he gave with reference to the United States.

Mr. LODGE. One hundred and twenty-six thousand square miles, and 10,000,000 population, in round numbers.

Mr. REED. That includes the Philippines, does it not?

Mr. LODGE. That includes the Philippines and Hawaii. I will give the Senator the exact figures.

Mr. REED. How about the island of Wake?

Mr. LODGE. I will give the Senator the exact figures. They cover the Philippines, Hawaii, Guam, American Samoa—that is, the island of Tutuila—and Wake Island, 4 square miles, and population negligible.

Mr. REED. All that territory we had before the European war?

Mr. LODGE. We did.

Mr. REED. That was ours. Every foot of the territory acquired as a result of this war is by these treaties turned over to Japan or Great Britain, is it not?

Mr. LODGE. We have made no treaty with Great Britain. That is to come.

Mr. REED. Every foot of it?

Mr. LODGE. As to the mandated islands we recognize the mandates of Japan. The islands are very small and trifling in value and population.

Mr. REED. Can the Senator give the area of the islands that Japan acquired by virtue of the European war?

Mr. LODGE. Yes. In round numbers it is 1,000 square miles and 47,000 population in all of them.

Mr. KING. I think the area given by the Senator is too large.

Mr. LODGE. I do not think the area is quite as much as that just stated, but I will give the exact area:

The mandated islands of Japan include the Caroline Islands, in which the Pelews are included, the Mariana or Ladrone Islands, and the Marshall Islands.

Germany attempted seizure of the Carolines in 1885. Spain objected. The matter was referred to the Pope for arbitration and decision rendered in favor of Spain. Germany finally secured the Carolines and the Marianas (except Guam) by purchase from Spain in 1899 for about $4,000,000. The Marshall Islands were secured by Germany in 1885 by occupation from native chiefs, and the acquisition was not contested.

I have the exact figures for Japan:

The islands which Japan now holds as a mandate include all the former German islands north of the Equator; that is, all the Carolines, the Marianas, with the exception of the most important one, Guam, and the Marshalls with the exception of Nauru (included in the British mandate) which has the greatest economic value of the group, on account of its extensive deposits of phosphates.

These three archipelagoes consist of hundreds of small scattered islands, the Marshalls being low-lying coral islands, the Marianas of volcanic origin, their highest elevation ranging from 1,000 to 3,000 feet, and the Carolines chiefly atolls, some of the larger islands of this group having high volcanic peaks in the center.

The Carolines (which include the island of Yap) consist of about 500 islands and islets with a total area of about 550 square miles. This archipelago consists of a number of good, though small, well-protected harbors and extended anchorages within some of the lagoons.

The Marianas, or Ladrones, consist of 15 principal islands, of which only 8 are inhabited, with a total area of about 241 square miles. They contain practically no good harbors, with the exception of that of the island of Guam. The population of the Marianas, exclusive of Guam, is about 2,650, and that of the Carolines about 40,000.

The Marshall group consists of over 30 atolls with an estimated population of 15,000 and an area of about 160 square miles.

Totals: There are about 550 islands with an area of about 950 square miles and a population of about 56,650. That is the entire Japanese mandate.

Mr. REED. May I ask the Senator how many harbors there are in these islands?

Mr. LODGE. I just read that.

Mr. REED. The Senator read with reference to one group and not with reference to all.

Mr. LODGE. With reference to the Carolines it is said:

This archipelago contains a number of good, though small, well-protected harbors and extended anchorages within some of the lagoons.

The Marianas or Ladrones "contain practically no good harbors, with the exception of that of the island of Guam." The Marshall Islands I think contain nothing. They are very trivial islands.

These tables and statements I ask to have printed at the end of my remarks.

The PRESIDENT pro tempore. Without objection it is so ordered.

Mr. LODGE. Mr. President, passing from the islands covered by the treaty I come to the main point, which is the termination of the Anglo-Japanese alliance by the terms of the treaty. It will be noticed that the Anglo-Japanese alliance is terminated. There is no relation whatever between the Anglo-Japanese alliance and this treaty in character or in terms.

The agreement between the United Kingdom and Japan in article 2, provides that—

If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any power or powers, either high contracting party should be involved in war in defense of its territorial rights or special interests mentioned in the preamble of this agreement, the other high contracting party will at once go to the assistance of its ally, and will conduct the war in common and make peace in mutual agreement with it.

That is a treaty of alliance offensive and defensive. There is nothing of that sort in the four-power treaty. The removal or the termination of the Anglo-Japanese alliance was necessary to the successful conclusion of the naval treaty. The only obligation in the four-power treaty, in my judgment, and I think I express the views of the other American delegates, is the obligation to consult in the case of controversy or of aggression from a power outside the treaty. All decisions must be unanimous.

I say there is no alliance, and I make that statement broadly and with the full consciousness of what it means. It is idle to take the loose dictionary definition that an alliance is a compact between nations. An alliance in international law is a perfectly well understood form of agreement between nations. If we take the loose general interpretation that it is a compact between nations, it would mean that when we agreed to an extradition treaty with Costa Rica the other day we made an alliance with Costa Rica. That is absurd on its face.

When Washington spoke about a "permanent alliance" he was not referring to a treaty with another power to settle specific questions. He had just made a treaty with England, the famous Jay treaty, by which he settled certain questions in the West Indies and removed the British posts which were thwarting our western advance. Do you imagine when he made that treaty, which was permanent in its character, that he regarded it as a permanent alliance? He regarded it as a treaty for a specific purpose to settle certain outstanding questions. When Jefferson referred in his first inaugural address to an "entangling alliance" he did not have in mind treaties, of which there were more than one made in his time; he did not have in mind the treaties of commerce and amity for the exchange of consuls or ministers, or anything of that sort. He had in mind that which is a real alliance and what the whole world knows is meant by an alliance. When we had the exchange of the Rush-Bagot notes in 1821, those notes were approved by the Senate. They settled the question of armed vessels on the Lakes, limiting them to such a point that there are practically no armed vessels on the Great Lakes. That agreement made by note has lasted for a century unquestioned. Does anybody consider that an alliance? It is a simple agreement as to certain arrangements in regard to the Great Lakes in which the two countries, Canada and the United States, have a joint interest. An alliance is when two countries are bound to act together under certain given conditions, which may be offensive or defensive, or both. We can find any number of purely offensive alliances where countries join together to conduct a war, and for no other purpose. We can find purely defensive alliances, and we can find alliances which contain both agreements, and those are also true alliances because they bind the nations to perform certain acts under certain contingencies and put force behind them. There is absolutely nothing of that sort here and no torturing of words can put it here.

It was recognized by all the signers that this was the true interpretation. I say that because official declarations were made. In presenting the treaty to the conference I made the statement that no force lurked in those paragraphs, that it was not a treaty of alliance. That was accepted without question by all the signatories and all seated at that table. It was accepted a second time when the records of that meeting were approved at the next plenary conference. It was stated again in the report of the delegation. It was stated again by the President. No signatory of that treaty and no one of the nine powers assembled in Washington ever has questioned it and none ever will, in my judgment, question that interpretation.

Let me, in this connection, read a brief paragraph from Frank Simonds, whose writings on all these subjects are very well known, who speaks with authority, who was not particularly friendly to the Washington Conference, but who, after it was all done, made this statement:

Thus amended the four-power pact provides for peace in the Pacific, guaranteed by a mutual pledge of all the signatory powers to respect the integrity of the territory of each, and in case of difference between the signatory nations to confer. In the case of difficulties between a signatory power and a nonsignatory nation the four powers are to exchange notes as among the four, explaining the situation and looking to a common policy.

With the ratification of this four-power treaty, then, there will disappear any real cause or opportunity for war between the four great sea powers in the Pacific. Arrangements have also been made for separate agreements between the signatory powers and Holland to extend to the Dutch East Indian possessions that same guaranty of protection and recognition of integrity which the four-power treaty bestows upon the signatory nations. This agreement removes one of the gravest criticisms leveled at the four-power treaty, and it is an act of signal justice to Holland, whose participation in the conference was distinguished and whose interests in the region of the Pacific, at least on the material side, are more considerable than those of any other western nation.

In sum, then, we have as a result of the four-power treaty and the extension of this treaty to the Dutch East Indies a solid basis for peace between Japan, Great Britain, France, the Netherlands, and the United States. It is inconceivable hereafter during the life of a treaty that any difference of opinion or conflict of interests can lead to war. A regional agreement has been made, satisfactory and honorable to all concerned, entered into in full peace, representing no infrangements of the rights or alienation of the territories of any signatory nation, which must hereafter serve as a model for all regional agreements.

Mr. President, I have taken more time than I intended; but before I close I desire to tell the Senate with entire frankness of the attitude and views of the American delegation in regard to this treaty. For a month and more before the conference met the American delegation was in session almost every day. We discussed the subjects to come before the conference and especially the difficult and detailed subject of the reduction of naval armaments. We tried to determine and mark out the course which the American delegation, with whom rested the responsibility of initiating all the work of the conference, should follow. Let me also mention what I think all the world knows that the American delegation was in complete accord as to the policies to be pursued and, although they discussed every question, great and small, carefully and elaborately, they remained in complete accord and without any differences as to what should be done. The shadow of politics or of personal feeling never rested for a moment upon the deliberations of the American delegation. They were there simply as Americans to do their utmost to serve their country, and they believed that in serving their country as best they could they would best serve mankind.

Let me first say that the American delegation were united in the desire to secure results from the conference which would promote the peace of the world, reduce in some measure the burdens of taxation imposed by the existence of armies and fleets and the competition of armaments, and protect the future peace and safety of the United States. We were of one mind in agreeing that if we were to have any measure of success in securing the results for which we hoped from the conference we must think in terms of peace and not in terms of war. If we had thought in terms of war, there was no use in conferences or efforts for the maintenance of peace. It was our earnest hope that in a portion of the earth's surface at least we could do something to substitute the assurance of peace for the arrangements and calculations of war and in so doing keep clear of all alliances of any sort which are in their very nature ultimate breeders of war and which always have hidden behind them penalties and force.

Actuated by these beliefs and by this spirit we were clearly of opinion that there lay before us three great objectives, three dominant purposes to be attained. One was the termination of the Anglo-Japanese alliance. The next was an agreement between the five principal allied and associated powers seated at the table for a reduction of naval armament. The third was to accomplish all that was possible to aid China in such ways as to help her in the establishment of a free and independent government and particularly to secure the restoration of the great Province of Shantung to the Chinese Empire, to which it rightfully belonged. We succeeded before the close of the conference in attaining all these objects. The treaty now before us terminates the Anglo-Japanese alliance. Personally I believe, as I have already indicated, that it involves the United States in no obligation except to meet with the other signatories and consult in case of any controversy arising or in case of aggression by some outside power not a signatory. I repeat that I think the obligation to meet and consult is the only obligation existing in

this treaty, and the main purpose of the treaty is attained by the termination of the Anglo-Japanese alliance.

It is not necessary for me to go into detail as to the reasons for my opinion as to the great importance of this single achievement. It is sufficient to say that in my judgment the Anglo-Japanese alliance was the most dangerous element in our relations with the Far East and with the Pacific. Wars come from suspicions which develop into hatreds and hatreds which develop into wars. The Anglo-Japanese alliance caused a growing feeling of suspicion not only in the United States but in Canada. On the other side it tended to give a background to Japan which encouraged the war spirit and large preparations both by land and sea for future conflict. It immobilized England and prevented the exercise of her influence in the east for the cause of peace, and peace is distinctly in her interest in that great region. That menace to peace is removed by the four-power treaty. I have already shown the total difference which exists between this treaty and the Anglo-Japanese alliance. There is no likeness between that alliance and this treaty. Far from taking the place of the other, this treaty simply enabled England and Australia and New Zealand to take part in terminating the alliance. The removal of the Anglo-Japanese alliance, which is complete, created the situation in which it was possible to bring about an agreement for the reduction of naval armament. While that alliance existed a reduction of naval armament was difficult, if not impracticable. Senators should bear in mind that the defeat of the four-power treaty would endanger the treaty for the limitation of naval armament, and the failure of the naval treaty would shock and startle the world and bitterly disappoint the American people. We must not forget the close relation between the two treaties. The defeat of the four-power treaty would mean the failure of the conference. Let there be no illusion on that point. The purpose of the American delegation in the conference, and, I think, of all other members of the conference besides those of the United States, was to endeavor to do something at once practical and concrete which would promote the peace of the world. They believed that this could be done without alliances or penalties. I felt very strongly, and I believe I am expressing the feelings of my colleagues, that the time had come to make this experiment. I do not mean to say that such experiments have not been made in the past in isolated instances, but I venture to assert that never has the experiment been attempted on such a scale or under similar conditions. We hope and believe that agreements resting on the good faith, the honest purpose, and the highest aspirations of nations and peoples, carried out as they have been here, will have a permanent and lasting effect. We have passed through a war the like of which the world has never seen. The sacrifice of human life, of the young men upon whom the future of the race depended, the destruction of property, the dislocation of the social and industrial fabric, the suffering and poverty bequeathed to the world by the Great War, stagger the imagination. The misery and the horrors of the Great War must never come again if we can do anything to stop it. We must try our best to secure this beneficent result. We who have passed through the valley of the shadow in these last years must leave nothing undone that we can do to save our children and our children's children from the awful calamity which we of this generation have been compelled to endure. It was with this hope, with this purpose, that the conference met.

I know it is only a beginning. I know it is only an experiment, but I have faith to believe that the better instincts of mankind are all with us in the effort. If we continue to preach suspicion and hatred of other nations, if we decline to deal with them and feel in our hearts that they are all actuated by the basest of motives, nothing can ever be done. But if we are right in thinking that men and women alike have learned the lesson of the war, then much can be accomplished by the agreements reached in Washington, and the door will stand open for further attempts to breed a larger kindliness and a more forbearing spirit among the nations of the earth and in this way help us to take further and ever more assured and steady steps in the same direction. I have faith to believe that this effort, illustrated by this treaty now before us, will have a large and real result in maintaining the world's peace. I believe it can be done in this way without alliances or penalties or the sanction of force lurking in the background. If we fail, the outlook for the future is dark indeed, but if we succeed, and I think we shall succeed, the future of mankind will be brightened and we may hope to leave behind us a better world than that which has been wounded, maimed, and tortured by the Great War which closed in November, 1918.

The best hope of the world for a future where peace may prevail and wars diminish is in the people of the United States. If we fail, who can hope to succeed? We called this conference. We proposed the treaties, agreements, and declarations in which the conference culminated. Are we now to stumble and fall at the threshold of the undertaking which we designed and brought to fulfillment? Are we to sink back into a sullen solitude, a prey to dark suspicions, a hermit nation armed to the teeth and looking forward always to wars as inseparable from the existence of mankind upon the earth? Untrammeled and unhampered, free from the hatreds and rivalries of Europe, we have believed that we could best help the world of men beyond our gates by maintaining our own strength and complete independence. If we can not do this, then no one can, and the clouds of war will again settle heavily over the future of civilization. This must not be. The United States has never yet permitted failure or defeat to be written in her history. She will not permit it now. Under her lead a beginning has been made to secure the world's peace in the coming years. Let us not blight or wither this new hope.

Can we not say now, as we have always said, to a doubting, weary, and waiting world:

> And not by eastern windows only,
> When daylight comes, comes in the light,
> In front the sun climbs slow, how slowly,
> But westward, look, the land is bright.

APPENDIX.

MANDATES IN THE PACIFIC OCEAN.

JAPANESE MANDATE.

The islands which Japan now holds as a mandate include all of the former German islands north of the Equator; that is, all of the Carolines, the Marianas, with the exception of the most important one—Guam—and the Marshalls, with the exception of Nauru, included in the British mandate, which has the greatest economic value of the group on account of its extensive deposits of phosphates.

These three archipelagoes consist of hundreds of small, scattered islands, the Marshalls being low-lying coral islands; the Marianas of volcanic origin, their highest elevation ranging from 1,000 to 3,000 feet; and the Carolines, chiefly atolls, some of the larger islands of this group having high volcanic peaks in the center.

The Carolines, which include the island of Yap, consist of about 500 islands and islets, with a total area of about 550 square miles. This archipelago contains a number of good, though small, well-protected harbors and extended anchorages within some of the lagoons.

The Marianas, or Ladrones, consist of 15 principal islands, of which only 8 are inhabited, with a total area of about 241 square miles. They contain practically no good harbors, with the exception of that of the island of Guam. The population of the Marianas, exclusive of Guam, is about 2,650, and that of the Carolines about 40,000.

The Marshall group consists of over 30 atolls, with an estimated population of 15,000 and an area of about 160 square miles.

TOTALS.

Islands: About 550.
Area: About 950 square miles.
Population: About 56,650.

BRITISH MANDATE.

The island of Nauru was granted as a mandate to the British Empire. It is geographically considered as a part of the Marshall group and is situated just below the Equator. It has an area of about 10 square miles and a population in 1916 of 2,101. Its importance is due entirely to its extensive and deep phosphate deposits.

AUSTRALIA.

The mandate held by Australia includes all the former German possessions in the Pacific Ocean south of the Equator with the exception of German Samoa (New Zealand mandate) and Nauru (British Empire). That is, it comprises Kaiser Wilhelms Land, the Bismarck Archipelago, and the northern Solomon Islands. The actual number of islands is indeterminate, but their total area is about 91,810 square miles, approximately the size of the States of New York and Pennsylvania combined. The greater portion of this area is comprised in Kaiser Wilhelms Land (70,000 square miles), the northeastern portion of the island of New Guinea. The population of the islands included in the Australian mandate is approximately something over 500,000.

NEW ZEALAND.

The New Zealand mandate consists of the two main islands of the Samoan Group, Savaii, and Upolu, with a few much smaller ones. Their area is about 1,000 square miles, and the present population about 35,000.

TOTALS.

Islands: Ten principal islands (some of which, such as New Britain, in the Bismarck Archipelago, with an area of about 10,000 square miles, are of considerable size), about a quarter of the island of New Guinea, and an indeterminate number of small islets.
Area: About 92,820 square miles.
Population: About 540,000.

MEMORANDUM ON THE MANDATED ISLANDS OF THE PACIFIC.

(Particulars: Answers to Senator LODGE's questions.)

Question. The mandated islands of Japan (the Caroline Islands, in which the Pelews are included, the Mariana or Ladrone Islands, and the Marshall Islands) all from Germany?—Answer. Yes.

Question. Did Germany get them all from Spain or where?—Answer. Germany attempted seizure of the Carolines in 1885. Spain objected. The matter was referred to the pope for arbitration, and decision rendered in favor of Spain. Germany finally secured the Carolines and the Marianas (except Guam) by purchase from Spain in 1899 for about $4,000,000. The Marshall Islands were secured by Germany in 1885 by occupation from native chiefs, and the acquisition was not contested.

Question. Where did the Marshall Islands come from?—Answer. See above.

Question. Mandated islands south of the Equator all from Germany?—Answer. Yes.

Question. Where did Germany get them and when?—Answer. The island of Nauru (now included in the British mandate) was secured by occupation in 1888 directly from native chiefs.

NEW ZEALAND MANDATE.

Former German Samoa, now called Western Samoa. Germany had various claims to these and neighboring islands, finally adjusted by the convention of December 2, 1899, between the United States, Great Britain, and Germany.

AUSTRALIAN MANDATE.

Former German New Guinea (Kaiser Wilhelm's Land), together with the adjacent islands, more particularly the Bismarck Archipelago, the northern Solomon, and the Admiralty group, were obtained from the natives after a long dispute with Great Britain, lasting from 1884 to 1886.

[NOTE.—The United States possesses the island of Tutuila, in the Samoan Group, with the harbor of Pago-Pago, the best natural naval base in the Pacific, which was secured by the treaty of 1878. (See Malloy, Treaties, II, 1574.)]

PACIFIC ISLANDS—AREAS AND POPULATIONS.

Explanatory notes to accompany table giving areas and populations in the Pacific.

REGION COVERED.

The region covered is, broadly speaking, "The Pacific," though in certain cases, notably that of the Dutch East Indies, the islands extend into the Indian Ocean. Authorities differ as to the exact line of demarcation between the Pacific and Indian Oceans. It was thought best, however, to include the entire Dutch islands in the tabulation.

AREAS CONSIDERED.

The areas and populations are given for the principal islands and island groups. No attempt has been made to prepare estimates covering small uninhabited islands and rocks.

CHARACTER OF DATA.

It will be readily understood that data regarding areas and populations in the South Seas are more difficult to obtain and relatively not so accurate as that which may be procured with respect to other regions. The data in this schedule, however, are taken from the best authorities and cover the latest census reports, which range from 1910 to 1914. The round figures given are naturally estimates, but on the whole the information may be regarded as substantially accurate.

UNITED STATES.

All of the island possessions of the United States are given except the Aleutian Islands, which are usually considered as part of Alaska.

JAPAN.

The area and population of Japan proper includes those of the Kurile Islands (area, 6,068; population, 500,000) and the Luchu Islands (area, 900; population, 571,000), which are usually regarded as an integral part of Japan.

GERMANY.

The various prewar possessions of Germany have been allocated by mandate as follows:

Kaiser Wilhelm's Land to Australia.
Bismarck Archipelago to Australia.
Caroline and Pelew Islands to Japan.
Mariana Islands (except Guam) to Japan.
Marshall Islands (except Nauru) to Japan.
Nauru Island to Great Britain.
German Samoa to New Zealand.

NOTE.

Marshall Islands (except Nauru), area 167, population 9,500.
Nauru, area 9, population 1,500.
(Areas given are without exception square miles.)

Possessions of the various powers in the Pacific before the war, giving areas in square miles and populations.

Name of islands.	Area (square miles).	Population.
UNITED STATES.		
Philippines	119,542	10,350,460
Hawaii	6,450	256,000
Guam	255	13,275
American Samoa	102	8,056
Wake	4	(1)
Total	126,353	10,627,791
British Empire.		
GREAT BRITAIN.		
British Solomon	14,000	151,000
Santa Cruz	380	5,000
Gilbert	166	26,000
Ellice	14	3,000
Union	7	900
Phoenix	18	150
Fanning and Washington	21	280
Fiji and Rotuma	7,082	160,000
Tonga	390	23,000
British "Line"	20	100
Pitcairn	10	165
British Borneo	77,000	808,000
Total	99,908	1,177,595
AUSTRALIA.		
Australia proper	2,974,581	4,455,000
Papua	90,500	300,000
Norfolk	13	721
Total	90,513	300,721

[1] Negligible.

Possessions of the various powers in the Pacific before the war, giving areas in square miles and populations—Continued.

Name of islands.	Area (square miles).	Population.
NEW ZEALAND.		
New Zealand proper	103,861	1,000,000
Lord Howe	5	107
Cook and Harvey	200	12,797
Kermadec	13	(1)
Chatham and Pitt	58	469
Auckland	330	(1)
Total	796	13,373
Total, British Empire	191,217	1,491,689
FRANCE.		
New Caledonia and Huron	6,274	37,000
Isle of Pines	60	400
Chesterfield	3	(2)
Loyalty	800	10,000
Hoorn	61	(2)
Wallis	37	(2)
Clipperton	2	(1)
Society	452	20,000
Austral	67	2,500
Tuamoto	330	4,500
Gambier	11	1,500
Marquesas	491	3,000
Total	8,588	79,100
THE NETHERLANDS.		
Dutch East Indies	683,000	47,000,000
PORTUGAL.		
Portuguese Timor	7,330	378,000
JAPAN.		
Japan, proper	260,738	77,005,500
Saghalin (south part)	13,253	106,000
Formosa	13,914	3,500,000
Pescadores	47	800
Total	27,214	3,606,800
GERMANY.		
Kaiser Wilhelmsland	70,110	540,000
Bismarck Archipelago	21,780	200,000
Caroline and Pelew	550	40,000
Marianna (except Guam)	241	3,000
Marshall (with Nauru)	176	11,000
German Samoa	1,000	22,500
Total	93,777	803,500
GREAT BRITAIN AND FRANCE.		
Anglo-French condominium (New Hebrides)	6,000	60,000
Grand total	1,143,479	64,136,980

RÉSUMÉ OF TOTALS

United States	126,353	10,627,791
Great Britain	99,908	1,177,595
Australia	90,513	300,721
New Zealand	796	13,373
Anglo-French condominium	6,000	60,000
France	8,588	79,100
Netherlands	683,000	47,000,000
Portugal	7,330	378,000
Japan	27,214	3,606,800
Germany	93,777	803,500
Grand total	1,143,479	64,136,980

[1] Uninhabited [2] Negligible.

Possessions of the various powers in the Pacific after the war corrected according to the mandates.

Powers.	Area (square miles).	Population.
United States	126,353	10,627,791
Great Britain	99,913	1,179,595
Australia	182,328	300,721
New Zealand	1,796	46,373
Total, British Empire	284,037	2,028,689
Anglo-French Condominium	6,000	60,000
France	8,588	79,100
Netherlands	683,000	47,000,000
Portugal	7,330	378,000
Japan	28,164	3,603,450
Total	1,143,472	63,347,030

NOTE.

This result shows a small discrepancy of 7 miles less in area and a difference of about 290,000 fewer in population, which may be explained by the fact that some areas and populations are given by the various authorities as merely approximate; furthermore, some of the population statistics are not only estimates but about 10 years old, and the populations of given areas in the Pacific islands seem to be subject to great fluctuations.

Nearly all of the difference in population is to be found in the statistics given for Kaiser Wilhelmsland (German New Guinea) and the Bismarck Archipelago.

Mr. REED. Mr. President, I should like to ask the Senator from Massachusetts a question or two if he will permit me.

Mr. LODGE. I shall be very glad to answer if I can.

Mr. REED. I understood the Senator to say that this treaty does not bind us to any action unless there shall be unanimous agreement.

Mr. LODGE. No; I did not say that, Mr. President. I said that all agreements must be unanimous.

Mr. REED. Very well.

Mr. LODGE. Unanimous or not, I do not think it binds us to anything.

Mr. REED. Very well. All agreements, then, which would or might bind us, must be unanimous?

Mr. LODGE. Yes.

Mr. REED. That, of course, is not expressed in the language of the treaty as the treaty now is drawn. Would the Senator object to a plain statement in the form of a reservation or amendment stating that no country shall be bound by any action at any conference without its consent?

Mr. LODGE. Mr. President, I do not think that any reservation is necessary; but I agreed to a reservation proposed by the Committee on Foreign Relations, and for that reservation I shall vote.

Mr. REED. Very well. If the treaty does not bind us to any action that may be agreed upon at any conference between the four powers, then of course it does not bind any other power without its consent.

Mr. LODGE. Obviously.

Mr. REED. The result of the whole matter, therefore, is that if a dispute arises between the four powers or any of them with reference to any question, a conference will be called, and the action of the conference will be binding upon no nation unless that nation wants to be bound?

Mr. LODGE. Absolutely.

Mr. REED. If, then, Japan were to attack the United States, and if a conference were called by the United States to consider the action of Japan, Great Britain and France would sit down at the table with us and with Japan and talk the matter over, but they would be under no obligation whatsoever?

Mr. LODGE. Mr. President, this treaty does not touch in any way the continental possessions of the United States. It applies only to the islands. Let us keep it where it belongs.

Mr. REED. Very well; I will keep it exactly where it belongs. If Japan were to attack the Hawaiian Islands or the Philippine Islands or Guam, and the United States were to ask a conference such as is contemplated in the treaty, and Great Britain and France came to that conference, although they might believe that Japan's attack was wanton, without cause, they would be under no obligation to insist that Japan should cease her attack?

Mr. LODGE. Mr. President, if an act of war is committed by one power on another, that is a question of an act of war. It would not come before this conference at all.

Mr. REED. Why would it not come before this conference, under this language?

Mr. LODGE. When one nation attacks another, it does not go before any conference.

Mr. REED. Why does it not come within this language:

If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

That language does not except war; it includes war.

Mr. LODGE. Mr. President, I think it excepts war absolutely and necessarily.

Mr. REED. Why?

Mr. LODGE. Because if one country attacks another, that is not a controversy to be settled by diplomacy and waiting for six months. It has to be met at once.

Mr. REED. Exactly.

Mr. LODGE. The treaty is not a foolish thing.

Mr. REED. I am not so sure about that.

Mr. LODGE. Perhaps not. It may strike the Senator as foolish. He did not make it.

Mr. REED. No. The Senator does not assume any superior wisdom about this matter.

Mr. LODGE. Not a bit.

Mr. REED. The Senator from Missouri is trying to get the viewpoint of the Senator from Massachusetts and is trying to proceed with due politeness and with the courtesy that ought to exist between gentlemen, even if they are Senators. I asked the Senator a very plain question, which can not be answered by a sneer.

Mr. LODGE. I had no intention of answering it by a sneer—none whatever. I answered it to the best of my ability, that I do not think there is anything in the point.

Mr. REED. (Reading:)

If there should develop between any of the high contracting parties a controversy arising out of any Pacific question—

Why does not that controversy include war?

Mr. LODGE. I do not think it does, and I do not think anybody could torture it into that meaning. If the fleet of Japan were to attack the Hawaiian Islands, that would be an act of war. It would not be a controversy to be discussed under this treaty.

Mr. REED. Very well. Then we agree that if Japan were to attack any of the American possessions—the Philippine Islands, Guam, Wake, or the Hawaiian Islands—that attack is not included at all within this treaty and does not come within the jurisdiction or the terms of the treaty?

Mr. LODGE. I do not regard it as a controversy for discussion or that can be so regarded.

Mr. REED. Very well. So we know now, to start on, that this proposed treaty will not bring to our aid or to our assistance, either at the council table or upon the high seas, a single whit of protection in the event of an attack.

Mr. LODGE. No; it is not a treaty of alliance in any sense.

Mr. REED. Very well.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER (Mr. NEW in the chair). Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. Yes.

Mr. BRANDEGEE. Of course, the Senator understands that the case he quotes would of itself be a violation of the treaty. Of course, if Japan attacks our islands in the Pacific, she violates the first article of the treaty, which is that each of us will respect the possessions of the other.

Mr. REED. Exactly. She violates the first article of the treaty, and yet the Senator from Massachusetts insists that the other signatories to the treaty are in no manner bound to proceed against her for that violation.

Mr. LODGE. They are not bound to proceed to war for that violation.

Mr. REED. Very well.

Mr. LODGE. It is not a treaty of alliance. We are not bound to proceed to their help and they are not bound to proceed to ours.

Mr. REED. Under no obligation, moral or legal or in any other way?

Mr. LODGE. Moral or legal.

Mr. REED. Very well. I am glad to know that, because I have now had removed from my mind the conclusion which has been insisted upon by the press, that this treaty is so drawn that if Japan should ever attack us we would have the protection of all these other nations. We know now that we will get no protection from them.

Mr. LODGE. Of course, I do not know what has been insisted upon in the press. Many burdens are put on the press, but I have not seen a newspaper yet that has made the suggestion the Senator has just made.

Mr. ROBINSON. Mr. President, will the Senator yield to a question?

Mr. REED. Yes.

Mr. ROBINSON. Does not the Senator also learn that if the arrangements contemplated by these treaties are effectuated, and Japan should violate her treaty and attack us, we would have placed ourselves in the meantime where it would be impossible for us to defend our island possessions?

Mr. REED. I understand that that would be absolutely the case, except with reference to the Hawaiian Islands, which we probably could defend, although we would have placed them in a position of much greater danger than they would be in if we proceeded to the fortification of Guam.

Mr. President, I do not intend to discuss this treaty; but while I am on my feet I think it important to call attention to what has just been developed.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. REED. Certainly.

Mr. WATSON of Georgia. There must be some misunderstanding, must there not, on the other side as to what this treaty does mean, since the Senator from Washington [Mr. POINDEXTER] stated here months ago that it would add to our protection on the Pacific coast?

Mr. REED. Why, undoubtedly, there seems to have been a general misunderstanding.

Allow me, for a few moments, to deal with the matter. I am not going to try to discuss the treaty, but simply to sum up the statements made by the Senator from Massachusetts, denude them of their poetic fancies, and reduce them to plain, hard English.

First, the treaty as drawn binds no nation to do any one thing except to sit down and talk. As the result of the talk they may agree and they may not agree, and no nation is to be bound in any way unless by its own consent.

Second, if any nation violates the treaty and attacks the insular possessions of any other nation, it can do so without the slightest interference by the other signatories to the treaty except the one whose territory has been attacked, and it is left exactly where it was before the treaty was made, namely, it must proceed to its own defense single-handed and alone; and yet we are told that this treaty guarantees the peace of the Pacific and guarantees us from attack. The solitary thing agreed upon is, that in the event a dispute arises between the powers, they agree to talk it over, and that when they have talked it over they are not obliged to do anything—to do a single act of any kind or character, to pursue any kind of policy that may be agreed upon. The two nations engaged in the controversy may proceed with the controversy exactly the same as though this treaty never had been written. Moreover, if the nations signing this treaty do not come together in conference in accordance with its terms, there is no obligation resting upon any of the nations to do anything whatsoever to the nation that has refused to comply with its agreement to come in and talk matters over. Again, the whole controversy is left to a settlement between the two nations directly concerned. That is to say, we have done absolutely nothing except to agree that we will talk over certain matters. Wherein does this agreement change the present situation?

At the present time we have treaties of peace with every one of these countries. In nearly every instance, and with nearly every country, there is an agreement already in existence by which the United States already agrees to talk controversies over, and in some instances agreements of arbitration exist. There is an agreement in every instance, I think, with all of these nations, except, perhaps, with Great Britain, for a lapse of time which must exist before an act of war is committed.

Since we have these separate agreements with all of these powers to-day, of what value or virtue is the further provision that four of them will meet to talk matters over instead of the nations dealing directly, each with the others? Always they could call upon other nations if they saw fit to arbitrate, and provisions for arbitration, as I have said, have already been made. This is the guaranty of the peace of the Pacific!

The Yap treaty, so called, and there never was a greater misnomer, confirms the title of Japan to all of the German islands which were seized in the north Pacific. It brings Japan something like 3,000 miles nearer the coast of the United States. It gives her command of two belts of islands lying between Hawaii and the Philippines. We have not reserved one single foot of that ground. That was called the Yap treaty, and Yap was in fact only a flyspeck. The great thing Japan secured was the complete dominance of all of these islands—the Marshall Islands, the Caroline Islands, and the other islands which make up these archipelagos.

I agree with the Senator from Massachusetts that neither he nor any of his associates gave any consideration to the strategic importance of the question, a singular admission to be made by a man who has been dealing with the question of war and with the question of disarmament. I warrant you that there was no Jap statesman here stupid enough to not give consideration to the strategic importance of these islands. We now find that we have not even a paper guaranty from any nation to come to the defense of the United States in case it is attacked, and under those circumstances, without considering the strategic importance of what we were doing, we have proceeded to yield to Japan the absolute control of all of the islands in the north Pacific which she secured as the result of the war and which we were as much entitled to as she was.

We have not considered the strategic importance, I suppose, of any other islands, and the other treaties which are part of this same plan provide that we shall not proceed with our fortifications in Guam, and, as I understand, they stop our fortifications in the Philippines.

If we fail to complete these fortifications, Japan, bound by this treaty no more than she was bound by previous treaties of peace with us, could attack and take the Philippines or Guam in less than a week's time. We never could retake the Philippines without retaking Guam, which Japan can fortify in one week's time; so that probably we could never retake it except at a frightful cost. We can not proceed to retake the Philippines without first taking Guam, for the simple reason that the distance is so great that our vessels can not traverse the immense distance, fight a battle, and return to our own shores without recoaling, and there will be no place to recoal.

I agree that our representatives did not consider the strategic importance; yet they seek to disarm us, to deprive us of fortifications, to deprive us of bases, to deprive us of points where we can outfit our vessels and replenish them with coal.

Let it go to the country now that this treaty guarantees us nothing except talk around a council board, that any nation seeing fit not to come to that conference can remain outside, and that no other nation is under the slightest obligation, moral or otherwise, to insist that the nations signing this agreement shall keep faith and abide by the terms of the agreement.

Let it be understood that we have a paper agreement, in which we agree to do nothing to any nation which does not abide by the terms of this agreement, and that what we have here is a paper transaction, without an obligation back of it that anybody or any nation is bound to observe under penalty of incurring the displeasure and punishment of the other signatories to the treaty. Let that be understood, and then we will know what a farce was enacted here if that conception be the correct conception.

The distinguished Senator is driven to that position, because he dare not stand before this body or before the country and say that they have made an agreement binding America to do anything. In order to escape from that conclusion, he is driven to the further statement that the treaty binds no nation to do anything. Yet, as a part of this treaty, he proposes that we shall sink our men-of-war, that we shall cease to fortify our possessions, and that in the end we have nothing to trust to but the Punic faith of Japan, a country which invariably attacks before it declares war.

All the beautiful sentences which may be coined will not do away with the grim reality we must face. How many glorious speeches were made about the permanent peace of the world, about Christian civilization having advanced to the point where war would never come? How many songs of peace were composed? How many mothers were going about singing, "I did not raise my boy to be a soldier"? How many pacifists were upon the platform telling this country that it never would be in war and that the world would never be brought to war again? Yet a single shot was fired in a remote Province of Europe, and that shot lighted the conflagration into which we were finally drawn.

If this treaty had solemnly engaged the four powers each to protect the peace of the Pacific, it would, of course, have imposed an obligation upon us to which I might have objected and to which others who do not believe in alliances might have objected; but it at least would have furnished an argument that we were guaranteed against attack by the solemn faith of all the signatories to the compact. We are told, however, that the compact contains no agreement, gives us no assurance, and imposes no obligation except upon each nation that it will keep the faith. We already possess such agreements with nearly every one of the nations of the earth. They are already signed and laid up in the archives of our State Department.

The Senator from Massachusetts says we began this program, and therefore we must carry it through; that America never fails. Who began it? Did the American people begin it? No. Did the American Congress begin it? No. This body passed a resolution asking for a disarmament conference. It did not ask for a four-power treaty. This body asked for consideration of the question of disarmament. It did not ask for a Chinese pact. The President saw fit to call this conference and to enlarge it. If we, then, do not subscribe to that which he and the men he named have brought forth, is America failing? Are we obliged to proceed because America never fails? That is a strange argument to come from the lips of the Senator from Massachusetts, for I remember another President, who went to a much greater conference than this, who had a plan, and who insisted that that plan was America's plan. He also, I suppose, thought that America should not fail; yet, with all the sagacity, with all the shrewdness, with all the tireless energy of which he was possessed, the senior Senator from Massachu-

setts sought to bring that to failure, because he said it was wrong. He did not then surrender and supinely fall in line and take step with the President upon the hypothesis that America could never begin anything and fail. We did not hear that argument then.

It is not a sound argument to-day, and it was not a sound argument then. The question is not whether the President has proposed something; the question is whether the thing proposed is a sound and a wise measure. That was the doctrine the Senator from Massachusetts talked when there was a Democratic President. Now he talks out of the other corner of his mouth.

It is an unsound doctrine. The business of the Senate, as a part of the treaty-making power, is to examine every proposed treaty upon its merits, and to pass upon it an independent, an unbiased, an unterrified judgment. It is not the business of the Senate to ratify any treaty on the theory that our country is bound because the President and four or five other individuals have embarked upon it. There are 110,000,000 people in this country, and every one of them is as much entitled to his judgment on a question of this kind as is the President himself, although the President is authorized to negotiate the treaty.

They are as much entitled to it as we are, although it is our business to examine the treaty and either approve or disapprove, as in our judgment we think we ought to do.

Mr. NEW. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER (Mr. MCKINLEY in the chair). Does the Senator from Missouri yield to the Senator from Indiana?

Mr. REED. Certainly.

Mr. NEW. The Senator has just concluded a statement to the effect that another enterprise which was called by an American President was resisted by the Senator from Massachusetts [Mr. LODGE]. I call attention to the fact that the other enterprise, the League of Nations, to which the Senator undoubtedly refers, was not an American proposal and it was not called by an American President at all. True, an American President participated, but the proposition did not originate with us at all.

Mr. REED. Oh, I am surprised that the Senator can make that statement. The President of the United States outlined his scheme of a league of nations months before the Versailles conference was called, and it is of record.

Mr. NEW. Oh, yes.

Mr. REED. It was in its essentials the language that afterwards came forth as part 1 of the Versailles treaty.

Mr. NEW. But it never was an American proposition at all.

Mr. WATSON of Georgia. Mr. President, will the Senator from Missouri permit me to ask the Senator from Indiana a question?

Mr. REED. Certainly.

Mr. WATSON of Georgia. Will the Senator from Indiana allow me to ask him a question?

Mr. NEW. Certainly.

Mr. WATSON of Georgia. What did the Senator mean in his speech the other day when he called this an association of nations?

Mr. NEW. I said it was an association, not a league. I never said it was a league.

Mr. WATSON of Georgia. No. The Senator said repeatedly that it was an association of nations.

Mr. NEW. That is right.

Mr. WATSON of Georgia. Can the Senator draw a distinction between an association of nations and a league of nations?

Mr. NEW. The Senator from Indiana certainly never, in that speech or anywhere else, said he believed that there was any similarity whatever between the present association and the League of Nations, and the Senator from Georgia does not think so either.

Mr. WATSON of Georgia. If the Senator from Missouri will allow me again, the Senator not only called it repeatedly an association of nations, but he compared it specifically with what he called the Grand Design of Henry V, and said it was a stronger, more enduring association than the Grand Design of Queen Elizabeth and King Henry.

Mr. NEW. I think if the Senator from Georgia will do me the honor to read what I said the other day, he will see that the Senator from Indiana devoted a good deal of his speech to pointing out the differences between this association and the others, including the Grand Design.

Mr. REED. Why, Mr. President, of course there are differences. The point on which the Senator from Indiana has just called me down is that I have said the League of Nations compact also originated in this country. I decline to take time to discuss a question that is so historically settled as that. It is true that the draft, perhaps, was from the pen of a South African general, but the plan was taken from this country; it was the one great thing that the President insisted upon specifically.

I do not say because the President insisted upon it that it should have been done then. What I say now is that because President Harding insists upon this treaty, it affords no greater reason why the treaty should be indorsed. This is not a one-man Government. It does not consist of a President. It is a Government of the people, established under the Constitution consisting of three coordinate branches, every one of them bound and circumscribed by the language of the Constitution.

But the Senator from Massachusetts [Mr. LODGE] said that the treaty does away with the Anglo-Japanese alliance. Let us pause a moment and consider that. Has the United States reached the position that in order to get Great Britain to abrogate a treaty between herself and Japan we must enter into a treaty with four powers? Are we so helpless and so defenseless that we must resort to such means to protect ourselves?

The philosophy seems to be that of the old Irish politician in my town who found himself thoroughly beaten by his antagonist. He was consulted by one of his lieutenants who said to him, "Now, Pat, what are we going to do?" He said, "If we can't bate 'em, we must jine 'em."

So it seems to me that in this instance we must make a treaty to get rid of the Anglo-Japanese alliance. We are getting rid of nothing.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. REED. Certainly.

Mr. ROBINSON. Does the Senator from Missouri or any other thinking person imagine that Japan and Great Britain, who have regarded the Anglo-Japanese alliance as of the greatest importance, would rescind or abandon it for a mere agreement of four nations to hold conversations?

Mr. REED. Why, certainly not. I was about to come to that point, but the Senator has stated it so well in his question that I will let it rest on the question. It answers itself.

Mr. ROBINSON. Mr. Balfour, now Sir Arthur, and others in the conference stated publicly that the necessity for the Anglo-Japanese alliance had passed, or would pass with the ratification of this treaty, and that the reason why England had not rescinded the arrangement was the necessity for some treaty that would accomplish the same or substantially the same purpose in the regions affected by it.

Mr. FRANCE and Mr. ROBINSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. REED. I yield first to the Senator from Arkansas.

Mr. ROBINSON. It is apparent that Japan and Great Britain did regard that treaty of sufficient importance to justify them in renouncing the Anglo-Japanese alliance.

Mr. REED. Absolutely they renounced it. The Senator is right. It is a question which I propose to discuss in a moment.

I yield now to the Senator from Maryland.

Mr. FRANCE. I have been interested in what the Senator is saying and also the argument of the defenders of this treaty that a great boon to be derived from it is the abrogation of the Anglo-Japanese alliance. Is it not true that that treaty probably would have been abandoned anyhow under the pressure from representatives of the British colonies, and is it not true that the British Empire was practically prevented from renewing that agreement because of the position of the representatives of the colonies at the last imperial convention?

Mr. BORAH. Let us assume that so far as the written agreement known as the Anglo-Japanese alliance is concerned it terminates with the ratification of this treaty. Does anyone suppose that there will be any difference in the relationship between Great Britain and Japan by reason of the mere termination of the written instrument so long as Japan is pushing her interests in Siberia and so long as Great Britain owns India? The very object which brought them together and created the community of interests will be retained and supported by the physical conditions regardless of any written agreement; and it was for that reason, as Lloyd-George so well said, that the Anglo-Japanese alliance or some other situation would have to be produced, because they could not afford to announce to Japan that they even intended to attempt to dissolve the relationship which their community of interests in that region created. They will always act together, not because of contracts made and published but because they are bound together by a common program and a common interest. We may become a member of a common contract, but Great Britain

and Japan will have their particular relationship and will hang together.

Mr. REED. I was about to offer a very similar observation, but it is well stated by the Senator and again I let it stand at that.

I call attention to the absurdity of saying that Japan and Great Britain were bound together by a treaty of such importance that they would not relinquish it unless a new treaty was made, and that the new treaty, having been made, binds no nation to do anything except to keep the peace which was already provided for in numerous treaties. For no such paltry consideration have they yielded a treaty which they regarded as important and paramount. In a word, the position that is taken is that England and Japan had something of great value, of great importance, and that they threw it aside for something of no value and of no importance. That is exactly the position in which Senators find themselves.

Now, replying to the inquiry of the Senator from Maryland [Mr. FRANCE], the Anglo-Japanese treaty and all such treaties were presumptively wiped out by the treaty of Versailles. While we did not sign that treaty, many other nations did, including Japan, Great Britain, and France. In the treaty series for September, 1920, published as a supplement to the official journal of the League of Nations I find this, under date of the 8th of July, 1920:

ANGLO-JAPANESE DECLARATION.

English official text of the Anglo-Japanese declaration forwarded on July 8, 1920, by the foreign office and the Japanese Government. The declaration was registered by the secretariat of the League of Nations on July 8, 1920.

The Governments of Great Britain and Japan have come to the conclusion that the Anglo-Japanese agreement of July 13, 1911, now existing between the two countries, though in harmony with the spirit of the covenant of the League of Nations, is not entirely consistent with the letter of that covenant, which both Governments earnestly desire to respect. They accordingly have the honor to inform the league that they recognize the principle that if the said agreement be continued after July, 1921, it must be in a form which is not inconsistent with that covenant.

(Signed) CHINDA.
(Signed) CURZON OF KEDLESTON.

So it appears that to all intents and purposes they had already agreed to rewrite their treaty.

Again I inquire, as I have several times inquired, and as I intend to continue to inquire, why we need fear the Anglo-Japanese alliance, supposing that it exists just as it is written? In the first place, the United States, as we well know, proposes to regard its treaty obligations with every country. It does not propose to steal an acre of land, and land stealing by land thieves has been the basis fundamentally of nearly every war that has been fought. We propose to stay at home and to attend to our own affairs. We want peace with all the world. If we are ever attacked by Japan or Great Britain, it would be a war of aggression, waged without cause. Are we to suppose, then, that if Japan were to attack the United States, Great Britain would join Japan in that attack because of the existence of the Anglo-Japanese treaty? If we are to suppose that, then let us for a moment examine the question.

In the World War England found herself with her back literally to the wall. France, with the enemy's feet upon her soil and the enemy's hand almost upon her throat, beheld her exhausted armies fall back day after day. These countries sent emissaries to this country and appealed to us to send at least a few regiments over, although we were unprepared, in order that the sight of the American soldier might hearten their people. That appeal was made in this Chamber by the representative of Great Britain, and the proud Britisher does not make an appeal of that kind until the situation is desperate. We sent our troops there. I do not intend to recount the story, but when the American troops had once taken their position upon the battle line the retreat ended. I do not claim that America alone won the World War, but I do claim that without America defeat of the allied armies was inevitable. We therefore came in with our arms, with our men, and with our money. We loaned them $10,000,000,000; we put our factories to work and produced the machinery of war. All that has been done. If that does not tie Great Britain to us by bonds stronger than treaty obligations, if that does not make Great Britain and France our friends forever, then all the words that can be put upon paper will be no guaranty. If Great Britain would join Japan in an attack upon the United States, then she is so base, she is so treacherous, that I would not trust her paper obligation. If the blood spilled upon the soil of France has not written an obligation deeper, more indelible than can ever be written upon parchment, then I will not trust the signature on the parchment.

Is there any danger of Great Britain joining Japan to attack us? If so, then some word stronger than the word "perfidy," some word stronger than the word "treachery," some word stronger than has ever yet been penned by man must be invented to describe the baseness of their souls, the treachery of their hearts, the sordid iniquity of a nation. I do not believe it, sir.

I have many times criticized the British Government; but the British people are a noble people, a courageous people, an intelligent people, and the British people would not permit any Government to embark on such an enterprise. Moreover, I do not believe that the Canadian people would permit it. I venture the statement that, if an unprovoked war were to be made upon us by Japan and if Great Britain were to call upon Canada to help a brown race attack the United States of America, Canada would be in a flame of revolt and would take her position beside the Christian civilization of North America as against the paganism of the Orient.

What would Australia do? We have been told that Australia and New Zealand are already so saturated with dislike and distrust of Japan that they exclude the Japanese from their soil. The Senator from Massachusetts tells us that they are so distrustful of Japan that they have insisted that this treaty should be made before the Anglo-Japanese alliance was wiped out.

I want to ask another question: What has become of the Franco-Japanese alliance? Is there any such alliance?

Mr. LODGE. Yes; it exists.

Mr. REED. Is it wiped out?

Mr. LODGE. No.

Mr. REED. I thought not.

So, Mr. President, the argument that there is no alliance, no binding agreement, no contract, simply brings us to this, that there is no protection except the good faith of each nation, and that good faith is already pledged in treaties, and pledged as solemnly as it is pledged in this treaty. Therefore, the argument made by the Senator from Massachusetts is that we meet, confer, spend six or eight months in deliberating, and end by doing nothing that binds anybody any further than they are already bound to-day. And this is the hope of the world! I have heard phrases of that kind very often. Let us see how much hope there is for the world in it.

There are four nations parties to this treaty. There never has been a quadruple alliance formed on this earth that has not brought forth another quadruple alliance; there has never been a quintuple alliance that has not brought forth another five-power or six-power alliance. The inevitable result of an alliance between four powers is an alliance between four or more other powers.

Mr. FRANCE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Maryland?

Mr. REED. I yield.

Mr. FRANCE. I desire to ask the Senator also if it is not true that a mere entente between certain powers is often sufficient to bring about an alliance between the powers not included in the entente?

Mr. REED. Oh, yes; but what is the difference between ententes and alliances? Why cavil about terms? In each case they are mere understandings, and they are made no more binding by having been written in harsh terms than if they are written in general terms.

The long story of the ages proceeds with one unbroken line of precedents. Combinations between two nations produce counter combinations. It is the law of self-defense. It is true of individuals. It has brought peoples together in tribes, and the combination of tribes has produced opposing combinations of tribes; and combinations between nations have produced opposing combinations between nations. There is no exception to the rule in all history; there will be no exception to the rule in this instance.

You propose a combination between four nations, and no matter how much honey may be put upon the tongues of its advocates, every wise man who is the leader of another nation will know that the treaty is intended to mean something, and he will give it its worst construction. He will say, "the four great powerful nations of the world, two of them the most imperialistic nations that have existed since the days of Rome, are parties to that treaty; they are backed by the most puissant power there is in the world, the United States." He will ask himself, "What does this mean except that in case of a dispute in the Pacific Ocean these other powers will be massed against us?" He will know, more than that. No war can be confined to the waters of any sea, and a combination which controls the Pacific will be found to be interested in every controversy arising between first-class nations wheresoever they may be. So you are as certain to produce a combination between Germany and Russia, and perhaps other powers, as day is to follow night. You are forcing into each other's arms the two giants of the eastern world—one of them to-day prostrate because she

was conquered in the war, the other prostrate because she was exhausted by the war, but each of them with tremendous power, and each of them bound to take her place once more among the nations of the world. Germany, with her 65,000,000 people, still exists. Russia, with her 180,000,000 people, is still a part of the world. Combine German scientific knowledge, German intelligence, German workmanship, with the vast powers of Russia, her man power and her resources, and you have a force almost irresistible. Are you combining them? Every time you make combinations outside between three or four nations you drive those two nations together.

German schoolmasters are flocking into Russia by the thousands. German artisans and mechanics and German capitalists and German scientists are going there by the thousands. We conquered Germany. We overran Russia without the slightest cause. Three of the powers withdrew. Japan remains upon Russian soil. Will she be permitted to stay there forever? I venture the prediction that before 10 years have passed Russia, gathering again the strength of her sinews, will insist that her soil belongs to the white race, and that her people will make war to drive out the Japanese. When they do that they will find that one of their chief ports, Vladivostok, is menaced by an island one-half of which is in the possession of Japan; and when they move to eject the Japanese from that base they will have directly violated the terms of this treaty. We shall be bound to sit down and confer with Japan and Great Britain and France with reference to the question.

The Senator from Massachusetts [Mr. LODGE] says there is no danger in that, because we have agreed to do nothing except to talk. I say that, in my judgment, the treaty will be construed to mean that we are to talk, we are to come to a conclusion, and we are to act upon that conclusion. I can find nothing in the language which will warrant any other deduction.

If the said rights are threatened by the aggressive action of any other power—

That means by war—

the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

The action we are now speaking of is aggressive. That is war, and we are to confer with reference to the most efficient measures to be taken, jointly or separately, to meet the war conditions. How do you meet war? By passing resolutions, or by passing shells out of the mouths of cannon? How do you meet war? By sitting around a table and talking it over, and at the end of the talk doing nothing? Is that what you are to consult about? Are "the most efficient measures to be taken" simply to pass a resolution or take a vote, or are you to do the obvious thing intended by this language, to meet force with force, arms with arms, ships with ships, men with men? Plainly, that is what is intended.

I do not care how many speeches may be made about this; 10 years from to-day, with Russian troops possibly driving the Japanese into the sea, with Russians crossing the narrow neck of the sea to the island of Sakhalin and there undertaking to eject the Japanese from that base, when we sit down at the council table to consult with reference to the most efficient measures to be taken to protect that island we will be laughed to scorn if we say, "We did not understand that we were to do anything except to sit down and talk about it, and when we have talked about the most efficient measures and found out what they were then we were not going to do anything at all, but just let it end in talk."

The construction is manifestly and plainly absurd, and I say that with all respect to the distinguished Senator who has spoken. Similar language has been found in other instruments, and has been given a construction that means war. I think I can find without much difficulty discussions in this body by many Senators to the effect that language almost identical with that which I have read, found in the Versailles treaty, was construed by them just as I construe this language, to be an obligation resting upon the parties to support each other by force of arms.

The astonishing thing about it all is that the country was told, "Here is a guaranty of the peace of the Pacific." Now Senators are told that we guarantee nothing; nobody agrees to do anything; and therefore we should accept this thing because it is absolutely innocuous, to wit, absolutely worthless.

Mr. FRANCE. Mr. President, as I listened to the eloquent words of the distinguished Senator from Missouri [Mr. REED], there came to my mind the words of Lincoln when he asked:

Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world?

Mr. President, when the history of the last five years shall be written, the most astonishing truth about it all will be that while the statesmen of the world have blundered, the people have wondered. The statesmen of the world have not known how to make peace. They have been unable to see the obvious truths epunciated by the great Senator from Missouri [Mr. REED], while the people of all the nations understand exactly where the difficulties lie, how they might be removed, and how a lasting peace might be secured.

Mr. President, I rise merely to say that I only wish that the consideration of these treaties might be long enough delayed to enable the people, in whose ultimate justice and in whose final judgments I have perfect confidence, to express themselves to the Senate of the United States. I rise to read into the RECORD the first returns from the State of Maryland; and in so doing I will say that many petitions and memorials from the people, with unperverted judgments, have been thrown by committees into scrap baskets or placed upon dusty files, when, if they had been read and considered, they might have resulted not only in the edification of the members of the committee but in their proper direction.

I am reading the resolutions adopted by a meeting of women at Easton, Md., on Sunday evening, March 5, 1922. It contains the whole argument against these treaties; and this petition proves that the women of Easton, Md., can see the results which would ultimately follow the adoption of this treaty, even if the statesmen at Washington can not:

Whereas the Pacific compact, commonly known as the four-power pact, recently negotiated at the Washington conference and now before the United States Senate for consideration, omits from its signatory membership numerous nations having extensive actual and potential rights and interests in the regions of the Pacific Ocean and constituting in population about one-third of the entire human family; and

Whereas exclusion of such nations from participation in such a pact or alliance will sooner or later lead to the formation of a counter-alliance to the end of securing a balance of world power and thus ultimately to war; and

Whereas already two of such nations have notified the Department of State of the United States Government that they regard the negotiation of this pact as an act unfriendly to them: Therefore be it

Resolved, That the mass meeting of citizens of Easton and Talbot County, Md., called by League of Women Voters and gathered here in Easton this 5th day of March, 1922, express to the two United States Senators from Maryland, to the leaders of the majority and the minority in the Senate, to the Secretary of State, and the President of the United States its disapproval of the Pacific treaty, or said four-power pact, in its present form, as containing the seeds of war rather than of peace, and its earnest hope that this alliance shall not be ratified unless so amended as to eliminate the seeds of war and thus insure the peace of the Pacific.

Resolved further, That the United States Senators from Maryland be requested to have these resolutions printed in the CONGRESSIONAL RECORD.

CAROLINE BURNITES WALKER,
Chairman of the Meeting.
(Mrs.) LINAS BRIDGES,
Secretary of Meeting, Royal Oak, Md.
Mrs. M. T. JOHNSTON.

I appeal to all patriotic citizens who look earnestly forward with the hope of world peace; I appeal to the congregations of churches, to the peace societies of the United States, to labor organizations, to all societies and associations who hope to see the reconciliation of all peoples and the establishment of a basis of permanent peace; I appeal to all these to read the words of this resolution and to pass resolutions of a similar character or to express in letters to their representatives in the United States Senate sentiments similar to those contained in this resolution. I feel that by immediately so doing they will subserve the interests of the people and that they will be rendering a valuable service not only to their own country but to the whole world.

WORLD WAR FOREIGN DEBT COMMISSION (S. DOC. NO. 151).

As in legislative session,

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read:

THE WHITE HOUSE,
Washington, March 8, 1922.

Hon. CALVIN COOLIDGE,
President of the Senate, Washington, D. C.

MY DEAR MR. PRESIDENT: Agreeable to the request of the Senate, expressed in a resolution, concerning the passage of which I have just been informed, I am sending to you an opinion of the Attorney General relating to the eligibility of Senator SMOOT and Representative BURTON to serve on the World War Foreign Debt Commission.

Very truly, yours,

WARREN G. HARDING.

The VICE PRESIDENT. Without objection, the message will be printed and lie on the table.

Mr. WALSH of Montana. I ask unanimous consent that the communication just read, with the accompanying opinion of the Attorney General, be printed as a public document for the information of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

THE LANSING-ISHII AGREEMENT (S. DOC. NO. 150).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read.

TO THE SENATE:

I have received the resolution (S. Res. 251) requesting me, if not incompatible with the public interest—

to advise the Senate as to the present status and binding effect of what is known as the Lansing-Ishii agreement between the United States and the Empire of Japan.

Secondly, as to whether or not the four-power pact, now before the Senate for consideration, if ratified, will abrogate, nullify, or in any way modify such agreement, and as to what will be the status of said agreement after the ratification of said four-power pact.

The so-called Lansing-Ishii agreement, signed November 2, 1917, was not a treaty, but was an exchange of notes between the Secretary of State of the United States and Viscount Ishii, ambassador extraordinary and plenipotentiary of Japan on special mission. It was described in the notes themselves as a public announcement of the desires and intentions shared by the two Governments with regard to China. This exchange of notes, in the nature of things, did not constitute anything more than a declaration of executive policy. It is hardly necessary to point out that such a declaration, or exchange of notes, could not have any effect whatever inconsistent with treaty obligations whether existing or thereafter coming into force.

The statement in the notes in question which apparently called forth your resolution is as follows:

The Governments of the United States and Japan recognize that territorial propinquity creates special relations between countries, and, consequently, the Government of the United States recognizes that Japan has special interests in China, and particularly in the part to which her possessions are contiguous.

In the light of the other declarations of the notes in question, it has been the view of the Government of the United States that this reference to special interests in China did not recognize any right or claim inconsistent with the sovereignty or political independence of China or with our "open-door" policy.

That this was not an erroneous construction appears from the meaning ascribed to the phrase "special interests in China," which is found in the final statement made on behalf of Japan at the recent conference (S. Doc. No. 126, 67th Cong., 2d sess., p. 223). The phrase was interpreted to mean that propinquity gave rise to an interest differing only in degree, but not in kind, as compared with the interests of other powers. It was said to intimate "no claim or pretention of any kind prejudicial to China or to any other foreign nation," and not to connote "any intention of securing preferential or exclusive economic rights in China."

Happily, as a result of the conference, it is not now necessary to consider any possible ambiguity in the expressions used in the Lansing-Ishii agreement of 1917, as any question which they might have raised has been completely set at rest by the treaty now before the Senate, to which the United States and Japan are parties. I refer to the treaty between the nine powers which explicitly sets forth the principles and policies to be maintained by the signatory powers in relation to China.

It is thus agreed to respect the sovereignty, the independence and the territorial and administrative integrity of China; to provide the fullest and most unembarrassed opportunity to develop and maintain for herself an effective and stable government; to use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China; to refrain from taking advantage of conditions in China in order to secure special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

More specifically the signatory powers agree that they will not seek, nor support their respective nationals in seeking, any arrangement which might purport to establish in favor of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China, or any such monopoly or privilege as would deprive the nationals of any other power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government or with any local authority, in any category of public enterprise, or which by reason of its scope, duration, or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity.

And, further, the signatory powers agree not to support any agreements by their respective nationals with each other designed to create spheres of influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

The negotiation of this treaty is in itself the most formal declaration of the policy of the Executive in relation to China, and supersedes any Executive understanding or declaration that could possibly be asserted to have any contrary import. If the Senate assents to this treaty, the principles and policies which the treaty declares will be supported and enforced by a binding international agreement.

My answer, then, to your first question is that the so-called Lansing-Ishii agreement has no binding effect whatever, either with respect to the past or to the future, which is in any sense inconsistent with the principles and policies explicitly declared in the nine-power treaty to which I have referred.

As to your second question, I may say that the four-power treaty does not refer to China, and hence does not directly bear upon the Lansing-Ishii notes which related exclusively to China. The four-power treaty, however, is an essential part of the plan to create conditions in the Far East at once favorable to the policies we have long advocated and to an enduring peace.

WARREN G. HARDING.

THE WHITE HOUSE, *March 8, 1922.*

Mr. BORAH. Mr. President, as I understand the message of the President, the Lansing-Ishii agreement is supposed to be annulled or abrogated and henceforth to be disregarded, because it will be found to be in contravention to the terms of the nine-power treaty. That is not the view which some officials of Japan take of the nine-power treaty. I am very happy, however, to have the declaration of the Executive that that is the American view. This is an Executive agreement, as it were, and I presume, therefore, that the highest authority, and practically the sole authority, upon its continuance is the Executive, and I trust that the Japanese nation will understand that the Lansing-Ishii agreement is now at an end, provided the nine-power treaty is ratified.

I only desire to say, however, that after a very careful rereading of the nine-power treaty, I find nothing in it which conflicts with the Lansing-Ishii agreement, as that agreement was construed by the Japanese Government. Indeed, the Lansing-Ishii agreement contained within itself a specific declaration that the parties to the agreement would respect the territorial integrity of China. According to Mr. Lansing, it was for the purpose of reannouncing what is known as the Hay doctrine more specifically, and it was incorporated, therefore, in the Lansing-Ishii agreement.

The nine-power treaty is supposed to reannounce and to confirm more in detail the Hay doctrine of the open-door policy, but the Japanese Government always contended that the other provisions of the Lansing-Ishii agreement, which purported to give Japan a special interest in China, were not in conflict with the Hay doctrine and not in conflict with the agreement which they had made in regard to it, and I think the official statements of high officers of Japan are available now, and may be presented later, to the effect that the nine-power treaty is not in conflict with the special interests of Japan.

Only a short time ago one of the officials of Japan stated that Japan's interest in Manchuria was by reason of her special interest, her propinquity to China, reannouncing, as it were, the very doctrine which they claim was announced and conceded by the United States in the Lansing-Ishii agreement.

I rise to say, therefore, that, as I construe this message of the President, it is a renouncement of the Lansing-Ishii agreement—that is, provided the nine-power treaty is ratified—that he regards the nine-power treaty as in absolute conflict with the Lansing-Ishii understanding. That ought to terminate the Lansing-Ishii agreement. I trust it will be so understood and accepted.

The VICE PRESIDENT. The message will lie on the table and be printed.

THE FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. FLETCHER. Mr. President, with reference to the four-power treaty I desire to say that I long ago favored a conference looking to the limitation of armament, and therefore welcomed the opportunity to hold the one just ended here. I have heretofore favored steps looking to cooperative efforts to secure peace and avoid misunderstandings and war. The word "alliance" has been misused. Every agreement among nations is not an "alliance." Even if it were, the alliance may be such as to promote peace rather than an alliance of a military

character in contemplation of war. There can surely be no objection to such an alliance which would eliminate the probability of dispute and war.

I regard the four-power treaty as a part of the whole work of the conference, and its rejection would greatly minimize, if it did not destroy, the value of the other and closely related treaties.

To reject this treaty would to a very great extent defeat the sound policy which the country approves lying back of them all; that is, the reduction of armament, relief from excessive burdens which large army and navy establishments would impose, and the promotion of that relation among nations so essential to the world's economic recovery.

The agreement is to respect the rights of the parties concerned severally in relation to the islands of the Pacific. Why should we hesitate to agree to "respect the rights" of the British Empire, France, and Japan in the Pacific, or anywhere else, they each doing the same as to our rights?

If any controversy should arise out of any Pacific question involving such rights which is not satisfactorily settled by diplomacy, the agreement is to join in a conference for the consideration and adjustment thereby of such controversy.

If nations may not confer in case of any controversy or question, it would seem impossible to adjust any differences. It follows disputes would accumulate and war would be inevitable if we deny the propriety, the wisdom, or the possibility of nations holding a conference to adjust matters about which there may appear contrary views.

Mr. REED. Mr. President——

Mr. FLETCHER. I yield to the Senator from Missouri.

Mr. REED. Does the Senator mean to say that if we do not ratify this treaty we can not sit down and confer about matters?

Mr. FLETCHER. I presume we could do it, but there is no agreement to do it and there is no practice of that kind in case of any question which is not adjusted by diplomatic negotiations.

Mr. REED. We always have done it, have we not?

Mr. FLETCHER. There is no obligation to confer and no such conferences have been held.

Mr. REED. Is there not an obligation of that kind, in spirit substantially, that already exists with all of these countries?

Mr. FLETCHER. There is no obligation to confer about controversies of the sort mentioned in this treaty. There were treaties negotiated in 1914 whereby controversies might be referred to an international commission, and that international commission was to have jurisdiction to determine those questions; but there is no treaty arrangement anywhere now whereby nations shall confer, where diplomatic action has failed, and even by the treaties of 1914 made between nations individually, some 28 treaties, between each of those countries and the United States, those treaties contemplated the reference of questions in dispute and requiring settlement to an international commission that might be constituted as provided in those treaties.

Mr. REED. Does not the Senator know that from time immemorial all questions between our Government and other Governments have been taken up through regular diplomatic channels and discussed in a friendly way, and that that right exists to-day just as it has always existed?

Mr. FLETCHER. Precisely, and the pending treaty provides that if those questions can be settled by diplomatic negotiations that course will be followed, and that is the end of the matter. It is proposed to continue all those diplomatic activities that were possible before and as has been the practice heretofore. The proposed treaty does not interfere with that at all. It continues that practice, but if diplomatic efforts are ineffective and the controversy remains unsettled then the powers will be obligated to confer.

Article 2 provides in substance that if such rights are threatened by the aggressive action of any other power these parties to the treaty shall communicate with one another to determine the most efficient measure to be taken, jointly or separately, to meet the situation.

There is no agreement to resort to force. The agreement is to hold council, to determine who is in the wrong, to let the world know the conclusions reached, the idea no doubt being that the public opinion of mankind would very likely exercise powerful weight to prevent war. There is no pledge or agreement or obligation to go to the assistance of any one of the parties. There is no contract to follow any conference by any act, much less any act behind which lies force. We make that clear in the resolution of ratification, in which we propose to expressly state that there shall be "no commitment to armed force, no alliance, no obligation to join in any defense" on our part. That provision ought to satisfy the most sensitive on that point. I will support the treaty in spite of it rather than by reason of it. In each of the 28 treaties negotiated by the Secretary of State W. J. Bryan, and submitted by President Wilson, and ratified in 1914, there was a provision that the high contracting parties reserve the right to act independently on the subject matter of the dispute after the report of the commission shall have been submitted. This treaty is of the same general purport and character as those we ratified in 1914.

Under article 3 the treaty is to remain in force for 10 years.

The military alliance between Great Britain and Japan will be ended by this treaty. In its stead will be, not an alliance directed against any nation but an agreement between the four powers having rights and interests in the Pacific to respect one another's rights, and in case of any controversy to confer.

Without these treaties the situation in the Far East is one of more or less apprehension, suspicion, and fear. These elements do not usually improve, but lead to worse conditions. This treaty would remove the suspicion and the fear which often occasion force. It amounts to a mutual pledge for the respect of one another's rights, which it would seem we ought always to be willing to make.

It abolishes an alliance now highly objectionable and removes the causes which often develop a spirit of domination.

The vote against the treaty would be to help continue an alliance in which we have no part, whereas to ratify this treaty would be to do away with all alliances in the Far East.

We surely do not wish to have Great Britain and Japan continue their military partnership, we surely ought to be willing to respect the rights of others, we ought not to decline to confer with any nation in case of any dispute not satisfactorily settled by diplomacy, we should desire to remove all causes for possible trouble in the Pacific, and feel, regarding all our possessions and rights in that region, that all our neighbors respect our rights, as we do theirs, and will not interfere with them.

I would like it better if all the nations of the world were parties to the agreement, as might have been the case if we had ratified the Versailles treaty. But having been driven from that by the overworked "entangling alliance" false alarms, this appears to me the next best thing in the same direction of promoting peace in the world, doing away with competitive armament, and removing, to a great extent, the excuses and probabilities of war.

I would have no objection if some provision could be made, although I would hesitate to undertake to amend this treaty, whereby other States might be admitted to such conferences as may arise or be called pursuant to this treaty, on an equal footing with the powers which are parties to the treaty, in case of any controversy involving such nonmember States. That would not be objectionable to me, although I would not jeopardize this treaty if that would be the result of such an amendment. It would include China and Russia, if they were invited in, and that might possibly alleviate some difficulties that might arise in the future. I can see no reasonable objection to the ratification of this treaty, and I believe the possibilities are very great for advantages to all concerned and to world order flowing from it. It is so related to the other treaties coming out of the conference, particularly the one respecting the reduction of armaments, that I feel it should be regarded as a part of the whole work and should be ratified.

Mr. WATSON of Georgia obtained the floor.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. WATSON of Georgia. I yield.

Mr. HARRISON. I make the point of no quorum.

Mr. WATSON of Georgia. Oh, Mr. President, I hope the Senator will not do that.

Mr. HARRISON. The point has been made now, and I can not withdraw it.

Mr. WATSON of Georgia. Very well.

The VICE PRESIDENT. The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Harrison	Nelson	Sheppard
Borah	Heflin	New	Shields
Brandegee	Johnson	Newberry	Smith
Broussard	Jones, Wash.	Nicholson	Spencer
Calder	Kellogg	Norris	Sterling
Cameron	Kendrick	Overman	Townsend
Capper	Keyes	Page	Underwood
Caraway	King	Pepper	Wadsworth
Cummins	Ladd	Phipps	Walsh, Mont.
Fletcher	Lenroot	Poindexter	Warren
Gerry	Lodge	Pomerene	Watson, Ga.
Gooding	McKellar	Rawson	Williams
Hale	McKinley	Reed	Willis
Harris	McNary	Robinson	

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. McCUMBER], the

Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from New Jersey [Mr. FRELINGHUYSEN], and the Senator from West Virginia [Mr. SUTHERLAND] are detained at a hearing of the Committee on Finance.

The PRESIDING OFFICER (Mr. MCNARY in the chair). Fifty-five Senators having answered to their names, a quorum is present. The Senator from Georgia will proceed.

Mr. WATSON of Georgia. Mr. President, the Senator from Florida [Mr. FLETCHER] argued that we would get rid of the menace of the Anglo-Japanese treaty if we ratified the pending treaty. He also argued that we could not defeat this treaty without endangering the other treaties. He further argued that there was no contract in this treaty. None of those contentions, in my judgment, is well founded.

For months and months the representatives of the great nations sat here in Washington, and, so far as the pending treaty is concerned, they sat in secret. Not a word came from the council room to the outside world. Senators who are asked to vote to ratify this compact are told virtually nothing of the approaches by which it was reached. The language of the document seems to me to make a contract. The purpose is "the preservation of the general peace and the maintenance" of the rights of these nations. Having that in view, these nations make a treaty. In Section II we bind ourselves, in honor and in law, to meet in further conference with the other three nations and to agree upon methods by which they may defend themselves, in the maintenance of those rights which are specified in the preamble of the treaty. We should have no option if called upon to go into that conference. We are, in honor and in law, bound to adopt methods to defend the rights of Japan, of Great Britain, and of France. If we should hesitate our sense of honor would be appealed to, war propaganda would again take possession of the country, and the Senate and House of Representatives would be compelled to keep the plighted faith of this Republic. I do not see how any Senator can escape that conclusion. It is a contract; it is a treaty in the truest sense. It forms a quadruple alliance.

The Senator from Florida further said we could not defeat this treaty without endangering the others. That does not follow. The treaties come here separately; they are debated separately; and they are ratified or rejected separately. Each one stands upon its own merits.

Is the Anglo-Japanese treaty a menace to us? If so, the two nations which are bound by it are already our enemies. How can anybody escape that conclusion? If, as the Senator from Florida says, that alliance is a menace which endangers our future, then the hearts from which it sprang can not be friendly to America and to American interests. If Great Britain is our friend, either in the Atlantic or the Pacific, she should not have endangered us by going into such an alliance. If Japan is our friend, she should not have endangered us by this compact, this military alliance, as the Senator from Florida calls it.

The Senator from Florida refers to the resolution of ratification as safeguarding us from the necessity of ever taking up arms for one of these allies. Whom does that reservation bind? When and where did Japan, Great Britain, or France agree that the contract could be changed, after they had signed it? The proposed change is a novation of contract, and it would not stand in morals or in law for one moment.

The Senator from Massachusetts [Mr. LODGE], especially toward the conclusion of his speech, during which he spoke a long time and revealed nothing of the secret workings of that conference, spoke in language that Woodrow Wilson might have used when he appeared before Congress and asked for the ratification of the covenant of the League of Nations. The Senator from Massachusetts, in going into this fight, borrowed the plumes of Woodrow Wilson and wore them in the battle. The Senator from Massachusetts says that dark clouds are on the horizon and the only way to dispel them is to ratify this treaty and go into the quadruple alliance. Where are the clouds? What are the dangers? Does the Senator mean to be understood as saying that Great Britain has designs against us, or that Japan has, or that France has? As usual, the Senator retires when questions are asked that he can not answer. He has borrowed from Woodrow Wilson, but the loan is so recent that he does not wear very gracefully the plumage which he has appropriated to himself.

"Let us not blight the hope of the world," says the Senator from Massachusetts. That reminds me of what President Wilson stated to Congress when he said if they rejected the League of Nations it would "break the heart of the world." The thoughts are the same. Here are two hearts that beat as one, at last. [Laughter.]

Whoever thought that the Senator from Massachusetts, who achieved fame throughout the world by his great campaign against the League of Nations, would now be clothing his thoughts in the classic verbiage of Woodrow Wilson?

Break the heart of the world! Will we break the heart of Germany if we do not go into this alliance with France? Will not the German heart rather be broken if we do? We will not break Germany's heart by staying out of an alliance with France. By staying out of an alliance with Japan we will not break the Russian heart, whose wounds are now bleeding from the cruel blows of Japan. We could not do a more popular thing in Germany and Russia, both of which nations are going to come back and come back strong, than by staying away from the Orient and refusing to ratify this treaty.

Mr. President, Senators sometimes reverse their policies and change their minds, but I think this morning was the first time when I have seen a Senator on one day forget the speech he had made on a preceding day. The Senator from Indiana [Mr. NEW] did that very thing. He said, if I should do him the honor of reading his speech, I would see so and so. Well, I did read his speech, and that is the reason I know he had forgotten it. Here is his speech, on page 3408 of the CONGRESSIONAL RECORD of March 6 of this year. In that speech again and again he calls the four-power treaty an association of nations. To be effective, an association must be as strong as a league, and an effective league would be equivalent to an effective association; they are interchangeable terms.

The Senator from Indiana went further. He referred at length to the grand design of Henry IV, but he said that that was defective because it was not founded upon the grand principles which are the base of this association of nations. He went from the grand design to the Holy Alliance, and was comparing in his mind throughout this quadruple alliance with the quadruple alliance of a hundred years ago. I am almost tempted to read some of the beautiful language in the Senator's speech:

> Because the alternative to life under free, common understanding, with mutual trust and forbearance, in an association of recognized, unrestrained peers is domination by one or by few under such a rule of brute force as will plunge the world into chaos and threaten humanity with oblivion. No; we may not cast aside these treaties as mere idle words under penalty of being overwhelmed by the outburst of righteous condemnation from all the peoples of the world.

Will China overflow with joy if we refuse to ratify this treaty? Will Siberia chant hallelujahs if we refuse to ratify this treaty? Talk about rejoicing if this treaty is ratified. Will the 7,000,000 majority who voted for Harding and Coolidge in November, 1920, rejoice? They went millions strong to vote down a League of Nations which they understood to compromise their independence. Who dreamed then that the Republicans would so soon forget the lessons of that election and would be going into a quadruple alliance which binds us to defend the right of Japan in the Pacific?

Have you referred this question to the people? Have they had an opportunity to be heard? Have we the authority to bind them in a matter like this that changes the policy of a hundred years?

Mr. KING. Mr. President, will the Senator yield?

Mr. WATSON of Georgia. With pleasure.

Mr. KING. I have not heard all of the Senator's argument. I heard a portion of the speech of the Senator from Massachusetts [Mr. LODGE]. As I understood the position of the Senator from Massachusetts, the treaty now before us is innocuous. It does not bind us to do anything except to sit down at a table and talk over any possible controversy. As I understood his position, if Japan should be the aggressor, and that aggression should constitute an overt act, an act of war, then the treaty forbids even consultation, because consultation could exist only if war were nebulous or if there were a controversy which had not resulted in any overt act. If that is the interpretation which the Senator places upon the pact, obviously it is somewhat different from the interpretation placed upon it by the Senator from Georgia, who has just now said that it is a quadruple alliance which binds the United States to come to the aid of Japan in the Pacific. I should like the Senator to explain what he thinks the treaty is, and wherein the Senator from Massachusetts has wrongly interpreted it, from the Senator's point of view.

Mr. WATSON of Georgia. Mr. President, when this treaty was first mentioned some months ago, the Senator from Washington [Mr. POINDEXTER] said that it would add to our security on the Pacific slope, and I asked him then if he believed that Japan would give up the Anglo-Japanese treaty and accept this if she did not consider this better than that. That question remains unanswered. In fact, it answers itself; but the very language of this treaty binds us to future conference and binds

us to adopt the measures that are necessary to protect the rights of Japan or of France or of England. How on earth any other construction can be put on it, except that we do bind ourselves to attend a future conference and to adopt those means which will most effectively accomplish the purpose of protecting the rights of these nations in the Orient, I do not understand.

Mr. President, China deserves the sympathy of humanity throughout the world. It is a country where, even in the old times, when a stranger was looked upon as an enemy in every country of Europe, China was so pacific in her nature, so kind in her treatment of the stranger, that travelers from Europe could go from one part of the Empire to the other and everywhere they received hospitality and kindness. It is the only country of which that can be said, and it can be said of her with absolute truth. She became our ally during the Great War. She sent laborers to France who did the heavy manual labor which otherwise would have taken French soldiers from the ranks, where they were so much needed. Time and again these Chinese coolies fed our soldier boys when those soldier boys were starving and needed the food. Instance after instance has been given this country. She came with actual help. She proposed even to send troops.

What did Japan do? She did nothing except for Japan, and in the future she will be found pursuing the same course. She is for Japan. Not a soldier, not a marine, not a ship in action, did she put in European waters. Her activities were confined strictly to seizing those territories which the Germans had seized, and to holding them after she got them. Not one loan, not one vessel full of provisions, no material aid whatever, did Japan give to us or to France or to England during the terrible ordeal when victory hung in the balance.

Now, Mr. President, we are asked by this quadruple alliance to ratify what Japan did, to condone her crimes against Korea, Siberia, and China. Who knows what we are getting into? There are hundreds of those islands down there, and not one European in a million knows a thing about them.

We loaned England, in round numbers, five thousand million dollars. She owes us now as interest something like $500,000,000. She will not pay us. She paid her soldiers a bonus in part out of our money, while our soldiers go destitute and despairing without a bonus. She compelled us to pay her for the old cattle ships which transported our boys, crowded like sardines, to her relief, going to her salvation, asking no reward for their services or their sacrifices. We actually paid her here, since I have been serving, $46,000,000, the last installment on the freightage of our troops, and even then she was refusing to pay a cent of interest, and was starting a propaganda that looked as if they wanted the debts canceled. I believe they do want them canceled, and I am very much afraid that is what will be the result of these final refunding negotiations.

Mr. President, partly with our money Great Britain has dammed the blue Nile in the Soudan, and will soon have 3,000,000 acres of the best cotton land in the world to compete with ours. The soil will need no fertilizer. It will not depend upon the skies for the moisture to develop the crop. It never will be too hot nor too cold for her young cotton plants. No boll weevil will devastate her cotton belt, and on 3,000,000 acres she will raise sufficient cotton for all her mills and a large part of what the German mills consume. Therefore, in part, with our money she is building up a competition that may mean destruction to the great industry, the only money crop, of the South. In like manner she is using in part our money to develop the wheat fields of Mesopotamia, the fields which, under proper irrigation, used to give bread to the whole eastern world. That area is now coming into cultivation again, and under the irrigation system the yield will be two or three times as much as the best wheat fields of the West can produce. Therefore, with our money she is building up competition, ruinous rivalry, to our two great staples, wheat and cotton.

We are asked to go into a binding contract with her which would enormously increase the difficulties of handling that debt proposition; and, as to Japan, it will add enormously to the difficulties of handling the Japanese question on the Pacific coast. The time will soon come, if this treaty be ratified, when we will hear it said that California ought to yield to the common interest of the Union, and not give Japan a just cause of quarrel in reference to the State laws, the citizenship laws, of California.

Mr. President, from every possible point of view this treaty is dangerous, and I hope it will not be rushed through here until we can hear from our constituents. If the people learn what this treaty really means, and how it revolutionizes the traditional policy of our Government, I believe there will be a protest against it, from Maine to California, and from Michigan to Florida.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts [Mr. LODGE] to agree to the reservation reported by the Committee on Foreign Relations.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Borah	Harris	Newberry	Sheppard
Brandegee	Harrison	Nicholson	Shields
Broussard	Heflin	Norris	Smith
Bursum	Jones, Wash.	Oddie	Spencer
Cameron	Kellogg	Overman	Sterling
Capper	Kendrick	Page	Townsend
Colt	King	Pepper	Wadsworth
Cummins	Lenroot	Phipps	Walsh, Mont.
Fletcher	Lodge	Pittman	Warren
France	McKellar	Poindexter	Watson, Ga.
Gerry	McKinley	Pomerene	Weller
Glass	McNary	Ransdell	Willis
Hale	Nelson	Reed	
Harreld	New	Robinson	

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is necessarily absent.

Mr. JONES of Washington. I wish to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. CALDER], the Senator from New Jersey [Mr. FRELINGHUYSEN], and the Senator from West Virginia [Mr. SUTHERLAND] are in attendance on a meeting of the Committee on Finance.

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum is present.

Mr. REED. Mr. President, the Senator from Massachusetts [Mr. LODGE] and the Senator from Florida [Mr. FLETCHER] alike dwelt upon the fact that this proposed treaty permits nations to get together and talk their differences over. One would have naturally inferred from their statements, although they did not say so in direct terms, that the proposed treaty is the first suggestion which has ever been made that in case of dispute between this and other countries there may be a conference or talk before we go to fighting, and that this treaty we are now making with reference to the islands in the Pacific is the first real suggestion we have ever had that we shall keep the peace each with the other.

It might be interesting in that behalf to call attention to the fact that so long ago as 1800 we made a treaty with France, the first article of which provided:

> There shall be a firm, inviolable, and universal peace, and a true and sincere friendship between the French Republic and the United States of America, and between their respective countries, territories, cities, towns, and people, without exception of person or places.

That would seem to be at least a convention of peace. Then in 1908 we made a treaty with France, which reads in part as follows:

> ARTICLE I.
>
> Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two contracting parties, and which it may not have been possible to settle by diplomacy, shall be referred to the permanent court of arbitration established at The Hague by the convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two contracting States and do not concern the interests of third parties.
>
> ARTICLE II.
>
> In each individual case the high contracting parties, before appealing to the permanent court of arbitration, shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the arbitrators, and the periods to be fixed for the formation of the arbitral tribunal and the several stages of the procedure.

That would seem to have afforded a time to talk things over and to give a chance for peaceful adjustment, and for a decision upon the matters in dispute by a tribunal as nearly impartial as has yet been devised.

In that connection it is proper to call attention to the fact that we have had a treaty with Japan since 1854 which recites that there shall be a perfect, permanent, and universal peace and a sincere, cordial amity between the United States of America on the one part, the Empire of Japan on the other part, and between their people, respectively, without exception of persons or places.

We have other treaties with both these powers relating to navigation, the rights of ships, and the rights of nationals, guaranteeing rights of religious worship, and so forth.

We have a treaty with Great Britain containing clauses similar to the first article of the treaty with Japan and the treaty with France. In 1911 we made a treaty which recites, among other things:

> The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous of perpetuating the peace, which has happily existed between the two

nations, as established in 1814 by the treaty of Ghent, and has never since been interrupted by an appeal to arms, and which has been confirmed and strengthened in recent years by a number of treaties whereby pending controversies have been adjusted by agreement or settled by arbitration or otherwise provided for; so that now for the first time there are no important questions of difference outstanding between them, and being resolved that no future differences shall be a cause of hostilities between them or interrupt their good relations and friendship;

The high contracting parties have, therefore, determined in furtherance of these ends to conclude a treaty extending the scope and obligations of the policy of arbitration adopted in their present arbitration treaty of April 4, 1908, so as to exclude certain exceptions contained in that treaty—

And so forth.

Article 1 provides that—

All differences hereafter arising between the high contracting parties which it has not been possible to adjust by diplomacy relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity shall be submitted to the Permanent Court of Arbitration established at The Hague by the convention of October 18, 1907, or to some other arbitral tribunal, as shall [may] be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define the scope of the powers of the arbitrators, the question or questions at issue, and settle the terms of reference and the procedure thereunder.

Then follow the clauses providing for the creation of the arbitral commission and the procedure to be followed.

We have a similar treaty of arbitration with France, so that with the three powers which are parties to this treaty with us we have treaties of peace of the most solemn character which contemplate the settlement of our disputes through ordinary diplomatic channels, and if the diplomats can not agree it is then solemnly recited that the matter in dispute shall be submitted to arbitration or to the Hague tribunal.

Therefore, we have not only all that this treaty gives us if the construction now placed upon it be correct but we have something better. We have an arbitration provided for, all of which contemplates consulting, talking matters over in a diplomatic way, and then submitting the question for decision, if a decision can not be agreed on by mutual consent, to a properly organized arbitration tribunal. The Bryan treaties, so called, which have been made with a large number of countries, contain largely the same provisions for settlement and provide for what we might call in law a stay of execution or rather for a period during which matters of negotiation can be carried on.

If, therefore, we take the view which has been expressed with reference to the four-power alliance, that this is in fact no alliance, that we have agreed to do nothing except sit around and talk, and that as a result of the talk we are not to be bound morally or legally to anything that may be agreed upon, then we are substituting for the treaties now existing a rule not nearly so effective, not nearly so clear, and not nearly so likely to avoid differences and difficulties in the future.

The construction placed by the Senator from Massachusetts [Mr. LODGE] and the Senator from Florida [Mr. FLETCHER] upon this treaty is that we are perfectly safe to go into it because it does not bind anybody to do anything. It is a rope of sand that vanishes at touch. It does not draw a single pound. It accomplishes nothing.

It is an agreement that we will sit down and talk matters over, which has always been our right and has always been the right of every nation. If that is all there is to this treaty why is it, when the construction was placed upon it that it included all of Japan, that it was found necessary to make a subsequent or supplemental treaty excluding what we will call the mainland of Japan? Why should we object or why should any nation object to sitting down and talking about our mainland as well as our islands, if as the result of the talk nothing was to be done and nobody was to be bound?

Why not include the whole world in it? Why not in fact have every nation of kindred people and tongue come into a general gabfest with reference to everything? No harm could come of it. When a treaty is drawn that implies nothing more than a tea party, at which everybody is privileged to say what he pleases and then get up and go away—if that is the true construction of this treaty—why should they have excepted from its terms all of Japan except certain particular islands that are named? Why should they have carefully included in the number of islands named that are to be included within the treaty that particular island which is bound to be the scene of a bloody conflict between Russia and Japan within the next few years? I said "bound to be." No one can look into the future with certainty, but the conditions and circumstances are of the most menacing character.

The trouble with the argument that has been advanced is that it leaves the proponents of the treaty in the position that they have met and done nothing. The argument contends that the mountain has not even brought forth a mouse capable of nibbling at a bit of cheese, that the army marched up the hill and marched down again without leaving any tracks in the mud, that the result of all the conference is that we have agreed, in case there is any dispute between ourselves and our new allies, that we will talk it over, and then we will do just as we please after we have talked it over. If any other nation proposes to come in and attack, we will meet and solemnly determine on the best means of repelling that attack, and then we will all take our hats and go home, and nobody will be bound to do anything, morally, legally, or any other way. There will not be the slighest obligation.

Mr. KING. Mr. President——

Mr. REED. I yield to the Senator from Utah.

Mr. KING. If I understand the Senator from Massachusetts correctly, whenever there is an overt act; whether upon the part of either of the signatories to the treaty or upon the part of some other power, then the treaty ceases to function at all, and we are not obligated to meet.

Mr. REED. Yes; it then becomes something less than nothing.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. REED. I yield.

Mr. ROBINSON. The conference which negotiated this treaty adopted two declarations in the nature of reservations to the treaty itself, and in one of those declarations it expressly reserves, by the provisions of the treaty, all domestic questions. If the effect of the treaty is merely to arrange for a conference, what would be the objection to conferring about domestic controversies which are likely to occasion conflict between the nations parties to the dispute?

We all know that the only matters of controversy which may disturb the condition of harmony existing between the United States and Japan are domestic questions, namely, the immigration of Japanese to the United States, racial equality in some vague form, and the claim of the Japanese to a right to own land in California. Why should we except these controversies from conference if there is nothing binding in the conference, but it is merely an attempt to reach a harmonious agreement?

Mr. REED. Certainly that is true. Why except a matter from the subject of conversation if nothing is to be done and if nobody is to be bound? The construction is absurd. It leaves the treaty absurd. I will not say the construction is absurd, but either the treaty is absurd or the construction is absurd. We are to talk things over and be bound by nothing. We are not to make a contract to do anything except that we will talk. It reminds me of the incident in the somewhat ancient story of the young man who asked the young lady if she would marry him. She replied indignantly "I would not think of marrying a fellow like you." He said, "Don't get mad about it. I did not want to marry you. I just asked for information." There was not to be any contract; he merely wanted to get the state of her mind. That is all we are to do by these conferences.

But we can have such conferences to-morrow with any nation, and we do have them regularly. Almost daily matters are coming up between our State Department and the foreign offices of other nations. Communications take place and matters are settled. It may be nothing more than the right of one of their nationals to land in the United States, or the right of one of our nationals to visit in their country, or the right of somebody who has lost his baggage over there, or it may involve more serious questions. They are talked over constantly. It is for that reason that great legations are maintained at enormous expense in Washington, and that we maintain legations in the capitals of every first-class nation on the earth.

The whole truth is that this was intended to be an alliance so powerful and so potential that the nations could rely upon it as a matter of defense against the outside world, or attack, if you please, and could afford, because of a mutual obligation of defense and assistance, to cut down their navies.

We are told that we could not have disarmament without having the four-power treaty. Why? Because the power of the four-power treaty was to take the place of the power of the navies and armies of these countries. We were to abrogate them and consolidate them and put them in a position where they would operate together, and with such an arrangement as that we could all afford to cut down our armament. Now, that argument having been put forth, we are told that this treaty is not a treaty of alliance, not a treaty of mutual support and help, not a treaty wherein the majority of nations will compel an offending member to obey the terms of the treaty, but it is a mere sounding of brass and tinkling of cymbals, a thing not even of shreds and patches, a mere false pretense, a mere piece

of international buncombe by which the nations agree solemnly that they will sit down and talk matters over and be bound by nothing that takes place.

Mr. LODGE. Why does the Senator carefully avoid saying that it terminates the Anglo-Japanese alliance?

Mr. REED. I have already discussed that.

Mr. LODGE. That is definite enough.

Mr. REED. The Senator went out of the Chamber about the time I reached that in my discussion. It will all appear in the RECORD. I said then and I say now that if Japan and England, under any paper treaty that has ever been written, would unite in an attack on the United States, then especially Great Britain is a country so numbed of all sense of decency and of all the sacredness of obligations that nothing would bind her. I said then and I say now that if the blood we spilled has not created a bond between Great Britain and the United States more lasting and more sacred than any we can ever have placed upon parchment by pen and ink, then we can put no reliance in the parchment words of Great Britain.

What is an obligation? Is it only to be expressed upon a piece of paper? Is that all we can rely upon? If so, then our reliance is based upon a shadow. The thing that makes an obligation sacred is the honor of a nation. If a nation rescued from certain defeat by the prowess of American soldiers, saved from bankruptcy by dollars from the American Treasury, enriched with a territory greater than that controlled by Rome in the proudest days of the Cæsars, would turn upon her friend and benefactor, would repudiate the blood obligation, would make war against the very soldiers who had protected her—if a nation will do that, then her signature to a document amounts to nothing. If she would repudiate this obligation, established before High Heaven and recorded by God Almighty Himself in His memoirs of man, then there is no use in asking her to sign a piece of paper agreeing to discontinue her alliance with Japan.

Are there no obligations that nations will observe except those written with a pen? What becomes of all the fine phrases of "Hands Across the Sea"? What becomes of the doctrine that "we both speak the same language and are natural allies"? What becomes of the claim that "we are the two leading Christian nations marching along parallel lines to the heights of civilization and glory"? Is that all idle talk? If it be idle talk, then will not this be an idle piece of paper? But if you give to the piece of paper all the virtue you ascribe to it, it is merely that we will remain on friendly terms; it is merely that we will not impinge upon each other's rights; and that is already provided in treaties solemnly set down.

In considering the method of treatment of this particular document, as compared to that accorded the Versailles treaty, I am afraid that my friend from Massachusetts [Mr. LODGE] takes a little different view of something which emanates from the White House to-day and something which came from the White House about three years ago.

Mr. President, there are a number of Senators who want to speak on this treaty. Is it the purpose of the Senator from Massachusetts to try to get a vote on it to-day?

Mr. LODGE. Mr. President, I do not expect to get a vote on the treaty to-day, but I am desirous of proceeding with the debate as long as possible this afternoon. I think it is not unreasonable to ask that the treaty shall be debated and voted on at the earliest possible moment.

Mr. REED. So far as I am concerned, I expect really to discuss the treaty one of these days pretty soon, but I am not prepared to do so now.

Mr. LODGE. Then, Mr. President, I think we might go ahead and deal with the articles of the treaty.

Mr. REED. If we are to vote on the articles, we might as well vote on the treaty, for there are only four articles.

Mr. LODGE. I have no desire to hurry any Senators, but I think it is not unreasonable, after a week's time has been given, to ask that the debate shall go forward.

Mr. ROBINSON. Mr. President, I suggest to the Senator from Massachusetts that the Senator from Iowa [Mr. CUMMINS] has heretofore brought before the Senate a bill of importance and is probably now ready to discuss it. It seems that there is no Senator who cares to go on with the discussion of the treaty this afternoon. I myself expect to submit some remarks on the treaty, but I should prefer not to do so this afternoon. I suggest, if the Senator from Massachusetts is not ready to have the Senate adjourn, that the Senator from Iowa be permitted to take up what is known as the judiciary bill.

Mr. LODGE. Mr. President, it is my desire to get these treaties out of the way in order to clear the path for the bill of the Senator from Iowa, the appropriation bills, and the tariff bill, but I shall not be able to do so if the treaties are put over day after day and day after day and debate is permitted to drag. All I ask is debate. I do not expect a vote on the treaty now.

Mr. ROBINSON. So far as I am advised—and I think I am pretty well informed respecting the situation—there is no disposition among Senators unduly to prolong the debate. It is the desire of all Senators that within a reasonable time the debate shall be brought to an end and that the treaty be disposed of. We have to-day been proceeding for some hours; it is rather late to begin my speech; I could not conclude this afternoon; and I should, therefore, prefer not to go on now.

Mr. LODGE. I do not want to press the Senator from Arkansas to go on this afternoon if he does not desire to do so.

Mr. ROBINSON. If the Senator from Massachusetts insists upon it, however, I shall have to do so.

Mr. LODGE. But I thought we ought to try to continue the debate on the treaty and devote the days to it steadily or else fix a day when a vote on it may be taken.

Mr. ROBINSON. In connection with that suggestion, I wish to point out the fact that on yesterday, before any advocate of the treaty had discussed it, the Senator from Massachusetts announced that unless some Senator was ready to take the floor to-day he would insist upon a vote on the treaty. Subsequently, however, he announced that he himself would discuss it, and to-day he has delivered an address respecting the subject.

Mr. LODGE. Mr. President, if the Senator from Arkansas will allow me to interrupt him, I desire to say that the Senator from Indiana [Mr. NEW] spoke at length upon the treaty on Monday; the Senator from Minnesota [Mr. KELLOGG] spoke at length on Tuesday; therefore there have already been three speeches made in behalf of the treaty.

Mr. ROBINSON. But there have been an equal number of speeches made to-day in what may be termed opposition to the treaty.

Mr. LODGE. Yes; I am aware of that, but I want all of the speeches on both sides to be made as soon as possible; that is all. I think that is not unreasonable. I am glad that the Senator from Arkansas thinks there is no disposition unduly to delay the treaty.

Mr. ROBINSON. I am sure there is not; and I am sure that the Senator from Massachusetts will accomplish nothing by attempting to press the debate at this time. I think it is only reasonable that the Senate be afforded an opportunity to consider the subject with some degree of deliberation. If there were the slightest disposition to conduct what is commonly called a filibuster, I should not make the statement that I now make, but there is no such disposition.

Mr. LODGE. I am sure there is not.

Mr. ROBINSON. The treaty should not be disposed of immediately.

Mr. LODGE. I do not expect to vote to-day; I want to give all reasonable time for debate; but I know from long experience in the Senate that if but one speech is made on the subject in a day, and then the Senate proceeds with something else, the treaty will drag on for a long time. I do not want these treaties to drag on; I want to get a vote. I do not desire to inconvenience Senators, and if they will name some reasonable day when we may agree to take a vote I shall be content.

Mr. ROBINSON. It would not be possible at this time, I am sure, to fix a day for a vote, although that may be done later on.

Mr. LODGE. Then, of course, the Senator must see that, being in charge of the treaty and being anxious to get results, I have no choice except to keep Senators here and press the treaty for consideration.

Mr. ROBINSON. Of course, the Senator recalls that there was another treaty a year or two ago which was before the Senate for many months, and it was chiefly through his instrumentality and his leadership that it was kept here for that length of time. I repeat the statement that there is no disposition, certainly not on this side of the Chamber, to protract the debate unduly; but it is now approximately 4.30 o'clock, within 30 minutes of the time when the Senate usually adjourns, and if the Senator is unwilling to adopt some other course of procedure, I shall ask that the Senate adjourn or recess, although I prefer not to do that.

Mr. LODGE. I do not mean, in any event, to keep the Senate here after 5 o'clock on this question, and I am perfectly willing that the Senate take a recess now, but——

Mr. ROBINSON. I suggest that the Senator ask that that be done.

Mr. LODGE. I am perfectly willing that that shall be done, unless the Senator from Iowa cares to go on for a time with the bill which he has in charge. I do want to give notice, however, that I feel I have no choice, and that I must ask that

the Senate either agree to a day to vote or else proceed with the debate on the treaty. I think that is not an unreasonable request.

Mr. ROBINSON. I think the Senate has been debating this subject with fair diligence.

Mr. LODGE. It has to-day; yes.

Mr. ROBINSON. Since the treaty has been before the Senate, the Senator from Massachusetts himself has not discussed it until during the present day.

Mr. LODGE. That is so.

Mr. ROBINSON. Of course, I hardly think that, with his experience and training in these matters, he would expect the Senate to take a vote on so important a question until the chief proponents of the treaty have discussed it and given others an opportunity to reflect upon their judgment.

Mr. LODGE. I think it is only proper that there should be a reasonable time allowed Senators who desire to speak; but, as I look at it, I have no choice, except to press the treaty for discussion or for a vote; that is all.

Mr. CUMMINS. Mr. President, I may say, for the information of the Senator from Massachusetts, that I am very anxious to secure consideration for the bill to which reference has been made; but I think it would serve no useful purpose to bring it up at this hour in the afternoon. I, at least, want enough time to explain the bill continuously, and not to be interrupted by a recess or an adjournment. That I could not promise to do by 5 o'clock. Therefore it seems to me wise not to bring it up at this time.

Mr. LODGE. There is no necessity of adjourning at 5 o'clock, if the Senator desires to go on with the bill.

Mr. CUMMINS. I thought the Senator from Massachusetts suggested that we would not continue the session after 5 o'clock.

Mr. LODGE. I stated what my intention had been. I should be very glad, however, to continue, so far as I am concerned, until the Senator has had time to present and explain his bill. We make rather short hours in the Senate now.

Mr. OVERMAN. Mr. President, it would not be wise to proceed now with the consideration of the bill of which the Senator from Iowa is in charge. There is going to be considerable debate upon that bill; there will have to be a quorum called. It is now half-past 4 o'clock, and I suggest that we should not proceed with that bill at this time.

Mr. CUMMINS. I am quite willing to take it up if I can have any assurance that the Senate will remain in session for an hour or an hour and a quarter.

Mr. LODGE. I think that that assurance ought to be given. I am ready to give that assurance, so far as I am concerned.

Mr. POMERENE. Mr. President, I wish to suggest, with regard to the four-power treaty, that whatever opposition there is to the various treaties for the most part surrounds this particular treaty, in which there are some important questions involved. I am one of those who expect to support that treaty on the final vote, and I think we have been making reasonable progress thus far. The Senator from Alabama [Mr. UNDERWOOD], I understand, intends to address the Senate upon the subject, and the Senator from Arkansas [Mr. ROBINSON] has just indicated his intention so to do, and there are some other Senators who perhaps will speak. I do not think it can be said that we have not been making reasonable progress; and I hope that at this particular time an effort will not be made to fix an hour for a vote. I do not believe anything will be gained by it.

Mr. LODGE. I shall not attempt it at this time. On the contrary, I am perfectly willing to move that the Senate proceed to the consideration of legislative business.

Mr. SHIELDS. Mr. President, before the conclusion of this debate I shall make some observations myself with regard to the treaty. I am not prepared to do it now, but I am sure there will be no delay from anything I say. Of course, the argument I shall make against the ratification of the treaty is simply the argument that I presented against the covenant of the League of Nations some two years ago. There is so little difference that I think it will fit this case, and I certainly shall not cause any delay.

Mr. CUMMINS. Mr. President, I think probably it would be wiser not to proceed with the so-called judges' bill this afternoon. It will be necessary to secure a quorum, because many Senators who are interested in the bill are not present.

Mr. ROBINSON. I suggest to the Senator from Massachusetts that we take a recess or adjourn, whichever he prefers.

Mr. LODGE. I am going to ask for an executive session with closed doors.

Mr. KING. Mr. President, would the Senator object to going into legislative session and permitting me to call up for consideration the resolution that I asked to have considered yesterday in regard to the furnishing of certain information by the Alien Property Custodian?

Mr. LODGE. No; I have no objection to going into legislative session for that purpose.

I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to, and the Senate resumed its legislative session.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that Hon. JOSEPH WALSH, of Massachusetts, was elected Speaker pro tempore of the House to discharge the duties of the Chair during the absence of the Speaker, not to exceed 10 days.

The message also announced that the House disagreed to the amendments of the Senate to the bill (H. R. 10101) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DAVIS of Minnesota, Mr. EVANS, and Mr. JOHNSON of Kentucky were appointed managers of the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker had signed the enrolled bill (H. R. 10161) authorizing the use of special canceling stamps in certain post offices, and it was thereupon signed by the Vice President.

PRINTING OF TREATIES OF 1914.

Mr. LODGE. I am informed that the print of the general peace treaties of 1914 is exhausted, and as there is some demand for copies I ask leave to have it reprinted.

The VICE PRESIDENT. Without objection, it is so ordered.

PETITIONS AND MEMORIALS.

Mr. WILLIS presented a petition of the commerce and marine commission of the American Bankers' Association, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament without inconsequential and discrediting reservations, which was ordered to lie on the table.

Mr. FRANCE presented a resolution adopted at a mass meeting of citizens of Easton and Talbot County, Md., called by the League of Women Voters, protesting against the ratification of the pending four-power treaty in its present form, which was ordered to lie on the table.

Mr. NELSON presented a letter in the nature of a memorial from Charles E. Cotton, secretary and executive officer of the Minnesota Live Stock Sanitary Board, of St. Paul, Minn., remonstrating against a change in the policy of the Department of Agriculture as to indemnities paid for cattle killed in the eradication of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

Mr. LADD presented petitions of the Greenfield Community Club, of Greenfield; P. Mauch and 12 others, of Goodrich; A. M. Willey, of Cleveland; Alfred Solberg and 3 others, of Quinion; and Otto Olson and 3 others, of Oriska, all in the State of North Dakota, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a resolution adopted at the Twenty-fifth Annual Convention of the American National Live Stock Association, at Colorado Springs, Colo., January 12, 1922, favoring the imposition in the pending tariff bill of ad valorem duties of 20 per cent on hides, 30 per cent on live stock, and 20 per cent on fresh and prepared meats, with a minimum of 4 cents per pound, which was referred to the Committee on Finance.

Mr. TOWNSEND presented a resolution adopted by the Michigan State Veterinary Medical Association, favoring inclusion in the so-called Lehlbach reclassification bill of Federal employees in the field service outside of the District of Columbia as well as those in the District of Columbia, which was referred to the Committee on Civil Service.

He also presented a resolution adopted by the Cheboygan County (Mich.) Farm Bureau, favoring acceptance of the proposal of Henry Ford relative to the Muscle Shoals project, which was referred to the Committee on Agriculture and Forestry.

He also presented three petitions of sundry citizens of Detroit, Mich., praying for the acceptance of the proposal of Henry Ford relative to the Muscle Shoals project, which were referred to the Committee on Agriculture and Forestry.

Mr. McLEAN presented petitions signed by 48 employees of the Glastonbury Knitting Co., of Glastonbury; 42 employees of the Abbott Ball Bearing Co., of Hartford; 160 employees of the Berbecker & Rowland Manufacturing Co.; 45 employees of the Blake & Johnson Co.; 40 employees of the Waterbury Fastener Co., and 37 employees of the Waterbury Steel Ball Co., of Waterbury, Conn.; and 6 employees of the Henderson Bros. Co., all in the State of Connecticut, praying for inclusion of the American valuation plan in the pending tariff bill so as to better meet foreign competition and maintain the American standard of living, which were referred to the Committee on Finance.

He also presented petitions of sundry members of Charles B. Bowen Camp, No. 2, of Meriden; A. C. Tyler Auxiliary, No. 14, Department of Connecticut, of Willimantic; and Frederick A. Hill Camp, No. 15, of Stamford, all United Spanish War Veterans in the State of Connecticut, praying for the passage of the so-called Knutson bill providing increased pensions for widows of Spanish War veterans, which were referred to the Committee on Pensions.

He also presented a letter in the nature of a petition of sundry citizens of Hartford, Conn., praying for the passage of the so-called soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented a resolution adopted by Local Union No. 90, International Brotherhood of Electrical Workers, of New Haven, Conn., favoring the passage of the so-called soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented the petition of E. Stanley Welles, of Newington, Conn., praying for the relief of the suffering peoples of Austria by deferring payment of Austria's debt for 20 years, which was referred to the Committee on Finance.

He also presented a telegram and letters in the nature of memorials from the Rotary Club, the chamber of commerce, and the principal of the New London Vocational School, all of New London, Conn., remonstrating against the removal of the submarine base located at New London, which were referred to the Committee on Naval Affairs.

He also presented a resolution adopted at a mass meeting of sundry citizens of Lithuanian descent held at the St. George Lithuanian Parish Hall, Bridgeport, Conn., on February 16, 1922, protesting against the occupation of Vilna, Lithuania, by the Polish Government and urging the recognition of the Republic of Lithuania by the United States, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by Lady Parnell Branch, No. 1050, Irish National Foresters, of Hartford, Conn., favoring the sending of an American ambassador to Ireland, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Court of Common Council, of Hartford, and the Personal Liberty League, of Meriden, both in the State of Connecticut, favoring amendment of the Volstead Act so as to permit the manufacture and sale of light wines and beers and the levying of a nominal tax thereon to pay the soldiers' bonus, which were referred to the Committee on Finance.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that on March 7, 1922, they presented to the President of the United States the following enrolled bills and joint resolution:

S. 1312. An act to amend the charter of the Potomac Insurance Co. of the District of Columbia;

S. 2492. An act to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes," approved June 30, 1921; and

S. J. Res. 125. Joint resolution to continue the military status of persons deserting the military or naval service during the World War and the amenability to trial of those persons who failed to comply with the terms of section 5 of the selective service law.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

A bill (S. 3252) to amend paragraph 8 of the act entitled "An act relating to the Metropolitan police of the District of Columbia," approved February 28, 1901, as amended; and

A bill (S. 3253) to amend an act entitled "An act for the prevention of smoke in the District of Columbia, and for other purposes," approved February 2, 1899; to the Committee on the District of Columbia.

By Mr. CALDER:

A bill (S. 3255) to amend section 5136, Revised Statutes of the United States, relating to corporate powers of associations, so as to provide succession thereof until dissolved, and to apply said section as so amended to all national banking associations; to the Committee on Banking and Currency.

By Mr. FLETCHER:

A bill (S. 3256) for the relief of A. L. Gramling (with accompanying papers); and

A bill (S. 3257) for the relief of H. B. Stout (with accompanying papers); to the Committee on Claims.

RURAL HOMES.

Mr. McNARY, from the Committee on Irrigation and Reclamation, reported a bill (S. 3254) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces of the United States, and submitted a report (No. 542) thereon. The bill was read twice by its title.

ATTORNEYS EMPLOYED BY ALIEN PROPERTY CUSTODIAN.

Mr. KING. Mr. President, I ask for the present consideration of the resolution submitted by me on yesterday. I ask to have it read.

The VICE PRESIDENT. The resolution will be read.

The reading clerk read Senate resolution 253, submitted by Mr. KING on the 7th instant, as follows:

Whereas the Senate on January 5, 1922, passed a certain resolution requiring the Alien Property Custodian to report to the Senate the names of all attorneys who have been appointed or employed by the Alien Property Custodian, together with certain other information specified in said resolution; and

Whereas the Alien Property Custodian has failed and neglected to respond to said resolution, although ample time has intervened since the passing of the same for him to report to the Senate the information requested: Now, therefore, be it

Resolved, That the Alien Property Custodian be, and he is hereby, directed to forthwith report to the Senate the information requested of him in said resolution.

Mr. KING. Mr. President, out of consideration for the Alien Property Custodian, as I have not heard his excuse, I ask that the words "and neglected" be stricken out, so that it will read "has failed." I do not want to pass judgment in advance, but will rest the matter entirely upon the failure of the custodian to furnish the information required.

The VICE PRESIDENT. The Senator from Utah asks unanimous consent for the immediate consideration of the resolution. Is there objection?

There being no objection, the Senate proceeded to consider the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution as modified.

Mr. WADSWORTH. Mr. President, upon yesterday the Senator from Utah introduced this resolution, which, in mandatory fashion, directs the Alien Property Custodian immediately to comply with Senate resolution No. 191, introduced by the Senator from Utah on January 5 last, the implication, of course, being that the Alien Property Custodian has been negligent in failing to comply with the request of the Senate for this information. I think when the Senate realizes what the resolution of the Senator from Utah required the Alien Property Custodian to do, it will understand why that officer has been utterly unable to comply with the request prior to this time.

I have before me a copy of the original resolution. The Alien Property Custodian is required to report to the Senate the names of all attorneys who have been appointed or employed by the Alien Property Custodian and their compensation; the names of all attorneys, directors, supervisors, managers, auditors, or other agents appointed by the Alien Property Custodian to take care of or to have the administration of property, with the compensation paid to each; the names of all attorneys appointed or employed by corporations, agents, or individuals who have been or are acting as administrators or caretakers of property, and the compensation paid to each; the names of all attorneys who have represented or who now represent claimants to property under the control of the Custodian; the names of all attorneys who have represented claimants to whom property has been returned and the compensation allowed each of them; and a statement and description of all property sold by the Alien Property Custodian, with the names of the corporations or persons to whom sold and the amount received therefor.

Mr. President, I am informed from the Alien Property Custodian's office that ever since the receipt of this request from the Senate a force of clerks in that office of varying size has been steadily at work. The task of complying with this request is not yet finished; but up to date, let me say for the information of the Senate, the report comprises 3,500 typewritten pages, and it is not finished yet.

Mr. KING. Mr. President, will the Senator yield?

Mr. WADSWORTH. I yield.

Mr. KING. The law, as the Senator knows, requires the Alien Property Custodian to submit on the 1st of January of each year a full and detailed statement of all of his proceedings under the trading with the enemy act. I am advised that for the present year no report has been filed. Indeed, only one report has been filed since the appointment of an Alien Property Custodian.

Mr. WADSWORTH. Has the Senator looked up the law?

Mr. KING. I have read the law to which I refer, requiring the filing of a report by the President on the 1st day of January of each year.

Mr. WADSWORTH. Is it not a fact that the Alien Property Custodian makes the report upon the request of the President?

Mr. KING. The President of the United States is directed to file the report on the 1st of January of each year; and I presume, of course, that the Alien Property Custodian is the one who will make the report.

Mr. WADSWORTH. But the Senator will find that no such report as the one which he now requires is contemplated, or could have been contemplated.

Mr. KING. Of course, I differ from the Senator as to that.

Mr. WADSWORTH. I have sample pages of the report which the Senator insists upon. It is going to cost hundreds and hundreds of dollars to print it as a Senate document, in addition to the expense required by the clerical force, which has been working on it up to date every day. It now consists of 3,500 pages, and the end is not in sight.

When a resolution goes up to the Alien Property Custodian which asks him for a statement and description of all property sold by the Alien Property Custodian, with the names of the corporations or persons to whom sold, and the amount received therefor, we had better understand what we are asking for. There are properties sold here for as small a sum as $1; others for $1.25, for $2, for $4—tiny, little, trifling sums. Every one of them has to be hunted up, the name of the person to whom sold, and the amount. There are 8,000 attorneys under one category, I am told by the Alien Property Custodian; that is, the attorneys who have represented claimants to whom property has been returned. Ten different branches of work have to be investigated in order to get all this information together. Ten groups of employees at one time or another have to cooperate in getting it all together.

I am quite certain that neither the Senator from Utah nor the Senate itself understood that it was imposing such a terrific task upon the Alien Property Custodian.

I am not moving to rescind, if it were possible in a parliamentary sense to do so, the original resolution, but I do protest against the adoption of this resolution, which implies that the Alien Property Custodian has been negligent. He has not been negligent. We have burdened him with an amount of work which his office is utterly unfitted to undertake, especially as that office has been cut down to a considerable degree, due to the reduction in appropriations, from the personnel as it existed prior to the advent into office of the present custodian. Instead of 175 clerks, which was the number in the office a year ago, there are to-day 130. Instead of an appropriation of $455,000, it has to-day an appropriation of $375,000. If the Congress is going to impose these burdens on these officers in compiling a report which will weigh pounds and pounds—it will be difficult for a man to carry it in here—we shall have to be a little patient with them and display some confidence in their loyalty to the Government and some understanding of the difficulty of the task that we have imposed upon them.

Mr. President, I therefore move that this resolution be referred to the Committee on Finance.

Mr. KING. Mr. President, the law which was passed by Congress created the office of Alien Property Custodian. Under that law Mr. Palmer was appointed. Subsequently, when he went into the Cabinet, Mr. Garvan was appointed, and later the present occupant of the office, Mr. Miller, was appointed. The law requires that there shall be submitted by the President to Congress on the 1st of January of each succeeding year a full and complete report of the proceedings under the law. If the information called for by this resolution is not available, it exhibits the fact that the office has not kept suitable records and suitable books.

Mr. WADSWORTH. Mr. President, has anybody said that the information is not available? Every bit of it is available.

Mr. KING. I am not so sure what the implication is that others might have drawn from the remarks of the Senator, but I drew from his remarks the inference that much of that information was not available.

Mr. WADSWORTH. I do not see how the Senator could. I merely said that this was a tremendous task, which they had not finished.

Mr. KING. I submit that if the books of the department had been kept in a proper way—and perhaps they have been kept in a proper way—the information, or much of it, could have been collated and put into proper form in a very short time. I think all of that information ought to be available for the use of the Congress. We seized several hundred million dollars' worth of property belonging to German and Austrian nationals and to American nationals and to nationals from Switzerland and from other countries. Some of the seizures were improper. We have sold considerable property which was seized by the Alien Property Custodian, though there may be a very serious question as to the rightfulness of the sales which were made. We ought to know to whom property has been sold, and the Alien Property Custodian ought to know to whom property has been sold, and the amount received therefrom.

Whenever property is seized the Alien Property Custodian ought to have a record of it, a record of from whom it was taken, the character of trust which is created, and the person in whom possession of the property is left. Considerable of the property which was seized consisted of corporations or the corporate property of corporations. Many of those corporations have been continued in the charge of directors nominated by, or perhaps indicated by, the Alien Property Custodian. Those directors have employed superintendents and lawyers, and those superintendents and lawyers in many instances have been paid for their services, I will not say large sums, but sums out of the funds which came into their hands.

The office of the Alien Property Custodian ought to be familiar with all the attorneys, the agents, and persons in charge of these properties, and they ought to know what has been paid to them, because sooner or later we will have to give an account of our stewardship, we will have to make an accounting to the owners of the property, and if we have sold the property we will have to account for it. If we have converted it, we must make reparation. If we have paid large sums to lawyers and to custodians, we will have to give the names of those to whom payments have been made and the amounts which have been paid to them. If that information is not in the possession of the Alien Property Custodian, it should be. If it is in his possession, it ought to be in such shape that it could be easily collated.

I am not asking anything unreasonable. If the time which has been given is inadequate, if the Alien Property Custodian in good faith is proceeding to obtain this information, and to answer the demands of the Senate and requires additional time, I have not the slightest objection to giving him whatever reasonable time may be required.

If I understand the Senator from New York, he has had some conferences with the Alien Property Custodian, and as a result of those conferences, or as a result of information which he has received, it is his opinion that an unreasonable time has not been consumed in the preparation of the data asked for, and that additional time should reasonably be granted for that purpose. Is that the position of the Senator?

Mr. WADSWORTH. Most certainly. I think the adoption of the resolution would be a useless reflection upon an honest officer.

Mr. KING. I think the officer should have communicated more fully with the Senate, stated the length of time which he thought would be required, and asked for additional time, or stated that he could not furnish the information within the time which the resolution seemed to contemplate.

Mr. WADSWORTH. It is hard to say just what the duty of an officer is under circumstances of that sort; but, Mr. President, the Senator from Utah might have informed himself before offering this second resolution.

Mr. KING. Mr. President, the person who was directed to furnish the information might have informed the Senate.

Mr. WADSWORTH. There was no time limit fixed in the resolution.

Mr. KING. There was no obligation resting on me to run down to the office of the Alien Property Custodian and ask him why he had not answered the resolution adopted by the Senate. I do not know the purpose of the Senator from New York in conferring with him. Of course, it was entirely proper. He may have gone there for the purpose of informing himself as

to the reason why the resolution had not been complied with. I might have done it, but I did not. The Senator from New York, who did not offer the resolution, apparently did.

Mr. WADSWORTH. And as a result I got the correct information, and the Senator from Utah got none.

Mr. KING. I am not sure that the information the Senator has been given is correct. No doubt the Senator got some information. As to its correctness, that is a matter about which there may be a difference of opinion. I repeat that the Alien Property Custodian could have informed the Senate of the alleged magnitude of the task, and have indicated that further time was desired before complying with the request. I am perfectly willing that the resolution may go over for a few days so we may determine just exactly what course ought to be pursued, and I do that upon the strength of the statement made by the Senator from New York.

Mr. WADSWORTH. I move that it be referred to the Committee on Finance.

Mr. KING. I do not think it ought to be referred to the Committee on Finance. The first resolution was adopted by the Senate without being referred to the Committee on Finance. If the matter was worthy of reference to the Committee on Finance the first resolution should have gone to that committee. This is simply to determine whether certain information which has been demanded shall be produced.

Mr. WADSWORTH. Can not the Committee on Finance determine whether this man has been negligent or not?

Mr. KING. It does not need the Committee on Finance to determine whether he has been negligent. The resolution calls for this information. If the Alien Property Custodian requires additional time he can very easily communicate with the Vice President or with the Senate and state the facts, and there is no doubt in the world but what upon such representations the Senate will give him such reasonable time as he might require, and for that reason I am asking that the resolution lie over, in order to give him the time he might desire.

Mr. SPENCER. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Missouri?

Mr. KING. I yield.

Mr. SPENCER. The resolution as it is now framed does two things. In the first place, it clearly censures the Alien Property Custodian for not having more promptly answered the original resolution offered by the Senator from Utah. In the second place, it directs him to give the information which the original resolution called for.

Mr. KING. What words does the Senator construe as implying a censure?

Mr. SPENCER. When a resolution is offered requesting that certain things be done, and then, after a certain time a resolution is offered directing that it shall be done, there is no stronger censure which can be implied, and undoubtedly the Senator intended that there should be a censure of the Alien Property Custodian.

Mr. KING. The Senator knows that nearly every resolution which goes to a department directs them to furnish the information desired.

Mr. SPENCER. They are requests.

Mr. KING. No; most of them are directory.

Mr. ROBINSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Arkansas?

Mr. KING. I yield.

Mr. ROBINSON. The approved form, and one almost universally adopted when a resolution is sent to an executive department, is to direct the action of the department. When submitted to the President, the word "request" is used.

Mr. KING. I may say to the Senator that the first resolution I offered in the Senate, or was about to offer, I submitted to the Republican leader and to the Democratic leader, and in that resolution I had used the word "request," but they said that the universal practice when asking for information from departments was to use the word "direct."

Mr. SPENCER. The Senator is right.

Mr. OVERMAN. What was the interval of time from the offering of the first resolution and the offering of the second one?

Mr. SPENCER. Two months.

Mr. OVERMAN. Then he should be censured. The Senate adopted a resolution asking one of the officers of this Government to furnish a report, and he did not do it.

Mr. WADSWORTH. Does the Senator realize what was asked for?

Mr. OVERMAN. I do not realize at all what was asked for. Of course, the head of a department ought to be directed when the information is desired, but the Senator was unusually polite and requested him to furnish the information. I understand he has taken two months to answer the resolution. I do not know what was in the resolution. I did not hear what the Senator from New York said.

Mr. SPENCER. I thought I was recognized by the Chair. Am I mistaken?

Mr. KING. I have the floor, and I yielded to the Senator to ask me a question.

Mr. SPENCER. Then I will wait until I can get the floor, because I have something to say.

Mr. OVERMAN. The Senator from New York informs me that there is a large amount of information being gotten up, and that it is impossible for them to send it now. Of course, I do not want a man to do an impossible thing, but when a department head absolutely ignores a request of the Senate there ought to be something done by the Senate about it.

Mr. LODGE. During the last administration there were over 60 resolutions offered inquiring in regard to Mexico, and I do not think any of them were answered.

Mr. OVERMAN. The responsible parties should have been censured if they did not answer them. That does not alter this case at all. If they can furnish the information and do not, they ought to be censured.

Mr. SPENCER. The Senator from Utah [Mr. KING] and the Senator from Arkansas [Mr. ROBINSON] are entirely right; it was a direction in the first instance, and not a request, as I thought. But the difference in the two resolutions is precisely as great as it would have been if the one had been a request and the other a direction, because the original resolution directed that the information be given, in accordance with what the Senator has said is the usual custom. The pending resolution is that he be directed to forthwith report to the Senate, which, of course, implies that he has information which he ought to have transmitted to the Senate before, and that he must do it at once.

Those resolutions are a fair illustration of what I have seen more than once in the Senate; that is, the extravagant demand for the impossible. I wonder if the Senator from Utah has any idea that there are 40,000 trusts——

Mr. KING. I have said that on the floor twenty times.

Mr. SPENCER. That they differ in amount from $1.79 in one trust of which I happen to know, to $4,784,000 in another trust of which I happen to know. There may be larger amounts; there may be smaller amounts. In each one of those there are diversified interests. In some of them there are at least 12 parties having an interest, and when the Alien Property Custodian has a trust involving a certain sum of money, if any part of it is sold, if it is the furniture of a house and a single chair is sold an account must be kept of it, there may be literally hundreds of items in connection with each trust, or with each individual interest in each trust, and I would like to know as a matter of curiosity how much money it will cost to make up the report which I understand is being made up, at a length of which the Senator from New York has already spoken, in order to comply with this resolution. It is stupendous. It is not a request for a statement of fact or for a little information. It is a demand for the compilation of a tremendous volume. Sooner or later, of course, that will be compiled.

Mr. WADSWORTH. And it will never be read.

Mr. SPENCER. Of course it will never be read. Sooner or later that will be compiled, and, as the Senator from Utah says, it must be compiled. We must render to every estate a full account of everything we do in regard to it. But to say to the Alien Property Custodian that he must forthwith return to the Senate a report as stupendous as that is unfair, and the resolution ought to go to a committee to find out what the exact facts are. I doubt if the Senator from Utah knew the facts.

Mr. KING. Yes; I did.

Mr. SPENCER. I have confidence enough in his judgment to think that he would never ask for such an expensive, tremendous report, and then insist that within 60 days it be returned or that the Alien Property Custodian be censured by the Senate for not returning it.

Mr. KING. Mr. President, just a word or two in reply to my very vehement friends on the other side who have rushed with great impetuosity to the defense of the Alien Property Custodian. I know exactly what was in the resolution, and I drew it with deliberation; I will not say with malice aforethought, in the language of the indictments.

I knew that the information ought to be in the office of the Alien Property Custodian. I knew that the Alien Property Custodian ought to have a record of every trust. I knew from general report and from what little information I could obtain from the office that there were 40,000 or more trusts. I knew that some of the property had been disposed of. I knew that a

large number of attorneys had been employed by the Alien Property Custodian and a still larger number had been employed by organizations, corporations, and agents who had been intrusted by the Alien Property Custodian with the possession of property which had been seized. I knew that many of those corporations were paying to those attorneys, to agents, to superintendents, and to supervisors large sums of money out of the funds which they had seized, funds which ought to be conserved in order that in the end they might be returned to the legitimate and proper owners. I was apprehensive, I will say, that some of the information has not been kept or was not available. I knew that the information would be called for sooner or later, and I thought this was an appropriate time to call for the information.

I made inquiry for the report which was due on the 1st of January. It was not available. None had been filed. I made inquiry for the report which ought to have been filed on the 1st of January, 1920, as to the proceedings of the Alien Property Custodian for the preceding year. I was advised that that report had not been filed. My recollection now is, although I may be in error in regard to this, that only one report has been filed since the office of Alien Property Custodian was created.

Mr. OVERMAN. Mr. President, what does the resolution require the Alien Property Custodian to furnish? My first idea was that it asked him to furnish the number of employees. I did not know it had reference to every trust and all the property involved.

Mr. SPENCER. Mr. President, may I read to the Senator, by the courtesy of the Senator from Utah, what the Senator from Utah asks from the Alien Property Custodian?

Mr. KING. I yield.

Mr. SPENCER. The original resolution of the Senator from Utah reads as follows:

Resolved, That the Alien Property Custodian is directed to report to the Senate the names of all attorneys who have been appointed or employed by the Alien Property Custodian and the compensation which has been allowed to each, and the character of services performed by each; the names of all attorneys, directors, supervisors, managers, auditors, or other agents appointed by the Alien Property Custodian to take care of or to have the administration of property under the control of the Alien Property Custodian, with the compensation paid to each, or to be paid to each, by the Alien Property Custodian, or out of the trusts or trust funds in his custody; the names of all attorneys appointed or employed by corporations, agents, or individuals who have been or are acting as administrators or caretakers of property for the Alien Property Custodian, and the compensation paid to or to be paid to each; the names of all attorneys who have represented or who now represent claimants to property under the control of the Alien Property Custodian; the names of all attorneys who have represented claimants to whom property has been returned under section 9 of the trading with the enemy act—

The Senator from New York [Mr. WADSWORTH] informs me there are 8,000 of those alone—

and the compensation allowed each of such attorneys out of the trusts or trust funds subject to such claims—

And here is a bigger thing than all the others put together:

A statement and description of all property sold by the Alien Property Custodian, with the names of the corporations or persons to whom sold, and the amount received therefor; and a statement and description of all property seized or demanded by the Alien Property Custodian since the passage of the resolution declaring a state of peace to exist with Germany, Austria, and Hungary.

Every bit of that information ought to be on file in that office. Every bit of it ought to be subject to the inspection of those who are interested in it. Sooner or later it all ought to be published, and it ought to be available in case of need at any time. But to say that within a definite time it should be submitted to the Senate of the United States is an unfair imposition upon that office, and to criticize the Alien Property Custodian for not presenting it within 60 days is unjust.

Mr. KING. I do not know what criticism may be implied from the direction. I am not particular about that. Three months ago a resolution was presented and adopted asking for this information. I repeat, that if the Alien Property Custodian has not had ample time to submit it, and the task is very great, there is no doubt that he could have asked for additional time.

Upon a number of occasions since I have been in the Senate, when information has been asked by the Senate from the Secretary of War, he has communicated with the Senate and stated that it was impossible to furnish the information within a reasonable time, and asked if additional time would be permitted. If the Alien Property Custodian needs additional time, there is no difficulty in his obtaining it, and the Senate undoubtedly would extend whatever time was reasonable. I am not asking that he furnish information which he may not furnish, but when two months have gone by and he has not asked for any additional time I feel justified in offering the resolution to which I have referred.

Mr. WADSWORTH. Mr. President, it was apparent that the Alien Property Custodian understood and was aware of the size of the task and that he wanted the Senate to know something about it when he received the resolution when it was first passed. The Senator from Utah has left the impression here, or endeavored to leave it, that it was the duty of the Alien Property Custodian to inform the Senate of the size of the task. It so happens that under date of January 13 the Alien Property Custodian addressed a letter to the President of the Senate reading as follows:

ALIEN PROPERTY CUSTODIAN,
Washington, D. C., January 13, 1922.

To the PRESIDENT OF THE SENATE,
The Capitol, Washington.

SIR: Will you please inform the Senate, in answer to resolution No. 191, that I shall transmit the facts requested as soon as the same may be compiled.

It is respectfully suggested that the resolution covers the work of this office, from its beginning, October 6, 1917, to date, and thus the completion of the information will require a reasonable time consistent with the usual work.

The Senate is further advised that prior to the passage of the resolution this office had begun the preparation of a report substantially covering the information requested as covered in that section of the trading with the enemy act requiring an annual report to be transmitted to the President as soon after January 1 each year as is practicable.

Respectfully, yours,
THOMAS W. MILLER,
Alien Property Custodian.

So the Senator was mistaken.

Mr. KING. Oh, no; the Senator was not mistaken.

Mr. WADSWORTH. Mr. Miller wrote to the Senate, calling attention to the fact that he had received the resolution and would comply with it as soon as possible, and that it would take some time to do it. The Senator from Utah gave the impression a little while ago that it was the duty of the Alien Property Custodian to send some such message to the Senate, but that he had not done it.

Mr. OVERMAN. That was the cause of my remark. I thought he had treated the Senate with contempt.

Mr. KING. The impression which I sought to convey was that if the time—two months—which had been allowed was not sufficient, particularly in view of the mandatory provisions of the statute, and that on the 1st day of January the report which he says was being prepared was not filed, it seemed to me that it was quite proper that a resolution of that character should be introduced.

I think the Senator will bear me out that in some instances, where the statute is apparently mandatory, the report shall be made on the 1st of January, and if it is not made because of circumstances beyond the control of some executive officer, the time is extended within which to file the report. The Alien Property Custodian was required to file a full and detailed report——

Mr. WADSWORTH. Oh, no; I have the statute before me.

Mr. KING. I submit that that is a proper construction.

Mr. WADSWORTH. No such report as the Senator calls for.

Mr. KING. It was to be filed on the 1st day of January. The letter which the Senator has just read from Mr. Miller indicates that he is preparing the report which is called for by the statute and that it is substantially the same information as that called for by the resolution.

Mr. WADSWORTH. But not in such detail.

Mr. KING. The Senator read the language. I do not have it in mind.

Mr. WADSWORTH. I have the statute before me.

Mr. KING. The language I was speaking of is that contained in the letter. Will the Senator call attention again to the language of the letter wherein he refers to the statute and to the report which he is preparing?

Mr. NORRIS. What is the date of the letter?

Mr. WADSWORTH. January 13. The language is:

This office had begun the preparation of a report substantially covering the information requested as covered in that section of the trading with the enemy act requiring an annual report to be transmitted to the President as soon after January 1 each year as is practicable.

Mr. KING. Obviously the Alien Property Custodian considers that a report covering substantially the information which I have asked is required in January of each year, and had that report been forthcoming and filed this resolution would not have been introduced.

Mr. WADSWORTH. If that report had been forthcoming, it would not have satisfied the Senator from Utah. His request contains much more than the custodian is required to submit to the Senate—infinitely more. If the Senator will read the statute he will see that is correct. The truth of the matter is that the Senator from Utah has embarked upon a fishing excursion, and that he did not realize the ocean was so big and deep.

The act reads in part as follows:

Provided further, That the President shall cause a detailed report to be made to Congress on the 1st day of January of each year of all proceedings had under this act during the year preceding. Such report shall contain a list of all persons appointed or employed, with the salary or compensation paid to each.

Read in context with the rest of the section, that refers to the employees or appointees made by the President in the administration of the office of the Alien Property Custodian, not all the attorneys of claimants, former claimants, attorneys for existing claimants, not all the directors, storekeepers, guardians, and watchmen employed by corporations taking care of property which has been taken over by the Government. Nothing like that was ever intended, nor does it require a detailed statement of every single sale, even down to something that was worth $1.48, which I saw was the amount of one of the items. The law calls for—

A statement of the different kinds of property taken into custody and the disposition made thereof.

In other words, a general classification into kinds and character. It was never intended, and surely the Senator from Utah will not contend that this annual report was to cover all the details which his original resolution would cover. It could not possibly be.

Mr. KING. May I say to the Senator that I have no doubt the Alien Property Custodian under law, as trustee, owed it to the Government, as well as he owed it to the persons whose property was sequestered, to——

Mr. WADSWORTH. It is all a matter of public record. Anyone who is interested can go to the office and examine it.

Mr. KING. I was not able to complete my sentence. It was his duty to file a complete statement or to have a complete statement in his office of all property seized and all property disposed of. If the trustees of the property——

Mr. WADSWORTH. Mr. President, I did not yield for a speech. I should like to finish, if the Senator does not mind.

Mr. KING. I beg the Senator's pardon.

Mr. WADSWORTH. I have a letter from Mr. Miller, Alien Property Custodian, addressed to the Senator from New Jersey [Mr. FRELINGHUYSEN], who is absent to-day. The Senator from New Jersey had this letter placed in my hands. It is addressed to him under date of February 23, 1922, and I think it well that the letter should go into the RECORD. In that letter Mr. Miller said:

Replying to your personal note of February 20, I have not as yet sent to the Senate the information requested in Senate resolution 191, introduced by Senator KING.

It would seem, may I interpolate, that another Senator took the trouble to inquire why it had not come.

To date the compilation has taken 3,500 typewritten pages and my office is working overtime on same. I can not predict as to just when they will have it finished, but it will be some weeks, as I have reduced my force considerably and all this work has to be done in addition to the routine daily work, which is taxing them to the utmost as it is. You can use this information if you want, if your colleague from Utah complains about our delay on the floor of the Senate again.

Mr. KING. Mr. President, in view of the letter submitted and the statement of the Senator from New York, I have no objection to the resolution lying over, but I shall give notice to call it up again if, after a reasonable time, no further information is obtained. I shall not ask for its adoption, but I ask that it go over.

Mr. SPENCER. Mr. President——

The VICE PRESIDENT. Without objection——

Mr. SPENCER. Just a moment, Mr. President. I was in hopes the Senator would withdraw the resolution or else let it go to the committee. It is not fair to have the resolution lying on the table subject to being called up at any time when there may be few or many in the Chamber.

Mr. KING. I shall give notice to the Senator, who seems to be such an ardent champion of the Alien Property Custodian, when I intend to call it up.

Mr. WADSWORTH. Mr. President, I do not feel like withdrawing my motion.

Mr. KING. I suggest the absence of a quorum.

Mr. NORRIS. Oh, no; wait a minute and let us see if we can not reach a compromise.

Mr. KING. Very well.

Mr. NORRIS. I have been trying to get the floor in order to conciliate these fighting brigades which are on each side of me and which have filled me with a great deal of fear and trepidation.

Mr. President, the resolution, of course, in view of the disclosure of facts that has been made, ought not to be passed by the Senate. There is no reason why such a resolution should go to a committee calling for information. If we do anything with it at all, it ought to pass, but it is conceded now that the resolution ought not to pass, because the Alien Property Custodian is doing all he can to comply with the requirements of the first or original resolution. That is developed from the disclosure of the facts, particularly from the letter which has been read.

The Senator from Utah is willing that the resolution should lie on the table. It seems to me that is a reasonable compromise. I would not want to censure the Alien Property Custodian, and would not want to take any action that could possibly be construed into censure. It seems to me, and I think I am a disinterested witness, that he has been doing his duty, and has been doing the best he can to comply with the request of the Senate. At the same time I can see how the Senator from Utah might become impatient and offer the second resolution. It is all made plain now, and it seems to me that we ought to let the matter rest in statu quo.

I wish to say, Mr. President, I think the Senator from Utah, in introducing this resolution, is performing a public service. Everyone knows that there has been a great deal of talk and censure concerning the conduct of the Alien Property Custodian's office. We hear it everywhere on the streets; we receive inquiries in the mail; we hear Senators talking about it. Suggestions are being made, frequently vague and indefinite, about things that have been going on in regard to the conduct of that office and the immense millions of property that have come under its control. It is charged very often that favorite attorneys have been paid fabulous fees, and that other things along similar lines have happened.

The law provides that a report shall be made on the 1st of every January, but that report has not been made. That practically gives some ground for suspicion; but I hope when the report comes in it will make everything clear and that no fraud or any wrongdoing will be found to attach to the skirts of any person. At least, however, under the circumstances, the country ought to know the facts which are called for by the resolution of the Senator from Utah.

It is a difficult task to compile the information, perhaps, but it would not be so difficult if this office had been doing its duty and making the report which the law provides shall be made by the 1st of January in each year. That, I repeat, has not been done. It may cost considerable money to comply with the resolution, but we can not afford to let the question pass unnoticed. The country wants to know, and has a right to know, just what has been done with this property which is held in trust and which it is conceded belongs to somebody else, and Congress ought to be interested in knowing that it has been handled properly. I hope the information which may be obtained will disclose that none of the prevalent rumors are well founded and that the Government officials who have been holding trust property have clean skirts.

I should not like to have this resolution referred to a committee. It seems to me, I will say to the Senator from New York, if it is referred to a committee, under the circumstances, such action might be construed as a reflection upon the Alien Property Custodian. It would have been more reasonable to refer the first resolution, it seems to me, which merely called for information. Of course, nobody wants to see the resolution passed now, and if I were compelled to vote now I would vote against it; and yet I would not want to be required to vote, because a vote against the adoption of the resolution might be construed as an indication that the Senate does not want this information. The only question is whether the custodian should not be given a reasonable opportunity to furnish the information, which it seems to me, under the circumstances, he has not yet had. So, in my opinion, we ought to let the matter rest where it is for the time being.

Mr. WADSWORTH. Mr. President, if I can have a complete understanding with the Senator from Utah that he will not again bring up the resolution without due and proper notice, I shall withdraw my motion to refer, because I realize that there is not a quorum present, and I do not want to put the Senate to the inconvenience of having a quorum called.

Mr. KING. Of course, I shall be glad to give ample notice.

The VICE PRESIDENT. Without objection, the resolution will lie on the table.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10101) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PHIPPS. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the Vice President appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. PHIPPS, Mr. JONES of Washington, and Mr. GLASS conferees on the part of the Senate.

RIVER AND HARBOR IMPROVEMENTS.

Mr. JONES of Washington. Mr. President, I have two letters from the Chief of Engineers of the Army with reference to river and harbor projects which ought to be printed as Senate documents for use in connection with consideration of legislation having to do with the subject. I therefore ask unanimous consent that the two letters may be printed separately as Senate documents.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION.

Mr. JONES of Washington. If there is no further legislative business to be considered, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

Mr. LODGE. I move that the Senate adjourn until to-morrow at 11 o'clock a. m.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate, as in legislative session, adjourned until to-morrow, Thursday, March 9, 1922, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 8 (legislative day of March 7), 1922.

FIRST ASSISTANT POSTMASTER GENERAL.

John H. Bartlett to be First Assistant Postmaster General.

PROMOTIONS IN THE ARMY.

Bradfield Smock to be captain, Medical Corps.
Joseph Ignatius Martin to be captain, Medical Corps.
William Joseph Adlington to be captain, Dental Corps.
Frank Leslie Thompson to be captain, Field Artillery.
Robert Henry Lee to be major, Ordnance Department.
Charles Rocheid Forrest to be first lieutenant, Field Artillery.
Wykeham Dichman to be first lieutenant, Air Service.

POSTMASTERS.

ALABAMA.

Lucy Downing, Moulton.

COLORADO.

Charles Lawton, Fort Logan.
John W. Hultquist, Wray.

GEORGIA.

William H. Bowman, Alto.

ILLINOIS.

Charles Koenig, Brookfield.
Luther R. Trescott, Chebanse.
Henry P. Miller, Cobden.
Harry W. Corpe, Colfax.
Fred W. Diefenbach, Herscher.
Arthur L. Johnson, Rockford.
Frank B. Courtright, Sheridan.
Charles De Keuster, South Pekin.
John R. Fornof, Streator.

INDIANA.

Alice H. Firebaugh, Medaryville.

IOWA.

John H. Taylor, New Sharon.
Thomas F. Fawcett, Ocheyedan.

MISSISSIPPI.

John M. King, Durant.
Willie R. Smith, Richton.
Halbert M. Burch, State Line.

MISSOURI.

Arthur C. Packer, Adrian.
Arthur Rice, Alton.
Lester C. Snoddy, Ash Grove.
Walter C. Haferkamp, Augusta.
Thomas G. Leach, Buffalo.
Percy B. Kidney, Darlington.
Leland G. Riley, Eagleville.
John M. Atkinson, jr., Eldorado Springs.
Herold D. Condray, Ellsinore.
Edwin H. Vemmer, Gerald.
Clyde E. Jennings, Hollister.
Jesse L. Martin, Independence.
Albert D. Walker, Lathrop.
Guy Ridings, Middletown.
Taylor Fisher, New Franklin.
George W. Davies, Osceola.
Gustav C. Rau, Pacific.
Louis Alt, St. Louis.
John J. Schaper, Warrenton.
Oscar F. Schulte, Washington.
Albert W. Selway, Williamstown.

NEW JERSEY.

Charles H. Conner, Bayonne.
Joseph P. Quin, Hillsdale.
Michael A. Eganey, Lincoln.

NEW YORK.

Robert A. Weir, Canaan.
Otis G. Fuller, Central Square.
Joseph Cooper, Stanley.

NORTH CAROLINA.

Dan W. Hill, Asheville.
Walter F. Justus, Flat Rock.
Wiley C. Ellis, Garysburg.
Jenks Terry, Hamlet.
John M. Joyce, Madison.
Thomas H. Peele, Rich Square.
John W. Chambers, Roxboro.
John K. Brock, Trenton.
Hattie Speir, Winterville.

NORTH DAKOTA.

Ira L. Walla, Arnegard.
M. Evelyn Peavy, Egeland.
Olaf J. Bjella, Epping.

OHIO.

Charles E. John, Elida.
John W. Cole, South Webster.

OKLAHOMA.

Zack T. Pryse, Mangum.
James S. Goodwin, Stratford.
Claude Callaway, Tupelo.

PENNSYLVANIA.

Althea D. A. Busch, Fairview.

SOUTH DAKOTA.

William J. Ryan, Bridgewater.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 8, 1922.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed Heavenly Father, we give Thee thanks for the sacred gift of life. With us may the fundamental thing be to live wisely. For this high purpose may this great, strange, wondrous world be a schoolhouse in which we have a yearning sense of incompleteness. Let us remember each day to stress the unrealized, and thus grow in knowledge and wisdom. May thoughts, aspirations, and loves—all fine nobilities—fill up the open spaces of our lives. Let the full-toned music of peace bless our land and rest like a divine benediction everywhere. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPOINTMENT OF SPEAKER PRO TEMPORE.

The SPEAKER. The Chair would like to state to the House that he expects to leave to-night for an absence of about a week. He has the right under the rules to designate a Speaker pro tempore for three days, but he thought, perhaps, it would be preferable to the House instead of waiting until the three days were up and electing a Speaker pro tempore to do it now. He makes that suggestion.

Mr. MONDELL. Mr. Speaker, in view of the statement of the Chair and following the wish of the Chair I offer the following resolution.

The SPEAKER. The gentleman from Wyoming offers a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the Hon. JOSEPH WALSH, of Massachusetts, be elected Speaker pro tempore to discharge the duties of the Chair during the absence of the Speaker, not to exceed 10 days.

The question was taken, and the resolution was agreed to.

The SPEAKER. The Clerk will notify the President and the Senate.

Mr. GARRETT of Tennessee. Mr. Speaker, I hope and the House hopes that the Speaker will return entirely recovered. [Applause.]

The SPEAKER. The Chair thanks the gentleman.

Mr. MONDELL. And, Mr. Speaker, if I may add, we hope the Speaker will have a good time during his recovery. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. It is clear that there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ansorge	Fish	Kleczka	Robertson
Anthony	Fordney	Kunz	Rodenberg
Barkley	Free	Lampert	Rogers
Beedy	Gallivan	Lankford	Rossdale
Bell	Goldsborough	Larson, Minn.	Rucker
Blakeney	Gould	Layton	Ryan
Brinson	Graham, Ill.	Lehlbach	Sabath
Britten	Graham, Pa.	Linthicum	Sanders, N. Y.
Bulwinkle	Greene, Mass.	McCormick	Sisson
Burton	Greene, Vt.	McLaughlin, Nebr.	Slemp
Carter	Griffin	McLaughlin, Pa.	Snell
Chandler, N. Y.	Harrison	McSwain	Speaks
Chandler, Okla.	Haugen	MacGregor	Stafford
Clark, Fla.	Hawes	Mansfield	Steenerson
Connally, Tex.	Herrick	Merritt	Stiness
Coughlin	Hill	Mills	Sullivan
Crago	Himes	Morin	Sweet
Crowther	Hogan	Newton, Minn.	Taylor, Colo.
Curry	Ireland	Norton	Ward, N. Y.
Davis, Tenn.	James	O'Connor	Wingo
Doughton	Jeffers, Ala.	Ogden	Winslow
Drewry	Johnson, S. Dak.	Parrish	Wise
Dupré	Jones, Pa.	Patterson, N. J.	Wood, Ind.
Ellis	Kahn	Perlman	Young
Fairchild	Kennedy	Rainey, Ill.	
Fess	Kinkaid	Reber	
Fields	Kitchin	Riordan	

The SPEAKER. Three hundred and twenty-four Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The Chair appoints as consulting trustee of the National Training School for Boys Mr. NEWTON of Minnesota.

CALENDAR WEDNESDAY.

The SPEAKER. To-day is Calendar Wednesday, and the Clerk will call the roll.

When the Committee on Irrigation of Arid Lands was called—

APPLICATION OF THE RECLAMATION LAW TO IRRIGATION.

Mr. KINKAID. Mr. Speaker, by authorization of the House Committee on Irrigation of Arid Lands I call up for consideration the bill H. R. 4382.

The SPEAKER. The gentleman from Nebraska calls up the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 4382) to provide for the application of the reclamation law to irrigation districts.

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into the Committee of the Whole House on the state of the Union——

Mr. LITTLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LITTLE. How much time is to be given to debate, and how is it to be divided? I am a member of the committee, and I am opposed to the bill.

The SPEAKER. That is to be decided by the committee; but the rule provides two hours of general debate, one to those in favor of the bill and one to those against. The House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Connecticut [Mr. TILSON] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4382, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4382, which the Clerk will report.

Mr. LITTLE. Mr. Chairman, I desire to inquire as to the division of the time.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. KINKAID. Mr. Chairman, as I understand, there are two hours of time allotted, and I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. CANNON. Mr. Speaker, it is a short bill; let it be read.

The CHAIRMAN. Objection is heard, and the Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 4382) to provide for the application of the reclamation law to irrigation districts.

Be it enacted, etc., That in carrying out the purposes of the act of June 17, 1902 (32 Stats., p. 388), and acts amendatory thereof and supplementary thereto, and known as and called the reclamation law, the Secretary of the Interior may enter into contract with any legally organized irrigation district whereby such irrigation district shall agree to pay the moneys required to be paid to the United States, and in such event water-right applications on the part of landowners and entrymen, in the discretion of the Secretary of the Interior, may be dispensed with. In the event of such contract being made with an irrigation district, the Secretary of the Interior, in his discretion, may contract that the payments, both for the construction of irrigation works and for operation and maintenance, on the part of the district shall be made upon such dates as will best conform to the district and taxation laws of the respective States under which such irrigation districts shall be formed, and if, he deem it advisable he may contract for such penalties or interest charges in case of delinquency in payments as he may deem proper and consistent with such State laws, notwithstanding the provisions of sections 1, 2, 3, 5, and 6 of the reclamation extension act approved August 13, 1914 (38 Stats., p. 686). The Secretary of the Interior may accept a partial payment of the amount due from any district to the United States, providing such acceptance shall not constitute a waiver of the balance remaining due nor the interest or penalties, if any, accruing upon said balance: *Provided*, That no contract with an irrigation district under this act shall be binding on the United States until the proceedings on the part of the district for the authorization of the execution of the contract with the United States shall have been confirmed by decree of a court of competent jurisdiction, or pending appellate action if ground for appeal be laid.

SEC. 2. That patents and water-right certificates which shall hereafter be issued under the terms of the act entitled "An act providing for patents on reclamation entries, and for other purposes," approved August 9, 1912 (37 Stats. L., p. 265), for lands lying within any irrigation district with which the United States shall have contracted, by which the irrigation district agrees to make the payment of all charges for the building of irrigation works and for operation and maintenance, shall not reserve to the United States a lien for the payment of such charges; and where such a lien shall have been reserved in any patent or water-right certificate issued under the said act of Congress, the Secretary of the Interior is hereby empowered to release such lien in such manner and form as may be deemed effective; and the Secretary of the Interior is further empowered to release liens in favor of the United States contained in water-right applications and to assent to the release of liens to secure reimbursement of moneys due to the United States pursuant to water-right applications running in favor of the water users' association and contained in stock subscription contracts to such associations, when the lands covered by such liens shall be subject to assessment and levy for the collection of all moneys due and to become due to the United States by irrigation districts formed pursuant to State law and with which the United States shall have entered into contract therefor: *Provided*, That no lien reserved to the United States in any patent or water-right certificate heretofore and hereafter issued under the reclamation law shall be released unless and until the patentee or water-right applicant shall consent in writing to the assessment, levy, and collection of such tax by and through such irrigation district for the payment to the United States of the contract obligation: *Provided further*, That before any lien is released as provided in this act the Secretary of the Interior shall first favorably find and file a report in writing, which shall show that the irrigation district is legally formed and organized under the State law in which the irrigation district is situated, with full power to enter into such contract with the United States; and full power and authority to collect by assessment and levying all of the money then due, or to become due, and payable to the United States, by the irrigation district on all valid and now effective contracts and obligations by and from all water users holding land or entries within the district due the United States; and that the lands should be subject to assessment and levy, in accordance with the law under which the irrigation district is organized, for the collection of all money due the United States.

SEC. 3. That upon the execution of any contract between the United States and any irrigation district pursuant to this act the public lands included within such irrigation district, when subject to entry, and entered lands within such irrigation district, for which no final certificates shall have been issued and which may be designated by the Secretary of the Interior in said contract, shall be subject to all the provisions of the act entitled "An act to promote the reclamation of arid lands," approved August 11, 1916: *Provided*, That no map or plan as required by section 3 of the said act need be filed by the irrigation district for approval by the Secretary of the Interior.

The committee amendment was read, as follows:

Page 4, strike out, beginning with line 6, the remainder of section 2 and insert in lieu thereof the following: "*Provided*, That no such lien so reserved to the United States in any patent or water-right certificate shall be released until the owner of the land covered by the lien shall

consent in writing to the assessment, levy, and collection by such irrigation district of taxes against said land for the payment to the United States of the contract obligation: *Provided further*, That before any lien is released under this act the Secretary of the Interior shall file a written report finding that the contracting irrigation district is legally organized under the laws of the State in which its lands are located, with full power to enter into the contract and to collect by assessment and levy against the lands of the district the amount of the contract obligation."

The CHAIRMAN. The gentleman from Nebraska is recognized for one hour.

Mr. KINKAID. Mr. Chairman, I wish to be informed when I have spoken for five minutes.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Nebraska yield for a parliamentary inquiry?

Mr. LITTLE. As to the other hour, who controls that?

The CHAIRMAN. Under the rule the Chair would recognize some member of the committee who is opposed to the bill for one hour.

Mr. LITTLE. I am opposed to the bill, and I ask for recognition.

Mr. KINKAID. The gentleman from Kansas will be allowed to control half the time.

The CHAIRMAN. Is the ranking member on the minority side opposed to the bill?

Mr. HAYDEN. No; I think the gentleman from Kansas is entitled to recognition.

The CHAIRMAN. The Chair will recognize the gentleman from Kansas to control the other hour.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT.

Mr. DAVIS of Minnesota. Mr. Chairman, I move that the committee do now rise for the purpose of permitting me to ask for a conference on the District of Columbia appropriation bill.

Mr. KINKAID. I have no objection to that, and I yield for that purpose.

The CHAIRMAN. The gentleman from Minnesota moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 4382, and had come to no resolution thereon.

Mr. DAVIS of Minnesota. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 10101, being the District of Columbia appropriation bill, just passed by the Senate with certain amendments, disagree to all the amendments, and ask for a conference.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to take from the Speaker's table the bill H. R. 10101, disagree to the Senate amendments, and ask for a conference on a bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 10101) making appropriations for the government of the District of Columbia for the fiscal year ending June 30, 1923, and for other purposes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Speaker appointed the following conferees:

Mr. DAVIS of Minnesota, Mr. EVANS, and Mr. JOHNSON of Kentucky.

APPLICATION OF RECLAMATION LAW TO IRRIGATION.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4382), and the gentleman from Connecticut will take the chair.

The committee resumed its session, with Mr. TILSON in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 4382) to provide for the application of the reclamation law to irrigation districts.

The CHAIRMAN. The gentleman from Nebraska [Mr. KINKAID] is recognized.

Mr. KINKAID. Mr. Chairman and gentlemen, this Congress very laudably has passed several enactments for the benefit of agriculture. The bill which is before us for consideration now is intended for the further benefit of agriculture and it is intended to benefit real dirt farmers. It is intended to put all dirt farmers on an equal footing so far as the benefits of the Federal farm land bank act go. Its purpose is to afford farmers under Government reclamation projects equal opportunity with farmers in the humid regions to secure a loan of the Federal farm land banks. The Federal farm land bank act very appropriately provides that the mortgages taken shall constitute a first lien upon the mortgaged farm. The Federal reclamation law as amended provides that in the issuance of patents for farm units in certain cases—that is, where the payments have not all been made—in those patents it shall be specified that the Government retains a lien for the unpaid cost of construction.

This specific lien provided in the law stands in the way of farmers under irrigation projects, where they have not paid up for all the construction charges, securing loans from the Federal farm land banks. Now, the principal purpose of the bill in behalf of farmer water-users is to remove that obstacle, but at the same time not to impair the lien of the Government for the amount due it for the construction of the irrigation works, and the provisions of the bill will effect that end.

Mr. LONDON. Will the gentleman yield?

Mr. KINKAID. Just for a question.

Mr. LONDON. Now, the new lien that this law contemplates is a lien for taxes?

Mr. KINKAID. Yes; when an assessment and levy thereof is made, perhaps that becomes equivalent to a lien.

Mr. LONDON. Then it is a lien on the farm anyway; is it not?

Mr. KINKAID. Yes; it may be for that single assessment and levy thereof.

Mr. LONDON. What difference will that make, then, to the bank who is asked to make a loan to the farmer? Now, there is a lien called a mortgage. You intend to substitute for the now existing lien a lien for taxes. The amount of the lien will be the same. You are merely changing the name.

Mr. KINKAID. I am just getting to that. If I do not explain it sufficiently, ask further questions and I will undertake to answer them.

The bill provides in the first section that in carrying out the purposes of the act of June 17, 1902—in other words, the general reclamation law—that the Secretary of the Interior may enter into contract with any legally organized irrigation district whereby such irrigation district shall agree to pay the moneys required to be paid to the United States, and in such event water-right applications on the part of landowners and entrymen, in the discretion of the Secretary of the Interior, may be dispensed with. This language authorizes the taking of the district collectively, taking the lands of the district collectively, for the payment of the cost of the construction of the irrigation works, in lieu of holding each farm unit singly for its proportionate share of the cost of the construction.

The CHAIRMAN. The gentleman from Nebraska has consumed five minutes.

Mr. KINKAID. I shall have to take five minutes more until I can explain the bill.

The bill further provides that no contract with an irrigation district shall be binding until the proceedings organizing the district and contracting therewith shall be confirmed by a court of competent jurisdiction. And it further provides that after such confirmation it will be further necessary for the water users in each case, or the owner of the farm unit in each case, to contract in writing with the Secretary of the Interior that he will be bound by the new arrangement and will pay his proportionate share. The bill further requires that before the individual water user's lands are released from liability the Secretary of the Interior shall find that the proceedings are correct; that the district is formed in accordance with the laws of the State in which the district is situated, and that the contract binds the district fully for the liability of the payment of all the construction charges, which liability hitherto rested upon the separate farm units.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. KINKAID. Yes.

Mr. SANDERS of Indiana. Referring to the proviso at the bottom of page 2, just how is it meant that the proceedings shall be drawn into court? Is that an ex parte proceeding?

Mr. KINKAID. All parties are given notice. The laws provide specifically for that. The irrigation laws in each State provide specifically how they shall be brought into court.

They are to notify the individual water user, and a public notice is to be given that will bind the land, and in the decisions of the several courts it is held that it is an action in rem, and jurisdiction of the lands will be secured; even an individual owner may personally be missed.

Mr. SANDERS of Indiana. This proviso seems to contemplate that the authorization of the execution of a contract shall be brought in question in some way and decided by a court.

Mr. KINKAID. The Government may raise that question. The Government is at liberty to raise that question and any water user is at liberty to raise that question.

Mr. SANDERS of Indiana. That is just the point I wanted to clear up. Is it meant that none of these proceedings shall be considered legal until some one shall draw them in question,

and then the court shall adjudicate the question? Is it meant that a friendly suit shall be instituted?

Mr. KINKAID. It is meant that a confirmatory decree shall be essential before the contract shall go into operation.

Mr. SANDERS of Indiana. I wondered whether a friendly suit should be instituted to test the validity of the contract.

Mr. KINKAID. It is understood that a legally instituted suit shall be essential, and there need not necessarily be any strife, but it must conform with the statute. All the phases of the case must be placed before the court for its consideration.

Mr. SANDERS of Indiana. I think our Federal courts have held that before they take jurisdiction of matters of this kind it must be a real adversary proceeding and not for the purpose of settling the constitutionality. I wondered whether we were to authorize a friendly suit to be brought.

Mr. KINKAID. The courts have recognized that the confirmatory proceedings are adequate in every respect.

Mr. SANDERS of Indiana. This proviso seems to indicate that this contract to take over this lien must be adjudicated in some court, in some form of proceeding, before it shall be effective.

Mr. BIRD. In the nature of a declaratory judgment.

The CHAIRMAN. The gentleman from Nebraska has consumed five minutes more.

Mr. KINKAID. I shall have to take a few minutes more.

The lien having been properly discharged in consequence of the confirmatory decree of a court having competent jurisdiction, and that being followed by a favorable decision of the Secretary of the Interior, then the contract goes into operation, and thereafter the Government, instead of that specific lien, enjoys the right to make an assessment and levy through the irrigation district, or rather the irrigation district is required to make an assessment and tax levy for the amount required by the Government, and this assessment, when made and levied, becomes an obligation upon all the land within the district for the amount due the Government, and can be enforced by law as a levy and collection of a tax for municipal purposes may be enforced.

Mr. STEPHENS. Mr. Chairman, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. STEPHENS. The district is responsible, then, for the collection?

Mr. KINKAID. It is an agency for the collection.

Mr. STEPHENS. Also for the payment?

Mr. KINKAID. Also for the payment and itself liable therefor, and aside from the benefit it will be to these borrowers of the farm land banks, the Government, I am assured by the reclamation officials, will be provided with better security in every instance, because without this a good many of the lands that have been brought under irrigation will be subject to the payment required of the district, which, without this act, would not be so subject, and in many instances the security of the Government for the amount due it is materially increased.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. JOHNSON of Mississippi. How much does it cost to irrigate an acre of that land?

Mr. KINKAID. It may reach all the way from $20 to $100 an acre.

Mr. JOHNSON of Mississippi. I am speaking of this particular land in question.

Mr. KINKAID. All the semiarid West is involved.

Mr. JOHNSON of Mississippi. Not more than $100 an acre?

Mr. KINKAID. Well, there may be some instances where it costs more than $100 an acre.

Mr. JOHNSON of Mississippi. It averages from $20 to $100?

Mr. KINKAID. It might average $40 or $50.

Mr. STEPHENS. Mr. Chairman, will the gentleman again yield?

Mr. KINKAID. Yes.

Mr. STEPHENS. How does a district form an organization?

Mr. KINKAID. The district is formed first by the water users circulating a petition, embracing all the water users and all the territory to be affected and comprehended within the boundaries of the district; and then if a sufficient number shall sign the petition the county board is required to call an election for that purpose, and when the election is called and a majority votes for a district, then it is declared to be carried, and they take the further steps.

Mr. STEPHENS. That will comprise that irrigation district?

Mr. KINKAID. Yes; that will comprise that irrigation district.

Mr. LONDON. Is that by operation of State laws?

Mr. KINKAID. Yes; that is by operation of State laws exclusively.

Mr. BIRD. Mr. Chairman, will the gentleman yield for a question?

Mr. KINKAID. Yes.

Mr. BIRD. In the event a particular landowner has discharged all his obligations to the Government, will this permit the district then to put back the lien on his title?

Mr. KINKAID. Yes; even if he has paid his share. But those matters are thoroughly adjusted by the district as between water users. No one pays more than his share finally if it can be avoided.

Mr. BIRD. Does it make a lien of the district on his title?

Mr. KINKAID. No.

Mr. BIRD. Then the lien would not be against the entire district?

Mr. KINKAID. A lien would accrue to the Government eventually if it were necessary to a complete recovery on all the property in the district.

Mr. BIRD. That will be adjusted?

Mr. KINKAID. That will be adjusted by the district.

Of the numerous decisions made by the courts of last resort of the irrigation States of the semiarid West upholding the irrigation district laws passed by the States I shall cite a few of those estimated to be the leading cases.

They are Pioneer Irrigation District *v.* Walker (20 Idaho, p. 605), Knowles *v.* New Sweden Irrigation District (16 Idaho, p. 217), Little Walla Walla District *v.* Preston (46 Oreg., p. 5), Hall *v.* Hood River District (57 Oreg., p. 69), Anderson *v.* Grand Valley Irrigation District et al. (35 Colo., p. 525), O'Neill *v.* Yellowstone Irrigation District (44 Mont., p. 492), Board of Directors *v.* Peterson (4 Wash., p. 147), San Diego *v.* Linda Vista Irrigation District (108 Calif., p. 189), Modesta *v.* Tregea (88 Calif., p. 324), Board of Directors of Alfalfa Irrigation District *v.* Collins (46 Nebr., p. 411), Clark *v.* Cambridge et al. (45 Nebr., p. 798), Paxton-Hershey Co. *v.* Farmers' & Merchants' Co. (45 Nebr., p. 884), and Cummings *v.* Hyatt (54 Nebr., p. 35).

Of the several decisions made by the Supreme Court of the United States upholding the constitutionality of the irrigation district laws passed by the semiarid States of the West I cite the following: Fallbrook Irrigation District *v.* Bradley (164 U. S., p. 112, and 87 U. S., p. 165).

On the principle involved I cite also Cooley on Constitutional Limitations, pages 749, 750.

Mr. Chairman, I reserve the balance of my time.

Mr. KINKAID. Mr. Chairman, I yield five minutes to the gentleman from Arizona [Mr. HAYDEN].

Mr. HAYDEN. Mr. Chairman, when the reclamation act was passed in 1902 the law relating to the formation of irrigation districts in the Western States was not well developed. In the 20 years that have elapsed since that time every State where irrigation agriculture is practiced has adopted an irrigation district law. These State laws have been construed and interpreted by the courts until to-day there exists well-defined body of law with respect to irrigation districts, how they shall be created, what their functions and limitations are.

It was therefore but to be expected that when the original reclamation act was passed Congress should and did provide that for the money advanced by the United States for the construction of reclamation projects there should be obtained an individual promise to pay from each water user upon the several projects. If private land was included within a project there was a contract in the form of a water-right application between the owner of the land and the Government providing for the payment of the construction charge. If it was public land there was a reservation in the patent providing that the entryman would pay the amount due the United States. In each case there was created a first lien upon the land.

It has been demonstrated in the past two decades that by forming irrigation districts the community effort that is necessary to successfully develop a reclamation project can best be carried out. Anyone who stops to think will agree that a promise to pay made by all of the water users on a project, each one standing as surety for the other, is vastly better security for the repayment of the sums due to the United States than the individual obligations of water users, and that is why I unhesitatingly assert that the enactment of this bill provides a means whereby there will be less risk of the loss of any part of the money expended out of the reclamation fund. And this is the reason why it has been the practice of the Reclamation Service of late years, wherever a new project is to be undertaken, to require that an irrigation district be

organized under the laws of a State wherein the project is located.

The Federal farm loan act provides that nothing but a first mortgage shall be the basis for a loan, so that when applications were made by water users for loans on lands within projects where individual first lien contracts existed the Federal Farm Loan Board ruled that a first mortgage could not be given because of this first lien to the Government, and therefore no Federal farm loans have been made to water users on such Federal reclamation projects. But wherever an irrigation district exists the Federal land banks freely make loans exactly as if the land was within a drainage district, or a road district, or other legally organized municipal corporation having the power to tax the lands within its limits.

The Federal Farm Loan Board holds that the lien created by assessments levied by an irrigation district are no different than the lien for taxes due to a county or to the State, and therefore the water user can give a first mortgage upon his land.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. Gladly.

Mr. MANN. I asked the gentleman from Kansas [Mr. LITTLE] if irrigation districts were not organized now which agreed to pay taxes for water rights. I understood him to say that he did not know of any, and that no member of the committee had called his attention to any such case. May I ask the gentleman if that is not a very frequent method pursued under the reclamation act?

Mr. HAYDEN. Yes. The latest example is the King Hill project in Idaho, authorized three years ago by the sundry civil appropriation act, wherein it is specifically provided that a contract shall be entered into between the United States and an irrigation district organized under the laws of that State. There is no kind of an individual contract with any water user under that project.

Mr. LITTLE. Has it ever been decided in the courts of the United States?

Mr. HAYDEN. There has been no necessity for such a test, because the legality of the district was first decided by the courts of the State.

The question is asked, "If a water user had paid the full amount due can he then be taxed to make up the delinquency of his neighbor?" If a person is to receive no benefit his land should be left out of the district. But if his land is included in the district, the assessments are levied according to the benefits. There are many instances where one man must of necessity, because he receives a greater benefit, pay a greater tax, and as a practical matter the tax can be thus collected without difficulty.

Mr. STEPHENS. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. With pleasure.

Mr. STEPHENS. Then the man who has already paid his assessments to the Government will not be retaxed?.

Mr. HAYDEN. There is no practical difficulty about that.

Mr. BIRD. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. Yes.

Mr. BIRD. Could he be forced into the district?

Mr. HAYDEN. As I understand the law relating to the creation of a drainage district, or an irrigation district, or a road district, or a school district, or any other municipal organization, when the time comes to fix its limits, any person can successfully resist having his land included within the district by showing that he will receive absolutely no benefit from it. That is the general rule in regard to the creation of special municipal districts for particular purposes.

I can discuss this bill without prejudice because the two United States reclamation projects in my State have not been organized as irrigation districts and there is no immediate prospect that either of them will be. The Salt River Valley Water Users' Association, now in control of the Salt River project, was organized in the ordinary manner under the incorporation laws of the then Territory of Arizona. The association, as a corporation, has contracted with the Secretary of the Interior to pay the entire amount due each year for the construction of the project. For that reason this water users' association has been deemed by the Federal Farm Loan Board to be, in effect, an irrigation district and loans have been made to many farmers under the project.

The only applications that have been denied, which otherwise would have been approved, are in cases where there is a reservation in the patent as issued of a first lien to the United States for the construction charges remaining unpaid. In my opinion this is a mere technical objection, which should be waived by the Farm Loan Board, because, after all, the Salt River Valley Water Users' Association, as a whole, is fully and completely responsible for the entire sum due to the United States, and therefore this individual lien will never be enforced.

The operation and maintenance of the Yuma reclamation project is still in the hands of the United States Reclamation Service. The Yuma County Water Users' Association has not agreed to pay the entire construction charge, so that the only security that the Government has is evidenced by the promises to pay contained in the water-right applications made by the water users, each for himself and not for his neighbors. The existence of these individual first liens is the reason given by the Federal land bank for its refusal to make loans on lands within this project.

It is my honest judgment that such loans would be just as safe and without the slightest increase of risk of loss as loans now being made on lands within irrigation districts. The land is absolutely valueless without water, and, therefore, whoever owns it is certain to protect his water right by paying the sums due for reclamation charges. The Federal Farm Loan Board, however, insists that there can not be two first liens in existence at the same time on the same tract of land, and has thus far declined to approve applications for loans on lands within the Yuma reclamation project.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. KINKAID. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

The CHAIRMAN. The gentleman from Wyoming is recognized for 10 minutes.

Mr. MONDELL. Mr. Chairman, I do not think I shall use that much time.

Mr. Chairman, the national reclamation law provides that the construction charges shall be determined with a view of returning to the reclamation fund the estimated cost of construction of the project and shall be apportioned equitably. In practice the charges apportioned against the land are apportioned in proportion to the benefit derived from the construction of the project, and they may be much more per acre on one part of a project than upon another, depending upon the greater cost of construction on a particular unit of the project; depending upon whether or no the land had a partial water right before the project was undertaken, and therefore did not require a full and complete additional water right.

Several difficulties have arisen under the reclamation law that are sought to be cured by this legislation. Some of them grow out of the fact that the water user desires to have more to say and ought to have greater responsibility in connection with the management of the project. There are difficulties that arise from the collection of the charges from the individual. Much complaint arises from the fact that the water user on a reclamation project, although he may have paid a large proportion of the charges against his tract and may have a very large equity over and above the sum due the Government, can not secure a loan under the farm loan act because the reclamation lien is a prior and first lien upon his land. Those who propose this legislation have hoped to cure these situations by this bill.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I do.

Mr. LONDON. The gentleman from Arizona [Mr. HAYDEN] made a statement a moment ago to the effect that the Farm Loan Board during the last year or two had been considering these liens in the nature of a tax instead of a mortgage, and that they have been loaning money to farmers despite that. I understood the gentleman from Arizona to have made that statement a little while ago.

Mr. MONDELL. I did not hear the statement of the gentleman from Arizona. But it is clear that, as matters now stand, the Farm Loan Board can not make a loan to an individual upon these projects, the security for which shall be the land upon which the Federal Government has a prior lien. It is believed that it is wise to have organizations to which the Government shall look for the charges against the land on reclamation projects, rather than look to the individual directly. The Reclamation Service has for years encouraged the organization of irrigation districts, and there are now a dozen or more contracts outstanding, as I understand it, whereby the water users as a body, as a whole, become responsible for all of the charges. A very conspicuous case of that kind is the Salt River project, in Arizona. More recently the King Hill project has been organized into what I understand to be a municipal corporation. The Salt River project is not a municipal corporation, but is an organization of water users contracting with the Government.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I yield.

Mr. SANDERS of Indiana. In those districts to which the gentleman has just referred, does the United States Government retain no lien upon the land itself?

Mr. MONDELL. The United States Government has a contract with these people, and in case the contract is not carried out, then the original Government lien attaches. That is the form of those contracts.

Mr. SANDERS of Indiana. Yes. It strikes me under this proposed measure the Government is giving up its lien; that it has no lien whatever upon the real estate for the payment of these amounts due from the water users, and in lieu of the lien is obtaining a contract right with the irrigation district.

I have no doubt it is a very valuable contract right, and that the amounts will be paid; but, as I understand the act, the United States Government is surrendering all liens upon the land, so that the United States has no way of enforcing the liens as such, but must be dependent upon the irrigation district to get its money paid to it.

Mr. MONDELL. Assuming the organization of a legally formed municipal corporation, pledging all the land values within the project, it is very patent to everyone that the Government loan is better secured in that way than it would be by a direct lien upon the land held by the individual.

Mr. LITTLE. Will the gentleman yield right there?

Mr. MONDELL. In a moment. There has been some question raised by the gentleman from Kansas [Mr. LITTLE] and others as to whether or no it is possible to organize these districts in a legal form under which the obligation would clearly and unquestionably be binding; but there can be no question but what all of the water users who desire to do so may obligate themselves jointly on behalf of each and all, and if that is done, then there is no such thing as laying an obligation upon an unwilling party; and I assume that the gentleman from Kansas [Mr. LITTLE] will not take the position that men can not voluntarily obligate themselves as provided in this act.

Having already severally obligated themselves in a very broad way individually, I do not know how far we could go in obligating them jointly if they were not agreeable to the arrangement. But clearly such an organization as has been perfected on the Salt Creek project is legal and binding. It is believed that the municipal corporation on the King Hill project is binding.

Mr. COLTON. Will the gentleman yield for a question there?

Mr. MONDELL. In just a moment. I assume that if this act passes, the Government authorities having the administration of the reclamation law will be quite certain that the corporations which are formed are legally formed under the State law. Now I yield.

Mr. LITTLE. I understood the gentleman from Wyoming to tell the gentleman from Indiana a minute ago that in this King Hill project the Government still retains its lien on the individual land.

Mr. MONDELL. I do not know that I am familiar with all the details of that particular engagement.

Mr. LITTLE. If that is correct, the gentleman from Arizona [Mr. HAYDEN] was quite wrong in his reply to the gentleman from Illinois.

Mr. MONDELL. But my understanding is that it is in the nature of a municipal corporation which assumes responsibility for all the sums due the Government.

Mr. LITTLE. But still retains its lien upon the individual's land.

Mr. COLTON. Is it not a fact that before the bonds are issued or any steps taken, a court of competent jurisdiction finds by a decree that every step has been taken legally?

Mr. MONDELL. I am rather inclined to think that the point raised by the gentleman from Kansas [Mr. LITTLE], as affecting the bill as now amended, while very interesting from the lawyer's standpoint, does not necessarily affect the validity of the legislation.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. May I have two minutes more?

Mr. KINKAID. I yield two minutes more to the gentleman from Wyoming.

Mr. MONDELL. Because, in the first place, even though it may be true that not every water user on a project could be brought within the district, yet districts could be formed and be workable, even though there were a few under the project who did not expressly individually accept its terms. And furthermore, as we understand the opinion of the people on the project, I assume there would be no difficulty in securing the agreement contemplated by the act, which as a matter of contract would undoubtedly be legal. So much for that.

If we can perfect these organizations the Government will have a better lien for the return of its money than it now has. It would be easier to collect from a single organization than from individuals as a matter of administration, and there could be a very considerable saving to the water users in management.

Further, the settler would then be in a position in which, if his equities were sufficient to warrant, he could secure a loan from the Farm Loan Board.

The CHAIRMAN. The time of the gentleman from Wyoming has again expired. The time remains as follows: The gentleman from Nebraska [Mr. KINKAID] has 28 minutes remaining and the gentleman from Kansas [Mr. LITTLE] has 20 minutes remaining.

Mr. KINKAID. Mr. Chairman, I wish to take three minutes in which to answer a little further the question propounded by the gentleman from Kansas [Mr. LITTLE] in regard to the nature of the lien remaining after the contract is made. The Government gives up its lien on the individual land on consideration that the district becomes responsible as a whole, the Government having a right to have an assessment made on the land and a levy made pursuant to that assessment for the amounts as they become due. When that assessment and levy is made it becomes a liability against the particular farm unit. The amount of the assessment is in proportion to the benefit received by the particular farm unit. Now, that brings me to the further proposition made by the able jurist from Kansas [Mr. LITTLE], which involves the question whether it is for a private purpose or for a public purpose.

I have great respect for the decision in the case of Loan Association against Topeka, cited by the gentleman from Kansas. It is sound, and it makes the correct distinction in that case why the statute of Kansas was void, authorizing the voting of those bonds, which was that it authorized the taking of private property for private purposes. The court held that it was a taking of the private property of an individual taxpayer for the benefit of a bridge manufacturing company, a private corporation. In principle this decision sustains the pending bill. But the question involved in the pending bill is whether you can assess these farm units and collect the assessment for the individual benefit each farm unit will receive, all for the public purpose of irrigation of arid lands.

The Supreme Court of the United States in the case of Fall Brook Irrigation District against Bradley, a case which went up from the State of California——

Mr. LITTLE. In which volume of the reports is that to be found?

Mr. KINKAID. In 164 United States, at page 112. The court holds that the purpose of these irrigation districts and of the assessments made on the water users is a public purpose.

It is a public purpose and not a private purpose, and the court comments upon the case of the Loan Association against Topeka cited by the gentleman from Kansas this morning, and says that its decision is in harmony with that case. In other words, they distinguish between the case before the court and the one cited by the gentleman from Kansas, and hold that the Kansas act or statute in the Topeka case was unconstitutional because it was taking private property for private uses, but the court holds in this case that irrigation is a public purpose. Both decisions are sound and in principle both sustain the constitutionality of the pending bill on the identical question raised by the gentleman from Kansas. Water used for irrigation is devoted to a public purpose.

Mr. LITTLE. Nobody said it was not.

Mr. KINKAID. It is a public matter, even national, because it covers the whole semiarid West. It is even an international matter, because rivers rising in the United States extend into Canada on the north and the Republic of Mexico on the south. The Milk River flows from Montana into Canada and then back again into the United States. By comity between the two nations they have settled their respective rights. The Colorado runs through several of our States and then into the Republic of Mexico. The Rio Grande River for a long distance constitutes the international boundary line between the two Republics. It is not only a national, but an international matter, hence of wide importance to the public. It is a public matter because of the extent of the semiarid West. It is of concern to the public because the United States has invested $130,000,000 in it. It is a public matter because the semiarid West will produce but little without irrigation.

Mr. Chairman, the Supreme Court of the United States held in the case cited by the gentleman from Kansas that the statute was unconstitutional because of the attempt to authorize

taxation for a private purpose, but it held that the statutes of California providing for irrigation districts and all the other States that have provided for irrigation districts, these statutes are constitutional because the purpose thereof is for the public benefit.

Now, what does the court say? It says:

If the act violate any provision, expressed or properly implied, of the Federal Constitution, it is our duty to so declare it; but if it does not, there is no justification for the Federal courts to run counter to the decisions of the highest State court upon questions involving the construction of State statutes or constitutions on any alleged ground that such decisions are in conflict with sound principles of general constitutional law. The contrary has not been held in this court by the case of Loan Association v. Topeka (20 Wall., 655), relied on by the gentleman from Kansas. In that case a statute of Kansas was held invalid because by its provisions the property of the citizen under the guise of taxation would be taken in aid of a private enterprise, which was a perversion of the power of taxation. The case was brought in the United States circuit court for the district of Kansas, and was decided by that court in favor of the city. There had been no decision of the highest State court upon the question whether the act violated the constitution of Kansas, and consequently there was none to be followed by the Federal court upon that question. The court held that a law taxing the citizen for the use of a private enterprise conducted by other citizens was an unauthorized invasion of private rights. Mr. Justice Miller said that there were such rights in every free government which were beyond the control of the State.

Mark you, such is the language of the Supreme Court of the United States in the case of Fall Brook against Bradley.

The CHAIRMAN. The gentleman from Nebraska has consumed seven minutes.

Mr. KINKAID. Just three minutes more. In Idaho, Oregon, Washington, Montana, Colorado, and Nebraska all the courts of last resort of those States have upheld the constitutionality of their irrigation district laws, and the acts are all alike in the main.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. KINKAID. I will.

Mr. SANDERS of Indiana. How much money has the Government invested in irrigation throughout the country? I understood the gentleman to say $70,000,000 were involved.

Mr. KINKAID. Much more than that, and the obligation is as good as a gold bond, but it is not yet all due; only a small portion thereof is due.

Mr. SANDERS of Indiana. The gentleman agrees with me that in this measure we surrender the lien of the United States upon these lands. We may get something better?

Mr. KINKAID. No; it is like a man selling a farm and giving a deed and taking a mortgage back. He has a vendor's lien, but he gives the deed and takes back a mortgage, and it is practically the same in this case. It is a simultaneous transaction. As soon as the Government wants payment an assessment is made, and it is collected like a tax and can be enforced like a tax. The lands can be sold as they are for tax sales. The collection is as certain as death.

Mr. SANDERS of Indiana. I do not construe the act as leaving the United States with any lien whatever upon any of these lands. I construe the measure as releasing the lien on the land itself and taking in place a contract obligation of these several districts, fortified by the agreement of the arid district that collects the tax and strengthened by individual agreement by which persons whose land is released shall be subjected to a tax by the district. I understand the obligation of the Government, if this bill is passed, will be to collect from the irrigation district.

Mr. KINKAID. Yes.

Mr. SANDERS of Indiana. And the Government has no lien on the land itself which the United States Government could enforce.

Mr. KINKAID. It has a right which it can enforce at any time to have an assessment and levy made whereby payment may be realized. Now, Mr. Chairman, I yield three minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Chairman, not much can be said in three minutes. It seems to me that this is a tempest in a teapot in regard to something that is largely already in operation, as was pointed out in a letter from the chief counsel of the Reclamation Department, inserted in the RECORD of yesterday by the gentleman from Oregon [Mr. SINNOTT], in which letter he says:

1. The irrigation district is a quasi municipal public corporation with the power to levy assessments against its lands for the payment of its obligations.
2. Congress has in a general way during the past 10 years approved the plan of making contracts between the United States and irrigation districts to provide for the payment of water charges due the United States on Federal irrigation projects.

Then he cites the Warren Act of February 24, 1911, which provides for contracts with irrigation districts, and the extension act of August 13, 1914, section 5 of which authorizes the transfer of the care, operation, and maintenance of Federal irrigation projects to irrigation districts. In section 7 of the last-named act the Secretary of the Interior is authorized to appoint irrigation districts as fiscal agents on Government projects. In the Smith Act of August 11, 1916, the public lands of the United States were made subject to assessment and levy of irrigation districts. The sundry civil appropriation act of June 12, 1917, provides that no money shall be expended for drainage on the Rio Grande project except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of all project investments.

The individuals are not obligated at all, and the project was founded on that basis, and the same thing is asked for other projects at this time. A similar provision appears in the sundry civil appropriation act of July 10, 1918. There are many other laws cited covering this same point showing this plan is already in operation at this time and has been for 10 years.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. LITTLE. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. CLOUSE].

Mr. CLOUSE. Mr. Chairman and gentlemen of the committee, I think that when the Government stands a chance to lose a sum estimated at from $70,000,000 to $100,000,000 it deserves some consideration at the hands of this Committee of the Whole before we take action. I can not quite agree with the reasoning of the proponents of this bill in respect to the effect that it is going to have on this indebtedness to the United States. I can not agree that the Government would have a lien securing this loan or these advances if this bill is passed. It is manifestly true that if the bill be passed we relinquish the lien that the United States now has and substitute for it an irrigation district, with which the Secretary of the Interior is authorized to enter into a contract about these advancements and these liens and this indebtedness. If the irrigation district should undertake to organize, I presume it is the intention of everyone that the territory constituting the district will be contiguous, adjacent territory, owned probably by 500 different individuals. Three hundred of these may be heartily in favor of the organization of the district. Suppose they hold a popular election and 300 votes are cast for it and 200 are cast against it. Three hundred of them are obligated and indebted to the United States Government, while 200 have liquidated their taxes and have settled their indebtedness with the Government.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. CLOUSE. In just a moment. This district is declared to have been organized. The Secretary of the Interior undertakes to negotiate a contract with this supposed district and does, as a matter of fact, enter into a contract and thereby relinquishes and releases the rights that the Government then has by virtue of the lien on every acre of land embraced within the territory. Let us suppose also that the district decides that it does not intend to pay its obligations for this year. What remedy has the Government to enforce that obligation? None other than to institute a civil suit against the corporation, municipal, quasi public, or private, and take a judgment. That is the remedy that is available at law. Suppose the tax is not levied by the district, and the United States Government undertakes an additional step to enforce it, and issues—if such could be done, and I doubt that it can—a mandamus to compel the irrigation district to levy a tax sufficient to pay the obligations. When that step is taken suppose there be some one taxpayer who was oposed to the plan in the first place, some one who had paid his tax and who owed nothing. Under this proceeding it is attempted to levy that tax, and when it comes to levying that tax on his land he has a right in court, because he has not had his day there as yet, and he institutes an injunction proceeding against the collection of such tax. Would any man say that he could not successfully maintain that suit and enjoin them from imposing a tax on his property with which to liquidate the debts of these delinquent taxpayers?

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HUDSPETH. Mr. Chairman and gentlemen of the committee, the contention of my friend from Kansas [Mr. LITTLE], in which he cites one lone case, would be correct if this were a private purpose. The case that he cites, of the Loan Association against Topeka, which he calls so frequently the King Bridge case, is the only case upon which he relies in reference to this question. Now, what was involved under this decision? The city of Topeka issued bonds. For what? To build bridges, to a manufacturer to build bridges for a private purpose.

Mr. KINKAID. To help a bridge manufacturer, not to build bridges.

Mr. HUDSPETH. I said for a bridge manufacturer, a private purpose. Well, if it were a private purpose—and there

has been a long line of decisions from that good hour to the present—every decision by the State courts and the Supreme Court has overruled the decision cited by the gentleman from Kansas. Now, this is what Judge Peckham said in the supreme court in the case of the Fallbrook Irrigation District against Bradley. This Fallbrook irrigation district was formed, and Mrs. Bradley enjoined the collection of taxes, and it went to the circuit court of appeals, and it was said that it was taking private property without due process of law, and this is what the court said in that case:

We should not be justified in holding the act to be in violation of the State constitution in the face of clear and repeated decisions of the highest court of the State to the contrary, under the pretext that we are deciding principles of general constitutional law. If the act violates any provision, expressed or properly implied, of the Federal Constitution, it is our duty to so declare it; but, if it do not, there is no justification for the Federal court to run counter to the decisions of the highest State court upon questions involving the construction of State statutes or constitutions, on any alleged ground that such decisions are in conflict with sound principles of general constitutional law. The contrary has not been held in this court in the case of Loan Association *v.* Topeka (20 Wall. 655). In that case a statute of Kansas was held invalid because by its provisions the property of the citizen under the guise of taxation would be taken in aid of a private enterprise, which was a perversion of the power of taxation. The case was brought in the United States Circuit Court for the District of Kansas, and was decided by that court in favor of the city. There had been no decision of the highest State court upon the question whether the act violated the constitution of Kansas, and consequently there was none to be followed by the Federal court upon that question.

And that case is the only case upon which the gentleman from Kansas relies.

Mr. LITTLE. That is the only case there is on the subject.

Mr. HUDSPETH. But that case has been referred to in this decision and every other decision, I will say to the gentleman from Kansas, in which it stands alone and refers to a private purpose and not a public purpose.

Mr. LITTLE. Will the gentleman yield?

Mr. HUDSPETH. I have not the time; I have only five minutes. The organization of an irrigation district is for a public purpose——

Mr. LITTLE. I know.

Mr. HUDSPETH. If you know you ought to state it upon the floor of the House, but the gentleman has not so stated it. Do you know it? Tell the committee so.

Mr. LITTLE. I have.

Mr. HUDSPETH. The gentleman said awhile ago that you could not take his home and sell it to pay my debts. I will say to the gentleman that they did it in this very case. They took the home of Mrs. Bradley and sold it to pay the taxes in the irrigation district. That is what this decision states. She enjoined the Supreme Court to reverse the decision of the circuit court of appeals and remanded the case. What are we doing? We are setting a lien upon the individual's land, something that has been done in my State for 25 years, and I dare say in three-fourths of the Western States they have that law permitting the organization of irrigation districts and permitting the collection of taxes. That is all we are doing here. And the gentleman from Tennessee said a few moments ago, "Suppose some citizens of that district object to the collection of the taxes?" That is exactly what they did in this Fall Brook irrigation case. They sold Mrs. Bradley's land. The Supreme Court said they had a right to do it.

Now, gentlemen, there is a long line of decisions here that I could cite, but I want to say this, that this is certainly permitting the borrowing of money on these lands, for which the Federal farm loan act was passed.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KINKAID. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon [Mr. SINNOTT].

The CHAIRMAN. The gentleman from Oregon is recognized for 10 minutes.

Mr. SINNOTT. Mr. Chairman, the persuasive eloquence of the gentleman from Kansas [Mr. LITTLE] and his charming ways almost make us lose sight of the real substance and cause us to follow off after shadows. He talks about waiving the lien of the Government. Now, while it is true that we waive a sort of statutory, technical lien against the individual tracts of land, we really get in substance a better lien upon every acre of land in the district than we have under the present reclamation law.

Mr. LITTLE. Mr. Chairman, will the gentleman yield right there?

Mr. SINNOTT. No; not now.

Now, Mr. Chairman, under the present reclamation law the United States has a lien upon each farm unit. It has a lien upon my land for what it cost the Government to irrigate my land. But if my land becomes worthless by being water-logged the Government will lose every dollar that it put into my particular farm unit, whereas under the provisions of this bill, a bill drafted in the Reclamation Service, approved by the Reclamation Service and its attorneys under the last administration and under this administration, this technical lien that we have to-day is transformed into the obligation of the entire district, and every acre of land in the irrigation district is made liable to pay the contract obligation of the district to the Secretary of the Interior.

Mr. LITTLE. Why should I be taxed to pay your debts?

Mr. SINNOTT. These laws authorizing contracts with the United States have been upon the statute books in the irrigation States for a number of years. They provide, first, in the organization of a new irrigation district they shall vote as to whether or not they shall enter into this contract with the United States.

A new district requires two-thirds of the voters in the district to approve of the contract. In an established irrigation district it is provided that the contract is valid upon the approval of the majority of the landowners in the district. In each instance before the contract is a valid, consummated contract, all of the proceedings must be approved by the court. Then, when those proceedings are approved, the irrigation district laws provide for the levy of an assessment by the board of directors to pay the amounts due the United States. In case the board refuses to make that levy—a thing not to be anticipated—they provide that then the county court must make the levy. It is further provided that in case of the default of the district the United States may take possession of every acre of land in the district and operate the district until the amount in default is fully paid. It is further provided that all the land in the district shall be and remain liable to be assessed for such payments as are covered by the contract with the United States. While that may not technically be called a lien, for all practical purposes it is a lien, and the Government has thus a lien upon every acre of land in the district for every dollar of the district's obligation. Is not that a better lien than one upon each individual holding?

Mr. LITTLE. Will the gentleman yield now?

Mr. SINNOTT. No; I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. SINNOTT. And it further provides that in case the amount assessed against any tract of land shall not be paid the next assessment against the land in that district shall be so increased as to take care of such default. There is no provision like that in the Federal reclamation laws.

If somebody defaults under the United States reclamation law, the only recourse the Government has under the present reclamation law is to sell the land; but if this bill is passed and this contract is entered into, why then, if anybody defaults in his payment, the next annual assessment will take that up and that will be an obligation and practically a lien against every acre of land in the district.

The gentleman from Kansas [Mr. LITTLE] has made an argument to the effect that he can not be held for the debt of another person. That very matter has been decided in one of these irrigation district cases. I inserted it in the RECORD yesterday, and it is found on page 3538 of the RECORD which came to us this morning. That was a case involving the Montezuma Valley irrigation district. It is cited in 248 Federal Reporter, page 369. In that case delinquencies were added to the next levy. The court goes on to say:

The trial court was of the opinion that the Colorado statute relating to irrigation districts impliedly prevented an additional levy as demanded by plaintiff, because the statute provided for taxation by special assessment to pay these bonds, that each acre was subject to only the same burden as every other acre for this purpose, and that a requirement of a new levy as prayed would impose an unequal burden upon the land on which the prior levy had been paid.

Then the court goes on to say:

It is a common provision in the State constitutions and statutes that assessments or levies for taxation shall be uniform upon the same class of subjects, or by value. Such provisions are not violated when, after the lapse of a reasonable time and after reasonable efforts have been made to collect the first levy, an additional levy is made upon all the property in the district because of the failure of some of the taxpayers to pay their portion of the levy.

And the opinion goes on to hold that the reassessment and the relevying to take up the delinquencies is valid and constitutional. That is an additional protection that the Government secures by virtue of the passage of this bill and the execution of the contracts contemplated thereunder.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. SINNOTT. I yield to the gentleman from Kansas.

Mr. LITTLE. The gentleman suggests that if this agreement was made you would have a sort of a lien upon the whole district. If the contract is void, you would not have a lien at all?

Mr. SINNOTT. If the contract is void?

Mr. LITTLE. Yes.

Mr. SINNOTT. The gentleman is begging the question. You want to remember that under this bill we are not depending solely upon the validity or the constitutionality of State laws, because before this contract can be entered into, before there is any release by the Government of the lien upon any individual tract of land, that individual must consent in writing to the assessment, levy, and collection by the irrigation district of taxes to pay the United States. He must consent that the irrigation district has the right to make the assessment and levy against his land for the payment to the United States of the contract obligation. We really make it contractual as well as statutory.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That in carrying out the purposes of the act of June 17, 1902 (32 Stats., p. 388), and acts amendatory thereof and supplementary thereto, and known as and called the reclamation law, the Secretary of the Interior may enter into contract, with any legally organized irrigation district whereby such irrigation district shall agree to pay the moneys required to be paid to the United States, and in such event water-right applications on the part of landowners and entrymen, in the discretion of the Secretary of the Interior, may be dispensed with. In the event of such contract being made with an irrigation district, the Secretary of the Interior, in his discretion, may contract that the payments, both for the construction of irrigation works and for operation and maintenance, on the part of the district shall be made upon such dates as will best conform to the district and taxation laws of the respective States under which such irrigation districts shall be formed, and if he deem it advisable he may contract for such penalties or interest charges in case of delinquency in payments as he may deem proper and consistent with such State laws, notwithstanding the provisions of sections 1, 2, 3, 5, and 6 of the reclamation extension act approved August 13, 1914 (38 Stats., p. 686). The Secretary of the Interior may accept a partial payment of the amount due from any district to the United States, providing such acceptance shall not constitute a waiver of the balance remaining due nor the interest or penalties, if any, accruing upon said balance: *Provided*, That no contract with an irrigation district under this act shall be binding on the United States until the proceedings on the part of the district for the authorization of the execution of the contract with the United States shall have been confirmed by decree of a court of competent jurisdiction, or pending appellate action if ground for appeal be laid.

MESSAGE FROM THE SENATE.

The Committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendments bills of the following titles:

H. R. 9047. An act authorizing the Secretary of War to grant to the town of Winthrop, Mass., a perpetual right of way over approximately 755 square feet of the Fort Banks Military Reservation for the purpose of widening Revere Street;

H. R. 8196. An act to amend the first proviso in an act entitled "An act to grant a certain parcel of land, part of the Fort Robinson Military Reservation, Nebr., to the village of Crawford, Nebr., for park purposes," approved June 25, 1906.

The message also announced that the Senate had passed with amendment bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 10101. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, and for other purposes; and

H. R. 9597. An act to amend an act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918.

APPLICATION OF THE RECLAMATION LAW TO IRRIGATION DISTRICTS.

The committee resumed its session.

Mr. LEATHERWOOD. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Utah asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. LEATHERWOOD. Mr. Chairman and members of the committee, I fear that in the discussion of this proposed measure we are attempting to make difficult some things which, if we proceed in an orderly way, step by step, offer very little, if any, difficulty in applying the provisions of the act toward the object sought to be attained.

I shall not attempt to discuss in detail the provisions of the act. That has already been done by other members of the committee. The principal feature of the bill is that which makes it possible for landowners in legally organized irrigation districts to obtain loans from the Federal land banks at a reasonable rate of interest.

There are one or two features of the bill which have been discussed, principally by the gentleman from Kansas [Mr. LITTLE], that I think we should consider fully before voting upon the bill. It is contended that any contract entered into under the provisions of this act between an irrigation district and the Government whereby the water district undertakes to pay construction or operation and maintenance charges would be ultra vires; that the lien now held by the Government against the individual tracts of land can not be released and a contract entered into whereby the water district agrees to pay the charges; that the officers of the irrigation district could not lawfully levy a tax upon the landowners to raise funds to satisfy the obligation of the contract.

I think no gentleman of the committee would knowingly vote for a measure that he felt was unconstitutional or that would not be legally enforcible.

If it be true, as contended, that the irrigation district or water users' association has no power to tax, then, of course, this bill ought not to pass. The opponents of the bill overlook the fact that in all the so-called arid-land States laws have already been enacted which provide in great detail for the organization of irrigation districts and water users' associations.

Among other powers conferred upon them they are given the right to levy assessments, to tax the property of the district, and to enter into contracts with the Federal Government for the payment of construction and operation charges.

The gentleman from Kansas [Mr. LITTLE] denies that the district can tax the landowners to raise money to pay construction and maintenance charges, which under existing law constitute a lien against the land of the individual owner. He relies upon the case of Loan Association *v.* Topeka (87 U. S., 655). The decision in this case answers every objection that has been urged against this bill. It is true that in the case just cited the court held that the levy of the tax must be for a public purpose. Would the collection of a tax for the purposes mentioned in this bill be for a public purpose? The Supreme Court of the United States has decided in a case arising under a California statute creating irrigation districts that the district had the right to tax and that the use of water for irrigation purposes is a public use.

Under the statutes of the arid-land States the irrigation district created by legislative act is at least a quasi municipal corporation. It levies its taxes in much the same manner as a city or town does. In my own State the officers of the irrigation district determine the amount of money to be raised for any purpose and certify it to the county commissioners, they in turn determine the amount of the levy, and the county assessor extends it upon the tax rolls. The tax is then collected the same as any other special tax.

Now, if the use of water for irrigation is a public use, then the tax to pay construction and maintenance charges is levied for a public purpose.

As I stated a moment ago, these irrigation districts are created by legislative act and are sometimes given broad powers. So long, however, as no right guaranteed to the individual by the constitution of his State or that of the United States is violated the power granted may be broad. It may be even unwise, unjust, or inexpedient, but unless it be repugnant to the Federal Constitution or that of the State the courts can not declare it void.

The courts, as has been well said, are not the guardians of the rights of the people, save when those rights are secured by some constitutional provision. Unless the legislative acts creating these irrigation districts and conferring upon them the power to tax violate some constitutional right of the individual, then the courts themselves can not set them aside. They must be considered as binding and absolute.

I know of no arid-land State that has any provision in its constitution which forbids the creation of these municipal corporations and the conferring upon them of the right to tax, provided that the tax is for a public purpose and affects all persons similarly situated in the same way.

It is difficult, then, to understand why any member of this committee would question the validity of any contract authorized by the terms of this bill. The tax that would be raised to pay the obligation of the contract would be for a public purpose and would affect all similarly situated alike. The granting of the power to tax has not violated any constitutional right, either State or Federal, of the individual. It seems to me plain, then, that the courts would have no power to hold the grant of power to the irrigation district void.

But we do not need to stop here in examining the provisions of the proposed legislation. It is specifically provided that before the Secretary of the Interior shall approve any contract

or accept any obligation under the terms of the bill that it shall be made to appear that a court of competent jurisdiction has passed upon the question of organization of the district and has rendered its solemn decree that all preliminary acts have been done as required by law and that all things necessary to validate the contract have been done. In other words, you get just such a decree protecting the Government as is had in most cases before investments are made in municipal bonds.

In addition to all the safeguards to which I have called your attention, this bill requires the Secretary of the Interior to secure the consent of each individual landowner to the proposed contract about to be entered into between the Government and the irrigation district. Each individual must consent to the contract and the tax levy before the Government releases the lien upon his land and looks to the terms of the contract for its money.

So if any question existed, as suggested by some of the members of the committee here on the floor of the House, as to the security of the Government under the contract contemplated by the bill, I maintain as a legal proposition that the individual landowner would be bound by his agreement and estopped to deny the right of the Government to proceed and enforce the contract with the district.

Mr. BEGG. Will the gentleman yield?

Mr. LEATHERWOOD. I will.

Mr. BEGG. Take a concrete case. Suppose a piece of land is sold under this bill at a forced sale and brings $2,000. The irrigation charges against it, collectible through taxes, are $1,000. They have put a Federal farm loan of $1,500 against it and sold the bond with the Government's sanction that the bond is a mortgage. Who would lose the $500, the Government or the man who in good faith put his money into it with the assurance that the Government had guaranteed it? Suppose the bond of the land bank is sold to a man in Ohio, and under a forced sale the project brings $2,000, who is going to lose the $500?

Mr. MANN. They have a surplus fund in the land banks to cover just such cases.

Mr. LEATHERWOOD. The gentleman's illustration is somewhat exaggerated, although it does not exaggerate the legal effect. I can not conceive of any assessment of $1,000 against a farm worth only $2,000. But before the land bank's lien attaches the preliminary steps must have been taken and complied with so that the lien of the land bank becomes a first mortgage on the property. If the land bank has such a lien, it would be simply a case of poor judgment on the valuation of the property, the same as a private individual going out and loaning his money on property that was overvalued. The lien of a legal tax of course would take priority over that of the mortgage.

Mr. BEGG. The point I want to bring out is, Is it possible to put a first mortgage on land that will go ahead of taxes?

Mr. LEATHERWOOD. I do not think it is. You can take an exaggerated example under almost any law that makes it possible to tax a municipality and make it appear that the lien of a special tax would exhaust the property and leave nothing for the mortgagee. But the amount of the liens against these lands of necessity will never be very large in proportion to the value of the property. Of course the land banks will take these taxes into consideration in making loans after the passage of this act, the same as they do any other tax that might be levied against the property.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. LEATHERWOOD. Mr. Chairman, I ask for an additional minute.

The CHAIRMAN. The gentleman from Utah asks for one minute more. Is there objection?

There was no objection.

Mr. LEATHERWOOD. I shall be glad now to entertain any questions.

Mr. BEGG. Mr. Chairman, I think the gentleman has attempted to answer the point that I made, but I do not think that he has answered it. Anyone who has had any dealing in real estate knows that you can not give a first mortgage that will supersede a tax claim.

Mr. LEATHERWOOD. That is self-evident under the law, and I have so stated.

Mr. BEGG. Whether it is a sidewalk assessment or whatever it may be; and you are either weakening the security of the Federal Government or else you are fooling the buyer of the farm bonds.

Mr. STEVENSON. Mr. Chairman, will the gentleman permit me to call his attention to the fact that the Federal farm loan mortgages are all made with that very infirmity, that taxes stand ahead of them everywhere, and there is not a bondholder who has a bond against any particular piece of land.

Mr. LEATHERWOOD. That is exactly right. I say that when you consider the provisions of this act together with the existing laws of the several States upon this question the Government gets better security than it is getting under the provisions of the law as it now exists. [Applause.]

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, this act briefly summarized provides for the reclamation of arid lands by irrigation districts instead of the Government doing the work and taking liens against individuals in the district where the reclamation is made. Two objections are urged to the bill. The first objection is that the bill is unconstitutional. That question is not involved, it is not even at issue and is not debatable for the very obvious reason that the bill itself provides that unless the irrigation district is legally organized under the laws of the State in which its lands are located, with full power to enter into a contract and to collect by assessment and levy against the lands of the district the amount of the contract obligations, the Government lien is not waived. So that your question of whether it is constitutional or not is not important, because you do not waive your lien unless the act is constitutional.

The second question is this: Does the Government by taking the obligation of this district organization waive its lien upon the land and does it thereby lose an advantage? A reading of the bill convinces me that it does lose its lien upon the land, but that is not as important as the gentlemen who are attacking the bill deem it to be. Here are liens upon the land legally made and by the terms of the bill they are made repeatedly throughout the bill for the benefit of the United States. Suppose the gentleman from Ohio makes a contract with the gentleman from Idaho for my benefit, by which the gentleman from Ohio promises to pay to me, and I am not a party to the contract at all, the sum of $10,000. Suppose the gentleman from Ohio defaults upon that contract. There is no question in law at all but that I could sue the gentleman from Ohio directly and collect the $10,000, and there is no question at all that if these associations fail or default in the payment of their obligations the Government from that moment on, if the irrigation district is a private corporation (as I am told they are in some States), is subrogated to the rights of the district and can collect the balance of the assessments due at that time, and the only chance which the Government is taking is that the association may have collected something up to the time the Government is subrogated, or up to the time when the district defaults, and the Government will lose the amount which the association has collected up to that time. If, on the other hand, the irrigation district is a public corporation or body, the Government can mandamus it, and thus compel it to levy, collect, and pay over the assessments.

Mr. CLOUSE. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Wait a moment, please. I do not regard the chance of making a small loss as important. I do not regard that as a crucial test. I do not regard that as the vital thing in this bill, and if I had to vote against this bill or vote for it without an amendment I would vote for it as it is. It does seem to me, however, that the bill can be amended.

I would vote for it as it is, because I do not believe the Government is going to collect from these individuals with the ease, with the certainty, or in the amount that it will collect from the irrigation districts. I believe that it will make larger collections; that it will get in larger amounts; that the percentage of collections will be very much larger from these irrigation districts than from individuals. It is very easy to correct even this small defect, where the irrigation districts are private corporations, as I am told in some cases they are, and where they take liens for the full assessments on completion of the work, and I suggest that it be corrected in this way by adding, on page 2, line 3, after the words "the United States," the following:

and shall assign the assessments to be collected by the irrigation district from the lands in the district as collateral security to its said agreement to pay.

You then have all that can be obtained; you have the agreement of the irrigation districts, which I assume will be responsible bodies; you have bodies which are not going to run away, which are not in business for the purpose of defrauding, which do not intend to default, which intend in good faith to fulfill their obligations, and which in nine cases out of ten will

fulfill their obligations. You have, where the irrigation districts are public corporations, the right to mandamus, and where they are private corporations, if there be such, you have in addition to that the assignments and you hold as collateral to it these very assessments upon these lands. You are not releasing them at all, because where there are public corporations you retain the right to mandamus, and if there should be private corporations, instead of holding them as an original holder, instead of holding them as the lienor, you hold them as the assignee, you hold them all from the one party, and if that party fails to collect you can go on and collect yourself.

I believe that this bill is a bill in the right direction. I believe it is a worthy bill; I believe it should pass, even without the amendment that I suggest; but I do believe, on the other hand, that the amendment which I have suggested will strengthen it, will add to its security to the Government, will make it impossible to say that we are imperiling the $60,000,000 or the $70,000,000 which are owing to the Government, and will free it from all objection and make its passage certain. [Applause.]

Mr. CLOUSE. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. CLOUSE. If the right of subrogation exists, as the gentleman says, what would be the remedy of the United States Government in enforcing or collecting these taxes?

Mr. DEMPSEY. It would simply make the irrigation district a party, and it would make each of the landowners a party, and it would simply say, "and the United States hereby asserts that it is subrogated to and claims the benefit of said lien and asks as a remedy to enforce it."

Mr. CLOUSE. But you have no lien; you have released the lien on the land, and you have to levy a tax.

Mr. DEMPSEY. Oh, no. When a man makes a promise for the benefit of another, the party for whose benefit the promise is made, as a matter of law, always has the right to enforce it.

Now, as far as the gentleman from Ohio is concerned, in his question to the gentleman who preceded me, that question is not involved here at all. The question whether the taxes precede a mortgage will remain whether the United States remains the owner of these liens or whether it remains the mere holder of its contract with the irrigation district. In either event there will be assessments on the land which will be liens prior to mortgages given by the landowners.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEMPSEY. I ask unanimous consent to revise and extend my remarks, and I send to the Clerk's desk the amendment which I desire to offer.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none. Does the gentleman offer his amendment now?

Mr. DEMPSEY. Yes; I offer the amendment now.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, after the words "United States," insert "and shall assign the assessments to be collected from the irrigation district from the lands in the district as collateral security to its said agreement to pay."

Mr. BEGG. Mr. Chairman, I move to strike out the last two words. Mr. Chairman and gentlemen of the committee, I can not say I am opposed to the intention of this bill. I believe if the farmers under this irrigation bill need any of the benefits of the Federal farm loan bill or the joint-stock Federal farm loan banks they ought to be enabled to get it, providing they can meet the requirements of the Federal farm loan act.

Mr. HAYDEN. Will the gentleman yield?

Mr. BEGG. I do.

Mr. HAYDEN. We were told at the time the Federal farm loan act was passed that we would be in exactly the same situation that the gentleman from Ohio [Mr. STEPHENS] is in a drainage district in that State, but as a practical matter we find that we are not, and we are trying to seek this relief. The situation is parallel between a drainage district and an irrigation district.

Mr. BEGG. I will not either argue or dispute that, because I do not see it is relevant to what I want to say. In the first place, what are the bases under which you can get a loan under the Federal farm loan act. Now, the first requisite is that you shall be able to give a first mortgage on the property free of any other lien. Now, that is the first thing. The Government undertakes to tell the buying party of these bonds, we will protect them in so far as we will see that they are free of any encumbrance. We will see that the lenders of the money or the acceptors of the mortgage for which we issue bonds will not loan you more than 50 per cent of the value, and we will see that there is an appraisal over the property on which the loan is to be made. Now, the Government, having accepted that responsibility of the buying public, how can you continue that same security if it is admitted that here is a loan for construction purposes on the property, 90 per cent of which value goes into the land? In other words, if it were not for the irrigation the land would not be worth anything. Now, 90 per cent of the value is an irrigation project, and it is admitted that the Government is now the creditor to the extent of a total of some $60,000,000 or $70,000,000. Let us take a concrete proposition: Say there are 10 farms on 10 irrigation projects. They form an irrigation association and accept as the responsibility of the organization the responsibilities of the individuals. My friend from Cincinnati, Congressman STEPHENS, tried to make a parallel between this condition and the city. Why, there is no parallel between the two. It is true that if a paved street passed my property, even though I do not want it, they can assess against my property and collect it by taxation. That is exactly all you can do by this project. So far they are parallel. But I can not borrow money on my city property with that as a lien against it, because I can not comply with the Federal farm loan statute, and if I sell my property and give a title in clear, tell the buyer I will give him a title free of all encumbrance, and there is an assessment of any amount against that property, whether $2,000 or $5,000, it does not make a bit of difference.

Mr. LINEBERGER. But he does not, as a matter of fact.

Mr. BEGG. He does it. I made a real estate deal within the past six months in which there was a lien against it for street, sewer, and sidewalk assessment. The seller gives it free of all encumbrance, a first-mortgage deed. I put that in, and after it was checked up in court we found a good many dollars of lien in the way of street and sewer assessment against that property. Now, who loses it? I certainly do not, because I have a guarantee warranty deed from the man who sold it. Now, I maintain this is the identical situation in regard to these irrigation situations. Of course, if these irrigation assessments are only $5 or $10 I do not know, but my understanding is that some of these irrigation assessments are pretty high as compared with a forced sale price. But to go back to my illustration I gave my friend from Utah on the floor a while ago, suppose that a plat of land brings $2,000 under a forced sale. Say that they borrowed under the farm loan act $1,500 and the assessment against it is $1,000. There is certainly a shrinkage of $500 which somebody has to bear. Now, the United States is the quasi creditor in one instance and it is the absolute creditor in the other instance. It is the creditor for construction work in an irrigation project. Will the United States lose? No; because this bill says that the irrigation project assessment can be levied and collected as taxes, and all taxes come ahead of a lien.

Then, on the other hand, who will lose? Will the bank, which loaned $1,500 to the man, lose the $500? Certainly not, because he has certified to the Federal Farm Loan Board here in Washington that that title has been examined and has been found free of all encumbrances, except from these taxes which we are trying to legalize. He holds a bond of $1,500, and on the market it is worth only $1,000. I am in favor of the proposition, if we can do it without impairing our moral honesty to protect the public buyers of bonds. Who is going to be responsible for the $500 shrinkage in that hypothetical case?

Mr. DEMPSEY. Will the gentleman yield?

Mr. BEGG. I yield to the gentleman.

Mr. DEMPSEY. Suppose the Federal farm loan bank has a loan of $2,000 on a parcel of land involved in this bill and suppose there is a lien on that land for reclamation purposes of $500, does it make any difference to the Federal farm loan bank whether that loan is held by the United States or whether it is held by the irrigation district? It is a lien in exactly the same way.

Mr. BEGG. He could not get his loan unless he nullifies the lien.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEGG. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent for five minutes more. Is there objection?

Mr. KINKAID. Mr. Chairman, I would like to ask as to the parliamentary situation. Is it on the motion to strike out the enacting clause?

The CHAIRMAN. The question is on the pending amendment offered by the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Now, if it makes no difference whether this $500 loan is held by the irrigation district or by the United States, how can this bill affect the question in which the gentleman is interested?

Mr. BEGG. Simply in this way: You are undertaking by the passage of this bill to nullify the Federal Government's lien for irrigation purposes so far as the ability of the Farm Loan Board goes to make a loan, but you are not surrendering your priority rights in the collection of the lien.

Mr. DEMPSEY. I do not find anything here that affects——

Mr. BEGG. That is the whole tenor of the argument, as I understand it.

Mr. DEMPSEY. I will be glad to see anything in the bill to that effect. I can not find it.

Mr. BEGG. If I understand the bill, that is all it is.

Mr. MANN. Can the gentleman state a hypothetical case that would not apply to the Farm Loan Board anywhere?

Mr. BEGG. No. The Federal Farm Loan Board loans money on farming land free of any encumbrances at 50 per cent of its appraised value.

Mr. MANN. He stated it could loan more money than the land would sell for.

Mr. BEGG. The gentleman misunderstood me. The hypothetical case I stated was that the Federal Farm Loan Board will loan 50 per cent of its value, and here is the added assessment against this property.

Mr. MANN. The gentleman stated a case of the Farm Loan Board loaning $1,000 on property that was worth only $1,000.

Mr. BEGG. I think the gentleman misunderstood me. I said a farm forced to sell for $2,000.

Mr. MANN. Now, the $1,000 is due, just as stated, for the water rights, but that is still on the land. If they loan without regard to that, they make an improvident loan.

Mr. BEGG. They can not loan except we, by our action, nullify the lien the Government holds for irrigation purposes. They can not make the loan to-day unless we nullify it so far as the loan applies.

Mr. MANN. That does not require them to make an improvident loan.

Mr. BEGG. Certainly not.

Mr. MANN. The gentleman's case lets them make an improvident loan.

Mr. CHALMERS. Mr. Chairman, I want to ask my colleague a question in line with the question of the gentleman from Illinois [Mr. MANN]. I happen to know that the gentleman who has the floor is well posted on the farm loan situation. I happen to own a 40-acre farm in his district. It is worth about $6,000; and if I apply to the bank for $7,000 loan on it, who is going to lose the $1,000? It is a parallel case to the case stated by the gentleman from Ohio.

Mr. BEGG. Mr. Chairman, I want to call the attention of the committee to what the chairman of the Farm Loan Board, Mr. Lobdell, says on this proposition. He says that the farm is not free of a lien—he does not say whether it is free of an irrigation lien or not—he says, where the title reserves a specific lien for a specific amount, clearly the operator does not have such title as enables him to get a first mortgage. There is a charge against this land now for irrigation building. You are trying to nullify that first mortgage and still retain the Government's right. You are either playing in bad faith with the Government, or with the joint stock land bank, or the Federal farm loan bank. You can take your choice. You can not cancel it and still hold it.

Mr. SINNOTT. The gentleman has read the last two lines of Mr. Lobdell's statement.

Mr. BEGG. I will say to the gentleman that I have read the whole thing.

Mr. SINNOTT. Then you will find that he makes the same statement as the gentleman from Illinois made, that he takes those things into consideration.

Mr. BEGG. He says, of course, if you nullify by legislative action the lien as a lien and change it into taxes, why then we can make the loan. But that is just exactly what I maintain. If you stultify yourself by canceling the loan that continues to be a lien and then make a loan against it and take it by the Government as a first mortgage, and sell it, you can do it, but I will not subscribe to anything of that kind.

Mr. MANN. Mr. Chairman, it is a surprise to me that a gentleman so intelligent as the gentleman from Ohio [Mr. BEGG] can get under such a misapprehension. The Government now has an individual lien on the property in irrigation districts, against the different pieces of property—a farm loan for construction charges.

The Farm Loan Board holds that that is such a lien that the man's mortgage upon the property does not convey a first lien upon his property. I have no disposition to quarrel with the construction of the Farm Loan Board. All over the country in various places people have organized drainage districts under the laws of the States. Those drainage districts are organized in such a way that the drainage district levies a special tax against the property which is benefited by the construction of the drainage work. That special assessment might be payable in one year, but I think it never is. It extends over a period of various numbers of years, 5, or 10, or 15 years. It is a first lien upon the property, with the taxes, just as much a first lien as the lien of the Federal Government upon the individual holding. But the Federal Farm Loan Board holds, and I think properly, that as that is a matter of taxes it is not considered as preventing a first mortgage upon the property being a first lien upon the property.

It may be just as high an assessment as the construction charges of the Government for the construction of irrigation works, and of course in either case the Federal Farm Loan Board takes into consideration, as any purchaser of the land would take into consideration, the fact that the land has an underlying claim against it for a certain amount that has given its present value to it, just like a street improvement that is not paid for on date. It may be paid for in a series of 10 years, and the owner of it may sell it to-morrow for a high price because of the street improvement. Unless he excepts the payment, if he gives a straight guaranty deed, the owner must pay the special assessments for the street improvement.

Now, here is a proposition merely to permit the irrigation districts to join together to relieve the Government lien upon an individual piece of ground here and another lien upon another individual piece of ground there, and to combine them so that all the pieces of ground shall be subject to a lien for the combined amount due, but that, when done, will not be considered as preventing a first mortgage upon the land being a first lien upon the land.

If the Federal Farm Loan Board had held that because taxes are a lien always a long time before they can be paid, it could not take a mortgage as a first lien because taxes were due on it, we would see that the ruling would be so ridiculous that nobody could do it. They could not have loaned a dollar. I am not quarreling with their decision. This is to relieve it. But the gentleman from Kansas [Mr. LITTLE] said the whole thing is illegal; that because A owns plat A and B owns plat B A can not contract in any way to help pay the assessments against plat B, which is owned by B. But the first section of this bill contains this provision:

> No contract with an irrigation district under this act shall be binding on the United States until the proceedings on the part of the district for the authorisation of the execution of the contract with the United States shall have been confirmed by decree of a court of competent jurisdiction or pending appellate action if ground for an appeal be laid.

Every man in the district has his rights. He can go into court when the question of confirming the authority is being disposed of by the court. But when the court has declared by decree that the district has the authority to make the contract it is res adjudicata. Nobody can raise the question after that.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MANN. Now, the gentleman from Kansas says that in the case of proceedings which are null and void the question can be raised at any time. If the court enters a decree in such a proceeding, to which an individual is a party, and the court enters a decree against him, it makes no difference whether it was null and void or not; it is settled. He can not raise it except on appeal, and when the appeal is disposed of he can not raise it again.

Now, I can not see the purpose of the amendment proposed by the gentleman from New York [Mr. DEMPSEY]. I know the gentleman did not offer the amendment for the purpose of making uncertain the provisions of the bill, but I do not see what else his amendment does. There is nothing to assign. The gentleman talks of an assignment as collateral security. There is nothing to assign.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. DEMPSEY. I offered the amendment, I will say, with all diffidence, because I had not studied the bill. But I will tell the gentleman what my idea is. The contract with the Secretary may well provide this, that as soon as the reclama-

tion work shall have been completed and the assessments laid, thereupon the assessments shall be assigned to him, and the contract made shall be deemed to be the assignment of them when made, but the Secretary may demand a further assignment when they have actually been made.

Mr. MANN. They can not assign an assessment.

Mr. DEMPSEY. Why can not a man assign an assessment just as much as a mortgage? It is a lien, and a lien for a specific amount.

Mr. MANN. You mean the assignment made by the taxing body?

Mr. DEMPSEY. Surely.

Mr. MANN. They can not assign the assessment.

Mr. DEMPSEY. Why can they not assign the assessment? The assessment is a tax.

Mr. MANN. They can not assign the assessment. They certify to the taxing officers that a certain amount must be raised. They have it figured out. They can not assign the assessment. The assessment is put into collection. That is not assignable. The proceeds are already assigned by the contract.

Mr. DEMPSEY. But why can not the irrigation district, which is the owner of these liens, assign the liens? They are the lien, but the instant the legal process has been followed and completed the irrigation district is the owner of it.

Mr. MANN. The irrigation district is not the owner of anything. It is not the owner of a lien.

It is provided under the law with the power and the requirement that it shall levy an assessment for the collection of the money; that is all. It is an instrumentality for collecting the money which is a lien upon all the property in the district. But the very purpose of this bill is to relieve any question about there being an assessment against the property, except as there is an assessment levied each year by this taxing body, just as we levy taxes anywhere.

Mr. DEMPSEY. My understanding of it was that the only difference between this bill and the present system was that the lien became levied on the property in the one case just the same as in the other, but that the lien as it exists to-day is the property of the United States and the lien under this bill would be the property of the irrigation district.

Mr. MANN. If this bill goes through, we trade off a lien for a promise under a contract and a law which requires the lawful authority to levy a tax annually for the payment of the amount that is due; and they have to do that. Now, that is all they have to do, and if they do not do it we can sue the district for the amount due the Government and mandamus them and require them to do it.

Mr. DEMPSEY. I was just going to suggest to the gentleman that I quite agree in that view. My amendment was offered under a misunderstanding, and I will withdraw it; but I quite agree with the gentleman that the remedy should not be by a simple suit but should be by mandamus to compel them to levy the tax.

Mr. MANN. I had thought of offering an amendment to this bill—but I am not going to do it, although I would not oppose it—giving the right to the Government directly to bring an action in a Federal court to mandamus the taxing authorities and require them to levy the tax. To be honest with you, we trade off a lien which we can collect by sale of the property for the right to compel the taxing body to levy a tax. Perhaps they will not do it and will go to jail instead; and if they do we will never get the money, but I am not much afraid of that. [Applause.]

Mr. BUTLER. No; we need not be afraid of that.

Mr. SINNOTT. Mr. Chairman, I ask unanimous consent to proceed for one-half minute.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to proceed for one-half minute. Is there objection?

There was no objection.

Mr. SINNOTT. Mr. Chairman, I wish merely to answer the insinuation of the gentleman from Ohio [Mr. BEGG] regarding the possible deception that might be worked on the public in these farm loans should we pass this bill. Mr. Lobdell, of the Farm Loan Board, has taken into consideration these assessments, and he says, as is shown in the report on this bill, on page 5:

> In making the loan we feel that loans can be made, the question in this instance to consider being the effect of the assessment on the borrower's net earning power.

So they take all that into consideration when they make the loans on these irrigation projects.

Mr. KINKAID. Mr. Chairman, I ask unanimous consent to proceed for one minute. Mr. Lobdell, commissioner and chairman of the Federal Farm Loan Board, wrote me a letter yesterday indorsing the provisions of this bill after having carefully examined the same. In a conversation over the phone he stated that in making the loan the amount that the water user has to pay or that the farm has to pay to the Government will be taken into consideration. In making these loans they will look into that very carefully in every case. I have mislaid the letter of Mr. Lobdell this afternoon; therefore I ask unanimous consent to insert the letter as a part of my remarks.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to extend his remarks as indicated? Is there objection?

There was no objection.

Mr. PARKER of New Jersey. Will the gentleman yield for one question?

Mr. KINKAID. Yes.

Mr. PARKER of New Jersey. Is not the sense of this bill that it authorizes the Farm Loan Board to loan on a second mortgage by calling what was a lien a tax?

Mr. KINKAID. Oh, no.

Mr. PARKER of New Jersey. That is the effect of it.

Mr. KINKAID. Oh, no.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from Porto Rico [Mr. DAVILA] may proceed out of order for seven minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from Porto Rico [Mr. DAVILA] may proceed out of order for seven minutes. Is there objection?

There was no objection.

Mr. DAVILA. Mr. Chairman, I ask that the Clerk read in my time a communication that I have received from the Senate of Porto Rico.

The CHAIRMAN. Without objection, the Clerk will read the communication indicated.

There was no objection.

The Clerk read as follows:

On February 25, 1922, the Senate of Porto Rico adopted the following resolution:

Resolution.

Whereas E. Montgomery Reily was appointed by the President of the United States to the office of Governor of Porto Rico, said appointment having been made under the provisions of the organic law known as the Jones Act;

Whereas immediately after said appointment and before he knew the country upon whose government he was about to enter, said E. Montgomery Reily expressed himself in the press of Kansas City, Mo., in a manner unbecoming a fair and even-minded man by making public statements in conflict with the dignity and rights of Porto Rico;

Whereas E. Montgomery Reily has shown that he lacks the most elementary qualifications of rectitude, tact, impartiality, and mental training required by the office held by him, as has been shown by his public and official acts in violation of the organic act of Porto Rico, such as the appointment of incompetent persons to public office, the corruption of the judiciary by threatening and removing judicial officers without just cause, and the attempted coercion of the liberty of the courts of justice;

Whereas said E. Montgomery Reily, on an official trip made by him over the island, acted as a vulgar agitator and in several speeches delivered by him expressed himself in the most insulting language against the Porto Rican flag, which is a symbol of local sentiment and as such is consecrated and respected by the entire Porto Rican community;

Whereas the conduct of E. Montgomery Reily in refusing to execute important laws of a financial nature, duly passed by the legislature and approved by the preceding chief executive, has created a chaotic condition in the public administration, greatly injuring the community and the credit of the island;

Whereas said E. Montgomery Reily has not only endeavored to corrupt and defame insular judicial officials but has also tried to exercise undue influence on the Federal administration of justice by publicly, personally, and notoriously seeking the modification of a sentence pronounced by the judge of the United States district court on an officer of the insular government for having committed contempt of court, thus weakening the moral support due by all citizens to the United States district court and to the magistrate presiding over said court;

Whereas, far from being a faithful interpreter of the law and an assurance of the constitutional rights granted to Porto Rico by the fundamental law approved by Congress, E. Montgomery Reily has become an irresponsible autocrat, ignoring and despising the Senate of Porto Rico in his appointments to the highest offices in the insular government, having sought in his purpose the sole advice of members of the minority, in detriment and mockery of the rights of the legitimate representatives of the greater part of public opinion;

Whereas the conduct of E. Montgomery Reily prior to his appointment as representative of the national sovereignty in Porto Rico has been incorrect and immoral to such a degree as to deprive him of the prestige and authority indispensable in the chief executive of a community of American citizens jealous of their culture and high civilization;

Whereas the continuance of said E. Montgomery Reily at the head of the insular government is an offense against the decorum and dignity of the people of Porto Rico, and determines a state of insecurity and distrust throughout the whole of Porto Rican society: Now, therefore, be it

Resolved by the Senate of Porto Rico, First. Solemnly to accuse E. Montgomery Reily before the Congress of the United States of having violated the organic act and other statutes of Porto Rico and of having done everything possible to discredit in Porto Rico the great Nation which is the cradle of liberty and democracy, by action, not as a true representative of the United States of America but as a vulgar agitator and an irresponsible despot.

Second. To request the United States Congress to direct a number of Members thereof to make an investigation of the conditions brought about in the administration and society of Porto Rico by E. Montgomery Reily.

Third. To request the President of the United States of America to remove E. Montgomery Reily from the office of Governor of Porto Rico for the good of the island and to vindicate the prestige and good name of the United States as assailed by their representative in Porto Rico.

Given under my hand at San Juan, P. R., this 28th day of February, A. D. 1922.

[SEAL.] JOSÉ MUÑOZ QUIÑA,
Secretary of the Senate.

Mr. DAVILA. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Porto Rico asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DAVILA. Mr. Chairman, this resolution was adopted by the Senate of Porto Rico by a vote of 15 to 3. In this connection, Mr. Speaker, I wish to say that I have complete confidence in the spirit of justice of the national administration as I also have in the justice of our cause.

Whoever knows the views of the President of the United States about the Latin American people, and the West Indies in particular, must agree that the President of our Nation will not tolerate in Porto Rico identical conditions to those criticised by him when he was making his plea for the suffrages of the American electorate.

The President in a speech at Marion, Ohio, on August 28, 1920, said:

So many things have been done by the present expiring administration that no power on earth could induce me to do that I can not even attempt to recount them. I may remark casually, however, that if I should be, as I fully expect to be, elected President of this just and honorable Republic, I will not empower an Assistant Secretary of the Navy to draft a constitution for helpless neighbors in the West Indies and jam it down their throats at the point of bayonets borne by United States marines. We have a higher service for our gallant marines than that. Nor will I misuse the power of the Executive to cover with a veil of secrecy repeated acts of unwarranted interference in domestic affairs of the little republics of the Western Hemisphere, such as in the last few years have not only made enemies of those who should be our friends but have rightfully discredited our country as their trusted neighbor.

I can not allow to go unchallenged the remarks of the gentleman from Kansas [Mr. TINCHER] when he stated that Gov. Reily hoisted the American flag over the schools of Porto Rico over the protests of the people whom I said he removed from office. When the gentleman made this statement I arose and said: "I deny that most emphatically. The gentleman is entirely incorrect." As the gentleman did not yield to me when I denied his assertion, he struck out my remarks from the RECORD. I want to repeat again that the information received by the gentleman is entirely false. The Governor of Porto Rico has never hoisted American flags over schools or elsewhere over the protests of the loyal people of the island. It is very easy to speak about loyalty in times of peace while it is very difficult to prove loyalty in times of war. The record of Porto Rico during the recent world crisis speaks for itself and is second to none. No State of the Union can exhibit a better record than ours. The majority party, this party criticised by Gov. Reily and totally disregarded by him, immediately after the declaration of the war sent a cable to President Wilson which reads as follows:

SAN JUAN, P. R., *May 9, 1917.*

Hon. WOODROW WILSON,
Washington, D. C.

The Unionist Party of Porto Rico, gathered in an assembly at San Juan, pledges its unconditional support to the American Nation and to its illustrious President in the present conflict, and expects that Porto Rico be assigned its share of sufferings and sacrifices until victory is obtained.

ANTONIO R. BARCELÓ,
President of the Senate.

At the very time that this cable message was dispatched, Manuel F. Rossy, president of the Republican Party which now supports Gov. Reily, was being quoted in the San Juan Tiempo as saying:

If our countryman (jibaro) goes to France, he does so not through his own volition, but because he is sent by law and by the national will.

During the remarks of the gentleman from Kansas [Mr. TINCHER] the gentleman from California [Mr. NOLAN] made the statement that E. Mont Reily on his return to Porto Rico received a tremendous reception at the hands of the common people. It is true that the governor was received by his friends, the Socialists and the Republicans, to the number of about 3,000 people, more or less, but I want to state that I have reliable information that when the commission that came to Washington to protest against Reily returned home it received a tremendous reception by nearly 40,000 people. It is very easy to get a crowd such as welcomed the governor at any time, but it is impossible to obtain the love and affection of a people by oppression and force.

Mr. KINKAID. Mr. Chairman, I move that all debate on the section be now closed.

The CHAIRMAN. The gentleman from Nebraska moves that all debate on this section and amendments thereto be now closed.

The motion was agreed to.

Mr. SANDERS of Indiana. Mr. Chairman, at the request of the gentleman from New York [Mr. DEMPSEY], I ask unanimous consent that the amendment offered by him may be withdrawn.

The CHAIRMAN. The gentleman asks unanimous consent that the amendment of the gentleman from New York [Mr. DEMPSEY] be withdrawn. Is there objection?

There was no objection.

The Clerk read as follows:

SEC. 2. That patents and water-right certificates which shall hereafter be issued under the terms of the act entitled "An act providing for patents on reclamation entries, and for other purposes," approved August 9, 1912 (37th Stats. L., p. 265), for lands lying within any irrigation district with which the United States shall have contracted, by which the irrigation district agrees to make the payment of all charges for the building of irrigation works and for operation and maintenance, shall not reserve to the United States a lien for the payment of such charges; and where such a lien shall have been reserved in any patent or water-right certificate issued under the said act of Congress, the Secretary of the Interior is hereby empowered to release such lien in such manner and form as may be deemed effective; and the Secretary of the Interior is further empowered to release liens in favor of the United States contained in water-right applications and to assent to the release of liens to secure reimbursement of moneys due to the United States pursuant to water-right applications running in favor of the water users' association and contained in stock subscription contracts to such associations, when the lands covered by such liens shall be subject to assessment and levy for the collection of all moneys due and to become due to the United States by irrigation districts formed pursuant to State law and with which the United States shall have entered into contract therefor: *Provided*, That no lien reserved to the United States in any patent or water-right certificate heretofore and hereafter issued under the reclamation law shall be released unless and until the patentee or water-right applicant shall consent in writing to the assessment, levy, and collection of such tax by and through such irrigation district for the payment to the United States of the contract obligation: *Provided, further*, That before any lien is released as provided in this act the Secretary of the Interior shall first favorably find and file a report in writing, which shall show that the irrigation district is legally formed and organized under the State law in which the irrigation district is situated, with full power to enter into such contract with the United States; and full power and authority to collect by assessment and levying all of the money then due, or to become due, and payable to the United States, by the irrigation district on all valid and now effective contracts and obligations by and from all water users holding land or entries within the district due the United States; and that the lands should be subject to assessment and levy, in accordance with the law under which the irrigation district is organized, for the collection of all money due the United States.

The following committee amendment was read:

Page 4, line 6, strike out lines 6 to 25, inclusive, and page 5, strike out lines 1 and 2, and insert in lieu thereof the following:

"*Provided*, That no such lien so reserved to the United States in any patent or water-right certificate shall be released until the owner of the land covered by the lien shall consent in writing to the assessment, levy, and collection by such irrigation district of taxes against said land for the payment to the United States of the contract obligation.

"*Provided further*, That before any lien is released under this act the Secretary of the Interior shall file a written report finding that the contracting irrigation district is legally organized under the laws of the State in which its lands are located with full power to enter into the contract and to collect by assessment and levy against the lands of the district the amount of the contract obligation."

The CHAIRMAN. The question is on the committee amendment.

Mr. STEPHENS. Mr. Chairman, in considering this question it occurs to me that this district is in the same position as the municipality where all improvements, water, streets, sidewalks, sewers, or what not, are assessed against the abutting property. Bonds are issued and the whole municipality is obligated to pay these bonds. The district composing these water takers could issue bonds if they cared to and assess each individual owner according to the benefit he received. But in this case, as I understand it, the Government is furnishing the money and taking a mortgage upon each individual property, and now the question is, shall the Government release this lien and place the obligation upon the whole municipality or corporation or district. In this case each particular property will be assessed according to its valuation, according to its benefits. If there is property that has already paid its assessments it will be relieved from any further assessments. The assessments will be placed against each particular piece of property and collected in installments—perhaps in 5 or 10 years, I do not know, but under whatever arrangement they may make. These assessments would be the same kind of a lien against the property as ordinary taxes. Therefore, answering the question of the gentleman from Ohio about this lien or assessment, the person who would loan money on a first mortgage would take into consideration any taxes or any assessments upon the property. They would probably subtract

the amount of the assessment that would be due, payable in 10 years, from the valuation in establishing a valuation of the property with the lien upon it. So, I do not believe the argument of the gentleman from Ohio is very logical in regard to the matter of making loans.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. Yes.

Mr. TINCHER. As I understand this bill, it proposes to give to the man that has a lien on his property for getting water on it the same treatment and the same rights that a man now has who has a lien on his property in an effort to get water off it. That is, treat irrigation and drainage districts exactly the same.

Mr. STEPHENS. That is the understanding that I have of this particular measure, but I was just following out the position that it would place the district in in collecting the assessments, and I believe that the assessments should be collected, and the district itself would collect these assessments, and as a whole would be responsible to the Government. The Government would be in a position to collect this debt just the same as any bondholder of any municipality. You would be able to collect this debt by using the same means that creditors of any particular municipality in this country would use.

Mr. LITTLE. Do I understand that Cincinnati has authority to pay off the liens on the gentleman's property?

Mr. STEPHENS. Cincinnati has not the authority to pay the mortgages on the property, but it has authority to collect any assessments.

Mr. LITTLE. Or pay any lien that the Government might hold upon it?

Mr. STEPHENS. Cincinnati has not the authority to pay your mortgages.

Mr. LITTLE. Suppose the Government of the United States had a lien on the gentleman's property, could the city pay it for him?

Mr. STEPHENS. I think not. It may be, according to what kind of lien the Government would have.

Mr. LITTLE. I think the gentleman must know that Cincinnati could not undertake to pay the United States any debt that he owed it.

Mr. STEPHENS. I know this: That in making assessments, if the whole district is to assume the assessments, it will be placed in the same position as the municipality that collects assessments for improvements in that municipality.

Mr. LITTLE. The difficulty with that is that there is no relation whatever between the assessment the gentleman speaks of and the debts which an individual owes the Government of the United States. The two have no relation to each other and there is no similarity.

Mr. STEPHENS. I have not the time to discuss that part of it.

Mr. LITTLE. But that is all there is of this debate.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. KINKAID. Mr. Chairman, I move that all debate upon this section and all amendments thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. KINKAID. Mr. Chairman, I move that the committee do now rise and report the bill with the amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 4382) to provide for the application of the reclamation law to irrigation districts, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. KINKAID. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

Mr. LITTLE. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. MANN. Mr. Speaker, would an automatic roll call come now if the point of no quorum be made without a division?

The SPEAKER. That is a point which the Chair has never settled.

Mr. MANN. I think it is clear under the rules that it would.

The SPEAKER. The Chair thinks that it would come.

Mr. LITTLE. Then, Mr. Speaker, I shall not ask for a division, but I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Kansas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on the passage of the bill.

The question was taken; and there were—yeas 287, nays 10, answered "present" 3, not voting 129, as follows:

YEAS—287.

Almon	Elliott	Lazaro	Roach
Andrew, Mass.	Evans	Lea, Calif.	Robsion
Andrews, Nebr.	Fairfield	Leatherwood	Rose
Appleby	Faust	Lee, Ga.	Rouse
Arentz	Favrot	Lee, N. Y.	Ryan
Aswell	Fenn	Lehlbach	Sanders, Tex.
Atkeson	Fish	Lineberger	Sandlin
Bacharach	Fisher	Logan	Schall
Bankhead	Focht	London	Scott, Tenn.
Barbour	Foster	Longworth	Shaw
Barkley	Free	Lowrey	Shelton
Beedy	Freeman	Luce	Shreve
Bird	French	Luhring	Siegel
Bixler	Frothingham	Lyon	Sinclair
Bland, Ind.	Fuller	McClintic	Sinnott
Bland, Va.	Fulmer	McDuffie	Sisson
Blanton	Gahn	McFadden	Smith, Idaho
Boies	Gallivan	McKenzie	Smith, Mich.
Bond	Garner	McLaughlin, Mich.	Smithwick
Bowers	Garrett, Tenn.	McLaughlin, Nebr.	Snyder
Bowling	Gensman	McLaughlin, Pa.	Sproul
Box	Gernerd	McPherson	Steagall
Brand	Gilbert	McSwain	Stedman
Brennan	Glynn	Madden	Steenerson
Briggs	Gorman	Magee	Stephens
Brooks, Ill.	Green, Iowa	Maloney	Stevenson
Brooks, Pa.	Greene, Vt.	Mann	Stoll
Browne, Wis.	Griest	Mapes	Strong, Kans.
Buchanan	Hadley	Mead	Strong, Pa.
Burdick	Hammer	Michaelson	Summers, Wash.
Burroughs	Hardy, Colo.	Michener	Sumners, Tex.
Burtness	Hardy, Tex.	Miller	Swank
Butler	Harrison	Millspaugh	Sweet
Byrnes, S. C.	Haugen	Montoya	Swing
Byrns, Tenn.	Hawes	Moore, Ill.	Tague
Cable	Hawley	Moore, Ohio	Taylor, Ark.
Campbell, Kans.	Hayden	Moore, Va.	Taylor, N. J.
Campbell, Pa.	Herrick	Morgan	Taylor, Tenn.
Cantrill	Hersey	Mott	Temple
Carew	Hickey	Murphy	Ten Eyck
Chalmers	Hicks	Nelson, A. P.	Thompson
Chindblom	Hoch	Nelson, J. M.	Tillman
Christopherson	Hogan	Nolan	Tilson
Clague	Hooker	O'Brien	Tincher
Clarke, N. Y.	Huddleston	O'Connor	Tinkham
Cockran	Hudspeth	Oldfield	Towner
Cole, Iowa	Hull	Oliver	Treadway
Collier	Jacoway	Olpp	Tyson
Collins	Jefferis, Nebr.	Osborne	Vaile
Colton	Johnson, Ky.	Overstreet	Vestal
Connell	Johnson, Wash.	Padgett	Vinson
Connolly, Pa.	Jones, Tex.	Park, Ga.	Volk
Cooper, Wis.	Kearns	Parker, N. Y.	Volstead
Crisp	Keller	Parks, Ark.	Walsh
Cullen	Kendall	Petersen	Ward, N. C.
Curry	Ketcham	Porter	Wason
Dale	Kincheloe	Pou	Watson
Dallinger	Kinkaid	Purnell	Weaver
Darrow	Kirkpatrick	Quin	Webster
Davis, Minn.	Kissel	Radcliffe	White, Kans.
Davis, Tenn.	Kleczka	Rainey, Ala.	White, Me.
Deal	Kline, N. Y.	Rainey, Ill.	Williams
Dempsey	Kline, Pa.	Raker	Williamson
Denison	Knight	Ramseyer	Wilson
Dickinson	Knutson	Rankin	Woodruff
Dominick	Kopp	Ransley	Woodyard
Drane	Kraus	Reece	Wright
Driver	Kreider	Reed, N. Y.	Wurzbach
Dunbar	Lampert	Reed, W. Va.	Wyant
Dupré	Lanham	Rhodes	Yates
Echols	Larsen, Ga.	Ricketts	Young
Edmonds	Lawrence	Riddick	

NAYS—10.

Ackerman	Cramton	Newton, Mo.	Sanders, Ind.
Begg	Fitzgerald	Parker, N. J.	
Clouse	Little	Perkins	

ANSWERED "PRESENT"—3.

Dowell	Humphreys	Langley

NOT VOTING—129.

Anderson	Blakeney	Cannon	Cole, Ohio
Ansorge	Brinson	Carter	Connally, Tex.
Anthony	Britten	Chandler, N. Y.	Cooper, Ohio
Beck	Brown, Tenn.	Chandler, Okla.	Copley
Bell	Bulwinkle	Clark, Fla.	Coughlin
Benham	Burke	Classon	Craga
Black	Burton	Codd	Crowther

Doughton	James	Montague	Sears
Drewry	Jeffers, Ala.	Moores, Ind.	Slemp
Dunn	Johnson, Miss.	Morin	Snell
Dyer	Johnson, S. Dak.	Mudd	Speaks
Ellis	Jones, Pa.	Newton, Minn.	Stafford
Fairchild	Kahn	Norton	Stiness
Fess	Kelley, Mich.	Ogden	Sullivan
Fields	Kelly, Pa.	Paige	Taylor, Colo.
Fordney	Kennedy	Parrish	Thomas
Frear	Kiess	Patterson, Mo.	Timberlake
Funk	Kindred	Patterson, N. J.	Underhill
Garrett, Tex.	King	Perlman	Upshaw
Goldsborough	Kitchin	Pringey	Vare
Goodykoontz	Kunz	Rayburn	Voigt
Gould	Lankford	Reavis	Walters
Graham, Ill.	Larson, Minn.	Reber	Ward, N. Y.
Graham, Pa.	Layton	Riordan	Wheeler
Greene, Mass.	Linthicum	Robertson	Wingo
Griffin	McArthur	Rodenberg	Winslow
Hays	McCormick	Rogers	Wise
Hill	MacGregor	Rosenbloom	Wood, Ind.
Himes	Mansfield	Rossdale	Woods, Va.
Hukriede	Martin	Rucker	Zihlman
Husted	Merritt,	Sabath	
Hutchinson	Mills	Sanders, N. Y.	
Ireland	Mondell	Scott, Mich.	

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. RODENBERG with Mr. BELL.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. ELLIS with Mr. HUMPHREYS.

Mr. BURKE with Mr. RIORDAN.

Mr. PATTERSON of Missouri with Mr. WINGO.

Mr. IRELAND with Mr. BLACK.

Mr. HIMES with Mr. SULLIVAN.

Mr. TIMBERLAKE with Mr. DREWRY.

Mr. DUNN with Mr. KITCHIN.

Mr. CANNON with Mr. MONTAGUE.

Mr. HILL with Mr. RAYBURN.

Mr. MORIN with Mr. THOMAS.

Mr. WINSLOW with Mr. CARTER.

Mr. PATTERSON of New Jersey with Mr. GARRETT of Texas.

Mr. REBER with Mr. DOUGHTON.

Mr. KIESS with Mr. GRIFFIN.

Mr. DOWELL with Mr. LINTHICUM.

Mr. JOHNSON of South Dakota with Mr. SABATH.

Mr. NORTON with Mr. JOHNSON of Mississippi.

Mr. SNELL with Mr. BULWINKLE.

Mr. KING with Mr. SEARS.

Mr. VARE with Mr. TAYLOR of Colorado.

Mr. HUKRIEDE with Mr. MARTIN.

Mr. GRAHAM of Pennsylvania with Mr. PARRISH.

Mr. GREENE of Massachusetts with Mr. KINDRED.

Miss ROBERTSON with Mr. JEFFERS of Alabama.

Mr. CHANDLER of Oklahoma with Mr. FIELDS.

Mr. MONDELL with Mr. CONNALLY of Texas.

Mr. HUTCHINSON with Mr. BRINSON.

Mr. KAHN with Mr. WOODS of Virginia.

Mr. COUGHLIN with Mr. UPSHAW.

Mr. BURTON with Mr. KUNZ.

Mr. FESS with Mr. LANGFORD.

Mr. SPEAKS with Mr. WISE.

Mr. ROSSDALE with Mr. RUCKER.

Mr. MUDD with Mr. MANSFIELD.

Mr. OGDEN with Mr. GOLDSBOROUGH.

The result of the vote was announced as above recorded.

On motion of Mr. KINKAID, a motion to reconsider the vote by which the bill was passed was laid on the table.

RESIGNATION FROM A COMMITTEE.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of Election Committee No. 3.

FRANK D. SCOTT.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. L. B. RAINEY, for 30 days, on account of business.

To Mr. FIELDS, for the day, on account of illness.

EXTENSION OF REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may extend my remarks on the bill just passed.

The SPEAKER. Is there objection?

Mr. KNUTSON. Mr. Speaker, reserving the right to object to the request, will they be his own remarks or somebdy else's?

Mr. RAKER. It will be my own remarks, supplemented by some notations from the Supreme Court.

Mr. MANN. Oh, this is his bill, and he did not speak on it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

Mr. RAKER. Mr. Speaker and gentlemen of the House, I want to present my views on this legislation. Being a member of the committee, I shall use the language of the report on the bill by the Committee on Irrigation of Arid Lands in presenting it to the House. This shows quite clearly the objects and purposes of the proposed legislation, and I take this opportunity to make the same of record so the question may be clearly and distinctly understood in its further consideration.

The enactment of this legislation will accomplish two beneficial effects.

First. The United States will have better security for the money expended in the construction of reclamation projects. Instead of the individual obligation of the water users, the Government will have the obligations of legally organized irrigation districts, being municipal corporations possessing the power to assess and collect taxes on all of the lands within the district.

Second. The landowners within such irrigation projects will be enabled to obtain loans from the Federal farm loan system.

The primary object of bill H. R. 4382 is to pave the way for farm loans on irrigation projects without subordinating security for the reimbursement of the reclamation fund or interfering with the Government's present security contained in the guaranty contract with individual water users' associations.

The committee in considering this bill and reporting it to the House did so with the idea in view that it will give much relief financially to those engaged in production of foodstuffs throughout the country under irrigation projects. No enterprise in which the Government may be considered a silent partner makes such bounteous returns as the irrigation projects fostered and protected by Government aid. At the same time the aid rendered is an advancement only to enable the worker of irrigated soil to bring to his assistance the necessary implements and tools to accomplish greater results.

The purpose of this bill is to enable the owners, entrymen, and occupants of lands under Government constructed and operated irrigation projects to form irrigation districts under the State law of the State wherein the irrigated lands are located, and when formed in accordance with the State law they shall be recognized as a public corporation, and as such be empowered to make application for and receive funds from Federal farm loan banks as owners of farms in the nonirrigated sections of the United States may do and are now doing. Taxes for the payment of the contractual obligations of the district may be assessed, levied, and collected against the acreage of the district and is not chargeable by the Government to any individual within the confines thereof. And any lien the Government may have for moneys expended in the procuring of water for the acreage in the district to the individual owner of lands under such ditch or works constructed by the Government is released and passes by virtue of this act to the district body as a whole and is cared for by district assessment and levy, which assessment so levied is chargeable and recovered against the land of the individual owner as debtor. In other words, the Federal Government is dealing with the irrigation district instead of the individual owner or water users' association.

The formation of irrigation districts is entirely voluntary with the water users. These corporations are uniformly held to be public corporations and are susceptible of being formed under the State laws only upon a vote of such majority of landowners as may be prescribed by the statute. There is nothing in the bill which enjoins upon the water users reorganizing as districts, but the bill is in effect an enabling act whereby cooperation can be carried on by the United States in a more perfect manner than heretofore.

The formation of an irrigation district, while it is a step of great importance, being from a private corporation to a municipality, yet in several respects is not so radical a change as might be supposed. There is nothing in the formation of the irrigation district which necessitates the transfer from the Government of the operation and management of the project. There is no implied repeal of the provisions of the present reclamation law—

That when the payments required by this act are made for the major portion of the lands irrigated from the waters of any of the works herein provided for, then the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby * * *. (Reclamation act, sec. 6, 38 Stat., 388.)

Nor of the amendatory provision—

That whenever any legally organized water users' association or irrigation district shall so request, the Secretary of the Interior is hereby authorized, in his discretion, to transfer to such water users' association or irrigation district the care, operation, and maintenance of all or any part of the project works, subject to such rules and regulations as he may prescribe. (Reclamation extension act, Aug. 13, 1914, sec. 4, 38 Stat., 686.)

The passage of this act followed by organization as an irrigation district does not involve the turning over to the water users of management and control unless the Secretary of the Interior approves such step and the water users vote favorably upon the plan, at least prior to the payment for the major part of the land irrigated under the project as provided by the original reclamation act. It would, however, facilitate the transfer if both the water users and the Government deemed the change advisable, since municipal powers would greatly aid in the solution of the problems of management and control.

The formation of the irrigation district would not involve the issuance of bonds in favor of the United States nor the payment of interest. The projects would still have the advantages of the reimbursement plan prescribed by sections 1 and 2 of the reclamation extension act above quoted in mutual cooperation with the United States.

This cooperation can best be conducted so as to make as little change as possible in the ordinary machinery of these corporations under the State statutes. The funds of the district are secured by levy and assessment in common with the methods of other municipal corporations formed for the purpose of public improvement. Hence it is highly desirable that the Federal law be in such shape that the machinery for the collection of assessments to carry out the contracts with the United States shall be identical with that employed to secure other funds or irrigation districts.

Express authority of Congress therefore is conferred by section 1 of the bill to contract with irrigation districts for the payment of moneys required to reimburse the reclamation fund, with provision that in such cases water-right applications need not be filed and that the dates of annual payment of penalties and interest charges named in the contract shall be discretionary with the Secretary of the Interior.

In case irrigation district contract is made with the United States, the security furnished for the reimbursement of the reclamation fund is preferable, both in value and in workability, to the security through the water users' association, and where such contract is made water-right application liens are no longer necessary to the United States, and section 1 expressly provides for their release. The water users' association, of course, is replaced by the irrigation district, and accordingly may properly be dissolved through the Secretary's consent and the stock subscription liens released of record.

This step will pave the way for affording the farm loans to reclamation projects which elect thus to reorganize as districts, since there will be no first mortgage on project lands for the reimbursement to the United States. The moneys due from irrigation districts are not first mortgages any more than the assessment to be made for road or school purposes by similar public corporations. They become liens only annually as assessment and levy is made. Under the farm loan act the money payable to the district for the United States must, of course, be considered and have its bearing upon the amount which may properly be loaned, but the legal barrier as regards the existence of first mortgages will be removed by the formation of an irrigation district, the execution of contract with the United States by such district, and the release of the liens on private lands now existing to secure the Government.

The act of August 9, 1912, requires that patents to lands entered subject to the reclamation law shall reserve a lien in favor of the United States for any sums remaining unpaid. Similar liens are reserved where final water-right certificate is issued. Where irrigation districts are formed this type of security is no longer necessary, since the irrigation district as a whole can be required to pay, and all lands therein are subject to sale for nonpayment of charges.

The Farm Loan Board has already rendered an opinion, and Judge Lobdell of the board appeared before the committee in recognition of the distinction between the lien reserved under the act of 1912, the lien created by water-right application and by stock subscription, on the one hand, as constituting first mortgages, and the assessments of districts annually becoming a lien, on the other hand, as not constituting first mortgages, but, rather, to be classed with the taxes and improvement assessments of public corporations. In the first class the farm loans are held barred, while in the other they are permissible.

The Federal Farm Loan Board's opinion is as follows:

Board unanimously of the opinion loans can not be made on lands under reclamation projects where Government reserves lien in patent and such lien remains unsatisfied. We distinguish between above cases and those projects where irrigation charge is a fixed annual assessment and collected as taxes, a complete title being in borrower. * * * Where the water assessment is merely a fixed annual charge collectible as taxes and the borrower's legal title is unimpaired, we feel that loans can be made, the question in this instance to consider being the effect of the assessment on the borrower's net earning power. Where the title reserves a specific lien for a specific amount, clearly the borrower does not have such title as enables him to give a first mortgage, construing the term "first mortgage," as we must, to mean a paramount lien.

The result of the act, therefore, would be to encourage the formation of irrigation districts and provide cooperation therewith, to release the liens now constituting present or prospective encumbrances on both private land and the entered lands within all projects reorganized as irrigation districts when the district itself made contract for the repayment of the charges, thus facilitating farm loans.

The irrigation district is by no means an experiment, but the principles applicable have been thoroughly thrashed out in the State courts of the West and in the Supreme Court of the United States.

The irrigation district statutes apply to the public work of reclaiming arid lands the principles applicable to public corporations. These laws have been upheld by the courts of last resort in practically all reclamation States. The Supreme Court of the United States has upheld the constitutionality of the California law, which is entirely typical, in the case of Fallbrook Irrigation District *v.* Bradley (164 U. S., 112). The courts have upheld the power of these districts to assess and levy for construction purposes with entire uniformity. After an irrigation district is once organized as a de facto corporation, it has been held that no one but the State can question its organization. (Tulare Irrigation District *v.* Shepard, 185 U. S., 1.)

The various irrigation district laws contain confirmation provisions whereby an obligation, before being incurred by the issuance of bonds or by contracts to reimburse the reclamation fund of the United States, can be judicially passed upon and approved. Upon the successful determination of such proceedings the decree is binding upon the world under the decisions of all State courts. It has been held in California that even the State is bound by the confirmation decree (People *v.* Linda Vista Irrigation District, 128 Calif., 477, 61 Pac., 86.)

The Secretary of the Interior had the following to say in support of the proposed legislation:

The purpose of the bill is to adjust certain procedure relating to cooperation between the United States and irrigation districts organized under State laws in connection with contracts providing for the repayment of water charges upon Federal irrigation projects.

The use of the irrigation-district plan of securing repayments of water charges on Federal irrigation projects has been approved in a general way by Congress for the past 10 years. The Warren Act of February 24, 1911 (36 Stat., 925), provides for contracts with irrigation districts, and the extension act of August 13, 1914 (38 Stat., 686), at section 5 authorizes the transfer of the care, operation, and maintenance of Federal irrigation projects to irrigation districts. In section 7 of the last-named act the Secretary of the Interior is authorized to appoint irrigation districts as fiscal agents on Government projects. In the Smith Act of August 11, 1916 (39 Stat., 506), public lands of the United States were made subject to the assessment and levy of irrigation districts. The sundry civil appropriation act of June 12, 1917 (40 Stat., 148), provides that no moneys shall be expended for drainage on the Rio Grande project except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of all project investments. A similar provision appears in the sundry civil appropriation act of July 1, 1918 (40 Stat., 674), and in the sundry civil appropriation act of July 19, 1919 (41 Stat., 200). In the act of July 1, 1918, Congress specifically approved an agreement by which a developed Carey Act project in Idaho, which had been organized into an irrigation district, known as the King Hill irrigation district, contracted with the United States for the further development of the project and for repayment to the United States under the irrigation-district plan. The sundry civil appropriation act of June 5, 1920 (41 Stat., 913), approves a further agreement with the King Hill irrigation district and also provides that no part of the appropriation made for the Boise Federal irrigation project in Idaho shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the cost thereof. All of this legislation is general in nature and contains no specific amendment to the details of existing procedure designed to apply to dealings with individual water-right applicants.

A general rule upon Federal irrigation projects is to require each person applying for a right to the use of water to file a formal water-right application. This procedure, however, is inconsistent with the irrigation-district plan for the reason that in the latter case the water right vests in the irrigation district, which is a quasi public corporation, and the individual water user has no separable water right, being entitled by the laws of the State to his proportionate share of the water available for the district. Accordingly, the requirement of a water-right application in a case where a contract has been made with an irrigation district compels an unnecessary amount of work and possible complications. The first section of this bill would eliminate the requirement of water-right applications where contract for repayment of water charges has been made with an irrigation district. It also would modify the requirements of the extension act of August 13, 1914 (38 Stat., 686), relating to dates and conditions of payment so as to comply with the provisions of State laws in regard to the collection of taxes to provide funds for making payments upon water rights.

The act of August 9, 1912 (37 Stat., 265), reserves a lien to the United States in certain patents and water-right certificates issued prior to full payment of water-right charges. This lien can not be released except upon full payment of the construction charges. When a contract has been made with an irrigation district providing for payment of all water charges, the United States then has ample security for the collection of such charges, and the lien reserved by the act of August 9, 1912, is no longer necessary. In such cases it is advisable

to release the lien so the farmers may be able to secure loans either from the Federal Farm Loan Board or from other loan agencies which consider this lien a first mortgage and will therefore not make loans upon lands subject thereto. The liens of assessments made by irrigation districts to provide money for payment of Government water charges are of the same general nature as assessments made by towns, counties, and school districts, and are not regarded as obstacles to the making of loans.

Section 2 of the bill would authorize the Secretary of the Interior, in a case where contract has been made with an irrigation district providing for payment of all Government water charges, to release the liens under the act of August 9, 1912, as to lands within such irrigation district, and would also do away with those liens in the future as to such lands. This section would also authorize for the same reason the release of liens which arise under our water-right applications. These liens, however, are provided by regulation and not by law, and it would therefore seem that the Secretary now has the authority to make such releases. There is no objection, though, to having this provision included in the bill.

It is suggested that the intent of the first proviso of section 2 of the bill would possibly be more clearly expressed in the following form:

"*Provided*, That no such lien so reserved to the United States in any patent or water-right certificate shall be released until the owner of the land covered by the lien shall consent in writing to the assessment, levy, and collection by such irrigation district of taxes against said land for the payment to the United States of the contract obligation."

The second proviso of section 2 is apparently surplusage, as the matter therein referred to seems to be fully covered by the provision for judicial confirmation in section 1. If, however, your committee desires to retain the second proviso of section 2, the following form is suggested:

"*Provided further*, That before any lien is released under this act the Secretary of the Interior shall file a written report finding that the contracting irrigation district is legally organized under the laws of the State in which its lands are located, with full power to enter into the contract and to collect by assessment and levy against the lands of the district the amount of the contract obligation."

The act of August 11, 1916 (39 Stat., 506), provides for the taxation of public lands within irrigation districts under certain conditions. This law requires the filing with the Department of the Interior of a map or plan showing the irrigation system. This procedure seems unnecessary in cases where a contract has been made between the United States and an irrigation district under which the Government becomes the builder of the irrigation system, and section 3 of the bill proposes to eliminate the requirement of filing such a map.

I am of the opinion that it would be advisable to amend the bill as herein suggested, and that it should then be enacted into law.

The general advantages of this proposed legislation may be briefly stated as follows:

1. The organization, financing, and operation of irrigation districts are fully under popular control.

2. This increases the sense of local civic responsibility.

3. The projects are much more rapidly organized by the holding of an election after a petition for organization than is possible where individual contracts from the landowners must be secured.

4. Examination of abstracts of title is of no importance under the district plan.

5. Complete control over the lands of the dissenting minority is secured so that all of the lands benefited are bound.

6. No profit other than interest on the bonds is paid to the creditors or for promotion.

7. The method of public assessment is applied to all lands benefited, affording priority over private mortgage liens and the same machinery for collection as in the case of taxes.

8. The collection of the needed funds by public assessment results in a better attitude on the part of the average landowner toward the payment of the moneys required for irrigation.

9. Control is secured over public lands of the United States when entered and against unentered lands awaiting entry assessments accumulate.

10. The status of a public corporation gives the irrigation district a much better standing in financial markets.

11. The State district laws supply the best means for cooperation with the United States under Federal reclamation laws.

12. Several States provide for exemption of taxation of irrigation-district property and others for the registration of bonds so that they become lawful securities for the investment of State school funds and for private fiduciary moneys.

13. The laws of all States provide for confirmation proceedings, jurisdiction over all persons being secured by publication, whereby the decree becomes conclusive upon all the world as to the organization of the district and the validity of the debts incurred.

14. The speculative feature is eliminated, landowners speculatively inclined, being taxed for the cost and operation of the works, are unable profitably to "hold on."

15. The land is accordingly early put into cultivation in order to make it possible to meet the assessments.

16. The project in this manner is more rapidly developed and achieves more prompt success.

17. Where irrigation districts are formed and assume the indebtedness to private creditors or the United States, the liens for construction costs, etc., may be discharged as regards private lands. Then, after the district makes the necessary collections by assessment and levy, as in the case of other municipal corporations, and the only lien required is that which comes into existence annually for the current assessment, such an obligation and lien are not in any sense a legal bar to the enjoyment of the privileges of the Federal farm loan act.

This bill is similar and practically the same as H. R. 2702, Sixty-sixth Congress, second session, upon which the committee made unanimous report on May 29, 1920, being Report No. 1065 of said Sixty-sixth Congress. Full hearings were had on said bill H. R. 2702, which, together with Report No. 1065 and such hearings theretofore had by the committee, were before and considered by the committee in consideration of H. R. 4382 and in making their report thereon to the House.

Any Member of the House desiring to familiarize himself with the irrigation laws of the 17 Western States and decisions of the various courts of such States and the Supreme Court of the United States thereon, together with the Federal reclamation laws of the United States, will be able to find the same in two publications published by the direction of the Committee on Irrigation of Arid Lands entitled:

(1) Compilation of the Irrigation District Laws of the Seventeen Western States of the United States, January 1, 1920.

(2) Federal Reclamation Laws of the United States (annotated), a chronological compilation of the public statutes of the United States relating to Federal irrigation of arid lands, with notes of decisions of the courts, the comptroller, the Attorney General, the Department of the Interior, and Reclamation Service, by Ottamar Hamele, counsel, United States Reclamation Service, January 1, 1920.

Much discussion was had during this debate on the question of whether irrigation districts were for "public purposes" or for "private enterprises."

In addition to the cases above cited, I desire to present the following:

(Judson on taxation. Second edition, sec. 380.)

SUPREME COURT ON LOAN ASSOCIATION V. TOPEKA.

In the California irrigation case (Fallbrook Irrigation District *v.* Bradley, 164 U. S., 112) the Supreme Court of California had adjudged that the purpose of the assessment was public. But it was contended that the United States Supreme Court was not concluded by this and had the power "under general constitutional law" to determine whether the purpose was public or private. The court held, however, that it could only review the decision of the State court on this question to determine whether the assessment was valid under the fourteenth amendment, and that it could not overrule the State court on principles of general constitutional law, saying, at page 155:

"We should not be justified in holding the act to be in violation of the State constitution in the face of clear and repeated decisions of the highest court of the State to the contrary under the pretext that we were deciding principles of general constitutional law. If the act violates any provision, expressed or properly implied, of the Federal Constitution, it is our duty to so declare it; but if it do not, there is no justification for the Federal courts to run counter to the decisions of the highest State court upon questions involving the construction of State statutes or constitutions on any alleged ground that such decisions are in conflict with sound principles of general constitutional law. The contrary has not been held in this court by the case of Loan Association *v.* Topeka (20 Wall., 655). In that case a statute of Kansas was held invalid because by its provisions the property of the citizen, under the guise of taxation, would be taken in aid of a private enterprise, which was a perversion of the power of taxation. The case was brought in the United States Circuit Court for the District of Kansas and was decided by that court in favor of the city. There had been no decision of the highest State court upon the question whether the act violated the constitution of Kansas, and consequently there was none to be followed by the Federal court upon that question. This court held that a law taxing the citizen for the use of a private enterprise conducted by other citizens was an unauthorized invasion of private rights. Mr. Justice Miller said that there were such rights in every free government which were beyond the control of the State. The ground of the decision was, as stated, that the act took the property of the citizen for a private purpose, although under the forms of taxation. In thus holding there was no overruling or refusing to follow the decisions of the highest court of the State respecting the constitution of its own State.

"We are, therefore, practically confined in this case to the inquiry whether the act in question, as it has been construed by the State courts, violates the Federal Constitution."

It was held that the assessment was for a public purpose sufficient to constitute due process of law.

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(Limitations of taxing power and public indebtedness. By James M. Gray. Section 248.)

TAXATION FOR DRAINAGE, IRRIGATION, LEVEES, AND DIKES.

The enforcement of such sanitary regulations and the employment of such sanitary methods as are necessary or conducive to the general health of the community are public purposes which are justifiable under the police power of the State, and the power of taxation may properly be used in furtherance of such purposes. The danger to the public health and the public inconvenience which arise from wet lands, marshes, ponds, and swamps are well known; consequently the drainage of such lands, marshes, and swamps is of public utility, and taxes or special assessments may be levied to perform such work.

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(Limitations of taxing power and public indebtedness. By James M. Gray. Section 253.)

TAXATION FOR DRAINAGE, IRRIGATION, LEVEES, AND DIKES.

The principles which justify the drainage of swamp lands justify also the irrigation of arid lands, although the public benefit is not so much a matter of health as of profit. If it be essential or material to the prosperity of the community, the lands may be irrigated at the public expense; and if the improvement be one in which all the land-

owners of a district have to a certain extent a common interest, it may be made at their joint expense by way of special assessment; and the questions of the public utility and the common benefit are both generally within the discretion of the legislature. It is settled that "the irrigation of really arid lands is a public purpose, and the water thus used is put to a public use." (Fallbrook Irrigation District *v.* Bradley, 164 U. S., 112; 41 L. ed., 369; 17 Sup. Ct. Rep., 56. Tregea *v.* Modesto Irrigation District, 164 U. S., 179; 41 L. ed., 395; 17 Sup. Ct. Rep., 52. In re Madera Irrigation District, 92 Calif., 296; 27 Am. St. Rep., 106; 28 Pac. Rep., 272, 675; 14 L. R. A., 755. Ellinghouse *v.* Taylor, 19 Mont., 462; 48 Pac. Rep., 757. Prescott Irrigation Co. *v.* Flathers, 20 Wash., 454; 55 Pac. Rep., 635. Cummings *v.* Hyatt, 54 Nebr., 35; 74 N. W. Rep., 411.)

The United States Supreme Court, in Jones *v.* Portland (245 U. S., p. 217), speaking on this question, says:

Municipal taxation to raise the money necessary to enable the municipality to establish and maintain a permanent coal and fuel yard for the purpose of selling wood, coal, and fuel to its inhabitants without financial profit, conformably to State legislation purporting to be passed in the public interest, and so declared to be by the highest court of the State, can not be said to deny the taxpayers the protection which the constitutional guaranty of due process of law affords against the taking of their property for uses that are private. (For other cases see Constitutional Law, 445–449; Eminent Domain, 39–58, in Digest Sup. Ct., 1908.)

The contention is that the establishment of the municipal wood yard is not a public purpose; that taxation to accomplish that end amounts to the taking of the property of the plaintiffs in error without due process of law.

The decision of the case turns upon the answer to the question whether the taxation is for a public purpose. It is well settled that moneys for other than public purposes can not be raised by taxation, and that exertion of the taxing power for merely private purposes is beyond the authority of the State. (Citizens' Sav. & L. Assoc. *v.* Topeka, 20 Wall., 655; 22 L. ed., 455.)

The act in question has the sanction of the legislative branch of the State government, the body primarily invested with authority to determine what laws are required in the public interest. That the purpose is a public one has been determined upon full consideration by the supreme judicial court of the State, upon the authority of a previous decision of that court. (Laughlin *v.* Portland, 111 Me., 486; 51 L. R. A. (N. S.), 1143; 90 Atl., 318; Ann. Cas. 1916C, 734.)

The attitude of this court toward State legislation purporting to be passed in the public interest, and so declared to be by the decision of the court of last resort of the State passing the act, has often been declared. While the ultimate authority to determine the validity of legislation under the fourteenth amendment is rested in this court, local conditions are of such varying character that what is or is not a public use in a particular State is manifestly a matter respecting which local authority, legislative and judicial, has peculiar facilities for securing accurate information. In that view the judgment of the highest court of the State upon what should be deemed a public use in a particular State is entitled to the highest respect. (Hairston *v.* Danville & W. R. Co., 208 U. S., 598, 607; 52 L. ed., 637, 641; 29 Sup. Ct. Rep., 331; 13 Ann. Cas., 1008.) In Union Line Co. *v.* (222) Chicago & N. W. R. Co., 233 U. S., 211; 58 L. ed., 924; 34 Sup. Ct. Rep., 522, this court declared that a decision of the highest court of the State declaring a use to be public in its nature would be accepted unless clearly not well founded, citing Fallbrook Irrig. Dist. *v.* Bradley, 164 U. S., 112, 160; 41 L. ed., 369, 389; 17 Sup. Ct. Rep., 56; Clark *v.* Nash, 198 U. S., 361, 369; 49 L. ed., 1085, 1088; 25 Sup. Ct. Rep., 676; 4 Ann. Cas., 1171; Strickley *v.* Highland Boy Gold Min. Co., 200 U. S., 527, 531; 50 L. ed., 581, 583; 26 Sup. Ct. Rep., 301; 4 Ann. Cas., 1174; Offield *v.* New York, N. H. & H. R. Co., 203 U. S., 372, 377; 51 L. ed., 231, 236; 27 Sup. Ct. Rep., 72; Hairston *v.* Danville & W. R. Co., supra. This doctrine was reiterated in O'Neill *v.* Leamer, 239 U. S., 244, 253; 60 L. ed., 249, 265; 36 Sup. Ct. Rep., 54.

(5, 6) 2. This presumption in favor of laws imposing taxes is, as Judge Cooley says in his work on Taxation (3d ed., p. 185), "applicable with peculiar force to the case of a legislative decision upon the purpose for which a tax may be laid. For in the first place there is no such thing as drawing a clear and definite line of distinction between purposes of a public and those of a private nature. Public and private interests are so commingled in many cases that it is difficult to determine which predominates; and the question whether the public interest is so distinct and clear as to justify taxation is found embarrassing to the legislature and no less so to the judiciary. * * * To justify the court in declaring the tax void, the absence of all possible public interest in the purpose for which the funds are raised must be clear and palpable—so clear and palpable as to be perceivable by every mind at first blush."

3. "Limitations or restrictions upon the exercise of this essential power of sovereignty can never be raised by implication, but the intention to impose them must be expressed in clear and unambiguous language." (Cooley on Taxation, p. 177.) What constitutes a public purpose will vary in different communities and different periods. (Fallbrook Irrigation District *v.* Bradley, 164 U. S., 112; 117 Supt. Ct., 56; 41 L. Ed., 369; Clark *v.* Nash, 198 U. S., 362; 25 Sup. Ct., 676; 49 L. Ed., 1085; 4 Ann. Cas., 1171; O'Neill *v.* Leamer, 239 U. S., 244, 253; 36 Sup. Ct., 54; 60 L. Ed., 249; Noble State Bank *v.* Haskell, 219 U. S., 104; 31 Sup. Ct., 186; 55 L. Ed., 112; 32 L. R. A. (N. S.), 1062; Ann. Cas., 1912A, 487.)

4. The fourteenth amendment contains no express language limiting the taxing power of States. Laws have been condemned by holding that a tax for a purely private purpose deprives the taxpayer of his property without due process of law. When is a tax for a "purely private purpose" within this rule?

(a) The only cases in the Federal courts in which laws have been condemned are those in which bonds or public funds were given as a mere gratuity to a privately owned manufacturing enterprise to encourage its establishment within the city. Such are the cases cited by counsel for plaintiff. (Loan Association *v.* Topeka, 20 Wall., 655; 22 L. Ed., 455; City of Parkersburg *v.* Brown, 106 U. S., 487; 1 Sup. Ct. 442; 27 L. Ed., 238; Cole *v.* City of La Grange, 113 U. S., 1; 5 Sup. Ct., 416; 28 L. Ed., 896; Dodge *v.* Mission Township, 107 Fed., 827; 46 C. C. A., 661; 54 L. R. A., 242.)

(b) I have not been able to discover any instance in which the Supreme Court has held invalid an exercise of the taxing power of the State for establishing and maintaining an industry which was owned by the State or a municipality. Such is the character of all the laws here assailed. The industries are to be owned by the State or cities. The latest expression of the Supreme Court on the subject is Jones *v.* City of Portland (245 U. S., 217; 38 Sup. Ct., 112; 62 L. Ed., 252; L. R. A., 1918C, 765; Ann. Cas., 1918E, 650), sustaining a statute of the State of Maine authorizing cities to establish and maintain wood, coal, and fuel yards for the purpose of selling at cost wood, coal, and fuel to their inhabitants. This decision is the more impressive because a similar law has been held invalid by the Supreme Court of Massachusetts and by some other State courts. (Scott *v.* Frazier, 258 Fed., 669–675, 676.)

In answer to the statement of the gentleman from Kansas as to the objector or minority, the following might be quoted:

Whatever damages the plaintiffs in this case may suffer, they will suffer as members of the democratic family associated as the government of the State. I know of no way a citizen in a democracy can be relieved of his share of the burden incident to the character of the Government, and as a matter of reciprocity it may be noted that all the blessings of a democratic Government are thrust upon an unassenting minority. (Green *v.* Frazier, 176 N. W., 24.)

ENROLLED BILL SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 10161. An act authorizing the use of special canceling stamps in certain post offices.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that March 7 they had presented to the President of the United States, for his approval, the following bills:

H. R. 10185. An act authorizing the exchange of lands within the exterior boundaries of the Malheur National Forest, in the State of Oregon, and for other purposes;

H. R. 244. An act to provide for the disposition of abandoned portions of rights of way granted to railroad companies;

H. R. 8842. An act to provide for agricultural entries on coal lands in Alaska;

H. R. 5013. An act to authorize the Secretary of the Navy to sanction the inscription of titles upon certain monuments, tablets, or other memorials; and

H. R. 7158. An act to amend the Army appropriation act approved July 11, 1919, so as to release appropriations for the completion of the acquisition of real estate in certain cases and making additional appropriations therefor.

ADJOURNMENT.

Mr. KINKAID. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned until to-morrow, Thursday, March 9, 1922, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MOORES of Indiana: Joint Select Committee on Disposition of Useless Executive Papers. Report No. 782. A report on useless papers in the Department of the Interior. Ordered to be printed.

Mr. CURRY: Committee on the Territories. H. J. Res. 282. A joint resolution to authorize the Secretary of War to incur obligations for construction and maintenance of roads, bridges, and trails in Alaska, said obligations to be paid from the appropriation for the fiscal year ending June 30, 1923; with an amendment (Rept. No. 783). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BECK: A bill (H. R. 10798) authorizing the Interstate Commerce Commission to approve or disapprove contracts involving the construction or repair of locomotive engines, cars, and maintenance work, such as building, maintaining, and repairing tracks, roadbeds, bridges, buildings, coal docks, and water stations owned and operated by common carriers by railroad engaged in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. DARROW: A bill (H. R. 10799) to authorize the Secretary of War to grant permission to the city of Philadelphia, Pa., to widen Haines Street in front of the national cemetery in said city; to the Committee on Public Buildings and Grounds.

Mr. SUTHERLAND: A bill (H. R. 10800) authorizing the development of the resources of the Territory of Alaska, and for other purposes; to the Committee on the Territories.

By Mr. PORTER: A bill (H. R. 10801) for the creation of an American battle monuments commission to erect suitable memorials commemorating the services of the American soldier in Europe; to the Committee on Foreign Affairs.

By Mr. PORTER: Joint resolution (H. J. Res. 286) authorizing the President to appoint a commission to represent the Government of the United States at the centennial celebration of the independence of Brazil, to be held at Rio de Janeiro in September next; to the Committee on Foreign Affairs.

By the SPEAKER (by request): Memorial of the Senate of Porto Rico regarding the Governor of Porto Rico, E. Montgomery Reily; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS of Pennsylvania: A bill (H. R. 10802) granting a pension to John W. Heller; to the Committee on Invalid Pensions.

By Mr. CONNOLLY of Pennsylvania: A bill (H. R. 10803) granting an increase of pension to Henry Clay Warner; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 10804) granting a pension to Alice Kingrey Foster; to the Committee on Invalid Pensions.

By Mr. GOODYKOONTZ: A bill (H. R. 10805) granting a pension to B. A. Lundy; to the Committee on Pensions.

Also, a bill (H. R. 10806) granting a pension to Lexie Fuller; to the Committee on Invalid Pensions.

By Mr. HAWES: A bill (H. R. 10807) for the relief of Edward Flanagan; to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 10808) granting an increase of pension to Augusta L. Simpson; to the Committee on Invalid Pensions.

By Mr. McPHERSON: A bill (H. R. 10809) granting a pension to Mary Jane Points; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 10810) granting a pension to Mary J. Lake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10811) granting an increase of pension to Lucinda Welch; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 10812) granting a pension to Millie Campbell; to the Committee on Invalid Pensions.

By Mr. WINSLOW: A bill (H. R. 10813) for the relief of Peter Laskis; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4489. By the SPEAKER (by request): Petition of Caballeros Estrella Solitaria, respectfully requesting the removal of Gov. Reily from Porto Rico; to the Committee on Rules.

4490. Also (by request), memorial adopted by a convention of manufacturers, held under the auspices of the National Association of Manufacturers of the United States of America at Washington, D. C., relative to the Fordney tariff bill and urging the retention of the American-valuation plan; to the Committee on Ways and Means.

4491. Also (by request), resolution adopted by the City Council of Philadelphia, respectfully requesting the President, Congress, and the Departments of War and Navy not to close the Philadelphia Navy Yard but to continue it in use as a repair and supply station and as a reserve basin for vessels allowed by the treaty fleet; to the Committee on Naval Affairs.

4492. By Mr. BIXLER: Petition of residents of Mercer County, Pa., against House bill 9753 or any like bill; to the Committee on the District of Columbia.

4493. By Mr. BURTNESS: Petition of residents of Dickinson, N. Dak., protesting against the enactment of House bills 4388 or 9753; to the Committee on the District of Columbia.

4494. By Mr. CAREW: Resolution adopted by the City Council of Philadelphia, urging that the Philadelphia Navy Yard be not discontinued; to the Committee on Naval Affairs.

4495. By Mr. CONNOLLY of Pennsylvania: Evidence in support of House bill 10803, granting an increase of pension to Henry Clay Warner; to the Committee on Pensions.

4496. Also, papers in support of House bill 9861, granting a pension to Catharine Longshore; to the Committee on Invalid Pensions.

4497. Also, petition of 249 employees of North Bros. Manufacturing Co., of Philadelphia, Pa., urging the early enactment of a tariff law based on the American valuation plan; to the Committee on Ways and Means.

4498. Also, copy of resolution passed by the City Council of Philadelphia on the 2d day of March, 1922, requesting that the Philadelphia Navy Yard be continued in operation and used as a repair and supply station and as a reserve basin for vessels allowed by the treaty fleet; to the Committee on Naval Affairs.

4499. By Mr. CULLEN: Resolution adopted by the City Council of Philadelphia urging that the Philadelphia Navy Yard be not discontinued; to the Committee on Naval Affairs.

4500. By Mr. DARROW: Resolution of the City Council of Philadelphia, Pa., in behalf of the continued operation and maintenance of the Philadelphia Navy Yard; to the Committee on Naval Affairs.

4501. By Mr. FITZGERALD: Petition of two citizens of Columbus, Ohio, against the Sunday observance bill (H. R. 9753); to the Committee on the District of Columbia.

4502. By Mr. FULLER: Petition of 89 citizens of Rockford, Ill., asking for early passage of a protective tariff bill based on American valuation; to the Committee on Ways and Means.

4503. Also, resolutions of the Streator (Ill.) Chamber of Commerce, favoring the Hill bill (H. R. 9691) for the creation of Federal local option districts; to the Committee on the Judiciary.

4504. By Mr. GALLIVAN: Petition of the Sampson & Murdock Co., of Boston, Mass., protesting against assessment of a tax on first-class postage; to the Committee on Ways and Means.

4505. By Mr. GOODYKOONTZ: Evidence in support of House bill 10806, granting a pension to Lexie Fuller; to the Committee on Invalid Pensions.

4506. Also, evidence in support of House bill 10805, granting a pension to B. A. Lundy; to the Committee on Pensions.

4507. By Mr. KAHN: Resolution by the Bay Cities Metal Trades Council, urging that repairs on ships be done by American workmen; to the Committee on Naval Affairs.

4508. By Mr. KISSEL: Petition of the National Inside Association of America, of Geneva, Ohio, relative to its beliefs; to the Committee on the Judiciary.

4509. Also, petition of the Brotherhood of Locomotive Engineers, of Cleveland, Ohio, relative to the railroads; to the Committee on Interstate and Foreign Commerce.

4510. Also, petition of J. M. Huber, of New York City, N. Y., urging favorable action on House bill 7452 as amended; to the Committee on the Public Lands.

4511. By Mr. OSBORNE: Petition of Mrs. P. C. Payne, of 838 Marco Place, Venice, Calif., and 32 other residents of that community, urging favorable action on the bill providing for a pension to mail carriers after not exceeding 30 years' service; to the Committee on Reform in the Civil Service.

4512. By Mr. RADCLIFFE: Petition of citizens of Passaic, N. J., for passage by Congress of an adequate tariff law based upon American valuations; to the Committee on Ways and Means.

4513. By Mr. RAKER: Petition of the Chamber of Commerce of the State of New York, relative to the consolidation of Federal investigating agencies; to the Committee on Reform in the Civil Service.

4514. Also, petition of the Western White Pine Blister Rust Conference, by C. S. Chapman, of Portland, Oreg., relative to blister-rust control; to the Committee on Appropriations.

4515. Also, petition of the Chamber of Commerce of the State of New York, relative to immigration legislation; to the Committee on Immigration and Naturalization.

4516. Also, petition of Mare Island Local, No. 8, of the American National Association of Supervisors, urging support of the amendment to the retirement act of May 22, 1920, known as House bill 10246; also, petition of engineers, architects, draftsmen, and clerical force of the public works office, San Diego, Calif., indorsing the reclassification bill introduced by Senator Sterling; to the Committee on Reform in the Civil Service.

4517. Also, petition of the board of supervisors of Alameda County, Calif., indorsing Senate bill 3031, providing for a forest experiment station in cooperation with the State University of California; to the Committee on Agriculture.

4518. Also, petition of the American Association for Labor Legislation, of New York City, indorsing the Fitzgerald accident compensation bill (H. R. 10034), and urging its passage; to the Committee on the District of Columbia.

4519. Also, petition of the Retail Furniture Association of California, of San Francisco, Calif., indorsing the American-valuation plan and urging the passage of the tariff bill; to the Committee on Ways and Means.

4520. By Mr. RIDDICK: Petition of farmers of Sweet Grass, Dagmar, Circle, Conrad, Great Falls, Garfield County, Cheadle, and Enid, all in the State of Montana, urging the revival of the United States Grain Corporation and a fixed price on the 1922 crop of wheat; to the Committee on Agriculture.

4521. By Mr. SINCLAIR: Petition of 15 citizens of Williston, N. Dak., urging the revival of the United States Grain Corporation and a stabilized price for farm products; to the Committee on Agriculture.

4522. Also, petition of the Kiwanis Club of Minot, N. Dak., indorsing the bill introduced by Senator Cummins providing for the opening of the Mississippi River for traffic between St. Louis and Minneapolis; to the Committee on Interstate and Foreign Commerce.

4523. By Mr. SNYDER: Petition of certain residents of Utica, N. Y., against the passage of legislation forbidding religious liberty in the District of Columbia; to the Committee on the District of Columbia.

SENATE.

THURSDAY, *March 9, 1922.*

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our gracious Father, Thou hast been very indulgent in Thy mercies toward us. Thou hast remembered our needs, and as a father pitieth his children, so hast Thou pitied us in our waywardness and wanderings. We rejoice this morning that Thou art the same loving, tender-hearted, gracious God. Multiply Thy mercies unto us, we humbly beseech Thee.

Grant Thy blessing to all in authority. May the President be under Thy gracious keeping at this time; and so manifest Thyself to each one in the deliberations of this day that great mercy and peace may be multiplied. Through Jesus Christ, our Lord. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday, March 7, 1922, when, on request of Mr. JONES of Washington and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CARE AND CUSTODY OF ALASKAN INSANE (S. DOC. NO. 154).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Interior Department, fiscal year 1922, for care and custody of the insane of Alaska, $8,800, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

DEFICIENCY ESTIMATE, GENERAL LAND OFFICE (S. DOC. NO. 153).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a deficiency estimate for the Interior Department, General Land Office, fiscal year 1921, for payment to the Underwood Typewriter Co., $707.50; for credit in the accounts of Frank P. Trott, United States surveyor general of Arizona (no account shown), and for payment to the Cresmer Manufacturing Co., of Riverside, Calif., $210, which, with the accompanying papers, was referred to the Committee on Appropriations.

ACCOUNTS OF GEORGE W. EVANS (S. DOC. NO. 156).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a letter from the Secretary of the Interior requesting passage of a paragraph of legislation directing the General Accounting Officer to credit the accounts of George W. Evans, chief disbursing clerk, Department of the Interior, with the payment of $480, made to F. W. Bolgiano & Co., Washington, D. C., for three snow plows for the use of the Office of the Architect of the Capitol, etc., proposed to be included in the deficiency appropriation bill, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

WATER SUPPLY AT ELLIS ISLAND, N. Y. (S. DOC. NO. 155).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a letter from the Secretary of Labor requesting the reenactment with modified phraseology of the appropriation for the current fiscal year for new service pumps for water supply, including installation, at Ellis Island, N. Y., $11,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. LADD presented the petitions of Carl J. Meyer and 22 others, of Temple, and L. H. Kittelson and 17 others, of Deslacs, both in the State of North Dakota, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

Mr. HARRIS presented resolutions adopted by the Eighty-second Division Association, of New York, N. Y., and by a meeting of commanders and adjutants of American Legion posts of the first congressional district of Georgia, favoring the passage of the so-called fivefold adjusted compensation plan for veterans of the World War, which were referred to the Committee on Finance.

He also presented a resolution adopted by the Kiwanis Club of Americus, Ga., favoring acceptance of the proposal of Henry Ford relative to the Muscle Shoals project, which was referred to the Committee on Agriculture and Forestry.

Mr. WILLIS presented a resolution adopted by Hollingsworth Division, No. 100, Order of Railway Conductors of America, at Columbus, Ohio, protesting against the passage of the so-called Volk sales tax bill and favoring the passage of Senate bill 2901, the so-called La Follette estates tax bill, in connection with raising funds to pay the proposed soldiers' bonus, which was referred to the Committee on Finance.

REPORTS OF THE COMMITTEE ON CLAIMS.

Mr. STANFIELD, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 1026. An act for the relief of Albert E. Magoffin (Rept. No. 543); and

S. 2346. An act for the relief of Ellen B. Monahan (Rept. No. 544).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. UNDERWOOD:

A bill (S. 3258) to provide for the renting of the Old Government Building in Birmingham, Ala.; to the Committee on Appropriations.

By Mr. JONES of Washington:

A bill (S. 3259) authorizing leases for commercial attachés, authorizing an appropriation to defray the expenses of an advisory committee for the Fisheries Bureau, Department of Commerce, and for other purposes; to the Committee on Commerce.

By Mr. HALE:

A bill (S. 3260) granting a pension to George G. Ham;

A bill (S. 3261) granting a pension to Hattie E. Rust (with accompanying papers); and

A bill (S. 3262) granting an increase of pension to Charles H. Trudeau (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 3263) to extend the provisions of section 127–A of the national defense act as amended; to the Committee on Military Affairs.

By Mr. CAMERON:

A bill (S. 3264) granting an increase of pension to John A. Avirett; to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 3265) construing the expression "All employees in the classified civil service of the United States," as used in section 1 of the act of May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes"; to the Committee on Civil Service.

WORLD WAR FOREIGN DEBT COMMISSION (S. DOC. NO. 157).

Mr. WALSH of Montana. Mr. President, on yesterday the Attorney General, pursuant to a resolution of the Senate, submitted an opinion touching the question of the eligibility of the senior Senator from Utah [Mr. SMOOT] and Representative BURTON for service upon the Foreign Debt Funding Commission. In the opinion then submitted to the Senate the Attorney General referred to a former opinion of the Attorney General appearing in the twenty-second volume of the Opinions of the Attorneys General at page 184. The opinion thus published was the subject of some brief comment by myself before the Judiciary Committee this morning, and I ask unanimous consent that the opinion of the Attorney General referred to in the opinion of the Attorney General sent to the Senate on yesterday, together with my remarks before the Judiciary Committee, be published as a public document for the information of the Senate in connection with this matter.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NELSON. I ask unanimous consent for an extension of time within which the Committee on the Judiciary may report on what is known as the Walsh resolution (S. Res. 244). The committee has made progress in the consideration of the subject, but it has not been able to come to a conclusion.

The VICE PRESIDENT. Is there objection to granting further time to the Committee on the Judiciary to report on the resolution referred to? The Chair hears none, and the time is extended.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on March 8, 1922, the President approved and signed acts and a joint resolution of the following titles:

S. 1312. An act to amend the charter of the Potomac Insurance Co. of the District of Columbia;

S. 2492. An act to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes," approved June 30, 1921; and

S. J. Res. 125. Joint resolution to continue the military status of persons deserting the military or naval service during the World War, and the amenability to trial of those persons who failed to comply with the terms of section 5 of the selective service law.

INDEPENDENT OFFICES APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I present a conference report, which is only a partial agreement on House bill 9981, the independent offices appropriation bill. It is necessary to adopt this report and send the items in disagreement back for a further conference. This will have to be done before the House can act, and then there will be a delay of one day.

So I present the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9981) making appropriations for the Executive and for sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 12, 13, 14, 15, 26, 27, 33, and 40.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 7, 8, 9, 10, 11, 18, 22, 23, 24, 32, 34, 37, 38, 39, 41, and 42; and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$45,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$123,940"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$850,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lines 9 and 10 of the matter inserted by said amendment strike out the following: "and to continue available during the fiscal year 1923, $10,000" and insert in lieu thereof "$5,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "No part of the moneys appropriated or made available by this act shall, unless the President shall otherwise direct, be used or expended for the repair or reconditioning of any vessel owned or controlled by the Government, if the expense of such repair or reconditioning is in excess of $100,000, until a reasonable opportunity has been given to the available Government navy yards or arsenals to estimate upon the cost of such repair or reconditioning if performed by such navy yards or arsenals within the limit of time within which the work is to be done: *Provided*, That this limitation shall only apply to vessels while in the harbors of the United States, and all expenditures in connection with such work are to be considered in estimating the cost: *And provided further*, That the provisions of this clause shall take effect upon the passage of this act"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: " : *Provided further*, That no part of the foregoing appropriation shall be expended for construction work except necessary repairs"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments numbered 2, 19, 21, 28, 29, 31, 35, and 36.

F. E. WARREN,
REED SMOOT,
W. L. JONES,
LEE S. OVERMAN,
CARTER GLASS,
Managers on the part of the Senate.

WILL R. WOOD,
EDWARD H. WASON,
T. W. HARRISON,
Managers on the part of the House.

The report was agreed to.

Mr. WARREN. I move that the Senate insist upon its amendments still in disagreement, request a further conference with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate, appointing, if it please the Chair, those whose names are signed to the report just submitted.

The motion was agreed to; and the Presiding Officer [Mr. FERNALD] appointed Mr. WARREN, Mr. SMOOT, Mr. JONES of Washington, Mr. OVERMAN, and Mr. GLASS conferees at the further conference on the part of the Senate.

CLAIMS OF THE GOVERNMENT OF CHINA.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Acting Secretary of State in relation to four claims presented by the Government of China against the Government of the United States arising out of the negligent or unlawful acts in China of persons connected with the military and naval service of the United States, and I recommend that as an act of grace, and without reference to the question of the legal liability of the United States, an appropriation in the amount of $5,913.79 be made to effect settlement of these claims in accordance with the recommendation of the Acting Secretary of State.

WARREN G. HARDING.

THE WHITE HOUSE, *March 9, 1922.*

UNIFORM FOR AMBASSADORS.

Mr. HARRISON. Mr. President, on the 7th instant there appeared an editorial in the Chicago Tribune, a great western Republican newspaper, which I desire to have read at the Secretary's desk.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The reading clerk read as follows:

UNIFORMS FOR AMBASSADORS.

The English who saw Ambassador Harvey in his knee breeches and with his sword at the wedding of Princess Mary seem to agree that he was funny. His countrymen at home are afraid he must have been. They are glad he did not trip on his sword and land on his nose. There are so many ways in which an American ambassador, especially to the British, can trip. It seems unnecessary to hang a sword on him and have it get between his legs. He can trip over his tongue.

When a Chinaman goes officially to a British state event he goes as a Chinaman in the garments his own national taste tell him are proper. He has his own traditions and customs and they are accepted as good. No British chamberlain would tell a Persian, Turk, or Congo chieftain what to wear. Sitting Bull could have entered Westminster Abbey in feathers and buffalo skins, but Mr. Harvey is informed that the mode requires knee breeches, and for them he has neither the knees nor the calves. If he had been permitted to hang a pen from his sash he at least would have been physically safe. With the sword we know he was not, but he avoided the worst disaster.

American military men know what to do, because they have their uniforms for occasions. It would be just as sensible to compel Pershing to get into a Cossack suit for an occasion as to make Harvey get into something he can wear only by having all his countrymen laughing and swearing at him.

The State Department ought to call in some tailors and design and promulgate the standards of dress which the United States will consider adequate and fitting for any occasions of state which require the presence of its ambassadors. The dictates then will be the dictates of the Nation represented and thus they never can be questioned.

Mr. OVERMAN. Mr. President, I should like to inquire of the Senator from Mississippi whether any ambassador of the United States to any country in the world has ever appeared clothed in breeches and a sword? Is not such a costume contrary to the rules and customs which have governed United States ministers and ambassadors in the past?

Mr. HARRISON. Our present ambassador, I think, has appeared in the manner described in order to attract attention and set a precedent for others to follow.

CALL OF THE ROLL.

The VICE PRESIDENT. The morning business is closed.

Mr. JONES of Washington. Mr. President, I wish to call up the bill making appropriations for the Departments of Commerce and Labor, but I think we had better have a quorum before I ask unanimous consent to do so. Therefore I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harris	Nelson	Robinson
Ball	Harrison	New	Sheppard
Brandegee	Heflin	Newberry	Shields
Bursum	Johnson	Nicholson	Smith
Cameron	Jones, Wash.	Norbeck	Spencer
Capper	Kellogg	Oddie	Stanfield
Caraway	Kendrick	Overman	Stanley
Colt	Keyes	Page	Sterling
Culberson	King	Pepper	Sutherland
Cummins	Ladd	Phipps	Townsend
du Pont	Lenroot	Pittman	Underwood
Fernald	Lodge	Poindexter	Walsh, Mass.
France	McCormick	Pomerene	Walsh, Mont.
Glass	McKellar	Ransdell	Warren
Gooding	McKinley	Rawson	Watson, Ga.
Hale	McNary	Reed	Willis

Mr. PAGE. I wish to announce the absence of my colleague [Mr. DILLINGHAM] on account of death in his family.

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from New York [Mr. CALDER], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from Connecticut [Mr. MCLEAN], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained at a hearing before the Committee on Finance.

Mr. FLETCHER. I desire to announce that the Senator from Florida [Mr. TRAMMELL] is necessarily absent because of illness in his family.

The VICE PRESIDENT. Sixty-four Senators having answered to their names, a quorum is present.

COMMERCE AND LABOR APPROPRIATIONS.

Mr. JONES of Washington. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. JONES of Washington. I ask unanimous consent that the formal reading of the bill may be dispensed with and that the bill may be read for amendment. I am not particular whether or not we follow the usual rule of acting first on committee amendments. I will merely ask that the bill be read for amendment.

Mr. KING. I think that is the better way.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington?

Mr. ASHURST. Mr. President, I understand the request to be that the formal reading of the bill may be dispensed with and that the bill may be read for committee or other amendments.

Mr. JONES of Washington. Yes.

Mr. ASHURST. I have no objection to that course. I think that is a very proper way to proceed.

The VICE PRESIDENT. Without objection, it will be so ordered.

NATIONAL SCREW THREAD COMMISSION.

Mr. MCNARY. Mr. President, will the Senator from Washington yield to me, in order that I may call up a House joint resolution the consideration of which will take but a moment?

Mr. JONES of Washington. I yield.

Mr. MCNARY. I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 227) extending the term of the National Screw Thread Commission for a period of five years from March 21, 1922.

The VICE PRESIDENT. Is there objection?

Mr. KING. Let the joint resolution be read, Mr. President.

The VICE PRESIDENT. The joint resolution will be read.

The joint resolution was read, as follows:

Resolved, etc., That the term of the National Screw Thread Commission, created by an act approved July 18, 1918, as amended by an act approved March 3, 1919, is hereby extended for a period of five years from March 21, 1922.

Mr. KING. May I ask the Senator from Oregon whether he considers that this commission has been of any utility whatever and whether the prolongation of its life will be of any benefit to the people?

Mr. MCNARY. I will say to the Senator from Utah that, according to the report of the committee of the House of Representatives, which was followed by a unanimous vote extending the term of the commission, the commission have standardized to a very large extent the use of bolts and screws in the country. The passage of the resolution is heartily recommended by Mr. Hoover. It is a commission which receives no compensation; its services are entirely voluntary and without remuneration.

Mr. KING. I had in mind the fact that by the pending appropriation bill as well as by previous legislation the work of standardization of many things comes within the jurisdiction of the Department of Commerce; and I was wondering if on some of the numerous officials who are under the jurisdiction of the Department of Commerce, and for whom we are making appropriations in order to aid them in bringing about standardization, should not devolve the duties that are discharged by this commission?

Mr. MCNARY. The clerical personnel of the commission is supplied by the Secretary of Commerce, and the activities of the commission involve no additional cost to the Government. The commission is doing a good work, but its life expires on the 21st of this month. This joint resolution is simply to extend the life of the commission for a period of five years.

Mr. KING. Have they as yet made any report whatever of their proceedings?

Mr. MCNARY. I regret that I can not answer the question of the Senator, much as I should like to do so.

The VICE PRESIDENT. Is there objection to the consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COMMERCE AND LABOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Contingent expenses, Department of Commerce," on page 3, line 20, after the word "foregoing," to strike out "$50,000" and to insert "$80,200," so as to read:

For contingent and miscellaneous expenses of the offices and bureaus of the department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding $2,500); stationery; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges; fuel, lighting, and heating; purchase and exchange of motor trucks and bicycles; maintenance, repair, and operation of two motor-propelled passenger-carrying vehicles and of motor trucks and bicycles, to be used only for official purposes; freight and express charges; postage to foreign countries; telegraph and telephone service; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; repairs to building occupied by offices of the Secretary of Commerce; rental of water-cooling plant in Commerce Building, not to exceed $1,400; first-aid outfits for use in the buildings occupied by employees of this department; street car fares, not exceeding $300; and all other miscellaneous items and necessary expenses not included in the foregoing, $80,200.

Mr. KING. Mr. President, in view of the fact that the House committee went into this matter very fully, may I ask the Senator from Washington why the committee provides an increase in the appropriation?

Mr. JONES of Washington. Mr. President, the Secretary came before us with reference to the item, and stated that he thought the House must have acted under a misapprehension of the situation. Items for the Census Bureau are being taken out of the lump-sum appropriation because that bureau is returning to the normal period. The Secretary says that in view of that situation the contingent expenses of the Census Bureau must come out of the expenses of the Secretary's office, which

will take $30,200 out of the $50,000 appropriation. That will leave only $20,000 for the Secretary's office, which he stated would be utterly inadequate. He thought that the House must have been under a misapprehension, and therefore the committee felt, in view of the circumstances, that they should increase the appropriation.

Mr. KING. The amendment of the committee increases the appropriation which was allowed by the House.

Mr. JONES of Washington. That is correct; but it was done upon the statement of the Secretary to which I have referred. I have here the statement and will read it to the Senator, if he desires to have it read.

Mr. KING. While I have the floor, may I inquire of the Senator how the appropriations in this bill dealing with or relating to the same objects and matters and the same Federal agencies, bureaus, and departments compare with the appropriations for the same agencies, bureaus, departments, et cetera, in former years? The bill now seems to be sui generis, and we can not by following it institute any comparison with the bills of former years, because there have been drawn into this appropriation bill appropriations which previously were carried in various other bills.

Mr. OVERMAN. Mr. President, will the Senator yield to me?

Mr. KING. I yield.

Mr. OVERMAN. Mr. President, the bill which we are now considering provides for the maintenance of the department of the ideal Cabinet minister, Mr. Hoover. It is alleged in the public press that there have been great economies brought about in that department and other departments of the Government. However, I will read the Senator a comparison of the figures for the current fiscal year with those of the next fiscal year as provided in this bill. For commercial attachés in the last bill the appropriation was $171,000, while in this bill it is $200.000. In the bill of last year the appropriation for foreign and domestic commerce, and the promotion and development thereof, was $325,000, while in this bill it is $450,000.

The appropriation for the promotion of commerce in Central and South America last year was $100,000. In this bill it is $170,650.

The appropriation for the promotion of commerce in the Far East last year was $150,000. This year it is $166,150.

The appropriation for export industries last year was $250,000. This year it is $450,000.

Thus it appears that the total amount appropriated last year for these purposes was $1,228,510, while the total for those purposes in this bill is $1,669,310. This is the kind of economy that is going on in all departments—economizing upward instead of downward.

Mr. KING. And the Senator does not furnish figures showing what the increases have been in the other branches of the Department of Commerce.

Mr. OVERMAN. No, Mr. President.

Mr. KING. The Senator calls attention only to what might be denominated the export and the import agencies or bureaus of the department.

Mr. OVERMAN. I do not know how it is about the others; but since there have been allusions in the papers to the so-called economies that have been shown by the administration in this particular department, I wanted to show that instead of economizing downward they are economizing upward, and this work is costing more this year by $400,000 than it did last year, even.

Mr. WILLIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Ohio?

Mr. KING. I do.

Mr. WILLIS. Does the Senator from North Carolina think that the increased expenditures in the Bureau of Foreign and Domestic Commerce which are brought about through the enlarged efforts of that department to find a market for American products abroad are unwise expenditures?

Mr. OVERMAN. Mr. President, I have heard a great deal of criticism on the other side of our former Secretary of Commerce, Mr. Redfield, accusing him of extravagance. We gave him appropriations for these commercial attachés and all these matters. Regardless of whether it is wise or not, I am talking about the reports in the papers that there is economy in this department, when there is not economy but an increase of expenditures by over $400,000. Whether they are wise or not is a question that I am not arguing. I am just talking about the reports in the papers that there has been a decrease in the appropriations for this department when it is not true.

Mr. WILLIS. Does the Senator think it is proper to say that that is lack of economy, when he knows that this expenditure is made effectively to increase the markets for American products and thereby relieve the industrial situation of this country?

Mr. OVERMAN. That is another question.

Mr. KING. Mr. President, let me say to the Senator from Ohio that if we are to judge from the results, we should expect condemnation of the Department of Commerce instead of commendation, for the reason that every month during the past year our foreign commerce has shrunk. This last month it is approximately 50 per cent, if not more, less than it was a year ago. As I recall, a year ago it was $370,000,000 for one month, and this last year it was $160,000,000 or $170,000,000. Our imports were less the last month than they were the preceding month, and our exports were very much less than they were, perhaps 50 per cent or more less than they were a year ago; so that if the Department of Commerce had been interested in finding foreign markets for our products it has signally failed.

Mr. WILLIS. If the Senator will permit me to interrupt him there, I do not see how he can draw the conclusion from the statement he makes that the department has failed. Here is a world condition. The Senator with others, I think, joined in the effort to enable this country to help the financing of organizations to permit the larger exportation of American products. Here is a condition with which we have sought to deal. I think the Senator will find that the work of the department has been very efficient. The mere fact that because of this world condition exports for a certain time have fallen off does not at all prove the Senator's contention that this department has not been efficient.

Personally, I believe, and I think the Senator will find that the business men of the country will sustain that view, that this expenditure in the effort to enlarge markets for American products is money very well expended.

Mr. KING. The Senator from Ohio rose, as I understood him, to combat the proposition which was made by the Senator from North Carolina, namely, that the expenditures of the Department of Commerce as well as other departments were greater than they were a year ago, and that notwithstanding these increases the Republican newspapers and the publicity advocates of the Republicans are constantly announcing great reforms and great economies; and the Senator from North Carolina called attention to just a few items in this bill showing that the increases were more than $1,000,000 over the same items for a year ago.

Mr. WILLIS. Mr. President, I rose to comment on what I thought was the mistaken view of the Senator from North Carolina that this was an unwise expenditure. Perhaps I misunderstood him; but since the Senator from Utah now goes into this larger field, I call his attention to the fact that economies are being wrought; that in the period of four months, through the transfer of material and supplies from one department where they are not needed to another department where they are needed, there has been a saving of $112,000,000. That is at the rate of about $7,000,000 per week, or about a million dollars a day. That saving has already been wrought.

Mr. OVERMAN. No, Mr. President.

Mr. WILLIS. Just let me finish this statement, if the Senator please. Furthermore, the expenses of the Government this year are some $580,000,000 below the estimates, and something like a billion and a half below the expenditures of last year; so economies have been wrought and are being wrought.

Mr. OVERMAN. Mr. President, here is one department that shows an increase instead of a decrease. There has been a great deal of cutting off of war supplies and property increased on account of the war in every department; but as to the legitimate expenses of the Government, the Senator will find, if he will examine all the appropriation bills as compared with those of last year, that there is no economy, but that more has been appropriated than was appropriated before. I am talking about the legitimate expenses of the Government.

Mr. WILLIS. I do not know just what the Senator means by that expression; but he does not question the statement that the expense of the Government this year has been decreased beneath the expense last year by about a billion and a half dollars He does not deny that, does he?

Mr. OVERMAN. Not the legitimate expenses of the Government.

Mr. WILLIS. I do not know what the Senator means by "legitimate expenses." The amount that it has been found necessary to expend has been cut off a billion and a half in a year.

Mr. OVERMAN. I do not think the ordinary expenses of the Government will show any decrease.

Mr. WILLIS. The Senator from North Carolina contends and the Senator from Utah contends that there has been no economy, when the fact is that there has been economy.

Mr. KING. Mr. President, I am glad that the administration has such an eloquent defender of its rather dark, devious, and unsatisfactory record not only in the matter of economy but its record relating to general legislation, both foreign and domestic. I have not time, nor is it my purpose, to discuss that broad field at this time; but we hear so much, and the Senator from Ohio now repeats some of what we constantly hear, of the economies of the administration that some who are of inquisitive mind are led to inquire where are the manifestations of this economy?

I read in the press this morning that the Secretary of the Treasury is compelled immediately to negotiate loans; short-time certificates are to be issued amounting to more than $250,000,000; the revenues that are flowing into the Treasury are inadequate to meet maturing interest upon national obligations, as well as various forms of obligations which will be presented for payment within a few weeks. The Government will be compelled to borrow, in times of peace, within the next few days, more than $250,000,000. How much more the Government will be compelled to borrow during the present fiscal year it is impossible to determine; but I say to the Senator now, and I hope he will take the trouble to verify my prophecy at the expiration of the year, that when this fiscal year shall have ended there will have been presented to the Senate of the United States deficiency bills aggregating more than $500,000,000, and that the deficit—that is, the expenditures over the receipts—for the fiscal year will be more than $500,000,000. And that enormous deficit will exist notwithstanding the oppressive burdens of taxation imposed upon the people. It was claimed by the Republicans that when they got control of the legislative branch of the Government they would repeal war-time legislation, particularly that dealing with revenue and taxation, and that a fair and liberal tax bill would be presented. They declared that the people were burdened by the war taxes and that immediate relief would be granted. The Republican Congress not only refused to enact a revenue bill during the two years they were in control of Congress when Mr. Wilson was President, but they passed appropriation bills which consumed all the taxes pouring into the Treasury. When they got control of all branches of the Government one year ago there were promises of great reforms and reduced taxation. The reforms have not come and the reduced taxation is caused by the deadly paralysis which Republican policies have produced.

I repeat, this Republican administration, pledged to important reforms and great economies, will at the end of the fiscal year have deficiencies of hundreds of millions of dollars, which will have to be met by extensive loans, evidenced by bonds or short-time certificates. In my opinion the record will show expenditures of more than 50 per cent over the aggregate expenses of the Government during either of the years 1914, 1915, or 1916.

Some time ago it was stated that there had been saved about $125,000,000. That was announced from the White House amid great applause. It was proclaimed throughout the country as a marvelous Republican achievement, and as an exhibition of the fine executive ability of the administration. I offered a resolution to try to find out what had become of this vagrant and fugitive $125,000,000, in order that it might be covered into the Treasury of the United States. The resolution is lost. The money has not been found. It has not yet been covered into the Treasury. Probably it has evaporated, or has started on a long journey, seeking to overtake the fugitive promises of the Republican Party. The fact is, there was no $125,000,000 saving, as announced by the White House, and there will be no return to the Treasury of this sum or of any part of it.

My good friend from Ohio [Mr. WILLIS] declares that there has been a saving of $112,000,000 in supplies. Mr. President, when the Republicans took charge of the legislative branch of the Government three years ago there were billions of dollars of surplus war supplies on hand. Efforts were made by many Democrats to secure the disposition of this property, and to cover into the Treasury of the United States at as early a date as possible the proceeds derived therefrom. Our Republican friends have proceeded in a leisurely way, and at this late hour there are still hundreds of millions of surplus property undisposed of. The costs involved in caring for this property has been enormous. If there has been any saving there is no concrete evidence of that fact. The Republicans have been in power in all branches of the Government for one year, and as stated, there are still hundreds of millions of dollars of these supplies on hand.

I am not quite able to understand what the Senator means by this saving of $112,000,000. During and immediately following the war there were important changes made in administrative procedure and coordination occurred in many executive agencies. There is a broad field for economy in the consolidating of purchasing divisions, and one would have thought that Gen. Dawes, clothed with the tremendous power which I assume he possesses and which it is generally understood he possesses, would have effectuated greater consolidation and coordination in executive agencies and departments of the Government. For years it has been recognized that there were too many scattered and disconnected agencies where labors and activities overlapped. Gen. Dawes was to improve these conditions and secure higher efficiency and greater economy. I am afraid his powers have been curtailed or that he has been unable to combat the resistance of executive bureaus.

I have examined the pending bill with a view to determining just what appropriations were carried in preceding years for the same objects as are provided for in this bill. Under the new method of preparing appropriation bills it is impossible to determine what the appropriations were in former years for the particular subjects and matters referred to in the reported bills. I will ask the Senator now if he has any tables which make possible a fair comparison between the pending bill and former bills, in order that we may ascertain whether there have been increases or decreases in the appropriations for the subjects and the items and the objects which are provided for and taken care of in the pending bill?

Mr. JONES of Washington. Mr. President, of course, it is rather difficult to compare this bill with any previous bill, because of the change in the methods of making the appropriations. Many of these items were carried in the sundry civil bill heretofore and many of them were carried in the legislative bill—the salaries and so forth—so that a comparison is difficult; but in the report made by the House on this bill, report No. 719, the Senator will find a comparative statement of the amounts appropriated for 1922, the estimates for 1923, and the amount recommended in the accompanying bill in the House. I will be glad to furnish this to the Senator, and it gives a tabulated statement. I want to say that in the aggregate we have increased the bill as it came from the House by over $400,000.

Mr. KING. The committee has increased the bill over the appropriation for the fiscal year 1922 to the extent of $2,684,629.25.

Mr. JONES of Washington. I was just coming to that. The bill increases the appropriations over those for 1922 by $2,684,629.25, but $1,240,000 of that increase is made necessary by the maternity law, which we passed just a short time ago. The item for that on page 54 of the bill is $1,240,000, and that accounts for that much of the increase.

Then, as the Senator from North Carolina [Mr. OVERMAN] has said, we have increased the appropriations for the Bureau of Foreign and Domestic Commerce, and so on. We have done it, we believe, in the interest of economy. I do not think the country will understand that we have necessarily been economical where we appropriate $10 this year for an item for which we appropriated $50 the year before, because by our failure to appropriate the amount appropriated last year, or a greater amount, we may cause a loss to the industries of the country, to the prosperity of the country, to the business of the country, of many millions of dollars. Economy is not measured by the difference in the number of dollars and cents we appropriate from one year to another. The House increased the appropriation for the Department of Commerce, and the Senate has increased the appropriations made by the House, because we believed that it was economy to do it, because we believe that this is the time when we want to take all reasonable steps we can take in order to hold up our commerce.

Of course, everybody knows, the Senator knows, that our foreign commerce can not be kept up to the level attained during the war. However, we want to do everything within reason to hold it up to that level as nearly as we can; but we must get down to normal conditions, and when we do, our imports and our exports will not be what they were during the war. We can not expect them to be.

Mr. KING. Does the Senator expect that we shall have any imports except those on the free list if the demands of some of those who are in Washington seeking legislation are complied with and there emerges from the deliberations of the Republicans who are framing the tariff bill in the Senate the kind of a bill which is promised? I am sure the Senator will reach the conclusion that we shall have but little foreign commerce if that policy is pursued.

Mr. JONES of Washington. I do not intend to discuss the doctrine of protection in this connection. I believe in protection and I believe I have just as good reasons for my belief as the Senator has for his belief on the other side. So we might stand here and argue from now until the middle of next year, and the Senator would have the same opinion he has now and I would probably have the same opinion I entertain.

Mr. KING. I hope the Senator is not so incorrigible.

Mr. JONES of Washington. I am pretty well set in the doctrine of protection to American industries.

Mr. OVERMAN. There is no use to discuss that in connection with the question of the importance of foreign and domestic commerce. As the Senator knows, I have been one of the chief advocates of the development of that.

Mr. JONES of Washington. I do.

Mr. OVERMAN. The only thing which led me to bring this up was that there had been a misstatement made. The public is being misled, whether this is a wise provision or not, when it is claimed that these appropriations have been decreased, when, as a matter of fact, they have been increased. I may vote for this provision, but I refer to the misrepresentation which has been made by the newspapers.

Mr. JONES of Washington. I do not fe or misrepresentation. I do not believe any party gains anythin by misleading or attempting to mislead the people of the country. As far as I am concerned, I have tried not to do that.

Mr. OVERMAN. I think the Senator is one of the fairest and one of the ablest men on our committee, and the reason why I asked him the question is because it has been stated that there was a decrease in the appropriations, when that is not true.

Mr. JONES of Washington. Mr. President, I have not seen any statement from what I considered an authoritative source to the effect that the appropriations for the ordinary expenses of the Government are less than they were before we entered the war or equal to them. I did see a statement a short time ago, which I think was made on the floor of the House, that the appropriations for the normal operations of the Government would be about $250,000,000 more than the appropriations for the normal operations of the Government before we entered into the war, and if that is correct, I think it is a wonderful showing. If we have been able to get the normal expenses of the Government down to within $250,000,000 of what they were in 1914, I think we have been doing splendidly. I believe it is a record we have a right to be proud of.

Mr. KING. There will be some controversy as to what the normal expenses are.

Mr. JONES of Washington. Possibly so.

Mr. KING. Let me say to the Senator that if we get within $500,000,000 of what the prewar expenses were I shall be ready to crown the Senator with a laurel wreath.

Mr. JONES of Washington. I want to call attention to the fact that for the Census Office we have appropriated for this year a little over $1,600,000, while in 1922 the normal expenses of the Census were only $750,000; but the extraordinary work of the census was taken care of out of a lump sum, and we are now paying all of the appropriations for the census in the regular appropriations. We are making no lump-sum appropriations for that bureau. That accounts for seven or eight hundred thousand dollars.

Mr. OVERMAN. Last year they were closing up the census, and it cost $2,000,000. Now we have an appropriation of $1,600,000 carried in this bill, and the census is closed and gotten through with.

Mr. JONES of Washington. They had over $2,000,000 last year, which had been appropriated for, and that was used.

Mr. OVERMAN. That was for taking the census, but now there is no census being taken.

Mr. JONES of Washington. They have not closed up all the work of the census.

Mr. OVERMAN. They have closed up most of the work, except the publication.

Mr. JONES of Washington. I venture to say that there is not an item in connection with the census to which the Senator would make any objection. We have to take care of that. I am not saying we are making a smaller appropriation of money than heretofore; certainly not; we are increasing it. I do not believe we have increased these appropriations enough. I think it would have been wiser if we had made them nearer the Budget estimates than we have done; but I have not felt it wise, under all the circumstances, to go that far.

Mr. WILLIS. Mr. President——

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Utah yield to the Senator from Ohio?

Mr. KING. I yield to the Senator from Ohio, although I want to yield the floor in a moment.

Mr. WILLIS. I will wait until the Senator gets through, because I want to make some observations.

Mr. KING. I thought perhaps the Senator wanted to ask a question.

Mr. WILLIS. I want to answer a question.

Mr. JONES of Washington. The Senator from Utah asked me a question a while ago about the employees. I have a statement here of the employees of the different departments of the Government, which I got some time ago for other purposes than use in connection with this bill, but it will come in here very well.

Mr. KING. Does that show the number of employees in 1914, 1915, and 1916?

Mr. JONES of Washington. No; it does not show that. This is from the Bureau of Efficiency, a statement showing the number of civil employees in the Government service January 1, 1921, July 1, 1921, and December 31, 1921.

It shows that in the Department of Commerce on January 1, 1921, in the District of Columbia, there were 4,719 employees; and on December 31, 1921, there were 3,499.

In the field on January 1, 1921, there were 8,042, and on December 31, 1921, there were 7,989; or a total on January 1, 1921, of 12,761, and a total on December 31, 1921, of 11,488.

Mr. KING. Does the Senator know what that department had in 1916?

Mr. JONES of Washington. No; I do not.

Mr. KING. Does the Senator state that the number of employees in the Department of Commerce is over 12,000 now?

Mr. JONES of Washington. It is 11,488, in the field and in the District of Columbia.

Mr. KING. Would the "field" include those who are abroad?

Mr. JONES of Washington. Yes; I think so. I do not suppose that the Department of Commerce increased the number of its employees during the war as the other departments did. There was probably a sort of a normal increase, with the growth and development of the business.

I do not present this statement to show that there were more employees under the preceding administration than under this one. I do not know about that; I have not examined into that. I simply present it to show that since this administration came in it has been reducing the number of employees in the Department of Commerce. This gives some valuable information in reference to all the departments in that respect, and I am going to ask that it be inserted in the RECORD.

Mr. KING. I have no objection to that. Does the statement show the number of employees in the District of Columbia on December 31, 1921?

Mr. JONES of Washington. Yes; there were 75,786.

Mr. KING. That is more than double, or approximately double, the number of employees in the District of Columbia on January 1, 1917.

Mr. JONES of Washington. Probably so.

Mr. KING. It was somewhat less than 40,000 at that date.

Mr. JONES of Washington. I think this shows that during the last six months we have decreased the number of employees of the Government over 43,000. I have not any doubt but what there will be a further decrease, and I have no doubt that there ought to be a further decrease; but it takes time. We can not cut them off all at once.

I am not criticizing anyone because of the tremendous business which was built up during the war, and the Senator has never heard me criticize anyone on that ground, because I recognize that the administration had a tremendous task to perform and had to perform it under terrific conditions, and they did the best they could. They made a lot of mistakes, probably, which when we look back upon them we see could have been avoided; but that is gone; that is past. I feel they did the best they could. Of course, it is up to us, as long as we have control, to get things down to as economical a basis as we can. But we can not do it all at once. It takes time. If we try to do it all at once, we will cause more disorganization and more loss and inefficiency. I ask that this table may be put in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

UNITED STATES BUREAU OF EFFICIENCY,
Washington, February 4, 1922.

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I inclose herewith a statement showing the number of civil employees in the Government service on January 1, 1921, July 1, 1921, and December 31, 1921. This is in response to your oral request made early in the week.

Yours, very truly,
HERBERT D. BROWN,
Chief, Bureau of Efficiency.

Statement showing the number of civil employees in the Government service, Jan. 1, 1921, July 1, 1921, and Dec. 31, 1921.

Department or establishment.	Jan. 1, 1921.			July 1, 1921.			Dec. 31, 1921.		
	District of Columbia.	Field.	Total.	District of Columbia.	Field.	Total.	District of Columbia.	Field.	Total.
Department of State	692	2,392	[1]3,084	627	2,273	[2]2,900	590	2,531	[3]3,121
Department of the Treasury	29,738	46,310	[1]76,048	26,049	46,011	[3]72,060	20,239	47,253	67,492
Department of War	10,119	91,881	[4][5]102,000	7,300	71,536	[4]78,836	4,088	57,154	[4]61,242
Department of Justice	[6]700	[6][6]5,100	[5]5,800	728	[6][6]4,885	[5]5,613	713	[6][6]4,885	[5]5,598
Post Office Department	1,898	[7]296,936	298,834	2,055	[8]302,881	304,936	2,121	[8]299,658	301,779
Department of the Navy	2,302	78,813	81,115	1,884	82,634	84,518	2,238	59,250	61,488
Department of the Interior	5,954	11,642	17,596	6,139	14,288	20,427	5,743	11,652	17,400
Department of Agriculture	4,585	13,907	18,492	4,635	14,239	18,874	4,624	14,056	18,680
Department of Commerce	4,719	8,042	12,761	4,197	8,051	12,248	3,499	7,989	11,488
Department of Labor	1,163	2,892	4,055	1,162	2,640	3,802	1,044	2,642	3,686
The White House	48		48	38		38	38		38
General Accounting Office	[9]	[9]		1,710		1,710	1,400		1,400
Civil Service Commission	378	23	401	343	25	368	390	30	420
Bureau of Efficiency	55		55	51		51	52		52
Smithsonian Institution	457		457	506	2	508	477	2	479
Superintendent of State, War, and Navy Buildings	1,511		1,511	1,252		1,252	1,140		1,140
Interstate Commerce Commission	975	1,217	2,192	1,185	743	1,928	1,416	264	1,680
Commission of Fine Arts	3		3	3		3	3		3
Lincoln Memorial Commission				3		3	7		7
Rock Creek and Potomac Parkway Commission	3		3	3		3	2		2
Federal Power Commission	1		1	1		1	1		1
Federal Trade Commission	316		316	315		315	276	21	297
National Advisory Committee for Aeronautics	60		60	24	47	71	22	49	71
Council of National Defense	39		39	[10]	[10]				
Employees' Compensation Commission	75		75	82		82	81		81
Shipping Board	2,530	4,827	7,357	2,104	5,983	8,087	1,937	3,464	5,401
Veterans' Bureau				[9]	[9]		5,215	13,062	[11]18,277
Federal Board for Vocational Education	900	3,713	4,613	950	5,402	6,352	78		78
Tariff Commission	91		91	93		93	95		95
Railroad Administration	1,148	116	1,264	1,201	119	1,320	1,119	100	1,219
Office of Alien Property Custodian	180	2	182	164		164	155		155
Interdepartmental Social Hygiene Board	40	158	198	12	56	68	11	58	69
Railroad Labor Board		76	76		76	76		76	76
Board of Mediation and Conciliation	5		5	[9]	[9]				
Government Printing Office	4,489		4,489	4,392		4,392	4,309		4,309
Library of Congress	590		590	618		618	587		587
Botanic Gardens	22		22	50		50	47		47
Total	75,786	568,047	643,833	69,876	561,891	631,767	63,522	524,196	588,018

[1] Does not include approximately 700 doormen, butlers, and attendants in the Diplomatic and Consular Service abroad.
[2] Includes personnel of the Bureau of War Risk Insurance and the General Accounting Office.
[3] Includes personnel of the Bureau of War Risk Insurance.
[4] Includes personnel of the Panama Canal.
[5] Approximate.
[6] Includes officials and employees of United States courts.
[7] Established July 1, 1921.
[8] Discontinued July 1, 1921.
[9] Established Aug. 9, 1921.
[10] Includes part of personnel of Public Health Service and all of Bureau of War Risk Insurance, formerly under the Treasury Department, and part of personnel formerly included under Federal Board for Vocational Education.

Mr. KING. The great increase in the number of employees during the war was in the War and Navy Departments, and in those agencies of the Government which were directly or indirectly connected with the war—with the Military and the Naval Establishments.

Mr. President, it seems to me that since the war the departments of the Government have been too indifferent to the requirements of economy and too slow in demobilizing the civil employees of the Government. We had in Washington, as the Senator knows, more than 100,000 employees during the war. More than three years after the war we have in Washington more than double the number employed in the departments prior to the war. I have heard no suitable excuse for the failure of the departments to bring about the reduction in the personnel which the situation demanded.

There is no reason why there should be 70,000 or more employees in the District of Columbia. The Senator will recall that one of the most severe criticisms made by his party during the last campaign was based upon the charge that there were too many persons in the employ of the Government, and it was said that the Republican Party, if it should win the election, would immediately proceed to reduce the number of employees in the Government service until the prewar status was reached. Notwithstanding our Republican friends have been in charge of the legislative department of the Government for three years and of the executive department for one year, the number of employees in Washington is double the number in service January 1, 1912, and my information is that the number outside of Washington is greatly in excess of the 1917 force.

Mr. President, there have been, of course, reductions in the general appropriations in the aggregate of the appropriations, but an examination will show that those reductions have been generally, if not exclusively, in those branches of the Government that we might denominate war branches. Of course, with the termination of the war and the demobilization of the Army, the military expenses would be materially reduced. We spent billions during the war for war purposes.

The Senator certainly can not claim credit for his party because in peace times we are not expending the huge sums which war demanded. During the war the Navy received billions of dollars. For the current fiscal year approximately $500,000,000 was appropriated, but that was $200,000,000 too much, and for the next fiscal year the naval appropriations should not exceed $250,000,000. I hope our Republican friends will make proper reductions in both the Army and Navy budgets. I doubt whether our Republican friends will have the courage to effectuate proper economies.

Mr. WILLIS. Mr. President, may I ask the Senator a question?

Mr. KING. I shall be glad to yield to the Senator in a moment.

I think it may safely be said that all the appropriation bills which deal with what the Senator from North Carolina has denominated the ordinary expenses of the Government and all the other appropriation bills in the aggregate will carry more than was appropriated for the fiscal year 1922, and of course will carry hundreds of millions of dollars more than was appropriated in 1914 or 1915 or 1916 for the ordinary expenses of the Government.

I am glad now to yield to my friend from Ohio.

Mr. WILLIS. The Senator from Utah, one of the leaders on the other side of the aisle, complains of the large expenditures for the Army and the Navy, and asserts that those expenditures ought to be reduced next year. Will the Senator aid in the reduction of those expenditures by supporting the treaty that makes possible the reduction of such expenditures?

Mr. KING. If the Senator refers to the treaty which limits the construction of capital ships, I am very glad to assure him that I shall vote for that treaty.

Mr. WILLIS. Fine!

Mr. KING. Why did not the Senator vote for my motion which I submitted when we were considering the naval appropriation bill since he has been in the Senate, referring it back to the Committee on Naval Affairs with instructions to reduce it $100,000,000? If we had done that some of the capital ships upon which money has been wasted would not have progressed to the degree of completion which we now find and we would have $100,000,000 more in the Treasury, or $100,000,000 less of outstanding bonds representing the appropriation which we wasted.

Mr. WILLIS. The Senator directs to me a question. I did not vote for that proposition, because I was unwilling to disarm this country until some arrangement should be made which would make such disarmament safe. Such an arrangement is now before the Senate, and yet the Senator by his statement leaves the implication that he proposes to oppose the arrangement which makes possible the reduction of armies and navies, and yet he will vote to reduce our armies and navies. That is why I did not vote for the Senator's amendment.

Mr. KING. I anticipated that the Senator would reply, if he did reply, as he has, namely, that to have reduced the appropriation for the Navy $100,000,000 would mean disarming. I think the position of my distinguished friend is not tenable. When we were spending $150,000,000 a year for the Navy, we were developing a strong and efficient Navy. It was not necessary to appropriate $400,000,000 for the Navy for the current fiscal year, and to have appropriated three hundred and ninety and odd million dollars would not have been to disarm the United States.

I do not think that my friend can convince the American people that we would have disarmed by appropriating $400,000,000 for the Navy for the present fiscal year instead of $500,000,000. The fact is that the attitude of the United States was a menace to the peace of the world. We were talking of war and denouncing Japan and Great Britain and demanding the greatest navy in the world. We proposed in the 1915–16 program a naval policy that would cost the American people the stupendous sum of $1,500,000,000. We proposed to carry out the program of 1915–16, which called for the construction of a large number of capital ships and the appropriations for ships of all classes, the necessary harbors and the necessary supplementary equipment, amounted to $1,500,000,000. It was to be expected that the militant attitude of the United States would cause Japan and other nations to look with anxiety upon our navalistic policy, a policy which to some seemed to portend an imperialistic ambition upon the part of the United States.

Notwithstanding our foolish reactionary naval policy, Great Britain broke up three of her capital ships which were upon the stocks, thus losing $16,500,000 that had been expended upon them. France broke up one great ship upon which some work had been expended.

Mr. LODGE. Mr. President, no money had been expended on the three new super-Hoods contemplated in the British program except in the way of designing and assembling material.

Mr. KING. The figures which were presented in the House of Commons showed that there had been expended—I do not know in what form the expenditures had been made——

Mr. LODGE. I do. That is why I was stating it on the authority of the first lord of the admiralty.

Mr. KING. I am not challenging the statement of the Senator from Massachusetts, but I know that Lord Lee and others in the House of Commons, when the question was under discussion, announced that there had been spent upon the three super-Hoods approximately $16,500,000.

Mr. LODGE. Approximately $16,000,000, that is true; but the Senator spoke of the breaking up of ships. Great Britain has not broken them up, because nothing had been made except in the way of designs and something in the way of assembling materials. No building had been done.

Mr. KING. The Senator may be correct in that. I shall not controvert his statement. I will qualify my statement to the extent of stating that notwithstanding our determination, as evinced by the appropriations which we have made, to continue the 1915–16 program, the Parliament of Great Britain did not approve of the policy of completing the super-Hoods and suspended any further work upon them. My recollection of the discussion is that some materials have been assembled and some little work has been done upon the hulls of these super-Hoods. But it is certain that Great Britain, notwithstanding the avowed purpose of the United States to complete the 1916 program, which would have made our Navy the most powerful in the world, ceased construction upon capital ships and also scrapped many war vessels after the war was ended. Her conduct was an invitation to the world to cease naval armament and to reduce the heavy burdens incident to military and naval operations.

Mr. LODGE. They appropriated for the super-Hoods, but suspended work upon them until the result of the conference was known, and nothing will be done if these treaties are ratified.

Mr. KING. I agree with the Senator that the conference and other causes will perhaps dispose of the three super-Hoods, either one of which would have been greater than any capital ship which we have.

Mr. LODGE. Very much greater. They were to be 49,000 tons.

Mr. KING. The super-Hoods were to be 55,000 tons.

Mr. LODGE. The figures they gave to the conference here were that they would not be over 49,000 tons, which is 15,000 tons larger than any ship in any other navy except the one Hood, which is 41,000 tons.

Mr. KING. My information is based upon the discussions in the House of Commons in which Lord Lee, who was a delegate here, participated, and my recollection of the discussions is that the super-Hoods were to be 55,000 tons and to carry 18-inch or 20-inch guns, so that those ships would have been superior to any ship which the United States now has or would have under the 1915–16 program.

Mr. LODGE. That is true. Our largest were 42,000 tons.

Mr. KING. Mr. President, Great Britain had abandoned the construction of the super-Hoods prior to the Washington conference; but, of course, the agreement as to naval disarmament which was made at the conference will end the building of these huge vessels.

The Senator from Ohio in a very cheerful and, I was about to say, boastful spirit—and I do not use the word "boastful" in any offensive way—called attention to the work of the conference in respect to the reduction of armament. I am sure that all on this side will welcome any policy that will result in reducing the cost of military and naval operations. It seems to me that all should support a policy which will relieve the people from the waste and burdens of huge naval and military establishments.

The United States, as a peace-loving, Christian Nation, ought to take the lead in efforts for world peace. It fears no nation, it covets no territory belonging to other nations. It should seek by example and precept to bring concord and justice into all international relations. The Senator from Massachusetts closed his notable address yesterday with an eloquent peroration, in which he pleaded for a spirit of peace and for the moral leadership of this great Republic. I rejoiced in his words and regretted that he had not uttered them when we were considering the Versailles treaty, which was fraught with so much consequence to the world. I believed then, as I believe now, that there should be not merely a concert of nations but an association of all nations of the world in the interest of world peace. The League of Nations sought the peace and freedom of all nations. We should have done our part to make its work effective. If we had, there would have been no Washington conference, the results of which are still uncertain and problematical. There is ground for apprehension that the four-power pact may be regarded by some as an attempt to set up a little entente or a little league of nations as an opponent of the League of Nations. Some may regard with resentment this quadruple alliance or association as an attempt to set up another organization rivaling the league, or an organization which seeks hegemony not only in the Orient but in all the world.

If resentments should be developed by the four-power pact, or if it should be regarded as a rival of the league created under the Versailles treaty, then the treaty before us might prove a menace to the peace of the world. There are some who have not yet been persuaded that the four-power pact will not be so regarded by nations of the world, but if it can be established that this treaty will promote peace and will be regarded with favor by the nations who are members of the League of Nations, I believe there will be some who will vote for its ratification who at present are inclined to vote against the treaty.

Mr. WATSON of Georgia and Mr. WILLIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. KING. I must yield first to the Senator from Georgia, who rose first.

Mr. WATSON of Georgia. I do not want to interrupt the Senator, but in direct line with his thought is the suggestion that the soviet principle, embodied by Russia and put in practice by Russia, is already knocking at the doors of China, and

there is no reasonable doubt that there will be a union in the policies of Russia and China and Siberia within a very short while.

Mr. KING. My information, may I say to the Senator, is that for over two years there have been representatives of the soviet government in various parts of China, a large number of representatives who have been carrying on an extensive propaganda for the purpose of establishing a dictatorship of the proletariat—governed by the principles of the third internationales, and to effectuate some sort of union between the Chinese Government and the soviet government of Moscow.

It is quite likely that in some parts of China their intrigues have been successful. I sincerely hope, however, that the pacific characteristics of the Chinese and their love of law and order, speaking generally of the Chinese people, will enable them to resist these intrigues and this propaganda of the soviet government. I believe that China will not ally herself with the Lenin and Trotsky government, but will develop along safe and sound constitutional lines—giving to the people a liberal and progressive government.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. LENROOT. I should like to ask the Senator if he does not think that if China does not ally herself with the soviet government it will be due more to the result of the Washington conference than to any other one cause?

Mr. KING. Mr. President, I wish that I could answer that question affirmatively. The Senator from Wisconsin may have information which I do not possess, but some of my informants tell me that the Washington conference has tended to divide the Chinese people, that schisms have been created, and that those schisms may result in a fratricidal conflict. I do not yet know what the results of the conference will be so far as China is concerned. I had hoped that the result of the conference would be to alienate China from Russia, if there was any disposition upon her part to form a hard and fast alliance with Russia, and to bring union to all factions in China, and also bring concord and peace not only in the Pacific but upon the mainland of Asia. I sincerely hope that Japan and China have been brought closer together, and that China will with zeal address herself to the great task of developing her mighty resources and fitting herself and her people to fill an important place in the affairs of the world. I am inclined to think that the result of the conference will, generally speaking, tend to improve the conditions in China and in the Far East.

Mr. LENROOT. Will not the Senator from Utah admit that one of the results of the Washington conference has been to remove the great menace which was contained in the treaty of Versailles with relation to Shantung?

Mr. KING. Oh, Mr. President, the treaty of Versailles, as it was argued so fully here upon the floor of the Senate when the treaty was before us, was not, as I interpreted it and as many others interpreted it, a menace to China. I believe that the treaty of Versailles and the machinery of that treaty afforded full opportunity for the settlement and would bring about a settlement of any controversy growing out of Shantung. Moreover, as the minutes of the Versailles conference disclose, Japan promised—and I believe she would have kept that promise—within a reasonable time to withdraw from Shantung and to restore to China whatever in Shantung Japan claimed to have succeeded to in virtue of her entrance into the World War and her expulsion of Germany from the Orient.

Mr. WATSON of Georgia. Mr. President——

Mr. KING. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. I hardly see how the suggestion of the Senator from Wisconsin [Mr. LENROOT] could be well founded, in view of the fact that Japan's continued occupation of Korea is in violation of two very solemn treaties recently made and a standing insult and provocation to China, and the Washington conference leaves Japan with a title undisputed in Korea and also leaves her in the possession of two of China's largest Provinces, Manchuria and Mongolia.

Mr. KING. Mr. President, this is a digression from the bill which is before us. I arose only for the purpose of calling attention to an item in the bill and to ask the Senator from Washington [Mr. JONES] if he had any data which would show the amount of appropriations carried in this bill for the same subjects which had been provided for in former bills. I think the answer of the Senator from Washington shows that we have appropriated more for the same objects or purposes in the pending bill than was carried in appropriation bills for similar items a year ago; that instead of there being a reduction there is an increase. That is also true of a number of bills which have been brought before us which have carried appropriations for the ordinary expenses of the Government.

Mr. President, this Congress is not redeeming the pledges made by the Republican Party. It is bankrupting the Treasury, increasing expenditures, borrowing money, issuing short-term bonds for hundreds of millions of dollars. Economic disaster has overtaken the people, and in all parts of the land the cries of distress are heard. This is the Republican Party's record.

Mr. JONES of Washington. Let me say to the Senator from Utah that, of course, there are some items in the bill as to which I think there is a decrease and some items where there is an increase. In the aggregate there is an increase of probably $2,000,000 or something like that.

Mr. KING. I wish to make merely one further observation. The Senator from Washington stated that the pending bill proposes to appropriate less than was recommended by the Budget Bureau. Mr. President, that statement by the Senator is a refutation of the contention which was so vociferously made by those who were claiming that the millennium was at hand because we had passed the Budget law. A number of Senators when the Budget bill was under consideration stated that if economies were effectuated they would be brought about by the legislative branch of the Government rather than by the executive branch. The Budget Bureau is an executive branch of the Government, and yet Congress, which is supposed to be profligate in its expenditures of the public money, has cut the Budget recommendations by millions of dollars. In this very bill the Budget Bureau recommended an appropriation of more than $2,000,000 in excess of the appropriation now carried by the bill; and yet Senators and Representatives on the committees dealing with the subjects have recommended appropriations in this bill less than were recommended by the Budget Bureau. That has also been true of the other appropriation bills which have been brought before us. So the Budget Bureau apparently has not effectuated any reforms; whatever reductions have been made have been made by Congress and not by the executive branch of the Government; all of which demonstrates that if there are to be economies brought about those economies must be worked out by the House of Representatives and by the Senate; if we are to cut expenses those expenses will have to be reduced by Congress itself and not by the executive branches of the Government.

I wish to say, however, that I believe President Harding has addressed himself with earnestness to a reduction in the expenditures of the Government. He certainly ought to have done so, when he perceived the constantly diminishing stream of revenue and the enormous drafts made upon the Treasury. The Chief Executive owes it to the country to utilize every force at his command to bring about reforms and economies. Of course, the Senate and the House of Representatives must second his efforts and even go beyond them, because the pressure upon the Executive and upon the heads of the executive departments for appropriations is so great that the President and the executive heads will in most cases ask for larger appropriations than Congress will be willing to make. The legislative branch will prove to be the check valve upon the executive departments of the Government if retrenchment and economy are to be accomplished.

Mr. WILLIS. Mr. President, I have no desire to impede the passage of the pending bill, and therefore I shall not follow the Senator from Utah into the many interesting fields into which he has gone. It is always a delight to listen to his prophecies, even though they are somewhat gloomy and Cassandralike at times, but our fear may be modified to a considerable extent by reflecting upon the fact that other prophecies which the Senator has made have not come true.

Now, there is a question raised here as to the credit of the Government and as to whether or not there have been economies. I think the people of the country who buy Government bonds are pretty fair judges of that question. If the Senator's view is correct that the expenses of the Government have gone on increasing and are to increase indefinitely, certainly that would have its effect on the quotations on Government bonds. I have before me——

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. WILLIS. Certainly.

Mr. KING. I stated that the war expenditures and those which would come under the head of war expenditures necessarily had decreased and would decrease.

Mr. WILLIS. I so understood the Senator.

Mr. KING. What I said with respect to the increase in expenditures had reference to those which the Senator from North Carolina had denominated the ordinary expenditures of the Government.

Mr. WILLIS. The Senator from North Carolina, as I understood him, was discussing the expenditures of the particular

department provided for in this bill. We are now talking not only about that but about the larger expenditures of the Government. What I am now saying is that if the Senator's contention is true, that economy has been lacking, if there have been extravagant expenditures, surely that would have found some reflection in the condition of Government credit. Governmental expenditures are not the only thing that affects Government credit; they are one of the factors that do affect Government credit; and, generally speaking, as governmental expenditures go down Government credit goes up. So let us see how the Senator's contention works out, and ascertain what has been accomplished in a year.

The Senator has referred to the fact that the party to which I have the honor to belong has been in control of the Government for a year. Let us see what has happened to Government bonds in a year. Liberty 3½'s, 1932–1947, a year ago were selling at 90; they are now selling at 97. That does not look as though the people lack confidence in the credit of the Government.

Mr. KING. Mr. President, will the Senator permit an interruption?

Mr. WILLIS. Certainly.

Mr. KING. The Senator has, I think, supported the view of some of our Republican friends and many Democrats, that there ought to be a constitutional amendment to prohibit the States and political subdivisions of States from issuing tax-exempt securities. I call the Senator's attention to the fact that it has been stated in financial circles that because of the depression in many industries and in business generally available funds for investment have been driven from business, that the only competition has been in Government bonds, and the demand for Government bonds has been so great because money could not be induced to invest in industrial securities and in business on account of hard times and precarious financial conditions in the United States. That has caused a rise in the bonds of the United States. I might say, further, to the Senator——

Mr. WILLIS. What was the Senator's question; I have been listening and trying to recognize it.

Mr. KING. I state now that the Senator has attributed the rise in the quotation of the price of Government bonds to the conduct of the Republican Party. If that is true, I call the attention of the Senator to the fact that under the Republican Party industry has languished, bankruptcy has come to business, and millions of dollars which, in good times under an administration where proper laws were enacted and wise regulations were enforced, would have been available for investment in industrial development have been invested in Government bonds, and that has tended to increase the price of Government bonds as well as many municipal securities.

Mr. OVERMAN. Government bonds are also purchased to escape the income tax.

Mr. WILLIS. I am still waiting for the Senator's question. All of the discussion is interesting, but I should like to ascertain what is the Senator's question.

Mr. KING. If the Senator has not apprehended it, I am afraid I shall be powerless to make it plainer.

Mr. WILLIS. The Senator has not stated his question.

Mr. KING. I ask the Senator if it is not a fact that the increase in the price of Government bonds has been because many persons who had money available for investment have sought tax-exempt securities rather than invest their funds in industries where the situation was so threatening and so menacing and where times were so hard as they have been since the Republican Party has been in power?

Mr. WILLIS. Mr. President, that is another question that I shall be glad to discuss with the Senator some day. I agree with him in the view that we have issued in this country too many tax-free securities. As to whether it is necessary to have a constitutional amendment to regulate that, I do not now express an opinion. I am informed that we have now perhaps $16,000,000,000 of tax-free securities. Undoubtedly that has an effect upon industry; but I want to pursue just a little further this, to me, rather interesting table. If, under the Republican administration, everything were going to pieces, it certainly would be reflected somewhere in these prices of bonds.

Here is another type of bonds, Liberty second fours, 1927–42, quoted a year ago at 87. They are now quoted at 97.1, and so on. I ask permission to print that table at the close of my very brief remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. WILLIS. The fact is that Liberty bonds have gone up something like 10 per cent. Those that were selling at 85 are now selling at about 95. While I recognize that it is not the only cause, the credit of the Government has something to do with that.

I do not intend to follow the Senator from Utah into the interesting field of discussion of the treaties just now. The remark that he made leads me to think that there is some hope in his case that he is open to argument. The only thing I want to say is that it seems to me that the treaty which undertakes to settle the questions which have been provoking the nations to this competition in armament is the most important treaty of the lot. So far as I am concerned, if the Senate shall refuse to ratify the so-called four-power treaty, that undertakes to remove the causes of war, I doubt whether I should vote to ratify the treaty that would undertake to limit naval armaments; but I shall not go further into that question now.

Something has been said by the Senator from Utah [Mr. KING] and the Senator from North Carolina [Mr. OVERMAN] about the number of employees in the Government service. I think the Senator from Washington [Mr. JONES] has covered that, perhaps, in the table that he has had printed in the RECORD. I simply call attention to the fact that there has been a constant, and, I think, a very reasonable decrease.

On the 11th day of November, 1918, the civil employees of the Government numbered 917,760.

On July 31, 1920, that number had been reduced to 691,116.

On December 1, 1920, the number had been reduced to 640,175.

On July 31, 1921, the number had been reduced to 597,482.

The latest report we have is of date November 11 last, as I have it, 568,326; and the Senator from Washington says that within the last six months there has been a reduction in the number of employees of something like 40,000. There has been a reduction. There is not any question about that.

The Senator talks interestingly about cooperation amongst the departments. He seems not to have been aware of the fact that that is exactly the thing that is now being had—a thing that we have not had heretofore. The difficulty heretofore has been that each department has tended to flock off by itself and build up an independent government, with all of its different functions. Under wise executive leadership the different bureaus and departments have been brought together, and they now understand that there is not to be so much effort at star playing, but more of teamwork; and as the result of that, as I have already pointed out, the expenses for the year have been reduced $582,000,000 below the estimates, and a billion and a half below the expenses of the preceding year.

APPENDIX.

RESULTS WITH LIBERTY LOANS.

On the 4th of March, 1921, the quotations were as follows:

Liberty three-and-a-halfs, 1932–1947	$90.92
Liberty first fours, 1932–1947	87.22
Liberty second fours, 1927–1942	87.00
Liberty first convertible four-and-a-quarters, 1932–1947	87.22
Liberty second convertible four-and-a-quarters, 1937–1942	87.04
Liberty third convertible four-and-a-quarters, 1928	90.26
Liberty third convertible four-and-a-quarters, 1928, registered	90.12
Liberty fourth four-and-a-quarters, 1933–1938	87.18
Victory three-and-three-quarters, 1922–23	97.50
Victory four-and-three-quarters, 1922–23	97.50
Victory four-and-three-quarters, 1922–23, registered	97.35

The prices of those bonds to-day are:

Liberty three-and-a-halfs, 1932–1947	$97.00
Liberty first fours, 1932–1947	97.10
Liberty second fours, 1927–1942	97.10
Liberty first convertible four-and-a-quarters, 1932–1947	97.54
Liberty second convertible four-and-a-quarters, 1937–1942	97.28
Liberty third convertible four-and-a-quarters, 1928	97.28
Liberty third convertible four-and-a-quarters, 1928, registered	98.02
Liberty fourth four-and-a-quarters, 1933–1938	97.56
Victory three-and-three-quarters, 1922–23	100.30
Victory four-and-three-quarters, 1922–23	100.16
Victory four-and-three-quarters, 1922–23, registered	100.02

Mr. KING. Mr. President, the reduction in the number of employees has been largely in the War Department and the Navy Department and in those agencies that had to do with the disposition of the war supplies, and, to use the common expression, the cleaning-up process following the war. For instance, I think about a year ago it was shown that there were employees in the War Department engaged in handling the supplies, guarding the various cantonments, and so forth, numbering approximately 90,000. I remember that something was said upon the floor of the Senate that there seemed to be nearly as many employees in the War Department as there were soldiers in the Army; and of course in the War Risk Insurance Bureau during that period, when millions of claims were being filed, sometimes 10,000 a day, the number of employees was prodigious. It exceeded 20,000. There necessarily must have been reduction if there was any efficiency.

In my opinion the reductions have not been sufficient. In the War Risk Bureau decentralization has been carried out,

with a view, among other things, to economy and a reduction in the number of employees, but large units have been established in various parts of the United States where thousands of persons were found positions costing the Government millions annually. The cost of the policy of decentralization has been very, very great. I am told by the Senator from South Carolina [Mr. SMITH] that there are 18,000 employees now in the War Risk Insurance Bureau.

Mr. SMITH. Mr. President, if the Senator will allow me, I think the table that the Senator from Washington [Mr. JONES] submitted to go into the RECORD showed that there were in the War Risk Bureau—which is now known as the Veterans' Bureau, having taken over the functions of the War Risk Bureau—18,277 employees.

Mr. KING. Mr. President, just one word further, amplifying the statement which I made to the Senator from Ohio.

The Senator made a very excellent point, and one which upon its face seems persuasive in support of his argument, when he quoted the rise in the market price of Government bonds. Let me say to my good friend that if he examines the quotations he will find that municipal bonds and many State bonds have responded to the rising bond market, perhaps more rapidly and in greater proportion than the Federal bonds. I have heard of State and municipal bonds selling above par, but I call the attention of the Senator to the fact that many persons have disposed of their real estate and other property, and instead of investing as they ordinarily would have done in business or in industrials, because of the unsettled conditions in our country and throughout the world they have sought investments where no risks were involved. Accordingly they purchased municipal and State and Federal bonds, which are exempt from taxation. They prefer a less rate of interest and perfectly secure investments.

I recall that quite recently a friend of mine purchased from one of the largest estates in New York a building for $250,000; and he told me that many persons were disposing of their real estate and other properties because of the high taxes and the small returns from their properties and investing in Government bonds or other tax-exempt securities. The heavy Federal and State taxes and the uncertain conditions in the business world have led those having available funds for investment to seek tax-exempt securities. This has led to competition in the bond market, thus forcing higher levels for tax-exempt securities. Before the war there were available for investments approximately $4,000,000,000 annually. Railroad and other enterprises were developed and capital sought fields in business activities. Now few business enterprises, in comparison with what we need, are being developed, and the capital that is required for the revival of business is being driven by high taxation—high taxation of the Federal Government and the State and the municipal governments—into tax-exempt securities. If we would have a proper revival in business we must free business from the enormous taxes and burdens and impediments now resting upon it. As long as the people are compelled to pay, as they are now, billions of dollars for State and Federal taxes, men who have money for investment will place it in tax-exempt securities rather than invest it in industrials and in business activities and enterprises. Business must be given a fair chance; industry must not be unduly hampered and shackled. The Government should attend to Government concerns and not seek to place the heavy and paralyzing hand of a deadly bureaucracy upon those who are seeking to bring back prosperity and rescue our country from economic and industrial destruction.

Mr. JONES of Washington. Mr. President, I do not desire to cut off any debate. I simply want to call the attention of the Senate to the fact that I probably shall have to give up the floor at 1 o'clock, and I should like to get as far along in the bill as possible.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the items for contingent expenses, Department of Commerce, on page 3, in line 21, to strike out "$75,250" and insert "$87,250"; on page 4, line 6, to strike out "$4,000" and insert "$13,000"; in line 8 to strike out "$20,000" and insert "$23,000," and in line 17 to strike out "$125,250" and insert "$167,450," so as to read:

For contingent and miscellaneous expenses of the offices and bureaus of the department for which appropriations for contingent and miscellaneous expenses are not specifically made, including professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding $2,500); stationery, furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges; fuel, lighting, and heating; purchase and exchange of motor trucks and bicycles; maintenance, repair, and operation of two motor-propelled passenger-carrying vehicles and of motor trucks and bicycles, to be used only for official purposes; freight and express charges; postage to foreign countries; telegraph and telephone service; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; repairs to building occupied by offices of the Secretary of Commerce; rental of water-cooling plant in Commerce Building, not to exceed $1,400; first-aid outfits for use in the buildings occupied by employees of this department; street car fares, not exceeding $300; and all other miscellaneous items and necessary expenses not included in the foregoing, $80,200, and in addition thereto sums amounting to $87,250 shall be deducted from other appropriations made for the fiscal year 1923 and added to the appropriation "Contingent expenses, Department of Commerce," in order to facilitate the purchase through the central purchasing office as provided in the act of June 17, 1910 (Stats. at L., vol. 36, p. 531), of certain supplies for bureaus and offices for which contingent and miscellaneous appropriations are specifically made, as follows: Bureau of Foreign and Domestic Commerce—promoting commerce, $8,000; promoting commerce (South and Central America), $13,000, commercial attachés, $5,000; promoting commerce in the Far East, $5,000; export industries, $23,000; general expenses, Lighthouse Service, $8,500; contingent expenses, Steamboat-Inspection Service, $7,500; contingent expenses, shipping service, $500; instruments for measuring vessels, $500; instruments for counting passengers, $250; enforcement of wireless communication laws, $1,000; Bureau of Standards—equipment, $1,000; general expenses, $1,000; general expenses, Coast and Geodetic Survey, $4,500; miscellaneous expenses, Bureau of Fisheries, $8,500; and the said total sum of $167,450 shall be and constitute the appropriation for contingent expenses, Department of Commerce, to be expended through the central purchasing office (Division of Supplies), Department of Commerce, and shall also be available for objects and purposes of the several appropriations mentioned under the title "Contingent expenses, Department of Commerce," in this act.

The amendment was agreed to.

The next amendment was, on page 5, line 11, to increase the total appropriation for the office of the Secretary of Commerce from "$739,050" to "$769,250."

The amendment was agreed to.

The next amendment was, under the head "Bureau of Foreign and Domestic Commerce," in the item for commercial attachés, on page 6, line 13, after the word "officers," to insert "for necessary janitor and messenger service," so as to read:

Commercial attachés: For commercial attachés, to be appointed by the Secretary of Commerce, after examination to be held under his direction to determine their competency, and to be accredited through the State Department, whose duties shall be to investigate and report upon such conditions in the manufacturing industries and trade of foreign countries as may be of interest to the United States; and for the compensation of a clerk or clerks for each commercial attaché at the rate of not to exceed $2,500 per annum for each person so employed, traveling and subsistence expenses of officers, for necessary janitor and messenger service, rent outside of the District of Columbia, purchase of reports, books of reference, and periodicals, travel to and from the United States, and all other necessary expenses not included in the foregoing; such commercial attachés shall serve directly under the Secretary of Commerce and shall report directly to him, $200,000.

The amendment was agreed to.

The next amendment was, on page 7, line 5, to strike out "$379,100" and insert "$450,000," and in line 7 to strike out "$86,200" and insert "$100,000," so as to read:

For all necessary expenses, including field investigations in the United States and abroad, purchase of documents, plans, specifications, manuscripts, and all other publications for the promotion of the commercial interests of the United States, rent outside the District of Columbia, to further promote and develop the foreign and domestic commerce of the United States, $450,000, to be expended under the direction of the Secretary of Commerce: *Provided*, That not more than $100,000 of the foregoing sum shall be used for the expenses of branch offices in the United States.

The amendment was agreed to.

The next amendment was, on page 8, at the end of line 20, to strike out "$385,000" and to insert "$450,000," so as to make the paragraph read:

To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing in so far as they relate to the important export industries of the United States, including personal services in the District of Columbia and elsewhere, and all necessary incidental expenses connected therewith, $450,000.

The amendment was agreed to.

The next amendment was, on page 8, line 22, to increase the total appropriation for Bureau of Foreign and Domestic Commerce from "$1,533,410" to "$1,669,310."

The amendment was agreed to.

Mr. JONES of Washington. I ask unanimous consent that the clerks may correct the totals in the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Bureau of the Census," on page 8, line 25, before the word "each," to strike out "$3,000" and insert "$3,600"; in the same line, after the words "chief clerk," to strike out "$2,500" and insert "$3,600"; on page 9, line 1, after the word "geographer," to strike out "$2,000" and insert "$2,800," and, in the same line, to strike out "stenographer, $1,500; nine" and to insert "fourteen"; in line 2, before the word "each," to strike out "$2,000" and insert

"$2,400"; in the same line, after the word "each," to insert "private secretary and stenographer to director, $2,100"; in line 4, before the words "of class 4," to strike out "twenty" and insert "sixty"; in the same line, before the words "of class 3," to strike out "thirty" and insert "seventy"; in line 5, before the words "of class 2," to strike out "sixty-five" and insert "one hundred"; in the same line, after the words "of class 2," to strike out "two hundred and eighty-five" and insert "two hundred"; in line 6, before the words "at $1,000 each," to strike out "ninety" and insert "eighty"; in line 7, before the words "at $900 each," to strike out "seventy-nine" and insert "fifty"; in the same line, after the words "skilled laborers," to strike out "three at $900 each, one $720," and insert "three at $1,000 each, one $900"; in line 10, before the words "unskilled laborers," to strike out "four" and insert "five"; and, in line 11, to change the total from "$737,440" to "$806,440," so as to make the paragraph read:

Salaries: Director, $6,000; 5 chief statisticians, at $3,600 each; chief clerk, $3,600; geographer, $2,600; 14 expert chiefs of divisions, at $2,400 each; private secretary and stenographer to director, $2,100; clerks—60 of class 4, 70 of class 3, 100 of class 2, 200 of class 1, 80 at $1,000 each, 50 at $900 each; skilled laborers—3 at $1,000 each, 1 $900; 3 messengers at $840 each; 5 assistant messengers, at $720 each; 5 unskilled laborers, at $720 each; 4 messenger boys, at $480 each; in all, $806,440.

The amendment was agreed to.

The next amendment was, in the items for collecting statistics, on page 10, line 12, to strike out "$964,000" and insert "$895,000," so as to make the paragraph read:

Collecting statistics: For securing information for census reports, provided for by law, semimonthly reports of cotton production, periodical reports of stocks of baled cotton in the United States and of the domestic and foreign consumption of cotton; quarterly reports of tobacco; per diem compensation of special agents and expenses of same and of detailed employees, whether employed in Washington, D. C., or elsewhere; not to exceed $100,000 for the temporary employment of clerks, stenographers, and machine operators in the District of Columbia, to be selected from the registers of the Civil Service Commission, and to be paid at the rate of not to exceed $100 per month, the same person to be employed for not more than six consecutive months; the cost of transcribing State, municipal, and other records; temporary rental of quarters outside of the District of Columbia; for supervising special agents and employment by them of such temporary service as may be necessary in collecting the statistics required by law, including $15,000 for collecting tobacco statistics authorized by law in addition to any other fund available therefor: *Provided*, That the compensation of not to exceed 10 special agents provided for in this paragraph may be fixed at a rate not to exceed $8 per day: *Provided further*, That not more than one person employed under this appropriation may be paid a greater rate of compensation than the maximum rate fixed for employees in the Census Bureau for the fiscal year 1919, $895,000.

The amendment was agreed to.

The reading was continued to line 25 on page 13.

Mr. JONES of Washington. I desire to propose a committee amendment on page 13, line 25.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 13, line 25, under the subhead "Wireless communication laws," strike out "$10,900" and insert in lieu thereof "$17,600."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Navigation," on page 14, line 3, to increase the appropriation for enforcement of the wireless communication laws from "$80,000" to "$130,000."

The amendment was agreed to.

The next amendment was, on page 14, line 20, to increase the total appropriation for the Bureau of Navigation from "$307,390" to "$357,390."

The VICE PRESIDENT. The total will be changed by the clerk at the desk, as ordered by the Senate.

The reading of the bill was continued:

The next amendment was, under the subhead "Coast and Geodetic Survey," on page 28, line 26, to increase the appropriation for continuing researches in physical hydrography, relating to harbors and bars, etc., from "$15,000" to "$29,841."

The amendment was agreed to.

The next amendment was, on page 30, line 18, to increase the total appropriation for field expenses, Coast and Geodetic Survey, from "$632,019" to "$646,860."

The amendment was agreed to.

The next amendment was, on page 30, line 21, to increase the appropriation for repairs of vessels, including traveling expenses of persons inspecting the repairs, and exclusive of engineer's supplies and other ship chandlery, from "$75,000" to "$97,400."

The amendment was agreed to.

The next amendment was, on page 34, line 9, to increase the total appropriation for the Coast and Geodetic Survey from "$2,162,134" to "$2,199,375."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Fisheries," beginning on page 35, after line 23, to strike out:

Afognak (Alaska) Station: Superintendent, $1,500; foreman, $1,200; two fish culturists, at $960 each; three apprentice fish culturists, at $900 each; cook, $900; in all, $8,220.

Alpena (Mich.) Station: Foreman, $1,200; fish-culturist, $900; in all, $2,100.

Baird (Calif.) and Battle Creek (Calif.) Stations: Superintendent, $1,500; foreman, $1,080; fish-culturist, $900; three apprentice fish-culturists, at $600 each; in all, $5,280.

Baker Lake (Wash.) Station: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Beaufort (N. C.) Biological Station: Superintendent and director, $1,500; scientific assistant, $1,400; fish-culturist, $900; apprentice fish-culturist, $600; in all, $4,400.

Berkshire (Mass.) Trout Haichery: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Boothbay Harbor (Me.) Station: Superintendent, $1,500; fish-culturist, $900; engineer, $1,100; apprentice fish-culturists—one $780, two at $600 each; three firemen, at $600 each; custodian of lobster ponds, $720; in all, $8,000.

Bozeman (Mont.) Station: Superintendent, $1,500; fireman, $1,200; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $4,800.

Bryans Point (Md.) Station: Custodian, $360.

Cape Vincent (N. Y.) Station: Superintendent, $1,500; fireman, $720; apprentice fish-culturists—one $720, two at $600 each; engineer, $1,100; in all, $5,240.

Clackamas (Oreg.) and subsidiary stations: Superintendent, $1,500; foreman, $1,200; fish-culturist, $900; apprentice fish-culturists—three at $720 each, two at $600 each; in all, $6,960.

Cold Springs (Ga.) Station: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Craig Brook (Me.) Station: Superintendent, $1,500; fish-culturist, $900; three apprentice fish-culturists, at $600 each; in all, $4,200.

Duluth (Minn.) Station: Superintendent, $1,500; two fish-culturists, at $900 each; two apprentice fish-culturists, at $600 each; in all, $4,500.

Edenton (N. C.) Station: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Erwin (Tenn.) Station: Superintendent, $1,500; fish-culturist, $900; three apprentice fish culturists, at $600 each; in all, $4,200.

Fairport (Iowa) Biological Station: Director, $1,800; superintendent of fish culture, $1,500; scientific assistants—one $1,400, one $1,200; foreman, $1,200; shell expert, $1,200; clerk, $900; engineer, $1,000; two firemen, at $600 each; two apprentice fish-culturists, at $600 each; in all, $12,600.

Gloucester (Mass.) Station: Superintendent, $1,500; fish-culturist, $900; fireman, $720; three apprentice fish-culturists, at $600 each; in all, $4,920.

Green Lake (Me.) Station: Two fish-culturists (one to act as caretaker), at $900 each; in all, $1,800.

Homer (Minn.) Station: Superintendent, $1,500; foreman, $1,200; engineer, $1,000; two firemen, at $600 each; two apprentice fish-culturists, at $600 each; in all, $6,100.

Key West (Fla.) Biological Station: Superintendent, $1,800; engineer, $1,000; laboratory aid, $900; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $5,800.

Leadville (Colo.) Station: Superintendent, $1,500; foreman, $1,200; two fish-culturists, at $900 each; apprentice fish-culturists—one $720, two at $600 each; cook, $480; in all, $6,900.

Louisville (Ky.) Station: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Mammoth Springs (Ark.) Station: Superintendent, $1,500; fish-culturist, $900; three apprentice fish-culturists, at $600 each; in all, $4,200.

Manchester (Iowa) Station: Superintendent, $1,500; fish-culturist, $900; three apprentice fish-culturists, at $600 each; in all, $4,200.

Nashua (N. H.) Station: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Neosho (Mo.) Station: Superintendent, $1,500; fish-culturist, $900; apprentice fish-culturists—one $720, two at $600 each; in all, $4,320.

Northville (Mich.) Station: Superintendent, $1,500; foreman, $960; fish-culturist, $900; four apprentice fish-culturists, at $600 each; in all, $5,760.

Orangeburg (S. C.) Station: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Puget Sound (Wash.) Station: Three foremen, at $1,200 each; nine apprentice fish-culturists, at $600 each; in all, $9,000.

Put in Bay (Ohio) Station: Superintendent, $1,500; foreman, $1,000; machinist, $960; two apprentice fish-culturists, at $600 each; in all, $4,660.

St. Johnsbury (Vt.) Station and Holden (Vt.) Auxiliary Station: Superintendent, $1,500; foreman, $1,200; fish-culturist, $900; apprentice fish-culturists—one $720, four at $600 each; in all, $6,720.

San Marcos (Tex.) Station: Superintendent, $1,500; foreman, $1,200; fish-culturist, $900; three apprentice fish-culturists, at $600 each; in all, $5,400.

Saratoga (Wyo.) Station: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Spearfish (S. Dak.) Station: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Springville (Utah) Station: Superintendent, $1,500; fish-culturist, $900; two apprentice fish-culturists, at $600 each; in all, $3,600.

Private John Allen Station, Tupelo (Miss.): Superintendent, $1,500; fish-culturist, $900; three apprentice fish-culturists, at $600 each; in all, $4,200.

Washington (D. C.) Central Station and Aquaria: Superintendent, $1,500; two apprentice fish-culturists, at $720 each; laborer, $600; in all, $3,540.

White Sulphur Springs (W. Va.) Station: Superintendent, $1,500; fish-culturist, $900; three apprentice fish-culturists, at $600 each; in all, $4,200.

Woods Hole (Mass.) Station: Superintendent, $1,500; machinist, $960; two fish-culturists, at $900 each; three firemen, at $600 each; four apprentice fish-culturists, at $600 each; in all, $8,460.

Wytheville (Va.) Station: Superintendent, $1,500; two fish-culturists, at $900 each; two apprentice fish-culturists, at $600 each; in all, $4,500.

Yes Bay (Alaska) Hatchery: Superintendent, $1,500; foreman, $1,200; two fish-culturists, at $960 each; three apprentice fish-culturists, at $900 each; cook, $900; in all, $8,220.

And to insert:

Employees at fish-cultural stations: Thirty-five superintendents, at $1,500 each; foremen—13, at $1,200 each; 1 $1,080, 1 $1,000, 1 $960; fish-culturists—4, at $960 each; 36, at $900 each; apprentice fish-culturists—6 at $900 each, 1 $780, 9 at $720 each, 88 at $600 each; custodian of lobster pound, $720; custodian, $360; laborer, $600; engineers—2 at $1,100 each; 1 $1,000; 2 machinists at $960 each; firemen—2 at $720 each; 8 at $600 each; cooks—2 at $900 each, 1 $480; in all, $188,160.

Employees at biological stations: Director, $1,800; superintendent, $1,800; superintendent and director, $1,500; superintendent of fish-culture, $1,500; scientific assistants—two at $1,400 each, one $1,200; laboratory aid, $900; shell expert, $1,200; foreman, $1,200; clerk, $900; two fish-culturists, at $900 each; five apprentice fish-culturists, at $600 each; two engineers, at $1,000 each; two firemen, at $600 each; in all, $22,800.

Mr. SMITH. I would like to ask the Senator who has this bill in charge just the status of the items under the Bureau of Fisheries. The amendment proposes to strike out all that part of the House text which names the various locations and put in a lump-sum arrangement, as it were.

Mr. JONES of Washington. The Senator will note that all these various items simply provide for the employees. We have provided for them by this amendment just as the House provided. Instead of naming each station, we provide for 35 superintendents, and so on.

Mr. SMITH. I rose to ask the Senator if that conforms to just what was in the House provision?

Mr. JONES of Washington. It does, except that we have increased one foreman.

Mr. SMITH. It does not eliminate any of the fisheries which are now established?

Mr. JONES of Washington. It does not.

Mr. SMITH. That is all right.

Mr. FLETCHER. On page 38 the House inserted a provision for the station at Key West, as follows:

Key West (Fla.) Biological Station: Superintendent, $1,800; engineer, $1,000; laboratory aid, $900; fish-culturist, $900; two apprentice fish culturists, at $600 each; in all, $5,800.

Mr. JONES of Washington. Those are all provided for.

Mr. FLETCHER. Are all those included in the Senate committee amendment?

Mr. JONES of Washington. They are.

Mr. FLETCHER. I do not know whether the committee had any hearings or investigated these matters, but my information is that these salaries are so low that the bureau finds it very difficult to obtain people to perform the duties of these different positions.

Mr. JONES of Washington. The bureau did not ask our committee for any increases.

Mr. FLETCHER. I had a communication from them not long since to the effect that they are having difficulty in keeping up the fish-cultural stations, and going on with the work at these stations, because the salaries are so low that they can not find competent men to take the positions.

Mr. JONES of Washington. Apparently the department accepted the provision of the House, because they did not ask us for any increase.

Mr. FLETCHER. This amendment provides for all the various stations?

Mr. JONES of Washington. It does. I desire to offer an amendment to the committee amendment.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. Amend the part proposed to be inserted, on page 41, line 15, after the word "each," where it occurs the first time, by changing the semicolon to a comma.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 44, line 1, to increase the appropriation for inquiry respecting food fishes from "$40,000" to "$45,000."

The amendment was agreed to.

The next amendment was, on page 45, line 10, to increase the total appropriation for Bureau of Fisheries from "$1,205,610" to "$1,211,810."

The amendment was agreed to.

The next amendment was, on page 45, line 11, to increase the total appropriation for the Department of Commerce from "$18,494,664" to "$18,754,205."

The amendment was agreed to.

The next amendment was, under the head "Department of Labor, office of the Secretary," on page 46, line 16, to increase the appropriation for commissioners of conciliation from "$150,000" to "$200,000."

The amendment was agreed to.

The next amendment was, in the item for contingent expenses, Department of Labor, on page 47, line 1, before the word "exchange," to insert the word "purchase," so as to read:

For contingent and miscellaneous expenses of the offices and bureaus of the department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges, laundry, street car fares not exceeding $200; lighting and heating; purchase, exchange, maintenance, and repair of motor cycles and motor trucks; purchase, exchange, maintenance, and repair of a motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges, postage to foreign countries, telegraph and telephone service, typewriters, adding machines, and other labor-saving devices; repairs to the building occupied by the office of the Secretary of Labor; purchase of law books, books of reference, and periodicals not exceeding $2,000; in all, $50,000.

The amendment was agreed to.

The next amendment was, on page 47, line 26, to increase the total appropriation for office of the Secretary of Labor from "$564,380" to "$614,380."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Labor Statistics," on page 48, line 4, after the word "each," to insert "three experts, at $1,800 each," and at the end of line 13, after the words "in all," to strike out "$172,960" and insert "$178,360," so as to make the paragraph read:

Salaries: Commissioner, $5,000; chief statistician, who shall also perform the duties of chief clerk, $3,000; statistician, $3,000; 6 statistical experts, at $2,000 each; 3 experts, at $1,800 each; employees—2 at $2,760 each, 1 $2,520, 5 at $2,280 each, 1 $1,800, 6 at $1,600 each, 7 at $1,400 each, 2 at $1,200 each; special agents—4 at $1,800 each, 6 at $1,600 each, 8 at $1,400 each, 4 at $1,200 each; clerks—8 of class 4, 7 of class 3, 10 of class 2, 17 of class 1, 8 at $1,000 each; 2 copyists at $900 each; messenger, $840; 3 assistant messengers, at $720 each; 2 laborers, at $660 each; in all, $178,360.

The amendment was agreed to.

The next amendment was, on page 49, line 7, to increase the total appropriation for the Bureau of Labor Statistics from "$242,260" to "$247,660."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Immigration," on page 50, line 5, before the words "necessary supplies," to insert "not exceeding $20,000 for personal services in the District of Columbia," so as to read:

Regulating immigration: For enforcement of the laws regulating immigration of aliens into the United States, including the contract labor laws; cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner General of Immigration; salaries and expenses of all officers, clerks, and employees appointed to enforce said laws, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; enforcement of the provisions of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States," and acts amendatory thereof; not exceeding $20,000 for personal services in the District of Columbia, necessary supplies, including exchange of typewriting machines, alterations and repairs, and for all other expenses authorized by said act; preventing the unlawful entry of Chinese into the United States, by the appointment of suitable officers to enforce the laws in relation thereto; expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expenses of conveyance of Chinese persons to the frontier or seaboard for deportation; refunding of head tax and maintenance bills upon presentation of evidence showing conclusively that collection was made through error of Government officers; all to be expended under the direction of the Secretary of Labor, $3,300,000.

The amendment was agreed to.

The next amendment was, under the subhead "Children's Bureau," on page 53, line 25, to increase the appropriation to investigate and report upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality, from "$80,000" to "$120,000."

The amendment was agreed to.

The next amendment was, on page 54, line 20, to insert the following proviso: "*Provided*, That no salary shall be paid from the portion of this appropriation allotted for administrative purposes at a rate exceeding $2,000 per annum except the following: One at $3,000, one at $3,500, and one at $3,000," so as to make the paragraph read:

Promotion of the welfare and hygiene of maternity and infancy: For carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, $1,240,000: *Provided*, That no salary shall be paid from the portion of this appropriation allotted for administrative purposes at a rate exceeding $2,000 per annum except the following: One at $3,000, one at $3,500, and one at $3,000.

The amendment was agreed to.

The next amendment was, on page 54, line 25, to increase the total appropriation for the Children's Bureau from "$1,511,040" to "$1,551,040."

The amendment was agreed to.

The next amendment was, under the subhead "Women's Bureau," on page 55, line 7, to strike out "$75,000" and in-

sert "$100,000"; in line 10, after the words and figures "one at $3,500," to insert "one at $3,000, one at $2,500, three at $2,200 each," so as to make the paragraph read:

For carrying out the provisions of the act entitled "An act to establish in the Department of Labor a bureau to be known as the Women's Bureau," approved June 5, 1920, including personal services in the District of Columbia and elsewhere, purchase of material for reports and educational exhibits, and traveling expenses, $100,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum except the following: "One at $5,000, one at $3,500, one at $3,000, one at $2,500, three at $2,200 each, and three at $2,000 each.

The amendment was agreed to.

The next amendment was, under the subhead "Employment Service," on page 56, at the end of line 4, to strike out "$225,000" and to insert "$250,000," so as to make the paragraph read:

To enable the Secretary of Labor to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, to advance their opportunities for profitable employment by maintaining a national system of employment officers, and to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment, and by maintaining a system for clearing labor between the several States, including personal services in the District of Columbia and elsewhere, and for their actual necessary traveling expenses while absent from their official station, together with their per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; supplies and equipment, telegraph and telephone service, and printing and binding, $250,000.

The amendment was agreed to.

The next amendment was, on page 56, line 5, to increase the total appropriation for Department of Labor, from "$6,826,920" to "$6,972,320."

The amendment was agreed to.

The VICE PRESIDENT. This completes the amendments of the committee.

Mr. FLETCHER. May I inquire of the chairman of the committee whether the Bureau of Lighthouses requested any increases over the House provision?

Mr. JONES of Washington. They did not.

Mr. FLETCHER. I have made a good many inquiries with respect to aids to navigation, and the reply from the department has always been that they were short of funds. They recognized the merit of the matters presented, but stated that they did not have sufficient funds to supply the needed aids—lights, etc.

Mr. JONES of Washington. They did not ask for anything additional.

Mr. LODGE. I desire to offer an amendment to the provision relating to immigration, at the end of the provision on page 51. The amendment that I offer is to appropriate $100,000 for the fiscal year 1922—that is, for the present fiscal year. It is in the nature of a deficiency appropriation. I simply desire to call attention to it, and to say that the present conditions show the utter recklessness with which economies are made, some economies being the worst form of extravagance.

The appropriation for the Immigration Service was so inadequate that they will be obliged between now and the 1st of July to lay off most of the force by furloughing them for two weeks or a month at a time, and it will reduce it from a force which numbers only 1,200 men to from 400 to 700 officers.

The service is now inadequate, and this laying off of inspectors of immigration can have but one effect, an increase in the smuggling in of immigrants who are barred by the law, and an increase in the number of immigrants illicitly coming into the country.

I read an article in the New York Herald of Sunday last from which I wish to read just a few words because it expresses what has happened.

The VICE PRESIDENT. The Senator will suspend for a moment. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States' courts, to authorize the designation, assignment, and appointment of judges outside their districts, and for other purposes.

Mr. JONES of Washington. Mr. President, I think we can conclude the appropriation bill in a very few moments. I ask unanimous consent that the unfinished business may be temporarily laid aside.

Mr. LODGE. I hope that will be done, because I think we can finish the bill, and when that is done I intend to move that the Senate go into open executive session to further consider the treaties.

The VICE PRESIDENT. Without objection, the unfinished business is temporarily laid aside. The Senator from Massachusetts will proceed.

Mr. LODGE. I read from the New York Herald as follows:

In the face of positive information published by the New York Herald that thousands of undesirable aliens are being smuggled into the United States systematically in violation of the immigration laws, which since has been corroborated fully by Government reports, word was passed brazenly this week among the members of the smuggling fraternity up and down the southern Atlantic and Gulf coasts and along the Mexican and Canadian borders that "the lid is off" for the next four months. The word is correct.

At a time when the Federal immigration authorities admit that it is practically impossible for them to make any headway against the smuggling gangs, especially those who are operating from Cuba to the thousands of bays and inlets on the Florida coast, the Immigration Bureau of the Department of Labor has been forced to issue orders to lay off hundreds of inspectors between now and July 1 because of the restricted congressional appropriations.

Unless Congress acts immediately by passing a deficiency bill granting approximately $100,000 to the Immigration Bureau, between 400 and 700 men will be given two weeks' furlough every 30 days until the end of the fiscal year.

It is predicted in congressional circles that at least 10,000 alien immigrants denied admittance under the law will be able to slip into the United States. For each one of them the smuggling gangs that are operating small vessels or fast automobiles along the southern coasts and the borders will collect from $100 to $500.

The Immigration Bureau finds itself in the same position as the prohibition enforcement office at this time last year, when hundreds of enforcement agents had to be laid off for several months due to the lack of funds to pay salaries. The extent to which the immigration inspection force will be crippled by laying off between 400 and 700 men is shown by the fact that the total number of inspectors and field assistants is only about 1,200.

That is the case, Mr. President, and it is very serious. Of course Boston is one of the large immigration ports, and I have heard from there as well as from other points with regard to the situation. I do not say anything about the hardship to the men in the service, which is very great, but to break up the service and furlough inspectors, to take away the men from the smaller points, can result in nothing but the admittance illicitly of a large number of immigrants who ought to be excluded.

Mr. SMITH. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from South Carolina?

Mr. LODGE. Certainly.

Mr. SMITH. I should like to ask the Senator if his information is not to the effect, and if it is not the natural result of the present law restricting immigration, that it is most difficult of administration now and more so now than ever before? In place of laying off men we ought to have an increased and more efficient force.

Mr. LODGE. The Senator is absolutely right. The present law, instead of requiring a smaller force, requires a larger force. I refer to the regular force. The regular appropriation is altogether too small. This year the estimate is $4,050,000, while the bill allows $3,300,000, and here is this force, which is of the greatest service to the protection of the country, cut down in a perfectly stupid, ruthless way.

Mr. SMITH. The reason why I rose was that I have heard comments to the effect that since the law was enacted restricting the number of immigrants who could come in, placing it on a percentage basis, it has been easier of administration than heretofore, when, as a matter of fact, just the opposite is the truth of the situation, because now they are attempting to evade the law and come in, anyway. We need a greater and more efficient force to enforce our laws.

Mr. LODGE. We do.

Mr. JONES of Washington. I shall make no objection to the amendment. I will say to the Senator that the same proposition is now pending before the Appropriations Committee in connection with the next deficiency bill. However, if we can take care of it on this bill it will meet a very critical situation. It is a situation that affects my own State very much, I know.

Mr. OVERMAN. I understand this is estimated for on the deficiency bill and we shall have to look into it when that bill comes before us.

The VICE PRESIDENT. The Senator from Massachusetts offers an amendment, which will be stated.

The ASSISTANT SECRETARY. On page 51, after line 8, insert a new paragraph, as follows:

For the enforcement of the laws regulating immigration of aliens into the United States, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1922, $100,000.

Mr. POINDEXTER. I should like to ask the Senator from Massachusetts if he thinks the amount of $100,000 will give substantial relief. It seems to me to be rather a small amount to cover the entire situation.

Mr. LODGE. I took the figures $100,000 from the statement in the New York Herald. I have heard that they need $150,000, but if we can get $100,000 I think it will relieve the most critical part of the situation.

Mr. POINDEXTER. I have a great deal of information from the Immigration Service in the State of Washington as to

the demoralized condition of affairs in that State which has resulted from the furloughing of a part of the force. I ask my colleague, who is in charge of the bill, if he thinks it would not be well, as long as we are taking care of this matter, to be sure to get an amount that is sufficient for the immediate needs of the service?

Mr. LODGE. I would be glad to modify my amendment and make the amount $150,000.

Mr. JONES of Washington. Mr. President——

Mr. POINDEXTER. One word further. Particularly on the northwest border of the country is there need for an efficient immigration service. The labyrinth of boundary waters and the sparsely settled international line between the State of Washington and the Province of British Columbia make it extremely difficult to enforce the law there. I am informed that large numbers of orientals and other aliens who have no right to come in are coming in there.

Mr. LODGE. They are; they are being smuggled in. They are brought across into New England, too. It is a very serious situation.

Mr. JONES of Washington. Mr. President, I made a misstatement a moment ago when I said this had been estimated for. It has not been. The clerk of the committee advises me that the amendment introduced by the Senator from Massachusetts [Mr. LODGE], proposing to appropriate $150,000, is pending before the Committee on Appropriations in connection with the deficiency appropriation bill. I thought when I got the information that it was estimated for, but it seems that it has not been estimated for.

Mr. OVERMAN. I understood it was estimated for to be put in the deficiency bill. Does the Senator know whether it has been before the Departments of Commerce and Labor?

Mr. LODGE. I wrote the Department of Labor and asked them to send in an estimate, but it has not yet been received. I hope the amendment may be agreed to and taken to conference at least and discussed there.

Mr. OVERMAN. I hope the Senator will leave it at $100,000, because there is no estimate for it. I understand there is an amendment now pending before the Committee on Appropriations in connection with the deficiency appropriation bill for the same amount.

Mr. JONES of Washington. It is for $150,000 in the form of an amendment on the deficiency appropriation bill. The Senator from Massachusetts offered that amendment and it is pending before the Committee on Appropriations in connection with the deficiency appropriation bill.

Mr. OVERMAN. There is no estimate here at all.

Mr. JONES of Washington. I understand there is no estimate. I am not going to make a point of order against the amendment. If any other Senator desires to do so he may. The situation is very critical, and in order properly to take care of the situation I suggest that we make the amount $150,000. We can then consider it in conference. If we take care of it in this bill, we shall not have to take care of it in the deficiency appropriation bill. That is the situation.

The VICE PRESIDENT. The Chair understands that the Senator from Massachusetts has modified the amendment so as to make the amount $150,000.

Mr. LODGE. I have.

The VICE PRESIDENT. The question is on agreeing to the amendment as modified.

Mr. KING. Mr. President, I would like to ask the Senator from Massachusetts, or the Senator from Washington in charge of the bill, in view of the less number of immigrants coming to the United States under the present law than came formerly, whether so large a sum is required for the administration of the law?

Mr. LODGE. It has been cut far below the estimate of the department. As the Senator from South Carolina [Mr. SMITH] pointed out a few moments ago when the Senator from Utah was not here——

Mr. KING. I was attending a meeting of the Committee on Naval Affairs.

Mr. LODGE. The new law requires additional men. The service is perfectly inadequate now as a whole. The law is a very difficult one to enforce. Of course, the decreased number of immigrants represents the enforcement of the law, and that decrease is dependent on the way in which the law is enforced.

Mr. KING. I think I may say there have been a large number coming into the United States in violation of the law. A great many go to Cuba and Mexico from ports in Europe; and then they filter across the line, violating our law and the regulations.

Mr. LODGE. That is just the situation. For the next three or four months and until the 1st of July, of the 1,200 men in the service they are going to lay off from 400 to 700, who will be off all the time. Of course, they will shift the men. The same men will not bear the whole burden of being laid off. They will reduce their force in the neighborhood of 50 per cent in that way, and that means an utter lack of protection at the out-of-the-way points. On the northwest coast, where the Senator from Washington [Mr. POINDEXTER] described the situation, on the Florida coast and on the Canadian border, they will not have sufficient men to enforce the law. It is too small an amount. It is the kind of economy, as I said in the beginning, that is the worst kind of extravagance.

Mr. KING. It is going to be very difficult to enforce the law along those borders, because, as we know, a great many foreigners, among them bolsheviks and revolutionists, are coming from Russia, and they secretly enter the United States. Of course, we ought to appropriate whatever amount is necessary to properly enforce the law.

Mr. LODGE. I assure the Senator I would not ask for it if I did not know it was injuring the enforcement of the law very greatly not to have it.

Mr. OVERMAN. I suggest to the Senator from Massachusetts that he get an estimate for this if it is possible.

Mr. LODGE. I have written for an estimate.

Mr. OVERMAN. We will have trouble in conference without an estimate. I am in favor of the amendment.

Mr. LODGE. I have written for the estimate and hope to have it here to-day.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Massachusetts as modified.

The amendment was agreed to.

Mr. SPENCER. I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 53, in line 26, strike out "8" and insert "12" so that the proviso will read:

Provided, That not exceeding 12 per cent shall be employed hereunder at a rate of compensation of $2,000 each per annum and above that sum.

Mr. JONES of Washington. That really complies with the other increases which we have made and I think it is a proper amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, on behalf of the Senator from New Jersey [Mr. FRELINGHUYSEN] I offer the following amendment, not as a committee amendment, but in his behalf. I will say that a supplemental estimate came down after the bill was reported from the committee and I have no objection to the amendment. We will take it to conference and consider it there.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 27, after line 19, insert the following:

For repairs and improvements at Barnegat, in the State of New Jersey, including protection of site against erosion by the sea, to be expended under the direction of the Secretary of Commerce, to be immediately available and continue available until expended, $100,000.

The amendment was agreed to.

The VICE PRESIDENT. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

FOUR-POWER TREATY.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in open executive session for the purpose of taking up the four-power treaty.

The motion was agreed to; and the Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. ROBINSON obtained the floor.

Mr. SMITH. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Caraway	Gooding	Jones, Wash.
Brandegee	Colt	Hale	Kellogg
Broussard	Culberson	Harris	Kendrick
Calder	Fletcher	Harrison	King
Cameron	Frelinghuysen	Heflin	Ladd
Capper	Glass	Johnson	Lenroot

Lodge	Norbeck	Ransdell	Sutherland
McCormick	Norris	Rawson	Swanson
McKellar	Oddie	Reed	Underwood
McKinley	Overman	Robinson	Walsh, Mont.
McNary	Page	Sheppard	Warren
Nelson	Phipps	Shields	Watson, Ga.
New	Pittman	Smith	Watson, Ind.
Newberry	Poindexter	Spencer	Willis
Nicholson	Pomerene	Stanley	

Mr. FLETCHER. I desire to announce that the Senator from Florida [Mr. TRAMMELL] is necessarily absent because of illness in his family.

The PRESIDING OFFICER (Mr. LENROOT in the chair). Fifty-nine Senators have answered to their names. A quorum is present.

Mr. ROBINSON. Mr. President, I offer the amendment which I send to the desk, to be inserted at the end of article 1 of the four-power treaty, and I ask that it may be read by the Secretary.

The PRESIDING OFFICER. The Senator from Arkansas offers an amendment, which the Secretary will state.

The READING CLERK. At the end of article 1 of the treaty it is proposed to insert:

> Each of the high contracting parties will respect the rights and possessions of all other nations and refrain from all acts of aggression against any other power or powers. If there should develop between any of the high contracting parties and any other power or powers a controversy which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord subsisting between any party or parties to this compact and any other power or powers, the high contracting parties shall invite all powers claiming an interest in the controversy to a joint conference to which the whole subject will be referred for consideration and adjustment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

Mr. ROBINSON. Mr. President, the proposed amendment, from the viewpoint of those who doubt whether the pending treaty in its present form will tend to conserve the peace of the world, is of the utmost importance. Under the treaty as presented to the Senate the parties to it agree not to take aggressive action against the rights of one another in the region of the Pacific Ocean. They also agree that if such rights of any of them are threatened by the aggressive action of any outside power they will pursue a definite course in regard to the subject.

Mr. BRANDEGEE. Mr. President——

Mr. ROBINSON. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I know the Senator from Arkansas does not wish to state it too broadly, and I desire to call his attention to the fact that the rights referred to are simply the rights in reference to their insular possessions.

Mr. ROBINSON. And their insular dominions.

Mr. BRANDEGEE. And their insular dominions.

Mr. ROBINSON. The Senator himself states the matter too narrowly.

Mr. BRANDEGEE. No.

Mr. ROBINSON. I have referred to the treaty as pertaining to the rights in the region of the Pacific Ocean.

Mr. BRANDEGEE. But that might mean continental rights.

Mr. ROBINSON. Mr. President, the obligation of both article 1 and article 2 of the treaty relates to insular rights and insular possessions. I shall have occasion during the course of my remarks to discuss the relationship which this treaty bears to the Asiatic mainland and to the very acute controversies that exist there growing out of the aggression by Japan against Siberia and China. The purpose of the amendment which I have offered is to fill a vital and inexcusable omission in the treaty. If the signatories to the four-power pact expect to hold their insular rights and insular dominions secure against the aggression of any other power, they must refrain from acts of aggression not only in the region of the Pacific but upon the Asiatic mainland and elsewhere.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. Before the Senator from Arkansas proceeds further with his argument, I should like his view upon this thought: We have already been informed by the leading Senators who have charge of the pending treaty that they consider the Anglo-Japanese treaty a menace to our interest and our peace. If we get rid of the Anglo-Japanese treaty by the pending treaty, will not the other nations consider the four-power treaty a menace to them?

Mr. ROBINSON. Mr. President, there is no doubt in my mind that Great Britain and Japan and probably other nations construe the four-power pact as an alliance; and I shall demonstrate to such Senators as do me the honor to listen to what I have to say that this conclusion is inevitable from the statements made at the plenary session of the Washington conference when the four-power treaty was presented.

There is no use concealing well-known facts. Nothing can be accomplished by mincing words. The only menace which the United States now faces, either in the region of the Pacific Ocean or elsewhere, is that which arises from its relationship to the Empire of Japan and the policies which that Empire has put into practice respecting the mainland of Asia. Any remedy, then, which is intended to avert conflict or to adjust controversies must take cognizance of the fact that the object of the United States in entering any combination with any other nation is to avoid conflicts, secure her rights and the rights of her nationals, and to see that no injustice is done through her action or acquiescence to any other power.

Those who believe that as a result of the very affable proceedings conducted at the Washington conference the nations affected by this treaty have lost or abandoned all disposition to extend by economic penetration and political intrigue, supported by military power, their dominion over the territories and peoples of other nations friendly to the United States, may say no necessity exists for such an amendment, because the nations have become so righteous that hereafter they will prove themselves incapable of injustice. If you want to save the future from embarrassing complications, if you intend to do justice to China and Russia, if in fact Japan is ready to reverse her policy of aggression and to refrain from it in the future, why not make it clear in this treaty?

The four-power treaty is advanced by its advocates as the greatest achievement of modern times for the preservation of world peace.

Mr. REED. Mr. President, if the Senator will pardon me, that was the claim before the Senator from Massachusetts [Mr. LODGE] admitted yesterday that it was a cipher.

Mr. ROBINSON. I was just proceeding to show that the Senator from Massachusetts made that claim. I can quote his language. He said:

> If the four-power treaty be rejected, the Washington conference will fail.

He said, in substance, that if it be rejected the Senate would blight or wither the new hope of the world for peace.

Mr. CARAWAY. Mr. President, may I interrupt the Senator?

Mr. ROBINSON. I yield with pleasure.

Mr. CARAWAY. I thought he was merely quoting Woodrow Wilson's speech. I did not know that he was claiming that as original.

Mr. ROBINSON. Mr. President, to the amazement of Senators who heard him, the Senator from Massachusetts was putting the four-power treaty in the same relationship to human affairs, the adjustment of international controversies, and the preservation of world peace that Woodrow Wilson placed the League of Nations; and, consciously or unconsciously, he made a poor paraphrase of the language that Woodrow Wilson used.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Missouri?

Mr. ROBINSON. I yield.

Mr. REED. I think the technical term is "unconscious cerebration." I believe that is the way that process is described.

Mr. CARAWAY. I think, if the Senator will permit me, that the word is "plagiarism," and not "paraphrase."

Mr. ROBINSON. Mr. President, the Senator from Massachusetts is a great scholar and a great statesman. He admits it. He is perhaps the most experienced man in the Senate of the United States touching international relations. During the last few years he has been on more sides of many subjects than any other intellectual gymnast I have ever known. In numerous speeches before the issue had developed to a specific treaty he declared himself for a League of Nations—just such a league as was afterwards presented. With eloquence and forcefulness he reversed his attitude on that subject and denounced the league as an instrument of oppression, inevitably to become subversive of the rights of the United States and of the liberties of her citizens. He denounced the Colombian treaty, when first presented to the Senate, as an outrage. Its ratification was characterized as an act of perfidy approaching bribery. With characteristic speed, he reversed that attitude and insisted on ratification of the treaty, and the prompt payment of the "bribe" which had already been too long delayed; and now he brings to the Senate a treaty upon the ratification of which, he says, depends the future peace of the world.

I think I am open to conviction. I want to conserve world peace. I do not desire or intend that any political considerations or any other considerations shall prevent me from discharging my duties here, from speaking and voting in what

seems to be the best interests of this Nation and the happiness and security of its people. The moment I become convinced that the four-power treaty means peace to the United States and security to her rights and citizens, I will gladly join the Senator from Alabama [Mr. UNDERWOOD] and the Senator from Massachusetts [Mr. LODGE] in an effort to ratify it. The function of advising and consenting to the ratification of treaties was vested in the Senate of the United States for an important purpose. In view of the fact that this treaty was negotiated in part by Senators who in its negotiation committed themselves to the manner in which they should discharge their constitutional function of advising and consenting to the treaty, it becomes of the utmost importance that other Senators who are not so committed shall exercise their conscientious and independent judgment.

After having said that the treaty is of the utmost importance, the Senator from Massachusetts, in order to escape the force of the argument that it imposed upon this Government important obligations and new responsibilities and duties, committed an act of inconsistency which has not often characterized even his remarkable record for inconsistency. There is not a Senator hearing me who will not recall that the burden of the Senator's speech delivered on yesterday, when he reached the discussion of the terms of the treaty, was to show that it imposed no obligation on any member except the duty of taking part in a conference. If that be true, how can it be said by any intelligent man that the treaty is important to the future peace of the world?

Mr. President, if the argument of the Senator from Massachusetts be accepted that the treaty is only an undertaking in which the four powers who are parties to it bind themselves only to confer in case of threatened trouble, it is inconsistent, it is hypocritical to assert that such a treaty can bear any important relationship to the future peace of the world. If, when war becomes imminent, the nations in this compact are only to talk, if there is no obligation either legal or moral to decide what shall be done and then to do it, how can a great statesman like the Senator from Massachusetts yield to his poetic fancies and indulge in dreams that this treaty is inseparably connected with the future fate of mankind?

When he answers the argument that we will be bound by the treaty to grave and weighty responsibilities by saying that there are none, and that the most the treaty provides for is conversation, he proves better than anything I can say the incorrectness of his conclusion that the treaty is a great document. If the four-power treaty is the principal result and accomplishment of the Washington conference, and if it merely calls for conference in case of pending trouble, then the Washington conference failed when it negotiated that treaty, and the failure does not occur here when it is rejected. How can anyone escape that conclusion?

Sirs, I have no sympathy with the declaration that in this treaty the United States merely agrees to hold a friendly conference with France, Great Britain, and Japan if the insular rights and dominions of any one of them are assailed or threatened, or if a difficulty arises between any two of them. I propose to prove, by giving the language employed its ordinary meaning in diplomacy, that the four-power treaty is an alliance, and if it is not an alliance, it is nothing worth while.

Article 1 provides, in substance, that if any controversy arises among the high contracting parties which is not settled by diplomacy, all the parties to the compact will be invited to a conference to which the whole subject shall be referred for consideration and adjustment. The contemplation of the framers of this treaty was that the conference may be able to find a settlement for any difficulty which may arise between any of the parties to the treaty. No method whatever was suggested or provided in the treaty by which the settlement should be actually made if the conference failed to effect an adjustment.

Singularly, there were excluded by a declaration attached to the treaty, and signed by all the signatories, all domestic controversies. If the procedure under the treaty is merely intended to bring about a conference for the peaceful settlement of disputes, and if in no instance can it go to the extent of imposing any liability or obligation, why were domestic problems excluded from the conference?

We all know that the real trouble which has existed between the United States and Japan has arisen out of three principal subject matters, in so far as domestic affairs are concerned: First, immigration; second, so-called race equality; and, third, to the claim of the Japanese to the right of land ownership. The last controversy has proved peculiarly vexing as respects the people who live in the States along the Pacific seaboard. It has caused disputes between Japan and the United States for the last quarter of a century.

The Washington conference reports a treaty which, it says, settles all difficulties likely to cause trouble between the United States and other signatories to that treaty, and yet expressly reserves from the treaty the real causes likely to result in conflict.

I can understand why those were actually reserved. The United States was unwilling, Japan, perhaps, was not anxious, to submit purely domestic questions to the arbitrament of France and England; but if there is no power to decide and take action, what is the objection to talking about them in the conference? What objection is there to availing ourselves of the friendly offices of France and Great Britain in an effort to adjust these difficulties? The real reason why those reservations were made is that if immigration, land ownership, and kindred questions were submitted to such a conference as this treaty contemplates that conference would have the power to adjust them, and if no agreement resulted France, England, and Japan would be bound under the Versailles treaty, to which they are all parties, to take the controversy to the League of Nations council. Any nation refusing to abide the decision of the league would incur the antagonism of all members of the league and be subjected to the economic boycott and, perhaps, to war.

Mr. JOHNSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from California?

Mr. ROBINSON. I yield.

Mr. JOHNSON. May I inquire, if the Senator's construction of this treaty is that without the reservation under article 1 the Japanese immigration question could have been taken cognizance of by the four powers, and could have been adjusted under this treaty?

Mr. ROBINSON. I will not go to the extent to say that such a question would have been comprehended within the jurisdiction of the conference unless it grew out of a dispute relating to the insular rights or insular possessions of the parties. If there had been no such reservation and a dispute as to immigration, land ownership, or race equality had arisen touching one of the islands which the United States owns, or one of the islands which Japan owns, without this reservation unquestionably it would have been subject to the jurisdiction of the conference.

Mr. JOHNSON. Evidently, then, the treaty was written with the design originally of putting the Japanese immigration question within the jurisdiction of the treaty.

Mr. ROBINSON. Mr. President, I can not say what the original intention of the framers of this treaty was. I have been trying in every way my humble mind can conceive to find out. I have looked for information in the printed records. I have asked for it from everyone who ought to know, and I have learned nothing. The Senator from California may have had better success than I have had.

Mr. JOHNSON. Oh, no; all information has been denied us, just exactly as it has been denied the Senator from Arkansas. It is denied, too, not only to us, but it is denied to the American people, who are entitled to it, after all.

But returning to the question I put to the Senator, apparently, in the minds of those who wrote this treaty, or of those who executed it, one of them being in the Chamber now, there must have been a question of the right of those who executed the treaty, under the treaty, to take into their jurisdiction the Japanese immigration and other domestic questions. That being in the minds of those who executed this treaty on our part, they, perhaps to make assurance doubly sure, as they may say, or perhaps because it was absolutely essential, wrote the reservation providing that the controversies which are mentioned shall not embrace the domestic questions of this country, or substantially that.

If, under the original treaty, the design and the purpose were to embrace domestic questions, I wonder if the Senator from Arkansas can suggest who wrote this treaty.

Mr. ROBINSON. Mr. President, I was going to discuss that question, and perhaps I might just as well anticipate the discussion and answer the question now.

Mr. JOHNSON. I did not want to interfere with the orderly procedure of the Senator's argument.

Mr. ROBINSON. I thank the Senator; I am not complaining in the least. I do not know who wrote this treaty; and the Senator from Massachusetts [Mr. LODGE] being unavoidably absent, I ask the Senator from Alabama now to tell us who wrote this treaty.

Mr. UNDERWOOD. If the Senator will yield to me, I will attempt to tell him.

Mr. ROBINSON. I take pleasure in yielding.

Mr. UNDERWOOD. I can say to the Senator that I am not as well informed about this treaty, and all the details of it, as I am about some of the other treaties before the conference, because in the midst of the negotiations in relation to this treaty I was called out of Washington on account of a death in my family, and the negotiations proceeded, of course, while I was gone; but I will be glad to tell the Senator all I know about it, which is not all that occurred, of course, as I was absent for more than a week.

When the American delegation first met, the proposition of our reducing naval armaments in accordance with the instructions of Congress raised the question of the effect of the Anglo-Japanese alliance on the navies if our proposals were to be accepted; and they were substantially accepted. The discussion then was as to whether or not the Anglo-Japanese alliance could be avoided, and it was left to the chairman of our delegation to take the question up with the chairmen of the delegations from Great Britain and from Japan, to see whether they would consider the question of the cancellation of the Anglo-Japanese alliance. That ran along for some time, and during that discussion there was no discussion of anything taking place.

Then the chairman of the American delegation reported to the American delegation that he thought an agreement could be reached by which the Anglo-Japanese alliance would be canceled provided something could be put in its place. Of course, what I know about it came to me second hand, because I did not engage in the negotiations. The negotiations were carried on by the Secretary of State.

The American delegation then were told that Great Britain was not prepared to cancel the Anglo-Japanese alliance without something put in its place, because Australia and New Zealand thought that the alliance was of some value to them and they wanted an agreement by at least three powers—the United States, Great Britain, and Japan—in substitution of the alliance which was to be canceled.

I think there was some little discussion in the delegation about the form of that new agreement before I left, but I do not recall the exact terms if there were any such discussions.

When I came back to Washington I was informed by the chairman of the American delegation that they had reached an agreement, and he stated what the agreement was, which is the present treaty without the subsequent understanding or the subsequent treaty that was signed. He explained at that time that it included the home islands of Japan, and asked me whether it would meet with my approval. After investigating the matter, I agreed to the treaty.

I can not say to the Senator what the facts were that led up to it because I was not here. I have given him all the information that I have. I have heard it said that there were some other drafts of the treaty. That may or may not be so. I did not see any, but I was absent from the city during the time and they may have been presented to the delegation during that time.

Mr. WATSON of Georgia. Mr. President, will the Senator from Arkansas permit me to ask the Senator from Alabama a question?

Mr. ROBINSON. Certainly.

Mr. WATSON of Georgia. The Senator from Alabama the other day in discussing the treaty said that we ought not to look a gift horse in the mouth.

Mr. UNDERWOOD. I was not then discussing this treaty.

Mr. ROBINSON. That had reference to the treaty with regard to the island of Yap.

Mr. WATSON of Georgia. We have all these things grouped in our minds, and should. Anyhow, the Senator, alluding to Japan, said we ought not to look a gift horse in the mouth.

Mr. UNDERWOOD. I was referring to the island of Yap treaty.

Mr. WATSON of Georgia. Does the Senator think we ought to ratify any treaty that puts us in the attitude of taking gifts from Japan?

Mr. UNDERWOOD. I did not say that regarding this treaty. I have no more objection myself to taking gifts from Japan than I would to taking them from England or France. As I called to the attention of the Senator the other day, one of the notable instances where we have taken gifts from Great Britain, in the sense of a concession, was in reference to the Canadian fisheries rights. But we have given to other nations and they have yielded to us in the past. Within proper lines, when it comes within high national morals, I have no objection in the world, as I had none to accepting the concession that Japan made to the nationals of the United States in reference to their cable landing in the island of Yap. But there is no concession of that kind in this treaty; it is all mutual.

Mr. WATSON of Georgia. In the case of the fisheries, did we not base our claim upon prescription?

Mr. UNDERWOOD. Yes; but as the Senator knows as well as I do, because there are very few men in the Senate so well informed on historic facts, when we signed the treaty of Ghent closing the war of 1812–1814, we yielded the prescription that we claimed when the Revolutionary War closed.

Of course, if I can inform the Senator from Arkansas with reference to anything further within my knowledge, I shall be very glad to do so.

Mr. ROBINSON. Mr. President, I do not care to yap any more about Yap now. I asked the Senator from Alabama, as one of the four representatives of the American Government in the Washington conference, who wrote the four-power treaty. Newspaper correspondents up in the press gallery have been trying to find out who wrote this treaty ever since it was brought before the plenary session of the Washington conference by the Senator from Massachusetts. When they send out their stories this evening I ask that they write the answer of the Senator from Alabama to my question, Who wrote the four-power treaty? I know the Senator from Alabama has given all the information that he has on the subject. He is a great man, a good man, and a true man, but he is not in possession of the information. He does not know, but he confirms the conclusion that I had reached upon the proceedings of the conference of the manner in which this treaty was put forward.

The four-power treaty originated with Mr. Balfour, now Sir Arthur, and he had the concurrence, the hearty concurrence, of those brilliant, astute, indomitable, all-knowing representatives of the Japanese Empire, Prince Tokugawa and T. Kato.

Mr. BORAH. Mr. President——

Mr. ROBINSON. I yield to the Senator from Idaho.

Mr. BORAH. It seems to me conclusive that the American delegation did not write the treaty or have anything to do with it. No American delegation would have written the treaty and asked the American people to include the homeland of Japan. It is a certainty that the nation which wrote it or dictated it had a different object in view than that which the American delegates would have had on that subject.

Mr. ROBINSON. Not only is that true, but the proceedings of the negotiators who conceived and framed the treaty were kept secret from the press, from the American people, and from the Senator from Alabama [Mr. UNDERWOOD], one of the representatives of the American Government. On the day that the Senator from Massachusetts gave out the first statement of the prospective terms, which ultimately entered into this proposal, Secretary of State Hughes said to men sitting in the gallery now, representing the press of the United States, that no such proposal as the four-power treaty was in contemplation. He declared that he knew nothing of the matter. I am speaking what I know to be true. The Senator from Massachusetts, acting as an American delegate, gave a statement of the four-power treaty to a reliable newspaper man, whose word every Senator would accept, and at the same time Secretary Hughes was telling a group of newspaper men, who had heard a rumor that the treaty was to be forthcoming, that no such treaty was in contemplation.

Mr. CARAWAY. Mr. President——

Mr. ROBINSON. I yield to my colleague.

Mr. CARAWAY. Is there any evidence, however, that the Senator from Massachusetts had read the draft when he gave it out?

Mr. ROBINSON. I can not answer that. If the Senator from Massachusetts, who informed me that he was unavoidably called from the Chamber and who I am satisfied is unable to be here, were now present, I would ask him the questions I have asked the Senator from Alabama. But I do not think the Senate would derive any more information than was obtained from the answers of the Senator from Alabama.

Mr. WATSON of Georgia. Mr. President, I read very carefully the first draft handed out, alluded to by the Senator from Arkansas, and saw that one word was used in three different senses in that short document. Therefore I knew that the Senator from Massachusetts had not written it or read it.

Mr. ROBINSON. That is absolutely conclusive proof that he had not written it, and persuasive that he had not read it.

Mr. REED. Mr. President——

Mr. ROBINSON. I yield to the Senator from Missouri.

Mr. REED. Speaking of the matter in a serious way, is it not about as remarkable a thing as the Senator ever heard of that the representatives of the United States Government, in considering the draft of the treaty which involved the right of the United States to fortify its own possessions and which yielded to Japan the complete dominance over thousands of

islands and did other things of an equally important character, never even inquired when the document came to them who prepared that document or where it came from? Is not that about the most remarkable thing the Senator ever heard of?

Mr. ROBINSON. It is incomprehensible to my mind.

Mr. JOHNSON. Mr. President——

Mr. ROBINSON. I yield to the Senator from California.

Mr. JOHNSON. May I call to the Senator's attention that in the very illuminating statement of the Senator from Alabama about what transpired, not a single word was said by him in response to the query that was put as to how this particular reservation, which is the first reservation to the treaty, was written into it? I beg the Senator to keep in mind that the first reservation to the treaty was written into it by the treaty makers themselves, because they did not understand it.

Mr. ROBINSON. There were two reservations written into it. I would not say it was because they did not understand it, but I would like to have somebody who knows explain why they did not incorporate in the treaty any statement they desired to make, and why they resorted to what we term reservations in order to make clear their own language.

But I do not want to be diverted now, if the Senator will pardon me, from the subject of who is responsible for the conception of the treaty, because I think it bears upon the true or, at least, practical interpretation that will be given it by the nations of the world and bears forcefully upon the effect which the treaty will have on world affairs.

The Senator from Massachusetts, in a burst of enthusiasm rhetorical beyond my powers to follow him, referred to the fact that one of the sublime benefits of this treaty is that it rids the United States of the menace of the Anglo-Japanese treaty.

Mr. President, in the beginning of my remarks I proposed to show that this treaty does not contemplate a mere conference for discussion, but that it contemplates a defensive alliance. I am going to call two witnesses and repeat the substance of their statements to the Washington conference when the four-power pact was reported by the Senator from Massachusetts.

There is not any doubt in my mind that the British Government and Japan regard the four-power pact as a substitute for the Anglo-Japanese alliance. The first reason that I assign for that conclusion is the statement made by Mr. Balfour, now Sir Arthur Balfour, in the Washington conference amid enthusiastic cheers, the fluttering of fans, and the display of costly millinery. The declaration by Mr. Balfour was that the British Government and Japan could not rescind the Anglo-Japanese alliance until something equally effective should be substituted in its place, and that the four-power treaty measured that test.

I do not have to look at the record. I was present, I heard and saw what happened there. The Senator from Massachusetts appeared and was graciously received by his audience. Many of his colleagues, including myself, felt a sense of pride in the prominence that he enjoyed, in the service that he had an opportunity to render to his country and to mankind. We awaited his utterances with eagerness and anxiety. It had been rumored that he was to make a great speech. We knew if he spoke he would make a great speech. He always does. The stage was set, the instruments tuned, the lights were on for a thrilling if not a dramatic performance.

The Senator from Massachusetts then informed his audience that in some mysterious regard this four-power treaty which he read was a great document inseparably linked with the fate and destiny of mankind. He proceeded to tell us that the islands to which it related and the territory which it affected were of little importance and were not destined to be of greater consequence in the future. He indulged in beautiful and meaningless poetry. He did not attempt to construe this treaty or to state its meaning and application in important controversies, but leaped to the conclusion that it was a masterful and far-reaching achievement, destined to make glorious the names and nations of those who had contributed to its conception and preparation.

When he had concluded and the sounds of applause had died away, Mr. Balfour, now Sir Arthur Balfour, arose in his benignant, benevolent way and thrilled and stirred the audience not beyond my power to recall, but beyond my power to describe. He said that he was the head of the British Government when the Anglo-Japanese treaty had been negotiated. He declared that by chance he was also the head of the British Government when the entente with France was arranged, and in language which no one who heard can forget he declared that the Anglo-Japanese alliance had stood the strain of war and had been the means of securing victory and triumph for Japan and Great Britain in more than one mighty conflict.

He declared that when the Anglo-Japanese alliance was framed it was not in his thought that that agreement should affect the interests of the United States, but that evil persons had conceived the erroneous thought; that the arrangement between Japan and Great Britain, known as the Anglo-Japanese alliance, by which they were to stand side by side, make common friends and fight common foes, had so endeared the two peoples to each other that, even though the necessity for the alliance may have passed, they could not be induced to rescind or abandon it and part company one from the other—Japan from Great Britain—unless something new which would be equally effective was substituted in its place. That is the language that Mr. Balfour used, and I have not the slightest doubt, then, that it was his brain which conceived and Prince Tokugawa's hand which wrote the four-power pact about which so little is known by the American delegation. I ask the Senator from Massachusetts now who wrote the four-power pact and who wrote the reservations which were reported with it?

Mr. LODGE. Mr. President, I think the articles of the four-power pact were written by many hands.

Mr. ROBINSON. How many?

Mr. LODGE. Well, there were four at least.

Mr. ROBINSON. Who were the four?

Mr. LODGE. The heads of the four delegations, and, perhaps, some of the delegates. There were suggestions made and the drafts were amended and redrafted.

Mr. ROBINSON. How many drafts were made?

Mr. LODGE. I can not tell the Senator.

Mr. ROBINSON. What?

Mr. LODGE. I can not tell how many drafts were made.

Mr. ROBINSON. Who made those drafts?

Mr. LODGE. I do not know.

Mr. ROBINSON. Who proposed that the four-power pact should be entered into as a substitute for the Anglo-Japanese alliance?

Mr. LODGE. I do not know who made the first proposition. I know the American delegates did at one time, but whether they were the first I can not tell.

Mr. ROBINSON. Very well.

Mr. LODGE. I can tell who drafted the declarations.

Mr. ROBINSON. The Senator means what I have termed reservations?

Mr. LODGE. I do not mean the supplementary treaty, but the reservations in the form of declarations. They were drawn by the Secretary of State.

Mr. ROBINSON. Was that because the Secretary of State thought that unless reservation No. 2 was incorporated the conference would take jurisdiction of domestic questions?

Mr. LODGE. He did not think the reservations were necessary, but thought it wise to put them in, so that there could be no possible misunderstanding.

Mr. ROBINSON. Mr. President, we have learned that many hands, unidentified, contributed to the preparation of this document.

Mr. CARAWAY. Mr. President, I think the Senator misunderstood the Senator from Massachusetts—not to the preparation, but merely to the drafting. Who wrote the first copy the Senator from Massachusetts has no knowledge.

Mr. ROBINSON. No; we do not know that and will never find out.

Mr. CARAWAY. I did not want my colleague to misrepresent the Senator from Massachusetts.

Mr. ROBINSON. We will never find out from any authentic source, but it is incomprehensible to me that the Senator from Massachusetts should be unable to answer more definitely than he has answered. The Senate heard the answer of the Senator from Alabama, which gave even less information than the reply of the Senator from Massachusetts.

Mr. REED. Mr. President, I ask permission of the Senator from Arkansas to ask the Senator from Massachusetts a question.

Mr. ROBINSON. I yield.

Mr. REED. When the draft was made or worked over was the Anglo-Japanese treaty before those who were drawing the four-power pact, or working it over?

Mr. LODGE. Of course; it was before the world.

Mr. REED. Of course, it was before the world, but——

Mr. LODGE. As I stated yesterday, it had been the subject of conversations, and I thought also of correspondence. I knew that it had been the subject of conversations between the Secretary of State and the British Government during the summer even before the conference was called.

Mr. REED. My reason for asking the question was I wondered who it was who copied into the four-power treaty whole sentences out of the Japanese-English treaty?

Mr. ROBINSON. The Anglo-Japanese alliance!

Mr. LODGE. I do not know that anybody did, and I can not tell the Senator. There were various drafts, and they were much changed and amended.

Mr. ROBINSON. Mr. President, it is a fact that if you compare the language of the Anglo-Japanese alliance with the terms of the four-power pact you will know at once that the person who actually wrote the four-power pact either was so familiar with the Anglo-Japanese alliance that he remembered the phrases and sentences in it, or had before him a copy of the Anglo-Japanese alliance.

Mr. CARAWAY. Possibly the same man wrote them both, and he would naturally follow the same language.

Mr. ROBINSON. I think that Sir Arthur suggested it, but did not soil his hands with the difficult and arduous task of actually preparing it. He had more important duties to perform.

Mr. McKELLAR. Mr. President——

Mr. ROBINSON. I yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, in the speech which Mr. Balfour made before the conference he stated that some years ago, I think while he was prime minister of England, he had written the Anglo-Japanese alliance.

Mr. ROBINSON. I have been through all of that.

Mr. McKELLAR. Very well; I beg the Senator's pardon.

Mr. ROBINSON. I quoted from memory Sir Arthur Balfour's speech, and if the Senator from Massachusetts or any other Senator thinks my memory is not accurate, recourse can be had to the record.

Mr. LODGE. Mr. President——

Mr. ROBINSON. I do not mean that I have quoted the exact language of it.

Mr. LODGE. Oh, no; I understand that. I was not going to correct that; but as to the making of the original Anglo-Japanese alliance, I suggest that the Senator from Tennessee—and perhaps the Senator from Arkansas has not seen it—read the account given by Baron Hayashi, who was the Japanese ambassador to England, who thought he had something to do with making it. The account is very elaborately given in his memoirs, the different things suggested, and so on.

Mr. ROBINSON. Oh, I care nothing about that. It is not important.

Mr. LODGE. I do not think it is at all important, but the Senator from Tennessee raised the question.

Mr. McKELLAR. Mr. President——

Mr. ROBINSON. I want to pursue my line of discussion. It does not matter who actually wrote the Anglo-Japanese alliance or who actually drafted the four-power pact so much as who conceived it, who proposed it, who promoted it, who secured its adoption. Sir Arthur took large responsibility for both. When Mr. Balfour and others had addressed the conference on the day that the Senator from Massachusetts reported to it the four-power treaty, a very modest-appearing gentleman arose from among the seats assigned to the Japanese Empire at the conference table and delivered a few brief sentences, the most significant one of which was:

> All Japan rejoices in this day's accomplishment.

Why should she not rejoice? In her conception and in the belief of Mr. Balfour, Great Britain and Japan were being relieved of the embarrassments incident to the Anglo-Japanese alliance by the substitution for it of a quadruple alliance in which France and the United States joined with Great Britain and Japan.

To those who say that the obligations under this treaty terminate when a conference has been held, I address myself immediately. Article 2 provides that if these rights—meaning insular rights and dominions—are threatened by the aggressive action of any other power, the high contracting parties will first communicate with one another fully and frankly, but the article does not end there. It binds them to do something. What is that obligation to be performed in the conference? It is to arrive at an understanding as to the most efficient measures to meet the exigencies of the situation. When the representative of the United States Government enters a conference called by any one of these three powers under a threat of aggression against these insular rights and dominions, he will be bound to seek to arrive at an understanding. To what does the understanding relate? The most efficient measures to be taken to meet the exigencies of the particular situation. Force will be met with force.

Let us suppose a case not unlikely to arise. Russia, recuperating, seeks to expel Japan from the mainland or from the northern half of Sakhalin. She or her allies attack Formosa or Sakhalin, and Japan sends out the S O S, and the United States, Great Britain, and France, in response to their undertaking, send their representatives to a conference.

Japan says, "Russia will recapture Sakhalin unless I resist it immediately with military or naval force, and while I am resisting Russia along the far-stretched Asiatic coast and on Sakhalin, Russia's allies will be striking anywhere and everywhere they can. The Empire is endangered. What shall I do? Fight! Call to arms in defense of the Empire every brown man who is loyal to the Japanese flag! But China and Russia and Germany threaten to overrun me. What measures shall we take?"

England says, "If Japan is conquered, my Empire is gone, and my far-spread possessions will pass from under the dominion of the British flag. England stands by her ally, Japan."

"Where is France?"

France replies, "I, too, have had alliances with Japan. I, too, have had arrangements long unknown to the United States and to the rest of mankind by which in the hour of extreme peril, when Germany was threatening to overrun civilization, Japan performed a part in stemming the tide of conflict against the Allies; and now, in repayment of that obligation, the tricolor of France is planted by the flag of the rising sun."

"Where is the United States?"

What will be your answer? Is there any Senator who thinks that duty or obligation will have been finally discharged under this treaty when the United States has had a conversation with Japan, Great Britain, and France around a conference table? The conference will decide what measures shall be taken and how the measures adopted shall be executed, whether jointly or separately.

Mr. President, some moments ago I spoke of the domestic controversies which heretofore have threatened to disturb peace between Japan and the United States. Let me turn now, for a moment only, to discuss some of the foreign questions relating to Japan, which have occasioned interest in the minds and hearts of the people of the United States.

We have not felt particularly concerned about maintaining the status quo of the islands in the Pacific Ocean. Our disputes with Japan, if I may call them disputes, have arisen out of questions affecting the Asiatic mainland. The foreign questions which have interested the United States arise out of the manner in which Japan has dealt with Korea, Shantung, Manchuria, the Chinese Eastern Railway, and Siberia. Japanese aggression in these spheres has been marked by political intrigue and economic penetration, supported always by military control. The United States throughout her history has had every reason to be friendly to both China and Russia, and has heretofore protested every insidious advance of Japan against them. The four-power treaty not only fails to guarantee a reversal of the Japanese policy, but strongly tends to commit the United States to a passive attitude, and to block our opportunity for securing fairness and justice in the dealings of Japan with China and Siberia. Russia like a great bear lies wounded, bleeding, famishing, her enemies striking from every side. Her friends have disappeared. But Russia will not always be stricken. She will not long continue helpless. When she rises to assert her rights, she may be compelled to attack Japan in order to expel Japanese invaders. How shameful, then, would be the position of the United States, bound by this treaty to give moral if not military support to Japan in her conflict with Russia!

Mr. President, China has been asleep for centuries. One day she is going to awake. When China awakens she and Japan will, indeed, constitute a yellow peril. This Government refused to enter into a combination dominated by white nations for the preservation of the peace of the world on the theory that it would constitute an entangling alliance. What, then, shall be said of this four-power treaty which, if it accomplishes anything, binds the United States, France, and Great Britain to the establishment and maintenance of Japanese supremacy and control throughout the Orient?

You may answer that the days of wars have ended and that the control of the earth through conferences has come, but, Mr. President, make no mistake. If ever the time may be hoped for when men will learn to do better than to destroy each other in the savagery of war, that day is far distant. I recall some sentences from a speech made by Gov. Black when he nominated Theodore Roosevelt for President. He said:

> The fate of nations is still decided by their wars. You may talk of orderly tribunals and learned referees. You may sing in your schools the gentle praises of the quiet life. You may strike from your books the last note of every martial anthem, still out in the smoke and the thunder will always be the tramp of horses and the silent, rigid, upturned face. Men may prophesy and women pray, but peace will come to abide forever on this earth only when the dreams of childhood shall become the accepted charts to guide the destinies of men.
>
> Events are numberless and mighty, and no man can tell which wire runs round the world. The nations basking in contentment and repose to-day may still be on the deadly circuit and to-morrow writhing in the toils of war.

I hope and pray for peace through justice in international affairs, but advance toward that blissful end is slow and difficult.

If ever the day shall dawn when men shall lay down their arms and settle their disputes in peace, the millennium will be at hand; but that day is distant. It is not in sight. Militarism or imperialism dominates the Governments of Europe and of Asia.

We are asked now by another treaty related to this to enter into a compact by which we will relinquish our right to fortify the islands we own in the Pacific Ocean. It is true that that provision is not in the pending treaty, but it follows that if the four-power treaty is ratified the naval arms limitation treaty shall be ratified.

I have hoped and I still hope to find myself in a position to support that treaty, but I can not forget that by the terms of the four-power treaty and the naval arms limitation treaty we are leaving the Philippine Islands at the mercy of Japan. If Japan keeps faith with us—as she has not done with Russia, China, or any other nation in modern times that I can recall, save in her alliance with Great Britain—if she respects our rights and refrains from aggressions against other nations, there will be no occasion for war; but if we surrender our right to fortify Guam and the Philippine Islands, what will be the result? Japan, with the acquiescence of Great Britain, can dominate the Pacific and the Orient, and the United States will be restrained from serious protest through fear for the safety of her own possessions in the Pacific Ocean. Think of it! No consideration given by the American delegates to the conference to strategic considerations.

In the North Sea, commanding the approach to the Elbe and the Weser, lies the rocky, barren island of Helgoland. In 1807, if I recall correctly, Great Britain wrested Helgoland from Denmark, who ceded it to her seven years later. In 1892, without taking thought of the strategic consequence, Great Britain ceded Helgoland to Germany, and Helgoland and her fortifications became a controlling factor in the World War, in which Germany fought so long and so persistently for the destruction of commerce on all the seas.

If Guam be not fortified and Japan ever conceives the idea that she desires to do so, she can take Guam within a few days and she can advance to the Philippine Islands and capture them within a week or 10 days and humiliate and destroy the power of the United States in the Pacific.

I know Senators are saying that I am anticipating a calamity which may never come. I pray God that it may never come, but I am not willing yet to put the United States, her flag, her people, and her commerce at the mercy of any other nation or any other people on this earth.

When the war broke in fury in 1914, a protest resounded from end to end of this continent against this Government for having failed to prepare herself for war. There is a reaction now. We all want to escape the burdens of militarism, but I ask is it safe to rely on Great Britain for naval protection?

Mr. WATSON of Georgia. Mr. President, I remind the Senator from Arkansas that when Lord Salisbury was proposing in the English Parliament to cede Helgoland to Germany, he was warned of the danger of doing that, just as the Senator from Arkansas is now warning the Senator from Massachusetts [Mr. LODGE], and Lord Salisbury laughed the warning scornfully aside, just as the Senator from Massachusetts is laughing our warnings scornfully aside.

Mr. ROBINSON. Our duty, of course, is to safeguard from seizure by any other power the possessions of the United States. Is it wise to overlook the strategic importance of strong fortifications on Guam and in the Philippines and the necessity for naval bases in the Pacific regions?

At the close of the war the people of the United States were so heavily taxed that they wanted to get rid of military burdens. They were willing to go to very great extremes to secure disarmament. The Washington conference, called primarily for the purpose of securing an agreement for naval disarmament, converted itself into an organization for the establishment of a new alliance to control affairs in the Pacific Ocean and in the Orient. I am willing to go as far as any Senator will go for disarmament. I am not willing now and shall not be at any other time to place the possessions of the United States at the mercy of any foreign power.

That great Massachusetts statesman, Samuel W. McCall, said in an article in the Atlantic Monthly, to which I shall refer again when occasion offers, that this treaty is an alliance pure and simple. He said, in substance:

> If you refuse to give it that effect, you condemn it as feeble and useless.

Such will be the construction which future events will place upon the instrument which we are asked to ratify.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. ROBINSON] to the first article of the treaty.

Mr. REED. Does the Senator from Massachusetts want to press this matter this afternoon?

Mr. LODGE. Yes; I would like to go on and have it debated, or have a vote taken. The question comes on the first article, I believe.

The VICE PRESIDENT. The Senator from Arkansas has offered an amendment to article 1.

Mr. LODGE. I was not aware of that. I was not in the Chamber when that was done. Of course, then, the question is on the amendment.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Borah	Heflin	Newberry	Stanfield
Brandegee	Johnson	Nicholson	Stanley
Broussard	Jones, N. Mex.	Norris	Sterling
Cameron	Jones, Wash.	Overman	Townsend
Capper	Kellogg	Page	Underwood
Caraway	Kendrick	Phipps	Walsh, Mass.
Colt	King	Pittman	Walsh, Mont.
Cummins	Ladd	Poindexter	Warren
Fernald	Lenroot	Reed	Watson, Ga
Fletcher	Lodge	Robinson	Weller
Gerry	McKellar	Sheppard	Williams
Gooding	McKinley	Shields	Willis
Hale	McNary	Shortridge	
Harris	Nelson	Smith	
Harrison	New	Spencer	

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. CALDER], the Senator from Connecticut [Mr. MCLEAN], the Senator from West Virginia [Mr. SUTHERLAND], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are attending a hearing before the Committee on Finance.

Mr. FLETCHER. My colleague [Mr. TRAMMELL] is necessarily absent on account of illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Fifty-seven Senator have answered to their names. A quorum is present. The question is on the amendment offered by the Senator from Arkansas [Mr. ROBINSON].

Mr. REED. Mr. President, there are a number of Senators who desire to speak on the treaty, who are preparing their remarks. I have appealed privately to the Senator from Massachusetts [Mr. LODGE] to let the treaty go over. I think the Senate would gain time by doing that.

The Senator from Massachusetts yesterday for the first time gave his views on the treaty. In the natural course, we would have expected him to address the Senate when the treaty was first called for consideration in order that the Senate might have the benefit of his knowledge regarding the making of the treaty, and his views as to its import. Having delivered himself of such speech, we might well have expected a reasonable time in which to digest his observations and facts. The Senator from Alabama [Mr. UNDERWOOD], who was appointed on this commission along with the Senator from Massachusetts, and presumptively appointed to in a sense represent the Senate, has not given us the benefit of his observations yet. It seems to me, therefore, that it is out of all order to insist that the Members of the Senate shall discuss the treaty when those two Senators who have helped frame it have not yet spoken.

This is obviously all the more true, because the treaty received but slight consideration in the Committee on Foreign Relations. No witnesses were called. No hearings were had. No exposition was made of the effect of the treaty. I am credibly informed that officers high in the Navy have expressed views which, if they were laid before the Senate in an official way, would do much to enlighten the Senate and possibly directly affect the votes of Members; but those officers have not been called. Indeed, we are told by the Senator from Massachusetts that the strategic importance of the islands in the Pacific was not even considered, no attention paid to that importance, none given to that vital question. Under these circumstances, therefore, those who want to discuss the treaty must search for their own facts.

Mr. LODGE. Mr. President, will the Senator allow me? I made that remark in regard to the island of Sakhalin and in regard to this treaty. I did not say that the strategic value or importance of islands covered by the naval treaty was not considered.

Mr. REED. They could not have been considered with reference to any of these treaties unless they were considered with reference to all of them.

Mr. LODGE. Well, they were, as a matter of fact, considered in reference to the naval treaty, but there was no consideration given to the strategic value of the islands in connection with this treaty. This treaty did not concern the Navy.

Mr. REED. All the treaties were being considered together, and I asked the Senator yesterday if there had been any consideration given to the strategic value of these islands. The Senator said they were dealing with questions of peace and not with questions of war, and they had given no consideration to the matter of their strategic value.

Mr. LODGE. Unless I am very much mistaken, the Senator referred yesterday to the island of Sakhalin, and I said its strategic value had not been considered in connection with this treaty, and I repeat it.

Mr. REED. Very well, and yet it will in all probability be drenched in blood within a very short time.

Mr. LODGE. I dare say. The Senator knows the future far better than I do.

Mr. REED. No; I do not know it better than the Senator does, but I know it quite as well.

Mr. LODGE. The Senator knows it perfectly well.

Mr. REED. In so far as anyone can know anything about it.

Mr. LODGE. The Senator knows as much as I do about it, and I know nothing. I do not pretend to read the future.

Mr. REED. Except as we may judge the future by the past. The Senator has been dealing with the future, and it is for wise men to look into the future as far as they can, and they can only judge the future by the past and the present. The Senator can not properly make a treaty that has to do with the future and employ the slightest degree of common sense in making it unless he considers the results which may flow from existing conditions. The Senator expressly said that had not been done with reference to the island of Sakhalin.

Mr. LODGE. The island of Sakhalin, with reference to which the Senator inquired, was not considered in any way in connection with its strategic value. As to its being drenched in blood in a few years, that is something I know nothing about, and I do not think anybody knows anything about it.

If the Senator will permit me, I took occasion to examine the map after I had spoken here and found what I thought to be the case, that the island of Sakhalin is very distant from Vladivostok. The nearest point to Vladivostok is the main island of Japan.

Mr. REED. It is not so distant.

Mr. LODGE. It is the last place from which anybody would think of attacking Vladivostok.

Mr. REED. I am glad to have the Senator's opinion as a military expert and to know that as a result of these talks he has finally looked at the map and located the island.

Mr. LODGE. Yes; I have looked at the map a great many times and studied it. I frankly say that I did not realize the great distance of Sakhalin from Vladivostok. I knew it lay along the coast of Siberia, of course. Everybody knows that. I thought it was nearer Vladivostok than I find it is, but I am not ashamed in the least to say that I am still able to learn.

Mr. REED. I have not the slightest doubt that the Senator can still learn. I know he can learn if he tries, although his present expanse of learning is very broad, as broad as that of any man with whom I am acquainted. Nevertheless, in dealing with the question involving the rights of the United States, the startling thing is that the learning and industry of the Senator does not lead him to investigate the location and importance of this island over which Japan and Russia have been contending for some years, one half of which is occupied by the Russians or claimed by them, the other half claimed by Japan.

Mr. LODGE. The other half is owned by Japan under the treaty of Portsmouth.

Mr. REED. They having wrested it from Russia.

Mr. LODGE. They have the same title to the southern half of Sakhalin that we have to California.

Mr. REED. It has a relation, as I undertake to say I can prove without any difficulty, of the greatest importance in any military or naval adventure in Siberia. When I said, with perhaps a temerity that is reprehensible, that it would be drenched in blood, I had in mind the fact that Japan and Russia are as certain as anything in the future is certain to come to grips in Russia, and when that occurs Russia will find herself menaced by Japan employing the island of Sakhalin as a base of operations, which is simply the statement of a fact so obvious that any man is warranted in assuming it will occur. At least a man who has tried to study the question a little bit is quite as warranted in making an assumption as a Senator who states that he was for weeks on a commission drawing a treaty and that he never studied the question at all.

Mr. LODGE. No; I said I did not consider the strategic value, which is an entirely different thing. I am perfectly willing to admit that my memory had deceived me as to the southernmost point of Sakhalin. I found it much farther from Vladivostok, which is the strategic point the Senator was talking about yesterday, than I had supposed.

The Senator is criticizing me for not paying more attention to it. Yesterday I think the Senator had some doubt as to whether the termination of the Anglo-Japanese alliance was stated in the treaty.

Mr. REED. Oh, yes; in the running debate here I glanced at the treaty and my eye did not catch the particular clause, which I knew was in some one of these documents. I made a mistake and said it was not in the treaty, and it was there. I am glad to know that the Senator knew it was there. That is at least refreshing.

Mr. LODGE. Yes; I knew that much. My knowledge is not much, but I knew what was in that treaty.

Mr. REED. But evidently the Senator is not very well informed as to what he meant because he and his associates agreed to a treaty, then had to change it twice themselves before he reported it, and now brings forward another reservation changing it again.

Mr. LODGE. I may say I also made a mistake. The mistake I made was about the distance of Vladivostok from Sakhalin. The one the Senator made was in speaking of the island of Sakhalin as threatening Vladivostok.

Mr. REED. I still say so.

Mr. LODGE. Then the Senator ought to study the map, too.

Mr. REED. The Senator seems to be of the opinion that a few miles difference puts a point of land out of military consideration.

Mr. LODGE. I think that would suggest itself to the Senator's mind.

Mr. REED. I do not think he will find a military or naval expert in the world who will not say that this island is of the greatest importance in any attack that might be made upon the Russian coast or in any contest there arising.

Mr. LODGE. On the Siberian coast; yes; that is a different proposition.

Mr. REED. That is just what I was talking about, and I have not talked about anything else.

Mr. LODGE. Yesterday the Senator referred to its strategic value to Vladivostok, as he will find if he will examine the RECORD.

Mr. REED. The Senator from Massachusetts now is speaking, I suppose, about the particular point on the coast to which I referred.

Mr. LODGE. I am speaking about the point we had under discussion on yesterday when the Senator from Missouri referred to Sakhalin as threatening Vladivostok, and I answered that I did not remember how far away the island was.

Mr. REED. Really, is the discussion of that worth while?

Mr. LODGE. I do not think any of the debate we are having is worth while.

Mr. REED. I think not, and I think the most worthless part of it that I have yet heard, with the exception of the poetry about the lilies "that o'erlace the sea," was the dissertation of yesterday, which told us nothing, which was carefully and painfully prepared and as painfully listened to.

Mr. President, there is no reason for anyone to be petulant about this matter. The point I was discussing on yesterday was the importance of this island in any contest arising between Russia and Japan. Whether it was important to the particular port of Vladivostok or was important to some point a little farther north or south is utterly immaterial to the discussion. But that it is important to that particular port, I assert there will not be a respectable naval or military authority in the world found to enter a denial.

Mr. BORAH. Mr. President——

Mr. REED. I yield to the Senator from Idaho.

Mr. BORAH. Really, Mr. President, it does not seem to me as I view this treaty and the relationship which it creates between the four contracting powers that it makes any difference in what part of the Pacific, or even in what part of the world, and controversy arises between these nations and any outside nation. The history of all wars, and particularly the Great War of 1914, shows that war would instantly call into action these four powers, because every part of their possessions would be involved whenever any part of them was involved. Whether it is an island that is attacked or the mainland that is attacked, nevertheless the attack will inevitably spread; so that this particular provision of the treaty will call into conference these nations for the purpose of taking care of their

interests and their rights. A shot was fired in a small country in Europe in the midsummer of 1914. At that time there were two political groups in Europe, one known as the Triple Alliance and the other known as the Triple Entente. Instead of these alliances or political groups assisting the cause of peace, or instead of helping to localize the conflict, they were the instruments by which the conflict was made world-wide. Yet both these alliances were, according to their terms, made to preserve the peace of Europe.

Mr. REED. Mr. President, that is unquestionably true. To talk about confining the operations of the treaty to the waters of a particular ocean is of as much avail as writing an agreement that the waters of one ocean shall not flow into another when there is nothing between them whatsoever.

Mr. BORAH. Mr. President, nothing better illustrates that than does the Anglo-Japanese alliance. There is no provision of the Japanese alliance, technically construed, under which Japan could have entered the Great War of 1914; technically construed, there was no occasion for her to act; but the interests of her ally, Great Britain, were involved; Great Britain called upon her—as a general principle, it would appear, because the technical terms of the alliance would not permit it—to cooperate with her in that part of the world, and she did so. This alliance recites that it was designed to maintain peace in the regions of the Far East. At the time Japan entered the war Germany was disturbing no one in the Far East. The peace in the Far East was first broken by the signatories of the alliance.

Mr. REED. That is true of all these agreements. Nations are held together by interests; they are not held together by paper treaties.

Now, either to show that I was right on yesterday or that the Senator from Massachusetts had not studied the question, my attention has been called to this reply, being the statement of the Senator from Massachusetts, on page 3549 of the RECORD:

It—

Referring to the island of Sakhalin—

might be of value, of course. Japan owns half of it, and holds the other half on account of an uprising and a massacre which occurred there. It would be of military value to anyone attacking Vladivostok, no doubt; but, as far as being a base of support is concerned, they are practically as near their own islands as they are to Sakhalin.

I imagine that if Russia were to become involved in war with Japan, if Russia had an ally, which she will have some day, and if that ally could take this island and use it as a base for an attack upon the Japanese fleet, it would be found to be of very great importance.

I repeat that if there is anything certain in the future, anything that may be safely prognosticated, not as something that we know will come but something that probably will come, it is this: Russia will insist on driving the Japanese from the mainland. When that occurs the conflict will be carried to this island and to other islands of the Pacific. Then if the construction of this treaty be that which the Japanese have placed upon it and which the British minister has placed upon it, as was shown by the Sentaor from Arkansas [Mr. ROBINSON] this afternoon, we shall be bound to enter the contest on the side of Japan and against Russia.

Mr. BORAH. Mr. President, the Senator from Missouri [Mr. REED] has prophesied that in the near future, in his opinion, there will be a contest between Japan and Russia. The Senator need not assume the rôle of the prophet, which is said to be a dangerous rôle. He may state it as a fact right now. If the news could be brought into this country of what has actually transpired it would disclose that there is a contest now going on in Siberia that is no different from a condition of war. The two peoples are now actually engaged in a struggle over territory in that country. In this connection I should like to read a statement made by the former foreign minister of Russia under Kerensky a few days ago, which was printed here in America. Speaking of the present transgressions in Russia by the Japanese, he says:

The methods used by the Japanese are not those of temporary occupation but of a lasting annexation, accompanied by a gradual dispossession and final elimination of the Russian population in the occupied territories. The Japanese are not only depriving the Russians of all means of subsistence; they are not only abolishing Russian laws, Russian courts, and Russian administration, they are formally treating Russians as "foreigners" in their own country; they are giving Japanese names to the streets in Russian towns; they permit no other official language but the Japanese. They are building railways and harbors; they are exploiting mines and fisheries; in short, they are behaving as actual masters. I need not mention how great is the strategic significance of their occupation, which corks up the Russians in Siberia, transforms the Japan Sea into an internal sea, and eliminates Russia from the Pacific. This fact seems to be well understood by the State Department.

Shall I mention the kind of feeling toward Japan which is thus being generated and perpetuated among the Russian masses? Bolshevism in Siberia is supported to a large extent by the fear and hatred inspired by the Japanese activities. The bolsheviki for a long time have been looked at by the population as liberators and real patriots. This is what made possible even events like that at Nicolayevsk.

I am sorry that there was no chance for discussing the Siberian question at the Washington conference. A well-prepared debate might have made clear all my points and much more. But we have the conclusion. The Japanese policy in Siberia is openly branded as untenable and irreconcilable with the democratic principles of a really sound policy toward Russia. Such has been and remains the policy of the United States.

Mr. President, as a matter of fact, the conflict is now going on; the strife is now at hand, and, while treaties may do something, I presume, toward insuring peace, if the Japanese had been willing to get out of Siberia, if they had been willing to get out of Manchuria, if they had been willing to surrender the 21 demands, or if they had been willing to reconcile the situation now existing in that country to a state of peace, it would have been worth more than all the treaties that could possibly be written. But they were not willing to get out; they were not willing to compromise; they were not willing that the question even should be discussed; and now, while we are considering a treaty which is supposed to advance the cause of peace, a contention is going on between the two great powers which is nothing more nor less than a state of war.

I desire to submit one further observation before I sit down. I read from a Washington paper of this morning a dispatch published from Honanfu, as follows:

Holding himself the champion of the Chinese people and condemning and supporting the Peking Government in the same breath, Gen Wu Pei Fu is preparing to hold the rich Provinces of Central China against all comers until a stable government has been created.

In the seven Provinces under his control, Gen. Wu has 700,000 troops, four modern arsenals, large clothing warehouses, and factories for manufacturing munitions and equipment for a larger force.

Gen. Wu is rapidly becoming a power for good or evil in China. He is seizing revenues right and left which would normally go to Peking.

"I hope that we will not have to fight," he said, as he strolled among the drilling troops, "but we must have China for the Chinese people."

Mr. President, according to statistics which have been furnished me from a reliable source 77½ per cent of the territory of China is now under the control and domination of foreign powers. The nine-power treaty and the four-power treaty, when ratified, will fix the status quo and in effect confirm in the possession of foreigners 77½ per cent of the entire territory of China. The result of that seems to be that the Chinamen who propose to rid China of foreign domination, which they hoped would result from the Washington conference, have raised the cry of "China for the Chinese," and that cry is sweeping China as no other call has in half a century. While we are here talking about a four-power treaty producing world peace and a nine-power treaty establishing the rights of China, China has fallen back on herself and armed. What for? To get rid of that which the nine-power treaty will in effect fasten upon them, and to resent the domination which the nine-power treaty places upon China.

So I repeat, Mr. President, if the Japanese had been willing to surrender their claims in Manchuria, claims which have no legal basis of right, if they had been willing to surrender in Siberia that which they call their "rights," founded upon force, or if when the question arose Great Britain had been willing to give up her possessions in China, which she objected to doing, we might have had an assurance of peace in the Far East; but it is perfectly useless to talk about peace when war is already on for the very reason assigned for the negotiation of these treaties. China knows the effect of these treaties is to recognize past aggressions. Russians know the effect of these treaties is to recognize the aggressions in Siberia. Those things make for war, not peace. Treaties must either rest upon justice or force. There is no justice in treaties which recognize these unconscionable aggressions.

Mr. REED. Mr. President, I am obliged to the Senator for his very forceful and illuminating contribution. Not only is it true that Japan is seeking to hold the mainland of Siberia, but it is also true, according to the best advices I have been able to get, that the Russians are actively preparing to eject her. I saw accounts the other day to the effect that the Russian troops are being gradually moved toward the points occupied by the Japanese, and that it is anticipated that when the spring opens hostilities will open about the same time.

Mr. President, the Senator from Idaho has put his finger upon the real cause of war. I myself mentioned it a few days ago. It is found in the violation of the commandment "Thou shalt not steal." If the nations of the earth would come to an understanding, and keep the understanding, that they would each and all stop stealing the lands of other peoples, practically

every great cause of war would be removed. The trouble with the Versailles treaty, however, was that it confirmed, or undertook to confirm, the titles to lands occupied by peoples who had been subjugated wrongfully and to transfer them at will from one government to another. A dominion greater than that of ancient Rome was transferred by a single stroke of the pen to the British Empire alone.

Japan for years has been invading the Asiatic mainland. She took Korea by treachery and force. She held it by cruelty and by the sword. She invaded Manchuria and wrested a large part of that country from China. Russia was engaged in the same buccaneering expedition, and the two thieves clashed over the right to despoil China, and that brought on the Japanese-Russian War. This treaty, I unhesitatingly say, the product of British diplomacy and Japanese cunning, has made the United States a pawn to be employed by Japan to sustain and protect Japan as against Russia when Russia undertakes to eject Japan from her mainland and from her island possessions. I do not wonder that they succeeded, when our delegates say they never considered the question of the strategic importance of the islands of the Pacific, and when they had not even located the island of Sakhalin.

It is not hard to understand how British and Japanese diplomats, who have studied every island, every harbor, every trade route, should have succeeded with gentlemen who say they were only considering peace and not thinking about war at all. Yet the certain cause of war is the inability of a people to defend themselves. Let it be known that the United States was absolutely defenseless and they would divide our raiment among them, and upon our vestments they would cast lots just as readily as in the olden times that office was performed for the garments of the Christ.

Mr. President, the best part of the argument of the Senator from Massachusetts [Mr. LODGE] yesterday was the portion he read from a magazine article written by Mr. Simonds. He was reading Mr. Simonds's deductions in part. Mr. Simonds's facts are always much better than his deductions. Let me read you some of the facts that Mr. Simonds recites in this same article:

It will be seen that the United States has made by all odds the largest sacrifice in the matter of nonfortification, as she did in the matter of the scrapping of new and old tonnage. Surprise has been and doubtless will be expressed over the fact that the Aleutian Islands have been included in the area covered by the nonfortifying agreement. This was unexpected and represents a concession out of all proportion to any made by any other signatory power. It represents a sacrifice of sovereignty which could only be defended by complete satisfaction in the terms of the four-power treaty.

The Senator from Massachusetts did not read that.

I continue reading from Mr. Simonds:

Yet it remains true that the United States never has fortified the Aleutian Islands.

Further the author says:

We have retired our naval frontier behind the Hawaiian Islands, but before doing this we have entered into solemn engagements with all the Pacific powers—

Now, this is the opinion of Mr. Simonds—

which constitute a guarantee for our islands at least as strong as any which could be found in the few fortifications Congress would be likely to permit in the near future. Actually our insular dominions west of Hawaii are indefensible.

Discussing the question which the Senator from Idaho [Mr. BORAH] so clearly stated, Mr. Simonds declares:

It remains, therefore, now to deal briefly with the question of Siberia and that of China.

As to Siberia, it would be idle to pretend that any settlement has been reached at Washington. In advance of a discussion of this subject there came from Tokyo a definite statement, made by Baron Uchida, that Japan would not discuss in Washington the date or conditions for the evacuation of Siberia. This declaration of policy was carried out to the letter in the subsequent days. It follows, therefore, that Siberia remains for the future.

The limit of attainment and of possible attainment was touched when Baron Kato and Mr. Shidehara renewed in the most solemn manner the pledges that Japan would retire from Siberia at the moment when such retirement would not risk the lives or property of Japanese nationals. Beside this declaration in the Washington conference was placed the statement of the American Secretary of State indicating what American policy had been and still was with respect to Siberia. Patently this was the sum total that could be achieved, since Japan was not prepared to retire and the United States was bound, in the nature of things, to accept the formal and categorical assurance of Japan. It is clear that if Japan does not retire, sooner or later we shall see war in the Far East, and that war will follow logically the reintegration of Russia.

Begging pardon for my prophecy, perhaps it was inspired in part by having read Mr. Simonds's article. Mr. Simonds seems to be the chief and only authority quoted by the Senator from Massachusetts in his speech. He ventures to say what common sense will indicate to any person, that certain conditions will bring certain results, and that these particular conditions spell war—inevitable and certain war.

I continue reading:

Japan remains in Siberia under pledge to quit. As long as she stays no one can regard the far eastern question as settled or believe that in this respect the Washington conference has done more than state without modifying an unsatisfactory condition.

Mr. Simonds further declared:

The same remains true in the matter of Manchuria. Japan has avoided a discussion of her occupation of the Manchurian territory acquired from Russia. She has agreed to certain modifications with respect of certain portions of Manchuria, such as permitting the investment of foreign capital and the waiving of exclusive commercial privileges. But she has not in any degree consented to weaken her hold upon the great Manchurian Province. Here, then, too, the Washington conference has necessarily failed to produce satisfactory results. It has failed because Japan was neither willing nor ready to evacuate.

Precisely the same position was taken by Mr. Balfour for Great Britain in the matter of Kowloon, which is the mainland shore facing Hongkong. The declaration of Mr. Balfour, on December 3, that Great Britain felt it necessary to retain this territory foreshadowed a similar statement by Japan in regard to Manchuria, and destroyed all hope of complete evacuation of the mainland of China by foreign nations.

Mr. President, why should not those observations go in along with the portion introduced by the Senator from Massachusetts? A little later the same distinguished writer states:

We had still another striking and peculiar situation. The battleship had long been the standard of sea strength. But our own Admirals Sims and Fiske; the British naval authority, Sir Percy Scott, who had guessed right about the submarine before the World War; and Admiral De Bon, of the French Navy, all agreed that the day of the battleship was over. The best experts in all navies were of the opinion that money put into battleships was wasted, even from the point of view of war strength, as a consequence of the development of aircraft and possible expansion of submarine warfare.

Now the fusion of all these reasons explained the success of the Hughes program in naval limitation. But they were all unusual reasons. I mean by that, reasons which existed with respect of a single engine of warfare. The proof lies in the fact that when the conference passed from battleship to submarine, agreement disappeared. Britain wanted to abolish, America to limit. France was willing to limit, but asked the maximum allotment granted any nation, while Italy, wanting submarines but not claiming the maximum, felt called upon to demand equality with France. As a result we had deadlock and failure both as to submarines and as to those auxiliary cruisers which are the defensive answer to submarines.

The same was true in another field, namely, land armaments. Here France as the supreme land power confronted the conference with the declaration that her people saw the question in one way, and had based their land strength upon this view. As a consequence, land armaments were dropped from the discussion of limitation of armaments.

Now, it follows, quite logically, both from the successes and the failures of the Washington conference, that it is not correct to conclude that there is a new spirit abroad in the world or a new era at hand.

I read a little more from the opinions of Mr. Simonds, as expressed in an article of January 30, 1922:

So far as the United States is concerned, we resign the right to fortify everything west of Hawaii. This includes the Aleutian Islands on the north, the Philippines and Guam on the west, and Samoa on the south. Thus the United States retires its naval frontier to the longitude of Hawaii. In resigning the right to fortify Guam we do two things: Abandon all possibility of defending the Philippines by the intervention of our fleet, and also the ability to attack Japan navally.

In an article dated February 4, the same author states:

For the Anglo-Japanese alliance, which was no longer of value, Japan has obtained a four-power treaty which adds greatly to her prestige as a world power, insures her against attack or challenge from the United States, and leaves her with hands free to deal with both China and Siberia as she may hereafter choose. Save as the United States might ally itself with Britain and make use of British naval bases, there would be in the future no way of American intervention in the Far East.

In other words, according to Mr. Simonds, we give up the Pacific Ocean very largely, and we give up specifically any chance for any real influence in the Far East, which must constitute one of our great markets. I continue reading:

British success was late in two things, in exchanging the Anglo-Japanese alliance for the four-power treaty, which to all British minds is a symbol of close association in the future between the two great English-speaking nations in the world. And in addition Britain has avoided a naval competition with the United States which promised either bankruptcy or ultimate resignation of equality upon the blue water which Britain has ruled so long.

As for the United States, in return for sacrifices which are by all odds the most considerable, we have abolished a danger of ultimate collision with Japan in the Pacific.

That is his opinion. I do not agree with him. The stronger you make Japan, the more dangerous Japan becomes.

The Senator from Massachusetts this morning remarked to the Senator from Arkansas that he could probably get some information by reading the memoirs of Count Hayashi, the Japanese statesman who negotiated the Anglo-Japanese pact. I have that work, and I want to read the Japanese statesman's opinion of that alliance. Of course, it was written in 1898, before the new treaty was negotiated:

The Anglo-Japanese alliance is the established policy of Japan. It is the basis of the country's foreign policy. It was concluded owing to the common interests of the two countries demanding it, a demand reported by the traditional relations of the two countries. The alliance

may, therefore, be regarded as resting on the most solid foundation. Every effort and every mischievous trick having for its object the splitting of the tie cementing the two countries must end in failure.

In view of Count Hayashi's statement, that the Anglo-Japanese treaty is a part of the traditional policy of Japan and of Great Britain; that it springs out of the mutual interests of the two countries, and that it rests upon the most solid foundation, how absurd it is to say that they bartered it for a treaty which promises nothing whatever except the opportunity to sit down around a table and discuss your grievances or your dangers, without any obligation to do anything as the result of the discussion. The mere statement of the matter proves its absurdity, and the quotation from the author to which the Senator from Arkansas [Mr. ROBINSON] was referred by the Senator from Massachusetts [Mr. LODGE] fortifies and demonstrates the argument made by the Senator from Arkansas.

Mr. President, the Senator from Arkansas made a very powerful speech, in which he dwelt upon the construction of the language of the treaty; but I want to call the Senator's attention and the country's attention to the fact that there is other language in this treaty which makes it perfectly clear, to my mind, that the Senator from Massachusetts is in error when he states that we have not agreed to do anything except talk; that this treaty is a pink tea, at which everybody is privileged to say whatever he pleases and nobody is responsible for anything he says.

If we turn to the preamble of the treaty, where its purpose is recited, we get much light with reference to the subsequent language.

> With a view to the preservation of the general peace—
>
> Not the peace of the Pacific, but the general peace—
>
> and the maintenance of their rights in relation to the insular possessions and insular dominions in the region of the Pacific Ocean * * * the high contracting parties * * * have determined to conclude a treaty.

Now, notice the language:

> With a view—

And I scan the sentence now—

> With a view to the preservation * * * and the maintenance * * * of their rights * * * to their insular possessions, * * * the high contracting parties * * *

Have determined to conclude this treaty.

> If said rights are threatened * * * the high contracting parties shall communicate * * * in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies.

That is, to repel the attack. The preamble recites that the object of the treaty is to defend the Pacific island possessions of the respective parties, and article 2 recites that when those possessions are menaced the parties shall meet and consult as to the most efficient means to repel the attack, either singly or jointly.

Mr. ROBINSON. Mr. President——

Mr. REED. I yield to the Senator from Arkansas.

Mr. ROBINSON. That provision not only contemplates that the conference shall determine what shall be done but how it shall be done, whether by one of the parties to it or all of them together.

Mr. REED. Unquestionably.

Mr. SHIELDS. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. REED. I yield.

Mr. SHIELDS. The broad language certainly has impressed itself upon the Senator also, "to determine what shall be done." That does not confine the activities of the nations to the Pacific Ocean or to any contest or battle over these various insular possessions. It is a well-known part of the history of nearly every war that when a country gets into war you not only attack it in one hemisphere but in another, wherever it is weakest. Attacking it upon the opposite side from that where the war exists will compel it to withdraw its forces from the seat of war to protect its territory at the rear or anywhere else.

That has been illustrated by our own War with Spain. We went to war over Cuba, but the first battle was fought on the other side of the world. We struck Spain where she was weakest and unprotected.

It was so in the World War. Germany, France, and England were engaged in a war upon the fields of France and Belgium, and yet England, through her allies, struck Germany in China and had Japan to seize all of these islands that are not held by her by mandate.

The fact is that instead of this being a treaty concerning islands in the Pacific Ocean, it is only a mere electric button which, touched there, sends the deadly current of war wherever the four powers have any possessions. It would be the most common thing in the world if a war arose there between Japan and some European nation for us to attack that European nation, and the performance of this agreement to do whatever the exigencies required, and thus weaken it. You can not confine war to any part of the world as was demonstrated by the World War. Start the fire at one place and, where the nations have territories all over the world, it extends to the whole world.

Mr. REED. I think we had some illustration in the Revolutionary War of a French fleet coming over and striking England at Yorktown. We had some illustrations in our own case in the World War. Some vessels were sunk in the Atlantic. Under normal or ordinary conditions we probably would have had a war upon the sea with Germany. It might have begun there and ended there, but it was manifest to every man who understood the situation that the place to strike Germany effectively was in France; therefore we sent our soldiers to fight on the soil of France, although many who sat here and voted for the war thought we would never have to send a soldier outside of our own borders.

A little common sense applied to this thing and to the situation which will arise if there is ever any use for this treaty will illustrate the impossible position in which the philosophy of the Senator from Massachusetts would place us. Let us assume that Japan engages in a war with some other country, or that Great Britain engages in a war with some other country, and that some of the British islands held in the Pacific Ocean are threatened or are actually attacked, and thereupon Great Britain calls for a council of the four powers, and they meet.

Great Britain says, "We have been attacked. We signed a treaty with you in which we recited that it was made with a view to the preservation and maintenance of our rights in relation to these island possessions, and our right is to hold these islands. You agreed that if our rights were threatened by any power you would sit down with us in order to arrive at an understanding as to the most efficient measures to be taken, either jointly or separately, and to repel such an invasion. Now let us talk about the most efficient measures to be taken."

So we sit there and agree that as a war fleet is bearing down upon these islands, manifestly the most efficient thing to do is to get there with a bigger fleet and sink the enemy, and we come to that understanding. Then the question comes up for consideration, Shall it be done jointly or separately? It is agreed the joint action is more effective than single action. Then it is proposed that the United States shall furnish a part of the fleet, and the representative of the United States replies, "Oh, very true, we signed this treaty and we said we were going into it with the other powers in order to maintain the rights of all of the powers to their island possessions. These are the island possessions of Great Britain. It is very true we said if they were threatened by the aggressive action of any other power we would communicate with each other. They have been threatened. It is very true that we said we would communicate in order to arrive at an understanding as to the most efficient measures to be taken jointly or severally to meet the attack or the exigency. We agreed to all that. We now agree with you that the most efficient means is the joint action of our respective fleets, but we decline to do anything."

Can anyone imagine a representative of the United States Government taking that position? Can anyone imagine any self-respecting nation signing a treaty that left us and all the other signatories in a situation so they could refuse to do anything and that that would be accepted as a treaty guaranteeing peace when it guarantees nothing whatsoever? Why do we meet and talk in order to determine a question unless, when it has been determined, it is to be followed by action?

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. I yield.

Mr. BRANDEGEE. Suppose the representative of the United States, under the circumstances detailed by the Senator, gave as the reason for his declining to do anything his statement that we never had bound ourselves to do anything?

Mr. REED. Suppose he did. He would stand before the world as a breaker of faith. The treaty's terms imply action, just exactly as similar terms and almost identical words in the League of Nations covenant implied action. At the proper time I shall put into the RECORD the discussion of those words by Senators on this floor and shall show that the arguments which

they then made they are retracting now. I think I shall be able to include in that language some very pertinent remarks then made by the Senator from Connecticut—at least, I think the remarks are pertinent.

Mr. BRANDEGEE. I think so, too; and I will say to the Senator that I think Japan or any of the other high contracting parties under the treaty, taking its preamble in connection with the body of the treaty, could very consistently claim that the treaty did, as it stands, create and imply an obligation to come to the aid of the other high contracting parties if their rights in relation to their insular possessions or dominions were threatened by the aggressive action of an outside power.

Mr. REED. I thank the Senator for that statement. It is a frank statement, and it is consistent with what he argued when construing similar language in the Versailles treaty.

Mr. LENROOT. Mr. President——

Mr. REED. I yield to the Senator from Wisconsin.

Mr. LENROOT. Does the Senator think that a construction placed upon a treaty by the parties who made the treaty at the time of making the treaty and who assent to it on behalf of their respective Governments should have any weight?

Mr. REED. The construction placed upon a treaty by those who draw it may be persuasive, just as comments made by Members of the Senate at the time of the enactment of a law may be somewhat persuasive; but the Senator from Wisconsin is well aware of the rule of law that a contemporaneous construction is never controlling and is never employed to overturn the plain intendment of the language of a law itself.

Mr. LENROOT. That is true where the language is not ambiguous; but where the language is susceptible of two constructions the Senator is very familiar with the rule that even debates in the Senate may be resorted to?

Mr. REED. Yes; but they are resorted to as the weakest kind of evidence and as an argument with the least force. The reason therefor is that in construing a statute the fact that certain men may have expressed an opinion does not prove that others may not have voted for the law because they were of a directly opposite opinion. So in this case the contemporaneous construction by one man does not bind the others. Moreover, it can not bind those legislative bodies which must become parties to the instrument, because those legislative bodies were not present, and they must judge the instrument by what appears within its four corners, instead of by the opinions expressed in speeches by individuals who may have had something to do with drawing the treaty. The Senator from Arkansas [Mr. ROBINSON], however, put into the RECORD this afternoon the construction of this document by both the British and the Japanese, and the construction was diametrically opposite to that presented by the Senator from Massachusetts [Mr. LODGE].

Mr. LENROOT. Does the Senator from Missouri take the position that the United States in entering into a treaty is bound by the construction given to that treaty by other parties to the treaty?

Mr. REED. I do not.

Mr. LENROOT. I should hope not.

Mr. REED. But the Senator just a moment ago was urging that the construction placed upon the treaty by those who had to do with its making was controlling, and I answered that by saying that it was not controlling, and giving the reason why it was not.

I further stated that the representatives of Great Britain and of Japan had, according to the statements put into the RECORD by the Senator from Arkansas, given a construction different from that given by the Senator from Massachusetts. Now, the Senator from Wisconsin is turning in his own tracks. A moment ago he was urging that contemporaneous construction was controlling, and now he turns upon me and asks me if I would assert that the contemporaneous construction by Japan or Great Britain was controlling. Certainly it would be as controlling as would be our construction; those Governments have as much right to construe the treaty as have we. The construction by none of these powers is controlling. Nothing will be controlling unless it be written in the form of an amendment, which is accepted by all the powers, or a reservation, which is acceded to by all of the powers.

Mr. LENROOT. When the representative of the United States, in presenting the treaty to the conference, undertakes to give the construction of the American delegates to that treaty, and that construction is impliedly accepted by the heads of all the other delegations, and in some cases expressly accepted, does the Senator think that the United States would ever be in a position of bad faith in following that construction?

Mr. REED. The United States would be absolutely in bad faith in the eyes of the world unless the construction were the true construction. It comes back to the same question.

Mr. SHIELDS rose.

Mr. REED. I will yield in a moment.

Contemporaneous construction is never accepted as controlling. It may be persuasive, and that is all. The reason that is so is that if there are ten parties to an agreement and one of them gets up and places a construction upon it which suits himself the other nine have the right to sit silent and say nothing except that "we stand upon the instrument"; for an instrument is written for the very purpose of putting the agreement into an instrument and not in outside desultory talk.

I yield to the Senator from Tennessee.

Mr. SHIELDS. Mr. President, I know that neither one of the Senators employs the expression "contemporaneous construction" in its strictly technical sense, which imports a construction immediately entered into by the parties after an agreement is executed and goes into force. Declarations made at the time as to what it means, which practically are in addition to it or amendments, are excluded, of course, upon the well-settled rule of evidence that oral statements and oral agreements can not be considered in construing and enforcing a written instrument, as the complete agreement of the parties is presumed to be in writing. Such discussions as are going on now may only be resorted to sometimes to relieve or explain an ambiguity.

As the Senator from Missouri stated, the Supreme Court and all the courts of the States have held that they are really the very weakest proof of the intention of the parties that may be adduced. Something to that effect was said the other day in an opinion by Chief Justice Taft, but the "contemporaneous construction" which is sometimes admitted to be controlling is that which occurs in the carrying out of the terms of an executed contract. This treaty is yet in the making; it has not been ratified by any country in the world; and, of course, no one is yet acting under it.

Mr. CARAWAY. Mr. President——

Mr. REED. I will yield in a moment.

The distinction made by the Senator is absolutely correct. The words "contemporaneous construction" in this instance, I take it, have been used in a loose sense. The construction which they may be putting upon this treaty now can be looked to only as throwing some possible light upon the question not as a determining factor. I repeat the reason is that, while I might make a speech upon this question and give it one construction, the Senator from Wisconsin might believe the language meant something entirely different. He might have determined to vote against it if my construction was correct, but, believing that the language meant something else entirely, he votes for the proposition. Of course, we can get nowhere by the kind of construction we are speaking of so far as determining the question is concerned.

Mr. SHIELDS. The court has given that very reason in explaining the weakness of such evidence, namely, that it is not a unanimous construction, but a construction of different members embodied in their speeches or utterances upon the subject.

Mr. REED. To apply it to these performances which we had in Washington—and that is what they were, stage performances, with somebody picked to appear upon a certain day in the spotlight and nobody else really privileged to say anything—and to hold that such constructions would bind any nation is ridiculous.

Mr. CARAWAY. Mr. President, I should like to ask the Senator from Missouri what he thinks of treaty drafting when it is necessary for one of the delegates to stand up and say, "This is what I mean when I sign the treaty"?

If that is what he meant, why was not that written into the treaty itself, so that there would be no necessity of standing up and explaining the document as it was being presented?

Mr. REED. Mr. President, I do not think it is hard to understand this whole matter. This treaty was prepared by somebody—we do not know whom, but the fact——

Mr. CARAWAY. I think it might be asserted that the Senator from Missouri knows as much about it as anybody who signed it upon the part of the American Government.

Mr. REED. I think so; quite as much, and I know nothing about it. There is an inference we can draw from this language. It contains much of the phraseology of the Anglo-Japanese treaty, and it, therefore, is fair to presume that it was drawn in its essence or at least doctored in its essentials by Japanese or British statesmen. It was agreed to probably without any real study or consideration. That must have been the case, because the President himself in discussing the treaty said that it did not cover the mainland of Japan. So secret were these alleged open negotiations that the President himself did not know what was going on. Now we are told by the Senator from Massachusetts that there had been considerable discussion about it and that Japan had demurred; but there could not have been that character of consideration which a document of this importance called for or the President certainly would have

known whether it embraced all of Japan or only a few outlying islands. It could not have been very maturely considered. Else why was it found necessary to amend it twice by subsequent treaties? Its meaning certainly could not have been very plain or very certain or the Senator from Massachusetts, who insists there is no doubt about it, would not come forward as the father of a reservation which gives to it a meaning entirely different from the plain import of the language of the document itself.

Either one of two things is true: Either they did not know what they were doing, or else, having acted with knowledge, when they brought this treaty to the Senate they found it necessary, when it began to be discussed by the public, to retreat from the ground they had expected to take and had taken. It was perfectly logical for the Senator from Massachusetts to think out reservations to the document known as the League of Nations, because he did not draw the document, but it would have been a little singular if the document had been brought over here to us by the President himself and, after having laid it down, saying that its meaning was perfectly plain, he then proceeded to draw reservations to his own instrument. We have here the case of one of the putative authors of this agreement proceeding to amend his own creation.

But, Mr. President, we must hasten through this treaty. It is true that one of our delegates has not even given us the benefit of his views. Another delegate did not give us the benefit of his views until yesterday. Therefore we are called upon to act, and to talk if we are not ready to act. Although there are Senators who are preparing addresses and studying the question, the order is haste.

Now, I should like to ask the Senator from Connecticut [Mr. BRANDEGEE], who is a member of the Foreign Relations Committee, why it is that in the consideration of these treaties which have to do with the armament of the United States no naval or military expert was called before the committee to enlighten it as to whether or not these treaties were safe for us to sign? Why was not that done?

Mr. BRANDEGEE. Mr. President, if the Senator expects me to answer the question, I will say that I know of nobody who requested that it be done.

Mr. REED. I do not suppose that anybody in the world would think it necessary to go to a committee charged with the duty of knowing what it was doing and suggesting to that committee, with such men on it as the Senator himself, that they ought to inquire and find out what was meant by this treaty.

Mr. BRANDEGEE. I do not mean any other Senator; I mean that no Senator on the committee thought it was necessary to summon military or naval experts before the committee, because, as we understood, those military experts had all given the benefit of their advice to the American delegation who made the treaty.

Mr. REED. We have no minutes of that kind. There seems to be preserved no record of that sort. Therefore it could not have been made before the members of the committee.

Mr. BRANDEGEE. The Senator asks me why they were not summoned, and I am telling him that so far as I know the reason was that the American delegation who negotiated the treaty had the benefit of the opinion of the naval experts.

Mr. REED. That is the first information of that sort we have had. That may have been the impression of the committee; but how could the committee, how could the Senator himself pass upon the question, employing his own judgment, until he had heard from these naval officers? Necessarily the Senator was assuming that the evidence had been produced and taking somebody else's judgment as to the meaning of that evidence. Does not the Senator think it would be a wise thing for us to ascertain whether or not it is true, as is now intimated, if not directly charged, that our disarmament program leaves us absolutely at the mercy of Great Britain, and that while we are at some time hereafter to have an equality of tonnage, we do not have an equality of gun power or an equality of speed, and that it is asserted by some naval authorities that a single vessel of the British Navy might put out of action half of the American Navy simply because she has 16-inch guns and can run 10 knots an hour faster than anything in the American Navy? Would not the Senator be interested in investigating that question and finding out what the facts are in that regard?

Mr. BRANDEGEE. The Senator asks me the direct question, and so I want to answer. I am not a naval expert nor a military expert, and I understand that the makers of this treaty consulted with the naval experts who were appointed by the Navy Department for that purpose, and I am taking their judgment also. If each Senator were to be his own military and naval expert, we probably would not come to a unanimous decision about what it was wisest to do. My understanding is that we are left in equally as advantageous a position, so far as effective naval armament and tonnage are concerned, as Great Britain is. I may be wrong about that, but that is my understanding. I have not attempted to summon or cross-examine naval experts. They were appointed to advise the American commissioners who were making the treaty, and they did so.

Mr. REED. May I inquire who they were?

Mr. BRANDEGEE. I would rather the Senator would make that inquiry of the commissioners who were in consultation with them. I know, in a general way, that the Assistant Secretary of the Navy, Col. Roosevelt, had the management of that matter, but the names of the individual officers whom he empowered to advise with them I do not know.

Mr. LODGE. Mr. President, the representatives of the Navy Department who met with the commissioners before the conference assembled—and they were with us a great deal when we were considering the reduction of armament—were, first, the Secretary of the Navy, who came only once or twice, as I remember; the Assistant Secretary of the Navy; Admiral Coontz, the chief of operations; and Admiral Pratt.

Mr. REED. Pratt and Coontz were the two?

Mr. LODGE. Yes. One was the chief of naval operations and the other was his assistant.

Mr. REED. May I ask the Senator if their testimony was taken?

Mr. LODGE. We discussed the whole question of naval disarmament.

Mr. REED. Was any memorandum made of it?

Mr. LODGE. No; we did not have stenographers present while we were talking it over with the naval officers.

Mr. REED. Did these naval officers say that we would be on a fighting equality with Great Britain?

Mr. LODGE. Under the treaty as it stands?

Mr. REED. Yes.

Mr. LODGE. Yes. It is perfectly clear on the face of the treaty, as to tonnage.

Mr. REED. As to tonnage?

Mr. LODGE. Yes; and as to limitation of tonnage, and as to limitation of calibers, and quality of capital ships.

Mr. REED. Did these naval experts tell the American commissioners that England had any ships that had any advantages over ours?

Mr. LODGE. They told us everything. There is one English ship, the *Hood*, of 41,000 tons. The other ships of England are all smaller than ours and less modern ships, older ships.

Mr. REED. The *Hood* has a speed 10 knots an hour greater than that of the fastest American ships; has she not?

Mr. LODGE. I do not think so. I can not tell without referring to the document.

Mr. REED. Have we any documents on the subject that were filed with the committee?

Mr. LODGE. Our modern ships, of which we have six of 32,000 tons—more than any other power—with 16-inch guns, are, I think, faster than any of the other ships.

Mr. REED. Faster than the British ships?

Mr. LODGE. I think so; and I do not think the *Hood* is a particularly fast ship. I have all those figures, if the Senator wants them. They are very easily found.

Mr. REED. I am interested in having them; and if we could get that much of the records of these committees I should be very glad.

Mr. LODGE. The Senator can get all those details. They are all stated in Mr. Hughes's statement to the conference, which was published, and the tables are all given, and they are all in print. The Senator can examine them all if he cares to take the trouble to do it.

Mr. REED. I have seen those statements. I was going to inquire if Admiral Benson or Admiral Fiske were called before the American delegation.

Mr. LODGE. No; we did not ask them to appear before us. They are both retired officers.

Mr. REED. Was the present head of the Navy there?

Mr. LODGE. Admiral Coontz is the Chief of Operations.

Mr. REED. I am speaking of the head of the Navy.

Mr. LODGE. The head of the Navy is Secretary Denby.

Mr. REED. I was trying to think of the name of the naval officer holding the highest rank.

Mr. LODGE. The officer holding the highest rank in the Navy, is, of course, the Chief of Operations.

Mr. REED. I want to be as specific as I can about this matter, because I am interested in knowing whether Admiral Coontz and Admiral Pratt informed the committee that in fighting strength we would be the equal of Great Britain.

Mr. LODGE. I think the Senator will find, if he will examine the figures of the ships—the Senator from Alabama [Mr.

UNDERWOOD] is here and can correct me if I am wrong—that we have six post-Jutland ships of the most modern type, more than any other power.

Mr. REED. What is their speed?

Mr. LODGE. They are 30-knot boats, as I remember; but I should have to look at the figures to be exact.

Mr. REED. Six 30-knot boats? Well, I have some figures that I will put in the RECORD to-morrow.

Mr. LODGE. Those figures are all very accessible, and I will have them here if the Senator wants them.

Mr. REED. I do.

Mr. SHIELDS. Mr. President, there recently appeared in the World's Work a very able article that throws a great deal of light upon the subject the Senator is discussing; and I will ask him, if he still has the floor, whether he will permit that article to be read?

Mr. REED. Certainly.

Mr. SHIELDS. It will not consume a great deal of time. I prefer that it be read from the desk, as the reading clerk has a much clearer enunciation than I have. I think it is very instructive, and worthy of consideration by the Senate in connection with the subject under discussion.

The VICE PRESIDENT. Without objection, the Secretary will read the article referred to.

The reading clerk proceeded to read the article, and read as follows:

[From the World's Work for December, 1921.]

WHY JAPAN WOULD BE MISTRESS OF THE SEAS—AMERICA'S GREAT NAVAL AUTHORITY, ADMIRAL MAHAN, WHOSE BOOKS HAVE GUIDED JAPAN'S NAVAL POLICY—WHAT THE POLICY MEANS TO THE UNITED STATES.

(By William Howard Gardiner.)

There is general recognition of the fundamental influence that Bismarck and the later Pan-Germans have had upon Japanese policy. But it does not seem to be as generally realized that while Japan has modeled her statecraft and army on the Prussian pattern, her maritime policy is largely the result of her study of the doctrines expounded by that great American teacher of sea power, the late Admiral Mahan. Yet, in his "Life of Admiral Mahan," Mr. C. C. Taylor gives us documentary evidence of the profound interest the Japanese were taking in these teachings as long ago as 1897; and many of us who have been watching the consequent evolution of Japanese power in the light of Mahan's precepts, have long since recognized that it is the maritime aspect of Japanese policy that is of direct concern to the United States, and that an understanding of the principal doctrines of Mahan is essential to an adequate appreciation of the trend underlying Japanese statecraft.

The record from which Mahan drew his deductions as to the influence of sea power upon history is the record of how weak and poor Elizabethan England, with but 5,000,000 inhabitants, expanded into the present world-wide English-speaking civilization in little more than three hundred years. From this he pointed out the sources of sea power and showed how Britain's rise to preeminence was due to her naval power. Because she won the naval command of the Northern Atlantic she was able to defend her colonies here; and because Holland and France were unable to wring its command from her, they lost their colonies here and Britain took them over. To the naval preponderance of Britain in 1783 may be accredited the fact that the French did not dispute the claim on Australia that Britain set up in that year. Nelson's decisive victory at Trafalgar enabled Britain to carry on against Napoleon a strangling blockade and determining campaign of which Mahan wrote:

"The world has never seen a more impressive demonstration of the influence of sea power upon history. Those far distant, storm-beaten ships, upon which the grand army never looked, stood between it and the dominion of the world."

Such were some of the more prominent instances in which preponderant naval power determined the fate of continents through its command of the sea.

But Mahan teaches a far deeper lesson; for he shows that the naval power, adequate to win and hold the command of the seas, as British naval power did, was slowly evolved from overseas commerce and navigation. In this connection he says:

"The tendency to trade, involving of necessity the production of something to trade with, is the national characteristic most important to the development of sea power. * * * They (the English and Dutch) were by nature business men, traders, producers, negotiators. Therefore, both in their native country and abroad, whether settled in the ports of civilized nations or of barbarous eastern rulers, or in colonies of their own foundation, they everywhere strove to draw out all the resources of the land, to develop and increase them. * * * At home they became great as manufacturers; abroad, where they controlled, the land grew richer continually, products multiplied, and the necessary exchange between home and the settlements called for more ships."

Mahan indicates that this native desire for trade was one of the principal causes that led to the making of such colonial "plantations" as that of Jamestown, Va., in 1607, in order that the products of the new lands might be developed and their trading capacity with the home country increased. The ever-expanding trade led to a rapid rise in commercial prosperity which benefited a large element in the communities at home and overseas. This element, as well as the shipowners and navigators, saw to it that the nation furnished adequate naval protection to the possessions, commerce, and navigation from which the nation derived its prosperity. And, furthermore, the great merchant fleet served as the natural training school for the large numbers of seamen requisite on naval vessels driven by sail.

In short, Mahan's basic thesis is that broad-spread national prosperity, derived from overseas trade, fostered with overseas possessions, is the foundation of naval power.

Of these profound principles of sea power and of national power, as demonstrated in the expansion of the English-speaking civilization, and as expounded by Mahan, the Japanese have made a characteristically careful study—and one that well might be emulated by Americans, who seem to know less of the teachings of their great maritime scholar than do any other people largely dependent on sea power.

But the Japanese seem also to have taken note of a saying of Napoleon's, to the effect that an army is dependent on concentration for action (whether defensive or offensive), and upon dispersion for sustenance. The same might be said with even deeper meaning of naval power and of national power. Witness the world-wide dispersion of the English-speaking race for economic sustenance, the concentration of its constructive economic power in its great financial, mercantile, and industrial institutions, and the concentration of its defensive power in its navies.

Almost all of the great determining naval battles of the English-speaking race, from the Armada to Trafalgar and Jutland, have been fought in European waters, which heretofore have been the critical zone of concentration.

Mr. SHIELDS. The same purpose may be answered by having the balance of the article printed without reading, and Senators can read it in the RECORD, so I ask that the rest of the article be printed in the RECORD.

There being no objection, the balance of the article was ordered to be printed in the RECORD, as follows:

But, as the accompanying map of the English-speaking world shows, from the earliest days of our expansion we threw out long-voyage tentacles to remotely dispersed outposts in America and Asia for colonization and trade—i. e., economic sustenance—rather than first building up a central zone of relatively concentrated short-voyage trade that would have been easy to defend. On the face of it, this was poor strategy and very dangerous, for had any of our rivals cut our long and exposed lines of communication in the early days it is probable that to-day there would be no English-speaking United States, Canada, Australasia, and South Africa. It should be said, however, that this seemingly faulty strategy, which, fortunately, was not fatal, was dictated by the fact that England's continental neighbors were stronger on land than she was, and consequently inviolable, forcing her to span the oceans in her first moves.

Japan has been far better circumstanced in that her continental neighbors were relatively weak. This has enabled her to apply the trade doctrines of Mahan, first in the short-voyage and well-protected zone of concentration her navy has been able to command in her home waters, while she depended on the army it could convoy to conquer the continental areas with which she sought to build up sustaining trade. This operation, carried out in the last 16 years, has been preeminently successful, for not only has Japan brought under her sway the 450,000 square miles and more of continental land and the sea area indicated on the accompanying map, but she has virtually monopolized its trade and the resulting navigation; and, furthermore, she has become the local maritime common carrier of the Far East, which function, in turn, gives her great discriminatory powers over the trade of others with ports not under her political control.

In consequence of this trade and navigation Japan has developed a powerful group in her body politic whose prosperity is dependent on overseas trade, which trade has brought to Japan money wherewith to build a great navy. The result is that Japan is now spending more than one-third of her national income on her navy, while Americans talk as though our spending less than one-tenth of our national income on our Navy were an "intolerable burden," the abatement of which would go far to solve all our economic ailments. And this in the face of the fact that although to-day the United States Navy is about twice as big as that of Japan, in six years the effective Japanese Navy will be almost as large as ours, if present building programs are carried out.

The foregoing outline indicates that Japan, with extraordinary rapidity, is carrying out the teachings of Mahan in a systematic instead of in a sporadic way, building and progressively expanding the zone from which she draws most of her economic sustenance and in which zone her navy is so strong that the United States can not command there.

JAPANESE COLONIES.

But while developing her now inviolable zone of concentration in the Far East, Japan has not neglected to put into practice the lessons of Mahan as to dispersed or extensive trade and navigation. Indeed, it is noteworthy that it is since she recognized his teachings that the Japanese colonies have sprung up in Hawaii, in California, in South America, and have been attempted in Australasia. And it is also noteworthy that Japan runs specially subsidized lines of steamers to North and South America and to Australia.

As is well known, the pretext under which these colonial "plantations" are being pushed by Japan is that her home population is so overcrowded that it must be allowed to expand into other people's lands. In point of fact, only about half a million Japanese have left the Japanese archipelago during the last 35 years. If they had all remained in Japan, her present population density would be nearly 377 instead of 373 per square mile. In view of the fact that Japanese emigration during the last 35 years has lowered her present population density only 4 per square mile, there does not seem ground on which to argue that emigration has yet helped materially to ease Japan's alleged overcrowded condition—at any rate, not in proportion to the animosity that Japanese immigration has aroused in North America and in Australasia. Furthermore, if emigration were to be in such volume as to be really helpful by lowering the population density of Japan to, say, 200 per square mile, it would mean that 26,000,000 Japanese emigrants would have to be taken care of in other lands. It seems doubtful if the United States, Canada, and Australasia would be favorably inclined to receiving their quotas of these emigrants. Nor is it probable that the Japanese Government would look favorably on giving up 46 per cent of Japan's man power, unless this expatriated man power could be more useful to Japan in our countries than in Japan.

"CROWDED JAPAN."

In this connection it should be recalled that Japan is less crowded than are Holland, Belgium, and England. Furthermore, all of these European countries normally raise a smaller percentage of their food supplies than the 80 per cent and more that the Japanese now raise for their home consumption. England, in fact, raises much less than 40 per cent of the food her people consume, and yet supports over 700 inhabitants per square mile, thus showing that Japan could support far more than her present 373 inhabitants per square mile, if the Japanese would turn from militant imperialism to peaceful industrialism. And this is further emphasized by the fact that but one-fortieth of the Japanese are industrialist workers, whereas one-fourth of the inhabit-

ants of England are industrialists. In other words, given adequate raw materials, industrial facilities, and markets, ten times as many Japanese as now do so could support themselves by industry in Japan.

The conclusion seems unavoidable that the whole fabric of the alleged necessity of Japanese emigration because of overpopulation must be dismissed as untrue. The student who has considered colonization, not only as a social operation but also as a maritime and military operation, will recognize under these circumstances that Japan's attempts at colonization in America and Australasia are designed to be "plantations" similar to the colonial "plantation" of Jamestown that England made in Virginia in 1607. It was the superior weapons and fighting ability of the English colonists that drove the American Indian from his lands. It is the superior working ability of the Japanese colonists that is driving the Californian from his lands. In both instances of colonization the result is the same—preemption of the land and means of livelihood.

These dispersed Japanese plantations are for the immediate purpose of developing an extensive long-voyage trade and navigation as distinguished from the intensive short-voyage operation in the concentrated home zone.

Without dispersion of major and vital forces and without setting up long and exposed vital lines of communication, as England had to do in the seventeenth century, Japan has built her concentrated zone of sea power and is progressively expanding it. But she is also supplementing it by widely dispersed extensive operations, designed to bring increased wealth and more extensive sea power to Japan.

If war were to come soon in the Pacific, each or all of these extended outposts could be sacrificed without vital loss, for they are yet but outposts. But if they are allowed to grow to full power, and if the resultant naval protection of their lines of communication with Japan is allowed to grow to commensurate strength, then these outposts will no longer be mere outposts in our countries, but strong Japanese bridgeheads on our shores, and a naval war in the Pacific will be a virtual impossibility because it will have become a Japanese ocean.

In outline the situation that confronts us is somewhat as follows: If Japan fails to abandon her imperialism voluntarily, the United States will be called on either to abandon the open-door doctrine or to make it effective by pressure on Japan. In order to uphold our open-door doctrine to protect China and her markets, as we have solemnly declared we would, we must command the Pacific even unto the China coasts. But in point of fact, and in spite of the present statistical superiority of our Navy, not the United States but Japan commands the Pacific in those Far Eastern waters which we must command if we are to support effectively our open-door doctrine.

NAVAL COMMAND IN THE PACIFIC.

This statement may be doubted by those who measure the relative strength of navies by comparing tabulations of their vessels, tonnage, and gun power. The measure of comparative naval power is not to be found in the schedule of each navy at its base, but in the effective strength of each at the probable scene of contact. A glance at the accompanying map will show that in the Far Eastern waters, of which we would seek the command, the Japanese fleet would be close to its bases, whereas we have no naval bases worthy of the name west of Hawaii; and, in point of fact, nowhere on our Pacific coast have we bases commensurate to the demands our fleet would put upon them the instant war were to break out.

Remoteness from an adequate base subjects the effective fighting power of a fleet to a proportionate discount; and this because of fuel limitations, the risks and naval costs of maintaining a heavy supply train over a long line of communication, and the added dangers to which crippled ships are exposed if they have to limp thousands instead of only hundreds of miles back to their repair bases. On the other hand, the close proximity of adequate bases adds to the effective power of a fleet to a degree that can be realized perhaps only by those having intimate knowledge of the mechanical strains and transportation problems that arise in modern naval warfare.

Specifically stated, there is not in the United States Navy a capital ship, afloat or building, that could merely steam from Hawaii to Guam and return—and this without stopping at Guam long enough to carry out the necessary operations to retake it—if she had to travel much of the round trip at battle speed and zigzagging, as she would have to do if this sea area were infested by enemy submarines. Consequently we could not operate against Guam if we had no base nearer to it than Hawaii. The popular fancy that our great fleet could blockade Japan, if based on Hawaii or on our Pacific coast, therefore, is utterly mistaken.

As the entire strategy of the Pacific depends upon the certain possession of impregnable bases in the most advantageous relation to the theater of operations, if we are to command in Far Eastern waters in order to make Japan respect our open-door doctrine, we must have an adequate and impregnable base in the Far East; and its lines of communication with the United States must be adequately protected.

Here we are confronted with the fact, as astounding as it is deplorable, that although we have an ideal location for such a base at Guam or in the Philippines, and although we own a string of islands connecting these possessions with the United States, which would facilitate the defense of our line of communications, yet both the Philippines and Guam are practically undefended and without anything approaching adequate base facilities. And, furthermore, these Philippines, which we leave unprotected in the center of the scene of present world stress, would be extremely valuable to Japan, because they would command southern China, in both the naval and commercial sense; and their possession is essential to Japan if she is to carry out the plans she has developed for expansion to the southward.

Not only are we confronted by the fact that we can not conduct offensive naval operations for the command of Far Eastern waters because we are without an adequate naval base there, but all our valuable possessions in the Far East are so devoid of defenses that, as Mr. Bywater says in his "Sea power in the Pacific," "within a fortnight after the beginning of hostilities the United States would find herself bereft of her insular possessions in the western Pacific, and consequently without a base (location) for naval operations in those waters. With Guam and the Philippines in enemy hands the problem confronting the United States would become well-nigh insolvable."

In these circumstances the first essential step would seem to be to give to all our vital possessions in the western Pacific such defenses that they can not be taken on short notice, or without notice.

The fact must be plainly stated that an adequate fleet base in the western Pacific, costing less than two battleships, would make our fleet all powerful there, would enable us to enforce our open-door doctrine, to stop the imperialism of Japan and her disruption of China, and would prevent war in the Pacific by making it suicidal for Japan to go to war against us. The single fact that we have not got such a base makes our great fleet impotent in the Far East. Our Nation is deprived of any power to enforce its open-door doctrine for the protection of China, for the stopping of imperialistic conquest, and for the preservation of the peace of the world. And by leaving undefended our Far Eastern possessions, which are so valuable to Japan, we invite war. If war comes, it will be primarily because we have saved this base cost amounting to less than that of two battleships. If war comes, we will lose many times two battleships; we will spend many billion dollars, and we will lose many thousand lives, all because we have saved the cost of a base amounting to less than that of two battleships.

It should be realized that the officers of our Navy Department have exhausted their resources in efforts to bring the former administration and Congresses to an appreciation of these facts. The naval appropriations bill for the current year, as passed by the Senate, carried several considerable items for Pacific bases, aircraft, and airplane carriers which were thrown out or greatly reduced by the House of Representatives. This action reflected the point of view of a large contingent of "first-term" Members of both parties in the House whose inexperience and ignorance of the situation in the Pacific does not relieve them of their direct responsibility for our present defenseless condition there, which invites war.

In conclusion, attention should be invited to the probability, amounting almost to a certainty, that a war between the United States and Japan would produce immediately much greater dangers to Britain than to America. The day that war was declared the British war office would have to issue the orders that would mobilize, equip, and transport to India more than 2,000,000 troops. It should be added that such a large part of the present British Navy would be required for operations connected with the manning of India, that little support could be added to the British naval forces normally in the Pacific.

If the United States were to fail to preserve the Philippines and they were to pass to Japan, it would be but a matter of time before Hongkong, other British interests in China, and French Indo-China would pass to Japan, for the Philippines command the coast of southern China and of Annam. And with the Philippines in the possession of Japan her route to the Dutch East Indies, India, and Australasia would be open.

With the possessions of both Britain and America very seriously menaced in the event of a Japanese-American war, it would seem inconceivable that both should not work as one at the Washington conference to show Japan that her only safety is in abandoning her imperialism entirely. For if she persists in her present course she will bring on the war of the English-speaking peoples for the freedom of the Far East. And though in this at first Japan would gain her immediate objectives, Japan would not be at war against other orientals or against semioriental Russians, but against the race that commands most of the resources of the world and that never turns back. If Japan can be brought to read our open mind as clearly as we penetrate her oriental adaptations of Prussian policies, she will see that not by imperialism but by peaceful industry is the true way for her to fellowship among the really great nations.

Mr. LODGE. I was about to say when the reading was begun, and I will say it now, that the United States has six modern post-Jutland ships—the *Maryland*, *California*, *Tennessee*, *Idaho*, *New Mexico*, and *Mississippi*—of 32,000 tons and over. Under the provisions of the treaty allowing Japan to keep the *Mutsu*, we were allowed to scrap two of the old ships, the *North Dakota* and the *Delaware*, holding two ships in the *West Virginia* class. So that we have eight of the modern ships. France has no ship of over 23,500 tons. Italy has none over 22,700 tons. Great Britain has only one ship of over 28,000 tons. Most of her ships are of 25,000 tons and under, only one being larger, the *Hood*, which is of 41,200 tons. Japan has two modern battleships of the first class, the *Mutsu* and the *Nagato*, of 33,800 tons, about 1,200 tons larger than our eight ships.

By the final arrangement we are left, in the most modern ships, much stronger than any other power. I hope to get a statement of the speeds of the different ships. I have not been able to get that yet, but I will have it to-morrow.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in secret session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business with closed doors. After five minutes spent in secret executive session, the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate, in open executive session, took a recess until to-morrow, Friday, March 10, 1922, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 9, 1922.

APPRAISER OF MERCHANDISE.

Bert Kahn, of San Francisco, Calif., to be appraiser of merchandise in customs collection district No. 28, with headquarters at San Francisco, Calif., in place of Ed E. Leake, resigned.

ASSISTANT APPRAISERS OF MERCHANDISE.

Denis E. O'Keefe, of Redwood City, Calif., to be assistant appraiser of merchandise in customs collection district No. 28, with headquarters at San Francisco, Calif., to fill an existing vacancy.

Jacob Shaen, of San Francisco, Calif., to be assistant appraiser of merchandise in customs collection district No. 28, with headquarters at San Francisco, Calif., to fill an existing vacancy.

ASSAYER.

Burt G. Shields, of New York, to be assayer in the United States assay office at New York, N. Y., in place of George R. Comings, deceased.

UNITED STATES MARSHAL.

James F. Shea, of North Dakota, to be United States marshal, district of North Dakota, vice Stephen J. Doyle, removed.

RECEIVER OF PUBLIC MONEYS.

Charles W. Sederburg, of Holyoke, Colo., to be receiver of public moneys at Sterling, Colo., vice John W. Cloyd, whose term will expire March 15, 1922.

POSTMASTERS.

CALIFORNIA.

Nellie Pellet to be postmaster at Brawley, Calif., in place of Nellie Pellet. Incumbent's commission expired January 24, 1922.

Laura Teichman to be postmaster at Hydepark, Calif. Office became presidential January 1, 1922.

Claude A. Porter to be postmaster at Thermal, Calif., in place of K. A. Ivy, resigned.

Frank L. Huff to be postmaster at Mountain View, Calif., in place of J. I. C. Kennedy, resigned.

Byron Q. R. Canon to be postmaster at La Mesa, Calif., in place of B. Q. R. Canon. Office became presidential January 24, 1922.

Mary F. Stevenson to be postmaster at Imperial, Calif., in place of M. F. Stevenson. Incumbent's commission expired January 24, 1922.

Samuel N. Frost to be postmaster at Holtville, Calif., in place of P. B. Brown. Incumbent's commission expired July 21, 1921.

Tracy Learnard to be postmaster at Gilroy, Calif., in place of S. T. Moore. Incumbent's commission expired June 2, 1920.

COLORADO.

William M. Kintner to be postmaster at Swink, Colo., in place of W. M. Kintner. Incumbent's commission expired February 19, 1922.

Joseph E. Dennis to be postmaster at Golden, Colo., in place of J. A. Ferris, removed.

Annie Hurlburt to be postmaster at Norwood, Colo., in place of C. L. Spillman. Incumbent's commission expired January 24, 1922.

DELAWARE.

Ella W. Johnson to be postmaster at Newport, Del. Office became presidential October 1, 1920.

GEORGIA.

Jessie I. Crichton to be postmaster at Fort Benning (late Camp Benning), Ga. Office became presidential January 1, 1921.

Edgar H. Lawson to be postmaster at Sandersville, Ga., in place of A. J. Irwin. Incumbent's commission expired July 21, 1921.

HAWAII.

Joseph S. Oruellas to be postmaster at Koloa, Hawaii, in place of W. E. Smith, removed.

IDAHO.

Ira W. Moore to be postmaster at St. Anthony, Idaho, in place of F. A. Miller. Incumbent's commission expired August 6, 1921.

ILLINOIS.

Clarence L. Kiger to be postmaster at Cisne, Ill., in place of C. D. Resler. Incumbent's commission expired January 18, 1921.

Arthur F. Eberlin to be postmaster at Hardin, Ill., in place of A. B. Campbell. Incumbent's commission expired March 16, 1921.

INDIANA.

William O. Nation to be postmaster at Centerpoint, Ind. Office became presidential April 1, 1921.

Minnie A. Walpole to be postmaster at Fairmount, Ind., in place of W. P. Vanarsdall. Incumbent's commission expired January 24, 1922.

Ernest W. Showalter to be postmaster at Brookville, Ind., in place of A. J. Shriner. Incumbent's commission expired July 21, 1921.

Edgar H. Newlin to be postmaster at Bloomingdale, Ind., in place of F. S. Coffin. Incumbent's commission expired January 24, 1922.

IOWA.

Charles P. Ell to be postmaster at Rudd, Iowa. Office became presidential October 1, 1920.

Otto Anderson to be postmaster at Ossian, Iowa, in place of J. J. McManus. Incumbent's commission expired July 15, 1920.

Daniel O. Clark to be postmaster at Ogden, Iowa, in place of C. B. Clark. Incumbent's commission expired January 24, 1922.

Lynn McCracken to be postmaster at Manilla, Iowa, in place of J. J. McDermott. Incumbent's commission expired January 24, 1922.

Armanis F. Patton to be postmaster at Gowrie, Iowa, in place of C. H. Woodard. Incumbent's commission expired January 24, 1922.

Cleon F. Wigton to be postmaster at Britt, Iowa, in place of A. W. Lee. Incumbent's commission expired January 24, 1922.

KANSAS.

William E. Ferguson to be postmaster at Latham, Kans. Office became presidential April 1, 1921.

KENTUCKY.

Ben H. Lott to be postmaster at Lewisport, Ky. Office became presidential July 1, 1920.

Ludlow F. Petty to be postmaster at Louisville, Ky., in place of E. T. Schmitt. Incumbent's commission expired February 4, 1922.

LOUISIANA.

Paul T. Thibodaux to be postmaster at Donaldsville, La., in place of Wilfred Guigou. Incumbent's commission expired July 21, 1921.

Harry L. Truly to be postmaster at Harmon, La. Office became presidential October 1, 1920.

Dessie H. Ford to be postmaster at Pleasant Hill, La., in place of D. L. Ford. Incumbent's commission expired January 31, 1922.

Des Fuqua to be postmaster at Naborton, La., in place of Des Fuqua. Incumbent's commission expired January 31, 1922.

MASSACHUSETTS.

John Howe to be postmaster at North Brookfield, Mass., in place of John Howe. Incumbent's commission expired July 21, 1921.

William E. Gibson to be postmaster at West Bridgewater, Mass. Office became presidential October 1, 1920.

Ephrem J. Dion to be postmaster at Northbridge, Mass., in place of E. J. Dion. Incumbent's commission expired July 25, 1920.

Martin Hickey to be postmaster at Grafton, Mass., in place of Martin Hicky. Incumbent's commission expired July 21, 1921.

MINNESOTA.

Charley P. Fossey to be postmaster at Lyle, Minn., in place of Harvey Hildebrand. Incumbent's commission expired January 24, 1922.

Edgar Stivers to be postmaster at Dodge Center, Minn., in place of W. H. Franklin. Incumbent's commission expired January 24, 1922.

George W. Kiefer to be postmaster at Lewiston, Minn., in place of F. W. Kramer. Incumbent's commission expired January 24, 1922.

Johannes A. Bloom to be postmaster at Chisago City, Minn., in place of J. A. Bloom. Incumbent's commission expired March 16, 1921.

MISSISSIPPI.

Alma S. Evans to be postmaster at Ovett, Miss. Office became presidential October 1, 1921.

Davis Staples to be postmaster at Stewart, Miss. Office became presidential July 1, 1920.

John L. Hallmark to be postmaster at Belmont, Miss. Office became presidential April 1, 1921.

MISSOURI.

May Venard to be postmaster at Tina, Mo. Office became presidential July 1, 1920.

Abraham M. Smelser to be postmaster at Grandin, Mo. Office became presidential July 1, 1921.

Leland T. Moore to be postmaster at Warsaw, Mo., in place of G. D. Hart, resigned.

Fred Kelley to be postmaster at Puxico, Mo., in place of S. A. Norrid. Incumbent's commission expired January 24, 1922.

John J. Sleight to be postmaster at Montgomery City, Mo., in place of J. F. Ball. Incumbent's commission expired July 25, 1920.

Glenn S. Elliston to be postmaster at Montrose, Mo., in place of R. B. Wilson. Incumbent's commission expired July 25, 1921.

James H. Somerville to be postmaster at Mercer, Mo., in place of Ross Alexander, resigned.

MONTANA.

Erling B. Richardson to be postmaster at East Helena, Mont., in place of D. J. Kane, resigned.

NEBRASKA.

Frank A. Melvin to be postmaster at Murdock, Nebr. Office became presidential January 1, 1922.

Peter Rasmussen to be postmaster at Elba, Nebr. Office became presidential April 1, 1921.

Bert L. Strauser to be postmaster at Madrid, Nebr. Office became presidential January 1, 1921.

Elbert L. Taylor to be postmaster at Haigler, Nebr., in place of Ethel Chubb, resigned.

NEW JERSEY.

George W. Scarborough to be postmaster at Yardville, N. J. Office became presidential October 1, 1920.

Hillis K. Colkitt to be postmaster at Vincentown, N. J., in place of H. T. Allen. Incumbent's commission expired January 24, 1922.

Charles H. Ellis to be postmaster at Camden, N. J., in place of H. M. Knight. Incumbent's commission expired August 6, 1921.

William W. Yates to be postmaster at Bivalve, N. J., in place of R. A. Sheppard. Incumbent's commission expired January 24, 1922.

NEW YORK.

Winfield S. Carpenter to be postmaster at Horicon, N. Y. Office became presidential January 1, 1922.

Scott E. Phinney to be postmaster at Westport, N. Y., in place of J. E. Hoffnagle. Incumbent's commission expired January 24, 1922.

Howard M. Brush to be postmaster at Smithtown Branch, N. Y., in place of C. H. Hunting. Incumbent's commission expired January 24, 1922.

Robert L. Smith to be postmaster at St. James, N. Y., in place of A. J. Beck. Incumbent's commission expired January 24, 1922.

Frederick Harrigan to be postmaster at Roosevelt, N. Y., in place of R. J. Delap. Incumbent's commission expired January 24, 1922.

Benjamin S. Helmer to be postmaster at Mohonk Lake, N. Y., in place of Hugh Smiley, resigned.

William L. Buck to be postmaster at Mexico, N. Y., in place of H. D. Nichols. Incumbent's commission expired January 24, 1922.

Clarence E. Hirsch to be postmaster at Lindenhurst, N. Y., in place of W. F. Wild. Incumbent's commission expired July 21, 1921.

Earle L. Burdict to be postmaster at Belmont, N. Y., in place of W. A. Hosley. Incumbent's commission expired January 24, 1922.

Milton Jeffery to be postmaster at New Woodstock, N. Y. Office became presidential April 1, 1921.

Hugh M. Hall to be postmaster at Cassadaga, N. Y. Office became presidential July 1, 1921.

Gilford L. Hadley to be postmaster at Sandy Creek, N. Y., in place of G. D. Wart. Incumbent's commission expired January 24, 1922.

George P. Hammond to be postmaster at Pearl River, N. Y., in place of Edward Blackwell. Incumbent's commission expired July 21, 1921.

George E. Gladstone to be postmaster at Margaretville, N. Y., in place of J. W. Telford, resigned.

Charles D. Overacre to be postmaster at Manchester, N. Y., in place of C. D. Overacre. Incumbent's commission expired January 24, 1922.

Harvey S. Decker to be postmaster at Germantown, N. Y., in place of J. J. Hover. Incumbent's commission expired January 24, 1922.

Lincoln G. Hawn to be postmaster at Evans Mills, N. Y., in place of A. E. Helmer, resigned.

James E. McDonald to be postmaster at Cohoes, N. Y., in place of J. H. Bullock. Incumbent's commission expired July 21, 1921.

William J. Scott to be postmaster at Black River, N. Y., in place of J. H. Ten Eyck. Incumbent's commission expired January 24, 1922.

James Avery to be postmaster at Aurora, N. Y., in place of J. J. Maloney. Incumbent's commission expired January 24, 1922.

NORTH CAROLINA.

Warren G. Elliott to be postmaster at Wilmington, N. C., in place of H. M. Green. Incumbent's commission expired July 21, 1921.

Willie W. Seawell to be postmaster at Fuquay Springs, N. C. Office became presidential October 1, 1920.

Roscoe C. Jones to be postmaster at Manteo, N. C., in place of R. B. Etheridge. Incumbent's commission expired January 24, 1922.

James D. Andrews to be postmaster at Fairmont, N. C., in place of S. P. Wilson. Incumbent's commission expired January 24, 1922.

NORTH DAKOTA.

Andrew D. Cochrane to be postmaster at York, N. Dak., in place of A. D. Cochrane. Incumbent's commission expired January 24, 1922.

David J. Holt to be postmaster at La Moure, N. Dak., in place of Pearl Miller. Incumbent's commission expired January 24, 1922.

Anna A. Bjornson to be postmaster at Kulm, N. Dak., in place of A. A. Bjornson. Incumbent's commission expired August 26, 1920.

Charles E. Harding to be postmaster at Churchs Ferry, N. Dak., in place of C. E. Harding. Incumbent's commission expired January 24, 1922.

Anthony Hentges to be postmaster at Michigan, N. Dak., in place of Anthony Hentges. Incumbent's commission expired January 24, 1922.

Kathryn Savage to be postmaster at Braddock, N. Dak., in place of Kathryn Savage. Incumbent's commission expired December 20, 1920.

OHIO.

Leonard L. Harding to be postmaster at Milford, Ohio, in place of P. W. Guilday. Incumbent's commission expired January 31, 1922.

Clarence McKinniss to be postmaster at Hamden, Ohio. Office became presidential April 1, 1920.

John M. Sweeny to be postmaster at West Alexandria, Ohio, in place of O. V. Fritz. Incumbent's commission expired January 31, 1922.

Fred Mills to be postmaster at Sebring, Ohio, in place of G. J. Windle. Incumbent's commission expired January 31, 1922.

Mathias Tolson to be postmaster at Salineville, Ohio, in place of Barbara Crosser. Incumbent's commission expired January 31, 1922.

Adda B. Henkle to be postmaster at Larue, Ohio, in place of T. P. Dodd. Incumbent's commission expired January 31, 1922.

Cortelle B. Hamilton to be postmaster at Kinsman, Ohio, in place of B. C. Porter. Incumbent's commission expired July 21, 1921.

George F. Ruggles to be postmaster at Jefferson, Ohio, in place of O. D. Kemper. Incumbent's commission expired January 31, 1922.

Harry W. McKinstry to be postmaster at Athens, Ohio, in place of E. R. Lash. Incumbent's commission expired January 31, 1922.

Egbert H. Phelps to be postmaster at Andover, Ohio, in place of C. L. Burns. Incumbent's commission expired January 31, 1922.

OKLAHOMA.

James E. Elliott to be postmaster at Duncan, Okla., in place of R. E. Lee Woods, resigned.

PENNSYLVANIA.

Daniel L. Kauffman to be postmaster at Oley, Pa. Office became presidential April 1, 1921.

Harvey L. Sterner to be postmaster at Gardners, Pa. Office became presidential July 1, 1921.

Margaret W. Troxell to be postmaster at Egypt, Pa. Office became presidential October 1, 1921.

Clyde S. McNeely to be postmaster at Dauphin, Pa. Office became presidential April 1, 1921.

Thomas Powell to be postmaster at Patton, Pa., in place of W. H. Denlinger, sr., deceased.

Helen H. Rodgers to be postmaster at Fredericktown, Pa., in place of G. L. Horn, declined.

Lemuel L. Bosserman to be postmaster at Barnesboro, Pa., in place of T. H. McKenzie. Incumbent's commission expired August 7, 1921.

John F. Harshey to be postmaster at Penn (late Penns Station), Pa. Office became presidential October 1, 1920.

SOUTH DAKOTA.

Samuel E. Laurer to be postmaster at Canova, S. Dak., in place of W. T. Gough. Incumbent's commission expired March 16, 1921.

TEXAS.

John W. Osborne to be postmaster at West Columbia, Tex. Office became presidential January 1, 1920.

Lee Gray to be postmaster at Mabank, Tex., in place of W. J. Lamb. Incumbent's commission expired July 21, 1921.

John E. Clarke to be postmaster at Knox City, Tex., in place of Sam Anderson. Incumbent's commission expired January 24, 1922.

Gerhard Dube to be postmaster at Bishop, Tex., in place of C. H. Jones, resigned.

VIRGINIA.

Frank L. Schofield to be postmaster at University of Richmond (late Richmond College), Va. Office became presidential July 1, 1919.

Jessie M. Martin to be postmaster at Concord Depot, Va. Office became presidential April 1, 1921.

Grief C. Giles to be postmaster at Chatham, Va., in place of J. S. Haile. Incumbent's commission expired January 24, 1922.

WEST VIRGINIA.

Emmett W. Williams to be postmaster at Stotesbury, W. Va. Office became presidential July 1, 1921.

Ralph S. Kauffeld to be postmaster at Star City, W. Va. Office became presidential April 1, 1921.

WISCONSIN.

Albert W. Priess to be postmaster at Maiden Rock, Wis., in place of H. G. Smith. Incumbent's commission expired September 8, 1921.

Halvor Thorson to be postmaster at Hawkins, Wis. Office became presidential April 1, 1920.

Bert B. Powers to be postmaster at Fennimore, Wis., in place of J. J. Scanlan. Incumbent's commission expired January 11, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 9, 1922.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Gerhard A. Bading to be envoy extraordinary and minister plenipotentiary to Ecuador.

POSTMASTERS.

CALIFORNIA.

Christian F. Richter, Auburn.
Vada M. Slye, Cucamonga.
Margaret G. Kerwin, Dorris.
James F. Van Matre, Downey.
Charles G. Heiser, Jackson.
Charles Osborne, Lankershim.
George L. Baker, Monrovia.
Charles H. Silva, Newcastle.
Roy E. Copeland, San Jacinto.
Samuel F. Ellison, Vacaville.
Clifford M. Moon, Victorville.

COLORADO.

Thomas J. Bradshaw, Ignacio.

GEORGIA.

Richard E. Lee, Concord.
Samuel K. Hogue, Hapeville.
Jimmie R. Studstill, Milan.
Ivey M. Cox, Newton.
Bernie C. Chapman, Porterdale.
Baxter Sutton, Rochelle.
Robert E. Hudson, Unadilla.
John W. Westbrook, Winder.
Edgar S. Hicks, Yatesville.

ILLINOIS.

William R. Barnstable, Chesterfield.
George A. Wollermann, Fillmore.
Joseph T. Stathem, Pearl.
Chester O. Burgess, Sigel.

MASSACHUSETTS.

Frank D. Babcock, Haverhill.

MICHIGAN.

Augustus J. Bills, Grand Ledge.

MISSOURI.

Victor N. Remley, Orrick.

OREGON.

Minta D. Lundberg, Wheeler.

TENNESSEE.

Bernard S. McMahan, Alcoa.
Will S. Hambright, Charleston.
William F. Campbell, Decatur.
Joe R. Taylor, Etowah.

WASHINGTON.

Katherine A. King, Carbonado.
George L. Deu Pree, Marysville.
Austin I. Dickinson, Riverside.

WEST VIRGINIA.

Howard Cook, Lorado.

WISCONSIN.

George B. Archenbrener, Fifield.

WITHDRAWALS.

Executive nominations withdrawn from the Senate March 9, 1922.

POSTMASTERS.

GEORGIA.

Jessie I. Crichton to be postmaster at Camp Benning, in the State of Georgia.

MISSISSIPPI.

Homa M. Salley to be postmaster at Stewart, in the State of Mississippi.

VIRGINIA.

William T. Cross to be postmaster at Concord Depot, in the State of Virginia.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 9, 1922.*

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore [Mr. WALSH].

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

To God, our Father in heaven, we offer our tribute of thanksgiving. We have neither worth or merit to match Thy wealth of mercy and truth. We turn to Thee in humility and ask again to give life and encouragement to our languishing virtues. Impart to us strength, joy, and willingness, and as we wait in quiet reverence may we feel Thy purpose for our Nation. Be Thou our refuge and defense when peril is nigh and always regard our country according to Thy loving kindness. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

HOUSING FOR WAR NEEDS—CONFERENCE REPORT.

Mr. LANGLEY. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. LANGLEY. I desire to make a motion to take from the Speaker's table the bill H. R. 9597, and to concur in the Senate amendment.

The SPEAKER pro tempore. The gentleman from Kentucky calls from the Speaker's table the bill H. R. 9597, and moves to concur in the Senate amendment. The Clerk will report the bill by title and the Senate amendment.

The Clerk read as follows:

A bill (H. R. 9597) entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918.

The Senate amendment was read.

The SPEAKER pro tempore. The Clerk will report the language stricken out by the amendment.

The language was read by the Clerk.

Mr. GARNER. Will the gentleman from Kentucky yield for a question?

Mr. LANGLEY. Yes.

Mr. GARNER. Was the provision that has been stricken out from this bill in the original bill that was reported to the House by the Committee on Public Buildings and Grounds?

Mr. LANGLEY. It was, as I recall; that is, it was a committee amendment. I may add that all of the proponents of the measure advise me that they are entirely satisfied with the Senate amendment, which really does not affect the main purpose of the bill.

Mr. GARNER. I wanted to call to your attention and to the attention of the House that here is a bill reported by the com-

mittee which the House amended. It goes to the Senate, and the amendment is stricken out there. The people in favor of the amendment were on the conference, and the House ought to be informed on those things.

Mr. CHINDBLOM. The fact is that this amendment was put on by the House Committee on Public Buildings and Grounds and concurred in by the House. I will say further to the gentleman that the matter came up before the Committee on Public Buildings and Grounds this morning at a very well attended session. I think nearly all the members were present, and the committee this morning agreed unanimously to concur in the Senate amendment.

Mr. GARNER. Did you have additional information this morning that you did not have when you put the amendment in?

Mr. CHINDBLOM. I will say that I took a part in framing this amendment, and at the time we thought it was a matter of proper precaution. We do not think it is of sufficient importance to stop the passage of the bill now.

Mr. MANN. The amendment was a matter of doubtful propriety, but the House let it go.

The SPEAKER pro tempore. The question is on agreeing to the Senate amendment to the bill H. R. 9597.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 61, noes 1.

So the Senate amendment was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 10101) making appropriations for the government of the District of Columbia for the fiscal year ending June 30, 1923, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PHIPPS, Mr. JONES of Washington, and Mr. GLASS as the conferees on the part of the Senate.

RESIGNATION FROM COMMITTEES.

The SPEAKER pro tempore laid before the House the following communication addressed to the Speaker:

MARCH 8, 1922.

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committees on Reform in the Civil Service; Coinage, Weights, and Measures; and Expenditures in the Department of Commerce, to take effect immediately.

Very respectfully, yours,

A. PIATT ANDREW.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

AGRICULTURAL APPROPRIATIONS.

Mr. ANDERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10730) making appropriations for the Department of Agriculture.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10730, with Mr. Hicks in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10730, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes.

The CHAIRMAN. When the committee rose on Thursday the gentleman from Minnesota [Mr. ANDERSON] had 56 minutes remaining of general debate, and the gentleman from Texas [Mr. BUCHANAN] had 68 minutes remaining.

Mr. BUCHANAN. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Chairman and gentlemen of the committee, last week the gentleman from Wyoming [Mr. MONDELL] appeared before the Committee on Agriculture and urged, in effect, that the committee report no bills authorizing appropriations for new plans or policies not already well established. For this statement he was criticized by the gentleman from Louisiana [Mr. ASWELL]. The gentleman from Kansas [Mr. TINCHER] has undertaken to defend the gentleman from Wyoming and to justify the Republican floor leader's statement before the Agricultural Committee. The gentleman from Kansas is a very able member of the committee and one of the leaders of this House. He is a skilled lawyer and both by training and experience an ardent advocate. He is gifted in the art of so marshaling his facts as to make them appear in the most favorable light for his side of any question. I say this not by way of criticism but by way of description.

It may be assumed, therefore, that the gentleman made the best defense of the course pursued by the gentleman from Wyoming that could possibly have been made. It was artful in the manner in which it was stated and in that which it left unstated, but in spite of all this, in my judgment, it falls far short of justifying the position taken.

Now, what are the facts? The gentleman from Wyoming appeared before the Agricultural Committee and spoke for about 1 hour and 30 minutes. It is true that much of his language was indefinite; much of his logic was past finding out, and much of his thought was concealed in a wilderness of phrases. However, as I understand it, one thing shines through every part of his speech, and that is that he did not want the Committee on Agriculture to report any new legislation which might in any way authorize any kind of an appropriation for any new undertakings whatever, or for any others that were not already undertaken and well established. Oh, he was cautious——

Mr. MONDELL. Mr. Chairman——

Mr. JONES of Texas. I can not yield. I have not the time to yield. I have only 15 minutes.

Mr. MONDELL. But the gentleman must confine himself to the truth when he quotes me.

Mr. JONES of Texas. I am going to, in quoting from the gentleman from Wyoming. I expect to read the report of the stenographer's notes.

Mr. MONDELL. I want him to do that.

Mr. JONES of Texas. I will do that, and if it does not bear me out the House will judge of that fact.

The gentleman from Wyoming was cautious. He traveled all the way out to Wyoming to throw bouquets to the farmers. But after using enough verbal persiflage to cover about 16 typewritten pages he finally arrived at his destination and made this statement, which I am going to read. I will just read it direct from the stenographer's report in order that there may be no mistake about what it says. The gentleman from Wyoming had referred to some other measures, and then was evidently talking along general lines, when he used this language, and I ask you to note it carefully:

Whatever the merits are, this is not the time to consider any additional drains on the Federal Treasury, except for the carrying out of policies now undertaken and well established and proven in furtherance of purposes that seem to be essential to the restoration of prosperous conditions.

You will note the gentleman would limit the Committee on Agriculture to the carrying out of policies already undertaken which are "well established and proven." If that language has any meaning at all it means that the gentleman from Wyoming as floor leader was practically pronouncing the death knell of any legislation which the Committee on Agriculture might report which authorized any kind of an appropriation unless the work was already undertaken, already well established, and already proven.

It also means the death knell to the recommendations of the Agricultural Commission, which spent months investigating and which made numerous recommendations. What is to become of the results of the agricultural conference? That conference was called with a blare of trumpets and was a rather spectacular affair. The President went before that conference and made a "big" speech. I do not know whether the administration leaders like the recommendations made by the conference—I am sure they liked the publicity which they got out of it—but one thing is certain, and that is that the tactful way to destroy those recommendations is not to fight them directly, but to deny the necessary appropriations for the functioning of the activities that would take place under the recommendations if they should be carried out.

There are 10 recommendations set out by the Agricultural Commission, most of which call for legislation of a new character and most of which call for an appropriation on projects "not well established and not yet proven" and in many instances not yet undertaken.

I sympathize, and I am sure every member of the Committee on Agriculture sympathizes, with any effort at proper economy; but why pick on agriculture? Why start such a program with the committee that represents the farming interests of this country and which authorizes relatively an exceedingly small part of the appropriations of the Congress? The Agricultural appropriation bill carries less than one-fiftieth of the appropriations of the Congress, and yet a large portion of our citizens are farmers. I favor and have voted for tremendous cuts in appro-

priations, and I am against many of the large appropriations that have been made, but this is an attempt in the wrong place.

The gentleman from Wyoming may have gone before some other exclusive committees with an hour and a half speech urging that no more legislation be reported, but I have not heard of it if he did so. However that may be, the fact remains that this Congress has appropriated large sums for other purposes.

I do know that this Congress passed large appropriations for the railways, and while the gentleman from Wyoming has been floor leader we have authorized the refunding of what the railways owe us and authorized the payment of what we owe the railroads. I know that recently we appropriated more than $100,000,000 for the Shipping Board, with its high-priced officers and its 78 lawyers.

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I regret I can not yield. I have not the time.

I know this, that hardly had the echo of the voice of the gentleman from Wyoming died out of the committee room in which he gave utterance to what I read to you awhile ago until the President of the United States came on the floor of this House—the same day—and urged the appropriation of $30,000,000 annually as a subsidy to the big shipowners.

In view of this and other facts, it seemed strange that this should occur, because the gentleman from Wyoming was talking until nearly 12 o'clock about cutting down on agriculture and the President just after 12 o'clock was telling the Congress to make annual appropriations as a subsidy to the shipowners. Was there any connection between the two? Was it necessary to lop off a few paltry dollars from agriculture in order to subsidize the few shipping interests of this country?

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I regret I have not the time. I wish I could yield. I have only 15 minutes. I need more time than that.

Now, what is the attitude of the Republican Party generally toward the farmer? Everyone knows his plight. Everyone knows that farm products for months have been selling below the cost of production and that the men who have devoted their lives to these activities are in a deplorable state.

The Republican Party all along has rendered lip service to the farmers. They have been protesting their love for them. During the last campaign they walked down lovers' lane hand in hand with the farmer and whispered honeyed phrases in his ear. They sent him corsage bouquets of promises and uttered words that fell like liquid music on his ear, and they are willing to give him promises to-day.

Now, I just want to read to you again what the gentleman said in connection with the recommendations of the Agricultural Commission:

> Whatever the merits are, this is not the time to consider any additional drains on the Federal Treasury except for the carrying out of policies now undertaken and well established and proven in the furtherance of purposes that seem to be essential to the restoration of prosperous conditions.

The Agricultural Commission made a number of recommendations, and the agricultural conference, among other things, ratified the recommendations of the commission. That commission recommended that there should be a warehouse system which would provide a uniform liability on the part of warehousemen in which the moral and financial hazards would be fully insured. To this end the commission suggested the extension of the existing Federal warehouse law. In order to carry out this recommendation some appropriation must be authorized, and yet after the commission had made that recommendation the gentleman, it seems to me, undertakes to smother the activity by declaring against any authorizations for the purpose of carrying out any new proposals.

Again the commission recommended that there should be an extension of the statistical divisions of the Department of Agriculture. But after making the recommendation the floor leader slips over to the Committee on Agriculture and practically puts a ban on any legislation which would carry that activity into effect. It would take a very small amount of money to carry out its recommendations; but, no, we must feed the farmers on phrases in order to save money to contribute to the interest of the Shipping Board and the railroads. And, as a matter of fact, shining through the fine phrases which the gentleman used was the inevitable conclusion to which you are inexorably driven by the gentleman's language, that he wanted no legislation that would call for additional appropriations for any new activities for the relief of agriculture. I claim that is a natural inference from the language. If I am not justified, well and good.

But the next provision is that provision should be made by Congress for agricultural attachés in the principal foreign countries producing and consuming agricultural products. That most certainly would call for new legislation. Now, what did they mean when they called this conference, with all the agitation and publicity that accompanied it? I do not know what may have been the purpose with reference to this legislation, but I do know, gentlemen, that a very effective way to destroy these recommendations is to choke down the appropriations essential to the functioning of those activities. Is not that true?

During 1917 there was an old darkey who heard much talk about patriotism. It was new to him, and he said, "Boss, what's all this patriotism stuff what I hears so much about? What is patriotism, anyway?" The white man replied, "Why, Sam, patriotism is a man's love for his country. If a man is willing to fight for his country and die for his country he has patriotism. You would be willing to die for your country, wouldn't you?" The Negro studied a minute and said, "No, sah; I'se fooled around town so much the last few years I don't care nothin' much about the country." [Laughter.] These gentlemen of the Republican Party have fooled around big business interests so much in the last few years that they do not care much about the country and the country people in so far as doing anything practical is concerned. [Applause.]

Now, gentlemen, I am simply putting before you the recommendations of this commission, created since the Republicans have been in control of the Congress, which commission has done much of its work since the present President has been in the chair. An additional recommendation of that commission is as follows:

> That adequate Federal appropriations should be made for the promotion of better book and record keeping of the costs of production of farm products on the basis of the farm unit as a basis for the development of more efficient methods of farm management.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BUCHANAN. I yield to my colleague five minutes more.

Mr. JONES of Texas. That is another recommendation that would come under the plan of the gentleman's logic, and thus would fall by the wayside.

Now, gentlemen, I do not undertake to say whether all of these recommendations should be carried out, but I do say that it is not fair to create a commission and have it make recommendations and have a conference of farmers or so-called farmers from all over the Union come to this town and ratify those recommendations and then not undertake to carry out any of them.

Another recommendation which the commission made was a provision for the extension and coordination of a program of a practical and scientific investigation through State and National departments of agriculture and through agricultural colleges and universities directed toward the reduction of hazards of climate and weather conditions and of plant and animal diseases and insect pests. Of course, this would carry some additional authorization.

I may have misunderstood the somewhat nebulous language of the gentleman from Wyoming [Mr. MONDELL], and I may not be justified in my conclusions, but I understood that he specifically condemned a bill which would have carried out substantially that recommendation.

Again, the commission recommended:

> More adequate wholesale terminal facilities, particularly for handling perishables at primary markets, and a more thorough organization of the agencies and facilities of distribution of the large consuming centers of the country.

That is a bouquet which the ardent lover of the farmer promises to send and then, secretly in his own mind, refuses to send.

Another recommendation was:

> The development of better roads to local markets, joint facilities at terminals connecting rail, water, and motor transport systems, and more adequate facilities at shipping points, with a view to reducing the cost of marketing and distribution.

A fine chance those recommendations have, in view of the attitude of the floor leader of the Republican Party of this Congress! Those recommendations vanish into thin air when submitted to the flaming crucible of the Republican tests which are applied to the legislation reported out of the committee—the tests of the party that is already wedded to big business, and therefore seems to feel that it could not take on another bride without being guilty of bigamy.

Now, my friends, what is it that they mean by taking these contrary positions? They first tell the farmers—and they give broad and wide publicity to that statement—"We are going to do all we can to support and further the interests of agriculture," and then in a quiet sort of a way, to which no publicity

whatever is given, after the recommendations are made, the floor leader walks over to the Agricultural Committee, the channel through which legislation of this character must necessarily come in reaching the House, and, as I construe his language, in effect says, "Stay, boys, stay; we can not carry out these recommendations." It reminds me a little bit of the old Negro who fell out of a peach tree and broke his leg. Instead of going to a doctor he went to a veterinarian, who set his leg all right, but he made the mistake of turning it so that the foot pointed backward, and after that the old Negro could steal all the chickens he wanted to, because no one could trail him or tell which way he was going. [Laughter.] The gentleman evidently intends to get away with almost anything by making his trail go both ways. Here are the recommendations in black and white, practically every one of which would come within the ban of the exact language which I read to you, according to my construction of it. I claim if you will read it, if the gentleman places it in the RECORD, you will probably agree with me.

The gentleman has been holding it out for revision. I tried to get a printed copy of it last week, but I could not get it, and I had to go to the stenographer's notes. It may be turned in now, but I was informed by the clerk of the committee the day before yesterday that it had not been turned in yet.

The commission made another recommendation:

> The commission believes that an immediate reduction of freight rates on farm products is absolutely necessary to a renewal of normal agricultural operations and prosperity, and recommends prompt action by the railroads and constituted public authority to that end.

My friends, I have just read you from a copy some of the recommendations of the commission.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BUCHANAN. Mr. Chairman, I yield to the gentleman from Texas 10 minutes more.

Mr. JONES of Texas. I thank my friend. Why are the recommendations, a part of which I have read and nearly all of which call for appropriations with reference to policies that are not well established and that are not thoroughly proven—otherwise, why are they ignored and why have the conference at all? If the gentleman can show that his language does not mean the thing that I have construed it to mean, if all of these recommendations by the commission and all of the recommendations by the conference are simply an extension of the activities already undertaken and well proved and established, what did the commission and the conference accomplish, and what was the use of having them?

Now, my friends, with reference to the railroad question: We passed a law here some time ago for the purpose of turning the roads back to the owners. It would take about four or five lines to do that, but we passed a bill containing 79 pages. Some of the legislation might have been necessary, it being a new project. But it seems to me that in the practical working of it we might have found some changes that should be made. That is my view, but I understand the view taken by the Interstate Commerce Commission is that no changes should be made, at least for the present. I know that no changes have been reported by the appropriate committees of this Congress. I do not know whether the gentleman went before the Committee on Interstate and Foreign Commerce and made the same speech that he made to our committee. If he did not go to the other big committees it seems to me that he was going far afield to talk about the meager appropriations for agriculture and stop there without going to the others. And if he did go, I wonder what his attitude was with reference to them.

It is absolutely essential that there be an adjustment of the present system of railroad rates, which are so high as to destroy a great portion of the traffic. Unless this is done the whole agricultural geography of the United States must be rewritten and placed on a different basis. One important step in this direction is to repeal the present law with reference to rate making and to restore, at least for the present, the control as it existed under prewar conditions.

On every side is heard a complaint of the high rates, especially as they apply to agricultural products and to live stock. The Interstate Commerce Commission is literally swamped with petitions and applications for reduction in freight rates. The only reductions that have been made, in so far as I have been able to learn, have been those that were voluntarily agreed to by the railways. There may have been some others, but they have been relatively few. In other words, since the enactment of the present law the making of rates has been practically in the hands of the railroads themselves. This does not seem to be fair in any sense. It would not be fair to permit the rates to be fixed wholly by the shipping and consuming public. They would perhaps want rates at practically nothing. On the other hand, it is manifestly unfair to let the railways fix rates and to have reductions only when they file voluntary schedules asking for reductions, because while the public would like to have free transportation, on the other hand the railways naturally want rates that produce the greatest revenue. Somewhere between these two extremes there should be a middle ground, where rates could be fixed that would be fair alike to the public and to the railroads. Yet in so far as I have been able to observe, they have been fixed practically by the railways themselves, and in their anxiety to get the rates high enough to suit themselves they have gotten them almost so high as to destroy themselves.

It is not so much the fault of the Interstate Commerce Commission as of the law itself, imposing, as it does, upon them the impracticable duty of fixing both intrastate and interstate rates, thus placing a greater burden upon them than anybody of its present membership can attend to. In the multitude of applications that come to them they have been relying in a large measure upon data and statistics furnished by the railroads themselves. But, even if the commission were a large enough body to do all the work that is placed upon them, as a practical proposition the giving of them charge of local rates and rate making makes a system that becomes absolutely unwieldy. Under the old system, if a local rate were too high, application could be made to the local commission and an adjudication had within a very short period of time by a body that kept in touch with the local conditions and which could get the facts much more quickly and accurately than any far-away commission can possibly do. As it is now, when a local rate is complained of the complaint is lost in a sea of other applications and the local shipper and producer can only cry for relief and has no language but a cry.

When a Texas producer in shipping vegetables is compelled to pay four or five times as much in freight rates as his produce brings there is something radically wrong. When a Texas farmer or a farmer from any other State is compelled to pay more for his freight rates than his corn or his milo maize will net him, when he has incurred the expense, done the labor, and suffered from the uncertainties of the season, a condition exists which must be remedied.

I have had letters showing that it costs more to ship horses from the Panhandle of Texas to Oklahoma than the horses would bring; that it costs as much to ship a carload of fruit from California to Texas as the fruit is worth; that corn must be burned for fuel because it can not be sold for enough to pay the shipping, and that the rates are so high that it makes it more economical to burn corn than to buy coal. Thousands of tons of vegetables rotted in the fields of Texas last year because of this condition, and much of the production of that and of other States—for what is true of Texas is true of other agricultural States—is sold below the cost of production.

Prior to the war we had the finest system of railroads that existed on the face of the earth. We had developed under the dual system of interstate and State commissions. Anyone who had a real complaint to make could always get a hearing and an early decision. But as the same has been managed since the passage of the present law it has been just as bad as if there had been no commission, for if rates are to be fixed only on voluntary acts by the railways themselves what boots it to have an Interstate Commerce Commission?

There must be a change if agriculture, business, and industry are to survive. Either we must go back to the old dual system or devise an entirely new system whereby a body will be established for rate making that will make rates that will be fair alike to the public as well as to the railroads.

There has been considerable complaint by officials in the administration of the so-called "farm bloc," and that an effort has been made to get them to desist. It seems strange that no complaint has been made of the manufacturers' bloc, the railway bloc, or the various other interests represented here. These others are not called "blocs," but they stand together in absolute unity, and if one is called upon the legislative carpet for a lecture, why should not the others be? The fact that the others stand together makes it essential that those representing the agricultural sections also work in unison in order that their rights may be in a measure maintained and secured.

From the early history of this country, from the time when Israel Putnam deserted his plow in the field, mounted his horse, and fought for the defense of his country, the farmer has been in the vanguard of battle and has always done his part in every national activity. Here comes a great party into power, creates a commission, calls a conference, has a wonderful demonstration, and then stops short, and stops, it seems to me, very unfairly. I ask the Members of this House if, in their judgment, it is fair and just to allow a thing of this kind

to go by unchallenged. I ask any of the gentlemen on that side who may undertake to reply to make an explanation of what I have read in connection with the recommendations of the agricultural conference. I ask you to place alongside in the deadly parallel the recommendations of the commission and the remarks of the gentleman from Wyoming and then reach your own conclusions. If you will do this I believe you will say that I am fully justified in reaching the conclusions I have stated, and that it is idle to expect any material relief for the interests of agriculture from the party now in power. [Applause.]

Mr. ANDERSON. Mr. Chairman, it is evident the speech of the gentleman from Louisiana [Mr. ASWELL] did not fill the bill, and we are therefore edified by a speech from the gentleman from Texas, which it is hoped will fill the bill by providing a campaign document in the campaign against the majority leader, Mr. MONDELL. The trouble with the gentleman from Texas is that he did not add the last chapter to his story. He has read the recommendation of the Joint Commission of Agricultural Inquiry. Every recommendation which that commission made has either been carried out or is in the process of being carried out or is covered by an increased appropriation in this bill. [Applause on the Republican side.]

The first of those recommendations was for the passage of the cooperative marketing bill. That bill has been passed.

The second of the recommendations was for an adequate rural credit law. That bill has been introduced and hearings are set for it in the Senate for to-morrow, Friday, and I understand that hearings will soon be had by the House Committee on Banking and Currency.

The third recommendation was for a national warehousing system and more adequate appropriations for carrying the national warehouse law into effect. An additional appropriation for that purpose is carried in this bill.

The fourth recommendation is for an immediate reduction in freight rates, and since the recommendation was made there have been reductions in freight rates on agricultural products aggregating more than $240,000,000 a year. [Applause on Republican side.]

The fifth recommendation was for an extension of the statistical divisions of the Department of Agriculture, particularly along the lines of procurement of live-stock statistics. An additional appropriation is carried in this bill to carry out that recommendation.

The sixth recommendation is for a provision for agricultural attachés in the principal foreign countries producing and consuming agricultural products. A small additional appropriation is made to carry out that purpose in this bill.

The seventh recommendation is for the development by trade associations and by State and Federal sanction of more accurate, uniform, and practical grades of agricultural products and standards of containers for the same. That does not call for legislation, but provision is made in this bill for continuing that work.

The eighth recommendation is for adequate Federal appropriations for the promotion of better book and record keeping on the part of farmers. While this bill does not carry, in terms, an added appropriation for that work, as a matter of fact that work is being expanded, because the total amount of the appropriation available for this purpose last year was not expended and will be expended in the next fiscal year.

The ninth recommendation is for an extended and coordinated program of practical and scientific investigation through State and national departments of agriculture and through agricultural colleges and universities, directed toward reducing the hazards of climate and weather conditions and of plant and animal diseases and insect pests. Appropriation after appropriation, carrying additional amounts for the elimination and control of animal and plant diseases, in cooperation with all the States of the Union, are carried in this bill in direct conformity with that recommendation.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. JONES of Texas. How did the gentleman give increased appropriations for all these things and yet reduce the total appropriations carried in the bill of last year?

Mr. ANDERSON. We have done it by taking them off where they do not need them. [Applause on the Republican side.]

The tenth recommendation is for more adequate wholesale terminal facilities, particularly for handling perishables at primary markets and a more thorough organization of the agencies and facilities of distribution of the large consuming centers of the country. That is a matter almost exclusively within the domain of the States, and was so contemplated by the commission when it made its recommendations.

The eleventh recommendation is for development of better roads to local markets, and in this bill we are carrying an additional amount designed to improve the method of road construction, and there is now under way a continuing program of Federal aid to road construction in the United States.

The rest of these recommendations I do not need to read, because they relate to matters the solution of which is more or less the result of the cooperation of all the elements combined rather than of legislation. I mention these things because it seems to me it is fair that the House and the country should understand that something has been done and is being done to carry out the recommendations which the commission made.

As a result of the wise, constructive, and far-seeing program inaugurated by this administration and proposed by the commission there is everywhere indication of improving agricultural conditions. The credit situation is gradually being relieved. Freight rates on farm products have been reduced and further reductions are in prospect. Prices of agricultural products are showing continued improvement. The price of corn has increased from 17 cents to 50 cents a bushel; wheat from $1 to $1.40 per bushel. The fat lambs, cattle, and hogs have shown similiar improvement. While, on the other hand, reductions in consumers' prices are slowly but steadily bringing the farmers' dollar to its prewar purchasing power.

Mr. Chairman, I yield 20 minutes to the gentleman from Wyoming [Mr. MONDELL]. [Applause on the Republican side.]

Mr. MONDELL. Mr. Chairman, the ides of November are eight months away, but the campaign is already on. It started the other day down among the canebrakes of Louisiana and has finally gotten up to the short-grass country of Texas.

A MEMBER (on the Democratic side). And Wyoming.

Mr. MONDELL. Oh, the campaign is directed toward the coming senatorial campaign in Wyoming. That is very patent and evident to everyone.

There are a good many different brands of demagogy. I think the cheapest and most indefensible brand is that which assumes that the people are simple-minded enough that all that it is necessary to do is to invoke the name of a good cause and then assume that everything urged on behalf of it, to the bottom of the Treasury and to the extent of the Federal authority, is commendable. Certain gentlemen make a specialty of the farmer, and while they may never have farmed except to farm the farmer, and while they may know nothing and care less about agriculture, inasmuch as the farmer is perhaps the most highly esteemed of all classes of our people, they indulge in demagogy by claiming to be the particular champion of the farmer and by attempting to create the impression that other people are not friendly to him. That may go where the percentage of illiteracy is low, it may go where people do not hear unbiased political discussion, but it does not go in the country which I have the honor to represent or much of the country thereabout.

Those in position of considerable responsibility are not able to, at least they should not, indulge in the luxury that some gentlemen are tempted to indulge in, of camouflaging with regard to their views and purposes and assuming and pretending to be for anything and everything that may temporarily or locally seem popular. A man in a position of considerable responsibility, if he is worthy of his responsibility, must play his game in the open, and it must be known to all men what he stands for and why he stands for it. One of the duties of the position which I occupy is that of endeavoring to carry out the will and the wish and the purpose of the majority representatives of the party to which I belong, and the will and the wish and the purpose of that party is to overcome the frightful handicaps of the conditions that were bequeathed to us as the result of a great war and the grievous and countless mistakes of the Democratic administration, and to endeavor to restore prosperity to the Republic and its people and to bring conditions back to normal.

ABUNDANT PROVISION WITH ECONOMY.

While abundantly providing for every essential activity that may properly be aided by the Federal Government, it is our duty to keep the sum total of appropriations at the lowest figure consistent with good service and within the Nation's income. In doing that, it is necessary for one in my position, if he does his duty, to talk with members of committees relative to legislation and appropriations pending before them, to frequently, on the floor of the House and elsewhere, advise, advocate, and insist upon economy. I hope that as floor leader I have not forfeited the privilege of appearing before committees to express my views. In fact, I believe it to be my duty, especially when invited to appear before committees, to urge such action as will properly promote the progress and development of the

country and is essential to the restoration of prosperity. At the same time it is my duty to advise that we avoid unnecessary, uncalled-for, and nonhelpful expenditures of the public money.

I have frequently appeared before committees, I have talked to many Members relative to these matters, but no member of the Democratic minority assumed to take special notice of that or complain about it until I appeared before the Committee on Agriculture to discuss certain matters pending before that committee.

Having done this, lo! it dawned upon the minds of the gentleman from Louisiana [Mr. ASWELL] and the gentleman from Texas [Mr. JONES] that here was a wondrous opportunity in the name of the farmer to assail the floor leader. While I do not claim undue credit, I hope that I have had my proper part in the legislation of this Congress, and I say without fear of successful contradiction that no legislative body ever sat on earth which in the same length of time did so much for the farmer and the stock raiser as this Congress has done. [Applause on the Republican side.] And I have favored it, all of it, and have so far as I was able to do aided and advanced it.

SPLENDID RECORD IN AID OF AGRICULTURE.

The emergency tariff that so greatly benefited the grain raisers and cattle growers and sheep growers of the country, that restored to something like reasonable figures the prices of the great staples of agriculture; the packer bill, passed in the face of the opposition of the radicals, especially in another body, placing upon the statute books sound, sane, and sanitary measures of regulation affecting the great packing and allied industries; the antigambling in grain futures bill, originating in the House and now upon the statute books; the farmers' cooperative marketing act, which passed the House many months ago, lay for a long time in a comatose condition in the Senate, and finally, through pressure from the House, was resurrected and is now on the statute books. [Applause on the Republican side.] The legislation amending the war finance act, under which many millions of dollars have been loaned to the farmers and stockmen of the South and West, saving, actually saving, in a crisis the stock-growing business of the country; saving it temporarily for the men engaged in it, saving it permanently for the benefit of the entire people of the Union. [Applause on the Republican side.]

These and many other provisions of legislation have been placed upon the statute books which have mightily aided in the restoration of the agricultural industries of the country. Some folks have attempted to create the impression that this legislation, so helpful to the farmer, has been the outcome of the efforts of a group or alleged group from agricultural sections of the country. Most of this legislation originated in the House, where no one has pretended there was group action. This legislation, helpful to the farmers, has been reported from a number of committees and has had the support of Republicans from every section of the Union. It is not bloc but Republican legislation, and there has in every case been a Republican majority for it.

So far as our Democratic friends have supported our program they have evidenced good judgment or good political sense, but it would not have been enacted except for the Republican majority. The other day a member of the Committee on Agriculture, with whom I was discussing some bills before that committee, suggested that some of them if now enacted into law would lay burdens upon the Federal Treasury hardly justified under the policy we are following at this time, and I expressed a willingness to appear before the committee and make some observations touching some of that legislation. That appearance has been heralded forth by the gentleman from Louisiana and the gentleman from Texas as an assault upon the farmer.

What were the bills before that committee relative to which I made certain observations? The first bill I referred to before the committee I favored. It was a real farmers' bill. It proposes to save to farmers in Montana and the Dakotas, thousands of them, everything that they have on earth, and the gentleman from Louisiana and the gentleman from Texas not only opposed it, as presented here the other day, but the gentleman from Texas, who has just spoken, assaulted it viciously and temporarily helped to defeat it, a bill proposing a loan to furnish seed grain to the drought-stricken farmers of the Northwest, a practical measure, to help men try another year at least a real, practical experiment. We proposed to help the men who are actually doing the job.

Mr. ASWELL. Will the gentleman yield?

Mr. MONDELL. To enable men to extend agriculture in the Northwest and to hold aloft the standards of our civilization on those frontiers where we are fighting drought and hard and unfavorable conditions. [Applause on the Republican side.] I can not yield.

Mr. ASWELL. The gentleman does not want to make a misstatement and not yield?

Mr. MONDELL. If the gentleman from Louisiana did vote for that particular measure, I modify my statement, but I stand on my statement as to the record of the gentleman from Texas, who did vote and speak against it.

Mr. ASWELL. The gentleman from Wyoming did not indorse the bill before the committee. He expressed a carload of sympathy, but that is all; but he did not say a word about favoring it.

Mr. MONDELL. The gentleman from Wyoming——

Mr. ASWELL. Expressed sympathy, but did not say the bill should be passed.

Mr. MONDELL. Well, of course, there is a distinction, and if that pleases the gentleman, all well and good. I made the arrangement under which the bill was brought before the House and voted upon. However the gentleman voted, the majority on his side voted against it. I made an earnest appeal for the bill, and still the gentleman from Louisiana is not satisfied.

Mr. ASWELL. I would like to say to the gentleman——

Mr. MONDELL. I can not yield further.

Mr. ASWELL. The entire Louisiana delegation voted for the bill.

Mr. MONDELL. I am glad a majority of the Louisiana delegation was right.

One measure before the Agricultural Committee, the passage of which I opposed at least at this time, on the occasion which my friends from Louisiana and Texas are trying to make famous, was a measure which proposed an enormous expenditure, the ultimate limit of which no man can measure, for the care through Federal expenditure of private forest lands. I made no special argument against the bill, though one can easily be made. I did say that at this time we could not afford to start on any such experiment and expenditure as that. There was a bill before the committee proposing to add to the Federal expenditures in connection with agricultural experimental stations a sum amounting to about $5,000,000 per annum ultimately. I gave testimony to the value and benefits of the work of the stations, but said that in my opinion this was no time for that increased expenditure.

I thank the gentleman from Texas [Mr. JONES] for having quoted my statement in summing up my position. I stand by it. One of my general statements was:

> I do not think that under present conditions we are justified in enlarging Federal activities at the expense of the Federal Treasury beyond what we are already pledged to, except where there is something in the nature of an emergency.

Among the bills before the committee there was one, as I have said, proposing to expend enormous amounts of Federal money for taking care of other people's forest lands; another that proposed an expenditure of a million dollars for the buying of forest lands.

I said, and the gentleman from Texas quoted me as follows:

> Whatever the merits of these measures are, this is not the time to consider any additional drains on the Federal Treasury except for the carrying out of policies now undertaken, well established, and well proven, or in furtherance of purposes that seem essential to the restoration of prosperous conditions.

I stand by that declaration, and both party platforms indorsed the view there expressed.

Mr. GARNER. Will the gentleman yield for a question?

Mr. MONDELL. I yield.

Mr. GARNER. Why did the gentleman deem it necessary to go before the Committee on Agriculture to make a statement at all? Why was it necessary to go?

Mr. MONDELL. The gentleman from Texas is too old a Member of Congress, and he knows the procedure here too well, to have asked that question in absolute good faith.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. I ask that I may have five minutes more.

Mr. ANDERSON. I yield five minutes more to the gentleman.

Mr. MONDELL. The gentleman knows perfectly well that it is my duty, as it is his as one of the leaders on his side, to advise against policies he does not believe to be in the public interest. And I am particularly charged with responsibility now of attempting to keep the public expenditures within the public income. I appear before committees repeatedly and discuss legislative matters with members of committees time after time, and it occurred to no one to question it until someone somewhere, probably outside of this Chamber, suggested to some gentleman in the Chamber that here was a chance to play a little politics by assuming that the floor leader must

not appear before the Agricultural Committee, wherever else he might make his arguments. Useless and unnecessary public expenditure for the care and preservation of private timberlands is just as unnecessary and just as useless and just as indefensible if reported out by the Committee on Agriculture as it would be if it were reported out by any other committee of the House. [Applause on the Republican side.]

An expenditure that is not justified or necessary acquires no merit in the minds of anyone, except somebody playing a demagogic game, because it happens to be reported out of some particular committee of the House. I repeat, we have done more for agriculture, directly and indirectly, in appropriations and in legislation, than any Congress that ever sat under this Dome or anywhere else on earth, and we have done it as a party and not as members of blocs or groups. And we shall do everything necessary and essential and proper from a Federal standpoint to advance this great and useful and essential national industry.

WORK OF JOINT AGRICULTURAL COMMISSION.

The gentleman from Texas [Mr. JONES], after having found fault with my attitude in trying to avoid useless and unnecessary expenditure, turned his attention to the gentleman from Minnesota [Mr. ANDERSON], chairman of the subcommittee and in charge of this bill and chairman of the Joint Agricultural Commission, and was rash enough to declare that certain recommendations of the commission had not been complied with and would and could not be complied with if we adhered to the attitude of economy which I had outlined.

The answer to these assertions of the gentleman from Texas just made by the gentleman from Minnesota [Mr. ANDERSON] is so complete and conclusive that it ought to discourage the gentleman from making assertions that can not be sustained. The gentleman from Minnesota, after noting the purely political character of the speeches of the gentleman from Louisiana [Mr. ASWELL] and the gentleman from Texas [Mr. JONES], put a complete extinguisher on the latter's assertions by calling attention to the fact that every recommendation of the Joint Commission of Agricultural Inquiry "has either been carried out or is in the process of being carried out or is covered by an increased appropriation by this bill." Then the gentleman from Minnesota proceeded in detail to tell how this had been done.

The cooperative marketing bill which the commission recommended has become a law. In fact it had passed the House long before; the commission was simply urging the Senate. The recommendation for an adequate rural credit law has been followed by the introduction of bills and by an arrangement for hearings. The recommendation relative to warehousing for agricultural products is met by an additional appropriation under the bill we are considering. Since the recommendation for reduced freight rates was made, freight rates on agricultural products have been reduced in the sum of $240,000,000 per annum, and more reductions are in sight.

The recommendations for increased live-stock statistics and for agricultural inquiries abroad in the interest of larger markets find a response in increased appropriations carried on this bill. The recommendation relative to improved standards of agricultural products and providing for uniformity in products and in containers for the same is not only met by appropriations in this bill, but so far as standards are concerned by measures now before the Congress from another committee. The recommendation for an extended and coordinated program for practical and scientific investigation toward reducing the hazards of climate and eradicating plant and animal diseases and insect pests finds its response in many items of the bill before us.

THE EVEN TENOR OF OUR HELPFUL WAY.

The gentleman from Minnesota concluded his complete refutation of the suggestion of the gentleman from Texas that we were not proceeding actively and successfully in our work in the interest of agriculture in the following clear and convincing statement made just before I took the floor:

> As a result of the wise, constructive, and far-seeing program inaugurated by this administration and proposed by the commission, there is everywhere indication of improving agricultural conditions. The credit situation is gradually being relieved. Freight rates on farm products have been reduced, and further reductions are in prospect. Prices of agricultural products are showing continued improvement. The price of corn has increased from 17 cents to 50 cents a bushel; wheat from $1 to $1.40 per bushel. The fat lambs, cattle, and hogs have shown similar improvement, while, on the other hand, reductions in consumers' prices are slowly but steadily bringing the farmers' dollar to its prewar purchasing power.

Ours has been the party that has placed agriculture on a sound, sane, and stable basis. [Applause on the Republican side.] Recognizing the great usefulness of agriculture to the people, we shall pursue the even tenor of our helpful way, unaffected by the demagoguery of those who claim to want to plunge us into unnecessary expenditure on the theory that it is to aid agriculture or the farmer.

Mr. GARNER. I want to state to the gentleman that I know his wonderful influence in bringing about results. I want to suggest to him if he could come before the Ways and Means Committee he could do a power of good. As to legislation for the farmer, does he intend to pass an amendment to the Federal reserve law, which does not cost a dollar in the world, requiring agriculture to be represented in the Federal system? Do you intend to pass that legislation?

Mr. MONDELL. Under the proper administration of the law and with the present Republican President in the White House, agriculture will be represented on that board, not by one man but by the practical knowledge and sympathetic efforts of every member. [Applause on the Republican side, the Members rising.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. WALSH having taken the chair as Speaker pro tempore, a message in writing from the President of the United States, by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On March 8, 1922:

H. R. 244. An act to provide for the disposition of abandoned portions of rights of way granted to railroad companies;

H. R. 5013. An act to authorize the Secretary of the Navy to sanction the inscription of titles upon certain monuments, tablets, or other memorials;

H. R. 7158. An act to amend the Army appropriation act approved July 11, 1919, so as to release appropriations for the completion of the acquisition of real estate in certain cases and making additional appropriations therefor;

H. R. 8842. An act to provide for agricultural entries on coal lands in Alaska; and

H. R. 10185. An act authorizing the exchange of lands within the exterior boundaries of the Malheur National Forest, in the State of Oregon, and for other purposes.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The gentleman from Minnesota [Mr. ANDERSON] has 22 minutes and the gentleman from Texas [Mr. BUCHANAN] 41 minutes remaining.

Mr. BUCHANAN. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman, the gentleman from Wyoming made so many general statements, as usual, and said so little definitely that I think I will not need five minutes in which to reply.

A bill came to the Committee on Agriculture carrying $5,000,000 for the suffering, drought-stricken people in the West. The gentleman from Wyoming came before the committee and was asked numerous questions, and finally, on about the fifteenth page, some one asked him how he stood on that bill. He started in by expressing sympathy for the drought-stricken people in his own part of the country, and before he left expressing a carload of sympathy, but never said at any time that he was for the bill; but being close to that territory, living in Wyoming, he supported it on the floor of the House, as I did myself.

It is most extraordinary that a gentleman informed as the gentleman from Wyoming should be should stand here and make a statement for public consumption by declaring that his party in power had done so much for the farmer, when it was in power for 30 years and during the entire time failed to pass a farm loan act or a warehouse bill. It did not occur to you then that the farmer was a factor in this Nation's life. You do not look to him for your campaign funds, but in your legislation you look to big business and special privilege for your campaign funds. So the farmer heretofore has not counted for very much with the Republican Party.

He boasts of the packers' bill and the grain futures bill. They were before the Committee on Agriculture for many weeks, and I supported both of them, because it became evident that they were the best bills that could be gotten from a Republican-controlled Congress; and it is a fact undisputed and known to every man familiar with the facts of record that the packers' bill had the consistent and persistent support of the packers and that the grain futures bill was heartily supported and amended by the grain gamblers. There is no question about that. These laws do not help the farmer or grower of live stock.

Mr. NORTON. Will the gentleman yield?

Mr. ASWELL. I decline to yield.

Now, Mr. Chairman and gentlemen, the gentleman from Wyoming makes the assertion that by my calling the attention of this House to his unusual and extraordinary visit to the Committee on Agriculture to assault the farmer-aid bills before it was done by me for political purposes in Wyoming. I am frank to say—and I think I have a reputation here as a gentleman whose word is worth something—that it never occurred to me that MONDELL was trying to be Senator in Wyoming.

It was as foreign from my thoughts as it is possible to conceive. If I had known or thought of it I would not have been uneasy about his winning the senatorship in Wyoming from the present Democratic Senator, because the gentleman from Wyoming [Mr. MONDELL] has forsaken the progressive spirit of the great West and has allied himself completely and uniformly with the stand-pat reactionaries in your party. You know that is true, that he has lost the confidence and support of progressive Republicans; and you know, furthermore, that I have no concern about that.

Why did I bring that matter of his trip to the Committee on Agriculture to the attention of this House? This is the reason: I had an earnest and heartfelt interest in that great bill introduced by a Republican Member, the gentleman from Indiana [Mr. PURNELL], to enlarge and make efficient and valuable the experiment stations in the various States of this Union, and that bill has the indorsement of every farm organization in this country.

It has the indorsement—the principle was actually indorsed—by your farm conference, and therefore I speak the exact truth when I say that the bill that the gentleman from Wyoming slipped into that committee to assault and to strangle and not permit you to consider has the support of 40,000,000 people in this country, and yet he presumes to come into that Committee on Agriculture and assault it in the back and strangle it, if possible, by frightening Republican leaders of that committee from reporting the bill to this House.

That is the reason why I made this statement to the House, and I have no apology to make. I will go on the stump, if need be, and present the truth, as backed up by the statement of the gentleman from Wyoming, made before the Committee on Agriculture assaulting the pending bills to aid the farmers. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. ANDERSON. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. KNIGHT].

The CHAIRMAN. The gentleman from Ohio is recognized for 10 minutes.

Mr. KNIGHT. Mr. Chairman, if I have not completed my remarks when my time expires, I ask the unanimous consent of the House to extend them in the RECORD.

The CHAIRMAN. The gentleman from Ohio makes that request now, I presume?

Mr. KNIGHT. Yes, sir.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. KNIGHT. Mr. Chairman, I shall devote the time at my disposal to an argument against the soldier bonus bill.

The Congress of the United States must soon decide what in my humble judgment is the most important question that has come before this session. The proposal of this body to vote a bonus to the service men of the World War I regard as most unsound from any standpoint from which it is examined. Indeed, it is indefensible, whether we apply to it the logic of economics or that of patriotism. In reaching this conclusion I wish it distinctly understood that I have no patience with those who, having amassed great fortunes out of the war, now sneeringly characterize these men as Treasury raiders wholly lacking in the right spirit of patriotism. These service men may be misled, and I think they are, but we must remember that when a man no longer has means on which to live, and finds the gates of employment shut upon his honest efforts to get work, he is not in the most favorable position to judge soundly any question that promises to put a few dollars in his pocket.

These men remember the fulsome promises of factory managers when they went forth, as they were told to make the world safe for democracy, that their positions would be there awaiting them on their return. And now that they have found strangers in their old jobs—have found that those who bedecked them in the habiliments of heroes, turn a cold eye and an indifferent ear upon their just claims for consideration—they would be more than human if they failed to resent it.

It is for this, if for no other reason, that we should now appeal to the service man, not as a Treasury raider, but as an American citizen, who, when he understands the facts, will face them with the same patriotic sacrifice that he displayed when he willingly risked his life in the service of his country.

I realize there will be many who will ask the not unreasonable question why he should again be called upon to stand with empty hands while the 20,000 new war millionaires sun themselves in the luxury of the wealth that disgraces those who amassed it out of their country's necessities. No such conditions should ever have existed. The whole man power of the country should have been conscripted. Capital should have been conscripted along with labor, and not a dollar should have been made by anyone out of the war. But no such conditions obtained. Indeed, if they ever do, then in all the countries of the world the hinges on the doors of the war temples will grow red with rust, and the banners of battle will lie forever folded in the silent places of peace.

Furthermore, I want to say here and now that I wish it were possible to lay a capital tax sufficient to pay its entire cost on the men who made fortunes out of this war. [Applause.] But that can not be done, and we must face the facts as we find them. War means not only destruction and death but an ensuing demoralization that prevents any country from doing full justice to the living. The ragged Continentals starved at Valley Forge, reddened the snows of the North with bleeding feet and laid down their lives from Ticonderoga to Yorktown to establish freedom on the North American Continent, and yet the Government made possible by their sacrifice could offer no reward to the living commensurate with the sacrifices of either the living or the dead.

When before overwhelming force the thin gray line broke and the stars and bars went down at Appomattox, the great race that had suffered and endured all things and had made the most gallant fight in history, went back to ruined homes and the graves of their dead, content with the imperishable memories of the sacrifice which they had made for a cause they believed was right. [Applause.] And the men who saved the Union felt that in their service to the country they had a reward which time could not stale. When, 10 years later, some of their ill-advised friends had succeeded in getting through Congress a bonus bill, their great leader, who was then President, promptly vetoed it. Neither the fame of the Grand Army nor the finances of the country, he said, should be subjected to such an assault, and Gen. Grant sent the bill back with his disapproval.

I have said that the bonus legislation is indefensible from either the economic or the patriotic standpoint. Let us get down to facts.

The war has left us a heritage of debt which now amounts to $23,000,000,000. That is a burden of $1,000 on every family in the United States. Our interest charges are over a billion dollars a year, and State and Federal taxation in one form or another is laying another blighting weight of perhaps $350 on every family in the country. The result of all this has been to demoralize the business of the country almost to the breaking point. Indeed, it is wholly useless to look for any substantial or permanent revival of business, and consequently the disappearance of the vast unemployment rife throughout the land, until we take at least some of these burdens off the backs of the tax-ridden people.

Instead of doing this, we now propose to do exactly the contrary. We propose to pass a bill that inevitably must exaggerate the dangerous conditions in which the country is now placed. If anybody knows the extent of this new burden, I have not yet met him. Secretary Mellon has estimated it at $3,300,000,000, while others have placed the guess as high as $5,000,000,000. This estimate was based, I believe, upon a former bill. As I understand it, the bill now before the House increases the final expenditures that must be made in this behalf more than three times. In the meantime it sets up another commission which, under the guise of making homes for veterans, will open the way for land speculation upon a scale which would have rejoiced the heart of Col. Sellers and made J. Rufus Wallingford green with envy. Town building for veterans, along with its inevitable shoals of superintendents and swarms of inspectors, will follow, and any man in Congress who questions the certain waste that must follow will be assailed as a contemptible enemy of the country wholly lacking in patriotism.

Indeed, if the country knew what this section of the bill is going to let the taxpayer in for, there would be a mighty howl from Maine to California. But, as usual, the howl will go up when the damage has been done and is irreparable.

In the meantime, the financing of the plan is placed upon the banks for the next three years. They are now unable, or at least they say they are, to finance the business enterprises of

the country. If a billion or two are tied up in these certificates, which can not be rediscounted, the effect will be to still further retard the business revival of the country; and all of this is to be brought about to give these men a sum which can be of very little aid to them in making their way in life. Such a plan will be satisfactory neither to the men nor the country, and what it will eventually cost the people God only knows.

Again I want to ask, where, at the end, are we going to get the money? Within 14 months we must pay or else refund more than six billions of obligations. Others are to follow, and consequently we can not consider bonds. To those who say out of the interest on the foreign debt, I would reply that we have not received any interest on the foreign debt yet, and so inscrutable are the ways of fate and diplomacy that we may never get any. But if we do, it is already pledged by existing law to Liberty bond payments; and if we by legislation now divert that fund to bonus purposes, we must proceed at once to replace it, and there is no way of doing it except by more taxation.

Let us deceive neither ourselves nor the country, that we can allay the wrath of a threatening legion by legislation which at most will enable them to borrow at high interest only one-half what this measure states is coming to them. When we pass this bill it means that the taxpayers are going to have the burden added to those under which they are now staggering. There is no other way to get it. We can not make a pilgrimage to the tomb of either King George or Napoleon, tenderly lay a wreath upon them, and have the treasury doors opened to us. We can not milk it from the blue sky, nor jimmy it out of any foreign country, notwithstanding the success they all once met here.

The people must pay it, and this period of grace is going neither to lighten their burdens nor appease the demands of the service men. What they want is immediate cash, and if we are going to do the thing at all, I share in their feelings. Many of them are out of work, and such plans as have been proposed will help them little, if at all. Indeed, if it is the wise and patriotic thing to do, I am in favor of inspiring ourselves with at least enough courage to come out in the open even before election and perform the act as it should be performed. If it is wise at all, let us pass it with the taxes necessary to raise the money at once and take full responsibility for it. By such a course both the taxpayer and the soldier will know where he stands without waiting until after election. We can not decrease the burden on the public, nor decrease our own responsibility by delays or evasions. And in all candor, I say that if, in view of the fact that it took us 50 years to pay off less than three billions of war debts after 1865, we are now willing to add this three or five billions to the twenty-three we now already owe, it will raise our estimation, both in the eyes of the soldier and the country, to do so now and make an end of it, as we paraphrase the prayer with which the judge consoles other condemned offenders. Let us do it and say: Lord, have mercy upon our political souls.

I am convinced that to pass this bill now or at all is only to still further slow down the wheels of industry, to still further add a burden to the backs of the very people who can least stand it, and therefore to still further decrease the chances of these service men to get a fair and right start in life. That they can ever do so upon this dole we propose to offer is wholly unthinkable to me. If, indeed, we have reached the point where it is necessary to imitate decadent Rome and shower largesses upon our returning victorious soldiers, in my humble judgment it would be far better to use all this money to allot them lands and help such of them as desire it to set themselves up in life at Government expense, not only with 40 acres and a mule but with a complete farm and flivver. However, very few of them want lands. They want cash, and this is why I assert that they will be satisfied with nothing in the plan which will be offered.

Mr. Chairman, I come now to consider the service man's side of this question. My sympathies are all with the youth of this land who in a war not of their making risked all for their country. Such men can not accept what we propose here to give. It is the duty of the citizen to defend his country and in no land where patriotism is really alive can the idea be accepted that he does so for compensation. Therefore any talk of adjusted compensation is little better than insult to him. Yet, sir, we propose as a great patriotic duty to give him $2 a day because plumbers and ditch diggers were getting $8 and $10 while he was defending his country. Their services should never be placed upon a parity with the civilian, however necessary or useful the latter may have been.

The soldier is not a workman engaged for hire, and the moment we begin to try and adjust his wages to equal those of factory workers we take him off the pedestal of the hero and we will forget him as we do forget the innumerable throngs who have not risked their lives for the country. His claims upon the country he has served do not terminate with the close of war. If he has been wounded, the Government seeks to bind up those wounds and to rehabilitate him once more into an active and useful member of society. If those wounds have disabled him, if he lost health or limb, a grateful people are proud to pay whatever is necessary to provide for him and his dependents. They do not regard him as they do the laborer whose claims cease when he is paid for the job, but as a ward of the Nation who has suffered all in its defense and now receives back the care, protection, and honor of the people.

We are already spending $500,000,000 a year to rehabilitate our soldiers, and we are told this must increase until 1927. We do not care if the sum were double or treble that amount, a grateful Nation is glad to pay it. In all probability pension claims in 10 years from now will call for a billion and a half a year. That does not matter, and we shall gladly pay that or any other sum that may be necessary.

I am willing to vote every dollar of the country's resources to bind up the wounds of these soldiers; I am willing to vote every dollar of the country's resources to care for the infirm, the disabled, the aged, and their dependents, so long as one of them shall be left to deserve a grateful country's reverence and aid, but I hesitate to take a step which, if taken, will be regretted by everyone of these men, and his descendants to the third and fourth generation. If these men understood that by pressing such claims they are not only jeopardizing their own fame but are placing a burden upon the country which will disastrously affect every person in it for years to come, they would be the last to want to take such a step.

They do not want to increase unemployment, to make heavier the already heavy burden of living, for a pittance which can only slightly alleviate their own condition. Such a course may appeal to the politician, covetous of place and power, but the noble birthright of the American soldier, who served his country through a sense of duty, and not for money, should be sold for no such paltry mess of pottage. He served because duty called. All he hoped to get was honor, and that honor should be preserved uncompromised to him and his descendants forever. I hesitate to drag him by legislation from the proud pedestal he now occupies into the labor market, there to adjust his compensation upon the basis of some gas fitter or ditch digger. He did not enter this war for pay. All he could hope to get out of it was the imperishable glory that he offered his life for his country, and to talk now of adjusting his compensation is to tinge the whole heroic fabric with a touch of the sordid and ridiculous. We may make strong denials to the contrary, but words can not change the facts of life, and it is utterly impossible to take this proposed action without smearing the whole glorious story with a black streak of commercialism.

It is urged in behalf of this measure that a man can not live on glorious memories. That is true. But let us suppose that a soldier were presented with a sword as a grateful testimonial for some splendid act of gallantry, and that after listening to the speeches he should say, "I can not live on a sword and if it suits you gentlemen just as well, take it back and give me a ham that I can eat." That too, would be true. And yet such a course would be followed by consequences so disastrous that no man would risk it. And yet what we propose here differs in degree and not in kind at all. These men that are now pleading for the passage of this bill do not understand its inevitable consequences. I am unwilling to be a party to this act which writes upon the pages of our history such a story, for I am convinced that it would be even more unfortunate for these men than it would be for the country.

Mr. Chairman, in conclusion I want to call attention to just one more phase of this subject, and one which I believe has been generally overlooked. Our Government was founded upon theories which were utterly repugnant to the recognition of any class that should receive special favors at the hands of the public. I know, sir, that this idea has long since ceased to attract the interested attention of the American public. On the contrary, we have long since cast to the winds even the spirit, if not the letter, of some parts of the Constitution designed to prevent that great calamity in the experiment of government. Indeed, we have ceased to translate great and fundamental principles into laws of general application which are designed for the promotion of the general welfare of the whole people. Instead we are constantly busying ourselves in experimental legislation utterly at variance with the teachings of our founding fathers and of doubtful value to anyone except, perhaps, the small groups and classes that promote it. There is no portent upon the overcast skies of our country that is more ominous.

Once any Government commits itself to the fatal policy of singling out preferred classes for special benefits it is lost.

The testimony of all history is eloquent of this fact, and we can not escape the fate of the countless dead nations that strew thick the highways of the past because they disregarded this fundamental principle. I doubt, sir, if we are going to heed the warning. Those who would hold steadfastly to the principles of the fathers are growing fewer in numbers as the years go by. On the contrary, every breeze is vocal of the weird clamor of the ever-increasing throngs who are teaching that it is the function of government to make men happy and prosperous here, if, indeed, not to give them a harp and crown across the Great Divide. Those of us who oppose these strange doctrines as unsound must oppose this bonus bill upon that ground also, for, indeed, it is the cap sheaf upon the whole stack of class legislation.

I am aware, sir, that our efforts will be futile. We shall not only fail in our opposition but we will be misunderstood, and so far has it become possible for a class to organize and dominate Congress that there will be few votes cast against this measure.

Indeed it is exceedingly doubtful if the man who opposes this bill had not better now say farewell to his political ambitions. The public is largely indifferent to any principles except those that return quick and personal results, and under such conditions it is not difficult for a small and vociferous minority to completely control government. The success of its predecessors emboldens each subsequent effort, and if we may believe the press reports we have now reached the point where amidst the applause of the unthinking multitude the head of the American Legion uses language to the President of the United States which might have been expected from a captain of Prætorian Guard to a weak and pusillanimous emperor of decadent Rome, but hardly to the Chief Executive of this great Republic. Presumption of class rights could scarcely go further.

Many of us who in private life have been opposing this fatal drift to class government and State socialism no longer feel that the public can be awakened and rallied to the defense of constitutional government as it was handed down to us by our fathers.

In my humble judgment the die is cast, and coming generations will return no more to the ways of the fathers. I would not be so presumptuous as to assert that the new road may not lead to a more splendid destination than ever could have been reached by the old one. But I can not in conscience follow it and I trust that my colleagues may pardon me if this, which perhaps is my last speech in the House, is directed against so popular a measure as the soldiers' bonus, which, nevertheless, I believe to be wholly and indefensibly wrong, for which reason I shall vote against it. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BUCHANAN. Mr. Chairman, I yield 18 minutes to the gentleman from Georgia [Mr. UPSHAW].

The CHAIRMAN (Mr. BEGG). The gentleman from Georgia is recognized for 18 minutes.

Mr. UPSHAW. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. UPSHAW. Mr. Chairman and gentlemen of the House, inasmuch as Congress has to be a sort of city council for Washington and the District of Columbia, it seems to me that something ought to be said on the floor of this House in honest commendation of the investigations that have proceeded thus far concerning the Knickerbocker Theater disaster, which was not only an unspeakable horror to Washington but a shocking national sorrow. Before the investigations of the coroner's jury and the grand jury began it was heard on every side that since such investigations are sometimes neither fearless nor faithful there might be some disposition not to do the square thing; but it has been a source of genuine gratification to every friend of humanity and of community righteousness that thus far there has been no evidence of a disposition to whitewash that investigation.

Not because this great tragedy touched my own home—although it is natural that my own interest has been accentuated by this fact—but because of the interest which all of us share in the sorrow which has come like a crushing avalanche upon thousands of others, I went to inspect the ruins and to try to discover the cause. I was accompanied by a prominent Washington physician, Dr. J. T. Wolfe, who was a student of engineering for several years before he became an expert physician and surgeon, and although only a layman myself concerning such construction, I saw at once through his interpretation that somebody connected with the building of the Knickerbocker Theater had been guilty of a selfish, careless neglect that was nothing short of criminal. Convinced that Congress owed a duty in this matter to the District, which it proposes to govern, I went to Senator CAPPER, who had introduced a ringing resolution calling for a senatorial investigation, and asked him to meet me at the ruins with several members of the Senate District Committee in order that personal investigation on their part might verify my conviction. Wednesday morning after the tragedy I met there Senators CAPPER, SHEPPARD, GOODING, JONES, and WELLER and two or three practical engineers, including Dr. Wolfe, helping in the investigation, and I am sure that every member of the committee was convinced, as I am, that the disaster is traceable directly to faulty construction and criminally careless inspection. I do not wish to be bitter toward any man. My heart is too full of that spiritual enrichment which always comes from personal sorrow and from "feeling another's woe" to permit me to indulge in bitter invective or groundless criticism. But as a Member of this Congress, to say nothing of my obligation as a citizen, I owe it to suffering humanity now, and to thousands more who may suffer if congressional lawmakers should hold their peace, to express my desperate conviction on this subject and to back up these investigations with every ounce and atom of my energy and influence. I believe that the Senate committee will leave no stone unturned until criminal and civil responsibility is established.

BARE WALLS SPEAK THEIR SILENT CONDEMNATION.

Somebody is grossly guilty. The bare walls that stand comparatively intact around that scene of horror witness with gaunt and silent condemnation against the builders of that theater. Their very existence after such a horrible crash spells condemnation in letters that blaze on the Washington sky. Anybody does not have to be a building engineer or an expert contractor or architect to know that the roof which fell was not properly fastened to the walls, or they would not now be standing so nearly perfect in appearance from the outside that a stranger passing along Columbia Road or Eighteenth Street would never suspect the indescribable tragedy that occurred but yesterday within those guilty walls. Think of it, if you can with equanimity! The girders supporting that roof rested on lintels set in hollow tiling and were not even keyed to their support. It is not enough to answer that those lintels had steel pillars for support—the girder slipped off the lintel on the Columbia Road wall when the roof sagged, for the main girder had only a 4-inch bearing. As an experienced builder who is a Member of this Congress said to me: "Human life was sacrificed in order to cheapen the cost of that roof." God save the tragic picture—money against humanity!

As an evidence of the fact that it was not merely the snow that made the roof fall, we see standing many other theaters that did not fall that night. It is positively inescapable that this Government has been paying inspectors salaries so unthinkable in their smallness that they were absolutely unable to command thoroughly capable men. One man who passed on those building plans—think of it—was a former bricklayer with no real, scientific experience in building. Another had been a mechanic in the navy yard, with the same lack of experience, while the man under whose eye the building in course of construction is supposed to have passed was a decrepid old man of 80 years who is now dead.

Securing their positions through political influence and holding them through governmental complicity and criminal neglect, they constitute the type of men before whom real architects, real engineers—graduates of such great schools as Boston "Tech," Georgia "Tech," and other famous engineering institutions—must lay their building plans and from whom these expert builders must secure permission to erect houses in the District. Is it little wonder that such inadequate and inefficient "officials" accepted plans for the Knickerbocker Theater drawn by an architect who furnished the plans of another playhouse in Washington that fell before it was finished?

Twenty-six inches of snow, weighing about the same as 2 inches of water, did not make enough weight to break any properly constructed roof. A roof that will not stand under 2 inches of water is a domestic and a community outrage. There was simply no stable connection between the roof and the wall. If there had been, the walls of the Knickerbocker would at least have been partly shattered when the roof went down with weight enough to destroy and maim the lives and bodies of hundreds. The main point is that the roof would not have fallen if the main girders had had sufficient bearing on the lintels. One contractor said, as he looked at the unprotected mortises from which those giant girders had slipped with such ease when the roof sagged, carrying such wholesale production of desolation and death: "I wouldn't build a roof like that for a house for my dog if I cared anything for the dog's life."

DO NOT BLAME THIS SIN ON GOD.

Again I declare that I do not wish to be personally bitter. But we must be just enough to startle and protect the living, although our arms are too short to rescue the maimed and the suffering or bring back the dead. I speak with reverence now, but I must resent the apologetic declaration of one prominent man who piously exclaimed that "Nobody should be blamed—it was the act of God!" That remark was doubtless reverent in spirit, but it is impious in doctrine. I deny the imputation against the God I worship and try to serve. God made the snow fall—the beautiful snow—in obedience to His beneficent law, but God never taught any contractor to use faulty material in the construction of a house; and God never taught any careless builder to construct a roof with such palpable lack of protection that it would suddenly fall and cause so much suffering and death. God can overrule for our spiritual good any great sorrow through which He permits us to pass, but He must not be charged with the improvident, selfish sin of any man or set of men who would save money at the expense of suffering humanity. It was the human devil of religious intolerance that lighted up the Dark Ages with the martyr fires of the saints, but the Son of God, who walked in the furnace of persecution with the Hebrew children, carried those martyrs of faith to Heaven on the wreathing bosom of flame. Let me speak in personal frankness to my honored colleagues. Well-meaning friends actually say to me, "I think it was a good thing that God made you fall on that wagon and hurt your spine when you were a boy, for I think you have done lots more good in the world than you would have done if you had never been crippled."

Permit me to say that I honor the spirit and intention of such a remark, but I gravely and joyously question its theology. I really think that the Lord did not have anything to do with making me fall on that wagon. I think I was standing carelessly as well as awkwardly, or I would not have fallen. But I do reverently rejoice to believe that when that ambitious farmer boy fell on that wagon when he was hauling wood the Master to whom he had already trusted his soul caught his body in His everlasting arms and has held him ever since. He knew how to stand by the bedside of that disappointed boy, lying amid the wreckage of his shattered hopes and dreams, and make the valley of trial a mountain height of joy, even as the Christ of Calvary, the Prince of Peace, came to those trusting souls amid the wreckage and the débris and the impending death at the Knickerbocker playhouse and helped them to make the darkness and the suffering vocal and radiant with the songs of triumphant faith and the light that broke through that hideous darkness from over the everlasting hills. He can kiss the somber face of any sorrow into an angel of light and blessing.

Ah, Mr. Chairman, since that trying experience, enriched by personal sorrow and the sorrow that is always lightened and sweetened when it goes into the valley of the shadow with others, I am in no humor to be bitter, and I am in no humor to meet an infidel. I have seen "religion on the job." I am thinking of what I have seen of the marvelous wealth of human kindness and Christian sympathy and fellowship. Everything that humanity and Christianity could suggest has been done for those who have suffered. I am thinking of a great wonderful city in Georgia, hanging for eight terrible days over the bedside of one suffering girl. I am thinking of the brave little town of Douglasville, which holds her sacred ashes, the town where she was born 16 years ago, where she gave her young heart to Christ and to the clinging hundreds who loved her—the noble town that broke its heart in prayers and tears during those anxious days of tension and suffering; I am thinking of the wilderness of flowers whose beauty and fragrance spoke at once the mingled, measureless love of the friends in Washington and the friends in Georgia whom God had given in such wondrous and sustaining plentitude—flowers which overflowed her own untimely resting place and covered, as her unselfish loving heart would have had them do, the new-made grave of her noble Christian father, my brother, Lucius C. Upshaw, who had been my companion secretary, my mental flint, my spiritual mentor, my daily inspiration.

All the heart's wild longings ended,
All life's wearying struggles past,
And the suffering body resting
'Neath the sweet spring flowers at last.

Ah, my colleagues, you who have been so thoughtful in your beautiful expression of sympathy and friendship, it is only natural for those of us who are humanly human to be selfish in our sorrow, but we must not be. We must multiply the staggering sorrow of our stricken home by a kindred sorrow in more than 200 homes, where broken bodies or broken hearts are the tragic toll of man's selfish, blundering sin.

Let us, therefore, as individuals and lawmakers, wisely and fearlessly place the blame of this great tragedy on sinful man and not on a sinless God, and move with resolute wisdom to protect thousands, perhaps yet unborn, from such a tragedy as that under whose unspeakable shadow the Nation weeps to-day.

STARS IN THE NIGHT.

Determined on this course for the sake of the righteous protection of others, as well as the vindication of the good name of the National Capital, whose residents have a right to expect of the Government the vigilant guardianship of their lives in places of public assembly, we turn our faces from the appalling scene and look for "stars in the night"—the night that baffles human philosophy and issues a sharp and startling challenge to the faith that holds; an anchor in the storm; the faith that clings and sings in the darkness where comprehension stops; the faith that triumphs, thank God, over the very "gates of hell." We see the first gleam from the Star of Bethlehem in "the still, small voice" of Him who said, "I will not leave you comfortless; I will come to you"; we see another gleam not only in the Holy Presence that alleviates personal suffering, but that enables the children of faith to so forget self that they actually sing their songs of comfort to others until the message to wounded and dying comrades is stilled in the tide of death; we see another gleam—aye, more than a gleam—a sunburst of radiance from the cross that "towers over the wrecks of time" in the swift-footed kindness, the tender tear, the tireless touch, the sleepless vigil, on the part of princes in Israel and handmaidens of God who rushed to bear another's burden and "so fulfill the law of Christ." From every side these beautiful, wonderful manifestations have come all the way from the White House to the humblest home yonder in my district—from friends and strangers in this great Capital City and from far across the continent—and we thank God at a time like this for stars that shine in the night, for the voice of Him who spoke to the storm-tossed sea even as He speaks now to the raging Galilee of our sorrows, saying, "Peace, be still."

Verily, in such an hour of human desolation there is nothing left to the skeptic but a starless night and the "new-made graves of faith and hope"; but those who rejoice in a personal acquaintance with the Redeemer of Men in the miracle of regeneration can see the rainbow promise of God shining on every cloud as they exclaim in radiant triumph:

E'en sorrow touched by Thee grows bright
With more than rapture's ray,
As darkness shows us worlds of light
We never saw by day.

[Applause.]

The CHAIRMAN. The gentleman from Georgia yields back four minutes.

Mr. ANDERSON. I yield the remainder of my time to the gentleman from Massachusetts [Mr. LUCE].

The CHAIRMAN. The gentleman from Massachusetts [Mr. LUCE] is recognized for 13 minutes.

Mr. LUCE. Outside these walls it is not commonly understood that general debate on the appropriation bills furnishes to Members of the House the only opportunity to discuss the broader questions of public policy. I had thought it might not be inappropriate in connection with the bill under consideration to discuss the two parts of the report of the committee on the agricultural crisis that are already in our hands. It happens, however, that the circumstances of debate have brought the attendance to almost an irreducible minimum. I am not vain enough to think that the importance of my remarks would be such as to warrant my taking half an hour of time out of the people's Treasury, as an English statesman has called it, to secure the presence of a quorum. Furthermore, although I might ask for opportunity to revise and extend my remarks, it seems to me that this privilege should not be used except under extraordinary circumstances, and I have no desire, unless under such circumstances, to give my constituents the impression that I have said things which in fact have not been spoken on the floor. This brings me to the apparent desirability of refraining from delivering the eloquent, cogent, forceful, powerful speech which otherwise would have fallen upon your ears. Its gems of learning and eloquence, therefore, will never delight mankind.

I may say, however, that I had intended to pay as warm a compliment as I could to the chairman of the Commission of Agricultural Inquiry [Mr. ANDERSON] and his fellow members for their most remarkable report. At any rate, I may call the attention of Members to the fact that the two parts already printed contain ammunition that will be used in the political campaigns of the next 10 or 20 years, and to urge every fellow Member who desires to equip himself for the controversies before us to read these parts with diligence and sympathy.

I had not desired to take issue with much, if any, of what the commission concludes, but to emphasize some things in its report which seem to me worthy of especial attention. In that connection I had wanted to cite an English legislator, Edwin Chadwick, who, after serving on more than 20 commissions, made the astonishing declaration that he never knew an investigation "which did not reverse every main principle and almost every assumed elementary fact on which the general public, parliamentary committees, politicians of high standing, and often the commissioners themselves were prepared to base legislation." I think I could have pointed out, had the opportunity been presented in this instance, how a commission containing several members of the agricultural bloc, among them the gentleman recently elected chairman of that organization, had come to almost unanimous agreement—unanimous, indeed, except in one particular—as to positions directly the reverse of those that some of them had taken in previous discussion of the subject. Not only for the academic purpose of enforcing economic truth, but also for the sake of securing accurate political discussion based upon correct premises, I wanted to call attention to these facts. But under the circumstances, sir, I shall throw away the speech and use but a moment or two of the time remaining to me to comment upon one feature of debate in this body which may be pertinently brought to attention in view of the rumor that the so-called bonus bill will not be given adequate consideration in this House.

It is one of the misfortunes of large legislative bodies that they often show a lack of sense of proportion, dwelling at much length on minor matters, and refraining from giving adequate treatment to those of genuine and great consequence. I should like, in view of some of the debate we have been having to-day, to put on record my own approval of the Republican leader of the House in his course in the matter of appearing before the committees to urge economy. Indeed, I should like to record my own approval of the leadership of the House in general despite the criticism widespread throughout the country now aimed thereat. For one I believe that this criticism is in large measure undeserved. I think the Republican leadership of the House could as a whole be justified. Yet it is fair to point out that this criticism exists, and I would like to deplore the possibility of adding greatly to it by any course of action which shall deprive this body of an opportunity for full and free debate on one of the greatest questions it will have to consider.

It would fly in the face of the very purpose of parliamentary institutions, the very theory on which Congress meets, if the program should prevail of restricting to 40 minutes the opportunity to discuss the bonus bill. Therefore, not alone for the welfare of my party but also for the reputation of the House, for the safeguarding of parliamentary institutions and the preservation of orderly government, I beg that there may not be carried out the rumored plan, but that the Representatives of the people may know all the facts of the case, may listen to all the arguments in the case, may reach conclusion after that mature deliberation which alone justifies our presence in this Chamber.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. LUCE. I will.

Mr. HARDY of Texas. Is there any reason in the world why more time can not be given to that matter and less time to such desultory matters as we are having now when speeches on general subjects are being made? Could not we give more time to that and less to these others.

Mr. LUCE. Personally I wish that could be the case. I have not been without experience in legislative bodies and I have observed that it is their universal habit to reverse the telescope, giving a great deal of time to insignificant measures and not permitting adequate discussion of those of real importance. I criticize therein not the leadership but the nature of parliamentary bodies in general, for they have shown themselves from time immemorial to be without a sense of due proportion.

I hope in this particular instance that the Republican leadership may see the wisdom, the political wisdom, and more than that the ethical wisdom, the patriotic wisdom, of giving all arguments an opportunity to be heard. Down through the ages has come the cry of Themistocles to Eurybiades, "Strike, but hear me." Though I may be but a minority of one when the vote comes, I beg you to listen to that plea, "Strike, but hear me." If that be then granted, it will wipe out any regret that on this occasion you have by mischance been deprived of edification.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. All time has expired, and the Clerk will read the bill.

The Clerk read the bill, as follows:

For salaries and compensation of necessary employees in the mechanical shops and power plant of the Department of Agriculture, $90,000: *Provided*, That hereafter the Secretary of Agriculture may, by transfer settlement through the general accounting office, reimburse any appropriation made for the salaries and compensation of employees in the mechanical shops of the department from the appropriation made for the bureau, office, or division for which any work in said shops is performed, and such reimbursement shall be at the actual cost of labor for such work.

Mr. MANN. Mr. Chairman, I reserve a point of order. You first appropriate $90,000 for the mechanical shops and power plant and then you propose to give authority to other branches of the service to have the work done there to be paid for by that branch. How much work is done and what is the necessity of having an appropriation for the shops if they have work to be reimbursed?

Mr. ANDERSON. This includes besides the mechanical shops the power plant, and also a considerable amount of mechanical work done under the Secretary's office not chargeable to the various bureaus. I understand the total amount of reimbursement would be in the neighborhood of $25,000.

Mr. MANN. There is a 10 per cent decrease in the appropriation, and I only desired to know whether a large share of the expenditure was not made where it would be reimbursed.

Mr. ANDERSON. I think not. The maximum amount, I think, would be about $20,000, and a part of that is being now reimbursed in any event because they do pay for the material used. This would only carry an addition to the cost of labor in making the mechanical appliances.

Mr. MANN. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE.

For stationery, blank books, twine, paper, gum, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, fuel, water and gas pipes, heating apparatus, furniture, carpets, and mattings; for lights, freight, express charges, advertising, telegraphing, telephoning, postage, washing towels, and necessary repairs and improvements to buildings and heating apparatus; for the purchase, subsistence, and care of horses and the purchase and repair of harness and vehicles for official purposes only; for the payment of duties on imported articles, and the Department of Agriculture's proportionate share of the expense of the dispatch agent in New York; for official traveling expenses; and for other miscellaneous supplies and expenses not otherwise provided for, and necessary for the practical and efficient work of the department, $161,000, of which not to exceed $5,000 shall be immediately available for the purchase of an automobile for the official use of the Secretary of Agriculture.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order to ask the gentleman from Minnesota if this automobile is for the use of the Secretary?

Mr. ANDERSON. The automobile is for the use of the Secretary, and it is expected that the horses and carriages that the Secretary now uses will be disposed of or sent to the farm.

Mr. HAUGEN. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

The Secretary of Agriculture is authorized to construct in the grounds of the Department of Agriculture, in the District of Columbia and at a point to be selected by him, a vault at a cost of not exceeding $2,500, for the safe storage outside of laboratories and buildings of supplies of highly inflammable materials, the cost of such vault to be prorated and paid from the appropriations provided for the bureaus occupying space therein.

Mr. MANN. Mr. Chairman, I reserve the point of order in order to get some information. Where is it proposed to locate this vault?

Mr. ANDERSON. Somewhere in the department grounds, near the buildings, I could not tell the gentleman exactly.

Mr. MANN. I do not imagine they would locate it improperly. Still, considering the criminal mistake they made about the erection of the Agricultural Department buildings themselves—and it was a crime that was committed at that time—when they were put up, I do not have the utmost confidence in the impossibility of their making a mistake now. The agricultural grounds now are quite extensive. I have no objection to the erection of a vault, but I do not want to see them do any injury to the grounds.

Mr. ANDERSON. This vault is to be entirely below the surface of the ground.

Mr. HAUGEN. These materials are now stored in the buildings.

Mr. ANDERSON. Yes; the materials are now stored in the buildings.

Mr. MANN. I have no doubt that, regardless of the question of danger, there is demand for all the room they have in the Agricultural Department buildings. This is a sort of hall of records for material.

Mr. HAUGEN. It would have to be placed where it is accessible.

Mr. MANN. Certainly, but I inquire simply to know if the location has been selected. We have been imposed upon so often in the construction of statues and buildings in the city of Washington that if we can get the information I would like to have it now, although I am not going to stand on that.

Mr. ANDERSON. I can not tell the gentleman exactly where it is to be located. I do not know. In fact, I do not think the Secretary has selected a particular place. They did not tell us that he had.

Mr. WALSH. What inflammable materials does this department have that would require the erection of a vault?

Mr. ANDERSON. There is a good deal of chemical material used in the chemical experiments in the plant and animal industry bureaus, and I take it that possibly some of the films which are very inflammable might be stored there. It would be only such as would be practically out of use.

Mr. MANN. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

RENT OF BUILDINGS IN THE DISTRICT OF COLUMBIA.

For rent of buildings and parts of buildings in the District of Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, $165,666: *Provided*, That only such part of this sum shall be available to pay rent for space which can not be furnished by the Public Buildings Commission in Government buildings located in the District of Columbia.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. This is a very considerable sum to be paid for rent in the District of Columbia. The buildings of the Agriculture Department are somewhat extensive. Is there any hope of a reduction in this rental bill?

Mr. ANDERSON. As the gentleman knows, we have a joint congressional committee which parcels out the emergency buildings, and I think has general charge of the rental situation. The department says that they have made application to the Public Buildings Commission for space in available buildings, but they have not been able to get enough. They are consequently forced to continue what they have been doing, namely, to rent such buildings as they require. As a matter of fact, I think the department is now housed in 40 different buildings.

Mr. TILSON. The amount in the report is $1,000 more than the appropriation last year, and at the same time it is $16,200 less than the estimates for this fiscal year. It seems the demands are still coming for more rent.

Mr. ANDERSON. That is due in part to a readjustment of buildings—that is, the discontinuance of one building and the rental of other buildings—and it is partly due to the fact that in the Forestry Building, on F Street, they have to pay this year $12,000 more rent for it than they paid last year.

Mr. TILSON. So that, as a matter of fact, you are not enlarging the amount of the quarters, but you have to pay a lot more for them?

Mr. ANDERSON. That is true.

The Clerk read as follows:

For inspection and quarantine work, including all necessary expenses for the eradication of scabies in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of live stock, and the inspection of vessels, the execution of the 28-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, alterations, improvements, or additions to buildings thereon; the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, $529,640: *Provided*, That not to exceed $15,000 shall be used for improvements and repairs to quarantine stations: *Provided further*, That no part of this sum shall be used for the manufacture, preparation, or distribution of blackleg vaccine.

Mr. HAUGEN. Mr. Chairman, I reserve the point of order on this proviso. Why the necessity for a proviso that no part of this sum shall be used for the manufacture, preparation, or distribution of blackleg vaccine?

Mr. ANDERSON. As the gentleman knows, the department has been distributing an inferior article of vaccine, which does not give complete immunity. Vaccine is made by private concerns which does, and we thought there was no use of spending $5,000 for the distribution of vaccine which really is not a satisfactory article.

Mr. HAUGEN. Is the department satisfied to discontinue it?

Mr. ANDERSON. Yes.

Mr. HAUGEN. And it is supplied by private concerns?

Mr. ANDERSON. Yes.

Mr. HAUGEN. And can be purchased at a proper price?

Mr. ANDERSON. Yes.

Mr. WHITE of Kansas. Are we to understand from the gentleman's statement that the department admits that they have less knowledge on this subject than have the private manufacturers?

Mr. ANDERSON. No. This is the situation: We either had to give them more money so that they could make a better product or else cut it out altogether, and we did not see any reason why the Government should be in the business of distributing vaccine when a commercial article at a reasonable price can be had, so we cut it out altogether instead of giving them more money to manufacture. The reason they have manufactured an inferior article is because they have not had money enough to manufacture a better article.

Mr. WHITE of Kansas. And in the hearings did the committee go into the matter sufficiently to convince themselves that the private manufacturers are manufacturing and sending out a vaccine that has been thoroughly demonstrated to be effectual in preventing blackleg?

Mr. ANDERSON. I understand that is what the representatives of the department say.

Mr. WHITE of Kansas. Of course, the private manufacturers will claim they are. There is grave doubt in the minds of cattlemen all over the country, so far as my own observation and investigation go, as to whether any of these preventives are effectual.

Mr. ANDERSON. In any event, the department admits that the vaccine now being manufactured by the private parties is a better article than the article that they have been manufacturing.

Mr. WHITE of Kansas. Well, I fully agree with the gentleman. If they have vaccine which is utterly inefficient, not effective, they should not send it out, because the stockmen throughout the country are sending constantly, very frequently, to the department to be supplied with this vaccine. I am surprised and yet interested very much in the gentleman's statement.

The Clerk read as follows:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State, Territory, or county authorities, $2,578,800, of which $850,000 shall be set aside for administrative and operating expenses and $1,728,800 for the payment of indemnities: *Provided, however*, That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture it shall be necessary to destroy tuberculous animals and to compensate owners for loss thereof, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere, out of the moneys of this appropriation, such sums as he shall determine to be necessary, within the limitations above provided, for the reimbursement of owners of animals so destroyed, in cooperation with such States, Territories, counties, or municipalities, as shall by law or by suitable action in keeping with its authority in the matter, and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous animals and for compensation to owners of animals so destroyed, but no part of the money hereby appropriated shall be used in compensating owners of such animals except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of such animals shall take place; nor shall any payment be made hereunder as compensation for or on account of any such animal destroyed if at the time of inspection or test of such animal, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation, to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any tuberculous animal destroyed shall exceed one-third of the difference between the appraised value of such animal and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, or municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any pure-bred animal, and no payment shall be made unless the owner has complied with all lawful quarantine regulations.

Mr. SNELL. Mr. Chairman, I move to strike out the last word. I am very much interested in this appropriation and I would like to ask the chairman of the committee in regard to it. How many claims are there on file now from the various States for animals that have been tested which should be paid?

Mr. ANDERSON. Claims for indemnity?

Mr. SNELL. Yes.

Mr. ANDERSON. I can not tell the gentleman; but there should not be any.

Mr. SNELL. The gentleman understands they have paid up to the present time for those that have been examined and condemned?

Mr. ANDERSON. My understanding is that as soon as they reach the limit of the appropriation for indemnity they stop work.

Mr. SNELL. They stop work. How many applications are there on file for examinations? Was that brought out in the hearing?

Mr. ANDERSON. Yes; I think there are 27,180 herds on the waiting list to be tested, and they comprise about 362,139 cattle.

Mr. SNELL. How long has it been since they stopped making examinations?

Mr. ANDERSON. I understand they have not stopped, because the last deficiency bill carried a deficiency appropriation of $600,000, which enabled them to continue.

Mr. SNELL. I note the appropriation is increased $125,000 over last year.

Mr. ANDERSON. More than that.

Mr. HAUGEN. The amount appropriated is $1,728,000——

Mr. SNELL. Will that be enough to carry on the work fairly consistently throughout the whole country?

Mr. ANDERSON. I think, with the division we have made, it will.

Mr. SNELL. They are having tests made throughout the year to take care of actual emergency cases over the country.

Mr. ANDERSON. I think so. There was a supplemental estimate made just a few days before this bill was reported requesting $900,000. We gave them $600,000, and that makes the appropriation for the next fiscal year exactly the same amount as for this fiscal year, including the deficiency appropriation of $600,000.

Mr. SNELL. Then they do not get any more than this fiscal year?

Mr. ANDERSON. No. They have an original appropriation which was approximately $2,000,000 and a deficiency of $600,000, and we give the same amount, including the deficiency.

Mr. SNELL. But they did not have enough to carry them through last year.

Mr. ANDERSON. Yes.

Mr. SNELL. But I understood that they stopped the examination and testing for some time?

Mr. ANDERSON. Because they had exhausted the amount carried in the original bill.

Mr. SNELL. And with the deficiency that will be enough to carry them next year?

Mr. ANDERSON. That is all they asked for.

Mr. CLARKE of New York. The gentleman understands that this bill provides enough continuity of appropriations to carry on this work?

Mr. ANDERSON. I believe so.

Mr. MANN. In view of the interest manifested by the two gentlemen from New York, is this one of the grafts which go to the State of New York?

Mr. CLARKE of New York. We are spending about a million dollars next year.

Mr. MANN. That being so, why any appropriation?

Mr. CLARKE of New York. New York appropriates one-third of every dollar asked of the United States.

Mr. MANN. I understand New York Members never favor anything that will put any money into New York in connection with State appropriation and——

Mr. SNELL. No; what we fought against was where the other fellow was not cooperating.

Mr. MANN (continuing). But when it comes home they all weaken.

Mr. COLE of Iowa. Is this appropriation divided among the States?

Mr. ANDERSON. It is allotted according to the State appropriation in part, and in part by the number of cattle to be tested.

Mr. COLE of Iowa. If some particular State does not use its share of the appropriation, can it be used by a State prosecuting this work?

Mr. ANDERSON. Yes; if reallotted by the Secretary.

Mr. COLE of Iowa. That is not so in regard to the last appropriation?

Mr. ANDERSON. I think it has always been so.

Mr. COLE of Iowa. No; the Secretary of Agriculture told our delegation that while there was a large unexpended appropriation he could not use it.

Mr. ANDERSON. But that unexpended appropriation has been allotted to these other States, and it was expended, in all probability, by those States.

Mr. COLE of Iowa. If there was an unexpended appropriation, what becomes of it?

Mr. ANDERSON. It goes back into the Treasury.

Mr. MANN. But it can be reallotted to the States.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. CROWTHER. Mr. Chairman, I move to strike out the last two words. The last two words are "quarantine regulations," and if the Fordney tariff bill has been quarantined since the 21st of July, 1921, it is high time the embargo was lifted. [Applause.] Let me say to the Members of the House and the country that yesterday there came to us a ray of sunlight out of the darkness and the gloom that encompassed the Members of this House and the people of the United States. And once more we are to rejoice that the hum of the spindle and the song of the loom are again to be music to the ears of the men and the women who make us a great industrial Nation. You may think that this statement is rather enigmatical at this time, but I will advise you that, on page 3564 of the RECORD, in the proceedings, not of this body, but in the Chamber occupied by the august body at the other end of the Capitol, there appears during a colloquy on the floor, on page 3564, a statement to which I will call your attention in a moment. I know the House rule as to mentioning a Senator's name, or criticizing the Senate, which we have to obey, but to which they pay no attention, and frequently call the Members of the House by name and attack them during discussion and debate. But I am not going to criticize them. I desire to extend full measure of appreciation for the statement to which I referred a moment ago. A distinguished gentleman stated, on page 3564, that it was his desire to get these treaties out of the way, for this reason:

In order to clear the path—

Mind you, the path is at last to be cleared—

clear the path for the bill of the Senator from Iowa, the appropriation bill, and the tariff bill.

The path is at last to be cleared for the tariff bill, and I call attention to the fact that that is the first time in this session I have heard of its being mentioned on the floor of the august body at the other end of the Capitol—not that its being reported makes any great difference, because it would take an Einstein to figure out the relativity as to the date of its being reported and the final passage of the bill.

But I am glad to call your attention to the fact that the tariff was mentioned yesterday, merely mentioned, of course, in that august tribunal at the other end of the Capitol, and we realize it is a crumb of comfort, it is a ray of hope, that may help to revive our stricken industries. It is a good message to send out to all the people of the country, the working folks, and the men who employ them, who are straining every nerve to keep their mills open in the face of the severest foreign competition they have ever known. So, whether it be threat, promise, or declaration, we realize that at last the path is to be cleared for the tariff bill. I congratulate the gentleman for mentioning it in that way.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. CROWTHER. Yes.

Mr. BANKHEAD. Who was the gentleman that is reported as making this statement?

Mr. CROWTHER. The gentleman knows the rules of the House forbid——

Mr. MANN. I beg the gentleman's pardon.

Mr. CROWTHER. Frequently these rules are violated, and the gentleman from Illinois [Mr. MANN], who interrupts, has frequently mentioned the Senate and quoted them——

Mr. MANN. I beg the gentleman's pardon. I have never done it in an unparliamentary way in 25 years of service.

Mr. CROWTHER. I do not know that he did it in an unparliamentary way, but he made suggestions, and referred to the body at the other end of the Capitol, and their peculiar idiosyncrasies, delays, and so forth, in his own original and inimitable way. [Laughter.]

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, and all other necessary expenses, $284,320: *Provided*, That of the sum thus appropriated $58,640 may be used for experiments in poultry feeding and breeding: *Provided further*, That of the sum thus appropriated $8,000 is hereby made immediately available for the erection of necessary buildings at the United States sheep experiment station in Clark County, Idaho, to furnish facilities for the investigation of problems pertaining to the sheep and wool industry on the farms and ranges of the Western States.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order on the paragraph. I would like to inquire about this item of $8,000 to be made immediately available for the erection of the necessary buildings for the United States sheep experiment station in Clark County, Idaho.

Mr. ANDERSON. The gentleman will remember that the estimates last year carried an ambitious program for buildings on this experimental farm, carrying altogether something over $16,000. We carried $8,000 last year and we carry $8,000 each year.

Mr. HAUGEN. What is the purpose of it? Is it to build barns, or what?

Mr. ANDERSON. It includes a storage reservoir at $3,000. As the gentleman knows, this plant is a long distance from town, and this storage reservoir is for the purpose of watering the stock and also for affording some fire protection to the buildings. Three thousand five hundred dollars is for fencing, and $1,500 covers an addition to the superintendent's residence, making $8,000 in all.

Mr. HAUGEN. What is the cost of the residence now?

Mr. ANDERSON. The residence, as I recall, originally cost something like $2,500.

Mr. HAUGEN. Was it not the understanding last year that the amount appropriated then would complete the project?

Mr. ANDERSON. I think not. My understanding is that we covered half of it last year and that we would continue the program this year.

Mr. HAUGEN. Have you a statement there as to what the money is to be used for?

Mr. ANDERSON. Yes.

Mr. HAUGEN. What is it for?

Mr. ANDERSON. Three thousand dollars for a storage reservoir, $3,500 for fencing, and $1,500 for addition to the superintendent's residence.

Mr. HAUGEN. That is what the $8,000 is appropriated for?

Mr. ANDERSON. Yes.

Mr. HAUGEN. What about the storage reservoir? What do they store in the reservoir?

Mr. ANDERSON. Water.

Mr. HAUGEN. I withdraw the point of order.

Mr. HAYDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN: Page 14, line 22, strike out "$58,640" and insert "$62,860."

Mr. HAYDEN. Mr. Chairman, the object of my amendment is to increase the amount of this appropriation to the sum recommended by the Bureau of the Budget. Under the new Budget system I believe that Congress should pay some attention to recommendations made by that bureau which, after careful study, have been submitted to Congress. I am particularly interested in this item, because the sum of money here appropriated is intended for two poultry experiment stations, one at Beltsville, Md., and the other at Glendale, in the State of Arizona.

The work at the Glendale station is developing very satisfactorily, since the first poultry stock and equipment were only installed there on November 1, 1921. A foreman's cottage has been completed and an incubator cellar and feed house are well along in the process of construction. There are now over 300 head of poultry breeding stock on this farm and the plans for the coming year are to increase the houses, equipment, and stock very materially.

I am informed that the main lines of investigational work will be the feeding and breeding of poultry to develop lines of fowls which will do well in Arizona, and a study of methods of feeding peculiarly adapted to the Southwest. The chickens at this plant have been developed from the department's experiment station at Beltsville, Md., and the birds which have been carried in the Glendale station for one year have made splendid egg records.

In connection with the investigational work along breeding lines, I am told that artificial incubation will be used and methods studied which are found best adapted for climatic conditions there. Present plans are not only to increase the work with chickens very materially but at a later date to add work with turkeys, which have big possibilities in the Southwest, and later to develop work with ducks and geese.

Great interest is being shown in the poultry work and already a large number of visitors have been at the Glendale Experiment Station. The effect of good breeding stock and a poultryman well qualified in the poultry work adapted to that section is very marked in the improvement of the poultry in the Southwest and is creating greater interest in the raising and management of a much better grade of poultry.

There is an unsolved problem in poultry incubation for which the increase set forth in my amendment is asked. For some reason unknown, but nevertheless true, between the seventeenth and nineteenth day of incubation the largest number of chicks die in the shell. This loss is responsible for probably 25 per cent of the deaths of chicks in eggs that do not hatch. This is a fact, but no one knows why it is a fact, and the department wants to make a study which will explain this puzzle. The results of such investigations may be of immense benefit to the poultry industry all over the United States. The Bureau of Animal Industry was able to convince the Director General of the Budget that this sum should be allowed, and I would like to hear from some member of the Committee on Appropriations as to why it should not be authorized at this time.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. HAYDEN. Certainly.

Mr. MANN. The amendment of the gentleman does not propose to increase the appropriation, as I understand it, but to take away the money from some other service to give it to this service.

Mr. HAYDEN. If that is the case, why does the Committee on Appropriations in its report claim credit for a saving of $4,220 in this item?

Mr. MANN. Was the gentleman's amendment to increase the amount in line 21?

Mr. HAYDEN. No; but that can easily be done if a majority of the committee will follow my advice.

Mr. MANN. I know that. But that was not the amendment. The gentleman's amendment was to increase the appropriation for poultry feeding and take it away from somebody else.

Mr. HAYDEN. If the gentleman will now aid me in securing the adoption of this amendment I shall very quickly offer a subsequent amendment to increase the total. On this test vote I hope that I shall have the assistance of the distinguished gentleman from Illinois, who is not only an expert in gardening but I am sure is also deeply interested in poultry raising.

Mr. ANDERSON. Mr. Chairman, of course it is interesting to know why there is a loss of chicks on the seventeenth day or eighteenth day of incubation. There are yet many things to find out. But the general theory of this bill was that we should not include new projects except those of an emergency character, and upon that general theory this new item of appropriation was eliminated. I hope that the item will not be increased.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arizona.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For all necessary expenses for the investigation, treatment, and eradication of dourine, $45,000.

Mr. HAYDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 16, line 6, strike out "$45,000" and insert "$50,000."

Mr. HAYDEN. Mr. Chairman, I am merely seeking to have restored to the bill the full amount recommended by the Budget Bureau for the eradication of dourine. Congress has been appropriating considerable sums of money for the eradication of this disease of horses, beginning in 1919 with $97,000; in 1920, $88,000; 1921, $65,000; and $50,000 for the current year. I gather from the hearings that great success has attended this work, and if it is properly prosecuted the disease can be completely eradicated in the entire United States in the immediate future. The testimony as given before the Committee on Appropriations is that this disease is making its last stand in the Southwest, principally in the Navajo Indian country. The Indian appropriation bill annually carries a sum of money to pay for Indian ponies that are killed, but the work is not carried on by the Indian Service but by the Bureau of Animal Industry through its experts, who should be provided with ample funds.

The only way to completely eradicate this disease is to gather together the horses running on the range and test them, then kill every one of them that has it. The longer this work is postponed the more it will cost. Obviously it would be true economy to appropriate all the money that the Bureau of Animal Industry can wisely use, and they have demonstrated to the satisfaction of the Budget Bureau that they can use $50,000 a year. If by petty economy, trimming off a little this year and a little the next, the work is continued for four or five years, ultimately Congress will cause the expenditure of more money in eradicating this disease than would have to be spent if adequate and proper appropriations were promptly made. Let us furnish the funds and be done with it, and I therefore ask that this item be increased as recommended in the Budget.

I am advised that affected animals were found last year in South Dakota, Montana, New Mexico, and Arizona, most of them being in the last-mentioned State. During the fiscal year

1921, 22,179 animals were tested, of which 473 were found to be diseased. The figures for the previous fiscal year were 20,117 and 336, respectively.

A further reduction of $5,000 in this appropriation will not only prevent the bureau from prosecuting the work vigorously but will result in large numbers of animals, now healthy, contracting the disease in those areas in which they are unable to test all stallions and mares of breeding age and promptly slaughter those found to be affected.

During the last two years the bureau has been compelled to postpone this work on account of reduced appropriations. Each postponement has resulted in the spread of the disease to healthy animals and has very materially increased the cost of the work over what it would have been if sufficient funds had been available to cover all known infected territory.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the amendment?

Mr. ANDERSON. Yes. The department this year expended $47,000 on this job. The appropriation has been reduced little by little, year by year, as the disease has been closed in on and has gradually grown less, and the committee was thoroughly satisfied that the work could continue satisfactorily on the basis of $45,000. I hope in view of that fact that the proposal of the gentleman from Arizona will not be agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arizona.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MEAT INSPECTION.

For additional expenses in carrying out the provision of the meat inspection act of June 30, 1906 (34 Stat. L., p. 674), as amended by the act of March 4, 1907 (34 Stat. L., p. 1256), and as extended to equine meat by the act of July 24, 1919 (41 Stat. L., p. 241), including the purchase of tags, labels, stamps, and certificates printed in course of manufacture, $891,180.

Total, Bureau of Animal Industry, $6,669,276.

Mr. HAUGEN. I desire to ask the gentleman from Minnesota how much money is carried for meat inspection this year?

Mr. ANDERSON. In addition to the sum which the gentleman will find on page 16 there is a standing appropriation of $2,000,000.

Mr. HAUGEN. That would make the total $2,891,180. How much was spent last year?

Mr. ANDERSON. Does the gentleman mean for the fiscal year 1922—this year?

Mr. HAUGEN. I call attention to the fact that the packers have been paying for overtime about $200,000 a year, and it is now suggested that the Government should pay for overtime. Will the $891,180 be sufficient to pay for the overtime, if that should be charged to the Government?

Mr. ANDERSON. I do not think so.

Mr. HAUGEN. Practically all of that amount was expended last year?

Mr. ANDERSON. Yes.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For investigations of plant diseases and pathological collections, including the maintenance of a plant-disease survey, $77,000: *Provided*, That $10,000 of this amount shall be used for research in brown-rot and kindred diseases of peach trees.

Mr. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NORTON: Page 18, line 23, strike out "$77,000" and insert in lieu thereof "$82,000"; also, on page 18, line 25, after the semicolon add "and that $5,000 of this amount shall be used for research in the eradicating of destructive diseases of raspberries."

Mr. NORTON. Mr. Chairman, I desire first to read a statement from the Secretary of Agriculture. This matter was brought to the attention of the Secretary of Agriculture after or about the time the bill was in the hands of the printer. The result was that it could not be changed by the committee. This is what the Secretary of Agriculture says on this subject:

DEPARTMENT OF AGRICULTURE,
Washington, February 25, 1922.

Hon. MINER G. NORTON,
House of Representatives.

DEAR MR. NORTON: I have your letter of this date, in which you refer to several diseases which are practically eradicating certain kinds of raspberries in the Western Reserve, particularly along Lake Erie, which have been brought to your attention by members of the leading agricultural societies of your State.

In reply I would say that destructive diseases of the raspberry have in recent years caused very serious reduction of the acreage devoted to this fruit in such States as New York, Ohio, and Michigan. While the exact cause of certain of the most destructive of these diseases has not yet been determined, investigations that have been prosecuted in the Bureau of Plant Industry during the past two years afford strong reason for hope that the blue stem, the most destructive of these diseases in the Great Lakes region, may be brought under control. While the work has not yet been under way long enough to permit an unqualified statement that effective and practical methods for controlling the disease are in sight, the experiments in northern Ohio are very promising, and the results of the work done by our specialists there are the basis for this expectation. The work thus far conducted is, however, on much too small a scale and during too short a time for prompt determination of the practicability of controlling the diseases under ordinary field conditions.

Our specialists who are making this investigation are strongly of the opinion that the most important step necessary in retarding the spread of the disease and rendering possible the resumption of profitable black raspberry growing where the disease is troublesome will be accomplished through the prompt and thorough eradication of all diseased plants from the fields and areas where the young plants for new acreage are grown. Unlike most fruit trees and vines, these young plants are not grown in nurseries, but are obtained in the form of rooted tips from the fields planted for fruit production. What appears to be necessary at this stage to promptly determine the practicability of this method is to thoroughly eradicate the disease from one or two typical raspberry-growing localities comprising areas of a few square miles each in order to provide a sufficient supply of disease-free plants to permit the development of new plantations with disease-free stock. Such work will, of course, need to be very carefully and thoroughly supervised by a specialist familiar with the obscure early symptoms of the disease, under whose direction the fruit growers can themselves eradicate the diseased plants.

This question is of such importance to the future of the black raspberry industry of the Lake region, which is now greatly reduced in acreage and production by these diseases, that it is a matter of importance that this phase of the work be thoroughly tested as promptly and effectively as possible. The department will consider making provision for it in connection with the estimates for the fiscal year 1924, but unfortunately this would not permit the undertaking of active work in the fields until another year has elapsed, which the raspberry growers of your region strongly desire to be undertaken at once, and which would be highly desirable to undertake if our funds permitted.

The appropriation of $5,000 for this purpose which you suggest would be sufficient for the effective handling of this work under the authority in the subappropriation for "Fruit investigations" under "General expenses in the Bureau of Plant Industry."

I want to say that this condition exists not only in northern Ohio, but I have heard that it prevails quite extensively in Michigan and northern New York and all along the Lakes, and that where they had thousands of acres a few years ago the industry is gradually being wiped out.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask that the gentleman's time be extended three minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the time of the gentleman from Ohio be extended three minutes. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Does the gentleman know how much money the department is spending for this raspberry work now?

Mr. NORTON. Less than $5,000. I can not tell exactly. It is a very small amount.

Mr. McLAUGHLIN of Michigan. If the gentleman's amendment prevails, there will be danger that only the $5,000 mentioned in his amendment will be available. There is danger that the amount will be reduced below what the department is now spending for this purpose.

Mr. NORTON. I understand there is one person investigating this subject, but they say the disease has spread very rapidly in the last two or three years.

Mr. McLAUGHLIN of Michigan. The bureau now finds authority for spending more than $5,000. If the amendment of the gentleman is adopted, this expenditure may be limited to $5,000.

Mr. NORTON. That is possible. I had not thought of that phase of it. If I eliminate the last half of the amendment, that will cover it. I ask unanimous consent to strike out the latter part of the amendment, leaving it simply so as to increase the amount $5,000, which will then be used for this purpose.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to modify his amendment. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. NORTON: Page 18, line 23, strike out "$77,000" and insert in lieu thereof "$82,000."

The CHAIRMAN. Is there objection to the request of the gentleman to modify his amendment?

Mr. MANN. Reserving the right to object, will the Clerk read the balance of the amendment?

Mr. NORTON. It was to provide that the $5,000 be used for this purpose.

The CHAIRMAN. Does the gentleman from Illinois ask that the Clerk report the original amendment?

Mr. MANN. Yes. I wish to hear the last part of it.

The Clerk read as follows:

Amendment offered by Mr. NORTON: Page 18, line 23, strike out "$77,000" and insert in lieu thereof "$82,000." Also on page 18, line 25, after the semicolon add "and that $5,000 of this amount shall be used for research in the eradicating of destructive diseases of raspberries."

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] has the floor.

Mr. MANN. I will not object.

The CHAIRMAN. Is there objection to the modification of the amendment?

There was no objection.

Mr. NORTON. I have learned since that this disease is quite extensive in the three States I have mentioned, even more than I knew, and the agricultural people of Ohio are very urgent about this matter.

They say that next year it will be far beyond what it is now because it is going all over the country.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I believe if the amount is increased to $82,000, if the amendment of the gentleman from Ohio is adopted, the department would take into account that fact that the amount was increased so that the amount available for the raspberry proposition would be larger than has heretofore been available.

Mr. MANN. The amendment may have been offered for that reason, but the membership of the House may not vote for it.

Mr. McLAUGHLIN of Michigan. I say if the amendment is adopted the department will take into consideration the purpose for which the amendment was adopted.

Mr. MANN. I would not vote for it for that reason.

Mr. McLAUGHLIN of Michigan. I think the gentleman from Ohio will be satisfied if the gentleman from Illinois votes for it for any reason.

Mr. MANN. But the department is not bound to take notice that the increase was for raspberry disease.

Mr. McLAUGHLIN of Michigan. I think the gentleman from Minnesota will bear me out when I say that the department does take notice of the purpose for which amendments are adopted and governs itself accordingly.

Mr. BANKHEAD. Mr. Chairman, it seems to me that the state of facts presented by the gentleman from Ohio makes this amendment a very meritorious proposition. I assume that in the absence of objection on the part of the committee it means their approval. Has the chairman of the committee any declaration to make?

Mr. ANDERSON. I do not object to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. NORTON] as modified.

The question was taken, and the amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. TILSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9981) making appropriations for the Executive and for sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes, had further insisted upon its amendments numbered 2, 19, 21, 28, 29, 31, 35, and 36, disagreed to by the House of Representatives, had asked a further conference with the House, and had appointed Mr. WARREN, Mr. SMOOT, Mr. JONES of Washington, Mr. OVERMAN, and Mr. GLASS as the conferees on the part of the Senate.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For applying such methods of eradication or control of the white-pine blister rust as in the judgment of the Secretary of Agriculture may be necessary, including the payment of such expenses and the employment of such persons and means in the city of Washington and elsewhere, in cooperation with such authorities of the States concerned, organizations, or individuals as he may deem necessary to accomplish such purposes, and in the discretion of the Secretary of Agriculture no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, county, or local authorities, or by individuals or organizations for the accomplishment of such purposes, $175,000, of which $50,000 shall be immediately available: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed;

For the investigation of diseases of cotton, potatoes, truck crops, forage crops, drug and related plants, $117,000.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order on the paragraph. I would like to ask the gentleman what is the reason for making this $50,000 immediately available?

Mr. ANDERSON. It is desirable if this increased work contemplated is to be done, that the work should commence as soon after the snow is off the ground as possible.

Mr. HAUGEN. How much was appropriated last year?

Mr. ANDERSON. The appropriation was $100,000.

Mr. MANN. What do they do with this money?

Mr. ANDERSON. This covers a large part of the organization activity in which the department furnishes the men who direct the gangs in destroying the gooseberry and currant bushes which are the hosts for the disease of white-pine blister rust.

Mr. MANN. Are these being destroyed?

Mr. ANDERSON. Yes; particularly in the Northern and Western States.

Mr. MANN. Domestic or wild?

Mr. ANDERSON. Wild gooseberries and currants.

Mr. MANN. Who destroys them?

Mr. ANDERSON. People employed by the private owners in some places and in others by the State. The Government expends nothing except for the organization——

Mr. MANN. I know the Government does not do it, but I wondered whether there was any effective organization.

Mr. ANDERSON. The experiment shows that if they are destroyed in a belt of 800 feet around the trees it will prevent the infection from the outside. If you eliminate the gooseberries inside that belt it will prevent the spread of the infection within the forest.

Mr. MANN. Some people have told me that the rust might be transmitted from 10 to 100 miles by the wind.

Mr. ANDERSON. I do not think that is true of white-pine blister.

Mr. SNELL. The investigations by the department indicate that it can not spread over 800 or 1,000 feet.

Mr. MANN. I visited a while ago a large wheat farmer and saw a lot of the common barberries scattered around and I expressed my surprise. This man is a very up-to-date farmer, and when I called attention to it he said, "Well, don't believe everything you read."

Mr. ANDERSON. The rust story is another story.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For the investigation and improvement of cereals, including corn, and methods of cereal production, and for the study and control of cereal diseases, including barberry eradication, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broom corn and methods of broom-corn production, $379,705: *Provided*, That $147,200 shall be set aside for the location of and destruction of the barberry bushes and other vegetation from which such rust spores originate.

Mr. ANDERSON. Mr. Chairman, I move to strike out the word "such," on page 20, line 20.

The motion was agreed to.

The Clerk read as follows:

For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, $169,000: *Provided*, That no part of this appropriation shall be used in the free distribution, or propagation for free distribution, of cuttings, seedlings, or trees of willow, box elder, ash, caragana, or other common varieties of fruit, ornamental, or shelter-belt trees in the Northern Great Plains area, except for experimental or demonstration purposes in the States of North and South Dakota west of the one hundredth meridian, and in Montana and Wyoming east of the 5,000-foot contour line.

Mr. LUCE. Mr. Chairman, I move to strike out the last word. I wish to ask the gentleman in charge of the bill what advantage under the present circumstances the country may gain from spending $169,000 for the improvement of methods of crop production? If I rightly read the report of the commission of which the gentleman was a member, the present situation of the farmer is very largely due to the fact that already he is producing substantially more than can be sold. Is it quite fair that in the present need for great economy we should continue an appropriation of this sort for still further increasing the surplus of agricultural products?

Mr. ANDERSON. I think there would not be any economy in striking out this appropriation. The gentleman must remember that there are a large number of people on these arid and semiarid lands. They are farmers, and they need help in their problems if any farmers need aid, because they live in a section of the country where farming is a precarious business. If there are any farmers in the country who need assistance in their problems, these farmers do. While there is something in the suggestion which the gentleman makes with respect to the effect of agricultural production in the country, the fact is that these people are there, and they have to make a living out of the ground, and they are entitled to such assistance as the Government can give them under the circumstances.

Mr. LUCE. I do not criticize this particular item, but I would call the gentleman's attention to three quotations from the report in question, one to the effect that the increase in farm output in the last 10 years has been largely due to increase in acreage, and to a slight degree only has there been an increase in the output per acre. The second quotation to which I refer is to the same effect, that the per acre production of grain has increased at the rate of about one-half of 1 per cent per acre per annum in the last 30 years.

Mr. ANDERSON. At that point may I ask the gentleman a question?

Mr. LUCE. Certainly.

Mr. ANDERSON. Who was it that said, "Oh, that mine enemy would write a book"?

Mr. LUCE. I hope he would write as good a book as this one.

The report furthermore says that the quantity of fertilizer used in the production of farm crops as well as the total expenditure for farm fertilizer has more than doubled in the last 10 years. We have doubled the quantity of fertilizer and we have not increased in any appreciable measure the yield per acre, and we are confronted to-day with a bill appropriating practically twice as much as was expended for the Agricultural Department 10 years ago. What are we getting out of it?

Mr. ANDERSON. There has been an increase in the per acre production of about one-half of 1 per cent annually, and also there has been a tremendous increase in the per man production, a very considerable part of which in my judgment is due to more effective and efficient methods worked out as a result of scientific studies, such as are carried on here.

These studies have not only to be carried on in the laboratory but they have to be carried on on the character of land where eventually they are to be applied. Problems have to be worked out in the field, and these studies are established with the idea of working out these problems in the field under the conditions which the farmer himself is confronted with. It is altogether possible that the country and these farmers themselves would be better off if they had never seen this particular part of the country, which, as I said before, is exceedingly difficult and precarious as a farming country, but they are there, and we can scarcely leave them there with no assistance whatever in the solution of the problems which they have.

Mr. LUCE. Of course, the gentleman realizes that I am not addressing myself to this particular local problem. I am somewhat disturbed by the proof laid before me, that in spite of the fact that the Nation and the States together may have expended in the last generation $1,000,000,000 for the improvement of agriculture, it is still reported to us that there is very little increase per acre in the produce of our soil, and I am wondering whether the actual net results of the expenditure of these enormous amounts of money in the field of agriculture have been justified.

Mr. ANDERSON. I think it unquestionably has in the way I have suggested, by the increase in the per man production which in this country is greater than in any country in the world. The gentleman must remember that we have constantly increased our acreage, and the increased acreage has been of a low-production character, that the best acreage in the country was taken up first, and that as we go westward and take up poorer acreage, it has a tendency in the direction of keeping our average per acre production at a low point. The great development of agriculture in this country, in my judgment, in recent years has been in the increase of the per man production as distinguished from the per acre production.

Mr. LUCE. The gentleman must be aware that on the other side of the water the development of intensive agriculture has been the safety of the people. We seem to be making no progress in the development of intensive agriculture.

Mr. ANDERSON. Oh, if the gentleman lives another hundred years he will see the same development in intensive agriculture in this country he has witnessed on the other side. We have already made great strides in this direction in many sections of the country.

Mr. WHITE of Kansas. Mr. Chairman, I rise in opposition to the pro forma amendment. In the discussion of this particular paragraph I wish to make the statement that the chairman of the subcommittee has, I think, answered effectually the suggestion of the gentleman from Massachusetts [Mr. LUCE]. The extension of our agriculture into the arid sections of the country is responsible for the very slight increase shown in acreage production, because the average must include those low-producing areas.

I am a native of the great agricultural State of Iowa. I left there in 1875 and have revisited that State consecutively almost every year since I left there. I believe it will be borne out by comparative figures that the production of corn and oats in Iowa has been greatly increased through intensive cultivation. A great increase is shown, though I am not able to state the exact figures. We rediscover year after year important truths which have been known for centuries. Cato wrote a book on how to farm good pasture land profitably, and a further section was devoted to how to farm ordinary pasture land profitably and poor pasture land profitably. The farmers of the valley of the Nile, 300 years before the Christian era, knew that you could increase the product of wheat land by once mowing the wheat off, but we have rediscovered within the last decade or two in Kansas, and doubtless in the other wheat-producing areas of this country, that we can raise better wheat frequently if we pasture our wheat and get rid of the early luxuriant growth, which we believe, notwithstanding the specialists, induces and develops the rust that is often so destructive to wheat. We find by practical experience, although we can not prove it scientifically, that we raise better wheat and have less rust when we pasture our wheat. The surface methods of cultivation of arid land are well known to millions of farmers in this country. The French farmers 300 years ago knew thoroughly and well the advantages of surface cultivation and practiced it extensively.

But we have rediscovered and proclaimed it with a great hurrah and blare of trumpets within the last 15 or 20 years. Now, of course, I am pleased that the gentleman does not object to the appropriation. I think these facts are known by our practical farmers throughout the country, and the indifferent farmer gets more benefit from the example of the thoroughgoing intensive farmer in his own neighborhood than he gets from all the agricultural reports that have ever been printed by the Department of Agriculture. [Applause.] But if the indifferent farmer can have called to his attention the advantages that will follow from intensive agriculture or surface cultivation, through the methods which are now being followed and are in common use throughout the western country and which the department seeks to inculcate, I think that the money is well spent. But I do believe, Mr. Chairman, that these methods are already well established, and it seems to me that this money is almost uselessly expended, but if the result claimed can be achieved, if the attention of more farmers can be called to the object sought to be attained, the money will have been wisely appropriated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITE of Kansas. I would ask for a three-minute extension.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

Mr. WHITE of Kansas. I would like to call the attention of this committee just in a single sentence to the statement of the gentleman from Massachusetts [Mr. LUCE], made by him, that there is a great overproduction in the United States to-day of agricultural products; that this is one of the complaints we hear from all over the country. So why should we seek to further increase those products? I call the attention of the gentleman and of the committee to the fact that within the last three months the prices of all staple agricultural products have been advancing gradually and constantly; that wool selling a year ago at 23 cents a pound is now being sold for 36 for the clip before it is taken off. That the price of live hogs on the market of the country at this time, when it is not usual to expect a great advance, when we might expect a dull market, has advanced within the last 90 days approximately $4 per hundred.

I further call attention of this committee to the fact that I saw a statement this morning from the Daily Drovers Telegram, of Kansas City, that a sheep raiser and feeder of the State of Utah marketed in Kansas City 400 head of lambs that cost him on the range $5.60 at $15.50. I want further to call attention, Mr. Chairman and gentlemen of the committee, to the fact that a shipper from Sterling, Tex.—that must be a good town for it has a splendid name—by the name of Foster—in whose district is Sterling located?

Mr. HUDSPETH. In the best district in Texas.

Mr. WHITE of Kansas. Then it must be in the district of my friend HUDSPETH, the gentleman from Texas. Well, he marketed 1,500 Texas lambs in the Kansas City market last week at a high price and said in a newspaper interview in substance that the sheepman is again on his feet and prosperous, and his herds are reorganized on a paying basis.

Mr. LONGWORTH. If the gentleman will yield, the gentleman will recall that the gentleman from Texas, to whom he refers, voted for the emergency tariff bill.

Mr. WHITE of Kansas. Not only voted for it, as the gentleman from Ohio suggests, but was one of its ablest champions. Had the gentleman from Texas, who was absent on account of sickness, been here upon that fateful day when we lacked just three or four votes of getting that little duty on hides in the general bill, it would have been like a blast of the bugle from Roderick Dhu. [Applause.] It would have been worth enough Democratic votes to have carried it through. [Applause.]

And since my attention has been called thereto, I can not refrain from further allusion to the words of my good Democratic friend from Texas, Mr. HUDSPETH. I think it must have been about the 14th of last April, speaking on this very subject of the emergency tariff, which provides for a stiff duty on wool and frozen meats and other products of the farm, the gentleman from Texas, describing the sheep industry in his State, said, "Our sheep and goats are practically worth nothing; it costs 30 to 50 cents per pound to produce wool and mohair, and when it sells, it sells from 10 to 20 cents per pound." It was a most distressing condition he pictured, but not in the least overdrawn.

Those loyal people, who had supported their Government splendidly throughout the ordeal of war, who sent their sons to do battle for their country, were in the spring of 1921 on the brink of ruin. No stronger appeal for relief has ever been presented in this House than was spoken by CLAUDE HUDSPETH, of the fourteenth Texas, in the interests of a distressed constituency.

But what is the situation to-day? In all my experience of 46 years in Kansas I do not recall when there has been so complete a reversal of conditions in the brief period of less than one year. The advance in the price of all classes of cattle exceeds $2 per hundred in 90 days. If, as is estimated, there are now 70,000,000 cattle in the United States, averaging 700 pounds, it shows an increase in value on the item of cattle of $980,000,000, or, in round numbers, $1,000,000,000.

And the same is true of swine, except in a greater degree. A net advance of $3.50 has been scored in the past 90 days and sold in Kansas City this week at $11.15 per hundred.

Seven million bushels of wheat were received in Kansas City from my own State of Kansas for the month of February, at $1.40 to $1.50 per bushel cash for standard wheat. More than $10,000,000 went to the farmers and country elevators of my State in the single month of February for wheat alone. The effect of the price improvement is being reflected in almost every line of business throughout the country.

And I am pleased, and more than pleased, that the sheep and wool industry and the cattle industry, forming so large a part of the investments of the people in the district of my Democratic friend from Texas [Mr. HUDSPETH] are sharing in the improved and constantly improving conditions.

And while it is true that the present upward trend in the prices of many of the products of the farm is most gratifying it is also true that one great obstacle to complete fair readjustment remains yet to be removed. And that is the reduction of transportation rates, which are so high as to be almost prohibitive in some particulars. And which are an incubus on the free interchange of commodities. The proper reduction of freight rates would doubtless do more than any other one thing to give further important relief and benefit to producers and consumers and, in my candid judgment, would also increase the revenues of the railroads and thus a benefit would accrue to the entire population of the country and to all lines of business at the same time.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the proforma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For the investigation and improvement of fruits, and the methods of fruit growing, harvesting, handling, and studies of the physiological and related changes of fruits during the processes of marketing and while in commercial storage, $114,200.

Mr. HAYDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 15, strike out "$114,200" and insert in lieu thereof "$121,700."

Mr. HAYDEN. Mr. Chairman, the Bureau of Plant Industry succeeded in convincing the Director General of the Budget that this appropriation should be increased this year to $121,000. A part of that increase, I understand from the hearings, is made up by a transfer from the Bureau of Markets which the committee has allowed. But I understand that some of the items asked for and demonstrated to be necessary to the Bureau of the Budget were not allowed by the Committee on Appropriations, and for that reason I have offered this amendment.

Mr. ANDERSON. I will say to the gentleman that the appropriation which I suppose he has in mind, which is a very important matter, involves the increase of $9,000 more for bud-selection work, and it is included in this item, but the item of $23,000 covered from the Bureau of Agricultural Economics into this item was not allowed.

Mr. HAYDEN. I understood that the increase asked for in this appropriation was, in part, to be applied to strengthening the remarkable investigations into the bud selection of superior strains of citrus fruits.

Mr. ANDERSON. That is taken care of.

Mr. HAYDEN. In the citrus-growing regions of southern California and Arizona it has been demonstrated that in many groves there are what might be called "loafer" trees, just as has been shown by the Babcock test in the dairy industry that there are "boarder" cows that are not worth their keep. When buds are selected from trees by going into an orchard without knowing anything about the parent trees, very frequently buds are obtained from a tree that does not produce a good quality or a proper quantity of fruit. This is a question that is of immense interest to the citrus fruit growing industry everywhere, and I am glad, indeed, to be advised that the committee has allowed the full amount for this important work.

These investigations will be of the greatest value to my State. A large sum of money is soon to be expended in the development of the Yuma mesa, largely with the idea of growing citrus fruits there. It is of the utmost importance that investigations on bud selection, such as those carried on in California, be extended to Arizona in order to find strains of citrus fruit that can endure the hot dry weather of the summer and give large yields of choice fruit. It is no exaggeration to say that the success or failure of the Yuma mesa project as a citrus-fruit region may in the end depend on whether or not these investigations are made.

Mr. ANDERSON. The committee had that in mind.

Mr. HAYDEN. I therefore withdraw my amendment.

The CHAIRMAN. Without objection the amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

For continuing the necessary improvements to establish and maintain a general experiment farm and agricultural station on the Arlington estate, in the State of Virginia, in accordance with the provisions of the act of Congress approved April 18, 1900, $70,500: *Provided*, That the limitations in this act as to the cost of farm buildings shall not apply to this paragraph.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order on the paragraph. What is the meaning of the limitation on the cost of buildings?

Mr. ANDERSON. The removal of the limitations on the cost of buildings, of course, is not new in this paragraph. That proviso has been carried for many years.

Mr. HAUGEN. It does not make it permanent law?

Mr. ANDERSON. The increase in the appropriation is to cover the installation of a new set of boilers in the heating plant at the Arlington farm.

Mr. HAUGEN. This is not the building?

Mr. ANDERSON. No; it covers the heating plant.

Mr. HAUGEN. How much is to be used for the heating plant?

Mr. ANDERSON. Twenty thousand dollars.

Mr. HAUGEN. And the other is for building it?

Mr. ANDERSON. And the other $20,000 is the regular maintenance item.

Mr. HAUGEN. That is the amount carried last year for the building. Has not the building been completed?

Mr. ANDERSON. That was not for the building. This $20,500 is for the maintenance of the farm, and the $50,000 additional covers the installation of a new set of boilers and the boiler house.

Mr. HAUGEN. Then the additional appropriation is for the boilers, and that is necessary to be done?

Mr. ANDERSON. Absolutely.

Mr. HAUGEN. I withdraw the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation of the utilization of cacti and other dry-land plants, $130,000: *Provided*, That of this amount not to exceed $56,600 may be used for the purchase and distribution of such new and rare seeds.

Mr. LANGLEY. Mr. Chairman, I offer an amendment as a new paragraph.

The Clerk read as follows:

Amendment offered by Mr. LANGLEY: Page 26, after line 7, insert a new paragraph as follows:

"Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $360,000. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated; and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants."

Mr. ANDERSON. Mr. Chairman, I make the point of order on the paragraph: It is not germane to the section of the bill and is not authorized by law.

The CHAIRMAN. Does the gentleman make it or reserve it?

Mr. ANDERSON. I make the point of order.

Mr. LANGLEY. I wish to call the attention of the Chair to the fact——

Mr. ANDERSON. Mr. Chairman, it never seemed to me that a point of order to this particular paragraph needed any particular discussion. It is so obviously legislation that it does not seem to me necessary to make any argument with respect to it. In the first place, there is not any law that I am aware of which authorizes a congressional seed distribution. The paragraph, outside of that portion of it which provides an appropriation, contains a series of directions to the Secretary of Agriculture as to the method of making this distribution, for which there is no law whatever. Now, of course, you can attach certain restrictions, limitations, and requirements to the expenditure of an appropriation, but these provisions are directions to the Secretary of Agriculture and not in the nature of limitations upon the expenditure of the money at all. They are in the nature of legislative direction to the Secretary of Agriculture as to what shall be done after the appropriation has been spent for the purchase of seeds. It provides, for instance, for due advertisement and competitive bids. It provides that an equal proportion of five-sixths of all seeds, bulbs, cuttings, plants, and so forth, shall be supplied to Senators and Representatives, for which there is no authority of law. It provides——

Mr. LANGLEY. Will the gentleman yield to me at that point?

Mr. ANDERSON. Yes.

Mr. LANGLEY. Perhaps I can shorten the discussion a bit—I hope I can, at least—by calling the gentleman's attention to the fact that this is an exact copy of the amendment offered last year by me, and which became a part of the law of the land, and that the same question which he is now discussing, including the point that several new provisions of law were proposed, was discussed fully then. The same gentleman who occupies the chair now occupied it then, and ruled then that it was in order, and in so ruling followed the ruling which had been adopted by a previous Chairman of the Committe of the Whole.

Mr. ANDERSON. The gentleman is aware of the fact, and because he is aware of it he has been at some pains to direct the Chairman's attention to the fact, that there are many reasons why the ruling he made last year was erroneous.

The CHAIRMAN. Does anybody desire to discuss this question on the point of order? If not, the Chair will rule.

Mr. LANGLEY. Mr. Chairman, practically all I wanted to say I said in my colloquy with the gentleman from Minnesota [Mr. ANDERSON]. I assume that the Chair will notice that I made a literally correct statement of what occurred last year, and so far as I am concerned I think the Chair fully understands the question. Therefore I do not care to take up the time of the committee further, although I am very anxious to make a speech on this subject.

Mr. HAUGEN. Mr. Chairman, I think there is no question about the point of order. I think the organic law makes it clear that the amendment is in order. The law says:

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

The CHAIRMAN. The Chair wishes to make a statement in regard to the point of order. As the gentleman from Kentucky a few days ago kindly informed the Chair of his intention to offer the amendment, the Chair has had opportunity of studying the question, and will ask the indulgence of the committee for a few minutes in order to present his views on this much-controverted subject.

As this congressional seed distribution proposition has for many years been the subject of discussion and uncertainty, the Chair, with the able assistance of the parliamentary clerk, has taken occasion to look up the history of the subject.

The Chair finds as early as 1904 the point of order relating to this proposition was presented to the House, and that since then, either against a paragraph in the bill itself or against an amendment, it has claimed the attention of Members of Congress.

On February 5, 1904, with Mr. Powers, of Maine, in the chair, Mr. Sheppard, of Texas, made a point of order against that part of the item relating to the method of distribution of the seeds. The Chair on that occasion sustained the point of order.

During the consideration of the bill in 1906 Mr. Wadsworth, of New York, made a point of order against the proposition, and while the subject was thoroughly discussed, as the point of order was withdrawn, no decision was rendered by the Chairman.

On January 29, 1907, Mr. Candler, of Mississippi, offered the amendment providing for congressional seed distribution. Mr. Foster, of Vermont, occupied the chair at that time, and Mr. MANN, of Illinois, reserved a point of order against the amendment, but later withdrew it. The objection having been renewed by Mr. Jones, of Washington, the Chair sustained it. On an appeal from this decision, by a teller vote of 84 ayes and 136 noes, the Chair was overruled. At that time, while the Chair seemed clear on the parliamentary merits of the case, he recognized the fact that there was some confusion in the rulings.

On March 19, 1914, when Mr. Hamlin, of Missouri, was presiding, the question was again presented and fully discussed. Mr. SUMNERS, of Texas, made a point of order against the item, but the objection was overruled by the Chair.

On February 21, 1921, when the present occupant of the chair was presiding during the consideration of the Agricultural appropriation bill, Mr. LANGLEY, of Kentucky, offered the seed-distribution amendment, against which a point of order was made by Mr. BLANTON, of Texas. The Chair in rendering his decision stated that—

The ruling which the Chair is going to make is in direct opposition to the real opinion of the Chairman, but he founds it entirely on the precedent established by this committee a number of years ago, when it, by a decisive vote, overruled the Chairman and held in order this proposition.

The Chair finds that the general law relating to seed distribution provides (sec. 526, R. S.) that—

The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon to the country, or such as can be made more profitable by frequent changes from one part of our own country to another; and the purchase or propagation and distribution of trees, plants, shrubs, vines, and cuttings shall be confined to such as are adapted to general cultivation and to promote the general interests of horticulture and agriculture throughout the United States.

Thirty-ninth United States, page 741, provides:

The Public Printer shall furnish to the Department of Agriculture such franks as the Secretary of Agriculture may require for sending out seeds on congressional orders, the franks to have printed thereon the facsimile signatures of Senators, Representatives, and Delegates; also the names of their respective States or Territories, and the words "United States Department of Agriculture, congressional seed distribution," or such other printed matter as the Secretary of Agriculture may direct, the franks to be of such size and style as may be prescribed by the Secretary of Agriculture; the expense of printing the said franks to be charged to the allotment for printing and binding for the two Houses of Congress.

Eighteenth Statutes, 343, provides:

Seeds transmitted by the Commissioner of Agriculture, or by any Member of Congress or Delegate receiving seeds for distribution from said department, together with agricultural reports emanating from that department, and so transmitted, shall, under such regulations as the Postmaster General shall prescribe, pass through the mails free of charge. And the provisions of this section shall apply to ex-Members of Congress and ex-Delegates for the period of nine months after the expiration of their terms as Members and Delegates.

The Chair finds that while there is existing law authorizing the purchase of seeds by the Department of Agriculture and authorization for the printing of franks by the Public Printer, as well as law providing for the transmission of seeds through the mails, the Chair fails to find any authorization for the congressional distribution of seeds, or any authorization permitting the Secretary of Agriculture to enter into contract for a period of years for the packing, assembling, mailing of the seeds, or for the procurement of containers in which to ship them, or any authorization for the method to be pursued by the Secretary of Agriculture in making the distribution. These provisions have been carried in appropriation bills for many years and are merely current law, and as such are on their face prima facie evidence of legislation, because if such provisions were permanent legislation they would have long ago been dropped from the appropriation bill, since if permanent they would be mere repetition of unnecessary verbiage. However, the Chair has examined the statutes carefully and has been unable to find any permanent law except the three statutes above quoted.

The Chair is cognizant of the desirability of maintaining uniformity in the matter of precedents, and recognizes the fact that without such uniformity decisions would become largely arbitrary and personal and would lead to confusion.

The Chair realizes also that it has been the custom in deciding parliamentary questions to pay great deference to former decisions. The Chair does not forget that it is the duty of the Presiding Officer to found his decision upon parliamentary laws and procedure, without reference to the expediency of the legislation proposed or to the sentiment of the committee.

The Chair also feels that when a committee establishes a ruling the motives of those voting on the decision should not be questioned. The fact that this proposition has for years been carried upon the statutes, while it may be indicative of policy, can have no binding force, for it frequently happens that many items are retained in bills not because they are free from parliamentary objections but because no points of order are made against them.

This amendment proposes legislation upon an appropriation bill and provides for an appropriation for a purpose not authorized by law.

While the Chair feels that this amendment is subject to the point of order under Rule XI, and would so rule were it brought before him as an original proposition, yet he feels that an individual opinion should not be set against precedent established by the committee itself.

The Chair, despite the precedent of 1907 and other decisions, in justice to his own opinion, can not bring himself to the point of rendering a decision which would seem to emasculate Rule XXI and vitiate the many decisions rendered in conformity to it. On the other hand, realizing fully the value which the House has always placed on precedents, the Chair is loath to reverse them by a formal declaration, even though his own opinion is not in accord with these particular precedents, and notwithstanding the fact that he feels the recognized procedure of the House would warrant the Chair in sustaining the point of order.

In view of the strictness with which the rules of the House are now interpreted in reference to the demarcation between the legislation and appropriation powers of the several committees, the Chair feels that it is proper that the question should be determined by the committee itself in order that it may decide whether the ruling of the committee rendered 18 years ago is acceptable at the present time.

The Chair is also fortified in his suggestion to refer the matter to the committee by entertaining the view that when the opinion of the Chair is at variance with the opinion of the committee the proper procedure is to ask the committee to make the ruling. Therefore the Chair is going to let the committee determine whether this amendment is or is not in order on this appropriation bill. Are you ready for the question, gentlemen? [Cries of "Question!"]

The question is, Shall the amendment be considered in order? Those in favor will answer "aye"; those opposed, "no."

The question was taken; and the Chairman announced that the "ayes" appeared to have it.

Mr. ANDERSON. A division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 113, noes 46.

The CHAIRMAN. Therefore the opinion of the committee is that the amendment is in order.

Mr. CLARKE of New York. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The vote just taken discloses that a quorum is present. The question is on the amendment offered by the gentleman from Kentucky [Mr. LANGLEY].

Mr. ANDERSON. I move to strike out "$360,000" and insert "$240,000."

The CHAIRMAN. The gentleman from Minnesota offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON to the amendment offered by Mr. LANGLEY: Strike out the figures "$360,000" and insert in lieu thereof the figures "$240,000."

Mr. ANDERSON. Mr. Chairman, I am opposed to the whole amendment; but with the reduction in the cost of seed and with the reduction in the cost of envelopes and other items connected with this distribution, $360,000 in the next fiscal year will be altogether more than is necessary in order to do this thing upon a fairly reasonable basis for the Members of the House and Senate. If the Members desire to do this and do it in a reasonably economical and efficient way, $240,000 will do it in that way. It is simply a question whether you are going to be reasonably economical or whether you are going to spend the taxpayers' money like a bunch of drunken sailors.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. ANDERSON] to the amendment offered by the gentleman from Kentucky [Mr. LANGLEY].

The question being taken, on a division (demanded by Mr. RAMSEYER) there were—ayes 63, noes 97.

Accordingly the amendment of Mr. ANDERSON to the amendment of Mr. LANGLEY was rejected.

Mr. NOLAN. Mr. Chairman, in the confusion we could not hear the announcement of the result.

The CHAIRMAN. The amendment offered by the gentleman from Minnesota [Mr. ANDERSON] was lost.

Mr. LUCE. Mr. Chairman, I move to strike out the last word, not to engage in debate upon the main proposition but in order that next fall we may be able to refer to the fact that when the chairman of the subcommittee in charge of this bill informed the House that this work could be done for $240,000 instead of $360,000 only two gentlemen on the Democratic side of the House rose to support his amendment. [Laughter.]

Mr. SISSON. Mr. Chairman, I move to strike out the last two words. I sincerely trust that this question will be resurrected next November, and when you go out to get the farmers' vote of this country I want them to understand that there were only two Democrats who voted against giving the farmers the garden seed that they have been getting for over one hundred and twenty years. Mr. Jefferson, the father of Democracy, instituted the distribution of seed by the Government. I have always voted for this small appropriation. I do not care how many of you Republicans vote against this item so far as politics is concerned. But I am rather at a disadvantage, for this reason, that if I wanted a really good political issue I would like to have something pointing the way the wind blows; but unfortunately enough of the overwhelming Republican majority have voted in favor of giving seed to the farmers, so that now they have taken that issue away from me. [Laughter.]

Mr. LUCE. Will the gentleman from Mississippi yield?

Mr. SISSON. Yes.

Mr. LUCE. The gentleman misunderstood my statement. Only two Democrats voted against reducing the amount of the appropriation to the sum which the chairman of the subcommittee [Mr. ANDERSON] said was sufficient to give a proper distribution of seeds. They voted, not against the distribution of seeds but against economy in the distribution of seeds.

Mr. SISSON. If you want to get right down to the facts, I happen to know something about this subject, and $360,000 will not be enough to give seed to every congressional district. The appropriation ought to be increased.

Mr. LANGLEY. I wish it was $450,000 instead of $360,000, speaking for myself personally.

Mr. ANDERSON. Mr. Chairman, I move that all debate on the amendment and all amendments thereto do now close.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on the amendment and all amendments thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. LANGLEY].

The question being taken, on a division there were—ayes 145, noes 65.

Accordingly the amendment was agreed to.

The announcement of the result was received with applause.

The Clerk read as follows:

For general administrative expenses connected with the above-mentioned lines of investigation, including the office of the chief of bureau, the assistant chief of bureau, the officers in charge of publications, records, supplies, and property, and for miscellaneous expenses incident thereto, $25,980; in all, general expenses, $2,425,050; total, Bureau of Plant Industry, $2,922,610.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to correct the totals in the bill in accordance with the action of the House.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the Clerk be authorized to correct the totals of the bill in accordance with the action of the House. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Chairman, I move to strike out the last word. On account of the remarks of the gentleman from Massachusetts [Mr. LUCE] a moment ago I want to call attention to the last vote, which shows that with a Republican majority of 165 or more in the House there were only 65 who voted against the seed proposition.

Mr. LUCE. Will the gentleman yield for a moment?

Mr. PADGETT. Yes.

Mr. LUCE. I counted the Democrats who voted against the seed proposition, and I discovered six, certainly, and one who kept bobbing up and down so fast that I could not decide which way he voted.

Mr. PADGETT. That is all right. We do not conceal where we stand, but with 165 Republican majority you could muster only 65 to vote against the distribution of seeds.

Mr. CRISP. With a Republican membership of 305 in the House there were only 65 who voted against it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

For the selection, classification, and segregation of lands within the boundaries of national forests that may be opened to homestead settlement and entry under the homestead laws applicable to the national forests; for the examination and appraisal of lands in effecting exchanges authorized by law and for the survey thereof by metes and bounds or otherwise, by employees of the Forest Service, under the direction of the Commissioner of the General Land Office; and for the survey and platting of certain lands, chiefly valuable for agriculture, now listed or to be listed within the national forests, under the act of June 11, 1906 (34 Stats., p. 233), and the act of March 3, 1899 (30 Stats., p. 1095), as provided by the act of March 4, 1913, $60,000.

Mr. HAYDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN: Page 32, after line 12, insert a new paragraph, as follows:

"For training and instruction of officers and employees of the Forest Service necessary for effective protection and administration of the national forests, $20,000."

Mr. HAYDEN. Mr. Chairman, it has been the experience of those engaged in fighting fires in the national forests that there is great necessity for instructing the officers of the Forest Service in the proper methods of carrying out that most important work. The Forest Service was able to convince the Secretary of Agriculture and the Director General of the Budget that an appropriation such as I have proposed would be in the nature of real economy. Congress has at different times appropriated large sums, millions of dollars in a single year, for fighting forest fires. The Forest Service is convinced, as a result of this costly experience, that if the forest officers and employees can be gathered together and given proper instructions in the best methods of fighting fires it will be possible to save large sums of money.

It seems to me that if the Forest Service can convince the hard-headed Director of the Budget that an appropriation of $20,000, such as I have offered, will actually result in economy, then Congress should promptly carry out his recommendation. When Congress is suddenly informed that great fires are burning in the national forests, we promptly appropriate hundreds of thousands of dollars to meet the emergency. But why not spend a little money for preparedness?

An inspection and analysis of the history of bad forest fires has shown that inexperienced and inexpert forest officers have been responsible for much of the losses of the national forest resources and expenditures of public money in suppressing the fires. Should this item of $20,000 be made available it is planned to provide an intensive preliminary training for forest officers who, in connection with their duties on the national forest, will be called upon to assume the responsibility arising in connection with the detection and suppression of forest fires.

Knowledge and skill in this work does not come to men naturally, nor is it possible to hire men who are expert in fire protection. There are no private or public schools where such instruction can be secured. It is indeed wasteful for forest officers to secure all this training and experience at the expense of burning forests. The values saved on a single fire would more than equal this expense. The purpose of my amendment is to make possible this special training in advance of the fire season.

Those in direct charge of the work have carefully studied the question and arrived at the conclusion that by gathering together the men whose duty it is to undertake this work, to supervise the crews of men who will be hurriedly engaged to put out the fires, will result in real economy; and if so, why not practice it? Why follow a cheeseparing plan of apparently saving a little here and a little there, when in the end the Government will have to expend thousands of dollars more? I am surprised that the Committee on Appropriations, friendly as it usually is to the Forest Service, did not include this item in the bill.

Mr. ANDERSON. Mr. Chairman, I think there is something in the suggestion of the gentleman from Arizona as to this item, but I do not think there is enough to justify the proposition at this time, and I hope the amendment will not be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For the purchase of tree seed, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting, $120,640: *Provided*, That from the nurseries on the Nebraska National Forest the Secretary of Agriculture, under such rules and regulations as he may prescribe, may furnish young trees free, so far as they may be spared, to residents of the territory covered by "An act increasing the area of homesteads in a portion of Nebraska," aproved April 28, 1904.

Mr. ANDERSON. Mr. Chairman, I move to strike out the sum "$120,640" and insert the figures "$125,640."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 12, strike out the figures "$120,640" and insert in lieu thereof "$125,640."

Mr. ANDERSON. Mr. Chairman, in transferring the proviso from another place in the bill to this place we did not transfer the money which should be transferred to cover it, and the amendment I offer is intended for that purpose.

Mr. MANN. Mr. Chairman, a few moments ago the committee voted on the question of the free distribution of seeds throughout the country, and there were quite a number who voted against it. A few days ago the House voted on the question of appropriation for the purchase of seed for certain people who were in distress in the country, and more than one-third of the House voted against it. But here is an item which any Member of the House could have stricken out by simply making a point of order, but no Member has made the point of order, not even those who are opposed to the free distribution of seeds or those opposed to the appropriation of money to purchase seed for the farmers in need of it.

Here is an item that gives trees away for nothing. While it says "surplus trees," of course everyone knows that it means that they raise the trees for that purpose. The only way they have a surplus is to raise the trees, and then when they have the surplus they give them away. Yet nobody, not even our distinguished friend from Massachusetts [Mr. LUCE], makes a point of order against the item, which has all the fault of the free-seed distribution. Not even the committee that reported it objects to it, although opposed to the free distribution of seed. The committee is quite willing to give the plants away after the Government has gone to the expense of purchasing the seeds, planting them and raising the trees. I think it is a good thing

to do. I have wondered whether the most of the Members who are opposed to free-seed distribution opposed it because they know it will go through, and then omit to make a point of order on this item because they know that if they do the item will go out.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, the gentleman from Illinois [Mr. MANN], who has just spoken, wonders whether some of those who voted against the free-seed appropriation did not do so really hoping that the appropriation would nevertheless be adopted. I am one of those who, ever since I have been in Congress, have voted against the appropriation for free seeds, and I have no hesitation in recording myself against it now. I have done this largely because this appropriation has been a favorite theme for newspaper paragraphers, who sought to belittle Congress, and I think they have been successful to a certain extent. This appropriation has often been called political graft, and there are many people who believe that Congressmen desire the seed distribution solely for political purposes. I give the gentlemen who voted for the appropriation credit for desiring to accomplish a beneficial object by the distribution of this seed, and I am quite ready to admit that in many instances it has served a good purpose. But, Mr. Chairman, whatever benefits may be received from this source are, to my mind, by no means commensurate with the expenditure which is carried by the appropriation which has been adopted by the committee. In other words, the benefits are small to the persons who receive these seeds in comparison to the expense.

But that is not all. I doubt whether any Congressman gets any benefit from the seed distribution in a political way, and it is more or less expense and trouble to all Members of Congress who undertake to make use of it. I have hoped for a long time that we would be able to get rid of this burden, but gentlemen on the other side of the House have furnished the votes which were necessary to keep it in the Agricultural appropriation bill. There probably was a time when the distribution of garden and flower seeds by the Government enabled people to get a better grade of seeds than they could otherwise obtain. Indeed, the original theory of this distribution was that thereby rare and useful varieties would be distributed. Whatever there might have been in this original proposition, nothing of the kind obtains now. The seeds are, with few exceptions, very ordinary in quality and often not entirely reliable. I can see nothing in the plan which justifies the expenditure of $360,000 or even $200,000, and hope that when the bill is finally enacted into law this item will not be contained in it.

Mr. STEVENSON. Mr. Chairman, I rise in opposition to the pro forma amendment. We are having an experience meeting, and I want to say to the gentleman from Iowa [Mr. GREEN] that I am very glad to take the trouble to distribute these seeds to the people in my district, because they want them. The schoolteachers write to me for them, and they have their flower gardens and they teach the children how to make flower gardens and vegetable gardens. The cotton-mill people have their little gardens, and they get their houses pretty cheap, provided by the cotton mills. The cotton-mill people write to me for these seeds; they are glad to have them. I think it is one of the privileges of the Congressmen to once in awhile be able to send back to the people something real from this Congress up here. We bombard them with speeches and with all kinds of literature and all that kind of thing that is useful for some purposes on the farm, but for not many. We send them absolutely nothing direct from Congress except the seeds. I will say for the people in my country that they not only want them, but they commend them. I have had letter after letter in the last few days in respect to the improvement in the seeds in the last two or three years. I have distributed my quota and I have managed to obtain an additional amount. It will take all of them to supply my needs. If the gentleman from Iowa wants to part with any of his and not have the trouble of sending them to his constituents, I would be very glad to get some of them and send them out to mine.

The Clerk read as follows:

For silvicultural, dendrological, and other experiments and investigations, independently or in cooperation with other branches of the Federal Government, with States and with individuals, to determine the best methods for the conservative management of forest and forest lands, $85,000.

Mr. MAPES. Mr. Chairman, I move to strike out the last word.

This paragraph makes the appropriation for the existing forest experiment stations of the country. Some time ago, at the request of several patriotic, public-spirited citizens and some associations in my State, I introduced a bill to make an appropriation for the purpose of establishing a forest experiment station in one of the States of the Great Lakes.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. MAPES. If the gentleman will wait a moment until I make a brief statement, I shall be glad to yield to him.

The necessity for these experiment stations and the work which they are doing is well explained in the testimony of Mr. E. H. Clapp, the assistant forester in charge of forest products in the Department of Agriculture. His testimony on this subject is very illuminating. It appears on page 221 and the pages immediately following of the hearings before the subcommittee that reports this bill.

There are at present only three forest experiment stations in the whole country, one located in North Carolina, one in Louisiana, and one, I believe, in Montana. The testimony is that there ought to be available from forty to fifty thousand dollars per year for each one of these stations, and this item provides for the three stations only $85,000. It is obvious, therefore, that it will be impossible for the department to establish out of this appropriation any additional experiment stations to those already in operation. The committee has reported the full amount for this purpose that was recommended by the Director of the Budget; and, following the general policy of the Appropriations Committee not to increase the appropriation as recommended by the Director of the Budget, the subcommittee reports this item as it is, although the need for a greater appropriation is very urgent.

I think it is conceded by all those who have made any particular study of the question that there ought to be more forest experiment stations throughout the country.

The forests of the country are being rapidly depleted, and there must be some intensive reforestation work done if we are to keep up with the consumption. Mr. Clapp in his testimony says that the annual consumption of timber in the United States is 26,000,000,000 cubic feet, and that we are growing only about 6,000,000,000 cubic feet per year to replace this annual consumption of 26,000,000,000 feet. To produce the amount consumed he very well says "we have got to practice intensive forestry. The only way we can get the basis for this intensive practice," he continues, "is through the work of our forestry experiment stations." He goes on to give the number of acres in the United States which ought to be reforested. "We have some 80,000,000 acres of forest land in the United States to-day which are practically unproductive, growing practically nothing. In addition," he says, "there are in the neighborhood of 245,000,000 acres which are covered with second growth, only a part of which is producing what the land ought to produce, and a large part of which is producing only a fraction of what the land ought to produce." It is well known how the forest lands of the States of the Great Lakes have been depleted, and Mr. Clapp makes the statement that notwithstanding this territory has been such a great producer of forest products in the past and "for many years supplied a large part of the whole country," it is now "barely self-supporting," and probably within 10 years it will be importing forest products instead of exporting them. To show the necessity of having a forest experiment station in this territory at the earliest practicable moment, I desire to quote this brief statement from the testimony of Mr. Clapp:

The history of the Lake States as a lumber-producing region is so recent that it is pretty well understood; there are just a few figures bearing on it, which I would like to mention, however. The maximum production of white pine lumber in the year 1892 was in the neighborhood of 9,000,000,000 board feet. Up to this time the Lake States had supplied the great lumber markets of the Middle West and the East. Lumber even went into the South, and as far west as Denver. Production in 1921 had fallen to approximately 1,000,000,000 board feet.

The cut of Michigan, which for 25 years was the leading lumber-producing State in the United States, was in the last report (I am speaking still of white pine) less than half of the cut of white pine in the State of Massachusetts.

Wisconsin, which led the country in lumber production in 1900, produces less white pine lumber now than either Maine or New Hampshire. Wisconsin consumes some 800,000 cords of pulp wood each year, and one-third of that comes from outside of the State. The forest area of the Lake States is in the neighborhood of 46,500,000 acres. Of this the best information we can get indicates that 20,000,000 acres are idle land. One of the great problems is the reforestation of that enormous area.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MAPES. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MAPES. There has been some confusion I find in the minds of some in that they have failed to distinguish between a forest-products laboratory and a forest experiment station. A forest-products laboratory has to do with the utilization of timber after it is grown, and a forest experiment station is for the purpose of growing timber. A forest experiment station must be in the area where it is proposed to grow the timber. Mr. Clapp very clearly draws the distinction between these two propositions in his statement before the committee.

He says:

The general purpose of the forest experiment stations is to perform the same function in relation to timber growing that the agricultural experiment stations do for agriculture and the growing of farm crops. They are to secure the technical and scientific basis for reforestation and for the protection and growing of timber. There is a clear-cut distinction between the work of these stations and the work of the forest-products laboratory. The stations find out how to grow timber, and the laboratory is to find out how to utilize timber effectively.

At another point he says:

We have to go to the woods to solve these problems. We can not carry the problems to a laboratory as we can problems of wood utilization. For example, if we want to try out methods of planting we must use the species in the region we are studying and plant under the conditions in that region or the results will not be good.

Now, Mr. Chairman, I am not making a motion to increase this appropriation, because I am in sympathy with the effort of the Committee on Appropriations to keep down the appropriations this year to a minimum, and especially to keep within the recommendations of the Director of the Bureau of the Budget, but I did want to take advantage of this opportunity to call attention to the bill which I have introduced to establish a forest experiment station in one of the States of the Great Lakes and to the importance of this work in general and the necessity or the desirability of increasing the appropriation for this purpose at the very earliest opportunity consistent with the economy program of the Congress this year.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For the construction and maintenance of roads, trails, bridges, fire lanes, telephone lines, cabins, fences, and other improvements necessary for the proper and economical administration, protection, and development of the national forests, $400,000: *Provided*, That not to exceed $50,000 may be expended for the construction and maintenance of boundary and range division fences, counting corrals, stock driveways and bridges, the development of stock watering places, and the eradication of poisonous plants on the national forests: *Provided further*, That hereafter no part of any funds appropriated for the Forest Service shall be used to pay the transportation or traveling expenses of any forest officer or agent except he be traveling on business directly connected with the Forest Service and in furtherance of the works, aims, and objects specified and authorized by law: *And provided further*, That hereafter no part of any funds appropriated for the Forest Service shall be paid or used for the purpose of paying for, in whole or in part, the preparation or publication of any newspaper or magazine article, but this shall not prevent the giving out to all persons, without discrimination, including newspapers and magazine writers and publishers, of any facts or official information of value to the public.

Mr. HAYDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 13, strike out "$400,000" and insert in lieu thereof "$450,000."

Mr. HAYDEN. Mr. Chairman, this appropriation was approved by the Secretary of Agriculture and Bureau of the Budget in the sum of $450,000, and my amendment is to increase it to that amount. The appropriation carried for this purpose during the last two years has been $400,000, but the amount is inadequate. For three years, in 1918, 1919, and 1920, this appropriation was fixed at $450,000. The reduction, made on the alleged ground of economy, is again proposed, which simply means that the Forest Service must choose between expenditures for the protection of the national forests against fire and for the construction of drift fences, boundary fences, and other range improvements necessary in connection with the grazing of live stock in these forests.

As a matter of fact, the stockmen who have grazing permits on national forests have been compelled to build drift fences for their own protection and at their own expense in addition to paying the required grazing fees. It is unfair that this added burden should be placed upon them, but if Congress fails to appropriate the required funds, they must continue to dig down in their own pockets at a time when the live-stock industry is far from prosperous. This increase of $50,000 is less than 2½ per cent of the more than $2,000,000 paid into the Federal Treasury each year by stockmen as grazing fees.

The national forests, of course, were primarily created for the protection of the timber, and the Forest Service will take this money, which can be spent for either purpose, and expend it for fire protection.

Mr. ANDERSON. Mr. Chairman, the estimates this year did carry an increase of $50,000 in this appropriation, not for the purpose which the gentleman from Arizona suggests but for the purpose of the construction of lookout houses and certain dwellings for rangers and other purposes of that sort. This $50,000 would be wholly useless for the purpose for which the Forest Service desires to use it without the language which they proposed to insert, and in view of the fact there has been no estimate for the purpose that the gentleman from Arizona suggests, it seems to me that the amendment which he proposes should not be agreed to.

Mr. HAYDEN. If the gentleman from Minnesota will yield, it appears upon the face of this appropriation that the money may be used for either purpose—roads, trails, fire lanes, telephone lines, and so forth—but the proviso states that $50,000 may be expended for the construction and maintenance of boundary and range division fences and other range improvements. If the gentleman will investigate, he will find that but little of this money has been used for the latter purpose.

Mr. ANDERSON. But the $50,000 is for the purpose of constructing lookout stations and dwellings for rangers.

That $50,000 can not be spent for that purpose without additional legislation, and there is no use of appropriating it without the language.

Mr. HAYDEN. What specific legislation is necessary?

Mr. ANDERSON. The legislation this department asked for was for the purchase of lands needed for ranger stations and for 20 buildings to be erected at a cost of not exceeding $3,000 each. That was in the language that he asked for. It is clearly subject to a point of order. We think there is sufficient money for the purposes covered by this paragraph. Certainly in the aggregate there is more money year by year for roads and trails and purposes of that kind than there ever has been before. This increase was for the specific purposes for which the department estimates, which purposes, as I say, are subject to a point of order.

Mr. HAYDEN. I can not for the life of me see how a point of order could be sustained against providing the necessary housing for forest guards. That must be included in the expense of fire protection which is authorized by law. There is $50,000 mentioned in the proviso which may be expended, but which is not expended because the principal sum must be used for fire-protection purposes. I am well satisfied that if the total appropriation is increased by $50,000, that sum will be expended on boundary fences and other range improvements. So the gentleman from Minnesota must be mistaken in the conclusion that he has reached.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. WHITE of Kansas, Mr. HAYDEN, Mr. GREEN of Iowa, Mr. STEVENSON, and Mr. MAPES were granted unanimous consent to revise and extend their remarks in the RECORD.

The Clerk read as follows:

To enable the Secretary of Agriculture more effectively to carry out the provisions of the act of March 1, 1911 (36 Stat., p. 961), entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," $27,000 of the moneys appropriated therein, or for carrying out its purposes, shall be available for the employment of agents, title attorneys, clerks, assistants, and other labor, and for the purchase of supplies and equipment required for the purpose of said act in the city of Washington.

Total, Forest Service, $6,532,302.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the subcommittee whether this $27,000 appropriated here is to be a part of the $50,000 that is set out in the acquisition of additional forest land, on page 71 of the act?

Mr. ANDERSON. As the gentleman probably understands, there is a statute which prohibits the payment of salaries in the city of Washington except where specifically authorized by law. This covers the salaries in the city of Washington, the title attorneys and examiners in the various services under the commission, while the other item covers the field service.

Mr. KINCHELOE. This says:

Twenty-seven thousand dollars of the money appropriated therein,

What does that mean?

Mr. ANDERSON. That refers to the original appropriation under the Weeks Act.

Mr. KINCHELOE. I will say to the gentleman that I interrogated him in his opening statement as to the acquisition

of this forest land on the extension of the Weeks Act. There was a bill reported, upon my motion, by the Committee on Agriculture yesterday perpetuating the Weeks Act another year, with a maximum appropriation of $1,000,000 for the calendar year of 1923, and I was wondering whether there was any chance, either here or in the other body, to get that appropriation in, so that the work will go on next year.

Mr. ANDERSON. I would not care to express an opinion on that proposition—at this time, at least.

The Clerk read as follows:

For collaboration with other departments of the Government desiring chemical investigations and whose heads request the Secretary of Agriculture for such assistance, and for other miscellaneous work, $14,000.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, 100 years ago to-day my father was born on a farm near Ithaca, N. Y. All his lifetime was spent in farming and related occupations. In honor of his memory I ask permission to revise and extend my remarks upon this bill, dealing with problems in which he was so vitally concerned during all the 75 years of his busy life. [Applause.]

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to revise and extend his remarks as indicated. Is there objection? [After a pause.] The Chair hears none.

The Clerk will read.

The Clerk read as follows:

For investigations of insects affecting deciduous fruits, orchards, vineyards, and nuts, $168,500.

Mr. HAYDEN. Mr. Chairman, I move to strike out the last word. I notice that this appropriation is reduced by $10,000. The Budget Bureau did not make any such recommendation.

Mr. ANDERSON. I will direct the attention of the gentleman to the fact that he overlooked that the $10,000 of this appropriation was immediately available last year and was spent the preceding year, so that the amount of this item is exactly the same as the amount spent this year.

Mr. HAYDEN. Nevertheless, my statement is correct that the Director General of the Budget, the chief guardian of economy, recommended that the sum appropriated for this purpose should be $178,000.

Mr. ANDERSON. With due regard, we do not yield to him in ability to find places where the money is not required.

Mr. HAYDEN. As I understand the situation there are a number of field stations which must be closed if this cut is made. During the present fiscal year there has been but one man in charge of these stations in many instances, which is distinctly disadvantageous for successful work. But it is apparently useless to offer amendments, as I have repeatedly demonstrated this afternoon.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For investigations of insects affecting southern field crops, including insects affecting cotton, tobacco, rice, sugar cane, etc., and the cigarette beetle and Argentine ant, $150,000.

Mr. WILSON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WILSON: Page 43, line 7, after the word "ant," strike out "$150,000" and insert in lieu thereof "$165,000."

Mr. WILSON. Mr. Chairman, this estimate and recommendation was cut $15,000 by the committee. I feel that if the Committee of the Whole House on the state of the Union could only appreciate the conditions in the cotton belt relative to the control of the cotton boll weevil they would concede that this amendment ought to be adopted.

This item relates to the control of the cotton boll weevil. There is a very acute situation in the whole cotton belt. There is not a single cotton-producing State but what is infested by the cotton boll weevil, and since this bill was reported the department has given out an announcement that in the coming season we may expect the heaviest infestation of the boll weevil ever known. A statement also was given out from New York by the manufacturing and financial interests that the whole cotton surplus would be about 4,000,000 bales of low-grade cotton and the demand and need for the cotton requires the production of a large crop. It is difficult under the present boll-weevil conditions to produce cotton. The experiments carried out during the year 1921 show an increase in production wherever there has been the proper application of calcium arsenate, and it holds out the only hope of the cotton-producing section for the control of this pest. It seems there will be no possibility of producing cotton except under boll-weevil conditions, and I think it is to the interest of the entire country, both the cotton producers and consumers, that Congress furnish the estimated amount found necessary by the department for this important work.

I will call the attention of the committee to the results in each State briefly. Take, for example, the State of Louisiana. At the station at Tallulah, where this calcium-arsenate method of control was properly applied, the increase ranged from 77 to 659 pounds per acre, while the percentage of increase due to poisoning ranged from 7.91 per cent to 84.6 per cent.

At Brookhaven, Miss., the gains in seed cotton per acre ranged from 138.9 to 344.7 pounds, while the percentage increase due to poisoning ranged from 21.9 per cent to 49.9 per cent.

At Demopolis, Ala., the three tests conducted at this point showed a range in seed cotton per acre gain of from 4 to 408 pounds. The percentage of increase ranged from 0.6 per cent to 95.7 per cent.

At Tuscaloosa, Ala., the only test plat carried to completion at this point showed a yield of 750 pounds of seed cotton per acre on the unpoisoned check, and 874 pounds on the poisoned, or a gain of 124 pounds of seed cotton per acre, or 16.5 per cent.

At Taylor, Tex., the test conducted ranged from a loss of 2 pounds to a gain of 215 pounds per acre, or from a loss of 0.8 per cent to a gain of 122.1 per cent.

At Waynesboro, Ga., the tests ranged from 203 to 397 pounds of seed cotton per acre, or a gain of from 40.8 per cent to 331.7 per cent. All unpoisoned plants showed an average yield of 343.6 pounds, while the poisoned plants averaged 641.6 pounds. The increase was thus 298 pounds, or 86.7 per cent. In every case these tests showed a very profitable increase in the yield of cotton when this method of control was used.

At Fairfax, S. C., the tests ranged in increased yield from 101 to 197 pounds of seed cotton per acre, or a gain of from 43.5 per cent to 172.2 per cent.

Although the committee has recommended this cut in the appropriation I believe this would be one instance where the best interests of the entire country would be subserved by restoring the appropriation to the original estimate, and therefore I have offered my amendment to increase the amount from $150,000 to $165,000.

Mr. ANDERSON. Mr. Chairman, I sympathize very much with the situation to which the gentleman from Louisiana has referred. The committee has no disposition whatever to curtail the work which is being done on the cotton boll weevil. As a matter of fact, the testimony shows that the department was expecting to spend this year $112,000 for the cotton work, which is approximately $24,000 more than they spent in the current year, and $12,000 on sugar investigation, and $24,000 on tobacco investigation, making a total of $148,000. As a matter of fact, they expect to spend only $143,000 in the current year. So we felt that the amount appropriated here would be sufficient to carry the work on its present basis through the next fiscal year and leave a small amount of leeway. The estimates that were presented to us showed an increase of $20,000 for traveling expenses, but we were advised that that was an error, and that all they expected to spend was $40,000, or an increase of $10,000 over last year.

Taking all of these factors into consideration, we felt that the sum of $150,000 would enable them to conduct that work very satisfactorily.

Mr. WILSON. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. WILSON. Has the gentleman's attention been called to the fact that just within the last few days the Department of Agriculture has given notice of an expected increase in the boll-weevil infestation? Dr. Hunter, of the department, came to see me this morning, and they are very much alarmed over that prospect. The department are very anxious to have the additional amount if the House of Representatives feel disposed to recommend it.

Mr. ANDERSON. I have not heard of that, but I have noticed that about the time the Agricultural appropriation bill gets under way somebody discovers something which very much alarms him, which will require an immediate appropriation of Federal money to control.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman from Louisiana yield?

Mr. WILSON. Yes.

The CHAIRMAN. The gentleman from Minnesota [Mr. ANDERSON] has the floor.

Mr. ANDERSON. I yield to the gentleman from Kansas.

Mr. CAMPBELL of Kansas. I am anxious to know whether it is possible to exterminate the boll weevil. When I first came to Congress, some 18 or 20 years ago, a small appropriation was asked for to exterminate what was known as a weevil that was about to destroy the cotton crop down in Texas, and

it was stated that if it was not done the weevil would get over into Mississippi and Alabama and other Southern States. The appropriation has grown from year to year, yet there are more boll weevils in the country to-day than there were at that time. Of what avail is it? How do they do? Do the Department of Agriculture send a man down there to kill individual boll weevils, or what is done? How is it that the weevils propagate so rapidly?

Mr. WILSON. Mr. Chairman, if the gentleman will yield, I will endeavor to answer his questions.

Mr. CAMPBELL of Kansas. I should like to get some idea of when we are going to get rid of the boll weevil.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ANDERSON. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. ANDERSON. The problem now, so far as the ordinary species of boll weevil is concerned, is not a problem of eradication at all. At least it has not been so in recent years. It is a problem of working out cultural methods by which it is possible, as I understand, to produce cotton in the presence of the boll weevil, by making the crop mature earlier and by various other cultural methods which make it possible to produce cotton notwithstanding the fact that the boll weevil is in the country. Within the last two or three years, however, a new insecticide has been discovered, known as calcium arsenate. This is a very light, flocculent insecticide, which is sprayed onto the plants during the night, when the dew is on them, and sticks to the plants. When the boll weevil wakes up in the morning and starts to eat his breakfast he gets this poison along with it. As has been suggested, the method has proven quite successful in certain parts of the cotton belt. It has not been tried out in other parts of the cotton belt where conditions are different. In order to determine whether the same methods can be used in other places as were used in the place where they were originally tried it is necessary to make field tests, and these are being carried on and will be continued until it is determined whether the present methods can be universally used or whether it will be necessary to modify them in order to meet the different requirements of different sections of the cotton belt. Now, I yield to the gentleman from Louisiana [Mr. WILSON].

Mr. WILSON. I thank the gentleman. In answering the gentleman from Kansas [Mr. CAMPBELL] I will say that an attempt was made to exterminate the boll weevil when it first invaded this country from Mexico. Noncotton-raising zones were established and every possible effort was made. But I regret to say that on the information furnished from year to year there does not appear to be any prospect of exterminating the boll weevil.

I doubt that there is a single farm in the cotton belt to-day that is not infected by the boll weevil, and there are sections in which the industry has been absolutely destroyed. In many sections of the States in the cotton-producing belt it has been impossible to raise cotton. Cotton plantations have been abandoned. As stated by the gentleman from Minnesota, about four years ago a method of control by the use of calcium arsenate was discovered in Louisiana and has been used in all sections of the cotton belt as an effective method of control when properly applied. It has been possible to increase cotton production as much as $50 an acre in value where the method of control was properly applied as against farms in the same locality where it was not applied. So it is not a question of extermination—I do not know that you have exterminated the corn borer in Kansas or ever will—but this boll weevil threatens the industry of the whole country.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. WILSON. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TILSON. Will the gentleman yield?

Mr. WILSON. Yes.

Mr. TILSON. Is it not a fact that a method has been discovered and in general use by which the cotton-boll weevil can be controlled, and has it not been thoroughly demonstrated that if this method is thoroughly applied cotton can be raised in boll-weevil territory?

Mr. WILSON. Yes.

Mr. TILSON. Is it the purpose of this appropriation to develop a new method against the boll weevil?

Mr. WILSON. No.

Mr. TILSON. It is not contemplated that this appropriation will be used for agents to go into the farmers' crops and destroy the boll weevil?

Mr. WILSON. No; but to instruct and guide in methods of control.

Mr. TILSON. What use is made of it?

Mr. WILSON. While the method of control is established, many important features are yet in the experimental stage. The poison must be applied according to the regulations of the department, and the farmers have not been able to do that alone, and they need the instruction and assistance of the agents or experts of the department to do it. In addition to that, it has been found necessary to continually follow up the manufacture of the calcium arsenate to see that it is up to the proper grade and standard. Another important feature is the development of machines and dusters by which to apply the calcium arsenate in order to work the cost down to a basis where the method of control is not too expensive.

Mr. TILSON. I am in favor of any scientific experimentation which is likely to produce results which can be applied by the individual on his own farm, and I think that is the field that the Department of Agriculture ought to occupy, and occupy thoroughly. Money expended in wise experimentation is well expended, but when it comes to "helping" people to do this and do that I am opposed to it.

Mr. WILSON. The gentleman is not opposed to assisting up to the point where the demonstration is completed?

Mr. TILSON. I am in favor of finishing the experimentation to find the very best method of doing these things, but am not in favor of the Government doing them.

Mr. WILSON. While this method has proved effective, it is in some respects yet in the experimental stage, and it is more important to complete that experimentation to-day than it ever was.

Mr. CARTER. Mr. Chairman, I move to strike out the last two words. Gentlemen who are not acquainted with the cotton country can not imagine the havoc wrought by the boll weevil throughout the South. In my home county there are usually produced from 20,000 to 30,000 bales of cotton annually. Last year the ravages of the boll weevil reduced that production to less than 2,000 bales. I traveled through acres and acres of as fine-looking cotton as any man ever saw in the world, great stalks with beautiful dark-green leaves on them, and in a field of 20 or 40 acres not over 40 bolls would be found.

Mr. TILSON. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. TILSON. Did these people use these methods?

Mr. CARTER. They did not; they had not the opportunity; and if the gentleman will indulge me a moment I will come to that. I own a little farm in Johnson County, Okla., on which some three hundred and odd acres were planted to cotton and cultivated. Usually there is raised on that amount of acreage about 125 to 150 bales of cotton. This year there was picked on that entire 300 acres 1 bale of cotton. The crop was completely destroyed. These are not exceptional cases, but typical cases common to all the cotton country. The boll weevil has completely destroyed the principal crop of the South, and I feel sure that gentlemen from all sections of the country ought and will take an interest in combating this evil, this menace not only to us in the South but a menace to the entire country and the entire world.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I will.

Mr. CAMPBELL of Kansas. I have been voting for this appropriation for 20 years, with a view of doing just that thing. I am afraid that we are not getting any results for the money that we are appropriating. That would seem to be the condition, because the boll weevil has now covered the entire South and is more destructive of cotton than he was even 20 years ago.

Mr. CARTER. There is some substance to what the gentleman says, but the gentleman has not been voting for this appropriation for 20 years, because it has not been in the bill for over 12 or 15 years.

Mr. CAMPBELL of Kansas. Oh, yes; longer than that.

Mr. CARTER. The boll weevil never got into the United States until about 15 or 20 years ago. We certainly did not have the appropriation before the boll weevil crossed the Rio Grande River. I think I remember the first amendment that was adopted for this purpose. I think I offered the first amend-

ment offered on this floor for the investigation and combating of the boll weevil. It went out of the bill on a point of order made by Charles Scott, then chairman of the Committee on Agriculture. I think that was in the Sixtieth Congress. Perhaps that same year the appropriation was put into the bill by the Senate and remained there. The gentleman from Kansas must remember that this boll weevil is a new proposition. He is a new insect; he is a very lively, wiley, and vigorous individual, very hard to control, and hard to get any definite information about.

When this gentleman in Louisiana first began to experiment with Mr. B. W. he found this out, and the difficulties have increased as he has drawn closer to his subjects. After trying many other experiments he finally dropped onto this arsenic solution, and he knew this would tame him if he could only induce him to partake, but there another difficulty was met.

If he put it on the boll of cotton the boll weevil would bore down into the boll and would not get enough of the arsenic to kill or disable him. He finally thought out the scheme of putting it into the water that the boll weevil was to drink, but he did not know just where to find that. He camped in the cotton patch, took his cot and slept there, I have been told, and one morning just between darkness and sunup he looked up and saw a boll weevil crawl up on a leaf of cotton on a cotton stalk and drink from a drop of dew. He then said, "I have got you now if I can just get this stuff to you cheap enough." He made it up in a powder and he sprinkled it on the cotton, but the rain came along that evening and washed it off. He experimented and experimented until he finally found that if he could get the arsenic into the dew he had a chance at Mr. Boll Weevil. Finally the experiment of applying the powder late in the afternoon or evening was found to be successful providing no rain intervened to wash it off. It has been a very costly experiment; it has been a tedious experiment. It has been one that has taken a great amount of effort and a great amount of time and care to develop. As I understand it now this arsenic solution has been put into such shape, has progressed to the point where they can kill the boll weevil, and the only problem now remaining is the question of the cost of putting it on the cotton crop. I am advised that it takes about $8 per acre to sprinkle with arsenic, counting the sprinklings that are lost on account of rain, but that when it is sprinkled it will destroy the boll weevil in that particular cotton patch. Eight dollars an acre might be a fair charge in the Mississippi Delta or some place where they raise a bale of cotton to the acre, but in a country where they average only from one-quarter to one-half of a bale of cotton to the acre, as they do in most of the cotton country, then that cost becomes prohibitive. Eight dollars an acre for killing the boll weevil when you get only a quarter of a bale of cotton to the acre, at a price of from 6 to 8, 9, or 10 cents, is not profitable business.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CARTER. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CARTER. But if these experiments continue until we have the price of putting out this poison brought down to something like a reasonable basis—and I have no doubt that it can be done by proper machinery, and I understand that that is what a part of this appropriation is to be used for—then we can bring the cotton industry back to the point that it once had in the South.

One word about another thing. There is a way to raise a certain amount of cotton even with the boll weevil. Take it down in the district of my friend from Mississippi [Mr. SISSON], or especially in the district of my friend from Texas [Mr. BUCHANAN], where they have been fighting this boll weevil for 10 or 15 years, they raise a certain amount of cotton, even with the boll weevil, in dry seasons. On the other hand, in north Texas, in Oklahoma, in Arkansas, and in other States lying along the border of the cotton belt, where our farmers have only recently made the acquaintance of Mr. B. W., they have not had sufficient experience to combat the evil and must be taught. A part of this money is used for instructive purposes, to show the farmer how to farm with the boll weevil. There are a great many things to be done. First, early in the fall each year all of the stalks must be cut.

They must be burned up, and destroy the larvae and the boll weevil himself. None of the stock must be plowed under the ground because you plow under the boll weevil also. There is a certain system of cultivation—so many plowings at certain intervals. Some have a sort of contraption fastened to the plow to which they hang a gunnysack saturated in oil. That seems objectionable to the boll weevil. In fact, the more you disturb him by working the crop the less harm he seems to do. That is one thing the Department of Agriculture is trying to teach the cotton farmer of the South to do. I think that this money is one of the best appropriations in this appropriation bill, and it really ought to be increased. We ought to have more instead of the small amount we have now.

Mr. BUCHANAN. Mr. Chairman and gentlemen of the committee, I have been fighting with the boll weevil since 1898. That year I had about two or three thousand acres in cotton. I am sorry to say I do not own that land now. It is gone. That year it infested my plantation, and that year we made no cotton. The following year, 1899, we had what is called the Galveston storm; and from my section, thoroughly infested with the boll weevil, by that storm it was blown 300 or 400 miles up the State, and the next year it appeared up there; and I can state to the gentlemen of this committee every year they have infested more and more territory. There is no way of stopping their spread until now. It is reported by the Agricultural Department that they cover the entire cotton area of Texas. It is conceded by the financial writers; and if you will notice the Journal of Commerce yesterday, they said, reviewing the whole situation, that the boll weevil has infested all sections and that the ravages of the boll weevil this year are greater than ever in the history of the country; and I would not be surprised if next year we would be threatened with a cotton famine. However, as a member of this subcommittee, I supported the appropriation for the $150,000 on the ground that that was all that was necessary to be appropriated, because they did not use but $148,000 last year. Since then, however, I understand that Dr. Hunter, who is a field man and entomologist and actively engaged in the field work in combating these ravages, has come to town and informed them that, by reason of the increased area and increased experiments they will have to conduct and the increased information they will have to carry to different sections heretofore uninfested, this $15,000 would be necessary. It would be unfortunate, gentlemen, to curtail this appropriation or to stop this appropriation at this time. Within the last two or three years they have hit on the only method, in my judgment, that has any chance of success.

Within my recollection as a cotton farmer, and I was raised between cotton rows, I know the time when we had what was known as the cotton leaf worm which would come every year or every other year and eat every leaf off the plant and destroy further production. We could not kill it; we could not destroy it. Somebody somewhere, whether the Department of Agriculture I do not know, for I was too young in those days, discovered the use of Paris Green and London Purple and went into the cotton belt, and by a simple application of those poisons they successfully combated and absolutely destroyed the cotton-leaf worm. This arsenate is in both a liquid and powdered form, but the most successful way to apply it is in the powdered form. During the nighttime, just before the dew falls, they go with the machine and sprinkle the leaves in the cotton fields. The dew comes, and this is soluble in water, the weevil drinks it and dies. The question is of getting that machinery that will do this work successfully and at an expense so low that the farmer can afford to purchase and use it. If they can do that then we have the problem solved and the cotton industry will be safe from absolute and utter destruction.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. BUCHANAN. Yes, sir.

Mr. CAMPBELL of Kansas. What methods have been employed by the Department of Agriculture heretofore to destroy the boll weevil?

Mr. BUCHANAN. Nearly every method you can think of. On the recommendation of the Federal Government's Department of Agriculture, when I was farming in cotton, I had the rows lined with little Negro children, picking up the little fallen squares in which the weevil lays its nest, and bringing them in by the hundreds and burning those squares. It was hand labor, if you please. Every square, in each of which there were hundreds and hundreds of eggs, was burned. I will venture that the culture method is successful in some years. If you cultivate your land like you would a garden and prepare it like you would a garden, and have the ground fairly pulverized, and plant your cotton at an early period, and get a good start in a dry year, you can make a reasonable crop before the weevil appears in sufficient numbers to destroy the crop. In a wet year you will not get anything.

Mr. GARRETT of Tennessee. Mr. Chairman, it seems to me we have made very good progress to-day, and I hope the gentleman will move to rise.

Mr. ANDERSON. I will say to the gentleman from Tennessee that, of course, I did not anticipate that the boll weevil would excite this debate. I would like, however, to get through with this bureau.

Mr. GARRETT of Tennessee. It is pretty late.

Mr. ANDERSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having resumed the chair as Speaker pro tempore, Mr. HICKS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes, and had come to no resolution thereon.

THE BIRTHPLACE OF ANDREW JACKSON.

Mr. STEVENSON. Mr. Speaker, under leave granted me to extend my remarks, I desire to set forth some further facts as to the birthplace of Andrew Jackson and close that question, so far as I am concerned. When I closed my remarks on that subject on February 23, 1922, printed in the RECORD of February 25, I was criticizing the reliability of Parton's evidence and deductions. The statement had been made by Mr. HAMMER, and acceded to by me in debate, that Parton had 18 statements. I find that was error. It was only seven, and all but one got their alleged information from Sarah Lathan and her mother, Mrs. Leslie, and only one of them quote Mrs. Leslie. One quotes old Mrs. Cousar and old James Faulkner. I discuss them here. On page 53 Benjamin Massey says Sarah Lathan told, according to his recollection, that Mrs. Jackson left home and came to McKemey's and there Andrew was born, and they then went to South Carolina. James Faulkner says that Sarah Lathan said that Mrs. Jackson after her husband's death moved from the home on Twelve Mile Creek to the Crawfords, on Waxhaw, and on the way stopped at McKemey's, and Andrew was born there. She, being 7 years old, went with her mother, Mrs. Leslie, the midwife. John Lathan, son of Sarah, said Sarah told him the above. That soon after Andrew Jackson, sr., died Mrs. Jackson left Twelve Mile Creek to go to live with the Crawfords in Lancaster County, in South Carolina, and stopped at McKemey's, and there Andrew was born. Thomas Faulkner says Sarah Lathan, his aunt, and Mrs. Leslie, his grandmother, had both made these statements in his presence; that Mrs. Lathan had been dead 35 years and Mrs. Leslie 50 years at the date of making this statement—1858. See page 53, footnote. "To the same effect testify Samuel McWhorter, Jane Wilson, et al., page 55." In other words, all the above heard what they told from Mrs. Leslie and Mrs. Lathan, and only Thomas Faulkner spoke of hearing Mrs. Leslie make the statement.

The others only heard Mrs. Lathan, who claims she was at the birth when only 7 years old. These are the people who made affidavits—all but one traceable to Sarah Lathan alone and one to her mother, Mrs. Leslie. Then the other witness is James D. Craig, of Mississippi (p. 55), who wrote a letter. He remembers enough to destroy Parton's theory and also the evidence of the above witnesses. He says he heard old James Faulkner say that he was once sleeping with Andy in the McKemey house, and that Andy told him he was born in that house. Now Parton says that Jackson thought he was born in South Carolina, and always said so, but that he did not know. His witness says that he did know. Jackson certainly did not make that statement, or he would never have repudiated it as often and explicitly as I have shown that he did. He said over his own signature: "I was born on the James Crawford place, in Lancaster district, South Carolina."

Now, there were two things about Jackson; he was bluntly truthful and notoriously persistent. If he had said he was born in McKemey's house, he would have maintained it until the end. The witness, Craig, is mistaken as to what house Faulkner referred to. The Crawford house was only 2½ miles away, and after a lapse of 50 years it is easy to be confused. Again, Craig says he heard old Mrs. Cousar say she was at the birth, at McKemey's house and, I believe, assisted in dressing the infant. This is the only witness as to Mrs. Cousar's alleged statement. Again, Craig says he heard Charles Finly say he assisted in hauling the corpse to Waxhaw Church and helped to bury it there; that he brought Mrs. Jackson and her boys with the corpse, and after the funeral conveyed them to the residence of George McKemey, where soon after Andrew was born. He must have been a grown man, say, 25 years old, as he was managing the whole transportation scheme. In 1820, if alive, he was 78 years or older. If Craig heard him talk, it must have been at least 40 years before his statement, and Craig had in the meantime moved to Mississippi. But the statement contradicts Sarah Lathan's and Mrs. Leslie's. They say Mrs. Jackson was moving to the Crawfords's and stopped at McKemey's on the way when Andrew arrived. Craig says Finly said he took them from the burial at Waxhaw to McKemey's, where Jackson was born. Parton adopts the Craig-Finly view and thereby repudiates the most numerously relied on witnesses. These are the only witnesses relied on by Parton, and they do not agree amongst themselves, and Parton does not quote them fully or accurately.

The statement of James Faulkner coming from the North Carolina records is before me. It states many things which Parton omits. He says his father, old James Faulkner, did not come to America until 1784, and made his first crop in 1785. Now, Parton leaves that out. He has Craig's statement that old James Faulkner says he slept with Jackson at McKemey's, and Jackson told him he was born there. This James Faulkner statement shows that Jackson had gone to read law when old James arrived, was a grown man, and the Craig-Faulkner story was a myth. He cites also the McWhorter statement as being the same as the others. I have before me the McWhorter tradition in the affidavit of Henry McWhorter, who states that the tradition is that his great-grandmother was also a midwife at the birth of Andrew Jackson—making three midwives on that occasion—and that it was at McKemey's. And the tradition also is that Jackson was captured and taken to Charleston to prison, where he was kept until the end of the war. This is so notoriously incorrect that Parton no doubt omitted it, for it would discredit the entire traditionary statement. Jackson never was in prison at Charleston. Let us look at some other Parton inaccuracies, for every bit of evidence North Carolina produces comes back to him. On page 102 he states that Jackson left to study law in 1784, and says at that time Webster was 4 years old—wrong; he was born in 1782 and was 2 years old and not 4. He says also that Benton and Cass and Taney were not born then. See how accurate. Benton was born in 1782, Cass 1782, and Taney in 1777. Yet Parton says he was not born up to 1784. Taney had been the Attorney General of the United States, Secretary of the Treasury, and Chief Justice 25 years when Parton wrote. If that indicates anything, it indicates gross inaccuracy. Now, I will cite other historical works: Martin Van Buren in his autobiography, page 541, says "If the question of the tariff could be satisfactorily disposed of, General Jackson, in addition to being greatly strengthened in all Southern States, might reasonably count on carrying his native State, South Carolina"; annual report American Historical Association for 1918, volume 2, page 541, published under act of Congress; Brady, I have already cited, published in 1906; and Bassett, I have cited, published in 1911. He was born in Tarboro, N. C., educated at Trinity College, N. C., professor of history at Trinity from 1893 until 1906, doctor of philosophy, Johns Hopkins University, and now professor of history at Smith's College at Northampton, Mass. He repudiates the claim of North Carolina. The Encyclopedia Britannica, eleventh edition, 1911, written by William G. Sumner, says, "He was born in the Waxhaw settlement, in Union County, N. C., or Lancaster County, S. C."

The New International Encyclopedia, edition of 1917, says: "He was born March 15, 1767. There has been much controversy between North Carolinians and South Carolinians regarding the place of his birth. There is a tradition that he was born in the Waxhaw settlement, in Union County, N. C., but Jackson himself thought he was born near Waxhaw Creek, in Lancaster County, S. C., and in the opinion of his most thorough biographer the weight of evidence seems to favor South Carolina." (Written by Prof. William P. Trent and Prof. Newton D. Mereness.) William G. Sumner's History says: "Parton fixes his birthplace in Union County, N. C.; Kendall in South Carolina." The Americana Encyclopedia, volume 15, published in 1922, says: "Jackson was born in Waxhaw settlement, near border line between North and South Carolina, the 15th of March, 1767. It is a matter of dispute to which of these States the home of his birth belongs, but the evidence is in favor of South Carolina." (Written by Marcus W. Jernigan, associate professor of history, University of Chicago.) Frost, who wrote at once after Jackson's death in 1846, states in the first sentence: "Andrew Jackson was born on the 15th of March, 1767, in the State of South Carolina." (See edition of 1887, Lee & Sheppard, publishers, p. 1, Old Hickory in Rough and Ready Series.) Of the numerous memorial addresses published on his death in 1845 all who speak of his birth place it in South Carolina. I cite a number: Address delivered at Fayette, Miss., June 30, 1845, by Judge Wilcox, says: "Andrew Jackson was born in Waxhaw settlement, in the State of South Carolina." Jeremiah Black, in a memorial address delivered at Philadelphia in 1845: "Andrew Jackson had his birth in one of the back settlements of South Carolina." Lincoln Clark, Dusenbury Me-

morials, page 6, July 19, 1845, says: "Andrew Jackson was born the 15th day of March, 1767, in the Waxhaw settlement, in the State of South Carolina, in the present district of Lancaster."

Dusenbury's Memorial Volumes, page 1, published 1845, says he was born in South Carolina. B. F. Butler's memorial address says, "He was born in that State," South Carolina (Dusenbury, p. 59), delivered in New York City, June 24, 1845. A. F. Morrison at Indianapolis, June 28, 1845, says, "He was born in the Waxhaw settlement, in South Carolina, March 15, 1767" (Dusenbury, p. 133). Francis R. Shunk at Harrisburg, Pa., on July 24, 1845, says, "Andrew Jackson was born in South Carolina of Irish parents on March 15, 1767" (Dusenbury, p. 146). Hon. Ellis Lewis, Lancaster, Pa., June 26, 1845 (Dusenbury, p. 147), says, "Andrew Jackson was born in what was called the Waxhaw settlement, in South Carolina, March 15, 1767." Hon. Pliny Merrick, Boston, July 9, 1845 (Dusenbury, p. 168), says, "He was born in the State of South Carolina on the 15th of March, 1767." John Van Buren, Albany, June 30, 1845 (Dusenbury, p. 102), says that there were two occasions when the country rallied to him universally, "The first was the bold and manly stand he took with our ancient ally, France, and the second, the vigorous enforcement of the laws in his native State of South Carolina." John A. Bolles, Lowell, Mass., July 15, 1845 (Dusenbury, p. 233), says, "He of all men was the appropriate and fitly chosen agent of the people at that great epoch when his own native State resolved to assert her individual sovereignty and cast off her allegiance to the Union" (nullification). Hon. Hendrick B. Wright at Wilkes-Barre, Pa., July 4, 1845 (Dusenbury, p. 238), says, "Andrew Jackson was born the 15th of March, 1767, in what was then the Colony of South Carolina." W. McCartny, Easton, Pa., June 28, 1845 (Dusenbury, p. 282), says, "A native of South Carolina, he was early engaged in the cause of his country"; page 288, also, "The executions of the laws of the Union threatened serious collision with South Carolina—South Carolina, the land of his birth."

Samuel A. Cartwright, Natchez, Miss., July 12, 1845, Dusenbury, 292, says, "Born on the 15th of March, 1767, in the Waxhaw settlement, South Carolina, and at the early age of 13 took part in the Revolution." William Irwin, Lancaster, Ohio, July 12, 1845, Dusenbury, page 307, says, "He sought protection and peace in South Carolina. There at the Waxhaw settlement General Jackson was born March 15, 1767." J. G. Harris, Charlotte, Tenn., July 17, 1845, Dusenbury, page 317, says, "Born in South Carolina, he entered the Revolutionary War at the age of 14." George Bancroft, Washington, D. C., June 27, 1845, Dusenbury, page 3, says, "South Carolina gave a birthplace to Andrew Jackson." McCandless, at Pittsburgh, July 17, 1845, says, "Jackson's nativity was amid the happy hills, the pleasant shades, and refreshing glades of the Palmetto State—that State which he regarded with filial love but whose truant spirit he was compelled to rebuke. When in after years she manifested her rebel disposition toward the Government, which in justice and wisdom he administered, he cherished that State with touching sensibility, he remembered the playground of his early days; and when in the stern reality of mature life he was called by the responsibility of his political position to correct the errors and defections of her statesmen, he did so as one honoring his parentage but resolved to execute his high commission." Mr. McCandless's statement is abundantly justified that he cherished the playground of his youth by the letter which I quote below. Robert Mills, from whose atlas the map was made which appears with my speech of February 23, 1922, published in RECORD of February 25, on this subject, sent him a copy of the map and asked as to the correctness of the place designated "General A. Jackson's birthplace," to which he replied as follows:

HERMITAGE, *July 8, 1827.*

DEAR SIR: I have received your favor of the 15th ultimo, accompanied with a map of the district of Lancaster, within which I was born. For this flattering evidence of your regard be pleased to accept my sincere thanks. A view of the map pointing the spot that gave me birth brings fresh to my memory many associations dear to my heart, many days of pleasure with my juvenile companions; but, alas, most of them are gone to that bourne where I am hastening and from which no one returns. I have not visited that country since the year 1784; most of the names of the places are changed; all the old generation appears to have passed away and to be succeeded by another more numerous and often differently named. The crossing of the Waxhaw Creek, within 1 mile of which I was born, is still, however, possessed by Mr. John Crawford, son of the former owner, Robert, who lived there when I was growing up and at school. I lived there for many years, and from the accuracy with which the spot is marked on the map, I conclude the whole must be correct. With great respect, I have the honor to be, sir,

Your very obedient servant, ANDREW JACKSON.

Addressed to Robert Mills, Columbia, S. C.

This letter comes from the Dimitry family, of New Orleans, descendants of Mr. Mills, who made the map shown with my remarks, and who also was the architect of the Washington Monument, but who died before it was well begun. He sent the map to General Jackson for corrections, if any were needed as to his birthplace, and the above letter is the result. It was published in the New Orleans Picayune January 10, 1915. The sentiment expressed in that letter corresponds with Mr. McCandless's remarks, and the approval of the map made in 1820, and accepted everywhere until 14 years after Jackson's death, should settle the controversy. Surely all the great men of the day who were called by the great mass meetings held all over the country were not wrong. What North Carolinian that day asserted a claim and repudiated the assertions of the 16 eulogists, including Bancroft, who asserted South Carolina nativity? If they say the Daughters of the American Revolution monument lately erected in North Carolina without protest settles it, what about the numerous great men who asserted to the contrary in addresses widely published, and so valuable as to be bound and preserved, going unchallenged in 1845?

Where were the North Carolina orators? Did they even have a memorial service? Were they claiming him then? Not so as to be visible to the naked eye. At Raleigh the Raleigh Standard, the leading Democratic paper, said editorially, on June 25, 1845:

The reputation and character of Andrew Jackson have at all times been cherished with peculiar affection by North Carolinians. Though born in the Waxhaw settlement within the bounds of our sister State of South Carolina, our people have always looked upon him as their son, for it was among them, at the age of 18, he selected and studied his profession.

That was their claim in 1845; now they want to advance it from adoption to birthright. The Standard, on July 2, published a chronology of Jackson's life. The first item is as follows:

Chronology of Andrew Jackson; 1767, March 15, born, near Waxhaw settlement, South Carolina.

And so forth. On July 9 it publishes Bancroft's eulogy, cited in my speech of February 23, stating South Carolina nativity. On August 13 it published a memorial address of Judge W. B. Rodman, of North Carolina Supreme Court, delivered at Washington, N. C., on June 26, 1845, which says of Jackson:

He was born in 1767 and South Carolina was the home of his birthplace.

So the gentlemen of North Carolina also were deluded about his birthplace, and the Charlotte Daughters of the American Revolution Chapter, 60 years later, had to set them right. But let us see what Charlotte, Mecklenburg County, did about it. Surely they were horror-stricken at the historical misstatements and biographical ignorance of all the great men enumerated above, who were asserting Jackson's South Carolina nativity. But not so; they join in the general refrain. On June 27, 1845, the Charlotte paper, then named the Mecklenburg Jeffersonian, devoted a page to General Jackson, whose death it announced and made no claim to his nativity. On July 4 it gave considerable space and published the elaborate arrangements for memorials all over the Nation, mentioning, especially, Butler in New York and Bancroft in Washington. On July 11 it is stated that a meeting was held, presided over by Thomas L. Hutchison, I believe, one of Jackson's relatives, resolutions laudatory of him were introduced by Hon. G. W. Caldwell and passed unanimously, but no claim was asserted that he was a native of Mecklenburg. The meeting set a day, July 24, to have a memorial service, and Rev. J. F. W. Freeman, D. D., was asked to prepare and deliver the memorial.

On July 25 the Jeffersonian reports that the meeting was held and Doctor Freeman delivered the address on General Jackson to "a large concourse" of people, which the paper hoped to publish in full later. On August 22 it published it, and Doctor Freeman says in that address: "Andrew Jackson was born on the 15th of March, 1767, in settlement of the Waxhaws, State of South Carolina." Thus Doctor Freeman put that vast concourse of people assembled in 20 miles of the birthplace on notice of our claim. On August 1 the Jeffersonian carried a notice "That the publication of Kendall's Life of General Jackson will be resumed about the 1st of the next month and 'twill be completed by the close of the present year." Then follows this extract from a letter of General Jackson, dated May 25, 1845, to Mr. Kendall: "On the subject of my papers, you are to retain them as long as you think necessary to use them. Should you die, they are to pass forthwith into Mr. Blair's hands. I have full and unlimited confidence in you both." Here was a community, which now claims Jackson with intolerant temperament, confronted with the statement, "to a large concourse of people," many of them his kin, that "he was born in South Carolina." Nobody wrote to the Jeffersonian in dispute of it. The declaration was made on July 24, the issues of the 25th, and of August 1, 8, and 15, and no protest. Then, on August 22, the Jeffersonian published the speech, with that

statement staring them in the face, and still no protest. If there was anything in their contention, somebody would have certainly made some protest. Having been silent then, General Walkup was in no position in 1859 to get a reversal of verdict on the tradition of some good old ladies. There is another thing about the Jeffersonian, it put the people on notice that Jackson had implicit confidence in Kendall's history, and the first part of it, containing a map with the place of Jackson's birth, marked just as it is in the map with my speech of February 23, published in the RECORD of February 25, 1922, was out and widely circulated, and the Charlotte paper was publishing to the world that the same would be completed by publishing the later part, and no protest suggested as to Kendall's statements and maps showing Jackson's birthplace in South Carolina. The papers above referred to are in the Congressional Library. Kendall makes the statement as to the birthplace of Jackson that he was born in South Carolina, and attaches a map designating the place where Mills places it.

The Western Carolinian, published at Salisbury, N. C., by Philo White, in its sketch of Andrew Jackson when he was inaugurated President, in its issue of April 14, 1829, says, "He was born near Camden, S. C., March 15, 1767." His birthplace was in Camden district, at that time 45 miles from the town, and Camden was their market town, and the term "near" was a relative term. The paper goes on to say he read law in Salisbury. (See file in Congressional Library.) Now, one word as to where George McKemey lived. In James Faulkner's statement, part of which Parton did not set out, he says, "George McKemey lived at the place which he described until he died, and that his uncle, George Leslie, lived with him several years before he (McKemey) died at that place." The abstract of the North Carolina property set out by Parton shows that McKemey sold the North Carolina property to Thomas Crawford in 1792, hence McKemey was not living on that part of the land when he died, and if the place on which the monument stands is the Cureton place, as they claimed, it was not the place on which McKemey lived, for he was not dead when he conveyed it away, and Faulkner says he lived at the same place until he died. The census of 1790 does not show George McKemey or McCamie or any McCamie of any kind in the county of Mecklenburg. And yet if Faulkner is right he must have been there then. But it appears that McKemey got 520 acres of land in his tract, 300 acres in South Carolina and 220 in North Carolina, all one tract, divided by the State line as finally located, and he lived on it. Now, if his home was on the part that lay in South Carolina it explains Faulkner's statement that he lived in the same place until he died, notwithstanding the fact that he sold the 220 acres in North Carolina to Crawford. It also explains why he is not in the census of 1790 in Mecklenburg County, and why George Leslie, who lived on his place or lived with him as Faulkner puts it, does not so appear. The 520 acres was granted to McCain, who in 1762 sold 520 acres to Repentance Townsend, and Townsend in 1766 sold 520 acres to McKemey, 220 of it being in Mecklenburg County, N. C. Now, against all the statements of Jackson, who without doubt settled the question when he was a young man and his mother was alive and all the contemporaries of Jackson and of the maps of that era and especially the one made by Mills, the great engineer, who designed the Washington Monument and many of the public buildings of the District, and in the face of all the unchallenged statements made by his eulogists and the newspapers of the day, and especially the great concourse of people at Charlotte, in Mecklenburg County, N. C., which now claims him, who heard Dr. Freeman assert that he was born in South Carolina, with no protest or contradiction in the paper which published the address, we have the statement of four people who said in 1858 that they heard Mrs. Lathan, who had then been dead 35 years, and of one man that he heard Mrs. Leslie, then dead 50 years, and of one man that he had heard old Mrs. Cousar, many years dead, say he was born at George McKemey's, in North Carolina, and one of these witnesses also added Charles Finly and old James Faulkner as witnesses whom he had heard make statements which contradict the others, and on tradition like that they attempt to overturn the established facts of history. My native State, North Carolina, insists on claiming to be the mother of a man who persistently all his life repudiated her claim to maternity and reiterated his repudiation in his will. She seems unfortunately to be long on claims and woefully short on pride and proof.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LUHRING, for 10 days, on account of illness in family.

To Mr. MCCORMICK, for two days, on account of sickness.

To Mr. FENN, for five days, on account of important business.

CONFERENCE REPORT—EXECUTIVE APPROPRIATION BILL.

Mr. WOOD of Indiana, from the committee of conference, submitted a conference report on the bill (H. R. 9981) making appropriations for the Executive, and for sundry independent executive bureaus, boards, commissions, and offices, for printing under the rules.

Mr. GARRETT of Tennessee. May I ask the gentleman from Indiana if it is his thought to deal with that report to-morrow?

Mr. WOOD of Indiana. I would like to have it considered if we can do so to-morrow, if it does not interfere with the Agricultural appropriation bill.

MESSAGE FROM THE PRESIDENT—CHINESE CLAIMS.

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read, referred to the Committee on Foreign Affairs, and ordered printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Acting Secretary of State in relation to four claims presented by the Government of China against the Government of the United States arising out of the negligent or unlawful acts in China of persons connected with the military and naval service of the United States, and I recommend that as an act of grace, and without reference to the question of the legal liability of the United States, an appropriation in the amount of $5,913.79 be made to effect settlement of these claims in accordance with the recommendation of the Acting Secretary of State.

WARREN G. HARDING.

THE WHITE HOUSE, *March 9, 1922.*

ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker pro tempore signed the same:

H. R. 10267. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1923, and for other purposes;

H. R. 9047. An act authorizing the Secretary of War to grant to the town of Winthrop, Mass., a perpetual right of way over approximately 755 square feet of the Fort Banks Military Reservation for the purpose of widening Revere Street; and

H. R. 8193. An act to amend the first proviso in the act entitled "An act to grant a certain parcel of land, part of the Fort Robinson Military Reservation, Nebr., to the village of Crawford, Nebr., for park purposes," approved June 25, 1906.

The SPEAKER pro tempore announced his signature to enrolled bills and joint resolution of the following titles:

S. 2993. An act authorizing a modification of the adopted project for Indiana Harbor, Ind.;

S. 2471. An act to amend the act entitled "An act authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof," approved July 28, 1914 (38 Stat. L., p. 558); and

S. J. Res. 108. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Jeanne d'Arc.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 10161. An act authorizing the use of special canceling stamps in certain post offices.

ADJOURNMENT.

Mr. ANDERSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until Friday, March 10, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

563. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Navy Department for the fiscal year ending June 30, 1923, in the amount of $2,650,000, in addition to the amount submitted in the Budget for 1923 (H. Doc. No. 202); to the Committee on Appropriations and ordered to be printed.

564. A communication from the President of the United States, transmitting a communication from the Secretary of the Navy, transmitting a letter from the Director of the Bureau of the

Budget, requesting a redistribution of the items of expenditure under the estimate "Pay, miscellaneous, 1923," of the estimate for the Naval Establishment (H. Doc. No. 203); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CLASSON: Committee on the Judiciary. S. 2235. An act to confer jurisdiction upon the Court of Claims to adjudicate the claims of American citizens; with an amendment (Rept. No. 784). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 10819. A bill relating to the Department of Agriculture; without amendment (Rept. No. 785). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 9667. A bill to authorize appropriations for expenditures under the act of March 1, 1911 (36 Stat. L., p. 961); with an amendment (Rept. No. 787). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 9818) granting a pension to Ruth M. Deardoff, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LEHLBACH: A bill (H. R. 10814) construing the expression "All employees in the classified civil service of the United States," as used in section 1 of the act of May 22, 1920; to the Committee on Reform in the Civil Service.

By Mr. STEDMAN: A bill (H. R. 10815) to be known as the General Greene highway act; to the Committee on Roads.

By Mr. LYON: A bill (H. R. 10816) to fix the annual salary of the collector of customs for the district of North Carolina; to the Committee on Ways and Means.

By Mr. CABLE: A bill (H. R. 10817) to amend section 100 of the Judicial Code of the United States; to the Committee on the Judiciary.

By Mr. KNUTSON: A bill (H. R. 10818) to create the American stabilizing commission and to provide for stabilizing the prices of certain farm products; to the Committee on Agriculture.

By Mr. HAUGEN: A bill (H. R. 10819) relating to the Department of Agriculture; to the Committee on Agriculture.

By Mr. DYER: A bill (H. R. 10820) for the purchase of a rifle range at Liberty, Mo.; to the Committee on Military Affairs.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 10821) to provide for the purchase of a site and for the erection of a public building thereon at Red Lion, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. KNUTSON: A bill (H. R. 10822) to amend the revenue act of 1921; to the Committee on Ways and Means.

By Mr. MEAD: Resolution (H. Res. 302) authorizing the Committee on Public Buildings and Grounds to institute an immediate investigation into the matter of reconditioning Government buildings and the construction of new buildings, and for other purposes; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of New Jersey, urging the selection of the battle cruiser *Saratoga* as one of the boats to be converted into an airplane carrier; to the Committee on Naval Affairs.

Also (by request), memorial of the Legislature of the State of New Jersey, urging the passage of the Appleby bill to protect navigable waters of the coast from pollution by fuel oil and waste; to the Committee on Rivers and Harbors.

By Mr. CLARK of Florida: Memorial of the Legislature of the State of Florida, relating to the so-called bonus legislation; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rules XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 10823) granting an increase of pension to Josephine P. Whitney; to the Committee on Invalid Pensions.

By Mr. ARENTZ: A bill (H. R. 10824) for the relief of Thurman A. Poe; to the Committee on Claims.

By Mr. BLAND of Indiana: A bill (H. R. 10825) for the relief of the heirs, assigns, and legal representatives of Thomas Johnson; to the Committee on the Public Lands.

By Mr. CLOUSE: A bill (H. R. 10826) granting a pension to Claiborne Beaty; to the Committee on Pensions.

Also, a bill (H. R. 10827) for the relief of Thomas Franklin; to the Committee on Military Affairs.

By Mr. CROWTHER: A bill (H. R. 10828) granting a pension to Earl E. Parks; to the Committee on Pensions.

Also, a bill (H. R. 10829) granting a pension to James Van Vechten; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 10830) for the relief of Annie Scott; to the Committee on Claims.

By Mr. LYON: A bill (H. R. 10831) providing for the retirement of William B. Coats; to the Committee on Reform in the Civil Service.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 10832) granting a pension to Bridget Stapleton; to the Committee on Invalid Pensions.

By Mr. McSWAIN: A bill (H. R. 10833) for the relief of J. Q. Adams; to the Committee on War Claims.

By Mr. ROBSION: A bill (H. R. 10834) granting a pension to William Carroll; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 10835) granting an increase of pension to Agnes Badger; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 10836) granting a pension to Jacob Barger; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4524. By the SPEAKER (by request): Resolution adopted by the City Council of Boston, favoring legislation for ex-service men; to the Committee on Ways and Means.

4525. By Mr. CROWTHER: Petition of numerous residents of Gloversville, N. Y., protesting against the enactment of House bill 9753; to the Committee on the District of Columbia.

4526. By Mr. DRANE: Resolution adopted by the Rotary Club of Lakeland, Fla., relative to the Ford offer on Muscle Shoals; to the Committee on Military Affairs.

4527. By Mr. FROTHINGHAM: Petition of certain residents of Brockton, Mass., urging the defeat of House bill 9753, known as the compulsory Sunday observance bill; to the Committee on the District of Columbia.

4528. By Mr. FULLER: Petition of the faculty and students of Rockford College, of Rockford, Ill., asking that payment of Austria's debt to the United States be postponed for at least 20 years; to the Committee on Foreign Affairs.

4529. By Mr. GALLIVAN: Petition of Paine, Webber & Co., Boston, Mass., urging the adoption of the plan suggested by former Postmaster General Hays, that the senders of advertising matter who desire to pay postage on replies thereto may be granted the privilege of depositing a certain sum to secure the payment of the postage on the replies under such regulation as the Postmaster General may prescribe; to the Committee on the Post Office and Post Roads.

4530. Also, petition of E. M. Dunbar, Boston, Mass., urging passage of House bill 9722; to the Committee on the Post Office and Post Roads.

4531. By Mr. KISSEL: Petition of George W. Gair, New York City, N. Y., opposing the passage of the proposed bonus bill; to the Committee on Ways and Means.

4532. Also, petition of J. M. Huber, W. J. Schieffelin, jr., and Gordon B. Todd, all of New York City, N. Y., opposing the passage of soldier bonus legislation; to the Committee on Ways and Means.

4533. Also, petition of The Bronx Board of Trade, of New York City, N. Y., urging the reestablishment of the pneumatic-tube service in New York; to the Committee on Appropriations.

4534. Also, petition of Topken Co., New York City, N. Y., urging the resumption of scrip interchangeable mileage books of 3,000 or 5,000 miles denomination; to the Committee on Interstate and Foreign Commerce.

4535. By Mr. KNUTSON: Petition of residents of Cass Lake, Minn., protesting against the passage of House bills 9753 and 4388; to the Committee on the District of Columbia.

4536. By Mr. KUNZ: Petition of Zinke-Roberts Co., Chicago, Ill., favoring a protective tariff with American valuations; to the Committee on Ways and Means.

4537. By Mr. MEAD: Petition of Federal grand jury of Seattle, Wash., urging the passage of the Jones-Miller bill, which will greatly help in the enforcement of the Harrison Act and the suppression of the illicit trade in narcotics; to the Committee on Ways and Means.

4538. Also, petition of Plimpton-Cowan Co. (Inc.), of Buffalo, urging certain duties on importation of olive oil; to the Committee on Ways and Means.

4539. Also, resolution adopted by the City Council of Philadelphia, urging the continuance of the Philadelphia Navy Yard; to the Committee on Naval Affairs.

4540. By Mr. MERRITT: Resolutions adopted by the Lithuanian-American citizens of Bridgeport, Conn., condemning the Polish atrocities in Lithuania; to the Committee on Foreign Affairs.

4541. By Mr. MORIN: Petition of Allegheny County Council of United Spanish War Veterans, of Pittsburgh, Pa., H. F. Egle, president, heartily indorsing the soldiers' adjusted compensation bill; to the Committee on Ways and Means.

4542. By Mr. ROSE: Petition of members of Local Union No. 4292, United Mine Workers of America, urging immediate enactment of tariff legislation which will give adequate protection to the workers of our country; to the Committee on Ways and Means.

4543. By Mr. YOUNG: Petition of John J. Schuchard, of Overly, N. Dak., and 48 others, urging the revival of the United States Grain Corporation, together with the fixing of a guaranteed price for wheat sufficient to cover the cost of production plus a reasonable profit; to the Committee on Agriculture.

4544. Also, petition of P. M. Kramp, of Eckelson, N. Dak., and 21 others, urging the revival of the United States Grain Corporation, together with the fixing of a guaranteed price for wheat sufficient to cover the cost of production plus a reasonable profit; to the Committee on Agriculture.

SENATE.

FRIDAY, *March 10, 1922.*

(Legislative day of Thursday, March 9, 1922.)

The Senate met in open executive session at 12 o'clock meridian, on the expiration of the recess.

FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. LODGE. Mr. President, last night, just before we took a recess, we had some discussion in regard to the rates of speed and the armament of the different vessels of the navies of the United States, Great Britain, and Japan. I made a mistake in replying in regard to the new vessels of the United States, putting their speed far too high. I had in mind at the time the speed of cruisers; but none of our battle cruisers have been built; they are a part of the program which is given up.

I have before me tables showing everything that was asked for, I think, last night, the main battery of each of the vessels, the displacement, the year built or completed, the speed, and the weight of metal thrown.

I will say in regard to the vessels in the Japanese table that the speed of 24 knots of the *Mutsu* and the *Nagato*, which are their two new vessels, is an estimate made by us, and perhaps claimed by them, but is not absolutely known. The last four vessels on the Japanese list—the *Kirishima*, the *Haruna*, the *Hi-Yei*, and the *Kongo*—are battle cruisers, as is indicated. Therefore, they have a higher speed, but a low weight of metal thrown. They are all old ships.

The United States has seven modern post-Jutland vessels. We had five, but owing to the change brought about by the retention of the *Mutsu*, we have seven. The *Maryland*, *California*, *Tennessee*, *Idaho*, and *Mississippi* are on this list, but under the arrangement made on the retention of the *Mutsu* we have also the *North Dakota* and the *Delaware*, which are at the foot of the list. The oldest ships are dropped and are replaced by two of the *West Virginia* class, which are of the same class as the *Maryland*. Their speed is 21 knots. They are all battleships and not battle cruisers, and they average, as I am informed by the Navy Department, a somewhat higher rate of speed than battleships of other nations, because they are each more modern. They are all post-Jutland ships, which means that there are changes in their construction and building brought about by the battle of Jutland.

In England there are four battle cruisers which are indicated at the bottom of the list, the *Hood*, the *Renown*, the *Repulse*, and the *Tiger*. The *Hood* is a new post-Jutland vessel of 43,000 tons and 31 knots, but her guns are 15-inch, while the guns on our vessels are 16-inch. Her weight of metal thrown is less than that thrown by ships like the *Maryland* and *West Virginia*. The other three, marked battle cruisers, the *Renown*, *Repulse*, and *Tiger*, are old ships with a very light weight of metal thrown.

There are also five vessels which I believe are battle cruisers of newer make, but at all events battleships, of as high speed as 25 knots estimated, but there are none of them old ships, and the weight of metal thrown is much less than ours. They have 15-inch guns.

With this explanation, I ask that the tables may be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Naval armament.

UNITED STATES.

Name.	Main battery.	Displacement.	Year built or completed.	Speed.	Weight of metal thrown.
	No. In.	*Tons.*		*Knots.*	*Pounds.*
Maryland	8 16	32,600	1921	21	16,800
California	12 14	32,300	1921	21	16,800
Tennessee	12 14	32,300	1921	21	16,800
Idaho	12 14	32,000	1919	21	16,800
Mississippi	12 14	32,000	1917	21	16,800
New Mexico	12 14	32,000	1918	21	16,800
Arizona	12 14	31,400	1916	21	16,800
Pennsylvania	12 14	31,400	1916	21	16,800
Oklahoma	10 14	27,500	1916	21	14,000
Nevada	10 14	27,500	1916	21	14,000
Texas	10 14	27,000	1914	21	14,000
New York	10 14	27,000	1914	21	14,000
Arkansas	12 12	26,000	1912	21	10,500
Wyoming	12 12	26,000	1912	21	10,500
Utah	10 12	21,825	1911	21	8,750
Florida	10 12	21,825	1911	21	8,750
North Dakota	10 12	20,000	1910	21	8,750
Delaware	10 12	20,000	1910	21	8,750
GREAT BRITAIN.					
Royal Sovereign	8 15	26,600	1916	23	15,400
Royal Oak	8 15	26,600	1916	23	15,400
Resolution	8 15	26,600	1916	22	15,400
Ramillies	8 15	26,600	1917	22	15,400
Revenge	8 15	26,600	1916	22	15,400
Queen Elizabeth	8 15	28,925	1915	25	15,400
Warspite	8 15	28,925	1915	25	15,400
Valiant	8 15	28,925	1916	25	15,400
Barham	8 15	28,925	1915	25	15,400
Malaya	8 15	28,925	1916	25	15,400
Benbow	10 13.5	25,850	1914	21	14,000
Emperor of India	10 13.5	25,850	1914	21	14,000
Iron Duke	10 13.5	25,850	1914	21	14,000
Marlborough	10 13.5	25,850	1914	21	14,000
King George	10 13.5	24,100	1912	21	14,000
Centurion	10 13.5	24,100	1913	21	14,000
Ajax	10 13.5	24,100	1913	21	14,000
Thunderer	10 13.5	23,550	1912	21	14,000
Hood (battle cruiser)	8 15	43,000	1920	31	15,400
Renown (battle cruiser)	6 15	27,550	1915	31½	11,550
Repulse (battle cruiser)	6 15	27,550	1916	31½	11,550
Tiger (battle cruiser)	8 13.5	29,600	1914	30	11,200
JAPAN.					
Mutsu	8 16	35,000	1921	24	16,800
Nagato	8 16	35,000	1920	24	16,800
Hiuga	12 14	32,750	1918	23	16,800
Ise	12 14	32,750	1917	23	16,800
Yamashiro	12 14	32,000	1917	22	16,800
Fu-So	12 14	32,000	1915	22	16,800
Kirishima (battle cruiser)	8 14	28,450	1915	27½	11,200
Haruna (battle cruiser)	8 14	28,450	1915	27½	11,200
Hi-Yei (battle cruiser)	8 14	28,450	1914	27½	11,200
Kongo (battle cruiser)	8 14	28,450	1913	27½	11,200

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. ROBINSON] to article 1.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House agreed to the amendment of the Senate to the bill (H. R. 9597) to amend an act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918.

The message also announced that the House disagreed to the amendments of the Senate to the bill (H. R. 10559) making ap-

propriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SHREVE, Mr. HUTCHINSON, and Mr. OLIVER were appointed managers of the conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 4382) to provide for the application of the reclamation law to irrigation districts; in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker pro tempore of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 2471. An act to amend the act entitled "An act authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof," approved July 28, 1914 (38 Stat. L., p. 558);

S. 2993. An act authorizing a modification of the adopted project for Indiana Harbor, Ind.;

H. R. 8193. An act to amend the first proviso in the act entitled "An act to grant a certain parcel of land, part of the Fort Robinson Military Reservation, Nebr., to the village of Crawford, Nebr., for park purposes," approved June 25, 1906;

H. R. 9047. An act authorizing the Secretary of War to grant to the town of Winthrop, Mass., a perpetual right of way over approximately 755 square feet of the Fort Banks Military Reservation for the purpose of widening Revere Street;

H. R. 10267. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1923, and for other purposes; and

S. J. Res. 108. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Jeanne d'Arc.

CONFIRMATION OF FRANK D. BABCOCK.

Mr. TOWNSEND. As in executive session, I ask unanimous consent that the confirmation of Mr. Frank D. Babcock, to be postmaster at Haverhill, Mass., which was made on yesterday, be recalled and that the President be requested to return his name to the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

As in legislative session,

HOUSE BILL REFERRED.

The bill (H. R. 4382) to provide for the application of the reclamation law to irrigation districts was read twice by its title and referred to the Committee on Irrigation and Reclamation.

PROSECUTIONS UNDER ESPIONAGE AND OTHER WAR ACTS (S. DOC. NO. 159).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, in response to Senate resolution 226, directing the Attorney General to inform the Senate relative to prosecutions under the espionage law or for conspiracy to violate war laws, agreed to January 25, 1922, certain additional information, which, on motion of Mr. BORAH, was ordered to be printed.

SUPPLEMENTAL ESTIMATE, DISTRICT MEDICAL CHARITIES (S. DOC. NO. 158).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia, fiscal year 1922, for medical charities, $7,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution adopted by the executive committee of the League to Enforce Peace, favoring prompt ratification of the four-power treaty, which was ordered to lie on the table.

He also presented a resolution adopted by General Guy V. Henry Garrison, No. 9, Army and Navy Union, of Washington, D. C., favoring the passage of the so-called Dyer antilynching bill, which was referred to the Committee on the Judiciary.

Mr. LODGE presented resolutions adopted by the Massachusetts Federation of Churches, at Boston, Mass., favoring prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table and to be printed in the RECORD, as follows:

THE MASSACHUSETTS FEDERATION OF CHURCHES,
Boston, March 7, 1922.

To the SENATE OF THE UNITED STATES,
Care of Hon. HENRY CABOT LODGE,
United States Senate Office Building, Washington, D. C.

GENTLEMEN: The Massachusetts Federation of Churches, officially representing the denominational bodies of the State of Massachusetts, at a special meeting held on this date to consider the moral issues before the Nation and the State, unanimously voted, respectfully but earnestly, "to urge the Senate of the United States promptly to ratify the treaties agreed upon by the Washington Conference on Limitation of Armament as submitted by the President." The full resolutions follow:

"Whereas the conference of representatives of the United States and those of eight other nations, called to consider the limitation of naval armaments and the problems of the Pacific, after three months' deliberation, under the wise and efficient leadership of President Harding and Secretary of State Hughes, had agreed upon a number of important international treaties, and six of these, in which the United States is a party, have been submitted by the President to the Senate of the United States for its constitutional approval; and

"Whereas one of these treaties, between the United States, the British Empire, Japan, France, and Italy, provides for the reduction of naval armaments by the destruction of a large number of capital ships and the fixing of a ratio of naval establishments between the parties and the maximum number and strength of such ships to be possessed by each power during a period of 10 years, thus inaugurating an era of naval limitation in lieu of competition in naval establishment hitherto prevailing; a treaty which Senator Hughes has declared, 'ends, absolutely ends, the race in competition of naval armament. At the same time it leaves the relative security of the great naval powers unimpaired'; and

"Whereas another of such treaties adopts rules and regulations restricting the operation of submarines in time of war, making impossible such outrages upon common humanity as the destruction of the *Lusitania*, except at the cost of international outlawry, and further establishes rules against the use of noxious and poisonous gases; and

"Whereas by another of these treaties made between the United States, Great Britain, Japan, and France the parties agree to respect each other's rights in their insular possessions and insular dominions in the region of the Pacific, and agree to meet in conference to discuss any controversy which may arise between them respecting such rights, and in the event of any external aggression upon the rights of any of the parties to communicate fully and frankly with each other in order to determine what action shall be taken in view of such exigency, and which treaty upon ratification is to supersede the existing treaty creating the Anglo-Japanese alliance; and

"Whereas other of such treaties bring to an end the policy of aggression by other nations upon the sovereignty of China, and provide for the recognition of the unimpaired sovereignty of that country, and confirm the policy of equal opportunity for all nations in their trade and commerce with China; provide for a revision of her import duties, and establish a commission of the nine powers to deal with alleged infringements of the 'open-door' agreements; and

"Whereas a treaty between the United States and Japan settles the disputed question of the right of the United States to equal rights with Japan in the use of the island of Yap for ocean cable purposes, and also to equal rights with members of the League of Nations in the mandated islands of the Pacific north of the Equator; and

"Whereas all of these treaties supplement each other, and together constitute 'a great and successful effort to diminish the burdens of peace and to render more remote the horrors of war'; and

"Whereas the President of the United States in submitting these treaties to the United States Senate stated: 'Either these treaties must have your cordial sanction or every proclaimed desire to promote peace and prevent war becomes a hollow mockery':

"*Resolved*, That such treaties constitute great and important steps toward insuring world peace by providing for the peaceful settlement of questions which otherwise might disturb amicable relations between nations, and by ending international competition in the building of navies and all its inevitable burdens and evil consequences;

"*Resolved further*, That the Massachusetts Federation of Churches does hereby emphatically commend the work of the Washington Conference on Limitation of Armament, and most earnestly urges the Senate of the United States promptly to ratify the treaties agreed upon by that conference and as submitted to the Senate by the President of the United States."

Yours, truly,

MARTIN L. CATE, *President.*
JOHN J. WALKER, *Secretary.*
By E. TALLMADGE ROOT.

Mr. NELSON presented a memorial of sundry citizens of Cass Lake, Minn., remonstrating against the enactment of Senate bill 1948, providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. CAPPER presented resolutions adopted by the American National Live Stock Association at its twenty-fifth annual convention, Colorado Springs, Colo., protesting against the transfer of any bureau or division of the Department of Agriculture to other departments, which were referred to the Committee on Agriculture and Forestry.

Mr. JONES of Washington presented a letter in the nature of a petition from the Federal grand jury, United States district court, western division of Washington, at Seattle,

Wash., praying for the enactment of legislation suppressing the traffic in narcotics, which was referred to the Committee on Finance.

Mr. LADD presented the petitions of Rose A. and C. A. Peterson, of Nortonville; of Peter Mousel and 136 others, of Flasher and vicinity; and E. H. Hurd and 10 others, of Hurdsfield, all in the State of North Dakota, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

Mr. TOWNSEND presented a petition of sundry citizens of Detroit, Mich., praying for acceptance of the proposal of Henry Ford relative to the Muscle Shoals project, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted at the midwinter meeting of the Michigan State Horticultural Society at Coloma, Mich., favoring acceptance of the bid of Henry Ford relative to the Muscle Shoals project and passage of the so-called Purnell bill, granting additional funds for agricultural experiment work, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by Frank Wendtland Post, No. 253, American Legion, of Royal Oak, Mich., favoring the enactment of legislation providing adjusted compensation for veterans of the World War, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Plymouth, Mich., praying for the enactment of legislation providing Federal censorship of moving-picture films, which was referred to the Committee on the Judiciary.

He also presented resolutions adopted at the annual conference of American Historical Societies at St. Louis, Mo., favoring the construction of a Federal hall of records, so as to preserve precious records of historic value, which were referred to the Committee on Public Buildings and Grounds.

Mr. WILLIS presented petitions, numerously signed, of sundry employees of the Owen China Co., of Minerva, and the National China Co., of Salineville, both in the State of Ohio, praying for the passage of an adequate protective tariff law based upon American valuations, which were referred to the Committee on Finance.

He also presented telegrams in the nature of petitions from the Kiwanis Clubs of Toronto, Toledo, Marion, Medina, Willard, Lisbon, Cleveland, Cincinnati, Carey, and Mansfield, all in the State of Ohio, favoring prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented a resolution adopted by Local Union No. 499, of Stewartsville, Ohio, praying for the passage of an adequate protective tariff law based on American valuations, which was referred to the Committee on Finance.

He also presented a resolution adopted by Harry C. Egbert Camp, No. 1, United Spanish War Veterans, of Cincinnati, Ohio, favoring inclusion in the so-called soldiers' bonus bill of veterans of the Spanish-American War and the Philippine insurrection, which was referred to the Committee on Finance.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 3266) for the purchase of the Cape Cod Canal property, and for other purposes; to the Committee on Commerce.

By Mr. TOWNSEND:

A bill (S. 3267) for the relief of settlers and claimants to section 16, lands in the L'Anse and Vieux Desert Indian Reservation in Michigan, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 3268) to authorize the Chicago, Detroit & Canada Grand Trunk Junction Railroad Co., or its successors or assigns, to lease certain of its properties in the State of Michigan; to the Committee on Interstate Commerce.

By Mr. KING:

A bill (S. 3269) to amend subdivision 3 of subsection B of section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, and for other purposes; to the Committee on the Judiciary.

(By request.) A bill (S. 3270) to encourage the construction and operation of additional railway facilities, to enable railroad corporations to pay off and reduce their interest-bearing indebtedness, to make investments of money in railroads more secure and profitable, to reduce the costs of transportation on railroads, and for other purposes; to the Committee on Interstate Commerce.

By Mr. HARRISON:

A bill (S. 3271) granting a pension to William Clark; to the Committee on Pensions.

AMERICAN RED CROSS HEADQUARTERS IN WASHINGTON.

Mr. SPENCER. I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate joint resolution 43.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 43) to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C., which were to strike out the preamble, and on page 2, lines 8 and 9, to strike out "within such time as may hereafter be provided by Congress" and to insert "not later than December 31, 1924."

Mr. SPENCER. I move that the Senate disagree to the amendments proposed by the House, that a conference be requested on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. FERNALD, Mr. FRELINGHUYSEN, and Mr. ASHURST conferees on the part of the Senate.

IMPORTS AND EXPORTS OF 1920 AND 1921.

Mr. FLETCHER. I ask to have inserted in the RECORD a very interesting statement and table prepared by Mr. O. P. Austin, statistician of the National City Bank of New York, being their bulletin of March, 1922. It compares the official figures of imports and exports for the United States for the full calendar year 1921 with those for the calendar year of 1920, showing the relative decline in quantities and values in 1921 when compared with 1920. I shall ask to have these two pages inserted in the RECORD. I think they contain some very valuable information.

I will say, Mr. President, that some people are very much concerned about prices, particularly with regard to steel products and farm implements. They can not understand why it is that there is a shutdown to some extent of production by the manufacturers and yet the prices for plows, wire for fencing, corrugated iron for roofing and building purposes, keep up at about twice what they were in 1914. They also can not understand how it is that the price of shoes keeps up when the producers of hides can hardly get anything for them. These are questions which disturb the consumers of the country and which are shutting off buying by the people of the things because they can not afford to pay the present prices. The statement may have a little bearing upon that question, and I ask that it may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From National City Bank of New York Bulletin, March, 1922.]

LOWER PRICES BIG FACTOR IN FALL OFF OF OUR FOREIGN TRADE FIGURES.

(By O. P. Austin, statistician National City Bank of New York.)

Now that it is possible to compare the official figures of imports and exports of the United States in the full calendar year 1921 with those of the calendar year 1920 and to compare the fall in quantity with that of value, we find in nearly every case that the reduction in value is far greater than the reduction in quantity.

While the official reports of imports and exports do not state quantities of all articles entering or leaving the country, and while the units of measurement utilized in recording the quantities of merchandise imported or exported include in many cases merely the number of articles, it is possible to reduce all of the terms of measurement to a single unit of pounds, and thus to determine the actual number of pounds represented by all of the imports and exports, except the comparatively small number in which no official record is made of the quantities entering or leaving the country. Of the $13,500,000,000 worth of merchandise imported and exported in 1920 (which fell to about $7,000,000,000 in 1921) it is possible to determine the weight in the common unit of pounds of articles representing about 75 per cent of the total value, and comparing the reduction in quantities with the reduction in values, article by article and for the grand total, to at least approximate the relation which the fall in prices has had to the reduction in stated values of imports and exports, so much discussed in recent months.

COMPARISON BY POUNDS.

The results of such a study of the relative fall in quantities and values of all articles for which the quantity can be determined is presented herewith. It has been made by transforming to the common unit of pounds the quantities of each article of import or export in which the value in 1921 was about $1,000,000 and for which quantities imported or exported are officially recorded in any form. This analysis shows for the calendar year 1920 approximately 250,000,000,000 pounds of imports and exports, and in 1921 approximately 200,000,000,000, a reduction of 20 per cent in quantity, while the value of the merchandise for which the weight is named falls from $9,832,000,000 in 1920 to $4,988,000,000 in 1921, a reduction of 49 per cent in value, as against 20 per cent in quantity. In exports the fall in quantities of all articles

for which weight can be shown is 22 per cent and the fall in values of the same articles 43 per cent. In imports the fall in quantity is 10 per cent and in value 56 per cent, this comparatively small reduction in quantity being due to the big increase in the imports of crude petroleum. Exclusive of petroleum, the fall in quantities of imports is 32 per cent, and in value 56 per cent.

RAW MATERIALS COMPARED WITH MANUFACTURES.

A division of the articles forming the 1921 imports and exports, respectively, into three great groups which form the bulk of all international trade—foodstuffs, manufacturing material, and manufactures—shows on the export side an increase over 1920 of 30 per cent in the weight of foodstuffs, but a reduction of 32 per cent in value; in manufacturing material a fall of 35 per cent in weight and 49 per cent in value; and in the manufactures for which weight can be stated the reduction is 27 per cent in weight and 50 per cent in value. On the import side, foodstuffs show a reduction of 23 per cent in weight and 64 per cent in value; manufactures a reduction of 7 per cent in weight and 47 per cent in value; and manufacturing material, including petroleum, a 5 per cent reduction in weight and 51 per cent in value, but exclusive of petroleum the manufacturing material shows a fall of 32 per cent in quantity and 57 per cent in value.

The fall in values per unit of quantity is most observable in the natural products, foodstuffs, and manufacturing material. Raw sugar imported, for example, shows a fall of 26 per cent in quantity and 76 per cent in value; coffee an increase of 3 per cent in quantity but a decrease of 43 per cent in value; wool an increase of 23 per cent in quantity but a decrease of 51 per cent in value; hides and skins a decrease of 32 per cent in quantity and 72 per cent in value; raw cotton a reduction of 54 per cent in quantity and 76 per cent in value; and rubber a decrease of 29 per cent in quantity and 69 per cent in value. On the export side, wheat and flour in combination show an increase of 18 per cent in quantity but a decrease of 32 per cent in value; cotton an increase of 5 per cent in quantity but a decrease of 52 per cent in value; tobacco an increase of 10 per cent in quantity but a decrease of 16 per cent in value; and coal a reduction of 36 per cent in quantity and 52 per cent in value.

The tables which follow show the weight and value of the principal articles imported and exported for which weights can be determined and the percentage of increase or reduction when comparing the full calendar year 1921 with the calendar year 1920.

Weights and values of United States foreign trade, 1920 and 1921.

Showing relative decline in quantities and values in 1921, when compared with 1920, in all important articles in which quantities can be stated.

IMPORTS.

	Million pounds.		Per cent of increase or decrease.	Million dollars.		Per cent of increase or decrease.
	1920	1921		1920	1921	
Foodstuffs:						
Sugar	8,066	5,967	− 26	1,015	237	− 76
Coffee	1,297	1,341	+ 3	253	143	− 43
Cocoa	344	305	− 11	54	23	− 57
Tea	90	77	− 14	24	14	− 41
Fruits and nuts	4,344	4,689	+ 8	72	56	− 22
Meats	153	59	− 61	21	7	− 66
Fish	301	304	+ 1	35	29	− 17
Eggs	29	18	− 37	7	3	− 57
Milk	24	9	− 62	3	1	− 66
Butter	37	19	− 48	19	7	− 63
Cheese	16	27	+ 68	6	9	+ 50
Wheat	2,148	1,398	− 35	75	36	− 52
Flour	160	192	+ 20	9	8	− 11
Rice	143	84	− 41	14	3	− 78
Spices	61	64	+ 4	12	5	− 58
Molasses	1,921	936	− 51	5	2	− 60
Tapioca	105	55	− 47	6	2	− 66
Vegetables	716	304	− 57	32	8	− 75
Oil cake	229	88	− 61	4	2	− 50
Cattle	332	162	− 51	27	6	− 77
All other[1]	869	257	− 70	57	19	− 66
Total of foodstuffs	21,385	16,355	− 23	1,750	630	− 64
Manufacturing material:						
Cotton	360	139	− 54	139	33	− 76
Wool	260	321	+ 23	127	61	− 51
Silk	30	45	+ 50	265	239	− 9
Fibers	909	548	− 40	80	34	− 57
Hides and skins	510	348	− 32	244	68	− 72
Rubber	603	427	− 29	249	76	− 69
Gums	142	82	− 42	52	23	− 55
Soda nitrate	2,961	826	− 72	63	18	− 71
Fertilizers	2,499	696	− 72	51	12	− 76
Flaxseed	1,378	684	− 50	75	20	− 73
Tobacco	82	53	− 35	82	54	− 34
Copra	248	224	− 10	19	10	− 47
Wood pulp	1,812	1,394	− 23	80	36	− 55
China clay	724	328	− 55	4	2	− 50
Aluminum	40	31	− 22	12	7	− 41
Iron ore	2,852	707	− 75	5	1	− 80
Copper ore	116	103	− 12	22	14	− 36
Tin ore	67	31	− 54	19	6	− 68
Coal	2,554	2,531	− 1	7	7	.....
Petroleum	36,552	43,272	+ 18	56	67	+ 16
All other[1]	2,633	1,605	− 39	128	59	− 53
Total of manufacturing material	57,372	54,395	− 5	1,808	870	− 51
Manufactures:						
Cotton cloth	36	21	− 41	52	29	− 44
Cotton yarn	94	49	− 47	29	6	− 80
Wool cloth	8	7	− 12	20	14	− 30
Wool yarn	4	6	+ 50	8	7	− 12
Silk fabrics	3	4	+ 33	36	24	− 31
Silk yarn	3	2	− 33	13	6	− 54

Weights and values of United States foreign trade, 1920 and 1921—Contd.

IMPORTS—continued.

	Million pounds.		Per cent of increase or decrease.	Million dollars.		Per cent of increase or decrease.
	1920	1921		1920	1921	
Manufactures—Continued.						
Fiber fabrics	11	8	− 27	26	11	− 57
Burlaps	569	472	− 16	89	41	− 53
Jute bags	51	65	+ 27	8	4	− 50
Paper, printing	1,460	1,585	+ 9	69	79	+ 14
Creosote oil	129	232	+ 80	4	5	+ 25
Pulpboard	86	39	− 55	3	1	− 66
Calcium carbide	83	85	+ 2	3	3	.....
Coconut oil	216	190	− 14	33	15	− 54
Palm oil	42	23	− 45	5	2	− 60
Soya-bean oil	112	16	− 85	13	1	− 92
Copper, pigs, etc	369	248	− 33	68	31	− 54
Tin, pigs, etc	126	54	− 57	74	17	− 77
Iron, pigs, etc	416	99	− 76	13	2	− 84
Cigars, etc	6	2	− 66	17	6	− 64
All other[1]	1,206	1,466	+ 21	71	41	− 42
Total of manufactures	5,080	4,673	− 7	654	345	− 47
Grand total of imports[1]	83,787	75,423	− 10	4,212	1,835	− 56

EXPORTS.

Foodstuffs:						
Wheat and flour	16,979	20,008	+ 18	822	551	− 32
Corn and meal	1,164	7,382	+534	34	96	+182
Oats and meal	478	204	− 57	16	5	− 68
Rice	393	600	+ 52	37	21	− 43
Rye	3,192	1,669	− 47	122	44	− 63
Barley	854	1,238	+ 44	27	21	− 22
Fruits and nuts	571	702	+ 22	49	46	− 6
Meats	1,061	786	− 24	269	139	− 46
Lard and tallow	780	1,116	+ 43	179	140	− 21
Butter	18	8	− 55	10	3	− 70
Cheese	16	12	− 27	5	3	− 40
Milk	414	299	− 28	65	38	− 41
Eggs	27	34	+ 25	14	11	− 21
Fish	118	86	− 27	19	10	− 47
Sugar	924	934	+ 1	95	49	− 48
Cottonseed oil	185	253	+ 36	35	24	− 31
Oil cake	590	1,207	+104	18	25	+ 38
Vegetables	420	340	− 19	21	11	− 47
Cattle	72	167	+131	11	12	+ 8
Hay	141	116	− 17	2	1	− 50
All other[1]	356	290	− 18	21	13	− 38
Total of foodstuffs	28,753	37,551	+ 30	1,861	1,263	− 32
Manufacturing material:						
Cotton, raw	3,179	3,339	+ 5	1,135	534	− 52
Tobacco	468	515	+ 10	245	205	− 16
Hides and skins	17	30	+ 76	6	4	− 33
Iron ore	2,570	986	− 61	6	2	− 66
Iron pigs	486	63	− 87	10	1	− 90
Coal	87,584	55,592	− 36	350	168	− 52
Coke	1,839	613	− 66	10	3	− 70
Petroleum, raw	2,360	2,604	+ 10	29	20	− 31
Paraffin	375	226	− 39	33	11	− 66
Fertilizers	2,396	1,643	− 31	10	7	− 30
Asphaltum	103	90	− 12	1	1	.....
Aluminum	9	2	− 76	3	1	− 66
Lead	39	53	+ 35	3	2	− 33
Zinc	228	8	− 96	19	1	− 94
Sulphur	1,001	641	− 35	9	5	− 44
Soda ash	167	35	− 79	5	1	− 80
Soda, caustic	224	50	− 77	11	2	− 81
Rosin	326	280	− 14	19	5	− 73
Turpentine	66	65	− 1	15	6	− 60
Hops	26	18	− 30	17	6	− 52
All other[1]	58	40	− 31	15	6	− 60
Total of manufacturing material	103,521	66,893	− 35	1,952	991	− 49
Manufactures:						
Automobiles	515	115	− 77	212	43	− 79
Locomotives	257	152	− 40	54	34	− 37
Cotton cloth	202	133	− 34	238	72	− 69
Cotton yarn	24	14	− 41	20	6	− 70
Wool cloth	9	2	− 77	24	4	− 83
Binder twine	55	59	+ 7	8	8	.....
Sole leather	22	14	− 36	12	5	− 59
Steel rails	1,359	921	− 31	36	18	− 50
Bars and billets	2,266	488	− 78	75	16	− 79
Nails	245	75	− 70	16	5	− 70
Sheets and plates	2,756	1,339	− 51	115	51	− 55
Pipes, iron	791	882	+ 11	53	56	+ 5
Wire	718	222	− 69	41	12	− 70
Tin plate	507	241	− 52	40	17	− 57
Copper	624	629	+ 1	127	85	− 33
Petroleum, manufactured	19,327	16,962	− 12	520	364	− 30
Spirits	221	44	− 80	20	3	− 85
Tobacco, manufactured	57	35	− 39	41	20	− 51
Paper	247	100	− 59	27	10	− 62
Starch	148	258	+ 74	9	6	− 33
All other[1]	2,133	994	− 53	119	64	− 46
Total of manufactures	32,474	23,609	− 27	1,807	899	− 50
Grand total of exports	164,748	128,143	− 22	5,620	3,153	− 43

[1] For which weight can be stated.

THE MUSCLE SHOALS PLANT.

Mr. HEFLIN obtained the floor.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. HEFLIN. Certainly.

Mr. BORAH. I should like to suggest the absence of a quorum.

Mr. HEFLIN. I have no objection to a roll call.

The VICE PRESIDENT. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Harris	Nicholson	Spencer
Brandegee	Harrison	Norbeck	Stanfield
Broussard	Heflin	Norris	Stanley
Bursum	Johnson	Oddie	Sterling
Cameron	Jones, Wash.	Overman	Sutherland
Capper	Kellogg	Page	Townsend
Caraway	Kendrick	Phipps	Underwood
Colt	King	Pittman	Walsh, Mass.
Culberson	Ladd	Poindexter	Walsh, Mont.
Cummins	Lodge	Pomerene	Warren
Fernald	McCormick	Rawson	Watson, Ga.
Fletcher	McKellar	Reed	Weller
France	McKinley	Robinson	Williams
Gerry	McNary	Sheppard	Willis
Gooding	Nelson	Shields	
Hale	Newberry	Smith	

Mr. PAGE. I wish to announce the absence of my colleague [Mr. DILLINGHAM] because of a death in his family.

Mr. JONES of Washington. I was requested to announce that the Senator from Delaware [Mr. BALL] is detained on official business.

I was also requested to announce that the Senator from California [Mr. SHORTRIDGE] and the Senator from Wisconsin [Mr. LENROOT] are absent on official business of the Senate at a hearing of the Committee on Banking and Currency.

I was also requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from New York [Mr. CALDER], the Senator from Indiana [Mr. WATSON] and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained at a hearing before the Committee on Finance.

Mr. FLETCHER. I wish to announce that my colleague [Mr. TRAMMELL] is necessarily absent on account of serious illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-two Senators having answered to their names, there is a quorum present.

Mr. HEFLIN. Mr. President, two or three days ago an article appeared in the Washington Post stating that Representative KAHN of California, the chairman of the Committee on Military Affairs in the House, had stated to Mr. Mayo, a representative of Mr. Ford, that the Muscle Shoals proposition was in such a tangle that it would probably take years to untangle it, and that a commission should be appointed to handle the matter.

Mr. President, I have talked to some of the Senators since that suggestion was made, and I am glad to say that none of them, so far as I know, has agreed that such a course was necessary. It occurs to me that this is an attempt to delay final action upon the offer of Mr. Ford to take over and operate that plant; that it is an attempt to dally, delay, and postpone the consideration of the proposition by Congress.

To take the matter out of the jurisdiction of Congress, to which it has been submitted by the Secretary of War, and to put it in the hands of a commission, would be, it seems to me, useless and unfair to the Members of Congress, and unfair as well to the people whom they represent in the law-making body of the Nation. Nearly every day farmer organizations, chambers of commerce, and various other organizations in the South and West are adopting resolutions urging upon Congress the wisdom, importance, and necessity of accepting the Ford offer.

Mr. President, I can understand how some Senators felt for a while when it was not clear that Mr. Ford was going to manufacture fertilizers at Muscle Shoals; that they should hesitate about indorsing his offer until all doubt on this point was removed; but Mr. Ford's representatives have stated before the Military Affairs Committee of the House that he is willing to bind himself to manufacture fertilizers at Muscle Shoals, and willing to make the contract specifically provide for that very thing. When that is done, I do not see why we should not proceed to accept his offer.

Some few days ago the Senate referred—and I think properly—the Ford offer to the Committee on Agriculture and Forestry, of which I am a member. I then took up with the members of the committee the matter of paying a visit to Muscle Shoals, of having the committee go down there in person and see for themselves this marvelous power site in the Tennessee Valley in my State. The committee have agreed to go; the Senate has provided that it shall go, and not only that the committee shall go but that other Senators who desire shall accompany the committee. That committee's visit, Mr. President, is waiting, for the time being, upon action upon the four-power treaty. The Senator from Massachusetts [Mr. LODGE], the leader upon the other side, I understand, does not want the members of the committee to leave until that treaty is disposed of; but as soon as it is disposed of the committee, I think, will immediately visit Muscle Shoals, and I feel that when it does so there will no longer be any doubt or misgivings in the mind of any Senator who goes as to the wisdom of completing the Muscle Shoals project or as to the advisability of accepting the Ford offer. When Senators see for themselves just what the Government has already done and realizes that its expenditure of $100,000,000 is doing no good whatever, and is not only doing no good but doing harm, because the money already invested will be a total loss unless the project is completed; and as the project now stands it obstructs the river and makes it unnavigable at that place. Prior to the construction of the dam up to the surface of the water the river was navigable for eight months in the year; but since the dam has been in part constructed the river can not be used for the purposes of navigation, so there it lies unfit for use for power purposes and an obstruction to navigation in the Tennessee River.

Mr. President, I hold in my hand a very mournful editorial from the Chattanooga News. The writer has a tone of despair in his editorial. He feels that an effort is being made to junk the whole project at Muscle Shoals and that nothing will be done to complete this great project. I do not agree with him. I will not agree with him until I see this Congress deliberately refuse, upon a record vote, to proceed with that great project. Certain interests have done everything that they could to prevent the completion of the great dam at Muscle Shoals. We were told that it was not worth while. Somebody has been fighting the completion of this Muscle Shoals project all the time. A propaganda has been carried on here. I have received letters from various concerns—all the Senators have received them; Members of the House have received these letters—and this propaganda has been carried on by interests that do not want Henry Ford to get the Muscle Shoals plant.

I think the offer that Mr. Ford has made is the best offer that has been made. I do not blame any other concern for wanting Muscle Shoals, because it is a power site of such tremendous capacity and possibilities that I can understand how anybody who wanted to develop power should like to have it. There is an opinion prevailing, however, that a movement is on foot to tie up this plant and prevent its development because it will, when completed, come into competition with some other concern. In this editorial the Chattanooga News goes on to say that the commission suggested by Mr. KAHN is the Secretary of War, the Secretary of the Treasury, and the Secretary of Agriculture. The Secretary of the Treasury is in a manufacturing business himself. He owns an aluminum plant—the only one, I think, in the United States—and it has been said that Ford might want to manufacture something in competition with him, and therefore he would not favor allowing Ford to have Muscle Shoals. We have been told that the Secretary of War thinks more of the offer made by the Alabama Power Co. than he does of the one made by Henry Ford. If that is true, there are two out of the three on the suggested commission who are unfriendly to Ford to start with. One can not outvote two.

The Secretary of Agriculture, I believe, would be influenced by the demands of the farmers of the South and West. I think he is already friendly to Ford's offer; but in the absence of any fixed opinion that he may have upon the subject, being the Secretary of Agriculture as he is, I believe he would do that which was best for the agricultural interests of the country as he saw it, and that is why I believe he would favor the Ford offer. The Ford offer is distinctly in favor of the farmers of the country. They want the Ford offer accepted.

Another thing, Mr. President: The Fertilizer Trust of the United States is bitterly opposed to Henry Ford getting the Muscle Shoals plant, because he would manufacture fertilizer, and that would bring down the price they now charge, and millions of farmers in the South and West would profit by that very thing. The Fertilizer Trust wants to be let alone and permitted to have a monopoly of fertilizer production in the United States.

Senators, that raises a very nice question. Are we going to be dominated by a power like that? We ought to do that which is best for the people. We ought not to serve a special interest; and I repeat that I do not believe that that power is going to be able to control the Senate. I do not believe that it will suc-

ceed in the House. I do not see how any Member can excuse his vote to pigeonhole the offer of Henry Ford and stop this thing, whether it be done right out in the open on a roll call or whether it be done in a roundabout way by putting it in the hands of a commission, which, in my judgment, would mean the death knell of the whole thing.

I am opposed to appointing any commission to take up this matter. With the light that we will have from the hearings in the House committee and the hearings that we propose to conduct in the Senate Agricultural Committee after our visit to Muscle Shoals, I want the House and the Senate to act upon this question; and why should we not do so? Certainly 435 Members of the House and 96 Senators, representing all the people and all the varied interests of the people, would be better prepared to pass upon it and be better prepared to render a just and fair verdict than somebody who has interests somewhere that might have competition from Henry Ford when this plant is completed and in operation down at Muscle Shoals. There seems to be an effort to confuse and complicate the situation, Mr. President.

I want to suggest to Senators that we have had a good deal on paper about people who have been unemployed getting employment. It has been mostly on paper. Millions are out of employment yet; but there is nothing that this Congress can do that would do more to take care of half a million people than to turn over this project to Henry Ford, who would commence work within 10 days after the bid is accepted and the matter is turned over to him. He will put to work down there 100,000 people. With their families that will take care of from four to five hundred thousand people.

Mr. McNARY. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Oregon?

Mr. HEFLIN. I am glad to yield to my friend from Oregon.

Mr. McNARY. I am very much interested in the Senator's discussion of this matter. I am a member of the Agricultural Committee, and was a member of the committee which went into the Muscle Shoals matter two years ago. I am quite in tune with the statement of the Senator from Alabama, but I want to know of the Senator, who has a like sympathy with this legislation, whether he has studied both the proposal of Ford and the proposal of the Alabama Power Co., and whether he is now speaking with regard to the Ford proposal as the better of the two?

Mr. HEFLIN. Yes.

Mr. McNARY. The Senator is stating the reasons why he believes the Ford proposition is better than the other one, or, I might say, the other two proposals?

Mr. HEFLIN. Yes; I am in favor of the Ford proposal, in the first place, because of the statement made by his representatives before the Committee on Military Affairs of the House, in which he stated that he would bind himself to manufacture fertilizer, and the Alabama Power Co. does not do that at all.

Mr. McNARY. That is not the only element to be considered in the whole transaction, however.

Mr. HEFLIN. But one of the most important ones.

Mr. McNARY. As I recall the proposition of the Alabama Power Co., they are to make a fertilizer, but not a complete fertilizer. The fixation of atmospheric nitrogen does not produce a fertilizer in itself. It is only one of the ingredients that go to make a fertilizer applicable to use as plant food.

Mr. HEFLIN. But let me say to my friend from Oregon that Ford is going to make both ingredients, a completed fertilizer.

Mr. UNDERWOOD. Mr. President, will my colleague yield a moment?

Mr. HEFLIN. Certainly.

Mr. UNDERWOOD. Did I understand the Senator from Oregon to say that the proposal of the Alabama Power Co. contemplated the manufacture of nitrates?

Mr. McNARY. If not, its proposal, as I recall—I am speaking only from memory; I have not looked at it for some time—contemplates the contribution to the Government of sufficient power to manufacture full-capacity fertilizer at nitrate plant No. 2, which would be the same thing.

Mr. UNDERWOOD. I have the proposition in my mind very clearly, and if the Senator will allow me I should like to correct his recollection.

Mr. McNARY. Certainly.

Mr. UNDERWOOD. The proposal of the Alabama Power Co. relates entirely to Dam No. 2. The only connection it has with fertilizer at all is that it proposes to turn over to the Government, for the use of the nitrate plant, 100,000 secondary horsepower; but it has no connection outside of that with the nitrate plant at all, whereas the Ford proposition is the only pending proposition that really contemplates the actual manufacture of nitrates for the manufacture of fertilizer and also contemplates the manufacture of fertilizer.

Mr. HEFLIN. I thank my colleague for his contribution to this discussion. He has stated the proposition correctly.

Mr. SMITH. Mr. President, if the Senator will allow me, in reply to the suggestion made by the Senator from Oregon [Mr. MCNARY] to the effect that nitrates are only one ingredient of fertilizer, I should like to call the attention of the Senate to the fact that nitrate is one of the essential elements, the predominant element, in all plant foods, and, curiously enough, the only one for which America is dependent upon outside sources of supply.

It is the essential ingredient. The fact of the matter is that when it comes to the production of grain the crops are almost entirely dependent upon nitrogen. With nitrogen alone wheat, oats, corn, and all other cereals can be made to produce a maximum, and yet we are dependent upon the nitrate beds of Chile to satisfy the enormously increasing demands of agriculture for that ingredient. We have certain by-products and certain limited sources in this country from which we can draw, but they are totally inadequate. Science has discovered a method of extracting nitrogen from the air which has passed its experimental stage and is now a commercial fact. It is for the purpose of taking the great, inexhaustible force of our water power in this country and connecting it with the inexhaustible supply of nitrogen in the air, thus combining these two natural and inexhaustible sources for the benefit of agriculture, that the farmers of this country and all the seers who have any vision of the future are insisting that this great water power, right in the center of the fertilizing-using section of America, shall be consecrated and devoted to the production of that element upon which this Nation must depend for an adequate supply of food.

Mr. McNARY. Mr. President, will the Senator from Alabama permit me?

Mr. HEFLIN. Certainly.

Mr. McNARY. I do not concede that the Senator from South Carolina speaks for all the farmers. I speak for one. I know there are certain cereals which require nitrate such as is taken from the atmosphere. There are other lines of vegetation and other crops which require potassium and ammonium, neither of which is manufactured there.

Mr. SMITH. If the Senator will allow me——

Mr. McNARY. Let me finish this and then I will yield. The nitrate made at nitrate plant No. 2 is more useful in time of war than in time of peace because it is both a propellant and an explosive; but it is suitable and one of the necessary and primary elements in the manufacture of a fertilizer. I am not opposing it on that ground. I am not opposing it at all. I am simply making an inquiry. There must be some changes made there. As shown by the testimony, the Haber process, with which we are not very conversant, is better than the arc process and the cyanamid process now being employed at Muscle Shoals. Those are factors which must be taken into account, in my opinion, when considering these various propositions or offers to acquire this property from the Government which have been made.

Then I say to the Senator again, as I recall the statistics, we use in this country nearly 8,000,000 tons of fertilizer per annum, and the best they are offering down there is 100,000 tons. It is like a grain of sand in a wheelbarrow; it amounts to nothing.

Mr. SMITH. Mr. President——

Mr. McNARY. Just a moment. I want to make another observation. It has been demonstrated that at Niagara Falls the horsepower unit costs about forty or fifty dollars, and if I am correctly informed it runs considerably over a hundred down there. I am wondering whether, in the production of a fertilizer, the plant at Muscle Shoals can compete with the plant at Niagara Falls, just across the line from Canada. Those are things which, I point out to the Senator from South Carolina, must be taken into consideration in appraising these various proposals made by Ford and by the Alabama Power Co. and perhaps considered in connection with the possible operation of the plant by the Government.

Mr. SMITH. Mr. President, I wanted to correct the Senator when he was making a statement about the number of tons used in this country. He said they can make 100,000 tons at Muscle Shoals. The Senator forgets that commercial fertilizer is mixed up with the basic ingredients. One hundred thousand tons of nitrogen, 45 to 50 per cent pure, will make as many times more tons of commercial fertilizer as the ingredient in the fertilizer is less than the per cent of pure nitrogen; in other words, the completed, balanced fertilizer, according to the Department of Agriculture, is denominated, in the technical phrase, 8-3-3,

or 8 per cent phosphoric acid, 3 per cent potash, and 3 per cent nitrogen, or ammonium. The Senator said a moment ago that there were other ingredients, potash and ammonium. Ammonium and nitrogen are convertible terms. One is simply a manifestation of the other in a different form. So, if they produced 100,000 tons of nitrogen down there, there would be a production of at least 300,000 tons of commercial fertilizer.

If the power at Muscle Shoals is used for the production of nitrogen, no man is able to tell the amount which could ultimately be produced. The Senator is a member of the Committee on Agriculture and Forestry, and there came before us experts who testified that the Germans had a process by which, with the same power, they could increase tenfold the production of nitrogen.

It is not a question of the process. It is a question of our deciding that that great power shall be used for that purpose. I take it that our chemists and our men versed in the discovery of chemical processes are quite equal to any in the world, and since this thing has been established upon a commercial basis at Niagara Falls the Cyanamid Co. has demonstrated that it can produce it there and ship it to the South in competition with the Chilean nitrate. The processes are being improved every day, just as the processes of the application of steam to locomotives are being improved. It is a feasible thing, and it suggests its own development, and is being developed, just as steam suggests its own development. It is only a question of time until every water power in this country will be used, in part at least, for the production of this commercial fertilizer wherever agriculture requires it, and it is to the shame of America that we have allowed the farmers of this country to be exploited entirely by private interests.

I have no quarrel with private interests, but I do say that the great disorganized mass of our farmers, who, by the very nature of their calling and business, can not organize into the compact form in which commercial production organizes itself, has to have special treatment if we propose for them to stand up in the markets of the world and get the wherewithal to feed the nations of the world, and this is a beginning which I hail with delight, that this Government shall see to it that the natural force, the inexhaustible force, of our water power, shall be used, in combination with the inexhaustible supply of nitrogen, for the perpetual fertilization of the fields of this country. I think everything should be made subsidiary to that, and we should not stand up and quibble as to whether Henry Ford or the Alabama Power Co. shall develop this great power and convert it into something which will help agriculture. We should concentrate our minds on devoting it entirely to the production of this essential and indispensable article.

Mr. McNARY. Mr. President, I agree with all the Senator has said regarding the great value of the use of fertilizer. There is no use discussing the need the country has for something to stimulate the growth of trees and the production of additional crops. The point I am trying to develop is this: Are the Senators on the Democratic side willing to accept the Ford offer before the Senate has made an investigation?

Mr. SMITH. Oh, Mr. President——

Mr. McNARY. I have not concluded.

Mr. SMITH. It is not a question of whether we should accept one offer or another——

Mr. McNARY. The Senator talks about the processes. I repeat, American scientists have not yet discovered the secrets of the Germans in the development of the Haber process, the one to which the Senator referred a few moments ago, without naming it. But that has nothing to do with the question. We are making in one plant one kind of a fertilizer, which, I say, is more useful in time of war than in time of peace. But why the repetition that we should accept the Ford offer before we have studied any of the offers?

The Senate Committee on Agriculture and Forestry has authorized certain members to go and visualize the plants and the water power and to consider these various offers, which do not parallel themselves. I am not speaking for one over another, but I do know that under the Ford proposition the Government will put up a great amount of money, and under the other the Government will put up no money, and in either instance the fertilizer is made there under the processes which were designed by the Government during the war. So I simply say, Are we going to prejudge this situation because of the talismanic effect of the name of Ford? Has he made a promise outside that is not in the contract? Why should there be statements made to-day, as there have been in the newspapers, that there is only one proposition, and that that is the Ford proposition, when we have not made an investigation?

I want to see that plant operated. With very few Republicans, I stood on this floor and cast my vote two years ago in favor of the Government operating the plant, and I am still for that; but I want the Government to select and fix upon the best proposition which can be had. It may be essential and better for the Government to operate the plant at Muscle Shoals, or even abandon it; but let us be open minded and not judge the matter until we have had an opportunity for calm and judicious investigation.

Mr. HEFLIN. Mr. President——

Mr. SMITH. The only remark I wish to make is that I am not standing here pleading for the Ford offer, or any other, but I am pleading that, no matter what offer we do accept, it shall be upon the basis that this power shall be developed with the object in view of producing this element of fertilizer. If Mr. Ford makes the best offer, I am for him; but I am for those who are going to use this for the purpose of making the ingredients which are so essential. It is not a question with me as to whose offer is accepted; it is a question of having the contract drawn so that there will be no mistake about it, and if Ford's contract is sufficient, that will be all right; and if he can not take it at that figure, let us get some one who can; and if we can not get anyone, the Government itself ought to develop it. The people of America are paying enough each year to the Government of Chile as a royalty on fertilizer to build the Muscle Shoals dam twice over. We are allowing the farmers of this country to pay out of their own pockets $11 a ton for Chilean nitrate and thus support the Chilean Government. Our farmers pay enough for their nitrate to build the Muscle Shoals dam twice over.

I want to say in closing that it is a commentary on Henry Ford that he has so conducted himself in the manufacture and sale of the things he furnishes the public that he has the confidence and respect of the American people as a dealer. That is a commentary he ought to be proud of, and to my mind it will go with him through his life.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Nebraska?

Mr. HEFLIN. Yes; I yield to the Senator.

Mr. NORRIS. I would say to the Senator from Alabama that if this is interfering wth the course of his remarks, I can just as well say what I have to say at some other time.

Mr. HEFLIN. I was going to yield to the Senator from Tennessee [Mr. McKELLAR] briefly; but the Senator from Nebraska may proceed now if he desires.

Mr. McKELLAR. I will go on after the Senator from Nebraska concludes.

Mr. NORRIS. Mr. President, something has been said by both the Senator from Oregon [Mr. McNARY] and the Senator from South Carolina [Mr. SMITH] to the effect that it may be that when we consider all that is involved in the Muscle Shoals proposition we will reach the conclusion that the Government ought to run the plant. I want to say to the Senators that I am now working on a bill with that in view; not that I am necessarily going to support it but I want to place before the committee which is going to investigate this subject all avenues of investigation.

I myself am not aware of any prejudice I have against any of the people who have made application, and as far as I know none of the members of the committee have any. I was with the Senator from Oregon two years ago, and voted for the further development by the Government of Muscle Shoals, and that is a different proposition, Mr. President, from what it would be if we were just entering upon the Muscle Shoals project. We probably would have been opposed to the Government entering into the development of that great power under any ordinary circumstances, and if the Government had not expended the large amount of money it already has expended and carried on the work to such an extent I do not think there would be very many of us who would advocate the Government going ahead with it; but we ought to consider Muscle Shoals, it seems to me, from the standpoint of the amount of money that has already been expended by the Government and the amount of beneficial work which has been done there.

If we go no further with it, we shall throw all that money away. So I want to consider it from the basic proposition that we start with Muscle Shoals as it is now. The question whether we should develop it, whether we should lease it, and upon what terms it should be leased, if leased at all, ought to be based upon the fact that we have already done a great deal of work and have partially completed the work that is necessary for the development of power there. So even though that is all thrown away and we go on the theory that we are going to throw it away, it seems to me we should base our proposition for a return, if we have any return, on a percentage basis, upon what it will cost from now on to finish

it, perhaps adding to that what the improvement would sell for if we wanted to dispose of it.

There is no doubt but that we have spent a great deal more money on Muscle Shoals up to the present time than we would spend if we went into the business of developing it now, or it may be that we never would enter upon it under ordinary conditions. But that is water that has passed the wheel. We have done it. We have spent the money. We have the work so far completed, and we ought to take it now on the basis of whether we want to throw that all away or whether we ought to complete it. I think the committee and the Senate, in considering all the propositions that have come or that may hereafter come from Mr. Ford, from the Alabama Power Co., or from anybody else, ought to have with them the proposition of how much it will cost for the Government to develop it, for the Government to operate it, and whether that can be done as a practical proposition.

The bill for which I voted and of which the Senator from Oregon [Mr. MCNARY] spoke, which was defeated in the House, but which passed the Senate, was a bill prepared by the War Department, submitted to the Committee on Agriculture and Forestry, and they had extensive hearings on it, of a very intelligent nature, too. They favored the bill, made a favorable report, and the Senate passed the bill. I have always thought and I said at the time that I thought that the bill was very faulty in some respects. It gave an opportunity, it seemed to me, for politics to get into the management, the control, and the operation of the plant.

I did not have the opportunity then to prepare what I wanted to prepare by way of a substitute for that bill. I expect to do that this time. I am going to present to the committee, though it may never be presented to the Senate, a bill which will provide for the development of this power by the Government of the United States, for its operation by governmental corporation, always, as all of us want to do, making provision for the production of fertilizer. That is the main object involved, and yet I do not want to tie the country or a lessee down to a proposition that he will have to do this for 100 years. It may be that in much less than 100 years we will have processes which will be so simple and so easy for the manufacture of fertilizer that we will want to use this power for some other purpose. I do not want to tie the hands of the Government for 100 years.

I think there is a growing sentiment, and it is natural, too, over the country generally, particularly the Southern States and the Eastern States, where they stand in need of fertilizer, that we ought to accept Henry Ford's proposition; but the resolutions that come to us, the decision that has been reached by thousands and hundreds of thousands of our people that we ought to accept that proposition, while made with perfect honesty and in absolute good faith, come from people who have never examined, and most of them probably have never even read, Henry Ford's offer.

It is done because they have confidence in Henry Ford and Henry Ford's proposition is going to last 100 years, and if we give full faith to all the confidence that anybody may place in Henry Ford—and I am one who places a great deal of confidence in him—we have to admit that Henry Ford, although he is a mighty good man, will probably not live 100 years, and that, like the rest of us, he has to die. When he dies he will not be able, from the place where he goes, to operate the Muscle Shoals plant.

Mr. KING. He ought to live as long as his cars live.

Mr. NORRIS. Some of them live a good while.

Mr. KING. Yes; the "flivver" lives on forever.

Mr. NORRIS. So it seems to me we must face this proposition squarely and take away from it all sentiment. We ought to put in the contract and in the bond what we expect to be done by Henry Ford's corporation or anybody else's corporation. Because some man is a good man now and for his own reputation will do the honest thing is no reason why we should not bind that man down by contract as to just what is going to be demanded.

I do not express any opinion as to who has made the best offer, neither do I express any opinion that I will myself favor the bill I propose to introduce, but I want the committee and afterwards the Senate and through the Senate the country, particularly the eastern and southern parts of the country, to have an opportunity when it is all over to pass on it with intelligence, with absolute fairness, without any bias and without any prejudice.

I think I come from a section of the country that is unprejudiced, because so far as fertilizer is concerned, which is the principal object of the development of this project, the country from which I come does not know what fertilizer is as a rule. We have soil that does not need fertilizer. God has made it good enough so we can get along without the Alabama Power Co., without Henry Ford, and without any other institution making fertilizer. We can raise corn for 40 years on the same ground, getting a good crop every year, and every year will bring a yield almost as great as the so-called soil that needs fertilizer would bring every year for 40 years. So we are unprejudiced. We realize that the East and the South need fertilizer and must have it, and because they need it we need it and the country needs it. Something that will make us independent of foreign domination in the fertilizer field and something that will make the people who have to buy the fertilizer independent of the so-called Fertilizer Trust ought to be brought about now since we are considering the great water-power project that will make us able to do that if it is handled right.

Mr. HEFLIN. Mr. President, I agree with my good friend from Nebraska that we ought to set out fully in the contract just what is to be done by Mr. Ford or anybody else with regard to making fertilizer. I want fertilizer manufactured; that is the main thing; but the distinguished chairman of the Committee on Agriculture and Forestry, the Senator from Nebraska, will not favor, I do not believe he will favor, putting the project in the hands of a commission, as was suggested by the chairman of the Committee on Military Affairs in the House, composed of the Secretary of War, the Secretary of the Navy, and the Secretary of Agriculture. I am hopeful that the Senator from Nebraska will not favor anything of that sort, and I do not believe he will. Let us have Congress thrash it out as we ought to thrash it out. I think that we are capable of settling the matter in a fair and just way.

Mr. MCKELLAR. Mr. President——

Mr. HEFLIN. I am glad to yield to my friend from Tennessee.

Mr. MCKELLAR. I was very much interested in what the Senator from Nebraska, chairman of the Committee on Agriculture and Forestry, had to say about this matter. As is usual and customary with him, he has stated the case fairly and justly. I feel sure that the investigation which his committee proposes to make will be the fair investigation which he suggested in his remarks.

I would like to call the attention of the Senate, though, if the Senator from Alabama will permit me, to the fact that Henry Ford's offer is the only offer that means the manufacture of a completed fertilizer. His offer does provide for that. I call the attention of the Senator from Alabama to the further fact that within a stone's throw of Muscle Shoals, of this great power plant, are the great beds of phosphate, practically inexhaustible in their supply, which can be used and which is used commonly as an ingredient of a completed fertilizer. The fact that those inexhaustible beds of phosphate are within reach of this plant that will be established there, taken together with Ford's agreement to manufacture a completed fertilizer, makes it peculiarly a splendid place for such a plant and for such an enterprise.

Mr. HEFLIN. I thank the Senator from Tennessee.

Mr. ODDIE. Mr. President——

The PRESIDING OFFICER (Mr. LADD in the chair). Does the Senator from Alabama yield to the Senator from Nevada?

Mr. HEFLIN. Yes, with pleasure.

Mr. ODDIE. Mr. President, I would like to ask, in connection with the statement made a moment ago with reference to Henry Ford, whether it is known what huge profits he has been making from the American people on his products?

Mr. HEFLIN. He sets out in the proposed contract that he will not make over 8 per cent.

Mr. MCKELLAR. It is fixed in the contract itself.

Mr. HEFLIN. Certainly.

Mr. ODDIE. I am referring to what he has done in the past in regard to the profits on his products. I think an investigation was made before the Interstate Commerce Commission a few years ago in regard to the cost of the Ford car which might be interesting to study.

Mr. HEFLIN. I know what he did during the war—that he made supplies for the Government during the war at cost. He did not charge any profit at all. That is what he did when his country was involved in the World War.

But, as the Senator from Nebraska said, people have confidence in Ford. They know that he is a man who does things. He learned of this great project at Muscle Shoals and he invited Mr. Edison to go with him to see it. Both of them marveled at the wonderful power site which they beheld when they arrived at Muscle Shoals. Both came away delighted, well pleased with the situation, and both said that it would be an outrage not to develop and complete the proposition. Henry Ford said, "It

can be made into a great plant to manufacture fertilizer for the farmers of the country, and I am willing to undertake to do it, and I will make an offer to the Government."

As the Senator from Nebraska [Mr. NORRIS] has well said, there are hundreds of millions of dollars in that investment doing nothing, lost to the Government unless we pick it up and carry it on to completion. If we do appropriate a little more money—it will not take anything like the amount we have already spent—we will then save what we have expended, and we will put the proposition on its feet and in running order, and turn it over to a man who will pay the Government interest and a certain proportion of the principal, and who proposes to operate it and manufacture fertilizer and give employment to tens of thousands of people. Why, Mr. President, I do not know of any one single project that would do more good now to this army of unemployed roaming the country than to pluck out 100,000 of them and put them to work down there at good wages, enabling them to take care of their families. That of itself would justify Congress in going through with the matter at an early date.

The coal supply is being exhausted year by year. There is only so much coal in the earth, and we are disposing of it and consuming it by the millions of tons each year. The operation of this plant at Muscle Shoals and the completion of the dam and the power it will provide will run machinery enough to save millions and hundreds of millions of tons of coal every year. That is an item worth while. Not only that, but to-day, as the Senator from South Carolina [Mr. SMITH] has pointed out, we are dependent upon a foreign country for our nitrate for fertilizer. Not only that, but we are dependent upon a foreign country for our nitrate for munitions in time of war. Think of it. The farmers of the country must go to Chile for fertilizers to produce the wherewith to feed and clothe the world.

This great Government, the richest in the world, must go to Chile for its nitrate supply in time of war, and here is an opportunity for Congress to provide a plant to give us nitrates in case of war; to furnish fertilizers in time of peace; to give employment to thousands and tens of thousands of people who are now roaming the streets idle and hungry, and to develop a project in which the Government has already invested $100,000,000.

Mr. President, I want to say to my good friend from Nebraska [Mr. NORRIS] that we do need the fertilizers in the cotton-growing States. Cotton takes plant food out of the ground more rapidly, I believe, than does nearly any other plant under the sun. My friend lives in a State in the great fertile West which produces grain and hay in abundance, and cattle, but in the section where we grow cotton year in and year out the strength of the soil is extracted, and we have to replace it by plant food in the form of fertilizer. So we do need fertilizers.

In normal times we produce two-thirds of the cotton supply of the world. We have a monopoly of the production of short-staple white cotton. We need the fertilizer; we have got to have it; and yet we are to-day held up; our farmers have no say whatever in the price which they shall pay for fertilizer. The price is fixed by the Fertilizer Trust, and the farmers of the country are absolutely at the mercy of that trust. When the project at Muscle Shoals is completed and in operation our farmers will be freed from the clutches of the Fertilizer Trust. I repeat, we shall save coal; we will be freed from dependence upon a foreign country for nitrates in time of war; people will be put to work who are unemployed; and the hundred millions of dollars which we have already invested will be saved.

Senators, I can not see how Congress can refuse to act favorably upon the offer of Mr. Ford. I am not asking that it shall be acted upon now. My good friend from Oregon [Mr. MCNARY] previously voted for this project, so did the Senator from Nebraska and three others on the other side of the Chamber. I am not seeking to have the matter passed on before an investigation shall be had; but I do want to bring it to the attention of the Senate—and that was my purpose—and to enter a protest against a move being made to take the matter out of the hands of the two bodies which are investigating it—the Senate and the House—and lodge it in the hands of a commission the majority of which is already hostile to the project.

I want to bring to the attention of the Senate the fact that the farmers of the West have passed resolutions in a number of their organizations indorsing the Ford project. They have done the same thing throughout the South. I want to bring to the attention of the Senate just how they feel about this matter, and to state that Mr. Ford, through his agents in the hearings in the other House, has said that he was willing to bind himself to manufacture fertilizer. That is the main object, Mr. President, which our people have in completing the plant—to furnish cheaper fertilizers, and to free our people from the clutches of the Fertilizer Trust.

My good friend from Oregon made some reference to the plant at Niagara Falls. I want to say, Mr. President, that I very distinctly remember about the history of that matter. That very plant would have been on the Coosa River, in Alabama, but for a veto that Mr. Taft placed upon a bill which I succeeded in getting through the other House when I was a Member of that body. It was proposed to build that plant at Lock 18 on the Coosa River. The bill had passed the Senate and we got it through the House, but the bill was vetoed. When it was vetoed, America lost that plant. It went to Canada and is now operating in Canada because we declined to set it up in the United States. The waters of the Coosa River were then going to waste and serving no good purpose. We turned down that proposition and a foreign Government is now making money out of that great concern and enjoying its blessings and benefits. I hope, Mr. President, that the same fate does not await the Muscle Shoals proposition. The difference between the two plants is this: The Government had not expended any money on the project that went to Niagara Falls, but on the Muscle Shoals project we have expended $100,000,000. Here is an opportunity to save the $100,000,000 already expended and to complete this great project and enable the farmers of America to obtain cheap fertilizer. The Ford offer is full of promise and possibilities to agriculture in the South and West.

CONSOLIDATION OF NATIONAL FOREST LANDS.

The PRESIDING OFFICER (Mr. LADD in the chair) laid before the Senate the amendments of the House to the bill (S. 490) to consolidate national-forest lands, which were, on page 1, line 10, after the word "land," to insert "in the same State"; and on page 2, line 10, to strike out the words "in which" and insert "within whose exterior boundaries."

Mr. SMOOT. I move that the Senate concur in the amendments of the House of Representatives.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah.

Mr. NORRIS. Mr. President, I should like to make an inquiry of the Senator in regard to this bill. I think I understand what the bill is, but I should like to make sure. From the statement of the amendments of the House it appears that the bill is in general terms.

Mr. SMOOT. It is a general bill, I will say to the Senator.

Mr. NORRIS. It proposes a general law in regard to the exchange of lands?

Mr. SMOOT. Yes; of lands within forest reservations for lands outside. It only applies to the exchange of lands owned by an individual within a forest reserve for lands outside of the reserve of equal value and of like character.

Mr. NORRIS. Yes. The bill proposes to give authority to exchange private lands for other lands without the forest reserves?

Mr. SMOOT. Yes; that is, land within a forest reserve may be exchanged for lands outside. It is only for administrative purposes. We have passed dozens and dozens, yes, I think a hundred such bills.

Mr. NORRIS. The bills to which the Senator refers affected individual cases only, while this is a general bill.

Mr. SMOOT. This is a general bill to apply in such cases. I will say to the Senator it is not like the Idaho bill, which passed in relation to a great block of land which belonged to the State.

This bill affects individual lands within forest reserves. In such cases where the Government for administrative purposes desires to exchange other lands for the lands within forest reserves, in order to have the reserves entirely in Government ownership, it can give lands of a similar character and of a like value in exchange.

Mr. NORRIS. If this bill is passed, the officials of the department will have authority to act in every case where such application is made.

Mr. SMOOT. In every case; that is correct.

Mr. NORRIS. What report are they required to make?

Mr. SMOOT. There is no requirement as to report being made to Congress; but the proper officials will make examination just as examination has always been made heretofore in individual cases.

Mr. NORRIS. It will not be necessary for Congress to act in individual cases hereafter if this bill shall pass?

Mr. SMOOT. Not if this bill shall pass.

Mr. NORRIS. It seems to me the danger would be that it gives general power to the departmental officials that might be subject to abuse.

Mr. SMOOT. I do not see how the provisions of the bill could be abused, because it is guarded in every way. Exchange can only be made for land of the same character as the land which is within the forest reserve, and the exchange is entirely in the hands of the Secretary of the Interior. I am quite sure that there has hardly ever been a bill which has come here and been recommended by the department in individual cases which has not been passed.

Mr. NORRIS. I think, as a rule, that is true.

Mr. SMOOT. Such individual bills have occupied space in the RECORD, and taken the time of Congress in the past.

Mr. NORRIS. I am in favor of such exchanges. I think it would be desirable from the standpoint of the Government to have all of the lands in the forest reserve owned by the Government. The bill would have that tendency, and it is a good tendency; but to clothe some one with absolute power to make any trade that he wants to in a real-estate transaction it seems to me is a dangerous proposition.

Mr. SMOOT. I do not think the Senator could go that far under the provisions of the bill. It gives the Secretary power to make these exchanges as to the privately owned lands in a forest reserve. The Senator knows that where, years ago, before ever a forest reserve was created, an individual had a homestead, and has lived on that homestead since long before the forest reserve was created, when a forest reserve is created about him it robs him of nearly all the chances of getting any value out of that land.

Mr. NORRIS. Yes; I agree with that. As I said to the Senator. I think the object is a very worthy one; but if the matter should fall into the hands of incompetent persons, particularly when their work is not to be reviewed by anybody else, I can see how they might give very valuable lands to favorites who had homesteads within a forest reserve in carrying out the trade, and the Government might get the worst of the deal every time.

Mr. SMOOT. If I thought there was the least chance of any Secretary of the Interior ever taking any advantage of the Government in such a manner, I would not support the bill.

Mr. NORRIS. The Secretary of the Interior, of course, will not be able to look into every case personally. It will be some underofficial, some clerk, who will do it.

Mr. SMOOT. The Senator is a member of the Public Lands and Surveys Committee, and he knows that we have never yet acted favorably on a private bill unless we had a favorable report from the Secretary of the Interior.

Mr. NORRIS. I know that.

Mr. SMOOT. We never would recommend the passage of one, nor would I try to have one passed unless it had a favorable report. We put that power in the hands of the Secretary in order to do away in the future with the necessity of passing many, many bills such as we have passed heretofore; and the bill had the unanimous report of the committee. I will say to the Senator that there was not a single vote against it.

Mr. JONES of Washington. Mr. President, I am interested in this matter, because I have bills that I have been trying to get out of the Public Lands Committee. As I understand, this is general legislation that will obviate hereafter any of this legislation that we have been passing in the form of individual bills relating to a particular forest reserve.

Mr. SMOOT. That is true.

Mr. JONES of Washington. This applies to all the forest reserves and permits the exchange of private lands in the reserve for lands of a similar character outside?

Mr. SMOOT. That is all there is to it.

Mr. HEFLIN. Mr. President, will the Senator from Utah confer about this matter with the Senator from Oregon [Mr. MCNARY]. He usually knows a good deal about these forest lands.

Mr. SMOOT. There is not any question that the Senator from Oregon is in favor of this bill. He had a couple of bills of a similar character passed here the other day.

Mr. MCKELLAR. He is estopped then.

The PRESIDING OFFICER. The question is on concurring in the amendments of the House of Representatives.

The amendments were concurred in.

COMMERCE AND LABOR APPROPRIATIONS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JONES of Washington. I move that the Senate insist upon its amendments and agree to the conference asked by the House, and that the Chair appoint the conferees on behalf of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JONES of Washington, Mr. SPENCER, and Mr. HARRIS conferees on the part of the Senate.

SECOND DEFICIENCY APPROPRIATIONS.

Mr. WARREN. From the Committee on Appropriations I report back with amendments the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, and I submit a report (No. 545) thereon. I wish to give notice that I shall endeavor to call up the bill for consideration to-morrow.

The PRESIDING OFFICER. The bill will be placed on the calendar.

OLD GOVERNMENT BUILDING IN BIRMINGHAM, ALA.

Mr. WARREN, from the Committee on Appropriations, to which was referred the bill (S. 3258) to provide for the renting of the old Government building in Birmingham, Ala., reported it without amendment.

FEDERAL RESERVE BANK AT ATLANTA.

Mr. HEFLIN. Mr. President, several days ago I introduced a resolution to investigate the Federal reserve bank at Atlanta which has been guilty of sending out a speech of the Senator from Virginia [Mr. GLASS] containing several attacks upon me and criticizing my position in relation to the deflation policy of the Federal Reserve Board. The first motion in reference to the resolution, which was to refer it to the Committee to Audit and Control the Contingent Expenses of the Senate, was defeated by a majority of one vote.

Then the Senator from New Jersey [Mr. EDGE] made a motion to refer the resolution to the Committee on Banking and Currency. I protested against that course being taken and stated that I feared that the resolution would be put to sleep in that committee; I knew that at least some members of that committee would not enthuse over early action on the matter involved in my resolution. I have waited, Mr. President, some two or three days, and I have not heard a word from it. No member of that committee has risen in his place to report the resolution back to the Senate.

It is a plain proposition; there is nothing intricate about it. I charged in that resolution that the Federal reserve bank in Atlanta obtained the speech referred to, had it printed, circulated it, and wrote with it a letter calling on the recipient of the letter to say how he felt on the subject before he read the speech and how he felt on the subject after he read the speech and calling on him to make comment. One of the officials of the bank at Atlanta came out and stated, yes, they had done that, and a newspaper man down there secured a copy of the letter. I had that letter read in this Chamber, and it is in the CONGRESSIONAL RECORD where the committee should have no trouble finding it.

I read into the RECORD portions of a letter from the president of a bank in my State charging that they were sending out that speech, accompanied by that letter, and asking certain questions, and the banker added that he thought they were doing wrong; that the bank ought not to circulate the speech of one Senator attacking another or of one Member of the House attacking another; that the bank was getting into politics and expending illegally the money belonging to the bank and to the Government, and it ought not to be permitted.

Mr. President, those are all the facts that are necessary. The bank officials can not deny that they have done the things which I set out in that resolution. It is stated in the resolution that the Senate views with alarm and disapproval the attempt of one of these great banks to go into politics in this fashion, and that the Senate desires to keep them out of politics. Certainly every Senator in this body will agree with me on that. Then, why not report the resolution out? Why keep it in the committee any longer? I send to the Secretary's desk an editorial, which I ask to have read in my time, from the St. Louis Post-Dispatch.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

[From the St. Louis Post-Dispatch of Mar. 2, 1922.]

RESERVE BANK IN POLITICS.

Senator HEFLIN, of Alabama, who for months has charged the administration of the Federal reserve bank system with responsibility for our present business depression and widespread unemployment through its

drastic policy of deflation, has been seeking in vain to bring about a Senate investigation. On one occasion his resolution failed by one vote; at other times, as he has revived it, the objection of some Member has prevented consideration.

Whether the Federal reserve system's deflation policy did or did not produce the present dull business situation, or whether, as Senator GLASS contended in a speech in its defense, the deflation policy headed off a worse collapse, we do not pretend to judge; but we do hold with Senator HEFLIN that the intrusion of the Federal reserve system into politics through the circulation in Alabama of Senator GLASS's speech, coupled with certain questions calling for answers, is a highly condemnable performance.

In sending out Senator GLASS's speech to banks and merchants in Senator HEFLIN'S State the Federal reserve bank at Atlanta requested replies to these questions:

1. Before having read Senator GLASS's speech what was your opinion of the value of the Federal reserve system to our country?
2. What is your opinion after reading his presentation?
3. Do you now have a better understanding of the functions and operations of the Federal reserve system than you had before?
4. Any other comment you care to make is invited and will be welcomed.

Such a questionnaire can have no other primary purpose than that of inviting Senator HEFLIN'S constituents to repudiate his position. And if there are any Alabama bankers who feel as Senator HEFLIN does, being at the same time dependent upon the Federal reserve bank at Atlanta for their discounts, what are they to do with these questions? Must they answer frankly and make themselves unpopular with an institution that has it in its power to ruin them? Or must they consider the welfare of their stockholders and send in some lying answers?

An administration of the Federal reserve system that practices or tolerates so flagrant a perversion of its power as this might easily be capable of all the other abuses charged against it.

Mr. HEFLIN. I now send to the desk an editorial from the Manufacturers' Record, and wish all of it read except the part I have marked out.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Assistant Secretary read as follows:

[From the Manufacturers' Record of Mar. 2, 1922, p. 82.]

FEDERAL RESERVE METHODS OF INTIMIDATION SHOULD BE THOROUGHLY INVESTIGATED.

Senator CARTER GLASS, of Virginia, delivered an address in the Senate in exculpation of the Federal Reserve Board. In many respects it was a worthless speech, however cleverly drawn up, because it undertook to deny that there had been any deflation. As it is admitted that one thousand million dollars of paper money was called in or destroyed within the space of 12 months, further comment is unnecessary. Men who are so ashamed of what they have done that they deny they have done it are entitled to little consideration. * * * The Federal Reserve Bank of Atlanta, the evidence shows, sent the address not only to its member banks but also to nonmember banks, to corporations, to merchants, to business men of all descriptions, and accompanied it with a questionnaire. Banks were to write to the Atlanta Reserve Bank and say whether or not they approved of what Senator GLASS said. A pistol was leveled at their hearts and they were told, "Say where you stand." And the inference was that if they did not stand back of Federal reserve maladministration they would hear from it later when trying to borrow.

Alabama banks particularly were swamped with the Glass speech. The object very obviously was to intimidate Senator HEFLIN, who has been fighting deflation. Out of its enormous profits a Federal reserve bank—one of these banks which has been talking so much about keeping the banks out of politics—was distributing a political speech, was going into propaganda on a huge scale, was bringing pressure to bear to prevent any criticism of itself. Nor was the Atlanta bank alone in this. We have received a copy of the same speech from the New York Reserve Bank and from other Federal reserve banks. Special efforts are being made through distribution of the speech to induce people to antagonize anybody who has dared criticize the management of the Federal reserve system.

The Federal Reserve Bank of Richmond has printed and is distributing the recent memorial to President Harding from the Federal Advisory Council inspired by Paul Warburg, in which the malicious and untrue statement is made that criticism of Federal reserve mismanagement was "incited by the willful misstatements of unscrupulous or ambitious demagogues." And the word has evidently gone forth, and the orders have been followed, to judge from results, that docile bankers whenever making a speech shall refer to decent men, who can not be intimidated, as "demagogues."

If the Federal reserve system can, out of its vast accumulations, carry on this kind of propaganda uninterruptedly, it can practically defeat any congressional or senatorial candidate and ultimately subvert the Government itself.

Senator HEFLIN has introduced a resolution demanding that the Senate appoint a committee with full powers to investigate this phase of the administration of the Federal reserve system. Senator SIMMONS says that "control of the politics of the country by an institution of this kind is as menacing now as it was in the days of Andrew Jackson." He demands that a resolution be broadened to go even more fully into the facts than Senator HEFLIN at first proposed. Senator after Senator took the same view. One quoted former Senator Joe Bailey, of Texas, as having said, when the Federal reserve system was created: "I would not turn over the control of the money supply of this Nation to any five men born of woman." But the control did pass. How that control was used the citizens of this country must know. They intend to find out the facts, not through a whitewashing investigation but through a real investigation. And indignation will run from ocean to ocean when the facts are revealed.

Let all good citizens watch the Senate, particularly business men who have been deflated into near ruin. Let them see if the effort to prevent a real investigation succeeds and by the votes of what Senators. There will have to be a counting of noses.

This matter has gone too far to be hushed up. Even if new forces have compelled a softening of Federal reserve policy, responsibility must be fixed for the crime that was committed. And what is our authority for the use of so strong a word as "crime"? No other than Abraham Lincoln himself, for the great war President was thus quoted in the Senate debate:

"I warn the American people not to permit a repetition of the crimes of history. Following great periods of deflation, if drastic artificial deflation is attempted, disastrous results must follow. I warn them not to permit the money power to take advantage of the condition of the people. I warn them not to permit high and usurious interest rates, contraction of the currency, or any change in the circulating medium that will affect the debt contracted until it has been discharged. Any movement to artificially deflate before the debt can be paid, to change the medium or circulation upon which the debt was contracted, would be a crime."

We agree with Abraham Lincoln and we do not know of any leader whom the administration could follow with more assurance of being right.

Mr. HEFLIN. Mr. President, I wanted the Senate to hear those editorials read—one from Missouri and one from Maryland—and I have received comments from other newspapers in the country right along the same line. I want the Senate and the country to know what the Federal Reserve Board is doing through Federal reserve banks to control politics and suppress the truth.

I announced a few days ago that I should present a resolution—and I shall in a few days, covering all the subjects that I want investigated—to inquire into the publicity fund of the Federal Reserve Board, whom it has employed to write these articles and to carry on this propaganda, to whom it has paid money for this purpose, from what source it derives this money, and how much money they have for this purpose. I state now that it is my understanding that they have no right under the law to set aside any money for this sort of business. They are undertaking to suppress the truth. They are undertaking to carry on a propaganda, just as the editorial in the Manufacturers' Record sets out, to intimidate men in this body who dare to tell the truth as to their conduct.

The editorial says that they have done this thing and now they are ashamed of it and are trying to hide. Why should not the truth be told about it? I will tell Senators why they do not want it told. They expect in a few years from now to repeat this thing. They have tried to educate the American people to the belief that it is natural for a panic to come every five or ten years. I deny it. God Almighty never intended that a few men should look upon the mass of people as a man does on his game preserves, where he has thousands of acres fenced in, with wild game of various kinds, and when it suits his pleasure go out and shoot and slaughter them to his heart's content. I do not intend, as long as I am commissioned as a Senator in this body, to adhere to that doctrine or to permit it to be preached without protest that the American masses are like a lot of animals, the legitimate prey of the wolves of Wall Street, to feed upon whenever they desire to have a financial feast.

There is no necessity for a panic in this rich country of ours, the most fertile country on the globe, the country of an industrious and enterprising people, where all industries should run and every man and woman should have employment.

I do not intend that this Federal Reserve Board shall shut up the supply of money and credits and deny them to millions of people, throw them into a state of distress, and ruin them financially, get away with it, and say the conditions of the world outside produced it. I am going to make the truth known and let the RECORD show who is doing this.

Mr. WATSON of Georgia. Mr. President, I wish to remind the Senator from Alabama that in all my study of the money question, to which I have devoted at least 15 years, I never discovered any trace of a financial panic until the sovereign power of creating and issuing money was taken away from the royal authority and given to private corporations.

Mr. HEFLIN. That is where it first started.

[At this point Mr. HEFLIN yielded to Mr. ROBINSON to speak of the four-power treaty.]

Mr. HEFLIN. Mr. President, the discussion of the four-power treaty is very interesting, but that pertains to our foreign relations. I am discussing the most vital power in our domestic affairs; I am discussing the misuse of the money power which should be used and was intended to be used by our Government for the good of the American people generally.

I was speaking a few moments ago, Mr. President, about the Federal Reserve Board having a publicity fund by which it employed agents at the Capital to suppress the truth and to send out propaganda to its liking. I hold in my hand a newspaper which has been sent to me from Preston, Fillmore County, Minn.—the Preston Times. I find in that paper an article the headline of which reads:

Federal reserve loses case in Supreme Court. Papers generally fail to comment on decision.

In this case, Mr. President, the newspaper complains that the newspapers of the country never gave this news item to the people. I wonder who suppressed that?

The Supreme Court of the United States condemned the Federal Reserve Board for making a run upon a State bank. They accumulated $35,000 worth of checks over a period of six weeks, as I remember the case, and went over to a State bank with a United States marshal, with the Federal reserve bank agent, and demanded payment of those checks. The State bank official said, "We can not pay all of them now; if you had presented them as they were given out, or when you got them, we could have taken care of them; but if you demand payment now you will break our bank." They demanded payment, with a United States marshal standing there. The purpose of it was to break this little State bank; and the Supreme Court of the United States severely condemned that conduct; it criticized the action of the Federal Reserve Board. That decision was handed down; it is an important decision to the American people, and yet it was suppressed and the news of that decision was never given generally to the country.

Senators, that is another item in the charges which I make. This concern in its business relation undertakes to kill a bank that is not a member of the system; the conduct of which it was guilty is criticized and condemned by the Supreme Court of the United States; the Federal Reserve Board lost the case; the case was decided in favor of the State bank, and yet that news was suppressed and not given to the country.

Now, I ask the Senate, and I ask my countrymen, what power is it that is rising up here in the Nation's Capital which can do such things as that, which can keep the press from giving news to the country, which can keep information of that character back, and then pounce upon any Member of Congress who dares to stand and criticize the crooked conduct of that board?

Are Senators going to permit that to go on? Are we going to sit supinely down, with folded arms and sealed lips, and permit such an octopus to spring up in the Capital of the Nation, reaching out in every direction, choking to death every concern that does not agree with it, and fostering everything that will do its bidding and lick its boots? That is the evil force that I am fighting, Senators. I am dealing with the most vital and dangerous thing in the economic life of the Nation.

I am getting letters from nearly every State in the Union from people who read the CONGRESSIONAL RECORD, and I am talking to that RECORD to-day. It is the only newspaper in the United States with a national circulation. Every day there issues from this Capital 34,600 copies of the CONGRESSIONAL RECORD. We can get the truth into that. That is why Senators see these editorials coming in here indorsing my position. The editors are reading the RECORD—they do not get the truth otherwise—and they are indorsing my position; they are sending in these articles stating that the party that will continue this board in power is hurting free institutions and must answer for it at the polls this fall.

Mr. President, let me repeat, it appears from this item in the newspaper from Minnesota that the Federal Reserve Board has made a run upon a State bank and undertaken to kill it by accumulating checks amounting to nearly $40,000 and then going down upon it in one day and presenting them, with a United States marshal present. The Supreme Court severely criticized that conduct.

Then what happened? Later on Representative BRAND, of Georgia, joined in the criticism that I was making of the Federal Reserve Board; then Mr. Platt, one of the "Gold Dust Twins" with Gov. Harding, of the Federal Reserve Board, wrote him a letter and criticized and undertook to intimidate him. In connection with the charge about suppressing the views of the Supreme Court decisions, I want to give his language, quoted here before.

It is found in the CONGRESSIONAL RECORD of July 25, 1921. Mr. Edmund Platt says to this Representative in Congress in a letter, if you please:

> I want to tell you that you are going to have these things quoted against you in time if you keep them up. * * * You will find a reaction from all this talk in the not very distant future—before the next primaries come, at any rate.

Mr. President, here is a letter written by a member of this board, doubtless instructed by some of the other members to write it, to a Member of the greatest lawmaking body on earth, telling him that if he did not quit criticizing their conduct they will beat him at the polls. Are you going to permit that to go on, Senators?

But, following that, what happened? I spoke in the Senate; the Senator from Virginia spoke five hours and I spoke five hours and a half, replying to him. In his speech the Senator from Virginia attacked me a number of times—one Senator criticizing another—and attacked the position that I had taken in this body; and the Federal reserve bank in Atlanta took that speech, had it printed, circulated it, and wrote a letter accompanying it, demanding of the bankers in my State to state how they felt about the subject before they read his speech and his attacks on me and how they felt about it afterwards. Those banks are dependent upon the Federal Reserve Bank of Atlanta for accommodation in cash and credit. The editorial just read from the Manufacturers' Record sets forth that it is like leveling a pistol at the heart of the bankers in my State for the Federal reserve bank to ask, "What is your position in this matter? Do you agree with Senator HEFLIN or do you agree with us and Senator GLASS?"

Mr. President, this is a very serious matter. The Manufacturers' Record quotes Senator SIMMONS as saying when he interrupted my speech that for the money power and Federal reserve banks to go into politics to-day is as dangerous as in the days of Hickory Jackson. That is literally true. Now, this bank in Atlanta has circulated that speech. I have printed their letter, as I have said, in the RECORD. Why can not we get the committee to report my resolution?

The Manufacturers' Record in its editorial invites the people of the country, especially the business people, to keep their eye on Senators, to see who it is that is trying to prevent this investigation, to see who it is that will not criticize and condemn a bank, a Government bank, for carrying on political propaganda and circulating the speech of one Senator against another. I do not care whether it was my speech or the speech of somebody else, what business have they got to use the Government's money and the Government bank's money to circulate the speech of one Senator antagonizing the position of another?

Senators, if this thing is not stopped now, free institutions in America are in grave peril. No trust is so dangerous as a money trust in politics.

Mr. President, there is not any doubt on earth about my position being correct on deflation, because the people of the South and West know to their sorrow how it affected them. They have had the toads put to them; you can not fool them with any of this stuff on paper, because, as my friend from South Carolina, Senator SMITH, once said about the toad:

> The toad beneath the harrow knows
> Precisely where the tooth point goes,
> But the butterfly along the road
> Preaches contentment to the toad.

That is what you have got, Mr. President. The farmers of the South and West are in dire distress. This deflation policy wrought that distress. The Federal Reserve Board intended to get away with it; they intended to say that it was caused by other things; but I have read the record; I have convicted them by their own bulletins; I have convicted them by the speeches of the governor of the Federal Reserve Board. He says that their effort to control the currency and credits must be judged by the effect that it has on business. Well, it killed business in my section; it killed business in the West. Then I took the governor at his word; I indicted him upon his statement, and I have convicted him upon it; and now they come along and say, "Oh, no; that is not true, and all those who talk in that way are vicious men and demagogues." They are circulating at the expense of the banks a pamphlet to that effect. Do Senators want to permit that thing to go on? You are permitting it.

Mr. President, I desire to keep the RECORD straight. A few days ago I made reference to the fact that William Boyce Thompson, treasurer of the Republican campaign committee, had borrowed $5,000,000. He is or was a director of the New York Reserve Bank. He borrowed it from a member bank, $3,000,000 of which was on a dummy note. The newspapers, without waiting to find out whether it was a fact or not, said, "Senator Heflin ought not to make such a statement as that upon the floor of the Senate." Some papers commented editorially right off the reel, without waiting to read my speech in the RECORD, in which I quoted from John Skelton Williams, but right off the reel criticized and condemned me and tried to hurt my influence. Why were they doing that? They said, "He is putting his finger on the sore spot." "He is telling the truth." "Drive him away from it." That is what they are trying to do.

Mr. President, when I made the statement on this floor that William Boyce Thompson, treasurer of the Republican campaign committee, borrowed $5,000,000 from a member Federal reserve bank in New York, $3,000,000 of which was on a dummy

note, some of the newspapers immediately criticized me for making the statement. I sent this note to one of them:

A few days ago you reproduced an editorial from the Baltimore Sun criticising me for saying that William Boyce Thompson, of New York, had borrowed, while treasurer of the Republican campaign committee in 1920, from a Federal reserve member bank in New York $5,000,000. I will thank you to publish this letter and the inclosed excerpt from my speech upon this subject and the statement from John Skelton Williams.

With best wishes.

Yours, very truly, J. THOMAS HEFLIN.

STATEMENT.

On February 9, 1922, in the Senate of the United States, Senator HEFLIN said:

"William Boyce Thompson, the treasurer of the Republican campaign committee, borrowed, partly under a dummy note, $5,000,000 through a member of the Federal reserve bank in New York."

The Baltimore Sun criticised Senator HEFLIN for making this statement.

On March 2 Senator HEFLIN had read in the Senate the following statement from Hon. John Skelton Williams, former Comptroller of the Currency, to the Baltimore Sun. This statement was addressed to and published by the Baltimore Sun:

Here follows the statement from Mr. Williams:

I have not seen and did not hear Senator HEFLIN's speech in the Senate to which you refer, but I think it extremely probable that the foundation for such statement he may have made on this subject and which apparently has been misinterpreted or distorted in the press was the transaction or transactions referred to by me in an article on the "Administration of the Federal reserve system," printed in Commerce and Finance, of New York, September 21, 1921, in which I said plainly:

"Not only were the funds of the Federal reserve system extensively loaned to banks whose executive officers and directors were big borrowers, but the records show that one of the banks borrowing most heavily from its reserve bank was lending last autumn to a certain large borrower, who at that very time was also a director of the Federal Reserve Bank of New York, over $5,000,000 (including a dummy loan of over $3,000,000)—mostly on highly speculative securities, while farmers and the 'country' banks were even then begging for relief and enduring ruinous losses because of the credit restrictions of the reserve system."

I stand by the absolute accuracy of that statement, and if Col. Thompson or any responsible official of the Federal reserve bank, or any other responsible person, undertakes to deny it, I am prepared to prove it.

How many of you have seen any notice in the newspapers about that? I had that editorial, which was printed in the Baltimore Sun, and the reply of Mr. Williams read here the other day, but how many of you have seen the papers saying that Senator HEFLIN comes back with a statement from John Skelton Williams, the former Comptroller of the Currency, who dares Mr. Thompson or anybody else to deny the truthfulness of his statement? None of you have seen it. Mr. President, we are entitled to have these things go out to the country.

I stated in my speech the other day that the Senator from Virginia [Mr. GLASS] said that I had made incorrect statements, as follows:

That the Federal Reserve Board had earned or accumulated $100,000,000.

That the Federal Reserve Board had appropriated $26,000,000 to build a bank in New York City.

That the bank was to be built in Wall Street.

1. Mr. President, I meant that the 12 Federal reserve regional banks had earned $100,000,000 net up to the end of the fiscal year 1921, but I find that it was $124,000,000 instead of $100,000,000.

2. The Federal reserve bank in New York appropriated the money to build the New York bank with the approval of the Federal Reserve Board, and without the approval of the board it could not appropriate one cent for that purpose.

Let me quote here from my speech made in reply to Senator GLASS:

Now, listen, Senators. John Skelton Williams, in his statement to me, says, "I have read your statement and each one of the distinguished Senator's criticisms is either misleading or entirely untrue, as the official records will prove." He denies that the Federal Reserve Board appropriated $26,000,000 or any other amount to the bank at New York, but he does not deny that the Federal Reserve Board connived with the directors of the New York bank and approved the construction of buildings estimated to cost, including the land, over $25,000,000 by the very latest estimate, as stated by the reserve board in its report to the Senate dated October 31, 1921.

In fact, the original estimates for that building were about $30,000,000, and subsequently reduced by about $4,000,000, as will be shown from the board's report to the Senate in response to the Overman resolution.

The Senator claims that the bank is not being built in "Wall Street," but, Senators, it is being built in the heart of the Wall Street district, within about 200 or 300 yards of Wall Street itself, although land could have been gotten a few hundred yards farther from Wall Street that would have been equally convenient to 97 per cent of the members of the New York reserve bank, and saved millions of dollars.

The Senator from Virginia said that the bank building in New York is designed and planned to accommodate 5,000 employees. But in 1917, when the total loans and discounts of the Federal Reserve Bank of New York were nearly three times as great as they are to-day, 829 employees were sufficient to transact its business, and I want to say here that was the time when we were selling Liberty bonds. That was the time when there was more work to be done than at any other time, and these 829 employees were sufficient then. Now they have multiplied them to about 3,000.

When the Senator made the statement that he did about the 5,000 employees the Senator from North Carolina [Mr. SIMMONS] inquired:

"Mr. President, does the Senator from Virginia mean that that number of people are employed in the Federal Reserve Bank of New York?"

To which the Senator from Virginia replied:

"Will be."

The Senator from New York [Mr. WADSWORTH] added:

"They are."

What justification has the Senator from New York for making such a statement as that? It is not true that 5,000 people are now employed by the New York reserve bank, as alleged on the floor of the Senate by the Senator from New York. The board's report says that in July last the number of officers and employees was 3,087, and I believe this has already been reduced since I brought this matter to the attention of Congress. Who misled the Senator from New York? I am sure that he would not willingly mislead the Senate, but some one has evidently deceived him.

Now, as to that monument of Federal Reserve Board extravagance, the Federal reserve bank building at New York, which has been aptly referred to as a "financial monstrosity," the Senator from Virginia said:

"I have here an official statement which shows that Senators have been misled by estimates prepared a year ago, in March, 1921. It was an outside estimate of cost. Some Senators absurdly think that the estimated cost of a bank building in New York curtails rural credits in the State of Alabama."

Senators can imagine who the Senator was driving at then.

"The estimated cost in March, 1921, of the building at New York was $17,990,000, from which must be subtracted the price the bank will receive for its annex building, now being temporarily occupied and which will be abandoned and sold when the bank goes into the completed building."

What do Senators think of that? They are going to subtract money that has been sunk in another building which has already been erected. They are going to take that out of this.

Why should the cost of the "annex" be deducted from $17,990,000? Instead of deducting it, there should be added to that $17,990,000 estimated actual cost, the amount thus far expended on that annex, namely, $2,210,000. To this also must be added the estimated cost of the "vault equipment," $650,000, then add cost of land, $4,791,000, making a grand total of land and building $25,646,000, to which, I understand, should be added heavy taxes during construction. If any Senator has been misled as to these figures it is because he was misled by the reserve board itself. These are the estimates which were sent to the Senate by the board under date of October 31, 1921, in response to Senator OVERMAN'S resolution. In fact, in submitting these figures the board called attention to the fact that the original estimates were, as has been stated, about $4,000,000 more, or, say, $30,000,000.

John Skelton Williams furnished me these indisputable facts from the record. When John Skelton Williams first brought this matter to the attention of the country, and we raised the question here, they wisely decided that they had better trim off about $4,000,000 of the superfluity. So I helped to save the Government $4,000,000 by the fight I have been making on this. That is doing pretty well for one Senator who does not know what he is talking about, according to the Senator from Virginia.

The taxes alone on the banking palace now proposed, at the present rate of taxation in New York, would amount, if taxed at estimated cost, to about $700,000 a year, while the interest of 4 per cent per annum on the amount thus locked up would amount to another million dollars, and the cost of operating this huge building is yet to be added. The expenses as proposed bring the total up to more than $26,000,000.

The Senator from Virginia said in his speech that I had voted in the House for the amendment to the Federal Reserve act which permitted the Federal reserve banks to set aside these enormous sums for providing bank buildings. The RECORD shows that the amendment was put on late in the afternoon, just before the House adjourned. I was not present and I did not vote for it.

The speech of Senator GLASS, which is being circulated by the Federal Reserve Bank of Atlanta, and other banks, carries all this misinformation about what I have said and done.

Mr. President, will the Senate toady and crawl before the Federal Reserve Board or will it in obedience to its duty demand that it adhere strictly to the functions for which it was created? Are we going to show ourselves worthy and capable of coping with this situation or are we going to prove ourselves to be incapable and unworthy to be intrusted with the solution of this great problem?

Mr. President, in behalf of those who believe that our great Federal reserve banking system should be kept out of politics and that nothing should happen that would impair or weaken in any way its great usefulness to the American people, I have made the fight to keep it true to its intended course. It has been maladministered and made to hurt the people that it was intended to help, and when I am fighting to restore it to its former state of usefulness and service I am fighting for the highest and best interest of my country.

THE FOUR-POWER TREATY.

During the delivery of Mr. HEFLIN's speech,

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Arkansas?

Mr. HEFLIN. I yield.

Mr. ROBINSON. I understand that an arrangement has been effected whereby the Senator from Massachusetts [Mr. LODGE] will probably ask that the treaty be laid aside for the remainder of this day, with the prospect of making progress to-morrow. Before the treaty is laid aside I wish to make a brief comment on a subject matter of debate which arose yesterday.

I attempted to do what a great many others, particularly newspaper men, have been trying for a long time, namely, to find out who prompted or initiated the four-power treaty and who wrote it. It was not embraced in the call for the Washington conference issued by the President, nor was it on the program of the conference. Nevertheless, it was put forward by its proponents as a very important document.

The Senator from Alabama [Mr. UNDERWOOD], one of the American delegates who negotiated the treaty, in a statement which the Senate heard yesterday, informed us that he did not know who wrote it or who instigated it, but from his statement we inferred that it was probably the suggestion of Mr. Balfour.

The Senator from Massachusetts [Mr. LODGE] stated that he was not informed as to who had prepared the first draft, but that many hands had participated in it, and it appears from an International Press News Service item, published late yesterday afternoon, that a third member of the American delegation to the conference was interrogated as to who drafted the treaty or who suggested it, and that he declined to furnish any information if in fact he possessed any.

I inferred from one statement of the Senator from Massachusetts that the Secretary of State, the head of the American delegation at the Washington conference, perhaps had had more to do with the negotiation of this treaty than any other American delegate.

The news item to which I have referred does not quote the Secretary of State, who prefers not to be quoted directly. He is referred to in the news report, as I understand, as "a high official in the State Department." In any event, the news item mentioned says that a high official in the State Department was asked who wrote the treaty, and that he made this reply:

> Four delegations signed the treaty. Therefore it can truthfully be said that they all wrote it. Who wrote it does not matter. What is in it does matter.

That sounds like Mr. Hughes. Ordinarily the question as to who drafts an instrument is not material, but where the question arises as to who is actually interested in or benefited by the terms of the instrument; where the question arises as to whether all of the parties to the instrument were fully informed at the time they signed it as to the effect of the instrument, the circumstances under which that instrument was negotiated become of great importance.

My proposition is that when President Harding called the Washington conference to assemble it was not in his mind that an alliance between Japan, Great Britain, France, and the United States would be consummated at the conference; that when the conference assembled there was not in the mind of the Senator from Alabama [Mr. UNDERWOOD], or the Senator from Massachusetts [Mr. LODGE], or the Secretary of State, or Mr. Root the conception that it would be necessary to agree upon such an instrument as this four-power pact before any progress could be made toward the reduction of armaments.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON. I yield.

Mr. WATSON of Georgia. I think I can add a little bit to the force of what the Senator from Arkansas is very forcibly stating.

The order of knighthood known as the Knights of the Garter was, as the Senator well knows, founded by Edward III, based upon the dropping of a garter of the Countess of Salisbury during a great state ball at Windsor Castle. It is the most exclusive order of knighthood in Europe. It is not every earl who is a Knight of the Garter; it is not every marquis; it is not every duke; it is not every prince of the blood. To be a member of the Order of the Knights of the Garter is to receive from the hands of the King the highest social award which can be given, and that is the reward that has been given to Arthur Balfour.

Mr. ROBINSON. Mr. President, the Secretary of State declines to furnish the public even now any information whatever as to the real origin of this treaty. He says it does not matter who wrote it; substantially that it is nobody's business who wrote it. He made an announcement very shortly before the Senator from Massachusetts reported the four-power treaty to the plenary conference that no such instrument was in contemplation, so far as he knew. That statement was flashed from limit to limit of this continent. A number of newspaper reporters who sent it to their journals, relying upon the accuracy of it, referring to a rumor that a four-power treaty was to be forthcoming, announced that the proposal had been scrapped, and these correspondents suffered severe criticism from their employers because of the inaccuracy of the information which they published broadcast throughout the United States. The Secretary of State said to a number of representatives of the press, several of whom are in the gallery now, that if any proposition for an alliance or a four-power pact between Great Britain, France, Japan, and the United States was in contemplation, he knew nothing about it. Now, after the issue has arisen as to what constitutes the underlying motive of this proposal, what power, influence, or nationality originated it, conceived it, and what hand framed it, we have the information from two of the delegates representing the American Government at that conference that they do not know, and from a third, if my assumption is correct that the high official referred to is the Secretary of State, the declaration, in substance, that it is nobody's business or he does not know.

I wonder if Mr. Root, the other American delegate, knows anything about it, and, if he does know, if he will tell anything about it.

Mr. LODGE. Mr. President, will the Senator from Alabama yield to me for a moment?

Mr. HEFLIN. I hope the debate will not extend very long, because I do not want to have this whole treaty matter discussed in my time.

Mr. LODGE. It is the only debate which is in order. I shall take but a moment.

Mr. HEFLIN. I yield to the Senator from Massachusetts.

Mr. LODGE. That is very kind of the Senator. I only desire to say, Mr. President, that when the Senator from Arkansas says, as I understood him, that this was not in my mind or anybody's mind, he makes a mistake. It was very much in my mind. As I said, I talked over this question before, I think, the conference was ever called, certainly weeks before it ever met. I talked it over with my colleagues in the Senate, I think, before the conference met. It certainly was very much in the minds of the American delegation.

Then, also, I noticed, in looking over the speech of the Senator from Arkansas of yesterday, a point that I did not then catch. In referring to the newspaper accounts he spoke of my first statement about the four-power treaty. I never made a statement about it of any kind until I presented it to the plenary conference. I can not answer for anybody else, but I made no statement. What might have appeared in the press I do not know, but I never made any statement of the kind.

Mr. ROBINSON. Does the Senator say he did not discuss the terms and purposes of the four-power pact with a prominent newspaper man some days before the four-power pact was reported to the plenary conference?

Mr. LODGE. Not to my knowledge. I do not remember ever to have discussed it. I would be glad to discuss it with the gentleman who said that I did.

Mr. ROBINSON. That, of course, does not become very important in view of the fact that the Senator states that the proposal was pending and under consideration for a time before the conference convened.

Mr. LODGE. I undoubtedly mentioned that it was under discussion. Undoubtedly I mentioned that.

Mr. ROBINSON. The significant fact is that with the proposal imminent and about to be published, the head of the American delegation represented to the press of the United States or to many of its agents that no such proposal was in contemplation in so far as his knowledge extended. The Senator from Massachusetts nor anybody else, I believe, will deny that when he published the four-power pact in plenary session it came as a great surprise to the people of the United States. The session of the conference, it seems to me, had been arranged with a view of having a dramatic demonstration. The men whose business it is to inform themselves and the newspapers and magazines which they represent of the progress of events know that it was a physical impossibility to obtain from any source information of a reliable nature respecting the question as to whether a four-power alliance or pact was in contemplation and the prospective terms of that four-power alliance or pact. The whole subject matter was kept as secret as possible, the head of the American delegation denying any knowledge of it.

The four-power treaty was one of the few subjects discussed at length in the plenary session at the armament conference. Usually when a resolution was reported the Secretary of State, the chairman of the conference, would rise and say—you have

all heard it time and time again—"This measure has been discussed at great length in the committees, and I take it that no delegate cares to discuss the matter further. If there is no objection, we will proceed to determine whether it is assented to. The United States assents. Belgium? Belgium assents," and so on down the line, absolutely shutting off any possibility of debate.

But on the occasion when the four-power treaty was reported to the conference by the Senator from Massachusetts there was alleged debate. The Senator from Massachusetts himself made a brilliant, beautiful speech. The only criticism that I could make of it, if indeed any criticism is justified from me, is that it was totally lacking in important information concerning the subject which it discussed.

The representative of the British Government, Mr. Balfour, rose and said it was one of the happiest moments of his life, because it relieved Great Britain and Japan of a very great embarrassment arising out of the existence of the Anglo-Japanese alliance, and that he and the other representatives of Great Britain and the representatives of Japan had felt that there was no possibility of getting relief from that alliance until something just as effective, something new, was substituted in its place. When the conference was over and Mr. Balfour returned to England he received the most brilliant and enthusiastic reception accorded a British statesman during my lifetime.

When Lloyd-George returned from Paris, after he manipulated and influenced and in many instances controlled the Versailles conference, he was given a cordial reception, but it did not compare with the splendor, the kindliness, the cordiality of the reception extended Mr. Balfour. Mr. Balfour had lived to an old age. He had desired to be known as the "great commoner." Throughout his life he had scorned titles of nobility, but when the title, the highest that England can confer, of "Knight of the Garter" was offered him, he yielded and became Sir Arthur Balfour.

Mr. NORRIS. Mr. President——

Mr. ROBINSON. Just a moment. This glorification came to him because his Government recognized that Mr. Balfour had accomplished an alliance between the United States, Great Britain, France, and Japan. If England had placed any other construction upon the four-power treaty, Mr. Balfour would not have received the reception and the honor which were accorded him.

I yield to the Senator from Nebraska. I have concluded, in fact.

Mr. LODGE. Mr. President, I do not see how the Senator can yield the floor to anyone else, as I had the floor yielded to me by the courtesy of the Senator from Alabama.

Mr. ROBINSON. I think the Senator from Alabama has the floor.

Mr. LODGE. Yes; he has, and he yielded to me.

Mr. HEFLIN. I yielded it to some one, but I am about ready to take it back.

Mr. NORRIS. Will the Senator from Alabama yield to me now?

Mr. HEFLIN. I yield to the Senator from Nebraska.

Mr. NORRIS. I tried to interrupt the Senator from Arkansas when he was giving the reasons why Mr. Balfour had always refused decorations, but when they offered him a new garter he accepted it, and the Senator explained it by saying that he had accomplished something great. It seemed to me the explanation for it is that at the particular time when they offered this decoration Mr. Balfour needed a new garter.

Mr. LODGE. Mr. President, the Senator from Alabama kindly yielded the floor to me some time ago, and I do not wonder that he has forgotten that he did so.

Mr. HEFLIN. It has been some time ago.

Mr. LODGE. My time has been occupied entirely by others. I only wish to say a word or two further.

I may as well correct one idea. Mr. Balfour remains a commoner. Although he has taken the first order in England, he is still a commoner. What rewards they choose to give him do not seem to me to concern us very much.

Anglo-Japanese alliance.

AGREEMENT BETWEEN THE UNITED KINGDOM AND JAPAN.
(Signed at London, July 13, 1911.)

PREAMBLE.

The Government of Great Britain and the Government of Japan, having in view the important changes which have taken place in the situation since the conclusion of the Anglo-Japanese agreement of the 12th of August, 1905, and believing that a revision of that agreement responding to such changes would con-

As to the plenary conferences, let me say that when the Secretary of State presented matters which had been discussed thoroughly by all the men present at that table and who had all agreed to them beforehand, and all the delegations had agreed to them, he naturally was not called upon to invite debate or statements. In this case only four powers had been concerned and there were five who had no part in it, necessarily.

The Senator from Arkansas also said that it was impossible to get at the terms of the agreement, which does not quite coincide with his statement that I had given the terms to somebody. As a matter of fact, I never gave the terms to anybody, and I do not think any member of the delegation did. That Mr. Hughes should have said to the public or to the press that this matter was not under consideration is to me inconceivable. I think Mr. Hughes can quite well take care of himself, but that he should have made a statement to anyone that this matter concerning the four-power treaty was not under consideration seems to me, as I said, inconceivable.

Mr. HEFLIN. Mr. President——

Mr. LODGE. Just a moment. I have the floor, if the Senator will pardon me.

Mr. HEFLIN. I thought the Senator had concluded.

Mr. LODGE. No; I am not quite through. I want to say one other thing by way of correction of something said yesterday by the Senator from Arkansas [Mr. ROBINSON] and repeated by others, that the authorship of this treaty might be detected by the fact that it employed the language of the alliance between Japan and Great Britain. I have taken the two treaties and have compared them with the greatest care, word by word. They are very brief. That statement surprised me. Of course article 2, article 3, and article 4 of the treaty of alliance do not exist at all in the four-power treaty. The only resemblance that I could find between them was that in article 1 of the treaty of alliance occur these words:

The two Governments will communicate with one another fully and frankly.

In the section of the four-power pact the words are—

Shall communicate with one another fully and frankly.

They are very commonplace words and very frequent in diplomatic documents. That is the only resemblance between the two treaties.

Mr. ROBINSON. Will the Senator have printed in the RECORD the Anglo-Japanese alliance?

Mr. LODGE. Oh, yes; although it has been printed already as a Senate document.

Mr. BORAH. I suggest that article 1 of the Anglo-Japanese alliance and article 2 of the four-power treaty be printed in the RECORD.

Mr. LODGE. I will read them, and then they will appear in the RECORD.

Mr. NORRIS. If the Senator will permit me, I would suggest that instead of picking out clauses he print in the RECORD in parallel columns both the treaties in question.

Mr. LODGE. I will ask that that be done; but I will first read the two articles which I was asked to read.

Article 2 of the four-power treaty reads as follows:

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

Article 1 of the Anglo-Japanese alliance reads as follows:

It is agreed that whenever, in the opinion of either Great Britain or Japan, any of the rights and interests referred to in the preamble of this agreement are in jeopardy the two Governments will communicate with one another fully and frankly, and will consider in common the measures which should be taken to safeguard those menaced rights or interests.

It seems to me the wording is entirely different. I will ask that those two treaties be printed in parallel columns.

The PRESIDING OFFICER. Without objection, it is so ordered.

The treaties referred to are as follows:

Four-power treaty relating to Pacific possessions.

TREATY SUBMITTED BY THE PRESIDENT OF THE UNITED STATES BETWEEN THE UNITED STATES, THE BRITISH EMPIRE, FRANCE, AND JAPAN, RELATING TO THEIR INSULAR POSSESSIONS AND THEIR INSULAR DOMINIONS IN THE PACIFIC.

The United States of America, the British Empire, France, and Japan.

With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean,

Anglo-Japanese alliance—Continued.

tribute to general stability and repose, having agreed upon the following stipulations to replace the agreement above mentioned, such stipulations having the same object as the said agreement, namely:

(a) The consolidation and maintenance of the general peace in the regions of eastern Asia and of India.

(b) The preservation of the common interests of all powers in China by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China.

(c) The maintenance of the territorial rights of the high contracting parties in the regions of eastern Asia and of India, and the defense of their special interests in the said regions.

ARTICLE I.

It is agreed that whenever, in the opinion of either Great Britain or Japan, any of the rights and interests referred to in the preamble of this agreement are in jeopardy, the two Governments will communicate with one another fully and frankly, and will consider in common the measures which should be taken to safeguard those menaced rights or interests.

ARTICLE II.

If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any power or powers, either high contracting party should be involved in war in defense of its territorial rights or special interests mentioned in the preamble of this agreement, the other high contracting party will at once come to the assistance of its ally, and will conduct the war in common, and make peace in mutual agreement with it.

ARTICLE III.

The high contracting parties agree that neither of them will, without consulting the other, enter into separate arrangements with another power to the prejudice of the objects described in the preamble of this agreement.

ARTICLE IV.

Should either high contracting party conclude a treaty of general arbitration with a third power, it is agreed that nothing in this agreement shall entail upon such contracting party an obligation to go to war with the power with whom such treaty of arbitration is in force.

Four-power treaty relating to Pacific possessions—Continued.

Have determined to conclude a treaty to this effect, and have appointed as their plenipotentiaries:

The President of the United States of America: Charles Evans Hughes, HENRY CABOT LODGE, OSCAR W. UNDERWOOD, and Elihu Root, citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British dominions beyond the seas, Emperor of India: The Right Hon. Arthur James Balfour, O. M., M. P., Lord President of His Privy Council; the Right Hon. Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty; the Right Hon. Sir Auckland Campbell Geddes, K. C. B., his Ambassador Extraordinary and Plenipotentiary to the United States of America;

And—

For the Dominion of Canada: The Right Hon. Robert Laird Borden, G. C. M. G., K. C.;

For the Commonwealth of Australia: The Hon. George Foster Pearce, Minister of Defense;

For the Dominion of New Zealand: Sir John William Salmond, K. C., judge of the Supreme Court of New Zealand;

For the Union of South Africa: The Right Hon. Arthur James Balfour, O. M., M. P.;

For India: The Right Hon. Valingman Sankaranarayana Srinivasa Sastri, member of the Indian Council of State;

The President of the French Republic: Mr. René Viviani, deputy, former President of the Council of Ministers; Mr. Albert Sarraut, deputy, Minister of the Colonies; Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honor;

His Majesty the Emperor of Japan: Baron Tomosaburo Kato, Minister of the Navy, Junii, a member of the first class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower; Baron Kijuro Shidehara, his Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the first class of the Imperial Order of the Rising Sun; Prince Iyesato Tokugawa, Junii, a member of the first class of the Imperial Order of the Rising Sun; Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the second class of the Imperial Order of the Rising Sun;

Who, having communicated their full powers, found in good and due form, have agreed as follows:

I.

The high contracting parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

II.

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

III.

This treaty shall remain in force for 10 years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of high contracting parties to terminate it upon 12 months' notice.

IV.

This treaty shall be ratified as soon as possible in accordance with the constitutional methods of the high contracting parties and shall take effect on the deposit of ratifications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate. The Government of the United States will transmit to all the signatory powers a certified copy of the procès verbal of the deposit of ratifications.

The present treaty, in French and in English, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the signatory powers.

In faith whereof the above-named plenipotentiaries have signed the present treaty.

Anglo-Japanese alliance—Continued.

ARTICLE V.

The conditions under which armed assistance shall be afforded by either power to the other in the circumstances mentioned in the present agreement, and the means by which such assistance is to be made available, will be arranged by the naval and military authorities of the high contracting parties, who will from time to time consult one another fully and freely upon all questions of mutual interest.

ARTICLE VI.

The present agreement shall come into effect immediately after the date of its signature, and remain in force for 10 years from that date.

In case neither of the high contracting parties should have notified 12 months before the expiration of the said 10 years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the high contracting parties shall have denounced it. But if, when the date fixed for its expiration arrives, either ally is actually engaged in war, the alliance shall, ipso facto, continue until peace is concluded.

In faith whereof the undersigned, duly authorized by their respective Governments, have signed this agreement, and have affixed thereto their seals.

Done in duplicate at London the 13th day of July, 1911.

E. GREY,
His Britannic Majesty's Principal Secretary of State for Foreign Affairs.

TAKAAKI KATO,
Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of Japan at the Court of St. James.

Four-power treaty relating to Pacific possessions—Continued.

Done at the city of Washington, the 13th day of December, 1921.

	CHARLES EVANS HUGHES.	[L. S.]
	HENRY CABOT LODGE.	[L. S.]
	OSCAR W. UNDERWOOD.	[L. S.]
	ELIHU ROOT.	[L. S.]
	ARTHUR JAMES BALFOUR.	[L. S.]
	LEE OF FAREHAM.	[L. S.]
	A. C. GEDDES.	[L. S.]
[L. S.]	R. L. BORDEN.	
[L. S.]	G. F. PEARCE.	
[L. S.]	JOHN W. SALMOND.	
[L. S.]	ARTHUR JAMES BALFOUR.	
[L. S.]	V S SRINIVASA SASTRI.	
[L. S.]	RENÉ VIVIANI.	
[L. S.]	A. SARRAUT.	
[L. S.]	JUSSERAND.	
[L. S.]	T. KATO.	
[L. S.]	K. SHIDEHARA.	
[L. S.]	TOKUGAWA IYESATO.	
[L. S.]	M. HANIHARA.	

In signing the treaty this day between the United States of America, the British Empire, France, and Japan it is declared to be the understanding and intent of the signatory powers;

1. That the treaty shall apply to the mandated islands in the Pacific Ocean: *Provided, however,* That the making of the treaty shall not be deemed to be an assent on the part of the United States of America to the mandates and shall not preclude agreements between the United States of America and the mandatory powers respectively in relation to the mandated islands.

2. That the controversies to which the second paragraph of article 1 refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective powers.

Washington, D. C., December 13, 1921.

CHARLES EVANS HUGHES.	ARTHUR JAMES BALFOUR.
HENRY CABOT LODGE.	V S SRINIVASA SASTRI.
OSCAR W. UNDERWOOD.	RENÉ VIVIANI.
ELIHU ROOT.	A. SARRAUT.
ARTHUR JAMES BALFOUR.	JUSSERAND.
LEE OF FAREHAM.	T. KATO.
A. C. GEDDES.	K. SHIDEHARA.
R. L. BORDEN.	TOKUGAWA IYESATO.
G. F. PEARCE.	M. HANIHARA.
JOHN W. SALMOND.	

After the conclusion of Mr. HEFLIN's speech,

Mr. LODGE. Mr. President, I find that there are a number of Senators who desire to speak who are not ready to go on this afternoon, and we have had very little discussion of the treaty so far to-day. I am anxious to aid the judges' bill; and I simply desire to give notice that to-morrow at 12 o'clock, when we come in from the recess, I shall ask the Senate to take up the treaty and remain in session until at least they have disposed of the pending amendment.

I now move that the Senate return to legislative session.

Mr. SMITH. Mr. President, when does the Senator say that he is going to ask for a continuous session until we dispose of the pending amendment?

Mr. LODGE. To-morrow.

Mr. SMITH. To-morrow is Saturday.

Mr. LODGE. Yes; I know to-morrow is Saturday, but I think that one amendment can be disposed of before we adjourn, say, at midnight.

Mr. SMITH. That is very encouraging.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts that the Senate return to legislative session.

The motion was agreed to, and the Senate resumed its legislative session.

ADDITIONAL DISTRICT JUDGES.

Mr. CUMMINS. I ask that the unfinished business be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside their districts, and for other purposes.

Mr. CUMMINS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Hale	Nelson	Smith
Borah	Harris	Newberry	Spencer
Brandegee	Harrison	Norris	Stanfield
Broussard	Heflin	Oddie	Stanley
Bursum	Johnson	Overman	Sterling
Cameron	Jones, Wash.	Page	Swanson
Capper	Kellogg	Phipps	Townsend
Caraway	Kendrick	Pittman	Underwood
Colt	King	Poindexter	Walsh, Mont.
Culberson	Lenroot	Pomerene	Warren
Cummins	Lodge	Rawson	Watson, Ga.
Fernald	McCormick	Robinson	Weller
Fletcher	McKellar	Sheppard	Williams
France	McKinley	Shields	Willis
Gooding	McNary	Shortridge	

Mr. JONES of Washington. I desire to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Connecticut [Mr. MCLEAN], the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. CALDER], and the Senator from West Virginia [Mr. SUTHERLAND] are detained in the Committee on Finance.

The PRESIDING OFFICER (Mr. MCKINLEY in the chair). Fifty-nine Senators having answered to their names, a quorum is present.

Mr. CUMMINS addressed the Senate. After having spoken with interruptions for more than two hours, he said:

Mr. President, I find that owing to interruptions, which are very welcome, I shall not be able to conclude what I have to say about the bill this evening, although I hope that I can do it in a very few minutes when the bill is again under consideration. If the Senator from Massachusetts desires to take some action now looking toward suspension for the day, I have no objection.

MILITARY OCCUPATION OF HAITI.

Mr. KING. I submit a resolution which I ask may be referred to the Committee on Foreign Relations.

The resolution (S. Res. 256) was referred to the Committee on Foreign Relations, as follows:

Whereas United States Military forces have been in occupation of the territory of the Republic of Haiti since 1915 and the Haitian people now desire the withdrawal of those forces and the abrogation of the Treaty of 1915 between the United States and the Republic of Haiti; and

Whereas the term of the present President of Haiti, elected in 1915, expires on May 15, 1922, and no elections for deputies and senators have been held in Haiti since the dissolution of the chamber of deputies and the senate in 1917: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should forthwith terminate the aforesaid military occupation of Haiti, abrogate the Treaty of 1915 between the United States and Haiti under which the said occupation is maintained, and restore democratic constitutional government in Haiti; and be it further

Resolved, That in order to carry out the aforesaid purposes, the President of the United States is respectfully requested:

1. To denounce the treaty of 1915 and the protocol of March 28, 1917, extending said treaty, same to take effect on or before the expiration of the six months' period provided for in paragraph 8 hereof.

2. To take all necessary and appropriate action to restore full democratic, constitutional government in Haiti, and in particular to direct the brigade commander of the United States marines in Haiti to act as follows:

Temporarily to assume on the 16th day of May, 1922, such powers and functions of government in the territory of the Republic of Haiti as are necessary to provide forthwith for the holding of free popular elections in Haiti not later than July 1, 1922, for a constituent national assembly to be composed of one member for each existing commune; to convene said assembly in meeting not later than August 1, 1922, and to vest the said assembly with the functions and powers of framing and adopting a new constitution for Haiti, and of choosing and installing in office a President and Government of Haiti.

3. Within a period of six months after the date when the President of Haiti chosen by said constituent assembly shall have notified the Government of the United States of the adoption of a constitution and of the assumption of office by the said President to withdraw all military and naval forces of the United States from the territory of the Republic of Haiti and to cause to be restored to such reconstituted Haitian Government all functions and powers of government now or hereafter exercised in Haiti by all civil or military representatives of the United States.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate, in open executive session, took a recess until to-morrow, Saturday, March 11, 1922, at 12 o'clock.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 10 (legislative day of March 9), 1922.

UNITED STATES MARSHAL.

James C. McGregor to be United States marshal, western district of Pennsylvania.

POSTMASTERS.

ALABAMA.

Leander Isbell, Albertville.
James D. Silvey, Altoona.
Joseph D. Pruett, Boaz.
James F. Slone, jr., Cedar Bluff.
Meige C. Bronson, Dadeville.
John H. Walls, Guntersville.
Hopson P. McMurray, Heflin.
Tommie P. Lewis, Seale.
Samuel C. Puckett, Springville.
Pallie M. Ellis, Valley Head.
Henry E. Hart, Waverly.

GEORGIA.

Lucius E. Register, Alapaha.
Nicholas Oglesby, Elberton.
Sara B. Fox, Harlem.
Walter F. Payne, Jesup.
John W. Berryhill, Milltown.
Loduskie Sutton, Pearson.
Clarence G. Hardigree, Watkinsville.

IOWA.

Alvin G. Rollins, Rembrandt.
Leo E. Perry, Rhodes.
Ralph S. Van Hooser, Terril.
Charles P. Warrell, Whiting.

KANSAS.

Minnie Temple, Bennington.

MASSACHUSETTS.

Effie M. Ellis, East Wareham.
Benjamin Taylor, South Barre.
Lester M. Blair, Whitinsville.

OHIO.

Harry H. Davis, New Holland.
Theodore S. Hephinger, New Philadelphia.
William T. Sprankel, New Straitsville.

TEXAS.

Isaiah Sadler, Gustine.
Collins M. Click, Lovelady.
Silas T. Compton, Mount Enterprise.
Henry Bernauer, Muenster.
Francis M. Bell, North Zulch.
Royce E. Dowdy, Trent.

VIRGINIA.

Thomas P. Scott, Ashland.
Anthony Hart, Clifton Station.
Griffith S. Marchant, Mathews.
Robert W. Ferguson, Newsoms.
George E. Jones, Painter.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 10, 1922.*

The House met at 12 o'clock noon, and was called to order by Mr. WALSH as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, when we consider how Thou dost preserve hope, awaken courage, create worlds of beauty, bring down blessings upon us and soothe pain, O that we could give Thee an adequate return. But we thank Thee and bless the name of our everlasting Father. Teach us that the best thing that we can do for Thee is to be kindly and helpful to Thy other children; to live upright in the presence of great truths and eternal laws and allow nothing to come between us and the wisdom of Jesus of Nazareth. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 227. Joint resolution extending the term of the National Screw Thread Commission for a period of five years from March 21, 1922.

The message also announced that the Senate had passed with amendments the bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes; in which the concurrence of the House of Representatives was requested.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2716. An act to give effect to certain provisions of conventions with foreign Governments for facilitating the work of traveling salesmen; to the Committee on Interstate and Foreign Commerce.

THE BATTLE CRUISER "SARATOGA."

Mr. PATTERSON of New Jersey. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a concurrent resolution passed by the New Jersey Legislature asking for the conversion of the battleship *Saratoga* into an airplane carrier.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Following is the resolution referred to:

TRENTON, N. J., *March 7, 1922.*

Hon. F. F. PATTERSON, Jr.,
House Office Building, Washington, D. C.

SIR: I have the honor to forward herewith a copy of a concurrent resolution passed by the One hundred and forty-sixth Legislature of the State of New Jersey.

Very respectfully, yours,
UPTON S. JEFFERYS,
Clerk of the House of Assembly.

STATE OF NEW JERSEY,
ONE HUNDRED AND FORTY-SIXTH LEGISLATURE.

Concurrent resolution passed by the general assembly March 6, 1922, and concurred in by the senate.

Whereas the recent conference on disarmament held at the city of Washington, D. C., decided that two of the six contemplated battle cruisers being built by the United States could be converted into airplane carriers; and

Whereas one of said battle cruisers, namely, the *Saratoga*, is now under construction at the plant of the New York Shipbuilding Co., at Camden, N. J., and is 35 per cent completed, and can be converted into an airplane carrier at less expense and with greater benefit to the United States by reason of the fact that our Navy would secure a vessel of 33,000 tons instead of a 27,000-ton airplane carrier, the limit fixed by the conference of disarmament for new vessels of that type; and

Whereas the selection of the battle cruiser *Saratoga* for completion as an airplane carrier by the President and the Navy Department would give employment to thousands of workmen for two years at the plant of the New York Shipbuilding Co.: Therefore be it

Resolved by the House of Assembly of the State of New Jersey (the Senate concurring), That the President of the United States, the Navy Department, and the Congress of the United States be respectfully requested to select the *Saratoga* as one of the battle cruisers to be converted into an airplane carrier; and be it further

Resolved, That the Navy Department be urged to finish other naval work on which conditions will permit continuing construction, with the view of providing employment for the unemployed of the State of New Jersey.

T. HARRY ROWLAND,
Speaker of the General Assembly.
WILLIAM B. MACKAY, Jr.,
President of the Senate.

Attest:

UPTON S. JEFFERYS,
Clerk of the General Assembly.
W. H. ALBRIGHT,
Secretary of the Senate.

THE PURCHASE AND DISTRIBUTION OF SEED GRAIN.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER pro tempore. The gentleman from Kansas submits a privileged resolution from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 303.

Resolved, That upon the adoption of this resolution it shall be in order for the Committee on Agriculture to move that the House resolve itself into Committee of the Whole House on the state of the Union to consider S. 2897, being "An act to appropriate $5,000,000 for the purchase of seed grain and of seed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture," thereupon it shall be considered for amendment under the five-minute rule. At the conclusion of such consideration the bill shall be reported to the House with such amendments as may have been agreed to; the previous question shall be considered as ordered on the bill and on all amendments thereto to final passage, without intervening motion except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, the rule states the purpose for which it was reported out by the committee, and I see no reason why I should make any further statement about it, unless some gentleman desires to ask me a question for information.

Mr. GARNER. Mr. Speaker, will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. I yield.

Mr. GARNER. Is it the purpose of the gentleman and the leaders on his side of the House to pass this measure at $2,000,000 instead of $1,000,000?

Mr. CAMPBELL of Kansas. My purpose and the purpose of the rule is to let the House decide whether it shall pass at $1,000,000 or $2,000,000.

Mr. GARNER. I congratulate the gentleman on his liberality in allowing the House the opportunity to consider the $1,000,000 bill by virtue of the rule. I wondered if it is the intention of the leaders of the House and the gentlemen who are formulating the policy of the organization to place it at $2,000,000 instead of $1,000,000. It is for the gentleman to say.

Mr. CAMPBELL of Kansas. That is not a matter for me to decide. I fear if I should decide it I would decide it in favor of the gentleman from Texas.

Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for five minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, when this subject matter was before the House on Monday last I expressed my individual views upon it. Nothing has occurred since, I will say, that has caused me to change those views. However, the House by a very decided majority indicated its willingness to make a loan of $1,000,000 in this territory for seed purposes.

Now, the bill that is made in order by this rule, I assume, is the bill reported from the House Committee on Agriculture. The Senate passed a bill carrying $5,000,000 to make loans for the purpose of purchasing seed and feed in this so-called drought-stricken area. The House Committee on Agriculture amended that bill so as to strike out "$5,000,000" and insert "$2,000,000." The gentleman from Iowa [Mr. HAUGEN] on last Monday moved to suspend the rules and pass a bill carrying a million dollars to be loaned for the purchase of seed only.

I assume, of course, that there was some sort of understanding amongst the leaders of the majority whereby the gentleman from Iowa made that motion instead of a motion to suspend the rules and pass the bill as reported by his committee. I repeat the House by a decided majority indicated its willingness to appropriate $1,000,000 for seed buying, and the majority having so voted it is not my disposition, if they care to bring in a rule for that, to do further than express my individual views about it, which, as I say, have not changed since that time.

This rule makes the $2,000,000 proposition in order for both seed and feed. I assume the majority will vote for the rule. So far as I am concerned, I shall not contest the adoption of the rule, but I shall watch with a great deal of interest to see what amendments are offered on the majority side when the bill comes up for consideration.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. GARRETT of Tennessee. Yes.

Mr. BLANTON. Last year practically this same territory was granted similar loans of $2,000,000. Of that sum will the gentleman tell us exactly how much has been paid back to the Government?

Mr. CAMPBELL of Kansas. About $640,000.

Mr. BLANTON. And the amount outside of the $640,000 paid back was secured by a first lien on the crops, and the crops are

all gone; and if the security is all gone, then we are to understand that the Government of the United States lost $1,400,000 last year; and if it grants $2,000,000 more of loan this year, if we have no better crops this year than last year, and no better prices, and no better conditions, then we may expect to lose $1,400,000 this year?

Mr. CAMPBELL of Kansas. The gentleman from Texas in his mathematics is far more correct than he usually is on questions that he discusses. His figures are fairly correct.

Mr. BURTNESS. Mr. Speaker, will the gentleman yield for a suggestion?

Mr. CAMPBELL of Kansas. Yes.

Mr. BURTNESS. I would like to advise the gentleman from Texas in that connection that much of that which remains unpaid has been secured by the agents of the department and is secured now by a lien against this coming season's crop.

Mr. BLANTON. If I may be permitted to say it, whenever you pass the first crop year it is awfully hard to get crop mortgages paid.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. This discussion is pertinent to the bill and not to the rule.

Mr. BANKHEAD. I want to ask the gentleman something that is pertinent to the Committee on Rules I think.

Mr. CAMPBELL of Kansas. I yield for that question.

Mr. BANKHEAD. There is a great deal of destitution among the coal miners in certain sections of the country—Ohio, Illinois, Pennsylvania, Kentucky, and Alabama. Several resolutions have been introduced to make appropriations for their relief. I have been informed that the gentleman from Kentucky [Mr. ROBSION] has been making an effort to secure consideration of that proposition by the Committee on Rules and to get them to take some action.

Mr. CAMPBELL of Kansas. The Committee on Rules has never had a suggestion made to it that it had jurisdiction of that question and there is no such matter pending before the Committee on Rules.

Mr. BANKHEAD. Then I have been misinformed. I am glad to get the information.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move the previous question on the adoption of the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 62, noes 21.

Mr. BLANTON. Mr. Speaker, I object to the vote because there is no quorum present, and raise the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Texas makes the point of order that there is no quorum present. It is clear that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees. As many as favor agreeing to the resolution will, when their names are called, vote "yea," those opposed "nay." The Clerk will call the roll.

The question was taken; and there were—yeas 201, nays 116, answered "present" 2, not voting 109, as follows:

YEAS—201.

Almon	Christopherson	Free	Knutson
Anderson	Clague	French	Kopp
Andrews, Nebr.	Classon	Fuller	Lampert
Arentz	Cochran	Funk	Langley
Aswell	Codd	Gahn	Lawrence
Atkeson	Cole, Iowa	Gensman	Lazaro
Bankhead	Cole, Ohio	Gernerd	Lea, Calif.
Barbour	Collier	Green, Iowa	Leatherwood
Barkley	Collins	Griest	Lineberger
Beck	Colton	Hadley	Little
Benham	Connell	Hardy, Colo.	Logan
Bird	Cooper, Ohio	Harrison	London
Bixler	Cooper, Wis.	Haugen	Longworth
Blakeney	Copley	Hawley	Lowrey
Bland, Ind.	Crago	Hayden	McArthur
Boles	Cramton	Hays	McLaughlin, Mich.
Brennan	Cullen	Hersey	McLaughlin, Nebr.
Briggs	Curry	Hickey	Maloney
Brooks, Ill.	Dallinger	Hill	Mann
Brooks, Pa.	Darrow	Hoch	Mapes
Brown, Tenn.	Davis, Minn.	Hukriede	Martin
Browne, Wis.	Denison	Hull	Mead
Burke	Dowell	Jefferis, Nebr.	Michaelson
Burtness	Dunbar	Johnson, Ky.	Michener
Butler	Dupré	Johnson, Wash.	Miller
Cable	Dyer	Keller	Millspaugh
Campbell, Kans.	Elliott	Kelly, Pa.	Mondell
Campbell, Pa.	Evans	Ketcham	Montoya
Cannon	Fairfield	Kindred	Moore, Ill.
Cantrill	Faust	King	Moore, Ohio
Carew	Favrot	Kinkaid	Morgan
Chalmers	Fitzgerald	Kleczka	Morin
Chindblom	Focht	Kline, Pa.	Mott
Murphy	Ransley	Shreve	Towner
Nelson, A. P.	Reavis	Sinclair	Upshaw
Nelson, J. M.	Reece	Sinnott	Vestal
Newton, Minn.	Reed, N. Y.	Smith, Idaho	Voigt
Nolan	Reed, W. Va.	Smith, Mich.	Volstead
Norton	Rhodes	Smithwick	Walters
O'Brien	Riddick	Snell	Watson
Osborne	Roach	Sproul	Webster
Patterson, Mo.	Robertson	Steenerson	Wheeler
Patterson, N. J.	Robsion	Strong, Kans.	White, Kans.
Porter	Rosenbloom	Summers, Wash.	Williamson
Pringey	Sanders, Ind.	Sweet	Wilson
Purnell	Sandlin	Swing	Woodyard
Quin	Schall	Taylor, Tenn.	Wurzbach
Rainey, Ill.	Scott, Mich.	Temple	Young
Raker	Scott, Tenn.	Thomas	
Ramseyer	Shaw	Timberlake	
Rankin	Shelton	Tincher	

NAYS—116.

Ackerman	Fess	Lanham	Sanders, N. Y.
Andrew, Mass.	Fisher	Larsen, Ga.	Sanders, Tex.
Appleby	Foster	Layton	Sears
Bacharach	Freeman	Lee, Ga.	Sisson
Begg	Frothingham	Lee, N. Y.	Snyder
Black	Fulmer	Luce	Steagall
Bland, Va.	Garner	Lyon	Stedman
Blanton	Garrett, Tenn.	McDuffie	Stephens
Bond	Garrett, Tex.	McPherson	Stevenson
Bowling	Gilbert	McSwain	Stoll
Box	Glynn	Madden	Sumners, Tex.
Brand	Gorman	Magee	Swank
Buchanan	Griffin	Merritt	Tague
Burdick	Hammer	Mills	Taylor, Ark.
Burroughs	Hardy, Tex.	Montague	Thompson
Byrnes, S. C.	Hawes	Moore, Va.	Tillman
Byrns, Tenn.	Hicks	Moores, Ind.	Tilson
Carter	Hogan	Oldfield	Treadway
Chandler, N. Y.	Hudspeth	Overstreet	Tyson
Clouse	Husted	Padgett	Underhill
Connally, Tex.	Jacoway	Paige	Ward, N. C.
Crisp	Jeffers, Ala.	Park, Ga.	Wason
Dale	Johnson, Miss.	Parker, N. Y.	Weaver
Davis, Tenn.	Jones, Tex.	Parks, Ark.	White, Me.
Deal	Kearns	Radcliffe	Wise
Dempsey	Kincheloe	Ricketts	Wood, Ind.
Dominick	Kissel	Rossdale	Woods, Va.
Drane	Kline, N. Y.	Rouse	Wright
Echols	Kraus	Rucker	Wyant

ANSWERED "PRESENT"—2.

Clarke, N. Y.	Rodenberg

NOT VOTING—109.

Ansorge	Goldsborough	Larson, Minn.	Rose
Anthony	Goodykoontz	Lehlbach	Ryan
Beedy	Gould	Linthicum	Sabath
Bell	Graham, Ill.	Luhring	Siegel
Bowers	Graham, Pa.	McClintic	Slemp
Brinson	Greene, Mass.	McCormick	Speaks
Britten	Greene, Vt.	McFadden	Stafford
Bulwinkle	Herrick	McKenzie	Stiness
Burton	Himes	McLaughlin, Pa.	Strong, Pa.
Chandler, Okla.	Hooker	MacGregor	Sullivan
Clark, Fla.	Huddleston	Mansfield	Taylor, Colo.
Connolly, Pa.	Humphreys	Mudd	Taylor, N. J.
Coughlin	Hutchinson	Newton, Mo.	Ten Eyck
Crowther	Ireland	O'Connor	Tinkham
Dickinson	James	Ogden	Vaile
Doughton	Johnson, S. Dak.	Oliver	Vare
Drewry	Jones, Pa.	Olpp	Vinson
Driver	Kahn	Parker, N. J.	Volk
Dunn	Kelley, Mich.	Parrish	Ward, N. Y.
Edmonds	Kendall	Perkins	Williams
Ellis	Kennedy	Perlman	Wingo
Fairchild	Kiess	Petersen	Winslow
Fenn	Kirkpatrick	Pou	Woodruff
Fields	Kitchin	Rainey, Ala.	Yates
Fish	Knight	Rayburn	Zihlman
Fordney	Kreider	Reber	
Frear	Kunz	Riordan	
Gallivan	Lankford	Rogers	

So the resolution was agreed to.

The following pairs were announced:

Mr. HIMES with Mr. MCCLINTIC.

Mr. NEWTON of Missouri with Mr. BULWINKLE.

Mr. WILLIAMS with Mr. DOUGHTON.

Mr. RODENBERG with Mr. BELL.

Mr. ELLIS with Mr. HUMPHREYS.

Mr. TAYLOR of New Jersey with Mr. TEN EYCK.

Mr. KAHN with Mr. WINGO.

Mr. BURTON with Mr. GALLIVAN.

Mr. FENN with Mr. BRINSON.

Mr. OLPP with Mr. GOLDSBOROUGH.

Mr. LUHRING with Mr. OLIVER.

Mr. STRONG of Pennsylvania with Mr. LINTHICUM.

Mr. VOLK with Mr. POU.

Mr. REBER with Mr. SULLIVAN.

Mr. GREENE of Massachusetts with Mr. VINSON.

Mr. DUNN with Mr. TAYLOR of Colorado.

Mr. CHANDLER of Oklahoma with Mr. O'CONNOR.

Mr. KENDALL with Mr. HUDDLESTON.

Mr. SPEAKS with Mr. DREWRY.

Mr. SIEGEL with Mr. KUNZ.

Mr. IRELAND with Mr. MANSFIELD.

Mr. EDMONDS with Mr. RAYBURN.

Mr. KIESS with Mr. PARRISH.
Mr. WOODRUFF with Mr. HOOKER.
Mr. ANTHONY with Mr. RIORDAN.
Mr. CONNOLLY of Pennsylvania with Mr. LANKFORD.
Mr. GRAHAM of Pennsylvania with Mr. KITCHIN.
Mr. VARE with Mr. CLARK of Florida.
Mr. COUGHLIN with Mr. FIELDS.
Mr. HUTCHINSON with Mr. RAINEY of Alabama.
Mr. WINSLOW with Mr. SABATH.
Mr. OGDEN with Mr. DRIVER.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

APPROPRIATION BILL FOR THE DEPARTMENTS OF COMMERCE AND LABOR.

Mr. SHREVE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 10559, making appropriations for the Departments of Commerce and Labor, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill H. R. 10559, making appropriations for the Departments of Commerce and Labor, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. BLANTON. Reserving the right to object, may I ask the gentleman if he is going to give the House an opportunity to vote on the items of legislation that have been placed on the bill?

Mr. SHREVE. We hope that when we are through there will be no legislation on the bill.

Mr. BLANTON. Another committee of conference has agreed to some legislative matters, and their conference report was printed in yesterday's RECORD. If the gentleman's committee in conference does likewise, agrees to items of legislation, will he give the House an opportunity to vote on it?

Mr. SHREVE. We hope so.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. SHREVE, Mr. HUTCHINSON, and Mr. OLIVER.

RESIGNATION FROM COMMITTEES.

The SPEAKER pro tempore laid before the House the following communication:

MARCH 10, 1922.

Hon. FREDERICK H. GILLETT,
Speaker, House of Representatives, Washington, D. C.

MR. SPEAKER: I herewith resign from the following committees: Expenditures in the Department of Commerce, Flood Control, and Insular Affairs.

Very respectfully,

FRANK MURPHY.

The SPEAKER pro tempore. Without objection, the resignation will be accepted.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent the following leaves of absence were granted:

To Mr. MCCLINTIC, for three days, on account of illness.

To Mr. ELLIOTT, indefinitely, on account of sickness in family.

PURCHASE AND DISTRIBUTION OF SEED GRAIN.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 2897, an act to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture.

The motion was agreed to; accordingly, the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MANN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 2897, which the Clerk will report.

The Clerk read as follows:

An act (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture.

Mr. GARRETT of Tennessee. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARRETT of Tennessee. As I caught the reading of the rule, the bill was to be considered only under the 5-minute rule.

Mr. CAMPBELL of Kansas. The rule provides that the bill shall be read.

Mr. GARRETT of Tennessee. Will there be two readings of the bill or is this the reading for amendment?

The CHAIRMAN. This is the reading for amendment.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. The rule provides that the bill shall first be read and then shall be considered under the 5-minute rule. I think if the Chairman will look at the rule he will see that he is in error.

The CHAIRMAN. The gentleman from Texas is correct; this is the first reading of the bill, and the Clerk will finish the reading of the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized, for the crop of 1922, to make advances or loans to farmers for feed to relieve animals in the crop-failure areas of the United States, where he shall find that special need for such assistance exists, for the purchase of feed and of wheat, oats, barley, and flaxseed, for seed purposes, and, when necessary, to procure such seed and sell same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed thus obtained by him for the production of grain or flaxseed. A first lien on the crop to be produced from seed obtained through a loan, advance, or sale made under this section shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security therefor, or in the case of loan for feed for the relief of live stock the lien shall be made on the live stock. The total amount of such advances, loans, or sales to any one farmer shall not exceed the sum of $300. All such advances or loans shall be made through such agencies as the Secretary of Agriculture shall designate. For carrying out the purposes of this section there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $5,000,000, to be immediately available, of which not more than $1,000,000 may be used for the purchase of feed for relief of live stock.

SEC. 2. That any person who shall knowingly make any false representation for the purpose of obtaining an avdance, loan, or sale under this act shall, upon conviction thereof, be punished by a fine of not exceeding $1,000, or by imprisonment not exceeding six months, or both.

With the following committee amendments:

Page 2, line 15, after the word "hereby," insert the words "authorized to be."

Page 2, line 17, strike out the figures "$5,000,000" and insert "$2,000,000."

Page 2, line 19, after the word "stock," insert "and not more than $20,000 may be used by the Secretary of Agriculture in the administration of this act."

The CHAIRMAN. Under the rule the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized, for the crop of 1922, to make advances or loans to farmers for feed to relieve animals in the crop-failure areas of the United States, where he shall find that special need for such assistance exists, for the purchase of feed and of wheat, oats, barley, and flaxseed, for seed purposes, and when necessary to procure such seed and sell same to such farmers. Such advances, loans, or sales shall be made upon such terms and conditions and subject to such regulations as the Secretary of Agriculture shall prescribe, including an agreement by each farmer to use the seed thus obtained by him for the production of grain or flaxseed. A first lien on the crop to be produced from seed obtained through a loan, advance, or sale made under this section shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security therefor, or in the case of loan for feed for the relief of live stock the lien shall be made on the live stock. The total amount of such advances, loans, or sales to any one farmer shall not exceed the sum of $300. All such advances or loans shall be made through such agencies as the Secretary of Agriculture shall designate. For carrying out the purposes of this section there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000,000, to be immediately available, of which not more than $1,000,000 may be used for the purchase of feed for relief of live stock.

The Clerk proceeded to read the first committee amendment.

Mr. BLANTON (interrupting the reading). Mr. Chairman, I make the point of order that under the rule which was adopted by the House the Senate bill was made in order for consideration, not the Senate bill as amended by the Committee on Agriculture, there being no reference in the rule to any committee amendment of this Senate bill. The whole rule applied to the Senate bill itself. I make the point of order that the Senate bill as read is now open for amendment prior to the reading by the Clerk of the committee amendments; and unless the minority leader, the gentleman from Tennessee [Mr. GARRETT], desires recognition, I ask for recognition to offer an amendment.

The CHAIRMAN. The Chair overrules the point of order. The question is on the first committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 15, after the word "hereby," insert the words "authorized to be."

Mr. BLANTON. Mr. Chairman, I ask recognition on the amendment. This amendment authorizes, unless the committee amendment be adopted, $5,000,000 to be appropriated and loaned and expended in certain territory of the United States within the confines of about two States. During the year 1918 there existed in the States of Texas, New Mexico, Arizona, and Colorado and parts of two other States an unprecedented drought,

which had extended over a period of three continuous years in certain sections of the States named. This drought was so great that the farmers had been compelled to nail their homes up and leave. There was not a blade of grass left. The turf was gone. There had not been a drop of rain in some instances in a period of 18 months in certain sections. The cattlemen had been forced to ship their mother cows and calves to market, and where they were not able to sell them as canners, they were forced to ship them across the country hunting grass and water. Under such conditions in order to save them from ruin I introduced a measure here asking that certain loans be extended them in order to buy feed and seed. The matter was turned down because of the one excuse that it was merely an unfortunate situation for the farmers and the cattlemen who happen to live in these six States.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a minute I will. Both the Committee on Agriculture and the Committee on Appropriations said it was merely an unfortunate situation for these people, and they should stand and take their medicine without asking Congress to help them out. That was the condition that existed with respect to six States. Not a dollar was given them, and I know of cattlemen in my section of the country who up to that time were worth $1,000,000 and whose checks were good for $100,000 in a single bank, but who to-day, because of the refusal of Congress to even grant them a loan, despite those conditions, are paupers, and they have not a cent on God's earth to their names.

Mr. BURTNESS. Now, will the gentleman yield on this very point for a correction?

Mr. BLANTON. In just a moment. Because last year these conditions existed in certain other sections of the country, Congress loaned these people in North Dakota and Montana $2,000,000 of the people's money. The crops have passed, have gone out of the control of this Congress, and only $600,000 was repaid. There was an actual loss to the Treasury of $1,400,000 last year. In the face of those circumstances, because these people are unfortunate and had a poor crop year, this Congress now comes forward and says that it will add another million four hundred thousand dollars loss, and that this year they will deplete the Treasury of the people and take another $2,000,000 out and send it to the winds of the West, and perhaps get $600,000 back, and perhaps not get anything back. I now yield to the gentleman.

Mr. BURTNESS. Does not the gentleman remember that his own State of Texas in the very year that he claims Texas received nothing did receive from the Federal Treasury by way of loans for seed purposes the sum of $292,000?

Mr. BLANTON. In 1918 not a single cent. Later on, after it was too late to save the farmers and the stockmen from ruin, they did get help after long insistence.

Mr. BURTNESS. In 1919?

Mr. BLANTON. In the latter part of 1919, from the President's fund; yes. In 1918 not a single cent.

Mr. BURTNESS. Does not the gentleman know that out of the President's loan fund $292,000 went to Texas?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. Yes; it went there in 1919 when it was too late to do good. I remember it distinctly, because a Texas man, Hon. Clarence Owsley, was Assistant Secretary of Agriculture. I went to him and placed the proposition before him; I told him it meant the ruination of the cowmen of the West and of our farmers, and he turned me down, and he turned them down to their ruin.

Mr. BURTNESS. Does the gentleman contend that Texas did not receive $292,000 of loans from the seed-loan fund provided by President Wilson?

Mr. BLANTON. Later, yes; but in the time that the emergency existed in 1918 not one cent.

Mr. BURTNESS. But did not the gentleman's district benefit from that loan fund?

Mr. BLANTON. Not a dollar; not a farmer or a cattleman in my district got one cent when the emergency existed.

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, I think it is well to let the committee understand briefly the history of the seed loans. The first seed loan that was made was made out of the presidential contingent fund, and was not made to help farmers. The first loan was made by reason of the war to encourage the people to plant wheat to help win the war, and that loan was made out of the President's contingent fund through the Federal farm loan banks. However, there was Government help for certain classes of people engaged in agriculture during that administration. The Secretary of the Treasury took a large fund and deposited it in Texas banks, and it was loaned and used to help the drought-stricken regions of Texas—not $2,000,000 but more than $50,000,000 in that one State.

My name has been mentioned here with reference to a bill which has been reported with an insinuation that I was to forgive the debt. When the President loaned money out of his contingent fund in order to produce food to help win the war the contract that the Federal farm loan banks made provided that they should not repay the loan in case of a crop failure. It also provided a schedule of interest which ran as high as 77 per cent in some cases. Now, the contract did not define a crop failure. Subsequently Congress passed a law defining a crop failure under that contract at 5 bushels or less. The only bill I have reported on this subject rather is this. Some men who did not raise 5 bushels previous to the signing of the contract of a crop failure paid in $62,000. The Federal farm loan banks wanted to settle all that matter with the Treasury and with those people and the bill I reported was simply to clarify the situation enough to return the money——

Mr. SNELL. Will the gentleman yield?

Mr. TINCHER. I will.

Mr. SNELL. Is the act of May 31, 1920, the one that defines a crop failure?

Mr. TINCHER. No.

Mr. SNELL. What was that act?

Mr. TINCHER. In 1921 this Congress did pass a law by way of an amendment to the Agricultural appropriation bill appropriating money to be actually loaned to pioneers that had crop failures to the extent that they were needing money for seed. This is the loan where they paid the Government $660,000, as I recall it, out of the $2,000,000, and they have a lien on the personal property of the farmers for a considerable portion of the balance. Now, the only reason these loans were not paid in total was by reason of another crop failure. I believe as an economic proposition that we have got the choice of saying to these people, these farmers, "You get off or arrange for seed to try another crop." My section of the country is not affected at all by this. The section where I live is the greatest agricultural section in the world. We have the seed; we are not calling for it, but those who need it should get it. I lived there when we were pioneers. I live where the now greatest agricultural section of this country was classed by my friends in the East as a semiarid region. I know some of the trials of the pioneer, and I know how hard it is, but I believe that when these pioneers have experimented until they find what is the proper crop in the country that they are going to make a go of it like all the western country have. Every time they moved a few hundred miles west the folks back home told them that they were going to an impractical agricultural region. I believe this will be a success, but we have to face a situation. Here are these men on this land; they own the land. One man says that there have been three or four crop failures already. He says they can not raise a crop——

The CHAIRMAN. The time of the gentleman has expired.

Mr. TINCHER. I ask for three minutes additional.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. TINCHER. Now, that does not necessarily follow from the fact that there have been three or four failures. The best section of our State had as high as seven crop failures. Now, these men have improved their farms, they are taxpayers, food producers, and some of the best farms in the country have been adapted to a kind of agriculture that can be successfully carried on in that section of the country, and if this Government did not collect a dollar, in the interest of humanity and the growing population of this country it could not better expend $2,000,000 than to go on with these experiments, neither could it expend $2,000,000 on a hardier, more patriotic, hard working, worthy class of people than these pioneers who have been out there trying to follow in the footsteps of their forefathers and extend the limits of our country as it has been extended in the past. [Applause.]

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. TINCHER. I will.

Mr. GARRETT of Tennessee. May I ask the gentleman if any loans were made in his section of Kansas in those days of which he speaks?

Mr. TINCHER. No, sir; they were not. But that is no reason why there should not be in these days. We did not

spend much money on battleships out of the Federal Treasury in those days. I believe the Federal Government was run on less than a billion dollars a year, much less.

Mr. BRAND. Will the gentleman yield?

Mr. TINCHER. I will.

Mr. BRAND. I want to ask the gentleman why they do not authorize these banks to require the giving of a mortgage on the land instead of on the crop, which is indefinite and uncertain?

Mr. TINCHER. I will frankly say to the gentleman I have no direct testimony, but my experience with the pioneer is that if he gave a first lien on anything he never would go on one of these claims on these pieces of land. The chances are, I will say to my friend, that every one of these men——

Mr. BRAND. He can give a second mortgage.

Mr. TINCHER. He would have no relief in giving a second mortgage.

Mr. SNELL. Will the gentleman yield for another question?

Mr. TINCHER. I will.

Mr. SNELL. I would like to be entirely clear in my own mind in regard to this act of May 31, 1920. In the letter of the Secretary of Agriculture to Senator NORRIS, given in the Senate hearings, it speaks of the loan made in 1918 and 1919, about $4,000,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SNELL. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended two minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman be extended two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SNELL. In this letter he says $4,200,000 was loaned, and $1,613,000 of the principal has been released under the act approved May 31, 1920, and $1,143,000 was still to be paid.

Mr. TINCHER. That is the old loan—that is, that part that was released was loaned out of the President's contingent fund, and that was where there was a crop failure.

Mr. SNELL. That has nothing to do with the 5-bushel-an-acre proposition?

Mr. TINCHER. Yes; that was the law telling what a crop failure was under the terms of the bank contract.

Mr. BURTNESS. There seems to be an understanding that the bill which the gentleman has reported released the men who did not get 5 bushels per acre last year from the loan passed in February or March, 1921. That is not correct, is it?

Mr. TINCHER. The language of the bill, in view of the other law, is probably subject to criticism, but it was not introduced and never was intended to cover that lien. It was contemplated only with reference to the President's loan, and a subcommittee now is preparing an amendment so that it will be made clear that it does not apply to the loan made by the Government.

Mr. GARRETT of Tennessee. I referred to the gentleman's measure the other day. I will say to the gentleman that the impression made upon me by reading the bill which the gentleman reported was that it would indubitably include the loan.

Mr. TINCHER. If you notice the proviso, it is clear we do not intend that. I think the gentleman is right. It is subject to that criticism, and we have a committee amendment to clarify the bill in that respect.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, line 17, strike out "$5,000,000" and insert "$2,000,000."

Mr. GARRETT of Tennessee. Mr. Chairman, if no other gentleman wants recognition, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment to the amendment, which the Clerk will report.

Mr. GARRETT of Tennessee. Strike out "$2,000,000" and insert "$1,000,000."

The Clerk read as follows:

Amendment by Mr. GARRETT of Tennessee to the committee amendment: Strike out "$2,000,000" and insert "$1,000,000."

Mr. GARRETT of Tennessee. Mr. Chairman, that places the matter before the House in the shape in which the House voted the other day upon the motion of the gentleman from Iowa [Mr. HAUGEN].

Mr. SNELL. Will the gentleman yield for a question?

Mr. GARRETT of Tennessee. I yield to the gentleman.

Mr. SNELL. This says $1,000,000 may be used for the purchase of feed for the relief of live stock.

Mr. GARRETT of Tennessee. I will say this to the gentleman: If this should prevail, I shall subsequently offer an amendment, unless some one else does so—I am not trying to take this bill away from the gentleman from Iowa—to strike out the feed provisions of the bill, so as to bring it exactly in the shape that the House had it the other day.

Mr. SNELL. As a matter of fact, if we have got to have the bill, is it not good policy to let them feed their stock, so that they can put in this grain when we buy it for them?

Mr. BURTNESS. Mr. Chairman, I rise in opposition to the amendment to the amendment. I shall not limit my remarks strictly to that. However, I want to detail as briefly as possible something about the situation out there, and I believe I can do it in rather an unprejudiced way, for I happen to come from a district in North Dakota which has not used this loan, which did not avail itself of the law which you passed a year ago, and which will not borrow one cent of this money if you pass this appropriation, whether it be passed for $1,000,000 or $2,000,000. The reason for that is simply because I represent the Red River Valley district of the State, which has never had a total crop failure because of drought during the 35 to 45 years it has been settled. I emphasize that to impress upon your minds that the territory that will be affected by and urgently needs this legislation is not the territory that has been settled for 30 or 40 years, but rather the territory that was homesteaded and settled, at the invitation of the Government itself, between 10 and 15 years ago. You remember how you passed your enlarged homestead entry act, and said to the people that if they would come out into semiarid regions and make their homes they would get 320 acres of this semiarid land. The Government was responsible for a great deal of propaganda, and much of it valuable, in favor of the so-called dry farming. Every inducement was held out to people from the East and Middle West to go out there, with the result that young men and women did go, without much money, it is true, but all with the willingness to work and an ardent desire to obtain homes. During the first few years they prospered. The crops raised in the State of Montana beginning with the years 1908 and 1909, until shortly before the war, were in most districts bountiful. This was also true in considerable portions of western North Dakota. The drought years, however, commenced shortly before the World War, the annual crops decreased, and that brought a great deal of sentiment along the lines of diversification of farming.

They had theretofore been successful in wheat and grain farming, but they began to realize if they were to be permanently successful they would have to diversify; they would have to get some cows, some hogs, chickens, and so forth. Suddenly the war came on. You know that as soon as the war came on the cry of this country and of the Allies was for wheat and for more wheat, and that interfered seriously with the program of diversification in that country. They answered their country's demand, did their patriotic duty, thinking perhaps also they could make money incidentally by continuing to seed wheat. But drought conditions became worse and worse year by year. With the first, or at least the second, year's drought, these people had to go to the banks and mortgage their machinery and horses and cattle and get a loan with which to feed themselves and carry on their operations for the next year. They did that, but they had another crop failure. The Democratic leader suggested the other day that these men had not exhausted their credit, but if you consider the drought conditions in recent years in the State of Montana and the western portions of my State you will realize they have exhausted every credit at their disposal. The security held by the banks and others taken several years ago and sufficient then is not to-day worth more than a small percentage of what it was worth when the loan was made to the individual farmers. They have nothing else to pledge or mortgage. Their real estate is encumbered to the limit. In many cases taxes have remained unpaid for two and three years.

Not only that, but in the year 1918 the legislature of my State, for instance, was called into special session for the purpose of passing legislation that would give to these drought-stricken counties an opportunity to raise money through the issue of bonds for the purpose of making loans to farmers for seed and feed. Such legislation was passed. The State of Montana has a similar law. In each one of these counties they have gone the limit. They have sold all the bonds they possibly can, and every public and private opportunity for further credit has been exhausted. The situation has been so

serious that a year ago and again this year, in some places, the Red Cross and other charitable organizations have had to help out.

Not only that, but coming along this winter we had splendid weather out there until shortly after the first of the year. Then snowstorms came and severe cold, and some of the cattle and horses out on the ranges, half starved as they were, have died, and these settlers need this help and this credit. They need it badly, and they need at least the two million recommended by the committee.

I went through this territory out to the Montana line last October, and I saw these things with my own eyes. I know what they are. The gentleman from Texas [Mr. BLACK] stated the other day that this bill, in his opinion, was for the purpose of relieving the followers of the Nonpartisan League.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. BURTNESS. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. BURTNESS. The occasion of my going out to the Montana line was that I was then doing my best to try to convince the people of my State that they had been honestly but blindly following the leadership of the Nonpartisan League long enough, and I may also refer to the fact that the distinguished Democratic Senator from Montana [Mr. MYERS] felt that the evils of the Nonpartisan League were so serious that he stumped the State for the election of a Republican candidate for governor last year. With these facts in mind, there need be no fear that this is a measure proposed for the benefit of any political organization whatever.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. BURTNESS. Yes.

Mr. BLACK. The gentleman refers to a statement that I made. The gentleman will not dispute the fact that the distinguished Senator from North Dakota [Mr. LADD] who was elected by the Nonpartisan League, appeared in support of this bill in the Senate hearing; and the gentleman will not dispute the fact that of the 29 letters and telegrams inserted in the hearings advocating this legislation every one of them is from the State of North Dakota.

Mr. BURTNESS. That may be so. But while I have not looked at the names of the wires and letters, I am quite sure that more than half of the wires came from people who are not members of the Nonpartisan League, but from people who have been opponents of that organization for years. This is a question bigger than factional politics; it involves the welfare of thousands of people, and in its discussions party and factional lines should be entirely eliminated.

Mr. CLARKE of New York. Mr. Chairman, will the gentleman yield?

Mr. BURTNESS. I shall be glad to yield later. I can not yield just now.

The need is there. What is the answer? Some say we have no authority to extend this aid in this manner, and some assert that we are establishing a dangerous precedent. I am sorry to see that men who make such statements are men who come from agricultural districts of the South. As far back as the year 1867 $50,000 was granted for the relief of drought-stricken districts in the South, and I might mention that since then appropriation after appropriation has been made for flood sufferers. Appropriations aggfegating $180,000 were made in 1875 for regions ravaged by grasshoppers.

People who suffered from flood or other causes have done so. perhaps, not to any greater extent than those settlers in the Northwest have who have gone out into that country to make homes. One case was as much the act of God as the other and over which the individual had no control. I regret to see that men who came here last summer and pleaded almost with tears in their eyes and again yesterday afternoon for appropriations to control the boll weevil in the South are opposing this proposition here to-day. What did we do for you last July? We appropriated $200,000. What strings did we attach to it? Did we provide that the $200,000 which we appropriated last July should be used for seed? Did we compel your farmers to put seed or work into the ground and try to produce something? No; not at all. No string whatever was attached to it. It was appropriated purely for the rental value of the land, for land upon which cotton could not be grown in a particular year because of the law of your particular States which prohibited the planting of cotton in the infected areas. We did not even loan the money to you. We gave it to you absolutely. Appropriations were made to reimburse individuals against loss who did not even have to try to use their land for any purpose whatsoever. The only limit was that it should not exceed $5 per acre. The amount proposed in this bill is limited to $300 to an individual. The average size of the farms out there is probably 320 acres, or less than a dollar per acre. Compare the fairness of the two appropriations, if you please. We propose to raise food for the country as well as to pay the amount back; you got the money for land which might lie idle.

I want to remind the gentleman from Texas [Mr. BLANTON], who spoke here this afternoon, that his State in 1919 received from the President's fund $292,000, the State of Kansas received $943,000, and the State of Oklahoma $773,000. From last year's loan North Dakota received $805,768. I feel that the wheat farmers have a special reason to ask you for assistance. You remember how during the war you limited the price of wheat. You commandeered the wheat farmer's profits during the war. Conservatively estimated, the wheat farmers of the country lost $500,000,000 through the setting of a price on wheat. The Government itself, whether you agree with the estimate just made or not, the United States Treasury made a clear profit of $50,000,000 on the small percentage of wheat that it did actually purchase. All that we are asking here now is that we get a little bit of it back, a little bit of an appropriation to help out these wheat farmers who have not been getting a crop, due to no fault of their own, for the last four or five years. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the committee, it is always unpleasant to oppose a request for funds out of the Treasury based upon the ground that it is necessary to relieve suffering. But I think we should first understand the situation with respect to this matter. In the first place, I know that gentlemen of the House understand that there is no relevancy in the argument last made by the gentleman who has just preceded me [Mr. BURTNESS] with reference to expenditures for scientific research or for the Bureau of Entomology in endeavoring to discover some way of destroying the cotton boll weevil and the pink bollworm affecting the cotton plant. These appropriations are made just as we appropriate for the white-pine blister and the European corn borer and the tuberculosis among cattle and the foot-and-mouth disease and to prevent wheat rust. But there is no comparison between such appropriations and this proposition to have the Government lend money directly to some citizens. The question here is whether or not a condition exists which demands a continuance of the policy established a few years ago by the Congress of playing Santa Claus in the distribution of public funds to people who suffer in their business. Now, let us see what has been done. The State of North Dakota in 1919 had an acreage in spring wheat of 9,098,000 acres, and there were produced on those 9,000,000 acres 62,776,000 bushels of wheat. The average yield for that year throughout the country was 8.2 bushels per acre. They produced in North Dakota only 6.9 bushels, which was less than the average; but the next year, 1920, they planted 8,916,000 acres and they produced 80,244,000 bushels of wheat, which was an average of 9 bushels per acre, when the average for the country was only 10.5 bushels per acre. They came pretty near making the average for the whole country.

Now, in 1921, last year, they reduced their acreage and they planted in spring wheat only 8,827,000 acres, and on that reduced acreage they made 73,264,000 bushels of wheat, or an average per acre of 8.3 bushels, whereas the average for the entire country was only 10.5 bushels, so they were only a little under the average production per acre of the entire country.

In Montana, the other State now seeking aid, they had a terrible condition in 1919. They planted 3,083,000 acres and they produced only 7,091,000 bushels of wheat. The yield in Montana was only 2.3 bushels per acre, whereas the average for the country was 8.2 bushels per acre.

Mr. YOUNG. Will the gentleman yield?

Mr. BYRNES of South Carolina. I yield to the gentleman from North Dakota.

Mr. YOUNG. The gentleman's figures are incorrect. In Montana in that year they produced 9,889,000 bushels, or about 2,000,000 bushels more than the gentleman makes it.

Mr. BYRNES of South Carolina. I got the figures from the Department of Agriculture within the last hour, and I made Mr. Estabrook check up the figures the second time, and he told me there could be no question about their accuracy. If there is any discrepancy it is because of the fact that the gentleman's figures were not based on the last census, which Mr. Estabrook tells me is completed, and that my figures are the latest and

most accurate figures in the possession of the Department of Agriculture.

In 1920 they planted 2,377,000 acres on which there was raised 23,770,000 bushels of wheat, an average of 10 bushels for the State as against an average of 10.5 bushels for the entire country.

Last year, 1921—and I want the House to listen to this—in the year just closed they planted 1,995,000 acres, and with an acreage of 400,000 acres less the yield was more than in 1920, to wit, 23,945,000 bushels, or an average yield per acre of 12 bushels, against an average yield for the entire country of only 10.5 bushels; so that in Montana they made more per acre than did the other States, on an average.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent that I have five minutes more.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. HERRICK. Reserving the right to object, I should like to ask the gentleman a question.

The CHAIRMAN. It is too late to reserve the right to object. There was no objection.

Mr. BYRNES of South Carolina. No; I can not yield. I have not the time. Gentlemen of the House will argue plausibly that even though it be shown that Montana has made 12 bushels per acre as against an average for the whole country of 10.5 bushels, nevertheless that does not help Jim Smith or John Jones, who live in a county that did not make the average. But the answer is this, that if the State of Montana has made an average of 12 bushels per acre, then the State of Montana is in as good financial fix as are the other States of the West, and if it is in as good fix as the others, then the State of Montana ought to take care of its own people, instead of coming here to the Federal Government.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. BYRNES of South Carolina. I can not yield. I can go to my own district to-day, where, not because of drought but because of rain for 33 days continuously and because of the boll weevil, the farmers last year did not make one-fifth of a crop in many counties. Are they here asking that the United States Government contribute money out of the Treasury for their aid? No; but if you establish this precedent they will be, and with equal justification. I will tell you the history of this thing. In 1918, during the war, when advances were first made, there was a contract that the man who made more than 5 bushels per acre should chip in to help the man who made less than 5 bushels per acre. Then, in 1920, the Agricultural bill went to the Senate—Santa Claus lives at the other end of the Capitol—and there was tacked onto the appropriation bill the proposition that the note of every man who made less than 5 bushels per acre should be canceled. Last year, in 1921, the Agricultural bill went to the Senate, and an appropriation similar to this one was added to the bill. I happened to be one of the conferees and I know what occurred. If it had not been for one Senator from the State of North Dakota, the chairman of the Agricultural Committee, that proposition would never have come into this House, but that gentleman, for whom I had great respect and admiration, was going out of the Senate, and he wanted this item, and he stuck there, and finally the leaders of this House, in the closing days of Congress, yielded to one man, and the House compromised, reducing the amount from $5,000,000 down to $2,000,000. They brought it in here, and men who had heretofore been against it reversed their position, and they put it through. Gentlemen got up on this floor and said it was a terrible condition that never would occur again, and they said, "Vote for us this time and the Lord will bless you," in the language of the gentleman from Montana [Mr. RIDDICK]. I have no doubt the Lord blessed us, but they are back here again, and the figures show that whereas less than 19 per cent was paid back on the loans made out of St. Paul, in 1920, now they show that of the loans made last year only $625,630 has been paid back out of the $2,000,000, and you might as well face it that you are giving them this $2,000,000 now proposed in this bill.

The truth is these people have the habit. They got the State of North Dakota to go into the banking business, and the State went broke. Now they have transferred their affection from the government of North Dakota to the Government of the United States, and if you keep this up you will break the Government of the United States as they have North Dakota. In my district and every other district wherever the people lose a crop they will come to the Treasury to reimburse them. They will have just as much right as have these people.

Mr. BURTNESS. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. BURTNESS. Does not the gentleman remember that in 1916 his State received a part of the appropriation of $540,000 for flood sufferers?

Mr. BYRNES of South Carolina. I have no doubt they did; the chances are that in years past flood sufferers in different parts of the country have received relief; but every time you do that you lend an inducement to somebody else to ask for aid. Where will you draw the line? If you are going in the business of insuring crops and against loss by floods and fires without paying premiums let us know and let us put in the bills now; but I want to ask you where will you get the money to pay the bills that come in?

The truth is the only section where there has been a crop failure for the past three years is the dry-farming section, where the department says they can not hope to make a crop but about once in every five or six years. The land is good for grazing only. If you pay them every time they fail to make a crop you will do so four out of every five years.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate on this amendment close in 22 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on the pending amendment and all amendments thereto close in 22 minutes.

Mr. CHINDBLOM. Reserving the right to object, I would like to ask whether the gentleman is going to accept the amendment reducing the amount from two millions to one million? If so, perhaps they will not need any debate.

Mr. HAUGEN. If I can have two minutes I will explain my position.

Mr. CHINDBLOM. If one million was sufficient on last Monday what has happened since to change it?

Mr. McLAUGHLIN of Michigan. Further reserving the right to object, I would like to ask if the gentleman moves to close debate on the committee amendment or the amendment of the gentleman from Tennessee?

The CHAIRMAN. The request of the gentleman was to close debate upon the committee amendment and all amendments thereto.

Mr. McLAUGHLIN of Michigan. The chairman of the Committee on Agriculture did not make that request.

The CHAIRMAN. Is that the request of the gentleman from Iowa?

Mr. HAUGEN. My request was that all debate should close in 22 minutes on the amendment offered by the gentleman from Tennessee.

The CHAIRMAN. The Chair will restate the request. The gentleman from Iowa asks unanimous consent that all debate on the amendment offered by the gentleman from Tennessee be closed in 22 minutes. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, the amendment of two millions was authorized by the committee. After conferring with the majority members of the committee and Members from various States in order to expedite the passage of the bill I moved to suspend the rules and cut it to $1,000,000. The $2,000,000 carries out the instructions of the Committee on Agriculture. The amount proposed is $2,000,000. The House can, of course, change it if it sees fit.

Mr. CHINDBLOM. If one million was sufficient last Monday what has occurred to change the sum?

Mr. HAUGEN. I stated that after conferring with the majority members of the committee and Members from various States it was suggested that it might expedite its passage if cut down to $1,000,000.

Mr. GARRETT of Tennessee. I understood the gentleman to say that on Monday last he was carrying out the will of the gentlemen with whom he consulted, and to-day he is trying to carry out the will of this committee.

Mr. HAUGEN. I did it at the suggestion of the committee and Members from States interested.

Mr. YOUNG. Mr. Chairman, the former President asked Congress, if you remember, for an appropriation of $200,000,000 for sufferers in Austria, Poland, and other parts of Europe. That matter was considered, and finally they concluded to give the President $50,000,000, not out of the Treasury of the United States but from the property of the United States Grain Corporation. Let us see where that $50,000,000 was made. The figures show that one-eleventh of all of the grain and wheat handled by the United States Grain Corporation came from the

State of North Dakota, and therefore $4,500,000 of the profits made by the United States Grain Corporation was made out of the wheat that was grown in the State of North Dakota. This does not include the profits they made out of wheat grown in the State of Montana. Now, remember that when Congress got liberal with $50,000,000 for relief of these foreign sufferers it was the property of the United States Grain Corporation made out of the farmers by the handling of wheat during the war years. In Canada, where they handled the wheat crop in a similar way, the profits were distributed back to the farmers, pro rata, and if that had been done in the United States there would have been sent back to the farmers of North Dakota $4,500,000. I think it is worth while to take that into account. We are asking here for a total of $2,000,000 for North Dakota, Montana, and all other drought areas because it is absolutely needed. If you cut that amount to $1,000,000, or any other amount, you are going to leave out a large number of settlers who absolutely need it and ought to have it. It will be an arbitrary cut without regard to the requirements of those who absolutely need the seed, and I hope, gentlemen, you will keep that in mind.

Mr. LAYTON. Mr. Chairman, will the gentleman yield for a question?

Mr. YOUNG. Very briefly.

Mr. LAYTON. Would the gentleman support a proposition for a million-dollar loan this year, if they have a failure of crops in North Dakota and the other States, and next year if they have another failure there?

Mr. JOHNSON of Washington. If it goes that far, we might as well throw all of that country into a forest reserve, and let the Government take it, first-hand.

Mr. YOUNG. Oh, I would state that the gentleman's State, Washington, got some loans out of the appropriation made last year.

Mr. LAYTON. In my State we had a total failure last year by reason of frost, of pretty nearly every crop we make. Is the gentleman willing to vote to give my farmers Government aid?

Mr. YOUNG. I am willing to do the fair thing or whatever seems to be needed for any State where you can show that the farmers are in an extremity equal to that of North Dakota and Montana.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. YOUNG. I can not yield further. As to the remark of the gentleman from South Carolina [Mr. BYRNES] about the average yield in Montana, it must be remembered that in some parts of Montana they have irrigation, and in some portions of the State they had bountiful crops. In the areas where this money is asked they had practically no crops. You can not arbitrarily say because they made an average of 12 bushels to the acre in Montana that those who ask for this got 12 bushels to the acre. As a matter of fact, they got nothing, or practically nothing.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. BLACK. Mr. Chairman, if my memory serves me correctly, if we pass this bill, Congress will then have passed three appropriations of this kind within recent years. The first was the loan out of the emergency fund that Congress appropriated for the President. That was during war times and, of course, no one criticizes it. Last year Congress appropriated $2,000,000 to be spent practically in these same two States, and now we have before us another bill to appropriate a similar amount. Taking these three together, and having in mind that the States of Montana and North Dakota have been sharing most largely in the loans, reminds me of that old song we used to sing at camp meeting—"Each victory will help you some other to win." Our friends from North Dakota and Montana have become so accustomed to this thing, I imagine they are going to be hard to wean away from it.

Mr. CLARKE of New York. Mr. Chairman, will the gentleman tell us how he voted on the question of seed yesterday?

Mr. BLACK. I voted for the appropriation to continue the usual distribution of garden and flower seed because it applied to the country as a whole. It is a distribution which has been long established and which it would probably be well to not discontinue at this time. Replying to the gentleman from North Dakota [Mr. BURTNESS], and the proposition that there are needy farmers in his State, I do not controvert that statement for a moment. I doubt if there is an agricultural section in the United States where there are not needy farmers. The Congress has recognized the peculiarly difficult situation as to agriculture and has undertaken to give relief to the live-stock and farming interests of the country through the operations of the War Finance Corporation, the wisest and most constructive manner that can be used I think. I have been a warm supporter of that legislation and am very much gratified at the good it has done. In the debate which we had upon this seed bill last Monday, when an effort was made to suspend the rules and pass it without opportunity being given to amend it, I referred to the fact that the people of North Dakota had taken advantage of the facilities of the War Finance Corporation and had borrowed more money—and I do not criticize them for it nor find fault—than any other State in the Union, outside of the State of Iowa, excluding borrowings by cooperative associations.

I gave the figures in the debate. Those figures were for the period up to the 4th day of February, 1922. Since this debate began to-day I have telephoned to the War Finance Corporation to find how much more money has been loaned in the States of Montana and North Dakota since the date of the last figures I had, and here is what I find: Twelve million four hundred and sixty thousand dollars had been loaned to the farmers of North Dakota up to the 4th of February, and to March 4 this total amount has been increased to $17,416,000. That shows that the farmers of North Dakota are not being left without financial assistance, and it means that during the last month the War Finance Corporation has loaned in that State for agricultural and live stock purposes $4,956,000, nearly $5,000,000. Let us take the State of Montana. Montana had borrowed up to February 4, $6,522,000. On March 4 the borrowings from Montana had increased to $9,374,000, which means that the farmers of Montana are not without financial assistance, because during the last month th have borrowed $2,852,000. I am not complaining of these borrowings. I am glad of it. I am glad Congress had the wisdom to afford the facilities of the War Finance Corporation. I do not say these farmers of North Dakota and Montana are not in hard financial shape. I have plenty of farmers in my own district that scarcely made a bale of cotton in 1921 on account of the ravages of the boll weevil. Those farmers are in most urgent need, but they are not asking the Government to furnish them seed. While the cotton crop was very short in Texas, and particularly in the part of it in which I live, still there is plenty of seed so far as I know. While there may have been some short crops last year in certain portions of North Dakota and Montana, still the States as a whole made very good crops, and I can not imagine there is any scarcity of planting seed in any one of them. The State of North Dakota has tried almost every other experiment, and I suggest now that it try for a while the experiment of furnishing seed to its own farmers. [Applause.]

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. MOORE of Virginia. Mr. Chairman, I take it to be a foregone conclusion that this bill will pass, and therefore it is not with the expectation of affecting any vote that I venture to make one or two general observations. I assume, as the gentlemen from the Northwest have told us, that the condition there is deplorable. It may be likewise safely assumed that the condition of the agriculturist in every State is deplorable, and that such is not only the case with respect to the agricultural interests but is the case to a large extent with respect to the industrial occupations. If I cared to localize this matter, as I have no disposition to do, I could take gentlemen to a near-by district across the Potomac and bring them in contact with farmers who have suffered or are suffering great and constant losses. If I chose to localize further, I could bring gentlemen in touch with hundreds of people here in the city of Washington who are unemployed and without any means of support. Recently, for instance, there have been dropped from the rolls of the navy yard employees without means, having large families to take care of, who do not know in what direction to turn. In a time like this, if we are to be swayed by mere sympathy for human needs, we will have to take almost universal action in the way of making appropriations. There is not a day in a time like this when between morning and evening misfortune is not being sustained and hearts breaking. If we are to take the course marked out for us by this relation to a particular situation in the Northwest, how can we decline to respond to similar appeals to our sympathy and take a similar course relative to a multitude of similar situations, following our sympathetic impulses and doing what our intellect and sense of duty can not approve? Gentlemen vouch precedents. It is a very dangerous thing for those conducting government to be guided solely by precedent. I remember in one of his letters Junius says in substance that most of the evils and vices of government are built up on the basis of precedent, a truism which we may now well ponder. We are now accepting bad precedents already made to justify another, and then we are falling into a habit that is indefensible. Mark where we are going and how rap-

idly we are going. Notice, for one thing, how private property is put in peril by such an action as gentlemen are standing for here to-day. We have the unlimited power of taxation. That is settled. Now, if in addition we exercise the unlimited right of expenditure——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Virginia. Two minutes more, Mr. Chairman, I ask.

The CHAIRMAN. The time is limited.

Mr. MOORE of Virginia. I ask unanimous consent that I may have two additional minutes.

The CHAIRMAN. The Chair will put the request, but will state to the gentleman at the same time that the time limit was allotted by the Chair, and if the gentleman gets two additional minutes it comes out of some one else's time.

Mr. LINEBERGER. I will yield two minutes to my colleague.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Virginia. What I was saying is this, and it is something that none of us can overlook: Congress has the unlimited power of taxation, and when it goes further and exercises the unlimited power to appropriate, the ownership of private property has no assurance of being maintained and the institutions of the country, which we are sworn to protect, are subjected to danger. Can we afford, because some people in the Northwest are in a bad condition—and I have no doubt of the fact—can we afford to do this thing and add another to a line of dangerous precedents? [Applause.]

The CHAIRMAN. The gentleman from California is recognized for two minutes.

Mr. LINEBERGER. I will yield back my time.

Mr. KNUTSON. Mr. Chairman, I always listen to the gentleman from Virginia [Mr. MOORE] with a great deal of pleasure and profit. I consider him one of the substantial, solid, thinking men of this House, but I am sorry that I can not follow him on this occasion. A great emergency exists in certain portions of North Dakota and Montana, an emergency so great that local political units can not take care of the situation. The proposition to appropriate $2,000,000 to assist the people up in that section of the country is not a new one, it is true. Congress has from time to time been called upon to make appropriations to relieve unusual conditions. The San Francisco earthquake brought $2,500,000 relief from the Government.

Mr. BLACK. Will the gentleman yield?

Mr. KNUTSON. One of the first measures I voted for in becoming a Member of Congress was an appropriation to relieve flood sufferers in South Carolina, Georgia, and several other States along the south Atlantic seaboard. Why did I vote for it? Because I realized that it was an unusual condition that was beyond the power of the local political unit to take care of, and that is the condition we have here. If the amendment by the gentleman from Tennessee [Mr. GARRETT] to cut this appropriation from $2,000,000 to $1,000,000 is made, it is not going to cover the purpose. Either take care of the situation as it exists or else let us pass it up altogether. Half-way measures will not do in this case, and I want to say to you gentlemen that if this appropriation is not made, there will be several hundred thousand acres of agricultural land in the Northwest that will not be put in a crop this year. I ask you if this is a local matter? Is not the food supply of the country a thing that affects every one of us most vitally?

Mr. SNELL. Has it affected it any in the last five years when they have not raised anything?

The CHAIRMAN. The time of the gentleman has expired; all time has expired, and the question is on agreeing to the amendment offered by the gentleman from Tennessee to the committee amendment.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 60, noes 61.

Mr. GARRETT of Tennessee. Mr. Chairman, in view of the close vote, I will ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. HAUGEN and Mr. GARRETT of Tennessee) reported that there were—ayes 91, noes 66.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question recurs on the committee amendment as amended.

The question was taken, and the amendment as amended was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 19, after the word "stock," insert "and not more than $20,000 may be used by the Secretary of Agriculture in the administration of this act."

Mr. HAUGEN. Mr. Chairman, I offer an amendment to the amendment. To insert after the word "used," in line 20, the words "in the District of Columbia or elsewhere."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 20, after the word "used," insert "in the District of Columbia or elsewhere."

Mr. SNELL. Mr. Chairman, a parliamentary inquiry. Is this vote on the whole committee amendment?

The CHAIRMAN. On making $20,000 available.

Mr. SNELL. I ask to be recognized on the proposed amendment.

The CHAIRMAN. The gentleman from Iowa has the floor.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield for a question?

Mr. HAUGEN. Certainly.

Mr. McLAUGHLIN of Michigan. Does the amendment read "in the District of Columbia or elsewhere," or "in the District of Columbia and elsewhere"?

Mr. HAUGEN. "And elsewhere," it should be.

Mr. McLAUGHLIN of Michigan. If it is to be used in the District of Columbia, as the amendment stands they can not use it anywhere else. If it is to be used elsewhere, it can not be used in the District of Columbia; but I think the intention is to use it in the District of Columbia and elsewhere.

Mr. HAUGEN. That is right.

Mr. McLAUGHLIN of Michigan. But as read it was in the District of Columbia or elsewhere.

Mr. HAUGEN. Well, it should be "and elsewhere."

The CHAIRMAN. The Clerk has it "or elsewhere."

The gentleman from Iowa asks unanimous consent to modify his amendment by striking out "or" and inserting "and." Is there objection?

Mr. SNELL. Mr. Chairman, in regard to this proposition of $20,000 for making these loans and collecting the same, I would like to ask the chairman of the committee why he limits that to $20,000 when the report before the House in regard to the last loan is that they have spent $30,000 on it already, and the Secretary of Agriculture says he will have to have $40,000 more if he ever collects the balance.

Now, I would like to know how we are going to start making a new loan and collecting it for less than one-half of what it cost us for the present one.

Mr. HAUGEN. I desire to say to the gentleman that they expended $16,850. This appropriation has been reduced to $1,000,000, and if that can not be administered for $20,000 we had better get somebody else who can do it. It was the intention of the committee to help these farmers, not to give employment to people. I have here the statement of the Secretary of Agriculture. It reports $16,850 expended in making the loans.

Mr. SNELL. Does that include the collections?

Mr. HAUGEN. No.

Mr. SNELL. You have got to collect this money. This letter to Senator Norris says he has spent $30,000 in collections.

Mr. HAUGEN. The salaries paid in collecting loans were $18,250. Would the gentleman stand for an expenditure of that kind?

Mr. SNELL. I do not want to stand for any part of this appropriation.

Mr. HAUGEN. Has not the time come here to limit these appropriations, so that we may know how the money is to be expended, or shall we leave it for others to spend it to suit their own will?

Mr. SNELL. I do not stand for any part of this, but if we loan this money we ought to see that it is collected.

Mr. HAUGEN. In my opinion it can be collected for that amount, but if the gentleman wants to increase it——

Mr. SNELL. I take the evidence of the man that is doing the work and the experience of last year.

Mr. HAUGEN. I am more interested in furnishing these people with seed than in furnishing a job to some one over in the department.

Mr. SNELL. I am with the gentleman on that.

Mr. PADGETT. Is it really expected to collect it?

Mr. SNELL. I do not understand it is.

Mr. PADGETT. Out of the loan of $2,000,000 they have collected about $650,000, and the gentleman told me that the bal-

ance of it has gone, and out of this last loan they will collect nothing.

Mr. HAUGEN. The expenditure was $1,954,939.50. That is the amount loaned. The amount collected was $640,691.11.

Mr. SNELL. Mr. Chairman, this proposition comes before us purely on the ground of a wheat crop failure in these States during the last year. How any man who listened to the very careful, explicit speech made by the gentleman from South Carolina [Mr. BYRNES], that actually showed from statistics that the wheat crop of the State of Montana exceeded the average wheat crop throughout the whole country by nearly 2 bushels an acre, can vote to give them an appropriation of this kind, I can not understand.

The State of Montana borrowed $1,000.000 last year and paid back only $300,000, or practically that, notwithstanding that fact they had a wheat crop that was nearly 2 bushels per acre larger than the average crop in the country for that year.

Why, I am further opposed to this proposition is the fact that the States themselves as States have not put one single dollar into this proposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SNELL. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

Mr. ANDERSON. Reserving the right to object. I want to go on with the agricultural bill this afternoon, and I shall object to any further extension.

The CHAIRMAN. The Chair hears no objection.

Mr. SNELL. It seems to me that the States themselves should do something to take care of their people before they come to the Federal Government for aid, and the evidence shows they have not done anything. And another proposition that bothers me very much is the evidence from the Secretary of Agriculture, as set forth in the letter to Senator NORRIS, that said the agent found it the quite general opinion among all the people up there that the debt of last year should not be paid back to the Government, but that it was a gratuity. Certainly if we should go on and make another loan to them this year without collecting this last year's loan they will be absolutely sure it is a gratuity of the Federal Government, and that they will be under no obligation to pay it. I think this a pretty bad precedent. The gentleman from North Dakota said his part of the State was in good condition. That shows that the whole State is not in want. But the State of North Dakota has not put one dollar into this proposition, and, of course, it never will as long as they can come to the Federal Treasury and get it by asking. I feel it is a mistake to grant these requests at this time and continue this precedent of lending Federal money to individuals.

And I further think it is a pretty poor excuse that has been offered here that the State can not do anything for these poor people on account of their State constitution, and then these same people want the Federal Government to do what they will not do themselves, for there is certainly no authority in the Federal Constitution to lend this money.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on the committee amendment and all amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SINCLAIR. Mr. Chairman, I want to answer briefly the statements of the last speaker. A great emergency exists among the people of my country. They need help in certain sections. It is not the whole State of North Dakota, nor the whole State of Montana, that needs help, but individual portions of each. The gentleman from South Carolina [Mr. BYRNES] and the gentleman from New York [Mr. SNELL] here have referred to the fact that the average wheat production of Montana for last year is above the average of the production throughout the whole country. That may be true, taking the State as a whole, but there are certain sections of Montana and of my own State where no amount of grain was produced at all, and it is these portions that need help and that we propose to help by this bill. It is not answering the question that a great need exists to say that the Red River Valley of North Dakota had an average crop last year and therefore needs no aid, when the facts disclose that many counties in the western part of the State did not raise any crop at all. And the purpose of this bill is to give aid to people in those regions that are in great need. The gentleman also asked the question: "Why does not the State do something?" I wonder if he understands the constitutional limitations of States, counties, and townships in the matter of increasing debts? These political subdivisions have in times past, and even in the past year, done all that they could do in a constitutional way in providing funds for seed and feed aid for their citizens, and have reached the constitutional debt limit. They can legally do no more.

Mr. SNELL. Will the gentleman yield?

Mr. SINCLAIR. Now, it would be necessary, if they wish to do any more, to call a constitutional convention, or something of that kind, before bonds could be issued to raise the money. Obviously that procedure could not be brought about in time to do any good in this emergency.

Mr. SNELL. Is there any provision in the Federal Constitution that permits us to go and lend money to farmers of North Dakota? Is it any worse for you to amend your constitution than for us to amend ours?

Mr. SINCLAIR. I believe the Congress has ample powers to do what we are trying to do now, because we have the power to provide for the general welfare of the whole country, and we also have the power to promote the production of the food supply of the country.

Mr. SNELL. Can not the State take care of its own people?

Mr. SINCLAIR. I think I have answered the gentleman's question. What we have to determine is whether we shall force these settlers to abandon their homes for the want of seed to put in another crop and thus increase the great army of unemployed, at the same time cutting down production, or shall we by giving them this help allow them the opportunity to save their homes and get on their feet again? Surely a Nation which has come to the aid of suffering peoples in other countries can do this much for its own.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. HAUGEN] to the committee amendment.

The amendment to the committee amendment was agreed to.

Mr. ANDERSON. Mr. Chairman, I offer an amendment to the committee amendment. I move to strike out "$20,000" and insert "$40,000."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: In line 20, page 2, strike out "$20,000" and insert in lieu thereof "$40,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota to the committee amendment.

The question was taken, and the amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, I have an amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARRETT of Tennessee: On page 1, line 4, after the word "farmers," strike out "for feed to relieve animals in the crop-failure areas of the United States," and in line 7 strike out the words "of feed," and on page 2, line 9, strike out all after the word "for" down to and including the word "stock" in line 10, and in line 18 strike out all after the word "available" down to and including the word "stock" in line 19.

Mr. GARRETT of Tennessee. Mr. Chairman, this amendment or these several amendments together, simply eliminate from the bill the purchase of feed, and if adopted will leave the bill precisely in the shape that it was presented by the gentleman from Iowa [Mr. HAUGEN] on Monday last under the motion to suspend the rules.

Mr. YOUNG. Mr. Chairman, this bill does not require in its present form that any amount of money shall be allotted for feed. It makes it discretionary with the Secretary of Agriculture.

Now, gentlemen, you have already cut down the authorization in this bill from $2,000,000 to $1,000,000. The debate has shown and the reports and hearings of the committee have shown that there is need not only for seed but also for feed. I hope this committee will not further amend this bill and tie the hands of the Secretary of Agriculture when he comes to deal with this situation according to the way he believes it should be dealt with.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The question was taken, and the Chairman announced that the "ayes" seemed to have it.

Mr. YOUNG and Mr. WILLIAMSON called for a division.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 71, noes 73.

Mr. GARRETT of Tennessee. Mr. Chairman, in view of the close vote, I will ask for tellers.

The CHAIRMAN. The gentleman from Tennessee demands tellers.

Tellers were ordered, and the Chairman appointed Mr. HAUGEN and Mr. GARRETT of Tennessee to act as tellers.

The committee again divided; and the tellers reported—ayes 83, noes 73.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk resumed and concluded the reading of the bill.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore [Mr. WALSH] having resumed the chair, Mr. MANN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER pro tempore. Under the rule the previous question is ordered upon the bill and amendments to final passage. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is upon the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the Speaker pro tempore announced that the "noes" appeared to have it.

Mr. YOUNG. A division, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from North Dakota calls for a division.

The House divided; and there were—ayes 99, noes 82.

So the bill was passed.

Mr. MANN. Mr. Speaker, I move to amend the title.

The SPEAKER pro tempore. Without objection, the title will be amended to conform to the text.

Mr. MANN. Strike out the word "appropriate" and insert in lieu thereof the words "authorize the appropriation of."

The SPEAKER pro tempore. The title will be amended, striking out the word "appropriate" and inserting the words "authorizing the appropriation of," and striking out the figures "$5,000,000" and inserting "$1,000,000." Is there objection?

There was no objection.

Mr. HAUGEN. And also striking out the words "and of feed."

The SPEAKER pro tempore. Without objection, the title throughout will be amended to conform to the text.

There was no objection.

On motion of Mr. YOUNG, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AGRICULTURAL APPROPRIATIONS.

Mr. ANDERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill (H. R. 10730).

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10730), making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923 and for other purposes, with Mr. HICKS in the chair.

The CHAIRMAN. When the committee rose there was an amendment pending. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WILSON: Page 43, line 7, after the word "ant," strike out "$150,000" and insert in lieu thereof "$165,000."

Mr. BUCHANAN. Mr. Chairman, when the committee ceased its labor yesterday I was speaking upon the amendment and had exhausted five minutes. I intended to ask unanimous consent to continue for five minutes, but did not do so then because I knew that my leader was going to request an adjournment. I now ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to address the committee for five minutes. Is there objection?

There was no objection.

Mr. BUCHANAN. Mr. Chairman, I want to address myself specifically to the chairman of the subcommittee on agriculture [Mr. ANDERSON], with whom I labored in framing this bill. I wish to call his attention to the fact that the hearings before that subcommittee failed to develop the facts concerning the enormous increase of new cotton territory infested by the boll weevil in 1921. The hearings failed to develop the fact that at least 50 per cent more boll weevils were successful in withstanding the cold weather during this winter than ever before in the history of our country. I will read from a little bulletin of the Agricultural Department which says that altogether 66,662 square miles of new territory were invaded by the weevil in 1921, making the grand total of 600,777 square miles of territory now infested by the weevil.

I also call the attention of the chairman of the subcommittee to this fact, that the new machine which has been invented for the use of the new poison for the boll weevil requires knowledge in order to apply it properly. I call his attention to the fact that the hearing before our subcommittee showed that many farmers who attempted to use this machine without a proper understanding of the method made a dismal failure of it, and that wherever it was used under the guidance of an expert of the department it was successful and enormously decreased the damage done by the weevil. In order to meet the demand for the dissemination of knowledge as to the proper method of using this new machine the Department of Agriculture have established 10 stations, including the main station in Louisiana. Now, 10 stations in a cotton-infested area of over 600,000 square miles can not serve the purpose for which this appropriation is made. Therefore, in order to take care of this great surplus of weevils that succeeded in living through the winter, in order to take care of the increased territory that has been invaded and infested by them, comprising practically the whole cotton area of the United States, I ask the chairman to agree to the amendment of the gentleman from Louisiana [Mr. WILSON] for the increase of $15,000, which will bring it up only to what the Budget allowed.

Mr. FAIRFIELD. Mr. Chairman, I rise in opposition to the amendment. I want to ask the gentleman whether the Southern States are contributing to this, as well as the general Government?

Mr. BUCHANAN. This is an appropriation for scientific investigation of this pest. Some States appropriate money on their own account, but this is for scientific investigation, just like any other branch of investigation.

Mr. FAIRFIELD. If it is a scientific investigation, I suppose that at the same time they go out into the infested area and do some practical work, do they not, in the interest of the cotton growers?

Mr. BUCHANAN. The scientists have established stations, and at those stations they have demonstrations under the guidance of an expert of the Agricultural Department, and the farmers from the surrounding country visit that experimental farm and station and witness the demonstration.

Mr. FAIRFIELD. In other words, it is in the interest of the proper development of the cotton crop, with which I am in hearty sympathy.

Mr. BUCHANAN. I thank the gentleman.

Mr. FAIRFIELD. But I have been very much interested in the vote of the other side of this House in regard to the men who are unable even to plant a crop and whose teams must be fed in order that they may do the planting. I arise simply to say that it is quite soon after a vote like that to ask to increase a specific appropriation in the interest of southern agriculture.

Mr. BUCHANAN. I will state to the gentleman that when this appropriation of $2,000,000 last year came up for the very same people I voted for it. Now one vote on your side will balance my vote.

Mr. WILSON. This is my amendment, and every Member from the State of Louisiana voted for that other appropriation.

Mr. FAIRFIELD. I am certainly delighted to hear the gentleman make that statement.

Mr. WILSON. This is a much greater proposition. This relates to a $2,000,000,000 crop, and it is the greatest export product produced by America.

Mr. FAIRFIELD. I understand that the magnitude of this is much greater than that of the Northwest, but the poor farmers

out in those States needing the seed and needing the feed will not reason that way.

Mr. FESS. Will the gentleman yield?

Mr. FAIRFIELD. Very gladly.

Mr. FESS. At different times when these propositions have been presented the question has been asked whether the States should not match the Federal appropriation dollar for dollar, either to develop the crop or to defeat the enemy of the crop that grows in this or that particular section. When Mr. Lever was chairman of the Committee on Agriculture he said he believed in that policy. Does not the gentleman think it would be a good thing for us to inaugurate the policy that when a State asks for help from the Federal Treasury it ought to stand ready to match what the Federal Treasury gives by its own contribution? Then there would not be so much likelihood of asking unlimitedly.

Mr. FAIRFIELD. I think the gentleman is exactly right. This habit of coming to the Federal Treasury is growing by leaps and bounds, both in the North and in the South, in the East and in the West.

Mr. FESS. That is true.

Mr. FAIRFIELD. We can put some restriction upon it if we make a limitation on the appropriation providing that the State which is asking for it shall furnish at least 50 per cent of what is needed for that purpose.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The question is on the amendment offered by the gentleman from Louisiana [Mr. WILSON].

The amendment was agreed to.

The Clerk read as follows:

For investigations of insects affecting forests, $55,000: *Provided*, That $15,000 shall be used for preventing and combating infestations of insects injurious to forest trees on and near the national forests, independently or in cooperation with other branches of the Federal Government, with States, counties, municipalities, or with private owners.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 43, line 8, strike out the figures "$55,000" and insert "$60,000."

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes on this amendment.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for 10 minutes on the amendment. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, there are two propositions relating to pine timber in this bill; one is the "white-pine blister," which has been provided for by the committee on page 20 of the bill, and the other is the "pine beetle." The item referred to is involved in this amendment. The Bureau of the Budget recommended $45,000 and $15,000, which made $60,000, and it has been reduced $5,000, the bill carrying only $55,000. The amendment I have offered ought to be larger than it is. Timbermen familiar with the pine beetle say that more timber is being destroyed now by the white-pine beetle than is being destroyed by fire. Splendid work has been done by the department, in cooperation with the States, municipalities, and private individuals, in regard to the prevention by finding out the necessary things to do to curtail or destroy and effectually eradicate the pine beetle from the forests. The local organizations of timber owners have cooperated. This appropriation ought to be larger, but as the Budget has recommended $60,000, the $5,000 added by my amendment will assist materially in bringing about the work that is to be done. So that there may be no misunderstanding, the Congress at the last session passed a provision for the purpose of prevention of loss of timber from insects—white-pine beetle—the sum of $150,000 in a deficiency bill approved December 15, 1921. The provision of this act is as follows:

FOREST SERVICE.

Prevention of loss of timber from insect infestations on public lands in Oregon and California: To enable the Secretary of Agriculture to prevent further loss of timber from insect infestations within the national forests and on other lands owned or administered by the United States in Oregon and California, $150,000, to remain available until December 31, 1922, of which sum not exceeding $90,000 shall be expended in cooperation with the Secretary of the Interior to prevent further loss of timber from insect infestations on Indian reservations, on lands title to which was revested in the United States by the act of June 9, 1916, and on unreserved public lands in Oregon and California: *Provided*, That no part of this appropriation, except necessary expenditures for preliminary investigations, shall be expended unless the States of Oregon and California, or the owners of pine timberland adjacent to or intermingled with lands owned or administered by the United States, shall have satisfied the Secretary of Agriculture that the insect infestations on said adjacent and intermingled lands will be abated, in accordance with State law or voluntarily by the owners of such lands, to the extent necessary in the judgment of the Secretary of Agriculture to protect the timber on lands owned or administered by the United States from reinfestation.

That was for cooperation work in the forests. This is for scientific work and investigation that is absolutely necessary. The $150,000 has been practically all disbursed, or will be disbursed, and more needed, according to the testimony presented. In the hearings taken before the subcommittee, page 363, appears the following:

INSECTS AFFECTING FORESTS.

Mr. ANDERSON. We will next take up the item on page 146, "For investigations of insects affecting forests."

Dr. HOWARD. There is an increase of $5,000 recommended here.

Mr. ANDERSON. My recollection is there was a small increase in this item last year.

Dr. HOWARD. There was an increase, I think, of $15,000; at all events, the sum appropriated was $55,000, provided, "that $15,000 shall be used for preventing and combating infestations of insects injurious to forest trees on and near the national forests, independently or in cooperation," etc. That work went on very successfully, indeed, especially in Oregon and Washington.

Mr. ANDERSON. My recollection is we have just provided a deficiency of $150,000 for Washington, Oregon, and California.

Dr. HOWARD. Yes, sir; that appropriation was made as a deficiency appropriation last year. In the meantime this $15,000 was spent in reconnaisance work and surveying the forests out there. It appears there is a threatened epidemic of bark-boring beetles which may cause an enormous damage to the forests on the Klamath Indian Reservation, and extending out into Oregon and northern California and also in southern Washington. We have marked the trees that should be felled and have made arrangements for this campaign which will be undertaken beginning next April under this appropriation of $150,000. That $150,000 will not all be used this spring. It will be divided between the Forest Service and the Bureau of Entomology and a portion of it allotted to the Indian Service. It is all appropriated to be expended under the direction of the Secretary of Agriculture, and he is making these allotments at the present time. The camps are being started or arranged for, and work will begin in April, the critical time of the year, but it can only continue for two months at the utmost. At the end of that time all the work that can be done this year will be done. The balance of that $150,000 will be spent at the corresponding time next year.

Mr. ANDERSON. I understand that, and what I am getting at is whether there is any necessity for keeping this $15,000 appropriation in view of the fact that you have this $150,000.

Dr. HOWARD. By all means, and not only that, but we want more. We have not been able to ask for more on account of the condition of the public funds. This set of experienced men are needed all the time for survey work in the forests to spot these threatened outbreaks of this beetle.

Mr. ANDERSON. Then, as I understand it, the distinction is that the $150,000 deficiency is for the actual eradication work.

Dr. HOWARD. That is absolutely so.

Mr. ANDERSON. While this $15,000 covers the preliminary scouting and spotting work, which requires, I take it, the services of experienced men.

Dr. HOWARD. Quite so. You have it exactly, sir.

Mr. ANDERSON. As I understand it, this $5,000 increase is an increase of the item provided for in the proviso.

Dr. HOWARD. No; it is an increase of the total amount of $55,000.

Mr. ANDERSON. But if it is to be used as a part of the work covered by the proviso, the amount named in the proviso ought to be increased.

Dr. HOWARD. It is not for that work at all. It is for forest products work.

Last year I went through the forests of southern Oregon and northern California and observed the work of the Forestry Service in connection with the district forester of San Francisco and others. These white-pine beetles select a tree or a bunch of trees and in a short time they are dead. It spreads to others, and is like a fire in a forest. Private individuals are expending money and finding some means of control of the destruction on their own land. Now, the question is to give the Forestry Service sufficient funds for the purpose named. The department may do the same for the Government lands, not only in the Forestry Service but upon public lands.

Mr. E. G. Scammon, a representative of the Red River Lumber Co., of Westwood, Calif., a gentleman experienced in this matter, under date of August 19, 1921, among other things, writes me as follows:

I am inclosing you copy of letter * * * regarding the seriousness of the pine beetle in northern California and southern Oregon.

Last spring I visited Oregon and, to my surprise, I found that the pine-beetle menace there was a very serious one. It was killing the mature timber faster than I ever saw it killed anywhere by fires, and up to about a month or so ago I had not realized that there was very much infestation in California; but on my last trip through by Bartle, White Horse, and across to Lookout, then down through by Adin and Willow Creek toward Susanville, I found that the whole area is considerably infested. There is much more infestation this year than last, and should it increase at the same rate for a couple of years more the damage done would be immense.

The one feature regarding this bill which I wish to impress upon you is this: When you find that the private timber owners are interested enough to go out and protect the timber from this infestation, as it is being done in and around Klamath Falls and Weed, it is certainly time that the Government should do something to protect its own timber and likewise give the private owners a chance to protect their timberlands without being further infested from the adjoining Government lands.

In the instance of fire protection the Government has taken the lead and has thought the fire menace a serious one, whereas the private owners did not regard it so serious; but in the instance of the pine beetle there is a damage being done which certainly should be looked after by the Government. * * *

That is an indication of the views of the men who are familiar with this question.

Mr. J. F. Kimball, secretary-treasurer of the Klamath-Lake Counties Forest Fire Association, Klamath Falls, Oreg., under date of October 3, 1921, writes me, among other things, as follows:

We who are keenly interested in seeing that a sufficient appropriation is made at this session of Congress to prevent the further devastation of our forests by the pine beetle are delighted to know that you, too, are standing sponsor for a bill which will accomplish what we are after. I have known for some time of your keen interest in this. * * *

Mr. C. Stowewell Smith, secretary-manager of the California White and Sugar Pine Manufacturers' Association, writes as follows:

Some time ago we took up with you the pine-beetle situation existing in southern Oregon and California.

I want to again call your attention to this matter and urge your support for * * * beetle control * * *. This matter is of vital interest to timber owners in California, since the beetle menace may become aggravated and lead to destruction of large areas of virgin timber.

In view of the public interest in the preservation and wise utilization of the remaining forests, this would be a calamity * * *.

Mr. George M. Cornwall, editor of the Timberman, of Portland, Oreg., writes as follows:

You undoubtedly know that there is a serious infestation of bark beetles in the pine timber of southern Oregon and northern California. It has been in progress for several years, and in the last 10 years experts estimate that a billion and a half feet of timber have been killed, valued on the stump at over $4,500,000. There is every reason to expect that these bark beetles will continue their destructive work unless checked by such aggressive control measures as forest entomologists have devised and proven to be effective. *

The infested territory is partly in private ownership and partly under Government control. Of the latter some is in the Klamath Indian Reservation, some in the national forests, some on the public domain, and some on the revested Oregon & California Railroad grant lands. More details about this infestation I published in the Timberman for August.

The matter which I wish to bring before you is just this: Because of the intermingled ownership of the infested lands no one owner can do effective control work on his own lands unless the owners of all the adjoining lands act simultaneously. To rid the country of these flying insects the whole infested territory should be worked over at one time. Many of the private owners have signified their willingness to go ahead with bark-beetle control work just as soon as the Government will attend to its lands. But the Government has no funds for such work. Here the matter rests, therefore, while the beetles continue to kill timber until a congressional appropriation is forthcoming.

Mr. D. C. Birch, of the Madera Sugar Pine Co., of Madera, Calif., is of the same view as of the other gentlemen I have quoted.

Mr. H. K. Faye, of the Western Pacific Railroad Co., of San Francisco, Calif., writes as follows:

Our attention has been called to the menace to both privately owned and Government-owned pine timber in southern Oregon and northern California as a result of the wholesale destruction of pine timber by the western pine beetle, which for the past 10 years has destroyed 1,500,000,000 feet of high quality lumber. It is stated that the fire loss during this same period fades into insignificance.

Private owners of pine timber are thoroughly aroused to the necessity of protective measures against the beetle, but their work is more or less defective unless similar work is accomplished on the intermingling Government lands.

This pine-beetle problem is acute in the large yellow-pine sugar forests of Oregon and California, and it is stated that it is very prominent in the Rocky Mountain region in the white-pine timber of Montana and Idaho. * * *

We are taking the liberty of calling your attention to this matter, as the inroads made by this beetle will have a very serious effect upon the lumber industry in this territory, and consequently upon the movement of lumber traffic via the Western Pacific.

I also call attention to the following additional letter from Mr. Scammon:

As a matter of information I inclose a letter just obtained, which ought to be valuable to you in representing the advantages which might be obtained from legislation protecting pines against the pine-beetle infestation. The writer of this letter has in no way been prompted to shade his views one way or the other, nor did I know anything about what his views would be previous to getting this reply. We merely asked for certain information because we had been advised that this man has made a thorough study of insect infestation.

The letter referred to above is from Ivan A. Cuff, forest ranger, and is as follows:

CANBY, CALIF.,
November 6, 1921.

Mr. E. G. SCAMMON,
Westwood, Calif.

DEAR SIR: Your letter of October 17 was received some time ago.

The insect infestation in the western part of Modoc appears to me to be about the same this year as in the two previous years. I do not know the conditions prior to 1919, as that was before I came here. I have not been making any intensive study of the infestation, but from rough estimates made while riding through the timber I would say the number of infested trees would range around 12 or 15 trees per section. In places the number is a good deal less, while there are others where the infestation will probably exceed 20 per section. The infestation appears to be lightest in the area south of the road from Egg Lake to White Horse. This area was mostly all burned over last year, and what effect it has had on the infestation I am not yet able to say. We have laid out a few sample plots near Egg Lake, which will be examined three or four times a year in the next couple of years to see what the effects will be. The next examination will be some time this month, probably toward the latter part. We will let you know in advance of any of these examinations if you should wish to accompany us. Anything I could explain or show you about the habits of the insects I would be very glad to do.

In the summer of 1919 an area of something over a hundred acres, near Happy Camp, was burned over, part of which was on Red River Lumber Co.'s holdings. A good many trees had all the foliage burned off and others were badly scorched. In the following spring I examined some of the blackened trees and found most of them infested. Later in the season several of the scorched trees became infested. This year the dying trees were more noticeable than last year. I do not get any count on the dying trees either this year or last year, and no close examination was made this year. In a couple of other instances I have noticed that the infestation seemed to increase for a couple of years after a fire. This is because the injured or weakened trees are more susceptible to insect attack.

I agree with your statement that there is more timber being killed by insects than by fire. As to what the comparison would be if there were no protection, I hardly feel qualified to judge, as all of my experience in the forests was since they were under protection.

Very truly, yours,

IVAN A. CUFF,
Forest Ranger.

The matter I wish to bring before you is——

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL. Mr. Chairman, I move to strike out the last word. I am for the preservation of the national forests, but I am even more for the preservation of the peace of America. I said to you on Monday last that the people of Maryland, and, I believed, the whole American people, are behind the President and the work of the Conference on Limitation of Armament and desire the immediate ratification of the treaties. The following day, March 7, 6 senators and 33 members of the House of Delegates of the General Assembly of Maryland, now in session at Annapolis, passed resolutions, which are as follows:

SENATE OF MARYLAND,
Annapolis, Md., March 7, 1922.

Hon. JOHN PHILIP HILL,
House of Representatives, Washington, D. C.:

At a meeting of all the Republican members of the General Assembly of Maryland the following resolutions were adopted:

"Whereas treaties have been negotiated by representatives of various nations of the earth at the conference called by President Harding, in the city of Washington, looking to the limitation of armaments and the final peace of the world; and

"Whereas the delegates appointed to said conference were men of the highest type of learning and patriotism, and in their efforts to accomplish good were aided by the best brains of the world; and

"Whereas those delegates who represented the United States of America were chosen from the two great political parties of our country to the end that all might be represented; and

"Whereas the treaties resulting from said conference will be of infinite benefit to generations to come, both in money and in lives of our young men, and will forever stand as a living monument to the wisdom, courage, and statesmanship of our President and those working with him; and

"Whereas said treaties have been presented to the Senate of the United States for ratification: Now, therefore, be it unanimously

"*Resolved by the Republican members of the General Assembly of Maryland*, That the President of the United States be congratulated upon the successful termination and completion of the objects and purposes of said disarmament conference; and be it further

"*Resolved*, That the Senators from Maryland in the United States Senate be requested to give their support and approval to the ratification of said treaties; and be it further

"*Resolved*, That a copy of these resolutions be forwarded to the President of the United States, the Senators from the State of Maryland, and to the Republican Members of Congress from the State of Maryland.

"CHARLES F. GOODELL,
"J. FRANK PARRAN,
"JOS. W. WOLFNY,
"DAVID A. ROBB,
"RUDOLPH NICKEL,
"Committee Senators and Delegates, General Assembly of Maryland."

[Applause.]

Mr. LINEBERGER. Mr. Chairman, I move to strike out the last two words.

After all great wars in which the United States has been engaged it has followed in seeming sequence that the military policy and the inner régime or organization which is responsible for the prevailing system has been subjected to the scathing criticism of a large and substantial element of the citizenry of the Republic. A paradoxical fact in the situation is that the criticism most tinged with denunciation is that which comes from those who have served ofttimes with conspicuous distinction in the ranks of the Nation's defenders, whereas the criticism directed at the Army immediately prior to and during hostilities comes from that element of public opinion commonly referred to as pacifists, slackers, or enemy aliens. For the purpose of my remarks I shall ignore the latter element, which I would call the obstructionist and destructionist classes

with which we have had to contend both just before and during all great wars. These after all form a relatively small minority in the matter under consideration. The postwar criticism, however, can not be cast aside by any such broad assertions, first, because it comes from a wing of public opinion of no mean numerical proportions; second, because the protestants and critics are either those who through personal service in the military branches or through family or other sympathetic affiliations refute any classification which would reflect upon their patriotism or sincerity of purpose. While a great deal of this postwar criticism of the Army is more or less incoherent and ofttimes only semi or quasi constructionist, yet on the whole its trend or objective may be said to be constructive, because it looks to orderly reform without undermining or destroying the fundamentals of our system of military defense. It may be said further that it would surprise the Members of the House and the people of the country to know the extent to which this feeling of subdued protest and criticism of the so-called present Army system permeates a large majority of the recent defenders of the Nation's institutions. I am not here voicing any personal criticism or passing on the merits or demerits of the charges made, with which every one of the ex-service men of the House and, no doubt, many others of my colleagues are familiar, but am simply recording a condition which many of us have observed with regret, but which notwithstanding can not be lightly passed over or ignored. I have always held and continue to hold the American Army as an institution in the highest patriotic esteem, for after all its faults has it not great virtues? With all its failures are not its pages still resplendent with glorious achievements, and is it not the child of the bosom of the great Republic who gave it birth, nurtured it in infancy at Valley Forge, and saw it reach the climax of manhood and achievements in the Meuse Argonne, where with gigantic stature of 1,200,000 men it turned the final tide and brought victory to a war-weary world? The blood of the Regular Army has flowed freely with that of the citizen soldiery of the Republic, and to-day both alike receive the homage of a grateful Nation. It would therefore seem to behoove us as Americans to get together and compose our differences of opinion, for who will gainsay that differences do exist? Never before has the numerical proportion of those who have served in the armed forces of the Republic formed such a large percentage of our citizenry. Practically 30 per cent of the present male voting population of the United States saw service with the colors in the World War. It is natural and logical to expect that these men as the years go by, in the very natural sequence of events, will play a large part in directing the affairs and policies of our National Government.

No more potent evidence of the unfortunate misunderstanding to which I have referred could be cited than the present controversy between the War Department and Maj. Wheeler-Nicholson because of certain scathing criticisms which he has directed at the Regular Army by the publication of an open letter to the President in the press and by the circulation of a pamphlet by him entitled "The Regular Army; reform it or abolish it." No doubt the major has exceeded the proprieties and violated the first tenets of military discipline by his actions, but we are not so much interested in him individually as we are in the causes which have impelled him to action and the extent to which this feeling of injured rights and unjust treatment permeates the sane, patriotic-minded body of ex-soldiers throughout the country.

Is there or is there not foundation in fact in the criticism which he directs at the Army? Does he offer a constructive remedy? Have we within the Regular Army those forces at the top necessary to institute and carry out reform where reform is needed? To what extent can civilian elements cooperate with our military authorities in democratizing the service without undermining its essential military efficiency? If one-tenth of the criticisms considered as a whole, or if a one-tenth part of each of the criticisms considered segregately are true, they are entitled to our careful consideration. All progress must be orderly and constructive, all real reform must come from within, but bureaucratic machinery should not move so slowly that public opinion and public patience—dormant but powerful forces in a republic—are outraged with delay or inactivity. I shall include herewith as an exhibit and for the information of the House the pamphlet of Maj. Wheeler-Nicholson, to which I have referred, and whether he rightfully or wrongfully ignored the Regular Army, he represents a viewpoint not to be equaled, to wit, that of a considerable body of citizen soldiers of the World War.

Personally, I have great faith in the ability and patriotism of the present Chief of the Armies of the United States, Gen. John J. Pershing, and of his efficient Chief of Staff, Gen. Harbord, who rose from the ranks, and I feel that it is not too much for us to expect that these gentlemen will carefully analyze the Wheeler-Nicholson criticisms, and that without undue delay the country may see instituted those reforms which are consistent with military efficiency, and at the same time will bring our Regular Army, as an American institution, more in harmony with American ideals and aspirations, and particularly of those of our citizens who were lately the defenders of our institutions, but who at the present moment are the most caustic critics of the branch of the service under whose banners they served.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LINEBERGER. I append herewith Maj. Wheeler-Nicholson's open letter to the President, with the correspondence attending it:

THE REGULAR ARMY—REFORM IT OR ABOLISH IT—AN ANALYSIS OF ITS EVILS AND THE MEANS TO THEIR REMOVAL, BY A REGULAR ARMY OFFICER.

(Malcolm Wheeler-Nicholson, Major, Cavalry, United States Army.)

OPEN LETTER TO THE PRESIDENT OF THE UNITED STATES.

To the PRESIDENT OF THE UNITED STATES:

I pray the President to curb the power of the clique of officers in control of the Regular Army. The inefficiency and Prussianism of this clique succeeded in returning several million dissatisfied American soldiers to civil life. By alienating the best elements in the country it has succeeded in losing the support of the Nation for the Army and the national defense. This same clique is to-day ruining the Regular Army. It is a danger to the national defense.

The Army is suffering under a reign of Prussianism. The better type of officers are leaving the service. Protest and criticism are punished by every conceivable form of injustice and illegality. Juniors are openly persecuted. Seniors are not only protected in wrongdoing but are rewarded for oppressing their juniors. The Prussian type of officer is assured of advance, the liberal-minded officer is slighted. Anglo-Saxon ideals of justice and fair play are being rapidly replaced by traditions foreign to the American Nation. The stupid perversions of justice in the American Army to-day are a disgrace to the American Nation. Justice is not only perverted and denied but the laws are openly flouted.

A veritable reign of terror exists among the junior officers of the Army to-day. This is caused by the unhindered power of the clique to have any officer discharged from the service by the operations of what is known as the class B law. The scandals already perpetrated by the abuses of this law will shock the country when they are exposed, as they inevitably will be. Officers dare not protest against the many wrongs perpetrated by this clique for fear of immediate discharge from the Army by the arbitrary use of this law. Unless amended, it will inevitably succeed in driving every liberal-minded and progressive officer from the Army. It will leave only the reactionary elements. A future war will then be followed by an aftermath of scandals and investigations worse than the last war.

Prussianism and inefficiency flourish in the Army because men rise to power by favoritism instead of efficiency. Classmates and friends are appointed to lead instead of the most efficient man for the job. This is inevitable, as there is no system worthy the name of recording the comparative efficiencies of officers. This is the fire of all the smoke of evil in the Regular Army. Blood and treasure were wasted in the last war and will be wasted in any future war for lack of such a system. The hosts of ex-soldiers throughout the country should demand such a system so that they or their children will not be led to slaughter under inefficient Regular Army officers. That men were needlessly sacrificed through the incompetence of the Regular officers in the last war can be proved by an investigation of the reclassification board at Blois and by the testimony of thousands of ex-soldiers and officers. The present lack of any system inevitably leads to the rise of petty bureaucrats to the exclusion of real leaders. The hostility of the country to the Army and the woeful state of the Regular Army to-day are proof of this.

Bitter experience teaches what variety of secret and open attack a professional officer of the Regular Army draws on himself by daring to announce the truth. That such an officer should risk this, as well as loss of profession and means of livelihood for his family by being class B'd out of the Army, should lend weight to his words. I pray the President to investigate and institute reform. He will have the support of the hosts of ex-soldiers and officers in civil life, the National Guard and reserves, and of all patriotic Americans throughout the Nation. Without reform the Regular Army had better be abolished. It is a useless expense to the taxpayer in its present state.

MALCOLM WHEELER-NICHOLSON,
Major, Cavalry, United States Army.

REPLY OF THE WAR DEPARTMENT.

ADJUTANT GENERAL'S OFFICE, WAR DEPARTMENT,
Washington, February 25.

Subject: Explanation of publication in newspaper.
To: Maj. Malcolm Wheeler-Nicholson, Cavalry.
Through: Commanding Officer Walter Reed General Hospital, Takoma Park, D. C.

1. It has come to the attention of the War Department that on or about February 5, 1922, there was published in the New York Times and in other newspapers what purports to be a copy of a letter addressed by you to the President of the United States arraigning the administration of the War Department and the Army.

2. Upon principle and without particular reference to regulations or the customs of the service, the Secretary of War regrets and disapproves of any action on the part of the personnel of the Military Establishment that is designed to present, in the first instance, in the public press or by means of public speeches alleged grievances of any individual or any class of individuals included in the personnel under his authority. Such action would not be tolerated in any well-managed and successful business institution and would not be seriously considered by responsible individuals belonging to such institutions as a means of

redressing alleged grievances, unless and until the proper authorities had been afforded opportunity to consider and deal with the situation or condition specifically described and clearly presented.

3. The Secretary of War desires that you report in writing, through military channels, to The Adjutant General of the Army:

(a) Whether or not you are the author of the letter addressed to the President which appeared over your name in the New York Times of February 5, 1922.

(b) Whether, if you are the author of the letter in question, you caused or permitted it to be communicated, either directly or indirectly, to any representative of the New York Times or any other newspaper with a view to its publication.

(c) Whether, if you are the author of the letter in question, you addressed it and forwarded it directly to the President instead of addressing and forwarding it, for consideration and action, through prescribed channels.

4. In connection with the questions raised in the preceding paragraph, the Secretary of War desires that you be advised that you are at liberty to refrain from submitting the desired report in respect of any of the questions raised, if the submission of a report thereon would tend to incriminate you, but in that event the privilege is to be formally claimed in lieu of making the desired report.

By order of the Secretary of War.

(Signed) JOHN B. SHUMAN,
Adjutant General.

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ANSWER TO THE WAR DEPARTMENT.

(Second indorsement.)

Maj. MALCOLM WHEELER-NICHOLSON, CAVALRY,
WALTER REED GENERAL HOSPITAL,
Washington, D. C., February 24, 1922.

To the SECRETARY OF WAR (through military channels):

1. The Secretary of War desires report through The Adjutant General as to my responsibility for a letter to the President arraigning the controlling element in the Regular Army, and states, in substance, that such action would not be tolerated in any well-managed and successful business institution unless all other means had failed.

2. It is respectfully requested that the question of the authorship and methods of presentation of the said letter be disregarded in favor of the subject matter. The undersigned wrote, transmitted to the President, and gave to the press the letter which charged, in substance, that the Regular Army was neither well managed nor successful and that its only resemblance to a private business institution was the fact that it was run for the private benefit of the few rather than for the good of the Nation which pays its bills. The charges were not published until after submitting the proofs of them to some of the most able men in the Nation and after making 11 unsuccessful attempts to see Gen. Harbord, the Secretary of War, and the President. To secure action toward the removal of evils in the Regular Army that imperil the national defense was the purpose of that letter and is the purpose of this.

3. That there is some deep-seated evil in the Regular Army is proved by the following facts:

(a) That it was unready at the outbreak of war.

(b) That it did not even have a plan of operations ready.

(c) It failed lamentably during the war in functioning as a military machine. National disaster would have resulted had the German Army been unwearied and had there been no trained leadership from allied general staffs.

(d) A great number of Regular Army officers were relieved in battle when the wasted blood of their men proved their inefficiency.

(e) Vast numbers of Regular Army officers earned the ill will of the citizen soldiers by attempting to cover ignorance with arrogance.

(f) Injustice and inefficiency were disclosed by the Army courts-martial scandals, the "Hard Boiled" Smith and Chelles Farm horrors, the scandals at Brest, and the Watson charges.

(g) Injustice and inefficiency still exist as will be proved by investigation of the class B injustices and more to follow—the end is not yet in sight. Justice for soldiers can not be hoped for when even the officer can not secure it.

(h) The Regular Army is thoroughly demoralized to-day—the better type of officers seeking retirement or resigning, the soldiers making a concerted rush for discharge when opportunity last presented itself, the courts-martial grinding out the preposterous rate of some 700 a month.

4. Further proof of the existence of evil is offered by the fact that the Nation is hostile and suspicious of its Regular Army. Every organized or unorganized element of the Nation necessary in the national defense program has been antagonized by the arrogant selfishness of the Regular Army. This includes the National Guard and Reserves and the vast body of ex-officers and soldiers. The Regular Army is being constantly lobbied against in Congress by representatives of some of these elements. Congress has been made hostile and suspicious of the Regular Army due to this fact, and that constant complaints of injustice are being received from personnel now in the Army, that the General Staff has lost the good will of Congress, and that the Nation as a whole is either indifferent or hostile to the Army. Until the deep-seated evils in the Army that cause these things are removed the Army can expect to be repeatedly reduced, to have its appropriations cut, and to be lowered in effectiveness. It is time that the Regular Army ceased blaming the Nation and Congress. It is time for a searching examination that will lead to the removal of the evils that antagonize the Nation. Evils that antagonize the Nation weaken the national defense.

5. Effort is here made to analyze these evils and their cure. As a basis it must be remembered that an army is no better than its officers. It is no better than its controlling officers, because an army is an oligarchical and strictly controlled unit. The higher officers must be blamed for its inefficiency. But the Regular Army has always been more or less inefficient. It has then always had more or less unsatisfactory types of higher officers. Then the system that produces the same type of officers who perpetuate the same evils continually must be a faulty system.

6. To find the causes of the evil in an army, study the methods of the promotion and assignment to duty of its officers. In the American Army they are promoted by seniority to the grade of colonel. They are assigned to duty by the hazards of personal acquaintanceship. They are promoted to general by the same hazards. This system of promotion and assignment is the root of evil in the Army. It gives rise to those twin curses of an army—favoritism and cliques. These two curses automatically put men in power whose self-interest and desire for position obscure their national interest. As a consequence we have, first, the Army topheavy with some 90 general officers; secondly, about one-tenth of all the officers of the Army on duty in Washington; third, the Army completely demoralized; and, fourth, the Nation and Congress suspicious of the Regular Army. The officers who have wreaked this havoc are to-day the advisers of the Secretary of War. Their advice being tempered strongly with self-interest, they are deliberately concealing the mistakes of the past war in an effort to enhance their own prestige. This means that the lives of good Americans will pay for the same mistakes in a future war that they have in the past. It may mean national disaster. That they lack any sense of obligation to the Nation and to their juniors can be seen by the attitude of the Nation to-day and the woeful state of the Regular Army.

7. Promotion by merit, assignment to duty by special fitness, and elimination of the inefficient would cure all these evils. Each of these things has necessarily to be based upon a record of the comparative efficiencies of the officers of the Army. The present system is worthless and makes reform impossible. It has failed to provide dependable leaders in battle; it has failed to provide a means for picking the best officers for the General Staff; it has failed to provide a means for the selective elimination of officers for inefficiency—the class B legislation. It naturally can not be a basis for a system of promotion.

It is the fire of all the smoke of evil in the Regular Army to-day. The present efficiency records permit the rise of the bureaucrat and keep down the real leader. Two evil symptoms of bureaucratic control can be seen in the Regular Army to-day—the paper work that burdens the service and the excessive number of courts-martial. A record must be installed that will aid the rise of the real leader, the officer who concentrates on the two essentials in an army—war and the handling of men. Such men in power will make an army that can get along with the people who pay its bills. The War Department is the most unpopular branch of the Government to-day. The evils that this implies and the danger to the national defense that it portends are sufficient justification for drawing the attention of the Secretary of War to them in the only manner that can not be blocked by intervening forces in the Military Establishment.

MALCOLM WHEELER-NICHOLSON,
Major, Cavalry, United States Army.

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SUMMARY OF ANALYSIS OF THE REGULAR ARMY—ITS EVILS AND THEIR CURE.

Maj. MALCOLM WHEELER-NICHOLSON,
Cavalry, United States Army:

The Regular Army was inefficient before the war. It failed to function efficiently during the war. It is inefficient to-day. The Nation is hostile and suspicious of the Regular Army. The Army will continue to be a useless expense in peace and a broken reed in war unless reforms are instituted. Evils in an army are the fault of its officers. They are the fault of its higher officers. We have always had the same evils in the Regular Army. Therefore the same type of officers always rise to power. The system that permits these types to rise continually is the place to look for evil. The system is a combination of promotion by seniority and assignment to duty by the hazards of personal acquaintanceship. It has failed. The Army must have promotion by merit, elimination of the inefficient, and assignment to duty by special fitness. Without these three things no army can be efficient. Promotion, elimination, and assignment to duty are all based upon the efficiency or inefficiency of the individual officer. The present system of recording the comparative efficiency of officers is worthless for these three purposes. It has failed: (1) To pick the best brains of the Army for the General Staff, which can be proved by the chaotic condition of the War Department, the present demoralizattion of the Army, and the ill will of Congress toward the General Staff. (2) It has failed to provide a basis for the selective elimination of inefficient officers; investigation of the Class B act workings will prove this. (3) It has failed to provide leaders in battle; investigation of the board at Blois, before which Regular officers were "reclassified" after failing as battle leaders, will prove this. This system is the root of all evil in the Reguar Army.

To secure reform it is first necessary to prove the worthlessness of the present system in war by an investigation of the reclassification board at Blois, and its worthlessness in peace by an investigation of the Class B errors and injustices. With the proofs furnished by these investigations the next step is the installation of a modern system of recording the comparative efficiencies of officers based upon war needs instead of on peace-time red tape, as is the present system. This can then be used as a basis for assigning the square peg to the square instead of the round hole, for promoting the most meritorious by competition, and for eliminating the inefficient deadwood. Until this is done we will never have an Army worthy the name.

Analysis of evils in the Regular Army and their cure.

I. PROOFS OF INEFFICIENCY IN THE REGULAR ARMY.

A. AT THE OUTBREAK OF WAR.

The General Staff failed (1) to have a plan of mobilization ready; (2) to coordinate the various elements of the national defense, namely, the National Guard, the Reserves, etc., with the Regular Army; (3) to have a working scheme for the best utilization of railroads, mobilization centers, shipping facilities, etc.; (4) to have any scheme for industrial preparedness; (5) to have a plan for the best utilization of Regular Army personnel; (6) to create an Army administrative system fit for war purposes; (7) to create a supply system fit for war purposes.

The above are illustrations of the failures of the General Staff in the most elemental duties of a general staff.

B. DURING THE WAR.

Months of time and millions of dollars were wasted in building huge, expensive Army cantonments, in many cases remote from population and traffic centers, when existing facilities were available and men could have been allowed to sleep in their own homes or in public buildings.

Valuable time was wasted in teaching men useless parade formations on flat drill grounds, and useless motions in the manual of arms, etc., when the coordination of mind and muscle might more sensibly have been taught in practicing motions that had a direct bearing on the matter in hand—fighting the Germans.

Valuable time was wasted in teaching emergency officers the useless minutiæ of Army red tape and peace-time administration instead of concentrating upon the fundamentals of warfare and the handling of men.

Untrained men were sent into battle in France, with a resulting loss of life, while trained men were kept in camps and cantonments in the United States.

Officer personnel was not used to the best advantage, and much confusion resulted from an attempt to control all officers from a few bureaus

in the War Department. The War Department proved the evils of overcentralization in this as well as other matters.

The inefficient functioning of the American General Staff in France made dependence upon the French General Staff necessary in all major operations and most minor operations.

An inordinately large number of Regular Army officers had to be relieved from the front line because of inefficiency as combat officers—said inefficiency proved in the wasted lives of their men.

The failures in artillery, material, the air service, hand grenades, and machine guns are well known.

The failure of the average West Point officer to understand and take advantage of the good qualities of the American soldier, which make him one of the best fighting men in the world, resulted in antagonizing the majority of Americans who served in the war and led to inefficiency.

Brutality and inefficiency were shown by the "Hard Boiled" Smith, Rue St. Anne, Chelles Farm, and Army courts-martial scandals and the Watson charges.

The National Guard was slighted and antagonized as an important factor in the national defense by the attitude of the Regular officers—the Peck case being an illustration.

Efficient emergency officers were slighted in numerous cases, while Regular officers of proved inefficiency were promoted during and after the war.

Vast numbers of Regular officers demonstrated that their only claim to superior knowledge of war was a familiarity with Army red tape, and were supported and credited for work done by emergency officers under them.

The above errors, failures, and commissions did not prove fatal in this case because the enemy was weary with four years of war, and the trained military men of the allied general staffs provided the direction of the American Army which its own leaders were incapable of doing. In a war without such favorable conditions the resulting debacle would have been a horror for our children and our children's children to contemplate. The American Army took a year and a half to mobilize its strength. The best armies in the world can mobilize in 48 hours.

C. AFTER THE ARMISTICE AND TO-DAY.

The Army is suffering under the domination of the same elements that were responsible for its prewar and war-time inefficiency. American participation was too short to eliminate these elements, as battle normally does. As a consequence these officers have returned with enhanced prestige gained through the mere fact of victory. They have covered up individual inefficiencies by recommending each other for medals and decorations. They eulogize each other on every occasion. To enhance their own prestige they gloss over and minimize the failures and mistakes committed. The lessons of the war are consequently not being learned. This means that the Nation may pay in disaster and the American civilian will pay in blood for the same mistakes in a future war.

The strong demand of the returned soldier and officer of the emergency forces for the elimination of the deadwood and the inefficient officers of the Regular Army led to the passage of class B legislation.

It has failed to achieve its purpose. It not only has failed to do so but the law, as applied by the General Staff, is a demoralizing force in the Army. It will inevitably result in the elimination of all progressive elements if not soon stopped. It is too dangerous a weapon to trust to the present rulers of the Army, with their admitted inability to apply any legislation not surrounded with safeguards. It has created a paradoxical condition in which a soldier for some petty offense is surrounded with every legal safeguard while an officer put in class B, in danger of being cashiered from the Army, the most severe punishment after death or imprisonment, is protected by no safeguards worthy of the name. It has resulted and is resulting in almost unbelievable injustice.

The spirit and the letter of the law requiring the selection and promotion of the emergency officers for the Regular Army has been violated.

Every element necessary to the national defense scheme has been antagonized by the war-time inefficiencies and after-war stupidities of the Regular Army. This includes the National Guard and Reserves, the former emergency officers and men, the disabled emergency officers' organization, and many others. The energy and enthusiasm of these elements is lost to the national defense.

Congress has been made hostile and suspicious by the arrogance and selfishness of the General Staff; by the many complaints of injustice coming from personnel within the Army and by the attitude of the great majority of civilians toward the Regular Army.

Legislation suggested by the General Staff has closed the door of opportunity to that organization and made it a self-perpetuating body.

The selfish desire of the controlling clique for more power without consideration of the national defense has led to a ridiculously top-heavy Army, with some 90 general officers and practically no second lieutenants.

The bureaucratic instincts of the controlling element have led them to concentrate nearly one-tenth of all the officers of the Army on duty in Washington.

The Army is so overburdened with paper work and the requirements of red tape that combat officers have no time to train troops properly.

The staffs of troop units are overburdened with officers, who add continually to the line officers' work by issuing floods of impossible orders and reams of useless paper.

The majority of officers in the Army and their families, as well as soldiers, are living under conditions that European peasants would rebel at; they live in tar-paper and board shacks in mud and dust while at the same time there are unoccupied barracks and quarters at permanent posts. This is one example of the lack of any sense of responsibility for their juniors exhibited by the present rulers of the Army.

Courts-martial are working overtime grinding out some 700 cases a month; the guardhouses are full. The old idea that the American soldier should be treated as a convict still obtains in spite of the lessons of the war.

A recent order allowing soldiers to apply for discharge was replied to with such unanimity that it had to be rescinded for fear there would not be any soldiers left.

The best types of emergency officers who remained in the Regular Army after the war soon left in disgust. The younger officers now in the service are seeking opportunity to resign. The older officers are seeking retirement.

The Regular Army is not an army in any sense of the word. It is an expensive and useless drain on the Public Treasury under the present conditions of its management. Many third-class powers have less expensive and more efficient armies.

Criticism from within is punished by every conceivable hardship. One method is the preferring of baseless charges. Another is to exile an officer to the Philippines or some other distant point. The greatest deterrent to constructive criticism is the danger of being railroaded out of the Army by the class B route.

These matters are indicative of some serious evil in the Regular Army. This evil is not very likely to be cured from within. This because the same officers who are responsible for these matters were in control before the war and are in control now. American battle participation was too short to eliminate them as battle normally eliminates the bureaucrats of an army. The desire to enhance their own prestige keeps these officers from even admitting the necessity for reform.

The Secretary of War is surrounded and necessarily dependent upon these people for advice. It is next to impossible for him to steer his way through the maze of self-interest, selfishness, and stupidity with which he is surrounded. The only hope lies in action from without. Criticism directed at the Regular Army has heretofore been entirely destructive in its nature. Constructive criticism has necessarily to be based upon deep study and knowledge of the subject gained by long contact with the American Army and with the best of foreign armies. It needs a professional officer. There can then be hope of reform by action of the organizations of former soldiers and officers and by Congress if such an officer can produce logical ideas, can express them simply, and can reach the people who will take action. Attempt is here made to do this. The measure of its success will be the amount of common sense in it that will appeal to the average civilian unafflicted with the "military mind."

The striking characteristic of the big man in any line is his ability to reduce things to their simplest elements. Judged by this standard the Army is run by extremely mediocre men. If ever there was an institution cluttered up with red tape, foolish notions, useless forms, outworn "traditions," and bleary-eyed and purposeless weavings it is the Regular Army of the United States to-day. The simple and elemental facts—first, that an army is for battle, and, secondly, that a War Department is for war—have been lost sight of by the present rulers. These people have inherited a "system" and are so concerned in worshiping the system that they have forgotten entirely the ends which the system is to serve. They have laboriously fashioned a system called Prussian by many. As a matter of fact, it was discarded by the Prussians after their disastrous defeat at Jena, back a century or so. The discipline that this system demands might be likened to a collar that the Army tried to fit on the American neck. The collar did not fit. The present rulers of the Army tried to secure results by cutting the neck to fit the collar. What is needed in the American Army is the type of officer at the top who will see the necessity of cutting the collar to fit the American neck. What we have at the present time is a group of officers in control of the Army incapable of clear and simple thinking. We have nearly always had such officers at the top. The Army has never "gotten along" with the country in consequence, with the resulting danger to the national defense that this implies. The Army must be rid of the evils that antagonize the Nation.

II. WHERE TO LOOK FOR THE SOURCE OF EVILS IN AN ARMY.

An army is necessarily run from the top. Its leaders influence it to a greater degree than the leaders of an industrial organization. If the army has always been unsatisfactory it follows then that it has always had unsatisfactory leaders. Our concern then is not with the individual leaders, but with a system that continually allows the unsatisfactory type to rise to power. The source of evils in an army must be sought for in the system of promotion and assignment to duty of its officers. An army is no better than its officers. It is no better than the officers who rise to the top. The question is, How do they rise?

III. THE SYSTEM OF PROMOTION AND ASSIGNMENT OF OFFICERS IN THE REGULAR ARMY.

Officers are promoted by seniority in the American Army—in other words, they mark time in each grade waiting for some one to be retired or die off in the grade above. This obtains until they reach the grade of colonel. They are "selected" from that grade to be generals. This is done in the majority of cases by the hazards of personal acquaintanceship. Officers in all grades are selected for assignment to duty by the hazards of personal acquaintanceship, irrespective of their fitness for the duty concerned in the great majority of cases. This explains the Army characteristic of the invariable round peg in the invariable square hole. This results in war time in a fat colonel or general being dragged from his comfortable swivel chair and being placed in command of a division of thousands of men. He succeeds in lasting out many times until he reaches the firing line. Here he stands around in pathetic bewilderment while his men are being slaughtered until the stern necessities of battle result in his being quickly canned. Making the bodies of good American soldiers the experimental material for the testing out of their officers' fitness to command is rather rough on the soldiers.

In peace time the assignment of men to duty by personal acquaintanceship results in good friends getting together—usually in Washington. It results in their standing together for their own private interests, in helping their friends and punishing their enemies. Here we have cliques and favoritism. These are the twin curses of an army. There being no standard of efficiency an officer's success in the American Army is more dependent upon tact than it is upon tactics. This leads to the rise of the self-seeking type, who place self-interest above national interest. It favors the officer who disregards his obligations toward his juniors in favor of his obeisances toward his seniors. Therefore we find the Army top-heavy with rank, the lower grades unhappy, and the Army completely demoralized. This same controlling clique continually propagates the idea that all evils in the Army are due to the defections of Congress. Common sense would show that if the Army got along with the people, Congress would help the Army.

Self-interest is always with us. It is a strong motive. But a system can be devised that will at least promote men to power who have sufficient mentality and vision to understand that their own interests will be best served by serving the Nation first. The present rulers have proven, rather disastrously for the Army, that all the people can not be fooled all the time. If they possessed sufficient ability to think clearly, they would realize that honesty with the Nation and with Congress is the best policy.

The present system having proved itself a miserable failure and being a danger to the Nation in war, what is the solution? Promotion by seniority has demonstrated its failure; we must have promotion by merit. Assignment to duty by the hazards of personal acquaintanceship having proved its worthlessness, we must have selection for duty by especial fitness for the job concerned. The class B law having failed to eliminate the inefficient, we must find some other method of elimination. Promotion by merit, assignment to duty

by special fitness, and elimination for inefficiency are absolutely necessary before we have a military force fit to be called an army.

To have promotion by merit there must be some record kept of an officer's work that will show that he is entitled above his fellows to be promoted. To have assignment to duty by special fitness we must have some record kept that will show the superiority of the officer concerned in a special line of work. To have elimination of the inefficient, we must have some system that will show that the officer has failed to perform satisfactorily his basic duties as an officer of his own branch and grade. We must have a record of work performed and the manner of its performance of each officer in the Army. There is no record kept of these important matters under the present system. There is in existence what is known as the officers' compiled efficiency record, which is supposed to fulfill these functions. It needs only an examination of the performances of the Army as a whole to determine that it is a failure. This is the base of any system for reform in the Army.

IV. THE COMPILED EFFICIENCY RECORDS KEPT OF AMERICAN OFFICERS.

This system of recording the comparative efficiencies of officers, in addition to the general evils it has produced, has three specific failures to its discredit. The first is its failure to serve as a basis for selecting the best brains of the Army for the General Staff. This needs no further proof than the study of the work of the General Staff before and during the war and the present chaos in the War Department, coupled with the demoralization of the Army. The second failure is the impossibility of using the present system of record keeping as the basis of any scheme for the elimination of inefficient officers, as badly as such a scheme is needed. Investigation of the injustices and inefficiencies perpetrated by the workings of the class B act will prove this conclusively. The third failure of the system is its complete breakdown as the basis for selecting leaders of men in battle. This is the greatest and most inexcusable failure. The purpose of an army is war. The combat officer, in the final analysis, exists for no other purpose than as a leader of men in battle. A system that fails to provide tested and dependable combat leaders is not fit for war, therefore not fit for an army. Investigation of the records of the reclassification board at Blois in France, before which appeared regular officers who had failed in battle, will prove this.

V. ANALYSIS OF THIS RECORD.

(A) It is founded almost wholly on the personal opinion of seniors. When it is realized, first, that opinion can be colored by so many influences outside of the point at issue, and in the second place that in a system of promotion by seniority and personal acquaintanceship all seniors are not superiors in any sense of the word, the basic fault of the record can be readily seen. (B) The record is a negative record of the failures of an officer, not a positive record of his successes or abilities. We therefore are confronted with the spectacle of the attempt to pick men for doing things upon a record of things undone—which is paradoxical. (C) The record is not a record of important things undone, but stresses minor failures in peace-time administrative red tape. It therefore stresses the rise of the bureaucratic type of officer by hindering the rise of the real leader who concentrates upon the essentials of war and the handling of men. We see the results in three things—the Army burdened with excessive and ridiculous amounts of paper work, an inordinate use of the punitive power (the guardhouse and the court-martial are the inevitable resort of the officer who can not handle men), and the constitutional inability of the Army to "get along" with the country. (D) The records are unscientific, unsystematic, duplicative, full of irrelevancies; they fail to differentiate between characteristics necessary for different branches of the service; they are not records of efficiency but records primarily of deficiencies in handling red tape and in deportment. They illustrate a total lack of war viewpoint. They keep down real leaders and stress the rise of the type of men of whom Roosevelt complained of in the War Department in 1898, "that it considered war an illegitimate interruption of the activities of a War Department." No attention is paid to the main essential in a combat officer—his ability to train troops and lead them in battle. The positive type of officer, who concentrates upon essentials, will inevitably neglect or break through the hampering twistings of red tape. His record as a consequence will be a "poor record," as it will be cluttered up with petty notations of the violations of petty regulations by petty seniors. The office man or the bureaucrat, on the other hand, by a meticulous study and observance of the flood of rules and regulations, by concentrating upon red tape, will have a "good" record, which under the present system means a blank record. These types of officers inevitably drift to Washington; they fill the General Staff; they control the Army. Their lack of touch with reality, their constant insistence upon nonessentials, their worship of the system to the exclusion of the ends which the system is intended to serve, their belief in papers rather than men, make them unfit to deal with that stern reality, war. Their influence upon the American Army can be seen by comparing the library of the average American officer with the library of the average foreign officer of a good Army. The foreign officer has a library full of the best works on the fundamentals of war, and his periodicals are full of discussions of strategy, tactics, and organization. The American officer has a library consisting of several volumes of regulations: Army Regulations, Manual of Courts-Martial, Quartermaster Regulations, compilations of orders, etc., and his service papers are filled with earnest discussions as to the comfort or lack of comfort of the Sam Brown belt, or the shape of the new cap—the only improvements, if they can be so called, that the American Army has gained from the war.

The bureaucratic type of mind being unable to secure discipline, real discipline founded upon respect and intelligence, tries to secure it by means of an undue stressing of the punitive power. This type of mind is responsible for all the scandals of the Army court-martial and the class B legislation; it has a constitutional inability to differentiate between justice, which is a function of the judicial, and discipline, which is a function of the executive. It looks upon discipline as a means rather than an end. It defines discipline as punishment. It does not commit injustice knowingly but through a heavy stupidity and inability to differentiate between right and wrong. It can not see the danger to the national defense in allowing one private soldier to leave the Army with a sense of injustice, to infect the larger or smaller circle of his friends and family against the military service. It has sent thousands to civil life and infected millions of people thereby. The Army and the national defense is now reaping what this type of mind has sown. The lower the state of discipline in an Army the more despotic a form it assumes. Injustice is the most criminal form of inefficiency. We will continue to have this form and many other forms until we devise a system of recording the comparative efficiencies of officers that will lead to the rise of real men.

VI. GENERAL PRINCIPLES UPON WHICH A BETTER SYSTEM SHOULD BE BASED.

A. The system should be positive rather than negative; it should stress what an officer has done, not what he has not done.

B. It should be based upon the axiom that the combat officer is the most important officer—the Infantry, Cavalry, and Artillery are the fighting branches, and an army is for fighting.

C. It should be based primarily upon an officer's work, not upon some senior's opinion.

D. It should be simple and easily referred to—there should be no necessity of wading through the masses of irrelevant paper that now fill the files of the War Department.

E. It should be based upon war-time needs rather than peace-time administration.

F. It should have as its basis the tested abilities of an officer to handle men. The naval officer is tested by that great reality, the sea. We have as great a reality in groups of men from the platoon to the division. Their reactions to the qualities of the officer who commands them will furnish the most conclusive test of the abilities of an officer. The comparison of the results of the reactions of one group to its officer to that of other like groups to their officers will furnish a comparison upon which men can be picked for the studies leading to the General Staff. This will put men in control of the Army who will not only cut down the paper work but who can secure contentment within and support from without the Regular Army. Men and groups of men in the Army are like an 8-cylinder automobile. Fear of the guardhouse and regulations will stimulate only about two of the cylinders to action. The ability of the right type of officer will stimulate and secure power from all eight. Make this ability a matter of record and the basis of advancement and we will eventually have the whole Army hitting upon all eight cylinders.

VII. FACTORS NECESSARY TO AN EFFICIENT ARMY.

A. An army can not be efficient without promotion by merit, assignment to duty by special fitness for the job, and elimination of the inefficient. These things are all based upon the records of the officer concerned. The system of record keeping must be so devised that it will promote the best men, assign the most fit men to the right place, and eliminate the most inefficient men. This is impossible under the present system. A new system must be inaugurated, based upon more scientific principles.

VIII. THE FIRST STEP TO TAKE.

The first step necessary is tangible proof of the inefficiency of the present system in war and peace by congressional investigation of the reclassification board at Blois and the class B proceedings. The proofs furnished by this investigation will make imperative the inauguration of a new system. This new system should then be the basis of promotion by competition. Until this is done the Regular Army is a useless expense in peace and a dangerous broken reed in war.

It is especially necessary to hold an investigation, at least of the class B law and its application, at this time. This because the General Staff has asked for the passage of a law which will permit them to retire several thousand officers. These officers are to be eliminated ostensibly on their records. The passage of this act will drive all progressive elements from the Army and put it back a hundred years. It will mean a wholesale class B'ing of the Army without even the few safeguards of the class B legislation. It will mean that the present General Staff is intrenched thoroughly in complete power. The danger to the national defense that this portends makes immediate action imperative.

The great and crying evil in the Army to-day is a dense and impervious stupidity at the top. This stupidity has led to the infliction of thousands of injustices on soldiers and officers. The same stupidity that fails to realize the harm done by injustice is incapable of ever making an efficient army. The vast sum of some $17,500,000,000 and the lives of some 4,000,000 Americans were intrusted to the War Department. They were intrusted to a War Department and an Army run by a system that would drive any industrial organization to the wall in six months. Why continue to throw money down this bottomless pit, why continue to endanger the military defense of the Nation by this ridiculous broken reed of a Regular Army, why continue to allow a stupid crew of shortsighted men to feed out of the public trough and give worse than nothing in return, why continue to support an Army in peace that can only save the Nation from destruction in war by the grace of Providence and the kindness of allies? Reform it or abolish it and let the National Guard and the reserves carry on unhampered by the Regular Army. The civilian soldier at least can retain what the Regular Army has lost—the ability to think. If any Regular Army is to be retained, let it be reformed and reformed from the bottom. If it is not reformed it will soon be completely de-Americanized. Decent Americans can not remain in it under present conditions and retain their self-respect. With the American stock out of the armed forces of the Nation and their places filled with subservient and servile foreign stock, let the Republic look to her liberties. We have the example of Rome before us to tell what becomes of the Nation's liberties that allows her legions to be filled with foreigners.

MALCOLM WHEELER-NICHOLSON.

Mr. SNELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The Clerk read as follows:

For investigations of insects affecting truck crops, including insects affecting the potato, sugar beet, cabbage, onion, tomato, beans, peas, etc., and insects affecting stored products, $110,000.

Mr. HAYDEN. Mr. Chairman, I move to strike out the last word. I note by the report that a reduction of $10,000 has been made in this appropriation. Very important work is being carried on with this money, particularly with respect to sugar-beet problems and the control of the sweet-potato weevil. Valuable work is also being done in the development of a dry spray containing nicotine, which has been successfully used in destroying the melon aphis. The appropriation should have been divided into two parts. The Budget Bureau asks that

$90,000 be appropriated for the truck-crop insect work, and $30,000 for an investigation of insects affecting stored products. The Committee on Appropriations combined the two amounts and reduced the total to $110,000. I have engaged in the milling business myself, and I know something about the trouble that all millers have with insects affecting grain in storage. There is a demand at all times upon the Bureau of Entomology for information as to the best way to combat these pests. It seems to me that for a work of such great importance, nation wide in its extent, the full amount approved by the Director of the Budget should be allowed. I should like to have some explanation of why this reduction was made.

Mr. ANDERSON. Mr. Chairman, I call the attention of the gentleman to the fact that $15,000 of this appropriation was available in the preceding fiscal year, so that, as a matter of fact, the appropriation is increased $5,000 instead of being decreased. In the detailed estimate which was submitted in addition to the Budget, there is no provision for an increase in the appropriation for the stored-products insect work.

Mr. HAYDEN. Where is the reduction made? The report submitted by your committee shows that last year there was appropriated $90,000 for truck-crop work and $30,000 for stored-products insect work, and the Budget asked for exactly that amount. The two sums are combined, and instead of $120,000 but $110,000 is allowed. Where, then, is the cut?

Mr. ANDERSON. The cut does not come at all, because $15,000 of that $100,000 was expended in the preceding fiscal year, so that all they had this year was $105,000 for this work. As a matter of fact, they get $110,000 in the pending bill, as against $105,000 which they expended in the current year.

Mr. HAYDEN. Are we to understand that money which normally would have been expended during the present fiscal year was made immediately available to meet some emergency?

Mr. ANDERSON. It was made immediately available to begin the work in the preceding fiscal year.

Mr. HAYDEN. That is an explanation that does not explain.

Mr. ANDERSON. The assumption is that what they are asking for, or at least what they should ask for, is the same amount of money that they spent this year. They expended this year $105,000. We gave them in the pending bill $110,000. I do not see how the gentleman can object to that.

Mr. HAYDEN. I might have no objection if that is actually the fact; but it appears upon the face of the gentleman's own report that there is a reduction of $10,000 in this appropriation.

Mr. ANDERSON. That is a fact; but $15,000 of that was not expended in the current fiscal year and was expended in the preceding fiscal year; so that all they actually spent this year was $105,000.

The Clerk read as follows:

For investigations of insects affecting citrus and other tropical and subtropical plants, and for investigations and control of the Mediterranean and other fruit flies, in cooperation with the Federal Horticultural Board, $64,000, of which sum $5,000 shall be immediately available for investigations of the camphor scale.

Mr. DUPRÉ. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DUPRÉ: Page 43, line 23, strike out "$64,000" and insert "$71,500."

Mr. DUPRÉ. Mr. Chairman, the effect of this amendment would be to restore to this bill the amount which was asked for by the Director of the Budget, $71,500. The committee saw fit to reduce that amount by $7,500, and I have asked to have it restored. My principal interest in this item arises from the fact that about a year ago the camphor scale developed in New Orleans in very serious proportions, threatening the destruction of our historic trees there.

It aroused so much interest among the citizens generally that they organized a campaign by which each block was assessed $12, and they raised a sum of money, something like $15,000 to $20,000, in that voluntary way. Subsequently the General Assembly of Louisiana, in extra session, appropriated $18,000 to help combat the ravages of this scale. The city of New Orleans itself, through its municipal authorities, appropriated some $5,000 additional to aid in the work. This work, consisting largely in spraying the trees affected, has been very successful. It has been conducted under the authority of the Bureau of Entomology, and the State entomologist and our people are very much encouraged with the result so far obtained. The effect of this reduction of $7,500 will be to reduce the amount that the Government can expend in cooperation with the State authorities in this work, and I trust very much that under the circumstances the gentleman in charge of the bill will agree to the amendment I have offered.

Mr. ANDERSON. Mr. Chairman, I regret very much that I am unable to agree to the amendment. The committee recognizes the fact that there is a rather serious situation affecting the camphor trees in Louisiana, and recognized it by increasing the appropriation $7,500, one-half of the amount which was asked. In this connection I would like to direct the attention of the committee to the fact that we asked for a detailed estimate of all allotments made under these appropriations. The detailed allotment for this particular work shows that the $15,000 was proposed to be expended in this way: $3,800 for salaries, $45 for stationery, $8,000 for traveling expenses, $2,000 for equipment and material, $30 for telegraph and telephone service, and $2,525 for miscellaneous items. I think the merest glance at that enumeration of $8,000 for traveling expenses as against $3,800 for salaries will sufficiently indicate that the amount which the Budget asks for is very much in excess of the amount which they can properly expend on this work; and in view of the character of the expenditure proposed the committee felt fully justified in reducing the amount of increase from $15,000 to $7,500.

Mr. DUPRÉ. If the gentleman will yield. Was not the original amount asked for $30,000 and that was trimmed down by Gen. Dawes to $15,000?

Mr. ANDERSON. I do not know what amount was asked for by the department.

Mr. DUPRÉ. The gentleman has not that information?

Mr. ANDERSON. No.

Mr. DUPRÉ. That is my understanding.

Mr. ANDERSON. That may be the case; I do not know.

Mr. DUPRÉ. Well, in spite of the statement that it seems to be an excessive proportion allowed in the item for traveling expenses, the fact remains that where a community has shown such cooperation as has been shown in the city of New Orleans in regard to this work it does seem as if Congress at least ought to show some recognition and allow through its Congress what "Hell and Maria" has said ought to be given that.

Mr. ANDERSON. Well, I do not feel that the committee is bound by the conclusions of the Director of the Budget with respect to some of these items.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

PREVENTING SPREAD OF MOTHS.

To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown-tail moths by conducting such experiments as may be necessary to determine the best methods of controlling these insects; by introducing and establishing the parasites and natural enemiees of these insects and colonizing them within the infested territory; by establishing and maintaining a quarantine against further spread in such manner as is provided by the general nursery stock law, approved August 20, 1912, as amended, entitled "An act to regulate the importation of nursery stock and other plants and plant products, to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests, to permit and regulate the movements of fruits, plants, and vegetables therefrom, and for other purposes," in cooperation with the authorities of the different States concerned and with the several State experiment stations, including rent outside of the District of Columbia, the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $600,000, of which sum $100,000 shall be immediately available.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I do not want to ask an awkward question, but just what is the meaning of the word "emergency"?

Mr. ANDERSON. The gentleman means in line 10?

Mr. MANN. In line 13, "to enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown-tail moths."

Mr. ANDERSON. I take it it is the continued menace to the forests of the country caused by the existence of these caterpillars.

Mr. MANN. We have been making this appropriation now for 10, 15, or 20 years, and I was wondering whether the emergency will continue and it become a permanent appropriation?

Mr. ANDERSON. It still continues. In fact, the emergency existing at the present time is much greater than it was three or four years ago, owing to the fact there is additional infestation.

Mr. MANN. I suppose on that theory every appropriation we make to every department of the Government is to meet an emergency?

Mr. SNELL. The emergency passed, and we continued that five years in the other bill.

Mr. MANN. No; we do not know that it is at all, because we have not appropriated for five years.

Mr. SNELL. The emergency continued for five years, according to the statement on the floor.

Mr. MANN. That may be correct.

Mr. ANDERSON. It still continues.

Mr. MANN. The gentleman from New York was opposed to that, I presume, and he favors this because it threatens New York State, although we have been making these appropriations. I remember when this thing went in the bill it was an emergency, and we made an emergency appropriation for the gypsy and brown-tail moths. Now, year after year we continue that as an emergency. I make the suggestion to the committee to strike out the word "emergency," because we have got in this bill several places where we make continuing appropriations.

Mr. ANDERSON. It so happens in this particular case there is a new emergency, owing to the fact there is a new infestation, which accounts for the additional appropriation which is carried in this bill.

Mr. MANN. I did not know but they used this appropriation to spread the moth.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee what is being done, and with what measure of success, in introducing parasites?

Mr. ANDERSON. Quite a good deal has been done in that direction. A large importation was made during the current year and larger shipments will be made next year, I understand. So far as I recall the testimony, no very satisfactory parasite has been found, but some that are more or less effective are being imported constantly.

Mr. McLAUGHLIN of Michigan. These words have been carried for a long time, and my understanding is that not very much has been done by way of introducing parasites.

Mr. ANDERSON. During the war the work of importing parasites practically stopped altogether. Since the war some men have been sent over to Japan and into Europe to procure the importation of parasites, and, as I say, one importation was made during the current year, and it is expected that a large number will be imported next year. As the gentleman knows, there is a new infestation of these caterpillars in New Jersey which covers an area of about 400 square miles, and there it is hoped they will be able to exterminate the caterpillar altogether. The purpose of the increased appropriation is to carry on the extermination work.

Mr. McLAUGHLIN of Michigan. I always hoped that some way of meeting this difficulty might be found by way of introducing parasites, because, so far as I have been able to learn, the work has been done just by the putting forth of the physical labor necessary in cutting trees and cutting brush. That was largely the manner in which this work was done. They found they could not be exterminated except by destroying the trees that were infested. It does not seem to me like a very profitable or even a proper line of work for a highly scientific bureau to carry on—to do nothing but hire a lot of men to cut brush—and if they could do something really along scientific lines by finding the parasites that are enemies of these moths and caterpillars, it ought to be done. I am glad that some progress is being made and that some measure of success rewards the efforts of the scientists along those lines.

Mr. ARENTZ. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I yield.

Mr. ARENTZ. I would like to ask whether or not Washington itself was a field of experimentation for moths? I think one would look long and far before finding more than there are on the trees of different varieties.

Mr. McLAUGHLIN of Michigan. My understanding is that this work was done first in Massachusetts and near-by sections into which these pests extended. I did not know that they existed in serious numbers in the District of Columbia. They are largely in Massachusetts and in sections of New York, and, as the gentleman from Minnesota [Mr. ANDERSON] says, they are now found in New Jersey. I am glad to see this appropriation made. It is a very large amount. I can not help thinking, however, that the danger threatening these sections is not as great an emergency as occurred to us in the Northwest, where we had a great deal of difficulty indeed to get a little money to take care of the emergency. We found those States coming——

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, may I inquire of the gentleman from Minnesota in regard to the item as to the gypsy and brown-tail moth, as to where most of the work is being done at this time?

Mr. ANDERSON. There are two infestations, one of them covering the larger part of New England and the other covering about 400 square miles in New Jersey. The infestation in New England has existed for many years, and the work is under control or in quarantine. The process is to spray the trees along the border line of the infestation in order to prevent its spread into uninfested territory. In New Jersey it is on an entirely different basis. There the work is simple, and an attempt is being made to stamp out the infestation altogether—that is, to destroy the insects altogether—so that once the expenditure is made it will not be necessary to carry on the appropriation from year to year, as we have had to do in the New England district.

Mr. RAKER. Do I understand there is a motion pending by the gentleman from New York [Mr. SNELL] to strike this all out?

Mr. ANDERSON. I understand there is no amendment.

Mr. RAKER. I thought there was. I beg the gentleman's pardon for the suggestion. Of course, I find that the "ox warble," referred to on page 374 of the hearings, and the "screw worm," on page 373, have been well provided for, as has this gypsy and brown-tail moth. Our kind friends forget the "pine beetle," that in the West is destroying ten times the amount of trees that are being destroyed in the East. They appropriate some six hundred thousand and odd dollars, and there was no objection from my friend from New York on that item, when, as a matter of fact, when this legislation was passed some years ago it was demonstrated by the committee that the brown-tail and gypsy moths are imported from France for the purpose of keeping up an organization in the New England States that only had $100,000 invested. They were permitted to run their brown-tail moth and coddling-moth establishment, and the Government has been spending all the way from $600,000 to $1,000,000 a year to the end that that little station might continue, although now, thanks to the splendid work of the department, they have really quarantined those chaps and keep out foreign stock unless it is properly quarantined.

I want to call the attention of my friend from New England to the fact that while he is struggling for reforestation in his great bill, before he gets it passed and gets around to it, unless he helps protect the forests from destruction by fire and by the white-pine beetle, "white-pine rust," and "pine rust," it will be destroyed before he gets his bill through, and I hope he will assist when the matter comes back from the Senate on retaining the appropriation, to the end that the "white-pine beetle" may be properly and thoroughly exterminated.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that debate on this paragraph close in seven minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that debate on this paragraph close in seven minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. ANDERSON. Mr. Chairman, I do not think that any gentleman in the House is quite in position to throw stones, particularly the gentleman from California [Mr. RAKER].

As a matter of fact the deficiency bill carried an appropriation of $150,000 for the extermination of the little bug about which he is so solicitous. In addition to that we carry another appropriation in the deficiency bill of $150,000 to control and eradicate the white-pine blister in California and Oregon. As a matter of fact, the appropriations in this bill cover such a wide range, cover every section of the country so thoroughly, that any gentleman who gets up and criticizes on the theory of the sectional relations is going to find that he is only throwing stones through his own glass house.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. SNELL. Did I not appear before your committee, and when you turned me down and refused $40,000 for the white-pine rust I said even if I got turned down I wanted the West to get theirs?

Mr. ANDERSON. I think the gentleman made that statement.

Mr. LUCE. Inasmuch as the gypsy moth scourge started within about 2 miles of my house, and the brown-tail moth within half a mile from my house, perhaps I am qualified to testify somewhat on that subject. Furthermore, as a member of the legislature I shared in the controversy over the method of handling the situation after we had expended a large sum of money. Those who desired to economize succeeded for a time in preventing an appropriation. During that interval these pests spread so rapidly and did so much destruction that in the end we had to expend much more money than we would have had to expend if we had kept continuously at work.

This is merely to record the experience of the locality where the thing started as to the importance of steadily combating these two pests.

Mr. MANN. Mr. Chairman, the gypsy moth and the brown-tail moth do not spread rapidly. In the sense that they do not scatter out very much, they are not widespreading moths.

They are located mostly in Massachusetts, and I judge mostly in the district of the gentleman from Massachusetts [Mr. LUCE]. They are not extensive throughout the country, and I wondered, when I saw this appropriation had been increased from $400,000 in the current year to $600,000 for next year, whether some economical New England Member, opposed to appropriations for other parts of the country, would not insist upon reducing the appropriation for his own particular section. But I have not yet heard it. [Laughter.]

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

PREVENTION OF SPREAD OF EUROPEAN CORN BORER.

To enable the Secretary of Agriculture to meet the emergency caused by the spread of the European corn borer, and to provide means for the control and prevention of spread of this insect throughout the United States, in cooperation with the States concerned, including employment of persons and means in the city of Washington and elsewhere, and all other necessary expenses, $200,000.

Mr. KETCHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KETCHAM: Add, on page 45, line 15, after the figures "$200,000," the following: "*Provided*, That in the discretion of the Secretary of Agriculture $75,000 of this amount shall be available for expenditure only when an equal amount shall have been appropriated, subscribed, or contributed by States, counties, or local authorities or by individuals or organizations for the accomplishment of such purposes."

Mr. KETCHAM. Mr. Chairman and gentlemen of the committee, I am very happy in the discussion of the European corn borer to say that I have here one pest upon which I think all sections of the country may unite in voting for the amendment that has been proposed. Possibly a brief statement as to what this pest is might be offered in the very beginning. In order to be brief, I will take the statement of one who has given this matter very careful study. He says:

The European corn borer probably is the most injurious plant pest that has yet been introduced into this country. Unless repressed and restricted it may spread throughout the country and cause serious and widespread losses to the corn crop.

The larvæ, or borers, tunnel through all parts of the corn plant and destroy or severely injure the ears and stalks. The pest also attacks celery, Swiss chard, beans, beets, spinach, oats, potatoes, tomatoes, turnips, dahlias, chrysanthemums, gladiolus, geraniums, timothy, and certain weeds and grasses.

There are two generations each year, so that multiplication and spread are rapid, especially as very few of the borers are destroyed by natural enemies. The winter is passed in the larva or borer stage within infested plants.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. COOPER of Wisconsin. When was this pest introduced?

Mr. KETCHAM. It came to this country first along about 1917, and was discovered in the territory represented by my distinguished friend from Massachusetts [Mr. LUCE], and there its ravages developed to a great degree, and there it did great damage. Later on infestations were discovered near Albany, N. Y., involving several counties. Still later on it was found in western New York, on the southern shore of Lake Erie. Later still a general manifestation of this pest was discovered in the Dominion of Canada, and almost directly following that there occurred a great northerly windstorm, and the theory is that the moths were carried across Lake Erie, and now upon all the northern shore of Ohio infestations are found, and they go to a considerable distance inland. It has also progressed farther west until within 60 miles of the State line between Ohio and Indiana manifestations are found.

I need not say to you, gentlemen of the committee, that if ever there should come a time when this pest should sweep across the watershed, the summit of which is but a short way south of Lake Erie, and be carried by the streams, as it is proven that it is carried, into the great Ohio and Mississippi Valleys, and then into the great corn belt, I can scarcely picture to you what will be the loss that will be met by the growers of this, our greatest grain crop.

Much more might be said along this line, but I think I have made a sufficiently lucid statement to bring this great menace to your attention.

The great danger in the spread of the European corn borer has been clearly recognized by both State and National agricultural officials. Only last fall an important conference was called here in Washington to consider ways and means of restricting the spread of the borer and of stamping it out where now found. Sixteen States were represented at the meeting and the interest was exceedingly keen. Last year there was carried $275,000 in the appropriation bill for the purpose of fighting this pest. The Budget Commissioner and the committee have cut this down this year to $200,000, and the purpose of my amendment is simply to make necessary the appropriation by localities of an additional $75,000, so that the Federal Government, while not appropriating more than is called for in the bill reported by our committee, may still have available to fight this pest the full amount of $275,000 that was appropriated last year.

Mr. MANN. One hundred thousand dollars of that was available for the previous fiscal year, however.

Mr. KETCHAM. I am not advised on that point.

Mr. MANN. One hundred thousand dollars of the $275,000 was made immediately available, which meant that it was expended in the preceding fiscal year.

Mr. KETCHAM. I am glad to have that information. Possibly the committee may be interested if I call attention to some of the losses caused by this corn borer.

In some countries of Europe from one-fourth to one-half of the infested crops are destroyed, and the depredations are not limited to corn. It attacks millet, hops, and hemp as well. In this country the pest is of such recent development that figures showing percentages of damage are not generally at hand, but in 1920 and 1921 the averages shown by observations in New York and Massachusetts indicate a marked increase in the injury done by the borer. The average is 12.3 per cent and the maximum 18 per cent. In one badly infested field in Massachusetts 75 corn plants comprising 17 hills were selected, and the count made of all the borers. An average of 46 borers to a plant were found and one plant contained 117. One hill of 4 stalks contained 311 borers.

Mr. RAKER. Is not this another of those cases where the disease was imported, and if we had had proper quarantine and proper attention it would not have gotten into this country?

Mr. KETCHAM. The information I have is that this pest came into the country through importations of products from overseas. It is a very common pest over on the other side, and the losses in several countries over there are very, very significant. I am sure that we ought to take counsel of their experience, and that before this most threatening of all our pests from the standpoint of damage gets under full sway I believe we ought to take heroic measures to stamp it out.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that his colleague's time be extended five minutes. Is there objection?

There was no objection.

Mr. BEGG. Will the gentleman yield?

Mr. KETCHAM. I yield to the gentleman from Ohio.

Mr. BEGG. I wish to ask if this added appropriation that is asked for is at the request or suggestion of the Department of Agriculture that there is likely to be a shortage of funds to carry out these investigations?

Mr. KETCHAM. The very first step I took was to consult with the Department of Agriculture, and this amendment has the approval of that department. The purpose of it is to secure and stimulate the cooperation of local authorities, because it has been found that unless you do have very hearty cooperation on the part of those who own the land where the infested crops are found, unless you can in some way stimulate their interest, your efforts in combating the borer will be unavailing. Therefore this amendment is approved by the department.

Mr. COOPER of Wisconsin. Will the gentleman inform the committee as to the nature of the remedy that is being used?

Mr. KETCHAM. The pest has reached our shore so recently and its spread to various sections of the country has also been noted so recently that methods of combating it successfully have not as yet been perfected, but the present practice follows two lines. First, control and eradication where the borer has already infested the crops, and, second, quarantine against the infested areas. The best practice in control and eradication is to burn the stalks, weeds, and crop remnants in infested fields. After the borer has wrought its damage on the corn or other crop it finds a resting place for the winter in any sort of weed or crop stalks which may be at hand. This host, as it is called, must be destroyed before the next spring to prevent a new crop of borers. Burning is the most effective means of destruction, but feeding as ensilage is effective in the case of corn as well as burying the infested plants in compost heaps. Something may be accomplished also in the regulation of the time of planting. The use of poisons has not proved very effective as a means of control. Enforcement of quarantine on plants from infested areas is used to prevent the spread of the borer. When it is stated that 182 different plants have been found infected,

the task in maintaining a thorough quarantine is evident. Work in developing parasites is just starting.

Mr. FESS. Will the gentleman yield?

Mr. KETCHAM. I yield to the gentleman from Ohio.

Mr. FESS. In what part of the corn is the damage done? Is it on the ear?

Mr. KETCHAM. The corn borer is not at all particular as to what part of the corn plant it attacks. It enters all parts of it and is found in the cornstalk, in the midrib of the leaves, and of course the damage that attracts our attention particularly is that to the ear itself.

Mr. FESS. If my friend will permit me, I will say that the last planting of corn in my own garden last year was almost entirely destroyed and the damage was all to the ear.

Mr. MANN. That is not the corn borer. That is the corn worm. The danger from the corn borer is to the stalk, when it is young.

Mr. KETCHAM. I may say in reply to the question of the gentleman from Ohio that the difference between the pest which he mentions and the corn borer is that the corn borer comes in through the stalk, through the butt of the ear, so called, and works up the cob, feeds upon the growing kernels of corn and frequently completely destroys the ear. The borer does not come in from the top, but comes in through the butt of the ear.

Mr. FESS. The injury I have in mind is in the milk of the ear.

Mr. KETCHAM. I am informed that that worm is not the European corn borer, although it is a very troublesome pest.

Mr. FESS. It almost entirely destroyed my late planting of corn.

Mr. SUMNERS of Texas. Can the gentleman from Michigan give us any information as to what method Europe has pursued to combat this pest and the results that have been accomplished? I am very much interested in this matter.

Mr. KETCHAM. The time has been so brief that I have only been able to study what we have been doing in this country.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HAUGEN. I ask unanimous consent that the time of the gentleman from Michigan be extended five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time of the gentleman from Michigan be extended five minutes. Is there objection?

There was no objection.

Mr. HAUGEN. I think this is one of the most important propositions we have before us. Has this borer done much damage in the gentleman's State?

Mr. KETCHAM. I have a map here which indicates the infested regions as they appear at the present time. In order that my friend from Massachusetts may see that this has a real application to his section of the country and therefore that he will be very vitally interested, I call his attention to this map. By the way, let me say that I have a very fine and encouraging letter from the commissioner of agriculture of Massachusetts urging an increased appropriation for this corn-borer fight.

The black areas on this map indicate the infested regions according to the latest discoveries that have been made. In order to indicate the very rapid spread of this pest I may say that in 1919 only about 420 square miles had been infested, and the record is now that something like 7,696 square miles in the United States are infested.

Mr. HAUGEN. In what States?

Mr. KETCHAM. In Massachusetts, in the southeastern corner of New Hampshire, in the southwestern corner of Maine, in eastern New York, in western New York, in northeastern Pennsylvania, in northern Ohio, in the Dominion of Canada, covering the whole Province of Ontario, and in southwestern Michigan. The infestations have been found within 60 miles of the cornfields of Indiana.

Mr. HAUGEN. The State of Maryland is not included, and I know that it is near Washington.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. KETCHAM. Certainly.

Mr. McLAUGHLIN of Michigan. The gentleman suggests that money be used only in those States which contribute and ask for money, and it will practically be obligatory on the Secretary of Agriculture to use money in that State to an equal amount that the State is ready to expend. Does not the gentleman see a danger in that that each State will make an appropriation and ask for money to cooperate, and the total amount of $200,000 would be divided into such small amounts that it would be too small for the department to carry on its work in the manner in which it ought to be carried out?

Mr. KETCHAM. I will say that I went over that very point with the Department of Agriculture and there is merit in the suggestion; when you consider how stupendous the whole matter is it will be seen that the amount could be very greatly increased, but I realize in these days of economy that it would be useless to ask for it. However, I call my colleague's attention to the fact that only $75,000 is to be matched locally and the remaining $125,000 is left for general work.

Mr. McLAUGHLIN of Michigan. After the eloquent speech the gentleman has made, perhaps the gentleman from Minnesota might consent to increase it above $200,000.

Mr. KETCHAM. I have had many pleasant interviews with the distinguished gentleman from Minnesota, but if you will permit an expression used during war time, when it comes to getting an increased appropriation, I find him somewhat "hard-boiled."

Mr. CHALMERS. If the gentleman will yield, I think the gentleman's suggestion is a good one, and I suggest that the chairman accept the amendment.

Mr. HAUGEN. Does the gentleman consider it economy to expend only $200,000 on a crop where we get 3,000,000,000 bushels? Is it not worth considering making it $1,000,000,000? If you are going to do a thing, do it on the start—making an appropriation of $250,000 or $500,000 would simply encourage the spread. If you are going to stop it, let us make an appropriation sufficient to do it.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto close at the end of 10 minutes.

Mr. SUMNERS of Texas. I reserve the right to object.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that all debate on the paragraph and all amendments thereto close at the end of 10 minutes.

Mr. HAUGEN. I object to that; this is the most important item in the whole bill.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SUMNERS of Texas. I ask unanimous consent that the time of the gentleman from Michigan may be extended 5 minutes.

Mr. ANDERSON. I object.

Mr. CHALMERS. Mr. Chairman, I rise to offer an amendment. In line 15, page 45, strike out "$200,000" and insert "$275,000."

Mr. ANDERSON. Mr. Chairman, I make the point of order that that amendment is not in order.

The CHAIRMAN. The point of order is sustained.

Mr. CHALMERS. Mr. Chairman, I move to strike out the last word. I do this for the purpose of emphasizing the importance of this danger to one of the great crops of this country. I have been assured by the chairman of the subcommittee on appropriations that this appropriation had been increased to protect the corn belt of Ohio, and I know from the report of two experts that the Department of Agriculture sent to the south shore of Lake Erie that there is danger of the spread of this pest up there. Inasmuch as northern Ohio and the south shore of Lake Erie is a very important area in the corn belt and the lands there are very important, I hope in the very beginning of the danger of this pest that enough money will be appropriated, at least as much as last year, to stamp out this pest at this time. I hope some way may be found so that this appropriation may be increased to take care of this evil.

I do not agree with the subcommittee and its chairman, who is in charge of this bill, that $200,000 will be ample to eradicate the European corn borer from the corn belt of this country.

Two hundred and seventy-five thousand dollars were appropriated last year for this department, and I am sure that a reduction of $75,000 would be taking a great risk at the expense of the corn growers that the pest might gain such a foothold here that our American corn crop, valued at billions of dollars, might be at stake. During the past year or two the European corn borer has appeared in the corn belt along the south shore of Lake Erie and in southern Michigan and seems to be drifting westward.

In my own district, in Ottawa and Lucas Counties, are some of the most valuable corn lands in the corn belt. I have the honor to represent some of the most scientific and intelligent farmers in the country.

As far as my vote and influence are concerned, I shall not take a chance of ruining their crop. If this borer is permanently lodged in this country it may depreciate the value of our farm lands running into millions of dollars.

The two inspectors from the Federal Bureau of Entomology who visited the territory along Lake Erie found many evidences of the existence of the European corn borer, and report that the

insect has gained a foothold in Lucas and Ottawa Counties, and that it may develop into a serious pest and cause considerable damage to corn in that region if steps were not taken to check it.

In the name of the farmers of the corn States I appeal to the Members of this House to adopt an amendment to this bill that will make provision for the Department of Agriculture to do this work efficiently.

Mr. Chairman, I therefore move that the "$200,000," in line 15 of this paragraph, be changed to read "$275,000."

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

Mr. MANN. Mr. Chairman, I move to strike out the last three words. I would like to ask some of the experts on this pest what method so far has been provided by the Agricultural Department for the destruction and wiping out of the European corn borer? Is it not altogether dependent on the action of the people themselves where their crop is infested by the corn borer?

Mr. ANDERSON. I can not qualify as an expert, but I know that the department is confined almost entirely to the quarantine as the only method which anybody knows of exterminating the corn borer, and to take up the stalks and tear out the roots and burn them.

Mr. MANN. We have a law under which they can quarantine against these things.

Mr. McLAUGHLIN of Michigan. There is a quarantine against importations from foreign countries.

Mr. MANN. There is a quarantine against transportation from one part of the country to another, and they can put it in force on the corn borer. But what I want to get at is, it is not expected that the Government is going to take up these corn stalks and cut up all the weeds that have hollow stems and all the wild flowers that have hollow stems in order to destroy the corn borer.

It is dependent, in any event, upon the action of the people themselves. All that it is necessary for the Government to do is to give the information as to how they shall proceed, and then endeavor to quarantine against the spread of the corn borer. It will take a great many million dollars if the Government is expected to do all this work itself.

Mr. McLAUGHLIN of Michigan. The people of Massachusetts demanded that the Government employ at one time as high as 500 men to do nothing except cut brush.

Mr. MANN. Oh, that was at a time when the Government authorities thought that by cutting the underbrush and hollow-stem plants they could abolish the corn borer.

Mr. McLAUGHLIN of Michigan. Oh, no; I refer to the gypsy moth and the brown-tail moth. They cleaned out the highways so that the wagons and automobiles and street cars would not carry the brown-tail moth. That is the way it spreads.

Mr. UNDERHILL. The policy pursued with reference to the corn borer has been for the Government or State inspector to go into the cornfields, and where the presence of the moth is found he recommends, and the farmer usually cooperates with him and with the State, the destruction of the whole crop. It is leveled and the crop is burned, and the stubble is plowed up and that is also burned. You must have these inspectors go out and ascertain where this trouble exists before it goes to such an extent that it would cover all of the area adjacent, and perhaps to some considerable distance on either side.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. KETCHAM. May I say that the purpose which the gentleman has in mind is the purpose of the amendment. It particularly requires the locality, the States, the counties, the smaller units, even associations and groups of men who are vitally interested in this proposition, to come in and meet the contribution. That is the purpose of the amendment. I believe that without that cooperation the destruction of this pest will be impossible.

Mr. MANN. These people will have to do as the people out West did with the grasshopper and the chinch bug and the army worm. They practically abolished them through their own efforts. The Government has given them aid, advice, and help; but, after all, the Government can not abolish a widespread pest without the effort of the people. About all that the Government can do is to give the information.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I rise in opposition to the pro forma amendment. I heartily approve what the gentleman from Illinois [Mr. MANN] said about the advisability of the people spending their own money and doing some of the work to rid themselves of these difficulties. In many cases, however, the people of the various communities rely upon the Federal Government. In many cases no State or local appropriation is made, and the Government is expected not only to make scientific investigations and experiments but actually to do the physical work in carrying these experiments to the people, putting them into force, and overcoming the pests and obstacles and troubles of one kind and another. I am one of those who have always been very much in favor of the Federal Government carrying on experiments and making investigations, and I believe money should be provided without limit for these purposes; that is, just as far as we can afford to make appropriations we should make them to enable the Government to carry on scientific and experimental work. But I have insisted that, when the Government finds the remedy for a trouble and all that remains to be done is the expenditure of physical labor, the people themselves ought to take up that remedy, perform that labor for themselves. However, in many cases they lie back and do nothing, expecting and demanding that the Federal Government do it. Whether it is commendable or not, we find officials and employees of the Federal Government willing and anxious to do that physical work, evidently liking to spend money. Some of them seem to think they are doing the best work when they are spending the most money; think they are doing the most work when they are hiring the most men. It seems to me that the wrong principle has been invoked and the wrong policy has been pursued. I trust that the words of the gentleman from Illinois will be approved by those in authority and that the advice he offers will sink deep into the minds of those who are carrying on this work and who are responsible for the use of appropriations the Congress makes. I would suggest also that it is good advice to the Appropriations Committee of this House.

Mr. SNELL. Why would not that be carrying out the line of the gentleman's argument if we adopt the amendment offered by the gentleman from Michigan [Mr. KETCHAM]? That would force the localities to spend some money.

Mr. McLAUGHLIN of Michigan. I heartily approve the amendment offered by the gentleman from Michigan, but the gentleman from Illinois [Mr. MANN] opened up another line. We do not always confine ourselves in our discussions to the particular matter before the committee, and I ventured a few suggestions along the line opened up by Mr. MANN.

Mr. SNELL. Is not this a good place to make a start along that line by forcing these people to cooperate and pay a part of the expense?

Mr. McLAUGHLIN of Michigan. I think it is.

Mr. SNELL. That will double the appropriation.

Mr. McLAUGHLIN of Michigan. I may not have made myself clear. I certainly did not intend what I said as in opposition to the amendment offered by the gentleman from Michigan [Mr. KETCHAM]. I asked the gentleman if he did not think it would be necessary, if we are going to divide this appropriation into a number of small parts, to have the total increased, so that more money would be available. But the gentleman from Minnesota [Mr. ANDERSON] says the amount of money carried in the bill is all the department says it can profitably use.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. FESS. The gentleman is talking along the line that I raised the point about a while ago. When we start in with Federal aid the difficulty is that there is no end to it. If the State had to meet the burdens of assistance, I think there would be less waste and greater efficiency in the use of the money. I agree with the gentleman that experimentation and scientific research are proper functions of the Federal Government, but that the application of the remedy and the expenditure of the money to eradicate pests are not Federal functions alone.

Mr. McLAUGHLIN of Michigan. I was speaking about pests attacking the forests and the willingness or otherwise of the people to contribute to assist the Federal Government. There was a chestnut blight which struck pretty hard in Pennsylvania a few years ago. The legislature there made a small appropriation; the Federal Government made a large appropriation. Officials of the Government and the State worked together until it was discovered and worked out that the only way to treat the disease was to destroy the trees; that it was a question of physical labor in the expenditure of the money, there was nothing scientific in it. The scientific feature had been removed by the investigation of the department. At that point the Legislature of the State of Pennsylvania refused to make further appropriations, but they came to the Department of Agriculture, or to the Committee on Agriculture, and were just as insistent as ever that the Federal Government should appropriate money to carry on that work. The committee very properly, in my judgment, refused to continue the appropria-

tion, and I think ought to continue to refuse some other appropriations unless we find States and local interests willing to do the work and appropriate part of the money.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes, the gentleman from Iowa to have three and myself to have two.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, it seems to me an appropriation of $200,000 is a mistake when you think of the pest attacking the corn belt that produces 3,000,000,000 bushels of corn. Three or four years ago the ravages of the corn borer was confined to a small area in the East, but now it has extended beyond the Mississippi River. To now appropriate $200,000 is simply to nurse it along. If you are going to do away with it the only thing is to make an adequate appropriation, treat it as we treated the citrus canker and the foot-and-mouth disease. The department came to us then and said it wanted $250,000. We said to them take $500,000 and stamp it out at the beginning; get rid of it. With this appropriation of $200,000 we might just as well admit it is simply to give fat salaries to a few people. If you are going to stamp out the pest, then make an adequate appropriation.

Mr. McLAUGHLIN of Michigan. If the gentleman will yield, the gentleman knows we adopted the same policy in making recommendation in reference to the cattle tick?

Mr. HAUGEN. The gentleman will recall that in a number of instances when they came before the committee and asked for small appropriations our committee said, "No; not $250,000; you should have what you need to complete the work. We will give you $500,000 or $1,000,000 or whatever is needed, we want you to stamp out that pest."

Mr. McLAUGHLIN of Michigan. I am approving of what the gentleman says, and as a further instance of giving more money than was asked so that the work could be cleaned up permanently I was calling attention to the appropriation in reference to the cattle tick.

Mr. HAUGEN. If the policy is to spread the corn borer, go on with the $200,000; if you are going to stop it, give an adequate appropriation so as to make it possible to stamp it out. That is all I have to say.

Mr. ANDERSON. Mr. Chairman, I do not disagree with the gentleman from Iowa at all. If the policy had been to stamp this disease out when the gentleman from Iowa was appropriating for it——

Mr. HAUGEN. We gave them all the money they asked for.

Mr. ANDERSON. There might have been some chance of stamping it out, and we might as well face the fact now that there is no chance of stamping it out. It has got to the point where it is simply a question of preventing its spread. In this appropriation we are giving the department all the money that they have asked for this purpose. They originally estimated $125,000 and later came along with a supplemental estimate for $75,000, both of which we allowed. So far as the amendment of the gentleman from Michigan is concerned I have no objection to it, because I agree that with the situation as it is the only way to control the insect is through proper cooperation on the part of individuals and the States in which the pest occurs, and I shall be glad to see the amendment of the gentleman from Michigan adopted because I think it contributes to that general result.

Mr. HAUGEN. Mr. Chairman, has the time for debate been limited?

The CHAIRMAN. The Chair thinks so.

Mr. HAUGEN. I desire to offer an amendment to increase the amount to $300,000.

Mr. ANDERSON. I make the point of order there is an amendment pending and that another amendment is not in order at this time.

Mr. HAUGEN. I move to increase the amount to $300,000. To strike out $200,000 in line 15 and insert $300,000.

The CHAIRMAN. Debate is exhausted, all pro forma amendments are withdrawn, and the question is on the amendment offered by the gentleman from Michigan.

Mr. GARRETT of Tennessee. May we have that amendment again reported?

The CHAIRMAN. Without objection the amendment will be again reported.

There was no objection.

The amendment was again reported.

The question was taken, and the amendment was agreed to.

Mr. CHALMERS. Mr. Chairman, I move to amend, in line 15, by striking out "$200,000" and inserting "$275,000."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 45, line 15, strike out the figures "$200,000" and insert in lieu thereof "$275,000."

Mr. ANDERSON. Is debate closed on the paragraph and this amendment?

The CHAIRMAN. The Chair thinks it is. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the Chair announced the ayes appeared to have it.

On a division (demanded by Mr. ANDERSON) there were—ayes 29, noes 22.

Mr. ANDERSON. Mr. Chairman, I ask for tellers. I withdraw the demand.

So the amendment was agreed to.

Mr. TINCHER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. HILL. Mr. Chairman, I ask unanimous consent to extend the remarks which I made in the committee by adding thereto a resolution adopted by the executive committee of the Baltimore Federation of Churches on the same subject of peace.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. GARRETT of Tennessee. Mr. Chairman, reserving the right to object, why does he not send them over to the Senate?

Mr. HILL. The reason I am putting them in is so that the Senate can read them to-morrow.

Mr. GARRETT of Tennessee. Has the gentleman any promise that they will read them over there?

Mr. HILL. Knowing the respect that they pay to everything from the House, I think they will read them.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The following are the resolutions referred to:

Resolution adopted by the executive committee of the Baltimore Federation of Churches at a meeting on Thursday, March 9, 1922.

Whereas the Conference on Limitation of Armament, in which representatives of nine nations participated, agreed upon a number of important international treaties, six of which involved the United States as a party; and

Whereas these six treaties have been submitted by the President to the Senate of the United States for its ratification and approval; and

Whereas these treaties so supplement each other as to make the entire work of the conference of no effect unless all are ratified by the Senate: Therefore be it

Resolved, That the Baltimore Federation of Churches, representing 166 churches in 21 denominations, through its executive committee, respectfully urges the Senate of the United States to ratify the treaties agreed upon by the conference; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, to Secretary of State Hughes, and to the Members of the Senate and House from the State of Maryland.

Hon. JOHN PHILIP HILL:

The above are resolutions adopted by the Federation of Churches March 9, 1922.

L. M. MCCREARY,
Executive Secretary.

The Clerk read as follows:

For investigating the food habits of North American birds and other animals in relation to agriculture, horticulture, and forestry; for investigations, experiments, and demonstrations in connection with rearing fur-bearing animals; for experiments, demonstrations, and cooperation in destroying mountain lions, wolves, coyotes, bobcats, prairie dogs, gophers, ground squirrels, jack rabbits, and other animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game; and for the protection of stock and other domestic animals through the suppression of rabies in predatory wild animals, $466,500.

Mr. HUDSPETH. Mr. Chairman, I move to strike out the figures "$466,500," in line 16, page 47, and insert in lieu thereof the figures "$502,240."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUDSPETH: Page 47, line 16, strike out the figures "$466,500" and insert in lieu thereof the figures "$502,240."

Mr. HUDSPETH. Mr. Chairman and gentlemen of the committee, this is the sum recommended by Gen. Dawes, of the Budget, for this work. I want to say to the committee that if I could take it to the western part of this country, to the Northwest, to the States of Kansas and Oklahoma, and to western Texas, and show them to-day range lands that are now upon the tax rolls at $4 and $5 an acre, that before this work was commenced by the Federal Government in 1915 were being

rendered at from 50 cents to $1 an acre, I do not believe there would be a vote against the raising of this sum to $37,700 over the amount given the department last year. I do not believe, gentlemen, there would be a vote against it. I want to say that if the conditions as described by my good friend from Kansas on yesterday continue throughout the live-stock country, I hope to be able to take this committee over there and show them that since the Federal Government began the work of exterminating predatory animals and rodents that destroy the grass and that destroy the live stock the lands throughout the range country have enhanced from 200 to 300 per cent. Now, the fact is, gentlemen, when you ask for an appropriation, the first thing to be considered by the committee is whether or not the department is asking for it. I want to state to the gentlemen of the committee that the Department of Agriculture states that without this additional sum the work of eradicating predatory animals and rodents will be seriously crippled. Now, the statement was made a few moments ago in regard to exterminating or controlling the corn borer, by the gentleman from Iowa [Mr. HAUGEN], in which he said that if you were going to engage in this work in a proper manner we should provide a sufficient sum; and I agree with him and voted with him. The same thing applies in the predatory-animal work. If you gentlemen had read the hearings upon this matter, you would have seen that since this work was commenced there have been 300,000 wolves destroyed, according to the statement of Dr. Nelson. You would also see, gentlemen, that he estimates that in destroying the prairie dog, that sweeps the grasses from the range as clean as this floor on hundreds of thousands of acres of land, causing the live-stock producer to have to feed his live stock at least half the year on those ranges, there has been saved $300,000,000 by the destruction of the prairie dog alone.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUDSPETH. May I have five minutes additional?

The CHAIRMAN. The gentleman from Texas asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. TILSON. Will the gentleman yield for a question?

Mr. HUDSPETH. I will be glad to do so.

Mr. TILSON. Has the State of Texas spent any money for the eradication of these predatory animals?

Mr. HUDSPETH. The State of Texas, I will say to my friend from Connecticut, appropriates and matches dollar for dollar any appropriation of the Federal Government, and I take it that most of these northwestern States do the same thing. And in addition to that I will say to my friend that the ranchmen band together throughout the western part of my State, and they pay as high as $100 a scalp for what they term the outlaw wolf, as was spoken of at Split Rock, Wyo., where they captured one after months of search, and after the Federal Government had put trappers upon his trail. There is a statement here of Dr. Nelson, and I have seen it borne out by letters, that this wolf destroyed $25,000 worth of stock.

Mr. MANN. Is this work done on private land?

Mr. HUDSPETH. Everywhere throughout the western country.

Mr. MANN. It started out on public land.

Mr. HUDSPETH. I will state to my friend that there is no public land in the western part of Texas. They have trappers in Oklahoma that have saved thousands of dollars' worth of live stock there. It states there have been saved from killing, of live stock alone, $75,000,000 worth of property, and there has only been expended in this work a little over $1,000,000. A trapper has to return the hide of the animal to the Federal Government, and there have been returned and sold $268,000 in hides. I think every gentleman who comes from the live-stock sections of this great country will testify as to the splendid work that has been done by the Federal Government in the eradication of rodents and predatory animals. It is to my mind the best work engaged in by that splendid Department of Agriculture.

They state here that there is a rat for every person in the United States, and each rat will destroy $2 worth of grain and agricultural products. In the destruction of rats they have saved over $200,000,000. And I want to say to you, gentlemen, as a practical stock raiser, that before the Federal Government took hold of this, although the State of Texas paid over thousands in bounties, when they captured the wolves, under the bounty system, they did not retain their scalps. Now the Government trappers have to show the scalps, and they are paid every month.

Mr. McLAUGHLIN of Michigan. The gentleman is speaking of predatory animals, such as wolves and rabbits and coyotes, and so on. Does the gentleman think it is incumbent upon the Federal Government to do this work on private lands? It has been done on the public lands of the West. On what theory is it done on the private lands? If it is done on the private lands to clean up rats and coyotes, why not appropriate to clean the rats out of warehouses in the cities?

Mr. LANHAM. I want to ask the gentleman if the wolves out in Texas and in those Western States have been educated to stay on the public lands?

Mr. HUDSPETH. No.

Mr. McLAUGHLIN of Michigan. What public lands have you in Texas?

Mr. HUDSPETH. We have not any. You know these wolves, I will state to my friend from Michigan, will cross a wire fence or a State boundary line—they may be educated up in the State of Michigan to where they will not cross a boundary line into another State—but those poor, benighted, uneducated wolves down in Texas cross a State boundary line whenever they happen to strike it; and that is all that divides the State of Texas from the State of New Mexico and several other States. This amendment should be adopted. [Applause.]

Mr. ANDERSON. Mr. Chairman, I think it is a very good work and ought to be continued. The appropriation in this bill is exactly the same amount that was carried last year, and the amount transferred to the statutory roll.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield right there?

Mr. ANDERSON. Yes.

Mr. HUDSPETH. According to this report, I will say to the gentleman that you have cut this appropriation $10,000.

Mr. ANDERSON. I have just stated it was the same as last year, less the amount of $10,000, which was transferred to the statutory roll, so that the same amount will be spent during the next year as is being expended in the current year.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield further?

Mr. ANDERSON. Yes.

Mr. HUDSPETH. Dr. Fisher, who has this matter in charge, stated to me this morning that the $10,000 that was taken out was taken out of the operative work this year.

Mr. ANDERSON. If he made that statement, he made a mis-statement.

Mr. HUDSPETH. And we are asking only for an additional $27,000.

Mr. ANDERSON. Let me read a note from the Budget recommendation:

> An apparent increase of $27,000, but as eight employees with salaries aggregating $10,740 have been transferred to the statutory roll, the actual increase is $37,740.

We transferred those employees from the statutory roll and took them off this roll, as we always do under these circumstances, leaving the amount to be expended on field work the same as it was before. So far as the work being crippled is concerned, in consequence of the failure to allow the $27,000 estimated for, the detailed estimates submitted for the current year indicate that this year they have a reserve of $11,000, which is going back into the Treasury under the economy program of the distinguished Director of the Budget.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. HUDSPETH. Then, why did the Director of the Budget estimate for this $504,000?

Mr. ANDERSON. I do not know.

Mr. HUDSPETH. That is what he did, and my understanding is that they have not a dollar left.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. SUMMERS of Washington. Is not this a saving under protest?

Mr. ANDERSON. I expect it is. I suspect if you gave them $500,000 they would use it all.

This appropriation has been gradually increased from year to year, notwithstanding the fact that we are supposed to be making some progress in getting rid of these predatory animals. It seems to me we ought some time to arrive at the point where we can decrease the amount. This work is now on a satisfactory basis. There is no pressing requirement for increasing the amount at this time.

Mr. HUDSPETH. But Dr. Nelson says these wolves and other predatory animals have been decreasing to an enormous extent, but he says when you do not perform the work in other parts of the country then they come back.

Mr. ANDERSON. Yes; but they have been able to diminish them on the basis of the present appropriation, and I expect they will be able to continue to diminish them.

Mr. SUMMERS of Washington. One good reason for increasing the amount is the fact that rabies has broken out among the coyotes and wolves. These animals bite the live stock and threaten the lives of our people and bring havoc generally to Adams, Grant, Franklin, Douglas, and Benton Counties, in the eastern part of the State of Washington; and the fact is that for economy's sake we have been compelled to yield up a part of our appropriation, which, nevertheless, was badly needed. Our State has met the Federal appropriation, and yet these infected animals have not been destroyed and are at large.

Mr. ANDERSON. They had rabies when they had less money to spend than they have now and they were doing this work successfully.

Mr. SUMMERS of Washington. The gentleman surely does not think it safe to let predatory animals infected with rabies run about loose among the live stock?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MANN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. MANN. Mr. Chairman, the remarks of my friend from the State of Washington [Mr. SUMMERS] lead me to inquire what has become of the spirit of the people of the country? Coyotes have rabies; hence they send to the Government to kill the coyotes. [Laughter.] This country was covered all over it with wolves at one time, and our people at that time did not depend upon England to kill the wolves in New England. They did not depend upon the Government to kill the wolves in the country. Have our people to-day no enterprise at all to organize a band and go out and kill coyotes that have rabies that threaten to kill the sheep? I do not favor these appropriations if the people have no enterprise at all.

I do not object to this, Mr. Chairman, but this appropriation originally went in as being expressly intended to kill these animals on the public domain, not upon private land. I have a garden. The rabbits come to the garden. The field mice come in. There is a lumber yard not far from the garden. The rats go and propagate in the lumber yard, and they come over to my garden. But I have not received any Government appropriation. I am not so weak yet, so lazy yet, so imbecile yet, that I can not make any effort to destroy these things myself and have to depend upon a man from Washington to come to do it. [Applause.]

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes; I yield.

Mr. SUMMERS of Washington. These are public lands. These coyotes belong to the gentleman from Illinois as much as they do to me. In the days to which the gentleman refers, 150 years ago——

Mr. MANN. I am willing to have them killed on the public lands, but when they destroy the property of private individuals, let the private individuals go and hunt them. It is an absolute lack of enterprise. People are being taught in parts of the West, I regret to say, that everything must come out of Uncle Sam. The Representatives from that part of the country would do better if they would tell their constituents to be alive, and wake up and do something for themselves. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SUMMERS of Washington. Mr. Chairman, I move to strike out the last word.

Mr. HAYDEN. Mr. Chairman, a complete answer to the argument of the gentleman from Illinois [Mr. MANN] is that over five times as much is being contributed by the States in the West for this very important work as Congress is appropriating. We, of the West, insist that the share of the United States should be increased, in view of the fact that there are large areas of untaxed public lands and Federal reservations embraced within our States which are the breeding grounds for predatory animals and destructive rodents.

Mr. HUDSPETH. The gentleman's State is a public-land State, is it not?

Mr. HAYDEN. It certainly is. The State of Arizona formerly appropriated money for bounties to those who killed wolves and coyotes and mountain lions. The Biological Survey demonstrated a better way of destroying these predatory animals. The legislatures repealed all the bounty laws and made a direct appropriation of $50,000 to be used in cooperation with the Biological Survey. But when the time came to actually secure this cooperation the congressional appropriation was so small that only $20,000 was available for allotment to Arizona.

Mr. ANDERSON. That is one way to get more money.

Mr. HAYDEN. More money is needed. The amount appropriated was not large enough last year, and it should be increased this year at least to the amount recommended by the Budget Bureau. Much money has been advanced by stockgrowers' associations, by the various counties, and by the States. They are all doing their full share. In a State like Arizona where over half of its area is untaxed because the title is in the United States, where there is no way of raising revenue from the public land, where it is absolutely necessary that these predatory animals and rodents be eradicated, it is the duty of the Federal Government to contribute to this expense. The people of Arizona are doing their share and much more than their share. They are alive and are enterprising, but they have a right to ask that the Federal Government shall do its part of this work.

The Biological Survey has developed a campaign against animal pests which is extraordinarily successful in reducing heavy losses to stockmen and farmers. The success of the work has brought such public appreciation that the bureau is besieged by urgent requests for increased activities, involving cooperation of State officials, stock growers, and farmers on a great scale. It is impossible for the bureau to meet such demands under existing conditions, and this small increase of $37,740 is intended to provide means to meet the most urgent of these requests for assistance.

Mr. SUMMERS of Washington. Mr. Chairman, I move to strike out the last word. If I may have the attention of the gentlemen from Illinois [Mr. MANN] I wish to say that I lived for several years in that splendid old State, and without any disrespect to my old Illinois neighbors, they are not to be compared with my new neighbors out in the State of Washington in energy and good works. We are combating this menace out there in every way possible. The State legislature has appropriated thousands and thousands of dollars for this purpose. They are doing it independently and they are doing it by matching the Federal fund dollar for dollar; but we have a large area of public lands that is overrun with infected animals, coyotes that have rabies, and they are biting the stock, and it is dangerous for children to go to school. The dogs are being bitten and the disease is being carried everywhere. The coyotes do not belong to the State of Washington, nor to her citizens. They belong to the United States. They do not belong to me any more than they belong to the gentleman from Illinois or anybody else, and if we are going to meet this menace in one part of the country, we certainly ought to meet it at a place like this, where the diseased animals are spreading and are a menace to live stock and to human beings.

Mr. ARENTZ. Will the gentleman yield?

Mr. SUMMERS of Washington. I yield to the gentleman from Nevada.

Mr. ARENTZ. I may say that when the rabies menace first began in Nevada the same number of men were engaged in hunting predatory animals that are required in Nevada now. The same number of men are necessary for this purpose that were required five years ago. That does not prevent a rabid coyote from going over into the State of Washington or into Oregon. For that reason, in addition to the men who have been required for the past five years in my State, other men are now required in Oregon and Washington to eliminate the rabid coyotes from those particular States.

Mr. SUMMERS of Washington. I have a letter here from the State department of agriculture of the State of Washington which says that the predatory animal inspector has called in every Federal and State hunter with the exception of one and put them at work in the rabies district, and even with that he still needs more men. This is a real menace, and I hope the amendment will prevail.

Mr. RAKER. Mr. Chairman, I was delighted with the energy of my friend from Illinois [Mr. MANN], but the same remark that he made might be repeated relative to the Eastern States, regarding the very items which we have passed to-day in regard to the gypsy moth and the brown-tail moth. Why do not those people get busy and drive them out? A few minutes ago we passed an item in regard to the corn borer. Why do not these people get after the corn borer and drive him out? The same is true with regard to hog cholera and with regard to ticks and with regard to the boll weevil. Everybody knows that rabies is a disease that may be spread a hundred miles by a wolf or coyote. A wolf may travel 100 miles. That has been demonstrated by the Biological Survey.

One coyote afflicted with rabies can destroy in one day $10,000 worth of property for a man by fighting and biting this man's dog, and the dog in return fights and bites another one. In the State of California there has been as high as 40 beef cattle bitten in one night, worth $110 apiece. That is the situation.

These people are entitled to protection from rabid coyotes and wolves that run in your own public forests, and all we ask is that you cooperate with the State. We tax our people and make the land responsible for this tax, and we sell their land if they do not pay their part of the tax. All we ask is that eastern people get as energetic in taking care of their interests as we are. We all ask their cooperation in this item as we have had in other items placed on the bill. [Applause.]

Mr. TILSON. Mr. Chairman, I am not going to throw stones at any of my colleagues from the West, but I am going to make a plea for sanity in passing this bill. An able subcommittee have worked on the bill for a long time. They have had adequate hearings, which are worth anybody's reading, and I hope the Members have read them. They have questioned the representatives of the Department of Agriculture as to what amount they can use profitably. The members of the subcommittee were evidently in full sympathy with the agricultural interests and disposed to do everything possible for those interests. The subcommittee has constructed and brought into the House a bill which is worthy of the support of everybody in the House. Now, if the corn borer interest increases one item and the prairie dog and coyote interest increases another item, we are going to have the bill all out of joint.

Mr. JOHNSON of Washington. Then what is the use of reading the bill?

Mr. TILSON. I say, take the bill as it is, unless we can show that the committee has failed in some particular to do its work well. If it has considered every item carefully, as it apparently has done, then we should at least pay some attention to the recommendations of the committee.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. TILSON. I will.

Mr. MOORE of Virginia. I have noticed that in all appropriation bills the estimates of the Budget Bureau are taken as a reducible maximum. There is not a single bill thus far considered that does not show that practically all of the estimates of the Bureau of the Budget have been reduced.

Mr. TILSON. Does the gentleman object to that?

Mr. MOORE of Virginia. If it is done properly, after investigation, I do not object, but if done arbitrarily, without inquiring upon what facts the bureau based its estimates, it might be most improper.

Mr. TILSON. I would rather rely upon the investigation of a subcommittee like this on a particular matter than the estimates of the Budget, as much as I respect the work of that bureau. I have no objection where the committee, after thoroughly investigating a matter, has come to the conclusion that even the Budget estimates can be cut, and unless I am shown sufficient evidence to the contrary, I shall follow the subcommittee.

Mr. MOORE of Virginia. What is the use of a Budget Bureau if uniformly the estimates of the Budget Bureau are reduced, and reduced on the assumption that the bureau must be wrong without any investigation of the reasons that actuated the Budget Bureau?

Mr. TILSON. I think the Budget Bureau is doing a great work; but the subcommittee does even more, and follows it up still further into greater detail than can the Budget Bureau.

Mr. HUDSPETH. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. HUDSPETH. The gentleman wants to stand by the subcommittee. I admit that they have brought in a pretty fair bill, but their work is not infallible. How did the gentleman vote on the amendment to raise the amount to eradicate the corn borer?

Mr. TILSON. I voted with the committee. I do not know of anything in the bill or any question that has come up under it that I have not voted with the committee, because I believe the committee has brought out a good bill. Not that they are infallible, but I think there ought to be very substantial reasons before we enter upon a program of adding to the bill item after item. I think that this item as it stands in the bill has been sufficiently explained by the gentleman from Minnesota, who assures us that it gives all the money that the department can satisfactorily use. Therefore we ought to stick by it.

Mr. ANDERSON. Mr. Chairman, I move that all debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and all amendments thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. ANDERSON) there were 27 ayes and 25 noes.

So the amendment was agreed to.

The Clerk read as follows:

For biological investigations, including the relations, habits, geographic distribution, and migrations of animals and plants, and the preparation of maps of the life zones, $24,400.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I want the attention of the committee a moment. I received amongst many letters one from a gentleman who criticizes the House for paying no attention to the Director of the Budget. The charge was made that the Budget Director was working his head off to reduce expenses and that the House of Representatives overrides his recommendations. Up to that time I was able to write him and state that so far as it was in my memory there had not been but one item that had been increased by the House over the recommendation of the Director of the Budget. But I could give him a number of items which had been reduced, dozens upon dozens of cases, and if he cared—he seemed to think he knew what he was writing about—if he cared, I would confirm what I stated by a statement from the chairman of the Committee on Appropriations.

I directed a communication to the chairman of the Committee on Appropriations, because I received a letter from this man asking that I give him these facts. He said that, "We in the country have no such conception as that, because we are under the impression that the Director of the Budget makes his recommendations to the House and that the House pays no attention to them." I quoted in my letter to him the item of $500,000 for the archives building, and stated to my correspondent that I was very much interested in that item and anxious to have it agreed to; that it was recommended by the Director of the Budget, but was voted down by an overwhelming vote of the committee; that that was only one of the very many occasions where the director's recommendations had been reduced, but I stated that we were not making any increases. I fear that rule has been somewhat violated to-day.

Mr. HAYDEN. Oh, no; no appropriation has been increased to-day.

Mr. JOHNSON of Washington. It just restores the appropriation to the recommendation of the Budget.

Mr. FESS. I am very glad to be corrected in that respect. However, the item of increase of appropriation for treatment of the corn borer is an increase above what was recommended.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. FESS. Yes.

Mr. MOORE of Virginia. I am as anxious to see economy practiced as is the gentleman from Ohio, but in line with the question that I put to the gentleman from Connecticut [Mr. TILSON] a moment ago, I would ask my friend upon what theory the estimates of the Budget are invariably reduced? If he will look at the appropriation bills that we have already considered, he will find that is the almost inflexible rule. The estimates of the Bureau of the Budget are systematically reduced, and they are reduced without calling the Director of the Budget as a witness, and without calling any of his subordinates to explain on what basis the estimates were made up.

Mr. FESS. Is that statement exactly accurate? Is it a fact that there are no persons called before the subcommittee when these items are reduced?

Mr. MOORE of Virginia. Officials of the departments are called but the Budget officials are not called. I kept up very closely with the appropriation bill for the District of Columbia, as to which that was the fact.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Virginia. Mr. Chairman, I will say to the gentleman with a great deal of confidence—and I appeal to members of the Committee on Appropriations to bear out the accuracy of the statement—that almost without exception the Committee on Appropriations reduces the estimates of the Bureau of the Budget, and without any explanation being asked of the bureau as to the basis on which the estimates were made. That is something that I have not been able to understand in connection with our new procedure.

Mr. FESS. Mr. Chairman, I am in entire sympathy with the foundation of the gentleman's query about whether there are additional data upon which these reductions are made. I agree with him that to make them arbitrarily just in order to cut below what is recommended is not, as I think, justified; but I would assume that they never have been made arbitrarily, that they are made after an investigation of additional data, and by

the committee that has finally to make its recommendations to the House.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. HAUGEN. What is the gentleman's contention? Does he contend that Congress should be governed entirely by the Budget, that Congress should accept the findings of the Budget?

Mr. FESS. No; I do not believe that we should go to the extent of the British system which says that you can not change or increase an item above the recommendation of the Budget. That would not be allowing an amendment from the floor, and we never would agree to anything like that.

Mr. HAUGEN. If the Budget is to be of any value whatever its findings ought to be accepted, and when accepted Congress is simply surrendering its power.

Mr. FESS. I do not agree with the statement that if the Budget is of any value at all its recommendations must be accepted, because if that be true then there is nothing for us to do except to read the bill and vote upon it.

Mr. HAUGEN. They must be accepted to bring the expenditures within the revenue. That is the purpose of the Budget.

Mr. PADGETT. So far as that is concerned, there should be a connection between the amount of income that we receive and the amount of outgo. That is the basis on which the Budget is made, and we ought to respect that in that degree.

Mr. HAUGEN. The President can not be held responsible for any deficit unless his suggestions are carried out, and they are carried out through the Budget system. There has been a great deal of controversy about this, and I would like to have the gentleman's opinion upon it.

Mr. FESS. My opinion is that we can not accept the Director of the Budget's judgment without question and without permitting the House to revise it. I would not think about giving any bureau of the Government the power to make a final statement that could not be revised by the House. I think that would be entirely un-American.

Mr. HAUGEN. If the House should revise it and increase the appropriation within the revenues, then the Executive could not be held responsible.

Mr. ANDERSON. I desire to ask whether this discussion relates to wolves, coyotes, bobcats, prairie dogs, gophers, ground squirrels, horticulture, forestry, or what?

Mr. JOHNSON of Washington. It means this, that the House, in Committee of the Whole, has raised the figure of the Appropriations Committee for this item and put it back to the Budget figure, and for that we are being scolded.

Mr. FESS. I think probably I am allowing this thing to go afield. I arose simply to call attention to the misconception in the country that the Director of the Budget is working his head off to secure economy for the Government and Congress is daily overriding its recommendation and increasing the amount.

Mr. HAUGEN. Will the gentleman yield?

Mr. FESS. Now, that statement is in error—that assumption is in error—and, on the other hand, the real budget agency of the Government is this House right here. [Applause.]

Mr. GARRETT of Tennessee. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask for recognition in opposition. Mr. Chairman, I think I can explain the matter to the gentleman from Ohio [Mr. FESS], at least in part, as to why the Congress has been brought under criticism and the Bureau of the Budget has been boosted in the public eye. It is because the Budget has been able to advertise better than the Congress. Day after day, I said here not long ago, in the public press it looked like some of the papers kept headlines standing about "Dawes's saving," and I called attention to what there was about it at that time. The fact is these departments send their estimates over to the Budget. The Bureau of the Budget takes and works them out the best they can. They cut down a lot of these estimates like the Congress has always done in the past. Then the publicity department passes out to the newspapers that Gen. Dawes has saved $25,000,000 here and $50,000,000 there. Of course, I suppose he learned that from the Republican leaders here in the last Congress when they talked so much about saving money because they cut the estimates of the departments; and that is the explanation why the country does not know what is going on; and the belief that Dawes is saving and that the Congress is overriding him is due to the fact that somehow, some way, it has better avenues for publicity than the Congress has been able to find.

Mr. MOORE of Virginia. Mr. Chairman, I assume that the Director of the Budget is an able and earnest official, and I think he is entitled to a great deal of consideration, and I can not see why such consideration is not given him by the Committee on Appropriations. As the gentleman from Ohio [Mr. FESS] has said, he works his head off. Then, having worked his head off, the Committee on Appropriations takes his estimates and almost always cuts them down materially. There are not many exceptions to that performance, and it is done without any investigation of the steps that led him to his conclusion.

Mr. ANDERSON. That statement is not quite accurate.

Mr. MOORE of Virginia. Then I will try to make it accurate. At the time that my friend, whom I admire as a man of unusual ability and experience, came to conduct the proceedings of the subcommittee, of which he is chairman, and which is responsible for the bill now under consideration, the subcommittee looked at the estimates of the bureau and passed upon them without summoning the director or any of his subordinates who participated in compiling the bureau estimates.

Mr. ANDERSON. Will the gentleman yield?

Mr. MOORE of Virginia. I will.

Mr. ANDERSON. The committee had before it when it considered this bill not only the proposed Budget but also the estimates proposed by the bureaus, and in addition to that this very large volume which I have in my hand, which is an itemized statement of every allotment of every lump-sum appropriation in this bill and an itemization of each of these allotments, showing how much money was expended and how it was spent for the current fiscal year and the preceding fiscal year, and the proposed allotment for the next fiscal year.

As a matter of fact, the subcommittee had before it a great deal more information than the Budget Director had before him when he made up the Budget.

Mr. MOORE of Virginia. I think my statement stands. The subcommittee, of course, had the statistics and it had the benefit of explanations given by the department officials. But the gentleman does not know to this good moment, I venture to believe, what actuated Gen. Dawes or his subordinates in reaching the conclusions at which they arrived and which were represented by estimates that the subcommittee declined to accept.

Mr. ANDERSON. Yes, I do, and I will explain what actuated him. He made up his mind that he would cut off so much of this appropriation, and he cut it off wherever he could find a place to cut.

Mr. MOORE of Virginia. Exactly. He cuts off wherever he can find a place to cut and arrives at the amounts stated in the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Virginia. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Virginia. The subcommittee regards the bureau estimates as the maximum and then always reduces that maximum. You will find this to be the rule if you look into all the appropriation bills with which we have been dealing. Why should Gen. Dawes, a man held in high esteem, an official who is at the front in estimating the needs of the Government—why should he and his bureau be subjected to that sort of treatment?

Mr. MONDELL. Mr. Chairman, I am a little surprised at the view of the Budget estimates expressed by the gentleman from Missouri—I should have said from Virginia [Mr. MOORE]. The Budget policy is working splendidly. Gen. Dawes has performed a very splendid work in connection with the Budget, but I think the gentleman from Virginia, when he comes to think about it, would scarcely wish to subscribe to the proposition that we must accept the judgment of the Budget commissioner at all times as the minimum of appropriations. The gentleman will certainly not take that view, I hope, when he reaches the defense bills.

Mr. MOORE of Virginia. May I interrupt the gentleman from Wyoming?

Mr. MONDELL. Yes.

Mr. MOORE of Virginia. Perhaps the gentleman thought of me for a moment as from Missouri instead of Virginia because he appreciated my anxiety "to be shown." That is really my desire. I do not say for a minute that we should ordinarily regard the estimates of the Bureau of the Budget as a minimum. That would be very far from my thought to suggest. What I am simply trying to ascertain is why it is that when the bureau has worked so diligently in making up its estimates the Committee on Appropriations should work so diligently to cut down those estimates, and do it without consulting the director or his subordinates.

Mr. MONDELL. I have a high regard for the State of Virginia and its distinguished Representative; also of the great State of Missouri, where I was born; so it is a compliment to have for a moment placed the gentleman in Missouri rather than in Virginia.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CANNON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 490) to consolidate national-forest lands.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the joint resolution (S. J. Res. 43) to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C., had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FERNALD, Mr. FRELINGHUYSEN, and Mr. ASHURST as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JONES of Washington, Mr. SPENCER, and Mr. HARRIS as the conferees on the part of the Senate.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum. The Chair will count. [After counting.] Sixty-seven gentlemen are present, not a quorum.

Mr. ANDERSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having resumed the chair as Speaker pro tempore, Mr. HICKS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10730, the Agricultural appropriation bill, and had come to no resolution thereon.

ALASKAN FISHERIES.

Mr. CHINDBLOM rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Illinois rise?

Mr. CHINDBLOM. To ask permission, on behalf of the minority members of the Committee on the Merchant Marine and Fisheries, to file minority views on the bill H. R. 10427, relating to Alaskan fisheries, within five days. I ask unanimous consent that they may have five days in which to file minority views.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the minority members of the Committee on the Merchant Marine and Fisheries may have five days in which to file minority views on the bill H. R. 10427, relating to Alaskan fisheries. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. ALMON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the remarks I made before the Committee on Military Affairs last Wednesday on the offers for the Government nitrate plants at Muscle Shoals, in the usual RECORD type, 8-point.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD by printing in 8-point type the remarks he made on Wednesday last before the Committee on Military Affairs in reference to the nitrate plants at Muscle Shoals. Is there objection?

There was no objection.

The matter referred to is as follows:

Mr. ALMON. Mr. Speaker, under leave granted to extend my remarks in usual RECORD type, 8-point, I am inserting in the RECORD a speech I made before the Military Affairs Committee of the House on March 8, 1922, as follows:

SPEECH OF HON. ED. B. ALMON BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. ALMON. Mr. Chairman and gentlemen of the committee, during the recent World War the Government constructed at Muscle Shoals on the Tennessee River, in northern Alabama, two nitrate plants, known as Nos. 1 and 2, for the fixation of atmospheric nitrogen to be used for the manufacture of explosives for war purposes and fertilizer in peace times. The wartime cost of these plants amounted to a total of $85,423,078.73, including the Gorgas steam plant and the Waco rock quarry, which is about twice the amount of cost of construction in normal peace times. In addition to this about $17,000,000 has been expended on the Dam No. 2 at Muscle Shoals, known as the Wilson Dam. It was about 30 per cent complete when work was suspended last May, the appropriation of $10,000,000 to continue work on the dam having been defeated by 11 votes in the House on February 25, 1921.

At the small nitrate plant No. 1 the synthetic process of the General Chemical Co., which had not been developed on a commercial basis, was used. The Haber process was not available in this country at that time, but is now, and is being used successfully, I am informed, in a small plant at Syracuse, N. Y.

Plant No. 1 was an experimental plant. Certain parts of it were not a success. The War Department has decided not to ask Congress for the large amount of money that would be necessary to make it a success, but has recommended that it be salvaged.

The large plant, No. 2, at Muscle Shoals uses the cyanamid process of the American Cyanamide Co. The cyanamid process for the fixation of atmospheric nitrogen is one of the oldest and best. It is being used extensively and successfully in the European countries and was during and before the World War. Plant No. 2 was built in about eight months, being completed just as the war ended. It is 100 per cent in quantity and quality of production contracted for, viz, 110,000 tons ammonium nitrate annually, as has been demonstrated by a number of Government tests. Both plants are now being kept in a standby condition.

The development at Muscle Shoals is not local; it is a great national project and is nation-wide in the uses for which it was intended. This development, as planned in the Ford offer, will be of great benefit to the entire country. Muscle Shoals was selected for this development on account of its natural advantages, namely, within the safety zone prescribed by the military authorities; the greatest water power east of the Mississippi River; in close proximity to the phosphate beds, coal, coke, limestone rock, and all other raw materials in inexhaustible quantities needed in the manufacture of munitions and fertilizer; climatic conditions ideal; central point for the distribution of fertilizer; transportation facilities good both by rail and water.

PLANTS BUILT TO MAKE FERTILIZER AND MUNITIONS.

This committee in 1916 originated the law which resulted in this development. At the earnest solicitation of those who were interested in the question of national defense and agriculture provision was made in section 124 of the national defense act, approved June 6, 1916, for the construction of one or more nitrogen plants to be used for the manufacture of explosives in times of war and fertilizer in peace times, to be operated by steam or water power; one or both. As a result of that legislation the Government, through its authorized representatives, made these improvements at Muscle Shoals. In the consideration of this question it is most important that you bear in mind that these nitrate plants at Muscle Shoals and the water-power development which has been commenced was just as much intended for the production of cheaper and better fertilizer for the farmers in times of peace as for the manufacture of explosives in times of war. This was clearly the expressed intention of Congress when their construction was authorized.

After our experiences during the World War everybody agrees that this country should never again be dependent upon a foreign market for a supply of nitrogen in times of emergency, and all agree that nitrate plant No. 2 at Muscle Shoals should be preserved and maintained as a part of our national defense.

Soon after the beginning of the present administration, Secretary of War Weeks announced that he would not recommend to Congress the appropriation of funds with which to complete Muscle Shoals Dam No. 2, known as the Wilson Dam, unless he was first assured that there would be a market for the power developed by its completion that would justify the additional expenditure. In order to secure this information the Secretary of War requested the Chief of Engineers of the War Department to ascertain from water-power companies and others who might be interested in using a large amount of water power if they would be interested in taking the power if the dam was finished.

As a result, the Chief of Engineers received several replies—one from the Southern Power Co., in which it was not only stated that they would not be interested in taking the power but strongly condemned the project, declaring that it was impracticable and worthless, and recommended and advised against the completion of the development. Muscle Shoals has become very valuable in the estimation of the Southern Power Co. and other water-power and fertilizer interests since Mr. Ford made his offer. Why this sudden change of heart?

As a further result of the policy of Secretary of War Weeks, an offer was made by Henry Ford which made provision not only for the completion of the Wilson Dam but for the construction of the other dam, No. 3, thereby developing all the water power at Muscle Shoals and removing all obstruction to navigation, and also providing for the operation of the large nitrate plant, No. 2, for the manufacture of fertilizer.

The Ford offer was made on the 8th day of July, 1921. Negotiations were conducted between Mr. Ford and the Secretary of War for several months, and no other offers were made until after the Ford offer was sent to Congress, February 2, 1922.

While negotiations were pending between Mr. Ford and the Secretary of War the president of the Alabama Power Co. announced, through the press and otherwise, that the Alabama Power Co. would not submit an offer for the Muscle Shoals property, but after the hearings by this committee on the Ford offer had commenced, and when it became apparent that the Ford offer would, in all probability, be accepted by Congress, the Alabama Power Co. submitted an offer on the 15th of February, 1922.

The Secretary of War announced that he was without authority to dispose of this property and sent both of the offers to Congress with his comments, but without recommendations, and they were referred to the Agricultural Committee of the Senate and this, the Military Affairs Committee of the House.

Extensive hearings have been held before this committee during the past three weeks, and have attracted nation-wide attention. The hearings are now about completed. Both committees are planning to make a trip of inspection to Muscle Shoals at an early date. You have been very patient. You have given all a hearing who desired to be heard. I have attended all of the hearings and have made a careful study and analysis of all of the offers for Muscle Shoals. My purpose in addressing you is to show you, if I can, that it will be to the interest of the Government and the public to recommend the acceptance of the offer of Henry Ford and reject that of the Alabama Power Co. I shall first discuss the offer of Henry Ford and then the offer of the Alabama Power Co.

FORD'S OFFER FOR MUSCLE SHOALS.

Mr. Ford's offer of July 8, 1921, as modified on January 11, 1922, was put in contract form by the Judge Advocate General and is made Exhibit C on page 14 of House Document 167.

Three modifications, as I remember, have since been agreed to by Mr. Ford to clarify some parts of the agreement, namely: First, that his company, provided for in the first section of the agreement, is to begin with at least $10,000,00 paid-in capital stock; second, that section 14 be modified so as to make it clear that nitrate plant No. 2 is to be operated to its full capacity during the entire period of the lease for the manufacture of fertilizer; third, that the board, nominated by the farmers' organizations and appointed by the President, as provided for in section 15 of the agreement, shall control the sale and distribution of the fertilizer manufactured at plant No. 2 so that it will be sold direct to the farmers at not more than 8 per cent over and above the actual cost of production.

FORD OFFER FOR MUSCLE SHOALS.

Mr. Ford's proposal consists of two parts—one, to lease the dams, and, two, to purchase the nitrate plants and accessories.

PART 1.—OFFER TO LEASE THE DAMS.

PROVISIONS OF OFFER.

1. Mr. Ford agrees to pay $55,000 annually for the maintenance of dams, locks, etc., making a total payment in 100 years of	$5,500,000
2. He agrees to pay interest at 4 per cent on whatever the cost may be for completing both dams. If this amounts to $42,000,000 (the estimate of Mr. Ford's engineers), the total in 100 years under Mr. Ford's plan of payments will amount to	161,040,000
3. He agrees to a plan of amortization sufficient to retire $49,000,000 in 100 years	49,000,000
Total payments to the Government under Ford offer during 100 year lease period	215,540,000

Cost of dams (expended and proposed).

There has been expended to date in building Dam No. 2		$17,000,000
Cost of completing Dam No. 2	$23,000,000	
Cost of building Dam No. 3	17,000,000	
		40,000,000
Total Government investment in Muscle Shoals dams and hydroelectric plants will amount to a total of		57,000,000

Charges to navigation: Deducting the $49,000,000 which Mr. Ford repays from the $57,000,000 total cost leaves $8,000,000 unrefunded, which is less than the amount stated by the United States engineers as chargeable to navigation, their prewar estimates being $8,575,000. (See R. and H. Com. (H. R.), Doc. 20, 63d Cong., 2d sess., p. 4, par. 6.)

The United States engineers have more than once recommended that $8,575,000 should be charged to the navigation improvement of the Muscle Shoals stretch of the Tennessee River under the very plans for joint navigation and power improvement now proposed.

Earnings from Government peace-time investments compared with Ford offer: To meet the terms of the Ford offer and produce a proportionate return to the Government, the Reclamation Service, representing a Government net investment of $125,870,830, would have to show an annual gross income of $10,180,132, instead of $4,191,844, which it now shows. The Panama Canal, representing an investment of $380,554,949, would have had to earn $32,450,886 gross revenue, whereas last year's total revenues were only $12,040,117. (Based on 1921 report.)

PART 2.—OFFER TO PURCHASE NITRATE PLANTS AND ACCESSORIES.

Provisions of offer: Mr. Ford offers to purchase nitrate plants Nos. 1 and 2, Waco Quarry, and the Gorgas steam plant and its transmission line for $5,000,000. He has offered to maintain nitrate plant No. 2 in a state of readiness to be promptly operated in the manufacture of materials necessary in time of war for the production of explosives; thus securing the benefit of its use for the purpose for which the plant was originally planned. The Government, therefore, retains every advantage of the nitrate plant in time of war, but pays nothing for the maintenance of the nitrate property in times of peace.

Salvage to Government from war-time investments compared with Ford offer.

Government property sold.	Cost of property.	Salvage received.	Per cent of cost salvaged.
Muscle Shoals nitrate plants	$85,423,078.73	$5,000,000	5.85
Old Hickory Powder Plant	80,000,000.00	3,500,000	4.38
Wooden ships, U. S. S. B., each	800,000.00	5,000	0.63

On the basis of the price received for the wooden ships that were sold Mr. Ford would have offered only $567,000, instead of $5,000,000, for the nitrate plants.

Annual cash saving to Government by acceptance of Ford offer: The Ford offer, when accepted, will stop the following annual cash expenditures:

1. Guarding and maintaining nitrate plants and accessories (fiscal year ended June 30, 1921), depreciation omitted	$310,042.44
2. Guarding and maintaining uncompleted work at Dam No. 2, representing a yearly expenditure of	384,000.00
3. Maintaining Muscle Shoals Canal, average annual cost	53,079.00
Total annual cash saving	747,121.44

This is interest at 4 per cent on $18,678,000.

Cost to Government of the delay in accepting Ford offer.

Average annual cash return to the Government under Ford offer	$2,155,400
Annual cash expenditures saved at Muscle Shoals by Ford offer	747,121
Total annual loss to Government by delay	2,902,521
Average monthly loss	241,877
Loss since Ford offer was made, 8 months ago	1,935,016

The cost of the delay in accepting Mr. Ford's offer, as shown above, has already amounted to $1,935,016, and on the cost basis of the last fiscal year the cost is piling up at the rate of $8,062.50 per day.

As shown from the foregoing table of salvage to the Government from war-time investments, the Ford offer for the nitrate plants at Muscle Shoals will give the Government the highest rate of salvage it will have obtained from either of the war-time expenditures included in that list. The military cantonments, constructed during the war, which have thus far been salvaged have brought practically nothing. Many of them have been completely abandoned and their buildings are going to waste, for the reason that they are not even worth the cost of "scrapping."

When the fact is taken into consideration that Mr. Ford's offer for the nitrate plants imposes upon him the obligation to keep the plants in reserve, at his expense, for the use of the Government in time of war for the production of explosives, his bid looms large in comparison with the prices obtained for the other war-time investments, from which no further returns will be secured. So there has not been and can not be any just criticism of the amount offered by Mr. Ford for the nitrate plants.

Mr. Ford not only offers a very fair price for the nitrate plants, but agrees to keep nitrate plant No. 2 at Muscle Shoals in an up-to-date running condition and available to the Government without cost if it should ever be needed for military purposes and the manufacture of munitions. It is now in a stand-by condition, expensive to guard and maintain. The older it grows the more expensive the maintenance charges will be. With the very best care it would rust out and greatly deteriorate in value. The fixation of atmospheric nitrogen is a comparatively new art, and it will be improved from time to time; and in order for this plant to keep pace with the progress of the art and be an up-to-date, going concern in the event of a military emergency it must be operated in peace times.

Besides, the act of Congress making provision for its construction provided that it should be operated in peace times for the manufacture of fertilizer. So the acceptance of the Ford offer preserves this plant as a military plant and at the same time makes provision for its operation by private capital in peace

times for the manufacture of fertilizer. The maintenance of the plant by the Ford Co., relieving the Government of all expense and keeping it in an up-to-date running condition, is of inestimable value and would save the Government many millions of dollars, besides the advantages to agriculture, the basic industry on which the success and prosperity of every other business depends.

Mr. Ford further agrees to operate nitrate plant No. 2 during the entire period of the lease to its full capacity in the manufacture of commercial fertilizer and sell direct to the farmers at a price not to exceed 8 per cent over the actual cost of production, through a board nominated by the farmers' organizations and appointed by the President.

The present capacity of the plant would produce about 2,000,0000 tons of fertilizer, which is about 30 per cent of the amount of fertilizer consumed in normal times. It has been clearly shown that with cheap water power the Ford company can make fertilizer at about one-half of the present price. The Nation's fertilizer bill is now nearly $250,000,000 annually. Suppose, for the sake of argument, that the operation of the Muscle Shoals plant should only result in a 20 per cent reduction in prices. That would amount to $50,000,000 a year saving to the farmers, and this amount for 100 years, out on compound interest—as the opponents of the Ford offer have undertaken to do in claiming what Mr. Ford would make from the Government in compounding interest—would be over $5,000,000,000 saved to the farmers of the country.

FORD'S OFFER TO LEASE THE DAMS.

Mr. Ford's agreement requires his company to be responsible for the upkeep and repair of the power houses and equipment at his own expense; to pay the Government $55,000 annually for the upkeep of the dams and locks, which will save the Government the expense of maintaining the present imperfect facilities for navigation at Muscle Shoals, amounting to from $35,000 to $85,000 per annum; also to pay as an annual rental 4 per cent on the actual cost of the completion of the dams; and, in addition to all this, create a sinking fund by paying to the Government $46,746 annually, which, if invested by the Government at 4 per cent interest, would amount to $49,071,935 at the end of the lease; if invested at 4½ per cent would amount to $58,570,003.

The Secretary of War, in his report to Congress discussing this part of the Ford offer (House Document 167, p. 7), made the following statement:

Should the dams be constructed at a cost of not to exceed $42,000,000, as estimated by Mr. Ford's engineers, there would be left to apply on the investment of the Government heretofore made whatever the amortization payments would produce in excess of the $42,000,000. If the amortization fund should be invested continuously at 4 per cent there would be at least $7,000,000 to be thus applied, but should it be invested at a greater rate of interest, the amount would be increased as shown by the following table:

Amount retired by Mr. Ford's sinking fund at various rates of interest, compounded semiannually.

Account of—	Semi-annual pay-ments.	Life of fund (years).	Amount retired at following interest rates.				
			4 per cent.	4½ per cent.	4¾ per cent.	5 per cent.	6 per cent.
Dam No. 2	$19,868	94	$40,919,798	$48,783,949	$58,319,359	$83,718,097	$176,030,810
Dam No. 3	3,505	97	8,152,137	9,786,054	11,780,690	17,150,545	37,103,880
Total			49,071,935	58,570,003	70,100,049	100,868,642	213,134,690

NOTE.—Payments are to be made into sinking fund semiannually at the beginning of each semiannual interest period. This sinking (or retirement) fund has nothing to do with Mr. Ford's interest payments, but represents a separate fund to be invested at the highest interest rate obtainable for the purpose of returning to the Government within the lease period the largest amount possible, with the above semiannual payments, consistent with safe investment.

The Secretary of War found no fault with this part of the Ford offer, nor do I remember to have heard of any criticism of it by any member of this committee.

A group of powerful interests is flooding Congress and the country with all kinds of propaganda filled with false and misleading statements about Mr. Ford's plans and purposes. One very elaborate publication was issued purporting to tell "The Truth About Muscle Shoals" and a large part of it was an attempt to show that Mr. Ford would devote the Muscle Shoals plant to the manufacture of sulphate of ammonia, and this product would have but little effect upon the cost of fertilizer. Mr. Ford does not intend to produce sulphate of ammonia as a nitrogen fertilizer compound. He will, of course, produce ammonia by the air nitrogen fixation process and mix ammonia with phosphoric acid, produced electrically from phosphate rock obtained nearby, thus making ammonia phosphate.

The same publication states the cost of completing Dam No. 2 would be $33,000,000, and of Dam No. 3, $24,000,000, or $57,000,000, for the completion of the dams. The facts are that experienced and responsible contractors have offered to complete Dam No. 2 for $23,000,000, and build Dam No. 3 for $17,000,000, making a total of $40,000,000 for both. The estimate of Mr. Ford's engineers is $42,000,000. The outside estimates of the engineers of the War Department is about $48,000,000, and they admit that it may be considerably less.

Mr. Ford, according to his offer, is to construct the dams under the direction of the Chief of Engineers of the War Department. It will be to his interest to do it as cheaply as he can as he is to pay an annual rental of 4 per cent on what it costs.

Some of those who are opposing the Ford offer have criticized the 4 per cent on what it costs to complete the dams as annual rental for the water power. To show that there is no cause for such criticism I submit the following table of Government loans now outstanding in the shape of bond issues:

		Per cent.
Consuls, 1930	$500,724,050	2
Panamas, 1916–36	48,954,180	2
Panamas, 1918–38	25,947,400	2
Panamas, 1961	50,000,000	3
Postal Savings	11,774,020	2½
Conversion, 1946–47	28,894,500	3
WAR ISSUES.		
Liberty, 1932–47	1,410,074,050	3½
Liberty, 1932–47	15,130,900	4
Liberty, 1927–47	66,362,800	4
Victory, 1923	497,915,100	3¾

From the above table it will be seen that bond issues prior to the recent war issues were on a basis of from 2 to 3 per cent, and the average was under 2½ per cent. It also shows that a number of war issues were at 4 per cent and less. It was only toward the end of the war and in the most serious stress of the war that some bonds were issued at a rate of 4¼ to 4¾ per cent.

In normal times our Government bonds have been issued for much less than 4 per cent, so it is fair to assume that the 4 per cent which Mr. Ford is to pay as annual rental for a 100-year period will be above the average rate that will prevail during that time.

When the Ford offer is accepted, Congress, instead of appropriating money from time to time to complete the dams, could provide for the issuance of 4 per cent bonds, which would be easily negotiated. The interest paid by the Ford Co. as rental for the power would pay the interest on the bonds and the amortization plan would liquidate the bonds, and in this way the completion of the dams would not cost the Government anything.

100-YEAR LEASES.

There has been some criticism of that part of the Ford offer which provides for a lease of the water power for 100 years. Practically all of the water-power developments up to this time provide for a 99-year lease period. The criticism of this feature of the offer seems to be due to a provision in the general water power law, approved June 10, 1920, which provides for 50-year leases with rights of renewal.

There should be no objection to the Ford offer on account of the 100-year-lease period; first, for the reason that the dams at Muscle Shoals were approved by the War Department and work commenced on the construction of one of them before the enactment of the general water power law; second, because the development at Muscle Shoals is in a class to itself. There is nothing else like it. Besides, the dams are being built by the Government and will be the property of the Government, and not a lessee.

There is a fall of 134 feet in 36½ miles. The flow of the river is 72,000 second-feet at low water and 499,000 second-feet at high water. The Wilson Dam is to be 100 feet high and 4,425 feet long; Dam No. 3, 14 miles up the river, is to be 40 feet high and 6,725 feet in length; the two together developing about 800,000 horsepower, more than has ever been developed at any one place in the world.

There is a present market for only a small part of this power. It will require a number of years to secure a market for it all. Mr. Ford is not willing to take over this water power under a lease for less than 100 years. He claims that on account of the heavy expenses and the time required to provide a use and market for this power that a lease for less than that length of time would be unreasonable.

Gen. Beach, Chief of Engineers of the War Department, told you that he thought a 100-year lease in this case was proper and reasonable, and gave his reasons. Many others are of the same opinion. The Government and taxpayers are fully protected during the entire period of the lease, so there is no valid objection to the 100-year lease.

The chairman of this committee, after hearing this feature of the lease discussed by a number of witnesses, announced in an open meeting of the committee that he saw no objection to the 100-year lease period of the Ford offer. The fact that the general water power law provides for a 50-year lease, with rights of renewal, is no reason why this lease should not be for 100 years for the reasons I have stated.

The general water-power law, as we all know, was a compromise measure in many respects, and has been very disappointing in results, as there has been but little water-power development since that time. There were great differences of opinion among the Members of both Houses of Congress as to what the lease period should be. A great many favored a 100-year lease period.

RIGHTS OF FORD CO. AT THE END OF 100 YEARS.

Some one has suggested that section 17 of the Ford offer might have the effect of giving the Ford Co., its successors or assigns, a perpetual right to at least a part of the power from these dams. To show that such is not the case I refer you to that section which is as follows:

17. In order that said company may be supplied with electric power and the farmers with fertilizers after the termination of the said 100-year leases, should the United States elect not to operate said power plants but determine to lease or dispose of same, the company shall have the preferred right to negotiate with the United States for such lease or purchase and upon such terms as may then be agreed upon. If the said leases are not renewed or the property covered thereby is not sold to said company, its successors or assigns, any operation or disposal thereof shall not deprive the company, its successors or assigns, of the right to be supplied with electric power at reasonable rates and in amount equal to its needs, but not in excess of the average amount used by it annually during the previous 10 years.

Secretary of War Weeks made no objection to this section and does not construe it as has been suggested. Secretary Weeks has this to say about that section (H. Doc. 167, p. 8):

This paragraph does not bind the United States to a renewal of the lease and is in no way an attempt to control the policy of Congress beyond the 100-year period of the present lease, except to preserve to Mr. Ford's company "the preferred right to negotiate with the United States for such lease or purchase and upon such terms as may then be agreed upon." It also attempts to preserve for the company a right to be supplied with electric power, for a period not stated, "at reasonable rates" in the event the power plants are operated or disposed of to some one other than the company.

If the plants of the Ford Co., or its successors or its assigns, depending upon this power, should be denied the necessary power for operation at the end of the lease it would amount to a confiscation of their plants. The provision is reasonable and proper.

GREAT POSSIBILITIES FOR WATER TRANSPORTATION.

The building of these dams as provided in the Ford offer will not only develop this great water power which has been going to waste for all time but will open up cheap water transportation on the upper Tennessee River, which runs through a vast area rich in great deposits of coal, iron ore, marble, slate, phosphate rock, zinc, and immense forests of hardwood timber, all of which is needed in other parts of the country. With this cheap water transportation all these materials which are now locked up for want of transportation facilities can be transported in the Ohio River, thence into the Mississippi River, and to all the markets, both domestic and foreign.

OPTIONS TO PURCHASE PLANTS CLAIMED.

The Air Nitrates Corporation, a subsidiary of the American Cyanamide Co., with a capital stock of $1,000, constructed nitrate plant No. 2 at a cost of nearly $70,000,000 on a cost-plus percentage contract, and collected a fee of $1,500,000 in addition. This company claims that it has a right to purchase nitrate plant No. 2 under its contract with the Government. There was no authority for the execution of a contract by the Secretary of War or any other official at the time of the execution of the contract, December 1, 1917, obligating the Government to sell this plant to the Air Nitrates Corporation, and that part of the contract is null and void. No one has furnished the committee with any authority to support such a contention. A representative of this company did appear before this committee and claim that his company had a moral, if not a legal, right to purchase plant No. 2. The nature of the contract and amount which has been paid by the Government to this company clearly shows that there is not even a moral obligation on the part of the Government. This representative also stated that his company did not care to buy the plant, and in addition was not financially able to purchase it. So this so-called "option to purchase" in no way interferes with the acceptance of the Ford offer.

The Judge Advocate General of the War Department, after a careful consideration of this question, rendered an opinion declaring this option void and that in his opinion there was not even a moral obligation on the part of the Government to sell the plant to the Air Nitrates Corporation.

The Alabama Power Co. also claims an option to purchase the Gorgas plant and transmission line from Gorgas, Ala., to Muscle Shoals. The Judge Advocate General has also decided that this is void. Attorneys for the Alabama Power Co. and my colleague [Mr. OLIVER] have discussed at length every feature of the contract and transactions between the Government and the Alabama Power Co. in connection with the Gorgas plant and transmission line from Gorgas to Muscle Shoals, and I deem it unnecessary to undertake to add anything to what has been said. I take for granted that you will act upon the opinion of the Judge Advocate General.

GOVERNMENT RECLAMATION SERVICE.

I hope that I have shown that the acceptance of the Ford offer will not cost the Government anything in the end. But even if it should lose some interest during the construction period in making provision for the manufacture of a cheaper and high-grade concentrated fertilizer for the farmers in those sections of the country where fertilizer is absolutely necessary, it would not compare with the amounts which have been appropriated by Congress for the reclamation of arid lands in our Western States.

The Government reclamation of the arid West is both a paternal and an internal improvement which is essentially a cooperative arrangement between the Government and private parties. The summary of appropriations made by Congress for western land irrigation to 1915 amounts to $116,824,894.82, and of that amount there was an authorized Government bond issue of $20,000,000, and none of these appropriations in aid of irrigation improvements in the West return any interest payment to the Government.

One of the most prominent examples of the reclamation projects of the West is the case of the Roosevelt Dam, 79 miles northwest of Phoenix, Ariz., this dam being 284 feet high and 235 feet long, originally estimated to cost $5,000,000; but the total cost of this reservoir, dam, power system, diversion works, canals, drilling, and so forth, to July 1, 1913, was $11,193,687. The money was loaned to them to aid in irrigating their lands without interest for at least 20 years, and in some places it goes on into a revolving fund year after year without any interest to the Government.

The Government has very properly assisted and encouraged the western farmers to water their arid lands. For the same reason the Government should at least give Mr. Ford an opportunity to aid the farmers who need fertilizer.

Other countries are using their air nitrogen plants successfully for the manufacture of fertilizer and are making most valuable contributions to agriculture in this way. Our country is making progress along all other lines; why not this?

CHILEAN NITRATE AND FERTILIZER TRUSTS AND OTHER SELFISH INTERESTS OPPOSE THE FORD OFFER.

What is the cause of this opposition? It has been conclusively shown during this hearing that the Ford Co. would produce fertilizer by reason of the cheap water power and the Ford Co.'s business methods at from one-third to one-half cheaper than the present prices of fertilizer.

I believe that every one who has studied the question will agree that Dr. Milton Whitney, Chief of the Bureau of Soils, and an export on matters pertaining to fertilizer, was right when he said that the present policy pertaining to the manufacture and distribution of fertilizer was wrong and should be remedied.

I have no doubt but that this committee has concluded by this time that the manufacture of fertilizer by the Ford Co. at Muscle Shoals would revolutionize the fertilizer business in this country by reason of the quality and price of the fertilizer produced.

When the war ended it was costing the Government $1,000,000 an hour. One reason was that those who sold us nitrates and explosives of different kinds charged any price they pleased while our boys were fighting and dying in the trenches in France. We were helpless; had to get our nitrates from Chile.

We are dependent upon Chilean nitrate for nitrogen for war and fertilizer purposes. We have paid out for Chilean nitrate since 1867 the enormous sum of $821,183,624.12. In addition to this large sum the people of the United States, principally the farmers, have paid to Chile an export duty of $11.87 per ton on Chilean nitrates, which has amounted to $163,647,780.63 since 1867.

Why should the farmers of the United States continue to pay tribute to a foreign country to secure nitrogen for fertilizer purposes when there is over 21,000,000 tons of nitrogen in the air over every square mile, when we have one of the largest and best nitrogen plants in the world, equipped and planned to take the nitrogen from the air and convert it into a solid substance by means of the patented process for the fixation of atmospheric nitrogen, and thereby lower the prices and keep our money at home? We not only pay a high price for the Chilean nitrate and an export tax, but high ocean freight rates for four or five thousand miles to the nearest American port, and then high railroad freight rates to the station nearest to the farmer, then usually a long-distance haul over muddy roads to the farm where it is to be used. After all of this expense, it contains only about 16 per cent of nitrogen; the balance is of no value as a plant food and is what is usually called filler. Mr. Ford proposes to make a concentrated fertilizer and sell it to the farmer and let him do the mixing if he desires and save all this expense.

The American representative of the Chilean Nitrate Corporation testified before the Graham Committee on War Expenditures that the price of Chilean nitrate, or nitrate of soda, as it is commonly called, was fixed by the Chilean Nitrate Commission in London. He also stated that the by-product coke-oven companies in the United States placed the same price on their ammonium sulphate in proportion to nitrogen contents. He further stated that, in his opinion, if the Muscle Shoals plant should be operated for the manufacture of fertilizer that the Chilean Nitrate Corporation would have to sell Chilean nitrate at the same price that it would be sold for at Muscle Shoals. So it is easy to understand why the Chilean Nitrate Corporation should oppose the Ford offer. It has no competition at this time and is interested in keeping down competition.

The acceptance of the Ford offer will make us independent of this foreign power both for fertilizer and war purposes. The quality of fertilizer we are now using is inferior, and the prices prohibitive in proportion to the present prices of farm products. We have been diligent in our effort to enact legislation in the interest of the farmers; we have secured large amounts of national aid to rural roads; we have provided a system of farm loan banks for the purpose of enabling the farmers to secure long-time loans at a low rate of interest; we have revived the activities of the War Finance Corporation in order to assist the farmers in marketing their crops; we have recently enacted a cooperative marketing bill. We now have an opportunity to do something further by accepting the Ford offer and protecting the American farmer from further imposition by these foreign and domestic monopolies who fix and manipulate the prices of fertilizer at their will without any regard to the price of farm products or the financial ability of the American farmer.

The American Cyanamide Co. and the Virginia Chemical Co., the biggest of the fertilizer companies, Alabama Power Co., J. B. Duke, of the American Tobacco Co. and the owner of the Southern Power Co., with its vast operations in the Carolinas, are all opposed to the Ford offer and favor the offer of the Alabama Power Co. They are all intertwined through stock ownership, as has been shown by congressional investigations. If the Alabama Power Co. should secure Muscle Shoals, there would be formed a combination of interests of water-power and fertilizer with power for evil without limit.

There is always great danger to the public in any one group of interests securing control over any industry. It is but natural that these interests should object to Henry Ford getting Muscle Shoals. They, like the Chilean Nitrate Corporation, do not want any competition, either in the fertilizer or water-power business. They believe in monopoly. They profit by monopoly. It is our duty to try to protect the people in their rights.

There are 6,500,000 farmers in the United States. Thirty-eight per cent of our population live on farms. The annual value of crops and live stock amount to from eleven to twenty-five billion dollars. Agriculture has an investment of $80,000,000,000, the largest investment by far of any other business. The next largest business is railroads, with an investment of $20,000,000,000.

The shrinkage in value of the crops of 1920 amounted to $8,000,000,000, from which the farmers have not yet recovered. In the face of this condition of the American farmer the price of Chilean nitrate has advanced $17 per ton within the last 30 days, with further increases threatened. The fertilizer, known as 8–3–3, has advanced from $26 a ton to $31 a ton, and the indications are that it will go to $36 in a short time.

The National Fertilizer Association opposes the Ford offer. It has flooded Members of Congress with literature in which it is contended, first, that the Ford Co. can not make fertilizer at Muscle Shoals, and second, that it can not make it cheaper than it is now being sold. The president of this association appeared before this committee and made the same claim. If this be true, why should they be so concerned about the Ford offer? It is very apparent that they believe that Ford can make fertilizer cheaper, and that it will materially affect their business. This same representative of the National Fertilizer Association contended before this committee that a monopoly of water-power interests was in the interest of the people.

SECRETARY OF WAR URGES EARLY ACTION IN ORDER TO GIVE EMPLOYMENT TO LABOR ON LARGE SCALE.

The Secretary of War, in his report to Congress on the Ford offer, made this very significant and pertinent statement:

In this time when there is a large amount of unemployment it is not without importance to consider the advantages to the Nation of the employment of the large amount of labor required in undertaking this development. I therefore urge that Congress give early consideration to this matter, not only to settle a controverted question but to furnish employment on a large scale.

Mr. Ford intends, if his offer is accepted, to begin work immediately and give employment to thousands of people who are now unable to secure employment. Mr. Ford's personal representative, Mr. W. B. Mayo, said to you one day last week that Mr. Ford wanted to get in on the work at Muscle Shoals this summer while the weather is good and the river is low and before there is further damage to the unfinished dam and machinery and equipment at the dam. He claims that the development of his company will eventually result in giving employment to 1,000,000 people. This, with an average of five to the family, would mean 5,000,000 people employed and supported as a direct result of this development.

Can anyone doubt for a moment that Mr. Ford, with his immense capital, organization, and wonderful record of efficiency, will not make a success of this undertaking? Would not the American people regard it as a national crime to reject the Ford offer and prevent this development, which would be nation-wide in its beneficial effects?

Mr. GREENE of Massachusetts. Mr. ALMON, do you want to leave in the RECORD your deliberate suggestion that the rejection of the Ford offer would be regarded as a national crime?

Mr. ALMON. Well, if it is thought that expression is too strong, I will say, "Would not the American people regard it as a national calamity?"

The acceptance of the Ford offer would not only result in giving employment to labor on a large scale, provide for better and cheaper fertilizer, and improvement to navigation, but that part of the country within a radius of 200 miles, and probably more, and all intervening points would be supplied with cheap power for all purposes.

It also means the investment by the Ford Co. of forty or fifty million dollars in equipping the nitrate plant for the manufacture of fertilizer and the establishment of other industrial plants.

THOMAS A. EDISON SAYS THE DETROIT MANUFACTURER WOULD MAKE A GREAT SUCCESS WITH HIS PLANS AT MUSCLE SHOALS.

It is claimed by some that Mr. Ford can not make a success of the fertilizer business at Muscle Shoals. Mr. Thomas A. Edison, after visiting Muscle Shoals and making full investigation, said he considered that it was a practical thing to make fertilizer at Muscle Shoals; that there is nothing complex about it. Is not his opinion worth something?

Many said that Mr. Ford could not make cheap automobiles, trucks, and tractors in competition with those engaged in the business when he commenced, but in this they were mistaken. Last year the Ford Co. turned out 1,013,958 passenger automobiles and trucks, and is now selling an automobile, a tractor, and a truck for $1,150, and claims that he will be able to reduce it to $1,000 if his offer for Muscle Shoals is accepted.

The success of Henry Ford is the marvel of the century when we realize what he has accomplished was in spite of the powerful opposition, fighting a single-handed battle. The great masses of the people of the Nation not only indorse his offer but have implicit faith in his ability to carry out the big plans he has in view if he gets Muscle Shoals.

One of the chief causes of his success is because he is willing to help his fellow man. No one ever hears of friction between capital and labor in the great manufacturing plants of the Ford Motor Co.

Henry Ford believes in high wages and low price of product. On that basis he has been a wonderful success. In this respect he is very different to many of the leaders of financial power in this country.

FORD OFFER INDORSED BY ALL FARM ORGANIZATIONS AND FARM PAPERS.

The Ford offer has the hearty and unanimous indorsement of every farm organization and farm newspaper in this country, and their representatives have appeared before this committee and earnestly urged its acceptance. They are equally as unanimous and united in their opposition to the offer of the Alabama Power Co. This is but natural as it makes no provision for the manufacture of fertilizer at Muscle Shoals. The representatives of these farm organizations have visited Muscle Shoals several times and made a thorough investigation of its possibilities from a fertilizer standpoint, and have been unanimous in their report and recommendations in favor of the completion of the development and the operation of the plants. They regard the acceptance of the Ford offer as the only hope of relief from the Chilean nitrate and fertilizer monopolies and trusts. The farmers of this country are watching closely the action of Congress in the matter of the Ford offer and will not be satisfied unless this is done. They are intelligent and fully understand the Ford offer, and are confident that if it is accepted that the Ford company will revolutionize the fertilizer industry, destroy the monopoly, and give them cheaper and better fertilizer.

The Ford offer has the unqualified indorsement of the Mississippi Valley Association, an organization composed of strong and successful business men, representing 55 per cent of the population of the United States.

INDORSED BY WASHINGTON FARMERS' CONFERENCE.

The Ford offer was unanimously indorsed by the great farmers' conference, which was called by Secretary of Agriculture Wallace, at the request of President Harding, which was in session in the city of Washington for five days the latter part of January of this year. During the discussion of the Ford offer in that conference only one voice was raised against it, and that was by an official of the American Fertilizer Association.

President Harding, in addressing the Washington Conference of Farmers, among other things, made the following significant statement:

> Waterways have been too long neglected in America. We need a practical development of water resources, both for transportation and power. A large share of the railroad tonnage is coal for railway fuel. The experiences of railway electrification demonstrates the possibility of reducing this vast and increasing efficiency. We may begin very soon to consider plans to electrify our railroads.

Soon after this address was delivered by President Harding, Mr. Mapothier, president of the Louisville & Nashville Railroad, one of the great railway systems of the country, announced in a speech in Birmingham, Ala., that he was in favor of the Ford offer for Muscle Shoals, and if it was accepted by Congress his company would like to make a trial of electricity in railroad operation on its branch line from Muscle Shoals to Nashville, Tenn., a distance of about 150 miles.

The 800,000 horsepower developed at Muscle Shoals would conserve 6,500,000 tons of coal annually; that is, the water power would be equal to the power generated by the use of that much coal.

So when the water power is developed in accordance with the Ford offer, it will also mean a conservation of coal on a big scale.

The Alabama delegation in Congress is as a unit in favor of the Ford offer, and will continue to work together very earnestly to have it accepted by Congress. The delegation is equally as strong and united in its opposition to the offer of the Alabama Power Co. and its efforts to defeat the Ford offer.

The delegations from a number of other States have also indorsed the Ford offer. Business, civic, and commercial organizations in all parts of the country have passed resolutions urging Congress to accept the Ford offer. I do not recall anything that has ever heretofore attracted such a nation-wide interest and favorable indorsement. Not only farmers, but merchants, bankers, and professional men have made known to Members of Congress their approval of the Ford offer and their desire that it be accepted. It would seem that 99 per cent of the people in many parts of the country favor the Ford offer. I feel sure this is true in the State of Alabama, which I in part have the honor to represent in the House. I am also sure that the opposition in that State is just as strong against the offer of the Alabama Power Co. and its eleventh-hour effort to defeat the Ford offer and perpetuate its monopoly of the water power of Alabama. This sentiment for the Ford offer and against that of the Alabama Power Co. has been demonstrated by the people of Alabama and other parts of the country by means of petitions, resolutions of mass meetings, women's clubs, leagues of women voters, posts of the American Legion, labor organizations, and civic organizations of all kinds urging Congress to adopt the Ford offer and reject that of the Alabama Power Co.

These expressions of the people have been filed with this committee with the request that they be carefully considered. There have been mailed to me petitions signed by practically every State, county, and municipal officer in Alabama, the immediate and direct representatives of the people, urging the acceptance of the Ford offer and strongly protesting against that of the Alabama Power Co. I will not ask to incumber the printed hearings with all of these petitions, but I do ask that one be inserted in the RECORD, that of Jefferson County, in which the city of Birmingham is situated, the headquarters of the Alabama Power Co. You will notice that it is even signed by all the judges of the court in the city of Birmingham. I will only ask permission that a few of the resolutions referred to be inserted in the RECORD.

As a further expression of the people of the Birmingham district, I ask permission to insert in the RECORD a copy of the resolution passed by a mass meeting held in the city of Birmingham on the 19th of last month, attended by 2,000 persons—1,000 more were turned away for lack of room—indorsing the Ford offer and expressing their unalterable opposition to the offer of the Alabama Power Co.

The sentiment of all the people of Alabama was well and very forcefully expressed in a memorial addressed to the President and Congress and committees in Congress adopted by a State-wide mass meeting, 5,000 strong, at Montgomery, Ala., on Wednesday, March 1, 1922, which it is agreed shall be inserted in the RECORD.

OFFER OF THE ALABAMA POWER CO.

Mr. Chairman and gentlemen, I will now give very briefly my views and somewhat of an analysis of the Alabama Power Co.'s offer, and then I will have concluded.

The acceptance by Congress of the bid of the Alabama Power Co. would mean practically a donation by the Government of the large steam-power plant at Muscle Shoals, nitrate plant No. 2, which cost $12,326,392, the Gorgas plant and transmission lines, which cost $4,676,000, and the $17,000,000 which has been expended on the construction of the Wilson Dam, making a total of $34,002,392.

The offer is deceptive in that it begins by offering $5,000,000 for the two steam plants and transmission lines, but later provides that the cost of the lock at the Wilson Dam is to be deducted from this amount. One or more of the engineers claim that the lock would cost approximately $4,500,000. Under the offer of the Alabama Power Co. it would build the lock and would have its own methods of bookkeeping, and it could easily make it cost the full amount of $5,000,000.

The 1,000,000 secondary horsepower offered for the operation of nitrate plant No. 2 would not be used by the Government, and the Government would not be able to lease it to anyone who would, for the reason that it would require from ten to fifteen millions of dollars working capital and expenditure to convert it into a fertilizer plant. Besides no one could depend upon this secondary power available for 8 or 10 months in the year with which to operate the plant. The steam plants having been conveyed to the Alabama Power Co., neither the Government nor anyone it might designate to operate the plant would have any available power from two to four months when the secondary power was not available. This secondary power would be of value if there were auxiliary steam plants or primary water power available. It would be of value if both of the dams were built and if storage dams were built in the upper Tennessee River and its tributaries, as Mr. Ford proposes to do at his own expense, so as to store the flood waters and let them down during the low stages of the river and thereby convert secondary into primary power at the Muscle Shoals Dam.

It is provided in section 2 of the offer of the Alabama Power Co. that if this secondary power is discontinued by the Government, due to change in the art in the production of fertilizer and munitions at plant No. 2, and for no other reason as the offer is written, that the Alabama Power Co. is to purchase and pay for the same in accordance with a schedule to be set forth in the license. It will be noted that this is to be done in the event the Government discontinues its power for the reasons stated above, which might never occur for the reason that the Government might, and in all probability would, never begin to use it. It will also be noted that the amount to be paid the Government for it in such an event is to be fixed in accordance with the schedule set forth in the license. This license would be issued by the Federal Power Commission, and the schedule of rates fixed thereby would be a matter of agreement between

the commission and the Alabama Power Co., so the Government would be at the mercy of the Alabama Power Co., and it would result in the Government receiving practically nothing for this secondary power. For these reasons I feel that I was justified in saying at the outset that the acceptance of the offer of the Alabama Power Co. means practically a donation by the Government to that company of the two steam plants, transmission lines, and the Wilson Dam, upon which $17,000,000 has been expended, altogether representing a total investment of $34,002,392 by the Government.

If the offer of Henry Ford was not in existence, I do not believe the committee or Congress would consider for a moment the acceptance of the offer of the Alabama Power Co. In the absence of the Ford offer the committee would evidently recommend the completion of the Wilson Dam by the Government rather than make this donation to the Alabama Power Co.

The Secretary of War has recommended that the Dam No. 2, known as the Wilson Dam, be completed by the Government in the event the Ford offer is not accepted. He stated that the revenue from the sale of the water power from the Wilson Dam would amply justify Congress in appropriating a sufficient amount with which to complete it. The committee and Congress would certainly conclude that it would be better to spend twenty or twenty-two million dollars more to complete this dam and own it for all time rather than make the donation of $34,000,000 worth of property to the Alabama Power Co. in order to induce it to spend enough money to complete it and then own it, and if the Government acquired it at the end of 50 years would have to pay for it a fair value in accordance with the water-power law. If finished in accordance with the Ford offer, it would be the property of the Government for all time. If the offer of the Alabama Power Co. was accepted there is no way by which anyone could know when, if ever, the work upon this dam would begin. When the permit was issued by the Federal Power Commission, the Alabama Power Co. would have two years under the water-power law to begin construction work, and might have it extended an additional two years. So the statement in the offer that work would commence within a reasonable time does not mean anything. In fact, there is no certainty whether a permit would ever be issued to the Alabama Power Co. by the Federal Power Commission if its offer should be accepted by Congress. If a permit was issued the company might never be able to borrow the money with which to complete the Wilson Dam. In fact, it might never make any effort to raise the money, but its real purpose in making its offer would have been accomplished—that is, it would have been the means of defeating the Ford offer. Your time and that of Congress would all have been in vain, and the Alabama Power Co. would continue to enjoy a monopoly of the water powers of Alabama, which its president claims and insists would be in the interest of the people. I deny this; the people deny it, as is shown by resolutions, petitions, and mass meetings opposing the offer of the Alabama Power Co. and its methods.

The development at Muscle Shoals is a most important part of our national defense. There is located our great munitions plant. Would it not be a great piece of military strategy to turn it over to a lot of foreigners or place it or its principal parts under their control? A majority of the stock of the Alabama Power Co. that can be voted is owned by foreigners. They own a large part of its securities. If the Alabama Power Co. completes the Wilson Dam it would have to borrow the money with which to do it. It is natural to presume that it would do as heretofore and borrow it from foreigners.

The Alabama Power Co. published and furnished the Alabama Legislature in 1918–19 a statement as to its business and how it secured its capital, in which appears the following statement:

> The capital to construct the work was obtained in England, Germany, France, Belgium, Canada, and a part in the United States.

It will be remembered that the Alabama Power Co. is owned by the Alabama Traction, Light & Power Co. (Ltd.), which is a corporation of the Dominion of Canada, and that it is very largely the property of citizens of Great Britain.

It is bad enough for this corporation under foreign influence to have a monopoly of practically all of the water-power sites in Alabama, much less to get its clutches on all of the water and steam power connected with the Government munitions plant at Muscle Shoals and strip the plant of all of its ability to function in the event of a military emergency.

If the Ford offer is accepted it will be controlled by Americans and American money, and under no obligations to any great financial interests, trusts, or monopolies, domestic or foreign.

The offer of the Alabama Power Co. can not be regarded in competition with the Ford offer. It is entirely in a different class. It makes no provision for the building of Dam No. 3, no improvement to navigation, nor the operation of the nitrate plant for the manufacture of fertilizer, all of which is provided for in the Ford offer. I do not believe that the committee will consider for a moment favorable action on the offer of the Alabama Power Co.

IF THE FORD OFFER IS NOT APPROVED, WHAT WILL THE COMMITTEE RECOMMEND?

It would seem that there is but one of four courses for this committee to follow, viz:

1. That of scrapping the development which has cost over $100,000,000, as has been suggested by the big interests opposing the Ford offer; or

2. For the Government to complete the water-power development and go into the business of selling power and manufacturing and selling fertilizer; or

3. Accept the offer of the Alabama Power Co. and donate to it the steam-power plants and unfinished dam, representing an investment of $34,000,000 by the Government, and make no improvement to navigation and no provision for the manufacture of fertilizer; or

4. Accept the Ford offer and convert a large war-time expenditure into an investment which will result in a great benefit to the entire country.

It would be almost unthinkable to consider the first; the second would be very objectionable to the great majority of people; the third would mean the defeat of all of the purposes and objects of the Government in what has been done at Muscle Shoals; the fourth is the only safe and sensible course to pursue and would meet with the approval of the country at large.

In conclusion, I most earnestly ask that when you have completed your hearings and have visited Muscle Shoals that you will come to the conclusion that the offer of Henry Ford should be accepted, and that you will not only recommend its acceptance in your report but that you will also prepare and introduce in the House such a bill as may be necessary to provide for its acceptance by Congress.

I thank you, Mr. Chairman and gentlemen, for your attention and your courtesy in permitting me to be heard.

The resolutions, referred to by Mr. ALMON, follow:

RINGING MEMORIAL TO CONGRESS BY STATE-WIDE MASS MEETING AT MONTGOMERY, ALA., MARCH 1, 1922.

At the state-wide mass meeting held in Montgomery yesterday afternoon the following ringing memorial to Congress was presented by the resolutions committee, of which Mr. J. L. Andrews, of Sheffield, was chairman, and was unanimously adopted:

We, the citizens of Alabama, 5,000 strong, representing county governments, municipal authorities, women's clubs, labor bodies, chambers of commerce, and farmers' organizations from every quarter of the State, in mass meeting assembled at Montgomery, with full confidence in both justice and wisdom of the President and Congress, do hereby declare:

That while the entire Muscle Shoals stretch of the Tennessee River lies within the borders of this State, the right to control and regulate the river in the interest of the Nation's commerce has been ceded by the State of Alabama to the Federal Government. We recognize the fact that Muscle Shoals is the property of the Nation, belonging alike to the people of all of the States, and, while we claim no greater right than any other State to say what shall be done with Muscle Shoals, we believe that we but exercise the guaranties of the Federal Constitution when we petition Congress that this great national asset be not employed by the Government as an instrumentality for fastening upon us and upon our children and our children's children the yoke of an oppressive and burdensome monopoly.

NOW HAS MANY POWER SITES.

We affirm that the Alabama Power Co. now owns and controls a number of splendid power sites on the Coosa River in this State; that it owns and controls all of the available power sites on Little River in Alabama; and that it owns the wonderful power site at Cherokee Bluffs on the Tallapoosa River in this State; that in the 14 years since its incorporation it has built one power dam in this State and commenced work on one other dam; that at the present rate of development of the power potentialities already under the control of this corporation more than 100 years will go by before all of these dormant water powers are harnessed; that it has been the policy of that corporation to develop only such power as can be sold in small units and at high prices; that controlling as it does all of the great water-power sites in a State blessed by God Almighty with wonderful power possibilities, it, a foreign-controlled corporation, is in position to litigate with any American-owned organization which may seek to develop any one of Alabama's wasting water powers, just as it now threatens to litigate with Henry Ford, or with the Government, if either seeks to build Dam No. 3 at Muscle Shoals, or to control the Government-built steam plant and transmission line at Gorgas; that in spite of the fact that this foreign-owned corporation has long enjoyed exemption from taxation in this State, it has been busy ever since its entrance into Alabama in preempting every great power site within our borders, and in so copper riveting its hold on all of Alabama's great hydroelectric potentialities as to prevent for all time their development by any possible competitor; that it has been its policy to buy these power sites at farm-land prices and to hold them in perpetuity as power sites; that it already controls the utilities in our principal cities, and is year by year securing the control of the utilities in our towns and villages; and that if it secures Muscle Shoals it will have perfected its control of all of our great water powers and will hold in its selfish grasp all of these instrumentalities placed within our borders by a beneficent Providence for the promotion of the commercial and industrial welfare of all the people.

LEGISLATIVE TRAVESTY.

We hold that it would be a travesty on legislation if after many years of congressional consideration of how best to conserve the power in our navigable streams for the benefit of all the people, and how most surely to preserve them from being used as instruments of monopoly, the Nation's greater water power should be handed over to the Alabama Power Co. under the national water power act.

And we further hold that it would be the quintessence of legislative folly for the Government, after 10 years of investigation as to how best to free the United States from its dependence upon a foreign power for its supply of nitrogen for explosives in the event of war, and after spending millions of dollars in the construction of the greatest nitrogen fixation plant in the world, to turn over the only power capable of successfully operating the nitrate plant to a corporation owned and controlled by foreigners.

RETURNS EVIL FOR GOOD.

We remind Congress that just as the Alabama Power Co. has returned evil for good to the people of Alabama, so it is the one corporation whose dealings with our country in the grim emergency of war was so shameless, selfish, and conscienceless that when its conduct was investigated by a select committee of Congress the minority members of this committee joined with the majority in denouncing its brazen and sordid betrayal of its duty to a war-beset Nation.

Again affirming our utmost confidence in the ability and the desire of the President and the Congress of the United States and the committees of Congress to reach the soundest solution of the pending questions relating to the disposition of Muscle Shoals, we wish to express ourselves with regard to Mr. Henry Ford's proffered contract with the Government. The subject is of such vital interest to the people of Alabama that with greatest enthusiasm they have assembled in this meeting for the purpose of making this memorial:

Upon mature deliberation we, as citizens, do express our firm conviction that it is to the interest of the United States and to the interest of the people of Alabama that the offer of Henry Ford be accepted and concluded as a binding contract, and for the following, among other, reasons:

The acceptance of the Ford offer would insure the operation in Alabama of at least two great organizations engaged in the development and sale of hydroelectric energy, in the distribution and sale of power throughout the territory which can be reached by transmission lines from the several power sites on the Tennessee River whose development is within the contemplation of the Ford offer.

The Ford offer insures the operation of United States nitrate plant No. 2 for a period of 100 years for the production of fertilizers in time of peace and for the production of nitrates for explosives in the event of war.

It insures to the millions of farmers throughout the United States, whose organizations have with unanimity indorsed the offer of Henry Ford, the continuous operation of this Government-built plant for the production of nitrate fertilizers in competition with the present producers of nitrates by a company whose profits will be limited to 8 per cent, and in sufficient volume to have a controlling influence in fixing the price of nitrates and nitrate fertilizers for agricultural uses.

OPERATION OF NITRATE PLANTS.

The Ford offer insures to the people of the United States the operation of nitrate plant No. 2 and its maintenance in such a constant state of readiness, with a trained force of operatives, as to guarantee to the Government and its citizens an independent internal supply of nitrates in exact accord with the announced intention of Congress as expressed in section 124 of the national defense act of 1916.

The Ford offer guarantees the construction of Dam No. 3 and makes provision for use by the people of the United States for purposes of navigation of one of the country's largest and most important rivers, which is an integral part of the great Mississippi River waterway system.

In consideration given to the various offers for Muscle Shoals much has been said about the profit and loss that would accrue to the Government of the United States and to its people from the acceptance or the rejection of the various offers. We respectfully urge that a plan which looks to a constant supply of cheap fertilizers for the farmers of the Nation through a period of 100 years, which insures to American industry during that period the use of nearly 1,000,000 horsepower of electric energy, which provides for the security of the Nation in the event of war, and which guarantees the navigability of one of the country's greatest rivers for all time—these continuing additions to the resources of the Nation, if it were possible to express them in terms of dollars, with interest at 4 per cent, will in the course of 100 years add so vastly to the wealth of the Nation and the prosperity of its people that any difference in the price of the nitrate plant as fixed in the several offers, and any difference between the purchase price offered and the estimated possible scrap value of the property, is dwarfed into insignificance.

GALLING AND OPPRESSIVE.

With these considerations in view, and having in mind the freedom of our own people from a galling and oppressive water power monopoly, the freedom of the American farmer from a burdensome and grinding fertiliser monopoly, the opening of a great river to navigation, and the security of the country in the event of war, we urge the President and the Congress of the United States to accept the offer of Henry Ford, whom we verily believe seeks through his offer to dedicate to the American people, and especially to the farmers of America, his genius and his fortune.

We indorse the sentiment, "America first," and Muscle Shoals first for Americans, and above all for American farmers. Henry Ford is a typical American, who by his genius has done more for country people and country life than any other man of his time. A man who has the trust and confidence of the great masses of the common people, as evidenced by the resolutions adopted by every plain, ordinary American, including the representatives of 4,000,000 farmers, who have given voice to their sentiments in regard to his proposal for the development of Muscle Shoals.

We believe the issue in Congress is clearly drawn. It is a contest between the people and the interests which control the people's fertilizer and power resources.

On behalf of the army of the unemployed, in the interest of the great body of plain American citizens, in the name of millions of perplexed and burdened farmers, we beg our President and the Congress of the United States and its committees to promptly accept the offer of Henry Ford.

PETITION OF OFFICIALS OF JEFFERSON COUNTY, ALA.

THE STATE OF ALABAMA, *Jefferson County.*

To the Hon. E. B. ALMON,
Member of Congress, Washington, D. C.:

We urge the Government to accept the offer of Henry Ford for Muscle Shoals, because we believe that it will be developed by him for the benefit of the American people. We protest against the acceptance of the offer of the Alabama Power Co., because it would insure to it the control of every large water-power site in Alabama, and thereby fasten upon our people for all time a water-power monopoly.

J. P. Stiles, judge of probate, Jefferson County, Ala.; M. V. Henry, county treasurer; William E. Fort, judge, criminal division, circuit court, tenth circuit; H. P. Heflin, judge, criminal division, circuit court, tenth circuit; Joseph N. Tate, solicitor, tenth judicial circuit of Alabama; C. B. Smith, judge, civil division, circuit court; J. O. Sims, judge, civil division, circuit court; J. B. Aird, judge, civil division, circuit court; Hugh A. Locke, judge, civil division, circuit court; William J. Waldrop, clerk of circuit court; Richard T. Evans, circuit judge; Romaine Boyd, circuit judge; D. C. Ball, president board of revenue; Lacey Edmundson, board of revenue; T. E. Huey, board of revenue; J. W. Givin, board of revenue; W. B. Copeland, board of revenue; James F. Hawkins, tax collector; J. C. Hartsfield, sheriff; L. R. Dillon, tax assessor, Jefferson County; M. E. Morris, chairman board of registrars; Conrad H. Ohme, engineer, Jefferson County.

Resolution.

Resolved by the citizens of Huntsville and Madison County in mass meeting assembled, That we note with pleasure and approval of the action taken by the Montgomery Chamber of Commerce in declaring to Chairman KAHN, of the Military Committee of the House, that the Alabama Power Co.'s offer for Muscle Shoals is a move to complete what is already their practical monopoly of all water-power sites in Alabama; that they already control the power sites on the Coosa, Tallapoosa, and Little Rivers and are undoubtedly associated with power companies in Georgia, controlling adjacent Georgia sites. The Alabama Power Co. lacks only Dam 2 at Muscle Shoals to complete their monopoly, for, as they advised the Secretary of War in their offer, they already own the power site at Dam 3. To permit them to secure Muscle Shoals will repudiate the most important principles which Congress embodied in the last Federal water power act, passed after an effort of 10 years.

Their eleventh-hour offer for Muscle Shoals, made to prevent the acceptance of Henry Ford's offer, defies the rights, happiness, and opportunity of the people of the State. The company has built dams and availed themselves of the resources in the rivers of Alabama under special privilege granted by the legislature, and that same legislature can repeal its exemption from taxation or regulate, if necessary, its rates by legislative action. As the governor of Tennessee courageously told the Military Affairs Committee, no individual or corporation is welcome in Alabama or Tennessee which opposes the Ford offer for Muscle Shoals. The Alabama Power Co., in its selfish defiance of the people's interest, has forfeited its right to the confidence, respect, and protection of the people of Alabama.

Your chamber of commerce being at the capitol, we appeal to you to lead in calling a mass meeting at Montgomery next Friday, February 24, calling representatives from all chambers of commerce throughout the State, together with representatives of the farmers of the State, labor organizations, and editors of the newspapers, to assemble at the capitol and assert the rights and wishes of the people of Alabama in this matter.

We further request that you enlist the assistance of your Montgomery newspapers in order that due publicity may be given to the proposed meeting, and that a full representative attendance may be counted on; be it further

Resolved, That the citizens of Huntsville and Madison County stand ready and willing to join with you and cooperate in every possible manner to the end that this meeting may be full and representative, and to this end we pledge you our active, moral, and financial support.

HUNTSVILLE SENIOR AND JUNIOR CHAMBER OF COMMERCE,
H. A. GROTE,
T. W. PRATT,
C. L. WATTS,
W. T. HUTCHENS, *Committee.*

Resolutions adopted by Florence Post No. 11, of American Legion, Alabama Department, February 11, 1922.

To the Senators and Representatives in Congress:

These resolutions, made and adopted on this day by Florence Post No. 11, of the American Legion, Alabama Department, in body regularly assembled, witness that—

"Whereas, it has come to the attention of this body that the Ford Motor Co. and Henry Ford have offered to lease or purchase the Muscle Shoals Government property and all rights appertaining thereto from the United States Government for a sum which will be to the interest of the United States Government and the citizens thereof, and

"Whereas the completion of this stupendous project, including the construction of dams and operation of plants will be of manifold benefit to the entire country and will be the only project which will be instrumental in relieving the pitiful unemployment situation in this country to-day, and

"Whereas there has been submitted no other proposition which is of equal magnitude with the Ford project, and there is no known business which can furnish work to the vast army of the unemployed, and

"Whereas there exists at present in this great body of unemployed citizens of the United States a large percentage of ex-service men and by effective legislation awarding the prospective bidder for the Muscle Shoals properties, this distressful situation can be largely relieved, and

"Whereas the construction and operation of the Muscle Shoals project will furnish great opportunity for steady employment for a steady people and will increase as the work progresses, and

"Whereas it is the firm conviction of all lay citizens of the United States that Mr. Ford can and will manufacture nitrate and thereby furnish cheap fertilizer at Muscle Shoals to the farmers of this Nation and by this meet a most pressing demand and long-felt want of the agricultural industry, and

"Whereas it is doubted by only a few of the most skeptical that Mr. Ford will be unable to perfect his proposed plans, and on the other

hand it is believed by the vast majority of the conscientious people of America that the practical energy and ability of Henry Ford will make this project a tremendous success: Be it therefore

"*Resolved*, That the Florence Post of the American Legion go on record as not only indorsing the acceptance by congressional action of this proposition offered, but also request immediate effective and conscientious legislation authorizing the acceptance by the Government of the offer of Henry Ford and finally:

"That a copy of these resolutions be published in the Florence Daily News and a copy be sent to the Hon. LAMAR JEFFERS, M. C., for proper presentation."

FLORENCE POST AMERICAN LEGION.
J. E. SHOLTS, *Post Commander*
C. D. WADDELL, *Adjutant.*
HUNTSVILLE, ALA., *February 10, 1922.*

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Hon. ED B. ALMON,
Washington, D. C.:

The Woman's Christian Temperance Union of Huntsville, Ala., believes that the greatest benefit will come to the largest number of citizens of United States through the operation of Muscle Shoals by Henry Ford. We therefore urge the immediate acceptance of his bid for this property of the people.

MRS. W. E. PETTUS, *President.*

—

DECATUR, ALA., *January 31, 1922.*

HON. EDWARD B. ALMON,
House of Representatives, Washington, D. C.:

The Progressive Culture Club of 25 members, of Albany and Decatur, Ala., heartily indorse the acceptance of Mr. Ford's offer for Muscle Shoals. Your cooperation is desired.

MRS. J. W. CUNNINGHAM.

—

A resolution adopted by a mass meeting of the Chamber of Commerce, the Junior Chamber of Commerce, the civic organizations of the city of Huntsville, Ala., and the Farmers Bureau of Madison County, Ala., on February 16, 1922.

1. *Resolved*, That we, in mass meeting, believing that the Henry Ford offer to the Government for the acquisition of the Muscle Shoals and the accessory plants is the best offer, not only for the Government of the United States and the development of Muscle Shoals, but for the agricultural districts of the United States, and for the immediate relief of the unemployment situation throughout this country; that we as such organizations memorialize Congress to hasten favorable action for the consummation of the Ford offer;

2. *Resolved*, That we condemn the action of the Alabama Power Co. in threatening law suits against the Government and against Henry Ford in the event the Ford offer is accepted by Congress, and further bringing in at the last moment a proposition that apparently means an effort to defeat the Ford proposition with the sole purpose of perpetuating the Alabama Power Co.'s monopolistic control of the electrical power of the State of Alabama, all in violation of their promise to us that if they were allowed to use the power of the nitrate plant it would not in any way interfere with or affect Henry Ford's proposition, and the further promise to us that upon favorable action by Congress of the Henry Ford offer that the said Alabama Power Co. would turn over the above property within 30 days;

3. *Resolved further*, That it is the sense of this meeting, knowing the policies of the Alabama Power Co. as we do, that we do not believe said company will develop Muscle Shoals to the best interest of the country as contemplated by the engineers of the United States Government.

4. *Resolved further*, That recognizing the great importance and absolute necessity of nitrates in times of peace as well as in times of war, that we vigorously protest against our Government turning its only manufacturing plant of nitrates over to a corporation that is largely financed by foreign capitalists; and

5. *Resolved further*, That a copy of these resolutions be sent to the President of the United States, the honorable Secretary of War, the Department of Agriculture, Senators O. W. UNDERWOOD and J. THOMAS HEFLIN, Representative E. B. ALMON, the governor of Alabama, and the National Farm Bureau.

C. A. GROTE, *Chairman.*
T. W. PRATT.
C. L. WATTS.
W. T. HUTCHENS.

—

Resolution of Athens Commercial Club, Athens, Ala., February 20, 1922.

Whereas there is now pending before the Congress of the United States various offers for the Muscle Shoals property at Muscle Shoals, Ala.; and

Whereas Henry Ford was invited by the Government to investigate the Shoals property and make an offer for the same; and

Whereas the offer of Henry Ford for said property is, in our opinion, one of immense value to the people of the United States and of vital importance to the Government thereof; and

Whereas Henry Ford has shown himself to be a man of broad ideals, of quick acumen, and thoroughly imbued with humanitarian thoughts; and

Whereas the offer of the Alabama Power Co. comes from a company composed largely of aliens, and is, in our opinion, submitted for selfish purposes, the acceptance of which would tend largely to retard the economical manufacture of fertilizer; and

Whereas it is the conviction of our entire organization that the best interest of the country will be served by the Government leasing the property to Henry Ford, this promising to the farmer the relief he has so long needed and will no doubt furnish power to the country at a cheaper rate, and will create a stimulus to the business interests of the country during this period of inactivity: Therefore, be it

Resolved by the Athens Commercial Club, That the Congress of the United States be petitioned to reject immediately the offer of the Alabama Power Co., and that the offer of that great builder and friend of mankind, Henry Ford, be accepted immediately, to the end that the Muscle Shoals property be developed for all America. Be it further

Resolved, That a copy of this resolution be forwarded to the chairman of the Military Committee of the House of Representatives, to the chairman of the Agricultural Committee of the Senate, to Senators UNDERWOOD and HEFLIN and Representative ALMON, of Alabama, and that copies be furnished to the daily press.

ALBANY CHAMBER OF COMMERCE,
Albany, Ala.

Be it resolved by the citizens of Albany and Decatur in mass convention assembled:

First. That we most heartily approve the proposition of Henry Ford for the lease of Muscle Shoals.

Second. That we protest against any disposition to delay consideration in order to give the Alabama Power Co. opportunity to further befog the issue by any counterproposition.

Third. That we request the immediate acceptance of Mr. Ford's offer as presented to Congress by Secretary Weeks.

Fourth. That we urge our Senators and the entire Alabama delegation in Congress to use their utmost endeavor to procure speedy approval and acceptance of Mr. Ford's offer as presented.

Fifth. That we request Hon. Thomas E. Kilby, Governor of Alabama, to go to Washington at the head of a delegation of representative citizens, to be appointed by him, for the purpose of urging immediate action in this momentous matter.

Sixth. That copies of these resolutions be sent to Governor Kilby, Senators UNDERWOOD and HEFLIN, and to each of the 10 Congressmen from Alabama with the urgent request that they be presented to the proper committees of the House and Senate at once.

Respectfully submitted.

W. E. SKEGGS, *Chairman.*
H. O. CLINE,
J. R. DANIELL,
L. P. TROUP, *Committee.*

FEBRUARY 17, 1922.

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HUNTSVILLE, ALA., *January 27, 1922.*

EDWARD B. ALMON, M. C.,
Washington, D. C.:

The Culture Club, of Huntsville, Ala., earnestly petitions that Alabama's Representatives will do their utmost to have the Ford contract for Muscle Shoals accepted.

Mrs. W. L. WALL, *Secretary.*

—

Resolutions of Birmingham mass meeting, attended by 2,000 persons and 1,000 turned away for lack of room.

Whereas the great question before the American people to-day and the Congress of the United States is the proper utilization, for the benefit of all the people, of the great natural resources that have remained dormant for 100 years or more at Muscle Shoals, Ala.; and

Whereas Henry Ford, the mechanical wizard of the age, has made a proposal to the Government that meets with almost unanimous approval of the people of the entire Nation, and apparently a large number of Representatives in Congress and the Senate; and

Whereas Henry Ford's offer for the operation of the Muscle Shoals properties was made in good faith to the proper person as spokesman for the Government, Secretary of War Weeks, and after due consideration by the Secretary of War was submitted to Congress for its approval or rejection, and was apparently about to be ratified; and

Whereas selfish interests, such as the Fertilizer Trust, power monopolies, and others, supported by the gigantic monied powers of Wall Street, are opposed to the Government disposing of these resources in a way that would be of benefit to the people as a whole; and

Whereas a sequel to this great opposition is shown by the submission of a bid by the Alabama Power Co., a foreign corporation, that has never been of any material benefit to anyone other than the stockholders, who are citizens principally of foreign countries: Therefore be it

Resolved, That we, the citizens of the Birmingham district, in mass meeting assembled this the 19th day of February, 1922, go on record as being unalterably opposed to the Government of the United States considering the bid of the Alabama Power Co. And be it further

Resolved, That we, the citizens of this district, heartily indorse and unqualifiedly recommend that the proposal of Henry Ford be accepted and entered into by the Government for the operation of the Muscle Shoals properties. And be it further

Resolved, That these resolutions be given the widest publicity by furnishing same to the press, and that a committee of five be appointed by the chairman of this meeting to forward copies of these resolutions to our two Senators and our Representatives in Congress and the Committees of Congress before whom the proposals are now pending.

—

Resolutions introduced by Hon. C. W. Ashcraft and unanimously adopted by the Florence Chamber of Commerce, Florence Rotary Club, and Florence Exchange Club in joint meeting assembled Monday, February 20, 1922.

Citizens of Florence in mass meeting assembled take note of the following facts:

1. That the Alabama Power Co., doing business in this State, is owned principally by a foreign corporation with its official domicile in Canada (see official report of Graham investigting committee), that the majority of its stock is owned in Canada and England, and the policy of the company is therefore necessarily alien.

2. The only streams of Alabama offering opportunity for power developments of considerable proportions are the Coosa, Tallapoosa, and Little Rivers, and the Tennessee River at Muscle Shoals.

3. That the Alabama Power Co. has bought up and preempted the entire water power sites and rights in perpetuity on the first three of these rivers, namely, the Coosa, Tallapoosa, and Little Rivers, and has entered upon a program of development by themselves and the prevention of all development by others, generally estimated to cover a period of 100 years. Although they have now been operating in Alabama almost 20 years they have completed only one unit in this program, and activities already displayed give no promise of completing within the 100 years the developments already preempted by them. It is therefore evident that their purpose in bidding for Muscle Shoals can not be based upon a desire either for opportunity for expansion or to faithfully serve the public, but their purpose must be found in their desire to entrench themselves and fasten upon the people of Alabama and surrounding States for all time the blight of their complete and oppressive monopoly. By inference they plead loudly against a 100-year lease to Henry Ford, but they propose to yield nothing of the strangle hold which they have acquired in perpetuity on every important power site in Alabama except Muscle Shoals.

4. In their activities, instead of developing navigation conjointly with power, their development prevents navigation in any continuous form. Their entire interest is to retard development of power and navigation, as in so doing they can maintain highest possible rates for power and delay responsibility for navigation. Their record is that they have procured municipal franchises for light and power wherever possible and retail current at exorbitant retail rates. They have not fostered or developed industry at any point they serve, and their reputation in the State is in line with the findings of the Graham congressional investigating committee in reference to their unpatriotic dealings with the Government during and following the war.

5. For the foregoing reasons we conclude that should Congress accept any proposal from Alabama Power Co. that would give them control over Muscle Shoals, it could only result in delaying developments in all other streams in Alabama over which they have already obtained control in perpetuity, or delaying development of Muscle Shoals.

6. Alabama Power Co. has no experience in nor plans for any activity outside of development and transmission of power, and therefore could not be expected to finance or develop power faster than development of industry by others would create demand for power.

7. Being a corporation owned by aliens, the citizens of the United States could not intrust their security and preparedness as a nation to the mercies of its policy makers, who are men whose allegiance is sworn to other countries.

8. On the other hand, Mr. Henry Ford has formulated a mammoth plan of industrial development that grips the imagination and thrills the enthusiasm of every American citizen, and seeks power for its operation. He is to the manner born; he has proven himself capable; he is regarded as fair in all his dealings. American citizens, wherever located, have confidence that he can and will succeed in the construction and operation of a great industrial section in such manner as to not only give employment to thousands now unemployed but also to awaken new and inspiring ideals in industrial life. He came promptly upon invitation of his Government, and not at the last hour, and made a reasonable proposal to immediately develop all the power at Muscle Shoals, not part of it, and to immediately employ the whole power developed in needed industry and to immediately make navigable the river for the benefit of up-river cities, as Decatur, Guntersville, Chattanooga, and Knoxville. He also proposes to ever hold the plants, processes, and personnel subject to the immediate call of the Government in case of war and to operate to full capacity for the benefit of the farmers in times of peace.

9. While legislation and court rulings in every quarter have conceded to railroads, banks—in fact, all forms of business and to organized labor—the right to a reasonable profit or to a reasonable wage, only Mr. Ford in his proposal for Muscle Shoals has offered one ameliorating item to the sad condition of the American farmer, to whom we must all look for both food and raiment.

10. The foregoing facts considered, we as citizens of Alabama and of the United States do solemnly resolve:

First. That the Alabama Power Co., whose owners are citizens of foreign countries, propose to buy the power plant at nitrate plant No. 2, and this nitrate plant is the only such plant within our borders and therefore constitutes the sole item of preparedness against war, so far as nitrates are concerned, and no matter what price the Alabama Power Co. might offer for this steam-power plant to separate it from the nitrate plant, the citizens of these United States would be worse than foolish to regard the offer otherwise than as coming from "Greeks bearing gifts."

Second. In view of their large holdings of other power sites in Alabama, which they neither develop nor allow others to develop, we denounce the bid of the Alabama Power Co. for Muscle Shoals as both unpatriotic and contrary to the best public interest.

Third. Henry Ford, a citizen of the United States in whom his fellow citizens believe without reservation, has in response to the call of his Government made to Congress a proposal which, if accepted, will immediately procure the full development of all the water power at Muscle Shoals, the complete navigation of the river, and the building, within our day and generation, of an industrial empire that taxes the imagination to comprehend.

Fourth. Therefore, all these things carefully considered, we urgently appeal to Congress to promptly accept the Ford proposal, and with the least possible delay put it into active effect.

Fifth. That copies of these resolutions be given to the press and sent to all Alabama Senators and Representatives in Congress.

—

FLORENCE, ALA., *February 14, 1922.*

Congressman ALMON,
Washington, D. C.:

It is the earnest desire of all Alabama club women that Mr. Ford's offer for Muscle Shoals be accepted. Your efforts for this cause will be greatly appreciated by us all.

TWENTIETH CENTURY CLUB OF FLORENCE, ALA.

—

HUNTSVILLE, ALA., *February 2, 1922.*

Hon. E. B. ALMON,
House of Representatives, Washington, D. C.:

The Kiwanis Club of Huntsville unanimously urge the ratification by Congress of the contract with Henry Ford for the Muscle Shoals nitrate plants and dams, and ask that you present their request to the House.

KIWANIS CLUB OF HUNTSVILLE.

—

DECATUR, ALA., *February 18, 1922.*

Hon. E. B. ALMON,
Member Congress, Washington, D. C.:

We believe the Muscle Shoals development, through acceptance of Ford's proposition, is of supreme importance to the entire country. We are expecting you and every Member Alabama delegation to put forth every possible effort and overcome all obstructing propositions. We stand unitedly for immediate and unqualified acceptance of Ford's offer.

MORGAN KIWANIS CLUB.

—

ALBANY, ALA., *February 16, 1922.*

Congressman ED. B. ALMON,
House of Representatives, Washington, D. C.:

We strongly urge acceptance Ford offer for Muscle Shoals. We oppose all other offers now being considered, believing they are actuated by selfish and monopolistic power interests. We recommend that the Government develop properly in the interest of all the people in the event the Ford offer is declined.

ALBANY CHAMBER OF COMMERCE.

ALBANY-DECATUR TYPOGRAPHICAL UNION NO. 803,
Albany, Ala.

At a called meeting of Albany-Decatur Typographical Union No. 803, February 27, the following resolutions were unanimously adopted indorsing the offer of Henry Ford for the leasing and operation of Muscle Shoals, Ala., and opposing the bid of the Alabama Power Co.:

"Whereas believing as we do that the offer of Henry Ford to take over and operate Muscle Shoals, Ala., for the United States Government offers a great opportunity for public service and having faith in his ability and good intentions, we, the members of Albany-Decatur Typographical Union No. 803, do hereby indorse the bid of Henry Ford: Therefore be it

"*Resolved*, That we, Albany-Decatur Typographical Union No. 803, go on record as favoring congressional acceptance of the offer of Mr. Ford: And be it further

"*Resolved*, That Albany-Decatur Typographical Union No. 803 go on record as opposing congressional acceptance of the offer for Muscle Shoals made by the Alabama Power Co., believing as we do that their offer does not have the same possibilities for development of our natural resources; for providing employment for the unemployed, or for the farmer, or for the benefit of the public generally; we further believing that their offer is actuated by selfish motives, while that of Mr. Ford is actuated by a desire to serve a great class of our people: And be it further

"*Resolved*, That a copy of these resolutions be sent to the State-wide mass meeting to be held at Montgomery, Ala., March 1, 1922, with a request that they be read, and that copies be mailed to the Alabama delegation in Congress."

Signed in behalf of Albany-Decatur Typographical Union No. 803, this the 27th day of February, 1922.

[SEAL.]

H. M. LAYLEY, *President.*
J. W. GROWDEN,
Secretary Treasurer.

—

MONTGOMERY, ALA., *January 26, 1922.*

Hon. E. V. ALMON,
Member of Congress, Washington, D. C.

The following resolution was adopted at the executive board meeting of the Alabama Federation of Women's Clubs, January 25, Montgomery, Ala.:

"Whereas it is the belief of the executive board of the Alabama Federation of Women's Clubs that acceptance of the Ford offer for Muscle Shoals would result in greater productiveness for our farms, decrease of unemployment for our cities, and utilization of great natural resources that are at present going to waste: Therefore be it

"*Resolved*, That we express to the Secretary of War and to our Representatives and Senators in Congress our earnest wish that his offer should be accepted."

MRS. JOSEPH BREVARD JONES,
President Alabama Federation of Women's Clubs.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the subject discussed by me this afternoon.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to extend his remarks on the subject discussed by him this afternoon. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. ANDERSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Saturday, March 11, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

565. Under clause 2 of Rule XXIV, a letter from the Acting Secretary of War, transmitting a fifth report of the Chief of Engineers, United States Army, regarding contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, and also memorandum relating to the contracts, prepared in the office of the Judge Advocate General of the Army (H. Doc. No. 205), was taken from the Speaker's table and referred to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RICKETTS: Committee on Merchant Marine and Fisheries. H. R. 10427. A bill to amend section 6 of the act of Congress entitled "An act for the protection and regulation of the fisheries of Alaska," approved June 26, 1906, and for other purposes; with an amendment (Rept. No. 789). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANGLEY: Committee on Public Buildings and Grounds. H. R. 9528. A bill providing for the retention by the Government of the property in Nome, Alaska, known as the detention hospital building, and its use by the Bureau of Education, Department of the Interior; without amendment (Rept. No. 790). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CLAGUE: A bill (H. R. 10837) to amend section 405 of an act to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes, approved August 15, 1921; to the Committee on Agriculture.

By Mr. ACKERMAN: A bill (H. R. 10838) to save daylight in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MUDD: A bill (H. R. 10839) to establish at the United States Naval Academy, Annapolis, Md., the grade of "professor emeritus," and for other purposes; to the Committee on Naval Affairs.

By Mr. DUNN: A bill (H. R. 10840) to amend and supplement the Federal highway act; to the Committee on Roads.

By Mr. SNYDER: A bill (H. R. 10841) authorizing the transfer of 500 feet of Indian land in the State of Washington for a public school to which Indian children shall be admitted without payment of tuition; to the Committee on Indian Affairs.

By Mr. TINKHAM: A bill (H. R. 10842) requiring heads of Government departments to notify civil employees two weeks previous to dismissal; to the Committee on Reform in the Civil Service.

By Mr. KLINE of Pennsylvania: A bill (H. R. 10843) authorizing the use of special canceling stamp in a certain post office; to the Committee on the Post Office and Post Roads.

By Mr. McDUFFIE: A bill (H. R. 10844) to establish a fish-cultural station at Mobile, in the State of Alabama; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 10845) to amend section 70 of the Judicial Code as amended by the act approved February 28, 1913, entitled "An act to amend section 70 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911"; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 10846) for the relief of Walter Collins; to the Committee on Claims.

Also, a bill (H. R. 10847) for the relief of Jacob Dietch; to the Committee on Claims.

Also, a bill (H. R. 10848) for the relief of Estella W. Dougherty; to the Committee on Claims.

By Mr. DUNN: A bill (H. R. 10849) granting an increase of pension to Mary Bay; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 10850) granting a pension to Ida V. Moore; to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 10851) granting a pension to William James Eaton; to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 10852) to confer jurisdiction on the Court of Claims to adjudicate the claims of the legal representative of Robert Dillon, deceased; to the Committee on Claims.

By Mr. MORGAN: A bill (H. R. 10853) granting an increase of pension to Sarah E. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10854) granting an increase of pension to Minnie May Andrews; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 10855) granting a pension to Genoa H. Scholz; to the Committee on Invalid Pensions.

By Mr. REAVIS: A bill (H. R. 10856) granting a pension to Robert Mitchell Mann; to the Committee on Invalid Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 10857) for the relief of the estate of Ephriam Smith; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 10858) granting a pension to Carrie L. Cazier; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4545. By Mr. CRAGO: Resolutions adopted by the campaign committee of International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, Local No. 19, of Philadelphia, Pa., protesting against the closing of the Philadelphia Navy Yard; to the Committee on Naval Affairs.

4546. Also, resolution adopted by the city council of Philadelphia, Pa., protesting against the closing of the Philadelphia Navy Yard; to the Committee on Naval Affairs.

4547. By Mr. DYER: Resolutions adopted by Local No. 72 of the American Flint Glass Workers' Union of North America, heartily indorsing the bill introduced by Congressman JOHN P. HILL (H. R. 9691); to the Committee on Ways and Means.

4548. By Mr. FULLER: Memorial of the city council of Philadelphia, protesting against the closing of the Philadelphia Navy Yard and urging the continuing of the same as a repair and supply station; to the Committee on Naval Affairs.

4549. Also, petition of 88 citizens of Streator, Ill., urging immediate enactment of an adequate tariff law based on American valuation; to the Committee on Ways and Means.

4550. By Mr. GALLIVAN: Petition of American Association of University Women, Boston, Mass., branch, urging passage of House bill 2163, to increase the utility of the postal savings system and to encourage home ownership; to the Committee on the Post Office and Post Roads.

4551. By Mr. KISSEL: Petition of the Church Periodical Club, New York City, regarding the Fordney tariff bill; to the Committee on Ways and Means.

4552. Also, petition of Central Mercantile Association, New York City, N. Y., favoring the reestablishment of the pneumatic-tube service in New York City; to the Committee on the Post Office and Post Roads.

4553. Also, petition of James H. McIntosh, general counsel New York Life Insurance Co., New York City, N. Y., opposing the soldiers' bonus bill; to the Committee on Ways and Means.

4554. Also, petition of Hudson Chamber of Commerce, Hudson, N. Y., regarding St. Lawrence River project; to the Committee on Interstate and Foreign Commerce.

4555. By Mr. A. P. NELSON: Petition of citizens of Superior, Wis., protesting against the passage of House bill 9753; to the Committee on the District of Columbia.

4556. By Mr. SNELL: Resolutions adopted by Hermon Grange, No. 886, of Hermon, N. Y., favoring the passage of the Voight bill (H. R. 8086); to the Committee on Agriculture.

4557. Also, petition of residents of Dickinson Center, N. Y., opposing House bill 9753, or any other Sunday bill, such, for example, as House bill 4388 or Senate bill 1948; to the Committee on the District of Columbia.

4558. By Mr. SNYDER: Petition of the deacons and trustees of the First Baptist Church, Little Falls, N. Y., protesting against revision of the Volstead Act and favoring substantial aid for law enforcement; to the Committee on the Judiciary.

4559. By Mr. TIMBERLAKE: Petition of citizens of Boulder, Colo., opposing the passage of House bills 9753 and 4388 and Senate bill 1948 or any other Sunday observance bill; to the Committee on the District of Columbia.

4560. Also, petition of M. Mc. Thomas and other citizens of Colorado, urging the revival of the United States Grain Corporation and a fixed price for the 1922 wheat crop; to the Committee on Agriculture.

4561. Also, petition of R. C. Keith and others, of Colorado, urging the revival of the United States Grain Corporation and a fixed price for the 1922 wheat crop; to the Committee on Agriculture.

4562. By Mr. WARD of New York: Petition of officers and citizens of Saugerties, N. Y., urging enactment of an adequate tariff law based upon American valuations; to the Committee on Ways and Means.

4563. Also, petition of Martin Cantine, manufacturer, and employees of the Martin Cantine Co., of Saugerties, N. Y., urging enactment of an adequate tariff law based upon American valuations; to the Committee on Ways and Means.

SENATE.

SATURDAY, *March 11, 1922.*

(Legislative day of Thursday, March 9, 1922.)

The Senate met in open executive session at 12 o'clock meridian, on the expiration of the recess.

FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. UNDERWOOD obtained the floor.

Mr. SMITH. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from South Carolina.

Mr. SMITH. In view of the importance of the subject to be discussed by the Senator from Alabama, I suggest the absence of a quorum.

Mr. CALDER. Will the Senator from South Carolina withhold that request, in order that I may report a bridge bill?

Mr. UNDERWOOD. I yield to the Senator.

Mr. SMITH. If the Senator from New York desires to report a bill, I will yield. If it is in order, I will withdraw my request until the bill referred to by him may be reported, but I suggest to the Senator that after the roll call he may make a request for unanimous consent.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ball	Gooding	McNary	Sheppard
Borah	Hale	Nelson	Shields
Brandegee	Harris	Newberry	Shortridge
Broussard	Harrison	Nicholson	Smith
Bursum	Johnson	Norbeck	Spencer
Calder	Jones, Wash.	Norris	Stanfield
Cameron	Kellogg	Oddie	Stanley
Capper	Kendrick	Overman	Sterling
Caraway	Keyes	Page	Sutherland
Colt	King	Phipps	Swanson
Culberson	Ladd	Pittman	Townsend
Cummins	La Follette	Poindexter	Underwood
Fernald	Lenroot	Pomerene	Walsh, Mass.
Fletcher	Lodge	Ransdell	Walsh, Mont.
France	McCormick	Rawson	Watson, Ga.
Gerry	McKellar	Reed	Willis
Glass	McKinley	Robinson	

Mr. SUTHERLAND. I desire to announce that the Senator from North Dakota [Mr. McCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from Connecticut [Mr. McLEAN], and the Senator from Indiana [Mr. WATSON] are absent on business of the Senate in attendance upon the Committee on Finance.

Mr. PAGE. I desire to announce the absence of my colleague, the Senator from Vermont [Mr. DILLINGHAM] on account of a death in his family.

Mr. FLETCHER. I wish to announce that my colleague [Mr. TRAMMELL] is necessarily absent on account of illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-seven Senators having answered to their names, a quorum is present. The Senator from Alabama is entitled to the floor.

Mr. CALDER. Will the Senator from Alabama yield to me for a moment?

Mr. UNDERWOOD. I will yield to the Senator if what he desires will not take any time.

MISSISSIPPI RIVER BRIDGE AT MINNEAPOLIS, MINN.

Mr. CALDER. The Senator from Minnesota [Mr. KELLOGG] is very anxious to have considered the bill which I now desire to report as in legislative session.

From the Committee on Commerce I report favorably without amendment the bill (S. 3209) granting to the Northern Pacific Railway Co. the right to construct and maintain a bridge across the Mississippi River at Minneapolis, in the State of Minnesota, and I submit a report (No. 546) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Northern Pacific Railway Co., a corporation organized under the laws of the State of Wisconsin, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation in the southwest quarter of section 24, township 29 north, range 24 west of the fourth principal meridian, at Minneapolis, in Hennepin County, State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

As in legislative session,

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker pro tempore of the House had signed the bill (H. R. 9597) to amend an act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington presented a petition of sundry citizens of Riverside, Spokane, and Synarep, all in the State of Washington, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Parent-Teacher Association of the Interlake Public School, of Seattle, Wash., praying for the enactment of legislation suppressing the traffic in narcotics, which was referred to the Committee on Finance.

Mr. TOWNSEND presented memorials of sundry citizens of Kalamazoo, Mich., protesting against increased tariff duties on women's leather gloves, which were referred to the Committee on Finance.

Mr. CAPPER presented telegrams in the nature of petitions from the Kiwanis Clubs of Dodge City, Fort Scott, Parsons, and Lawrence, all in the State of Kansas, praying for prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

Mr. SHORTRIDGE presented resolutions adopted by the Merchants' Exchange of Oakland, Calif., favoring the proposed extension by the San Francisco-Oakland Terminal Railways of the "Key" system to Goat Island by a causeway bridge, which were referred to the Committee on Commerce.

He also presented resolutions adopted by the California Forest Protective Association at its annual meeting, held in San Francisco, Calif., January 20, 1922, favoring the enactment of legislation for Federal and State cooperation for the protection and perpetuation of the forests of the United States, which were referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the Merced County (Calif.) Farm Bureau, favoring the enactment of legislation to foster the needs and requirements of agriculture and allied industries, which were referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the Chamber of Commerce of St. Helena, Calif., favoring the enactment of legislation permitting the manufacture and sale of light wines and beers, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by chapters of Daughters of the American Revolution, of Long Beach, Cabrillo, and Oakland, and of the United Christian Brotherhood of Protestant Churches, of Palo Alto, all in the State of California, favoring the enactment of legislation creating a department of education with a secretary in the President's Cabinet, which were referred to the Committee on Education and Labor.

He also presented petitions of sundry members of the Junior Order of United American Mechanics, of Stockton, Calif., praying for the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Whittier (Calif.) Quarterly Meeting of the Friends Church, favoring prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

He also presented a letter in the nature of a petition from W. U. Scott, of Eagleville, Calif., praying for inclusion in the pending tariff bill of adequate protective duties on cattle, hides, meat, and wool for making money available with low interest rates and long-time payments, and low freight rates on the railroads, etc., which was referred to the Committee on Finance.

REPORTS OF THE COMMITTEE ON INDIAN AFFAIRS.

Mr. SPENCER, from the Committee on Indian Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 250) authorizing the Crow Tribe of Indians residing in the State of Montana to submit claims to the Court of Claims (Rept. No. 547); and

A bill (S. 2563) to provide for the completion of the bridge across the Little Colorado River, near Leupp, Ariz. (Rept. No. 548).

He also, from the same committee, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 249) for the relief of certain tribes and nations of Indians in the State of Montana (Rept. No. 549); and

A bill (S. 514) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes (Rept. No. 550).

He also, from the same committee, to which was referred the bill (H. R. 10193) extending time for allotments on the Crow Reservation; protecting certain members of the Five Civilized Tribes; relief of Indians occupying certain lands in Arizona, New Mexico, and California; issuing patents in certain cases; establishing a revolving fund on the Rosebud Reservation; memorial to Indians of the Rosebud Reservation killed in the World War; conferring authority on the Secretary of the Interior as to alienation in certain Indian allotments, and for other purposes, reported it with amendments and submitted a report (No. 551) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ODDIE:

A bill (S. 3272) granting an increase of pension to Carl Z. Work; to the Committee on Pensions.

A bill (S. 3273) to authorize the acquisition of a site and the erection of a Federal building at Elko, Nev.; to the Committee on Public Buildings and Grounds.

By Mr. WARREN:

A bill (S. 3274) to amend an act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920; to the Committee on Public Lands and Surveys.

AMENDMENT OF DEFICIENCY APPROPRIATION BILL.

Mr. McNARY submitted an amendment proposing to appropriate $10,000 to enable the United States Geographic Board to begin the preparation of a gazetteer or dictionary of place names in the United States and Alaska, to comprise the names of mountains, rivers, valleys, canyons, and other natural topographic and relief features, and also the names of all towns, cities, counties, and political divisions, intended to be proposed by him to the second deficiency appropriation bill, which was ordered to lie on the table and to be printed.

SERVICES FOR SOLDIER DEAD AT BROOKLYN, N. Y.

Mr. CALDER submitted the following concurrent resolution (S. Con. Res. 20), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Whereas the United States transport *Cambrai* is expected to arrive in New York on or about March 30 bearing the last of the bodies of American soldiers from the fields of the World War: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That a committee of five Senators, to be designated by the President of the Senate, and five Members of the House of Representatives, to be designated by the Speaker, is authorized to represent the Congress at such services and ceremonies as may be determined upon as proper and appropriate. One-half of the expenses of such committee shall be paid out of the contingent fund of the Senate and one-half out of the contingent fund of the House.

ANGLO-JAPANESE TREATIES (S. DOC. NO. 163).

Mr. McCORMICK. I send to the desk copies of the three Anglo-Japanese treaties of alliance, and ask unanimous consent that they may be printed as a Senate document for the convenience of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

RELIEF OF FARMERS IN CROP-FAILURE AREAS.

Mr. NORRIS. I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate bill 2897.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2897) entitled "An act to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture," which were, on page 1, line 4, to strike out all after "farmers" down to and including "States" in line 6; on page 1, line 7, to strike out "of feed and"; on page 2, line 5, to strike out all after "for" where it occurs the first time, down to and including "stock" in line 6; on page 2, line 11, after "hereby" to insert: "authorized to be"; on page 2, line 13, strike out "$5,000,000" and to insert "$1,000,000"; on page 2, line 13, to strike out all after "available," down to and including "stock" in line 15, and insert: "and not more than $20,000 may be used, in the District of Columbia and elsewhere, by the Secretary of Agriculture in the administration of this act"; and to amend the title so as to read: "An act to authorize the appropriation of $1,000,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture."

Mr. NORRIS. I move that the Senate disagree to the amendments of the House, request a conference on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. LADD, Mr. NORBECK, and Mr. KENDRICK conferees on the part of the Senate.

FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. UNDERWOOD. Mr. President, when the Great War closed I gave my unconditional support to the treaty of Versailles, including the League of Nations. This was not because I believed that the treaty of Versailles was a perfect agreement or that the League of Nations would accomplish the impossible and carry us at this day and time into the millennium. I recognized, of course, that 27 nations only a few months removed from the battle fields of the world's greatest conflict, with all the passions and prejudices that must engulf human nature under these circumstances, could not rise to the high ideal of such a compact for the future peace of the world, and supported the treaty of Versailles because it was a step, in my judgment a long step, in the right direction; because it proposed other means of settling international disputes rather than the arbitrament of the sword. But my efforts did not succeed. The peace of Versailles was rejected by the Senate of the United States and the compact went into history without our concurrence or consent.

You may regard what I have just stated as not pertinent to the treaty now pending before the Senate. I say it though as an evidence of the frame of mind under which I approached the work of the recent Conference on the Limitation of Armament. My mind and heart led me to welcome every effort that was made to establish the peace of the world by international understanding and national agreements, rather than to fall back on the methods of the past and use the power of force to determine right and justice between the peoples of the world. Our national policy has been for peace since the beginning of our Government.

"Peace be to this house" is a salutation that came out of the desert centuries ago and has rung around the world because it carried with it the grace of kindness, safety, and protection to the dwellers within.

"Peace be to this Nation" may be substituted as an expression of the true sentiment of the men and women of America in regard to the determination of all international disputes that arise from time to time. In other words, it is safe to say that the American people in their international relations cherish in their hearts only the desire for friendly intercourse with the peoples of the world, and their great desire is that the future peace of the world may remain unbroken.

Let us look at the pages of history for the last hundred years; what international questions of momentous import have confronted us; what spectacular demonstrations have been made; what intemperate words have been spoken—and yet, except where we have been compelled to draw the sword in defense, as in the late war with Germany, we have been willing to adjust our differences by mutual understanding without a resort to arms. Recall what some of these questions are: The Oregon boundary, the Canadian fisheries, the Mexican border troubles, Venezuela, and many others. Any of them would have brought other nations into open conflict on the battle field, and were composed by us through discussion and mutual understanding.

The pending treaty, known as the four-power pact, represents a political settlement which undoubtedly was necessary before the treaty providing for the limitation of armaments was signed—that is, if the agreement to limit armaments was intended to mean more than a mere saving of money to the nations who had engaged in the wild race of building battleships.

As originally written, the four-power pact included the home islands of Japan, but the powers that signed the treaty subsequently yielded to the request of Japan and amended the original agreement so that the home islands of Japan were left out of the compact. Thus amended, the four-power pact provides for peace in the Pacific, guaranteed by mutual pledge of all the signatory powers to respect the integrity of the territory of

each, and, in case of difference between the signatory nations, to confer. In case of difficulty between a signatory power and a nonsignatory nation, the four powers are to exchange notes as among the four, explaining the situation and looking to a common policy.

The terms of the treaty clearly call for a conference to consider difficulties that may arise, just as the Conference on the Limitation of Armament was called in Washington some months ago. It is a conference in which all of the four powers must agree and none of the powers will be bound in advance in any way. In other words, the agreements that are reached must be by the unanimous consent of all.

The governing clause of this treaty reads as follows:

> The high contracting parties agree, as between themselves, to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

The other clauses of the treaty are ancillary to the one that I have just read.

The opponents of the ratification of this treaty in the main appear to base their objections on two grounds, expressing positions that are opposed one to the other. It is asserted that the treaty in effect is an alliance between the four great powers for offensive and defensive purposes, or, at least, it is contended we will be drawn into that position in the end, and that we may be forced into war without our consent. I maintain that there is nothing in the treaty itself that justifies such an interpretation being placed upon it; that an agreement by a man or a nation to respect the rights of his neighbors is an obligation that relates to his own conduct and does not bind him to aggressive action because the other party to the contract, whose rights he has agreed to respect, becomes involved in difficulties.

But the question is not left here. The Foreign Relations Committee of the Senate have moved a reservation to the treaty, which will probably be accepted by the Senate, which reads as follows:

> The United States understands that under the statement in the preamble, or under the terms of this treaty, there is no commitment to armed force, no alliance, no obligation to join in any defense.

When the treaty is ratified with this understanding on the part of our Government, what ground is left to those who contend the treaty is an offensive and defensive alliance to stand upon? None that I can see.

On the other hand, it is asserted that as the treaty does not bind the high contracting parties to use force in carrying out its terms, and because they can not in the future be bound to any action until their free consent is first obtained, that it means nothing; that it is worse than useless to sign it, and therefore it should be defeated. To my mind, this argument is the last stand of the men of the old school, the school of thought that has been dominant in the government of this world for the last 4,000 years; the philosophy that believes that the world can and must be governed only by force, and that agreements to be binding must have the power of force behind them. If this were true it would destroy all the faith of the Christian nations of the world in their efforts to obtain peace by mutual understanding. For my part, I believe the world is moving forward, not drifting backward, and that the moral forces of the world can join together in bonds of mutual understanding, where respect for each other, love of justice, and the determination to do what is right will be the governing forces that will bind men and nations in the future. If this be true, then it means a great deal for four great nations to meet together and agree to respect each other's rights, and, in case of dispute, to counsel together in order to reach a common understanding, rather than to follow the backward paths of selfish diplomacy backed up by armies and navies in determining the future rights of the people of the world.

You may call the Versailles treaty an alliance. I voted for it because I believed that it was a sincere effort to secure the peace of the world by mutual understanding. The present treaty is not an alliance, but if it were an alliance intended to keep the peace through arbitration rather than through force I should support it. The dangers of past alliances have not been due to the fact that they were binding agreements between the powers that signed them, but because they contemplated the use of force for the benefit of the signatory powers. An alliance based on right and justice between nations, intended to aid in securing the peace of the world, would not be offensive to me. The first step in any effort to keep the peace among nations must be based upon a mutual agreement to respect the rights of others. The four-power pact does that. Its defeat, in my opinion, would be a backward step in the life of this Nation.

If the Senate of the United States ratifies this pending treaty, I am fully satisfied that there will disappear not only any real cause for war but there will no longer exist the opportunity for war that has threatened us in the past two decades, and peace will be established between the four great sea powers that now control the destinies of the Pacific Ocean.

There has been some criticism of this treaty because it has been limited in its terms to include only the United States of America, the British Empire, France, and Japan. The primary purpose of the compact is to maintain the peace, and for the next 10 years one would have a very vivid imagination to picture the peace being disturbed in the Orient by any other power. Germany is down and out at least for the next half century to come. All semblance of government is destroyed in Russia. Transportation facilities have almost perished with stable government; manufacture is dead, and only feeble efforts of agricultural production sustain the lives of a great people. This will not continue to exist forever. The day will come in the future when a stable government—recognizing human liberty, protection of property, the safety of the person, and national freedom—will again be established in Russia. And if it comes with the republican form of Government, I predict that there will be the rebirth of a great life in the history of nations. But nobody can dream that such a happening can occur in the next 10 years, the life of this treaty.

It may be said that no danger may threaten the powers to the compact because it has not been extended to the other powers, but that an injustice has been done to the smaller nations in the questions involved in far eastern possessions. The answer to that criticism is already at hand. Arrangements have been made by separate agreements between the signatory powers and Holland to extend to the Dutch East Indies possessions that same guaranty of possession and recognition of integrity which the four-power treaty bestows upon the four signatory nations. This is only an act of justice to Holland, whose interests on the material side in the regions of the Far East are as great as those of any of the powers who signed the pact, and what has been granted to Holland undoubtedly would be freely granted to any other power that desired it, having possessions in the region of the Pacific.

We therefore have, as a result of the four-power treaty and the extension of this treaty to the Dutch East Indies, a solid basis for peace between the United States, the British Empire, France, Japan, and the Netherlands. I do not see how anyone can conceive, during the life of this treaty, that any difference of opinion or conflict of interests between the signatory powers thereto can arise. It is not an agreement that leads to war. It is not an alliance for cooperation in time of war. It is not an alliance that draws the sword. But it is an agreement intended to lay aside the sword, to abandon force that all differences may be determined by national understanding and arbitration. This treaty is a regional agreement that has been made on honorable terms and satisfactory to all concerned; entered into, not with the compelling force exercised by the victor over the vanquished, but in the full tide of peace. It represents no infringement of the national rights of others, nor is it purchased by the alienation of any territory of any of the powers who have signed it. In my judgment it stands as a model regional agreement intended to secure peace by mutual understanding.

It must be borne in mind that the treaty does not relate to the mainland of Asia, but only relates to certain islands, defined in its terms, in the region of the Pacific Ocean. These include the Philippine Islands, which, in the event of war, have been a danger since we first possessed them. I agree that it is entirely possible, with a very large expenditure of money and the maintenance of a very large Navy, to so fortify and protect the Philippine Islands that they would be safe against the attack of another nation. But our Government, in the quarter of a century we have controlled them, has never built adequate fortifications on them for defense, nor has it fortified the approaches to the islands to the east of Hawaii, and it is undoubtedly the fixed determination of the American Congress to reduce the size of the Navy of the United States rather than to build one that would be adequate in time of war to defend our possessions in the Far East. I do not criticize this position of our countrymen, as I believe, and shall continue to maintain, that it is far better to secure the safety of our island possessions by agreements to keep the peace between nations rather than by the upbuilding of great armies and navies. Nevertheless, as long as conditions were allowed to remain in the Far East as they have existed for the past two decades, danger lurked behind every dispute, and the war clouds gathered when every national issue was raised. These conditions threatened our national security, for as long as our flag floats over the distant islands of the Pacific, national honor requires that we shall defend the people of these islands from attacks by other nations. I have yet to find the man informed on naval matters

who does not admit that if we became involved in war with a first-class naval power, in the beginning it would be impossible for us to protect the Philippine Islands from successful attack by such a foe. You say in the end we would win them back. Yes; if I know my country and my countrymen, we would face destruction or in the end we would win them back. But after the end, when the battle flags were furled and the cannon ceased to roar, the page of blood we would find in American history would tell of the loss of many, many thousands of American boys and the American taxpayer would have to face a payment of many billions of dollars, the price of a war that is unnecessary, a war that should not come, a war that is a crime to dream about; when a mutual understanding and agreement to keep the peace, when the wish that arbitration may determine disputed issues rather than an appeal to the sword, can save all this and more.

This is the real issue involved in the four-power treaty: The issue of peace in the Orient, the issue of safety to our country, the issue of the lives of our young men, who should be saved from this danger for the upbuilding of a greater America.

We have signed agreements with many nations to arbitrate our differences, as is evidenced by the general peace treaties signed in 1914. When we have signed with one nation a treaty looking to the peaceful settlement of disputes, why should we hesitate to sign a similar agreement to maintain the peace with four?

A number of treaties were negotiated at the conference in Washington on the limitation of armaments, but this four-power treaty is the real treaty of peace. The naval treaty is remarkable, in that for the first time in the history of the world nations have really agreed to limit their armaments, but, nevertheless, their relative strength remains the same. The Chinese treaties establish a magna charta to protect the sovereignty and territorial integrity of China in the future. This one treaty stands for peace by mutual understanding and all that peace means.

When the Great War was on our young men were giving their lives daily to the maw of battle on the fields of France, when the Nation was strained to its utmost to produce war supplies and raise the revenue necessary to keep our forces in the field, when every man gave and every woman sacrificed, there was no issue but one, the winning of the war; yet, even then, deep in the heart, the great American heart, the call of peace remained. The mothers and fathers of the boys at the front, the producers in the fields and the factories, all said, we give and we give willingly for national safety and national life, but when this Great War is over there must be peace, the peace of understanding. That sentiment still lives in the heart of the American people. That sentiment will continue to live until the nations of the world are able to enter into an understanding that will solve all the differences that bring on wars, by an intellectual determination of what is right and what is just, rather than by the barbaric methods of the past, the power of force.

That sentiment, in my judgment, demands the ratification of this treaty.

Mr. President, I can not close without addressing myself to some of the problems which have been presented to the Senate, which I myself do not regard as the main issue. In fact, I do not regard them as an issue at all; but this matter is too grave, it is too momentous in the life of our country, to leave any question unanswered where an adequate answer is at hand.

Some of my able and eloquent colleagues have challenged this treaty on the ground of its origin. They have asked, Who made it; who was the real author of the four-power treaty? In my mind, that has nothing to do with the problem. It may be a side issue, one to divert attention from the main facts; but I take it that no Senator of the United States, realizing the grave duty which confronts him, would be prejudiced against doing what was right because some authorship which might be distasteful to him had written the treaty, nor would he vote for what he conceived to be wrong because he approved of the authorship. So I say the question as to whether this treaty came from the hands of the American delegates, came from the head of the British delegation, or was fostered by Japan, may, in the moment of criticism, attract our attention, but it is not a foundation on which the determination as to whether a Senator should accept or reject this treaty can be based.

As I stated the other day, in answer to a question of one of my colleagues, unfortunately for myself, at the critical hour of the making of this four-power treaty, I was called away from Washington on account of a death in my family, and therefore personally I did not have the same information in regard to the details which my colleagues had, through no fault of mine or theirs. But I regarded it as too important to allow the matter to go by with any chance of the decision of a vote in this Chamber being determined on an issue which is not material to the real merits of the questions involved.

I have in my hand a letter from a great American, a man who is entitled to the confidence of his fellow citizens regardless of their political alignment. I have in my hand a letter from the man who primarily wrote this treaty, and I ask Senators to listen to it. It is from the Secretary of State, the head of the American delegation at the conference which adopted the treaty. It is directed to me, bears date March 11, 1922, and it reads as follows:

DEPARTMENT OF STATE,
Washington, March 11, 1922.

MY DEAR SENATOR: I understand that in the course of debate in the Senate upon the four-power treaty questions have been raised with respect to its authorship. It seems to be implied that in some way the American delegates have been imposed upon, or that they were induced to accept some plan cunningly contrived by others and opposed to our interests. Apart from the reflection upon the competency of the American delegates, such intimations betray a very poor and erroneous conception of the work in connection with the conference, no part of which—whether within or outside the conference meetings—was begun, prosecuted, or concluded in intrigue. Nothing could be further from the fact.

It is, of course, wholly inconsistent with the amenities of international intercourse that the informal and confidential suggestions and conversations incident to negotiations should be stated, but the Senate may be assured that a full disclosure of everything said or done in the course of the negotiations would reveal nothing derogatory to the part taken by any of the American delegates, or involve any consideration or acceptance of any position not entirely consistent with the traditional policies of this Government.

It should be remembered that the four-power treaty dealt with a subject—the Anglo-Japanese alliance—which, as an agreement between two powers competent to make and continue it, was not, and in the nature of things could not be, appropriately placed upon the conference agenda. Technically it was a matter outside the conference, although the conference furnished an excellent opportunity for conversations regarding it.

While I can not, of course, undertake to state what was proposed or suggested in confidence by any of the delegates, I think it entirely proper to say that the negotiations relating to the four-power treaty were conducted within limitations defined by the American Government. The views of this Government as to the importance of the termination of the Anglo-Japanese alliance had been communicated long before the conference met, and it had also been clearly stated that this Government could enter into no alliance or make any commitment to the use of arms, or which would impose any sort of obligation as to its decisions in future contingencies. It must deal with any exigency according to its constitutional methods. In preparation for the conference the American delegates reviewed the matter thoroughly, and the entire course of the negotiations in connection with the four-power treaty were in accord with these principles, and, as I have said, within the limits which we defined.

The treaty itself is very short and simple, and is perfectly clear. It requires no commentary. Its engagements are easily understood, and no ingenuity in argument or hostile criticism can add to them or make them other or greater than its unequivocal language sets forth. There are no secret notes or understandings.

In view of this, the question of authorship is unimportant. It was signed by four powers, whose delegates, respectively, adopted it, all having made various suggestions.

I ask especial attention to this—

I may say, however, with respect to the general course of negotiations that after assent had been given by Great Britain and Japan that France should be a party to the agreement—

Listen—

I prepared a draft of the treaty based upon the various suggestions which had been exchanged between the delegates. This draft was first submitted to Senator LODGE and Mr. Root, as you were then absent on account of the death of your mother. After the approval of the American delegates, who were here, the draft was submitted to the representatives of other powers, and became the subject of discussion between the heads of the delegations concerned, and with a few changes, which were approved by the American delegates, and which did not affect the spirit or substance of the proposed treaty, an agreement was reached. Immediately upon your return I went over the whole matter with you, and the proposed agreement received your approval. I should add that, in order to avoid any misunderstanding I prepared a memorandum to accompany the treaty with respect to its effect in relation to the mandated islands and reserving domestic questions.

At this stage, while it was not strictly a conference matter, in order to insure publicity at the earliest possible moment, the treaty, as thus agreed upon, and before it had been signed, was presented by Senator LODGE to the conference in plenary session and its import and limitations stated. His statement met with the acquiescence of all.

The treaty as thus drawn and notified was deemed to embrace the main islands of Japan. Later, in view of the sentiment, both in this country and Japan, it was deemed to be preferable to exclude these main islands, and a supplementary treaty was prepared to this effect, which designated the islands of Japan which it was to include.

There is not the slightest mystery about the treaty or basis for suspicion regarding it. It is a straightforward document which attains one of the most important objects the American Government has had in view, and is of the highest importance to the maintenance of friendly relations in the Far East upon a sound basis. As the President recently said, in his communication to the Senate, it is an essential part of the plan to create conditions in the Far East at once favorable to the maintenance of the policies we have long advocated and to an enduring peace.

In view of this, and in view of the relation of the treaty to the results of the conference, its failure would be nothing short of a national calamity.

I am, my dear Senator, faithfully, yours,

CHARLES E. HUGHES.

Mr. President, no man can challenge the word of the Secretary of State. Not only in this letter, but personally, he has given me the assurance that he himself carried the substance, the governing clauses, and the preamble of this treaty to the conference with the heads of the other delegations; that they came from him as the head of the American delegation.

Mr. ROBINSON. Will the Senator from Alabama yield for a question?

Mr. UNDERWOOD. I yield.

Mr. ROBINSON. It is, then, a fact that the negotiations for the four-power treaty were designedly conducted in secret?

Mr. UNDERWOOD. They had to be.

Mr. ROBINSON. Why?

Mr. UNDERWOOD. Because there was an existing treaty between Great Britain and Japan. If we had announced in the newspapers that we were desirous of having that treaty annulled before we made a treaty in reference to the limitation of naval armament, it might have affected conditions in the other countries; and no man charged with an important diplomatic mission would jeopardize a question of this kind by making in the open a declaration that might seriously affect the negotiations in the countries which had to join with his country in the agreement.

Mr. ROBINSON. But the negotiations did not occur in the countries that joined in the agreement. The Senator, I assume, refers to the ratification or approval of the treaties in the different countries?

Mr. UNDERWOOD. I am speaking primarily of the agreement by Great Britain and Japan to annul and abolish the Anglo-Japanese alliance.

Mr. ROBINSON. There was no secrecy at that time in connection with the Anglo-Japanese alliance. Everybody knew of its existence and knew its terms.

Mr. UNDERWOOD. Undoubtedly. But there was not an announcement that it would be annulled, and there could not be until the two powers reached an agreement, and it would have been very foolish on the part of our delegation or our Government to make such an announcement.

Mr. ROBINSON. It can not be annulled now until Great Britain and Japan ratify this treaty.

Mr. UNDERWOOD. Undoubtedly; but their delegations, their accredited representatives, have now agreed to the annulment. At that time their Governments had not consented to such a course.

Mr. ROBINSON. Does the Senator mean to say it was necessary to maintain secrecy in regard to the negotiation of this treaty in order to prevent public sentiment in Japan and in Great Britain from becoming so hostile to the proposal that the treaty could not be successfully negotiated?

Mr. UNDERWOOD. Not at all.

Mr. ROBINSON. What, then, was the purpose of withholding——

Mr. UNDERWOOD. I——

Mr. ROBINSON. Just a moment, until I finish the question. What was the purpose of withholding the information from the people of Japan and from the people of Great Britain that a four-power pact was to be substituted for the two-power pact?

Mr. UNDERWOOD. So that that information might be announced by their own delegates and their own Governments to those people and not come through us.

Mr. BORAH. Mr. President, may I suggest that the premier of Great Britain announced in the House of Commons a month before the English delegation came to this country that the way to dispose of the Anglo-Japanese alliance was to extend the alliance so as to include the United States?

Mr. UNDERWOOD. Undoubtedly; but that was an announcement by one of the powers.

Mr. BORAH. It was before the conference was called.

Mr. UNDERWOOD. That was an announcement by one of the powers about their own business.

Mr. BORAH. Yes; but that announcement was made before the Washington conference was called.

Mr. UNDERWOOD. I think that everybody will recognize that if the delegates of other nations should meet here to consider a matter which primarily concerned the United States, as the question of the Anglo-Japanese alliance primarily concerned Japan and Great Britain, it would have been very unwise and very undiplomatic for the Japanese delegation or the English delegation to have made an announcement about our affairs instead of allowing such an announcement to come from an American source.

Mr. ROBINSON. What does the Senator from Alabama have to say about the American delegation making the announcement to the American people?

Mr. UNDERWOOD. It did not concern the American people until the agreement was reached that the Anglo-Japanese alliance should be canceled; and when that was done the announcement was made to the American people.

Mr. ROBINSON. But it was well understood by the delegates from the beginning, even prior to the meeting of the Washington conference, that one of the principal subject matters to be considered by it actually was to be the recision of the Anglo-Japanese alliance and the substitution for it of something that would satisfy Japan and Great Britain. Is not that true?

Mr. UNDERWOOD. No; I do not think that is entirely true.

Mr. ROBINSON. What part of it does the Senator from Alabama think is true?

Mr. UNDERWOOD. I think this question gradually developed; the situation did not stand in all respects in the light which the Senator states. I think before the conference met there was hardly a newspaper in the United States which, either in its news or editorial columns, did not reflect the sentiment that if we were going to enter into a treaty scrapping our Navy in good faith the Anglo-Japanese alliance should be canceled or annulled by the powers that made it; but I think that is as far as the sentiment went.

It may have been expressed otherwise at that time; it may have been stated that there must be some other agreement to take its place; but if so, I did not see the statement. I know that the other sentiment existed, but my first information and the first discussion, so far as I was concerned, of the proposal that something else must take the place of the Anglo-Japanese alliance came after the conference was called and after the American delegation met. Then we received the information that it was the desire of the Governments of Great Britain and Japan, if that alliance were annulled that something else should take its place. That is my understanding of it. Something different may have appeared in some of the newspapers or at some time prior; but if so, I did not know of it.

Mr. ROBINSON. Will the Senator yield to a further question?

Mr. UNDERWOOD. I will.

Mr. ROBINSON. Does the Senator think that if it had been announced that the Anglo-Japanese alliance was to be rescinded through the formation of another alliance to which the United States should become a party, the American people would have approved of that course?

Mr. UNDERWOOD. That is what this treaty does. I will say to the Senator—he may not agree with me, but I make no mistake about it—that outside of some certain factions in this country the American people approve of this treaty, because it means peace.

Mr. ROBINSON. The Senator has not answered the question which I asked him.

Mr. UNDERWOOD. Well?

Mr. ROBINSON. I ask the Senator from Alabama if the American people had understood that the Anglo-Japanese alliance was to be rescinded or nullified by the substitution of a four-power alliance, to which the American Government should become a party, does he believe that under those circumstances the American people would have approved of the negotiation of the four-power treaty?

Mr. UNDERWOOD. I thought I had answered the Senator's questions by saying that I believe the American people approve of that pact, which certainly answers the question; but if he wishes me to go further I will say that if the American people had known during the negotiation that we were going to get rid of a menace in the Pacific Ocean in the form of the Anglo-Japanese pact by making this agreement to keep the peace, I believe the great American people would have then approved it just as they approve it now.

Mr. ROBINSON. My stupidity has prevented me from communicating to the Senator from Alabama the true meaning of my question.

Mr. UNDERWOOD. I am sorry that I misunderstood the Senator.

Mr. ROBINSON. I am going to try to make it clear to him. The Senator has asserted that the American people favor the ratification of this pact?

Mr. UNDERWOOD. In my judgment they undoubtedly do.

Mr. ROBINSON. That evades the question as to whether the American people understand the nature of this pact.

Mr. UNDERWOOD. I think——

Mr. ROBINSON. Just a moment, if the Senator will indulge me.

Mr. UNDERWOOD. Certainly.

Mr. ROBINSON. The contention of the proponents of the treaty is that it is not an alliance, that it is a mere agreement for an amicable conference. That idea has been carried in the newspapers and magazines and in resolutions of commercial and political organizations until that is the view and construc-

tion which has been placed before the American people concerning this pact. That, however, does not take into consideration the real question which those of us who are doubtful about the advisability of ratifying the treaty present, and that is what is the nature of the treaty? Is it a mere agreement to confer, or is it in fact a quadruple alliance, substituted for the Anglo-Japanese alliance and binding the United States and France to Great Britain and Japan as Great Britain and Japan were bound together under the Anglo-Japanese alliance? If it appears that such is the nature of the instrument, does the Senator from Alabama think that the American people would approve it?

Mr. UNDERWOOD. I do not think this is an alliance, and I think the American people know it is not an alliance; but, as I have said in my speech, I believe that if the American people thought it was an alliance to keep the peace and avoid the danger that we have been threatened with for the last quarter of a century, holding, as we do, the Philippines without proper protection, the American people would approve of a course that canceled a military alliance against us for a peaceful alliance in our favor. However, I do not admit at all that it is an alliance.

Mr. ROBINSON. Mr. President——

Mr. UNDERWOOD. If the Senator will allow me for a moment, I will say——

Mr. ROBINSON. Will the Senator yield for a further question?

Mr. UNDERWOOD. I yield.

Mr. ROBINSON. If it is not an alliance, what is it in international law?

Mr. UNDERWOOD. There is a grave difference between a conference and an alliance. I am sure the Senator recognizes that.

Mr. ROBINSON. Undoubtedly.

Mr. UNDERWOOD. An agreement to hold a conference and an alliance are two different propositions. An alliance carries with it the understanding between nations, no matter what it is called, that in the happening of certain events those nations shall be bound to follow a certain course, usually a resort to arms, an obligation to defend each other. An alliance is a binding agreement with respect to a subject matter where the determination is reached in the beginning that that subject matter shall be treated in a certain way. An agreement to hold a conference is not an obligation that binds the signatory powers as to what shall be done when they meet at the conference table.

Mr. ROBINSON. Now, will the Senator yield further?

Mr. UNDERWOOD. And this agreement does not bind anybody. It leaves all four of these nations free to act when they take their seats at the conference table. As I have said, it is similar to the conference that took place in Washington. Unanimous consent of all must be obtained before action can take place.

Mr. ROBINSON. Will the Senator yield for a question?

Mr. UNDERWOOD. I will yield in just a moment. I trust the representatives of the American people should they go to a conference either now or hereafter will protect the rights of the American people within constitutional lines. I now yield to the Senator.

Mr. ROBINSON. The Senator has just stated that unanimous consent is required to any conclusion by the conference which may be convened under the treaty.

Mr. UNDERWOOD. Yes.

Mr. ROBINSON. How does the Senator arrive at that conclusion?

Mr. UNDERWOOD. Because the wording of the clause, as recognized in international law by every writer of international law, is the wording of a conference and not the wording of an alliance.

Mr. ROBINSON. The Senator is aware, of course, that the Senate put an entirely different construction on a provision in another treaty, somewhat analogous to this, and insisted that there should be written into the face of the treaty a provision that all decisions should be unanimous.

Mr. UNDERWOOD. The Senator refers to the treaty of Versailles?

Mr. ROBINSON. Yes.

Mr. UNDERWOOD. Of course, the Senator and myself did not occupy that attitude.

Mr. ROBINSON. That is perfectly true.

Mr. UNDERWOOD. I am not ashamed of the attitude I then occupied.

Mr. ROBINSON. No; and I am proud of it. Now, let me ask the Senator from Alabama this question: In view of the construction which the Senate placed on that treaty, contrary to the construction which he and I placed upon it, has the Senator from Alabama any objection to saying in this treaty, as was said on the face of the Versailles treaty, that all decisions or conclusions shall be unanimous?

Mr. UNDERWOOD. I do not think it is necessary. I will tell the Senator candidly that I regret that these treaties should be changed. I think the position which this Government occupies before the people of the world because of its rejection of the Versailles treaty is most unfortunate. There is a doubt in the minds of other great governments as to whether the United States of America can make an agreement and be bound by it.

Mr. ROBINSON. Mr. President——

Mr. UNDERWOOD. Just let me finish, and I will then yield. But I feel the treaty is of so great importance to my country and to the future peace of my country that I will not stand in the way of its ratification because somebody may want to offer a reservation which does not destroy its terms. I think the reservation offered by the Senator himself the other day would destroy its terms; but here is a reservation which has been proposed by the Committee on Foreign Relations, reading as follows:

> The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.

In order that our Government may keep faith and also that the treaty may be ratified, I am willing to vote for that reservation; and when it says that our understanding of the treaty is that it involves no alliance, of course that carries the meaning that everything that may be determined shall be determined by unanimous consent.

Mr. ROBINSON. If the Senator will yield further, our understanding can not control the understanding of the other nations.

Mr. UNDERWOOD. No; but, as the Senator well knows, it controls our attitude at the table, and if we ratify with the understanding that this is not an alliance, then the nations that join in the treaty if they ratify it know that we come to the table with the understanding that we are not bound until we give our consent after we get to the table, and that implies unanimous consent.

Mr. ROBINSON. Will the Senator yield further?

Mr. UNDERWOOD. I yield.

Mr. ROBINSON. If the Senator signs an instrument which by its terms constitutes a contract, can he change the nature of the instrument and diminish his liability by saying "this is not a contract"?

Mr. UNDERWOOD. I do not think so in the court of law, if——

Mr. ROBINSON. Well——

Mr. UNDERWOOD. Wait a minute; let me answer the question—if it was subsequently signed; but I think any understanding expressed in the contract at the time of the signature would be a part of the contract. Undoubtedly in the high courts of international law reservations defining the terms under which a nation accepts an agreement are a part of that agreement so far as that nation is concerned. There can be no question about that.

Mr. ROBINSON. Will the Senator yield for a further question?

Mr. UNDERWOOD. I yield.

Mr. ROBINSON. If the language of the contract or compact or alliance or agreement or conference, or whatever it may be termed, actually creates an alliance, its nature can not be changed by a reservation adopted by one party, can it?

Mr. UNDERWOOD. Oh, it is changed so far as that party is concerned undoubtedly, and really changed so far as the others are concerned when they accept it on those terms, just as much as if it was written in the contract; but there can be no doubt whatever that this is only an agreement in a case of a difficulty arising to consult in order to try to maintain peace. I want the Senator to go back with me eight years ago this coming summer, and I should like to ask him to recall what Lord Grey said in August of 1914, when he had struggled for weeks as no man in history had ever struggled before to try to prevent the catastrophe of the Great War. When the ax fell, when the life of the nations became at stake, he said:

> If there had only been a machinery by which those nations could have consulted together, the Great War would have been avoided.

Mr. ROBINSON. Mr. President, will the Senator yield to me?

Mr. UNDERWOOD. I will.

Mr. ROBINSON. I might ask the Senator to come forward eight years with me to the present time, and consider the statement made by Lord Grey upon the return of Mr. Balfour to England after the negotiation of this treaty; but I do not want to——

Mr. UNDERWOOD. The British people gave every honor to Balfour, and he deserved it; and I regret that our people do not

recognize that peace means more to them than anything else, as the people of Great Britain did.

Mr. ROBINSON. Mr. President, I think the reason why Great Britain gave so much honor to Mr. Balfour was that they concluded that he had been able to substitute for the very unpopular two-power alliance a four-power alliance which committed the United States and France to substantially the same principles that were involved in the two-power alliance; but, if the Senator will permit me to pursue an inquiry as to one statement that he made some moments ago; he defined in general terms an alliance. I shall not undertake to give a general definition of the term "alliance," but I want to point out to the Senator that under his own definition, as I understood it, this treaty, in its second article, constitutes a defensive alliance. The Senator is more familiar with the language than I——

Mr. UNDERWOOD. Not at all.

Mr. ROBINSON. And I am somewhat embarrassed in asking him to place a construction on a certain provision in the treaty after he has made that general declaration; but he is kind enough to yield, and I am going to ask him if he does not think that in addition to conferring there is an obligation upon each member to arrive at a definite conclusion?

Mr. UNDERWOOD. Without meaning to reflect on my friend at all, I think if it were not for the heat of this debate he would recognize that that statement is absurd on its face—to say that the obligation is to confer, but that when we enter into the conference we are required to arrive at a definite result.

Mr. ROBINSON. Mr. President, if there is any heat in this debate, either internal or external, I am unable to feel it.

Mr. UNDERWOOD. I should say the activity of the debate.

Mr. ROBINSON. But now let me point out to the Senator that the first proposal is:

If the said rights are threatened by the aggressive action of any other power—

That means an act of war, does it not?

Mr. UNDERWOOD. It might be an act of war, or it might be something else.

Mr. ROBINSON. What else might it be?

Mr. UNDERWOOD. It might be approaching war.

Mr. ROBINSON. Yes; it means an act which indicates a purpose to make war. That is the condition under which the conference is called.

Mr. UNDERWOOD. It might be somebody else taking possession of a piece of property.

Mr. ROBINSON. That is an act of war, of course.

Mr. UNDERWOOD. Not necessarily.

Mr. ROBINSON. The Senator knows that if one nation seizes a peace of property owned by another that constitutes an act of war under international law, and has done so for all the years since international law was first recognized.

Mr. UNDERWOOD. No; it may justify war.

Mr. ROBINSON. It violates sovereiguty and constitutes an act of aggression or an act of war.

Mr. UNDERWOOD. An act of aggression, but not an act of war.

Mr. ROBINSON. The first obligation is to—

Communicate with one another fully and frankly—

That is in the language of the Anglo-Japanese alliance—for a definite purpose. Take the Senator's own definition of an alliance: Here is a definite purpose stated:

In order to arrive at an understanding.

That is the object of the conference. What is the purpose of the understanding?

As to the most efficient measures to be taken.

That is predicated upon the proposition that one of the powers party to this agreement is being attacked by another power, and that it is necessary to repel that attack. The United States and the other parties to the treaty then would enter into the conference for the purpose of determining how that attack should be repelled; and the agreement goes further. It provides that the conference shall determine whether the measures of repulsion shall be taken jointly or separately. The first question to be determined in a conference of that nature will be: "By what means, what agencies, what process, shall we four powers repel the aggression against one of us?"

The inevitable answer, of course, will be war. No one would think of proceeding in any other manner when an act of war had already been committed against one of the parties to the compact. It means the employment of force. Then the conference not only determines the most efficient measures to be taken, but it decides the question whether the four parties shall proceed jointly or separately. It provides who shall do it.

Now, listen: Suppose that in the years to come——

Mr. UNDERWOOD. Of course, I am glad to yield to my friend from Arkansas; but he made this same speech the other day, and I want to go on, so I will ask him not to go too far in his speech now.

Mr. ROBINSON. Of course, the Senator controls the time——

Mr. UNDERWOOD. I do not want to cut the Senator off.

Mr. ROBINSON. But I wanted to ask the Senator to consider a specific proposition or illustration. However, the Senator did not answer Wednesday, the Senator could not answer then, who wrote the four-power treaty. The Senator from Massachusetts [Mr. LODGE] could not answer then. The Secretary of State refused to answer; but after a prolonged consideration of the matter, and after having told the newspaper men that it was nobody's business who wrote it, he submits to the Senate through the Senator from Alabama a long statement saying that he wrote the first draft of the treaty upon the suggestions of the various delegates, after Japan had agreed that France might become a party.

Mr. REED. Which is purely ex parte, with no chance to cross-examine.

Mr. UNDERWOOD. I shall be glad to yield to the Senator from Missouri when I have answered this question. I shall be delighted to do it, but I want to answer first the speech of the Senator from Arkansas.

Mr. ROBINSON. The Senator stopped me before I finished my question and I was directed to another point. It was rather a long question, and somewhat argumentative in nature.

Mr. UNDERWOOD. The Senator is getting off of it right now, and I should like to have it completed.

Mr. ROBINSON. All right. The first duty is to communicate fully and frankly with one another. The second is to arrive at an understanding as to the most efficient measure by which aggression shall be repelled, and the last is to determine whether they shall all act together or whether one of them shall do it alone.

If the nation assailed contends that it is not able to repel the attack, by reason of the strength of the enemy—either the enemy alone, or in combination with allies—what is the logical consequence of a decision as to what constitute the most efficient measures? That two or more of them shall join their forces, their navy and their army, with the navy and the army of the power attacked. Of course, Mr. President, no treaty can obligate Congress to declare war. It would be necessary under this instrument, just as it would have been necessary under the League of Nations covenant, before this Government can be committed theoretically to war, that the Congress should vote a declaration of war. Nevertheless, the terms of the agreement are to give to each of these four powers in the Pacific the strength of all before the rest of the world.

Mr. UNDERWOOD. Is the Senator through, now?

Mr. ROBINSON. I will pause for a while. I thank the Senator.

Mr. UNDERWOOD. Now, if the Senator will be just as kind to me as I have been to him, I shall try to answer. I wanted him to state his case, and I shall be glad to have an opportunity to answer.

Mr. ROBINSON. I have one or two more questions.

Mr. UNDERWOOD. Mr. President, I want to say, first, that in part of this long question, before the Senator got to the last part of his argument, he asked something in reference to what he called the secrecy of this treaty. There was no secrecy about it. There were certain things that could not be said until the proper time came to say them, and then they were said. Of course, no man can blame me because the other day I could not answer the Senator's question when I was unavoidably out of the city.

Mr. ROBINSON. Oh, certainly not, Mr. President. I hope the Senator understands that I had no such purpose.

Mr. UNDERWOOD. I realize that the Senator did not mean that.

Mr. ROBINSON. Certainly not.

Mr. UNDERWOOD. But I have laid before the Senate the unquestioned statement of the man who did make the treaty that he made it and he wrote it.

The Senator's first assertion was that it was an offense against this treaty because it might have been considered in secrecy. I do not think it was. I do not think there was ever a conference that met in the history of the world that was more open and more free from that criticism than the late conference that met in Washington. But even if the treaty had been considered in the depths of secrecy, that is no argument against the treaty if you approve of its terms; and I say that the best compliment that has been paid to the real merits of the treaty pending before the Senate is that a Senator of the recognized ability and force of the Senator from Arkansas is driven away from the merits of the treaty on its face to try first to find an opportunity to attack it because it was thought by somebody that it

was made by some one else than an American delegate; and then because it was thought to have been made in secrecy. It merely shows the straits to which the opponents of this treaty are driven in their argument.

As to whether or not the second article of the treaty makes this an alliance, here is the way it reads. I will read it all into the RECORD:

If the said rights—

Senators understand that in the first article we have contracted to respect—not to guarantee, not to fight for, but to respect—the rights of the others. The second article says:

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measure to be taken, jointly or separately, to meet the exigencies of the particular situation.

The Senator says that makes this treaty an alliance. If it were an alliance it would not have said:

The parties shall communicate with one another fully and frankly in order to arrive at an understanding.

Mr. WATSON of Georgia. Mr. President——

Mr. UNDERWOOD. Just one minute. It would have said that the parties shall meet to arrive at an understanding as to what shall be done.

Mr. ROBINSON. Why, with the Senator's permission, the language in that particular is identical with that of the Anglo-Japanese alliance, which no one doubts was a military alliance. That is the language of diplomacy. It is not the language the Senator from Alabama would use, to be sure.

Mr. UNDERWOOD. Oh, no; wait a minute. We must take into consideration also the other parts of the treaty. The Anglo-Japanese alliance in its terms is an offensive and defensive alliance. It says so. We can not construe section 2 of this treaty by itself. We must construe it in connection with section 1, as I said.

Mr. ROBINSON. If the Senator will permit me, I am referring now to the Senator's point that if it had constituted an alliance it would have been necessary to command a meeting rather than to provide for full and frank communication; and I point out to him the fact that in an instrument admitted and known by all the world to have been an alliance the same language is used in that particular that is employed in this document, and it is the language that is always used in diplomacy. The Senator never knew an alliance to exist in all the history of time that did not employ words indicating a purpose to promote peace.

Mr. UNDERWOOD. I am sorry my friend will not give me the same chance that I gave him.

Mr. ROBINSON. I beg the Senator's pardon.

Mr. UNDERWOOD. I must finish my sentences.

Mr. ROBINSON. Certainly.

Mr. UNDERWOOD. I started out in the beginning to say that section 2 can not be considered by itself. Perhaps I did not speak loudly enough, but I called the attention of the Senate to what was in section 1. That is, there is not an agreement to fight; there is not an offensive and defensive alliance. That section is an agreement to respect each other's rights; and then section 2 calls for a conference in reference to the question if somebody else violates those rights.

Mr. WATSON of Georgia. Mr. President——

Mr. UNDERWOOD. I shall be glad to yield, but I can not possibly make an argument unless I am allowed to finish my sentences. I will yield to the Senator in just a moment.

A conference does not necessarily mean war. When nations meet and make representations to other nations, sometimes it produces war and sometimes it avoids war. When Grover Cleveland, President of the United States, represented to Great Britain that they were violating the Monroe doctrine in reference to Venezuela, the country became alarmed lest it might mean war, but it did not. If these four powers met within the next 10 years and represented to any other nation on earth that it was violating the terms of an agreement, I think it would not mean war; but that does not answer the question of the Senator as to what would happen. I say that there are no binding words within the terms of this pact to bind the signatory powers to any definite action of any kind when they meet at the table. The only answer to that is that we may be afraid to send our ambassadors to confer; but under our Constitution there is always a check on the power of an ambassador, and that is the Constitution of the United States, which makes the final decision rest in the Congress of the United States.

Now I yield to the Senator from Georgia. I am sorry I have kept him waiting.

Mr. WATSON of Georgia. I ask the Senator if the first clause does not refer entirely to misunderstandings between the high contracting parties to this treaty?

Mr. UNDERWOOD. Undoubtedly.

Mr. WATSON of Georgia. And if the second does not relate entirely and exclusively to what the four contracting parties shall do in case either one of them is menaced by an outsider?

Mr. UNDERWOOD. Undoubtedly; but the connection between the two articles is the word "rights." The first clause relates to the rights of the high contracting parties; that is, to their territorial integrity, their national rights, and that attitude of the treaty is carried into the second clause, because the first line says, "If said rights are threatened," referring back to the rights in the first clause. "Said rights" means their national rights, making the second clause ancillary to the first clause, and related entirely to it.

Mr. WATSON of Georgia. But in the Yap treaty we consent to the mandates given to Great Britain and Japan over the islands in the Pacific Ocean. Some say there are 25,000 of those islands.

Mr. UNDERWOOD. Not to Great Britain.

Mr. WATSON of Georgia. To both Great Britain and Japan.

Mr. UNDERWOOD. Not in the Yap treaty. I know the Senator has unintentionally made a mistake. I have read that treaty very fully. The islands mandated to Great Britain were not covered in the Yap treaty at all. It referred only to the islands of Japan.

Mr. WATSON of Georgia. We would consent to her mandatory authority over those islands.

Mr. UNDERWOOD. To Japan's authority.

Mr. WATSON of Georgia. If any outside party threatened her mandate in those islands, then we are as much bound to adopt efficient means as we are to confer.

Mr. UNDERWOOD. Oh, no; we are only bound to confer, and after a conference we will determine what means shall be adopted; but the only obligation is to confer.

Mr. WATSON of Georgia. Of course, Congress would have to be consulted.

Mr. UNDERWOOD. Surely.

Mr. WATSON of Georgia. We might feel in honor bound to ratify what our representatives did.

Mr. UNDERWOOD. Our representatives at that conference would go there unbound, as I went to the Washington conference unbound, except so far as my Government had instructed me.

Mr. WATSON of Georgia. I have another question, if the Senator will be so good as to yield further.

Mr. UNDERWOOD. Certainly; I am glad to yield to the Senator.

Mr. WATSON of Georgia. For some days I have been puzzling my head to find out what our relations would be toward the League of Nations if we ratified this treaty, Japan, Great Britain, and France being members of that league, and those members of the league being in honor bound and legally bound to submit all disputes to the league. Those members of the League of Nations agree to have a conference and a settlement and an adjustment with a nonmember nation. In what position will that leave us toward the League of Nations and in what position will it leave those member nations who have violated their contract with the League of Nations?

Mr. UNDERWOOD. I am not prepared to say whether they have violated their contract with the league or not. That is a part of the argument I have not concerned myself about, because we are not a member of the league. I suppose the three nations which signed this treaty—honorable nations represented by honorable men—reached the conclusion that they were in no way violating their contract in reference to the league or they would not have signed it. But if they submit a question in reference to these mandated islands to the League of Nations, that avoids all difficulties so far as we are concerned, because the league mandated the islands to them and the league would protect them in the mandate. Of course, my viewpoint about the Yap treaty, as the Senator knows, is different from that of some of my brethren. I think we surrendered all our rights in reference to those mandated islands when we refused to take our seat at the table in the League of Nations, but the Senator and others differ with me about that.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Alabama yield to the Senator from Montana?

Mr. UNDERWOOD. I yield.

Mr. WALSH of Montana. I should like to say to the Senator that I am disposed to be very much in accord with him concerning his construction of article 2 of the treaty. I have not been able to convince myself that we are under any kind of an obligation under article 2 to arrive at any conclusion nor that that conclusion should be in any case that we should exercise force

to carry out the thing arrived at. That is not what troubles me about article 2. The Senator has not addressed himself to the matter which does concern me with respect to it, and I should like to have his views about it. It provides that—

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate—

And so forth.

Of course, those who were drawing this treaty were practical people, and they must have had in mind some particular outside powers which might pursue an aggressive course toward one of the signatories.

Let us take Japan, for instance. From what source outside of the four signatory powers was it supposed that Japan might be the object of aggressive action? China, for instance? Russia, for instance?

Mr. UNDERWOOD. As I stated in the opening part of my remarks, I was not present when this particular treaty was made; I was not in consultation, because of a death in my family, when the consultation took place in reference to the terms. I got back here after they were made up. But in the first part of my remarks I stated that I did not know of any power which could possibly have any connection with the Orient in the next 10 years which could affect any decision determined by these four powers. I know of none.

Mr. WALSH of Montana. Then article 2 means nothing. Of course, we can not accept that view, the Senator will understand. It was put in there for some reason.

Mr. UNDERWOOD. I agree with the Senator about that, but I must be equally candid with the Senator. I was not present when the discussions took place for the reason I have given; therefore I can not speak of what happened, but when I review in my mind the powers of the earth which might effectively interfere in matters relating to the islands of the Pacific Ocean within the next 10 years, and call them by name, outside of the four named in this treaty I can not name a power which could effectively interfere with the determination of these four powers or would attempt to do so.

Mr. WALSH of Montana. Then we must conclude that it does not have any significance at all and that there is no condition which can be foreseen which will bring it into operation.

Mr. UNDERWOOD. I will not say that, because I was not present at the discussion, as the Senator knows, and I can not give the reason of the men who put it in when I was not there. I leave that for others to give light where I can not; but the Senator can go with me and call the roll of nations. Does he think that within 10 years Russia will show sufficient force as to in any way interfere with the control of the present territorial rights of these four powers in the islands of the Pacific? Could Germany? Could Italy? Could China? My imagination is not vivid enough for me to conceive of it.

Mr. WALSH of Montana. If I agree with the Senator about that, I am still forced to the conclusion that somebody must have had some nations in mind as the aggressive nation, or they would not have insisted upon this article going into the treaty.

Let me say to the Senator that I have reflected upon the matter and I can not conceive of any nation outside of the signatory powers which, within the realm of probability, could attack the United States in her possessions. Neither can I conceive of any that would attack the possessions of France, and I can hardly think it likely that any nation would make war upon Great Britain affecting her island possessions, although they might. But, of course, we can not escape the conclusion that there is a possibility that Japan may be engaged in war. Some demonstration may be made against her by either China or Russia, and what is the use of talking about the matter? Anybody who reflects upon the situation must know that article 2 is directed against just exactly that situation.

Mr. UNDERWOOD. I do not agree with the Senator about that.

Mr. WALSH of Montana. I am forced to that conclusion. I am forced to the conclusion by the conditions to which he adverts. If there are any powers which might be likely to engage in aggressive action against either Japan or Great Britain, it must be one or the other or both of these powers, either singly or unitedly, having some additional aid, or having none.

Let us assume that for some reason or other, for instance, Japan does not comply with the terms of the treaty with respect to Shantung, and China is rehabilitated and makes some demonstration against Japan. A conference is then held, in which the United States sits with Great Britain, France, and Japan, and China is on the outside.

Mr. UNDERWOOD. That could not be, because the treaty does not relate to such a situation. I call the Senator's attention to that.

Mr. WALSH of Montana. Why does it not?

Mr. UNDERWOOD. Because Shantung is not included within the treaty.

Mr. WALSH of Montana. I do not mean that the dispute would be about Shantung. That merely gives rise to the controversy, and China makes some demonstration, or is likely to make some demonstration, against one of the island dominions or possessions of Japan.

Mr. ROBINSON. She tries to take back Formosa, for instance.

Mr. WALSH of Montana. Yes; we may assume that.

Mr. UNDERWOOD. I do not think anybody engaged in making this treaty dreamt of China having a navy within the next 10 years which could come to sea and jeopardize Formosa or any of the island possessions of Japan.

Mr. WALSH of Montana. Of course, if we reason that way, we must reason that article 2 was put into this treaty with no purpose whatever, to meet no condition which anyone could possibly foresee.

Let us inquire, then, about Russia. Let us assume that Russia may conclude that the southern end of Sakhalin was unjustly wrested from her by Japan. The Senator will remember that France, within 10 years after her revolution, when conditions were at least as bad as they are in Russia to-day, defied all Europe. What is the reason for reaching the conclusion that Russia may not within 10 years get into a controversy with Japan touching the island of Sakhalin? In that event we would sit in a conference with Japan, Great Britain, and France, and Russia would be on the outside.

Mr. UNDERWOOD. Of course, the Senator is theorizing, and I can only theorize in reply. That is all that can be done when we get into the realm of theory.

Mr. BRANDEGEE. Mr. President——

Mr. UNDERWOOD. If the Senator will allow me to answer the Senator from Montana, I will then yield to him. When you come down to the theory, of course, we know that the mainland of Japan, the home islands of Japan, are no longer included in this treaty, provided the supplemental treaty is adopted, which I presume will be the case if the pending treaty is adopted. I am arguing it from that standpoint. We know that the mainland of Asia is not involved in this treaty, and that the only contest which Russia could possibly have in relation to this treaty at all would be over the southern half of the island of Sakhalin. If we are going to indulge in theories, the southern half of Sakhalin being within the terms of the pact, and the main islands of Japan, which are nearer to Vladivostok than is Sakhalin, being outside of the pact—if you can dream such a dream as that Russia could come back within 10 years—I think it is entirely within theoretical lines not to charge her with being likely to attack the southern half of Sakhalin. If she were going to sea to make an attack, she would attack one of the home islands of Japan.

Mr. WALSH of Montana. Just one more question. In view of the statement now made by the Senator, would he object to an amendment striking out article 2?

Mr. UNDERWOOD. I would, and I will state why. So far as we are concerned, I do not think article 2 means anything. When the Senator says article 2 may affect any of the nations party to this treaty under such conditions, I can not imagine it, because I can not possibly imagine that Russia will come back to life within the next 10 years.

Mr. WATSON of Georgia. Mr. President——

Mr. UNDERWOOD. I promised to yield to the Senator from Connecticut when I am through with my colloquy with the Senator from Montana.

I can not imagine that Russia could rebuild her railroads, that she could reorganize her national life, that she could reorganize her finances, that she could build a navy within 10 years, the life of this treaty. I think if Senators should vote to reject this treaty on a theory of that kind it would mean that they would be going into the realm of conjecture to such an extent that if that were made the standard we could never ratify any treaty in the United States.

Mr. ROBINSON. Will the Senator yield for a question?

Mr. UNDERWOOD. I promised to yield to the Senator from Connecticut, and I will yield to the Senator from Arkansas after I have yielded to that Senator.

You have left the solid facts, the substance, and the conditions of the world entirely behind you and waded out into the realm of speculation, not justified by an existing fact. Now I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, I do not want to interrupt the Senator, but I want to call attention to the fact that most of the questions which have been asked the Senator as to how article 2 would practically operate under various con-

tingencies in the future have been based upon the supposition that the aggressive action which might take place would be a military or naval attack upon the islands of one of the high contracting parties. I suggest to the Senator that the language employed in article 2 is broad enough, in my opinion, to cover other things besides physical attacks by force, by navies, upon the islands of the contracting parties, because, as the Senator well knows, the language is:

If the said rights are threatened by the aggressive action of any other power.

In article 1 the said rights are defined to be "their rights in relation to their insular possessions and insular dominions." There may be and doubtless are rights which these parties have in relation to their insular possessions and dominions that can be threatened by aggressive action without a direct military or naval attack upon the island itself. I will not undertake to enumerate any of them, but I can imagine many claims being made which would call article 2 into effect other than a direct military attack on an island.

Mr. UNDERWOOD. I think the Senator is right about that. It recalls a matter that I will not say is true, because I had no connection with the State Department at that time, but only remember what occurred as stated in the newspapers. I do recall, however, that in the newspapers at the time of the Spanish-American War, when we were fighting in Cuba, when Sampson's fleet had sunk the Spanish ships, there was talk of our sending an expedition to Spain. There were also statements in the newspapers that some of the European powers had requested this Government not to pursue an aggressive action on the Continent of Europe. The war concluded soon afterwards. I do not say that that request kept us from sending a fleet to bombard the ports of Spain, but, nevertheless, I understand the request was made, and we did not bombard the ports of Spain. I can well conceive that should Russia—if one can dream that there can be a rebirth of Russia in 10 years—and Japan become involved in war, possibly requests from the high contracting parties under this document might prevent Russia or some other country from pursuing the war into the islands embraced in this pact. That might be done.

Mr. ROBINSON. Will the Senator from Alabama yield for a question?

Mr. UNDERWOOD. I yield.

Mr. ROBINSON. I was astonished to hear the Senator from Alabama say, in view of the course which this matter has taken and the facts which are well known to us all, that there was no secrecy in connection with the negotiation of this treaty.

Mr. UNDERWOOD. I did not say there was no secrecy. I said that when the treaty came down to a question of determination there was no secrecy; that it was immediately given out.

Mr. ROBINSON. Very well. We will let that pass. I was much more astonished when the Senator said two or three times that article 2 of the treaty does not mean anything whatever to the United States. Then, imagine my amazement when, in reply to the question of the Senator from Montana [Mr. WALSH], whether he would object to striking the article out, he replied that he would object. This controversy can end, so far as I am concerned, in one minute. If the proponents of this treaty agree with the Senator from Alabama that article 2 means nothing, that it has no practical effect, and will strike it out, we will ratify article 1, so far as I am concerned.

Mr. UNDERWOOD. Will the Senator from Arkansas allow me to answer his suggestion?

Mr. ROBINSON. Certainly.

Mr. UNDERWOOD. It is a material suggestion. I have stated, in answer to a question of the Senator from Montana, that I can not conceive how article 2 can be effective in any way during the 10 years of the life of the treaty.

Mr. WATSON of Georgia. The life of the treaty is for 11 years instead of 10 years; and Russia already has an army of 4,000,000 men, which she is about to move against Japan.

Mr. UNDERWOOD. My understanding of the terms of the treaty is that the treaty is for 10 years.

Mr. BRANDEGEE. But 12 months' notice must be given of a desire to renounce it.

Mr. UNDERWOOD. That is true; including the 12 months' notice makes the duration of the treaty 11 years; but the talk about Russia does not appeal to me. To suppose that a so-called government, without organization, without railroads, without manufactures, could become effective within 10 years is, in my judgment, but the dream of theorists.

Mr. FRANCE. Mr. President——

Mr. UNDERWOOD. I can not answer everybody at one time. I am trying now to answer the Senator from Arkansas [Mr. ROBINSON]. He has asked me a pertinent question that should be answered and is entitled to an answer, and I want the opportunity to answer it.

The Senator from Arkansas asks if I say that I do not see how article 2 of the treaty can be effective within the next 10 years, why should we not strike it out. The reason we should not strike it out is because we do not know what effect striking it out may have upon the other signatory powers to the treaty. They may regard it as of some value. There is many a treaty which is made some of the agreements of which are of no value to one of the signatory powers, but it accepts those portions of the agreement which are of no value to it in order that it may reach an agreement in reference to other portions of the treaty.

Mr. ROBINSON. Will the Senator yield for one more question?

Mr. UNDERWOOD. Will the Senator allow me to conclude my answer?

Mr. ROBINSON. Certainly.

Mr. UNDERWOOD. I think it would be unwise from every standpoint if the Senate should strike out article 2 of the treaty. In the first place, what objection is there to agreeing to an article which it is agreed is ineffective? When it is said it is ineffective, that it is not going to hurt anyone, that no harm can come from it, what objection is there to giving it to the other power?

Mr. WALSH of Montana. I should like, in reply, to say that that is merely the view of the Senator from Alabama, but is not my view.

Mr. ROBINSON. We do not agree that article 2 is ineffective, but the Senator from Alabama does.

Mr. UNDERWOOD. I was referring to the article being actually ineffective.

Mr. ROBINSON. Mr. President——

Mr. UNDERWOOD. Will the Senator allow me to proceed for a moment?

Mr. ROBINSON. Certainly.

Mr. UNDERWOOD. I understood that there was a complete agreement between the Senator from Montana and myself with reference to the basic fact that there was no human probability of article 2 coming into effect in reference to our possessions, in reference to the possessions of Great Britain, or in reference to the possessions of France, and that the only theory which the Senator from Montana advanced was that it might come into operation in reference to the possessions of Japan. I thought, however, the Senator from Montana agreed with me that it involved a long-spun theory to believe that China could in the next 10 years reach a condition where it would have an effective navy that could threaten anything involved in this treaty; and that it was a further long-spun theory to conceive for a moment that Russia could do so. We should be practical men in the Senate, and we should determine these questions from the standpoint of practical men.

Mr. ROBINSON. Will the Senator yield at that point?

Mr. UNDERWOOD. If the proposition be true that there is no probability within 10 years or 11 years of article 2 being effective—and it could only be effective even in reference to Japan on the assumption that China will develop in the next 11 years and become so powerful as to be able to stand in combat against Japan, or that Russia could do so—it would be idle to take the chances of destroying the effect of this treaty and its benefits to us because of a theory of that kind.

Mr. ROBINSON. Will the Senator yield now to a question on that particular point?

Mr. UNDERWOOD. I will.

Mr. ROBINSON. The Senator throughout his argument as the basis of the question which he has just been discussing has referred to a 10-year limitation. He said that article 2 can not amount to anything during the next 10 years. The Senator, of course, recognizes that this treaty is not self-renunciating; that it continues in force until the parties to it renunciate it upon one year's notice.

Mr. UNDERWOOD. Undoubtedly.

Mr. ROBINSON. And that if at the end of the 10-year period neither the United States nor any other power to the treaty renounces it it will continue in effect indefinitely.

Mr. UNDERWOOD. Oh, no. It may be renounced at the termination of 10 years, or, as the Senator from Georgia [Mr. WATSON] suggested, with the 12 months' notice, it would be 11 years. He is correct about that.

Mr. ROBINSON. Certainly; it may be renounced.

Mr. UNDERWOOD. It can be renounced at any time after that period.

Mr. ROBINSON. Certainly; but until it is renounced it remains in effect.

Mr. UNDERWOOD. Certainly.

Mr. ROBINSON. So that in case a controversy arises either during the 10-year period or subsequent to the end of the time, if the treaty should be continued in force longer, the only way,

under article 2, that the United States can escape participating in the conference and assuming whatever responsibility may be attached to that participation—and we differ about that—would be by renouncing the treaty upon 12 months' notice.

Mr. UNDERWOOD. Undoubtedly; the 12 months could begin before the 11 years ran out.

Mr. ROBINSON. If I may try to make myself clear, the argument against article 2 in reply to the statement made by the Senator from Alabama is that it is not limited to 10 years, but it continues in effect indefinitely and until the parties to it renounce it.

Mr. UNDERWOOD. If the Senator will pardon me, let us be practical and reasonable about this matter—I was going to say "fair," but the Senator is always fair, and so I will appeal to his reason. What the Senator suggests is true, that this treaty on its face is made for a period of 10 years, with 12 months added. Up to the end of that period it is binding upon all the parties and they can not get out. At the end of that period they can renounce it, or denounce it, if it is desired to use that term; at any hour after the 10 years the treaty can be denounced by any party to it. So I say the argument stands, because at the end of 10 years—and I say these conditions can not happen within 10 years—if it is not to our interest to continue the contract we can renounce it, or denounce it; and I am going to assume that the President of the United States 10 years from now and the Secretary of State at that time will have brains enough and patriotism enough to denounce it, or renounce it, in the event they think that there is any danger to this country in maintaining it.

Mr. ROBINSON. Now, will the Senator yield just at that point?

Mr. UNDERWOOD. Certainly.

Mr. ROBINSON. It seems to me that the vice in his argument is that during the first 10 years, in a practicable sense, it can not become applicable, and therefore it must remain in the treaty; that at the end of 10 years it may become practically applicable, and therefore harmful; but it can be renounced, and therefore there is no reason to strike it from the treaty; that as soon, however, as it becomes applicable it ought to be renounced.

Mr. UNDERWOOD. I do not say it will become applicable at the end of the 10 years. I do not think it will ever become applicable; but I know it will not become applicable in 10 years, and at the end of that time we can get rid of it if we want to, and in the meantime we have avoided the Anglo-Japanese alliance.

Mr. REED. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from Missouri.

Mr. REED. But the Senator thinks as soon as it does become applicable, to employ his own language, we will have a President with sense enough to get us out of the difficulty which we are now getting into.

Mr. UNDERWOOD. Oh, no; the Senator puts in my mouth language that does not belong there. The Senator is an artful debater; I always "take my hat off to him" in debate; but I have not said that this treaty would get us into any danger; I do not think that it will, but I say that within the 10 years, the life of this treaty, there is no power that can come to the front in this world and seriously raise any question under article 2.

Mr. REED. May I ask the Senator a question now in a very serious vein? What does the Senator know about the military force of Russia to-day? What reliable information has he in regard to the military establishment of Russia?

Mr. UNDERWOOD. I myself have not, I am free to say to the Senator, any reliable or accurate information.

Mr. REED. Will the Senator permit me to give him my information?

Mr. UNDERWOOD. Yes.

Mr. REED. I am free to say that I do not know whether it is reliable, because whatever secrets our Government may have knowledge of it does not give out and almost everything that is known now is not known; that is, it is kept secret; but the best information I have is that Russia has over 4,000,000 men under arms; that those troops are commanded by the flower of the officers of the army of the Czar, and that they are largely supplemented with German officers of high order. I should like to ask when 4,000,000 men thus officered became a force that we could treat lightly?

Mr. UNDERWOOD. So far as this treaty is concerned, they would have to exercise swimming ability unknown up to this time before they could approach any of the islands involved in this treaty. That, however, is perhaps a captious answer; I will give the Senator my real answer.

Mr. REED. Let me interrupt the Senator on the question of swimming ability. Just how far is the island of Sakhalin from the Russian coast at the nearest point?

Mr. UNDERWOOD. I can not be accurate about it, because I do not recall ever looking at a map to ascertain exactly how great the distance is; but, if the Senator wants my best guess, I should say several hundred miles.

Mr. REED. I think it is about 21 miles. I may say, however, that I have not looked it up either.

Mr. UNDERWOOD. I am sure the distance is much greater than that.

Mr. REED. There is a very narrow and tortuous channel separating the island from the mainland.

Mr. UNDERWOOD. But if the Senator will allow me, I will give him my real answer. My answer about their swimming ability, although based on fact, was not the real answer that I intended to make. To begin with, I do not think that Russia has 4,000,000 men under arms, for I do not believe that she has the finances to maintain that many men, and I know that she has not the war materials to sustain an army of 4,000,000 men, because when she collapsed she did not have sufficient war materials, and she has obtained very little war materials since. She has not had the finances or the places to get it. We know that a great Russian army very largely in excess of that of Poland was stopped by the French artillery before it reached Warsaw, and I am inclined to think that the so-called Russian Army to-day is not much more than a mob, if it be considered in connection with the modern armies of the world.

Mr. WATSON of Georgia. Mr. President, under article 3 we are fast bound for 10 years, and if at the end of 10 years we find the alliance repugnant to us we will have to endure it for another year. Why should we have to wear the shackles of an unwelcome, distasteful, repugnant alliance for one year after we get tired of it?

Mr. UNDERWOOD. If the Senator from Georgia thinks it is an unwelcome and distasteful alliance, he ought not to accept it at all.

Mr. WATSON of Georgia. He is not going to do so.

Mr. UNDERWOOD. Of course, I do not address myself to the argument from that standpoint. If I thought it was a distasteful alliance, I would not receive it at all. I think it is a very important and necessary agreement for the protection of the people of this country and our islands in the Pacific, but, of course, there must be a time for the termination of treaties.

Mr. WATSON of Georgia. What is the reason for giving 12 months' notice before the treaty may be terminated?

Mr. UNDERWOOD. It is customary in all treaties, as the Senator knows, to prescribe a certain notice to the other contracting parties before the treaty may be terminated.

Mr. WATSON of Georgia. I can not subscribe to that statement.

Mr. UNDERWOOD. There are very few treaties in connection with provision for the termination of which there is not required a reasonable notice to be given before the treaty shall expire.

Mr. FRANCE. Mr. President——

Mr. UNDERWOOD. Now I yield to the Senator from Maryland.

Mr. FRANCE. Of course, Mr. President, the searching question of the Senator from Montana put the Senator in a dilemma from which he can not escape.

Mr. UNDERWOOD. I thank the Senator for that. Perhaps other people may not judge in the same way of his own egotism.

Mr. FRANCE. I was paying a very high compliment to the Senator from Montana, in which I think the Senate would be very glad to join me. I have very high respect for his legal attainments; but what I wish to ask the Senator is this:

I was very much interested in that portion of the Senator's remarks which referred to Russia, and I desire to ask the Senator if he can give me the sources of the information upon which this theory of the conference and of the Senator was based, that not within 10 years could Russia become a menace to the peace of Japan? Will the Senator please give us the sources of information which the conference had upon the situation which prevails in Russia?

Mr. UNDERWOOD. So far as I know, the conference did not give out any information of that kind in reference to Russia, or consider it; but I did not speak for the conference when I answered the question. I was speaking for myself. There is a limitation on my power to speak, and I recognize it. My own information I have gathered from newspaper articles, from magazine articles, from talking to an American ambassador who recently has come through Russia on his return home, and from talking to some of those Russians who have been driven from Russian soil; and I have come to the conclusion,

although there are in Russia a vast number of men of military age, a large number who have had military training, that there is practically no life in Russia to-day except some agricultural life; that there is no government in Russia to-day except a government of terror; and I know that armies and navies can not be built in a condition of that kind. It is an impossibility.

Mr. FRANCE. Does the Senator mean to say that there was no accurate information before this great international conference as to conditions in Russia except that contained in the newspapers?

Mr. UNDERWOOD. On the line that we are discussing, I think there were laid before the American delegation some pamphlets by the State Department giving a statement of the conditions in Russia. I read those pamphlets, but it has been some months ago, and I do not recall the statements in them. I am sure they are not contradictory of what I have said, but I am not basing my statements on those papers, because I do not recall them, and therefore it would be inaccurate for me to say that I was; but I recall that documents as to the size of the Russian Army were laid before us by the Bureau of Information of the War Department. Documents were laid before us as to internal conditions in Russia coming out of the reports of the State Department; but I did not base my statement on them, because I really did not recall them. They were there, however.

Mr. FRANCE. Does the Senator recall whether Americans wrote those pamphlets containing this information?

Mr. UNDERWOOD. I think they did. They were Americans who had been in Russia and had gathered their information there.

Mr. FRANCE. But the Senator can not recall what Americans went to Russia to obtain information and then furnished that information to the State Department?

Mr. UNDERWOOD. I think most of them were consular officers. Some of them were secret service agents, but I think they were mostly consular officers and men of that kind. I did not base my statement on that, and I did not claim that I did; but I could not truthfully answer the Senator and say that no reports were made when I recall that some were made.

Mr. FRANCE. Did the Senator base his information as to the conditions of the Russian railroads upon the statement of an ex-ambassador who traveled through Russia?

Mr. UNDERWOOD. Part of it; yes.

Mr. FRANCE. I will say, for the information of the Senator—and I shall be very glad to place the newspaper report in the RECORD—that that very same ambassador came through Russia over the Trans-Siberian Railway and wrote out a report from Russia to the effect that the conditions of the railways in Russia were excellent. I can put that in the RECORD if the Senator so desires.

Mr. UNDERWOOD. I do not recall that he referred to the railroads generally in Russia. He referred to that particular railroad and said that traffic continued on that road; but the information that I gathered was that outside of his special train, which was given the right of way, traffic was clogged at every station. I do not care, however, to go into that side issue. It is not material.

Mr. FRANCE. But, Mr. President, I think the Senator, with his very sound judgment on most matters—I say "on most matters"—will recognize the fact that the question of the condition of Russia is a very important question. Here was a conference dealing with vital issues in which the great country of Russia was deeply interested, and it seems to me that it was of paramount importance for them to have accurate first-hand information as to the conditions in that country; and that has become all the more evident as the Senator here is basing his argument upon the assumption that Russia could not within 10 years become a menace to the peace of Japan.

Mr. UNDERWOOD. If the Senator will allow me to answer, I want to conclude my argument. I have been speaking for over two hours and a half, and it is really getting tiresome; and if the Senator will just yield the floor now and let me conclude I shall try to answer him, and then I shall close my speech.

Of course, the question of conditions in Russia is a very important one to the world. It is not to be overlooked in considering this treaty. Information in regard to Russia was before the conference, before the American delegation. A nation in order to maintain great and effective armies and navies must first have financial resources. Russia has none. It is recognized that she has none. We are sending a gift of charity to her people to-day to save them from starvation. A modern army can not be maintained without manufactures. The factories and the mines must run in order to manufacture the implements of war. Russia has none.

Mr. FRANCE. Mr. President——

Mr. UNDERWOOD. I can not yield any further. I must go on and conclude my argument. I will answer the Senator, and when I get through he can speak as long as he wants to. I do not care to be impolite, but I must close this argument.

Russia's factories can not be rehabilitated in the course of 10 years. She can not reorganize her labor for that purpose and she can not reorganize her armies under a government such as she has. So I say that in my opinion—the Senator may have a different opinion—it is absurd to think that Russia can be a menace to anybody offensively, outside of her borders, in the conditions which exist to-day. She is a menace to the whole world to-day in the fact that she has not a stable government, that anarchy reigns where law and order should be preserved, and the markets of the world are greatly disturbed because a government of civilization has ceased to exist in Russia.

In concluding my remarks, if my friends will allow me, I want to call attention to just one statement in reference to what this treaty means, showing how the other parties to the treaty look upon it. The morning paper contains a dispatch from Tokyo giving an account of a speech by Prince Tokugawa to the American-Japan Society last night or night before last. Prince Tokugawa, as Senators will recall, is the president of the legislative body in Japan which corresponds to our Senate.

He was one of the delegates from Japan to the conference that wrote this treaty, and his name is signed to the four-power treaty. Here is what he says in Japan in the presence of his own people as to what the treaty means.

Mr. ROBINSON. Mr. President, when was that statement made?

Mr. UNDERWOOD. It bears date of March 10. It appeared in the morning paper.

Mr. ROBINSON. May I ask the Senator another question? Has the Senator before him the statement by Prince Tokugawa appearing in the Japanese Advertiser under date of January 31, 1922?

Mr. UNDERWOOD. No; I have not.

Mr. ROBINSON. I have that, and later will bring it to the attention of the Senate.

Mr. UNDERWOOD. Here is the last word that Prince Tokugawa says, and he is a man of great importance. His grandfather or granduncle was the Shogun of Japan 50 or 60 years ago, before the power of the Emperor was restored. He says:

It goes without saying that had the Washington conference taken place in any of the other world capitals it would not have progressed so fast or so far. Americans certainly are practical, and do not waste time in talking or in referring to ideals.

We Japanese had no intention of being left behind. We followed close on the heels of the western nations when armament was the game. We, of course, did not like it, but we had to do it, for our national existence depended on taking up arms, and to a very important degree the national existence of our great neighbor, China, also depended on our military and naval preparations.

Now, a new era has come. There can be no doubt of that. It is an era which we Japanese welcome as sincerely as any other people in the world. America is powerful, wealthy, remote, and secure. No other nation in the world dares attack her except in desperation, and no combination of forces is possible against her. To her, therefore, the coming era of peace is welcome more as a matter of principle and sentiment than as a happy alternative from grim necessity, as with us.

I think I am speaking within bounds when I say the results accomplished at Washington have been remarkable. Critics of the treaty are trying to read into the very plain terms some moral pledge binding the nations to war as well as to peace. But that interpretation is too far fetched to need repudiation. The treaty is a moral pledge of four powers to consult one another in a friendly manner to maintain the general peace of the Pacific. As such, no nation can refuse to accept it.

If it had not been for the fact that the spirit of Japan was in full accord with that of the other great nations that participated in the recent terrible war, those agreements could never have been concluded. It proved beyond all question how unreasonable was the doubt that had prevailed regarding Japan's attitude before Mr. Hughes made his historic speech.

It showed how unfair would have been the charges that Japan was militaristic in spirit. You will see that Japan as a whole will rejoice in these agreements, although a negligible amount of opposition may exist at present. So long as Japan is assured that she need not fear an assault upon her own independence and need not anticipate dangerous aggressions upon the security of China, which is vital here, you will find she will play her part of peace and she now rejoices because of the evidence the Washington conference has given that she need no longer harbor any fear, either for herself or for her great and worthy neighbor.

Over the entire length and breadth of America we met not only a spirit of justice, but true consideration and generosity. So with Government circles, with the press, and with the people generally. From the President of the United States—that strong and far-sighted man—to the bellboys in the hotel, there was the same democratic spirit of kindliness shown us, and I am glad to see that some American papers have noticed that we, too, were both democratic and sincerely well disposed.

I left the United States with a different spirit from that I had when I went there. My hopes and determinations were strong when I went, but we had doubts in regard to the American attitude, the same as they had doubts as to ours. We sent our delegates to the conference not only for our interests, which were important enough, but also for the interests of the peace of the world.

Fortunately, the two things go hand in hand. What is good for the rest of humanity is good enough for Japan, and all Japan knows that to be a fact. We went to Washington with a lofty purpose and strove for lofty ends, and I am more than gratified to think we have been permitted to assist in the achievement of that great aim.

Three great naval powers have agreed to reduce their armaments and enter on a long naval holiday, and after 10 years to maintain a reduced ratio of construction which will leave none of them a menace to the security of others. But this is only the major agreement. The most ardent among us may regret we have not accomplished more, but what has been actually achieved was far more than many of us believed possible.

The four-power pact alone promises to be the greatest pledge for the peace of the world that has ever been concluded. Not only do the hearts and will of the peoples but the vital interests of the great powers stand behind this remarkable agreement, and none of the participating nations could refuse to accept it.

Especially were the achievements at Washington important to the United States and Japan, for between us there had been recently some distrust and suspicion which was not entirely justified. The campaign of hostility against Japan had had its effect and there was some fear of possibly serious consequences.

Realizing this situation, we welcomed the opportunity the American Government gave us to go to Washington with the purpose of talking freely and frankly and making a serious effort to clear away such misunderstandings as existed. I rejoice to say we have largely realized our hopes, which alone is a wonderful achievement. If the conference had accomplished nothing else, this would have meant much for the peace of the Pacific. We have arrived at a spirit of international cooperation, which is the new spirit of the new age, upon which we are launching new ships of peace.

When Senator's assume that Japan's attitude is hostile to the conclusions that I have stated to-day as to what this pact means, they must not only deny the interpretation put on this treaty by their delegates to this conference, they must not only deny the plain terms of the written instrument, but they must deny the interpretation put on it by the delegates from foreign powers. Tokuwaga holds an office in Japan second only to that of the Emperor himself. He is a man whose family is a part of the history of Japan; yet he says that the terms of this treaty provide merely for a conference for the maintenance of the peace of the Orient.

Mr. ROBINSON. Will the Senator yield at that point to have a statement by Prince Tokuwaga, made on January 31, 1922, and before the question had arisen here as to what the treaty really means, put in the RECORD?

Mr. UNDERWOOD. No; I will not, because I do not think the Senator is fair. I said I had not read the statement.

Mr. ROBINSON. I do not mean to be unfair.

Mr. UNDERWOOD. I know that, but when I state my position in the matter I am sure that the Senator will recognize the justice of it. The Senator has the statement. I have not read it. I can not stand here and analyze it until I have read it, and the Senator can put it in the RECORD and accomplish his purpose in his own time. I do not think he should ask me to put in the RECORD in connection with my speech something that I have not had a chance to read.

Mr. ROBINSON. Will the Senator yield for just a brief statement?

Mr. UNDERWOOD. Yes.

Mr. ROBINSON. I have no desire, and I think the Senator from Alabama understands that, to be unfair.

Mr. UNDERWOOD. I withdraw the remark, because the Senator never has been unfair to me.

Mr. ROBINSON. The Senator need not withdraw it, because I knew he did not mean it in any offensive sense.

Mr. UNDERWOOD. I do not mean it in that sense, but I mean that I can not submit at this stage in my speech to the Senator putting in the RECORD a lot of matter, regardless of what it is, that I have not had a chance to consider.

Mr. ROBINSON. Will the Senator permit me to state why I asked leave to print it in the RECORD?

Mr. UNDERWOOD. Certainly, if the Senator wants to; but I should like to finish my speech.

Mr. ROBINSON. It will take me only a moment to do it.

The reason I asked leave to put this statement in the RECORD was that it is the first authentic account of Prince Tokugawa's interpretation of the treaty; and in that interpretation he expressly construed the four-power pact as an alliance and boasted that instead of having one ally Japan now had three. That statement was made by the prince before this controversy had arisen in the Senate and before the Senator from Massachusetts [Mr. LODGE] made his declaration the other day that the treaty merely called for a conference. I thought it would illuminate the question as to what the prince's interpretation of the treaty actually is.

Mr. UNDERWOOD. I did not want to digress from the line of my argument; but I want to say to my friend from Arkansas that, while I am willing to meet anything in debate, I did not think I should be asked to put into my remarks statements, books, or papers that I have not seen. Of course, the Senator does not ask for the insertion of books or papers, but I have sometimes seen it done here.

Mr. ROBINSON. Oh, no, Mr. President; I agree that the Senator has a perfect right to control what shall go into his address. I thought, however, that I had the right to ask him if he would permit me to insert it.

Mr. UNDERWOOD. To be sure; and I should have been very unwise if I had accepted the Senator's suggestion, because I can not control a situation of that kind. The Senator can put in the statement in his own time, and then, if I desire to comment on it after he gets through, I will have the opportunity. What I have read, however, is the last statement of Prince Tokugawa, and I do not question that it is true.

Mr. GLASS. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from Virginia.

Mr. GLASS. Mr. President, I hesitate to ask the Senator a question, because he has been put through such a continuous catechism for the last hour or so; but I want to know how to vote on this treaty, and I must say that if the treaty is as meaningless as the Senator from Alabama says it is I should not take pains to listen to the debate further, or care how I vote, or whether I vote at all. What I want to ask the Senator is, Just exactly why should this powerful prince of Japan felicitate his country on having rid itself of a powerful alliance with Great Britain if this treaty is so meaningless, if this treaty does not involve on the other hand a still greater alliance and the assured assistance of France and the United States as well as Great Britain in case of trouble?

Mr. UNDERWOOD. I will try to answer the Senator's question. I think it is very clear without any alliance.

Mr. GLASS. In other words, if this treaty is as meaningless to us as the Senator says it is, and we get rid of the menace of the Anglo-Japanese alliance, what does Japan get?

Mr. UNDERWOOD. I will answer the Senator. I do not say it is meaningless. The Senator was not in the Chamber when I opened my argument. I referred to the question as to what it means and the effect of it. I say that it means no alliance.

Mr. GLASS. I heard the entire address of the Senator.

Mr. UNDERWOOD. Then I beg the Senator's pardon. I judged from his question that he had not. I say it is no alliance, but that it is an agreement by four great powers to keep the peace.

I know that most of the men in the Governments of the world believe even to this hour that there is no power except the power of force and arms; but I say to the Senator that the faith which the Christ brought to men 2,000 years ago has lived in the hearts of men since that time. It has saved the world from barbarity, so far as the individual peoples are concerned. It has not taken possession of the hearts of nations yet. Up to this good hour nations, and those who control them, have believed in the power of force and not in the power of justice and right as enforced in the breasts of men. I may be called a theorist; it may be said that it is idle for me to say that the doctrine that was born with a man who came out of Nazareth can never live in the lives of the nations of the world; but I believe it can, and it will, and that the hour is at hand. I believe the great moving cause which made it possible, in the strife and turmoil to be found in Paris after the great war of nations, which made it possible for the world to sit at a table and agree on a League of Nations to keep the peace, did not come from those men at the table, did not come from national representatives; it came from the great heartbeats of Christian nations and Christian people.

Mr. GLASS. But it did not reflect itself in this great Christian Nation.

Mr. UNDERWOOD. But that was not my fault or the Senator's, and I am not bound by what the Senate did. It was reflected, and this treaty reflects the same proposition. It may not be reflected by 27 nations, but it reflects it by 4, and the man who votes against it denies that principle.

It may be argued to these men who believe only in the sword and the power of the sword that nothing good can come out of this world except government based on force; but I will not believe it. I believe that when four great nations are willing to submit their differences amicably that peace and justice and right may prevail, it is not a matter to be scorned at or scoffed at; it is a matter which will affect the world and will secure peace.

Mr. GLASS. The Senator in his philosophizing about the doctrines of Christianity is getting away from my question. I want him to answer my question.

Mr. UNDERWOOD. I thought I was answering it. The Senator said I said there was nothing in it. I say there is that in it. I may not make myself clear to the Senator.

Mr. GLASS. The Senator says there is no moral obligation on any one of these nations.

Mr. UNDERWOOD. There is a moral obligation to confer to protect each other's rights, and I believe the meeting together to confer carries the power of peace.

Mr. GLASS. May I not ask the Senator, as a matter of fact, if he has not to-day a different conception of the meaning of this treaty from that he had at one time? In other words, did he not at one time interpret this treaty to mean that these four nations would not only respect the rights of each other and of all, but would also maintain the rights of each other and all?

Mr. UNDERWOOD. No; I do not recall that I did. Of course, when I first returned to Washington, as I have said, under unfortunate circumstances I was not very well informed about the terms of this treaty, because I unfortunately did not happen to be in the making of it; I was called away, and I do not recall that I ever had any other position. I certainly have none now.

I have not a doubt in my mind that there is no danger to the American people if we go into this contract. I believe it carries within its folds the terms of peace to our people, and protection to the lives of our men, and I believe that by its terms we will reject and wipe out an alliance between Japan and Great Britain which, if not a danger to us, certainly has been an embarrassment to us, and I say that the man who votes to reject this treaty takes the responsibility of turning his back on an opportunity to preserve the peace of the Orient and puts back in effective force the Japanese-English alliance.

Mr. REED. Mr. President, I do not intend to discuss at length the matters gone over by the Senator from Alabama [Mr. UNDERWOOD], but I want to try to point out one or two curiosities.

The Senator from Alabama worked himself into a religious zeal and fervor, seldom manifested outside an old-fashioned camp meeting, when he was discussing the idea that the dawn of that day has now come when Christianity and the Christian spirit are to rule in the affairs of men. He told us, in substance, it was because of that spirit that we could enter into this treaty with safety.

Within two minutes after he not only prophesied the dawn of the millennium, but declared its advent, he told us that if we did not sign the treaty, we would be in great danger of attack from two of the parties to the agreement. In a word, the millennium is here, provided we sign this treaty, but if we do not sign this treaty, two of our contemplated associates may pounce upon the United States without cause or reason. Mr. President, I have heard that kind of logic now for about three years in the Senate, and it makes me very, very tired. At the same time that we are told we are hereafter to put our confidence in the faith taught by the Savior of mankind, we are deliberating upon treaties proposed for the limitation of armaments. We know how long and bitterly the contention was carried on as to the balance of armaments; not one of the nations being willing to trust to faith in the Savior but all looking to their cannon and their ships.

I hope the millennium will come some day, and I should be glad to think that I could live long enough to witness its glorious advent, but when it comes, I know it is coming in the way the Good Book says. It will be ushered in with the music of anvils beating swords into plowshares and spears into pruning hooks. We will witness the spectacle of the lion and the lamb lying down together, and we will not see the military masters of the world consorting together for a balance of military power and for the preservation, as far as they can, of the most rapid moving ships of war and the most powerful cannon.

It is time we should understand that we are dealing with a practical world and that we must deal with it in a practical way. It is at least difficult to believe that the doctrine of Christianity is a sufficient safeguard for our people when we are offered a treaty with a nation which does not believe in that doctrine and which, according to the reports of American missionary societies within 12 months prior to this date, was burning down Christian churches, was executing Christian men, and was stripping naked the bodies of native Christian Koreans and beating them with bamboo rods until the flesh dropped from their bones; a nation which has just completed the ravishment of China; which broke faith in Korea; which assailed Russia before she declared war, and even while her councilors sat at the table discussing with Russia the terms of an agreement was massing her ships and preparing for a great naval attack.

Let these cold facts go out along with the beautiful picture of the dawn of a new day which is ushered in by a military alliance of four great countries, for that is what this treaty is. If it were not a military alliance, then it would clearly provide that in case of dispute anywhere in the world the representatives of the four nations would sit down and talk with their neighbors and would settle disputed questions according to the Decalogue and the Sermon on the Mount instead of agreeing, as they did agree, to meet and consort as to the most effective means of repelling an attack.

There is just one thing further I want to say. The Senator laughed at the idea of Russia getting into Sakhalin. All of us are as ignorant about the geography of that island as our American representatives seem to be of their politics, so I have been looking it up a little. On the map I found that the two lines of Sakhalin and Russia were almost identical. One could hardly find the little, narrow strait between the Russian mainland and the island; but you can not trust maps. They are almost as uncertain as the arguments of those who come forward with prophecies of a millennium; so I have gone to the texts, and this is what I find:

Sakhalin (sä'kȧ-lyēn) or Saghalien (sä'gȧ-lyēn'): An island off the east coast of Siberia, 600 miles long and from 16 to 100 miles wide, extending from latitude 45° 54′ to 54° 30′ north and from longitude 141° 30′ to 145° east (Map, Asia, Q 3). It is separated from the Maritime Province—

That is, on the Siberian coast—

on the west by the Gulf and Strait of Tartary, the latter only about 5 miles wide, and from the island of Yezo on the south by the Strait of La Perouse, about 27 miles at its narrowest part.

I just read from the New International Dictionary. I now read from the Encyclopedia Britannica:

Sakhalin, which was under Chinese dominion until the nineteenth century, became known to Europeans from the travels of Martin Gerritz de Vries, in the seventeenth century, and still better from those of La Perouse (1787) and Krusenstern (1805). Both, however, regarded it as a peninsula and were unaware of the existence of the Strait of Tartary, which was discovered in 1809 by a Japanese, Mamiya Rinzo. The Russian navigator Nevelskoi in 1849 definitely established the existence and navigability of this strait.

Therefore the separation is so narrow that it was only in 1849 they found there was a way to get vessels through at all. It is frozen in the winter; armies may be marched across the solid ice; and if Russia ever arouses herself from her sick bed it does not require a prophet to know that Russian Cossacks and Russian soldiers will attack the Japanese hold on that island, and that some day the great Russian bear, with his claws and his teeth, will be fighting for the possession of that land. When that time comes the millennial dream of my friend from Alabama [Mr. UNDERWOOD] will vanish in the thin air out of which it is composed and we shall be confronted with the very practical question, Are we to keep faith, sit down and consult as to the most effective means of repelling an attack upon these islands, or are we to say, "We bound ourselves to nothing"?

Mr. President, I do not intend now further to discuss these questions. I merely wished to call attention to the two matters.

Mr. WARREN and Mr. ROBINSON addressed the Chair.

The VICE PRESIDENT. The Senator from Wyoming.

Mr. WARREN. I am about to ask that the Senate go into legislative session for the purpose of considering the second deficiency appropriation bill. I am rather forced to ask for the passage of that bill to-day, because there are nearly 100,000 disabled soldiers who should be paid their money on the 15th of the present month, and there is no authority to pay them under appropriations which have already been made.

Mr. ROBINSON. Will the Senator from Wyoming withhold his request for just a few moments until I can read a statement to which I referred in the remarks of the Senator from Alabama?

Mr. WARREN. I yield to the Senator from Arkansas.

Mr. ROBINSON. Mr. President, I am fortunate enough to know Prince Tokugawa. He is one of the greatest if not the leading statesman of Japan. When the final judgment of history is registered as to the accomplishments of the Washington conference, his shrewdness will not be in doubt. When he returned to Japan immediately following the conference he was received with great enthusiasm. He made an address which was published in the Japan Advertiser, which claims to have the largest circulation of any foreign newspaper published in the Empire; indeed, it is the claim of this journal that it has the largest daily circulation of any newspaper published in the Far East. Speaking to the people of Japan and explaining his opinion as to the natural and true meaning of the four-power treaty, Prince Tokugawa gave utterance to expressions widely at variance with the declarations attributed to him in the news reports quoted by the Senator from Alabama [Mr. UNDERWOOD], and admittedly made on the 10th of March, since the Senator from Massachusetts gave to the Senate his remarkable interpretation of the treaty.

On his return to Japan the Prince said:

America lent a sympathetic and intelligent ear to Japan's straightforward and candid arguments, and after a series of fair and openhearted discussions of the problems the two nations were left in a position of better mutual understanding and more cordial relationship than

before. Without such mutual understanding and sincerity on the part of both Japan and the United States the four-power pact never would have been formed.

In summing up his views and impressions brought back from the conference, Prince Tokugawa said that the question of naval armament was settled in a spirit of conciliation and co-operation far beyond the expectations of the Japanese delegates.

I am pleased to note—

The Prince smiled—

that Japan instead of losing her old ally has gained additional ones by the four-power pact. I can not help feeling assured, therefore, that our people will be satisfied with the general result achieved by the Washington conference.

This is an explicit, clear declaration of his opinion at that time, that this treaty is an alliance, and will meet the approval of Japan because it constitutes such an agreement.

Mr. McCORMICK. Will the Senator yield for a moment?

Mr. ROBINSON. With pleasure.

Mr. McCORMICK. Let me submit to the Senator a part of Prince Tokugawa's statement, which reads as follows:

The critics of the treaty are trying to read into the very plain terms some moral pledge binding the nations to war as well as to peace. But that interpretation is too far-fetched to need repudiation.

Mr. ROBINSON. Mr. President, that is the statement attributed to the prince on the 10th of March, is it not?

Mr. McCORMICK. It is.

Mr. ROBINSON. That has already been put into the RECORD by the Senator from Alabama, and it is in reply to it that I am reading a statement made by the prince when he first arrived in Japan after the Washington conference and before he had had occasion to change his interpretation.

Mr. LA FOLLETTE. The Senator from Arkansas is reading from a paper which is published in Japan?

Mr. ROBINSON. I am reading from a newspaper which is published in Japan; and I have stated that it claims to be the most authentic foreign newspaper which is published in Japan. I think if the Senators will investigate the matter, they will find that the statement is true.

Mr. President, in view of these two statements by Prince Tokugawa, the grandson of the great Shogun, I submit that he is well nigh as skillful as any other man living in changing his viewpoint respecting important international affairs. There is only one man to whom I concede greater ability speedily to readjust his convictions and his interpretations of international documents in order to meet the exigencies of the hour, and that is the learned, intellectual genius—the Senator from Massachusetts [Mr. LODGE]. No man can rival him.

Mr. McCORMICK. Mr. President, surely the Senator from Arkansas has not forgotten the statesman "who kept us out of war" in 1916?

Mr. ROBINSON. Oh, Mr. President, the Senator from Illinois and other Senators for some mysterious reason throughout this debate, by inspired interviews in newspapers, have been seeking to bring ex-President Wilson into this contest. When my name and the name of the Senator from Illinois shall have been buried in oblivion, the name of Woodrow Wilson will live and thrill the hearts and minds of men and women who love fairness and justice and liberty.

Mr. WARREN rose.

Mr. ROBINSON. Just a moment.

The place of Woodrow Wilson in history is fixed by events which neither the Senate nor insinuations by Senators can materially alter. I am entirely content to leave to the Senator from Illinois any feeling of pride which he may derive from that interpolation into my remarks.

The Senator from Wyoming [Mr. WARREN] has been kind in not pressing the motion which he took the floor to make, and if he will be indulgent for a few moments more, I will read to the Senate what a great British statesman said when the four-power treaty was first brought to the attention of the British people. While the language used is not quite so frank as that employed by Prince Tokugawa in asserting that the four-power pact is a quadruple alliance, it is susceptible of no construction save that. Earl Grey believed when he spoke to the British people concerning this treaty that it is an alliance. Without further comment, I propose now to read from a great British paper, the Manchester Guardian, under date of Wednesday, December 14, 1921. Speaking of the Washington conference and its achievements as they affected the British people Earl Grey said:

He had felt for some time that if any nation, so great and so strong as to be above the suspicion of advocating the reduction of armaments simply to save its own back or its own skin—and the United States alone was in such a position—would come forward with a concrete proposal about which there could be no misunderstanding it would stampede public opinion in favor of it. That the United States had done, and they had been seconded by the representatives of other countries at the conference. He wished especially to express his gratification at the work done at Washington—and he might add, the work done at Geneva a short time previously—by Mr. Balfour. All people, to whatever party they belonged, admitted Mr. Balfour's great ability. But he had shown more than ability. He had shown conviction and zeal in this cause, and he trusted that there would be unanimous recognition of the great services he had rendered to his country in the cause of peace. [Hear, hear.]

The quadruple agreement between the United States, Great Britain, France, and Japan was, in his opinion, a most momentous and favorable departure. He had been much exercised during recent weeks by the discussion about the Anglo-Japanese alliance. He felt very strongly that separate alliances of that kind, while justifiable when they were made, and indeed useful, were not in harmony with what we hoped would be the development of opinion since the war. But at the same time he felt that the Anglo-Japanese alliance was something upon which we could not respectably or honorably turn our backs. We could not say: "The alliance has served its purpose," least of all if at the time the alliance was being denounced we were ourselves fortifying our position by new friendships and strengthening it—he did not say by alliances—

Oh, no; he would not say it. When you wish to imply the existence of a fact you do not say it; you merely intimate it—

but by ties of friendship—with other countries. Therefore he felt that, although the Anglo-Japanese alliance was out of date, there was only one way by which it could come to an end satisfactorily both to ourselves and to Japan, and that was by being merged in something greater in which each should be a part.

That was exactly what had happened. The Anglo-Japanese alliance was to be merged in a quadruple agreement, and that agreement though it related only to the island possessions of the Pacific, must have an effect in spirit which would go far beyond the letter of the agreement itself.

I make no comment in detail on that statement. I leave it to the Senate to conclude whether the interpretation placed upon this treaty by Earl Grey and by Prince Tokugawa in the early period of its consideration expresses a real interpretation which seems to have been changed in order to meet the exigencies of debate for the ratification of the treaty in the Senate of the United States.

I shall conclude by a brief reference to the question of secrecy. Mr. President, the Secretary of State, day before yesterday, said the four-power treaty was signed by the delegates of the four powers and that therefore it was written by all of them; but, said he, "It does not matter who wrote it; what is in it does matter." To-day he seems to have changed his view respecting that subject; at last we have learned something—I will not say it is anything definite or complete concerning the origin of this treaty—but the Secretary of State says that after consultations among the delegates and after Japan had consented that France be made a party he framed the first draft. Why has he withheld information concerning the subject since the treaty was reported at the plenary session? What occasion has there existed since this treaty became public to withhold that fact? There can be no doubt, Mr. President, when the facts are studied, that the suggestion originated in the desire of both Great Britain and Japan to retain the benefits of the Anglo-Japanese alliance without taking the odium that attached to it in the eyes of other nations of the world, and this their representatives have accomplished by entering into the four-power treaty. I thank the Senator from Wyoming.

ADDITIONAL DISTRICT JUDGES.

Mr. WARREN. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside of their districts, and for other purposes.

Mr. CUMMINS. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. Without objection, it is so ordered.

DEFICIENCY APPROPRIATIONS.

Mr. WARREN. I move that the Senate take up for consideration House bill 10663, the deficiency appropriation bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. WARREN. I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

RETIREMENT OF CIVIL-SERVICE EMPLOYEES.

Mr. STERLING. Mr. President, will the Senator from Wyoming yield to me for a moment?

Mr. WARREN. If it is for a matter that will lead to no debate.

Mr. STERLING. Mr. President, this is an emergency matter. From the Committee on Civil Service I report back favorably a bill which was before that committee yesterday, and ask unanimous consent for its present consideration. I do not think it will lead to any discussion. It is Senate bill 3265, entitled "A bill construing the expression 'all employees in the classified civil service of the United States' as used in section 1 of the act of May 22, 1920, entitled 'An act for the retirement of employees in the classified civil service, and for other purposes.'"

The VICE PRESIDENT. Without objection, the report will be received.

Mr. STERLING. Mr. President, I wish to say simply this: By a recent ruling of the Attorney General, the term "classified civil service" has been held to embrace only those employees who have entered the civil service through competitive examination, notwithstanding the fact that many thousands, indeed, are in the civil service under Executive order or under legislative enactment. The effect of the ruling of the Attorney General will be to deprive about 80,000 civil-service employees of the benefit of the civil service retirement, act, and to deprive immediately something over 2,000 who have retired of the benefits of the provisions of that act in regard to annuities. So it is absolutely necessary that some act be passed construing the term "classified civil service" as the Civil Service Commission has construed it and as the Senate construed it when the civil service retirement bill was before the Senate.

Mr. JONES of Washington. Mr. President, I should like to ask the Senator a question. I have not heard the bill read. Does the bill make a legislative construction of the act or does it provide by legislation that the words referred to shall include these people?

Mr. STERLING. It is a legislative construction of the term "classified civil service."

Mr. JONES of Washington. Personally, I do not think that would accomplish anything. I think if we want to include these people we ought to say so by legislation——

Mr. STERLING. They are included.

Mr. JONES of Washington. Because even if we construe the term, it seems to me that the courts will construe it according to the language of the law. It would be a very easy thing for us to say that those people shall be included in it.

Mr. STERLING. I can refer to the rules of the Civil Service Commission to show how it has been construed all these years by the Civil Service Commission, and how the Executive has acted upon that construction.

Mr. JONES of Washington. But let us provide in terms that they shall be included.

Mr. STERLING. I do not think so. I think it is quite competent for the legislature to determine how an act shall be construed.

Mr. WARREN. If this is to lead to any debate——

Mr. JONES of Washington. I am not going to discuss it further. I only call attention to this matter. I think, instead of legislating a construction, that we ought to provide by law that it shall be done.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3265) construing the expression "all employees in the classified civil service of the United States," as used in section 1 of the act of May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes," which was read, as follows:

Be it enacted, etc., That in the administration of the civil service retirement act approved May 22, 1920, the expression "all employees in the classified civil service of the United States," as used in section 1 thereof shall be construed to include all persons who have been heretofore or who may hereafter be given a competitive status in the classified civil service, with or without competitive examination, by legislative enactment, or under the civil service rules promulgated by the President, or by Executive orders covering groups of employees with their positions into the competitive classified service or authorizing the appointment of individuals to positions within such service.

Mr. STERLING. Mr. President, I desire to offer one simple amendment to the bill.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to add, at the end of the bill, the following:

The expression "classified civil service," as the same occurs in other acts of Congress, shall receive a like construction to that herein given.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, this is a Senate bill; is it not?

Mr. STERLING. It is a Senate bill.

Mr. JONES of Washington. I hope that when it gets over to the House the House will put it in the form of legislation and not of construction, which is simply an idle thing.

Mr. STERLING. I hope the Sentor from Washington will abandon the idea that a legislature can not pass a construing or declaratory act. We have done it again and again.

Mr. JONES of Washington. It amounts to nothing when we do.

Mr. WARREN. Mr. President, let the bill pass or let it be withdrawn.

The VICE PRESIDENT. If there be no further amendment to be proposed the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSOLIDATION OF NATIONAL FOREST LANDS.

Mr. JONES of Washington. Mr. President, I think a statement should be made as to a colloquy that occurred yesterday afternoon with reference to Senate bill 490. This was a bill that passed the Senate providing for the exchange of lands in forest reserves. It went over to the House, and came back here yesterday with some minor amendments. The Senator from Utah [Mr. SMOOT] moved to concur in those amendments. In a colloquy occurring with reference to that, in which the Senator from Nebraska [Mr. NORRIS] and I asked the Senator from Utah for certain information, this occurred:

The Senator from Nebraska said:

It proposes a general law in regard to the exchange of lands?

Mr. SMOOT. Yes; of lands within forest reservations for lands outside.

Then, in reply to another question, the Senator from Utah said:

Yes; that is, land within a forest reserve may be exchanged for lands outside.

And, on page 3662 of the RECORD, in answer to the following question of mine:

This applies to all the forest reserves and permits the exchange of private lands in the reserve for lands of a similar character outside?

The Senator from Utah replied:

That is all there is to it.

That would give the impression that this bill permitted the exchange of private lands in forest reserves for any public lands outside of national forests. I do not think that is correct, and I did not intend to have my question carry that impression when I asked it, because all these bills that we have passed heretofore provide for the exchange of private lands in a forest reserve for other lands in other forest reserves. The language of the bill that we were discussing is like this:

That, when the public interests will be benefited thereby, the Secretary of the Interior be, and hereby is, authorized in his discretion to accept on behalf of the United States title to any lands within the exterior boundaries of the national forests which, in the opinion of the Secretary of Agriculture, are chiefly valuable for national-forest purposes, and in exchange therefor may patent not to exceed an equal value of such national forest land in the same State.

So I think it is clear that this bill authorizes the exchange of private lands in a forest reserve for, it is true, lands outside of that forest reserve, but only lands within some other forest reserve within the State.

SECOND DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes.

Mr. LODGE. Mr. President, I merely want to say, as I was out of the Chamber when the Senator from Wyoming [Mr. WARREN] brought up this bill and laid aside the treaty, that his action, of course, meets with my entire approval. I did not know this morning of the importance of some of these deficiencies, especially the one relating to the large appropriation which will be necessary by the 15th of March in order to take care of the soldiers in the hospitals and in vocational training. I wish to say, however, that I shall ask the Senate to take a recess when the proper time comes after the disposition of this bill, and on Monday I shall have the pending treaty taken up again and kept before the Senate, if the Senate sustains me, for action, and have long sessions held in order to do it.

The VICE PRESIDENT. The Secretary will read the bill.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head "Legislative establishment," on page 2, after line 1, to insert:

SENATE.

EMPLOYEES.

For assistant clerk for the Committee on Appropriations, at the rate of $3,000 per annum, from March 16, 1922, to June 30, 1923, both dates inclusive, $3,883.33.

Mr. FLETCHER. Mr. President, may I ask the Senator how many clerks the Committee on Appropriations has now?

Mr. WARREN. I will give the Senator the information that he desires. We have one more than one-half what they have in the Committee on Appropriations in the House.

Mr. FLETCHER. I do not know what the House has. The Senator compares it with the House. I am trying to ascertain how many clerks the Senate committee has.

Mr. WARREN. It now has its chief clerk, and two assistants, and three stenographers. Those are for the Committee on Appropriations and also for the Senator who is chairman of that committee. The Senator will remember that in the Senate a Senator has four clerks, though he may not be chairman of any committee; so that in the case of the Senate Committee on Appropriations, according the chairman of the committee the same number of clerks that the Senator from Florida and other Senators are entitled to have, there are but two left to do the work of the Committee on Appropriations. Hence we ask for an additional clerk.

Mr. FLETCHER. I presume that very likely the recent change in the rules will impose more work on the committee.

Mr. WARREN. I should have asked for this additional clerk just the same if that additional work had not come along, because the clerks of that committee have been working nights and days and Sundays and holidays, more than any clerks ought to be expected to work.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 2, after line 6, to insert: "For purchase of furniture, $1,000."

The amendment was agreed to.

The next amendment was, on page 2, after line 7, to insert:

To pay Jack Crocker for extra services rendered to the Committee on Privileges and Elections in guarding ballots during vacation and in recount in connection with Michigan senatorial contest, $250.

The amendment was agreed to.

The next amendment was, on page 2, after line 11, to insert:

To enable the Secretary of the Senate to pay from the appropriation for 1921–22, compensation of officers, clerks, messengers, and others, to Eugene Colwell for additional services as assistant financial clerk, $400.

The amendment was agreed to.

The next amendment was, under the subhead "Architect of the Capitol," on page 4, after line 21, to insert:

Senate Office Building: For maintenance, miscellaneous items and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, $23,750.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to insert:

For furniture for the Senate Office Building and for labor and material incident thereto and repairs thereof, window shades, awnings, carpets, glass for windows and bookcases, desk lamps, window ventilators, name plates for doors and committee tables, electric fans, etc., $3,500.

The amendment was agreed to.

The next amendment was, on page 5, after line 14, to insert:

LIBRARY OF CONGRESS.

LEGISLATIVE REFERENCE.

For the legislative reference, including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1922, $6,500.

The amendment was agreed to.

The next amendment was, on page 5, after line 20, to insert:

CONTINGENT EXPENSES.

For miscellaneous and contingent expenses, stationery, supplies, stock, and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and the copyright office, including not exceeding $500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $1,000.

The amendment was agreed to.

The next amendment was, under the head "Executive," on page 6, after line 13, to insert the following paragraph:

BUREAU OF EFFICIENCY.

For carrying on the work of the Bureau of Efficiency as authorized by law, including salaries and contingent expenses; supplies; stationery; purchase and exchange of equipment; printing and binding; traveling expenses; per diem in lieu of subsistence; not to exceed $100 for law books, books of reference, and periodicals; and not to exceed $100 for street car fare; in all, $10,000.

The amendment was agreed to.

The next amendment was, under the head "District of Columbia," on page 6, after line 22, to insert the following paragraph:

EXECUTIVE OFFICE.

For temporary employment of additional assistant inspectors for the building inspection division, $3,000.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent and Miscellaneous," on page 7, after line 9, to insert:

For printing, checks, books, law books, books of reference, periodicals, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; maintaining and keeping in good order the laboratory and apparatus in the office of the inspector of asphalt and cement; damages; livery, purchase, and care of horses and carriages or buggies and bicycles not otherwise provided for; horseshoeing; ice; repairs to pound and vehicles; use of bicycles by inspectors in the engineer department not to exceed $800; and other general necessary expenses of District offices, including the sinking-fund office, Board of Charities, including an allowance to the purchasing officer and to the secretary of the Board of Charities of not exceeding $360 each per annum for maintenance of vehicles for use in the discharge of their official duties, personal tax board, harbor master, health department, surveyor's office, superintendent of weights, measures, and markets office, and department of insurance, and purchase of new apparatus and laboratory equipment in office of inspector of asphalt and cement, $2,500.

The amendment was agreed to.

The next amendment was, on page 8, after line 4, to insert:

For postage for strictly official mail matter, $1,500.

The amendment was agreed to.

The next amendment was, on page 8, after line 10, to insert:

BRIDGES.

For repairs and improvements to the Calvert Street Bridge, $26,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 3, to insert:

Public convenience stations: For maintenance of public convenience stations, including compensation of necessary employees, $2,300.

The amendment was agreed to.

The next amendment was, on page 9, after line 6, to insert:

ELECTRICAL DEPARTMENT.

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets, pins, hardware, cross arms, ice, record books, stationery, printing, livery, purchase and repair of bicycles, allowance for the maintenance of not more than three automobiles at not to exceed $30 per month each, blacksmithing, extra labor, new boxes, and other necessary items, $3,000.

The amendment was agreed to.

The next amendment was, on page 10, line 21, to increase the appropriation for fuel, gas, and electric light and power for the fiscal year 1922 from "$20,000" to "$29,300."

The amendment was agreed to.

The next amendment was, on page 11, after line 8, to insert:

POLICE COURT.

For compensation of jurors, $2,000.

The amendment was agreed to.

The next amendment was, under the subhead "Medical charities," on page 14, after line 15, to insert "Children's Hospital, $7,000."

The amendment was agreed to.

The next amendment was, on page 14, line 17, to increase the appropriation for Eastern Dispensary and Casualty Hospital from $6,700 to $10,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 5, to insert:

MUNICIPAL LODGING HOUSE AND WOOD YARD.

For maintenance, $1,000.

The amendment was agreed to.

The next amendment was, under the subhead "Insane," on page 15, line 19, to increase the appropriation for heating offices, watchmen's lodges, and greenhouses at the propagating gardens from $1,000 to $1,500.

The amendment was agreed to.

The next amendment was, on page 15, after line 19, to insert:

NATIONAL ZOOLOGICAL PARK.

For laying in the National Zoological Park approximately 1,550 feet of 6-inch cast-iron water main and installing two fire hydrants of design approved by the fire department of the District of Columbia, $3,250.

The amendment was agreed to.

The next amendment was, on page 16, after line 9, to insert:

For payment of the judgments against the District of Columbia, set forth in Senate Document No. 148 of the present session, $2,436.26, together with a further sum to pay the interest at not exceeding 4 per cent per annum on said judgments, as provided by law from the date they became due until the date of payment.

The amendment was agreed to.

The next amendment was, under the head "General Accounting Office," on page 18, after line 21, to insert:

Salaries and expenses: For necessary clerical force to enable the General Accounting Office to properly audit and settle the accounts and claims growing out of the expansion of the work of the United States Veterans' Bureau and the payments of interest on the public debt, together with the settlement and payment of transportation claims, $110,333.33.

The amendment was agreed to.

The next amendment was, on page 19, after line 2, to insert:

For necessary clerical force to enable the General Accounting Office to properly audit and settle the accounts and claims growing out of the expansion of the work of the United States Veterans' Bureau and the payments of interest on the public debt, together with the settlement and payment of transportation claims, fiscal year 1923, $350,000.

The amendment was agreed to.

The next amendment was, on page 19, after line 8, to strike out:

The Comptroller General of the United States is authorized and directed to cause an audit to be made of the financial transactions of the United States Shipping Board Emergency Fleet Corporation, under such rules and regulations as he shall prescribe. Such audit shall be effective commencing July 1, 1921, the date of the discontinuance of the audit required to be performed under the direction of the Secretary of the Treasury by the act approved July 1, 1918.

And in lieu to insert:

The Comptroller General of the United States is authorized and directed to cause an audit to be made of the financial transactions of the United States Shipping Board Emergency Fleet Corporation, in accordance with the usual methods of steamship or corporation accounting and under such rules and regulations as he shall prescribe. Such audit shall be effective commencing July 1, 1921, the date of the discontinuance of the audit required to be performed under the direction of the Secretary of the Treasury by the act approved July 1, 1918.

The amendment was agreed to.

The next amendment was, under the head "United States Veterans' Bureau," on page 20, line 24, before the word "repairs," to strike out "minor," so as to make the additional proviso read:

Provided further, That no part of the foregoing appropriation shall be expended for construction work (except necessary repairs) at any Army camp acquired by the United States Veterans' Bureau for use as a training center.

The amendment was agreed to.

The next amendment was, on page 22, line 12, after the word "buildings," to insert "to be done under the supervision and direction of the Supervising Architect of the Treasury," so as to make the paragraph read:

The allotments made by the United States Veterans' Bureau to the Public Health Service for the care of beneficiaries of that bureau by the said service shall also be available for expenditure by the Public Health Service on that account for necessary personnel, regular and reserve commissioned officers of the Public Health Service, and clerical help in the District of Columbia and elsewhere, maintenance, equipment, leases, fuel, lights, water, printing, freight, transportation, and travel, repairs and necessary minor alterations to hospitals and auxiliary buildings to be done under the supervision and direction of the Supervising Architect of the Treasury, and maintenance and operation of passenger motor vehicles.

The amendment was agreed to.

The next amendment was, under the head "Department of Agriculture, Bureau of Plant Industry," on page 22, line 24, after the word "regions," to strike out "of the Pacific coast," and on page 23, line 4, after the word "areas," to strike out "in the West," so as to read:

White-pine blister rust control: For meeting the emergency caused by the appearance of the white-pine blister rust in the white and sugar pine regions threatening the extensive Federal holdings of these essential woods as well as private and State holdings, thus endangering the entire supply thereof, $150,000, which sum shall be available for investigation and control work on the white-pine blister rust in the white-pine and sugar-pine areas, in such manner as in the judgment of the Secretary of Agriculture may best accomplish the suppression of the disease, and shall remain available until March 31, 1923.

Mr. POINDEXTER. Mr. President, I have no objection to that committee amendment, but when we return to the amendments I want to call the attention of the chairman of the committee to this item. I have information from the department of agriculture of the State of Washington, which is a very well organized department, that the item is not needed for the purposes designated in the bill, and at the proper time I want to move to strike it out and let it go to conference for further investigation.

Mr. WARREN. Very well.

The amendment was agreed to.

The next amendment was, under the head "Department of the Interior," on page 26, after line 1, to insert:

PATENT OFFICE.

Salaries: To pay the salaries of the officers and employees of the Patent Office from February 18, 1922, the date of the passage of the act to increase the force and salaries in the Patent Office (Public, No. 147), to June 30, 1922, both dates inclusive, for the positions and at the rates per annum authorized by said act, in addition to the amount appropriated by the legislative, etc., appropriation act, approved March 3, 1921, $166,671.16.

The amendment was agreed to.

The next amendment was, on page 26, after line 10, to insert:

TERRITORY OF ALASKA.

For care and custody of persons legally adjudged insane in Alaska, including transportation and other expenses, $8,800: *Provided*, That authority is granted to the Secretary of the Interior to pay from this appropriation to the Sanitarium Co. of Portland, Oreg., not to exceed $570 per capita per annum for the care and maintenance of Alaskan insane patients during the fiscal year 1922.

The amendment was agreed to.

The next amendment was, on page 28, after line 10, to insert:

NATIONAL PARK SERVICE.

Grand Canyon National Park, Ariz.: For labor and material necessary for insect-control work on the north rim of the Grand Canyon, to remain available until expended, $2,500.

The amendment was agreed to.

The next amendment was, on page 28, after line 15, to insert:

CREDIT IN ACCOUNTS OF GEORGE W. EVANS.

The General Accounting Office is authorized and directed to credit the accounts of George W. Evans, chief disbursing clerk Department of the Interior, with the payment of $490, made to F. W. Bolgiano & Co., Washington, D. C., for three snow plows delivered June 30, 1920, per voucher No. 2336, quarter ended September 30, 1920, from the appropriation for "Improving the Capitol grounds, 1920."

Mr. POINDEXTER. I ask that that amendment be passed over. I think it is subject to a point of order as an allowance of a private claim not authorized by law. I will reserve the right to make the point of order.

Mr. WARREN. That is a provision made for cleaning the sidewalks of snow. Those plows have been in use, as the Senator knows, and are very valuable for that purpose. They were purchased in a hurry. The Senator will remember that there was quite a heavy fall of snow.

Mr. POINDEXTER. The Senator is discussing the merits of the proposition. It may be meritorious, but I was speaking about the practice of putting private claims in an appropriation bill.

Mr. WARREN. I was coming to that point. This big-snow matter was brought to my attention at bedtime during the storm, the inquiry being made of me as to what they should do, because the appropriations were not sufficient, and I said that in emergencies the city had at various times taken quick action as to necessary expenses. I did not speak of the plows specifically, but I said they should go at cleaning sidewalks in the most economical way, and that undoubtedly the committee would take it up and provide funds for it. I think this party took the money out of his own pocket at the moment to see that the streets were cleaned, so that the Senator and I could come to the Capitol, and so on.

Mr. POINDEXTER. I know of one case where a man took money out of his own pocket, I think in the Senator's own State, to pay the rent for a post-office building, and it took him 30 or 40 years to get it back. I think the claim was just allowed two or three days ago. I do not know that I shall make a point of order, but I ask that it be passed over.

The VICE PRESIDENT. The amendment will be passed over.

The next amendment was, in the items for contingent expenses, Department of Justice, on page 29, after line 23, to insert:

For 1922, $8,000.

The amendment was agreed to.

The next amendment was, at the top of page 30, to insert:

For furniture and repairs, including carpets, file holders, and cases, $3,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 2, to insert:

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.

For conduct of customs cases, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1922, $3,100.

The amendment was agreed to.

The next amendment was, on page 30, after line 6, to insert:

JUDICIAL.

COURT OF CLAIMS.

For stationery, court library, repairs, including repairs to bicycles, fuel, electric light, electric elevator, and other miscellaneous expenses, $1,800.

The amendment was agreed to.

The next amendment was, on page 30, line 20, before the words "to be available," to strike out "$150,000" and insert "$300,000," so as to make the paragraph read:

MARSHALS, DISTRICT ATTORNEYS, CLERKS, AND OTHER EXPENSES OF UNITED STATES COURTS.

For assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases (such counsel shall not be required to take oath of office in accordance with section 366, Revised Statutes of the United States), $300,000, to be available for expenditure in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the head "Department of Labor," on page 32, after line 21, to insert:

IMMIGRATION STATIONS.

The appropriation of $11,000 made in the sundry civil appropriation act for the fiscal year 1922 for new service pumps for water supply, including installation, at Ellis Island, N. Y., is hereby made available for a new service pump for water supply, including installation of present salt-water suction connections to existing pumps, and also for extension of present sewerage system at and near the northwestern portion of Ellis Island; also for extension of suction and discharge piping between pumps and new reserve water-supply tank.

The amendment was agreed to.

The next amendment was, under the subhead "Immigration Service," on page 33, after line 8, to insert:

For the enforcement of the laws regulating immigration of aliens into the United States, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1922, $150,000.

The amendment was agreed to.

The next amendment was, under the subhead "Children's Bureau," on page 34, line 9, after the word "exceeding," to strike out "$2,400" and to insert "$2,000," so as to read:

For carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, including printing and binding, $490,000, of which sum $240,000 shall be for equal apportionment among the States without reference to population, and $250,000 shall be for apportionment among the States with reference to population and for administrative expenses in accordance with said act: *Provided*, That no salary shall be paid from the portion of this appropriation allotted for administrative purposes at a rate exceeding $2,000 per annum except the following: One at $3,600, 1 at $3,500, and 1 at $3,000.

The amendment was agreed to.

The next amendment was, under the head "Naval Establishment," on page 36, after line 8, to insert:

Payment to Dona Concepcion Cruz: To pay to Dona Concepcion Cruz, sole next of kin of Francisco R. Cruz, the amount found by the court of the first instance of the city of Manila to be the value of a casco taken by the United States Navy in 1899 from the said Francisco R. Cruz, $350.

Mr. POINDEXTER. That is another private claim. I reserve the right to make a point of order, and ask that it be passed over temporarily.

Mr. WARREN. That was the finding of a court.

Mr. POINDEXTER. It was the finding of a court in Manila, but there is no law authorizing the payment of it.

Mr. OVERMAN. I want to ask the Senator a question. On page 33 we just passed an item under the Immigration Service, $150,000. The Senator will remember that the Senator from Massachusetts [Mr. LODGE] offered an amendment calling for $150,000 in the other bill, which we agreed to look out for.

Mr. WARREN. The other will be dropped from that bill if this goes through.

Mr. OVERMAN. I understood that we were to look out for that in this bill if it was dropped.

Mr. WARREN. This is a deficiency, and the other would not be effective until after the 1st of July. Hence the intention and the understanding that when this item goes into the pending bill the other will be dropped out in conference.

Mr. OVERMAN. That is all right, then.

The PRESIDING OFFICER (Mr. LADD in the chair). The amendment, on page 36, to insert lines 9 to 13, inclusive, will be passed over.

The next amendment was, under the head "Post Office Department," on page 38, line 21, to increase the appropriation for fuel and repairs to heating, lighting, ice, and power plant, including repairs to elevators, purchase and exchange of tools, and electric supplies, and removal of ashes, from "$4,000" to "$10,000."

The amendment was agreed to.

The next amendment was, on page 39, line 2, to increase the appropriation for reimbursement of the Government Printing Office for the cost of furnishing steam for heating and electric current for lighting and power to the Post Office Department building at Massachusetts Avenue and North Capitol Street, District of Columbia, from "$8,000" to "$12,000."

The amendment was agreed to.

The next amendment was, on page 39, after line 2, to insert:

Not exceeding $3,000 additional may be expended for telephone service and not exceeding $500 additional may be expended for the purchase and exchange of law books, books of reference, railway guides, city directories, and books necessary to conduct the business of the department, out of the appropriation "Contingent expenses, Post Office Department, miscellaneous items, 1922," in the act approved March 3, 1921.

The amendment was agreed to.

The next amendment was, under the head of Postal Service, office of Postmaster General, to be paid out of the postal revenues, on page 39, after line 13, to insert:

For gas, electric power, and light, and the repair of machinery, United States Post Office Department equipment shops building, $500.

The amendment was agreed to.

The next amendment was, on page 39, after line 18, to insert:

OFFICE OF CHIEF INSPECTOR.

For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, and highway mail robbers: *Provided*, That rewards may be paid, in the discretion of the Postmaster General, when an offender of the class mentioned was killed in the act of committing the crime or in resisting lawful arrest: *And provided further*, That of the amount herein appropriated not to exceed $10,000 may be expended, in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals, $50,000.

Mr. POINDEXTER. I reserve the right to make a point of order against the amendment beginning on line 20 on the ground that it is new legislation, which would require the return of the bill to the committee. I just ask that it be passed over, and reserve the right.

The PRESIDING OFFICER. The amendment will be passed over.

The next amendment was, under the head "Department of State," on page 42, after line 3, to insert:

EMBASSY, LEGATION, AND CONSULAR BUILDINGS AND GROUNDS.

Purchase of embassy building and grounds at Santiago, Chile: For the purchase of an embassy building and grounds at Santiago, Chile, and for making necessary minor repairs and alterations in the building to put it in proper condition, in addition to the appropriation for this purpose made in the Diplomatic and Consular appropriation act approved June 4, 1920, $20,000.

Mr. POINDEXTER. That is new legislation. I ask that it be passed over and reserve the right to make a point of order.

Mr. WARREN. I do not wish to be understood as accepting the remarks that these amendments call for new legislation, because they do not. I am willing to have them passed over if the Senator requests, but not on that ground.

Mr. POINDEXTER. May I ask the Senator for information, as the question is up, if there is any law authorizing the purchase of these buildings and grounds?

Mr. WARREN. It is very specific, and if the Senator could have seen what the subcommittee saw, he would have been very much pleased, I know. There is a general law which provides that these buildings may be constructed as embassies, provided they shall not cost over $150,000. In this particular case there was a building which cost, together with fine grounds, some $500,000 or $600,000, a beautiful structure. We had the pictures before us. During the bad times the owner failed before the completion of the building and the Government got an option at $130,000, but when they take up the option, of course it will take considerable money to put it in order for use, and this $20,000 is within the law and limit and within their rights, and is to be used to complete the building.

Mr. POINDEXTER. I withdraw the request I made in regard to this amendment.

The amendment was agreed to.

The next amendment was, in the item for contingent expenses of the Treasury Department, on page 43, after line 16, to insert:

For purchase of gas, electric current for lighting and power purposes, gas and electric-light fixtures, electric-light wiring and material, candles, candlesticks, drop-lights and tubing, gas burners, gas torches, globes, lanterns, and wicks, $1,500.

The amendment was agreed to.

The next amendment was, under the subhead "Internal-Revenue Service," on page 44, after line 10, to insert:

Refunding taxes illegally collected: For refunding taxes illegally collected under the provisions of sections 3220 and 3689, Revised Statutes, as amended by act of February 24, 1919, including the payment of claims accruing prior to July 1, 1920, without special authorization and appropriation by Congress in each individual case: *Provided*, That a report shall be made to Congress of the disbursements hereunder as required by the act of February 24, 1919, $27,468,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public Buildings, Operating Expenses," on page 46, after line 13, to insert:

Operating force: For such personal services as the Secretary of the Treasury may deem necessary in connection with the care, maintenance, and repair of all public buildings under the control of the Treasury Department, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1922, $40,000.

The amendment was agreed to.

The next amendment was, under the head "War Department," at the top of page 48, to insert:

MEDICAL AND HOSPITAL DEPARTMENT.

For amount required to pay adjudicated awards for lands condemned for use by the War Department at Walter Reed General Hospital, Washington, $94,703.44.

The amendment was agreed to.

The next amendment was, on page 48, at the end of line 20, to strike out "$1,000" and insert "$2,000," so as to make the paragraph read:

ENGINEER DEPARTMENT.

Washington Monument: For fuel, lights, oil, waste, packing, tools, matches, paints, brushes, brooms, lanterns, rope, nails, screws, lead, electric lights, heating apparatus, oil stoves for elevator car and upper and lower floors; repairs to engines, boilers, dynamos, elevator, and repairs of all kinds connected with the Monument and machinery; and purchase of all necessary articles for keeping the Monument, machinery, elevator, and electric plant in good order, $2,000.

The amendment was agreed to.

The next amendment was, on page 48, at the end of line 25, to strike out "$266.37" and insert "$1,105.37," so as to make the paragraph read:

River and harbor work: For payment of claims adjusted and settled under section 4 of the river and harbor appropriation act approved June 25, 1910, and certified to Congress during the present session in House Document No. 168, $1,105.37.

The amendment was agreed to.

The next amendment was, on page 49, after line 10, to insert:

The appropriation for "Pay, etc., of the Army, 1922," shall be available to pay the expenses incident to carrying into effect the provisions of the act entitled "An act authorizing the Secretary of War to furnish free transportation and subsistence from Europe and Siberia to the United States for certain destitute discharged soldiers and their wives and children," approved June 30, 1921; under such regulations as have been or may hereafter be prescribed by the Secretary of War.

The amendment was agreed to.

The next amendment was, under the head "Judgments, United States courts," on page 50, line 11, after the word "in," to insert "Senate Document No. — and in," so as to read:

For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," certified to Congress during the present session by the Attorney General in Senate Document No. — and in House Document No. 173, and which have not been appealed, namely:

Mr. WARREN. I move to insert in the committee amendment, after the word "numbered," the figures "160," so as to read:

Senate Document No. 160 and in.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the head "Judgments, United States courts," on page 50, line 15, under the Navy Department, to increase the appropriation from "$11,803.29" to "$13,370.79."

The amendment was agreed to.

The next amendment was, on page 50, after line 15, to insert:

Under the United States Housing Corporation, $2,867.50.

The amendment was agreed to.

The next amendment was, on page 50, line 18, after the words "In all," to strike out "$11,148.42" and to insert "$18,583.42," so as to make the paragraph read:

In all, $18,583.42, together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per cent per annum from the date thereof until the time this appropriation is made.

The amendment was agreed to.

The next amendment was, under the head "Judgments, Court of Claims," on page 51, line 1, after the word "in," to insert "Senate Document No. —— and in"; in line 4, after the words "War Department," to strike out "$29,147.69" and to insert "$102,296.93"; in line 5, after the words "Navy Department," to strike out "$47,361.46" and to insert "$138,586.46"; in line 6, after the words "Post Office Department," to strike out "$52,327.60" and to insert "$105,146.25"; in line 8, after the words "Interior Department," to strike out "$50,000" and to insert "$100,228.93"; and in line 9, after the words "In all," to strike out "$212,800.85" and to insert "$480,222.67," so as to read:

JUDGMENTS, COURT OF CLAIMS.

For payment of the judgments rendered by the Court of Claims and reported to Congress during the present session in Senate Document No. —— and in House Document No. 172, namely:

Under the Treasury Department, $33,964.10;
Under the War Department, $102,296.93;
Under the Navy Department, $138,586.46;
Under the Post Office Department, $105,146.25;
Under the Interior Department, $100,228.93;
In all, $480,222.67.

Mr. WARREN. I move after the word "numbered" in the committee amendment to insert the numerals "161," so as to read:

Senate Document No. 161 and in.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 65, after line 19, to insert as section 3 the following:

AUDITED CLAIMS.

SEC. 3. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1919 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. ——, reported to Congress at its present session, there is appropriated as follows:

TREASURY DEPARTMENT.

For increase of compensation, Treasury Department, $8.66.
For national security and defense, Treasury Department, $10,830.15.
For labor-saving machines, Treasury Department, $5.
For contingent expenses, Independent Treasury, $1.11.
For collecting the revenue from customs, $4.04.
For freight, transportation, etc., Public Health Service, $170.21.
For Quarantine Service, $6.30.
For collecting the war revenue, $701.68.
For Coast Guard, $322.75.
For operating supplies for public buildings, $6.69.
For furniture and repairs of same for public buildings, $342.06.
For mechanical equipment for public buildings, $6.09.
For repairs and preservation of public buildings, $1.86.
For general expenses of public buildings, $9.34.

WAR DEPARTMENT.

For contingent expenses, War Department, $25.15.
For increase of compensation, Military Establishment, $2,439.61.
For civilian military training camps, $23.88.
For registration and selection for military service, $970.82.
For Signal Service of the Army, $73.73.
For Air Service, military, $7,445.31.
For Air Service, production, $3.83.
For increase for aviation, Signal Corps, $26.28.
For pay, etc., of the Army, $1,967.65.
For extra-duty pay to enlisted men as clerks, etc., at Army division and department headquarters, $193.90.
For general appropriations, Quartermaster Corps, $39,177.78.
For clothing and camp and garrison equipage, $17.70.
For incidental expenses, Quartermaster Corps, $207.90.
For barracks and quarters, $64.26.
For construction and repair of hospitals, $11,496.50.
For supplies, services, and transportation, Quartermaster Corps, $131,423.87.
For inland and port storage and shipping facilities, $2,770.84.
For Medical and Hospital Department, $1,477.17.
For engineer equipment of troops, $1,790.29.
For engineer operations in the field, $3,805.64.
For ordnance service, $1,319.12.
For ordnance stores and supplies, $203.68.
For automatic rifles, $12,904.21.
For arming, equipping, and training the National Guard, $140.40.
For armament of fortifications, $35,319.23.
For supplies for seacoast defenses, $3.60.
For headstones for graves of soldiers, $2.81.
For National Home for Disabled Volunteer Soldiers, Mountain Branch, $3.18.
For National Home for Disabled Volunteer Soldiers, clothing, $18.68.

NAVY DEPARTMENT.

For pay, miscellaneous, $383.13.
For aviation, Navy, $290.43.
For pay, Marine Corps, $2,090.94.
For maintenance, Quartermaster's Department, Marine Corps, $2,896.01.
For contingent, Marine Corps, $302.05.
For transportation, Bureau of Navigation, $6,822.47.
For contingent, Bureau of Navigation, $3.77.
For outfits on first enlistment, Bureau of Navigation, $397.48.
For instruments and supplies, Bureau of Navigation, $143.79.
For ordnance and ordnance stores, Bureau of Ordnance, $1,218.70.
For Naval Gun Factory, Washington, D. C., $74.50.
For reserve ordnance supplies, Bureau of Ordnance, $39,485.33.
For maintenance, Bureau of Yards and Docks, $47.30.
For contingent, Bureau of Medicine and Surgery, $4,083.34.
For bringing home remains of officers, etc., Navy Department, $40.
For pay of the Navy, $36,884.85.
For provisions, Navy, Bureau of Supplies and Accounts, $784.42.
For maintenance, Bureau of Supplies and Accounts, $174.80.
For freight, Bureau of Supplies and Accounts, $7,504.63.
For fuel and transportation, Bureau of Supplies and Accounts, $105.
For construction and repair, Bureau of Construction and Repair, $1,489.73.
For engineering, Bureau of Steam Engineering, $80.40.

INTERIOR DEPARTMENT.

For contingent expenses, Department of the Interior, $6.12.
For Glacier National Park, $784.28.
For Yellowstone National Park, $3.33.
For operating mine rescue cars, Bureau of Mines, $6.75.
For increase of compensation, Indian Service, $35.33.
For relieving distress and prevention, etc., of disease among Indians, $1.77.
For Indian school, support, $1.22.
For industrial work and care of timber, $4.50.
For purchase and transportation of Indian supplies, $35.02.
For telegraphing and telephoning, Indian Service, $1.08.
For general expenses, Indian Service, $5.55.
For determining heirs of deceased Indian allottees, $382.26.

For support of Indians in California, $20.
For Indian school, Cherokee, N. C., $2.85.
For Indian school, Bismarck, N. Dak., 45 cents.

STATE DEPARTMENT.

For transportation of diplomatic and consular officers, $38.38.
For post allowances to diplomatic and consular officers, $214.72.
For allowance for clerks at consulates, $801.57.
For contingent expenses, United States consulates, $578.85.

INDEPENDENT OFFICES.

For salaries and expenses, United States Food Administration, $293.49.
For Interstate Commerce Commission, $9.39.
For salaries and expenses, Veterans' Bureau, 23 cents.

DEPARTMENT OF AGRICULTURE.

For stimulating agriculture and facilitating distribution of products, $176.97.
For general expenses, Bureau of Plant Industry, $68.15.
For general expenses, Forest Service, $3.49.
For general expenses, Bureau of Chemistry, $16.
For general expenses, Bureau of Biological Survey, $6.14.
For general expenses, Bureau of Public Roads, $8.02.
For general expenses, Bureau of Markets, 32 cents.
For enforcement of the United States grain standards act, $1.80.

DEPARTMENT OF COMMERCE.

For collecting statistics, Bureau of the Census, $1.95.
For promoting commerce, Department of Commerce, $23.50.
For contingent expenses, Steamboat-Inspection Service, $2.60.
For general expenses, Bureau of Standards, $66.17.
For color standardization, Bureau of Standards, $130.
For miscellaneous expenses, Bureau of Fisheries, $5.05.

DEPARTMENT OF LABOR.

For national security and defense, Department of Labor, $103.54.
For miscellaneous expenses, Bureau of Labor Statistics, $1.10.
For expenses of regulating immigration, $16.50.
For miscellaneous expenses, Bureau of Naturalization, $3.45.
For investigation of child welfare, Children's Bureau, 24 cents.

DEPARTMENT OF JUSTICE.

For fees of commissioners, United States courts, $6.50.

POST OFFICE DEPARTMENT—POSTAL SERVICE.

For railroad transportation, $12,095.14.
For Star Route Service, $50.
For vehicle service, $4,626.96.
For office appliances, $4.
For mail messenger service, $35.60.
For miscellaneous items, first and second class post offices, 43 cents.
For Rural Delivery Service, $71.
For compensation to postmasters, $590.43.
For Railway Mail Service, salaries, $211.72.
For post office equipment and supplies, 57 cents.
For temporary clerk hire, $155.
For special delivery fees, $6.56.
For clerks, first and second class post offices, $400.10.
For city delivery carriers, $2,912.21.
For shipment of supplies, $130.31.
For indemnities, domestic mail, $15.20.
For indemnities, international registered mail, $587.21.
Total audited claims, section 3, $399,447.10.

Mr. WARREN. I send to the desk the figure to be inserted in the blank on page 66, line 6.

The ASSISTANT SECRETARY. On page 66, line 6, insert the numerals "162" after the word "numbered," so as to read:

As fully set forth in Senate Document No. 162.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 73, line 17, to change the section number from "3" to "4."

The amendment was agreed to.

The reading of the bill was concluded.

The PRESIDING OFFICER. The Secretary will state the first amendment passed over.

The ASSISTANT SECRETARY. On page 28, line 16, the committee propose to insert:

CREDIT IN ACCOUNTS OF GEORGE W. EVANS.

The General Accounting Office is authorized and directed to credit the accounts of George W. Evans, chief disbursing clerk Department of the Interior, with the payment of $480, made to F. W. Bolgiano & Co., Washington, D. C., for three snow plows delivered June 30, 1920, per voucher No. 2336, quarter ended September 30, 1920, from the appropriation for "Improving the Capitol Grounds, 1920."

Mr. POINDEXTER. I think under the rule that is clearly subject to a point of order against a private claim not authorized by existing law in an appropriation bill, but the chairman of the committee and the Senator from Colorado [Mr. PHIPPS], a member of the committee, have made a very convincing statement to me of the meritorious character of this claim, and while I think the committee ought to be governed by its own rules, I will not make an objection against the amendment at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WARREN. On behalf of the committee I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Wyoming will be stated.

The ASSISTANT SECRETARY. On page 25, line 11, it is proposed to strike out "$60,000" and to insert in lieu thereof "$120,000."

The amendment was agreed to.

Mr. WARREN. On behalf of the committee I offer another small amendment to come in on the same page.

The PRESIDING OFFICER. The amendment proposed by the Senator from Wyoming will be stated.

The ASSISTANT SECRETARY. On page 25, line 19, it is proposed to strike out the words "Document No. 162" and to insert in lieu thereof "Documents Nos. 162 and 198."

The amendment was agreed to.

Mr. WARREN. On behalf of the committee, I offer another amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 25, line 20, it is proposed to strike out "$736.25" and to insert "$843.27."

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The next amendment passed over was on page 39, after line 18, to insert:

OFFICE OF CHIEF INSPECTOR.

For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, and highway mail robbers: *Provided*, That rewards may be paid, in the discretion of the Postmaster General, when an offender of the class mentioned was killed in the act of committing the crime or in resisting lawful arrest: *And provided further*, That of the amount herein appropriated not to exceed $10,000 may be expended, in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals, $50,000.

Mr. POINDEXTER. May I ask the chairman of the committee upon what law that amendment is based?

Mr. WARREN. There is a very old law providing for private detectives, and so forth, the administration of which has been running along under annual appropriations of about $25,000, perhaps. This amendment carries a somewhat larger amount, and also contains additional language as to the appropriation being used for the payment of rewards. In fact, it has always been used for the payment of rewards or for services.

Mr. POINDEXTER. There is a great amount of legislation on this bill, Mr. President. Of course, if the appropriation is already provided for by law the proviso "That rewards may be paid, in the discretion of the Postmaster General, when an offender of the class mentioned was killed in the act of committing the crime or resisting lawful arrest," and so forth, would not be necessary in this proposed act. I think the amendment is clearly subject to the objection that it is new legislation.

I may also call attention to one or two other places in the bill, Mr. President, which we have already gone over, that contain new legislation.

Mr. WARREN. Let me say to the Senator from Washington, before he proceeds to the other matter of which he speaks, that this amendment is not to provide for next year, but it is to pay rewards that have already been granted, the time for the payment of which will approach before the end of the year in which they are due. Not to make this appropriation would simply be to leave the Postal Service without funds to pay amounts due under contracts which they have made.

Mr. POINDEXTER. That is an argument to the merits of the question rather than to the point of order; but I shall not make the point of order. I merely want to call attention to the violation of the rule, and I will make no objection to the amendment.

Mr. OVERMAN. I am glad the Senator from Washington is not going to make the point of order, although I think the amendment is subject to the point of order, because a part of it is new legislation. However, if the Senator from Washington [Mr. POINDEXTER] withdraws his objection I shall not make the point of order against the amendment. The proviso, however, is clearly new legislation.

Mr. JONES of Washington. My colleague has withdrawn his point of order against the amendment, but I do not myself think that it is subject to a point of order. I am satisfied that there is a law authorizing the payment of such rewards.

Mr. OVERMAN. This is an amendment to the law.

Mr. JONES of Washington. The proviso is simply a limitation.

Mr. OVERMAN. It is an amendment to the law, because it provides for paying a reward for the killing of a mail robber.

Mr. JONES of Washington. It only applies to the particular deficiencies for this year.

Mr. OVERMAN. If the Senator from Washington will read the law he will find that this is an amendment to the law.

Mr. POINDEXTER. I should like to ask the Senator from North Carolina what his view is as to the merits of the provision, aside from the question of a point of order? Does the Senator think it is a meritorious provision?

Mr. OVERMAN. I must confess that I made some objection to providing a reward for the killing of a man who may have

been detected in the act of committing a crime. I never have liked such rewards as that to be offered by the Government. However, I will not make further objection, though I made my objection and fought the proposition in the committee. I repeat, however, that I think a part of the provision is subject to a point of order.

Mr. POINDEXTER. The difficulty is that there is no opportunity in the Senate, or in the committee, as a matter of fact, the committee not being a legislative committee, strictly speaking, to investigate the merits of these legislative provisions. So far as I know about the matter of the protection of the mails I am heartily in favor of the vigorous steps which are being taken by the Government to protect the mails from the wave of banditry that seems to be jeopardizing their safe passage.

Mr. OVERMAN. That is the reason I waived my objection to the amendment.

Mr. POINDEXTER. But we ought not, because of the pressure for meritorious legislation, to use appropriation bills, right in the face of the new rule which has been adopted, as a vehicle for obtaining such legislation. However, I will withdraw my objection to the amendment.

Mr. OVERMAN. I agree with the Senator that the proposed legislation is meritorious, but where an attempt is made to amend the old law I think such an amendment is subject to a point of order. I shall not, however, make the point of order, but shall let the amendment go.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The next amendment passed over will be stated.

The next amendment passed over was, on page 36, after line 8, to insert:

Payment to Dona Concepcion Cruz: To pay to Dona Concepcion Cruz, sole next of kin of Francisco R. Cruz, the amount found by the court of the first instance of the city of Manila to be the value of a casco taken by the United States Navy in 1899 from the said Francisco R. Cruz, $350.

Mr. POINDEXTER. Mr. President, I presume, in view of the fact that the claim provided for in the amendment which has just been read has been submitted to a court at Manila, that it is a meritorious claim. A judgment was rendered, and I assume there was a fair trial and an adequate investigation of the matter. The item, however, is put into this appropriation bill in violation of the fourth paragraph of Rule XVI, which prohibits the insertion of private claims in appropriation bills unless they are authorized by law or by treaty; and this is authorized neither by a law of the United States—of course, the rule refers to a law of the United States—nor by a treaty.

Mr. WARREN. About half of this bill is taken up with appropriations for the payment of judgments of courts and of audited claims, which are always included in deficiency bills, and are within the law. As to this particular claim, there is no reason of which I know why it should be excluded, when it has been adjudged to be due by the courts of a country which is under the jurisdiction of the United States, and is for the payment of property which the Government took away from the private owner.

Mr. POINDEXTER. However, it is merely a claim; that is all it is.

Mr. WARREN. Everything which is contained in the bill in the nature of a judgment is a claim. The Senator states that this is a claim; but it is an adjusted claim, and when an adjusted claim is presented it is in order on an appropriation bill.

Mr. POINDEXTER. Mr. President, this lady, Dona Concepcion Cruz, may be a very meritorious and estimable person; she may be in need of this money, and she has obtained a judgment for it. I shall not make any objection to the amendment, although it is subject to the point of order that it is a private claim.

Mr. FLETCHER rose.

The PRESIDING OFFICER. Without objection——

Mr. FLETCHER. Mr. President, I was merely going to appeal to the Senator from Washington [Mr. POINDEXTER], although I know nothing about this case, on the ground that the claim has been 23 years in the course of being adjusted, and if we do not provide for its payment now I am afraid the claimant will die before the matter is settled.

Mr. POINDEXTER. The claim ought to go to the Committee on Claims and be reported in the regular way; but I shall not make any objection to the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The bill is before the Senate as in Committee of the Whole and open to further amendment.

Mr. POINDEXTER. I offer an amendment, which I send to the desk and ask unanimous consent that it may be considered.

The PRESIDING OFFICER. The amendment proposed by the Senator from Washington will be stated.

The ASSISTANT SECRETARY. It is proposed to insert, on page 27, after line 21:

RECLAMATION PROJECTS.

For construction work upon reclamation projects authorized under existing law, $16,200,000, to be repaid to the Treasury from the reclamation fund when funds shall be available for that purpose.

Mr. WARREN. Mr. President, it is probably unnecessary to discuss the merits of the amendment. Of course, the Senator from Washington knows that is entirely out of order from every standpoint. I think he intends to ask unanimous consent that it may be adopted.

Mr. POINDEXTER. I have asked unanimous consent.

Mr. WARREN. I do not wish to thwart the will of the Senate in any way, but I desire to say that the amendment is of such an extreme nature that I fear, even though it might be put into the bill, it could never be protected by the conferees on the part of the Senate.

Mr. POINDEXTER. I should like the Senator to let the amendment go in.

Mr. WARREN. The Senator has asked unanimous consent for the adoption of the amendment, and I will leave the matter to the Senate.

Mr. OVERMAN. I should like to know of the Senator from Washington if this amendment provides for an appropriation of $16,000,000?

Mr. POINDEXTER. Yes; it provides for an appropriation; or, rather, it is in the nature of a loan, to be repaid from the reclamation fund. I will say to the Senator that it is in accordance with the estimates which have been made, except that the estimates, although they cover each one of the projects which go to make up the total, do not call for quite so large a sum as is provided for in the amendment, but very nearly as large, as disclosed by the Book of Estimates. This amount is to carry on the development of projects upon which construction work has already been begun. It is in accordance with the conclusion arrived at after very careful examination and is based upon the report of the Director of the Reclamation Service to the committee on public works on reclamation of the President's unemployment conference.

Mr. OVERMAN. I have no doubt that the amendment is in line with estimates, but we are now considering a deficiency bill.

Mr. POINDEXTER. And the amendment, I think, provides for a deficiency appropriation.

Mr. OVERMAN. I think the amendment should have been placed on the bill in which provision was made for the Reclamation Service. I feel compelled to make the point of order against the amendment being placed on a deficiency bill.

Mr. POINDEXTER. Will not the Senator allow it to go to conference and have it considered in connection with the report, which I shall insert in the RECORD?

Mr. OVERMAN. No. If the Senator please, why did he not propose it as an amendment to the bill in which we provided for reclamation projects? This amendment is against the rule, and I can not agree to it, because this is a deficiency bill, and the amendment proposed by the Senator is not a deficiency in any sense of the word.

Mr. POINDEXTER. What point of order does the Senator from North Carolina make against the amendment?

Mr. OVERMAN. I make the point of order that it is not estimated for; that the pending bill is a deficiency bill; and that this amendment has no business at all on a deficiency bill.

Mr. POINDEXTER. But the amendment is estimated for.

Mr. OVERMAN. I understood the Senator to say that a certain portion of it was estimated for.

Mr. POINDEXTER. I stated that it was not estimated for in the entire amount——

Mr. OVERMAN. Yes.

Mr. POINDEXTER. But each one of these projects has been estimated for.

Mr. OVERMAN. I will ask the Senator if any committee has reported on this item?

Mr. POINDEXTER. No committee of the Senate has reported on it.

Mr. OVERMAN. I must make the point of order on the amendment, Mr. President.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. POINDEXTER. Mr. President, in connection with the amendment which I have proposed, I ask leave to print in the RECORD the report of the Reclamation Service to the Committee on Public Works on Reclamation, contained in the report of the President's conference on unemployment, on pages 92 and 93.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

APPENDIX L.—LETTER FROM RECLAMATION SERVICE.

DEPARTMENT OF THE INTERIOR,
UNITED STATES RECLAMATION SERVICE,
Washington, D. C., October 7, 1921.

Mr. O. T. MALLERY,
Secretary Public Works Committee
of the Unemployment Conference,
Department of Commerce, Washington, D. C.

DEAR SIR: In accordance with your request upon the occasion of your recent visit to this office, the following statement of the possibilities of Reclamation Service work in stabilizing employment conditions has been prepared along the lines of your memorandum of inquiry.

This statement is intended to supersede our memorandum on this subject of September 13, which was based upon inadequate information and a misapprehension of the scope of Secretary Hoover's inquiry.

The Reclamation Service consistently pursues the policy of investigating in advance the feasibility of and preparing plans and estimates for proposed irrigation projects throughout the West to the fullest extent of available funds. While our appropriations for such work have been small, they have been supplemented by contributions from the various States, irrigation districts, and other interested organizations, so that at the present time we have more or less complete data on a large number of projects throughout the West. Investigations of a number of these projects have been carried to the point where construction could be immediately initiated. On many others we have sufficient data to justify their authorization for construction, but some additional detail study would be required before the actual "dirt moving" could be started.

The Reclamation Service work is especially adapted for the stabilization of employment conditions. Even on our most northern projects such operations as tunneling, rock work, and heavy excavation can be carried on successfully throughout the winter, and where some operations are interfered with there is frequently sufficient range of climate on the project to permit the transfer of employees and equipment economically from one class of work to another and keep them employed throughout the year. For example, a force may be employed on storage work in the mountains during the summer and a part transferred to canal construction on the lower-lying project lands during the winter. Again, on partially completed projects operations may often be arranged to furnish employment for many of the settlers and their teams during the months when farm work is slack. On our southern projects winter is frequently the most favorable period of the year for efficient construction work.

In any plan for improving employment conditions extension of the work of the Reclamation Service is particularly deserving of consideration. Not only does it provide a means of stabilizing employment conditions through the direct employment of engineers of all grades, survey men, mechanics, construction foremen, skilled and unskilled laborers, etc., the very classes who suffer most from the seasonal nature of much of their work, but through the demand thus created for construction materials, machinery, and supplies should help materially to improve conditions in other industries.

Furthermore, it is to be remembered that this outlay is of the nature of an investment. The cost of all projects is eventually to be returned to the Federal Treasury by the settlers who are thus furnished opportunities to make homes for themselves while engaging in the production of one of the fundamental forms of national wealth.

Reclamation Service projects now under construction have already demonstrated beyond question the economic value to the entire country of this work. On a number of these projects funds could be efficiently expended during the approaching winter, pushing them toward completion, and furnishing direct employment to probably 16,000 employees and indirectly (furnishing construction materials, machinery, etc.) to half as many more. A list of these projects and proposed expenditures on each follows:

State.	Project.	Amount.
Colorado	Grand Valley	$1,200,000
Idaho	Boise	1,200,000
	Minidoka	2,000,000
Montana	Sun River	800,000
Nebraska-Wyoming	North Platte	2,000,000
Nevada	Newlands	1,000,000
New Mexico-Texas	Rio Grande	1,400,000
Oregon-California	Klamath	1,000,000
Washington	Yakima	3,000,000
Wyoming	Riverton	1,250,000
	Shoshone	750,000
Total		16,200,000

In addition to the work on projects already under construction indicated in the foregoing list, several projects in the Southwest, which have been thoroughly investigated by our engineers, could be taken up immediately.

The following table shows the immediate appropriations and the additional estimated ultimate expenditure required:

State.	Project.	Immediate expenditure.	Additional to complete.
Arizona	Boulder Canyon Dam	$5,000,000	$50,000,000
California	All-American Canal and laterals	15,000,000	20,000,000
Arizona	Parker	4,000,000	10,000,000
	San Carlos	4,000,000	10,000,000
		28,000,000	90,000,000

This work would furnish employment for five months to between 25,000 and 30,000 men on the work itself and indirectly to between 10,000 and 15,000 more.

Settlers on Reclamation Service projects under the terms of the act of August 13, 1914 (38 Stat., 688), are given 20 years within which to make their payments. These payments are graduated so that the returns for the first few years after the completion of the project are relatively small. An arrangement might be suggested similar to that of the act of June 25, 1910 (36 Stat., 835), as amended by the act of June 12, 1917 (40 Stat., 149), whereby a stipulated amount is repaid from the reclamation fund to the general fund of the Treasury each year until the advances are repaid.

There is being forwarded you, under separate cover, copy of a report on the development of unused lands, which contains the results of an investigation made by the Reclamation Service under the direction of Congress in 1919–20. This investigation shows the existence of large areas of swamp and cut-over as well as arid lands in the United States, the reclamation and settlement of which would furnish large opportunities of employment. The construction activities of the Reclamation Service, however, have always been restricted by law to the arid and semiarid States of the West, and Congress has never authorized any of the work outlined in the above report.

SUMMARY.

1. An appropriation of $16,200,000 for expenditure on projects now under construction would provide direct employment for 16,000 or more men during the coming winter and would not commit us to further appropriations.

2. An additional appropriation of $28,000,000 would provide employment for 28,000 more men, permitting work to be begun on four new projects. These four projects would require for completion a future appropriation of $90,000,000 additional.

3. The above total of 44,000 men employed should be increased by probably 50 per cent to cover increased activities in other lines occasioned by the demands of the above work.

4. Opportunity exists to provide employment and settlement opportunities by the reclamation of swamp and cut-over lands throughout the country, but such reclamation is outside the scope of Reclamation Service activities under present law.

Yours, very truly,

OTTAMAR HAMBLE,
Acting Director.

Mr. POINDEXTER. On page 22, I move to strike out the paragraph beginning at line 21 and ending on line 15, page 23.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 22, after line 20, it is proposed to strike out:

BUREAU OF PLANT INDUSTRY.

White-pine blister rust control: For meeting the emergency caused by the appearance of the white-pine blister rust in the white and sugar pine regions, threatening the extensive Federal holdings of these essential woods as well as private and State holdings, thus endangering the entire supply thereof, $150,000, which sum shall be available for investigation and control work on the white-pine blister rust in the white-pine and sugar-pine areas, in such manner as in the judgment of the Secretary of Agriculture may best accomplish the suppression of the disease, and shall remain available until March 31, 1923: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed. And the Secretary of Agriculture is hereby authorized to incur all necessary expenses, including the employment of such persons and means in the city of Washington and elsewhere, in cooperation with such authorities of the States concerned, organizations, or individuals, as he may deem necessary to accomplish such purposes.

Mr. WARREN. The Senator from Washington proposes to strike out the entire paragraph?

Mr. POINDEXTER. Yes.

Mr. WARREN. Mr. President, the Senator probably knows more than I do about that matter, as it affects the Pacific coast section of the country. It is an item which first came before the committee, I think, two years ago, and was pressed with tremendous vigor, it being alleged that the white pine was dying out because of the so-called blister rust. So we made an appropriation to investigate and to arrest the ravages of the disease. The Agricultural Department has come now to the committee with a request for the item; the House allowed $150,000, but confined it to the Pacific coast. New England is suffering from the blister rust, and the committee, without increasing the amount, simply struck out the words "of the Pacific coast," so as to leave the appropriation applicable wherever it may be needed. If the Senator wishes to exclude his section of the country from the expenditure, I still think that he should be willing to allow some portion of it, or all of it, to remain in the bill, in order that it may be applied to the State of Maine and other New England States.

Mr. POINDEXTER. I have no objection to that at all.

Mr. WARREN. Those States, I understand, are suffering very severely on account of the blister rust.

Mr. POINDEXTER. I am not advised about the condition in Maine, but there are no white-pine trees to amount to anything in the western part of the State of Washington, where investigations have been carried on. I am informed that $150,000 is asked for work in the West which, I am told, on the most reliable authority in which I have the utmost confidence, could be done for $5,000. It is only as to the West that I am concerned. An appropriation may be needed in Maine or in other New England States.

Mr. HALE. Mr. President, the Appropriations Committee has amended this provision by striking out the words "of the Pacific coast," so that the appropriation will be available for use throughout the entire country. In my State a great deal of trouble is being experienced on account of the blister rust, and relief is greatly desired. They are taking care of the situation there for the next year, but they need relief. So I hope very much the Senator from Washington will not insist on having the item stricken out.

Mr. POINDEXTER. I withdraw the motion which I have made, and now move to strike out "$150,000," in line 2, on page 23, and to insert "$50,000."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 23, line 2, it is proposed to strike out "$150,000" and in lieu thereof to insert "$50,000."

Mr. WARREN. Mr. President, does the Senator's last amendment contemplate that no part of the appropriation shall go to the western part of the country?

Mr. POINDEXTER. Yes; that is my intention, for none of it is needed there. It is simply a piece of extravagance which discredits the Agriculture Department and discredits the Congress to be making large appropriations which are not needed.

Mr. WARREN. I am entirely willing to join the Senator in any economy which may safely be practiced, and if the representatives of other sections of the country, notably New England, whom I see present, desire the appropriation cut down, I have no objection.

Mr. LODGE. I know, Mr. President, the appropriation is very much needed in northern New England, and I hope the item will not be stricken out entirely.

Mr. POINDEXTER. I call the attention of the Senator to the circumstance in connection with the amendment which I have last proposed, that this item was put in the bill in the House of Representatives solely for use in the West. I have called the attention of the Senate to the fact that this is a piece of extravagance. It is an appropriation for something which does not exist. There is no white-pine blister rust in the State of Washington. I have a mass of evidence here on that subject from experts, which I am perfectly willing to present to the proper authorities. I have moved to reduce the amount from $150,000 to $50,000 for those reasons. If the chairman of the committee wants to insist on appropriating money where it is not needed I will not insist upon further argument in the matter.

Mr. WARREN. Let us trade in the matter. Suppose we reduce it to $100,000. I feel it would be too much to reduce it to $50,000, because the reports I have received from various sections of the country seem to indicate that that much at least will be required.

Mr. SMITH. Mr. President, may I ask the chairman of the committee what information he has as to why the House restricted the appropriation to the West? My impression, from information submitted to the Agricultural Committee, is that the ravages of this blister have been greater in the New England States and on the Atlantic coast than elsewhere. I should like to inquire if there is not need for the appropriation of $150,000? Is the condition not one which should be taken care of in various portions of the country, rather than that the appropriation should be restricted to the West?

Mr. WARREN. The committee struck out the words making the appropriation applicable only to the West. I am uninformed as to how or why that provision was put in the bill, but that is the way it came to us. We have stricken it out, and made the appropriation applicable to the whole country. I am entirely willing, of course, to reduce appropriations provided the purpose of the appropriation may properly be carried out. It is simply a matter of the extent to which this disease is ravaging the white pine in various portions of the country. I would rather appropriate $500,000 than to have the forests destroyed.

Mr. SMITH. But it perplexes one who is not familiar with the situation when the appropriation is restricted to the West and a Senator from a State that would be one of the beneficiaries of the appropriation gets up here and says that they do not need this money in that section. Senators from other sections say they need it in their sections. I was wondering why it was restricted to the West, when doubtless there is need for it in other regions than the West. If they do not need it in the West—and those who drew this amendment seem to think that there is where this disease is—have we any evidence at all that this extra appropriation is needed in the East?

Mr. WARREN. There is no doubt about that. The disease came over from across the water some years ago, and no attention was paid to it in its infancy, but it has gotten a very large hold in New England.

Mr. JONES of Washington. Mr. President, if the Senator will permit me, I will read what was said on that subject in the hearings taken before the House committee.

Mr. WARREN. I was just about to refer to that; but I shall be glad if the Senator will read it.

Mr. JONES of Washington. Dr. Taylor, representing the Agricultural Department, says:

> This item, which is a deficiency item of $150,000, is made necessary by the discovery of the white-pine blister rust in the Pacific Northwest during the past autumn.

Apparently it was discovered out there just this last fall. I do not find that he mentions any State at all—as to where it is. He simply says "the Pacific Northwest."

He goes on then to describe the nature of the disease and the remedy. Apparently that is all that he says here.

> Mr. ANDERSON. And what you have just said refers entirely to the infestations in the Eastern States.
>
> Dr. TAYLOR. Yes, sir; from Minnesota eastward and chiefly east of Lake Michigan.
>
> Mr. ANDERSON. Where it is a problem of controlling the spread of the disease?
>
> Dr. TAYLOR. Where it is a question of a progressive, systematic clearing out of the currants and gooseberries and controlling the disease, for the disease is present in practically all of that area.

Apparently it started in the East, and it has gone out there. He says further:

> In September last the disease for the first time was discovered west of Minnesota and the corresponding portions of Canada. It was discovered in British Columbia near Puget Sound, in the vicinity, I believe, of the city of Vancouver. That immediately caused careful scouting in the Puget Sound territory of the State of Washington, and prior to the setting in of winter infection had been found in four localities in the State of Washington, all near Puget Sound, so that we have at once upon us the problem of protecting the 8,000,000 acres, approximately, of merchantable susceptible pine in the Cascade and Rocky Mountain areas, of which approximately one-third is in the national forests and is therefore Government property.
>
> Mr. ANDERSON. Is there now any infection in the national forests?
>
> Dr. TAYLOR. There is no infection in the national forests now. This map will show the locations of the known infections in British Columbia and in the State of Washington, which are close to the sound.

Apparently he had a map. I know nothing about it myself, Mr. President.

Mr. POINDEXTER. Mr. President, I just want to read in that connection a quotation from a report of the inspectors of the department of agriculture of the State of Washington:

> In reference to the white-pine blister rust, I investigated it at Mount Vernon and sent some of the leaves to Frank at Puyallup for identification of the disease. We had to dig them out of the ground in order to get samples. At the nursery we looked over their stock and could not find anything that would resemble the disease, but the nurseryman tells me that these men came up there—

Meaning the Federal inspectors—

> and took two trees away for identification, but said they could not find any traces on the trees that were left, but felt certain it was there. On the currants in the nursery they were not certain. Then these men came back and told Chenoiwith that they had decided it was the white-pine blister rust, and said that they wanted to take it to Portland to show it down there, but if I remember correctly I did not see nor hear any mention made of it.

I am informed from the same authority that they have investigated scientifically each one of these places reported by the agents sent out by the Department of Agriculture, and have been unable to find any trace whatever of white-pine blister rust there. It is only in the interest of economy that I call the attention of the Senate to this fact. Nobody can find any white-pine blister rust in our country. They said there was some on some small bushes in a park in Vancouver. If the Senate insists on appropriating this large amount of money, $150,000, for a part of the country where there is not any white-pine blister rust, I have performed my duty in calling attention to it.

Mr. FLETCHER. Mr. President, may I make a suggestion to the Senator? Possibly the reason why the House limits the appropriation to the West, or the Pacific coast, is that there is already an adequate appropriation for taking care of this disease in the East. This is a deficiency bill. Perhaps it carries an appropriation to take care of the disease in the West only because there is no appropriation for that, but there may be an appropriation for the East. I do not know as to that.

Mr. JONES of Washington. I think possibly that is true.

Mr. HALE. No; there is no appropriation for the East. They have had a shortage already, and our people are asking now for help. There are no appropriations that will take care of it.

Mr. WARREN. This is work that has to be done in the early part of the year; and in looking over the evidence I find, while I think the Senator from Washington undoubtedly is stating the case as it appears there, that this is one of the appropriations in which they have to have the cooperation of the States, and the money can not be expended for anything else; so I hope that the whole amount may stand as it is, at $150,000.

Mr. JONES of Washington. Mr. President, I want to read to my colleague another statement from Dr. Taylor. I assume, of course, that Dr. Taylor is an expert in this matter. I know nothing about it, but I do not think we ought to take any risk in the matter if there is any danger.

The first statement I read shows that they discovered this disease out in our State last fall. He says, further:

> The disease is difficult to determine on the pines except through repeated inspections, for this reason: That a pine tree when first infected does not show the infection the first year; there may be merely a single needle or two through which the disease gains entrance. The next year it creeps back into the twig, and if that twig is high, of

course, it does not show, and then, too, it may remain invisible to ordinary external inspection for three or four years after it is in the inner bark of the twig—

And so forth. Assuming that he knows what he is talking about as to the character of this disease, it seems to me that we ought not to take any chance in the matter. While we might save $150,000, yet, if he is correct, we might lose several million dollars' worth of property in our State, as well as in other sections of the Northwest. I rather think we would take a great deal of chance if we were to strike this out.

Mr. POINDEXTER. Mr. President, I want to call attention to a statement from the director of agriculture of the State of Washington. It is dated just a few weeks ago—February 14, 1922. He says:

Referring to the *campaign* for the purpose of raising $150,000 to make certain investigations in reference to pine blister rust—

Mind you, this is not to extinguish white pine blister rust known to exist, but it is to make certain investigations and find out whether or not it is there. Our people have already made the investigation, and say that it is not there.

Referring to the campaign for the purpose of raising $150,000 to make certain investigations in reference to pine blister rust, I find in Senate bill 2924, presented by Senator KEYES of New Hampshire, request for $150,000 for the West and $125,000 for the East. The Secretary of Agriculture has been induced to recommend the $150,000 for the West. I am not in any position to know the needs of the East. I will regret very much if the Secretary of Agriculture is imposed upon in this manner, as it will eventually reflect on the department when all the facts in the case are brought out. If this matter can not be killed entirely, try to see that not to exced $50,000 is spent.

I think you should have a confidential talk with the Secretary of Agriculture. I am positive of my grounds, as presented to you in a previous communication. The State of Washington will be calling on the Agriculture Department at Washington continually for assistance, and we can not afford to be placed in a false position.

I submit the matter upon that statement.

Mr. LODGE. Mr. President, if I may add a word to what I have already said, I am informed that in the State of Massachusetts we have white pine blister rust, and the State is now paying money to fight the disease; and I certainly hope that this appropriation will not be cut down.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was rejected.

Mr. WARREN. Mr. President, I have here a matter that no doubt is legislation. We have not offered it in the bill. It is a matter that came up very lately. The auditing and accounting department formerly with the Bureau of War Risk Insurance has all been turned over to the Comptroller General and his assistants for action. Under the law as it exists the settlements must be made and come into the General Accounting Office in a certain number of days, which they claim is much too short a time, and they want to have extended the time in which they have to audit these matters. I have here a letter from the Acting Director of the Veterans' Bureau. I am sending the amendment to the desk in order to ask unanimous consent for its consideration; but I ask first that this letter may be read before the amendment is offered.

The VICE PRESIDENT. In the absence of objection, the letter will be read.

The Assistant Secretary read as follows:

UNITED STATES VETERANS' BUREAU,
Washington, March 10, 1922.

Hon. FRANCIS E. WARREN,
Chairman Appropriations Committee,
United States Senate, Washington, D. C.

DEAR SENATOR WARREN: In accordance with the provisions of the act creating the United States Veterans' Bureau, the general work was physically decentralized into 14 territorial districts, which made necessary the appointment of special disbursing agents in each district. The present statutes provide that disbursing agents' accounts must be administratively examined and transmitted to the General Accounting Office within 20 days.

In view of the tremendous amount of detail involved in the examination of such large accounts as these special disbursing agents' accounts have proven to be, it is requested that a rider be attached to the second deficiency bill extending the time for such examination from 20 to 60 days, and the following wording is suggested:

"That the time for examination of monthly accounts covering expenditures from appropriations for the United States Veterans' Bureau by the special disbursing agents of the bureau, after the date of actual receipt and before transmitting the same to the General Accounting Office, as limited by section 12, act of July 31, 1894 (28 Stat., 205–211), be extended from 20 to 60 days."

* * * * * * *

Yours, very truly,

GEORGE E. IJAMS, *Acting Director.*

Mr. WARREN. I offer the amendment to which I have referred.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to add, at the proper place in the bill, the following:

That the time for examination of monthly accounts covering expenditures from appropriations for the United States Veterans' Bureau by the special disbursing agent of the bureau after the date of actual receipt and before transmitting the same to the General Accounting Office as limited by section 12, act of July 31, 1894 (28 Stat., 205–211), be extended from 20 to 60 days.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

Mr. UNDERWOOD. Mr. President, before the bill is disposed of, I desire to offer an amendment.

On page 50, after line 4, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 50, after line 4, it is proposed to insert:

The Secretary of the Treasury is authorized and directed to rent, under such terms and conditions and for such periods as he may prescribe, to the adjutant general of the State of Alabama the buildings and premises of the United States situated at the northeast corner of Second Avenue and Eighteenth Street North, in Birmingham, Ala., known as the old Government building, or such parts thereof as may be properly utilized by the Alabama National Guard and other military and patriotic organizations.

Mr. UNDERWOOD. Mr. President, I want to say that a bill of similar effect has been favorably reported and is on the calendar. The old post-office building in Birmingham is not being used now. The Government has moved into a new post office. This is not an advantageous time to sell the old building. The National Guard is made up of many of the boys who served oversea and came back to Alabama, and many of them went back into the National Guard regiments located there. They are anxious to use the building temporarily as an armory, and it can not hurt anything. There is no way to dispose of it.

I have a letter from the Assistant Secretary of the Treasury stating that they have no other use for this building now, or that they do not desire to use it for any other purpose. Until some future time when it may be desired by the Government to dispose of the building in some other way, I desire that these boys may have the opportunity to rent it—of course they will not be able to pay much rent; I do not pretend that they will—at a nominal rental, and use it for an armory and a place for gatherings during that time. It can not hurt anything. Of course I am satisfied that if this amendment becomes a law the Secretary of the Treasury will require them to give proper assurances that the property will be properly taken care of, and therefore I ask that the Senate agree to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Alabama.

The amendment was agreed to.

Mr. WARREN. Mr. President, let me ask the Senator, if he will look at his copy of the bill, whether the amendment had not better go in after line 24 on page 46, under the heading "Public buildings, operating expenses," and so forth, at the foot of the page?

Mr. UNDERWOOD. Probably it had. I put it under the War Department because I thought it was a National Guard item; but probably it would be better to have it go where the Senator suggests, and I ask that that be done.

The ASSISTANT SECRETARY. It is proposed to insert the amendment just agreed to on page 46, after line 24, as a separate paragraph.

The VICE PRESIDENT. In the absence of objection, it will be so ordered. If there be no further amendments to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REGULATION OF BANKING IN THE DISTRICT OF COLUMBIA.

Mr. BALL. I ask unanimous consent for the immediate consideration of Senate bill 3170, regulating corporations doing a banking business in the District of Columbia.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

Mr. NORRIS. Reserving the right to object, I should like to hear the bill read.

The VICE PRESIDENT. The bill will be read.

The Assistant Secretary read the bill, as follows:

Be it enacted, etc., That no corporation that is not now engaged in the business of banking in the District of Columbia shall, after the passage of this act, be permitted to enter upon said business in the said District until after it shall have secured the approval and consent of the Comptroller of the Currency; and each one of the officers of such corporation so offending shall be punished by a fine not exceeding $1,000 or imprisonment not exceeding one year, or by both fine and imprisonment, in the discretion of the court.

Mr. BALL. Mr. President, I can explain in a very few minutes the object of the bill. Not all of the banks incorporated under the laws of other States and doing business in the Dis-

trict of Columbia are under the control of the Comptroller of the Currency. The national banks, of course, are under the control of the Comptroller of the Currency; the trust companies are under the control of the commissioners; but the banks incorporated in other States really are under nobody's control. Just now there are, I think, 30 being organized here.

Mr. NORRIS. Mr. President, does the Senator state that the laws of the District are such that a corporation can be formed under the corporation laws of some State and come into the District and do a banking business here?

Mr. BALL. That is the law here.

Mr. NORRIS. The Senator seeks by this bill to change that?

Mr. BALL. Yes; and I am going to offer an amendment to the bill. We do not know how to bring the banks that are doing business now under this bill, but we want to prevent them from establishing other banks here, branch banks of those already doing business; and I shall offer an amendment for that purpose.

Mr. NORRIS. The Senator says, then, that there are those banking institutions now doing business in the District?

Mr. BALL. I can not say how many are doing business here now, but the commissioners wrote me a letter very strongly urging the passage of this bill.

Mr. OVERMAN. Would the bill put the State banks under the jurisdiction of the Comptroller of the Currency?

Mr. BALL. They are not under his control.

Mr. OVERMAN. What is the purpose of the bill?

Mr. BALL. It requires a 30-day notice before the Comptroller of the Currency will have any control over them whatever.

Mr. OVERMAN. He does not have any control over our State banks.

Mr. BALL. I ask that the Secretary may read the letter from the commissioners. The bill places all the banks under the Comptroller of the Currency except those which are doing business now. It does not place those under him.

Mr. NORRIS. Why not place them under him?

Mr. BALL. The commissioners did not think it possible to do that.

Mr. OVERMAN. It applies only to banks which are operating in the District?

Mr. BALL. Those which are to be organized.

Mr. OVERMAN. The jurisdiction of the comptroller does not reach out and take charge of a bank in a State which has a branch here?

Mr. BALL. I do no know about the branches, but banks organize here under the laws of the States, under their power of incorporation, and they do business here.

Mr. NORRIS. Are State banks examined by the examiners of the States from which they get their charter?

Mr. BALL. They are not.

Mr. NORRIS. As I understand it, then, a set of men can get together in the adjoining State of Maryland, let us say, and organize a bank to do business in the District of Columbia, and they will not be under the supervision or control of anybody.

Mr. BALL. That is right.

Mr. NORRIS. Certainly Congress will have authority to provide for the control of banking institutions in the District, even though they are already organized and doing business here.

Mr. BALL. Unless this bill is passed within the next few weeks there will be 30 of them doing business in the District of Columbia.

Mr. NORRIS. The Senator says there are some already doing business in the District of Columbia which will not be affected by the bill, and they will continue to do business in the District of Columbia without any examination, and without being responsible to anybody. That condition ought to be remedied. I did not know that such a condition exists here.

Mr. FLETCHER. All the banks doing business in the District of Columbia are under the control or supervision of the Comptroller of the Currency, are they not?

Mr. BALL. All national banks are, but all trust companies are under the control of the commissioners.

Mr. FLETCHER. And all savings banks are under the comptroller, too.

Mr. BALL. The banks which are organized under the laws of the States are really under the control of nobody.

Mr. FLETCHER. If they come here, they would be under the same control other banks are under, namely, the Comptroller of the Currency.

Mr. BALL. There is no control under which they are placed.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

Mr. REED. I do not object to immediate consideration, unless the Senator from Delaware intends to press the bill to passage this afternoon. I am unwilling that a bill which proposes to affect the banking situation in any serious way shall be taken up and passed without consideration and discussion.

Mr. BALL. The only effect this bill would have would be to prevent the further organization of any banks under the laws of the States to come here and do business without getting the consent of the Comptroller of the Currency to do business here. It would place them under the laws which govern in every State and govern all banks doing business here, except those organized under the laws of States and coming here to do business.

Mr. REED. How many of that kind are there here?

Mr. BALL. Not more than three or four. I do not know the exact number.

Mr. REED. How long have they been here?

Mr. BALL. I can not say.

Mr. REED. Has any harm come from it?

Mr. BALL. The commissioners say there is harm coming from it now.

Mr. REED. What commissioners?

Mr. BALL. The Commissioners of the District of Columbia.

Mr. REED. What do they know about the banking business?

Mr. BALL. They have control of the trust companies here. Under the laws of Congress they are authorized to control the trust companies.

Mr. JONES of Washington. I think the Senator from Missouri did not hear the statement made by the Senator from Delaware, who said a little while ago that there are about 30 of these banks being organized now to do business in the District. I do not know anything about it, but that is the statement he made.

Mr. BALL. I will ask the Secretary to read the letter from the commissioners, which clearly states the conditions.

Mr. CARAWAY. Before that is done may I ask the Senator a question? Under the proposed bill the Commissioners of the District of Columbia would be given the power to refuse to permit banks to be organized here?

Mr. BALL. No; the Comptroller of the Currency is in entire control. The commissioners will have no control except what they have now, namely, over trust companies. The statute provides that the commissioners shall control the organization of trust companies.

Mr. CARAWAY. Is this an effort upon the part of the present banks to shut out other banks? Is that the real purpose of the bill?

Mr. BALL. The bill does not shut out any bank, provided the Comptroller of the Currency is satisfied that it is organized to do a legitimate business.

Mr. CARAWAY. And that there is a need for it. The comptroller would have a right to decline to permit a bank to be organized, because he might say there was already a sufficient number here to meet the local demands.

Mr. BALL. It would give him the same authority that there is in the States, so far as the organization of banks is concerned. There is not a State in the Union where the banking system is not controlled by the State. In the District of Columbia there is no law which puts the control over the banks which get their charter from the States in the hands of anybody.

Mr. REED. I do not want the District of Columbia infested with a lot of wild-cat banking institutions any more than the Senator does, but I want a bill of this kind to have reasonable consideration. I am not going to object to taking it up at this time, in view of the Senator's statement, although I can not remain here myself.

Mr. BALL. Will not the Senator permit the Secretary to read the statement of the commissioner, which is brief but very clear?

Mr. REED. I said I would not object to taking up the bill.

Mr. BALL. I understand, but I think the Senator wants to act knowingly.

The VICE PRESIDENT. The Secretary will read the letter referred to.

The Assistant Secretary read as follows:

COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
EXECUTIVE OFFICE,
Washington, February 29, 1912.

HON. L. HEISLER BALL,
Chairman Committee on the District of Columbia,
United States Senate.

SIR: The Commissioners of the District of Columbia have the honor to submit the following on Senate bill 3170, Sixty-seventh Congress, second session, entitled "A bill regulating corporations doing a banking business in the District of Columbia," which you referred to them for report as to the merits of the bill and the propriety of its passage.

The commissioners believe that there is an imperative need for this proposed legislation. There are at the present time five banks being organized in the District of Columbia under State laws.

When Congress enacted the national bank law it deemed it wise to empower the Comptroller of the Currency, who is charged with the administration of the act, to inquire into the character and the ability of those who seek to use other people's money for the purpose of doing a national banking business, to ascertain whether business conditions in the community where the proposed bank is to be located render it reasonably certain that the corporation can secure a sufficient amount of

business to prevent the capital paid in from being impaired, to the loss of innocent stockholders, by expenses that exceed the profits, and to grant or refuse a charter in his discretion.

When the Congress, legislating for the District of Columbia, passed a law authorizing the formation of trust companies to engage in business in the District, it clothed the Commissioners of the District of Columbia with the same discretionary powers with respect to proposed trust companies in the District as it granted to the Comptroller of the Currency in respect to proposed national banks.

In all of the States that grant charters to corporations to do a banking business, powers similar to those exercised by the Comptroller of the Currency and the commissioners are conferred upon the State banking departments.

There is no banking law in the District of Columbia similar to the banking laws of the States, hence there is no official here who has the power to inquire into the organization of a proposed commercial State bank that seeks to do business in the District of Columbia and determine whether or not it shall be permitted to enter upon that business.

The absence of adequate legislation has resulted in 30 State-chartered institutions (in business and in the process of formation) coming into the District of Columbia. In addition to those State banks there are 15 national banks and 6 trust companies.

While the door through which additional national banks and trust companies may enter is guarded by responsible public officials who have the power to protect the investing and the banking public in its relations with such institutions, the door through which State-chartered banks may enter is open and unguarded, and there is no protection to the investing and banking public in its relations with such banks.

The purpose of the proposed law is not to narrow or restrict competition nor to prevent reliable and responsible persons possessing the requisite knowledge and skill from entering the field of banking in the District of Columbia in competition with existing institutions but to place the entire banking situation in the city of Washington more completely under the authority and control of a responsible public official who is clothed by law with the power to guard the interests of the investing and the banking public.

The commissioners recommend the speedy enactment of the bill and suggest that its provisions be embodied in the District of Columbia appropriation bill now pending before the Senate.

Very respectfully,

THE BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
By CUNO H. RUDOLPH, *President.*

There being no objection, the bill was considered as in Committee of the Whole.

Mr. BALL. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On line 6, after the word "District," the Senator from Delaware proposes to insert a comma and the words "or to establish branch banks in said district."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WASHINGTON CONFERENCE TREATIES.

Mr. RANSDELL. I ask unanimous consent to have inserted in the RECORD a telegram from Mr. Robert R. Stone, president of the Lake Charles Kiwanis Club, Lake Charles, La., urging me to support the treaties negotiated by the disarmament conference.

There being no objection, the telegram was ordered to lie on the table and to be printed in the RECORD, as follows:

LAKE CHARLES, LA., *March 9, 1922.*

United States Senator JOSEPH E. RANSDELL,
Washington, D. C.:

Our organization feels that the rejection on the part of the United States Senate of the treaties negotiated by disarmament conference would clog the wheels of progress toward a universal declaration that war is a crime and punishable as such. We respectfully ask your vote in favor of these treaties.

ROBERT R. STONE,
President Lake Charles Kiwanis Club.

THE MERCHANT MARINE.

Mr. RANSDELL. Mr. President, I also ask to have inserted in the RECORD, in 8-point type, a letter signed by former Senator George E. Chamberlain; Mr. Frederick I. Thompson, of Mobile, Ala.; and Admiral W. S. Benson in regard to the pending shipping bill.

I merely wish to call attention to this letter and express the hope that it will be read by all Senators and to state that these three gentlemen are Democrats, one of them being a lawyer on the Pacific coast, another a newspaper man from the coast of the Gulf of Mexico, and the third a very eminent ex-naval officer whose home is on the Atlantic coast. I ask that the letter be printed in the RECORD in 8-point type.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

MARCH 4, 1922.

Hon. JOSEPH E. RANSDELL,
United States Senate.

DEAR SIR: The message of the President and the bill introduced simultaneously by the chairman of the Senate Committee on Commerce and the chairman of the Marine and Fisheries Committee of the House, having reference to further measures considered essential to establish in full force and effect an American merchant marine, were based very largely upon an intimate study made by the United States Shipping Board after extended hearings, at which men of all shades of opinion on the subject and intimately familiar with shipping were present.

In considering the question, the attitude of political parties, past and present, was not given consideration by the board, and the Democratic members of the board were governed solely by the real questions involved—

1. The necessity for maintaining a merchant marine, developed from the immense fleet called into existence by the emergencies of war.

2. The necessary action to be taken to assure to the United States its former position and prestige on the high seas.

Aside from the economic necessity for the establishment of an adequate merchant marine under the American flag, deep consideration was given to that aspect embodied in the merchant marine act, 1920, providing for the merchant fleet to be a naval auxiliary in time of war. It is our opinion there can be no divergence of opinion as to the necessity for the full establishment of an American merchant marine; the only question upon which there could be divergence of opinion is whether aid, either direct or indirect, or both, should be granted to accomplish that purpose. It is our opinion that the establishment of an American merchant marine will be impossible without such aid as will equalize present differentials that exist in favor of foreign shipping, and our recommendation to the President contemplated direct aid only in the event the indirect aids first suggested were inadequate to properly develop and maintain an American merchant marine, the direct aid itself being nonexistent if the indirect aid sufficed, and further limited as to profit to the ship only up to an adequate return to the operator on his investment. This assures no profiteering and brings into being direct aid only when it becomes a final essential to maintain American-flag ships on the high seas.

We understand that there will be a joint hearing of the appropriate Senate and House committees on the bill in question, and we trust you will not deem it impertinent in us, the Democratic members of the United States Shipping Board, to suggest to you and the other Democratic members of the committees of the Senate and House to withhold a final judgment with respect to this legislation until after the hearings have been completed and full opportunity given to the members of the board to state the reasons guiding their action in unanimously recommending direct and indirect aid to American shipping, and so that the full details of the proposal submitted, which has taken many weeks of survey and consideration, shall have been placed, in all detail, clearly before you.

Respectfully and sincerely, yours,

GEO. E. CHAMBERLAIN.
FREDERICK I. THOMPSON.
W. S. BENSON.

RECESS.

Mr. LODGE. I move that the Senate in open executive session take a recess until 11 o'clock on Monday next.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate in open executive session took a recess until Monday, March 13, 1922, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 11, 1922.*

The House met at 12 o'clock noon and was called to order by Mr. WALSH as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

To the God of our fathers we lift our hearts in prayer. We yield to Thee the right of sovereignty and accept Thy law. Let it touch all the motives and emotions of the heart, and thus we shall know what things to value. Enlarge our charity and keep us free of all prejudice. Be Thou with our President and advance the interests of our whole country. O lead the races of men until all ignorance and superstition are overthrown and all peoples conspire for the growth of Christian liberty and for those ideals that make nations strong, free, and intelligent. Through Christ our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

REQUEST TO EXTEND REMARKS.

Mr. GARNER. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Texas rise?

Mr. GARNER. I ask unanimous consent to insert in the RECORD a report of the President's position on the bonus appearing in the Washington Post this morning.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to insert in the RECORD a report of the President's position on the bonus appearing in the Washington Post this morning. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I understood the gentleman to say he wanted to insert a report of the President's position on the bonus.

Mr. GARNER. What appears to be the President's position from a statement in the Washington Post this morning.

Mr. MONDELL. The gentleman is usually accurate. If he would say a report as to the President's position——

Mr. GARNER. I amend my language in that particular, Mr. Speaker.

The SPEAKER pro tempore. The gentleman modifies his request in the manner indicated—to insert a report as to the President's position. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

AGRICULTURAL APPROPRIATIONS.

Mr. ANDERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill (H. R. 10730).

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes, with Mr. HICKS in the chair.

The CHAIRMAN. When the committee rose yesterday nothing was pending. The Clerk will read.

The Clerk read as follows:

For investigations, experiments, and demonstrations for the welfare, improvement, and increase of the reindeer industry in Alaska, including the erection of necessary buildings and other structures and cooperation with the Bureau of Education, and for the enforcement of section 1956 of the Revised Statutes as amended so far as it relates to the protection of land fur-bearing animals in Alaska, including necessary investigations in connection therewith, $46,500.

Mr. SUTHERLAND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alaska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUTHERLAND: Page 48, line 18, strike out "$46,500" and insert in lieu thereof "$61,500."

Mr. SUTHERLAND. Mr. Chairman, the amendment seeks to substitute the original Budget estimate for the amount fixed by the Appropriations Committee.

Mr. HAUGEN. Mr. Chairman, I desire to reserve a point of order.

Mr. MANN. The amendment is not subject to a point of order.

Mr. HAUGEN. A point of order on the paragraph of the bill.

The CHAIRMAN. The Chair will say that, in his opinion, the reservation comes too late. The gentleman from Alaska had begun to discuss his amendment. The Chair will have to hold that the reservation was made too late.

Mr. HAUGEN. I simply desired to reserve a point of order for the purpose of asking a question as to the erection of these buildings which are referred to in the paragraph.

Mr. SUTHERLAND. Mr. Chairman, this $15,000 was asked for by the Biological Survey for the payment of salaries of game wardens in the Territory of Alaska. At present they have three regular salaried game wardens to cover a territory of 600,000 square miles, almost every square mile of which contains fur-bearing animals, and in which territory trappers operate. They do pay small amounts to individuals throughout the Territory to act in the capacity of game wardens, but the results of that system of appointing game wardens in that way are not at all satisfactory, and they hope to get this appropriation whereby they may appoint five permanent game wardens, and also pay their traveling expenses.

The Territory of Alaska produces several million dollars worth of furs each year. The fur animals over which the wardens would have supervision produce about a million dollars a year, the Seal Islands adding sometimes $1,000,000 and sometimes $2,000,000 or $3,000,000 a year.

I maintain that these wardens are necessary in this great territory where the animals should be preserved. At least, the methods of catching them should be restricted whereby men should be prevented from poisoning foxes in violation of law; and I maintain that a certain number of game wardens are necessary there. You have appropriated large sums for the protection of trees and plants, for the eradication of weevils, of moths, of corn borers, and of these various insects, but Alaska does not participate in those appropriations. You appropriate approximately half a million dollars for the destruction of predatory animals. Alaska has never participated in that appropriation, and yet we have many more predatory animals than you have in the States. In fact, I believe we have more wolves right in the Territory of Alaska than there are in all the rest of the United States—wolves that destroy thousands of deer annually. Yet we do not participate in that appropriation. I think it is fair and just, inasmuch as the Budget fixed that estimate, that Alaska should have this appropriation for the promotion of a system of protection of the fur-bearing animals in the Territory.

Mr. MANN. Will the gentleman yield for a question?

Mr. SUTHERLAND. I am glad to yield to the gentleman from Illinois.

Mr. MANN. How much of this appropriation is used in collaboration or cooperation with the Bureau of Education concerning the reindeer in Alaska?

Mr. SUTHERLAND. I do not know just to what extent they cooperate with the Bureau of Education. The work of the Biological Survey is to investigate the conditions under which the reindeer are propagated, and they investigate for parasites and anything that detracts from the development of that industry. The Bureau of Education, on the other hand, has charge of the natives, and the natives have the reindeer, so that incidentally the reindeer come under the charge of the Bureau of Education.

Mr. MANN. I just wondered whether any of it was used any more for this purpose.

Mr. ANDERSON. The sum of $31,000 of this appropriation is used for the promotion of the reindeer in Alaska, including investigations of range conditions, methods of breeding, and diseases which attack the animals, which greatly reduce the ability of the reindeer to withstand the climate.

Mr. MANN. Certainly the number is not being reduced. It may be that the disease affects them.

Mr. ANDERSON. The disease affects their ability to stand the climate and the amount of meat which each animal produces.

Mr. SNELL. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. SNELL. I understood the gentleman to speak about the seal fisheries—this appropriation has nothing to do with that.

Mr. SUTHERLAND. No. This amount of $15,000 is an independent appropriation, and they ask it for the protection of fur-bearing animals.

The CHAIRMAN. The time of the gentleman from Alaska has expired.

Mr. MANN. I ask unanimous consent that the gentleman from Alaska may have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Will the gentleman yield?

Mr. SUTHERLAND. Certainly.

Mr. MANN. The $31,000 is used in connection with the reindeer; that leaves about $15,000 for the protection of land fur-bearing animals, and the gentleman wants to increase that by $15,000 more.

Mr. SUTHERLAND. Yes; I do not think they use that much at present. Perhaps they do. There are only three permanent wardens, and then they allow a small amount for some officials to permit them to enforce the game laws. I do not think it has any effect or is a wise way of spending money.

Mr. MANN. What does the gentleman mean by not a wise way of expending money?

Mr. SUTHERLAND. I think the game wardens should be permanent; I think that should be their whole business.

Mr. MANN. They live by catching fur-bearing animals, do they not, in part?

Mr. SUTHERLAND. Their income is from catching the animals; yes.

Mr. MANN. What is the design of this appropriation? What is it to do?

Mr. SUTHERLAND. It is for the protection of game, to prevent the killing of game out of season, and to prevent the poisoning of fur-bearing animals. In a territory of that size,

where there are no officials to enforce the law, naturally men violate it.

Mr. MANN. Men violate the law where there are officers to enforce it. I suppose it is as hard to prevent a man from killing a fur-bearing animal in Alaska as it is to prevent a man getting a drink of whisky in the United States. I do not see how you could do much with $30,000, but perhaps it would help.

Mr. ANDERSON. Mr. Chairman, there is now being expended for the protection of fur-bearing animals in Alaska approximately $15,000. This amendment proposes to increase it by another $15,000. There are about 1,800 miles of coast line along the southern part of Alaska which I understand it is proposed to protect by this increased appropriation.

Mr. SUTHERLAND. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. SUTHERLAND. I do not understand from Dr. Nelson that is his purpose; he wants to appoint a game warden at central points, in the interior and on the coast.

Mr. ANDERSON. I was getting to that. It is proposed to do that by establishing game wardens at supposedly strategic points in Alaska at the expense of the Federal Government. The present plan is to appoint people already there to enforce the game laws incident to their vocation and pay them a small amount for that purpose. While I think there is something in this proposition, I do not think this is a proper time to increase this appropriation.

Mr. HAUGEN. What buildings are contemplated by this paragraph?

Mr. ANDERSON. None that I know of. This item has been carried in the bill in that way for a long time, but no buildings are contemplated.

Mr. HAUGEN. There is no fund desired for buildings?

Mr. ANDERSON. No; no estimate for buildings.

Mr. HAYDEN. Mr. Chairman, the State of Arizona is so far removed from Alaska that I hope no one will suspect that I have a particular interest in this appropriation. But Arizona, during a large part of my lifetime was a Territory, badly neglected by Congress because of the fact that it was represented here by a Delegate without a vote, and had no representation in the United States Senate. My sympathy therefore goes out to the Territory of Alaska, and I shall be glad to vote for the pending amendment.

There are in Alaska some 150,000 reindeer, and a part of this appropriation may be used by the Biological Survey for studying the diseases and parasites that are seriously affecting the reindeer herds. It is estimated that three or four million reindeer can be profitably grazed in that vast Territory.

This money will also be used to protect the fur-bearing animals of Alaska from which there is obtained each year over a million dollars' worth of furs. According to the hearings there are men in Alaska who go about spreading poison to kill animals and thus obtain the furs. This means a great and cruel waste, because many of the animals hide and when their bodies are found they are so decomposed that the fur is valueless. It seems to me that such a modest increase as is proposed might well be allowed, particularly so since it has the approval of the Budget Bureau.

The gentleman from Alaska seeks nothing more than the amount that was recommended by that bureau after a thorough investigation. If the Biological Survey can convince hard-headed business men such as Gen. Dawes and those appointed by him, then I believe that the increase should be allowed.

Mr. MANN. Will the gentleman yield?

Mr. HAYDEN. Certainly.

Mr. MANN. The gentleman has referred to the hard-headed business men; might this not be justified on the ground that it is for the benefit of the wives and daughters and ladies who wear furs?

Mr. HAYDEN. Undoubtedly the high price of furs is embarrassing not only to many ladies but also to some of their husbands who purchase them. Certainly if more furs are obtained, they should be cheaper, and in that way this work will undoubtedly be of general benefit. Alaska has been greatly neglected and as long as such neglect continues, by indifference here in Congress, we can expect to hear of the indiscriminate poisoning of fur-bearing animals and the destruction of other valuable resources simply because a sufficient force is not provided to enforce the game laws.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska.

The amendment was agreed to.

The Clerk read as follows:

For general administrative expenses connected with the above-mentioned lines of work, including cooperation with other Federal bureaus, departments, boards, and commissions, on request from them, $10,760.

Mr. FESS. Mr. Chairman, I move to strike out the last word, to make a statement in respect to a matter which was under discussion last evening. I refer to the action of the House in respect to the recommendations of the Director of the Budget and the reductions made in those estimates by the House. I made the statement that the committee is really the economy body. After the colloquy which occurred last evening I received information from the Committee on Appropriations, and I find that in the eight bills that have already passed the House the reduction made by the committee has been $65,000,000 below the recommendations of the Director of the Budget, a sharp contrast between the actual facts and what is generally thought to be the case in the mind of the public. I was also told that the report that is likely to come from the subcommittee on Military Affairs will be something like $87,000,000 below the recommendation of the Director of the Budget, and I have been informed by the chairman of the subcommittee on the Navy that the reduction on the naval bill will likely be something like $160,000,000 or $170,000,000 below the recommendation of the Director of the Budget. In view of the fact that the committee is trying to work economy here, I think these facts ought to be known to the public, so that the general criticism that we are overriding the recommendation of the Director of the Budget on outlay and running up expenses beyond what he recommends may be shown to be unjustified and the charge utterly untrue. Justice to the House, to the country, and to the Budget Director, it seems to me, demands that this statement be made. I want to go a little further into detail in respect to the matter, and therefore ask unanimous consent to extend my remarks in the RECORD.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield for a question?

Mr. FESS. Yes.

Mr. MOORE of Virginia. In the colloquy that took place yesterday I was not criticizing the Bureau of the Budget or the committee, but was calling attention to the fact that every one of the appropriation bills thus far has reduced the estimates presented to the Congress by the Director of the Budget. I was wondering why that is the case and was trying to call attention to the fact that the House is not permitted to know why it is the case. The committee uses the Bureau of the Budget, so to speak, as a sort of punching bag, by always reducing the estimates that are compiled by the bureau, and the point I wish to make is that the House does not know why.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. In one minute. It was confessed when we had the District of Columbia appropriation bill under consideration that not only the House does not know why, but that as to one feature of the matter it is improper to tell the House what the facts are. I was criticized for putting into the RECORD the estimates that were made by the Commissioners of the District and handed over to the Bureau of the Budget. That was knowledge that I thought would be helpful to the House. I also suggested that in the same line it would be helpful to the House to know from the Director of the Budget or from the subordinates of the director how the Bureau of the Budget reached its conclusions as to what appropriations should be made. That is not now known. Under the present plan all of the appropriation bills represent reductions as compared with the estimates of the bureau, and we are left in the dark as to the facts and reasons that controlled the bureau.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MOORE of Virginia. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for two minutes.

The CHAIRMAN. Is there objection?

Mr. ANDERSON. Reserving the right to object, I think that we ought to allow reasonable latitude of debate, but if we go into a discussion of the theory of the Budget and all of the matters incident to the Budget system, we shall not make very much progress on this bill. While I shall not object to this request, I hope gentleman will endeavor in the future to confine their remarks to the paragraph of the bill under consideration.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Virginia. I was about to make this additional observation: It seems to me that we have here a dilemma, in view of the action of the Committee on Appropriations. On the one hand, we must assume that the Bureau of the Budget is always mistaken, that it does not function as we hoped it would function when the bureau was created; or, on the other hand—and that is the other horn of the dilemma—we must assume that the Committee on Appropriations undercuts the needs and the necessities of the Government. It strikes me this is so ob-

vious that we should have some explanation of the processes that are employed.

Mr. FESS. Mr. Chairman, I do not care to enter into a contention with the gentleman from Virginia on the point that he has made. I do not have much sympathy with the statement, however, as I think the subcommittee has all the data necessary upon which it can base its conclusions, and, therefore, I think that our subcommittee deserves the recognition of its work in economy. What I called attention to was that this is the body of economy.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. MANN. Does the gentleman agree with the gentleman from Virginia that Congress ought to make itself merely a rubber stamp?

Mr. FESS. I certainly do not.

Mr. MANN. And let the Director of the Budget decide what the appropriations are and we do nothing?

Mr. FESS. I expressed myself upon that yesterday.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The matter referred to is as follows:

Mr. FESS. Mr. Speaker, the consideration of the annual appropriation for agriculture recalls the wonderful growth in this great industry. It is not only the basis of the country's prosperity because it provides the food supply, which is all-essential to any nation, but relatively speaking it is the industry that stands first in rank, not only in the values represented but in the numbers of our people engaged in it. The necessities of the recent war displayed the possibilities of production. We could, if our maximum ability were reached, come close to feeding the world.

The most prominent feature of modern agriculture is the progress it has made from an undesirable task where the farmer was commonly styled the "clodhopper" in more or less derision to the present position where he has become a factor in the leadership of a better citizenship. Once he was regarded as the mudsill in our social and political structure; now he is not only in the councils of the Nation but not infrequently in command.

For the past quarter century the agriculturist has witnessed a constant accumulation of conveniences and material advantages which conspire to make farm life most desirable. Improvements in machinery are reducing the element of drudgery so persistent in former years. The rewards are not confined to increased production, but extend to an independence rarely found in the centers of population. The emphasis is placed on scientific agriculture, which has filled our special institutions for agricultural research with hosts of the very best talent among our men and women. This fact is displayed both in increased results of the soil and in a most pronounced elevation of life on the farm. No longer can it be said that education compels abandonment of the farm for the city because no educated citizen wishes to train for the farm. To-day the college man and woman do not avoid the farm, but, on the other hand, modern agriculture encourages the best training for its pursuits. No longer is higher education in agriculture confined to the student in the college, but by Federal aid this learning is extended to the actual farm and farmer by an extension system by which the university goes to the people rather than invites only the few to the campus.

Perhaps no one feature of our modern education extension is more important than the movement of our farmers' institutes. In many sections its annual meetings are the most distinctive as well as important meetings of a community within the year. Every phase of the needs of the farm in all of its ramifications and specializations is brought to the community by the best minds connected with the industry, which is rapidly approaching the rank of the very highest of our industries.

It is not uncommon to find in many sections of the country the best and most highly trained and educated in the country rather than in the town or city, and consequently the highest appreciation of things worth while.

There has never been a time when the country did not supply its quota of leadership in matters of State and Nation. But more and more is it coming to be the nursery of leadership in all walks of life. This is largely due to the recent emphasis of general education so widely prominent throughout the country. The time was when the country was looked upon as the nursery of all sorts of wild-eyed and visionary theories. This was especially true in States purely agricultural.

Times of depression invariably brought forth the agrarian with his cure-all scheme for the ills of farm and city life. At such times are born the soft-money crazes, such as the greenback scheme, the populist campaign, the free-silver agitation, the non-partisan movements, all tinctured with the false and uneconomic fiat remedy for falling prices of commodities. With the constantly increasing level of general intelligence such schemes find no response and get but little beyond the mere announcement. This is especially noted since the Great War, when, due to the over-expansion of farm production to supply war's unlimited needs on the one hand, and the collapse of the buying power of a war-torn world bending under a debt almost as large as the wealth of many countries on the other, farm prices abruptly fell far below not only the cost of production but they fell far below the prewar price, and bankruptcy endangered many an agriculturist.

Yet the farmer, even under these conditions, listened to the agitator, the theorist, only to rebuke him and his cure-all ideas. He connected effect with cause, saw the condition, discovered the cause, and gave heed to the economic view, rejected the ready-made cure, and awaited such remedial action as could legitimately and safely be given. The present day is a comment upon this stability of mind. No combination of circumstances speaks so eloquently of the high order of thinking as displayed by the agricultural interests in their counsels as the attitude toward economic and fundamental principles shown by this leadership since the war. It displays again the guarantee of sound principle from this part of our citizenry, which is daily taking higher rank. It is true that no group of men gathered to take council on ways and means will show higher ability and sounder advice than such a conference that recently met in the Capital upon the call of the President to consider the agricultural situation due to the war. This conference held its sittings January 23 to 27, this year. The report of their proceedings, published as House Document No. 195, discloses the wide range of discussion and the comprehensive view of men interested in this great industry.

The Sixty-seventh Congress authorized in the early days of the special session the appointment of a special inquiry commission to investigate conditions and recommend such remedies as are found feasible. This commission has assembled a mass of valuable information to serve as data for future action. Its hearings, together with selective data, collected by a force of research men and women, supply the most important body of information yet assembled on the subject of agriculture from the legislative point of view.

The future of agriculture must be encouraging. It is basic, absolutely essential, and must inevitably be a barometer of general industrial conditions. When agriculture is prosperous the country is prosperous. This fact constantly and forcibly emphasizes the wisdom of caring for this industry. It is the basis of the effort to make the farm a desirable habitat and agriculture a profitable avocation. It is the reason for our concern to induce a substantial portion of the youth of the Nation or that part of it best adapted to prepare for and remain on the farm.

It explains why so much attention is given to insure the farmer a position of credit in the station which he occupies. Already this station, to-day in sharp contrast with yesterday, is his by choice rather than by compulsion. This fact is increasingly more apparent from day to day. The farmer is taking high rank in our time. This rank has been made possible by the Rural Mail Service, the daily newspaper, telephone, improved highways, and automobiles. In many country places the city conveniences are enjoyed through the application of electricity in the use of light and power. These features are merely in their infancy, as scientists assure us that within the next few years the greatest improvements will be made by application of electric power on the farm.

These features demand a better system of education. Already in many sections are to be found superior educational facilities in the country.

It is not overstating the fact to assert that the farm is rapidly becoming the more desirable habitation. It possesses many of the advantages of the city and few of its disadvantages. Few parents would prefer the city in which to educate the children if the country supplied equal facilities. While that stage is not yet reached, there is no obstacle against reaching it in due time.

From a financial point of view conditions are not yet as they should and will be in time. Production is reaching a scientific basis, but marketing the product is the problem. This involves better credit facilities, which await development. The farmer is too much at the mercy of seasonal control, where he who must sell is at the mercy of the buyer for the price paid. All of these features quite naturally call for more unity of action of the agriculturist. It invites if not commands organization, so that the industry can speak with greater emphasis.

This explains the recent term "bloc" influence on legislation. It is unfortunate that prejudice has been aroused in some parts of the country by the charge that farmers are dictating legislation as class and selfish as against the general interest. It is true that this Congress has enacted an unusual program looking to agricultural relief.

It began with the enactment of the emergency tariff law and the antidumping law. That was followed by the aid extension through the War Finance Corporation. That was followed by two amendments to extend credit in aid of agriculture. This legislation was followed by the packers' bill and the antigrain gambling bill. All these measures became law in the early part of the session. The farmers' cooperative marketing measure has been before Congress for two years. Nine months ago it was passed in the House, and recently passed in the Senate, and is now law. None of these measures were enacted under pressure save the unfortunate stress of a too-rapid liquidation of war prices. All of them except the cooperative marketing measure became law before the unfortunate publicity was given to what was styled "bloc" influence.

This word was first introduced when through collective action of a group of Senators the surtax rate of the tax law, which was fixed by the House at 32 per cent, was raised to 50 per cent. This rate is thought too high to induce capital to invest in productive industry, which greatly disappointed the industrial elements of the country and produced some prejudice against agriculture. It is argued that since agriculture must depend upon the other industries for its market it should be primarily interested in the upbuilding of industry. This is sound and will lead to the reduction of the rate as soon as it can be done. There is no doubt that the farmers will be back of any economic movement which is in the interest of all the people. That is the reason why the farming industry has been consistently back of the principle of protective tariff, in order to supply a market for his product, since the vast proportion of at least 90 per cent of it is sold in the home market.

There is now pending another very important piece of legislation which should have action. It is known as the truth in fabric bill. This proposed legislation is on the same basis as the pure-food laws. While there is some opposition on the ground that it furthers Government interference with business, that opposition is not conclusive.

There seems no legitimate reason why a purchaser should not know the character of the goods he is purchasing. While it might be somewhat prejudicial in instances to the seller, the right of the buyer to know what he is purchasing certainly is superior to any possible prejudice that might arise. There is a definite sentiment in the country favoring this piece of legislation, which should become a law in due time.

The future of agriculture is assured. The country is now, as it always has been, the location of the most stable and reliable citizen of our Nation. It is to him we must continue to look in the future as the bulwark against the issues and quack remedies so often heard in modern times. The open air of the farm is the best antidote for the ills of congestion of the centers of population.

The farmer knows his best interests lie in the direction of a growing and prosperous people. His prosperity depends upon the prosperity of the city, which in turn consumes his product and thereby supplies his market. The leadership of the best agricultural ability decries legislation that is not general. In other words, it does not demand class legislation. There is an element of danger in what we know as group control. While the Nation at large has been led to believe such pressure is now operating in legislation, the result will be, in the end, the same as in all groups, and especially among farmers, to back only such legislation as is for the general good.

Mr. MAGEE. Mr. Chairman, I have not said anything in reference to this bill yet, although I am a member of the subcommittee. I think the gentleman from Virginia is laboring under a misapprehension. As I view it, the Bureau of the Budget and the Committee on Appropriations are working in absolute harmony and in absolute cooperation. It is impossible, in my judgment, for the Director of the Budget to give the same care in respect to what amounts should be appropriated for certain purposes that can be given thereto by the different subcommittees of the Committee on Appropriations. I may be able to illustrate by a single instance exactly what I mean, and the gentleman can look up the records in verification thereof. I refer to the matter of the appropriation for printing and binding in the Treasury Department, where the director had submitted an estimate of $700,000.

When we had the hearings before the subcommittee the official who will have charge of expending the money appropriated appeared, and the hearings upon this particular item were fairly well extended. We tried to point out, and especially the distinguished chairman of the committee, where perhaps economies might be effected, and by the time we got through the official very frankly stated to the committee that he felt that he could get along with an appropriation of $500,000. So we put the item at $500,000 in the bill. My observation is that in this manner reasonable conclusions are reached by the committee in fixing the amounts of appropriations for specific purposes.

Mr. MOORE of Virginia. May I say one thing to my friend? I think he and the distinguished gentleman from Illinois [Mr. MANN] have both gotten away from the proposition that I have tried to present, and that is, that always, with hardly any exception, almost universally, the estimates made by the bureau are reduced. I can understand how you can discuss an isolated case like the one the gentleman has given, and thoroughly justify it, and the general practice of the committee may be correct. I was only pointing out the very interesting fact that reductions are always made.

Mr. MAGEE. As I understand, the inference to be drawn from the remarks of the gentleman from Virginia is that the Bureau of the Budget and the Committee on Appropriations do not work harmoniously together and in cooperation with each other. As I understand the fact, that is not the situation. We do work harmoniously together. I do not assume that Gen. Dawes would expect us to accept the items which he submits to the Committee on Appropriations and act, as suggested by the gentleman from Illinois, merely as rubber stamps. I want to say that the responsibility of making appropriations for governmental purposes rests upon the Members of the House. You can not escape that responsibility; you can not shift it to the shoulders of the Director of the Budget, or put it upon the members of the Committee on Appropriations. The Director of the Budget has done most commendable work. The members of the Committee on Appropriations do the best they can, but ultimately you must be the final arbiters in making all appropriations.

Mr. TOWNER. Mr. Chairman, I rise to oppose the pro forma amendment. Mr. Chairman, I think that the suggestion the gentleman from Virginia has made is perhaps, as it appears to me, a slight misconception of the duty of the Director of the Budget. The Budget is only a method of presenting the estimates of the administration. That is what it is in all countries that I know that have a budget system. The Budget system in the United States, as we have adopted it, is no different from that, except we adopt a different method. The estimates of the administration are reviewed by the Bureau of the Budget and then are presented to the Committee on Appropriations of the House for consideration. The Director of the Bureau of the Budget presents these to the various subcommittees of the House for consideration, just as before this system was adopted the estimates were made directly by the various heads of the departments to the President and by the President transmitted to the Congress. Now, as has been suggested, the fact that these congressional estimates are less than those that have been submitted so far by the Bureau of the Budget I do not think is an indication that there is any policy that brings this about. It only is a compliment to the persistent determination of the subcommittees of the Committee on Appropriations to reduce to the very last possibility of reduction the estimates that are submitted.

Mr. JONES of Texas. Will the gentleman yield?

Mr. TOWNER. Excuse me, but I want to call attention to one other matter. The illustration given by the gentleman from New York [Mr. MAGEE] is an illustration well in point. Of course the fact that the estimates made by the head of this bureau could have been reduced from $700,000 to $500,000 was not known by the Director of the Budget or he would have reduced the estimate in accordance with that. The fact is that the more investigation, the more discussion, the more these points are examined, the more these estimates are reexamined, the more these men are cross-examined when they come before the various committees results almost always in reduction. As suggested by the chairman of the Committee on Appropriations, these facts are sometimes shown by changes that have occurred in the prices of materials. The last hearing being before the Committee on Appropriations, they have before them more and later intelligence than was before the Director of the Budget.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. The system is working well, and I think it is a compliment to the Congress and to the Committee on Appropriations that so far these investigations have resulted in reductions.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that all debate upon the paragraph and all amendments thereto close in five minutes.

Mr. BLANTON. I want five minutes.

Mr. ANDERSON. At the end of 10 minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes. [After a pause.] The Chair hears none.

Mr. JONES of Texas. Mr. Chairman, I just want to submit an observation or two in reference to the propaganda and news items that have appeared, beginning some few months ago, soon after the director had taken charge of the Bureau of the Budget, to the effect—and it was generally published all over the country—that the only way to stop and hold in check the wasteful and extravagant tendency of the Congress was through the activity of the Director of the Budget. Publicity was given throughout the country in newspapers, and the idea became prevalent that the Congress was a wasteful and extravagant body, as compared with the departments. The director took occasion rather to foster that sentiment. Time after time he broke into the headlines with the suggestion that he was going to club Congress over the head and reduce the amount of appropriations and force Congress into line.

I am in thorough sympathy with these reductions. This is a time for economy. This is a time to cut all appropriations till they hurt, and to eliminate all useless ones.

With flaming language the director preached economy.

But, strange to say, in spite of his spectacular language, in spite of his expressions, Congress has found it necessary to cut down practically all the estimates of the Director of the Budget. I think it is up to the retiring Director of the Budget to make a statement to the public admitting that it is not so much in the Congress and the Members of Congress that the tendency to waste and extravagance evidences itself, but that it is in the departments, and that the publicity that was given, laying at the feet of the Congress the blame for all these things, is wrong. Of course, the Congress is not free from blame, but, bad as it has been, the departments and the Director of the Budget have been infinitely worse. An average of about 10 per cent has been taken off all the estimates of the Director of the Budget.

Mr. CLARKE of New York. Will the gentleman permit a question?

Mr. JONES of Texas. Yes.

Mr. CLARKE of New York. How did you vote on the propositions for distribution of seed?

Mr. JONES of Texas. I voted against any appropriation for the distribution of garden seeds, believing as I do that the money can be better spent for other purposes.

Mr. CLARKE of New York. I compliment the gentleman.

Mr. BLANTON. Mr. Chairman, I can not follow the gentleman from Virginia [Mr. MOORE], who criticizes the action reducing the Budget estimates. The very purpose of a budgetary commission is to find out what the resources of our Nation are, what its income is, in accordance with its taxes, and then say that we are able to expend just so much for each department. That was the intention of the Budget in the first place. The gentleman complains that the estimates are always reduced. They should be reduced. He said that the estimates are taken as a maximum and intimates that they should be taken as a minimum.

Mr. MOORE of Virginia. Will my friend yield?

Mr. BLANTON. In just a moment. If they were considered as a minimum, what is the use of a Budget? Then we would not have gotten anywhere at all. That is the condition we were in before we had a Budget.

Mr. MOORE of Virginia. Will the gentleman yield now?

Mr. BLANTON. I can not yield to the gentleman now, because he has already had 20 minutes on the subject.

Mr. MOORE of Virginia. Just one minute.

Mr. BLANTON. In a moment I will yield. The gentleman stated yesterday afternoon, and I challenged it then, that he thought that the estimates should be considered as a minimum, not as a maximum. Why, it should be the maximum. When the Director of the Budget comes to us and says, by reason of the income of this Nation, in accordance with the tax provisions that Congress has already provided for, you can go just so far in expending money for certain departments without disrupting the policy of the Nation, that is the maximum that the Congress ought to consider. And I commend any committee that reduces the budgetary estimates. They ought to be reduced. Every single one of them, if we can pare them down, ought to be reduced.

Now I yield to the gentleman from Virginia.

Mr. MOORE of Virginia. The gentleman is mistaken in saying that I complained of what the committee is doing.

Mr. BLANTON. Oh, no. The gentleman complained because estimates had been reduced.

Mr. MOORE of Virginia. No. The gentleman is mistaken in that. The gentleman is again mistaken in saying that I think the estimates of the bureau should be taken as a minimum.

Mr. BLANTON. I know that in the RECORD it does not show that, but that was what the gentleman intimated yesterday on the floor.

Mr. MOORE of Virginia. If I said minimum, it was said inadvertently. I refer to my colloquy with the gentleman from Wyoming [Mr. MONDELL].

Mr. BLANTON. The gentleman stated yesterday that it should be a minimum rather than a maximum. If the gentleman did not mean it, it is all right, but we ought not to let it stand here without a protest as a question of policy for the Congress to pursue, because if we accept it as anything but a maximum then we might as well wipe away the Director of the Budget and his whole proposition of saving money in the interest of the taxpayers.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DIVISION OF ACCOUNTS AND DISBURSEMENTS.

Salaries: Chief of division and disbursing clerk, $4,000; supervising auditor, $2,250; cashier and chief clerk, $2,250; deputy disbursing clerk, $2,000; accountant and bookkeeper, $2,000; clerks—2 of class 4, 6 of class 3, 8 of class 2, 13 of class 1, 2 at $1,000 each; messenger, $720; messenger boy, $600; in all, $55,820.

Mr. SEARS. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee a question. As I understand it, the citrus-canker appropriation has been cut out of this bill?

Mr. ANDERSON. No.

Mr. SEARS. It has been cut down?

Mr. ANDERSON. It has been cut down.

Mr. SEARS. In that connection I simply want to congratulate the committee. I was struck very forcibly by the remarks of my colleague, the gentleman from Illinois [Mr. MANN] yesterday, in which he stated the people of the country should do something for themselves and not look to Congress for paternalism or all of the assistance that was necessary to secure all relief, however necessary the same might be. Many of the Members now present will recall that citrus canker threatened the orange industry of my State, and that we came to Congress and asked relief, and my colleagues kindly gave to us that relief, but it was on the basis of the Government expending so much and the State meeting that expenditure dollar for dollar. At that time my colleagues from Florida and myself promised the Members of Congress that Florida would meet that appropriation. We have spent something like $500,000 or $600,000 of State funds to eradicate that dreadful disease which threatened the orange industry of the great State of Florida.

Millions of dollars of property were destroyed, because the only way to control citrus canker was by burning trees. There was no other method known, and there is no other method known to-day. Millions of trees were burned. Men who had orange groves one day had none the next, because the inspector would come along and destroy those trees. The owners of the groves received nothing from either the Government or the State, nor did they ask anything from the Government.

I simply wanted to make these few brief remarks to show my colleagues that the State kept the promise that her Representatives made when that fight was up, and that you, by coming to our assistance, have eradicated citrus canker from Florida. This disease was permitted to enter our State because of laxity of fruit-inspection laws, and in this particular due entirely to the fault of the Government, and not because of any fault on the part of our citizens. I trust that in the future the quarantine laws will be more rigidly enforced, but should we again be threatened with this or any other scourge, in view of the above, I am sure my colleagues will give us such assistance as they feel we are entitled to.

Mr. Chairman, permit me on behalf of my colleagues from Florida and the citizens of that great and growing State, to thank you for the prompt assistance and aid you gave us. I assure you it is appreciated more than I can express.

The Clerk read as follows:

DIVISION OF PUBLICATIONS.

Salaries: Chief of division, $3,500; chief editor, $3,000; 2 assistant editors, at $2,000 each; assistants in charge—1 of exhibits $3,000, 1 of information $3,000, 1 of motion-picture activities $3,000, 1 of addressing, duplicating, and mailing $2,400, 1 of indexing $2,000, 1 of distribution $2,500; chief cinematographer, $2,500; draftsman or photographer, $2,100; chief clerk, $2,000; assistant in exhibits, $2,000; assistant editors, 2 at $1,800 each; assistants—1 at $2,500; 3 at

$2,000 each; indexer or compiler, $1,800; artist and designer, $2,500; draftsmen or photographers—3 at $1,600 each, 2 at $1,500 each, 3 at $1,400 each, one $1,300, 10 at $1,200 each; assistant photographer, $900; lantern-slide colorist, $1,200; laboratory aid, $900; executive clerk, $2,000; clerks—5 of class 4, 4 of class 3, 13 of class 2, 21 of class 1, 20 at $1,100 each, 52 at $960 each; mechanical assistant, $1,980; machine operators—1 at $1,500, 4 at $1,400 each, 12 at $1,200 each, 7 at $1,100 each, 5 at $1,000 each; folders—one $1,200, 2 at $1,000 each; messengers or laborers—3 at $900 each, 10 at $840 each, 4 at $780 each, 12 at $720 each, 3 at $600 each; 8 skilled laborers at $1,100 each; messenger boys—7 at $720 each, 1 at $660, 6 at $600 each, 6 at $480 each; charwomen—3 at $480 each, 4 at $240 each; in all, $299,900.

Mr. SNELL. Mr. Chairman, I reserve a point of order on this paragraph.

The CHAIRMAN. The gentleman from New York reserves a point of order on the paragraph.

Mr. SNELL. Mr. Chairman, I notice that there is an increase here in statutory salaries of $45,000. There have been several small increases in the bill previous to this item, but this seems to be an especially large one. I appreciate the fact that the Bureau of Publications in the Department of Agriculture probably puts out the most valuable information of any of the publication bureaus here in Washington, but it seems to me that at this time, when we are trying to economize, we should not increase the cost of the publications even of that department to such an extent as I think you are now doing by additional statutory salaries carried in this paragraph.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Certainly.

Mr. ANDERSON. I do not want to quarrel with the very good speech that the gentleman is making for economy in this bill, but I would like to say that the $45,000 increase that appears now on the statutory roll occurs from transfers from various bureaus of the department. In each case the amount has been deducted from the appropriations, and this does not represent any increase.

Mr. SNELL. It represents no increase?

Mr. ANDERSON. None at all. They are transferred at the same salary.

Mr. SNELL. Then I am entirely satisfied. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

General expenses, Division of Publications: For miscellaneous objects of expenditure in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, as follows:

For labor-saving machinery and supplies, envelopes, stationery and materials, office furniture and fixtures, photographic equipment and materials, artists' tools and supplies, telephone and telegraph service, freight and express charges; purchase and maintenance of motor trucks; purchase and maintenance of bicycles; purchase of manuscripts; traveling expenses; electrotypes, illustrations, and other expenses not otherwise provided for, and including not to exceed $11,380 for extra labor and emergency employments in the District of Columbia, $57,930.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Iowa reserves a point of order on the paragraph.

Mr. HAUGEN. With particular reference to line 18, "Purchase and maintenance of motor trucks." It is subject to a point of order.

Mr. ANDERSON. I do not think it is subject to a point of order. It is the same language as was previously contained in a separate item.

Mr. HAUGEN. I refer to the act of June 30, 1914.

Mr. ANDERSON. That is entirely aside from the question of whether it is subject to a point of order. That is the same language that was carried the year before.

Mr. HAUGEN. Is it to be used in the District of Columbia or in the field?

Mr. ANDERSON. That applies to the District of Columbia.

Mr. HAUGEN. The act refers to motor vehicles necessary in the conduct of field work, and the act of July 16, 1914, the legislative, executive, and judicial appropriation act, carried this provision prohibiting the purchase of automobiles. What is the purpose of this paragraph?

Mr. ANDERSON. The total amount estimated here for the purchase and maintenance of automobiles and motor trucks and bicycles and harness is $2,000. You could not purchase and maintain very many automobiles on that amount.

Mr. HAUGEN. This is a small division in the department. The bill carries a provision elsewhere for the purchase of automobiles.

Mr. ANDERSON. This provision surely will not purchase and maintain many motor trucks.

Mr. HAUGEN. If we have thousands of them rusting and deteriorating not far away, it seems to me the department should use those owned by the Government.

Mr. ANDERSON. If the gentleman objects to the language "purchase" in there, I have no objection to its going out.

Mr. MANN. The current law carries this item four or five different times.

Mr. HAUGEN. The purchase is a violation of the law.

Mr. MANN. Oh, no; it is not in violation of the law.

Mr. HAUGEN. It would be a violation of the law unless specifically provided for.

Mr. MANN. That is where it is specifically provided.

Mr. HAUGEN. And this provision is subject to a point of order.

Mr. MANN. No. You consolidated these items in this one paragraph for the reason stated. I suppose it was thought desirable to put in the same amount for the consolidated articles. The law provided that you could not purchase automobiles unless Congress specifically authorized it. But this is a specific authorization in accordance with that law, and it has been frequently so held.

Mr. HAUGEN. Does the gentleman object to striking out the word "purchase"?

Mr. ANDERSON. I do not think it ought to go out. As the gentleman knows, there are forty-odd buildings in which the department's various bureaus and divisions are located.

Mr. MANN. This is the division that handles all the farmers' bulletins.

Mr. HAUGEN. Does the gentleman believe the Government ought to purchase automobiles if there are thousands of them available and unused?

Mr. MANN. If you can purchase any of them for $2,000, then you had better do it.

Mr. HAUGEN. Why should $2,000 be used for the purchase of an automobile under the circumstances?

Mr. MANN. I do not suppose they would, and I do not think they should.

Mr. HAUGEN. Then strike out the words authorizing their purchase.

Mr. MANN. There is no authorization in there to turn over motor trucks from the War Department. It has only been made in specific cases for the use of the department. But as long as we appropriate for the distribution of farmers' bulletins, I hope if you refuse to employ enough clerks to carry them to the post office you will not prevent them being taken there in motor trucks.

Mr. HAUGEN. They are now sent out by the Public Printer, and not by the Department of Agriculture. That law was changed some years ago. After all, there may be need of an automobile, but if thousands are available within 50 miles of Washington, I do not think this item should be carried in the bill. I reserved the point of order simply to get the information as to what amount would be used for this purpose, and whether the department intends to purchase automobiles.

Mr. ANDERSON. I think not, when the estimate of $2,000 is allotted for the purchase and maintenance of wagons, motor trucks, bicycles, horses, and harness altogether.

Mr. HAUGEN. The objection I raised was to the word "purchase." It seems to me, if a number of automobiles are available, it is bad policy to purchase automobiles.

Mr. ANDERSON. They can not get them without a specific authorization of law, and even if you give them a specific authorization of law you can not get them. The War Department will not turn them over. We have tried that half a dozen times.

Mr. HAUGEN. They have a lot of them.

Mr. ANDERSON. They may have them; but they will not turn them over.

Mr. HAUGEN. If the department calls for them—the Bureau of Roads have the automobiles on hand that can be used by the department.

Mr. ANDERSON. Which department?

Mr. HAUGEN. The Bureau of Public Roads has a number of them. The question is whether they will use the automobiles now available—the surplus automobiles owned by the War Department. If a number are rusting and going to ruin, it seems to me some use should be made of them.

The CHAIRMAN. Is the gentleman going to make the point of order?

Mr. BLANTON. I ask for the regular order.

The CHAIRMAN. The regular order is, Does the gentleman make his point of order?

Mr. HAUGEN. I withdraw the point of order, but I suggest that the gentleman strike out the word "purchase."

Mr. COOPER of Wisconsin. Mr. Chairman, I reserve a point of order.

Mr. BLANTON. Mr. Chairman, I ask for the regular order.

Mr. ANDERSON. I ask for the regular order. I do not think we ought to spend all day on the question whether we are going to leave the word "purchase" in this paragraph.

Mr. COOPER of Wisconsin. I make a motion to strike out the word "purchase."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Wisconsin: Page 50, line 18, strike out the word "purchase" where it occurs the first time.

Mr. COOPER of Wisconsin. Mr. Chairman, I regret that there is such haste this morning that we can not be permitted to learn as to the accuracy of the statement made by the chairman of the Committee on Agriculture, the gentleman from Iowa [Mr. HAUGEN]. The gentleman from Iowa has just said that the Government has upward of 20,000 automobiles or trucks within a few miles of Washington which are available for it to use. Is that so?

Mr. HAUGEN. I said it had within 45 miles—7 miles out of Baltimore.

Mr. COOPER of Wisconsin. I understood that to be the gentleman's statement.

Mr. HAUGEN. I do not know just how many there were. I was told that there were thousands of them.

Mr. COOPER of Wisconsin. Did the gentleman see them there?

Mr. HAUGEN. I saw them there.

Mr. COOPER of Wisconsin. And they belonged to the Government?

Mr. HAUGEN. They belonged to the Government; and they had been there for years.

Mr. COOPER of Wisconsin. Does the gentleman know of any reason why one of them could not be brought over here and put into service, or four or five of them, for that matter?

Mr. HAUGEN. I know of no reason whatever why that could not be done. I may say this, that two or three years ago, without any authorization of law, it was proposed to purchase an automobile for $3,200, and we had then about 100,000 of them standing around decaying, rusting, and going to waste.

Mr. COOPER of Wisconsin. That reminds me—perhaps it is not germane to this proposition—that there were 27,000 new automobiles sent to France by this Government after the armistice was signed.

Mr. McLAUGHLIN of Michigan. And they were sold for a song.

Mr. COOPER of Wisconsin. Sold for about 20 per cent of their value.

Mr. SNELL. Will the gentleman yield?

Mr. COOPER of Wisconsin. I want to proceed for a moment and then I will yield. Will the gentleman from Iowa [Mr. HAUGEN] please answer this question: If the Government has on hand within a few miles of Washington 20,000 or more automobiles which are available to be used by the Government, is there any necessity whatever for appropriating $2,000 to purchase a new autotruck?

Mr. HAUGEN. I do not know of any reason why we should do it. I would not say that there are 20,000 of them.

Mr. COOPER of Wisconsin. If there are 200.

Mr. HAUGEN. My understanding is that there are several thousand of them.

Mr. COOPER of Wisconsin. If there are any, we do not need to buy new ones until we have used up the ones we have on hand.

Mr. HAUGEN. I do not recall the figures, but I believe we had about 100,000 of them, and about 20,000 of them have been distributed throughout the country, through the Department of Agriculture.

Mr. COOPER of Wisconsin. Mr. Chairman, I will ask if it is too late to raise a point of order on the word "purchase" in the paragraph?

The CHAIRMAN. The Chair thinks so.

Mr. COOPER of Wisconsin. Then I move to strike out the words "purchase and," in line 18, on page 50.

The CHAIRMAN. The gentleman modifies his amendment by including the word "and." Is there objection to the modification of the amendment?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this is quite an interesting question. It may be that under existing law or the practice of the department the provision of this bill is necessary. Certainly the subcommittee reporting it have reason to believe so, or they would not have put the words in the bill. The gentleman from Iowa [Mr. HAUGEN] has said that the Government owns a very large number of automobiles and a very large number of motor trucks of different kinds; that no use is being made of them, and that they are not made available by bureaus or departments that might use them. That condition existed at the close of the war and it was necessary, or at least the Congress was asked, to make appropriations for the purchase of new machines of one kind and another. I am sure the gentleman from Iowa [Mr. HAUGEN] would not make the statement if it were not true, that the Government at the close of the war owned a large number of machines of one kind and another.

Mr. HAUGEN. Will the gentleman permit me?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. HAUGEN. The gentleman will recall that a requisition was made for an automobile to cost $3,200, and the Assistant Secretary of Agriculture called our attention to the fact that they had made a requisition and were about to purchase an automobile to cost $3,200 when they had nearly 100,000 of them on hand, and that action was contemplated to be taken without authority of law.

Mr. McLAUGHLIN of Michigan. The gentleman is right in part. About two years ago the Bureau of Entomology made a requsition for a motor truck to cost nearly $5,000. The Committee on Agriculture learned of it and asked information. Officials appeared before the committee and stated that it was true that the Bureau of Entomology proposed to buy a very expensive truck. They were asked why the bureau could not use one or more of the trucks that had been transferred by the War Department to the Department of Agriculture, and the answer was that these trucks had been transferred to the Bureau of Roads for road purposes, and although they were not being used at that time for that specific purpose, or for any purpose, they were not available and could not be made available for use by the Bureau of Entomology—that one bureau was not permitted under the practice of the department to use the property of another bureau. It developed further this interesting but disagreeable fact that Mr. Newton Baker, then Secretary of War, and having charge of all the machines, numbering, as the gentleman from Iowa says, many thousands of all kinds, when directed to turn these machines over to the Department of Agriculture for use by the Roads Bureau, turned many of them over stripped of everything above the wheels, taking off the dumping apparatus, taking off the tanks, because the Secretary of War said he was directed to turn over only the machines, and that he did not consider these appliances to be a part of the machines. He had conceived that the War Department had some use for the apparatus that he took off the trucks. The result was that he turned over a lot of trucks to the Bureau of Roads, some good, some bad, some indifferent, but many of them stripped of what would make them of value to the Bureau of Roads.

There were at that time thousands of automobiles and thousands of trucks of which no use was being made. But except for the provision of law which directed the Secretary of War to turn over the trucks for the use of the Bureau of Roads there was no law, as I understand it, authorizing the War Department to turn over these trucks for any use.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. The result was that they remained inactive, not being used, in the possession and under the control of the War Department, not available for use by any other department.

Now, in my judgment a law should be enacted providing for the transfer of automobiles, trucks, and other machines and supplies from a department or bureau which has them and does not need them to a department or bureau which does need them and can use them, a law in proper form, safeguarding the property in the interest of the Government, not depriving a department of property it needs; but we should not be up against this proposition that the Government of the United States owns in one department a lot of property with no way on earth by which the bureaus that need it can get it. The result will be as it was during and at the close of the war, that many items in a bill like this are carried for the purchase of these different kinds of property.

Mr. DOWELL. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. DOWELL. I want to ask if we strike out the word "purchase," as suggested by the gentleman from Wisconsin, it would get for this department any supplies from the War Department?

Mr. McLAUGHLIN of Michigan. I think not; under existing conditions it seems to me that the inclusion of the word "purchase" is necessary.

Mr. DOWELL. Does the gentleman think we need a mandatory amendment directing the War Department to turn them over?

Mr. McLAUGHLIN of Michigan. We can not put that in this bill.

Mr. DOWELL. If no point of order was raised against it the gentleman could offer it.

Mr. ANDERSON. We do not need it.

Mr. HAUGEN. Congress has authorized the Secretary of War to transfer this property to the Department of Agriculture.

Mr. McLAUGHLIN of Michigan. For roads.

Mr. HAUGEN. The gentleman will recall that the Chief of the Bureau of Roads came before the committee two years ago and said that he had the authority and would transfer it, and that the automobile was transferred.

Mr. McLAUGHLIN of Michigan. The gentleman is not quite right. The Chief of the Bureau of Roads and the solicitor of the department—at that time Mr. Williams—was with him, and both gentlemen said that the Bureau of Roads had at that time no authority to turn a machine or truck over to any other bureau, that there was no law for it, but they would try and find a way; they would smuggle it over to the Bureau of Entomology.

Mr. HAUGEN. I think the gentleman is mistaken about the smuggling part of it.

Mr. McLAUGHLIN of Michigan. Well, they had no real authority, and they would try and find a way to do it. I did not criticize them then nor do I criticize them now; in fact, I think that unfortunate condition of affairs does not exist now.

Mr. HAUGEN. I do not blame the chief of the bureau, but he admitted that it could be done, and I understand it was done.

Mr. McLAUGHLIN of Michigan. He admitted that it ought to be done, but at the same time he said he had no direct authority.

Mr. DOWELL. The transfer should be made by the War Department and not by the Bureau of Roads.

Mr. McLAUGHLIN of Michigan. When any department has a lot of stuff that it does not need for any purpose there ought to be authority to transfer it to a department that does need it.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. SMITH of Michigan. I have listened with a good deal of interest to what the gentleman said as to there being no way of getting trucks from the possession of the War Department for any other department. As I understand the law, the Director of the Budget, Mr. Dawes, has authority to declare them surplus and he has done so.

Mr. McLAUGHLIN of Michigan. The only action that Congress has taken was taken two years ago, an instruction to the Secretary of War to turn over trucks that his department did not need to the Bureau of Roads for use in the construction and maintenance of highways.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MANN. Mr. Chairman, all gentlemen understand that there is a recent order under which no department can purchase anything of this character or anything like it without submitting the request to the coordinating bureau under the Director of the Budget, and if another department has such an article which is surplus and which can be turned over, it will be turned over, and if not it will be purchased from that department.

Mr. DOWELL. Is that after it has been declared surplus, or must the department first declare that it is surplus?

Mr. MANN. The department has to determine whether it is surplus or not.

Mr. DOWELL. There is quite a wide distinction between a declaration of surplus by a department that has the material and some other department that has not.

Mr. MANN. The fact is that the Director of the Budget is requiring these departments to declare these things surplus under the statement that if they do not declare surplus those that are surplus he will go to the President about it.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. TINCHER. I merely wanted to suggest for the record that the incident that the gentleman from Michigan [Mr. McLAUGHLIN] has recited all occurred before this administration came in and before the passage of the Budget law. I refer to the transaction where they were going to purchase a $3,200 or a $5,000 automobile when there were automobiles available. That was before the enactment of the Budget law and under the old administration.

Mr. MANN. Oh, I think these all occurred at least two and possibly three years ago.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto be now closed.

The CHAIRMAN. Is there objection?

Mr. KETCHAM. Mr. Chairman, reserving the right to object, I would like to have an opportunity to ask the chairman of the subcommittee a question in respect to this paragraph before debate closes.

Mr. ANDERSON. Very well, I yield to the gentleman.

Mr. KETCHAM. I want to ask him with reference to the matter of printing which is involved. My recollection is that some time ago Congress passed a bill giving the Committee on Printing unusual powers of supervision, amounting in some cases almost to censorship. I rise for the purpose of asking whether or not the chairman has in mind any amendment to this or subsequent paragraphs in respect to that situation?

Mr. ANDERSON. This has nothing to do with that situation. I think it would be wiser to consider it under the general item for printing, which comes under another paragraph of the bill.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield to me for five minutes for the purpose of obtaining information?

Mr. ANDERSON. Certainly. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

Mr. COOPER of Wisconsin. Mr. Chairman, reserving the right to object, I shall want to ask the gentleman from Minnesota a question or two before the five minutes expires.

Mr. ANDERSON. If the gentleman from Minnesota has the time, he will be very glad to yield.

Mr. COOPER of Wisconsin. Then I object, unless I can have an opportunity to ask a question about this purchase of a needless automobile. I want to know some of the facts. I want to ask two questions of the gentleman from Minnesota.

The CHAIRMAN. Is there objection to the request?

Mr. COOPER of Wisconsin. I reserve the right to object, and shall object unless I have an agreement with the gentleman from Minnesota that he will answer two questions.

Mr. ANDERSON. Does the gentleman from Indiana desire to discuss the paragraph?

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. COOPER of Wisconsin. I object.

Mr. ANDERSON. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto close at the end of five minutes.

The motion was agreed to.

Mr. ANDERSON. I now yield to the gentleman from Indiana.

Mr. DUNBAR. Mr. Chairman, I have listened with a great deal of interest to the discussion relating to the surplus of automobiles in the hands of the various departments. I have been under the impression that there is no surplus. I want to commend the wisdom of the Members of the Democratic Party in sitting by here quietly and permitting dissention and recriminations to exist over on the Republican side of the House. I have heard this morning the various departments criticized for their extravagance and their inefficiency, and I can not believe that the extravagance and inefficiency exist to the extent that one would infer from hearing the acrimonious discussion that prevails among the Republican Members of this body. It seems that we have no unison of action or cooperation unless we are attacked by somebody on the Democratic side of the House, and then we get together and defend ourselves.

I want to know whether any department of this Government has a surplus of automobiles. Has anyone here an authoritative declaration to make that there is a surplus of automobiles? Is there a surplus of automobiles in the War Department?

Mr. ANDERSON. I do not know. All I know about it is that a year ago when I offered an amendment to the Army bill directing the Secretary of War——

Mr. DUNBAR. Oh, I mean to-day—I do not mean a year ago.

Mr. ANDERSON. I can not answer the gentleman's question.

Mr. DUNBAR. I want to say that it is not for Congress nor any Member of Congress to get up here and say that in any particular department we have a surplus of automobiles unless he can give his authority for the statement.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. ANDERSON. Mr. Chairman, I think I have the floor. I yielded to the gentleman from Indiana to ask a question.

Mr. DUNBAR. I want to say that I went down to the War Department. Indiana has had 700 automobiles loaned to it for the purpose of construction of its roads. I went down to see if I could get some more. I said there was a report prevailing there was a surplus of automobiles in that department and I was told that there was no surplus; that they had no automobiles except in such number as the exigencies of the department might at any time demand for the proper functioning of the War Department.

Mr. ANDERSON. If I may occupy my own time now, I want to answer the questions of the gentleman from Wisconsin.

Mr. DUNBAR. I thought the gentleman had yielded the five minutes to me.

Mr. ANDERSON. No; I could not do that.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the time be extended for five minutes.

The CHAIRMAN. A motion has just been agreed to to limit debate to five minutes.

Mr. HAUGEN. It can be extended by unanimous consent, and I ask unanimous consent that it be extended.

Mr. ANDERSON. Mr. Chairman, I object. I yield to the gentleman from Wisconsin to ask a question.

Mr. COOPER of Wisconsin. I would like to inquire of the chairman if it is the custom for the head of a department to transfer property to a bureau in another department or to the head of the other department? If these trucks were transferred, as they ought to have been, by the War Department to the head of the Agricultural Department, then the Secretary of Agriculture could use them in any bureau in his department.

Mr. ANDERSON. Congress was very careful, as I recollect, in directing the Secretary of War to transfer these trucks to the Department of Agriculture and to provide that they were transferred for road-building purposes, and that the intention of transferring them was to permit the Bureau of Public Roads to turn them over to the States for road-building purposes, and that has been done, and it is only by ignoring the law that the department was able to use any of them at all.

Mr. HAUGEN. Are they all used for road building?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. What about the number of automobiles they have in Washington? They are not used for road building.

Mr. ANDERSON. If they are not used for road building they were not automobiles turned over to the Department of Agriculture for road-building purposes.

Mr. HAUGEN. They were those turned over by the War Department.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of Agriculture to make suitable agricultural exhibits at State, interstate, and international fairs held within the United States, in cooperation with other departments of the Government; for the purchase of necessary supplies and equipment; for telephone and telegraph service, freight and express charges; for travel, and for every other expense necessary, including the employment of assistance and the payment of rent outside the city of Washington, $70,000.

Mr. STEVENSON. Mr. Chairman, I move to strike out the last word. This deals with the assistance the National Government is giving local State organizations. I want to call attention to one of these local organizations that is needing a little help, and that is the States that are trying to get a slight reduction or some consideration in reference to freight rates. On yesterday a dispatch went out from Atlanta that there were 3,500 bales of cotton, consisting of 40 cars, shipped from Atlanta direct to Europe. It states that the freight charges from Atlanta to Savannah, about 200 miles, were $16,000; that the freight from Savannah to Liverpool was $7,000. In other words, it cost more than twice as much to transport a cargo of cotton from Atlanta to Savannah, less than 200 miles, a few miles less, than it does to transport it from Savannah to Liverpool. I think there should be some notice taken of the fact—and remember this is entirely intrastate—that agriculture to-day is being absolutely strangled by the rates that have been forced upon the States over the protests of the State commissions by the Interstate Commerce Commission, and sustained by the United States Supreme Court. There is another thing that the farmers in our country are feeling the pinch of to-day. On the 18th of February I bought nitrate of soda for my farming operations this year at the rate of $48 a ton. Since that time the corporations have gotten together and they have gotten control of the supply of nitrates the Government owns—and the Government did sell it cheaper than the companies heretofore—and they are quoting nitrate to-day at the port for $65 a ton, and they say it is going on up. Now, there is a good deal of propaganda going on, and most of you have got some correspondence from the Philadelphia fertilizer corporation attacking the proposition that Mr. Ford be given opportunity for manufacturing nitrates and fertilizer from nitrates down at the Muscle Shoals plant. The very same fellows that have been behind it are the men who have to-day gotten control of all the nitrates of this country and have put it on the farmer just at this time, raising it from $48 to $65 a ton, and they say that if you do not buy now you will pay more in a few months, and——

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. BLAND of Indiana. I may be in error, but is it not true that Mr. Ford wanted to pledge himself to make fertilizer at this power plant?

Mr. STEVENSON. Yes; pledge himself not only to manufacture nitrates but to make fertilizer. I will say that is also true in regard to the other fertilizers. I have been buying what is known as 8-3-3 at $26 a ton, and it is now advanced to $31 a ton, and they say it may go to $36 a ton, and this is just at the very point when the men who use it have to have it.

REPORT OF BOARD OF VISITORS, WEST POINT.

Mr. MORIN. Mr. Chairman, I ask unanimous consent to print in the RECORD the report of the Board of Visitors of the House Committee on Military Affairs to West Point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

The report is as follows:

To the honorable the SECRETARY OF WAR.

SIR: Pursuant to an act of Congress approved May 28, 1908, as amended by an act approved August 9, 1912, providing for the appointment of the Board of Visitors to the United States Military Academy, the following members of the Committee on Military Affairs of the House of Representatives were designated by the chairman of that committee to visit West Point in May, 1921:

Representatives JOHN F. MILLER, of Washington; JOHN M. MORIN, of Pennsylvania; HARRY E. HULL, of Iowa; CHARLES C. KEARNS, of Ohio; RICHARD WAYNE PARKER, of New Jersey; PERCY E. QUIN, of Mississippi; and HUBERT F. FISHER, of Tennessee.

In accordance with the provisions of the above-mentioned acts, the board hereby submits the following report:

The board spent three days at the academy, during which time the following program was carried out:

PROGRAM BOARD OF VISITORS UNITED STATES MILITARY ACADEMY, MAY 19, 20, AND 21, 1921.

THURSDAY, MAY 19.

Review of Corps of Cadets immediately after arrival.
Luncheon at officers' mess with officers of garrison, 12.30 to 1.30.
Visit riding sections in riding hall, 1.50 to 2.20.
Visit drawing sections, 2.20 to 2.50.
Visit French and Spanish sections in East Academic Building, 2.55 to 3.30.
Inspection of mounted detachments, 3.30 to 4.10.
Inspect drill of Corps, 4.10 to 5.15.
Dine with superintendent at officers' mess, 6.30.
Motion pictures, 8.15.

FRIDAY, MAY 20.

Visit gymnasium and cadet room, 9.30 to 10.
Visit mathematics section, third class, 10.05 to 10.25.
Visit philosophy sections, 10.30 to 11.
Visit chemistry sections, 11 to 11.30.
Visit English and history sections, 11.35 to 12.15.
Dinner with cadets in mess hall, 12.25 to 1.
Visit to orderly rooms, cadet barracks, 1.05 to 1.50.
Organ recital at cadet chapel, 2 to 2.35.
Visit ordnance laboratories, 2.40 to 3.10.
Visit practical military engineering sections, 3.15 to 3.40.
Visit memorial hall and library, 3.40 to 4.
Inspect drills of corps, 4.10 to 5.15.
Dine with superintendent at superintendent's quarters, 7.
Band concert at superintendent's quarters, 8.45 to 10.45.

SATURDAY, MAY 21.

Visit present construction, including hospital, laundry, and power plant, 9.30 to 11.30.
Attend lecture to entire corps by Prof. David Todd (subject, "Astronomy"), 11.15 to 12.15.
Inspection of Corps of Cadets, 1.25.
Baseball game, Fordham University, 3.
Track meet, Tufts College, 3.
Tennis, Syracuse University, 3.
Lacrosse, New Lacrosse Club, 4.15.

The immediate mission of the Military Academy, which exists solely as a feeder for the Army, is to prepare officer personnel for the next possible future war. After an extensive investigation of conditions at West Point the board is of the opinion that the superintendent, the Academic Board, the officers on duty at the academy, and the Corps of Cadets are responding in a splendid spirit in carrying out this mission. For many years there has been an impression in Congress and throughout the country generally that there existed at West Point a system of hazing new cadets which manifested itself in the form of heaping upon them petty annoyances, discomforting situations, vexations, and, in some instances, treatment that was offensive and defenseless. In the past, Congress has taken cognizance of this fact by making special investigations, and superintendents have from time to time endeavored to break up these practices, but the customs of a century become deeply rooted and are not easily broken up. Congressional investigations and superintendents' orders failed to accomplish their purpose. It took a

World War to bring the Academy face to face with the situation and to create the conditions and environments necessary to bring about a real change and stamp out the practice of hazing.

For the first time in our history the country found itself in the World War as a Nation in arms. The Regular Army, so far as the commissioned personnel is concerned, was practically broken up as an organization, and Regular officers were assigned to duty throughout all parts of this Great War Army. This brought Regular officers into immediate contact with and, in many cases, in command of the citizen soldier. The experience of those contacts demonstrated that in meeting the requirements of such assignments an officer is required to have a very broad point of view, tact, and patience in rubbing elbows with men entirely unaccustomed to military discipline and to the peculiar conditions surrounding military life as well as to have a high sense of discipline and of duty and thorough professional training. Gen. McArthur had unusual opportunities during the war to observe these conditions, and he became impressed with the necessity of providing the means for meeting such requirements. Upon assuming the duties of Superintendent of the Military Academy in 1919, he conceived the idea of putting into the West Point training those things necessary to start the cadet along lines which would make it easy and natural for him as an officer to respond to the requirements of this new method of handling great citizen armies in time of war. While he thoroughly appreciated the primary importance of retaining in the West Point training those characteristics of rigid discipline, thoroughness, and high character building which had made West Point famous for more than a century of its life, he began an investigation and a study of conditions and methods which have resulted in modifying the cadet's training so that while it retains all of these essential characteristics it has lost most, perhaps all, of that harsh character which made it the subject of so much criticism before the World War. This has been accomplished by liberalizing the life of the cadet; by bringing him into more immediate and closer contact with the officers who are instructing and training him; by granting him a small money allowance; by granting him authority to receive packages as ordinary mail, without inspection; by granting him 6-hour leaves at week ends; by placing upon him a greater degree of military responsibility similar to that which he must assume as an officer of the Army; by bringing him, during the summer encampment, into association with the enlisted personnel of the Regular Army; by allowing each class to organize by electing a president and other class officers; by opening the First Classmen's Club; by establishing a departure book in each company orderly room, thereby doing away with a great mass of routine permits for privileges of dining on the post; and by introducing into the curriculum a system of supervised athletic training.

The academic course has been modified to accord with the best thought of the scholastic world and some changes have been made in methods of instruction. The old custom of giving a cadet extra instruction only when he asked for it has been developed into a system whereby the cadet whose standing falls below a certain mark is required to receive extra instruction not only in subjects in review but also on the advanced lesson for the following day. This system has the effect not only of giving the cadet additional instruction but also of teaching him how to study, and it has resulted in saving to the academy, and therefore to the Army, many cadets of adequate mental equipment who, under the old system, due to lack of preparation before entering the academy or to proper direction in studying after entering the academy, would have been found deficient and discharged from the academy. It is believed that the development of this system will result in saving to the Army every cadet who has the mental equipment necessary to master the course. A course in public speaking and debating has been introduced, and a number of lessons are given covering aerodynamics and the principles of internal-combustion engines. In order that the Military Academy might derive the maximum results from the instructors on duty at the academy there has been put into effect a practice of having each instructor spend the first year of his West Point detail at a civilian college or university where he can specialize in the particular subject in which he is going to instruct at West Point. This is an excellent policy and is highly commended. Instructors are impressed with the necessity of teaching the cadet rather than simply hearing the recitation. In order to develop a closer relationship and contact with the general progress of instruction, not only at civilian institutions of learning but also in the Army, the practice has been adopted of sending members of the academic board to visit civilian institutions and the general and special service schools in the Army. These visits are proving to be highly beneficial to the academy.

We wish to especially approve the introduction in the course of a new chair for the study of economics, including general outline fundamental principles of economics followed by study of industrial organization and combination and of the financial organization of society.

The method of rating a cadet for final determination of his class standing at graduation has been changed by adopting a rating scale whereby each cadet is given a standing based not only upon scholarship but on military bearing, neatness, and soldierly appearance; leadership and personality; efficiency at drills, military instruction, athletics, and extra curriculum activities. This rating is also used to determine the appointment of cadet officers and noncommissioned officers in the battalion organization.

One of the outstanding features of the new training at West Point is the system of supervised athletics. The course in physical training at the Military Academy has been extended and developed along sound and progressive lines. This development follows the teachings of the World War.

It is not sufficient that a young officer should be reared under the theory of "a sound mind in a sound body." The hardships of campaign, the necessity of actual physical leadership, and superior endurance on the part of all officers on the field of battle requires that our young officers should be trained to an ideal of athletic and physical leadership. Every officer an athlete is not only a fitting and proper ideal of our officers but is, in fact, an actual necessity.

The fact that one out of every three of the available youth of the country was rejected during the draft for the World War should give all our educational institutions and Congress itself cause for reflection. It is altogether fitting that the Military Academy, under the guidance of Congress, should take the lead in this matter and inaugurate a course in physical development which may well be taken as a model for other institutions.

The present course at West Point is based on and is in extension of an excellent system of military gymnastics which has been taught the entering classes for many years. During the allotted afternoon period military drill and intramural athletics now alternate for all classes. Every cadet is required to participate in all major sports under the supervision of officer instructors. Not only is good physique developed but the resulting competitions develop and promote the vital soldierly qualities of courage, command, decision, and leadership. The benefits to our young officers are profound and abiding.

The benefits to the service at large will prove far-reaching. Troops in poor physical condition are worthless. Young officers who have been prepared under this system of physical instruction will assume athletic leadership among the troops of their command, fully qualified to instruct the troops in all those various branches of sport and athletic activities which are so important in maintaining physical fitness and high morale. The effect upon the Army at large of an extensive system of competitive sports controlled by competent and well-prepared officers can not be overestimated. As such officers reach the service it is certain that their influence will be felt in a most beneficial manner.

Not the least of the advantages arising from this system of athletics is the mixture on athletic teams of upper classmen and first-year cadets, the so-called "plebes." It is difficult to haze the same lad that one also fosters as a team mate. The result is that the enlarged policy in athletics and physical training not only satisfies the vital requirements of a soldier's training but also offers a splendid counteraction to the vicious and un-American institution of hazing. In effect a new, buoyant, cheerful quality is wrought in the cloistered life of the cadet.

The board heartily approves of the development of the course in physical training. Indeed, it feels that the question of conducting a model course in physical training and athletics at this great military school is so vital and so closely allied to the broad question of the betterment of the physical qualifications of the youth of the Nation that it recommends the establishment at the Military Academy of a separate department of physical training. Physical qualities determine the destiny of the intellect. In military life physical leadership is a necessary ideal. It is more than self-evident that if separate branches of intellectual activity require separate departments, this fundamental and basic branch of training requires a department of its own.

It is the belief of the board that this new department of physical training should be established at the academy coordinate with the academic departments and that at the head of it should be a director of athletics appointed in the same manner and with the same standing on the academic board as the professors of the academic departments.

The board is greatly impressed with and approves the spirit of popularizing this great national institution, and the board is strongly of the opinion that nothing should be done by Congress, the War Department, or the Military Academy itself which would be in the nature of a backward step in this matter. West Point is situated in a more or less isolated spot in the fastnesses of the legendary highlands of the Hudson. This isolation, together with the essentially Spartan character of the school itself, has a tendency to prevent the people of the country from becoming well acquainted with the academy. The history of the academy, the great achievements of its graduates, and the influence it has had on the life of our country, mark it as a priceless institution of our Government.

In 1860 Gen. Winfield Scott said:

"I give it as my fixed opinion that but for our graduated cadets the war between the United States and Mexico might, and probably would, have lasted some four or five years with, in its first half, more defeats than victories falling to our share; whereas, in less than two campaigns, we conquered a great country and a peace without the loss of a single battle or skirmish."

In 1899 Elihu Root said:

"The foregoing considerations naturally bring to mind the Military Academy at West Point. I believe that the great service which it has rendered the country was never more conspicuous than it has been during the past two years. The faithful and efficient service of its graduates since the declaration of the War with Spain have more than repaid the cost of the institution since its foundation. They have been too few in number and most heavily burdened."

In 1902 Theodore Roosevelt said:

"This institution has completed its first hundred years of life. During that century no other educational institution in the land has contributed so many names as West Point has contributed to the honor roll of the Nation's greatest citizens."

It is the opinion of the board that the people of the country have known too little of this institution in the past and it is our belief that the efforts now being made to bring the academy into closer touch with the people of the country and to inform the people of its purpose and its method is a step in the right direction that has been too long delayed. Sending the Corps of Cadets away from West Point for the summer encampment and to New York and New Haven to the football games are most important factors in bringing the academy nearer to the people. The board is of the opinion that not only should the cadets as individuals be allowed to mingle very freely with the people by the extension of leave privileges, but that the corps as a body should be sent from time to time to the Middle West and even to the Pacific coast for the summer encampment or to attend athletic contests. In all this the board is mindful of the fact that there must be nothing done at West Point itself or elsewhere which will in any manner tend to lower the standards of discipline, thorough training, and character building which have characterized the institution during all of its life and which are primarily responsible for the great accomplishments of its graduates.

Under the theory of national defense which has been followed by this country during all of its history, and which is definitely laid down in law in the act of June 4, 1920, namely, that the defense of the Nation must rest upon the shoulders of the citizen soldier, it is tremendously important to maintain, in time of peace, a highly trained professional commissioned personnel in the Regular Army as a nucleus about which the great mass of citizens can and must form in time of war. This group of professional officers must be not only of the highest professional attainments but of the highest character and with the highest ideals of duty and of service, and it is the opinion of the board that not less than 50 per cent of them should be recruited from this great democratic school at West Point. In order to do this the present strength of the academy should under no circumstances be reduced. In fact, it is the opinion of the board that the present authorized strength of the Military Academy is inadequate unless some provision is made whereby the actual strength can be made equal to the authorized strength. The bill to accomplish this purpose which passed the Senate during the last session of Congress, but which failed of passage in the House, should be speedily enacted into law.

The board is greatly impressed with the democracy of the Corps of Cadets. This fact is strongly impressed upon every visitor to the academy. Gathering its students from every congressional district in the United States, and from every walk of life, assembling them together under the same roof, requiring them to wear the same clothes

eat the same food, pass through the same course of study, get up and go to bed at the same hours, receive the same pay, and start always without handicap in the same competition, this great democratic school finds that friends, even roommates, remain throughout the four years ignorant of each other's social and financial status in the outside world. At West Point every boy starts from the same mark, standing on his own two feet, with the same opportunity as every other boy to win his place, and whether he wins or loses depends upon his own efforts, his own industry, and his own ability, and not on his status or that of his family or friends outside the institution.

The housing accommodations for both officers and cadets at the Military Academy are entirely inadequate to the requirements of the institution. A building program has been worked out after many years of careful study and the most painstaking investigation of the requirements of the institution, and it is the opinion of the board that the practical benefits to be derived by the Government of the United States from completing this program and thereby providing the necessary housing accommodations for the personnel at the academy are so much greater than the amount of money involved that it is poor policy on the part of Congress to delay the completion of this program any longer. It is urgently recommended that appropriations be made at once sufficient for the construction of the south barracks where the mess hall now stands and for the construction of a new cadet mess hall on the site of the old gymnasium. Present messing facilities for the cadets are wholly inadequate. The present mess hall has been in service more than 50 years. It is old and is falling into decay and is not well adapted to its present use. The completion of the new mess hall and the new barracks will add materially to the safety, comfort, and convenience of the Corps of Cadets. At the present time about 40 officers on duty at the academy and their families are living in rented quarters off the military reservation, some of them many miles from West Point. Many of the officers on the post are quartered in buildings not only inadequate in size but without any modern conveniences. The construction of a sufficient number of reasonable family quarters for the officer personnel on duty at the academy is urgently recommended, and an appropriation for this purpose should be made without delay.

The mechanical laboratory is installed in a building that was built in 1837. This building is dark and illy adapted for its use. In it is stored much valuable machinery salvaged from the World War. It should be replaced by a modern building, suitable in size and construction, where the highly important work which must be done here can be carried on satisfactorily.

A great deal has been said in the past regarding hotel accommodations at West Point. This subject has been frequently discussed on the floor of the House of Representatives. The total inadequacy of hotel accommodations can be properly appreciated only by a visit to West Point and enforced entertainment at the present hotel. The building which is now used as the hotel was constructed so many years ago that the exact date has been forgotten. It was originally built for use as a warehouse; later it was rearranged, remodeled, worked over, added to, propped up, patched, papered, and painted as succeeding generations came and passed on. It was first made habitable for the purpose of entertaining Gen. Lafayette. It is of composite construction—stone, brick, and wood. It is out of repair; it is a tottering and ramshackle building. In its silence, gloom, and decay it is strangely out of harmony with its surroundings, except that it is in keeping with its friendly neighbors on Trophy Point, where are preserved some of the relics of the early wars of the Republic. It is located on the banks of the Hudson River, commanding one of the most magnificent views in America. It should be torn down at once and a decent, modern hotel should be built in its place. This subject has been so thoroughly discussed that action should be taken by Congress without delay, the necessary appropriation made, and the hotel built.

In concluding this report, the board desires to emphasize its strong approval of the splendid service that Gen. MacArthur and the officers associated with him are rendering to the country by constructing a new West Point founded on the lessons and experience and the sacrifices of the World War and in the spirit of old West Point.

Very respectfully,

JOHN F. MILLER, *of Washington.*
JOHN M. MORIN, *of Pennsylvania.*
HARRY E. HULL, *of Iowa.*
CHARLES C. KEARNS, *of Ohio.*
RICHARD WAYNE PARKER, *of New Jersey.*
PERCY E. QUIN, *of Mississippi.*
HUBERT F. FISHER, *of Tennessee.*

AGRICULTURAL APPROPRIATIONS.

Mr. JOHNSON of Mississippi. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, it is not my purpose at this time to go into a full discussion of the railroad-rate question. I hope to have the opportunity for discussing the railroad-rate question thoroughly when the hearings now being held before the Interstate and Foreign Commerce Committee, of which I am a member, are concluded.

More than a year ago the railroad companies issued a statement in which they said there would be a sweeping reduction in rates throughout the country within a short time; that business was reviving, and it would not be long until industry would be stabilized throughout the entire country. They urged the people to be patient and indulgent with the railroads.

Last summer the President of the United States visited the Interstate Commerce Commission, and upon his return to the White House posed for photographers, and with the picture was published a statement that a sweeping reduction would be made in railroad rates throughout the United States, that business generally would be revived, and that we were at the dawning of a new era of prosperity. The big newspapers throughout the country carried in bold headlines news of the actions of the President. The people were led to believe that there was an honest effort and intention on the part of the Interstate Commerce Commission to reduce freight rates.

Grain men and live-stock dealers, lumbermen, and business men generally of the South and West have appeared in large numbers before the Interstate Commerce Commission pleading for a reduction in freight rates, at which time they showed the commission that there was almost a general paralysis of business on account of the excessive freight rates. The Interstate Commerce Commission listened attentively, but has given very little relief to their petitioners.

Recently the railroad commissions and public utilities commissions of practically every State in the Union have protested against the action of the Interstate Commerce Commission, which under the provisions of the transportation act has not only prescribed the rates to be charged in interstate commerce but has actually deprived the States of the right to regulate intrastate commerce, although intrastate rates were just and reasonable and were nondiscriminatory.

The State railroad commissions contested the authority of the Interstate Commerce Commission. That contest finally found its way into the Supreme Court of the United States. I refer to the Wisconsin Rate case recently decided by the United States Supreme Court. That court upheld the provisions of the transportation act which give to the Interstate Commerce Commission the power to fix the rates so the railroads could earn a fair return on the value of the property, and among other things upheld the contentions of the Interstate Commerce Commission.

The railroad companies deny the authority of the State public utilities commissions to exercise any control whatever over rate making in intrastate commerce, and have even gone so far as to have the Federal court of the State of Illinois enjoin the railroad commission from exercising any authority over rate making, which injunction is to-day in full force and effect. The same conditions exist in several other States.

The only relief for the people of the United States lies with the Congress. If Congress will not grant this relief, the people must continue to bear these unjust burdens.

The charge that the railroad companies are losing money all the time is an infamous falsehood, made for the purpose of deceiving the public and creating a sentiment in favor of the railroads that they may continue to rob the people.

To prove my statement and to show that the railroad companies are not honest and have no intention of dealing fairly and justly with the Government, I direct your attention to the provisions of the transportation act which requires all railroad companies earning more than 6 per cent on the value of their property used in transportation from September 1, 1920, to turn half of the excess so earned over to the United States Government for the support of the weaker railroads. Many of the railroads are shown to have earned many times the 6 per cent, as shown by reports of the Interstate Commerce Commission.

The railroads earning the amounts more than 6 per cent have been ordered by the Interstate Commerce Commission to turn 50 per cent of the excess over to the Government in compliance with the provisions of the transportation act for the support of the weaker roads, but that order has been ignored by the railroad companies, and they have retained all the money up to this time and have no intention of turning any part of it over to the Government.

The Interstate Commerce Commission objects to the repeal of section 15a of the transportation act. In fact the commission is opposed to the repeal of any of the provisions of the transportation act, and so we can hope for no relief from the Interstate Commerce Commission.

Now, listen, gentlemen, this is the Interstate Commerce Commission, our servants, supposed to be the servants of the people, and it objects to the repeal of section 15a of the transportation act. They have submitted a report on a bill introduced by myself and referred to the Committee on Interstate and Foreign Commerce. The Interstate Commerce Commission has protested the repeal of that section. And so, I say, if there is any relief for the people of this country it must come from Congress, because the Interstate Commerce Commission is not going to do anything in that respect.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Mississippi. Mr. Chairman, in view of the fact that I have not spoken this afternoon I ask unanimous consent to proceed for five additional minutes.

Mr. MANN. Mr. Chairman, reserving the right to object, and I shall not object, but if there are any more propositions out of order this afternoon I am going to object and make the point of order.

The CHAIRMAN. The Chair hears no objection.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield to me?

Mr. JOHNSON of Mississippi. I will.

Mr. McLAUGHLIN of Michigan. Do I understand that when the gentleman introduced the bill he sent it to the Interstate Commerce Commission and asked for its opinion on it?

Mr. JOHNSON of Mississippi. Yes, sir.

Mr. McLAUGHLIN of Michigan. Now the gentleman objects to the Interstate Commerce Commission expressing an opinion unfavorable to his bill. How can the gentleman consistently object to their expressing an opinion when they were asked to do so?

Mr. JOHNSON of Mississippi. The bill was referred to the Committee on Interstate and Foreign Commerce. The chairman of that committee referred it to the Interstate Commerce Commission for report. That commission reported adversely on the bill, and took the side of the railroads as against the people. That is the answer to the gentleman's question.

Mr. TAYLOR of Tennessee. To what section of the bill do you refer?

Mr. JOHNSON of Mississippi. In that particular case, to section 15a. But I am in favor of repealing paragraphs 3 and 4 of section 13 and section 15a.

The railroad companies have a great organization opposing the repeal of section 15a, or in fact any other part of the transportation act. They are causing propaganda to be sent to the Congressmen, and every influence is at work that can be brought to bear by them.

Let me read you a few letters that have been sent out by the Railway Business Association, which is composed of men who own stocks and bonds in the railroad companies and who are engaged in the manufacture of railway materials and equipment, and who are contractors in railway construction and dealers in miscellaneous railway supplies. These people can, under the provisions of the transportation act, sell to the railroad companies, which is nothing more than selling to themselves, materials at any price they care to charge and make just as big profits as their conscience will permit, if they have any conscience.

Under the provisions of the transportation act the Government guarantees to the railroad companies a fair return, which will no doubt be fixed by the Interstate Commerce Commission at 6 per cent on the value of their investment, and there is no restriction put on the amount they shall pay for materials, construction work, or anything else. They can waste and steal as much as they like, yet the United States guarantees this return on their investment. No accounting to the Government is required of the amount paid for materials, construction, supplies, or anything else. They can pay their officers any salaries they care to, and yet the Government guarantees a fair return on the investment.

No wonder the railroad companies are opposed to repealing this law. No wonder they are lobbying against it. Listen to these letters:

RAILWAY BUSINESS ASSOCIATION,
Philadelphia.

I inclose a copy of a letter which is going to Railway Business Association members asking their cooperation in efforts to preserve from threatened repeal the rule of railway rate making in the transportation act and the provisions asserting Federal control over State rates.

You are particularly well situated to cooperate in this effort, if you agree with us, because your company maintains a membership in the National Industrial Traffic League. Before addressing you we have discussed with some of the officers of the league the propriety of sending you this letter and the view was expressed no objection could be made to our placing the views of the association before you.

Can you help us? If you do not at present see your way clear to do so, may we present the matter to you at your convenience?

Yours, truly,

ALBA B. JOHNSON, *President.*

The letter inclosed follows:

MEMBERS: We have dropped everything else to concentrate all available influence upon defeat of the threatened repeal of (1) the adequate income clause in the transportation act, and (2) the Federal jurisdiction over intrastate rates which is essential to administration of the adequate-income clause. To pass this repeal would restore the chaotic irresponsibility and short-sightedness in rate regulation which stopped railway growth and broke the railways down. It would protract and aggravate indefinitely the famine in railroad orders and portend disastrous car shortage and freight congestion when traffic becomes heavy.

Not alone to defeat the railroad funding bill but to accomplish the two repeals above specified, possibly as a rider on the funding bill, such strength has developed in the Senate that a careful check-up fails to disclose a clear and pledged majority opposed to the movement, and similar sentiment is reported to pervade the House.

The repealer is the Capper bill (S. 1150). The Senate committee has heard advocates. The Association of Railway Executives witnesses began yesterday in opposition. There is widespread business and agricultural pressure in favor of the bill or something similar.

The situation calls for effort as great and harder to mobilize than that which our association, with others, put forth in 1920 to enact the provisions now menaced. To fail is to lose the best of what we labored 10 years to attain.

We urge upon Congress:

FUNDING BILL.

1. Prompt and separate passage of the Winslow-Townsend bill (H. R. 2337) to enable President Harding, without appropriation by Congress, to fund, as already authorized by law, sums due the Government from the railways on capital account, and hence waive the set-off and remit to the roads in cash sums due them on noncapital account.

CAPPER BILL.

2. Rejection of the Capper bill (S. 1150) to repeal in the transportation act the adequate-income clause and the clause establishing Federal jurisdiction over all rates of carriers doing interstate business.

PRESSURE ON THE COMMISSION.

3. Cessation of political pressure upon the Interstate Commerce Commission for rate reductions in advance of reductions in railway labor cost.

(Our procedure as to railway labor cost is scheduled for a separate activity later.)

After yourself communicating with the chairmen of the Interstate Commerce Committees (Senator ALBERT B. CUMMINS and Representative SAMUEL E. WINSLOW) and the Senators and Representatives from your State, you are earnestly urged to call a conference of your company staff and ascertain which of them—or of officers at branch plants or sales offices—is best situated to conduct one or more of the following activities in favor of our program:

1. Authorize the traffic manager to urge the program through the National Industrial Traffic League and in freight bureau committees of commercial bodies.

2. Arrange appeals to their members by business organizations, especially national bodies which have contacts in the agricultural States.

3. Enlist individuals politically active to communicate with or see Senators and Representatives whom they know.

It will vitally aid us to receive prompt advice of all efforts and all results, including replies from Members of Congress.

Yours, truly,

ALBA B. JOHNSON,
President.
SAMUEL G. ALLEN,
Vice Chairman Franklin Railway Supply Co.,
A. H. MULLIKEN,
President Petibone Mulliken Co., Chicago,
J. E. GALVIN,
President Ohio Steel Foundry Co., Lima, Ohio,
Committee.

Another letter from the association follows:

The Railway Business Association very much needs your help in its exertion for preservation of the cardinal principle of railway regulation embodied for the first time in Federal law in 1920. The principle is this: That while protecting the public against discriminations and other improprieties the Government will discharge its responsibility for the financial results of its regulation as affecting net railway income, and hence ability of carriers to provide adequate facilities. Section 15a of the act directs that rates upon each railway group as a whole shall be designed to yield a fair return, giving due consideration to the transportation needs of the country and the necessity of enlarging the facilities in order to provide adequate transportation. Section 13 enlarges Federal control over discrimination by the States so as to include discrimination not only as between persons or localities but as against interstate commerce itself, a provision essential to the administration of the adequate-income clause.

Both these vital provisions are under heavy attack. The agricultural bloc in the Senate is urging the Capper bill (S. 1150), which would repeal both. The proposal is also making some industrial headway.

I have been reading letters from this association, sent out by them, and by which they hope to bring pressure to bear to prevent Congressmen from passing this law.

I will read further:

Among the business organizations which favor preservation of the principles in question besides our own are the Chamber of Commerce of the United States and the National Association of Manufacturers. The National Industrial Traffic League, in annual meeting November 9, relegated the proposed repeals to further discussion.

If it is the policy of your company to promote the preservation of the rule of adequate income and Federal control over State rates, you can aid very much in retaining the cooperation of other organizations for that policy by endeavoring to have your local freight bureaus and shippers' traffic organizations work for it. If you have the slightest doubt about it, will you not give us an opportunity to discuss the question with you?

You know the caliber and diversity of the men who actively lead the Railway Business Association. This organization for 10 years labored to attain the result which it is now sought to overturn. We regard these provisions as the keystone of the arch—not only the arch of railway regulation but the arch of stability for representative government capable of solving business problems.

Your frank and full response will be a substantial contribution to the solution of this most serious problem.

Yours, truly,

ALBA B. JOHNSON, *President.*

Mr. Chairman, the reason I at this time take the floor in this matter is because the railroad companies and their allies in business are at work to try to perpetuate this transportation act to the great injury of the whole people of the United States.

I believe it will serve a good purpose for some one to make known the activities of the railroads in this matter, as the big newspapers of Washington are favorable to the railroad companies and are giving no publicity of the fact that people are flocking to Washington trying to get the transportation act amended, and very few people know an honest effort is being made by some Members of Congress to try and get relief.

You will see by these letters that the Railway Business Association is preparing to swoop down on Congress to influence it against any change in the transportation act.

Such an insidious lobby as is proposed by these letters I have just read will convince you that the railroad companies do not propose to stop at anything necessary to defeat any effort to amend the transportation act. I trust this lobby will meet with the rebuke such conduct deserves.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. DUNBAR. Mr. Chairman, I move to strike out the necessary number of words.

The CHAIRMAN. The gentleman from Indiana moves to strike out the last three words.

Mr. DUNBAR. I am interested in knowing if any department of this Government has a surplus of automobiles, and I want to know from any Member of the House who has authority to state it whether or not the War Department has a surplus number of automobiles?

Mr. HAUGEN. I will state that they already have a large surplus of 3,500, and the gentleman from Michigan [Mr. McLAUGHLIN] says they have 5,000.

Mr. DUNBAR. What authority have you for the statement?

Mr. HAUGEN. It is stated here they appeared before the committee, and the Assistant Secretary of the Department of Agriculture called it to the attention of the Committee on Agriculture.

Mr. DUNBAR. That the War Department had a surplus of automobiles?

Mr. HAUGEN. That is general knowledge. Everybody knows about that.

Mr. DUNBAR. But general knowledge, so termed, is sometimes only general belief.

Mr. HAUGEN. I am speaking of the past.

Mr. DUNBAR. I want to know if there is to-day a surplus of automobiles in the War Department, and I want to know the authority for the statement?

Mr. HAUGEN. The gentleman can ask that question of the War Department.

Mr. DUNBAR. I have.

Mr. HAUGEN. If the gentleman knows, why does he ask the question?

Mr. DUNBAR. Because I do not want false impressions to go out. I do not refer to the gentleman, of course. I do not want any information to go out through the proceedings of Congress that will mislead the people of the United States. This morning we have had a discussion in which it has been declared time and again that there is a surplus of automobiles in the War Department, and if there is I want to know it.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption right there?

Mr. DUNBAR. Yes, sir.

Mr. COOPER of Wisconsin. Why does the gentleman confine it to the War Department?

Mr. DUNBAR. Because I want one piece of information at a time.

Mr. COOPER of Wisconsin. Whether the Government has in its possession at this time a surplus of automobiles would be the question, because the Government, being the owner, could transfer them where it pleased.

Mr. DUNBAR. The War Department has had more automobiles in its possession than any other department of the Government. Now, I went down to the War Department to find out and to get information on that subject, and I was informed that there was no surplus automobiles in that department, but that they only had such a number as the exigencies or demands might at any time require.

Mr. HAUGEN. Can the gentleman give the number on hand, or the number that was disposed of, outside of the number that was transferred to the road departments of the States?

Mr. DUNBAR. No, sir; I can not.

Mr. HARDY of Colorado. I wish to say to the gentleman that there is a fine distinction between surplus and more on hand than they need. From the standpoint of the War Department, they have no surplus, because they have not declared them surplus, although they may have many thousands of automobiles they have no use for. They may have thousands of automobiles lying around that somebody ought to be using.

Mr. DUNBAR. "Surplus automobiles" means automobiles for which the Government has no use, now or prospectively.

Mr. HARDY of Colorado. A department surplus means stock they have declared surplus.

Mr. DUNBAR. The gentleman is making a technical distinction.

Mr. HARDY of Colorado. That is what the War Department makes.

Mr. DUNBAR. The gentleman is making a technical distinction.

Mr. HARDY of Colorado. That is what the War Department makes when they give you that information.

Mr. DUNBAR. What authority has the gentleman for that statement?

Mr. HARDY of Colorado. I know what they consider surplus.

Mr. DUNBAR. I have their statement that they have no surplus automobiles. Does the gentleman believe the War Department has on hand a number of automobiles they have no use for now or prospectively, and which they can or should dispose of?

Mr. HARDY of Colorado. I know the War Department had on hand a great deal of material of various kinds which they have declined and refused to declare surplus, and until it is declared surplus it is not considered surplus by the War Department.

Mr. DUNBAR. Has the gentleman the statement of any official of the War Department to that effect?

Mr. HARDY of Colorado. I do not need it from the War Department. You have it from me.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. ANDERSON. Mr. Chairman, I move that the debate on this paragraph and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that the debate on this amendment and all amendments thereto be now closed. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Total, Division of Publications, $427,830.
Library, Department of Agriculture.

Mr. SEARS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

General expenses, library: For books of reference, law books, technical and scientific books, newspapers and periodicals, and for expenses incurred in completing imperfect series; for the employment of additional assistants in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cars, supplies, and for all other necessary expenses, $25,000.

Mr. ANDERSON. Mr. Chairman, the gentleman from Illinois [Mr. MANN] has called my attention to what is evidently a misprint, on line 21 of page 55, where the word "cars" should be changed to the word "cards."

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the spelling of the word "cards" be corrected. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For farmers' cooperative demonstration work, including special suggestions of plants and methods for more effective dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice, at farmers' institutes and in agricultural instruction, and for the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, $1,300,000: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of business men, business organizations, and individuals within the State.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. I want to ask the gentleman from Minnesota the reason for the consolidation of the two previous items in this one item.

Mr. ANDERSON. The division has been an absolute fiction for many years.

Mr. MANN. I know that the division of the cotton boll weevil work has been a fiction. They went ahead with the farm bureau work and did good work in the South, and then we commenced to appropriate money for similar work in the Northern States. I do not know that I have any objection if it is the same class of work, although I do not know what the division may be in the future.

Mr. ANDERSON. Well, I will state to the gentleman that the Secretary has in mind, as I understand it, the reorganization of this entire extension activity. This is only an incident of that reorganization. I think it very badly needs a reorganization, and I hope it will be done.

Mr. MANN. Very well. Heretofore, however, when there was an item in the bill distinctly for the South the Members from the North had a sort of tendency to prevent it being swelled too much, and when similar items were inserted for work in the Northern States there was a tendency on the part of southern Members to prevent them from being swelled too much. Now, with the combined paragraph nobody will be opposed to the swelling of it and everybody will be in favor of increasing it. That is going to be the result. [Laughter.]

Mr. ANDERSON. The answer to that is this, that instead of increasing it for this year we have reduced it about $60,000.

Mr. MANN. Mr. Chairman, I withdraw the reservation.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the last two words.

Mr. BYRNES of South Carolina. I do that in order to obtain recognition, not because I am opposed to the work or to the consolidation. I want to call the attention of the committee to the fact that in addition to the total appropriations carried in this bill for demonstration work, amounting to $7,000,000, that fund is supplemented by appropriations from the States and counties amounting approximately to $11,000,000, making a total of $18,000,000 for demonstration work in the country. That large sum is expended under the supervision of the Department of Agriculture, and because I am in favor of this demonstration work I regret exceedingly that there seems to be a tendency in the department to divert too large a proportion of this fund from the purpose for which it was originally intended, namely, the expenditure in counties for demonstration work by county agents, bringing to the farms assistance in solving the problems that daily confront the farmer and the farmer's wife, to the employment of specialists and leaders and supervisors.

The hearings develop the fact that of this $18,000,000 fund almost $7,000,000 is expended to direct the activities of $11,000,000 worth of people, as the chairman of this subcommittee expressed it. The fact is that they are spending for specialists $3,355 000. The specialists make headquarters at the agricultural colleges and necessarily spend most of their time on the train. It was never intended by Congress that so large a sum should be diverted to the employment of specialists. Yet it appears from the hearings that this is the policy of the officials of the department, judging from the statement of Mr. Pugsley, who is in charge of this work. He says:

> I believe that the work would be more effective and the money would be better spent if we would take some of the money that has gone into the poorest agents trained and put into the trained specialists who would be assistants in the field. They would be more highly trained men for special work, and you could get better results among the farmers. The farmers are growing to feel that way also, as they become better acquainted with the work.

The fact is, if they were to take some of the money that they are spending for specialists and spend it for the purposes that Congress intended it to be expended for, for county agents, they would not have so many poor county agents. They would have county agents better equipped to render the service that Congress intended should be rendered in the counties. The employment of some specialists is wise, but the problems of the farm differ in every county, and the best service can be rendered by the county agents. The $2,000,000 spent for specialists would, if diverted to county agents, insure the employment of more capable men. They propose to spend for leaders of clubs and leaders of county agents approximately $2,000,000, which is entirely too much. I have no objection to the amount spent for administration, but I would like to ask the chairman of the subcommittee, who from the hearings evidently shares the views I have expressed, whether he has any objection to placing a limitation upon the amount that shall be expended for specialists under this item?

Mr. ANDERSON. I think it would be wholly ineffective if it were done, unless it were applied to funds available under the Smith-Lever Act as well as under this.

Mr. BYRNES of South Carolina. Well, I agree with the gentleman, but what does he say as to both items?

Mr. ANDERSON. I think, of course, I would have to object to legislation modifying the terms of the Smith-Lever Act.

Mr. BYRNES of South Carolina. Does the gentleman approve of their spending this large amount for specialists?

Mr. ANDERSON. That is a rather difficult question. I am frank to say that I am of the opinion I expressed in the hearings, that the whole proposition is rather top-heavy. Now, whether that is entirely in the specialists or in the leadership is rather difficult to say; but my understanding is that the Secretary is now undertaking a reorganization of this whole extension work with the idea of coordinating the leadership, so that so large a part of the funds will not hereafter be spent in that way.

Mr. BYRNES of South Carolina. If the gentleman is of the opinion that the department itself will reorganize the service, they can do it more effectively than we could by placing a limitation upon the expenditure of funds in this bill, and they can do it in such manner that no injury will be done to the demonstration work.

In this connection I want to say something with reference to the home demonstration work among rural women. It has progressed to such an extent that other nations are adopting the plan followed by us. This work was inaugurated officially by Dr. Knapp, but it was originated in the county of Aiken, S. C., by a young woman with brains, courage, and energy—Miss Marie Cromer. She was the pioneer, and because of her enthusiasm she was able to induce Dr. Knapp to undertake this work among rural women. It has developed until now in nearly every county in the United States trained women are engaged in this home demonstration work, assisting the women on the farms in solving the problems of their daily farm life. The story of the origin of this work is well told in the book recently published by Prof. O. B. Martin, of the Department of Agriculture, a most interesting book, reciting the development of demonstration work in this country and very properly giving great credit to Dr. Knapp for his contribution to its development.

Mr. BROOKS of Pennsylvania. Mr. Chairman, I move to strike out the last two words. Recently I sent out questionnaires to the ex-service men in my district for the purpose of getting expressions of opinion from them on the subject of the bonus. A statement of the results of those questionnaires has been printed in the York (Pa.) Dispatch of March 10, 1922. I ask unanimous consent that the Clerk read the article printed in the Dispatch.

Mr. ANDERSON. I shall have to object to that.

Mr. BROOKS of Pennsylvania. It is very important, and will be of interest to every Member of the House.

Mr. ANDERSON. If we should read everything that would be interesting to Members of the House we would be here a long time; and after what the gentleman from Illinois [Mr. MANN] said a few minutes ago, I shall have to object.

Mr. BROOKS of Pennsylvania. Then I ask unanimous consent that this article be printed in to-day's RECORD, for the benefit of everybody.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by printing the article indicated. Is there objection?

There was no objection.

The article is as follows:

[From the York (Pa.) Dispatch, Mar. 10, 1922.]

ABOUT 25 PER CENT FAVOR CASH BONUS—MORE THAN 50 PER CENT DESIRE INSURANCE, CONGRESSMAN BROOKS FINDS—CANVASS OF VETERANS.

Not more than 25 per cent of the rank and file of the World War veterans of York and Adams Counties desire a cash bonus. Fully 50 per cent favor the endowment insurance plan above all others. Twenty per cent prefer aid in the purchase of a home or farm. The sentiment of the remainder is divided between the two other options offered—assistance in obtaining vocational training and land settlement, carrying with it a provision for employment for ex-service men. The proportion that declare themselves against any form of adjusted compensation is negligible.

In an effort to ascertain the views of the World War veterans of his district, comprising York and Adams Counties, Congressman BROOKS recently sent out 5,000 circular letters to that number of veterans, inviting them to express their preferences for his guidance in voting on the measure. From the great number of replies received up to this time the above percentages are given. Just six veterans, the Congressman stated to-day, declared for no bonus at all. Of that number, four are wealthy men, prominently connected with industrial enterprises, to whom adjusted service would mean very little. Probably 5 per cent of the veterans to whom inquiries were addressed expressed a willingness to wait until business conditions in the country are better.

ENLIGHTENED REJECT CASH.

The York Congressman stated to-day that he believed that a campaign of enlightenment as to the advantages of the several options of the adjusted-compensation pay would materially reduce the number of those who express a preference for cash. He is led to this conclusion by collective votes submitted by posts of the American Legion and the Veterans of Foreign Wars and also by the disabled veterans to the number of about 200 at Mount Alto. These men, to whom the provisions of the bonus bill have been explained, have in only a few cases requested cash. Improvement in industrial conditions, he stated, will further reduce the number asking for cash. A large number of the veterans who declared for cash wrote explanations to the effect that they are out of work and need actual cash more than anything else at this time.

The letters went out to only about half the ex-service men of the two counties. There is no complete list of World War veterans obtainable. The records of the War and Navy Departments are prepared in such manner that lists of ex-service men of any community can not be had from those sources. That of Congressman BROOKS, composed of the thousands who have obtained assistance of one sort or another through the York congressional office, and including the other lists at

various times since the war in this district, is by far the most complete as to names and addresses in existence here. It is believed, however, that the ratio of replies received will hold good for all.

RESULT OF VOTE SURPRISING.

The percentage of requests for cash compensation is less than the most conservative estimates made by experts at Washington. Since the letter went out the loan-certificate plan has been proposed as a substitute for cash. This would have the effect, it is believed, of still further reducing the number who prefer the cash-payment plan.

Reasons given by many of the veterans for their various preferences shed much light on the attitude of the men who fought the war. The argument invariably made for payment of the bonus is that the men who remained at home received pay out of all proportion to that of the soldiers and sailors.

"COMMERCIALIZES PATRIOTISM."

There is, likewise, one argument advanced by the opponents of adjusted compensation. They declare that it would "commercialize patriotism." One of the opponents writes: "I see no reason why any ex-service man has any right to favor a bonus bill when he went into the service for the sole purpose of fighting for democracy. The majority of the men would not have anything to show for it inside of 10 days after it was paid, but the country at large would be struggling with a debt upon their shoulders which would take years to adjust."

A stipulation made by each opponent, that the wounded and other disabled be adequately cared for, is discounted by the fact that liberal provisions are being made for such care, Congressman BROOKS stated, even though many of these men do face discouraging delays until their cases can be adjusted.

MAJOR TAKES OPPOSITE VIEW.

The cause of the man desiring compensation is championed by a major who was at the front. Although his rank would exclude him from the benefits of the measure, he writes: "I am heartily in favor of adjusted compensation under the optional plan now—not some time in the distant future, for 'now' is almost too late. I do not believe that the issue of short-term Treasury notes to make the initial payments will begin to cause the financial chaos that some of our most prominent war profiteers love to predict."

From a soldier's hospital at New Haven, Conn., where he is lying broken in health, one boy who paid an enormous price that others might enjoy peace and prosperity, writes with a bitterness excusable when his condition is considered: "I never expect gratitude for what we did, so if the bill does not pass I will not be disappointed. I gave my position and my health to my country and I am not sorry. Tell them to buy guns for the war profiteers with this money and send them out to fight the next war."

DISABLED BOY BITTER.

Something of the same bitterness is expressed by another disabled veteran who writes: "I would be ashamed of the man who would capitalize his service to his country, but as an American I am more than ashamed of those who refuse to recognize that service with all its hardships and dangers. If we of the American Expeditionary Forces had worried as much about our three meals a day and our night's sleep, not to mention battles and poison gas, as some patriotic Americans who were 3,000 miles away—posing as farmers and hiding behind skirts—are worrying about the effects on their pocketbooks of paying a few dollars toward a just compensation, the money contemplated for a bonus would by this time have been spent many times over. To-day the Hindenburg line might be 'somewhere along the Atlantic coast,' and the Kaiser's collectors might even now be collecting taxes on those $18 silk shirts that were so necessary for the comfort of the slackers who remained at home."

Cancellation of the debt of allied countries which have paid liberal adjusted compensation to their own veterans is cited by some. One letter cites the $1,000 bonus and 250 acres of land given Revolutionary soldiers, and continues, "I think it is a shame that the richest country in the world has haggled over giving the soldier a bonus when all the other countries, even the poorest, two years ago gave a bonus to every soldier and officer in their armies."

A number of men write that they are purchasing homes and that the home-aid plan would go far to set them on their feet.

CONGRESSMAN BROOKS'S LETTER.

The letter sent out by Congressman BROOKS to the veterans, explaining the provisions of the bill, follows:

DEAR FRIEND: An earnest effort will be made to pass a soldiers' and sailors' adjusted compensation bill at this session of Congress.

I voted for the bonus bill in the last Congress, and am now interested in knowing the feeling of the service men toward the pending measure.

Do you desire adjusted compensation at this time or are you willing to wait until the financial condition of the country is more favorable? Please answer in opposite square "Now" or "Wait."

What is your preference among the five leading options contemplated, namely:

1. Adjusted service pay (cash) at $1 a day for home service and $1.25 for foreign service. Maximum, $500 for veteran without overseas service; $625 for overseas service. Payment to be in installments of $50 every three months.

2. A paid-up 20-year endowment insurance policy at no cost; face value, three and thirty-eight one-hundredths times amount of cash allowable under option 1, payable at death to beneficiary named or to veteran at end of 20 years. Loans on policy provided.

3. Vocational training aid of $1.75 a day while in training, amount not to exceed 140 per cent of cash allowable under option 1.

4. Farm or home aid providing payment of 140 per cent of cash allowable under option 1, providing money is used to purchase, improve, or make payments on home or farm.

5. Land settlement, providing reclamation projects to develop and improve vacant land in each State if possible, ex-service men to be employed in project. Adjusted service pay applied as first payments on purchase of this land, remainder in 40 years, at 5 per cent interest.

Please return this letter to my York office with (X) in the box opposite option you prefer, writing any ideas or suggestions on back of letter. As my list of World War veterans is incomplete, would suggest that you show this letter to any of your veteran friends who have not received one and urge them to express their preferences.

Write me at any time concerning this or any other matter that should have attention.

Very truly, yours,

E. S. BROOKS,
Member of Congress.

The Clerk read as follows:

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, the Island of Guam, and the Virgin Islands of the United States, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, $210,000, as follows: Alaska, $75,000, of which $11,800, or so much thereof as may be necessary, shall be immediately available; Hawaii, $50,000; Porto Rico, $50,000; Guam, $15,000; and the Virgin Islands of the United States, $20,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, the Island of Guam, and the Virgin Islands of the United States, and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii $10,000 may be used in agricultural extension work in Hawaii.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. COLE of Iowa. Mr. Chairman, I wish to say a few words on this subject; but having no desire to take up the time of the House, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The matter referred to is as follows:

Mr. COLE of Iowa. Mr. Speaker and gentlemen of the House, the bill which we have under consideration appropriates nearly thirty-five millions for the promotion of agriculture. The amount is large, but it is less than the cost of one superdreadnaught, the building of many of which we shall discontinue if the disarmament pacts are ratified. Agriculture even as a national defense is worth many battleships.

The people of the State of which I have the honor to represent one district here, I need not say, are vitally interested in this legislation. Iowa's premiership in American agriculture will be disputed by none. The 300 miles between the Mississippi and the Missouri are, I believe, all things considered, the richest and most favored lands on the habitable globe. The Department of Agriculture, for which we are making these appropriations, as it now exists and functions, was virtually created by an Iowa man, the late James Wilson, still known as "Tama Jim," because he hailed from Tama County, in which a band of Indians still maintains a precarious but picturesque existence. As a Member of this House, I am proud to say that this great creative man was one of my predecessors in Congress from the fifth district of Iowa.

I have been both pleased and amused by the things that have been said in praise of agriculture during the debates on this bill. As I have listened I have become more convinced than ever that we all love the farmer—at least politically. Love for the man who tills the soil has slipped from the lips of men who represent rock-ribbed Massachusetts, where corn is grown in patches, and it has welled up from the hearts of men who come from black-loamed Iowa, where the tall corn grows mile on mile.

But the affection for the farmers that has been displayed on this floor during these debates has not been mere lip service. On the contrary, I know that it has been more sincere. Farming is not a sectional occupation. It is almost universal. It is the one calling that is of all most national. It is basic. It is fundamental. It is the corner stone in the structure of our prosperity and it is the keystone in the arch of our national greatness. The first command given to man was to till the soil, and when that labor ceases the human race will have run its course.

In the recent months we have learned anew that we not only live by agriculture but that industrially, commercially, and financially we thrive by it. In the autumn of 1920, when farm prices declined until the farmers were no longer able to buy, stagnation soon followed. All industrial, commercial, and financial operations were dislocated and many of them were stopped altogether. The revival of this industry became the first care of the Congress and the first thought of the Nation.

Standing in such a vital relation to life and to business, why should anyone in this House, whatever district he may hail from, want to do less than all he can to promote agricultural welfare and stability? Could any man who sits in the Congress be untrue to this industry and still true to his country and his country's welfare and prosperity?

It has been said on the floor of this House, although not in these debates particularly, that the decline in farm prices came with the return of the Republican Party to power. It is not true that they came as cause and effect, and it is not even true that they came concurrently. I will not say that the fall in farm prices and the universal depression which began in the autumn of 1920 came through the political party that was then

still in power. That would be too partisan, too narrow, and too illogical a position to take in even a political debate. Peace deflation had to follow war inflation. Extravagance and speculation had to give way to economy and distress.

But it is not impossible of belief, and it is even susceptible of proof, that the conditions were aggravated by the extravagances which had been encouraged by the party which had been in power and by a lack of confidence in the industrial policies of that party. The country was still under the Democratic version of free trade, and free trade, or even tariff for revenue, in this country has never bred either confidence or prosperity.

It may easily be recalled, although many things have intervened, that in the summer of 1914, just before the outbreak of the World War, there were many evidences of an industrial depression under the Democratic tariff law of 1913. It had come upon us like a creeping sickness. Unemployment was increasing in midsummer and the soup houses of 1893, under another tariff for revenue, with protection left out, were in the offing. During that summer of 1914, under the then newly enacted Democratic tariff, wheat sold in Iowa as low as 55 cents a bushel.

It was the Great War that saved us, such salvation as it was. On the breaking out of that catastrophe there was an immediate demand for all our products and that at rising prices. It was not without reason that some politicians thanked God for the war, not realizing at that time what that war was to mean to us and to the world. The declaration of war in Europe in effect repealed the free trade tariff in America and saved us from the industrial disasters inherent in such tariffs.

For a while even after the armistice was signed the free trade tariff remained inoperative. For a while also prices were buoyed up by wild speculations, and later by some artificial stimulants. The word was whispered, almost as a command, that things must be kept going, at least, until after the then pending election, that of 1920. Through subtle suggestions, and some of them may have been political, even the banks were encouraged to extend undue and unwise credits. Every effort was made to keep prosperity apparent, if not real, until after the votes had been counted in November. But all such efforts proved futile. In September and October the bubble began to burst. The balloon began to descend in the midst of fear and consternation.

And in the months that followed, when liquidation of debts was demanded, it was the farmers who had to pay first and to pay heaviest. They had the visible supplies and they were called upon to sell them for what was offered. The more they sold the more prices declined. We in the agricultural Mid-West believe, and not without reason, that our interests were neither properly represented nor conserved in the operations of the Federal reserve banks. The situation not only for the farmers but for all was made worse by the fact that those who could through organizations and manipulations maintained their prices, unwilling to enter the valley and the shadow to begin over again on a normal basis. As a result, in purchasing power, if not in actual figures, the farmers were worse off than they had ever before been in the history of this country.

The depression and the distress of a nation came to the Republican Party as an inheritance. They confronted the Harding administration on the 4th of March, 1921. Never had a new administration been confronted with such problems. The débris of the war remained to be cleared away. War debts, many of them contracted through waste, extravagance, and even corruption had to be paid. And the taxes to pay these debts had to be collected from people with declining incomes. There followed complaints and disappointments, but the debts had to be paid. The taxes were inevitable. Economy and efficiency became the watchwords of the party which had been returned to power. The scope of these policies was made world-wide when the President and the Secretary of State issued their call for the disarmament conference, which happily did away with many naval expenditures and those vaster expenditures that follow in the recurring fear of wars.

But while reducing the expenditures of the Government the Harding administration also took wise counsel and determined action to increase the earning powers of the people. Through wise policies the country was saved from falling into a panic. Every thought, every action possible was taken to restore the country to normalcy, as the President called it, and to prosperity, as we all understood it.

In due time the President and the Secretary of Agriculture brought forth an agricultural conference which for a season was hardly less significant than the disarmament conference itself. There was free and frank discussion not only by the men of agriculture but of all allied industries and interests. Sane and sound conclusions and policies were reached. To build anew the structure of our national prosperity was the one thought uppermost. Is it too much to say that conditions were visibly stabilized and confidence reestablished?

In the Congress in the meantime we were carrying out reconstructive policies in harmony with the purposes and aspirations of the administration. Here we formulated a program which properly made agriculture its first concern. In the course of a few months we enacted more remedial and more forward-looking legislation than had ever before been passed in any Congress before in like time.

I can not here review all that was done. I can hardly allude to it all. Our legislation touched upon almost everything that most vitally affected the farmers. We made new regulations for the packing industry, placing it under the supervision of the Secretary of Agriculture, where it rightly belongs, and we placed limitations on gambling in grains, and we enacted laws widening the powers and the privileges of cooperative associations among farmers.

We brought forth and passed none of these laws in any spirit of class or sectional consciousness. We made them all national in their scope and in their spirit. We sought and we shall seek to do nothing sectional. We have made and we will continue to make our appeals to the whole Nation and not to any mere part of it. So broad have been our conceptions and our policies that Democrats and Republicans have been able to cooperate in this legislation. For one I can say that I was able to vote for every one of these measures, not only with my voice but with my mind and my whole heart.

One of the last, and perhaps best of all our new enactments, was the law reviving the War Finance Corporation, which came not only with Executive approval but upon Executive initiative and suggestion. In an almost defunct, or at least dormant war-time corporation, we found three or four hundred millions of dollars, and we made these available for use in rural communities to thaw out what were called "frozen credits" and to reestablish confidence. So widely and so wisely have these funds been administered that results hardly less than magical have followed, and that quickly. At least some of the return of prosperity with which we have recently been blessed may be traced and credited to this financing.

But the Congress deserves praise, not only for the many things it has done but for some which it has refused to do. It has had not only the courage to do right but that finer courage to refuse to do what is wrong. In times of stress and distress many wild theories are brought forth and are apt to find not only adherents but promulgators and promoters. Short cuts and cure-alls without end were suggested and advocated. Quack remedies were offered as scientific prescriptions. Often it required courage to resist the appeals and influences that were brought to bear on a body so responsive to public sentiment as this House of Representatives. If we had given way to them, we might have enacted something hardly less baneful and rueful than the conception of the Russian soviet. God forbid that America shall ever give way to the vagaries of Bolshevism. In America let it be hoped human reason will be last to give away.

Some men revived the ancient heresy of fiat money and wanted the Congress to authorize unlimited issues of paper money. If we had done this, we might have had our monetary system reduced to the approximate levels of the German mark and the Russian ruble. Wisely have we maintained the American dollar standard not only at home but standard throughout the world. Our money and our credit thus maintained will not only make a secure foundation for our own new prosperity but they will go far to stabilize the world.

Some wanted us to force the collection of the debts owed us in Europe and to use the moneys so obtained to buy the surplus of our corn at 50 cents a bushel. If we had done this, what would the Government have done with the corn, and what would the people who are now getting, or are going to get, more than 50 cents a bushel for their corn have said about the swindling operations of their Government? Wisely did we resist all such suggestions and bravely did we try to steer the economic ship on an even keel through the troubled waters.

But all the credit for the resistance to economic error does not belong to the Congress. More belongs to the people themselves. They showed patience and they kept the faith of the past and the future. The farmers themselves opposed the advances of radical leaders. In one Iowa county—that of Muscatine—the directors of the farm bureau issued a warning against the propaganda of radical agitators. They called attention to the fact that many wild theories were being foisted on the people by organizers who came from "unknown sources." These "unknown sources" may have been in far-away Russia, for we

know that the soviet has sent its disorganizers all over the world.

The fact that under the same basic laws corn has in recent months advanced from 18 cents per bushel to 58 cents per bushel ought to be proof that these basic laws are not wrong and that our industrial system is not at enmity with human well-being. If three months ago these basic laws were blamed for the depression, why shall they not now be praised for the return of prosperity?

But, much as we have done, it is not our purpose here in Congress to cease from well-doing. If happily the worst of our distress is over, we must not and we can not neglect to carry out the policies and the remedial legislation which have been so well begun. There may be other times of distress and we should now prepare ourselves not only to face such times but, if possible, to avert or at least minimize them.

We have left unenacted a part of what I may call a national farm program, and we propose to keep it national, so that all men may help in its completion. I will not here enumerate the things that we still have in mind in connection with rural betterments. But to some I must allude at least briefly.

First of all, we are going to enact a new tariff law to take the place of the emergency tariff with which we temporarily helped, if we did not save, industrial America. Into this new tariff law we intend to write protection for agriculture as well as for the factories. We want protection for hides as well as for shoes. We want wool to receive equal consideration with woolen goods. The name and the cause of the farmer must be written into this new tariff as they have never been written in any preceding tariff.

We are now formulating through proper committees a system of commodity credits directly applicable to rural needs. These credits may be based on the long-time credits now extended through the Farm Loan Bureau. We want to enable farmers to borrow money in times of distress in such quantities as they may need to tide them over, and that at reasonable rates of interest. We want also to make it possible for farmers to hold their own products for the most favorable markets.

We believe also in legislation that will maintain some semblance of "truth in fabrics." The man who keeps a flock of sheep, whether it be on the hills of Iowa or on the plains of the West, must not be made to compete with the ragpickers of European cities. And as one who believes in protection I prefer that the wool in the American garment shall come from the backs of American sheep.

Our program also includes not only lower freight rates than those which now obtain but better shipping facilities. It is to be regretted that our railroad problems have not been solved with the others. Other prices and other rates have approached the pre-war levels, while railroad rates remain abnormally high. At the present time we have one board that fixes railroad wages and another that fixes railroad rates, and between the two the shippers and the people have suffered. In solving this problem we must have due regard for labor while seeking to obtain for shippers reasonable rates and at one and the same time enabling the roads to strengthen themselves for the tremendous demands that are going to be made on them in the new era of prosperity upon which I believe we are entering.

In our transportation program we must include some larger use of waterways. We have made but little progress along such lines. We are far behind Europe, where rivers are crowded with boats and barges. We who represent Mid-Western States that are largely agricultural are at the present time asking for a fair division of the appropriations which we make for rivers and harbors. We are going to be insistent as well as consistent in these demands. We look also with favor on the proposed St. Lawrence route, by which it is hoped to bring ships from the sea to our lake ports. If this route is feasible, as preliminary surveys indicate, then we ought to have it. Transportation rates ought to be cheaper when ships from foreign ports take on their cargoes along Lake Michigan within 200 miles of the heart of Iowa.

These are some of the items in the unenacted part of our rural program. I submit that there is in this program nothing of enmity or even of antagonism to any other class of people or any other section of this country. All the items are based on the broad proposition that when we promote the welfare of agriculture we promote the welfare of all the people. It is not our purpose to do anything that is not for the good of all, and what is less than for the good of all will ultimately benefit none.

If we make laws wisely here, laws that shall be in harmony with the greater economic law, we shall do much to maintain and stabilize the prosperity that is now returning not only to the farms but to the whole country. If we have had a surplus, it has been due not to overproduction but to underconsumption. There is not now, nor will there ever be, enough food to feed the whole world well—as well as it ought to be fed. Depressions in prices and reverses in business are apt to be due to temporary dislocations in industries and transportation. When the law of supply and demand operates normally it is apt to be well with us. Our main concern should be to see that the great natural laws are allowed to operate normally.

I see before me not the past but the future as in a dream. I see another golden age of prosperity ahead. I am an optimist, and any American who is a pessimist is at least foolish. We have in this land of ours the resources and the men. Our progress is irresistible. Our prosperity is inevitable.

In furtherance of these hopes I am going to cast my vote for every appropriation carried in this bill, and my only regret is that we can not make some of them larger while the injunction of national economy rests upon us.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order on the paragraph. I call the attention of the gentleman from Minnesota to line 18, page 55, where the words "including the erection of buildings" appear. I desire to ask the gentleman what is contemplated?

Mr. ANDERSON. There was no estimate for any buildings so far as I am aware. As a matter of fact, the appropriations for these experimental stations are very small, and they are scarcely able to pay the salaries and do the necessary work. They would have absolutely no money under these appropriations carried in this item to construct buildings. There are some places where buildings ought to be constructed, but we did not provide the necessary appropriations. For instance, at the experiment station in Alaska we were advised that the log buildings are rotting out underneath, so that the floors are at an angle and so that it is impossible to close some of the doors. There ought to be new buildings there, but no estimate was made for them and we have not provided any appropriations which will permit the construction of buildings.

Mr. HAUGEN. If no new buildings are contemplated, why insert the words "including the erection of buildings"?

Mr. ANDERSON. That language has always been carried, and I think it should be. The gentleman knows that these experimental stations can not be conducted without the occasional construction of buildings.

Mr. HAUGEN. I also have knowledge of buildings being constructed which cost nearly $200,000 under some such provision as this, buildings maintained at a large expense, which have not been in use for a number of years. Besides, it is hardly fair to divert these funds for the erection of a building, but if the chairman of the subcommittee states that no buildings will be erected, I am satisfied.

Mr. ANDERSON. There is no estimate allowed by the committee for any building.

Mr. HAUGEN. Has the chairman a statement from the department or representatives of the department that none of this money will be used in the erection of buildings?

Mr. ANDERSON. I have no such statement.

Mr. HAUGEN. Then I make the point of order.

Mr. ANDERSON. Mr. Chairman, I desire to oppose the point of order.

The CHAIRMAN. On what ground does the gentleman make the point of order?

Mr. HAUGEN. That there is no authorization for new buildings.

Mr. ANDERSON. Mr. Chairman, I call the attention of the Chair to section 8241 of Barnes' Federal Code, which refers to experimental stations. That section contains this proviso:

Provided, however, That out of the annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding 5 per cent of such annual appropriation may be so expended.

The CHAIRMAN. Does the gentleman desire to discuss the point of order further?

Mr. ANDERSON. I think that disposes of it. That is the law.

Mr. HAUGEN. I call the attention of the Chair to volume IV of Hinds' Precedents, section 3606, in which it is held that—

While it is in order on an appropriation bill to provide for the repair of a building, it is not in order to provide for a new building in place of one destroyed.

Mr. ANDERSON. I have read to the Chair a specific law which permits 5 per cent of the appropriations for experiment stations to be spent in the erection and repair of buildings.

The CHAIRMAN. What section does the gentleman refer to?

Mr. ANDERSON. Section 8241 of Barnes' Code, on page 1976, the top paragraph on the page. The proviso is about two-thirds of the way down the paragraph.

The CHAIRMAN. The Chair has it. What was the citation given by the gentleman from Iowa?

Mr. HAUGEN. Hinds' Precedents, volume 4, sections 3777 and 3778 and 3606.

The CHAIRMAN. The Chair will rule. It seems to the Chair that the law (Federal Code No. 8241, relating to expenditures for experimental buildings) specifically provides that if the amount does not exceed a certain percentage of the amount appropriated for experimental work the authorization exists for the "erection, enlargement, or repair" of buildings necessary for this experimental work, and therefore it can not be considered an appropriation unauthorized by law. In the opinion of the Chair, the paragraph is in order.

Mr. HAUGEN. I call the attention of the Chair to the fact that there is no limit in the bill on the expenditure, and that the whole amount, which is in a lump sum, might be spent for buildings.

Mr. ANDERSON. The law itself is a limitation.

Mr. HAUGEN. But this later law supersedes the other law, and that makes the difference.

Mr. TOWNER. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. TOWNER. Mr. Chairman, the percentage in the law would, of course, apply to each particular item of the $210,000, which is the total of this specific allowance in Alaska, Porto Rico, the Virgin Islands, and other places where this total is to be applied. Of course, in each one of these items the percentage would be applicable so that no large amount could be spent in any event for the erection of buildings.

The CHAIRMAN. The Chair feels that the item is in order, and therefore overrules the point of order.

Mr. TOWNER. Will the Chair pardon me, I would like to put this statement in the RECORD: I am very sure that my colleague from Iowa would not feel that this small amount ought to be cut off for the erection of these buildings. Take it in these particular districts with which I am perhaps more intimately acquainted than others—Porto Rico, the Philippine Islands, and islands of that kind. It is almost necessary for them to erect every year some shed—they do not amount to anything else—but they are buildings, of course, and an absolute prohibition against any expenditure for a building in these cases where they have to go out in different places to take charge of a coffee plantation or a sugar plantation, in conducting experimental work, would prohibit them. It is almost necessary that temporary buildings should be constructed, and that is the reason of my particular interest in the matter.

Mr. HAUGEN. Mr. Chairman, I have no desire to cripple the service or hinder the construction of buildings. I would object to using $210,000 in putting up buildings where the money was appropriated for other purposes. I have a distinct recollection of buildings constructed at an expense of nearly $200,000 and funds thus diverted. My contention is that there should be a limitation on the cost of these buildings. Without this, $210,000 could be used for the erection of buildings.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

For general administrative expenses connected with the lines of work of the States Relations Service, including the offices of the director, the chief clerk, the officers in charge of publications, library, accounts, records, supplies, and property, and for miscellaneous expenses incident thereto, $12,600.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word. It refers to the publications of the Department of Agriculture. I understand that the department no longer publishes the book on the Diseases of the Horse and the book on the Diseases of Cattle. They publish each year a limited number of the Yearbook for the Department of Agriculture. I have been informed—I do not know whether it is correct or not—that the department has no choice, but if legislation justified it they could just as well publish a book on the diseases of horses and diseases of cattle instead of the Yearbook, which they publish at practically the same expense. I wondered if the gentleman from Minnesota does not think that the books on the Diseases of the Horse and the Diseases of Cattle would be more valuable than the Yearbook?

Mr. ANDERSON. I do not think so. I think it is desirable to continue the publication of the book on the diseases of horses and on the diseases of cattle, but I think it would be very unfortunate, indeed, if the publication of the Yearbook was omitted for one year. That is a publication which keeps up all the current, statistical, and research work in a popular form down to date, and it would be very unfortunate if we omitted it for a year.

Mr. JONES of Texas. Does the gentleman think it would be more expensive to publish one-half of the number of Yearbooks and devote the other to the publication of the book on the diseases of horses and the diseases of cattle?

Mr. ANDERSON. My recollection is that it has been the practice, by special resolution, to provide for the publication of the book on the diseases of horses and the book on the diseases of cattle every three or four years.

Mr. MANN. It is by a special resolution that comes from the Committee on Printing, which provides for the publication and the distribution.

Mr. JONES of Texas. There has been none published since I have been here.

Mr. MANN. Perhaps they ought to be revised and brought down to date.

Mr. CHALMERS. I am sure the gentleman has had the same experience I have—that the number of agricultural Yearbooks now published will not satisfy the demand for them. The Yearbook is of great general interest, and I have not enough for distribution in my district.

Mr. JONES of Texas. I could use more than I have. I do not advertise the fact that I have them and only supply them to such requests as come in voluntarily, and I have enough to supply those requests. But I do have requests for the book on the Diseases of the Horse and the Diseases of Cattle, which I can not supply, and none has been published for the last four or five years.

Mr. ANDERSON. The gentleman should get after the Committee on Printing.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For investigations of the best methods of road making, especially by the use of local materials; for studying the types of mechanical plants and appliances used for road building and maintenance; for studying methods of road repair and maintenance suited to the needs of different localities, and for furnishing expert advice on these subjects, $77,060.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. At one time before I questioned the advisability of making the appropriation for the purpose of enabling the bureau to experiment in the making of roads. What I had in mind at the time was that there is so much road building, covering the entire country, that almost every locality in the country is getting some kind of a road, and there is so much opportunity for experiments on such a scale and under such a variety of conditions that it is unnecessary for the department to carry on many experiments. There will be opportunity for investigation and experiment under all kinds of conditions in actual work going on in the country.

Mr. ANDERSON. Mr. Chairman, the difficulty is that in order to determine the effect of traffic or of weather conditions you have to tear the road up, and that is not very convenient in a road that is used constantly.

Mr. McLAUGHLIN of Michigan. Is the gentleman correct about that? Does not the quality of the road prove itself? Is not the quality of it determined by the wear? Has the matter not gone far enough so that the department can determine with some reasonable sense and judgment what methods are correct and what materials best, and so on?

Mr. ANDERSON. I do not think so. As a matter of fact, I think we are just at the beginning of road-construction knowledge. There are many problems with respect to drainage and the different qualities in the soil that affect road construction, the different wearing qualities of different road materials, different methods of construction, few of which have been worked out with a high degree of scientific accuracy and many of which still remain to be solved.

Mr. McLAUGHLIN of Michigan. I have no criticism to make of the bureau. I think it has done splendid work, but where there is so much actual work being done under all kinds of conditions, with every imaginable kind of material, it would seem to me that there is opportunity enough for experiment. I hardly agree with the gentleman from Minnesota when he says that there is a better way of determining the quality of material and the quality of construction than in actual building and using roads. I do not think experiments made by the department are as good as the work done out in the field.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. SNELL. Mr. Chairman, where are all these experimental roads built? Are they constructed in the vicinity of the District of Columbia?

Mr. ANDERSON. This does not involve the construction of experimental roads at all. The large part of it is expended for experiments in road-making materials and in giving advice

with regard to road construction. Some of it is spent for small sections of experimental road sections that are very narrow, upon which certain experiments are made, such as the impact of wheels and the strength of the wearing surface.

Mr. SNELL. What I have in mind is that if they are all built around here, the different climatic conditions in the northern and southern parts of the country might affect them differently.

Mr. ANDERSON. Several years ago some experimental roads were constructed near Washington. One was just beyond the Chevy Chase Club, but we have gradually decreased that appropriation so that now I think it is about $15,000, and no more experimental roads of that character are being constructed at all.

Mr. TILSON. Mr. Chairman, I rise in opposition to the pro forma amendment to ask a question. Are any experiments being carried on in regard to the effects of frost in road construction or repairs and the best means of dealing with it?

Mr. ANDERSON. The Bureau of Public Roads has been decentralized, and it has offices in quite a number of different parts of the country. These studies are largely carried on in cooperation with the States. I am unable to tell the gentleman where frost studies are being carried on, but I know they are being carried on.

Mr. TILSON. Is it under this particular paragraph of the bill?

Mr. ANDERSON. It is rather under the next item.

Mr. TILSON. For those of us who live in States where there is considerable frost, this is one of the most difficult problems with which we have to deal in road construction and repair. Investigation and experimentation along this line, if properly conducted, might prove very helpful, and the money thus expended turn out to be very wisely expended.

The Clerk read as follows:

For investigations of the chemical and physical character of road materials, for conducting laboratory and field experiments, and for studies and investigations in road design, independently or in cooperation with the State highway departments and other agencies, $175,000, payable out of the administrative fund provided by the Federal aid road act of July 11, 1916, as amended.

Mr. HAUGEN. Mr. Chairman, I make the point of order on the paragraph. I make the point of order on the words:

Payable out of the administrative funds provided by the Federal aid road act of July 11, 1916, as amended.

Mr. ANDERSON. Mr. Chairman, I think that portion of the bill is subject to the point of order. I concede the point of order.

The CHAIRMAN. The Chair is somewhat confused as to what the gentleman from Iowa has referred.

Mr. HAUGEN. I made the point of order to the paragraph.

The CHAIRMAN. Where are the words which the gentleman from Minnesota refers to?

Mr. ANDERSON. I understood that the gentleman from Iowa made the point of order to the words:

Payable out of the administrative funds provided by the Federal aid road act of July 11, 1916, as amended.

I concede the point of order to that portion of the paragraph.

The CHAIRMAN. Is that the part to which the gentleman from Iowa makes the point of order?

Mr. HAUGEN. I made it against the paragraph, but I withdraw that, and make it against the words:

Payable out of the administrative funds provided by the Federal aid road act of July 11, 1916, as amended.

The CHAIRMAN. The Chair sustains the point of order on those words as indicated in the paragraph.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word in order to ask the gentleman from Minnesota a question about an item on a preceding page. I refer to the item at the bottom of page 57—

For salaries and the employment of labor in the city of Washington and elsewhere—

And so forth.

In view of the fact that the matter of raising the maximum amount of salaries is to come up later, so far as the Agricultural Department is concerned, I want to ask the gentleman whether the language in the paragraph to which I refer from which I have quoted, gives the Agricultural Department the power to fix any maximum salaries it may see fit.

Mr. ANDERSON. It does not.

Mr. KINCHELOE. Where is there any limitation on it?

Mr. ANDERSON. Well, the law itself fixes the maximum limit of the salary that may be paid.

Mr. KINCHELOE. And this is under that limitation?

Mr. ANDERSON. It is under that limitation.

Mr. KINCHELOE. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For investigating and reporting upon the utilization of water in farm irrigation, including the best methods to apply in practice; the different kinds of power and appliances, and the development of equipment for farm irrigation; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws affecting irrigation; for the purchase and installation of equipment for experimental purposes; for the giving of expert advice and assistance; for the preparation and illustration of reports and bulletins on irrigation; for the employment of assistants and labor in the city of Washington and elsewhere; for rent outside of the District of Columbia; and for supplies and all necessary expenses, $72,000.

Mr. SNELL. Mr. Chairman, I reserve the right to object to this section. I desire to ask the chairman if there has been some real, definite advantage obtained last year in the making of this appropriation. I think we discussed this last year.

Mr. ANDERSON. The gentleman is referring to page 59?

Mr. SNELL. Yes; the first paragraph.

Mr. ANDERSON. I think there has been some very good work done under this paragraph. I would like to call the attention of the gentleman to the fact that this is the only paragraph carried in any bill as far as I know which provides for giving any engineering advice at all in regard to irrigation projects. Taking it from that standpoint——

Mr. SNELL. Are any of the big projects considered in connection with this appropriation?

Mr. ANDERSON. These are largely connected with problems of the user of water, such as the seepage problem, problems connected with overflow, and all that sort of thing. These men are constantly traveling around these small irrigation projects, giving advice and suggestion to these small irrigation-farm owners so they can solve the engineering problems which they have. It is a very small amount, and it ought to be much larger, as a matter of fact.

Mr. SNELL. And there is some real, definite advantage comes from it? If so, I do not want to make the point of order.

Mr. ANDERSON. I think they are doing good work.

Mr. SNELL. I withdraw the point of order.

Mr. HAYDEN. Mr. Chairman, I move to strike out the last word. Under the authority set forth in this paragraph are conducted some of the most valuable experimental and investigational work of the entire Department of Agriculture. Of the hundreds of millions of acres in the West that are suited to agriculture, except for the lack of water, the last census showed that about 19,000,000 were irrigated. Experts estimate that the known water supply in this region is sufficient to irrigate from 45,000,000 to 50,000,000 acres, the ultimate limit depending upon the economy with which water is used. The land is there for an indefinite expansion; a water supply is the only thing needed to make it productive.

Of the 19,000,000 acres of desert land irrigated in 1920, about 3,000,000 acres, or more than 15 per cent, have become so wet from the use of more water than the crops consume that they must be drained if they are to continue to produce profitable crops. This condition is spreading, and our people have not learned to convey and apply water in such a way as to stop it. We need experiments to develop feasible methods of reducing this danger.

The farmer on irrigated land has not only to pay to get the water on his farm but he must also pay to get it off. In the Salt River Valley, in Arizona, the Department of Agriculture has carried on extensive experiments, and much has been done to limit the injury by teaching farmers to prepare their fields for irrigation so as to require less water. Much good has also been accomplished in determining the most economical methods of lowering the ground-water level below the danger point. Each irrigated region, however, presents a different set of problems, and there is great need for continued research to determine how they can be best met.

In the arid region practically all of the land is valueless without water. The use of more water than is necessary on one tract of land condemns another area to sterility. On the other hand, it is possible to use so little water that crop returns fall below the point where they produce a profit. We need additional research to determine for each type of soil in each community the quantity of water to use for each crop, in order that returns may not be reduced by too limited use, and also that the water needed for other land may not be wasted.

Water is lost and wasted at every step in the process of conveying it to farms and applying it to the fields. Of course, losses in conveyance can be stopped by carrying water in concrete-lined canals or in pipes, but in most places such measures are too expensive. We need research to discover more economical methods of preventing such losses and to cheapen the known

methods. Losses in applying water to fields are also large, but they can be checked by adapting methods to soils and crops.

More than 90 per cent of the reclamation of desert land thus far accomplished has been by private agencies. In these projects the United States Reclamation Service does not participate. It is probable that a considerable portion of future irrigation development will be by private initiative. Financial failures of private irrigation enterprises have been so numerous that it is now very difficult to induce capital to invest in such securities. It is only right and proper that the Federal Government, through the research organization of the Department of Agriculture, should endeavor to aid legitimate irrigation schemes by ascertaining the causes of past failures and map out a course which will safeguard future investments in such enterprises. This involves not only a study of the history of irrigation development but an examination of forms of organization, the State and Federal laws under which they operate, and so forth.

Closely related to this subject is that of cooperative community enterprises looking to the utilization of the water supply of an entire stream. The irrigation of every western valley has proceeded by stages, the first works built being of a crude type for the irrigation of land most easily reached by canals. Then more pretentious works were built for land more remote. Under such circumstances there could be no comprehensive plan for supplying water to all the land in the most economical manner or for the conservation of flood waters in large storage reservoirs.

As long as water was abundant and cheap this defect was not felt, but the time has arrived in many communities when further progress can not take place without the cooperation of all interests deriving water from a common source. The organization best adapted to such cooperation seems to be the irrigation district, but the proper carrying out of plans for such large-scale operations as are involved calls for extensive research along such lines as the most economical duty of water, seasonal requirements of different crops, capacities of different soils for water, and the measurement and division of water. The studies thus far made only emphasize the need for more complete information along the lines referred to.

Mr. RHODES. Will the gentleman yield?

Mr. HAYDEN. I yield to my good friend from Missouri.

Mr. RHODES. Is it not a fact that the reclamation engineers in charge of these local projects advise with the people who are interested in irrigation, and are they not just as well prepared to give advice about local projects as the Department of Agriculture?

Mr. HAYDEN. But the gentleman forgets that but about 3,000,000 acres have been irrigated through the United States Reclamation Service out of a total irrigated area of 19,000,000 acres. My friend will also remember that the Reclamation Service deals only with projects where expenditures are made from the Federal reclamation fund. I contend that irrigation agriculture is entitled to the same consideration from the Department of Agriculture as any other kind of farming in the United States. It is no part of the duty of the United States Reclamation Service to engage in scientific research for the benefit of the owners of private land. All the expenses of that service are paid out of the reclamation fund and are chargeable to the several Federal irrigation projects. There is no way in which they could legitimately use that fund for any such purpose.

Mr. RHODES. Will the gentleman permit one further question or observation? I can see the importance of this reclamation work, and I was just wondering if there is not a lot of duplication, a doubling up of effort on the part of the Agricultural Department in conducting this work.

Mr. HAYDEN. I have looked into that matter with some care and find that there is no great amount of duplication of work.

Another field for research which is of great interest to the arid region is the development of the vast underground water supplies by pumping. While water has been pumped for irrigation for many years, a great many failures have resulted from the selection of the wrong kind of equipment, faulty installation, underestimation of the amount of water obtainable from the well, or from other causes which might have been avoided if more definite knowledge of the requirements was available. It is not at present known with any degree of certainty the depth from which water can be pumped economically for the irrigation of a given crop under given climatic and soil conditions. Only a broad, general study of conditions in the entire arid region will make it possible to solve this and other related phases of the problem.

For example, there has been no convenient way for a person planning to develop land by pumping to obtain disinterested advice as to the best type of pump for his use or the most efficient means of operation. If he inquires of a manufacturer he will be told that his pump is the best and should be used, but such advice, of course, is not disinterested. And the same is true with respect to many other irrigation problems throughout the West.

These are the reasons why I rose to address the committee this afternoon. I want to ask the gentleman from Minnesota, in charge of the bill, whether we might hope that this appropriation will be materially increased whenever the other activities of the Department of Agriculture may be enlarged, at such time as the financial condition of the Government shall permit.

Mr. ANDERSON. Of course, the "gentleman from Minnesota" may have nothing to do with it at that time, but I agree that this item ought to be developed along with the rest of the department. I agree that the irrigationists are entitled to as much consideration as any other class of farmers.

Mr. HAYDEN. I am glad to have that assurance from the chairman of the subcommittee, and I am hopeful that in the near future the Department of Agriculture will insist, even more strongly than it has in the past, that larger sums be allowed for this purpose, and that the Congress will authorize the expenditure of the full amount estimated for in the Budget.

Over $700,000,000 has been expended in the construction of irrigation work throughout the West and more than twice that much has been spent by the farmers themselves in leveling land and preparing it for water. At its best irrigation is an expensive process, which, however, yields high returns under favorable circumstances. Some of our large streams—notably the Columbia, the Missouri, and last, but not least, the Colorado—carry out of the arid region immense quantities of water that might serve millions of acres if the water could be brought to the land at a practicable cost. The agricultural salvation of these lands and the economical use of other millions of acres of grazing land depend upon the development of methods of lifting and conveying water that will make it available at a reasonable price. Scientific research into irrigation practices should therefore receive adequate support if the development of the arid West is to be encouraged.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For supervising the preparation, distribution, and use of picric acid, trinitrotoluol, trojan powder, and such other surplus war explosives as may be made available for use in clearing stumps and stones from agricultural land, independently or in cooperation with agricultural colleges and other agencies, and for investigating and reporting upon the results obtained from the use of the explosives, $15,000.

Mr. HAUGEN and Mr. TILSON rose.

The CHAIRMAN. The gentleman from Iowa [Mr. HAUGEN] is recognized.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order on that. It is a matter that was discussed a year ago, and it went out. This is for supervising the preparation, distribution, and use of these explosives. My understanding was that the purpose was to distribute the surplus in the department.

Mr. ANDERSON. The gentleman knows that this stock exists in storage in bulk, and it has to be cartridged and put in such shape that it can be used. This $15,000 does not cover the cost of that preparation, because the actual cost of preparation is carried into the price which is charged to the people who buy the stock. The $15,000 covers supervision only.

Mr. HAUGEN. What is the suggestion? Is it that the surplus shall be distributed or is it to be manufactured?

Mr. ANDERSON. This 12,400,000 pounds altogether was turned over to the Bureau of Public Roads by the War Department without charge. Three million pounds of it was at Sparta, Wis., and the remainder is at Fort Wingate. A large part of that at Sparta has already been distributed, leaving 200,000 pounds at Sparta and something like 9,000,000 pounds at Fort Wingate, N. Mex.

Mr. HAUGEN. There is still a surplus on hand?

Mr. ANDERSON. Yes.

Mr. HAUGEN. And the purpose is to distribute the surplus?

Mr. ANDERSON. Yes.

Mr. HAUGEN. And not to manufacture it?

Mr. ANDERSON. No. And enough to include the cost of cartridging, and so forth.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. In addition to what the chairman has just said, that there is a large demand for this explosive, I believe that the plan of distribution is practically self-sustaining.

Mr. ANDERSON. It is, except here in Washington and points at which the work is done.

Mr. TILSON. Just a few words as to the nature of this very dangerous explosive. If a heap of it were placed upon this table and a match touched to it, it would only singe a few of those who might be sitting near, but would not do any great

amount of damage, whereas if it be restrained and exploded with a high order of detonation it becomes very powerful and effective. The greater the restraint the more powerful and effective it becomes.

Mr. HAUGEN. I take it that the wording of this would permit the manufacture, the supervision, and distribution. But I am satisfied. I doubt the advisability of manufacturing.

Mr. TILSON. It seems to me necessary to prepare the material for use, and this preparation consists not in manufacturing but in making it ready to put the proper restraint upon it, so as to give it force when exploded.

Mr. ANDERSON. This item covers the supervision of that explosive and not the preparation itself.

Mr. TILSON. And a charge is made that will carry a good portion of the expense?

Mr. ANDERSON. All the expense of cartridging and freight and anything else, except what little supervision is necessary.

Mr. TILSON. I would like to ask the gentleman what success they have had with this explosive in blasting stumps and stones?

Mr. ANDERSON. I have not seen the report on it, but I think it has been used very successfully, and there has been a large demand for it.

Mr. TILSON. It may be recalled that at the end of the war there was an enormous quantity of this trinitrotoluol on hand. There was a proposition made at the time that it be shipped out to sea and cast overboard. Then we began to look around for useful purposes to which it might be put, and this was hit upon. I was interested in knowing just how successful it had been.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word. While back in my home State recently a complaint was brought to my attention of the inability of farmers to get picric acid from the large plants which the chairman of the subcommittee knows are in our own State; that some discrimination was evidently being exercised against these men who desire the use of this picric acid in favor of the men who were taking it for explosive purposes; that is, I mean in the large munition manufacturing plants.

I am wondering whether the gentleman has any information bearing on that point, whether or not the distribution of this material is open and free to everybody who lays down the equivalent sum of money required?

Mr. ANDERSON. It should be, and I think it is. It is barely possible, however, that the Chief of the Bureau of Public Roads has not yet been able to make the necessary cooperative arrangements to enable him to make a distribution in the gentleman's State.

Mr. KETCHAM. May I state that the particular form of the complaint came in this manner: That these men had gone to the proper department having charge, and they were informed that it had been turned over to some subsidiary distributing agency which had charge of it. They could get no further than that, notwithstanding they were willing to pay several dollars a ton more than the ammunition factories were getting it for.

Mr. ANDERSON. The matter has not been brought to my attention at all, and I am unable to answer the gentleman's question.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MANN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. LADD, Mr. NORBECK, and Mr. KENDRICK as the conferees on the part of the Senate.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To investigate and encourage the adoption of improved methods of farm management and farm practice, $291,707: *Provided*, That of this amount $150,000 may be used in ascertaining the cost of production of the principal staple agriculture products.

Mr. ANDERSON. Mr. Chairman, I move to strike out the word "agriculture," on line 17 of page 62, and insert in lieu thereof the word "agricultural."

The CHAIRMAN. The gentleman from Minnesota moves to change the spelling of the word "agriculture," on line 17, as indicated.

The motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing, handling, utilization, grading, transportation, and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, including the demonstration and promotion of the use of uniform standards of classification of American farm products throughout the world, independently and in cooperation with other branches of the department, State agencies, purchasing and consuming organizations, and persons engaged in the marketing, handling, utilization, grading, transportation, and distributing of farm and food products, $471,200.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. LANHAM. Mr. Chairman, this paragraph and the two or three succeeding paragraphs have to do with the dissemination of information concerning agricultural and crop conditions and telegraphic news service with reference to markets. During the war a service of this kind was had in the southwestern section of the country, with headquarters at Fort Worth, Tex. Since the war this service has been abandoned in that section, largely, as it seems from a perusal of the hearings, by reason of the fact that the rates for the leasing of the wires have so increased as to make the service practically prohibitive during this time of enforced economy. That section of the country, under normal conditions, certainly is entitled to as good service in this regard as any other section of the country, because it is one of the largest producing areas of the entire Nation.

My purpose in moving to strike out the last word is simply to inquire of the chairman of the subcommittee whether or not, when the economic conditions are better, we may hope in that section of the country for a resumption of this service?

Mr. ANDERSON. I think the service is a very valuable one, and if it could be had at the same cost that we had it for originally I think it would be fully justified. When the time comes when we can have it at a reasonable price, personally I shall be very glad to see it restored.

Mr. LANHAM. I am very much gratified to have that assurance from the chairman of the subcommittee, because our agricultural and live-stock people are vitally interested in getting this service. However, they wish also to do their share in promoting the economy which is necessary now in our governmental operations.,

Mr. McLAUGHLIN of Michigan. Mr. Chairman, it seems to me that some of the language in this paragraph provides for duplicating work by the Bureau of Markets.

Mr. ANDERSON. May I call the gentleman's attention to the fact that this item now is a combination of three or four items that were previously carried, including the cotton standardization work and the appropriation for State cooperation of $70,000, and also the appropriation for grain standards, which formerly were under the Bureau of Markets.

Mr. McLAUGHLIN of Michigan. In carrying them on, uniting those different items, some language is used here that would permit duplication.

Mr. ANDERSON. No. That language is not carried anywhere else. It is simply carried in this section in the exact terms under which it was previously carried in separate paragraphs.

Mr. McLAUGHLIN of Michigan. Here is "For acquiring and diffusing among the people of the United States on subjects connected with the marketing, handling, utilization, grading, transportation, and distributing of farm and nonmanufactured food products," and so on. That is certainly part of the work contemplated by the Bureau of Markets.

Mr. ANDERSON. The Bureau of Markets is a part of this bureau.

Mr. McLAUGHLIN of Michigan. And this language is not carried anywhere else—giving authority to the Bureau of Markets to do this work?

Mr. ANDERSON. No.

Mr. McLAUGHLIN of Michigan. I had not noticed the change before, so that the gentleman from Minnesota is no doubt right about it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and live-stock estimates, acreage, yield, grades, stock, and value of farm crops, and numbers, grades, and value of live stock and live-stock products on farms, in cooperation with the States Relations Service and other Federal, State, and local agencies, $357,400: *Provided*, That not less than $65,000 shall be used for collecting and disseminating to American producers, importers, exporters, and other interested persons information relative to the world supply of and need for American agricultural products, marketing methods, conditions, prices, and other factors, a knowledge of which is necessary to the advantageous disposition of such products in foreign countries, independently and in co-

operation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distribution of farm and food products, including the purchase of such books and periodicals as may be necessary in connection with this work.

Mr. MANN. Mr. Chairman, I rise just to inquire of the gentleman from Minnesota whether he thinks this title to this bureau will last for two years?

Mr. ANDERSON. I think so. I do not think, however, that I am entitled to think anything about it in view of the fact that last year I thought the title would last for some time. In other words, "I acknowledge the corn."

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For enabling the Secretary of Agriculture to investigate and certify to shippers and other interested parties the quality and condition of fruits, vegetables, poultry, butter, hay, and other perishable farm products, when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, $175,000.

Mr. SUMMERS of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUMMERS of Washington: On page 64, line 4, after the word "products," insert "when offered for interstate shipment."

Mr. SUMMERS of Washington. Mr. Chairman, this paragraph provides for Federal inspection of fruits, vegetables, and other farm products at the receiving point, the point of final destination. My amendment simply makes it possible for an inspection to be made at the shipping point, before the grower has incurred the expense of several hundred dollars for freight in order to get his products to a distant market and there probably have a question raised as to quality or condition or possibly have it condemned.

Mr. SNELL. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes; I yield.

Mr. SNELL. Would not this necessitate a great many more inspectors, if we had them at every point where this freight originated?

Mr. SUMMERS of Washington. This is optional with the department as to whether they shall make the inspections, and whenever it is done the inspection is made at the expense of the shipper. A good many States have a State inspection law, and I am informed by the department that it would be possible for them to cooperate with the State inspectors who are on the ground, and that where freight is offered for interstate shipment an inspector will be permitted to issue a Federal certificate instead of a State certificate.

Mr. SNELL. Do I understand the gentleman to say that the shipper pays all the expense?

Mr. SUMMERS of Washington. The shippers pay the expense. They pay $5 or $6 or $7 a car for the inspections that are made.

Mr. BURTNESS. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. BURTNESS. I do not know if I understand the import of the gentleman's amendment. I notice that the language of the paragraph in the bill itself provides for inspections at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom. Now, what does the gentleman's amendment add to that language, if anything?

Mr. ANDERSON. I do not think it adds very much; but the language is limited now to farm products when received at important central markets. What the gentleman from Washington [Mr. SUMMERS] wants, as I understand it, is an inspection at the point of shipment instead of at the point of receipt of the commodity.

Mr. SUMMERS of Washington. Provided it can be made at the expense of the shipper.

Mr. BURTNESS. I think it is very important that that language should be carried if the bill itself does not now provide that an inspection may be made there, when the shipment is received at a central market or at a point convenient to it.

Mr. SUMMERS of Washington. I think the language in the bill might mean that an inspector in New York City could go over to Jersey City and make an inspection there, but I am not sure of its wider application.

Mr. COOPER of Wisconsin. I notice in line 2, on page 64, it is provided—

For enabling the Secretary of Agriculture to investigate and certify to shippers.

Does not that cover the point the gentleman wishes to cover?

Mr. ANDERSON. No.

Mr. COOPER of Wisconsin. What does the amendment do?

Mr. SUMMERS of Washington. Here is a point where there are a thousand carloads of fruit going into interstate commerce. The producers of that fruit have put all their year's labor into it, and are subjected to the added expense of the high freight rate for several hundred miles, and they never know whether it will be received at the other end of the line without a controversy, when it is two or three thousand miles away from the shipping point. Heretofore the inspection has been at the eastern market, where the fruit was received, and not at the shipping point.

Mr. EVANS. If I understand the purpose of the gentleman's amendment, it is to fix the condition of the commodity at the point of shipment, so that there can not be any dispute when the contract is f. o. b. the shipping point.

Mr. SUMMERS of Washington. That is correct. An inspection at the packing and shipping point is much more thorough than an inspection at the receiving point, where usually a few boxes are opened and an entire car is passed or condemned on the showing made by those few boxes.

This amendment, while equally beneficial to shippers and buyers, is above all in the interest of the consumer; it is the consumer's guaranty that he is getting what he buys and pays for.

Mr. MANN. Mr. Chairman, I have no objection to the amendment proposed by the gentleman from Washington. I have no objection to the provision in the bill; but we all ought to understand that this is very widely increasing the scope of the work done by this branch of the service. Under the existing law the inspection can be made only where the property is in interstate commerce and can be made only at a designated central point of shipment. The Secretary of Agriculture designates certain central points, and the inspection force is located at these points. The certificate of inspection can be given only at these points, and on interstate commerce. The language of the bill itself had already made two changes in the law. One was striking out interstate commerce, so that the certificate might be made in intrastate commerce as well as in interstate commerce, and the other providing that the certificate might be made not only at the central markets designated by the Secretary of Agriculture but at any other place that could be reached conveniently from the central markets. And inasmuch as any place in the United States can be reached conveniently from one of the central markets of the country, the bill as reported meant that the Secretary of Agriculture might authorize, within the limits of the money that he had, an inspection at any point; but the gentleman from Washington [Mr. SUMMERS] in offering his amendment desires to make that absolutely certain, as I understand it. While it is clear to me that it is carried in the original bill, he wants to fix it beyond peradventure that it means that a certificate of inspection may be granted on a shipment from any point where the Secretary of Agriculture is willing to have the certificate made, whether it is at the point of origin or at some other point, or whether it is in interstate commerce or intrastate commerce.

Mr. REED of West Virginia. Will the gentleman yield?

Mr. MANN. I yield to the gentleman from West Virginia.

Mr. REED of West Virginia. In cases where there is a long haul might not some of these perishable goods have a clean bill of health when they start and not be in good condition when they arrive at their destination?

Mr. MANN. Oh, yes. The certificate of inspection at the point of origin would simply certify as to the condition of the goods at the time and place of shipment. That does not guarantee that the goods are of the same quality when they reach their destination, especially if eggs have been kept on the way in hot weather for six weeks or three months. But I would ask the gentleman from Minnesota [Mr. ANDERSON] whether this is likely to cause any very great increase in the appropriation? I notice there is no increase proposed with this change of scope of the original plan.

Mr. ANDERSON. I think the language proposed by the committee will not cause any considerable increase in appropriation, but the language proposed by the gentleman from Washington, if carried out in the way he intends, I think would require eventually quite a large sum.

Mr. MANN. The language reported by the committee requires inspection not only at the central market but at any point

that can be conveniently reached, and that would cover any point in the United States.

Mr. ANDERSON. The gentleman's construction is correct; but what was meant and intended was, for instance, the towns within short distances of the central receiving points, like Omaha or Chicago, where carload lots are shipped to points within short distances which a man can reach and get back in an hour or two.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, if the committee is going to adopt this change of existing law it ought to appreciate what it is doing. As the law now stands it provides for the inspection of perishable farm products moving in interstate commerce, for their inspection at the point of receipt—that is, at the destination—on the theory that the Federal Government has to do only with interstate commerce, the inspection being made only for the purpose of protecting the shipper and to some extent the receiver of perishable goods. The Federal inspector makes an inspection and issues a certificate setting forth the condition in which the goods reach their destination, his certificate to be used in the settlement of disputes, if such may arise, between the shipper and the receiver of the goods.

I have always insisted when this section was being prepared that the inspection should be limited to goods in interstate commerce, because, in my judgment, that kind of a shipment is the only one over which the Federal Government should exercise or has a right to exercise any jurisdiction. If the words "interstate commerce" do not remain a part of the law, it will permit the inspection of intrastate shipment, shipments moving from one town to another within the same State. It will authorize the Federal Government or its agents to interfere with and take part in the transfer or shipment between residents of a State, a duty or a function which the Federal Government ought not to be asked and ought not to be permitted to perform. The Federal Government has no right, in my judgment, to assume to make an inspection of intrastate shipments or take part in a controversy between the residents of a State. If we permit it, we are not only permitting what I conceive to be an improper work, but as it extends, as it surely will, it will involve untold cost and trouble. They say it is going to be self-supporting. I do not believe it; but in any event the work as proposed is not right; it is not the duty of the Federal Government to have anything to do with State business or State disputes. One portion of the section provides for the issuing of a certificate by an agent who makes an inspection, to be delivered to a shipper or any interested party, which certificate shall be prima facie evidence of the truth of the statement which it contains if the matter should arise in the United States courts.

It may be competent for the Congress of the United States to make a rule of evidence of that kind, to be invoked and to be controlling in a United States court, but this Congress can not make rules of evidence to control a State court or have any influence in the trial of a case in a State court. In my judgment, this ought to be limited to interstate commerce, and we are going outside of our functions and jurisdiction if we undertake to make it relate to or include shipments wholly within a State.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. McLAUGHLIN of Michigan. I have read the hearings on this item, and it was urged that if a man had a carload of perishable goods anywhere in the country he ought to have an opportunity to have a Federal inspector inspect those goods at his farm or at the first point of shipment before they start on their course. It would provide for an army of men to go over the country representing the Federal Government, inspecting goods at points of shipment wherever they might be. If that is a function of the Federal Government I do not understand our form of government. I feel sure that it is not proper. They say that shippers and receivers of goods inspected will pay the cost of inspections, and that the cost will be covered in that way. That is immaterial to me. I do not want the Federal Government mixed up in any of these strictly local or domestic matters. There is a State jurisdiction and there is a Federal jurisdiction. It may be difficult sometimes to determine between them, but there is a way to determine; there are Federal courts and State courts, and they have their respective jurisdictions. We determine in other matters the respective jurisdictions, we can do the same in these matters. I would confine the State and the Federal Government each to its own jurisdiction; neither ought to be permitted to assume or to invade the jurisdiction of the other.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. SUMMERS of Washington. The gentleman is speaking of the section in general rather than my amendment. My amendment says that when offered for interstate shipment.

Mr. McLAUGHLIN of Michigan. The gentleman's amendment would permit inspection of goods "received in interstate commerce or at certain important points." That is good, but it would not authorize an inspection at the starting point. The question usually arising will be, In what condition are the goods when they reach their destination? That is the only thing we are trying to settle for the benefit of the shipper and the receiver alike. In what condition were the goods received? That was the idea when provision for inspection was first included in an Agricultural appropriation bill. I remember very well when it was first put in the bill, and it was to determine the condition of perishable goods when they reached their destination.

Mr. COOPER of Wisconsin. If the gentleman will pardon me, would it not meet the objection to strike out the word "or" at the end of the gentleman's amendment?

Mr. McLAUGHLIN of Michigan. The amendment as offered is an improvement, because Federal inspection at any and every starting point of shipment all over the country would not be permitted; it would provide for inspection at important receiving points, even if shipment is wholly within a State.

Mr. ANDERSON. That is the object, of course, of the proposed amendment. It is to destroy what the gentleman wants to do and what I think ought to be done.

Mr. McLAUGHLIN of Michigan. Does the gentleman think there ought to be inspection of intrastate shipments all over this country?

Mr. ANDERSON. I think when two shipments go into the same market—into Chicago, for instance; one from Peoria, Ill.; and one from Milwaukee, Wis.—both shipments of cabbages, standing side by side on the tracks, that the man who inspects the shipment from Milwaukee ought also to be able to inspect the shipment from Peoria, and that is all that this provides for.

Mr. McLAUGHLIN of Michigan. That sounds very well. But suppose there are two burglaries committed in the city of Chicago, one in the post office and the other in a mercantile establishment across the street, as near together as they can possibly be. The man charged with robbing the post office is tried in the United States courts while the one charged with breaking into the private establishment is tried in the State courts. There is a dividing line between the jurisdiction of the Federal Government and of the State government.

Mr. ANDERSON. But the same policemen that arrested one of them could arrest the other.

Mr. McLAUGHLIN of Michigan. Yes; they do that; but I think we ought to be careful how we extend the jurisdiction of the Federal Government in local matters. It is the principle I contend for, and the mere fact that the fees collected will be applied to meet the cost and that the expense will be reduced does not mean much to me.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. MANN. Is it not a fact that while we theoretically inspect the meat at Chicago, in the packing houses, for interstate commerce we inspect all the meat, whether it is used in Chicago or New York or in Washington?

Mr. McLAUGHLIN of Michigan. It is not known to what points that meat will be shipped, but so much of it is destined for interstate shipment that it is necessary to have it all examined; in fact, it can not be separated.

Mr. MANN. I am not opposed to it; but the fact is that we do not require it to be used in interstate commerce in order to make the inspection.

Mr. McLAUGHLIN of Michigan. If the gentleman will read the hearings, he will find that those who advocated striking out the words "in interstate commerce," as they appear in the law now in force, wished to have the privilege of having an individual shipment examined at the point of starting, anywhere and everywhere throughout the country, regardless of where the goods are intended to go. Inspection at important receiving points within a State may be helpful to shippers, but to provide for Federal inspection at every starting point would, in my judgment, be unwise.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BUCHANAN. Mr. Chairman and gentlemen of the House, I wish I could agree with my distinguished friend from Michigan [Mr. McLAUGHLIN] in his contentions in respect to State rights. I do not think there is a man on the floor who is more zealous of State rights and who seeks to protect them more than I, but in this question State rights are not involved. It is a purely voluntary service rendered by the Federal Government upon the request of one or more of her citizens. If we are going to furnish this inspection service, why is it that the resident of a State who is shipping to some other point in that State is not entitled to this certificate the same as the resident of the same State who may be shipping goods across the line? That is the question. It is the service rendered to the shippers of the country.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. COOPER of Wisconsin. The Constitution of the United States gives Congress exclusive authority over interstate commerce. Where is there a line in that instrument which gives Congress any authority whatever respecting intrastate commerce?

Mr. BUCHANAN. I entirely agree with the gentleman.

Mr. COOPER of Wisconsin. That was the argument made by the gentleman from Michigan.

Mr. BUCHANAN. But we are not seeking to control this inspection, to force it upon any citizen of any State. We merely say that the Federal Government agents will inspect their products, if they want them to. If they do not want them to, they will not.

Mr. COOPER of Wisconsin. But it is provided that the certificate of the intrastate shipment shall be admitted in court.

Mr. BUCHANAN. Oh, no; the certificate will be prima facie evidence in the Federal courts. We let the State court rule upon whether it is admissible in the State court or not. We have no concern with that. The judges of the State courts can rule upon that matter. If they want to exclude it, let them exclude it, and let the supreme court of the State determine the question.

Mr. COOPER of Wisconsin. Can we by congressional enactment make a law respecting intrastate shipments?

Mr. BUCHANAN. We have not done that. We make the certificate prima facie evidence in the Federal court in interstate shipments. We propose by this to extend the inspection to intrastate shipments, that is all. This service has become valuable to the people of the United States, not because the certificate is prima facie evidence in a Federal court but because a certificate of this department adds to the marketable value of the product inspected. They want it to aid them in procuring a market for their products, because the purchasers say that if they have a certificate of the Federal Government the product is sound and good and they will buy it. You are depriving the residents of a State who may be shipping to another point in the State of this privilege and of a service that you rendered to those who ship beyond the line.

Mr. COOPER of Wisconsin. What is the reason that the State can not provide for inspection of intrastate shipments?

Mr. BUCHANAN. I assume the State could, but the State inspection service perhaps does not enjoy the splendid reputation that the service of the Federal Government does.

Mr. McLAUGHLIN of Michigan. That means that all the State service and the people in the State will have to do in order to get Federal money is to be dishonest and refuse properly to perform their duties, and that the more dishonest and neglectful they are the greater claim they will have upon the Treasury of the United States.

Mr. BUCHANAN. Oh, I am not prepared to go as far as that. I am one of those who have an abiding confidence in the integrity of the residents of the different States. I do not think they will practice dishonest methods in order to get a few paltry dollars from the Government.

Mr. McLAUGHLIN of Michigan. But the gentleman himself has just reflected upon them.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. McLAUGHLIN of Michigan. I have spoken before and if the time is limited I do not care to take time in preference to those who have not spoken.

Mr. ANDERSON. If the gentleman wants to take time I am perfectly willing that he should do so. If he does not, then I will ask for a vote.

Mr. McLAUGHLIN of Michigan. I would like to have five minutes.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, we find in the hearings statements similar to those made by the gentleman from Texas [Mr. BUCHANAN] that State certificates are not reliable and therefore it is necessary to have Federal inspection. Those who made the statements are reflecting upon the people of the States, and I think the statement of the gentleman from Texas is a reflection upon officials of the States, that they do not issue correct certificates, or that their reputation is such that the country at large is not willing to accept them.

Mr. BUCHANAN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. BUCHANAN. Just to make a correction in the gentleman's statement. I did not say they were not reliable——

Mr. McLAUGHLIN of Michigan. The gentleman said they did not enjoy a good reputation.

Mr. BUCHANAN. I said the public had more confidence in the certificate issued by the Government.

Mr. McLAUGHLIN of Michigan. I will let the gentleman's statement stand as he made it, that Federal certificates inspire more confidence. I have only a word more, just in reference to the State rights matter. The gentleman says he is a firm believer in State rights and yields to nobody in his devotion to the doctrine of State rights. A few years ago a very distinguished chairman of the Committee on Agriculture told us that he was a firm believer, as the gentleman from Texas is, in State rights, but he said, "I never let that idea interfere with an appropriation for South Carolina." [Laughter.] That is the idea the gentleman from Texas has in his mind. He believes in State rights until there is a chance to get an appropriation from the Federal Treasury.

Mr. ANDERSON. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the Chair announced the ayes appeared to have it.

On a division (demanded by Mr. BUCHANAN) there were—ayes 38, noes 7.

So the amendment was agreed to.

Mr. BURTNESS. Mr. Chairman, I move to strike out the last word. I do that for the purpose of asking the chairman of the subcommittee a question as to the construction of the language in line 12, page 64, in reference to the words relating to where the certificate shall be received as prima facie evidence. The language is "in all courts of the United States." I take it that it is limited to the Federal courts?

Mr. ANDERSON. That is my understanding.

Mr. BURTNESS. Does the gentleman know of any objection to including language so as to make the certificate on interstate shipments receivable as prima facie evidence in all courts within the United States?

Mr. ANDERSON. I think if that were going to be done it ought to be done by the State legislature.

Mr. BURTNESS. I know in many cases from personal experience and observation that there is enormous expense entailed in getting the evidence that is required from the man who makes the inspection, and so forth, and unless the gentleman knows of any valid objection to it I would be disposed to offer an amendment to change, in line 12, the word "of" to "within," and insert after the word "department" in line 11 the words "on interstate shipments."

Mr. ANDERSON. I hope that will not be done. Nobody can tell what a snap judgment of that kind on a piece of language like this is going to do, and I am frank to say I do not know what its effect would be, and I very much hope it will not be done.

Mr. TILSON. Does the gentleman think we have any power to say what shall be prima facie evidence in a State court?

Mr. BURTNESS. It is a doubtful question, but if you limit your action to shipments in interstate commerce that we take cognizance of and provide inspection for and give certificates for, I think there are two sides to the question. But in view of the fact that this has not received careful consideration, and recognizing that a snap judgment might be a mistake, I am not disposed to press the question at this time, but simply brought it up so that it may be more carefully considered in the future.

The CHAIRMAN. The pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

That hereafter the powers conferred and the duties imposed by law on the Bureau of Markets, Bureau of Markets and Crop Estimates, and the Office of Farm Management and Farm Economics of the Department of Agriculture shall be exercised and performed by the Bureau of Agricultural Economics.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order. I refer to the word "hereafter" in line 1. Has it been definitely determined to make this permanent?

Mr. ANDERSON. I understand so; as a matter of fact the reorganization is practically completed now.

Mr. HAUGEN. The reorganization is completed?

Mr. ANDERSON. Yes.

Mr. HAUGEN. I withdraw the reservation.

The Clerk read as follows:

ENFORCEMENT OF THE UNITED STATES COTTON FUTURES ACT.

To enable the Secretary of Agriculture to carry into effect the provisions of the United States cotton futures act, as amended March 4, 1919, including all expenses necessary for the purchase of equipment and supplies; for travel; for the employment of persons in the city of Washington and elsewhere; and for all other expenses, including rent outside of the District of Columbia, that may be necessary in executing the provisions of this act, $146,540: *Provided*, That any moneys received from or in connection with the sale of cotton purchased for the preparation of practical forms of the official cotton standards and condemned as unsuitable for such use may be expended by the Secretary of Agriculture during the fiscal year ending June 30, 1923, for the purchase of other cotton for such use.

Mr. HAUGEN. Mr. Chairman, I reserve the point of order or rather I make it, to the proviso, line 15 to line 21, inclusive, that it is legislation unauthorized.

Mr. MANN. Does the gentleman from Iowa understand this has been carried for quite a while? There is no doubt it is subject to a point of order.

Mr. HAUGEN. Well, it is bad policy to make it a revolving fund.

Mr. MANN. Here is the point about it. Certain of this cotton that has been used a while may become too old, or something happens to it, for use for standard purposes. Now, if that is the case no one knows just what it will be, and is it not better to sell it and buy some cotton that can be used for standard?

Mr. HAUGEN. The proviso can be framed so as to provide for selling, but what I object to is to make it a revolving fund. I think there should be an accounting.

I think Congress has determined definitely that there should be accounting in every division. For instance, we had in the Forest Division and other bureaus revolving funds. I think it is bad practice. We ought to know exactly what money is received and what it has been appropriated for.

Mr. MANN. Of course, the general principles I fully agree with.

Mr. ANDERSON. Mr. Chairman, I do not contest the point of order.

The CHAIRMAN. In the opinion of the Chair, it is a limitation on an appropriation bill, and the Chair sustains the point of order.

Mr. ANDERSON. Mr. Chairman, I move to strike out "$146,540," and insert in lieu thereof "$175,000."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: Page 65, line 15, strike out the figures "146,540," and insert in lieu thereof the figures "175,000."

Mr. ANDERSON. I do that for the purpose of separating the funds the department would be deprived of on account of the action which is taken on the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. ANDERSON].

Mr. MANN. They can not sell any of it. There is no authority under this to condemn it. They have got to continue to use it.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ENFORCEMENT OF THE UNITED STATES GRAIN STANDARDS ACT.

To enable the Secretary of Agriculture to carry into effect the provisions of the United States grain standards act, including rent outside of the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $596,223.

Mr. STEENERSON. Mr. Chairman, I move to strike out the paragraph.

There is something wrong about the enforcement of the grain standards act. Just exactly what it is would take me too long to explain. Some people are disposed to blame Congress for this difficulty, but the grain standards act only authorized the Secretary of Agriculture to prescribe standards in grains, and Congress had a right to believe when it passed this act, and did believe, I have no doubt, that the act would be administered in the interest of agriculture, the very purpose for which the whole department exists. The farmers in the spring-wheat region of the Northwest have complained about these regulations covering grain-standard grades ever since they were promulgated in 1917. The act was passed in 1916 and the regulations completed in August, 1917. Notice had been given beforehand to the farmers of the Northwest, and the inspection bureaus of the different States—Minnesota, North Dakota, South Dakota, and Montana—sent representatives to protest against the regulations. But they were adopted with very little modification. Every year since that time we have held hearings either before the Secretary of Agriculture or before the Committee on Agriculture in an effort to get these regulations changed, but without avail. Secretary Houston held that he would not change them during the war. There was some good reason for that. After the war was over Secretary Meredith came in, and he said they had not been tried long enough under peace conditions and he did not want to change them. When the new administration came in the farmers of the Northwest had great hopes. So about a year ago they came down here by special committee representing the State Legislature of Minnesota and representatives from the States of North Dakota and South Dakota, and a protracted hearing was held before the Secretary. However, no change resulted. Seeing that we had exhausted every remedy before the department, I introduced a bill prescribing changes in the spring-wheat regulations. It came before the Committee on Agriculture, and the representatives of these three States and farmers were heard exhaustively. Samples of all kinds of spring wheat and all grades were produced, the flour made from this wheat was exhibited, and the bread made from these different kinds of wheat was shown. We had the professors from the agricultural colleges and the chief inspectors and examiners and chemists, besides the farmers, and as a result of that hearing the bill was reported favorably with quite a number of amendments.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STEENERSON. And these amendments were reported, and the bill is on the calendar. In order to simplify the procedure on the floor of this House I introduced a new bill, including these amendments and some changes that had been found necessary, and the other day when that came up the representatives of the millers appeared in opposition, and they were heard. I am not going into the details. But within the last two or three days the Secretary of Agriculture has announced that he had appointed a committee headed by Dr. Coulter, of the agricultural college of North Dakota, and Prof. Fitz, of Kansas, who investigated the market conditions in the country last season.

Mr. JONES of Texas. I noticed in this morning's paper a statement that the Secretary of Agriculture announced that he was considering some change in the regulations within the next two weeks.

Mr. STEENERSON. He announced that this committee had made a report, and based upon that report he proposed to make certain changes in these regulations governing this spring wheat. And the changes he proposes to make concern test weight, foreign material, moisture, and the classification. Those are the very points that were considered before the Committee on Agriculture, of which the gentleman from Texas [Mr. JONES] is an able and active member, and it is hoped that these changes that the Secretary of Agriculture outlines will accomplish the very purpose for which we are seeking a remedy in this bill that I introduced.

The evidence is sufficient to justify the statement, and the people of the Northwest believe that by the existing rules and regulations governing the spring wheat grades the farmers have actually lost from 20 to 40 cents a bushel on every bushel that they marketed. The representative of the Washburn-Crosby Co., Mr. Bell—and they are the biggest millers, I believe, in the world—in a letter which I will print with my remarks, if I get permission, says that the range between the lowest and highest price paid by the buyers in Minneapolis of spring wheat of the same grade is from 20 to 40 cents a bushel, and they all admit that that difference between what the grade sells for at the lowest price and what it has sold for by sample, where they pay more than the grade price, does not go to the farmer but to the middleman. And if you take it on the

50,000,000 bushels annually sold in Minnesota, it amounts to $10,000,000. In my judgment, in the last five years the enforcement of the grain standards act in the United States has cost the spring-wheat farmers at least $50,000,000.

We had a good inspection system in Minnesota. The Minnesota grades were recognized in the markets of the world as most reliable. That system was in force for more than 20 years, but was superseded by the Federal grades, with the result that the farmers have been penalized to the tune of millions and millions of dollars. The man that boasted that he had laid down the principle upon which these Federal grades were framed had for years been employed by the mills and elevators in Buffalo. He volunteered his services to the Department of Agriculture, and stayed here three or four years and then, after he had completed the preparation of the rules governing the grades, he resigned; and he testified the other day that he was now employed by the big millers, mentioning them, in Buffalo, and he stood by the work that he had done here.

The farmers were never heard. They never were consulted. The head of the Bureau of Markets, in explaining the grades, said they would never be put into effect until they were submitted to and approved by the grain trade. But never was a farmer consulted until recently, when the Secretary of Agriculture did send Dr. John Lee Coulter, who was born and raised in Polk County, Minn., out to investigate and report on the administration of the grain standards act in the Northwest. That was the first time that a practical agriculturist had anything to do with grades. I think the same thing may be said of Mr. Fitz, who was connected with an agricultural college in Kansas. I am glad they have at last permitted somebody who knows something about the producer to have something to say in regard to the preparation of these rules respecting the grades. This legislation, when enacted, was supposed to be in the interest of the producer; but here in the case of wheat the grades have been established in the interest of the buyers. I hope when the new grades are promulgated by the Secretary of Agriculture in the near future some regard will be given to the interests of the man who raises the wheat. [Applause.]

Mr. Chairman, at every hearing, whether before the department or the committee, the millers and terminal warehousemen have opposed the Steenerson bill—H. R. 7401, H. R. 9868—on the ground that it would injure the farmer. They readily admit that present grades are faulty; that they buy wheat at the terminals by sample without regard to grade; that on the same day No. 2 or No. 3 will sell for more than No. 1; and that different lots of No. 1 will sell at prices varying from 20 to 40 cents per bushel. In a recent letter written by James F. Bell, of Washburn-Crosby & Co., millers of Minneapolis, it is said:

"It is a matter of record that the range of price of wheat of the same Federal grade as paid by millers at terminal markets and based on the commercial value of them is most of the time 20 cents, and as high as 40 cents."

That is to say, 5 carloads arrive in Minneapolis, and according to Federal rules are all graded No. 1, and yet each sells on the same day at a different price by sample, the highest 40 cents per bushel more than the lowest. The high price is not reflected back to the farmer, for the price in the country is determined by the closing price the day before for the grade, which is telegraphed each morning to the country elevator. This closing price is for the grade, and seems invariably to be the lowest for the day. See daily market report published in the papers.

The millers profess to desire that the price they pay should be reflected back to the farmer, but the remedy they suggest is the raising of all grade requirements, which would make things worse than they now are. The first proposal is to raise the test weight of No. 1 to 59 pounds. That is higher than Canada requires for Manitoba hard red spring, for they require 60 pounds per imperial bushel, which is equivalent to our 58 pounds. Test weight of wheat varies in different varieties. Hard red spring wheat has a comparatively small berry. It is only in rare cases that it will weigh more than 58 pounds. There are other wheats of much larger berry that weigh up to 63 or even 64 pounds, but that is winter wheat. Those familiar with that variety of wheat when they first see the hard red spring think it seems small, but yet it may be the choicest milling wheat in the world. The flour made from it brings the highest price.

The imperial bushel in use in Canada contains 2,218.92 cubic inches and will hold 80 pounds of water. The Winchester bushel, in use in the United States, contains 2,150.42 cubic inches and will hold 77.63 pounds of water. (Standard Dictionary, "bushel.") The imperial bushel will hold 60 pounds of No. 1 wheat, and yet when the loose wheat is thrown in water it sinks, showing that the specific gravity of loose wheat is greater than water. If we could have a kernel of wheat that contained the same number of cubic inches as a bushel, it would weigh more than 80, probably 90, pounds. Why? Because when you weigh wheat that is loose in a bushel measure or other container it has so many air spaces between the kernels, so many interstices, that it reduces the weight to 60 pounds. Logically, therefore, the test weight of wheat per bushel is affected by the size of the kernel or berry, and the large-size wheat weighs more than the wheat of smaller berry. This is overlooked by those who want the test weight applicable to winter wheat used in grading hard spring. Washburn & Crosby propose to raise the test weight to 59 pounds, and the result would be that 90 to 95 per cent of all the wheat in Minnesota and the Dakotas would be graded below No. 1.

The trouble now is that the farmer receives a lower grade when he sells than the value of his wheat requires, and lower by 20 to 40 cents per bushel than it sells for at the terminal on sample. It sells for what it is worth and regardless of grade when it is inspected and examined by the miller who buys it to make flour.

The present grades fail to indicate the real value of the wheat, and owing to this defect it is impracticable to deal in this commodity on grade. There are now 5 grades and sample grade, making 6 in all, and spring wheat is divided into two classes, hard red spring and durum; and class 1 is divided into three subclasses, dark northern spring, northern spring, and red spring; and class 2 is divided into three subclasses, amber durum, durum, and red durum, which makes six subclasses, and really 6 grades of each, so we have 36 grades. My bill proposes to leave out one subclass, namely, red spring, from class 1 and to omit grade 5 in each class so as to make the total grades four and sample in each subclass.

The requirements under present regulations for grade 1 are as follows: (a) Bright, cool, and sweet; (b) test weight at least 58 pounds to the bushel; (c) 14 per cent moisture; (d) 1 per cent foreign material, including not more than five-tenths of 1 per cent matter other than cereal grains; (e) 2 per cent damaged kernels, including not more than one-tenth of 1 per cent of heat-damaged kernels; (f) 5 per cent of wheat other than hard red spring, including not more than 2 per cent common white, white club, and durum wheat; (g) 5 per cent of humpback wheat in No. 1 dark northern or No. 1 northern. These requirements vary according to the grade, except the first, cool and sweet, which apply to the first four grades. The second requirement, test weight, is for grade 1, 58 pounds; grade 2, 57 pounds; grade 3, 55 pounds; grade 4, 53 pounds; and grade 5, 50 pounds. The third requirement is 14 per cent moisture for grade 1, 14½ per cent for grade 2, 15 per cent for grade 3, 16 per cent for grade 4; also 16 per cent for grade 5.

Another requirement relates to foreign material, which is divided into two classes, separable and inseparable, including rye. The separable material is such that can be taken out in an ordinary fanning mill and is called "dockage" and does not affect the grade, but is taken out of the total weight. The so-called inseparable foreign material, such as wild peas, kinghead, or other like seeds, however, reduces the grade as follows: One per cent or less is ignored, but in excess of 1 per cent, of which more than five-tenths of 1 per cent is other than cereal grains, it reduces the grain to No. 2; an excess of 2 per cent, of which more than 1 per cent is other than cereal grain, reduces it to No. 3; an excess of 3 per cent, of which more than 2 per cent is other than cereal grain, reduces it to No. 4, and an excess of 5 per cent, of which more than 3 per cent is other than cereal grain, reduces it to No. 5; and an excess of 7 per cent, of which more than 5 per cent is other than cereal grain, reduces it to sample grade.

The way this operates in practice, so far as the farmer is concerned who brings his wheat to the country elevator, is as follows: He may bring in perfect wheat weighing more than 58 pounds to the bushel, but if it has 14.1 per cent moisture it goes to grade 2, or it may have a fraction over 14.5 per cent and it goes to grade 3, or it may have 16 per cent and it goes to grade 4. This carload is perfectly clean and the wheat is so plump and sound that it can be shipped without spoiling to the terminal, and when it arrives there it can be run through the elevator and the moisture will be so reduced as to make it No. 1, and this operation will cost about 1 cent a bushel. If it is too damp for shipment the local elevator can spout it a few times through different bins or run it through a fanning mill which will reduce the moisture, raising the grade from No. 4 to No. 1, making a difference when wheat is $1.20 of 22 cents a bushel, or $220 on a thousand-bushel car.

As the test weight of wheat can not be changed by manipulation we ignore that requirement for the purpose of this argument.

The next requirement is foreign material, which at present is divided into two kinds—separable and inseparable—as explained above.

It was conclusively established before the committee that by modern machinery and processes which are found in large elevators and mills, practically all of the foreign material can be removed at an expense of from 2 cents to 5 cents a bushel. Therefore the middleman here would get on this thousand-bushel car a profit of $170 over and above the expense of separating the foreign material, which foreign material might also be of some value for feed.

Another requirement is the number of damaged kernels allowed, but as these do not injure the wheat and can not be removed by machinery they are constant and need not be discussed. Test weight, also being constant and not materially changed by handling, need not be considered here.

The most important elements in grading wheat are: First, test weight; second, moisture; third, foreign material; fourth, condition. The practical operation of the present system is as follows:

One farmer comes in to an elevator with a load of wheat that is plump, bright, cool, and sweet, and tests more than 58 pounds to the bushel, but unfortunately it has 16 per cent of moisture and 10 per cent of damaged kernels, and it is graded down to No. 5.

A second farmer comes in with a load of wheat that has all the faults; that is, it weighs only 50 pounds, it is only cool, but is slightly sour, has 16 per cent of moisture. This is graded just the same as the previous load, and it must be so graded in order to be in accordance with the regulations.

The third farmer comes in with a load which is in every instance strictly graded according to the rules, and he finds that, although the kernels are plump and sweet and weighs more than 58 pounds, and has only 10 per cent to 12 per cent of moisture, but it has 3 per cent of inseparable material in the shape of wild peas or kinghead, and it must be graded down to No. 5.

The fourth farmer comes in with a load of grain which is graded No. 2 because of a slight excess of moisture.

The fifth farmer comes in with a load which is also graded down to No. 5 because it has 10 per cent of damaged kernels.

The sixth farmer has a load which would grade No. 1 in every respect, except that it has 3 per cent of rye, and it is graded down to No. 5.

These six loads are all put into an elevator and spouted out and thoroughly mixed into a car and shipped to a terminal. This is then unloaded there and put through spouts again, thoroughly mixing it, and as of these six cars only two had too much moisture, and being mixed with one that contains only 12 per cent moisture, it reduces the amount of moisture of the whole lot to less than 14 per cent. Assuming there were 133 bushels in each load, making 1,000 bushels in the car, it would give a profit to the mill or elevator that handled it of $300, less the cost of cleaning, which would not be more than $50; besides he will get all the separated foreign material free.

At the hearings before the committee more than 20 samples taken from farmers' wagons were produced, illustrating by actual cases this kind of grading at Fargo, and each grading was absolutely according to the rules, and the inspector had no discretion to do otherwise.

When a country elevator sends this kind of wheat, he may not get the profit involved in raising the grade by mixture, for if he has a carload of the same kind of wheat as came in each wagon load with the faults specified above, these cars would be graded down on him as well as on the farmers' wagon loads, but there the terminal elevator or miller who mixes it and cleans it gains the entire profit, because in these supposed cases the wheat is sold on grade. It is admitted that where the shipper has an agent that is faithful on the board of trade he may, and often does, overcome this disadvantage by selling on sample for more than the grade price. At Minneapolis this is so common that on one day, as appeared before the committee hearings, the price of Nos. 2 and 3 was higher than No. 1 in some instances, because the wheat having been graded down for one fault only possesses practically all the merits of No. 1. In fact, most of the transactions of the chamber of commerce at Minneapolis in spring wheat are not made in reliance on any grade, but on the examination and test of each car itself and the price fixed according to the merits without regard to grade, and this fact demonstrates that the grading is faulty and in fact mostly worthless.

A good illustration of this occurred as testified to at the hearings. Over a year ago Washburn & Crosby, desiring to buy wheat for future delivery, bought 1,000,000 bushels of No. 1 at a certain price. One of the rules of the board of trade at that time permitted the delivery of No. 1 and No. 2 in place of the grade contracted for by deducting the difference between the price of those grades and No. 1. The individual who sold this wheat had guaranteed the wheat that just came up to the requirements in each respect of No. 3; that is, it was cool and sweet, had a test weight of 55 pounds, contained 15 per cent of moisture, contained only 3 per cent of foreign material, of which 1 per cent was matter other than cereal grains. It is a well-known fact that the light-weight wheat, or shrunken wheat, can carry less moisture without spoiling than good wheat, and this being in the heat of the summer the wheat that was tendered was in danger of spoiling and was not fit to grind, and the purchaser had to dispose of it at a loss. All future trading must be made on grade, and where the buyer does not know when he buys what he is going to get when the delivery time comes it is impossible to approximate the right price. In order to make future trading practicable the grade should indicate what the article will be which is to be delivered, and the more accurately this can be known the better will be the price that the producer gets, because whatever the margin of error may be it is always calculated against the producer.

There might be a number of cars shipped from country elevators to a miller and graded down for different reasons, but when mixed it would be more valuable than the grade indicated, and in that case the miller profits, but the minute these cars reach the terminal or hospital elevator they can be graded up by mixing and manipulating, so they will contain just exactly the highest grade that this combination will bear, and they will be sold at the grade price. The farmer has not one chance in five of getting the real value of his wheat under this system. This uncertainty also injures the small miller outside of the terminal point who orders wheat from there, because before it is shipped it is so manipulated as to just fill the requirements, and nothing more, whereas the miller at the terminal point who gets the wheat from the country elevator very often gets wheat graded down for one fault that possesses other merits that bring it up in value, and if sold in sample instead of grade will bring a higher price than it does. It is often said that country elevator men do not get rich, but if this is so the reason is that they are bound to grade according to the rule, notwithstanding the fact that the wheat is better than the grade indicates, but when it comes to the terminal where there is an opportunity to mix it, then the wheat is graded up because if shipments contain merits other than required for the grade the profit in mixing and grading up all goes to the miller or elevator men at the terminal. If the miller buys at a premium over the grade price, then the elevator or mixer makes the profit.

What is the remedy? The two principal changes in grade requirements in this bill are: First, all foreign material in wheat, except rye, shall be classed as dockage, and all dockage shall be designated on the grade certificate, specifying the kind and quantity, but shall not affect the grade. Second, all moisture in excess of 14½ per cent shall be designated on the grade certificate, but shall not affect the grade.

Under present rules foreign material is classified into two kinds, separable, such as dirt, sand, weed seeds, and grain other than wheat, which can be readily removed by appropriate sieves, cleaning devices, or other practical means. This is called "dockage," and is deducted from the total weight. Less than 1 per cent dockage is disregarded, and over 1 per cent shall be added to the grade designation. Inseparable material is limited in the grade requirements, so that No. 1 "may contain not more than 1 per cent of foreign material other than dockage, which 1 per cent may include not more than five-tenths of 1 per cent of matter other than cereal grains." Under this rule six-tenths of 1 per cent of wild peas, kingheads, or other like seeds will lower the grade to No. 2, and 1 per cent of such seeds to No. 3; 2 per cent of such seeds to No. 4; 3 per cent of such seeds to No. 5.

This one defect puts wheat, otherwise No. 1, in the lower grade, which may contain other serious defects of quality, such as No. 5, which is required to have a test weight of only 50 pounds per bushel; may contain 16 per cent of moisture; may contain 15 per cent of damaged kernels, of which 3 per cent may be heat-damaged kernels.

Hon. EDWIN F. LADD, Senator from the State of North Dakota, testified as follows:

The CHAIRMAN. Senator, in your opinion will the proposed changes provide a remedy for this situation?

Senator LADD. They will. They will give the farmer of the Northwest better returns and fairer returns and do no injustice to any honest concern, and I am not concerned about the speculators.

The CHAIRMAN. You have examined this bill, H. R. 7401, introduced by Mr. STEENERSON.

Senator LADD. I have. I have a copy in my pocket, and I have examined it carefully.

The CHAIRMAN. And you approve of it?

Senator LADD. I approve of it. (Hearings, p. 192.)

Mr. STEENERSON. Senator, in connection with your work as head of the Agricultural College of the State of North Dakota, did you have a flour mill there?

Senator LADD. Yes, sir. We had a flour mill and we had chemists and we had millers and we had bakers, and we kept the investigations going for some time. We have a 44-flour mill with a capacity for making 44 barrels of flour in 24 hours. It is one of the Allis-Chalmers mills, which is just the same as they have in these large mills, only it is made on a smaller scale, and our investigations were carried on in exactly the same way and checked up with the practical operation of the mills themselves.

Mr. JONES. Senator, there has been a good deal of testimony here to the effect that by technically grading down some of this wheat they have varied the price 30 or 40 cents a bushel. Now, in your judgment, for the most part, who gets the benefit of that spread where wheat is technically graded down because of a little excessive moisture or a little foreign matter getting into it?

Senator LADD. The farmer loses it all, the speculator makes it, and the consumer pays for it. (Hearings, p. 193.)

O. P. B. Jacobson, chairman of the State railroad and warehouse commission, testified that wild peas were separated by the mills in Minneapolis and that his records showed that from September, 1917 to 1918, 21 carloads of wild peas were shipped as mill feed. Hearings, "Grades for spring wheat (H. R. 7401)."

The following charts indicate the different values in the same grade:

Minneapolis market prices on wheat for June 15, 16, 17, and 18, 1921—Cash sales, carload lots (price per bushel).

[Hearings, p. 81.]

Date.	Grade.	High.	Low.	Difference.	Average.	Average closing cash.
June 15	No. 1 dark northern spring	$1.89½	$1.62	$0.27½	$1.75	$1.62
15	No. 2 dark northern spring	1.89	1.56	.34	1.69	1.50
15	No. 3 dark northern spring	1.75½	1.35	.40½	1.51	1.44
16	No. 1 dark northern spring	1.93½	1.66½	.27	1.75	1.60
16	No. 2 dark northern spring	1.92½	1.51	.40½	1.68	1.53
16	No. 3 dark northern spring	1.86	1.41½	.44½	1.56	1.42
17	No. 1 dark northern spring	1.92½	1.62½	.30	1.81	1.64
17	No. 2 dark northern spring	1.87½	1.53	.34½	1.68	1.57
17	No. 3 dark northern spring	1.75	1.35	.40½	1.51	1.41
18	No. 1 dark northern spring	1.92½	1.62½	.30	1.77	1.53
18	No. 2 dark northern spring	1.89	1.55½	.33½	1.67	1.53
18	No. 3 dark northern spring	1.59½	1.37½	.22	1.46	1.41

Closing cash forms basis for paying farmer. Note that closing cash follows the lowest price paid quite closely, so that most of what the wheat brings above the low price does not go to the farmer. This varies from 22 to 44½ cents per bushel on Nos. 1 to 3 dark northern spring for June 15, 16, 17, and 18, 1921.

The present Federal standards put wheat with this wide variation in price in the same grade; so that when the wheat is sold by sample some of the wheat that grade No. 3 brings more than a good deal of the wheat that grades No. 1 and No. 2.

Table giving prices paid for wheat when sold by sample in the Minneapolis market—It shows that Federal grades put wheat of widely different value in the same grade—Figures in columns indicate number of cars.

[Hearings, p. 81.]

Price	June 15.			June 16.			June 17.			June 18.		
	1 D. N. S.	2 D. N. S.	3 D. N. S.	1 D. N. S.	2 D. N. S.	3 D. N. S.	1 D. N. S.	2 D. N. S.	3 D. N. S.	1 D. N. S.	2 D. N. S.	3 D. N. S.
$1.90				1	1		6			3		
$1.80	15	3		3	2	2	12	5	5	9	1	
$1.70	5	6	2	18	9	3	7	8	2	10	6	
$1.60	*9*	2	6		15	5	*6*	*8*	3	8	4	
$1.50		*5*	4		*2*	17		10	9		*6*	8
$1.40			*11*			*9*			*12*			*12*
$1.30			4						1			7

Italic figures indicate average closing cash price.

Note the wide variations in prices paid for wheat within the same grade when sold by sample. This shows how the Federal standards put wheat of widely different value in the same grade; in other words, the grades do not adequately reflect milling value. Much of the wheat grading No. 2 sold for more than a great deal of that grading No. 1; and a good deal of the wheat grading No. 3 sold for more than that grading No. 1 and No. 2. The grade does not at all place the wheat in any definite place in the price scale.

Wheat of widely varying value put in the same grade by Federal standards—This is shown when the wheat is sold by sample and it is illustrated in this table.

[Hearings p. 270.]

No.	Grade.	Test weight.	Moisture.	Foreign material other than dockage.		Clean wheat in 1 bushel.	Average[1] cash car sales per bushel.	Value of clean wheat.	Difference between cash sales and clean wheat.	Value of mill products.	Price paid farmer.	Difference.
				Rye.	Kinghead.							
		Pounds.		*Per cent.*	*Per cent.*	*Pounds.*						
A	3	60	14.7			59.6	$1.51	$1.74	$0.23	$2.24	$1.42	$0.82
B	3	60	13.0	2	1	58.5	1.51	1.71	.20	2.19	1.42	.67
C	3	55	15.9	2	1	58.2	1.51	1.45	— .06	1.99	1.42	.57
D	3	55	13.0			60.0	1.51	1.51		2.07	1.42	.65
E	4	60	15.2			59.3	1.38	1.73	.35	2.23	1.28	.95
F	4	60	16.0	2	3	55.8	1.38	1.64	.26	2.10	1.28	.82
G	4	53	14.0			60.0	1.38	1.38		1.99	1.28	.71
H	4	53	16.0	2	3	55.8	1.38	1.28	— .10	1.84	1.28	.56
I	5	60	14.0	2	5	55.8	1.25	1.64	.39	2.10	1.18	.92
J	5	60	16.0	2	5	54.6	1.25	1.60	.35	2.06	1.18	.88
K	5	58	16.0	2	5	55.8	1.25	1.16	— .09	1.81	1.18	.63
L	5	59	14.0			60.0	1.23	1.23		1.95	1.18	.77

[1] H. R. 7401 will allow payment at local elevator on basis of clean wheat. Prices on wheat average for June 15, 16, 17, and 18, 1921. Prices on mill products average for week ending June 15, 1921, Minneapolis market.

Dr. W. C. Palmer, State inspector for North Dakota, in referring to the above chart, which indicates different values in the same grade, had this to say:

Mr. PALMER. I would like to take up the other chart for a few minutes. These figures in these columns here represent the number of carloads. This red line here represents the closing cash. These figures over here [indicating] represent, for instance, there is $1.90. The figures above here indicate that closing sale over $1.90, and many figures between the next two lines indicate the sales for over $1.80. Now, if you go back here to June 15 again, why, we find that of the No. 1 dark northern spring 15 carloads sold for over $1.80, 5 carloads sold for over $1.70, and 9 carloads sold for over $1.60, while the closing cash is $1.62. That is taken from this chart over here. Then we have the No. 2 dark northern spring, 3 carloads for over $1.80, 6 carloads for over $1.70, 2 carloads for over $1.60, and 5 carloads for over $1.50;

closing cash $1.50. And here we have No. 3, and you see the same as it is. Mr. Sullivan has just called your attention to—here you will see we have a lot of carloads of No. 3 selling for a good deal less than carloads of No. 1, and here we have some carloads of No. 2 selling for more than carloads of No. 1. In other words, here is what it means: It means that the Federal grades place wheat of widely different values within the same grade. If the grade should do anything, it should classify wheat on the basis of its value. But the fact that this wheat is graded No. 1 out of the country elevator is no indication of what it is going to bring down on the Minneapolis market. It may vary anywhere up to 30 cents.

Mr. SINCLAIR. Those tables indicate that they actually vary from about 22 cents to over 40 cents.

Mr. PALMER. The variation is from 27½ to 44½ in four days.

Mr. SINCLAIR. The grades actually mean nothing then in actual practice, do they?

Mr. PALMER. The grades do not mean anything down on the Minneapolis market. They do mean everything out on the farmer's market, because he is paid on the basis of whatever the wheat grades, and then when they go down on the terminal market they do not pay any attention. They look at the wheat in this pan and they see the grade. It may be No. 3 wheat, and if they want it they may pay more for it than they will pay for No. 1 wheat. (Hearings, pp. 78–79.)

WHOM DOES THE FEDERAL STANDARDS ON WHEAT PENALIZE?

[By W. C. Palmer.]

The Federal standards provide that so-called foreign inseparable material in wheat shall lower the grade but be paid for at wheat prices, the contention being that this will force farmers to cut out allowing these things to get into the wheat. This means that the farmer gets paid for material that replaces wheat. The farmer may in this way get up to 7 cents for his material, but he is cut in price up to 40 cents or even more per bushel by having the grade reduced. But it does not stop here, as this results in degraded grades, and consequently lower prices, for the low in the grade. But only a small proportion of the wheat has these foreign materials—perhaps less than 1 per cent. Then all the growers of wheat are penalized in an attempt to penalize the growers of this 1 per cent.

Moisture is also made to degrade the grade. Sixteen per cent of moisture, for instance, puts the wheat in grade No. 4, as well as many other factors. Wheat with 16 per cent of moisure is not a storable wheat. It is not a wheat that a miller would buy, nor would an exporter buy it, so the legitimate market for No. 4 wheat is shut off on all No. 4, even though it contained but 10 per cent moisture, unless it is bought on sample. The party buying on contract then does not buy No. 4 nor No. 5 wheat. The millers' representatives stated at the hearings before the Secretary of Agriculture in April, 1921, and the same statement was made before the House Committee on Agriculture in the hearings on the Steenerson bill, that they had bought a million and a half bushels of wheat on contract and could not use it. This was No. 3 wheat by the Federal standards.

These same representatives stated that they could not buy wheat for their mills by grade, but that they bought on samples. If the millers in Minneapolis can not buy by grade, then what is the miller at a distance or the importer to do? He is limited to buying No. 1 and No. 2 wheat, and the rest he will have to let alone. Now, what effect will that have on the price of Nos. 3, 4, and 5 wheat? And the price paid the farmer is on the basis of what the lowest in each of these grades will bring. Then a system that allows the grades to be degraded so that some of them are not fit for buying, what price can the farmer expect? And what justification is there for grades that make it possible for a large part of our wheat to be put in such condition that it can not be bought on grade, or any other way than sample, and that penalizes the grower? The Steenerson bill will prevent this grain degrading and cut out penalizing all of the wheat growers for what a few do. (Hearings, pp. 270–271.)

The Canadian grades are prescribed by statute. A copy of section 107 of the Canadian grain act is appended hereto for comparison:

107. SPRING WHEAT.

No. 1 Manitoba hard wheat shall be sound and well cleaned, weighing not less than 60 pounds to the bushel, and shall be composed of at least 75 per cent of hard red Fife wheat.

No. 1 hard white Fife wheat shall be sound and well cleaned, weighing not less than 60 pounds to the bushel, and shall be composed of not less than 60 per cent of hard white Fife wheat, and shall not contain more than 25 per cent of soft wheat.

No. 1 Manitoba northern wheat shall be sound and well cleaned, weighing not less than 60 pounds to the bushel, and shall be composed of at least 60 per cent of hard red Fife wheat.

No. 2 Manitoba northern wheat shall be sound and reasonably clean, of good milling qualities, and fit for warehousing, weighing not less than 58 pounds to the bushel, and shall be composed of at least 45 per cent of hard red Fife wheat.

Any wheat not good enough to be graded as No. 2 Manitoba northern shall be graded No 3 Manitoba northern, in the discretion of the inspector.

No. 1 wheat rejected for smut and scoured shall be graded as scoured of the wheat to which it belongs.

No. 2 wheat rejected for smut and scoured shall be graded as scoured of the wheat to which it belongs.

No. 3 wheat and lower grades rejected for smut and scoured shall be graded as scoured of the grade to which it belongs: *Provided*, That wheat which is inspected No. 3 northern scoured, or lower, may be graded in such regular grade, not higher than No. 3, as the inspector determines.

No. 1 wheat inspected as "No grade" for moisture and dried shall be graded as dried of the grade to which it belongs.

No. 2 wheat inspected as "No grade" for moisture and dried shall be graded as dried to the grade to which it belongs: *Provided*, That on the written order of the owner any No. 1 dried or No. 2 dried wheat may be graded as No. 3 northern.

No. 3 wheat and lower grades inspected as "No grade" for moisture and dried shall be graded as dried of the grade to which it belongs: *Provided*, That wheat which is inspected No. 3 northern dried, or lower, may be graded in such regular grade, not higher than No. 3 northern, as the inspector determines.

The following letter analyzes the proposition for amending my bill submitted by Washburn-Crosby & Co., millers, of Minneapolis, and advocated at the last hearing by Mr. Mills, their buyer, and by the other representatives of the millers. It appears unanswerable:

AGRICULTURAL COLLEGE, N. DAK., *March 3, 1922.*

Congressman H. STEENERSON,
Washington, D. C.

DEAR MR. STEENERSON: Your kind favor of the 25th received, also copy of amendments to your grain grading bill, submitted by Mr. J. F. Bell, of Washburn, Crosby & Co., millers of Minneapolis.

I have talked this matter over with our men and we find that there are a number of provisions in these amendments that would work a hardship on the farmers. For instance, subclass (a) calls for 90 per cent of dark-colored kernels, whereas your bill calls for 75 per cent, which is also the present requirement. And then again at the present time and in your bill the classification is based on the texture and color of the kernels, but in these suggested amendments the classification is based on color entirely, so it would likely result in considerable wheat going into a lower subclass than its flour-producing quality would place it and where it is placed when judged by texture and color. This change in method of classification and higher percentage of dark kernels would likely result in practically none of our wheat going into this highest subclass where most of our wheat is being graded at the present time. A good deal of wheat raised in Minnesota in some years is mottled, yet of the highest milling quality, as in Ottertail County, for instance.

These amendments also call for raising the test weight on No. 1 hard red spring to 59 pounds, which would mean that there would be practically no No. 1, and we can not see why we should require a nigher test weight than they do in Canada. You know from your investigation that 58 pounds test weight, our bushel, corresponds with 60 pounds Canadian bushel.

No mention is made of rye, so I suppose it would be classed as inseparable when amounting to over 1 per cent, and this would not be fair, as rye, up to certain amounts, has a value, and I believe the fairest way to handle it is as in your bill—that is, H. R. 9668.

In the durum provision is made that the class (a), which would correspond to our amber durum, must contain 90 per cent of hard and vitreous kernels, while at the present time 75 per cent is all that is required, and also it would take only 5 per cent of red durum or kernels of a distinctly red color to throw it into red durum. This would throw a considerable part of our durum wheat into red durum, and it would make it so that there might very little of it go into the highest subclass.

I think that 14 per cent is too low for moisture. The amendments would make the designation of excess moisture and excess foreign material a part of the grade. The wording in your bill is more definite. It states that dockage and excess moisture shall be designated on the grade certificate but shall not affect the grade.

We certainly think that your bill as it stands at the present time—that is, H. R. 9668—will work out much more satisfactorily and is not such a big departure from our present system, as it continues the same basis for making the classification into subclasses, and it will also remove the very objectionable features of having moisture and the so-called inseparables acting as grading factors. The result of having these two serve as grading factors has been to reduce the price reflected back to the farmer to the lowest that is paid for wheat made to grade by putting in everything that it will stand, while the farmers' wheat is usually only down on but one factor. And another result has been that grades Nos. 3, 4, and 5 allow so much stuff in them that they can not be bought by grade but have to be bought on sample, which cuts out a lot of competition, and the farmer secures a lower price.

Please send me a few copies of H. R. 9668.

Sincerely,

W. C. PALMER, *State Inspector.*

The CHAIRMAN. Does the gentleman from Minnesota press his amendment?

Mr. STEENERSON. No; I will withdraw my amendment. I will let them have their half million this year.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ADMINISTRATION OF THE UNITED STATES WAREHOUSE ACT.

To enable the Secretary of Agriculture to carry into effect the provisions of the United States warehouse act, including the payment of such rent outside of the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $120,000.

Mr. STEENERSON. Mr. Chairman, I would like to ask the chairman of the committee what work is this department doing under this warehouse act?

Mr. ANDERSON. They have licensed 264 cotton warehouses, with a capacity of 1,250,000 bales; 274 grain warehouses, with a capacity of 14,000,000 bushels; 18 wool warehouses, with a capacity of 33,000,000 pounds; and 6 tobacco warehouses, with a capacity of 3,820,000 pounds.

Mr. STEENERSON. How many grain warehouses did the gentleman say?

Mr. ANDERSON. Two hundred and seventy-four.

Mr. STEENERSON. Where are they located?

Mr. ANDERSON. All over the United States.

Mr. STEENERSON. As I understand it, these warehouses are owned by private individuals?

Mr. ANDERSON. They are.

Mr. STEENERSON. Do they become public warehouses when they are licensed?

Mr. ANDERSON. I do not know what the gentleman means when he says "when they are licensed."

Mr. STEENERSON. Well, the State of Minnesota has a law prescribing where a warehouse receives promiscuously from customers grain to be stored they must be licensed as a public

warehouse. For instance, if they simply store their own grain they are not a public warehouse.

Mr. ANDERSON. No.

Mr. STEENERSON. Does this apply to public or private warehouses?

Mr. ANDERSON. Public. I thought, when the gentleman asked the question, that he meant to ask whether they were privately owned or not.

Mr. STEENERSON. No.

Mr. ANDERSON. They are all privately owned, as I understand it, but the privately owned warehouse may be a public or a private warehouse.

Mr. STEENERSON. These are all public warehouses?

Mr. ANDERSON. Yes.

Mr. STEENERSON. You do not license a warehouse unless it is a public warehouse?

Mr. ANDERSON. No.

Mr. STEENERSON. So that it is open to everybody to store their grain there?

Mr. ANDERSON. Yes. That is my understanding.

Mr. STEENERSON. Has the United States any grain warehouses that it owns?

Mr. ANDERSON. I presume there are some left over from the war, but none, so far as I know, is licensed under this provision.

Mr. STEENERSON. Do they make any reports of their business, these licensees?

Mr. ANDERSON. They do.

Mr. STEENERSON. I wonder where they are to be obtained?

Mr. ANDERSON. I imagine they can be obtained from the division that enforces this law.

Mr. STEENERSON. Two years ago I tried to get some statistics from the Department of Agriculture about the amount of grain stored in these warehouses. I was interested to know how many million bushels they had received as Nos. 2 and 3 and shipped out as No. 1. I was informed that practically all that had been received was No. 2 or 3, and that when it went out it was No. 1.

Mr. HAUGEN. The act was amended two or three years ago, not requiring Federal inspection in order to make the receipts negotiable.

Mr. STEENERSON. That is news to me. But I could get no informattion from them or from any other source.

Mr. ANDERSON. There never has been any complete survey of the elevator resources of the country. The most nearly complete one was made by the War Industries Board during the war. That is not available now.

Mr. STEENERSON. Does not the chairman think it would be a wise thing to have a law requiring statistics of these warehouses?

Mr. ANDERSON. I think it would be.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMPLETION OF WOOL WORK.

To enable the Bureau of Agricultural Economics to complete the work of the domestic wool section of the War Industries Board and to enforce Government regulations for handling the wool clip of 1918 as established by the wool division of said board, pursuant to the Executive order dated December 31, 1918, transferring such work to the said bureau, $15,000, and to continue, as far as practicable, the distribution among the growers of the wool clip of 1918 of all sums heretofore or hereafter collected or recovered with or without suit by the Government from all persons, firms, or corporations which handled any part of the wool clip of 1918.

Mr. SNELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. SNELL. I would like to ask the chairman what progress this organization is making, and about how much longer it will be necessary to carry this appropriation?

Mr. ANDERSON. Everything has been done now, I think, on this, with the exception of the payment of the money to the people entitled to it in case some of the actions now pending are determined in favor of the Government.

Mr. SNELL. But the expense has to come out of the Government? It does not take the expense of carrying on the work out of the amount of money collected?

Mr. ANDERSON. No; but, as a matter of fact, this proposition yields a profit to the Government, owing to the fact that a lot of the money can not be distributed to the people entitled to it, because they can not be found.

Mr. SNELL. Is it expected to be closed up this year?

Mr. ANDERSON. That is very doubtful. It is up to the Attorney General now, and no one can tell when these suits will be terminated.

Mr. MANN. The law proposed that this should be concluded during the present fiscal year, and this proposes that it shall be finished during the next fiscal year, but no guaranty goes with it as to when it will be finished.

Mr. ANDERSON. The gentleman is correct, as usual.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. SMITH of Michigan. Mr. Chairman, agriculture is the greatest industry in the United States. It produces an estimated annual wealth of $18,000,000,000 and employs over one-third of our population. It is the oldest industry and has increased in importance ever since the dawn of civilization until the present day. It was said that food would win the war. And whether that statement was true or not, it is absolutely certain that without the aid of agriculture no war could have been carried on, much less won.

In the creation of national wealth agriculture takes first rank. We are more dependent on agriculture for national progress and development than on any other trade, craft, or art. It benefits all mankind. I make mention of its importance to show that it should be fostered and encouraged. The welfare of agriculture is the concern of us all, whether we acknowledge it or not. If it were a manufacturing plant, there is no question but what it would be highly organized. If that were the case, overproduction might be regulated and waste prevented. In many instances there is too much slack between the producer and the consumer. One of the purposes and benefits of the Federal reserve banking system was that money needed in one district might be shipped from another where it was plentiful. We have seasons of fruit and crops scarcity in one section and plentiful in another, and when that is the situation a highly developed organization could provide a means of transportation where an individual could not. An individual has only a comparatively small quantity to ship where large shipments could be made more economically. Cooperation and organization can be of much value to the farmer. He would not be expected to ship a single load of live stock, a single load of grain, or one clip of wool, but shipment in quantities benefits both producer and consumer. We are fast approaching such an increase in population where all crops, fruits, and other cultural products should be harvested, saved, and stored. It has often occurred to me that there is as much reason for farmers to organize as there is for the steel men, the sugar men, manufacturers, merchants, bankers, lawyers, or doctors. But organization can not do it all. It may be advisory only. Much good has often resulted from an exchange of views. When a crop is unprofitable, or more likely to produce a loss than a gain, there is no question but what it ought to be avoided. This can be illustrated by the wheat crop. I wish to illustrate this by my own State—Michigan. The average yield of wheat in Michigan for the last 16 years has been 16.7 bushels per acre. This is shown by a letter from the Bureau of Markets and Crop Estimates, United States Department of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF MARKETS AND CROP ESTIMATES,
Washington, October 25, 1921.

Hon. J. M. C. SMITH,
House of Representatives, Washington, D. C.

DEAR SIR: Complying with your request of October 22, we give below our figures of the estimated average yield per acre of wheat in Michigan for a series of years:

Wheat yield per acre in Michigan.

	Bushels.
1906	13.1
1907	14.5
1908	18.0
1909	20.0
1910	18.0
1911	18.0
1912	10.0
1913	15.3
1914	19.7
1915	21.3
1916	16.6
1917	18.0
1918	14.2
1919	19.6
1920	15.2
1921	15.9

Very truly, yours,

H. C. TAYLOR, *Chief of Bureau.*

From very good authority, derived from actual experience, the cost of growing and marketing an acre of wheat in the State of Michigan is approximately $25. Of course, some land produces a larger yield than other land and some is easier to work and less expensive to plow and cultivate than other. Twenty-five dollars for growing and marketing an acre of wheat will be

found to be a fair average. The following are estimates taken from actual experience:

Estimated cost of raising and marketing 1 acre of wheat in Eaton County, Mich.

Items.	Myself.	W. L. Huber.
Manuring and drawing out 4 loads of manure	$4.00	$4.00
Plowing	2.50	2.50
Rolling	.30	.30
Dragging	.40	.40
Seed wheat	2.50	2.50
Drilling	.35	.50
Fertilizing (1 ton to 4 acres)	5.00	7.00
Furrowing land with plow	.60	.60
Cutting and binding	1.25	1.25
Twine	.25	.30
Shocking after binding	.40	.50
Drawing in and mowing or stacking	.50	.75
Thrashing (including help, boarding, and storing)	1.00	.75
Cleaning and sacking	1.00	1.00
Drawing to market	1.00	.75
Interest on land ($100 an acre, at 6 per cent)	6.00	6.00
Taxes at 2 per cent (on assessment, at $75 an acre)	1.50	1.50
Upkeep of fences and overseeing crop and farm	.50	.50
For use of farm implements	.25	.50
Total	28.70	30.90
Deduct value of straw	4.00	4.00
Net cost	24.70	26.90

Thirteen acres of wheat in 1920 raised by Mr. C. B. Amspacher, rural delivery 10, Charlotte, Mich.

Items.	Man hours.	Horse hours.	Expenses.	Receipts.
Plowing	73			
Do		219		
4 plow points			$4.00	
Rolling	11			
Do		22		
Drawing manure	24			
Do		48		
24 loads of manure, at $1			24.00	
Dragging	30			
Do		120		
Drilling wheat	14			
Do		28		
Seed wheat, 20½ bushels, at $2.50			51.25	
1 ton fertilizer			46.00	
1921.				
Cutting wheat	12			
Do		36		
Binder twine No. 32, at 3½ cents			4.32	
Shocking wheat	17			
Drawing of wheat into barn	46		13.80	
Do		46	6.90	
Help for thrashing	21			
Meals			3.00	
Thrashing 293 bushels, at 7 cents			20.51	
Interest, at 6 per cent, and value $100 an acre			78.00	
Depreciation on tools			13.00	
Drawing wheat to market	20			
Do		40		
293 bushels of wheat, at $1.15				$336.95
Value of 7 tons of straw, at $6				42.00
Taxes, at $2 per acre			26.00	
Insurance			10.12	
Total man hours, exclusive of drawing wheat	222			
Total horse hours, exclusive of drawing wheat		513		
Value horse hours, 15 cents per hour			76.95	
Value man hours, 30 cents per hour			66.60	
Total			437.45	$378.95

These estimates could be multiplied indefinitely, but the above are sufficient to show cost price. Cost sheets are kept by every successful business firm and corporation. The practice of keeping books ought to be followed by farmers, as well as by other business concerns. It will pay. From the above estimates, where the average yield is only 16.7 bushels per acre and the cost is $25 an acre, the farmer must receive $1.50 per bushel to come out even. If he has a lesser yield, he must get a greater price for his wheat, and where he receives a greater price the cost may be covered by a lesser yield. I incorporate an article published in the Detroit Free Press showing that the North Dakota Farm Bureau Federation are recommending bookkeeping to their farmers:

COST OF WHEAT RAISING SIFTED—NORTH DAKOTA FARMERS KEEP BOOKS TO HELP DETERMINE FAIR PRICES.

FARGO, N. DAK., *May 20.*

How much does it cost to produce a bushel of spring wheat? Nearly 300 farmers throughout North Dakota have taken to keeping books to answer this question.

"The farmer should know what his products cost him and should make his prices accordingly," says H. B. Fuller, secretary of the North Dakota Farm Bureau Federation. "Then there would be fewer farmers who fail."

With costs determined and with the national sales agency established, prices fair to both producer and consumer can be put into practice, he believes.

The present campaign to establish wheat-production costs is being directed by the federation and by the State agricultural college. In each of the 32 counties in North Dakota which have county farm agents, from five to ten, and in some cases more, farmers are noting the cost of all labor and material and all overhead expense of producing wheat. These figures will be turned over to the agents and assembled at the college here.

Mr. Fuller emphasizes the importance of correctly estimating overhead expense.

"A horse, for example, must be fed all winter to have him on hand during the seeding and harvest time," he explained. "If you want to hire a team at that time of the year you can not do it. Yet many farmers figure the cost of their teams on the basis of team hire during the dull season."

Some people do not like to keep books or accounts, because it too frequently brings them out on the wrong side of the ledger, but they ought to know whether they are succeeding or losing out, and the only way is to keep track of the business. The same is true of live stock. It is estimated that a bushel of corn will grow about 10 pounds of fat on a swine, 5 pounds of fat on a fair grade steer, and 5 pounds on a lamb or sheep. It frequently happens that there is more profit in selling the corn than in feeding it. It is sometimes more profitable for the farmer to sell the cattle and lambs off the grass than to fatten them on corn. Everyone can be guided by his own experience. I have had mine.

On the 28th day of December, 1921, the Department of Agriculture gave out the following estimate:

CROP VALUES DROP BILLIONS—FINAL GOVERNMENT ESTIMATE PLACES TOTAL AT $5,675,877,000 AT DECEMBER 1 PRICES.

WASHINGTON, *December 28.*

The important farm crops of the United States this year were valued at $5,675,877,000 to-day by the Department of Agriculture in its final estimates of the year. That is almost $3,400,000,000 less than last year's crops were worth and $8,000,000,000 less than the crops of two years ago, when high prices prevailed for farm products. The values are based on prices paid to farmers on December 1, and the crops comprise about 90 per cent of the value of all farm crops.

There were only two $1,000,000,000 crops this year—corn and hay—while last year four crops were valued at $1,000,000,000 or more. Production was below last year for almost every crop, although the acreage of the important crops was slightly larger, except cotton.

AREA LESS THAN 1920.

The area devoted to the important crops this year was 348,336,000 acres, compared with 349,067,000 acres last year.

Final estimates of production and crop values are:

Corn production, 3,081,251,000 bushels; acreage, 103,850,000; bushels for acre, 29.7; value, $1,305,624,000.

Winter-wheat production, 581,032,000 bushels; acreage, 42,702,000; bushels for acre, 13.7; value, $558,725,000.

Spring-wheat production, 207,861,000 bushels; acreage, 19,706,000; bushels for acre, 10.5; value, $178,343,000.

All wheat production, 794,893,000 bushels; acreage, 62,408,000; bushels for acre, 12.7; value, $737,068,000.

Oats production, 1,060,737,000 bushels; acreage, 44,826,000; bushels for acre, 23.7; value, $321,540,000.

Potato production, 346,823,000 bushels; acreage, 3,815,000; bushels for acre, 90.9; value, $385,192,000.

Cotton production, 8,340,000 bales; acreage, 31,427,000; pounds for acre, 126.9; value, $674,877,000.

Barley production, 151,131,000 bushels; acreage, 7,240,000; bushels for acre, 20.9; value, $93,788,000.

Rye production, 57,918,000 bushels; acreage, 4,228,000; bushels for acre, 13.7; value, $40,680,000.

Rice production, 39,653,000 bushels; acreage, 1,022,000; bushels for acre, 38.8; value, $38,189,000.

All hay production, 96,802,000 tons; acreage, 74,225,000; tons for acre, 1.30; value, $1,020,776,000.

Tobacco production, 1,117,682,000 pounds; acreage, 1,473,000; pounds for acre, 758.8; value, $207,070,000.

Cottonseed production, 3,704,000 tons; value $107,972,000.

Orange production (two States), 30,700,000 boxes; value, $63,850,000.

Buckwheat, 14,079,000 bushels, and $11,453,000.

Flaxseed, 8,112,000 bushels, and $11,732,000.

Sweet potatoes, 98,660,000 bushels, and $86,910,000.

Beet sugar, 2,024,764,000 pounds.

Cane sugar, 584,000,000 pounds.

Peanuts, 816,465,000 bushels, and $32,288,000.

Beans, 9,118,000 bushels, and $24,298,000.

Apples, 90,881,000 bushels, and $163,215,000.

Peaches, 32,733,000 bushels, and $52,176,000.

We hear a great deal about the bumper wheat crop and the shortage of the wheat crop, whenever there is one. That is entirely proper. The farmer is entitled to know of agricultural productions and the condition of the markets. The farmer, however, is working to an uncertainty until his crop is secured, and he must take a chance on the price of his product. His industry is subject to chance and risks not assumed by other industries. The climatic condition affects his product, and it is also subject to the ravages of insects, drought, wet weather, storms, and seasons. An estimate made by the United States Department of Agriculture gives the value of dairy products in 1909 as $1,175,000,000, divided as follows:

Value of butter	$595,000,000
Value of eggs	580,000,000

The value of these products compares commercially favorably with the value of the winter-wheat crop raised in the United States. The wheat crop is estimated at 587,000,000 bushels; and yet we seldom hear complaints about the production of butter or eggs, although commercially together they exceed the total value of the wheat crop.

Mr. Chairman, while the district I represent is usually considered an agricultural district, the population is fairly evenly divided between the country and city. I give the population from a table prepared by the Census Bureau:

Population, by counties, of the third congressional district of Michigan, 1920.

County	Total population.	Urban.	Rural.
The district	235,678	117,034	108,644
Branch	23,997	6,114	17,883
Calhoun	72,918	48,788	24,130
Eaton	29,377	8,169	21,208
Hillsdale	28,161	5,476	22,685
Kalamazoo	71,225	48,487	22,738

Mr. Chairman, some may state that Michigan is not an average agricultural State. To show something of the character of our State, I wish to conclude my remarks by incorporating a short excerpt issued by the State Department of Agriculture of Michigan, dated January, 1922. In mentioning the various products it states:

Products—agricultural: Beans, wheat, corn, oats, rye, hay, seeds, sugar beets, honey, celery, onions, potatoes, and other vegetables. Fruits: Peaches, cherries, apples, grapes, plums, pears, and berries. Minerals: Iron, copper, coal, salt, gypsum, gravel, clay, marl, and limestone; fish. Manufactured products: Automobiles, furniture, drugs, chemicals, paper, beet sugar, clothing, machinery, refrigerators, flour, cereals, leather goods, dairy products, furs, canned goods, fishing tackle, and limestone products.

Michigan's rank among States: Ranks first in United States in salt, chemical products, drugs, automobiles, engines, thrashing machines, refrigerators, beans, rye, chicory, mint, and peas. Ranks second in hay, iron, live stock, apples, potatoes, nursery products, and small fruit. Ranks third in dairy products, sugar beets, poultry, dairy cows, buckwheat, and gypsum. Ranks fourth in copper. Ranks seventh in population. Ranks tenth in education.

Mr. SUMNERS of Texas. Mr. Chairman, I rise in opposition to the pro forma amendment. There is one thought that I want to suggest to the committee and to the country with regard to the sale of agricultural commodities by grade. I am thoroughly convinced that we will never be able to standardize agricultural commodities so that they may be sold for use by their descriptive grade terms, until we get away from the idea of applying in their sale for use the grade classification restrictions which are necessary in transactions on the future boards. It is necessary to have a very limited number of general grade classifications in these future board transactions where delivery is not contemplated, but when we come to sell commodities by grade for use we must have separate grade classifications for each considerable quantity of the commodity possessing distinctive characteristics which are determinative of the use to which it is best adapted.

In the testimony before the Commission on Agricultural Inquiry it was shown that those who want to buy grain to grind in their mills can not depend on the purchases made by grade on the grain exchanges. For instance, a man who is making a certain sort of flour will need for his blend a wheat belonging to a general grade classification, but having characteristics determinative of its use which can not be included in these general classifications, and which is not described by them. The same thing is true with regard to cotton. When we undertake to establish enough grades to be able to include by proper description the various qualities of wheat making up the great wheat crop, for instance, we find we have so many grades that it will not work in the future board transactions. And when we undertake to apply to the actual purchase and sale of commodities for use the future board grading classification we find that will not work there, because the miller is not able to know whether or not he can get through the future board transactions the grain that he wants. They are not sufficiently descriptive. For that reason I suggest that those who are charged with the responsibility of formulating the grades that ought to be formulated for the sale of agricultural commodities for use must get away from the limitations imposed by future board transactions. The objective and the use are fundamentally different. For instance, in Kansas, we will say, they produce No. 2 wheat of a certain sort which has a peculiar quality desirable for making a certain sort of flour.

Now, in order for those farmers to have the market advantage of the particular wheat they produce and for all who desire that wheat to have a chance to buy at the source of the supply, it ought to be possible to offer that wheat by a proper descriptive grade term, to offer it on some sort of an exchange where everybody who wants to buy that kind of wheat can get into trading contact with it.

I know full well the difficulties involved in working this out, but the quicker we come to realize that grade classifications which are all right for future board transactions are all wrong for sale for use and start to work to establish grades sufficiently descriptive to enable sales for use to be made by grade the quicker we will do that which is necessary to be done before the business end of agriculture can be properly organized.

I do not like to be continually hammering away at this thing, as the expression goes, but I am convinced that in order to give to those engaged in the business of agriculture the possibility of establishing their business upon a basis of relatively permanent economic strength and of bringing about economy and uniformity in the sale and distribution of their commodities it is necessary—

First. That agricultural commodities be standardized with reference to requirement for use as distinguished from requirement for "future board" transactions, so that each considerable quantity possessing distinctive characteristics determinative of the use for which best adapted shall be given a specific grade term. That is the first step of fundamental importance.

Second. To have a warehouse system under uniform regulations where these commodities may be graded, stored, and have receipts issued therefor which will carry a general assignable guaranty as to physical protection, title, quantity, grade, etc.

Third. To have a marketing agency through which these commodities thus standardized, warehoused, and guaranteed to all purchasers as to title, quantity, grade, and physical protection may be sold by their respective grade classifications and delivery effected from the warehouse of original or secondary storage.

Fourth. An adjusted credit system supplementing, but not supplanting, existing credit-extending facilities, so as to make possible a longer time credit at a fair interest rate when necessary to carry commodities for orderly marketing.

Fifth. The coordination of all of these so that they may function as a unit in facilitating the sale and distribution of farm products.

Practically all of the machinery required may now be found in the Federal and State agricultural departments, farmers' cooperative marketing associations, and private business organizations. Relatively unimportant expansion and development and adjustment is all that is required.

I am not in favor of the Government doing any part of this which individuals can do, and this clearly would not require the Government to enter a new field of activity. It would only require it to adjust its activity in a field long occupied by it to meet new conditions which have developed there; not to do that which is required, but to bring the doing thereof within reach of the ability of the people.

Some of the definite advantages would be—

First. Commodities could and would move largely under prior sale from points of first and of secondary concentration to points of use by the cheapest and most direct route, in quantity and quality in accord with requirement for use, reducing transportation charges, unnecessary intervening profits and charges, and physical waste in congested markets.

Second. The additional transportation facilities made necessary by "crop movement" periods and used for only a few months each year could largely be dispensed with.

Third. While that which is suggested would not operate against fair distribution charges and profits, by creating a practical, easy of access, available to all route around the privately controlled avenues of distribution, it would tend to hold the total of intervening charges and profits to the basis of the economic value of the service rendered. Everybody, including merchants in agricultural products, could buy and sell through this agency.

Fourth. By broadening the market the tendency would be toward greater stability of prices, thereby reducing the hazard of agriculture.

These standardized, physically and morally protected agricultural commodities, in general trade contact with all markets while still at points of first concentration, would constitute the best possible basis for a real chattel credit system, and such a chattel credit system would in turn contribute toward and facilitate the operation of each of the other three requirements suggested.

It is not contemplated that the Federal Government shall do in these matters what the States can do, or that either the Federal or State Governments shall do what individuals, or

groups of individuals acting in cooperation, can do with relative efficiency. These matters, however, have to do with public market facilities, are each of general public interest, fall within the scope of governmental concern, and bring to Government a definite share of responsibility. To aid in the establishment and regulation of public market facilities has been recognized since the establishment of manorial markets in England and on the Continent as early as the twelfth century as an important duty of Government. The future board exchanges can not be made to function directly in the sale through them of farm products. The quicker we realize that the better.

No attempt is made to analyze, further than to indicate the desirability and the practicability of what is suggested, and to show that the things which are suggested sustain a natural relationship to each other which under coordination, possible to bring about, would enable them to operate as a marketing unit, supplying for agriculture what is required in order to afford those engaged in that business a chance to reduce the physical and economical waste in distribution, insure adequate quantity and reasonable prices to consumers, and a relatively stable market with fair profit to producers, a chance to organize their business on a basis of economic strength and stability.

Let it be understood that no business can be more stable than the market in which it sells, and no market has in it, or can have in it, more elements of instability than the agricultural market has. We must create the possibilities of system in distribution before we can hope to have relative stability in price, economy in distribution, and change the pursuit of agriculture from a gamble to a business which can be protected by the application of rules of business. Stability of prices and uniformity of profit, and not the average of price or of profit, determines the strength and general prosperity of every business.

The Clerk read as follows:

Secretary of the board, $2,280; 2 executive clerks at $2,000 each; clerks—2 at $1,980 each, 4 of class 4, 5 of class 3, 1 $1,560, 2 at $1,500 each, 3 at $1,440, 2 of class 2, 2 at $1,260 each, 8 of class 1; 2 messengers or laborers at $720 each; messenger boys—1 $660, 4 at $480 each; charwoman, $240; in all, $53,440.

Mr. MANN. This paragraph does not carry the salary of the secretary of the Horticultural Board. Does the gentleman happen to know how the chairman of the board gets his pay? I ought to know myself, but I do not happen to recall.

Mr. ANDERSON. I do not know, Mr. Chairman. Of course, the gentleman understands how the board itself is made up.

Mr. MANN. I understand that.

Mr. ANDERSON. I do not know how the chairman gets his pay.

The Clerk read as follows:

INTERCHANGE OF APPROPRIATIONS.

And not to exceed 10 per cent of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 10 per cent shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture.

Mr. KINCHELOE. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Kentucky reserves a point of order.

Mr. KINCHELOE. I want to ask the chairman of the subcommittee this question. This matter has been before the Committee on Agriculture, and the Secretary of Agriculture has been before the committee, and on the 9th of this month the Committee on Agriculture reported a bill modifying this provision. This appropriation bill provides:

And not to exceed 10 per cent of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 10 per cent shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture.

It is the judgment of the Committee on Agriculture that the latter part of that paragraph would give the Secretary of Agriculture too much power, and the committee reported their bill with this provision—

That upon the written approval of the Secretary of Agriculture, and then only in the case of extraordinary emergency, not to exceed 10 per cent of any amounts appropriated by Congress in the annual appropriation for the Department of Agriculture for the miscellaneous expenses of the work of any bureau, division, or office in the Department of Agriculture shall be available, interchangeably, for expenditure on the objects included within the general expenses of such bureau, division, or office: *Provided*, That there shall not be added to any one item of appropriation more than 10 per cent of such item.

Mr. ANDERSON. With all due respect to the gentlemen of the Committee on Agriculture, who I know have given very careful consideration to the question, I do not think they fully appreciate the object of that emergency provision. Take, for instance, the outbreak of foot-and-mouth disease. There was a case where the expenditure of a few hundred thousand dollars immediately saved the country millions upon millions of dollars. If we had had a limitation which prevented the transfer of appropriations to the item for disease control in the Bureau of Animal Industry the Secretary would not have had anything anywhere nearly approaching the amount necessary to meet that emergency.

Mr. KINCHELOE. Yes; but under this provision of the bill as reported by the Committee on Appropriations in case of extraordinary emergency, and upon the written order of the Secretary of Agriculture, he might divert any amount of any fund from any division wherever he pleased.

Mr. ANDERSON. I think he ought to have that power.

Mr. KINCHELOE. But the Secretary came before the committee, and we learned from him that he was perfectly willing that the limitation which we propose should be provided.

Mr. MANN. What is the difference between the item in the bill and the provision reported by the Committee on Agriculture?

The bill reported by the committee gives him authority to divert 10 per cent, and then in an emergency 10 per cent more, making 20 per cent that he can divert.

Mr. ANDERSON. No; it does not; he can in no case take more than 10 per cent from any appropriation. Under the language in the gentleman's bill he can not add more than 10 per cent in a case of emergency. Under this provision he can add more than 10 per cent to an appropriation already existing in case of an emergency.

Mr. KINCHELOE. He can add any amount.

Mr. ANDERSON. Within 10 per cent of the total amount for any bureau in the bill.

Mr. KINCHELOE. I think he can divert all of it.

Mr. MANN. He can take 10 per cent from the amount appropriated.

Mr. KINCHELOE. The chairman of the subcommittee has had more experience than I have. I do not wish to make the point of order, but I wanted to get the judgment of the gentleman.

Mr. MANN. My recollection is that this sort of an item has been in many bills before, practically in the same language of the bill. If an extraordinary emergency arises and the appropriation is $25,000, he may need more than $2,500.

Mr. HAUGEN. If the item carried several million dollars and he added 10 per cent, that would make quite a sum.

Mr. MANN. If the item carried several million dollars, the extraordinary emergency is not likely to arise to require the 10 per cent. It might arise; fire protection is one thing where it might be considered.

Mr. ANDERSON. That is covered by another item.

Mr. MANN. This is merely for the smaller items, where there may be an extraordinary emergency where we make a small appropriation.

Mr. KINCHELOE. Mr. Chairman, in view of what gentlemen have stated, I will withdraw my reservation of a point of order.

Mr. GERNERD. Mr. Chairman, in regard to this particular section I wish to emphasize the statement brought out by the chairman of the committee. Year before last potatoes were imported from Ireland into a township in my district. They had the wart disease. They located that, and with a small appropriation the whole thing was quarantined and we restricted it to that particular section. It did not go outside the township, and yet townships all adjoining were theratened with it. But by the relief we got from the Department of Agriculture at that time we wiped that thing out by restricting it. I want the committee to know how important it is and how dangerous it is; if that thing had got to going, it would have destroyed the entire potato crop of the whole district. I do not think the appropriation amounted to $500, and yet we prevented its spreading. [Applause.]

The Clerk read as follows:

PRINTING AND BINDING.

For printing and binding, including the Annual Report of the Secretary of Agriculture, as required by the act approved January 12, 1895, and in pursuance of the joint resolution No. 13, approved March 30, 1906, and also including not to exceed $275,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by Senators, Representatives, and Delegates in Congress, as they shall direct, $800,000.

Mr. ANDERSON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: On page 70, in line 12, after $800,000 strike out the period and insert a colon and the following:

"*Provided*, That not to exceed $200,000 may be used for a weekly publication giving information with respect to weather, crops, and markets, a semimonthly publication which shall be a record of experi-

ment-station work, a weekly journal of agricultural research, a monthly publication which shall be a review of weather and meteorological investigation, a monthly publication devoted to the building and maintenance of public roads in connection with the administration of the Federal aid road act, a weekly clip sheet carrying brief progress reports and department news to the press, a weekly information service to the press reporting in popular form the results of the investigations of the department, and a weekly official record in the nature of a house organ containing administrative information about the activities of the Department of Agriculture."

Mr. MANN. Mr. Chairman, I reserve the point of order.

Mr. ANDERSON. Mr. Chairman, the object of this amendment is to authorize the issuance of the publications of the departments which have been stopped as a result of the provisions in the sundry civil appropriation act, in order that the public may have the benefit of the information gathered by the department. It is perfectly senseless to spend thousands and millions of dollars in scientific research, in gathering information which is of incalculable value to the public, if no means are provided for getting that information to the public. The object of this provision is simply to authorize the publications of the department which it seems to us should be authorized and are clearly within the scope of the official business of the department and its proper activities.

Mr. CHALMERS. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. CHALMERS. If it is so important, why did not the committee put it into the bill?

Mr. MANN. They did not want to call attention to it.

Mr. ANDERSON. That is perhaps as good a reason as I could offer.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. MANN. How many publications are there?

Mr. ANDERSON. I think there are seven or eight altogether.

Mr. MANN. How many serial publications has the Department of Agriculture been publishing in the past?

Mr. ANDERSON. Oh, I think there was a time when it ran very much beyond that number. I can not give the gentleman the maximum.

Mr. MANN. Have they, in fact, ceased these publications, or do they issue them in some other way?

Mr. ANDERSON. Some of these publications have not been dropped. I think of these publications, the only one being held up is the Journal of Agricultural Research, which is the most important of all in my judgment.

Mr. MANN. I notice that there was a great to do in the House when we had under consideration another appropriation bill, concerning the publication of the Reclamation Record, and we heard much of what a dire thing it was that it had ceased publication. Of course, they have not ceased publishing it. They have not even changed the style of the publication, although they say it is now published as statistics, which is a lie on its face.

Mr. ANDERSON. There has been a great deal of difficulty about the matter, and in this case a number of the publications have been combined and a great deal of economy has resulted from the action which the Congress took in stopping these publications.

Mr. MANN. The gentleman knows perfectly well that I have always favored the publication of scientific information. I am willing to let the Agricultural Department publish a good many things. I do not know what this Housewife business is, if that is one of them. I could not quite reach it from the reading of the amendment. I think the Committee on Printing intends shortly to bring in a proposition covering publications of all of these departments. We all know what a great abuse grew up in the Government in respect to publications. Nearly every bureau of the Government was seeking serial publications, and it got to be so bad that notwithstanding every effort Congress made in the way of limitation in appropriation bills, it had no effect on the publications at all. They went ahead just the same, and they would spring a new one every little while.

Every time we passed an order designed to stop a publication they would keep that one going and put in a new one. Then we passed a positive law stopping it all. Then we extended that for a year. Then we passed a law permitting their publication, and the President vetoed it. Then we passed a law extending the time. Now the time has run out. If they follow the law, they will stop until they get authority. I am willing to give them authority in a proper way, but I do not think the proper way is to solicit the committee which reports the appropriation bill in each department and get it all back again in the way it was before.

Mr. ANDERSON. I think, in fairness to the department, I ought to say that they did not solicit this amendment. If I had been able to satisfy myself that there was any reasonable prospect of the Committee on Printing reporting a bill dealing with this matter, I would not have offered the amendment. That was the real reason why it was not put into the bill. We understood at that time that there was some prospect of the Committee on Printing reporting such a bill, but I do not think there is any now. In view of that fact I felt justified in offering the amendment.

Mr. MANN. I hope there is a prospect of the Committee on Printing, composed of three very able Members of the House, reporting the measure. The committee is not so large but that they ought to be able to get a quorum occasionally. There is the same situation in the Senate. At any rate at this time, Mr. Chairman, sympathizing with the desire of the public for this valuable information, I am going to insist upon the point of order.

Mr. BARKLEY. Mr. Chairman, will the gentleman reserve it for two or three minutes?

Mr. MANN. Certainly.

Mr. BARKLEY. Mr. Chairman, I am very much in sympathy with the amendment offered by the gentleman from Minnesota [Mr. ANDERSON], and I hope the gentleman from Illinois will not press this point of order. I desire in my time to have read a letter which I received to-day from the secretary of the College of Agriculture of the University of Kentucky with reference to the resumption of the publication of the Journal of Agricultural Research.

Mr. MANN. Of course, he is in favor of it?

Mr. BARKLEY. Yes.

Mr. MANN. All of these people who get something for nothing are in favor of it.

The CHAIRMAN. Does the gentleman from Illinois yield for that purpose?

Mr. MANN. Certainly.

The CHAIRMAN. Without objection, the Clerk will read the letter.

There was no objection.

The Clerk read the letter, as follows:

UNIVERSITY OF KENTUCKY,
COLLEGE OF AGRICULTURE,
Lexington, Ky., March 8, 1922.

Hon. ALBEN W. BARKLEY,
Representative, House of Representatives,
Washington, D. C.

DEAR SIR: At the regular March meeting of the Research Club of the University of Kentucky the following resolutions were adopted:

"Whereas the Research Club of the University of Kentucky realizes the great value of the Journal of Agricultural Research, published by the United States Department of Agriculture; and

"Whereas it has come to our knowledge that publication of this journal has been suspended for want of definite authorization: Therefore be it

"*Resolved*—

"1. That it is the opinion of this club that the publication of the Journal of Agricultural Research should be continued.

"2. That we hereby request our Senators and Representatives in Congress to use their influence in favor of suitable provision for the publication of this journal; and

"3. That a copy of these resolutions be sent to each Senator and Representative from Kentucky and to the Secretary of Agriculture."

Respectfully,

DANIEL J. HEALY, *Secretary.*

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. MANN. Mr. Chairman, I reserve the point of order.

Mr. MONDELL. Mr. Chairman, I have been hoping for some time that we could secure an understanding in respect to the necessary legislation with regard to certain publications which were suspended by action of law a short time ago. At one time I thought that an agreement had been reached satisfactory to all concerned with regard to the publications of the Department of Agriculture. I had an interview with some of the officials of that department who had to do with the publications, and their attitude seemed to me to be reasonable. Personally, I felt that we could probably approve what they suggested. They seemed to be entirely satisfied with a reduction in the number of their publications and with provisions under which the volume of the matter published would be greatly reduced, but my understanding is that when the Committee on Printing discussed the matter with the officials of the department, their attitude changed somewhat.

At least, members of the Committee on Printing did not receive the same impression with regard to the attitude of the Agricultural Department that I had, and so the matter has been hanging fire. I think it is highly important that we shall make definite arrangements in regard to these and other publications. No one familiar with the facts but believes that the Federal Government has been indulging overmuch in publications, some of them in the nature of propaganda, many of them valuable, many of them, if it were proper for the Federal Government to go into the magazine business, interesting and instructive, but

we all realize that the Federal Government can not or ought not to publish magazines carrying ordinary information, articles, and essays, opinions which are ordinarily printed in privately published magazines, and I hope that very soon we can reach an understanding whereby we shall continue that class of publications, information which we are fully justified in printing and which we should print in order to give the people the benefit of our governmental activities, experiments, and investigations.

Mr. GARNER. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GARNER. Is this just one more case where the legislative committee of Congress having charge of the matter is in disagreement with the Executive, and therefore we can get no action whatever?

Mr. MONDELL. Oh, no.

Mr. GARNER. The gentleman just stated that the Agricultural Department had not made the same impression on the Printing Committee that it made upon the gentleman and therefore we have no bill.

Mr. MONDELL. Oh, well, the gentleman from Texas has been here quite a long time and he knows that in governmental affairs there are many men of many minds.

Mr. MANN. The gentleman knows further that under the Democratic administration the committee only asked what they wanted and did what they were told.

Mr. GARNER. It is perhaps better to do that than to do nothing, like the present administration.

Mr. MANN. That is what you always do.

Mr. GARNER. Well, we did something, and you do not do anything.

Mr. MANN. We do the work.

Mr. MONDELL. Well, in this matter of publications you expended the people's money in the sum of millions; you had so many publications that it was difficult even to catalogue them. The Government became the greatest publisher far and away under the flag. We had magazines on every known subject. We were publishing at great expense to the taxpayers magazines and bulletins of every conceivable sort and kind. Now, we have cured that very largely, but it happens in a very few cases we have not yet fully solved all the problems. It takes quite a while to solve all the problems we inherited from the late unlamented Democratic administration. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the paragraph. In the opinion of the Chair it is legislation on an appropriation bill, and therefore he sustains the point of order.

The Clerk read as follows:

COOPERATIVE FIRE PROTECTION OF FORESTED WATERSHEDS OF NAVIGABLE STREAMS.

For cooperation with any State or group of States in the protection from fire of the forested watersheds of navigable streams under the provisions of section 2 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," $400,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I am not sure myself that it is subject to the point of order. The act of March 1, 1911, authorized an appropriation of this sum beyond what has already been appropriated?

Mr. ANDERSON. Well, I contended so last year, and the Chair sustained the contention.

Mr. MANN. What is it for—fire protection?

Mr. ANDERSON. Fire protection outside of the national forest, particularly in the Appalachian region.

Mr. MANN. Not outside the national forests?

Mr. ANDERSON. It applies particularly in the Appalachian Mountain region, but it does include protection of private land.

Mr. MANN. We bought that forest at an expense of ten or eleven million dollars and it now costs $400,000 a year to keep it from burning up.

Mr. ANDERSON. No; it covers the protection of private land as well as the national forest.

Mr. MANN. And the Chair held that was in order?

Mr. ANDERSON. The Chair held that was in order. If the gentleman does not have the section and would like to have me read it, I will read it to him.

Mr. MANN. Oh, I will look it up hereafter. I withdraw the reservation.

Mr. BLANTON. Did the gentleman make the point of order?

The CHAIRMAN. He withdrew it.

Mr. BLANTON. I make the point of order, Mr. Chairman, that it is legislation unauthorized on an appropriation bill.

Mr. ANDERSON. Mr. Chairman, this item in a smaller amount has been carried in this bill for several years; ever since the Weeks Act was in force.

Section 2 of the Weeks Act provides:

That the sum of $200,000 is hereby appropriated and made available until expended, out of any moneys in the National Treasury not otherwise appropriated, to enable the Secretary of Agriculture to cooperate with any State or group of States, when requested to do so, in the protection from fire of the watersheds of navigable streams; and the Secretary of Agriculture is hereby authorized, and on such conditions as he deems wise, to stipulate and agree with any State or group of States to cooperate in the organization and maintenance of a system of fire protection on any private or State forest lands within such State or States and situated upon the watershed of a navigable river: *Provided*, That no such stipulation or agreement shall be made with any State which has not provided by law for a system of forest-fire protection: *Provided further*, That in no case shall the amount expended in any State exceed in any fiscal year the amount appropriated by that State for the same purpose during the same fiscal year.

Now, it is perfectly obvious that while this particular section makes an appropriation for a single fiscal year that the latter part of the section, which refers to the cooperation between the Federal Government and the States, contemplates that such cooperation shall be continuous, because in the last proviso it says:

Provided further, That in no case shall the amount expended in any State exceed in any fiscal year the amount appropriated by that State for the same purpose during the same fiscal year.

Now, a further reading of this act will indicate that the commission appointed under this act was a permanent commission and that its life did not expire with the expiration of the appropriation specifically authorized in the Weeks Act itself. And I contend under this provision, which clearly contemplates the creation of a permanent organization—the creation of a permanent cooperation between the States and the Federal Government for the protection from fires on public lands—this appropriation is in order.

Mr. BLANTON. Will the gentleman yield?

Mr. ANDERSON. I yield.

Mr. BLANTON. It is merely an appropriation in that bill?

Mr. ANDERSON. It is not under a regular supply bill at all.

Mr. BLANTON. What act is it that the gentleman was reading from?

Mr. ANDERSON. The so-called Weeks Act, approved March 1, 1911. The title of that act is as follows:

An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purposes of conserving the navigability of navigable rivers.

It is perfectly clear from the title, as well as the text, that this was a piece of continuing legislation, intended to authorize and fix a permanent line of cooperation between the States and the National Government in fighting forest fires on public lands, and that it does authorize an appropriation for such purpose.

Mr. BLANTON. I submit to the Chair that this is not permanent legislation.

Mr. ANDERSON. I call attention to the fact that the Chair ruled on this question last year and ruled it in order.

Mr. BLANTON. Of course, the gentleman means that as a finality, I presume. I want to submit that this act referred to is not permanent legislation such as would authorize this Congress to vote in an appropriation as large as $400,000 to fight fires on public lands. I submit to the Chair it is clearly legislation on an appropriation bill and subject to a point of order.

The CHAIRMAN. Did the Chair understand the gentleman from Minnesota to say the Chair ruled on this last year?

Mr. ANDERSON. I will say in that I was in error. It was a million-dollar item that the Chair ruled on last year, which I think was much more doubtful than this one.

Mr. BLANTON. And the Chair ruled against the contention of the gentleman, as I understand it.

The CHAIRMAN. In the opinion of the Chair, this item would seem to be in order, and the Chair is going to rule that it is in order, and overrules the point of order. The Clerk will read.

The Clerk read as follows:

ACQUISITION OF ADDITIONAL FOREST LANDS.

For the acquisition of additional lands at headwaters of navigable streams, to be expended under the provisions of the act of March 1, 1911 (36 Stat. L., p. 961), as amended, $50,000.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph, although I am just now told that the Chair last year held the item to be in order. However, the original Weeks Act provided an authorization of an appropriation up to a certain limit, $10,000,000 or so. That limit has been reached and all the money appropriated. Since that time a further appropriation was made under a new authorization, but the authoriza-

tion given by law—and there was a specific authorization—for the purchase of land in these forests has all been exhausted. I think no one will contradict that. They can not do it successfully because it is so.

Now, so far as I am concerned, while the point of order is being considered by the Chair, I do not know that I would make the point of order on the item of $50,000, except that if this goes into the bill it is subject to amendment by the Senate. When the amendment comes back and goes to conference the conferees can report it. But if the Senate inserts a new item the conferees can only agree to it by a vote of the House. I think myself that just at this time, when we are endeavoring to be economical, we can afford to wait a few days on the purchase of more forest land in the East that will not disappear tomorrow or the next day.

The CHAIRMAN. The Chair will hear the gentleman from Minnesota.

Mr. ANDERSON. Mr. Chairman, I want to be as brief as I can in the discussion of this point of order. I am willing to admit that it is a rather close one.

The act under which this appropriation is made provides for the creation of a commission which is still in existence. Section 4 of that act provides:

That a commission, to be known as the National Forest Reservation Commission, consisting of the Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, and two Members of the Senate, to be selected by the President of the Senate, and two Members of the House of Representatives, to be selected by the Speaker, is hereby created and authorized to consider and pass upon such lands as may be recommended for purchase as provided in section 6 of this act, and to fix the price or prices at which such lands may be purchased, and no purchases shall be made of any lands until such lands have been duly approved for purchase by said commission: *Provided*, That the members of the commission herein created shall serve as such only during their incumbency in their respective official positions, and any vacancy on the commission shall be filled in the same manner as the original appointment.

Section 7 of that act provides:

That the Secretary of Agriculture is hereby authorized to purchase, in the name of the United States, such lands as have been approved for purchase by the National Forest Reservation Commission at the price or prices fixed by said commission: *Provided*, That no deed or other instrument of conveyance shall be accepted or approved by the Secretary of Agriculture under this act until the legislature of the State in which the land lies shall have consented to the acquisition of such land by the United States for the purpose of preserving the navigability of navigable streams.

The only point that I wish to make in this connection is that there is nothing in it that specifically limits the power that is granted to the Secretary of Agriculture to the period of appropriations provided in the act. If Congress had desired to make this act expire and the power granted by it to the Secretary of Agriculture and this commission expire at the time when the appropriation provided by it expired, it could very easily have done so. But it did not make that provision, and the whole text of the act, it seems to me, indicates the intention of the Congress to create a permanent commission, and the fact that the commission is continuing to-day, although the appropriations originally provided have expired, seems to me to be sufficient evidence of the fact that the authority conferred by this act has not expired with the appropriation which it made originally.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. MONDELL. The gentleman did not read section 3 and the proviso under section 3.

Mr. ANDERSON. I will be glad to read it. I assure the gentleman that I did not omit it with a desire to deprive the Chair of any information that it contains.

Mr. MONDELL. I have no doubt of that.

Mr. ANDERSON. I read:

SEC. 3. That there is hereby appropriated, for the fiscal year ending June 30, 1910, the sum of $1,000,000, and for each fiscal year thereafter a sum not to exceed $2,000,000, for use in the examination, survey, and acquirement of lands located on the headwaters of navigable streams or those which are being or which may be developed for navigable purposes: *Provided*, That the provisions of this section shall expire by limitation on the 30th day of June, 1915.

Note that the proviso provides that the provisions of the section, not the provisions of the act, shall expire by limitation on the 30th day of June, 1915.

Now, can it be contended that Congress was so incompetent to say what it meant that if it had intended that this act should expire by limitation on the 30th of June, 1915, it was incapable of saying so?

The CHAIRMAN. Will the gentleman from Illinois permit the Chair to interrogate him?

Mr. MANN. Certainly.

The CHAIRMAN. Did the gentleman say that subsequent to the passage of this act in the Fifty-first Congress there were other acts passed which changed this law?

Mr. MANN. No; there have been other acts of appropriation since the limit of the appropriations provided by this act was reached. The original act made an appropriation of $1,000,000 for the fiscal year, I think——

Mr. ANDERSON. That is correct.

Mr. MANN. And $2,000,000 a year for each year thereafter, with the provision that that should cease with the fiscal year of 1915. That made an authorization of $10,000,000 or $11,000,000. That was the only authorization for the purchase of lands.

Mr. ANDERSON. The only appropriation.

Mr. MANN. They were authorized to purchase the land, and that was what it was for—for the examination, survey, and acquirement of the land. I think it is shown by the law, and, of course, as a matter of fact nobody will deny, that at the time it was expressly stated by everybody in favor of the bill, of whom I was one, that the only authorization for the purchase of this land so far as the expenditure of money was concerned was the amount carried by the bill. Now, the commission has continued, and may well do so in the future. The commission has been kept alive, if for no other purpose, for the expenditure of money which Congress has since appropriated. The money was not all exhausted until very recently—two or three years ago, I think. It was a continuing appropriation, and then we appropriated more money. Last year we appropriated $1,000,000 more. But there can be no authority to appropriate money for this purpose until that authority is given by Congress. The original authority given was for the expenditure of so much money, and that was all, and the commission knows it. The gentleman from Minnesota claims he does not know it, but the commission knew it. The commission reported to Congress asking for more money, saying that all their authority in that regard was exhausted. I have taken a keen interest in these forests, and everybody interested knew it except the gentleman from Minnesota, who probably does not remember the original act very closely——

Mr. ANDERSON. I was not here.

Mr. MANN. The gentleman was not here, and the gentleman from New York was not here at that time and perhaps does not remember the original act. That was a keen and a long fight and everybody knew about it at that time. I think to construe it otherwise would be a misconstruction of the statute. I think it would be a violation of the plain statement of the statute itself.

The CHAIRMAN. Will the gentleman from Illinois permit the Chair to ask him whether or not in his opinion section 7 of the act by which the Secretary of Agriculture is authorized to purchase this land is not still the law?

Mr. MANN. Within the limits of any appropriation that Congress makes it probably is the law; but the Secretary of Agriculture under that can not go around and buy up the universe.

Mr. ANDERSON. He can if we appropriate for it.

Mr. MANN. And there is no authorization for the appropriation. That was in connection with the original appropriation, and the Secretary of Agriculture had no authority by the original act to make any purchase except such as was provided by that original act. He could not go head and make a lot of purchases. He knew it. He did not pretend to do it, and the commission never pretended to have such authority.

Mr. MONDELL. Mr. Chairman, last year when this matter was under consideration I was not in the House. I regretted it very greatly.

Mr. ANDERSON. The gentleman made a long speech on it.

Mr. MONDELL. I mean when the point of order was under consideration. I made a speech after the point of order was passed upon. I remember very well the history of this legislation. I was not entirely favorable to it as it was at first presented, and I was very much afraid that unless we were careful we would have very great expenditures under the act.

Section 3 was the provision which led me to give my support to the legislation. Except for that section the law in the ordinary form of an organic act authorized certain things to be done, authorized certain things to be done, of course, always within the appropriation and never otherwise and without an authorization for appropriation no expenditures could be made after the expiration of the authority in section 3.

The gentleman from Minnesota attempts to prove altogether too much. If it were true that section 7 authorized the expenditures of money whenever and to the extent the Secretary of Agriculture desired to expend it why was section 3 placed in the bill? If section 7 gave authority for the expenditure of money without regard to appropriation or further authorization why was it necessary to provide a continuing appropriation in section 3? It would not have been necessary at all. The Secretary would have gone on and made his purchases and Con-

gress would have made the appropriations and there would have been no necessity for a continuing act authorizing expenditures within the given amount.

Mr. ANDERSON. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. ANDERSON. The gentleman is perhaps aware of the fact that section 3 has been amended, the amounts appropriated have been made available until expended, and all amounts have not been expended. Now, if there is no authority for the purchase of land the gentleman's argument falls to the ground.

Mr. MONDELL. There have been other appropriations which are still available, and within the amount of those appropriations the Secretary can expend the money. But nothing was ever more clearly understood on this floor than the intent of this act when it was passed. Without some provision like section 3 the act could not have secured a majority here. The present Secretary of War was the author of this act. He fought for it faithfully and earnestly for a long time. He only secured support for it when it was clearly and definitely understood that the act fixed and provided a limit within which expenditures could be made. There was no doubt in anyone's mind at that time in regard to it, and right now there are bills before the Committee on Agriculture—one introduced by the gentleman from New Hampshire [Mr. WASON]—proposing an additional authorization under this act.

Mr. WASON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. WASON. Has the gentleman read the bill to know whether it authorizes an appropriation or makes an appropriation? It has been reported out by the Committee on Agriculture.

Mr. MONDELL. I presume the gentleman has introduced a bill in accordance with the rules of the House, and as the Committee on Agriculture has no authority to appropriate, I assume that his bill was an authorization. Is not that correct?

Mr. WASON. It has both.

Mr. MONDELL. Then it was not in accordance with the rules of the House. The committee can not report it out under the rules of the House.

Mr. WASON. It has reported it out.

Mr. HAUGEN. It authorizes the money to be expended under the provisions of the act of March 1, 1911.

Mr. MONDELL. Now, Mr. Chairman, one word more. The importance of this matter runs far beyond any appropriation that may be made under this act. It raises the whole question as to whether the Committee on Appropriations is to have complete control of the policy relative to the expenditure of public money. Is there to be nothing left to the legislative committees of the House? Is the Congress to have no debate and discussion except on appropriation bills?

Mr. ANDERSON. The Committee on Agriculture can report a bill repealing the whole act to-morrow if it sees fit.

Mr. MONDELL. I realize that after a man has been a member of the Committee on Appropriations for some time and has been earnest, faithful, and useful as the gentleman from Minnesota, he is likely to get an exaggerated notion of the authority of the committee, and it is proper that the gentleman should have. But while maintaining the jurisdiction of the Committee on Appropriations, with the tremendous power and authority that that jurisdiction gives it, it is highly important that we shall also preserve the jurisdiction of the legislative committees. They are the committees through whose action, through whose consideration, through whose proposals for legislation, the House shall determine questions of policy—how much shall we expend in certain lines, what shall be our policy for the future. It is in this as it is in the legislation on roads. The Committee on Roads recommends to the House, and the House determines, and the Appropriation Committee appropriates. This legislation was intended to be in line with the policy of giving to the legislative committee the power to determine what the policy of the House should be.

Mr. TILSON. Is not the gentleman a little unfair to this committee to state that this is an attempt to get jurisdiction? The very terms of the paragraph which we are considering——

Mr. MONDELL. I do not want the gentleman from Connecticut to misinterpret me.

Mr. TILSON. I do not wish to misunderstand the gentleman.

Mr. MONDELL. My attitude is exactly that of the gentleman from Illinois. I have no criticism of the committee for bringing in the $50,000 appropriation, and if that was all there was to it I would not say a word. But we all know that if this point of order is overruled amendments will be offered here greatly increasing this item—a million, two million, nobody knows how much.

It is to prevent that that we are now discussing this very important question. If the item of $50,000 is to remain in the bill, it would authorize an increase in another body, as the gentleman from Illinois just suggested. It was never contemplated that the Committee on Appropriations should appropriate except within the provisions of section 3 and the modifications and extensions of that section. If we are to preserve any field of activity for our legislative committees; if we are to determine policies here in debate upon bills brought from legislative committees rather than on items brought in by the Appropriations Committee, here is one of the places to determine that important matter, and it is important. It is important far beyond any question of the amount that might be appropriated here.

Mr. ANDERSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. MANN, having assumed the chair as Speaker pro tempore, Mr. HICKS, chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10730, the Agricultural appropriation bill, and had come to no resolution thereon.

RESIGNATION FROM A COMMITTEE.

The SPEAKER pro tempore laid before the House the following communication, which was read:

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

MY DEAR MR. SPEAKER: I herewith tender by resignation as a member of the Committee on Foreign Affairs.

Very truly, yours,

WALTER F. LINEBERGER.

The SPEAKER pro tempore. Without objection the resignation will be accepted.

There was no objection.

ENROLLED BILL SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker pro tempore signed the same:

H. R. 9597. An act to amend an act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918.

PURCHASE AND DISTRIBUTION OF SEED GRAIN.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to call up from the Speaker's table the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, insist upon the House amendments thereto, and agree to a conference.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

ADJOURNMENT.

Mr. ANDERSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 6 minutes p. m.) the House adjourned until Monday, March 13, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

566. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Newark Bay and Hackensack and Passaic Rivers, N. J. (H. Doc. No. 206); to the Committee on Rivers and Harbors and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CHINDBLOM: A bill (H. R. 10859) providing for a "Chicago Boys' Week" canceling stamp to be used by the Chicago post office; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of Washington: A bill (H. R. 10860) to provide a uniform rule of naturalization and to amend and codify the laws relating to the acquisition and loss of citizenship, to equalize the citizenship status of men and women, to establish a method for the registration of aliens for their better

guidance and protection, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. COLTON: A bill (H. R. 10861) to add certain lands to the Uinta National Forest, and for other purposes; to the Committee on the Public Lands.

By Mr. BYRNS of Tennessee: A bill (H. R. 10862) to enable the Ladies' Hermitage Association to purchase certain personal effects of President Andrew Jackson; to the Committee on the Library.

By Mr. HICKS: A bill (H. R. 10863) to authorize the President to cancel or modify certain contracts for battleships and battle cruisers, and for other purposes; to the Committee on Naval Affairs.

By Mr. LANGLEY: A bill (H. R. 10864) to authorize an appropriation to enable the Director of the United States Veterans' Bureau to provide for the construction of additional hospital facilities and to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the United States Veterans' Bureau; to the Committee on Public Buildings and Grounds.

By Mr. OSBORNE: A bill (H. R. 10865) authorizing and empowering the President of the United States, within his discretion, to appoint, by and with the advice and consent of the Senate, to the grade of brigadier general on the retired list, any officer of the Regular Army, either on the active or retired list, who entered the volunteer service in April, 1861, and so continued until November, 1865, and attained the grade of major of Volunteers; to the Committee on Military Affairs.

Also, a bill (H. R. 10866) to increase pensions in certain cases; to the Committee on Invalid Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 10867) for the relief of Charles M. Tibbetts; to the Committee on Military Affajrs.

By Mr. REECE: A bill (H. R. 10868) granting a pension to Matilda A. Runnions; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10869) granting a pension to Sarah C. Croxwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10870) for the relief of J. L. Summers; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4564. By Mr. COLE of Ohio: Petition of farmers and dairymen of the vicinity of Ada, Ohio, favoring the passage of House bill 8086; to the Committee on Agriculture.

4565. Also, petition of M. Martinson and others, of Findlay, Ohio, favoring the passage of House bill 7 and Senate bill 1252; to the Committee on Education.

4566. By Mr. GALLIVAN: Petition of the Lend a Hand Society of Boston, Mass., urging the adoption of the proposal made by Gen. Pershing in regard to reduction of Army officers; also, that the appropriations in regard to the Army and Navy be made as low as possible; to the Committee on Appropriations.

4567. By Mr. HAYS: Petition of L. G. Hummel and 63 other citizens of Taney County, Mo., protesting against the passage of certain bills now pending in the Sixty-seventh Congress as follows: House bills 9753 and 4388 and Senate bill 1948; to the Committee on the District of Columbia.

4568. By Mr. KAHN: Petition of San Francisco Chamber of Commerce, favoring the ratification of the treaties and agreements that have been the fortunate result of the Disarmament Conference; to the Committee on Foreign Affairs.

4569. By Mr. KEARNS: Petition of James Lawton and others, of Minford and neighborhood, Ohio, protesting against the passage of House bills 9753 and 4388 and Senate bill 1948, all being Sunday observance bills; to the Committee on the District of Columbia.

4570. By Mr. KELLEY of Michigan: Petition of A. K. MacRae and 32 other residents of Atlas, Mich., favoring the passage of the bonus act; to the Committee on Ways and Means.

4571. By Mr. KISSEL: Petition of the City Council of Philadelphia, Pa., opposing the closing of the Philadelphia Navy Yard; to the Committee on Naval Affairs.

4572. Also, petition of Miss Sara Cheifitz, of Brooklyn, N. Y., urging more hospitalization for ex-service men; to the Committee on Public Buildings and Grounds.

4573. Also, petition of Miss Adele Izzo, of Brooklyn, N. Y., urging the passage of the soldier bonus bill; to the Committee on Ways and Means.

4574. Also, petition of American Luther League, of Fort Wayne, Ind., opposing the passage of House bills 4388 and 9753 and Senate bill 1948; to the Committee on the District of Columbia.

4575. By Mr. SINCLAIR: Petition of L. D. Alden and 63 others, of Lignite, N. Dak., urging the revival of the United States Grain Corporation and a stabilized price on farm products; to the Committee on Agriculture.

4576. Also, petition of Ed Olson and 12 others of Ryder, N. Dak., urging the revival of the United States Grain Corporation and a stabilized price for farm products; to the Committee on Agriculture.

4577. Also, petition of Geman Olson and 18 others of White Earth, N. Dak., urging the revival of the United States Grain Corporation and stabilized price for farm products; to the Committee on Agriculture.

4578. Also, petition of 18 citizens of Beulah, N. Dak., praying for the enactment of House bill 9461, guaranteeing a fixed price on wheat and other farm products; to the Committee on Agriculture.

4579. By Mr. SNYDER: Resolution of the Common Council of Utica, N. Y., favoring amendment of the Volstead Act for the manufacture and sale of light wines and beer; to the Committee on the Judiciary.

4580. By Mr. TINKHAM: Petition of J. A. Akerstrom and many others of Boston opposing the passage of House bills 9753 and 4388 or Senate bill 1948, all being Sunday observance bills; to the Committee on the District of Columbia.

4581. Also, a resolution adopted by H. O. Hofman, Laura M. Kendrick, and others of Brookline, Mass., urging special and immediate legislation that Austria's debt to the United States be suspended for at least 20 years; to the Commitee on Ways and Means.

4582. By Mr. VARE: Memorial of City Council of Philadelphia, Pa., petitioning the Navy to maintain the Philadelphia Navy Yard as a repair and supply base; to the Committee on Naval Affairs.

SENATE.

MONDAY, *March 13, 1922.*

(Legislative day of Thursday, March 9, 1922.)

The Senate met in open executive session at 11 o'clock a. m., on the expiration of the recess.

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	France	Myers	Simmons
Ball	Glass	Nelson	Smith
Borah	Hale	Newberry	Spencer
Brandegee	Harris	Nicholson	Sterling
Broussard	Harrison	Norbeck	Townsend
Bursum	Heflin	Norris	Underwood
Cameron	Johnson	Oddie	Wadsworth
Capper	Jones, Wash.	Overman	Walsh, Mass.
Caraway	Kellogg	Page	Walsh, Mont.
Colt	Kendrick	Pepper	Warren
Culberson	King	Phipps	Watson, Ga.
Cummins	Lenroot	Poindexter	Weller
du Pont	Lodge	Pomerene	Williams
Edge	McCormick	Ransdell	Willis
Ernst	McKellar	Robinson	
Fernald	McKinley	Sheppard	
Fletcher	McNary	Shields	

Mr. FLETCHER. I desire to announce that my colleague, the junior Senator from Florida [Mr. TRAMMELL], is necessarily absent on account of illness in his family. I ask that this announcement may stand for the day.

Mr. SMITH. I have been requested to announce that the Senator from North Dakota [Mr. LADD] and the Senator from New Hampshire [Mr. KEYES] are detained from the Senate on account of committee work.

Mr. LODGE. I desire to state that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. CALDER], the Senator from West Virginia [Mr. SUTHERLAND], and the Senator from New Jersey [Mr. FRELING-

HUYSEN] are detained from the Senate in attendance on a session of the Committee on Finance.

The VICE PRESIDENT. Sixty-five Senators having answered to their names, a quorum is present.

As in legislative session,

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution adopted by the executive committee of the World Alliance for International Friendship Through the Churches favoring prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

Mr. EDGE presented a concurrent resolution adopted by the Legislature of New Jersey, which was referred to the Committee on Naval Affairs, as follows:

STATE OF NEW JERSEY,
ONE HUNDRED AND FORTY-SIXTH LEGISLATURE.

Concurrent resolution passed by the general assembly March 6, 1922, and concurred in by the Senate.

Whereas the recent conference on disarmament held at the city of Washington, D. C., decided that two of the six contemplated battle cruisers being built by the United States could be converted into airplane carriers; and

Whereas one of said battle cruisers, namely, the *Saratoga*, is now under construction at the plant of the New York Shipbuilding Co., at Camden, N. J., and is 35 per cent completed, and can be converted into an airplane carrier at less expense and with greater benefit to the United States, by reason of the fact that our Navy would secure a vessel of 33,000 tons instead of a 27,000-ton airplane carrier, the limit fixed by the conference of disarmament for new vessels of that type; and

Whereas the selection of the battle cruiser *Saratoga* for completion as an airplane carrier by the President and the Navy Department would give employment to thousands of workmen for two years at the plant of the New York Shipbuilding Co.: Therefore be it

Resolved by the House of Assembly of the State of New Jersey (the Senate concurring), That the President of the United States, the Navy Department, and the Congress of the United States be respectfully requested to select the *Saratoga* as one of the battle cruisers to be converted into an airplane carrier; and be it further

Resolved, That the Navy Department be urged to finish other naval work on which conditions will permit continuing construction, with the view of providing employment for the unemployed of the State of New Jersey.

T. HARRY ROWLAND,
Speaker of the General Assembly.
WILLIAM B. MACKAY, Jr.,
President of the Senate.

Attest:

UPTON S. JEFFERYS,
Clerk of the General Assembly.
W. H. ALBRIGHT,
Secretary of the Senate.

Mr. CUMMINS (for Mr. FRELINGHUYSEN) presented a concurrent resolution adopted by the Legislature of New Jersey favoring the selection of the *Saratoga* as one of the battle cruisers to be converted into an airplane carrier and the finishing of other naval work on which conditions will permit continuing construction, with a view of providing employment for the unemployed of New Jersey, which was referred to the Committee on Naval Affairs and ordered to be printed in the RECORD.

(See concurrent resolution preceding, presented by Mr. EDGE).

Mr. JONES of Washington presented a resolution adopted by the board of directors of the Franklin County National Farm Loan Association, of Connell, Wash., protesting against proposed amendments of the Federal farm loan bank act, which was referred to the Committee on Banking and Currency.

Mr. NELSON presented petitions of sundry citizens of Clearbrook, Hoffman, Kensington, McIntosh, Brooks, Oklee, High Landing, Hazel, Kratka, and Paynesville, all in the State of Minnesota, praying for the revival of the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

Mr. WILLIS presented a resolution adopted by the Kiwanis Club of Athens, Ohio, favoring prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

He also presented resolutions unanimously adopted by the Men's Club of the First Congregational Church, of Sandusky, Ohio, favoring ratification of the so-called four-power treaty, which were ordered to lie on the table.

Mr. BURSUM presented a resolution adopted by the congregation of 500 or more of the First Methodist Episcopal Church, of Albuquerque, N. Mex., favoring ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

He also presented telegrams in the nature of petitions from the Kiwanis Clubs of Albuquerque and Raton, both in the State of New Mexico, praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

Mr. NORBECK presented six memorials of sundry citizens of Montrose, Sioux Falls, Doland, Turton, Frankfort, Huron, Redfield, Hitchcock, Agar, Murdo, Madison, Winfred, Bowdle, Tolstoy, Loyalton, and Hosmer, all in the State of South Dakota, remonstrating against the enactment of Senate bill 1948, providing for compulsory Sunday observance in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented six petitions of sundry citizens of Gregory, Dallas, Summit, Watertown, South Shore, Plankinton, White Lake, Crooks, Sioux Falls, Renner, Baltic, Ellis, Hartford, Mount Vernon, Letcher, Woonsocket, Lane, and Cuthbert, all in the State of South Dakota, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

Mr. LADD presented the petition of Robert Johnson and 15 others of Beulah, N. Dak., and vicinity, praying for the passage of Senate bill 2604, the so-called Ladd honest money bill, which was referred to the Committee on Banking and Currency.

He also presented a memorial of members of the Myosotis Club, of Sanborn, N. Dak., remonstrating against increased tariff duties on women's leather gloves, which was referred to the Committee on Finance.

He also presented petitions of Karoline Lima and 37 others of Hannaford and vicinity, Fred Jauss and 26 others of Lefor and vicinity, Andrew P. Pedersen and 10 others of Juanita, C. B. Olson and 16 others of Marmon, H. W. Voight and 14 others of Bismarck, Ed. A. Olson and 3 others of Oriska, S. Estvold and 17 others of Manfred and vicinity, John W. Foss and 95 others of Arnegard and vicinity, and C. H. Pederson and 111 others of Marmon and vicinity, all in the State of North Dakota, praying for the revival of the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES.

Mr. BURSUM, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 2014) to provide for the settlement of small holding claims on unsurveyed land in the State of New Mexico, reported it without amendment and submitted a report (No. 552) thereon.

Mr. WALSH of Montana, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 3176) for the relief of Fred Sumpter, reported it without amendment and submitted a report (No. 553) thereon.

Mr. NORBECK, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 9710) authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak., reported it without amendment and submmitted a report (No. 554) thereon.

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (H. R. 8342) to empower the Attorney General of the United States to fix the compensation of clerks of the United States district courts, reported it without amendment and submitted a report (No. 555) thereon.

Mr. TOWNSEND, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 9859) making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes, reported it with amendments and submitted a report (No. 556) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURSUM:

A bill (S. 3275) granting pensions and increase of pensions to certain soldiers and sailors of the Civil and Mexican Wars and to certain widows, former widows, minor children, and helpless children of said soldiers and sailors, and to widows of the War of 1812; to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 3276) granting an increase of pension to Orlando R. Brand; to the Committee on Pensions.

A bill (S. 3277) to extend the franking privilege to the Prisoners' Relief Society, of Washington, D. C.; to the Committee on Post Offices and Post Roads.

By Mr. McKELLAR:

A joint resolution (S. J. Res. 175) relative to the purchase of aircraft from any foreign nation, citizen, or corporation; to the Committee on Foreign Relations.

ADDITIONAL DISTRICT JUDGES.

Mr. CUMMINS (for Mr. FRELINGHUYSEN) submitted an amendment intended to be proposed to the bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside of their districts, and for other purposes, which was ordered to lie on the table and to be printed.

REVENUES AND EXPENSES OF RAILROADS.

Mr. KENDRICK. Mr. President, as in legislative session and out of order, I submit the resolution which I send to the Secretary's desk, and I ask that it may be read.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 257) was read, as follows:

Resolved, That there be printed as a Senate document volumes 3 and 4 of the hearings before the Committee on Interstate Commerce of the United States Senate held pursuant to Senate resolution No. 23, Sixty-seventh Congress, relative to the revenues and expenses of railroads which report to the Interstate Commerce Commission, and that 2,500 additional copies be printed for the Senate document room.

Mr. KENDRICK. I ask unanimous consent for the immediate consideration of the resolution.

The resolution was considered by unanimous consent and agreed to.

BOULDER CREEK CANYON PROJECT.

Mr. JOHNSON. Mr. President, a week or more ago I asked unanimous consent to have printed as a public document the report of the Secretary of the Interior concerning the Boulder Creek Canyon project. That consent was accorded. I am advised, however, by the Public Printer that it will be necessary to obtain consent as well to the printing of the illustrations accompanying the report, and I ask unanimous consent that the illustrations may be included in the order for printing.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Arkansas [Mr. ROBINSON] to article 1 of the treaty.

Mr. JOHNSON. Mr. President, for the second time the Senate is asked to change the foreign policy which has prevailed in the Republic since we became a Nation. The old familiar arguments ring out again in this Chamber. The country hears repeated the perfervid emotional appeals. The sacrifices and sorrows of the late war, the horror of their recurrence, are invoked with most artistic word painting, that we may be forced to-day to accept what yesterday we rejected. The hopes and idealism of good and well-meaning people, the insidious propaganda of some who are neither good nor well-meaning, create a mass opinion demanding again the surrender of patriotic, independent judgment, and the acceptance without demur of whatever may be demanded in the sacred name of peace. The stage with its setting is not dissimilar from that upon which was enacted the tragedy of the League of Nations. The drama is not far different. Many of the claquers' faces are familiar. Only the actors have changed their parts. As we look upon the new scene, memory vividly recalls the old. We see again the stage crowded with besiegers, the banners of internationalism proudly borne by those who cry a new era. Before them is the old national citadel of sympathy and helpfulness but of independence of action and freedom from entanglements, the old citadel under whose beneficent protection a Nation has grown from its uncertain small beginning to the richest and most powerful on earth. At first the assaults are but feebly resisted, but with time the forces of the besieged are augmented; from behind the scenes come unknown and unheard-of reenforcements—rank upon rank until they swell into a mighty army—of those who have lived in the shadow of the protecting citadel and know its necessity and its safeguard. And the curtain is rung down, to the utter rout of the assailants, with the national citadel unscathed and the old banner proudly waving.

The curtain rises again to-day. The stage is as of old. Again the battle rages. The old citadel still stands, but some of its defenders now lead the attack. The issue will not be determined by the actors in the calcium light nor by the claquers whose shouting alone is heard. Just as in the past struggle, the issue will be decided finally by the great inarticulate mass behind the scenes, the men and women who are neither seen nor heard, but who, living under an American policy, have become the greatest of all the peoples of the earth.

TREATY MAKING.

The League of Nations contest did not materially differ from that in which we are now engaged. Though the quadruple alliance is in many respects quite as important as the old league there is less interest and less understanding concerning it here and with our people. There may be an excuse for lack of understanding on the part of our people. There can be none for either lack of interest or understanding on the part of ourselves. The Senate, no less than the executive branch of the Government, has its duty to perform in respect to treaties. When advocates of the League of Nations and the new alliance rail at the Senate because it moves cautiously and with prudence and care, their shafts in reality are directed not at the Senate but at the Constitution. There can be no treaty, under our system, until that treaty is ratified by the Senate. They have little comprehension of the design of the framers of the Constitution and of its plain intent, who assume that the Government of the United States acts finally and consummates a binding contract when the President negotiates a treaty. The framers of the Constitution, recognizing this as a representative government with ultimate sovereignty in the people, with the utmost precision denied the Executive full power in treaty making, and that the people should know what engagements with foreign countries might deal with them, our forefathers provided that a treaty became such only when ratified by the Senate. So very careful were the founders of this Government, apparently so distrustful of rulers, that not only was a coordinate power given to the Senate but a two-thirds vote of the Senate was required before a treaty could become the engagement of the Nation. The Senate but does its duty when, pursuing the policy of the Nation as embodied in the Constitution, it moves warily and demands full information before action. It is nonsense to say that a treaty may be negotiated by the Executive and then that it shall be acted upon by the Senate without adequate information or knowledge. Intrusting the Senate with final determination concerning treaties presupposes, of course, that it shall act upon the facts and shall pass upon the reasons. To say that a treaty may be negotiated by the Executive, thrown into the Senate without explanation, and that the Senate may be denied all information respecting it, is to deny the Constitution itself. It is to ask, just as is asked concerning this treaty, that the Senate accept, without consideration, without information or knowledge, that it sign simply upon the dotted line. If this is desired, and is the better rule, then amend the Constitution; but so long as the Constitution places upon the Senate the obligation finally to pass upon treaties the Senate is entitled to the fullest information. But there is a graver question than this. Those who insist that the Executive has the sole power of treaty making, and that the Senate should immediately acquiesce in what the Executive does, forget the very essentials of our system. The people are entitled to know why their future is mortgaged, and while we continue a democracy they will know. It may not be to-day nor to-morrow. It may not be within this generation, but just as certainly as finally they understood, and finally in overwhelming numbers they rendered their verdict in November, 1920, just so with this treaty, there will come a time when a people kept in ignorance and hastened into a treaty at variance with American traditions and American philosophy of government will have their reckoning.

FOR AN INTERNATIONAL FORUM.

From the beginning of the contest concerning the League of Nations some of us have endeavored to make plain that our position was not one of aloofness or isolation for the United States. We neither expect nor wish to live a hermit nation. We ask only to live our own life in our own way, in friendship and sympathy with all, in alliance with none. Repeatedly I have stated, and I reiterate it now, that I believe in consultations and conferences among the nations of the earth, consultations and conferences open and free, so peoples as well as rulers may be informed. A righteous public opinion is the best rule of mankind. We would welcome an international forum meeting at stated intervals and as occasion required, where international questions could be discussed in the open, where all the world could see and understand. At once, in international disputes, the most potent factor would be the public opinion of the world. Let this public opinion operate under such circumstances and there would be no future wars. No leagues are required for this, no alliances, no engagements to devise efficient means to meet aggression, no freezing of the status quo by ambiguous treaties, so that wronged peoples will be forever without redress. Openness, frankness, the sunlight of publicity alone are requfred.

In such an international forum, with its members bound to nothing but frankness and publicity, no statesman would run counter to his people, and no people would wish for war. This constitutes real conference, real consultation, and means the era of peace. To just this sort of thing we looked forward in the Limitation of Armaments Conference. In just this way that conference opened. The President himself really thought, when he addressed the Senate and presented the treaties, that the conference had been conducted in this fashion, for he said:

Accompanying the treaties I bring to you the complete minutes of both plenary sessions and committee meetings and a copy of the official report made to me by the American delegation to the conference. Both the complete minutes and the official report of the American delegation are new accompaniments to the Executive report of a treaty or treaties, but they are fitting testimonials to that open and simpler diplomacy for which the world has asked and the practice of which contributed largely to the success of the conference so recently adjourned.

He doubtless thought that open and simpler diplomacy had prevailed in relation to the four-power treaty, one of the most important presented, and that this open and simpler diplomacy, as he said, had contributed largely to the success of the conference. In the multiplicity of his duties he could not know all that transpired, and, of course, was dependent upon his representatives. He evidently was not aware that in all the minutes presented there is nothing concerning the quadruple alliance. Indeed, there has never been greater secrecy concerning any document submitted to our people. It is true that two distinguished members of the Senate, the leader upon the Republican side and the leader upon the Democratic side, were members of the conference. Both here advocate the treaty. It is obvious from their statements upon the floor that they know little or nothing concerning its making. I do not say this in criticism or invidiously, because I realize that they, much more keenly than we do, feel their position. They are unable to explain much that requires explanation. Indeed, the usual course in matters of this sort has been quite reversed.

The treaty is presented to the Senate without word or explanation, with a denial of any information, without any report by its proponents, and without any exposition for a considerable period by either of the Senators who were signatories to the document. I pass this phase with a mere expression of regret. It will not do to answer to the request for information, as the Senator from Massachusetts did, that negotiators of treaties can not go about with shorthand reporters at their elbows. Apparently this is just what they did with the unimportant treaties, and if in matters of little consequence the most detailed explanations and conversations are given, why in a matter of the utmost importance is all information denied? If it were appropriate to have communiques, statements, minutes, explanations, and information regarding agreements concerning aircraft and gas, and treaties relating to China, why should every scrap of information be carefully concealed concerning the all-important quadruple alliance?

Under the circumstances the Senate is compelled to take the treaty as written, and from the historical facts which are known to us, analyze and construe it. The paucity of information makes difficult, but not impossible, accurate conclusions. And at the very beginning of the discussion, the fact that such a treaty was unnecessary to a limitation of armaments can not be overemphasized. After the first day, when Mr. Hughes made his brilliant address, who can doubt that if the conference had continued for a brief period with the one subject before it, the limitation of armaments in accordance with the Hughes plan would have been compelled by the peoples of the world? Apparently the conference immediately turned aside from the limitation of naval armament to the execution of a new alliance.

Because I will not change the foreign policy of this Nation, I decline to be put in the attitude of opposing a just and fair limitation of armaments or anything that makes for peace. I yield to none in the desire for peace. I will go as far as the most pugnacious pacifist justly to obtain permanent peace. I will not, in the name of peace, entangle my country in the policies of foreign nations, which mean only war. And I decline to subscribe to any document which underwrites or even indirectly involves the United States in territorial exploitation or the subjugation of any people.

THE NEW QUADRUPLE ALLIANCE AND ITS MAKING.

The advocates of the quadruple alliance agree that its principal accomplishment and the main object it achieves is the termination of the Anglo-Japanese alliance. The Senator from Massachusetts, in the beginning of his address, says:

The chief and most important point in the treaty is the termination of the Anglo-Japanese alliance. That was the main object of the treaty.

The first completed work of the Conference on the Limitation of Armaments was this treaty. The subject of the treaty was not in the agenda, and its execution was not hinted at as a necessary part of limitation of armaments. In all of the discussions, and there were many, before the meeting of the conference and before the announcement that this treaty had been entered into, there was no suggestion that the treaty was either a part of the work to be done, or essential to an agreement in relation to disarmament. It may be that it was a condition precedent to the acceptance of the Hughes plan. It is possible that our representatives were compelled to accede to this contract in order to obtain what was put forth as the American plan for disarmament the day the conference so auspiciously met. It may be, as Mr. John Dewey says in an article published a month or more ago in the Baltimore Sun, that we had something to sell, our five, five, and three naval ratio, and that we were compelled by those to whom we were to sell it, to accept the price they fixed. All these things may be so, but those who are able to tell us whether they are so or not are strangely silent. Judging from the events and the happy initial meeting of the conference, the Anglo-Japanese alliance need not have been mentioned nor touched upon in order to have obtained what we desired—what we desired both from the humanitarian and the economic standpoint—a just limitation of armaments. If the four-power treaty were deemed of such transcendent importance by Great Britain and Japan that they declined to consider any measure of disarmament until we should enter into it, no asseverations upon the floor or elsewhere can minimize its importance. It is incredible that this treaty superseded a hard and fast, tried, and demonstrated offensive and defensive alliance, that it was insisted upon as the necessary first step in a world conference called ostensibly for disarmament, and yet is of such small consequence and means so little as its advocates now insist.

For 20 years there had existed between Great Britain and Japan an alliance, the latest expression of which was consummated at London July 13, 1911, wherein it was provided that in case of unprovoked or aggressive action against either party the other party would come to its assistance. The alliance undoubtedly was first directed against Russia and subsequently against Germany. The World War left neither power a menace to either party to the contract. Throughout the British Empire there was a demand for the abrogation of the treaty. Its term was 10 years, and its expiration therefore, unless automatically extended, fell in the month of July, 1921. Just prior to the expiration by limitation, the British imperial conference was held in London in June, and there the Anglo-Japanese alliance was most earnestly considered. The suggestion came out of the conference, and subsequently from the prime minister, that the existing alliance should be enlarged to include the United States. Those of our people who were following the proceedings abroad, and particularly what was being done with the British-Japanese alliance, were startled at the suggestion of participation. A local periodical published press comment from all over the Union, the consensus of which was quite in opposition to our entry into the British-Japanese arrangements. Thereafter, we find the Prime Minister, Lloyd George, reporting to Parliament, in answer to questions asked concerning the Anglo-Japanese treaty. On July 7, 1921, he said:

I hope soon to be in a position to make a statement on these important subjects. I am fairly hopeful of being in a position to make a statement on Monday. It depends upon whether replies are received from the United States, Japan, and China; but premature declarations would interfere with the success of the negotiations now proceeding.

On July 11 the Prime Minister said to Parliament (and at this time he referred as well, in most complimentary fashion, to President Harding's call of the conference):

When I told the house last Thursday that I hoped to be in a position to make a statement on Pacific and far eastern questions to-day I was waiting, as I explained at the time, replies to conversations which had taken place between the secretary of state for foreign affairs and the representatives of the Governments of the United States, Japan, and China, as the result of our discussions in the imperial cabinet. I am very glad to be able to inform the house to-day that the views of the Government of the United States reached me last night and are extremely satisfactory.

It is obvious from these statements that Great Britain and the United States were negotiating concerning the Anglo-Japanese alliance, and the inference is irresistible that the United States was consenting to some treaty with Japan and Great Britain. It will be observed that the prime minister on July 4 speaks of the negotiations with the United States, Japan, and China, and on July 11 he advises Parliament that to the proposition, whatever it might have been, presented by Great Britain the reply of the United States was "extremely satisfactory."

I listened with attention to the Senator from Alabama. I heard his interesting references to the Anglo-Japanese alliance,

observed the extraordinary importance he attached to the new treaty, an importance out of all proportion to an instrument so lacking in strength and efficacy as he described it. The conclusion I reached from his remarks was that the Washington conference after all was not primarily for disarmament but to consummate a new agreement to supersede the British-Japanese alliance. A people were wrought to the highest state of exaltation, of emotional idealism, by panegyrics on peace and apostrophes to disarmament; and yet, as I gather from what has been said here, the great object to be attained, although no mention of it was made, was the substitution of something, of which we were to be a part, for the Anglo-Japanese alliance. Apparently this, too, was the view of Mr. Lloyd-George.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Montana?

Mr. JOHNSON. Certainly.

Mr. WALSH of Montana. In the letter from the Secretary of State, read by the Senator from Alabama [Mr. UNDERWOOD] on Saturday, there appears the statement that the views of this Government as to the importance of the termination of the Anglo-Japanese alliance had been communicated long before the conference met. Is the Senator able to tell us whether the views thus expressed have ever been made public?

Mr. JOHNSON. I do not know of it, if they have been. I have no knowledge of it.

Mr. WALSH of Montana. Can the Senator advise us as to whether the Foreign Relations Committee have ever been made acquainted with the communications?

Mr. JOHNSON. No; so far as I am aware, the Foreign Relations Committee have not been made aware of anything of the character mentioned by the Senator from Montana.

Mr. WALSH of Montana. I had no recollection, when the letter was read, of ever having learned that the State Department had ever expressed any view on the subject either one way or the other.

Mr. JOHNSON. I do not know as to that. My information I have derived from a search of the parliamentary debates of Great Britain.

In order that there may be no misunderstanding as to how the British-Japanese alliance was viewed by the parties to it, and its importance alike to both countries, I quote the prime minister's statement on the imperial conference to the House of Commons August 18, 1921.

Then, in a very notable speech, the prime minister said:

The two questions, I think, which occupied most of our time—

Let me digress a moment there to recall to the Members of the Senate that just prior to this speech, for the first time in the history of the British Empire, the premiers of the Dominions met to consider not only internal matters but really foreign policies, and that in the meeting of the premiers of the Dominions and of Great Britain, held prior to this time, the Anglo-Japanese alliance was a subject of the most earnest consideration.

Said the Prime Minister of Great Britain to Parliament in August, 1921:

The two questions, I think, which occupied most of our time apart from foreign policy were the questions of the Anglo-Japanese alliance and the Pacific. Egypt was also discussed, and we also discussed the naval defense of the Empire. They were all agreed, when we came to the question of naval defense, that at any rate the Empire must have a naval force which is equal to that of any other country in the world. Upon that they were all agreed, but when it came to a question of contribution there was a general feeling—I think I can go to that extent—that it was unfair to leave the whole burden of the naval defense of the Empire with the mother country. The extent to which the Dominions should contribute—the best method of contribution—that must be left to each Dominion and to India to consider themselves. We can not dictate, we can not direct, and I am not sure that it will be very helpful if we even make suggestions, because they are each naturally very, I will not say resentful, because that would not be a fair word, but they are each very anxious to guard their own independence in these respects. There are some who would like to contribute in one form and some in another—some by means of naval stations, some by means of oiling stations, some by means of having a fleet of their own. Each of these questions must be considered by the Dominions with their own Parliaments, and it is not a matter where we could presume in the least to dictate or prescribe, and where it would not be wise even to suggest. The proposals must come from themselves, and they are consulting their own Parliaments upon that particular question.

On the question of the Pacific there was a good deal of discussion of the Japanese alliance. Upon that our feeling is this: The alliance is an existing alliance, and until 12 months' notice is given that alliance continues, and when you come to the question of whether you will give notice, you must consider how that alliance has operated. There was a real test in the late war of that alliance, and no man who watched what happened can come to any other conclusion than that it was loyally and faithfully interpreted and carried out by our Japanese allies. Just see what happened. There you had the Pacific raided by fast German cruisers and our ships sunk. We had to depend upon the help of New Zealand and Australia.

Between them they sent between 500,000 and 600,000 first-class troops to our assistance. India sent more than 1,000,000 across seas which it would have been difficult for us to guard. We had to guard the Atlantic. We had to guard the Mediterranean very largely. We had to guard the North Sea—a gigantic operation even for our immense fleet. It was strained to the very last ship, new and old, in guarding our own shores against submarines, and against possible attack from every German craft, and there was that immense ocean, the Pacific, the Southern Atlantic, and the Indian Ocean—the greatest seas of the world.

How were we to guarantee that 500,000 troops could cross thousands of miles of seas and 1,000,000 troops from India could cross the Indian Ocean and that no raider would sink them? How could we have done it? We could not have done it but for the fact that our Japanese allies came to our aid. The Australian prime minister said so and the New Zealand prime minister said so. They said, "We could never have sent our troops into that vast ocean at that time unless we had had that guaranty."

We could not have given the guaranty, certainly at the beginning of the war, had it not been for the Japanese fleet giving their assistance in chasing the raiders. It was invaluable. It was one of the determining factors of the war. They loyally, faithfully, in the letter and in the spirit, carried out their obligation. Is it to be suggested that we should now turn around and say to them, "You stood by us in trouble, but we do not need you any longer, so good-by"? Would anyone behave like that in business? The British Empire must behave like a gentleman, and when you come to deal with a country that has stood by you in trouble, stood well by you, are you to bring the alliance to an end when trouble is over? I say that that would not be becoming to the British Empire in dealing with a faithful ally. And let me say this: I do not believe there is any country in the world, whether it likes the Japanese alliance or does not like it, that would think any better of the British Empire if we broke off the alliance; not one. They might appear to be glad for the moment that we had done it, but in their hearts they would despise us for doing it. That does not mean that we are to continue an alliance of this kind against anyone else, and certainly not against the United States of America. It is a cardinal principle of British policy, and must be, that we should act in as complete accord with the United States of America as any two countries can. I do not know of any country in the world with whom it is more important that we should act in concert than with the United States of America. So much so that it is very difficult to get an Englishman to regard an American as a foreigner. There is a different feeling; there is a sense of fraternity.

It is cardinal that we should act in concert with the United States of America; but I do not see why it is impossible to remember your obligation to Japan, preserve your friendship for that great country, and at the same time preserve a spirit of fraternity with the United States of America. This is one of the questions upon which I had hopes it would have been possible, and still hope it will be possible, to have a discussion. If an alliance with Japan could merge in a greater understanding with Japan and the United States of America in all the problems of the Pacific, that would be a great event and it would be a guaranty for the peace of the world, because the problems of humanity may be to-day in the Atlantic Ocean, yesterday in the German Ocean, and they may pass to-morrow into the Pacific; and when they do the powers that are most greatly concerned in Pacific matters are the United States of America, Japan, and the British Empire.

Those four great countries are primarily concerned in having a complete understanding with regard to the Pacific, but the surest way to make a success of any disarmament conference is, first of all, to come to an understanding upon the Pacific. I do not myself believe that you will attain the same measure of success in a disarmament conference until you have attained that complete understanding. I believe disarmament would be much easier if you could get that clear understanding first, and I am still hopeful that that view will be taken. The British Empire as a whole were all agreed in the desire to have complete friendship with the United States of America and to make arrangements which would remove every conceivable prospective obstacle to such friendship. Nothing would please the British dominions, as well as the mother country, more than a settlement which would make them feel that the British Empire and the United States of America could work side by side in a common partnership for the restoration of the peace of the world, for guaranteeing the peace of the world. I do not know of any guaranty that would be equal to that of the United States of America and the British Empire in agreeing upon the great principles upon which world policy ought to be based. That is an absolute guaranty of the peace of the world, and I am still hopeful that such an understanding as would establish a scheme of that kind will ensue as a result of the coming conference in Washington. Those are some of the great problems which we have discussed.

Lloyd-George's plan, therefore, was, first, to settle the problems of the Pacific, by which it is plain he meant merging the Anglo-Japanese alliance into an Anglo-Japanese-American alliance. He did not see how it was possible to succeed in a disarmament conference until this had been done, and as you look back upon the conference this is exactly what was done.

THE CONSTRUCTION OF THE TREATY.

The advocates of the treaty in construing it do not begin with the beginning and end before the ending. Under the Yap treaty, which has just been ratified by the Senate, by article 1 the United States for the first time recognizes and acquiesces in the shameful secret treaties, the stealthy bargains carefully concealed from us, and by which German possessions in the Pacific were divided between Great Britain and Japan. By this Yap treaty, in the first article, we assent to the mandate of Japan in the Caroline, Marshall, and Ladrone Islands under which Japan administers these islands as an integral part of the Japanese Empire. In the minutes given to us as evidencing the new open diplomacy we are told, at page 567, by Mr. Root, that there was an old English nursery rhyme which ran, "Leg over leg the dog went to Dover." When all of us have passed

from the scene, when the armaments conference shall have become a mere historical memory, there will yet remain a musty tome preserving for posterity "Leg over leg the dog went to Dover." We might, as we read the Yap and this treaty, paraphrase Mr. Root's carefully preserved illustration, "Leg over leg the dog went to Tokyo." First, by the Yap treaty we recognize what before we have repudiated—the secret bargains concerning the German islands in the Pacific. Now, by this treaty, we undertake to maintain Japan's rights in those islands.

The purpose of the new quadruple alliance is distinctly stated in its preamble. This purpose is twofold. First, the general purpose, always written into the most iniquitous of treaties, the preservation of the general peace; and then the specific and definite purpose of the maintenance of the rights of the parties in relation to their insular possessions. The argument upon the treaty commences, therefore, with its avowed purpose and intent to maintain the rights of the parties in their insular possessions. With this intent in view of maintaining their rights the parties agree to certain things. Do you observe how in the discussion of this treaty what scant attention is given by its advocates to its specific design? Have you noticed how lightly they have passed over it and how their newspaper protagonists seldom suggest it? Indeed, nearly all those who dissect this treaty begin with the two articles, omitting the avowed purpose described in the preamble.

Article 1, after agreeing that the parties will respect the rights of one another, provides for controversies arising among themselves. If such controversies arise which can not be satisfactorily settled by diplomacy, a joint conference is to be held, to which the whole subject will be referred for consideration and adjustment.

Article 2 undertakes to meet the aggressive action of other powers. In case of such aggressive action—

> The high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

We are told that this means no more than mere consultation among the parties. The answer is obvious. If the purpose were to provide merely for consultation, the masters of English who wrote this treaty would have said so. If just ordinary men were writing an agreement to consult, they would have no doubt of the phraseology to be employed and there could be no misinterpretation or misconstruction of their language. If they were agreeing to consult about differences, in plain language they would say so. If they employed language capable of other interpretations, which might be otherwise construed, the conclusion would not be inapt that their purpose was not alone that of consultation but that it embraced whatever else the language might import. Remember that those who wrote this treaty were experts in treaty writing, learned in the use of the English language, with keen vision of future possibilities of construction and interpretation. If such men had but a single thought, to write a contract for mere consultation, there can be no possible justification for the language used in article 2. And, I might add, there could be no possible justification for not affording the American people the opportunity of discussion of the words and phrases so meticulously employed. The same gentlemen who indulged in the mystic phrases of article 2 wrote other treaties at the same time. One of these was a treaty in regard to China, a purpose of which was "to respect the sovereignty and independence and the territorial and administrative integrity of China."

This Chinese treaty designed to respect the territorial integrity of China provides for consultation; and here is the language used by the gentleman who wrote article 2, asserted here to mean only consultation, used by them when they had in mind only consultation:

> ART. 7. The contracting powers agree that whenever a situation arises which, in the opinion of any one of them, involves the application of stipulations of the present treaty and renders desirable discussion of such application there shall be full and frank communication between the contracting powers concerned.

There can be no misunderstanding this. Why, if the new quadruple alliance provided merely for communication and consultation, was not article 2 written in like vein?

Now, let us follow the provisions of article 2. If there is an aggressive action by another power, the parties shall communicate with one another fully and frankly, just as in article 7 of the Chinese treaty, which provides for consultation alone. In the new alliance, however, after the communication among the parties, there is yet something to be done. The communication is for a definite purpose, and that purpose is "to arrive at an understanding."

Now, assume an aggression from an outside power. Communications pass among the parties. The communications are not mere felicitations, but for the purpose of arriving at an understanding. What understanding? Why, "The most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation." Now, around the council table sit Great Britain, Japan, France, and the United States. There is an aggressive action against the insular possessions of one of the parties. There is open, full, and frank communication. The parties reach an understanding, and if the aggression be an armed aggression, of course, there can be but one conclusion, to meet it and defeat it. The parties thus sitting about the council table agree that the aggression must be met with armed force. Our friends on the other side say, after thus agreeing, any one of the parties may "quit" or "scuttle and run"—oh, don't you remember the terms of the recent debate upon a cognate question? They pretend that there is no legal or moral obligation for subsequent action. There may be no legal obligation. The obligation may be vague, indefinite, inchoate, but when nations agree to respect one another's rights, when they solemnly contract to maintain those rights, when they go further and covenant that if those rights are attacked they will determine the most efficient measures to meet the attack, surely there is some obligation, call it what you will, upon the parties to the contract to execute the means agreed upon.

Take a homely illustration: Four neighbors with adjoining property rights in a particular area, fearing attack, agree among themselves most solemnly to maintain one another's rights, and in case those rights are questioned, to determine among themselves the most efficient measures to be taken by one of them, or by all of them, to meet the exigencies of the situation. The attack comes, and the four neighbors obligated as they are to maintain the rights of one another, determine they can only meet the attack by joint action in repelling it. Then one of the neighbors locks himself in his cellar, or skulks in the dark to the minions of the law and shelters himself behind their technical protection. The whole world would scorn the man who agreed to maintain another's rights, who agreed to decide how to meet the attack upon them, and who, when the attack came, and an agreement had been had to repel the attack, sheltered himself behind a technical defense of the law. I am not losing sight of the fact that it is Congress alone can declare war. We did not forget it in the discussions of the past few years concerning the League of Nations. Of course, Congress alone can declare war. But a situation may be created by the contracts of the nation, when national honor requires action on our part, and if such time ever comes, the propaganda with which you have been familiar in the past, the arguments which ought yet to ring in your ears, will swell into an international chorus again, demanding we play our part and keep our faith.

The construction which I place upon this article, singularly enough, is that which was placed upon it by the most prominent newspaper supporters of the treaty. I quote from the New York Times and the New York World, not necessarily as importing verity to their statements, but as lawyers might say, as declarations against interest. They were foremost in advocating the League of Nations. They lead the hue and cry in a demand for the ratification of this pact. On December 12, 1921, the New York Times said concerning article 2—and I will ask you to follow this language, my friends, if you please—

> This is a clumsy paraphrase of the second sentence of article 10 of the covenant. * * *
>
> Mr. LODGE and other enemies of the league covenant have undertaken a deal of explaining to make it appear that under article 2 the use of power is not provided for. Their protestations are futile. The use of power is implied quite as clearly in the new treaty as in the old.

The New York World designated this treaty as an Asiatic article 10, and in the course of an editorial December 12, 1921, said:

> We can not expect Democrats wholly to forbear reminding their party adversaries that the Hughes four-power project is in effect an Asiatic article 10, carefully phrased to meet senatorial scrutiny, yet imposing a moral obligation which a nation jealous of its honor must ever hold sacred.

By a singular coincidence, on March 11, 1922, the Japanese prince repudiated his former construction of the proposed alliance, and the New York Times, without mention of its former utterances, indulged in a like repudiation.

There is no misunderstanding the statements I quote from these newspapers, which, day in and day out, are bludgeoning the Senate and demanding ratification of this treaty. They demand it because its only efficacy is its moral obligation for us to do whatever may be necessary if aggression ever occurs, because we are in honor bound to do what the exigencies of the occasion may require. The very reason which enlists

their advocacy is the reason which dictates my opposition. The premier of Japan was under no illusion about this treaty. It is true that immediately following the speech of the Senator from Arkansas another interpretation has come to us from Japan, but shortly after the promulgation of the treaty the premier of Japan, according to press dispatches, described it thus:

The quadruple entente, which for Japan replaces the Anglo-Japanese alliance, is much wider in bearing and removes all chances of war. The Washington conference has opened a new epoch in the Pacific and the world. I believe the entente will result in making the Japanese people happier, because it will lighten their burdens, and that by reason of the guaranty we obtain the position of Japan is strengthened in the Far East.

There is no doubt in Great Britain, there is no doubt in Japan, of the meaning of this treaty. Its meaning is only doubted here.

When we agree to maintain the rights of Japan we must keep faith. The proponents of the treaty would have us believe that in one provision we agree to maintain Japan's rights and in the next we agree to do as we please or do not agree at all. They insist that we would determine under our contract how to meet an aggression concerning those rights and then not meet it. This kind of bad faith would not be tolerated in individuals. We can not tolerate it nationally. No matter what imperialistic course any other nation has pursued, despite exploitation and brigandage by other countries, notwithstanding their breaches of faith or duplicity, our proud boast has ever been that in letter and in spirit we have maintained our faith and have ever redeemed our pledges. Whatever the pressure, we can not and we must not pledge our faith with a mental reservation. I quote the eloquent language of the distinguished Senator from Massachusetts when he so effectually warned against assuming under the League of Nations a moral obligation such as here he insists we accept:

There is to me no distinction whatever in a treaty between what some persons are pleased to call legal and moral obligations. A treaty rests and must rest, except where it is imposed under duress and securities and hostages are taken for its fulfillment, upon moral obligations.

Let that, if you please, sink into your minds, my Republican friends. The treaty rests not upon its language, says our distinguished leader; the treaty rests not upon the binding clauses of the contract printed in cold type; but the treaty rests—and he is everlastingly right—upon the moral obligations that are contained within it.

He said:

No doubt a great power impossible of coercion can cast aside a moral obligation if it sees fit and escape from the performance of the duty which it promises. The pathway of dishonor is always open. I, for one, however, can not conceive of voting for a clause of which I disapprove, because I know it can be escaped in that way. Whatever the United States agrees to, by that agreement she must abide. Nothing could so surely destroy all prospects of the world's peace as to have any powerful nation refuse to carry out an obligation, direct or indirect, because it rests only on moral grounds. Whatever we promise we must carry out to the full, "without mental reservation or purpose of evasion." To me any other attitude is inconceivable. Without the most absolute and minute good faith in carrying out a treaty to which we have agreed, without ever resorting to doubtful interpretations or to the plea that it is only a moral obligation, treaties are worthless. The greatest foundation of peace is the scrupulous observance of every promise, express or implied, of every pledge, whether it can be described as legal or moral. No vote should be given to any clause in any treaty or to any treaty except in this spirit and with this understanding.

THE AUTHORSHIP OF TREATY.

There has been some discussion as to what individuals or nation fame should ascribe this document. Until Saturday its authorship was shrouded in mystery. Perhaps its authorship was of little consequence, but it is by no means wholly immaterial. While I do not think the Secretary of State has said that he wrote this particular treaty, if that is the understanding of my colleagues, I accept it without question, but let me suggest to you that you look at your copy of the treaty. It bears 19 signatures, beginning with Messrs. Hughes, Lodge, Underwood, and Root. Immediately underneath these 19 signatures appears:

In signing the treaty this day between the United States of America, the British Empire, France, and Japan it is declared to be the understanding and intent of the signatory powers:

1. That the treaty shall apply to the mandated islands in the Pacific Ocean: *Provided, however,* That the making of the treaty shall not be deemed to be an assent on the part of the United States of America to the mandates, and shall not preclude agreements between the United States of America and the mandatory powers, respectively, in relation to the mandated islands.

2. That the controversies to which the second paragraph of article 1 refers shall not be taken to embrace questions which, according to principles of international law, lie exclusively within the domestic jurisdiction of the respective powers.

WASHINGTON, D. C., *December 13, 1921.*

The understanding and intent of the treaty itself are in the particulars mentioned thus explained and then the same 19 signatures are again subscribed. These two reservations were insisted upon by Mr. Hughes and made at his request.

From these reservations it appears that before the ink upon the treaty was dry, Mr. Hughes, its creator, deemed it essential to annex explanatory reservations to it. If Mr. Hughes, who wrote the treaty, deemed its language so ambiguous or doubtful as immediately to require written explanation by him we, of less ability and less knowledge, may be pardoned if we proceed with studious caution and care and prudence.

Mr. LODGE. Mr. President, it is an unimportant point, but the declarations which the Senator has just been reading were signed first.

Mr. JOHNSON. The reservations were signed first?

Mr. LODGE. They were signed first.

Mr. JOHNSON. That is so much the worse, Mr. President. We signed first the correction of the treaty. Just think of it! The American delegation were so uncertain about this treaty, it was so ambiguous, and it was of such mystic character that they first executed the reservations to it. I proceed——

Mr. LODGE. Mr. President, if the Senator will allow me, it is even worse than that.

Mr. JOHNSON. I should not wonder.

Mr. LODGE. The reservations were stated by me when I presented the treaty before it had been signed at all or was even offered for signature.

Mr. JOHNSON. The Senator from Massachusetts deemed that necessary, did he not?

Mr. LODGE. Certainly; I thought it proper to make that declaration.

Mr. JOHNSON. But the Senator would not have written those reservations, would he, unless he deemed them essential?

Mr. LODGE. I did not write the reservations, but I thought they were desirable.

Mr. JOHNSON. I mean the American delegation would not have written the reservations unless they deemed them essential?

Mr. LODGE. Certainly; they thought it most desirable to leave no doubt upon that point.

Mr. JOHNSON. Who left the doubt originally in the treaty itself?

Mr. LODGE. Nobody else suggested the declarations; we suggested them.

Mr. JOHNSON. But I ask the Senator if he wanted to leave no doubt about the meaning of the treaty, who wrote the treaty with the doubt in it? That is the point.

Mr. LODGE. There was not any doubt in the treaty, in our judgment, but we thought there might be people who would find fault with it and express doubts; and they are now being expressed.

Mr. JOHNSON. There is an answer, my friends. Just catch that. In this important matter our leader on the Republican side, with the prestige of his position, now says that the reservations were made by the Secretary of State to this treaty because he or the other delegates feared there would be some statements made in this body concerning that treaty. That is what the intimation is.

Mr. LODGE. No. It was directed against anybody having any doubt or raising the point that domestic questions were involved.

Mr. JOHNSON. Did the Senator from Massachusetts have any doubt about it?

Mr. LODGE. No; I had none.

Mr. JOHNSON. Did Mr. Hughes have any doubt about it?

Mr. LODGE. I do not think so.

Mr. JOHNSON. Did any member of the American delegation have any doubt?

Mr. LODGE. About the interpretation of the treaty?

Mr. JOHNSON. Yes.

Mr. LODGE. Not the least in the world; they had no doubt; but it is necessary sometimes to guard against the doubts of other people.

Mr. JOHNSON. Yes.

Mr. BORAH. Let me suggest that in a letter written by Mr. Hughes, which was read on Saturday last by the Senator from Alabama [Mr. UNDERWOOD], it was stated that Mr. Hughes wrote this treaty, but it now appears that there came a time when the American delegates felt that somebody might raise a question in reference to it, and they would forestall it by reservation. That is the way I understand it. The question which is of interest now is, Why did not that idea come to Mr. Hughes when he was originally writing the treaty?

Mr. JOHNSON. That is exactly the point.

Mr. BORAH. And why did he not put it into that treaty as he wrote it? As the Senator from California has suggested, that explanation would furnish the most conclusive proof that somebody else wrote this treaty, but the American delegation at last had to scan it.

Mr. JOHNSON. Mr. President, before the ink was dry upon the treaty it is obvious that somebody was questioning the lan-

guage of the treaty. Let us not speak of Mr. Hughes, for whom we have the highest respect or of our distinguished leader upon this side, or of the distinguished leader upon the other side. Let us assume a contract among just ordinary people. If such a contract were written by a single individual who had in mind certain things, he would insert them in the particular instrument. There can not be any question about that. If Mr. Hughes, who wrote the treaty, deemed its language so ambiguous or doubtful as immediately to require written explanation by him, we of less ability and less knowledge may be pardoned if we proceed with studious caution and care and prudence.

Mr. LODGE rose.

Mr. JOHNSON. Does the Senator wish me to yield to him?

Mr. LODGE. I only wish to say that Mr. Hughes wrote that draft; he has stated so, and I do not think his word ought ever to be called in question.

Mr. JOHNSON. I was not calling his word in question.

Mr. LODGE. No; I did not say the Senator was. I was replying to the Senator from Idaho.

Mr. BORAH. Mr. President, I am not particularly concerned about the veracity of Mr. Hughes or anyone else. That was not what I had in mind; but the Senator from Massachusetts has put Mr. Hughes in a defensive position by the explanation which he now gives us.

Mr. LODGE. Oh, no.

Mr. BORAH. Pardon me; the Senator has. Mr. Hughes said he wrote this treaty. The presumption is that if he had had in mind at that time what he afterwards had in mind when he helped to write the reservation he would have included it at that time. If Mr. Hughes originally wrote it, I do not understand why it was necessary for him later to rewrite it and put in reservations.

Mr. LODGE. He did not rewrite it. At the time when the draft was presented to the different delegations he stated to our delegation that he thought it desirable in order to meet possible questions to make it clear by this declaration, which is exactly the same thing as putting it in the treaty.

Mr. BORAH. Yes; just the same thing. But when did it occur to Mr. Hughes that these criticisms were likely to arise?

Mr. LODGE. It occurred to him that it was desirable to put it in at the same time that he drafted the treaty.

Mr. BORAH. Then why did he not put it in?

Mr. LODGE. Because they came together on it.

Mr. BORAH. The treaty was secret; the reservations were secret; nobody had had an opportunity to criticize it. It could not have been possible that Mr. Hughes's suggestion was by reason of some criticism that had been made, because there was no opportunity to make a criticism.

Mr. LODGE. The delegations had all been over it very carefully, word by word, and at Mr. Hughes's own suggestion it was considered desirable to make this declaration at the same time, as part of the proceedings.

Mr. BORAH. Mr. President, upon the statement of the Senator from Massachusetts I am perfectly willing to say that Mr. Hughes wrote this treaty; but the explanation of how the reservations came to be put in is not yet clear.

Mr. LODGE. He states also in his letter, I think, that he wrote the declaration at the same time. As a matter of fact, he did write it at the same time.

Mr. JOHNSON. Mr. President, what I have said has been said upon the assumption that Secretary Hughes wrote the treaty. I stated in the beginning that I did not quite understand his position that way from the language of his letter, but that if my colleagues did I accepted that as final and as conclusive. I speak now upon the assumption that Mr. Hughes wrote this treaty. If he wrote this treaty, there must have come a time when in his mind there was an ambiguity, some cause of doubt, because there came a time when he wrote the clarifying reservations. You can not get away from that inevitable conclusion. He did not write these reservations with the idea merely of writing something. He wrote them to make plain the meaning of the treaty itself, and he did it so that there should be no doubt in that respect.

Mr. LODGE. Mr. President——

Mr. JOHNSON. Wait just a moment; let me speak for just a moment. The Senator from Massachusetts says that these reservations were made in order to meet, perhaps, captious criticism concerning this document. Look at the first reservation:

> That the treaty shall apply to the mandated islands in the Pacific Ocean; provided, however, that the making of the treaty shall not be deemed to be an assent on the part of the United States of America to the mandates and shall not preclude agreements between the United States of America and the mandatory powers, respectively, in relation to the mandated islands.

Such a question never has arisen. It never has been suggested by anybody, and the explanation that is made by the Senator from Massachusetts can not be accurate.

Mr. LODGE. Mr. President, here is what the Secretary of State said:

> I prepared a draft of the treaty based upon the various suggestions which had been exchanged between the delegates.

Then he speaks of showing it to the Senator from Alabama:

> I should add that, in order to avoid any misunderstanding I prepared a memorandum to accompany the treaty with respect to its effect in relation to the mandated islands and reserving domestic questions.

Mr. Hughes is a man of the highest honor and absolute truthfulness, and what he says there is the exact truth.

Mr. JOHNSON. Nobody questions that.

Mr. LODGE. I hope nobody does.

Mr. JOHNSON. Nobody does; but this treaty can not be ratified by panegyrics to anybody's high standing, repute, or honor. That is not what we are here for. I have conceded again and again that Mr. Hughes wrote the treaty if the Senator insists that he did. I accept it as final. The argument that I was making here in writing was based upon that assumption, and that alone; and there is not any necessity for injecting into this particular phase of the controversy Mr. Hughes, Mr. Hughes's reputation, Mr. Hughes's veracity, or Mr. Hughes's high state of honor. All concede them. Nobody questions them at all.

Mr. LODGE. I am very glad to know it.

Mr. BORAH. Mr. President, permit me to say before the matter passes that the Senator from Massachusetts, at the time when the Senator from California and others were making a serious argument as to the meaning of this proposition, saw fit to inject here the statement that Mr. Hughes made these subsequent reservations to prevent captious criticisms. It was that that I resented, and I now resent it.

Mr. LODGE. Mr. President, I wish the Senator would not put in my mouth language that I did not use. I said that undoubtedly Mr. Hughes felt that it was necessary to have this memorandum or declaration in order to meet possible doubts that would be raised.

Mr. BORAH. If the Senator will look at the RECORD, he will see that he used the expression I have stated.

Mr. LODGE. I did not use the expression "captious criticism."

Mr. KING. Mr. President, will the Senator from California permit me an inquiry for the purpose of information?

Mr. JOHNSON. Certainly.

Mr. KING. I am not sure that I followed the Senator accurately. It occurs to me, to make my position clear, that the treaty is not free from ambiguity as to the mandated islands——

Mr. JOHNSON. I admit that.

Mr. KING. And that the first reservation was certainly a wise and prudent one if it was desired to secure the ratification of the treaty. As to the second reservation, it seems to me very clear that that was wholly unnecessary. Is the Senator contending that the fact that reservations were submitted is an argument against the treaty?

Mr. JOHNSON. Oh, no.

Mr. KING. I did not get the connection in which the Senator mentioned that fact, then.

Mr. JOHNSON. The extent of what I was saying was that when Mr. Hughes, who was the creator of the treaty, found it necessary immediately to annex to it clarifying reservations, the rest of us may be pardoned for proceeding cautiously and warily and with studious care. That was the point of my remarks when I was interrupted by the Senator from Massachusetts. That was the tenor of my remarks.

Mr. KING. I concur in the observation of the Senator; and yet the Senator knows, as a lawyer, that even the most carefully prepared document may sometimes provoke difference of opinion, and if a different angle is suggested even the writer may feel like adding a qualifying word, though he may be entirely satisfied as to the meaning which he sought to convey and the phraseology employed by him.

Mr. JOHNSON. I recognize all of those possibilities.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield; yes.

Mr. ASHURST. So much has been said by way of tribute to the masters of English who drew this treaty that we assume that the men who drew it knew how to use the English language, yet it is an unhappy circumstance that such men skilled in the use of the English language as Hon. HENRY CABOT LODGE and Hon. Arthur James Balfour have set before us a treaty con-

taining an egregious blunder in grammar. The error is a sample of the slipshod, careless method in which they drew this treaty. Let Senators examine the title, viz:

A treaty between the United States of America, the British Empire, France, and Japan.

We would mark down a schoolboy at once if he used the word "between" instead of the word "among" in such a case; and when we pass over to the first section we find the same error appearing. We can not say that these men did not know how to use English, because if Arthur James Balfour and HENRY CABOT LODGE can not properly use the English language, nobody can; and yet there appears this persistent error in the use of the word "between" instead of "among." I respectfully submit that in a treaty or in a law, at least, correct English ought to be employed.

Mr. POINDEXTER. Mr. President, may I ask the Senator from Arizona what effect that mistake would have on the international relations of these countries?

Mr. ASHURST. I would excuse the Senator from Washington for splitting an infinitive, or for employing the subjunctive mood when he ought to employ the imperative mood; but I would not excuse him for writing into a treaty or a law a blunder that he would reprove a 12-year-old boy for making.

Mr. LODGE. Mr. President, it is a matter of no earthly consequence; but I think the use of "between" as applying to more than two persons is perfectly legitimate and good English.

Mr. ASHURST. Mr. President, if I correctly understood the remark of my learned friend from Massachusetts, he asserts that the word "between" may properly be used here. I prefer to let the debate go on *between* the Senator from California and the Senator from Massachusetts instead of *among* them.

WHO KNOWS ITS MEANING?

Mr. JOHNSON. Mr. President, who is certain what this treaty means? Certainly not our representatives, for so doubtful of its meaning were they that at once they endeavored to construe its intent. Not our distinguished colleagues, for you have heard their explanations, and I will draw the veil upon them. Not our President, for his view was at variance with the views of all the signatories, and so radically different from theirs that a new explanation of the treaty had to be executed. Not the Foreign Relations Committee, for after agreeing on one clarifying reservation it adopted another. Who knows what the treaty means? Perhaps Mr. Balfour, who, with the treaty in his pocket, as the press tells us, was royally welcomed in England by the premier in these words: "We are here to express our warm admiration for the way he behaved away from home, and we are here to express our deep gratitude for the fine present he brought us from America." Perhaps the Japanese premier, who, speaking of the new alliance, characterized it as a quadruple entente which for Japan replaces the Anglo-Japanese alliance, and which he believed would result in making the Japanese people happier, because it would lighten their burdens, and because of the guaranty Japan obtained her position would be strengthened in the Far East.

Oh, yes; Great Britain and Japan seem to know what the treaty means. Theirs is the knowledge; ours the lack of it. Theirs the rejoicing, for did not Mr. Balfour bring home a fine present and the Japanese premier declare it made the Japanese people happier and strengthened their position in the Far East?

THE PRETENDED MENACE OF THE ANGLO-JAPANESE ALLIANCE.

With one accord the advocates of the treaty acclaim its great accomplishment is in superseding or terminating the Anglo-Japanese alliance. The Senator from Massachusetts, as I have quoted, says this was the object of the quadruple alliance. The Senator from Alabama emphasizes the achievement. The Senators from Indiana and Minnesota in different phraseology express the same view. All sing the praises of our delegation in disposing of what they variously describe as a menace, a threat, an object of suspicion or distrust, an armed partnership which might be utilized against our country. Whence comes this strange view now? For years past we have been assured by all the responsible statesmen of England and Japan that their alliance was not directed at us and never could be. With the utmost care and precision they have told us that the idea of invoking their alliance against America was unthinkable. Viscount Grey was positive in his declaration. Mr. Austen Chamberlain said: "We shall be no party to any alliance directed against America or under which we can be called upon to act against America." Mr. Lloyd-George and all the dominion premiers have emphatically said the same. Lord Northcliffe has been at the greatest pains to make this plain. Baron Hayashi has assured us "with all the emphasis at his command that the alliance will never stand in the way of the good understanding and friendly relations between Great Britain and the United States of America."

Baron Shidehara has forcefully repeated this. Indeed, there has been no dissent either in Britain or Japan from the oft-reiterated official assurances that the Anglo-Japanese alliance never would and never could touch or affect us. During the League of Nations debate again and again in our country was the same assurance given our people by our statesmen. In June last, while the renewal of the alliance was under discussion, Commander Bellairs, in the British Parliament—June 27, 1921—asked the prime minister—

whether it has ever been officially intimated to the United States by means of a diplomatic note that in no circumstances can Japan receive support from this country under the terms of the alliance in the event of a war between Japan and the United States of America?

Mr. Chamberlain replied:

The United States Government are so fully acquainted with the real position that it has not been thought necessary to inform them of it in an official note.

Whence comes this fear now of the Anglo-Japanese alliance? If we credit the assurances solemnly given us by both Governments, and as solemnly given to our own people by our own Government, then there is neither threat nor danger nor menace to us in any alliance between Britain and Japan; and it passes human credulity that under existing circumstances a new alliance between these countries directed at us will be consummated.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. EDGE in the chair). Does the Senator from California yield to the Senator from Missouri?

Mr. JOHNSON. I yield.

Mr. REED. Perhaps the Senator has mentioned it, but something like a year or a year and a half ago I put into the RECORD the Japanese-British alliance, and ventured to say that it might be used against us. My statement was instantly denied by several British newspapers, the papers quoting as their authority several British statesmen. My recollection is that the statement was repudiated on this floor and was treated at that time as almost absurd.

Mr. JOHNSON. I was not aware of the fact, and had not observed it.

If we believe Japan and Britain, any alliance between them can not be inimical to us. If the truth has been told us, there was nothing detrimental to us in a renewal as they saw fit of their partnership. The menace and danger can only exist if the truth has not been told to us. Either we believe or do not believe what Japan and Great Britain have so often said. If we believe them, then the renewal of the Anglo-Japanese alliance was of no consequence to us, and it could not be directed against us. If we believed them, all the talk upon this floor, all the stuff in the protreaty press, about the importance to us of their alliance, is to no purpose and of no consequence. If they were telling us the truth, then the menace and threat and danger of the renewal of their alliance exist only in overheated imaginations or are magnified for ulterior purposes in respect to the pending treaty. Either we believe their protestations or we do not. In either event, from our standpoint, this new alliance is unjustified and worthless. Believing them, their alliance could take its course without apprehension on our part.

If we do not believe them, if we think they have deliberately deceived us and that their alliance is, after all, directed against us, then we have, with our eyes open, entered into partnership with nations we distrust and whose solemn protestations we deem false. If we can not trust and believe what they have written and said to us during the last decade, we can put no greater credence in their statements or more implicit trust in their avowals when written into a new agreement. We are in the position either of trusting them and disregarding their alliance or not trusting them and joining forces with them. I am, I confess, suspicious of diplomats; but I do not for one instant believe that it was within the realm of possibility for the renewal of the Anglo-Japanese alliance to be directed against the United States. Have we entered into partnership with them because we did not believe their protestations and feared they might at some future time join forces against us? If so, and this is a pact of peace, it is a peace of fear. Either we were not concerned with the termination of the Anglo-Japanese alliance or we have entered into an engagement with nations that, while smilingly and solemnly protesting their friendship, were ready to unite against us.

The fact is Britain had an irksome alliance. Her people would not permit its renewal. Japan would not consent to its abrogation. They came to Washington. Britain was determined ot get rid of an obnoxious alliance and succeeded. Japan was determined to get something as good, and got something better.

THE LEAGUE OBLIGATION AND THE OBLIGATION UNDER THIS TREATY.

The discussion upon this treaty illustrates the infinite variety of the human mind. The curtain has only just been rung down upon the League of Nations. The storm center there was an obligation not unlike that here implied. Strangely enough, those who vehemently protested against the Nation assuming an obligation then would now commit the Nation to it. I do not question, of course, the good faith of these gentlemen. I do not criticize at all the views that have been expressed here on the floor, but there are others with whom the question becomes one, not of interpretation but of intellectual honesty. The newspapers I have quoted were entirely right in designating the new quadruple alliance as an Asiatic article 10, as a clumsy paraphrase of that much-debated and overwhelmingly repudiated obligation. I print in parallel columns the new pact and the particular provision of the League of Nations.*

I ask Senators to look at this diagram on the wall, because it gives visually just exactly what these two differing provisions are. It shows exclusively the implied obligation of the one as well as the other.

On the one hand, you observe we obligate ourselves to the maintenance of rights and agree to arrive at an understanding of the most efficient measures to be taken to meet aggressive action against those rights. On the other hand, we undertake to preserve as against external aggression the territorial integrity and existing political independence of the members of the league, and in case of any such aggression the council of the league shall advise upon the means by which this obligation shall be fulfilled. In the one instance four powers agree upon the efficient measures to meet aggression and in the other the council shall advise upon the means.

The obligation to follow the advice of the council—remember it was not specifically agreed to follow it—can be no more binding than the obligation to execute the efficient means which we ourselves agree to determine. To undertake to preserve is no stronger than to undertake to maintain. Territorial integrity and political independence embrace no more than rights. It may be said that the four-power alliance relates only to certain specific islands, while the league related to whole nations. This is true, but it is equally true that an aggressive action against the islands of Japan will of necessity be an aggressive action against Japan herself. The very geographical situation makes this so. Aggressive action against a part of one's possessions is an aggressive action against all of one's possessions. Success of the aggression will conquer the particular objective point and menace the very nation itself. If article 10 of the league contained a moral obligation repulsive to every American tradition, if under this moral obligation freedom of action of our country was fettered, if article 10 touched us so deeply that in honor bound we would have been required to act upon the advice of the council, then article 2 of the new alliance does all these things; and, God help us, we have exchanged a world league of nations for a little league of nations, with the dominant factor another race with another civilization.

How strange it is now to hear some of the proponents of this treaty contemptuously say its article 2 can not harm us, because we can act only under constitutional sanctions and that Congress alone can declare war. How we were thrilled by the same gentlemen when they were engaged in the delicate task of safeguarding American rights under the League of Nations. Then they demanded a reservation to article 10 by which the final determination of any action should be with Congress. To-day they talk of constitutional sanctions, under which no action could be taken until Congress decrees it. Then there would be no escape from action by Congress, although we were not pledged to action, save by breach of faith, "and legislation by Congress under those circumstances would be a mockery of independent action." To-day, with substantially the same obligation, the ground is shifted, and though we were guilty of a breach of faith constitutional sanctions would save our honor. Hear our distinguished leader when discussing a reservation definitely restraining action until Congress should consent:

Congress would have no choice if acting in good faith, and if under article 10 any member of the league summoned us, or if under article 11 the league itself summoned us, we should be bound in honor and morally to obey. There would be no escape except by a breach of faith, and legislation by Congress under those circumstances would be a mockery of independent action. Is it too much to ask that provision should be made that American troops and American ships should never be sent anywhere or ordered to take part in any conflict except after the deliberate action of the American people, expressed according to the Constitution through their chosen representatives in Congress?

Again, the Senator from Massachusetts emphatically declared:

We are told that, of course, nothing will be done in the way of warlike acts without the assent of Congress. If that is true, let us say so in the covenant.

What he says was then told us is now told us, and I reecho his words:

If that is true, let us say so in the treaty.

We are told this is a self-denying ordinance, which means peace in the Pacific. Americans love phrases. Self-denying ordinance sounds well, and peace, oh, in your sweet name what wrongs are done, what crimes committed! There is no semblance of self-denial in Britain and Japan by the pact. Receiving none ourselves, we generously join them in recognition and protection of the spoils of war. We settle the difficulties of the Pacific by leaving Japan a free hand there and with our giant resources and power paralyzing any effort of subjugated peoples to free themselves. If this pact really meant conference and consultation in the Pacific, China, Russia, the Far Eastern Republic would be parties. Actual war exists to-day in Siberia. A weak people are struggling for their freedom against the ruthless military machine of Japan. Brutality and bloodshed have marked Japan's aggressive action there. With what anguish must these people, struggling, fighting, dying for freedom, look across the ocean at the great democracy in alliance with their oppressor, And this is of the utmost importance to the treaty under discussion. Nothing is more certain than that some day Russia, reborn, will endeavor to drive the invader from her soil. When that day comes there will be an aggression against the insular possessions of Japan, and we, free America, will then sit down with the oppressor and determine the most efficient means to meet the aggression.

Nothing will happen in the next 10 years, cries the able Senator from Alabama. Perhaps not. But we can not gamble with our country's future because of the probability nothing will happen. Eight years ago we would have said nothing will happen, and in that time the whole world has changed. Overnight great changes may come again, but, in any event, we can not hazard our future upon the hope or belief that the world will remain the same. With this pact there is no greater guaranty of peace than without it; indeed, even less. What peace do its advocates claim it guarantees? Certainly they do not mean peace between Great Britain, Japan, and ourselves, for if this they mean they must believe that without the pact there was likelihood of war. Do you gentlemen who favor this treaty say that Great Britain under any circumstances would make war upon us? I do not believe it, and you can not justly say it. Do you intend the country to infer that Japan was ready to strike us, or only awaiting a favorable opportunity to catch us off guard and then attack us? I can not believe it. But if this were the attitude of Japan toward us—and you protreaty men are all hinting it—then for one I want no partnership or alliance with her. If any country is to be so little trusted that we believe she lies in wait for our ruin and destruction, then by an agreement of this sort you neither alter her intention nor postpone the day of reckoning. If you have so bad an opinion of any party to this alliance you can not take your country into it save from base fear. And yielding in fear by a nation will corrode its very character. If, therefore, you enter this alliance because you have no faith in any party to it in the hope to save yourself by a partnership with one ready to smite you, you do your country the most grievous wrong.

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* The matter referred to is as follows:

THE QUADRUPLE ALLIANCE.

With a view to the preservation of the general peace *and the maintenance of their rights* in relation to their insular possessions, etc., have determined to conclude a treaty to this effect, etc.

I. The high contracting parties agree as between themselves to respect their *rights* in relation to their insular *possessions*, etc.

II. If the said *rights* are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to *the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.*

THE LEAGUE OF NATIONS.

The high contracting parties, in order to promote international cooperation and to achieve international peace and security, agree, etc.

ART. 10. The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. *In case of any such aggression the council shall advise upon the means by which this obligation shall be fulfilled.*

It is this or war, cries one distinguished gentleman. Oh, no; it is not. It is this and war. When the league was before us every lachrymose enthusiast, every propagandist—many most excellent people, the great and the near great, from the President down—told us, even more solemnly than the Senator from Massachusetts now tells us, that it was the league or chaos, the covenant or war. And yet the Washington conference was possible only because we were not members of the league. If we had been one of nine at Geneva the Washington conference—ye who set such store by it take notice—could never have been called. Because we were free and unfettered, living our own life in our own way, and, thus living it, in the leadership of the world, we were able to summon the conference and accomplish some great results. Remember how mistaken the league advocates were. Remember, the moral leadership of which they prated so much, the hope of civilization upon which they so earnestly dwelt, were preserved to the world through us because we preserved ourselves. The same voices, in the same tones, with the same phrases, demand again we do what so fortunately then we would not do. The label is changed. That which was once Democratic policy has become Republican policy. What I believed menacing and dangerous to the Republic under Democratic rule I decline to accept under Republican rule. I did not oppose the League of Nations because of partisanship. I can not vote for an alliance, with its possibilities of danger, because of partisanship.

ALL TREATIES MADE IN THE NAME OF PEACE.

Bear in mind that every treaty, no matter what its wicked designs, is made in the name of peace. The first British-Japanese alliance, executed in 1902, began with—

> The Governments of Great Britain and Japan, actuated solely by a desire to maintain the status quo and general peace in the extreme East, being more especially interested in maintaining the independence and territorial integrity of the Empire of China and the Empire of Korea—

And so forth.

Note the high purposes—peace and maintaining the territorial integrity of China and Korea. How ironical it sounds in the light of subsequent events. In 1905, upon the renewal of the alliance, the first purpose stated was—

> the consolidation and maintenance of the general peace in regions of eastern Asia and India—

But the paramount rights of Japan in Korea were recognized, and Great Britain consented to Japan taking special measures of guidance, control, and protection. In the renewal of 1911 the alliance piously begins again for the preservation of peace, but there is no mention of Korea. A New York paper's comment was this:

> In Mr. Lewis Carroll's interesting work, the walrus and the carpenter got no answer to the last question they addressed to the oysters, because they'd eaten every one. The "independence" of Korea was by that time a memory. In the agreement of 1902 the "independence" not only of Korea but of China was recognized, and it was declared that "the interests of Great Britain relate particularly to China." The omen, comically enough, points the wrong way, for it is generally supposed that Japan, rather than Great Britain, has dreams about China.

Mr. President, the story within these three treaties, constituting the Anglo-Japanese alliance, affords the light for our guidance. The pious treaties, not only to respect but to preserve China and Korea, were the shield for the rape of the one and the destruction of the other. Why blind ourselves to all that has happened? We want no peoples nor territory. We seek no exploitation of others. We never could attack unjustly another nation, and the world knows this. We enter now a partnership which in its 20 years of existence has aided cruelty, sheltered wantonness, justified destruction, and has been the incentive to bloodshed and the enslavement of peoples. Why should right-thinking, liberty-loving America join this partnership?

The Anglo-Japanese alliance has been made of supreme importance in this discussion both by the Senator from Massachusetts and the Senator from Alabama. If they are wrong in their utterances about that alliance, the reason for this new one entirely fails. On another occasion I shall more in detail analyze the Anglo-Japanese alliance. Suffice it to say now that the Anglo-Japanese alliance, judged by its words, judged by its text, judged by the solemn protestations of the parties to it, is no danger whatsoever to this country, and its perpetuation or abrogation are matters of utter indifference to us.

If the Senators from Massachusetts and Alabama can read into the wording of the Anglo-Japanese alliance a problem for this country, although no such problem exists in that wording, then they must in fairness permit me to judge the four-power treaty not simply by what it says but also by what in logic it implies and by what in practice it will necessitate.

They can not tell us that the Anglo-Japanese alliance is dangerous to us in spite of its wording, and then in the same breath tell us that the four-power treaty is safe for us because of its wording.

If the Anglo-Japanese alliance is dangerous to us, it is not because of the text of the treaty, but because of the inevitable results of the existence of an international partnership in which some nations are members and other nations are not members.

Why is it dangerous to us? There can be only one answer. The text of it does not threaten us, and the powers signatory to it have over and over again assured us that it is not in any way directed against us. Yet the Senators who favor this treaty fear it. Why do they fear it? Simply and only because it constitutes an international cooperation of which we are not a member. Not being a member of it, not sharing its intimacies, they suspect those intimacies and fear that two nations united in them will be united against us. That, I conclude, from their standpoint alone, is the simple and sole reason why anybody in America can or should suspect or fear the Anglo-Japanese alliance.

For myself, I would not have America change her course in the world through fear of any alliance whatsoever. There once were days when in this country, and in this building, the argument of fear was not an argument affecting the policy of America. On a certain day among those days a citizen of Kentucky, Henry Clay, arose in this building to speak to the question of an alliance then existing between Great Britain and another foreign power. Against that other power the President of the United States had leveled an administrative measure which had aroused hostility, and which seemed possibly about to cause war. In that emergency Henry Clay spoke. His words were at that time approved by this country. He said:

> The gentleman reminds us that Great Britain, the ally of Spain, may be obliged by her connection with that country to take part against us and to consider this measure of the President's as justifying an appeal to arms. Sir, is the rod of the British power to be forever suspended over our heads? Whether we assert our rights by sea or attempt their maintenance by land, whithersoever we turn ourselves, this phantom incessantly pursues us. Mr. President, I most sincerely desire peace and amity with England. I even prefer an adjustment of differences with her before one with any other nation. But if she persists in any denial of justice to us, I trust and hope that all hearts will unite in a bold and vigorous vindication of our rights.

He hoped; and the battle of New Orleans soon proved that he did not hope in vain. Not then, and never afterwards till now, has an alliance between foreign powers swerved the United States from its principles, or even from its preferences. Not till now has the United States sought shelter from an alliance by creeping into the tent of the alliance. Not till now has it evaded what are asserted to be its foes by mingling itself among them. Not till now has it met a threat by going around behind it and enlisting among the nations making it.

Tales of dangers and threats and menaces to the people of the United States from foreign powers are whispered and hinted, in my judgment, to coerce our action. Till now we have believed what Abraham Lincoln believed and said, that not all the powers of all the world with all their troops could ever again take one drink from any tiniest American brook without our consent.

This Nation, Mr. President, is not, in its origin or in its developing life on this continent, a Nation of fear. We did not flinch from crossing the Appalachians and traversing the prairies for fear either of the savages inhabiting them or of the white men leagued with those savages, whether those white men were soldiers of France or soldiers of Britain. Alliances between the tribes of the frontier and the nations of Europe did not stay us.

The holy alliance of the great European continental powers a hundred years ago, aspiring to reintroduce the power of Spain into Latin America and threatening this hemisphere with war, did not drive us into seeking admission into an expanded holy alliance. It drove us only into defying the existing holy alliance to touch any spot in this hemisphere.

Next year will be the centenary of the Monroe doctrine. The Monroe doctrine was an American answer to an alliance. Perhaps there were Americans who when the great holy alliance threatened us feared attack, who saw three great nations in holy words in an unholy pact, and who then demanded for safety's sake and to avert a danger a four-power pact.

Mr. President, if any such Americans were then in this country, this country has not preserved their names. Oblivion, not glory, came to them.

In our early struggle into many a battle in our Revolutionary War our forefathers followed the motto written above the coiled rattlesnake—the home-made, colloquial, assertive, truculent, and victorious motto: "Don't tread on me."

We may have been truculent then. We would not be truculent now. But now as then we would not be deterred by danger or coerced by fear. France and Mexico in mutual understanding, when we were binding up the wounds of our fratricidal strife, at the end of our Civil War, did not dismay us. We only let it be known that we might feel obliged to fight another war.

Not till now has it ever been said what may constantly in this city be heard, that if we do not sign this treaty we may have to fight. Somebody may tread on us.

Mr. President, as long as we do not intend to tread on Great Britain or to tread on Japan, I refuse to believe that it is consistent with the spirit which made this country, and which made it worth making, that we should sign a treaty because otherwise Japan or Great Britain, or both of them together, might tread on us.

We have never sought security by such a method. By any such method we can never find security. I shall vote against any treaty embodying any such method. I shall vote against it because it saps the spirit which is the genuine security of this country. The genuine security of this country is in the mood of mind that took our soldiers in 1918 across the forest of the Argonne. Those boys went forward for a Nation which had never given them the example of going backward. They had in them no national memories of surrender. Their heroism was bred out of an heroic country. You can not make heroes; you can not produce the human defense, which is the essential defense of a country, out of national policies which acknowledge fear, which teach fear, and which prefer the alternative of surrender to the alternative of danger.

The argument for this present surrender of our ancient policy of independent national action is nothing in the end but that one word "danger." The Anglo-Japanese alliance, the gentlemen on the other side say, exposes us to danger. Therefore we have no choice; we must accept this treaty. I shall vote against this treaty because if any foreign alliance can ever speak to this country with the word "must," then the spirit which made this country safe when it was feeble will have departed from it, and our record in history will be that what we dared when we were weak, we feared to face when we were strong, and that in striving to barter our heritage for safety we lost safety itself.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arkansas [Mr. ROBINSON] to Article I.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gerry	McKellar	Smith
Ball	Glass	McKinley	Smoot
Borah	Gooding	McLean	Spencer
Brandegee	Hale	McNary	Stanfield
Broussard	Harris	Nelson	Stanley
Bursum	Harrison	Newberry	Sterling
Calder	Heflin	Norris	Sutherland
Cameron	Hitchcock	Overman	Swanson
Capper	Johnson	Page	Townsend
Caraway	Jones, Wash.	Pepper	Underwood
Culberson	Kellogg	Pittman	Wadsworth
Edge	Kendrick	Poindexter	Walsh, Mont.
Elkins	Keyes	Pomerene	Warren
Ernst	King	Robinson	Watson, Ga.
Fernald	Ladd	Sheppard	Weller
Fletcher	La Follette	Shields	Willis
France	Lenroot	Shortridge	
Frelinghuysen	Lodge	Simmons	

Mr. SMITH. I desire to announce the absence of my colleague [Mr. DIAL] on account of sickness.

The PRESIDING OFFICER (Mr. WILLIS in the chair). Seventy Senators have answered to their names. A quorum is present.

As in legislative session,

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House disagreed to the amendments of the Senate to the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MADDEN, Mr. CANNON, and Mr. BYRNS of Tennessee were appointed managers of the conference on the part of the House.

The message also announced that the House insisted upon its amendments to the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HAUGEN, Mr. MCLAUGHLIN of Michigan, and Mr. JACOWAY were appointed managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker pro tempore of the House had signed the enrolled bill (S. 490) to consolidate national forest lands, and it was subsequently signed by the Vice President.

SECOND DEFICIENCY APPROPRIATIONS.

Mr. WARREN. Mr. President, as in legislative session, I ask to have the action of the House on the amendments of the Senate to the second deficiency appropriation bill laid before the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments and grant the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. WARREN, Mr. CURTIS, and Mr. GLASS conferees on the part of the Senate.

CONSOLIDATION OF NATIONAL FOREST LANDS.

Mr. SMOOT. Mr. President, last Friday, when the conference report on Senate bill 490 was under consideration, the Senator from Nebraska [Mr. NORRIS] made this inquiry:

> It proposes a general law in regard to the exchange of lands?

And I answered:

> Yes; of lands within forest reservations for lands outside.

Mr. President, I want to correct that statement. The bill simply had reference to private lands owned within the exterior boundaries of a forest, and it did not apply to lands without forest reservations.

FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Arkansas [Mr. ROBINSON].

Mr. ROBINSON. Mr. President, the debate has been directed in the main at the general features of the four-power treaty. There has been little discussion of the purpose and effect of the pending amendment. Before a vote is taken, I want the Senate to understand just what is being decided by the vote.

It is unfortunate that an international issue of importance should be prejudged either by the Senate or by the country. By the use of the word "prejudged," I mean it is unfortunate that a conclusion should be reached before the subject has been fully considered.

For some days the press has been publishing statements as to what the vote in the Senate will be on this amendment, and on the final vote to advise and consent to the ratification of the treaty. If Senators understand this amendment in its relationship to the objections that have been presented against the ratification of the treaty in the form in which it has been brought to the Senate, they may be induced to support the amendment.

Since the issues growing out of the Versailles treaty were decided by the Senate, there has been here a distinct inclination to favor the reservation method rather than the amendment process of changing the meaning of a treaty. A reservation, as we all know, expresses the interpretation of the Government making the reservation; and if the purpose is to effect or accomplish an actual change in the meaning and application of the treaty, the logical, the reasonable, and the fair process is by amendment.

I will illustrate. The Senator from Connecticut [Mr. BRANDEGEE], fearing that the four-power treaty constitutes an alliance which might obligate this Government to the employment of force for the execution of the decrees of the conference or negotiations provided for under the treaty, has proposed an amendment, which was accepted by the Committee on Foreign Rela-

tions, expressly declaring that this treaty is not an alliance, and so forth.

During the course of the debate I think it has been shown that both Great Britain and Japan at first openly construed the four-power pact as in the nature of an alliance. Their representatives, diplomats of great experience and wisdom, said to their respective constituencies that the four-power treaty is a substitute for the Anglo-Japanese alliance by which the two Governments are to be relieved from the odium, the censure, and the criticism which their alliance has attracted to them from other nations, and that in the adoption of the four-power treaty something new, something equally effective for the preservation of their rights and the maintenance of British and Japanese power in the regions of the Pacific Ocean, is being secured.

When the treaty was first reported to the plenary session of the Washington conference, it was almost universally regarded as an alliance. I need not refer to the private expressions to their colleagues of some of the American delegates representing this Government in the conference. I need not refresh the memories of my associates as to constructions which were placed upon this instrument by some who now say that it is a mere agreement to confer.

If it is an alliance, if it is intended to mass against a possible future enemy the power, military and naval, and the resources of the four great nations signing the treaty, the Senate of the United States will not change the nature of the agreement by adopting the reservation known as the Brandegee reservation, which declares that it is no such thing, although it may in a sense limit its own responsibility by such a reservation. The chief purpose of such a reservation is to attract to the support of the resolution to advise and consent to the ratification of the treaty the votes of Senators who fear that the treaty is an alliance, and will be so construed and applied, and who are unwilling to take the responsibility of committing their Governments to a combination with Great Britain, France, and Japan to dominate the Pacific Ocean.

The amendment which is now pending in the Senate has two purposes, two important provisions. I invite Senators and others who are studying this subject for the purpose of arriving at a conclusion as to what action will best conserve the rights and the interests of the people of the United States in the years to come to the consideration of these two provisions and purposes.

The first is that each of the high contracting parties—France, Great Britain, Japan, and the United States—will respect the rights and possessions of all other nations. Is there objection in the minds of Senators to saying upon the face of this treaty that it is the policy of the nations entering into it, while safeguarding their own rights and interests, to respect the rights and interests of other nations? If such a state of mind exists here or elsewhere, the Senate and the country ought to be apprised of it. We all know that the one objection which more than any other embarrasses the ratification of this treaty grows out of the fact that it does not even look toward the settlement of the real international questions in which the United States is most vitally concerned and interested in relation to Far Eastern problems. One of the real objections grows out of the fact that we are associating ourselves exclusively with three other great powers to respect each other's rights and to maintain them if they are assailed. Fear has been expressed that at least one of the parties to this treaty will avail itself of the security thus afforded to continue a policy of aggression already begun and universally known and recognized, and that, if occasion arises, it will make new aggressions. It is therefore of the utmost importance that in agreeing to stand together if any one of these four powers should be assailed, we should also have an understanding that not one of the four powers will assail any other nation.

What is the objection to such an agreement, in view of the facts and events of recent history, and the difficulties underlying the situation in the Far East? Do Senators desire that any of the nations who are parties to this four-power pact shall be at liberty to overrun the territory of other powers who are not parties to this treaty? Certainly not. Then why not say, while the four powers are respecting each other's rights and safeguarding them against attack from others that they will do the righteous, just, and conscientious thing, and respect the territory and rights of other nations?

If we will write that into the four-power treaty, we will have taken a long advance toward securing peace in the Orient. If we refuse to do it, we will drive into the consciousness of every nation not a party to the four-power treaty the conviction that these four powers are asserting and claiming the right to immunity from aggression by others, while denying to others protection against their aggression.

The second proposal is that when a controversy arises, and a conference is called, that conference shall not be confined to the four powers who are parties to this treaty, but it shall include every nation having an interest in the subject matter of the controversy.

What objection can be urged to giving China or Russia the right to participate in the conference, where their territory or the liberties of their people may be involved and perhaps practically determined?

The answer has been suggested during the course of the debate that this treaty is limited to the insular rights and insular possessions of the four parties to it. If the treaty provides for a more conference, and if no obligation to take action be imposed, what can be the objection to extending it to the territory where the real difficulty lies? What, for instance, can be the objection to saying that if a controversy arises between Japan and China—and we know it may arise unless Japan reverses her policy—that China shall have a voice in the conference?

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Wisconsin?

Mr. ROBINSON. With pleasure.

Mr. LENROOT. I would like to ask the Senator whether the League of Nations covenant extended the obligations of its members to the extent the Senator now proposes to extend the obligations of the parties to the four-power treaty?

Mr. ROBINSON. Mr. President, the League of Nations covenant, as the Senator well knows, provides that in case of a controversy between a member of the league and a nation not a member of the league, the nation not a member of the league shall be invited to become a member for the purpose of hearing and determining that controversy.

Mr. LENROOT. On such conditions as the council of the league may determine.

Mr. ROBINSON. Mr. President, for the consideration and determination of the controversy, no important distinction was made as to the rights of those who were members and the rights of those who were not members.

Mr. LENROOT. Oh, Mr. President, may I remind the Senator what the language is?

Mr. ROBINSON. Certainly. I understand it, but the Senator may read it.

Mr. LENROOT. The covenant of the League of Nations provides that—

> In the event of a dispute between a member of the league and a State which is not a member of the league, or between States not members of the league, the State or States not members of the league shall be invited to accept the obligations of membership in the league for the purposes of such dispute, upon such conditions as the council may deem just.

There is no obligation imposed in the League of Nations covenant that any member of the league shall respect the territorial integrity of any nation not a member of the league.

Mr. ROBINSON. Mr. President, the obligations in the League of Nations covenant, of course, relate principally to the mutual obligations of the members among themselves. That is true of all treaties. The point I am making, and the point the Senator from Wisconsin must see, is that the league is much fairer in its process than the four-power pact, because the league recognizes the right of a nation not a member to it, when its territory or its rights are involved, to come into the league and to have a hearing. It is true that the council determines the processes by which it may be heard and fixes such conditions as it deems just under which it may be heard. The fact remains that if a dispute arises between France, for illustration, and any nation not a member of the league, the first thing which happens is that the nonmember is invited to come in and let the controversy be determined by league processes and league methods; but here we have a combination of four nations, which say among themselves, according to my construction of it, "We will not fight between ourselves. We will settle our differences by a conference. If some one else threatens aggression against one of us, we four will communicate and determine how it shall be settled." If you pursued the league process, you would invite the nonmember into the conference and give that nation the right to participate in the determination of the matter.

Mr. LENROOT. Will the Senator yield further?

Mr. ROBINSON. Certainly.

Mr. LENROOT. The only point I desired to make was that the Senator's amendment undertakes to create an obligation to respect the rights and possessions of other nations not parties to the treaty, and I call the Senator's attention to the fact that the League of Nations imposes no such obligation upon the members of that league.

Mr. ROBINSON. Mr. President, does the Senator think it is wrong to impose upon Japan, France, and Great Britain the obligation to respect the rights and possessions of other nations?

Mr. LENROOT. I do not, but I think——

Mr. ROBINSON. Then why should the United States enter into a pact with those nations if they refuse to enter into that just obligation?

Mr. LENROOT. Mr. President, I do not think it wrong, provided there be a reciprocal obligation upon the part of the other nations to respect the rights of the parties to this treaty. I do not believe in "jug-handle" contracts.

Mr. ROBINSON. Certainly not, Mr. President. The treaty as framed is intended to safeguard the rights of the four powers against aggression by any other power, because it says that if those rights be threatened by the aggressive action of any other power the high contracting parties will communicate fully and frankly with one another in order to arrive at an understanding as to the best methods to be pursued in order to meet the exigencies of the particular situation. Why not permit every nation interested in the controversy to have a hearing at the conference, particularly if the conference is to be nothing but a "talkfest"?

Mr. WATSON of Georgia. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON. I yield with pleasure to the Senator from Georgia.

Mr. WATSON of Georgia. If the Senator will discuss this idea, the Senate would be glad to hear from him on it, and I am sure the public would: This four-power treaty puts it within the range of possibility that England, France, and Japan, members of the league, can have the league invite the United States to bring before its tribunals any dispute between us and them, and if we refuse that invitation to submit to the arbitrament of the league it becomes a cause of war, under the covenant of the League of Nations, and therefore we would be in conflict with all the nations which belong to that league.

Mr. ROBINSON. Mr. President, I touched upon that feature of the subject a few days ago in an address delivered to the Senate. It is true beyond doubt that if a controversy arises between the United States and any other one of these four powers under this treaty, and the conference provided for fails to settle that dispute, all three of the other parties to this pact are already obligated by the Versailles treaty to bring the subject matter of the dispute before the League of Nations council. If that contingency should arise, the United States would be compelled either to enter the league for the purpose of that particular case and submit its rights and claims to the tribunals of the league or to refuse to do so, and in the event the latter course were pursued, under the plain terms of the Versailles treaty, an economic boycott would result against the United States, and force on the part of the members of the league would be employed, if it were necessary, to execute the orders of the league.

So, Mr. President, Senators may just as well get it in their minds that this matter of conference means that if a dispute arises between the United States and Japan we will either have to abide by the decision of the four-power conference, and let Japan, France, and Great Britain determine what is right, or we will have to try the case before the League of Nations. I wonder why the statesmen representing the United States at the recent conference—and they are great men—did not make some additional provision, establish some machinery, for the settlement of disputes between the parties to this four-power pact. I wonder whether they intended, whether they understood, when they signed the treaty that every dispute coming within its terms which may arise between the parties to it must either be decided by the four-power conference or taken to the League of Nations?

In case the League of Nations took jurisdiction of a controversy and decided it against the United States, under the terms of the Versailles treaty the United States would stand alone. All financial and commercial intercourse with the other civilized nations of the world, under the provisions of the economic boycott which would thus become applicable, would be terminated and all the powers, military and naval, of Japan, Great Britain, and France, and all the other members of the League of Nations, would be arrayed against the United States, if necessary, to execute the decision of the league.

Mr. SIMMONS. Mr. President, I would like to ask the Senator if that would not be the case if we did not go into this four-power treaty?

Mr. ROBINSON. Unless we effected a diplomatic settlement, unquestionably it would. The four-power treaty does not help, therefore, to settle our difficulties, unless we should be willing to leave to the other parties to the treaty the privilege of establishing or determining our rights.

Mr. LENROOT. Will the Senator yield?

Mr. ROBINSON. I yield.

Mr. LENROOT. Granting all that the Senator states to be true, does not the four-power treaty offer one other means of settlement of a dispute, outside of the League of Nations?

Mr. ROBINSON. Yes; it does. The Senator is welcome to all the gratification he can get out of that question and answer. The four-power treaty does provide that in case of a dispute between any of the parties to it, a conference shall be called or other methods of communication employed, to which the whole subject shall be referred for consideration and adjustment. Of course, the nature of the controversies which may go to the conference is limited by the terms of the treaty itself.

The point I am making is that in case a controversy went to the four-power treaty conference, the United States would have the alternative of submitting to the decree of that conference, with Japan and Great Britain closely allied now, as they have been for the last 25 years; or of submitting its claims to a trial before the League of Nations.

Now, I want to get back to the amendment and to conclude what I have to say with a very brief résumé of some of the arguments in favor of this amendment. Of course, if the amendment is not agreed to the Senate may again have an opportunity of considering it in the form of a reservation. I have offered it as an amendment, first, because I think that is the logical way of putting into this treaty the principles which are embodied in the suggestion that every nation whose rights may be affected by a conference shall be permitted to participate in it.

The amendment has two clear objects. One is to disclaim on behalf of the parties to the four-power treaty any purpose to override another nation not a party either in its possessions or its rights. I have said that there is nothing in American policy, there is nothing in American interests, there is nothing in any interest, sir, which you and I are obligated to conserve, which would prevent us from supporting that principle in view of the fear often expressed that Japan will continue her agressions against China and Russia. I know that is speaking plainly; perhaps it would have been just as well to speak in more general terms, but that is the fact. We all know it.

The next proposition is that when a dispute arises who shall be in the conference or communications for the purpose of adjusting it? If a controversy arises between Japan and China, whether in 10 years or 25 years, during the life of this treaty, what is the objection to letting China come into the conference and participate in the discussion?

Mr. SMITH. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. ROBINSON. I yield with pleasure.

Mr. SMITH. I do not see what objection there could be on the part of three of the powers to this quadruple treaty, because they have already solemnly covenanted to do that identical thing with about 35 or 40 other nations in the League of Nations. The covenant of the League of Nations provides that in case there is a controversy with any outside party, the outside party is to be invited to come in and state his case.

Mr. ROBINSON. The Senator is right. We went over at considerable length, before the Senator came into the Chamber, the procedure of the league upon failure to settle through communications. What I am wondering is, what is the motive which prompts the rejection of such an amendment or reservation if it states a correct principle and if its adoption would remove much of the opposition to the treaty?

The cause of peace, if it is involved in this treaty, would be promoted very greatly by giving assurance to the world that these four great nations are merely making a defensive alliance. I have no objection in principle to the policy of two or more peaceful and nonaggressive nations resolving mutually to resist attack. How can any Senator object to the assertion and application of the further principle if nations combine for defensive purposes that they ought to avow that they have no aggressive purpose? That is all this amendment seeks to accomplish.

Mr. BORAH. Mr. President, I should have preferred to have entered upon the discussion of the pending treaty at a later day, but I know those who have charge of it are in great haste to have a vote, and with their anxiety I more or less sympathize.

Mr. ROBINSON. Mr. President, would the Senator object to the suggestion of the absence of a quorum?

Mr. BORAH. I prefer that the Senator do not make that suggestion.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The Senator from Idaho declines to yield.

Mr. BORAH. Mr. President, while I am not going to cover the treaty in full, there is one feature of the subject to which I should like to call attention before the vote is taken on the amendment offered by the Senator from Arkansas [Mr. ROBINSON] and particularly before it shall come before us as a reservation, in case it shall be defeated as an amendment.

There has been much debate as to the particular and peculiar nature of this agreement; that is, as to its technical obligations and its import from a purely legal standpoint. It has been contended that it is an alliance; but it has been supposed that the reservation obviates that construction. There are those, on the other hand, who contend that even without the reservation it is not an alliance. I am not going to discuss to-day the question of whether or not it is an alliance. I wish to discuss the treaty according to the construction which I understand its advocates place upon it. For fear I should be misunderstood hereafter, however, I desire to say that, in my opinion, it is an alliance; but I am perfectly willing to enter upon the discussion of the treaty at this time upon the construction which is placed upon it by its advocates.

As I understand the advocates of the treaty, they contend that it is in the nature of a political pact, bringing into a political group or diplomatic group four nations; that those four nations agree, first, to respect the rights of each in relation to their insular possessions and dominions; second, that in case controversies arise between them which can not be settled through diplomacy they will confer for the purpose of adjustment; third, that in case the rights of any of the signatories are attacked or threatened they will communicate or confer in order to arrive at an understanding as to the most efficient measures to be adopted, jointly or severally, to meet the emergencies of the particular situation. In other words, this is a grouping of four political powers for the purpose of conference among themselves under certain emergencies, and for the purpose of communication or conference among themselves in case of attack or aggressive action from the outside. I believe that is a fair construction of the treaty as made by its advocates. It constitutes a political or diplomatic grouping of four powers for certain purposes. Whether it is an alliance or not, it is conceded upon all hands that it has the effect of constituting in the Pacific Ocean a political group, or diplomatic group, for certain purposes and certain objects to be attained.

After listening to the discussion by the leader of the majority [Mr. LODGE], and also by the leader of the minority [Mr. UNDERWOOD], and to the speeches of the able Senators from Minnesota [Mr. KELLOGG] and from Indiana [Mr. NEW], I arrived at the conclusion that this is their construction. If that be the correct construction, Mr. President, there is nothing new in this treaty; there is no departure from old and long-discredited practices. The system of political grouping of nations is as old as recorded history. My limited investigation has led me to believe that it is a system which has obtained for just about 3,200 years. Its evils, its deplorable results, fill the pages of history since recorded time.

The first political group of which I can find any record in the way of a treaty or an understanding was formed by the treaty between the King of Egypt, Rameses, and the leader of the Hittites about 3,200 years ago. Those who might be interested in looking into the matter would also be interested to find how strikingly similar their agreement was to the agreement which we are discussing to-day. It was based upon the proposition of protecting the several possessions of the respective signers, and in case of an attack they were to confer together and take such action as was necessary to safeguard their respective possessions. I do not, of course, state the language of the agreement; it is written in the quaint language of those years; but that was the principle which was involved. It was the forerunner of the system of political grouping which has gone on from that time until this, and if I be correct in the construction which has been placed upon this treaty it is simply transferring the grouping system from the Old World to the Pacific Ocean. It does not initiate a new policy, a new system, but approves this old practice and makes it the dominant system of the Pacific.

There is one consideration to which I invite the attention of Senators in the very beginning of my remarks, and that is that there has never been organized, so far as my knowledge goes, a political group of this kind that did not give rise to a counter political group. Whenever three or four or a half dozen nations bring themselves into some kind of an understanding, creating a community of interest or community of action, it does not make any difference how innocent the contract may be upon its face or how thoroughly it may be dedicated to the cause of peace, it always gives rise to suspicion, to antagonism, and thereby necessarily to a counter group of nations which have or contemplate they may have an interest in conflict with it. It is that particular feature of this proposition, Mr. President, to which I desire to direct my attention this afternoon.

Upon last Saturday, in the very able and candid speech of the Senator from Alabama [Mr. UNDERWOOD], he used this language:

> I want the Senator to go back—
>
> Speaking to the Senator from Arkansas [Mr. ROBINSON]—
>
> I want the Senator to go back with me eight years ago this coming summer, and I should like to ask him to recall what Lord Grey said in August of 1914, when he had struggled for weeks as no man in history had ever struggled before to try to prevent the catastrophe of the Great War. When the ax fell, when the life of the nations became at stake, he said:
>
> "If there had only been a machinery by which those nations could have consulted together, the Great War would have been avoided."

The Senator from Alabama quotes Earl Grey substantially correctly. I had the pleasure of being present when Earl Grey made that statement, or at least at one time when he made it. The Senator from Nebraska [Mr. HITCHCOCK] was also present. It was the result of a discussion upon the question of the League of Nations. Earl Grey did say that he hoped that such a condition of affairs as that which existed in 1914 would never arise until the world should have before it the machinery by which to bring the nations into conference; that he believed if such machinery had been in existence and a conference could have been had in the fateful days of 1914 the conflict might have been avoided. Of course, I was impressed at the time with the thought how thoroughly that did away with the propaganda which had been put out so strongly since the war began that the war was fomented by a single nation which had for 40 years been building up a conspiracy for the purpose of attacking the other nations, and that when the hour came when it thought it could do so successfully it precipitated the conflict, in violation of all treaties, in violation of conscience, and in violation of the principles of humanity, for the sole purpose of accomplishing its ulterior and imperialistic designs.

I thought the statement of the earl was subject to that attack, but that is aside, Mr. President, from the question. I want to call your attention to-day to the proposition that what Earl Grey was pleading against was the precise situation which will be created by this treaty. In 1914 there was machinery for conferring in the respective groups. There was no difficulty about conferring between the members of the entente; there was no difficulty about conferring between the members of the triple alliance. They had a perfect machinery, and used it to confer repeatedly and effectively during the latter days of July, 1914, and the first days of August of that year. There was not that condition of affairs which is contemplated in this treaty; a different and distinct condition of affairs is created by this treaty, to wit, a group which, whether it gives rise to a counter group or not, is a group against the outside world. Now I ask the supporters of this treaty where is the method provided by it by which to communicate and to confer between those who are outside of this group and the group? The four powers may confer; but so could the members of the entente; so could the members of the triple alliance; but the thing which Earl Grey felt was lacking and the thing which he was pleading for that night was some method by which to do away with groups and to provide a machinery by which nations could communicate with one another regardless of groups, or, if in groups, how the groups could confer with one another. In other words, suppose an attack takes place from the outside, where under article 2 is the machinery for conference with those on the outside? Suppose Russia should make an attack for the recovery of a portion of the island which has been so much referred to in this discussion, under what clause of this treaty could we have a conference with Russia?

Suppose China should make an attack and should undertake to recover a portion of the territory which has been taken from her, where is there a provision in this treaty for a conference with China? Or suppose China and Russia and Germany constitute another group in the next five years and a controversy arises between the group under the pending treaty and the group which would then be formed, where is the machinery for the conference between those groups?

Mr. President, that is what Earl Grey had in mind. There were political groups in Europe antagonistic to one another and there was no machinery whatever by which to arrange for conferences between the two groups. What he was pleading for was not that the old system of alliances might be restored or that the old system of political groupings might be restored; what Earl Grey was pleading for was the wiping out of political groups and combining them all into one great league of nations. His difficulty was in having no machinery to effectuate a conference between nations in his particular group and a nation or nations outside of his group, such as China or Russia would be

under this treaty. That is what he was speaking for that night, and those who are in favor of that provision are about to vote contrary to the contention which he upheld upon that delightful occasion. You are here creating what he said brought Europe into the war, to wit, the entente, with no machinery for a conference with strangers to the entente.

No one here objects, Mr. President, so far as I know, to the provision for a conference in article 1. If article 2 were stricken out of the treaty there could be a vote on it in 10 minutes. We do not object to conferences between the four powers in case a controversy arises. So far as I am individually concerned, I am perfectly willing that the United States shall agree to confer with any nation in any part of the globe whenever a controversy arises between that nation and this. It is not the conference which we are objecting to and for which we are being criticized throughout the country; it is to that portion of the treaty which provides for no conference and which creates again the exact condition which prevailed in 1914, a condition which has always led to war.

Mr. President, let us take a leaf from history, for the quotation of the Senator from Alabama makes it interesting to follow out this practice of political groupings or of diplomatic groupings. I know of no better illustration than that which was referred to by the Senator from Alabama—the condition which brought on the conflict in 1914. There are historians in this Chamber who have spent their lives in research in history. I do not make the assertion, but rather I ask the question as a challenge, Can any historian here advise the Senate of a single instance where a political group was formed that it did not give rise to a counter political group? Can any Senator here advise us of an instance where three or four nations associated themselves together that it did not give rise to a counter association of the same nature? And then, will any Senator advise me of an instance where one political group having been created and another political group coming into existence, those two political groups did not have their contentions and conflicts, which finally ended in war? I may be in error, and, therefore, I make no assertion, but I have no knowledge of a single instance in all the history of the world in which a political group of this kind did not give rise to a counter political group, and then give rise to contention which finally ended in war. The best illustration of that, as I have said, is that which happened in 1914.

The first group, known as the Triple Alliance, was formed, I think, in 1879, between Germany and Austro-Hungary. Afterwards it was acceded to and joined by Italy, about 1882. This constituted the political group in Europe which led to the formation of the group known as the "Entente," for shortly thereafter, by reason of the formation of the first group, France and Russia came to the conclusion that their interests could only be served by forming a counter group, and so France and Russia joined their interests, and a short time thereafter Great Britain became a member of that group. We had therefore from 1879 until it ended in the deluge of 1914 two political groups in Europe, viewing one another with suspicion, with distrust, and with antagonism, until it finally ended in a conflict which shook this old earth from center to circumference. Every time the Triple Alliance group would put out a battleship or a number of battleships, the Triple Entente would put out a larger number of battleships or, to be more accurate, vice versa. Every time the Triple Entente increased the forces of its army, the Triple Alliance would increase the forces of its army. So these two political groups confronted one another in the heart of Europe until the fighting wiped them both out and led to realignments.

We often hear it said that the war of 1914 was the result of the action of one particular nation. In my opinion that was a contention which developed after the war began. Prior to that time the publicists, the historians, those interested in public affairs, realized that the coming conflict, if it should occur, would be by reason of the fact that there were two political groups in Europe which were viewing one another with suspicion. I am going to read some paragraphs from standard authorities upon this subject.

First, let us look at the language of the triple alliance, or the first group. Here are two paragraphs:

> Considering, in fine, that an intimate agreement between Austria-Hungary and Germany can threaten no one, but is rather calculated to consolidate European peace as created by the stipulations of the treaty with Berlin.
>
> Their majesties, the Emperor of Austria and King of Hungary and the Emperor of Germany and King of Prussia, promising each other solemnly never to give any aggressive tendency whatsoever to their purely defensive agreement, have resolved to conclude a reciprocal alliance of peace and protection.

That was the language which dedicated the triple alliance to the cause of protection and peace. Considering that they would never give aggression, or attack anyone, they formed the alliance for the purpose, as we say here, of protecting their respective possessions and in the cause of peace. The language used was quite as laudable as that found in this pact.

Mr. ROBINSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Arkansas?

Mr. BORAH. I yield.

Mr. ROBINSON. But we have not said in this treaty that the four powers will not give aggression or take aggressive action against any other power.

Mr. BORAH. The Senator is correct.

Mr. President, notwithstanding this agreement between these powers specifically stated that they never would attack the other nations or infringe upon their rights, the other nations were not willing to take their word for it. You may write into this treaty the terms most expressive of peace and Christianity, you may take the eloquent tribute of the Senator from Alabama [Mr. UNDERWOOD] to the cause of Christianity delivered here on last Saturday and incorporate it in this treaty, and every nation outside of this treaty will still regard it as antagonistic to its interests and will proceed upon that belief. No asseverations of good faith upon the part of the group, no declaration of peace, will satisfy the suspicion or quiet the distrust of those who are not members. I appeal to the bloody pages of history to support what I say.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Kentucky?

Mr. BORAH. Yes.

Mr. STANLEY. Permit me to suggest to the Senator, as the Senator has the language of the Holy Alliance before him, that if he will add a confession of faith to the terms of the alliance between Austria-Hungary and Germany he will have practically the verbiage of the Holy Alliance. That is the only alliance that I know of that was opened with prayer and with a jimmy at the same time.

Mr. BORAH. Mr. President, I have the beginning paragraph of the Holy Alliance before me, and in view of the remark of the Senator from Kentucky perhaps it may not be amiss to read it. This alliance began by saying:

> In consequence the sole principle of force, whether between the said Governments or between their subjects, shall be that of doing each other reciprocal service and of testifying by unalterable good will the mutual affection with which they ought to be animated to consider themselves all as members of one and the same Christian nation; the three allied princes looking on themselves as merely delegated by Providence to govern three branches of the one family, namely, Austria, Prussia, and Russia, thus confessing that the Christian world, of which they and their people form a part, has in reality no other sovereign than Him to whom power really belongs, because in Him alone are found all the treasures of love, science, and infinite wisdom; that is to say, God, our divine Savior, the Word of the Most High, the Word of Life. Their majesties consequently recommend to their people, with the most tender solicitude, as the sole means of enjoying that peace which arises from a good conscience, and which alone is durable, to strengthen themselves every day more and more in the principles and exercise of the duties which the divine Savior has taught to mankind.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Kentucky?

Mr. BORAH. I yield.

Mr. STANLEY. The Senator is a profound historian, and has given this subject great thought. Can he give to the Senate or to the country an instance of any other combination of nations, any other treaty of alliance, sacred or profane, that ever covered as many outrages and as many crimes as this wolf in sheep's clothing called "the Holy Alliance," which a wayfaring man might mistake for a good deacon's prayer unless he read it with great care?

Mr. BORAH. In reply to the Senator I will say that the Holy Alliance stands out in history as perhaps the most cruel, remorseless, and ruthless alliance that has ever been formed.

What I wanted to say, however, without getting away from the drift of my argument, was that it does not make any difference what we say in a treaty, nor the terms of it, nor how honest and sincere we may be in our professions; every outside nation will regard it as a covert threat to its interests, and it leads inevitably, as it did in this instance, and as it inevitably does in all instances, to the formation of an express or an implied countergroup or counteralliance.

Tardieu, speaking of this grouping, says:

> The triple alliance and the dual alliance—
>
> As it was first formed—
>
> are the chief supports of the European balance of power. * * * By uniting their previously isolated forces, France and Russia had made Europe stable again.

Let us look, therefore, at the Triple Entente; and I ask you to observe the language of Sir Edward Grey's letter—the same gentleman who was spoken of by the Senator from Alabama. He formed the Triple Entente; that is to say, he gave expression to its purposes and principles. Here is a quotation from his letter which laid down the principles upon which the Triple Entente was supposed to exist.

He said in a letter to France:

I agree that if either Government had grave reason to expect an unprovoked attack by a third power, or something that threatened the general peace, it should immediately discuss with the other whether both Governments should act together to prevent aggression and to preserve peace; and if so, what measures they would be prepared to take in common?

There, Mr. President, is the basis of the second political grouping in Europe. It provided for nothing except a conference, a discussion—no alliance, no commitment to force, no agreement to use force, no agreement to cooperate with the military forces of the other power. The only thing which they agreed to do is what it is said here we agree to do, and that is, in the case of an attack to consult together, to determine what measures, if any, we shall take in order to meet the exigencies of the situation.

I desire to follow up the entente—this perfectly harmless, friendly cooperation between the three powers—to see how quickly it developed into a real, aggressive, positive military alliance, and how ultimately it resulted in just exactly what the Senator from California [Mr. JOHNSON] has urged to-day; how ultimately it resulted in furnishing the military force which they said they were under no obligation to furnish.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. BORAH. I yield.

Mr. REED. If it will not divert the Senator, I express the hope that before he concludes he will discuss this term, "unprovoked attack." Can it mean anything in the world except that in the judgment of the nations concerned it is an unjustifiable attack? And when that phrase is reduced down, does it mean anything more than an attack which the nations concerned regard as inimical to their interests?

I should like to hear the Senator on that.

Mr. BORAH. Mr. President, Mr. Tardieu, in his book entitled "A Conflict of Political Groups" or "Alliances"—I have forgotten just the exact term—discusses both these matters. This book, fortunately, was written three or four years before the war began, so that it is not colored or controlled by propaganda. In speaking of the alliance between France and Russia he says:

In 1891 an alliance was made by France with Russia which ended the long period of diplomatic isolation, and served as a counterweight to the triple alliance which had been formed between Austria, Germany, and Italy.

Prof. Hazen declares—I may not quote his words exactly, but in substance—

This alliance—

The dual alliance between France and Russia—

was the inevitable outcome of the existence of the other alliance or political group concluded between Germany and Italy some years before. The dual alliance and the triple entente grew out of the need of both Russia and France which they felt by reason of being outside of the triple alliance.

Prof. Hazen, in his book entitled "Europe Since 1915," concludes this interesting history by a paragraph which I desire to read. This paragraph was inserted in this book when it was first published, in 1909. Subsequent editions had the paragraph stricken out. I do not know why it was stricken out. I can only draw my conclusion, which perhaps might be incorrect, and therefore I will not state it. After reviewing the history of the triple alliance and the triple entente, or these two political groups, the professor says:

The historian, having reached the point of interrogation—

That is—

What of the future?—may, in all comity, leave the answer to his question to the prophet or to the future. But he may observe, in closing, that contemporary Europe is dominated by two great leagues, the triple alliance, consisting of Germany, Austria, and Italy, and the triple entente, consisting of England, France, and Russia. The precise nature of these combinations, the character and range of the obligations they impose, have never been made public. They constitute the very arcana of a profoundly secret and undemocratic diplomacy. The nations stand committed to they know not what.

These two leagues confront each other, watchful, suspicious, portentiously armed. Professing peace to be their passion they press forward in sinister and dangerous rivalry for military superiority; that is, for the power to destroy.

That, Mr. President, was a prophecy written in 1909 as foreshadowing what would happen, and it did happen in 1914. These two powerful political groups, powerfully armed, stood there watching one another supiciously and antagonistically, until finally, in 1914, when the crisis came, there was no means, as Sir Edward Grey said, by which the two groups could communicate with each other, and inevitably the war came. For 20 years the political atmosphere of Europe had been poisoned with the distrust and enmity fostered and nursed by these two groups; for 20 years the chancelleries of Europe had been embittered and estranged by these groups; and the infernal system was as certainly the cause of the World War as the going down of the sun is the cause of the darkness of the night. Let no man, no woman, no lover of peace be deceived. What the delegates from Europe brought over and gave us in the name of peace is this old hellish system whose frightful story is told upon a thousand battle fields of the Old World.

Now, sirs, you propose to create a political group in the Pacific composed of the four great powers; you leave on the outside of that group China, with her 400,000,000 people; you leave on the outside Russia, with her 180,000,000 people; and you have one-fourth of the entire human race on the outside of your political group. What do you think will happen? And if it does happen, what means have you provided for in this treaty to communicate between this group and those on the outside? I ask those who are saying to the country that this is a conference to tell me now how they propose to communicate between the members of this group and those on the outside in case war is threatened? It is not a conference. There is no means for a conference. When that aggression takes place there are just the same means as were provided for in Europe in the fateful days of 1914.

Mr. President, let us follow it a step further. I want to go now to the stirring days of 1914.

Time and time again in the House of Commons, when inquiring members rose to ask, "Is there any commitment upon the part of England to cooperate in a military way with the forces of Europe?" the gentlemen stood up and said "There is no alliance; there is no agreement to use force; there is no agreement by which we are obligated to go to the assistance of France." And those gentlemen were men of as high integrity and quite the equal in statesmanship of the gentlemen who are sincerely and honestly attempting to construe this treaty as to what it will mean 10 years from now.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Washington.

Mr. BORAH. I yield.

Mr. POINDEXTER. The Senator undoubtedly bears in mind that the reason—the ostensible reason, at least, and I have no cause to believe that it is not the real reason—why Great Britain joined France in defense against the attack of Germany was not the Triple Entente, but was the agreement, to which Germany and England and Austria and Russia and France were parties, to preserve and protect the neutrality of Belgium. In other words, the very kind of a general agreement between all of the nations that might be involved that I understand the Senator to prefer to a balance of power was the cause of England going into the war.

Mr. BORAH. I differ with the Senator for two reasons. In the first place, it was not the controlling reason assigned; in the second place the declaration of war was made, I feel quite certain, 48 hours before the neutrality of Belgium was violated.

Let us observe what was said by those who were construing the treaty, or perhaps I should say the understanding between France and Great Britain. On the 6th day of December, 1911, the Prime Minister of England, being interrogated as to what their obligations toward France were—I was about to say "our" obligations—said:

There are no secret engagements with any foreign Governments that entail upon us any obligation to render military or naval assistance to any other power.

Mr. CARAWAY. Will the Senator tell us who the Prime Minister was in 1911?

Mr. BORAH. Mr. Asquith. In 1912 Lord Hugh Cecil made an inquiry as to what the obligations were, stating that it was constantly being asserted that there was some understanding, not expressed in a treaty, perhaps, but by reason of correspondence or otherwise, and the Prime Minister interrupted his question before he concluded and said:

I ought to say that it is not true.

That is to say, that there were any obligations outstanding.

On the 24th of March, 1913, Mr. Asquith made a comprehensive answer to a question of Sir W. Byles in the following terms:

As has been repeatedly stated, this country is not under any obligation, not public and known to Parliament, which compels it to take part in a war. In other words, if war arises between European powers there are no unpublished agreements which will restrict or hamper the freedom of the Government or Parliament to decide whether or not Great Britain should participate in a war.

That, as I understand, is the real kernel to the controversy here, and that is the thing which the reservation offered by the Senator from Connecticut is designed to preserve, to wit, the unhampered freedom of the Congress of the United States to determine whether or not it will take part in case a controversy arises.

On June 11, 1914, only a few months before the controversy arose, Sir Edward Grey, in answer to a question, referred back to the statement made by Asquith on March 24, 1913, and said:

It remains as true to-day as it was a year ago.

To wit, that the Government was in no way committed.

Mr. President, this was the situation upon the 3d day of August, 1914; there was an agreement, or an understanding, between Great Britain and France, that in case of a controversy the two nations would confer and would determine what measures, if any, they would take for their common defense. It was the understanding upon the part of Great Britain and her people all the way through that there was to be nothing but a conference, nothing but a conversation, no commitment to force, no understanding as to the use of military power.

I ask Senators, therefore, to refer to Sir Edward Grey's great speech on the 3d of August, 1914. It is too long for me to read, but it will well bear reading by those who think that this treaty will not involve us, in case of an aggression, in common action with our associates, if need be, by military force.

The first part of Sir Edward Grey's great speech is devoted entirely to demonstrating to the Parliament that there was no obligation which should hamper the Parliament in the least in refusing to go to war with France if Parliament saw fit to do so, and he reviewed all the history of the transaction, reread his letter of 1912, and presented to them what he said was a clear line of conduct for refusal, if they saw fit to refuse. He then referred to the friendship which had grown up by reason of the entente, to the neutrality of Belgium and to the future commercial interests of Great Britain. Then he closed his speech by an appeal to the Parliament, and to the people of England, saying that while they were free, as a matter of contract, and as a matter of treaty, they were in honor bound to go to war along with France, because of the friendship which had been built up between the two powers, and by reason of the conversations, perhaps, France was not as well prepared to take care of herself as she otherwise would have been, including, as I say, a reference to Belgium and other matters. But the point upon which the debate seemed almost entirely to turn was England's relationship to France, and whether, in honor, England could disregard the situation which had been brought about by the negotiations within this political group.

So, as the historian says, while Parliament was told it was free, it was told that the path of refusal was the path of dishonor.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. Wait just a moment. We will assume that Congress is not bound, but when your representative comes back from the conference and says, as Gray said to the Parliament, "You are free; nothing binds you, no contract, no understanding, but we have met and have conferred and have concluded as your agents under this treaty, that the only way to meet the exigency is by force, and in our opinion if you refuse, you are traveling the path of dishonor." What will the Congress do? I yield to the Senator.

Mr. POINDEXTER. The Senator says that Sir Edward Grey advised Parliament that there was no obligation on the part of the other members of the Triple Entente to go to the rescue of France in case of war; but that afterwards they were told—that is, I assume the Senator means Great Britain was told—that to refuse to come to the defense of France under the Triple Entente was the path of dishonor. Will the Senator kindly point out by whom that was told and when it was told? It is the first time I have ever heard it. My understanding was that the issue between Great Britain and Germany was the treaty between Germany and Great Britain for the protection of Belgium, and that Dr. von Bethmann-Hollweg, prime minister of Germany, replied that that was a mere scrap of paper, but that Great Britain declared that her honor was involved in preserving her agreement for the protection of Belgium under the treaty for Belgian neutrality, in which all the great powers of Europe were involved.

Mr. BORAH. If the Senator will wait until I conclude——

Mr. POINDEXTER. I will be glad to do that, and I will be glad to get the authority for the statement the Senator has just made.

Mr. BORAH. I am giving my authorities pretty regularly, trespassing upon the patience of the Senate to do so, and I will give one authority now. I had not intended to call attention to it at this particular point, but if the Senator has not read Lord Loreburn's book entitled How the War Came, he will find a vast amount of information in it, about which he has been misled, in my judgment.

Mr. POINDEXTER. I have not been misled about it, because I am basing my statement upon the public negotiations and exchanges between the foreign ministries of Germany and of Great Britain at the opening of the war. Lord Loreburn was not responsible for the conduct of Great Britain at that time.

Mr. BORAH. He was very closely associated with the powers that were controlling Great Britain, and he gives the records and the documents upon which he bases his statement, and I think by the time I get through with the documents the Senator will conclude that there are two sides, at least, to the controversy as to why England entered the war. I stated that the question of Belgian neutrality was one of the reasons discussed, but it was not the reason upon which Earl Grey advanced his assertion that it would be a matter of dishonor if England did not go in, at least not the controlling reason.

Mr. POINDEXTER. I am glad the Senator admits there are two sides to it. I assumed that there was only one side to it, from his previous statement.

Mr. BORAH. I admitted that out of courtesy to the Senator. Lord Loreburn said, speaking of Grey's speech of the 3d of August, 1914:

This remarkable speech began with an elaborate effort to prove that the House of Commons was perfectly free to determine either for peace or war. It ended with a passionate declaration that this country would be disgraced if we did not declare war, and the reasoning of the speech proved that Grey had committed himself irretrievably. It left the House of Commons convinced that it had in honor no choice but to join France in arms.

Now, let us read from Grey's speech itself. He said:

I come back first to the question of British obligation. I have assured the House, and the prime minister has assured the House more than once, that if any crisis such as this arose we should come before the House of Commons and be able to say to the House that it was free to decide what the British attitude should be; that we would have no secret engagement which we should spring upon the House and tell the House that because we had entered into that engagement it was an obligation of honor upon the country. I will deal with that point to clear the ground first. The Triple Entente was not an alliance.

Neither is this, so we are told.

It was a diplomatic group.

I will get down to the heart of the controversy, if I can. Referring, then, to his letter of the 22d of November, 1912, the letter from which I read a few moments ago, he said:

I think that letter makes it clear that what the prime minister and I said to the House of Commons was perfectly justified, and that as regards our freedom to decide in a crisis what our lines should be, whether we should intervene or whether we should abstain, the Government remains perfectly free, and, a fortiori, the House of Commons remains perfectly free. That I say to clear the ground upon the point of view of the obligation. I think it was due to prove our good faith to the House of Commons that I should give that full information to the House now, and what I think is obvious from the letter I have just read, that we do not construe anything which has previously taken place in our diplomatic relations with other powers in this matter as restricting the freedom of government to decide what attitude they should take now, or restrict the freedom of the House of Commons to decide what their attitude should be.

Mr. LA FOLLETTE. What is the date of that?

Mr. BORAH. This was a speech delivered by Lord Grey on the 3d of August, 1914. He said:

I come now to what we think the situation requires of us. For many years we have had a long-standing friendship with France.

An honorable member cried out, "And with Germany."

And so they had. In some respects the relationship prior to 1909 had been more friendly between Great Britain and Germany than between France and Great Britain.

A long debate took place upon this matter, and in this debate Sir Edward Grey's arguments of honor are quoted, so by reading the debate I can avoid reading the matter twice, for the debate is important. I read a quotation from Mr. Morrell:

The right honorable gentleman has told us he admits there are no formal obligations binding this country to intervene in this war. None whatever. No formal obligation with regard to France, at any rate up till yesterday. As regards the letter of November 22, 1912, which he read out to this house, I submit that it is conclusive from that point. That letter perfectly and clearly intimated to France that we could not undertake to support her in a European war, and, as he fairly put it, it was entirely open to this house, and it is so even now, to decide whether we are going to intervene in this war at all.

He further said:

I believe we are going to war now because of the fear and jealousy entertained in this country, unfortunately, and fostered by a large section of the press, the fear and jealousy of German ambition. I believe that it is the real reason why honorable gentlemen opposite are asking this country to go to war.

Another speaker, Mr. Molteno, said:

No part of this country has been invaded at present; no vital interest in this country has been attacked. Yet we are asked to assent to war with all its terrible consequences. The Government has no right to plunge this country into this war for anything short of our own vital interests.

The right honorable gentleman began by saying that we were under no obligation, and that the House was perfectly free to come to a decision on this matter. Yet, before he had got very far, he told us that we were under such obligations that, in his opinion, we could not get rid of them.

Again said the same speaker:

Surely a hope and an expectation were held out. For a period negotiations were set on foot, of which the foreign secretary told us, and the course of those negotiations have been such that in his opinion we are now bound to France to such an extent that we are obliged to go to war.

This is the construction put upon Grey's speech in the debate:

Yet we are now told that our obligations, though not obligations of treaty or of agreement, are so strong and so binding that we shall be compelled to take up arms in defense of France. I complain that we, who are supporters of His Majesty's Government, should have been led into this state of false security on this most vital and important question.

For what interests are they asking us to enter upon this tremendous struggle? Have they stated any interest? They do not pretend to tell us. They speak to us of some vague fear, some sort of obligation of honor that impels us to this course.

We ought to have more information in order that we may be immediately put in a position to make up our minds as to what our duty is on this question. I wish to ask whether we are to have a fair and straight opportunity of considering, discussing, and deciding on this question. But they have brought us to the brink of disaster without our knowing and without our being warned.

Further on a member, Mr. Williams, stated that the foreign secretary said:

It is true that we are under no treaty obligations to come to the rescue of France in case of war. It is true, even though the French Navy is in the Mediterranean, and the northern coast of France is therefore exposed to the attacks of any fleet from Germany, because France has hitherto trusted in our friendship.

France, relying upon the association, relying upon the friendship, relying upon the understandings expressed in Grey's letter of the 22d of November, was placed in such a position that, as a matter of honor, Earl Grey felt it was necessary for Great Britain to enter into war. Was France's relationship with Great Britain any closer than ours will be at the end of five years of close association or conference with our colleagues in this treaty? Further on, speaking of Earl Grey, he said:

Then, in order to arouse the passion of honorable Members of this House, and, I suppose, of people outside, the foreign secretary asked this question: "What would this country do or say if they found that the German fleet had broken through the North Sea, entered the English Channel, and was bombarding some of the towns on the northern coast of France?" I felt, as I think every honorable Member felt, that we could not stand idly by with folded hands while our friends were being attacked.

Another gentleman, Mr. Balfour, spoke. This debate, Mr. President, was getting very interesting. Men were calling for definite information and asking if they would be permitted to discuss the matter fully, and they were assured that they would be permitted to discuss the matter freely before the Parliament should pass upon it.

I digress to say that they never were permitted to discuss it.

Mr. Balfour arose and said:

Anybody who has watched the House in this debate knows perfectly well why we are met here and why we have to sit here. It is because various gentlemen below the "gangway," sitting in one quarter of the house, desire to express their views to us. * * * What we have been having to-night are the very dregs and lees of the debate, in no sense representing the various views of members of this House. * * * It is only unfortunate and lamentable that we should spend the dregs of this evening not in a proper House of Commons debate in dealing with a great resolution on a great subject but in a series of speeches which, whatever their intrinsic excellence may be and however earnest may be the members who have delivered them, can not be regarded as representative in any true sense of the views I would venture to say even of the party for which they are speaking.

Then Mr. Balfour asked that the Parliament consent to an adjournment, which took place. Notwithstanding the fact that many members were assured that the debate would be continued, this was the end of the debate; there was never any further discussion of the subject. England was literally swept into the war.

Mr. President, I have read these extracts to demonstrate the inapplicability of the quotation made by the Senator from Alabama when he said that Earl Grey was pleading, as he would have us believe, for the same kind of conference which is provided for by the four-power treaty. Grey was pleading for an entirely different proposition. That which is provided by the four-power treaty Grey had, to wit, the power to communicate with the different members of the group. That which Grey did not have, a means of communicating between the groups, the treaty does not provide. It provides no method for dealing with the outside world at all except the method of arms. There is no conference provided for, either expressed or implied. How, then, does the proposition meet the rule or standard which the Senator from Alabama established?

If the Senator from Alabama will point to me or if the able Senator from Massachusetts will point to me under article 2 any provision for a conference with the outside world when the exigency arises, so far as I am concerned, the debate on this phase of the question is over. I say, therefore, Mr. President, that this treaty can not be any other than an alliance of war, because there is no other method provided for settlement except war. Let me give you an illustration. I have here article 2 of the treaty, which reads:

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

The Senator from Iowa who sits in front of me [Mr. CUMMINS] is a great lawyer. I ask him, Is there any provision in article 2 enabling us to communicate with the attacking power? Is there any provision anywhere in the treaty by which we could reach the outside parties? Then let us see what would happen.

An attack is made by Russia, by China, or by a group on the outside, and our representative, Mr. Hughes, communicates fully and frankly with Japan; and we will assume for the sake of the argument that Japan communicates fully and frankly with us. They meet for the purpose of doing what? Of determining the most effective measures to meet the situation. I agree with the proponents of this treaty that Mr. Hughes does not have to decide that the most effective measure is war; I agree with them perfectly that he may refuse to decide upon any such alternative; I agree with them that he may refuse to go into a conference any further after he finds out they are talking war; and he may come home; but they must agree with me, on the other hand, that he may decide on war; he may agree with the other conferees that the only way to meet the emergency is by the Army and Navy. If he does agree upon that, he comes home and says to us as a Congress, "Your representatives under article 2 have conferred freely and frankly, and under the guidance of our conscience and convictions the only way to meet this emergency is by sending our Army and Navy."

Would he not be in a tenfold stronger position than was Earl Grey in the House of Parliament in 1914? He could say to us, "Your executive department under this treaty has acted in good faith; we have been upon the ground; we have met with the other delegates; they told us the facts; we dare not convey them all to you, but we say that it is a matter of honor, and appeal to you to sustain the honor of the country. The technical power to refuse would remain with us, as it remained with Parliament, but the moral right or the moral power to refuse would be gone. Why delude ourselves with the perfectly fallacious proposition that the technical right would prevail?

Mr. EDGE. Mr. President——

Mr. BORAH. I yield to the Senator from New Jersey.

Mr. EDGE. Suppose the United States was not a member of the prospective four-power treaty, and, citing the very illustration which the Senator himself has given, that war was threatened in the Pacific, and that our possessions or interests in the Pacific were thereby imperiled; does the Senator believe that the United States under such circumstances, even though we were in no way, morally or legally, bound, because of not being a party to the pact, could be kept out of such a controversy, even to the extent of war, if war actually resulted? In other words, would it not be better to be a party to a four-power understanding, in order to discuss the possibilities, using our influence to prevent war, if possible, than not to be a party to it and necessarily to be drawn into the conflict ultimately in order to protect the interests and obligations which we have in the Pacific?

Mr. BORAH. Mr. President, there is much in the suggestion of the able Senator from New Jersey which is worthy of consideration, but permit me to suggest this: Suppose an attack takes place upon the part of Russia. Senators will observe that the word "unprovoked" is left out of this treaty, although it was in the Anglo-Japanese alliance. It is in all of the oriental treaties which I have ever seen, but, for some reason or other, it slipped out of this treaty. I have no idea why it was left out. But suppose that Japan continues the aggression which she is now practicing in Siberia indisputably—practically nobody denies it—and suppose by reason of that situation Rus-

sia makes a formal attack, which under international law makes her the attacking party, although the other party may have provoked the attack; the United States, under this treaty, is bound to sit down and confer with Japan as to how to meet the attack.

It might be to the interest of the United States, both as a physical proposition and as a moral proposition, to sit down with Russia and decide how to meet the situation. It is this absolute freedom of choice that makes the United States to-day the practical umpire of the world. I want to be free to sit on the side of morality and justice, to confer with those whom we think righteous in their position, if we are to confer at all. We do not know where justice will lie, where humanity will lie, until the attack and all its circumstances are known; let us choose in that hour with whom we shall confer.

No nation can say now that the giant of the West is hamstrung or bound or embarrassed. She is free to cast her vote upon the side where she thinks righteousness and justice prevail and not upon the side of a contract entered into 10 years before the event may have happened. This liberty of action, this freedom to choose our conferees according to honor and justice at the time is the greatest force for righteousness in the whole world to-day.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. KELLOGG. Did I understand the Senator to say that if Mr. Hughes attended a conference under this treaty he would be no more bound to agree to a war than if he attended any conference not provided for by treaty?

Mr. BORAH. I did not say that exactly, but I think I said about the same thing.

Mr. KELLOGG. Then, the idea of the Senator from Idaho is that we should never attend any conference to prevent war?

Mr. BORAH. I am deeply indebted to the Senator for interpreting my thoughts. I said we should be free to sit with those whom we think right, regardless of contracts or treaties.

Mr. EDGE. Mr. President——

Mr. BORAH. Just a moment. I will say for the benefit of the Senator from Minnesota that the Senator from Idaho is in favor of a conference with any nation in the world whenever a controversy arises between that nation and the United States.

The Senator from Idaho is unalterably opposed to contracting in advance to conferring with any particular nation to take care of a war situation in which the United States may not be at all interested. If any controversy arose between the United States and Japan I should be in favor of a conference, but I am not in favor of the United States tying itself up to take any particular action with reference to an attack which may be made upon another nation, and I do not propose ever to vote for a treaty or bind the United States to take part in any quarrel except its own. I will not put upon the people an obligation to interfere in quarrels between other nations—let the people who, at the time will know the exact facts, and who will do the fighting and dying—let that generation pass upon who shall be their associates in a war between other powers.

Mr. EDGE. Mr. President, following my question as to which I should be very glad indeed if the able Senator would give his viewpoint, because I know it would be illuminating and very interesting, suppose, referring to the statement the Senator has just made, that a controversy between two other nations, without necessarily being a direct attack upon our possessions or upon our country, threatens those possessions, then does the Senator contend that the United States is better off not to have her representatives, her statesmen, participate in a conference called for the purpose of trying to prevent such a conflict?

Mr. BORAH. What I contend is that what we shall do in a conference and whom we shall sit with in a conference ought not to be determined in advance of the exigency, but ought to be determined at the time, because then we shall be free to sit upon either side, where we think justice is; in other words, when we sit in the conference which is provided for under the four-power treaty China is on the outside, so that we can not sit down and confer with China, and we can not sit down with Russia, because she is on the outside. Our associate and our conferee has been chosen five years, we will say, in advance of the controversy, and we do not know where justice, morality, and decency and Christianity may obtain with reference to the controversy.

Mr. POMERENE and Mr. NORRIS addressed the Chair.

Mr. BORAH. I yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, the Senator has suggested, in answer to the last question put to him, that we would not be free in the event there should be a controversy between one of the other parties to the pending treaty and China or Russia to sit in conference with them. Could we not at the same time we were holding a conference with the other three members of the four-power pact also have a conference with China or with Russia bearing upon the same subject? Would we not be free to do that?

Mr. BORAH. Then, of course, if that be true, this treaty is worse than a nudum pactum. If we can sit down and confer with China regardless of the treaty when China is attacking our treaty associate, we can sit down and confer with Japan in case our interests are involved without any treaty. What is it for?

I now yield to the Senator from Nebraska.

Mr. NORRIS. I was going to ask a question similar to that asked by the Senator from Ohio. Regardless of what the result may be—and that may be another question open to dispute—without agreeing for a moment to the conclusion which the Senator from Idaho has drawn, it does not seem to me that there is anything in this treaty that would prevent us, in the illustration, for instance, which the Senator from Idaho has given, of an attack being made by Russia or China, from taking the matter up with China or with Russia, as the case might be.

Mr. BORAH. If the attack were upon Japan or Great Britain?

Mr. NORRIS. We would be under obligations under this treaty to take it up with Japan if the attack was on Japan, but when we did take it up we could tell Japan, if we wanted to, if we thought it was the fact, that she was wrong. There would not be anything in this treaty to hinder us from doing that, and at the same time giving encouragement to the other party.

Mr. BORAH. Then, I again say that I do not know what this treaty is for. Mr. President, we will put the shoe on the other foot and suppose that some nation attacks the Philippine Islands, and we call for a conference and find that while we are in conference with Japan she is holding a conference upon the outside with the nation which is attacking us, how does the Senator think it would set with the American people? Suppose in 1914, when Germany was crossing Belgium, Great Britain had been found in conference with Germany, what would the whole world have said?

Mr. NORRIS. I should think Japan would not be violating the four-power treaty if she did that very thing, unless she concealed it and covered it up and failed to make us acquainted with it; in fact, if she had a free and fair conference and she thought we were wrong she ought to tell us face to face and make no secret of it.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. LENROOT. I should like to ask the Senator where he finds the obligation to go into a conference under article 2 at all? Does not the Senator make any distinction between article 1, which does obligate us to enter into a conference under certain circumstances, and article 2, which only obligates the parties to communicate fully and frankly with each other, which may be done wholly, and naturally would be, through diplomatic channels?

Mr. BORAH. It might be, but if so this treaty is absolutely unnecessary, because we have diplomatic channels open all the time.

Mr. LENROOT. Yes; but there is no obligation upon the part of any one of the four powers to communicate fully and frankly through those diplomatic channels in a case such as has been cited.

Mr. BORAH. That is an obligation which is written in the consciousness and in the honor and in the decency of every nation, and in every principle of international law known to civilization, provided the controversy is between the United States and another power. Of course, we would not be bound to confer about another nation's attack and I do not want to agree to do so.

Mr. LENROOT. Does the Senator contend that if Japan is attacked by Russia, without any treaty, there is any obligation upon the part of Japan to communicate fully and frankly concerning that transaction with the United States?

Mr. BORAH. I do not.

Mr. LENROOT. I do not.

Mr. BORAH. Then let us take another phase of it. Here is what this treaty says:

> If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly.

That might be by conference.

Mr. LENROOT. It might be.

Mr. BORAH. Yes—well, that is all I contend.

Mr. LENROOT. But there is no obligation to do it by conference.

Mr. BORAH. I am discussing the other feature of it now. The Senator said there was no obligation here to do it by conference.

Mr. LENROOT. Yes.

Mr. BORAH. I say that there is just as much obligation to communicate by conference as there is to communicate through diplomatic channels. It says that they shall communicate. It does not say "through diplomatic channels." It does not limit it to diplomatic channels. It might be through a conference, just the same as provided by article 1, and it was for that reason that I referred to it. In addition to that, I was taking the construction which the able Senator from Alabama [Mr. UNDERWOOD] placed upon it, and the construction which the Senator from Massachusetts [Mr. LODGE] placed upon it—that it provided for a conference. I am not at all concerned about whether it is by letter writing or face to face; but I can imagine that if it were a war situation it would likely be face to face.

Mr. LENROOT. Does not the Senator think there is a very clear distinction? He spoke of the case of Mr. Hughes attending a conference, and entering into some moral obligation binding upon Congress, whereas under the language of article 2 the presumption is that the constitutional authorities of this Government will deal with that situation, and if an understanding is arrived at with reference to war it will be the Congress that enters into the understanding.

Mr. BORAH. But the trouble with that presumption is that it is refuted by the language of the treaty itself. Of course, if the Senator were correct, I again say that it seems to me the treaty would have no considerable effect one way or the other; but this treaty does not provide that the Congress shall do it. It says:

> If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding.

Does the Senator think that that really means that the Congress of the United States shall communicate with the Diet in Tokyo and with the House of Commons in London? Is not this clearly and necessarily an executive act? If war were imminent, would the Executive ask us to appoint a committee to confer? Banish the thought! It would both as a practical proposition and as a governmental proposition be carried on by the Executive or his agents. I am sure the Senator does not think this would be attended to by Congress.

Mr. LENROOT. I do not; but I do insist that before the executive department of the Government would have any right to state to the Government at Tokyo that an understanding had been entered into for the use of force upon the part of the United States it would be referred to Congress.

Mr. BORAH. Very well. I agree to that proposition. That is what I have been arguing all this afternoon.

Mr. LENROOT. We agree, then.

Mr. BORAH. I agree that our representative—the Secretary of State or whoever it was that had communicated with them—would do precisely as Sir Edward Grey did. He would say, "Thus and so is the relationship. You Members of Congress are perfectly free, as a contractual proposition and as a constitutional proposition, to decide adversely if you want to; but we have communicated with one another, and we tell you that this is the situation, and we say to you that it is our judgment that it is the only way to meet the situation, and we feel that we are in honor bound to carry it out in that way." That is all I contend for.

Mr. LENROOT. The Senator has several times stressed the action of the British Government. Does the Senator think for a moment that the action of the British Government in declaring war was due to its friendship for France, or any implied obligation in the note of Sir Edward Grey, or does he think that Great Britain entered that war because she believed that her own vital interests were at stake?

Mr. BORAH. Now, the Senator has reached another proposition. I do not think that Great Britain ever entered a war in the world where she did not consider her vital interests at stake, and I do not think that any treaty that may be written will induce Great Britain to shed one drop of blood for the United States unless she thinks her vital interests are at stake. That is no reflection on Great Britain. That is the rule of all nations.

Mr. LENROOT. Very well. Then the Senator does not invoke this letter of Sir Edward Grey as the motive for England's entering into the war, as I supposed he did.

Mr. BORAH. No; the Senator misunderstands me again. I do not think the Senator really misunderstands me, however. The Senator says that I do not invoke that. I am telling you what Sir Edward Grey said to the House of Parliament—that by reason of the relationship which had sprung up through years and years of friendship between France and Great Britain the House of Parliament was in honor bound to vote that Great Britain should go to the protection of France. What I say is that if our representatives come back here and say the same thing to us—that by reason of the negotiations and correspondence which have taken place with Japan during the last five years they are of the opinion that it is to our interest to go into the war—it will have a powerful effect upon the Congress of the United States in driving them into the war. It is one of the things and one of the methods which may wholly blind the Congress or the people and mislead them as to their true interests.

Mr. LENROOT. If it is to our interest, of course.

Mr. BORAH. Does the Senator contend that we would not go into the war unless it was to our interest?

Mr. LENROOT. I understood from the argument the Senator was making that he was arguing that there was some kind of an obligation here, growing out of the relationship alone, that would at some time in the future, if the occasion arose, enable the executive department of this Government to come to Congress and say: "By reason of this relationship you are in honor bound to enter the war." If the Senator wishes to present a parallel case he must omit the words "if it is to our interest that we go in"; and I say that in that kind of a case, if the Executive says we are not bound, and there is no obligation—and there would not be—Congress will be entirely free to act.

Mr. BORAH. Do I understand the Senator to contend that we, although this treaty were in existence, would never enter the war, if there were one, unless our vital interests induced us to enter it?

Mr. LENROOT. I did not understand the Senator's question.

Mr. BORAH. Do I understand the Senator to contend that notwithstanding this treaty, and notwithstanding the fact that conditions might arise where under the treaty it would seem that we ought to enter a war, nevertheless we would not do so unless our individual, vital interests as a nation induced us to do so?

Mr. LENROOT. There might be a possibility, at some time to come, that that might be; but I can not conceive of the United States entering into a war where it does not consider that its own vital interests are concerned. That interest may not be direct. It may be indirect, of course.

Mr. REED. Then, Mr. President, if I understand the situation—and I have been trying to follow the debate—we get to this: We assume no obligation, and no other nation assumes any obligation of any kind, except that if a disturbance is threatened we will write a letter to each other, and then do exactly as we would have done if we had not written the letter—and yet they tell us that this is a great pact of peace that will preserve the peace of the Pacific for a thousand years!

Mr. STANLEY. Mr. President, we do not agree merely to write one letter. We agree to write everybody a letter.

Mr. LODGE. Mr. President——

Mr. BORAH. I yield.

Mr. LODGE. I was, I confess, surprised at the Senator's statement in regard to Belgium, because I happened to be in London at the time the speech was made to which the Senator refers, and it left a very strong impression on my mind that what Sir Edward Grey put forward as the cause of the war was the obligation of England to Belgium. I have been looking up the report in Hansard, and the passage which the Senator read in regard to France occurs in column 1815. In column 1818, on the next page, Sir Edward Grey begins to talk about Belgium. He discusses Belgium from column 1818 to the close of his speech in column 1827. Then, when the Parliament came in in the evening, Sir Edward Grey made a very short statement which related to Germany's attitude toward Belgium, and he wound up with the sentence which amounted to saying that the Government must act. I will read only one passage, because I do not want to break in on the Senator.

Mr. BORAH. Let me say to the Senator that I stated that the Belgian matter was discussed, but that it was only one of the things which were discussed.

Mr. LODGE. Yes; but the Senator said, as I understood him, that he was going to read the rest of the speech.

Mr. BORAH. I did read the rest of it. It was incorporated in the speeches of other Members.

Mr. LODGE. The rest of the speech after the passage which the Senator read, which is six or seven columns of Hansard, is entirely devoted to Belgium.

Mr. BORAH. No; it is not entirely devoted to Belgium.

Mr. LODGE. I think it is. I have just read it.

Mr. BORAH. Let the Senator go ahead and read it, then, if he thinks it is.

Mr. LODGE. It begins in column 1810:

I shall have to put before the House at some length what is our position in regard to Belgium.

Then he quotes from Mr. Gladstone, and traces all the past policy of the Government in regard to Belgium. Then, after saying:

I have one further quotation from Mr. Gladstone as to what he thought about the independence of Belgium—

Which is to the effect that—

We have an interest in the independence of Belgium which is wider than that which we may have in the literal operation of the guarantee.

He goes on to say:

No, sir; if it be the case that there has been anything in the nature of an ultimatum to Belgium, asking her to compromise or violate her neutrality, whatever may have been offered to her in return, her independence is gone if that holds. If her independence goes, the independence of Holland will follow. I ask the House, from the point of view of British interests, to consider what may be at stake. If France is beaten in a struggle of life and death, beaten to her knees, loses her position as a great power, becomes subordinate to the will and power of one greater than herself—consequences which I do not anticipate, because I am sure that France has the power to defend herself with all the energy and ability and patriotism which she has shown so often—still if that were to happen, and if Belgium fell under the same dominating influence, and then Holland, and then Denmark, then would not Mr. Gladstone's words come true, that just opposite to us there would be a common interest against the unmeasured aggrandizement of any power?

Then he says:

It may be said, I suppose, that we might stand aside, husband our strength—

And then he refers to the effect on trade, and he winds up that paragraph by saying:

I can only say that I have put the question of Belgium somewhat hypothetically, because I am not yet sure of all the facts, but if the facts turn to be as they have reached us at present it is quite clear that there is an obligation on this country to do its utmost to prevent the consequences to which those facts will lead if they are undisputed.

The rest of the speech is of a general character. Very little remains.

Then in the evening, when he came in, he said:

I want to give the House some information which I have received and which was not in my possession when I made my statement this afternoon. It is information I have received from the Belgian Legation in London, and is to the following effect:

"Germany sent yesterday evening at 7 o'clock a note proposing to Belgium friendly neutrality, covering free passage on Belgian territory, and promising maintenance of independence of the Kingdom and possession at the conclusion of peace, and threatening, in case of refusal, to treat Belgium as an enemy. A time limit of 12 hours was fixed for the reply. The Belgians have answered that an attack on their neutrality would be a flagrant violation of the rights of nations and that to accept the German proposal would be to sacrifice the honor of a nation. Conscious of its duty, Belgium is firmly resolved to repel aggression by all possible means." Of course, I can only say that the Government is prepared to take into grave consideration the information which it has received. I make no further comment upon it.

I can not find that he spoke again on the 3d of August. That concludes his speech.

Mr. McCORMICK. Mr. President, will the Senator from Idaho let me ask the Senator from Massachusetts a question?

Mr. BORAH. Certainly.

Mr. McCORMICK. Does the Senator from Massachusetts remember how often the occupation or invasion of the Lowlands was a cause for war on the part of Great Britain against a great continental power? Three times or four times, at least; was it not?

Mr. LODGE. Certainly.

Mr. McCORMICK. It is the traditional policy of the British Empire, is it not, that no great power shall hold Antwerp?

Mr. LODGE. Absolutely. The only point I wanted to bring out was that Sir Edward Grey gave very great weight to the affair of Belgium—more, I think, than the Senator from Idaho attributed to him.

Mr. BORAH. Mr. President, I have said that Sir Edward Grey included in his reasons the question of Belgium. He also included the proposition of the general commercial interests of Great Britain.

Mr. LODGE. Yes. He devoted the larger part of his speech to Belgium, I think.

Mr. BORAH. He might have devoted the larger part of his speech to it for the simple reason that he went into a historical survey of the Belgium matter. But if the Senator will read the debate which took place upon the part of those who were replying to Sir Edward Grey, he will find that they all referred to the appeal which he had made as a matter of honor to stand by France by reason of the close friendship which had grown up under this understanding.

Mr. LODGE. I can not answer that without reading the debate which followed his speech and which is not long. As I say, I happened to be in London at the time, and I followed with great closeness the debate, which was fully reported, of course, from day to day. While I can not trust my memory for details so far, at the same time the very strong impression left on my mind was that the leading point in Sir Edward Grey's famous statement of August 3 was the German invasion of Belgium.

Mr. BORAH. It might have been the leading point in the mind of the Senator from Massachusetts; and I may be in error, but there is no possible doubt but that Sir Edward Grey made an appeal to the House of Parliament based upon the relation of friendship between Great Britain and France arising out of the negotiations, which, however, he said did not legally bind them to enter the war.

Mr. LODGE. That is quite true. The Senator read that passage, and I have reread it.

Mr. BORAH. That is all that I have contended for, and it is all I contend for now.

The Senator from Massachusetts has referred to the Belgian treaty, and the Senator from Illinois [Mr. McCORMICK] has intimated that England has always stood by the Belgian treaty. Did she stand by it in 1870?

Mr. McCORMICK. The Senator from Illinois did not say that.

Mr. LODGE. I did not know that Belgium and Holland were involved in the war of 1870.

Mr. BORAH. Then the Senator ought to refer to the speech which impressed him so much when he was in London, because Sir Edward Grey referred specifically and at length to that proposition.

Mr. LODGE. Oh, he quotes Gladstone and others as to the history of the past; but certainly Belgium and Holland were not in danger in the war of 1870.

Mr. BORAH. They were considered to be in danger, and I will read to the Senator what Mr. Gladstone said.

Mr. LODGE. That may or may not be. My point was that the Belgian matter had a great deal to do with the action of Sir Edward Grey in presenting the subject to the House of Commons.

Mr. BORAH. I have not disputed that, and neither did I state that it did not have anything to do with it; but does the Senator contend that that was the only reason?

Mr. LODGE. No; I do not contend that that was the only reason. I contend that that was the reason that brought war immediately.

Mr. BORAH. But the Senator does not contend that that was the only reason that Sir Edward Grey assigned for entering the war?

Mr. LODGE. No. He stated the aspect of the French question, of course.

Mr. BORAH. Exactly. Then, there is no difference of recollection between the Senator and myself.

Mr. LODGE. Except that I thought the Senator rather passed over hastily the Belgian part of it.

Mr. REED. Mr. President——

Mr. McCORMICK. Mr. President, is my memory at fault? In 1870 did not the British Government ask and receive assurances from the belligerents that they would respect Belgian neutrality?

Mr. BORAH. I will read what Gladstone said—he perhaps knows better—and I will read what Sir Edward Grey said. We have plenty of time. This is Sir Edward Grey speaking:

What was our own attitude? The people who laid down the attitude of the British Government were Lord Granville, in the House of Lords, and Mr. Gladstone, in the House of Commons. Lord Granville, on the 8th of August, 1870, used these words. He said—

I will not quote Granville's words, because they are irrelevant.

Mr. Gladstone spoke as follows two days later:

There is, I admit, the obligation of the treaty.

Speaking of the treaty with reference to the neutrality of Belgium.

It is not necessary, nor would time permit me, to enter into the complicated question of the nature of the obligations of that treaty; but I am not able to subscribe to the doctrine of those who have held in this House what plainly amounts to an assertion that the simple fact of the existence of a guaranty is binding on every party to it, irrespectively altogether of the particular position in which it may find itself at the time when the occasion for acting on the guaranty arises.

Therefore, Mr. Gladstone insisted that while the treaty was an obligation and the guaranty existed, the situation was so changed that England reserved the right to disregard the guaranty if her interests lay in that direction.

It was not by reason of the existence of the Belgian treaty, because they had refused to recognize the guaranty in 1870 as binding regardless of the position which they might occupy. It was because the position was different under the guaranty in 1914 from what it was in 1870.

Mr. McCORMICK. Mr. President, I have suggested that the British policy in 1870, as in 1914, was a traditional British policy, from which the British Government departed sometimes, a policy that Belgium should not fall into the hands of a stronger power, and that that was the motive which led the Government in 1870 to ask for the assurances from Prussia and from France.

Mr. BORAH. But that was not what led Mr. Gladstone to say that, regardless of the guaranty, England would not be bound by the guaranty if her position was not in harmony with the guaranty.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. BORAH. I yield.

Mr. REED. Does not the position taken by the Senator from Illinois [Mr. McCORMICK] and the Senator from Massachusetts [Mr. LODGE], to wit, that England went into the late war not because of the treaty but solely because of her interests, lead to this, that in the present instance she would have no regard for her treaty, but would only have regard for her interests, so that all we are coming to is that we are going to agree, in the event of a disturbance, to confer? We are not to be bound by the contract, and every nation is to be free to decide according to its own interests at the time, and will be governed by its own interests at the time.

If that is the case, then this obligation or this treaty gives us no assurance, and we will continue, after it is entered into, just as we are now, governed by our own interests, and each nation will be governed by the same principle. That is to say, the whole thing is something worse than a farce, and yet we are asked to rely upon it to reduce our armaments in accordance with another treaty which they say depends upon it; yield the right to fortify our possessions in the Pacific; yield the right to fortify the islands clear at the north, thousands of miles from Japan; and to place ourselves in such a position that if Japan and England saw fit to act jointly against us we could be overwhelmed almost in a day upon the ocean.

Mr. BORAH. Mr. President, in view of the somewhat distracted presentation of the question of Sir Edward Grey's speech, let me restate it briefly, so that it may appear in the RECORD as I understand it.

Sir Edward Grey appeared upon the 3d of August and presented the reasons why in his judgment it would be necessary for England to take up arms. One of the strong reasons which he presented was the relationship existing between France and Great Britain by reason of their being members of the entente. If there is a single historian who has interpreted the speech otherwise, I have not been able to find him.

Another reason which was presented was the Belgian treaty. A third reason was that it would interfere with the commercial interests of Great Britain should Germany succeed at the end of the war. Those three reasons I concede were all presented. I was not interested in presenting any but the one which I thought was applicable to this particular treaty, to wit, that by reason of the relationship between the three powers owing to their membership in the Entente as a matter of honor Great Britain had to enter the war. I say that that is the construction which has been placed upon the speech time out of mind by other writers and speakers, and which I think admits of no controversy. Of course, the Belgian matter enters into it, and, of course, the question of the commercial supremacy of Germany entered into it, too. There is no doubt about that. But by reason of the fact that they were all members of the Entente, the other question was appealed to as a matter of honor.

Mr. EDGE. Mr. President, the Senator will admit, I am sure, that if Great Britain had not been a member of the Entente the other two reasons would have been quite sufficient to engulf them in the war, will he not?

Mr. BORAH. I presume they would. I think the threat of the commercial supremacy of Germany would have engulfed them in the war.

I had intended to refer to the practical execution of article 2. I state again that I do not claim that article 2 takes away from Congress the power to declare war. Neither did the covenant of the League of Nations, and it could not. You can not take away the power of Congress to declare war by treaty. What we contended for then, and what I contend for now, is that it superimposed a situation which made Congress nothing more than the nominal executor of a decree which had been reached by an agent.

So I come back to Article II for a practical construction of it, and a practical execution of it. It reads:

> If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly.

They may do that by letter, they may do that by conference. They may do it in any way which at the time appeals to them as the most efficient method, but they are to communicate fully and frankly, and interchange views. For what purpose? For the purpose of arriving at an understanding, an agreement, a conclusion. That is the purpose of the meeting. Secondly, an understanding for what purpose?

> As to the most efficient measures to be taken jointly or separately to meet the exigency.

What exigency? The attack, the aggression. So they have communicated; they have met, they have conferred, they have arrived at an understanding, and the understanding is as to the best method of meeting the aggression.

They do not have to decide, of course, under this treaty that the only way to meet it is by war. But does any Senator contend that that is excluded? If you look at the Root-Takahira agreement, or if you look at the agreement between Russia and Japan in 1916, you will find the word "pacific." You will find the language "employ pacific measures to meet the exigency." The word "pacific" is not in this treaty. Mr. Root was familiar with the term; he had used it. It was in a previous understanding which he had written. It was in the treaty between Japan and Russia, "to arrive at an understanding as to the most pacific measures to meet the situation," or as to the "pacific measures." If they had desired to limit the jurisdiction of this conference to "pacific" measures, why did they not insert the word which would do the business?

They left it open for the conference to have full jurisdiction. They can meet the exigency by a blockade; they can meet it in any way which suggests itself to them; they can meet it by determining upon war. I think no one will controvert the proposition that it is within their power to decide that; and, then, if we assume that a conference has taken place, and they have decided upon war as the most efficient measure, what is the duty of Congress? Or suppose they do not actually conclude the understanding, but after communication they report to Congress that in their opinion the exigency is a grave one and can only be met by armed forces, will not Congress be in honor bound to send armed forces? Will we quit while our associate under the treaty is under fire, or will we meet marching troops by a pious ejaculation that they should be ashamed of themselves and go home?

I agree that, of course, they have a perfect right to reject the report. So said Earl Grey to the Parliament, "You have a perfect right to do so." But the relationship which has sprung up between Japan and the United States by reason of these negotiations is such that we feel that we are in honor bound to go ahead with it. It might not be the controlling influence of Congress, even, but does anybody doubt that Congress would be under a moral obligation to carry that out? I can not understand the compact in any other light.

Mr. President, having agreed upon this measure which involves war, it is presented. Then the acute mind of the Senator from Connecticut will prompt him to say to the President, when he presents the result of the conference, "Oh, Mr. President, we put into this treaty a reservation that this is not an alliance."

"Oh, yes, certainly," the President would say, "It is not an alliance. I am not contending that it is an alliance. But you did leave it open for the delegates or conferees to arrive at an understanding as to the most efficient measure to meet the situation, and I am telling you that we have arrived at thus and so."

Then the reservation would be quoted again to the effect that we are not committed to the use of force, and the President would be told, "Mr. President, that was written into the treaty in the way of a reservation." The President would say, "Certainly you are not committed. I tell you that you are free. You have the right under the Constitution to decide against it if you wish to; but I am saying to you that your conferees, whom you have designated under this treaty to confer, have met, and they know the situation, and there is only one way, in our judgment, to meet it, and that is by the use of the Army and the Navy."

Then the reservation would be read to a further extent as providing that we are not obligated to defend, and again the President might very well say, "Certainly, you are not obligated to defend. I tell you that you are not obligated to defend; but I say to you that you have authorized us, under the treaty, to arrive at an understanding as to the most efficient measure. We say to you that there is no way to meet the situation except by a war. A million of Trotski's men are marching now to the lower end of Sakhalin, and there is no way to meet it except to send forces there to assist our colleagues. I leave it to you. It is a matter of honor. You can execute it if you like. You can refuse it if you like." Let me make a sug-

gestion to you gentlemen who are fond of reservations, if you want to serve the cause of peace limit the powers of the conferees—write into this treaty before the measure the word "pacific" and write into the treaty before the word "aggressive" the word "unprovoked," and you will greatly serve the cause of peace in the Far East.

Is the Congress of the United States free?

Mr. LENROOT. I would like to ask the Senator who he thinks would have a right to commit the United States to any understanding under the treaty?

Mr. BORAH. If the Senator means to conclude an understanding by declaring war, for instance, I agree that only the Congress could; but what I am saying is that they have met and conferred as to the most efficient means to meet the situation, and that drives home and consummates the understanding.

Mr. LENROOT. Again I call the Senator's attention to the fact that Article II does not provide for a conference, and presumably if a conference is held, it will only be held after we clothe the agents of the United States with power.

Mr. BORAH. Mr. President, this is supposed to clothe them with power.

Mr. LENROOT. Oh, it does not; not under Article II, because there is no provision for a conference there.

Mr. BORAH. I say that very clearly there is a provision for a conference. If the Senator reads the speech of the Senator from Alabama [Mr. UNDERWOOD], he will come to the conclusion that that is the construction which he placed upon it, and that is the construction which the Senator from Massachusetts placed upon it.

Of course, Mr. President, we always get to the point, in considering these treaties which obligate the United States to do something, where it is said they mean nothing and obligate us to nothing. The Senator from Alabama said, in answer to a question from the Senator from Montana [Mr. WALSH], that in his opinion Article II amounted to nothing, and that, so far as he was concerned, he would just as soon see it stricken out. Of course, if that is the construction to be placed upon it, let us strike it out, and when we strike out, the debate will end in 10 minutes.

Mr. LENROOT. Mr. President, of course there is an obligation under Article II, very clearly expressed, and the obligation is to communicate freely and frankly with the other powers concerning the particular matter covered by Article II; but that is the only obligation. There is no one more conversant with the usages of international law in diplomatic matters than the Senator from Idaho, and he knows that the ordinary, usual thing done where that language is used is to communicate through diplomatic correspondence.

Mr. BORAH. Let us suppose it is done by diplomatic correspondence, and let us suppose that this diplomatic correspondence, for the first time in the history of the world, is written so that everybody can understand it, and let us suppose that Mr. Hughes writes a letter to Japan and Japan writes a letter back and says, "This is the situation: We see no other way to meet this situation except by armed force."

Mr. Hughes communicates this message in reply: "We understand your contention to be so and so," and he, as the Secretary of State, concludes that that is true. He has no power, I am perfectly willing to agree, to bind us, but then he comes to the Congress of the United States with his communication, and presents the communication instead of the result of a conference, and the communication discloses to Congress that there is no way to meet the situation except by armed force. What will the Congress do? It is in honor bound to carry it out; there is no question about it at all.

Mr. KELLOGG. Would the Congress be any more honor bound to carry it out than if Mr. Hughes should make the same communication without a treaty?

Mr. BORAH. Certainly.

Mr. KELLOGG. Why?

Mr. GLASS. Then what do we want with the treaty?

Mr. KELLOGG. We want an understanding or agreement that they will consult or communicate with each other to avoid war.

Mr. GLASS. If an understanding or an agreement is meaningless, of what worth is it?

Mr. BORAH. Mr. President, of course, it does not do any credit to the able men who met in that conference to have written a treaty which has no significance at all, and it does not do any credit to their standing as men to come here and say to us that a treaty which imposes no obligation is the basis of the world's peace.

Is the world's peace such a simple thing, after all, that you can end war and have eternal peace by simply making an understanding that we will communicate with one another, but that the communication binds nobody, in honor or anything else, to follow out the judgment of those who may communicate?

Senators say that a conference, either direct or indirect, by letter or otherwise, will result in peace in the Pacific. Then, Mr. President, why not invite more nations into the conference? If all we need to secure the peace of the world is a conference which binds no one, which obligates no one, which leaves us perfectly free after we have conferred, why not, instead of going to Tokyo, go to Geneva? There are 42 nations conferring there.

Mr. KING. There are fifty-odd now.

Mr. POINDEXTER. One answer to that question is that, so far as the United States is concerned, we are not apprehensive of trouble at Geneva, but a great many people were apprehensive that we might have trouble in the Pacific. That is the distinguishing circumstance.

Mr. BORAH. That is a distinction, and, in the light of 1914, it is a conclusive distinction! We did not apprehend any trouble in Europe in 1912. One of the distinguished leaders of American thought, a great educationalist, stated in a speech in 1912 that anybody who talked about a war in Europe was more or less inclined to be insane. We did not expect any trouble even in 1914, but the war broke out in Europe and it reached us. There is infinitely more discontent, more trouble, more sorrow, more misery, more seeds of war in Europe to-day than there are in the Pacific.

Mr. EDGE. The Great War involved us also without our being a member of the entente. Why would not war reach us in the Pacific in the same way?

Mr. BORAH. Of course, I am not contending that we can prevent war either with or without a conference. What I am contending for is the doctrine for which we have stood for 150 years, that when war comes we will decide for ourselves, without any previous binding obligation, where justice, honor, and morality lie, and will go in on that side, if the interests of our country require us to go in at all.

Mr. EDGE. We would decide the question anyway——

Mr. BORAH. The Senator from New Jersey says, we would decide the question anyway without the treaty.

Mr. EDGE. I did not say without the treaty; I said without being bound.

Mr. BORAH. Very well. In view of that, I do not see why Senators do not adopt without hesitancy the amendment of the Senator from Arkansas [Mr. ROBINSON]. The Senator from Arkansas has proposed an amendment which calls Russia and Japan into conference. If conference is a good thing, let us have some more of it.

Mr. POINDEXTER. But if it is a bad thing, we ought not to have too much of it.

Mr. BORAH. If it is a bad thing the true rule is to have none of it. Washington thought it a bad thing, and he therefore spent no time upon the meaning of words or the shades of language. He rejected the whole scheme of political connections with foreign powers.

Mr. STANLEY. Mr. President, I suggest that the reservation suggested by the Senator from New Jersey [Mr. EDGE] is much better and more acceptable than the reservation which has been proposed by the Senator from Arkansas [Mr. ROBINSON]. With all due respect to the Senator from Arkansas, if he will merely put into his reservation a phrase that is sometimes quoted with reference to the doctrine of foreordination, that what is to be will be whether it ever happens or not, we shall have no trouble; and if the Senator will just put into his reservation to the treaty that "we are going to ratify this treaty, but we are not going to be bound by it after we ratify it, and will act just as we would have acted if we had not signed it," there can be no trouble about ending this debate and going on with some other business.

Mr. EDGE. It seems to me that we are getting in almost the same position that we occupied when we dealt with the Democratic League of Nations treaty. After adopting by a majority vote various reservations to that treaty, the majority of the Senate, at least, came to the conclusion that we were not bound morally or legally, with the reservations adopted, to enter war under the thus revised terms of admission to the League of Nations. So far as binding us to war is concerned, I view this four-power treaty, without reservations, as practically occupying a parallel position with the League of Nations treaty with reservations, and I wonder sometimes why our distinguished friends on the other side of the aisle, who were perfectly willing to accept the League of Nations without reservations, are so much opposed to this treaty. Surely they can not contend that we would have been as free from possible war entanglements under the league commitment as under the four-power conference?

Mr. BORAH. "A Daniel come to judgment!" You have said it all. This scheme has all the vices and not one of the virtues of the league.

Mr. McCORMICK. Mr. President, the Senator from New Jersey has in one sentence said more to incline some of us to the view of the Senator from Idaho than has been said all day.

Mr. EDGE. I am glad I have so much influence with the Senator.

Mr. STANLEY. If the Senator from Idaho will pardon me, I wish most heartily to welcome the Senator from New Jersey into our homeopathic school of thought. I do not believe, however, he quotes this side correctly when he says we are violently opposed to this treaty. For one I have never been violently opposed to the treaty. It does not fill me with apprehension, but at times such contentions inspire aversion or disgust.

Mr. BORAH. I should like to discuss for a few minutes the Anglo-Japanese alliance. Just a few words upon that and I shall close, if I may be permitted to do so. The first Anglo-Japanese alliance was entered into on January 30, 1902. I wish to read merely a paragraph or two from it. It provides:

> The Governments of Great Britain and Japan, actuated solely by a desire to maintain the status quo and general peace in the extreme East, being moreover specially interested in maintaining the independence and territorial integrity of the Empire of China and the Empire of Korea, and in securing equal opportunities in those countries for the commerce and industry of all nations, hereby agree as follows:
>
> ARTICLE 1. The high contracting parties having mutually recognized the independence of China and of Korea, declare themselves to be entirely uninfluenced by any aggressive tendencies in either country.

That is the treaty of 1902. It will be observed, Mr. President, that under the treaty of 1902 both countries recognized and were to respect the independence and integrity of China and Korea. Under the treaty of 1905 Korea is left out for the reason that Korea was soon to pass under the domination and control of Japan.

We also had a treaty with Korea by which we agreed to interpose our good offices in case the independence of Korea were assailed. Notwithstanding, when the independence of Korea became involved we did not interpose any objection whatever to the process of amalgamation which took place upon the part of Japan. That treaty, which was written to establish peace in the Far East and to preserve the territorial integrity and independence of China and Korea, was used and made available for the very purpose of incorporating Korea under the domination of Japan, and under the same treaty the aggressions which are now a matter of dispute and which may lead to war upon the part of China took place. The treaty, which was signed for the purpose of preserving the peace of the Far East, has neither preserved the peace nor has it preserved the integrity of those countries which it was made particularly to preserve.

However, it is said, notwithstanding that fact, one of the great objects of this treaty is to get rid of the Anglo-Japanese alliance. The Anglo-Japanese alliance of 1911, according to its terms, does not apply to the United States.

The United States is excepted not by name but by reason of a provision in the treaty, and that exception has been indorsed by Great Britain and also accepted by Japan. Nevertheless, the country does not feel at ease, it is said, because of the existence of the Anglo-Japanese alliance, and it is necessary to get rid of it. That may be true—I do not know; I am not going to argue that question—but I want to ask Senators if they think the United States is uneasy by reason of the alliance between Great Britain and Japan, how do they think Russia and China will feel when this alliance or this grouping is completed by the ratification of the pending treaty? How will they look upon this treaty? They will regard it as a grouping of these four powers to continue the same aggression and the same conduct that took place under the Anglo-Japanese alliance; and before half of the term of 10 years has passed we will see the nations of the Pacific, Russia and China, and also Germany, which will ultimately have its interest there, and other nations forming a counter group; and we will have succeeded in transferring to the Pacific the old system of political groupings which has tormented and tortured Europe for 300 years. That will be the result, and the only result, in my judgment, of the ratification of the four-power alliance. I trust I am for peace. God knows I want to serve that cause if I can find out the way to do so. I do not want to err in that vital, soul-absorbing question. But when I look back over the bloody past, with its dead and diseased and insane, and recognize as the most prolific source of all this unspeakable misery this system of political grouping, this system of the balance of power, I have not the courage to tell the people of my country that to continue that system means peace. From my view it would be a cowardly falsehood, a shameless deception, a brazen betrayal.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arkansas [Mr. ROBINSON] to Article I.

Mr. REED. Mr. President, I hope that the Senator in charge of the treaty will not insist on a vote to-night. There are a number of Senators who I know want to have something to say in reference to it. We have listened to two very powerful speeches to-day, and I want to ask if we can not take up some other business? I desire to say something about the treaty myself, but I should prefer not to do so now.

Mr. LODGE. Mr. President, the same statement substantially is made every evening. We have now had the treaty before us for nearly two weeks, and I think we can devote to-day to it. I do not see why we should not vote on the pending amendment.

Mr. REED. I have given the only reason there is, namely, that there are other Senators who desire to speak on the question. There is an important bill that we could just as well take up.

Mr. LODGE. I do not think we should take that bill up now.

Mr. REED. Of course, if the Senator insists on proceeding with the consideration of the treaty, we can go ahead.

Mr. ROBINSON. Mr. President, will the Senator yield to me for a moment?

Mr. REED. I yield.

Mr. ROBINSON. Mr. President, I desire to modify the pending amendment, so as to make it comport more nearly with other provisions of the treaty, by inserting after the word "controversy," in line 6, the words "relating to said insular rights and possessions or to any far eastern question"; and in line 11, after the word "subject," by striking out "will" and inserting "shall," so that the amendment as modified will read:

> Each of the high contracting parties will respect the rights and possessions of all other nations and refrain from all acts of aggression against any other power or powers. If there should develop between any of the high contracting parties and any other power or powers a controversy relating to said insular rights and possessions or to any far eastern question which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord subsisting between any party or parties to this compact and any other power or powers, the high contracting parties shall invite all powers claiming an interest in the controversy to a joint conference to which the whole subject will be referred for consideration and adjustment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arkansas as modified.

Mr. REED. Mr. President, it has been said that this treaty can not be considered as a proposition by itself; that it is intermixed with the other treaties; and that, in fact, all of the treaties are a part of one plan. The debate of to-day has demonstrated the fact that the proponents of the treaty are driven to the doctrine that the treaty means nothing, binds us to nothing, and binds no other nation to anything. They argue that the treaty ought to be accepted because it does not mean anything; that when the treaty has been ratified all that the nations have agreed to do under Article II, which is the bone of contention, is to communicate with each other; that the communications may be by diplomatic correspondence or they may be by conference; that the obligation is strictly limited to the matter of communicating, and when the communications have been had the obligation is discharged. That has been asserted over and over again, in substance and effect, by all of the defenders of the treaty this afternoon; and yet we are told that a treaty whose proponents are forced to defend it upon the ground that it does nothing, that it binds no nation to do anything except to write some letters, is a guaranty of peace in the Pacific, and that on the strength of it we should reduce our armaments, give up the right to complete the fortifications we have begun in the Pacific, and trust ourselves to the security of a treaty which does not even give us the promise of assistance in case of attack!

That is the situation reduced to a direct statement. Moreover, we are told by one of the chief proponents of this treaty that even if we were to come to an agreement which had some substance and effect to it, no nation would be bound by it, but each would be governed by its interest when the emergency arose. It is argued that Great Britain did not go into the European war because of any obligation she had undertaken, that she went in for the cold, selfish reason that a menace to Belgium was a menace to Great Britain, and that if it had not been for the selfish interest of Great Britain she would have remained outside the conflict. So we are told that our associates will not even be bound by the letter of the contract to interpose in defense of the purposes of the treaty. But we are also told that even if they were so bound they would be governed entirely by their own interests and would have no consideration for the language of the treaty.

Why was that position maintained here to-day? Because the logic of the situation drives the proponents of this treaty to take that particular ground or else to admit that the United States is bound, for we can not claim that other nations are

bound to come to our support unless we are correspondingly bound to go to their support. Neither can it be claimed that the treaty has virtue and power within its four corners to protect us unless we admit that it has power within its four corners to bring us to the protection of our associates. Fearful to present that issue and that duty fairly to the American people, and knowing that the American people are committed against all kinds of alliances, the proponents of the treaty now weakly contend that the document is a cipher, that it amounts to nothing except a promise to indulge in diplomatic correspondence should another nation enter the waters of the Pacific and interfere with the island possessions of any of the contracting parties, but that when you have written the letters your obligation is discharged and you are required to do nothing further.

Mr. President, is that the "guaranty of the peace of the Pacific" of which we have heard? Is that the guaranty upon the strength of which, we are told, disarmament is to take place? Are we to go forth and sink our battleships, which cost many millions of money, because nations have simply agreed that in the event of a dispute with an outside power their ambassadors will write letters to each other? The truth is that the proponents of the treaty put themselves out of court by the plea that they are accomplishing nothing whatever of any value.

I heard that argument made before, with reference to another treaty; and the astounding thing that I find confronting me today is that while at that time there were on the other side of this Chamber a certain determined body of men who declared that the language of article 10 was an exact obligation, and that it must be redeemed, and that they never would give their consent to the making of any kind of obligation which bound us in honor to enter into conflicts originating between other nations than ourselves, a number of those gentlemen who, by the record solemnly made and written, declared that the language of article 10 which has been quoted here so often did bind us, are now asserting that similar language does not bind us, and are making the identical arguments which were then made by some gentlemen who insisted that we could afford to accept article 10 upon the theory that article 10 bound us to do nothing. That was not contended by all; but I am astounded to find the Senator from Illinois [Mr. MCCORMICK], and others of that band who delighted in the name of "irreconcilables," now willing to take exactly the same kind of medicine which they then declared to be rank and deadly poison. The only difference between the two kinds of medicine on this particular point is that in one case it was offered by a Democratic President and in the other case it is offered in a spoon held in the hand of a Republican President.

These gentlemen were very patriotic at the time to which I refer. They declared that they put the question entirely above politics and that they were governed only by the welfare of their country. They insisted that the language of article 10 which provided that the council of the league should advise as to the means which should be adopted to repel an attack bound us to follow that advice. Now we find the same gentlemen in the closest kind of communion with the mild reservationists insisting that almost identical language in this treaty binds us to do nothing whatever.

But, aside from the personal aspect, let it now go to the country that it stands admitted by the proponents of this pact, and as their sole defense of the pact, that it binds no nation to do more than merely to write a letter, which it would do or might do anyway; that it is further stated that when they have written the letter to their associates in this agreement they are not bound to follow the opinions that may be expressed as a result of the literary and diplomatic correspondence; and, finally, that they are at perfect liberty, while negotiating with their associates, to carry on negotiations with the antagonists of their associates. If that does not make of this proposition something worse than a roaring farce, then I am unable to understand that which is ludicrous.

Let us apply the arguments for a moment and see where they will bring us. We are making this pact now, we are told, to preserve the peace of the Pacific, and Article II has relation to attacks by powers outside the membership of the pact. An attack is made upon the possessions of the United States, and the United States thereupon proceeds diplomatically, as the Senator from Wisconsin [Mr. LENROOT] says, to take up the question, and to write some letters to Japan with reference to it, or to Great Britain, to which they reply; and now, having written back to us, they have fulfilled their obligations under the pact completely, according to the statements that have been made here this afternoon. But at the same time that they are writing to us they are writing to the country that is making the attack, and they are as much at liberty to come to an agreement with that country as they are to come to an agreement with us. They have no restrictions whatever upon them by virtue of this agreement; and, accordingly, while they are writing letters to us and refusing to agree with us or to come to our rescue, they are writing letters to the enemy that has attacked us, and are at perfect liberty to close the bargain with that enemy.

That is not argument. That is not sophistry, for sophistry implies at least the faint auroral imitation of common sense and reason. That is a complete destruction of every argument that can be put forth in favor of this pact. It renders the treaty at best a cipher. It renders it at worst something that is intended to lull us to sleep, and to convince us of a security which does not exist, and possibly to make us the prey of nations that may see fit to attack us.

That is a fair summing up of the argument that has been produced here this afternoon. How does it contrast with the facts as stated to the great American public?

We were told that because of this agreement between the four powers in the Pacific such a concert of action was assured that no nation would ever dare interfere with the peace of the Pacific. We were told that we could substitute for the security of ships and fortresses and cannon and arms this great pact, because it brought to our support the strength of Great Britain, the strength of Japan, and the strength of France. Now we are told that they are not bound to come with their strength, that they are under no obligation to do anything except to have one diplomatic agency write a letter to another diplomatic agency, and that is the end of the matter!

Is that the meaning of this pact? Is that what it was believed to mean? Or is that a baseless argument produced by men who dare not face the meaning of their instrument? I assert that it is the latter. There is no reason for writing the document at all if it means what has been contended this afternoon, namely, nothing. There is no use in ruining good paper to set down an agreement in solemn form that you will do nothing. The treaty is an agreement, and the proponents of the treaty dare not face the matter. If the treaty meant what they contend, then they would accept a reservation that would remove all doubt; but if they dared face the true intendment and purport of this treaty, they would admit its purposes upon this floor, and stand in defense of those purposes.

The singular thing is that we find the very men who denounced the League of Nations upon the ground that it carried implied obligations now supporting an instrument which carries as clearly the same character of obligations. Thus we witness the fact that even the greatest statesmen, who most often proclaim that their patriotism is beyond politics and that all political obligations end at the ocean's shore, are nevertheless willing to do at the behest of a Republican President that which they most vigorously denounced when it was proposed by a Democratic President.

Mr. SWANSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Missouri yield to the Senator from Virginia?

Mr. REED. I am perfectly willing to yield.

Mr. SWANSON. I desire to ask if we can not take a recess until to-morrow at 12 o'clock, with the understanding that we shall vote at a reasonable time on the amendment offered by the Senator from Arkansas [Mr. ROBINSON]? I suggest 4 o'clock as the time for voting on that amendment, with a recess until 12 o'clock.

Mr. LODGE. Mr. President, I do not see why we may not take a vote at 3 o'clock to-morrow.

Mr. SWANSON. That would possibly necessitate a recess until 11 o'clock, and I do not see anything to be accomplished by meeting at that hour.

Mr. LODGE. That would give us at least an hour additional.

Mr. SWANSON. This is a very important matter, and several Senators desire to be heard on the amendment.

Mr. LODGE. I suggest that we meet at 11 o'clock and vote at 3 o'clock.

Mr. REED. So far as I am concerned, I think that we ought not to vote on this amendment to-morrow or next week, but I will not stand in the way of others if they want to agree to vote to-morrow. However, if we make such an agreement, I desire a recess or an adjournment until 12 o'clock, and that the vote be not taken until at least 4 o'clock.

Mr. SWANSON. I think 4 o'clock is a reasonable hour, and I believe the Senator from Massachusetts would get along better by consenting to such an arrangement. Mr. President, I make that request for unanimous consent.

The PRESIDING OFFICER. The Secretary will state the request for unanimous consent.

The ASSISTANT SECRETARY. The Senator from Virginia asks unanimous consent that at not later than 4 o'clock to-morrow, Tuesday, March 14, 1922, the Senate will proceed to vote, without further debate, upon the pending amendment, the amendment proposed by the Senator from Arkansas [Mr. ROBINSON] to Article I.

Mr. WALSH of Montana. Mr. President, if that request is agreed to, of course, some arrangement ought to be made in regard to the time allotted for debate.

The VICE PRESIDENT. Is there objection to the request for unanimous consent?

Mr. REED. Just a moment.

Mr. ROBINSON. Mr. President, will the Senator from Missouri yield for a moment?

Mr. REED. I yield.

Mr. ROBINSON. Mr. President, I desire to discuss the suggestion which was made by the Senator from Wisconsin [Mr. LENROOT] during the course of the address of the Senator from Idaho [Mr. BORAH]. It seems that the Senator from Wisconsin, for some reason which he did not quite make clear to me, takes the position that a conference under Article II is improbable, and that the method of communication likely to be adopted by the four parties to the treaty in the case of aggressive action by an outside power against any one of them is the ordinary diplomatic process.

I think upon reflection Senators will agree that such processes would hardly be a practicable means of communication among the four powers. Where the parties to communicate are limited in number to two, I know of no reason why communications may not occur through the ordinary diplomatic processes, but where there are four parties to a treaty, and they undertake in the treaty to communicate with each other fully and frankly, I maintain that clearly the conference method is the logical and necessary method, if the communications are to be frank and full.

If the ordinary diplomatic method of writing notes be resorted to in such cases, the conclusion to be arrived at through the processes of communication would be indefinitely delayed. Furthermore, it would be necessary for the Secretary of State, for instance, to inform Japan of all he had communicated to Great Britain and France, and after replies to his communications the same process would be required as to each of the other members of the alliance or compact, so that it would be very difficult, if not impracticable, to carry out an agreement to communicate fully and frankly by the usual process of writing notes. A conference of some form would be the natural, the reasonable, and the logical process of carrying on the communications, and I do not understand why the Senator from Wisconsin should want to get away from the theory of conferences, since it seems to be advanced by the proponents of this treaty as a great step forward toward securing the peace of the world.

Mr. CARAWAY. Mr. President, what difference would it make whether the communication was by notes or by special agents? What advantage does the Senator from Wisconsin think he offers by saying it would be through the regular diplomatic channels?

Mr. ROBINSON. I can not read the mind of my friend the Senator from Wisconsin, but I assume—and if I am not correct in the assumption he will correct me—that the purpose of submitting this proposal was to escape the contention of the Senator from Idaho that the meeting in conference under the terms of Article II implied obligations growing out of the conclusions reached by the conference.

Mr. REED. He thought he had backed off a little further.

Mr. ROBINSON. That is an undiplomatic way of expressing it.

Mr. LENROOT. Just a word with reference to the statement made by the Senator from Arkansas. The Senator must admit that under article 1 there is an obligation to have a conference. The Senator must likewise admit that there is no such obligation under Article II. The only obligation under Article II is to communicate fully and frankly with each other.

Mr. ROBINSON. Will the Senator yield to me?

Mr. LENROOT. Certainly.

Mr. ROBINSON. I think I can shorten this feature of the debate very materially. I admit, as I think every other Senator will admit, that the process of communication provided for in Article II is not specifically defined, and that the powers will therefore be at liberty to adopt any process which pleases them, and which they think is suitable to their purpose. I make the further observation, and express it as my opinion, that they will likely adopt the conference process, because the method of writing diplomatic notes will not furnish a speedy and practicable means of communication under Article II, there being four powers to communicate.

Mr. LENROOT. I was about to follow what I started to say with just this statement, that a very good reason exists for the different treatment in Article II from that which is accorded in Article I. Article I provides for a conference in which any dispute affecting the rights covered by the treaty shall be considered. There can be no new arrangement outside of the terms of that treaty under Article I. There can be no new obligation incurred under Article I. There may be new obligations incurred under Article II, but there being no obligation to go into conference, the inference is irresistible that the framers of that article had in mind that the United States could only be committed to an understanding in a certain way, and that it could not be committed in conference.

Mr. SWANSON. Mr. President, I would like to have my request for unanimous consent stated.

The VICE PRESIDENT. The Secretary will state the request for unanimous consent.

The Assistant Secretary read as follows:

UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Tuesday, March 14, 1922, the Senate will proceed to vote without further debate upon the amendment of the Senator from Arkansas [Mr. ROBINSON] to article 1 of the pending treaty.

The VICE PRESIDENT. Is there objection to entering into the unanimous-consent agreement?

The Chair hears none, and the unanimous-consent agreement is entered into.

Mr. ROBINSON. I ask unanimous consent that the pending amendment be reprinted as modified.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LODGE. I yield to the Senator from Oregon [Mr. MCNARY].

Mr. MCNARY. Mr. President——

Mr. LODGE. One moment. I beg pardon of the Senator from Missouri [Mr. REED]. I did not mean to take the floor from him.

Mr. REED. I yielded the floor long ago. The Senator is in his right.

Mr. LODGE. I yield to the Senator from Oregon.

Mr. MCNARY. I move that the Senate resume the consideration of legislative business.

The motion was agreed to.

CHARGES DUE ON RECLAMATION PROJECTS.

Mr. MCNARY. There is on the calendar a bill (S. 3140) to authorize the Secretary of the Interior, in his discretion, to extend the time for payment of construction charges under Federal irrigation projects, and for other purposes, reported by me from the Committee on Irrigation and Reclamation favorably with amendments.

A similar bill passed the House a few days ago. Briefly, it authorizes the Secretary of the Interior to extend for a period of one year the payment of construction charges on certain irrigation projects. I do not mean to say the projects as a whole, but it clothes the Secretary of the Interior with discretion, in case he finds an individual entryman or water user unable to pay his construction charges by reason of the agricultural depression, to defer the payment one year, upon the payment of 6 per cent interest on the deferred payments. That does not apply to all instances, but just to a few, and, as is stated in the Secretary's letter, it is only occasionally that it is necessary.

The Senate bill received a favorable report unanimously from the Committee on Irrigation and Reclamation a few days ago.

A few days ago the House passed the bill (H. R. 9606) to authorize the Secretary of the Interior to extend the time for payment of charges due on reclamation projects, and for other purposes. It is the same as the Senate bill on the calendar as I introduced it, and I move that the Committee on Irrigation and Reclamation be discharged from its further consideration, with a view to its passage by the Senate.

The motion was agreed to.

Mr. MCNARY. I now ask for the present consideration of House bill 9606.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. MCNARY. I move to amend the bill by striking out all after the enacting clause and inserting the Senate bill as reported from the Committee on Irrigation and Reclamation with amendments.

The VICE PRESIDENT. The proposed amendment will be read.

The ASSISTANT SECRETARY. Strike out all after the enacting clause and insert:

That where an individual water user or individual applicant for a water right under a Federal irrigation project constructed or being constructed under the act of June 17, 1902 (32 Stat., p. 388), or any act

amendatory thereof or supplementary thereto, is unable to pay any construction charge due and payable in the year 1922, or prior thereto, the Secretary of the Interior is hereby authorized, in his discretion, to extend the date of payment of any such charge for a period not to exceed two years from December 31, 1922: *Provided*, That the applicant for the extension shall first show to the satisfaction of the Secretary of the Interior by a detailed verified statement of his assets and liabilities, an actual inability to make payment at the time the application is made, and an apparent ability to meet the deferred charge when the extension expires; also in cases where water for irrigation is available, that the applicant is a landowner or entryman actually cultivating the land against which the charge has accrued: *Provided further*, That similar relief may be extended by the Secretary of the Interior to an organized group of water users of a project, upon presentation of a sufficient number of individual showings made in accordance with the foregoing proviso to satisfy the Secretary of the Interior that such extension is necessary: *And provided further*, That each charge so extended shall draw interest at the rate of 5 per cent per annum from its due date in lieu of any penalty that may now be provided by law, but in case such charge is not paid at the end of such extension period, any penalty that would have been applicable save for such extension shall attach from the date the charge was originally due, the same as if no extension had been granted.

SEC. 2. That the Secretary of the Interior is hereby authorized, in his discretion, after due investigation, to furnish irrigation water on Federal irrigation projects during the irrigation season of 1922 to landowners or entrymen who are in arrears for more than one calendar year in the payment of any operation and maintenance or construction charge, notwithstanding the provisions of section 6 of the act of August 13, 1914 (38 Stat., p. 686): *Provided*, That nothing in this section shall be construed to relieve any beneficiary hereunder from payments due or penalties thereon required by said act: *Provided further*, That the relief provided by this section shall be extended only to landowners or entrymen who are actually cultivating the land against which the charges have accrued.

Mr. PITTMAN. May I ask the Senator if this is the bill we had under consideration in the committee?

Mr. McNARY. It was under consideration in the committee about a month ago and ordered to be reported favorably with two amendments, one extending the time to two years and the other making the rate of interest 5 per cent.

Mr. JONES of Washington. I desire to offer an amendment to the amendment. It relates to the Wapato project of the Yakima Indian Reservation in the State of Washington. I introduced a bill a short time ago with reference to the construction charges on that project and it has been favorably reported on by the department. The charges will become due, I think, on the 1st of April, and then the water will be shut off if they are not paid. The conditions are substantially the same as those relieved by the pending bill, and I feel that it is almost imperative that this amendment should be placed on the bill.

Mr. McNARY. So far as I have the power, I will accept the amendment to the amendment, because I understand its purpose and it is a case of much merit.

The VICE PRESIDENT. The amendment to the amendment will be reported.

The ASSISTANT SECRETARY. It is proposed to add to the amendment:

That section 28 of "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes," for the fiscal year ending June 30, 1921, pertaining to the collection of charges from landowners on the Wapato project of the Yakima Indian Reservation, Wash. (41 Stat. L., p. 431), following the words "*And provided further,*" be amended to read as follows: "That the Secretary of the Interior is hereby authorized and directed to collect on or before December 31 of each calendar year hereafter, including 1922, from landowners other than Indians under the said system the sum of $2.50 per acre for each acre of land to which water for irrigation purposes can be delivered from the said system, which sum shall be credited on a per acre basis in favor of the land in behalf of which it shall have been paid and be deducted from the total per acre charge assessable against said land when the amount of such total charge can be determined, and the total amount so collected, including any money collected from Indian allottees, shall be available for expenditure under the direction of the Secretary of the Interior for continuing the construction work on the said system.

"That upon the failure of any landowner to pay annually the construction charge as herein provided within the year within which it is chargeable, and as to any unpaid amounts due for the years 1920 and 1921, the Secretary of the Interior, in his discretion, is hereby authorized to grant an extension of time within which such payments may be made for such time and upon such terms, including interest charges, as he may determine and under such rules and regulations as he may prescribe: *Provided*, That no extension for the payment of any amount due for the years 1920 and 1921 shall in any event be extended beyond January 1, 1925."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in secret session.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate in open executive session take a recess until noon to-morrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate, in open executive session, took a recess until to-morrow, Tuesday, March 14, 1922, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 13 (legislative day of March 9), 1922.

POSTMASTERS.

GEORGIA.

John A. Crawford, Dalton.
Gordon B. Hulme, Kingston.

IDAHO.

Ira W. Moore, St. Anthony.
Charles H. Hoag, Worley.

ILLINOIS.

Edward H. Hannant, Mount Sterling.

INDIANA.

Edgar H. Newlin, Bloomingdale.
Ernest W. Showalter, Brookville.
William O. Nation, Centerpoint.
Minnie A. Walpole, Fairmount.

IOWA.

Cleon F. Wigton, Britt.
Armanis F. Patton, Gowrie.
Lynn McCracken, Manilla.
Ida G. Schloeman, Norway.
Danel O. Clark, Ogden.
Otto Anderson, Ossian.
Charles P. Ell, Rudd.

KANSAS.

Harry T. Hill, Colony.
Mae Shaw, Dorrance.
Samuel N. Nunemaker, Hesston.
William E. Ferguson, Latham.

KENTUCKY.

John P. Perkins, Albany.
Robbie M. Ray, Columbus.
H. Greene Hicks, Olive Hill.
Frederick W. Fravert, St. Matthews.

MISSISSIPPI.

Davis Staples, Stewart.

MISSOURI.

Abraham M. Smelser, Grandin.
James H. Somerville, Mercer.
John J. Sleight, Montgomery City.
Glenn S. Elliston, Montrose.
Fred Kelley, Puxico.
May Venard, Tina.
Leland T. Moore, Warsaw.

MONTANA.

Sidney Bennett, Scobey.

NEW JERSEY.

William W. Yates, Bivalve.
Hillis K. Colkitt, Vincentown.
George W. Scarborough, Yardville.

OHIO.

Egbert H. Phelps, Andover.
Harry W. McKinstry, Athens.
Clarence McKinniss, Hamden.
George F. Ruggles, Jefferson.
Cortelle B. Hamilton, Kinsman.
Adda B. Henkle, Larue.
Leonard L. Harding, Milford.
Mathias Tolson, Salineville.
Fred Mills, Sebring.
John M. Sweeny, West Alexandria.

SOUTH DAKOTA.

Samuel E. Laurer, Canova.

TENNESSEE.

Lucile Brown, Cornersville.
Jasper D. Wright, Jamestown.
Carlos C. Davis, Redbolling Springs.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 13, 1922.*

The House met at 12 o'clock noon, and was called to order by Mr. WALSH as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, Thou art our everlasting portion—the priceless gift of all life, which can not be altered nor consumed. With this day we have the assurance of safety, protection, and of love. Toward Thee our hearts, our minds, and our memories are quickened with the deepest gratitude. We would declare our need and our acceptance of Thee as the source of all blessings that we enjoy. May we take our pledge to do our part and take a care to live and to labor for the good. Give wisdom and direction to all deliberations. With a heart of gladness and with a spirit that serves may we lighten life's burden, lift life's load, and brighten life's way. Through Christ our Savior. Amen.

The Journal of the proceedings of Saturday was read and approved.

RESIGNATIONS FROM COMMITTEES.

The SPEAKER pro tempore laid before the House the following resignations from committees:

Hon. FREDERICK H. GILLETT,
The Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committees on Claims; Coinage, Weights, and Measures; and Expenditures in the Department of Commerce, to take effect immediately.

Very respectfully, yours, MICHAEL J. HOGAN.

—

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I respectfully tender my resignation as member of the Committee on Rivers and Harbors.

Very truly, yours,
HENRY Z. OSBORNE.

—

Hon. FREDERICK H. GILLETT,
The Speaker of the House of Representatives.

DEAR MR. GILLETT: I am notified that I have been chosen by the Committee on Committees to fill an existing vacancy in the Committee on Foreign Affairs, and in accordance with the requirements for acceptance of such honor and preferment, I hereby tender to you my resignation as a member of the Committees on Claims, Expenditures in the Department of Agriculture, and Flood Control.

Sincerely yours,
CYRENUS COLE.

—

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committees on the Merchant Marine and Fisheries, and Labor, the same to take effect immediately.

Sincerely, yours, OGDEN L. MILLS.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed the bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3170. An act regulating corporations doing a banking business in the District of Columbia;

S. 3209. An act granting to the Northern Pacific Railway Co. the right to construct and maintain a bridge across the Mississippi River at Minneapolis, in the State of Minnesota; and

S. 3265. An act construing the expression "all employees in the classified civil service of the United States," as used in section 1 of the act of May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes."

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 10663. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3265. An act construing the expression "all employees in the classified civil service of the United States," as used in section 1 of the act of May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes"; to the Committee on Reform in the Civil Service.

S. 3209. An act granting to the Northern Pacific Railway Co. the right to construct and maintain a bridge across the Mississippi River at Minneapolis, in the State of Minnesota; to the Committee on Interstate and Foreign Commerce.

S. 3170. An act regulating corporations doing a banking business in the District of Columbia; to the Committee on the District of Columbia.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 10267. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1923, and for other purposes;

H. R. 9047. An act authorizing the Secretary of War to grant to the town of Winthrop, Mass., a perpetual right of way over approximately 755 square feet of the Fort Banks Military Reservation for the purpose of widening Revere Street; and

H. R. 8193. An act to amend the first proviso in the act entitled "An act to grant a certain parcel of land, part of the Fort Robinson Military Reservation, Nebr., to the village of Crawford, Nebr., for park purposes," approved June 25, 1906.

ENROLLED BILL SIGNED.

The SPEAKER pro tempore announced his signature to enrolled bill of the following title:

S. 490. An act to consolidate national forest lands.

EXTENSION OF REMARKS.

Mr. DAVIS of Tennessee. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Tennessee rise?

Mr. DAVIS of Tennessee. I ask unanimous consent to insert in the RECORD in regular 8-point type a letter written by members of the Shipping Board to certain Members of the House, and the reply thereto.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD by inserting in 8-point type a letter written by members of the Shipping Board to Members of the House, and their reply thereto. Is there objection?

Mr. MONDELL. Mr. Speaker, I think for the present I shall object.

Mr. GARRETT of Tennessee. Will the gentleman yield before he objects?

The SPEAKER pro tempore. Does the gentleman from Wyoming withhold his objection?

Mr. MONDELL. Yes.

Mr. GARRETT of Tennessee. It seems to me that it is a matter that falls legitimately within the right of a Member. It is about a public matter of very great importance pending now before a committee of the House, a legislative matter.

Mr. MONDELL. I understand it is a letter written by certain gentlemen in their individual capacity to certain other gentlemen, and their reply, not an official matter.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. DAVIS of Tennessee. The letter was written by certain members of the Shipping Board as such to certain members of the Committee on the Merchant Marine and Fisheries as such, and a reply was made thereto, and on Saturday the letter written by members of the Shipping Board was inserted in the RECORD in the Senate. In addition to that, they gave to the press their letter at the time it was written, and references having been made to it in the press, it occurs to me it is nothing but fair, their letter having been inserted in the RECORD and reference made to it in the press, that Members of the House have an opportunity to insert in the RECORD their reply.

Mr. MONDELL. In view of the statement made by the gentleman as to the character of the correspondence, I shall not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

UNITED STATES SHIPPING BOARD,
Washington, March 6, 1922.

Hon. EWIN L. DAVIS,
House of Representatives.

DEAR SIR: The message of the President and the bill introduced simultaneously by the chairman of the Senate Committee on Commerce and the chairman of the Marine and Fisheries

Committee of the House, having reference to further measures considered essential to establish, in full force and effect, an American merchant marine, were based very largely upon an intimate study made by the United States Shipping Board after extended hearings, at which men of all shades of opinion on the subject and intimately familiar with shipping were present.

In considering the questions the attitude of political parties, past and present, was not given consideration by the board, and the Democratic members of the board were governed solely by the real questions involved:

(1) The necessity for maintaining a merchant marine developed from the immense fleet called into existence by the emergencies of war.

(2) The necessary action to be taken to assure to the United States its former position and prestige on the high seas.

Aside from the economic necessity for the establishment of an adequate merchant marine under the American flag, deep consideration was given to that aspect embodied in the merchant marine act, 1920, providing for the merchant fleet to be a naval auxiliary in time of war. It is our opinion there can be no divergence of opinion as to the necessity for the full establishment of an American merchant marine; the only question upon which there could be divergence of opinion is whether aid, either direct or indirect, or both, should be granted to accomplish that purpose. It is our opinion that the establishment of an American merchant marine will be impossible without such aid as will equalize present differentials that exist in favor of foreign shipping, and our recommendation to the President contemplated direct aid only in the event the indirect aids first suggested were inadequate to properly develop and maintain an American merchant marine, the direct aid itself being nonexistent if the indirect aid sufficed and further limited as to profit to the ship only up to an adequate return to the operator on his investment. This assures no profiteering and brings into being direct aid only when it becomes a final essential to maintain American-flag ships on the high seas.

We understand that there will be a joint hearing of the appropriate Senate and House committees on the bill in question, and we trust you will not deem it impertinent in us, the Democratic members of the United States Shipping Board, to suggest to you and the other Democratic members of the committees of the Senate and House to withhold a final judgment with respect to this legislation until after the hearings have been completed and full opportunity given to the members of the board to state the reasons guiding their action in unanimously recommending direct and indirect aid to American shipping, and so that the full details of the proposal submitted, which has taken many weeks of survey and consideration, shall have been placed in all detail clearly before you.

Respectfully and sincerely, yours,

GEO. E. CHAMBERLAIN.
FREDERICK I. THOMPSON.
W. S. BENSON.

—

MARCH 9, 1922.

Hon. G. E. CHAMBERLAIN, FREDERICK I. THOMPSON, and W. S. BENSON, *Members United States Shipping Board, Washington, D. C.*

DEAR SIRS: We are in receipt of yours of the 6th instant, with regard to ship subsidy legislation, which has been read with interest and astonishment.

Of course, it is your prerogative to zealously advocate the passage of a bill which will confer upon you and the other members of the United States Shipping Board the greatest power and widest discretion ever conferred upon any board.

You state that "in considering the questions, the attitude of political parties, past and present, was not given consideration by the board, and the Democratic members of the board were governed solely by the real questions involved."

You also conclude your remarkable letter with the following:

We understand that there will be a joint hearing of the appropriate Senate and House committees on the bill in question, and we trust you will not deem it impertinent in us, the Democratic members of the United States Shipping Board, to suggest to you and the other Democratic members of the committees of the Senate and House to withhold a final judgment with respect to this legislation, until after the hearings have been completed and full opportunity given to the members of the board to state the reasons guiding their action in unanimously recommending direct and indirect aid to American shipping and so that the full details of the proposal submitted, which has taken many weeks of survey and consideration, shall have been placed in all detail clearly before you.

We readily concede that our merchant marine problem is of such transcendent importance that it should be solved upon merit and principle and not upon partisanship. However, with reference to the manner in which the matter has been handled, we wish to call your attention to certain facts of which you seem to be wholly oblivious. It is generally understood that Mr. Lasker was appointed chairman of the Shipping Board because of very shrewd and valuable political service rendered during the last campaign; he certainly could not have been appointed because of any knowledge of shipping matters. His appointment from a political standpoint has been fully justified because he has demonstrated beyond question that he is a master politician. After months of laborious effort he has succeeded in committing the President to an elaborate and expensive ship-subsidy program, a position never taken by a previous President. More than that, Mr. Lasker has enmeshed all the members of the Shipping Board in this program. This is especially significant in view of the fact that until now perhaps no high Government official in this country has openly and boldly advocated a ship subsidy since the emphatic rejection of such suggestions many years ago.

Furthermore, Chairman Lasker, pursuant to the nonpartisan consideration for which you innocently vouch, invited the Republican members alone of the Merchant Marine Committee and the Commerce Committee to a dinner in his home, and after he had sumptuously fed them unfolded his ship-subsidy program and undertook to commit them to it; and it has since been repeatedly announced in the press that Chairman Lasker has been in conferences with the Republican members of said committees, that they had indorsed the ship-subsidy proposition in principle, and later that a bill had been agreed upon by Chairman Lasker, the President, and the Republican members of said committees. However, we predict that it will be demonstrated that Chairman Lasker misjudges some of the Republican members of said committees.

Still further pursuing this nonpartisan course, a document of 268 pages, in which were assembled all the possible arguments in favor of ship-subsidy legislation, and particularly in favor of the bill which has since been introduced, was prepared and confidential copies thereof furnished to all the Republican members of the Merchant Marine Committee and Commerce Committee. It purported to have been prepared by the Bureau of Research of the United States Shipping Board at the instance of the latter. The undersigned, Mr. DAVIS, addressed a letter to the Shipping Board, requesting a copy of that document as a member of the Committee on the Merchant Marine and Fisheries of the House of Representatives, stating that as it had been prepared by Government officials at Government expense he presumed that he was entitled to a copy thereof. He received a reply from Chairman Lasker, in which he advised that those copies "had been completely exhausted." He further stated that it had been "prepared at the request of the President and for him, and was furnished to him and to such persons as he directed." This statement in spite of the fact that copies of said document had been furnished to all the Republican members of the Merchant Marine Committee of the House and the Commerce Committee of the Senate, but to none of the Democratic members.

Having, as he believes, successfully lined up the Republican members of said committees, Chairman Lasker has apparently assigned to you gentlemen the task of lining up the Democrats on said committees. However, you may tell Chairman Lasker that we are not as easily ensnared as some people he has come in contact with, and that we respectfully refuse to be "bound and gagged" while he and the rest of you advocates of this iniquitous ship subsidy bill industriously disseminate your deceptive propaganda and lull the people and the Congress to sleep while you complete the job.

The resourceful mind of Chairman Lasker was again seen in that a meeting in Washington of the Merchant Marine Association was staged immediately after the delivery of President Harding's address and the introduction of the ship subsidy bills. This association is composed of ship operators and shipbuilders, together with a few citizens who have been artfully brought into the association and placed in the forefront for political effect. Aside from the expected speeches and resolutions in favor of ship subsidy legislation we notice that one of you gentlemen "as a Democratic member of the Shipping Board" was prevailed upon to deliver a speech before said association in the interest of the ship subsidy bill, and those more vitally interested have had that speech carried in the press throughout the country.

You ask us "to withhold a final judgment with respect to this legislation until after the hearings have been completed and full opportunity given to the members of the board to state the reasons guiding their action in unanimously recommending direct and indirect aid to American shipping," and so forth. It will doubtless be true, as you indicate, that the committees

will be flooded with arguments in favor of the bill, and that there will be no real investigation of the problem involved. Furthermore, Chairman Lasker has repeatedly stated that this subsidy bill would be promptly enacted. We may readily assume that if the majority members of the two committees are as represented by Chairman Lasker, as soon as the one-sided hearings are held the bill will be promptly reported to the Senate and the House for action, and if the leaders are in sympathy with the bill it will, at least in the House, probably be promptly called up for action after brief debate. And yet you presume to suggest to us that we withhold our judgment and keep quiet "until after the hearings have been completed." In requesting you to write this letter Mr. Lasker knew full well that if this bill is fully and intelligently discussed and is understood by the American people and they have time to express their will, there will be such an emphatic protest that the bill will not pass at all; that it will meet the fate of similar previous efforts, which were much less expensive and baneful than this measure. You will find that you are not only out of line with the members of the Democratic Party with but a few rare exceptions, but that you are also out of line with a very large percentage of the members of the Republican Party.

Assuming all wisdom, as well as virtue and patriotism, for yourselves with regard to this question, you, on the other hand, assume that we members of the Merchant Marine Committee and Commerce Committee are densely ignorant, whereas it is doubtless true that the members of these committees have devoted as much study and consideration to these questions as you gentlemen. Besides, our course of study has not been mapped out for us. Speaking as to ourselves, we will state that we have devoted a great deal of study to merchant-marine problems ever since before any of you gentlemen were connected with the Shipping Board, one of the undersigned having been an active member of the Merchant Marine Committee for 12 years; and in addition to having read all of the voluminous arguments in favor of ship subsidy prepared at the instance of Chairman Lasker, we have also read various books written by the leading authorities on the subject and the former congressional debates thereon. The more we investigate the question the more fully we become convinced that ship subsidies are wrong in principle and a failure in practice.

There is less excuse for ship subsidies in this country now than ever before by reason of the fact that our immense Government-owned fleet can be purchased by private operators at considerably less than the normal world market prices, and the chief argument heretofore made in favor of ship subsidies has been based upon the allegation that ships could not be constructed as cheaply in the United States as in some foreign countries and our laws forbade American registry of foreign-built ships. Yet the bill you now propose would take more than $50,000,000 per annum out of the pockets of the taxpayers and put it in the pockets of a few private ship lines, after amending the present law so that the Government ships may be sold to them at ridiculously low prices.

A few weeks ago there was printed as a Government document a report on the History of Shipping Discriminations and on Various Forms of Government Aid to Shipping, compiled by the United States Shipping Board. The information contained in that document is fairly accurate and in accord with the standard authorities on the subject. The facts therein recited are so contradictory of your position that it is difficult to believe that you have read this document, although compiled in the name of your board. In support of this suggestion I shall quote briefly from said document:

Great Britain has never granted general navigation bounties nor construction bounties, with the exception of the early Elizabethan subsidies above mentioned. Practically the only money aid given by Britain to its marine is in the form of postal subventions.

All the writers seem to agree that the growth of the British merchant marine is in no sense due to the small subsidy paid, admitting that the payments are in excess of the postal service rendered. The growth of the British marine was probably due to the early development of British industry, the acquisition of extensive colonial possessions, and the monopolistic position in colonial trade.

France appears to be the country of subventions par excellence, although in 1910 its merchant marine was outranked by Great Britain, the United States, Germany, Norway, and Japan.

There seems to be a general agreement that the French subsidy system, which has been more or less the model for Italy, Spain, and Japan, has been a failure. The Gallinger committee, which supported subsidies for American ships, sought to overcome the evidence of failure demonstrated by the French law by introducing the testimony of various French statesmen. They can hardly be said to have succeeded.

The results of a subsidy in Italy have not been any more successful than in France, although Italy has a long seacoast, a dense population, efficient marine workers, and low wages. She is handicapped, however, by the lack of coal and a highly developed iron and steel industry. (All of which the United States has in abundance.)

The Danish merchant marine has risen from 178,000 tons in 1870 to about 500,000 tons in 1914. Denmark has not given much State aid.

Norway ranks third among the merchant shipping of the world, being exceeded now only by Britain and the United States. It rose from 1,022,000 tons in 1870, almost exclusively sail, to 1,117,000 tons in 1912, two-thirds of which were steel.

The small shipping subsidies which Norway has granted to its merchant marine can not have had a material effect on this growth, which is due to other circumstances.

The merchant marine of this country (Germany) has, of course, been almost annihilated by the treaty of Versailles. Prior to the war Germany had reached perhaps the greatest growth in her merchant marine. This was not due to subsidies or to any other form of Government aid that can be established. The greatest line in the world, the Hamburg-American, is said never to have received a cent of Government subsidy.

From 1870 to 1912 Germany's shipping rose from about 1,000,000 tons in 1870, of which 90 per cent was sail, to over 3,000,000 tons in 1912, of which one-sixth only was sail.

In the final conclusions given in the said report it is stated:

A study of the authorities on subsidies, taking into account the policies adopted by various countries, would seem to indicate that with the exception of Japan the policy has not been important in the building up of a merchant marine.

As a matter of fact, the merchant marine of Japan was not built up by Government aid, but its growth was simply in keeping with Japan's marvelous industrial growth. They granted substantially the same character of aid as France, Spain, and Italy, where it proved an absolute failure. Besides, the total Government aid granted by Japan does not amount to more than the postal subventions paid by the United States.

And yet, in spite of the necessarily admitted fact that ship subsidies have either not been employed or that they have proven a failure in the other great maritime nations, the false doctrine is being industriously circulated that it is necessary for the United States to pay subsidies, direct and indirect, which will aggregate more than the combined subsidies paid by all the other nations on earth (omitting the legitimate payment for service actually rendered for carrying mail, etc.) in order to compete with the merchant marine of other nations, whose success is incorrectly alleged to be due to subsidies.

The recent report of the Shipping Board, above referred to, after stating the facts above quoted, and much more to the same effect, yet concludes with the following final conclusion, remarkably ludicrous in view of the facts previously stated in the report:

A study of the problem would seem to indicate that either the policy of discriminating duties in the indirect trade or subsidies are essential to maintaining an American merchant marine.

There appears in bold type on the inside cover of the said report the following:

President Harding's recommendations to the Congress for a national shipping policy will be based in large measure upon the information which is contained herein and with which every official of the Government should be familiar.

Our opinion is that President Harding never read this report. If he had, we can not believe that he would have delivered the message he did. It is more likely that what was submitted to him was the subsequent confidential argument which Chairman Lasker stated in his letter to Mr. Davis had been furnished to the President and which was so fallacious that it was attempted to keep it concealed from the Democratic Members and the public.

You mention the fact, which has been given much publicity in the press, that the members of the Shipping Board—all of whom were appointed by President Harding—are unanimously in favor of the proposed subsidy legislation. In your letter to us you state that—

Our recommendation to the President contemplated direct aid only in the event the indirect aids first suggested were inadequate to properly develop and maintain an American merchant marine, the direct aid itself being nonexistent if the indirect aid sufficed, and further limited as to profit to the ship only up to an adequate return to the operator on his investment. This assures no profiteering and brings into being direct aid only when it becomes a final essential to maintain American flag ships on the high seas.

And yet the bills introduced by the chairmen of the Senate and House committees provide unconditionally and unequivocally for both direct and indirect subsidies, and in the last paragraph of your letter to us you ask us to withhold our judgment until—

full opportunity given to the members of the board to state the reasons guiding their action in unanimously recommending direct and indirect aid to American shipping.

What has caused you to undergo a change of mind since you made your recommendation to the President?

Since you gentlemen have presumed to make suggestions to us, we shall presume to respectfully suggest that you make a real independent investigation of these questions and consider them from the standpoint and interest of all the American people, whom you and we are supposed to represent, and not merely from the viewpoint of private ship operators and builders who are so assiduously pressing this legislation.

In view of the fact that you or somebody furnished to the press copies of the letters written us and other Members, even

before we received them, which have been freely carried and even editorially discussed, we are giving our reply to the press.

Yours, sincerely,

EWIN L. DAVIS.
RUFUS HARDY.

PURCHASE OF SEED GRAIN AND SEED FOR FARMERS IN THE CROP-FAILURE AREAS.

Mr. HAUGEN. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Iowa rise?

Mr. HAUGEN. I call up from the Speaker's table the bill S. 2897, and move to insist upon the House amendments and agree to the conference asked for by the Senate.

The SPEAKER pro tempore. The gentleman from Iowa asks to take from the Speaker's table Senate bill 2897, to insist upon the House amendments, and agree to the conference asked for by the Senate. The Clerk will report the title of the bill.

The Clerk read as follows:

An act (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of seed to be supplied to farmers in the crop-failure areas in the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. As I understand the gentleman made the motion, it does not require unanimous consent. It has a privileged status.

The SPEAKER pro tempore. It is a Senate bill with House amendments. The Chair did not understand the gentleman to make the motion. It is privileged. The gentleman from Iowa moves to take from the Speaker's table the bill S. 2897, to insist upon the amendments thereto, and to agree to the conference asked for by the Senate.

Mr. MANN. Let it be reported, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the title of the bill and the amendments.

The title of the bill was again reported and the amendments.

Mr. GARRETT of Tennessee. Will the gentleman yield before he presses his motion?

Mr. HAUGEN. Certainly.

Mr. GARRETT of Tennessee. Mr. Speaker, the parliamentary situation, as I understand it, is this, that if the House should insist upon its amendments and agree to the conference asked, then the question will be up to the Senate to take what the House has adopted or leave it. Now, in view of the very strong majority by which the House passed the bill, as I stated heretofore, I have no desire to contest in a captious way, or in any other way, the adoption of the House's action. But does not the gentleman think that, in view of the expression of the House given the other day, the House is going to be pretty resolute about this matter being confined to $1,000,000 and to seed alone?

Mr. HAUGEN. I do. It is hoped to carry out the instructions of the House as far as possible.

Mr. GARRETT of Tennessee. It seems to me the House might settle the matter now, once and for all, by insisting on its amendments.

Mr. HAUGEN. There are a lot of amendments outside of the reduction to $1,000,000.

Mr. GARRETT of Tennessee. There are two elements involved in the amendments. The other amendments do not amount to anything. And the other is, besides the reduction to $1,000,000, the amendment by which feed was eliminated by the House from the bill. Those are the only two substantial things in the bill.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Iowa [Mr. HAUGEN] to insist upon the House amendments and agree to the conference asked by the Senate.

The question was taken, and the motion was agreed to.

The SPEAKER pro tempore appointed the following conferees: Mr. HAUGEN, Mr. MCLAUGHLIN of Michigan, and Mr. JACOWAY.

AGRICULTURAL APPROPRIATIONS.

Mr. ANDERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10730, the Agricultural appropriation bill.

The SPEAKER pro tempore. The gentleman from Minnesota moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10730.

Mr. BLANTON. Mr. Speaker, a point of order. Will the gentleman from Minnesota [Mr. ANDERSON] permit me to propound a parliamentary inquiry?

Mr. ANDERSON. I will.

Mr. BLANTON. This is District day. If the chairman of the District Committee temporarily yields for the finishing of the Agricultural bill, the inquiry is, Will the District Committee lose its right to resume District business at the completion of the Agricultural bill?

The SPEAKER pro tempore. The District Committee will not lose its right to take up District business if recognition is given by the Chair.

DEFICIENCIES.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to disagree to the Senate amendments made to the deficiency bill, H. R. 10663, and send the bill to conference.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent to take from the Speaker's table the deficiency appropriation bill, disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. GARNER. Mr. Speaker, if the gentleman will make the required statement, there will be no objection on my part. Otherwise he may consider the objection as made.

Mr. MADDEN. I will make the statement that the minority members have been conferred with. The gentleman from Tennessee [Mr. BYRNS] is perfectly agreeable to having the bill go to conference.

Mr. BLANTON. Mr. Speaker, may I ask the gentleman how many million dollars the Senate committee placed on this bill?

Mr. MADDEN. Twenty-nine million dollars, twenty-seven millions of which was for payment of illegally collected taxes.

Mr. BLANTON. The Senate has placed $29,000,000 on the bill in addition to what it carried when it left the House. Will the gentleman give us an opportunity to pass upon those increases?

Mr. MADDEN. I would not want to make any pledge as to that. We will bring the conference report back to the House.

Mr. BLANTON. Of course, we can pass upon any of the increases that may have legislation in them, as a matter of right?

Mr. MADDEN. Certainly.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER pro tempore appointed the following conferees: Mr. MADDEN, Mr. CANNON, and Mr. BYRNS of Tennessee.

WAR DEPARTMENT APPROPRIATIONS.

Mr. ANTHONY, from the Committee on Appropriations, reported the bill (H. R. 10871; Rept. No. 791) making appropriations for military and nonmilitary activities of the War Department for the year ending June 30, 1923, and for other purposes, which was read and referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. SISSON. Mr. Speaker, I reserve all points of order on the bill.

AGRICULTURAL APPROPRIATIONS.

Mr. FOCHT. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. FOCHT. At the adjournment on Saturday there was under consideration the bill H. R. 10730, the Agricultural appropriation bill. I wish to say that I believe the members of the Committee on the District of Columbia fully share the anxiety of the other Members of the House that this legislation be enacted as speedily as possible. Therefore, whatever rights we have on the floor on District day we yield to this committee, in order that this legislation may be expedited, with the understanding, however, that we be permitted to take advantage of the ruling of the Chair and proceed with District legislation following the enactment of the Agricultural appropriation bill.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. ANDERSON] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10730, the Agricultural appropriation bill. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from New York [Mr. HICKS] will please resume the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further con-

sideration of the bill H. R. 10730, the Agricultural appropriation bill, with Mr. HICKS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10730, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes.

The CHAIRMAN. When the committee rose on Saturday there was a point of order pending, made by the gentleman from Texas [Mr. BLANTON], against an item in the bill. If any gentlemen desire further to discuss the point of order, the Chair will hear them.

Mr. TILSON. Mr. Chairman, just a word on the matter pending. The point of order was made against a provision of this bill on the ground that the so-called Weeks Act expired with the final appropriation provided for in that act. It has been claimed in argument that when that act was passed it was at least the understanding or construction of it at the time that it provided for only a specific amount of money and authorized no further amount.

What anyone may have understood at that time we can not, of course, consider now. The only thing that the Chair can consider now is what the law itself provides, and what construction should be put upon the provisions of the law. The third section of the act provides for an appropriation. Then follows further legislation having no reference to the appropriation in a preceding section but making an authorization for the purchase of such lands as have been approved, and so forth.

I call the attention of the Chair to the last paragraph of section 3 of the so-called Weeks Act. After making the appropriation referred to, this provision is added:

Provided, That the provisions of this section shall expire by limitation on the 30th day of June, 1915.

If it had been the intention of Congress to limit the act to the 30th day of June, 1915, it would have added this provision at the end of the act, and would have stated that the provisions of the act shall expire by limitation on that date. But it did not do so. Instead of providing that the entire act shall expire by limitation on a certain date, it is provided in the third section "that the provisions of this section shall expire" on that date. Thereafter, in section 7 in particular, the act proceeds to authorize the Secretary of Agriculture to purchase in the name of the United States such lands as shall have been approved, and so forth, clearly manifesting the intent of Congress to authorize the purchase of such lands as any future Congress might see fit to appropriate money to purchase. It seems to me that we should construe the act in accordance with the clear intent of the language, and the language of section 7 clearly authorizes the purchase of land. The item against which the point of order is made carries an appropriation of $50,000 to be expended in accordance with the provisions of the so-called Weeks Act, and, in my judgment, is not subject to a point of order.

The CHAIRMAN. The Chair will rule. The Chair is cognizant of some difficulties in the path of a clearly defined conclusion in reference to this point of order. The Chair in this, as in rendering other opinions, has no desire to be arbitrary or to rule adversely to parliamentary procedure. The Chair pays great deference to the views of the great parliamentarian, the gentleman from Illinois [Mr. MANN], whose knowledge of procedure and legislative enactments is most profound. Should the ruling of the Chair in this case seem to contravene the practice of the House, the Chair cheerfully welcomes an appeal.

The point of order is that this is an appropriation not authorized by law, and so the question narrows down as to whether the original Weeks Act, so far as authorization for the acquisition of these lands is concerned, is operative or whether that authority terminated June 30, 1915.

The Chair lacks the benefit of having any personal knowledge of the history surrounding the enactment of the original law, and is devoid of the means of ascertaining the intention of Congress in relation thereto. The Chair, while realizing that "intention" is entitled to consideration, yet doubts if it can be balanced against the expressed provisions of the law. I will refrain from rereading the section of the Weeks Act which seems to carry the crux of the matter, except to state that it is section 3, dealing with appropriations, that contains the limitation proviso. It states, "*Provided*, That the provisions of this section shall expire by limitation on the 30th day of June, 1915."

What puzzles the Chair is the location in the act of this limitation provision, and also its specific reference to "this section." Is it not fair to assume that it is the provisions of section 3 that are limited and not the provisions of the act? Is it not reasonable to suppose that if it was the intention to terminate the authorization on June 30, 1915, as well as the appropriations, the limitation would have come after section 7 and would have referred to the act and not to a section that did not deal with authorization? The Chair answers both questions in the affirmative, and feels that however much the intention of Congress may be stressed as to limitation the statute does not so express it. The Chair, feeling that the authority has not been terminated by the proviso of section 3, must hold that the item in this bill is in order. To further fortify the Chair's opinion, he refers to a ruling of Chairman TILSON on May 8, 1920, who was presiding during the consideration of the sundry civil bill. A point of order almost on all fours with the present objection was overruled by him on grounds similar to those taken by myself. The Chair therefore overrules the point of order.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last word.

Mr. MOORE of Virginia. Mr. Chairman, this item relates to the Forest Service. Something has been said during the consideration of the bill about the suggested transfer of the Forest Service from the Department of Agriculture to the Department of the Interior. It is not my purpose to discuss that question upon the merits, but simply to call attention to a misapprehension that seems to prevail. In that connection I would like to take a minute or two in noticing an editorial that appeared in the Washington Post of yesterday morning. I quote two or three sentences from the editorial, as follows:

The inquiries made by the commission delegated to map out a reorganization of the executive departments are said to have disclosed many glaring inconsistencies and inexcusable sources of extravagance. The report of the commission is in the hands of President Harding, and when published it is expected to create a sensation because of its recommendations for sweeping changes.

A single example of inconsistent grouping of activities and the evils resulting therefrom is furnished by the commission in its discussion of the Forest Service in relation to the Department of the Interior.

* * * * * * *

The reorganization commission has recommended that the forests be administered by the Department of the Interior, just as other lands are administered, whether mineral, desert, oil-bearing, agricultural, or Indian lands. The commission takes the position, which seems to be logical and unassailable, that one authority should be exercised over public lands, without regard to the particular nature of the lands.

* * * * * * *

Congress will have the reorganization commission's report in due time, with the President's recommendations thereon. It is to be hoped that the people will be given an opportunity to make their land heritage available for proper use.

The body that is supposed to have made the report is described as a commission. Of course, the reference is the Joint Committee on Departmental Reorganization created by the last Congress. The point that I wish to make is that the writer of the editorial is under a misapprehension in assuming that the joint committee has made any report whatever relative to the transfer of the Forest Service or relative to any other matter that is within its province.

It could not have made any report because it has never taken up any of the many questions that have been talked of as likely to be considered. It could not have made any report because it has never had any meeting to take up and deal with any of those numerous questions. As has been said here more than once, the committee, having been created by the last Congress, selected as its chairman the gentleman appointed by the President to cooperate in its work, following which action there has been but one meeting of the committee, and that occurred in June, and the only business transacted at that meeting was to receive a letter from the President saying he would be glad to submit suggestions to the committee for its consideration, and a reply directed to be sent to the President saying that the committee would be glad to receive and consider his suggestions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Virginia. I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman?

There was no objection.

Mr. MOORE of Virginia. Since that meeting was held in June not only has no meeting taken place but the committee has not been in contact with its chairman. Therefore, I repeat that no committee report has been formulated and submitted to the President. If there is anything in the nature of a report that has been gotten up it is the product of the chairman of the

committee acting apart from the committee and independently of it.

Assuming, of course, that there was no purpose to mislead, I only desire to say that nevertheless the editorial is inaccurate, and say, in addition, speaking for at least one member of the joint committee—and I take it for granted that will be the attitude of all its members—that without any prejudgment of the question of the transfer of the Forest Service from one department to another, the committee, when permitted to do so, will take up that question in a deliberate way, in a sort of judicial way, and only reach a conclusion and make a report after giving the question a thorough investigation in the endeavor to ascertain how the interests of the public can be best protected, whether by the maintenance of the jurisdiction of the Department of Agriculture or by transferring the service to the other department.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. BYRNS of Tennessee. I want to ask whether under the terms of the resolution appointing this commission the commission was to report to Congress or to the President?

Mr. MOORE of Virginia. It was to report to Congress. I am not in a critical mood, but I thought the selection as its chairman of the excellent gentleman whom the President appointed to act with the committee was a mistake, and I am confirmed in that view by the fact that the committee has failed thus far to function.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. BYRNS of Tennessee. I ask, Mr. Chairman, that the gentleman have two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. I noticed in a newspaper account in one of the prominent Washington papers about 10 days ago that the work of the commission was going to be abandoned and that there would be no reorganization. I suppose the gentleman saw that article, and I desire to know whether he had any information as to the abandonment.

Mr. MOORE of Virginia. The work can not be abandoned, because it was never begun. We have not yet taken any practical step; and, as I have said, the newspaper is mistaken in assuming that we have taken any step whatever with reference to the Forest Service or with reference to any other proposition to reorganize the Government agencies in the way of regrouping or in the way of eliminating or in any other way.

Mr. BANKHEAD. Will the gentleman yield?

Mr. MOORE of Virginia. Certainly.

Mr. BANKHEAD. Have the members had any intimation from the Executive or the chairman of the committee that they would be called into consultation on the problems involved at any date?

Mr. MOORE of Virginia. It is proper to say that while the committee has not received any plan the chairman may have devised, whether called a report or otherwise designated, certain members of the committee—and, I suppose, all of them—did receive three or four weeks ago a letter from the President in which he stated that he was considering the situation and as soon as he could find time he would reach conclusions and communicate them to the committee.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. COOPER of Wisconsin. Upon what matter was the President to "reach conclusions," as the gentleman says?

Mr. MOORE of Virginia. On the questions, whatever they were, that had been presented to him by the chairman relative to departmental organization or reorganization, the questions not being specified. Doubtless one of the outstanding questions is the question of transfer to Forest Service.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last two words. By this bill $50,000 is appropriated for the purpose of acquiring additional land at the headwaters of navigable streams. I thought it would not be a bad time to call to the attention of this committee the fact that the Senate has just reported an amendment to the District bill of $1,500,000 for additional water supply for the District of Columbia, a very wise policy, indeed, and none too soon. I have said on several occasions that it does seem to me if we are to establish additional waterworks and get water from the Great Falls of the Potomac River, Congress should appropriate sufficient money by which it can acquire the land around Great Falls and along the Potomac River to protect Great Falls and the watershed from pollution and at the same time establish a beautiful park while the land can be purchased reasonably and the magnificent forests and landscape are intact. Mr. William M. Ellicott, of Baltimore, the originator of the idea, and M. F. W. Besley, forester of Maryland, have discussed to great length in a pamphlet termed "A National Forest" the proposition I am advancing.

The water we are to acquire from this additional reservoir must necessarily come through land owned by private individuals. The report of the commission and the appropriation recommended in the Senate contains no provision for the protection of the Potomac River watershed against pollution.

It may be said that the water would pass through a filtration system by which it would be purified, but why have any filtration system when by the expenditure of a reasonable sum of money the watershed itself can be protected and the water come to the citizens of Washington free from contamination?

In practically every instance where water supply has been provided the watershed has been protected. The city of Washington is continually growing. Many people are securing homes beyond the District limits. As the beauty and advantages of the beautiful hills and dales along the Potomac River are realized, the impetus to building in that section will grow by leaps and bounds. This growth, for which no sewerage system has been established, will most naturally pollute this wonderful watershed, and this by all means should be prevented.

It is not necessary to limit this watershed to forests and fields to protect it, but its ownership by the National Government would lead to proper sewerage conditions and secure protection to the watershed.

There is also another great advantage to be derived from the acquisition of the lands along the Potomac River. There are about 10,000 acres of land abounding in beautiful landscape, comprising within its limits the Great Falls of the Potomac River, which has been termed the "Little Niagara" of the Potomac. A national forest reserve could well be laid out, protecting Great Falls, securing from pollution the Potomac River, and providing a wonderful park for the people of the District of Columbia and for those thickly settled communities in Maryland and Virginia adjacent to Great Falls.

It would provide visitors to Washington another beautiful park, which in the years to come would be found one of the best investments the country has ever made. Washington must have more water. It should have the purest which can possibly be obtained. With the laying out of this national forest reserve, comprising 8,000 to 10,000 acres, and the construction of the contemplated water system, both pure and plentiful water will be obtained, a wonderful park will be provided, and all without the expenditure of any large sum of money.

If we wait, land is rapidly increasing in value, the landscape is being gradually depleted of its magnificent forests, and homes will be built and villages established, making expenditure of a much larger sum of money necessary than what it can at this time be procured.

The city of Baltimore is providing an additional water supply at an expenditure of many millions of dollars. The valley of the Gun Powder River is being acquired to prevent pollution. Many homes and several villages have been purchased, and the Gun Powder River, with its beautiful valley, will present a magnificent park appearance and provide pure water for the residents of our city. The city of Boston purchased thousands of acres and has brought its water supply for miles in order to give its citizens pure water.

If municipalities with their credit alone to draw from can do this, why should not the Capital of the Nation, representative of a hundred and ten millions of people, have the highest type of sanitation and purity of water supply? I deplore the fact that this House had not the vision to provide an appropriation for the water supply rather than to leave it to the Senate to amend our bill to that effect.

In due time I shall introduce a bill asking for the establishment of this national forest reserve along the Potomac, the protection of the watershed of the river, and providing funds for this purpose.

The Clerk read as follows:

To enable the Secretary of Agriculture, in cooperation with the authorities of the States concerned, or with individuals, to make such investigations and demonstrations as may be necessary in connection with the development of live-stock production in the cane-sugar and cotton districts of the United States, $46,500: *Provided*, That at any time during the fiscal year 1922 or thereafter, when the Secretary of Agriculture shall determine that the interests of the Government will be subserved thereby, he is hereby authorized to appraise the buildings, animals, machinery, and all other property of whatever nature or kind appertaining to the experimental farm of the Department of Agriculture, situated at or near New Iberia, La., and to sell the same at public or private sale, at such price or prices, on such terms, and in such manner as he may deem for the best interests of the Government, and in consummation thereof to execute such instruments of conveyance as may be requisite, the proceeds from such sale to be deposited in the Treasury to the credit of miscellaneous receipts.

Mr. MARTIN. Mr. Chairman, I move to strike out the last word. This farm at New Iberia, La., is in my district. I was somewhat surprised when I read the proviso attached to this appropriation giving the Secretary of Agriculture the right to sell the stock and buildings thereon and to discontinue the work on this farm whenever, in his discretion, it is for the best interests of the Government. I am sure that the committee in this matter acted entirely in good faith, but, as it is situated in my district, and as I know from personal knowledge of the work that has been accomplished and the good that it has done for southern Louisiana, I believe the committee has been misled and misinformed. I shall not oppose the adoption of this provision, because I believe that after the Secretary of Agriculture has instituted an investigation he will become convinced, as I am convinced, that the farm is doing good work, and next year I shall be in a position to convince the subcommittee on appropriations that the farm should be retained; that it would be unwise to discontinue it at this time.

This farm was established in 1914, at a time when it was believed sugar was going on the free list. Under the Underwood law sugar would have gone on the free list on May 1, 1916. Happily for us this did not happen, but in the meantime hundreds of our people actually engaged in the raising of cattle, and have continued in that business ever since. The demonstration work conducted on this farm has been of great benefit to our people in teaching them how to raise cattle economically and at a profit. It has taught them, and is teaching them, the wisdom of replacing their common stock with blooded and graded cattle. It is teaching them the value of silos, and the value as a cattle feed of corn silage, sorghum, soy beans, and other legumes. It is teaching them that the cane tops, which heretofore had been thrown away and burned up, have a considerable value as cattle feed, and in many sections of the country they are now being utilized for that purpose. It is teaching them that the low marsh lands, only a foot or two above the tide level, are splendidly adapted to cattle raising and cattle grazing, and that it is capable of growing in abundance a grass known as paye Finne, which is equal in food value to alfalfa.

In addition to this, it has taught our people to take a deep interest in cattle raising, and hundreds of them are now engaged in that industry. It does not cost the Government the amount of money carried in this bill. Every year the surplus stock and produce is sold and the money therefrom turned into the Treasury.

Last year the amount turned in was but $7,000, but in other years it has gone as high as $20,000, so that the Government gets back a large portion of this appropriation. This farm is doing splendid educational work, and I hope and believe that at the next session of Congress I shall be able to convince the committee not only that the item should be retained but that the appropriation for its maintenance should be increased. [Applause.]

The State is cooperating in making the work on this farm a success. On July 9, 1914, the Legislature of Louisiana by act No. 252 authorized the transfer to the Department of Agriculture for the use of this demonstration work 500 acres of valuable land, and in addition to this in March, 1917, the Louisiana Experiment Station gave the Government the use of 500 additional acres.

The buildings, live stock, and machinery are valued at about $70,000, and to now tear down and remove these buildings would not only be a loss to the Government but the people of this vicinity will be deprived of demonstration work which is worth much more to the country than this meager appropriation. The subcommittee on appropriations having unanimously agreed to this proviso, I realize that a motion to strike it out might result in losing the appropriation altogether. I have therefore concluded it would be best to await the decision of the Secretary of Agriculture and then convince the Committee on Appropriations that it would be a great mistake to abolish and discontinue at this time the splendid work that is being done on this farm.

The Clerk read as follows:

EXPERIMENTS IN DAIRYING AND LIVE-STOCK PRODUCTION IN SEMIARID AND IRRIGATED DISTRICTS OF THE WESTERN UNITED STATES.

To enable the Secretary of Agriculture to conduct investigations and experiments in problems connected with the establishment of dairying and meat-production enterprises on the semiarid and irrigated lands of the western United States, including the purchase of live stock and the employment of necessary persons and means in the city of Washington and elsewhere, $40,000.

Mr. SNELL. Mr. Chairman, I move to strike out the last word. I notice from the hearings that the committee itself did not feel any too favorably disposed toward this proposition, and I am wondering if this is not to a certain extent duplicating the same thing that is being done by the experiment stations in connection with the agricultural colleges and their experiment stations that are provided in other places in the bill.

Mr. ANDERSON. I do not think so. It has been clear for some time that if any success is to be made in these semiarid and dry-land sections some way must be found to produce beef cattle and milch cattle on them, and the object of these stations is the development primarily of the dairy and food-production business.

Mr. SNELL. On the information received, does the gentleman think they have made any real progress.

Mr. ANDERSON. I think they are making progress; yes.

Mr. SNELL. I notice the man who had them in charge said he could not tell how long it would take to work out the problem.

Mr. ANDERSON. Oh, these problems are always continuous. They are never solved in the sense in which we use the word solution.

Mr. SNELL. How many years have those been running?

Mr. ANDERSON. Six years.

Mr. SNELL. And it is not a duplication of work?

Mr. ANDERSON. Oh, no; I think not.

Mr. SNELL. I withdraw the pro forma amendment.

The Clerk read as follows:

FIELD STATION, WOODWARD, OKLA.

For the establishment in connection with the Woodward, Okla., field station of a live-stock department, through which experiments and demonstrations in live-stock breeding, growing, and feeding, including both beef and dairy animals, may be made, $6,500, of which sum the Secretary is hereby authorized to use not exceeding $500 for the purpose of building additional sheds, stalls, and pens for the protection and care of said animals.

Mr. LANGLEY. Mr. Chairman, the other day when we had the seed amendment up I was very anxious to speak for a few minutes, and had gone to the trouble of preparing some remarks. The parliamentary situation shifted so that I could not do that then, and I now ask unanimous consent that I may put in the RECORD at the proper place, under the rule, what I would have said if I had had the chance at that time.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to be allowed to extend his remarks in the RECORD on the question of agricultural-seed distribution. Is there objection?

There was no objection.

The Clerk read as follows:

To conduct surveys and inspections in Texas or in any other State to detect any infestation and to conduct such control measures, including the establishment of cotton-free areas, in cooperation with the State of Texas or other States concerned, as may be necessary to stamp out such infestation, to establish in cooperation with the States concerned a zone or zones free from cotton culture on or near the border of any State or States adjacent to Mexico, and to cooperate with the Mexican Government or local Mexican authorities, or otherwise, by undertaking in Mexico such measures for the extermination of the pink bollworm of cotton as shall be determined to be practicable from surveys showing its distribution, $400,000, of which sum not to exceed $200,000 may be available for reimbursement to cotton-growing States, for expenses incurred by them in connection with losses due to enforced nonproduction of cotton in certain zones in the manner and upon the terms and conditions set forth in Senate joint resolution No. 72, approved August 9, 1921: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of crops or other property injured or destroyed.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. It is subject to a point of order. I wish to ask the chairman of the subcommittee, do some of these States still desire to have Congress reimburse them for the failure to raise cotton?

Mr. ANDERSON. As the gentleman knows, under the State law of Texas the State can establish noncotton zones, and where these noncotton zones are established certain compensation is made to the owners of the land for the losses incident to the prohibition against cotton growing. This provision permitting $200,000 to be used to reimburse the States which have made such payments was originally adopted in Senate joint resolution 72, and we simply continue the policy which was there adopted.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. McLAUGHLIN of Michigan. Did the joint resolution make that a continuing proposition or provide continuing authority to divert part of the appropriation for that purpose? My recollection is otherwise.

Mr. MANN. The joint resolution only refers to the current fiscal year.

Mr. ANDERSON. That is correct.

Mr. SNELL. Does the Federal Government pay all the money?

Mr. ANDERSON. No.

Mr. MANN. Not more than one-third. Here is a case where, after having had considerable controversy as to whether we should furnish a little money to buy seed for people who could not cultivate the soil unless we bought the seed, we now propose to pay men for not cultivating the soil. They can not raise a cotton crop profitably and we pay them on the assumption that they could, and pay them if they will not plant cotton. I do not wonder that no one from the cotton States rises to defend the proposition, though, of course, they will vote for it.

Not being able to get a rise, I withdraw the point of order. [Laughter.]

Mr. McLAUGHLIN of Michigan. I reserve the point of order.

The CHAIRMAN. The gentleman from Michigan reserves the point of order.

Mr. McLAUGHLIN of Michigan. Can the gentleman from Minnesota tell us how much of that $200,000 has been used?

Mr. ANDERSON. This last year?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. ANDERSON. I am unable to tell the gentleman, but I think only a small proportion of it.

Mr. McLAUGHLIN of Michigan. What area was covered? How much vacant or unused land was taken care of?

Mr. ANDERSON. The infested area is not very large. I have a map here, and if the gentleman will look at it he will see that there were only two quite large infested areas last year. One of them was in the southeastern portion of Texas and the other in the southwestern portion of Louisiana. The Louisiana territory was entirely cleaned up this last year, so that there was no bollworm there last year. In addition to the two large areas which I have indicated there are several small infestations along the border. These infestations are very small, however.

Mr. McLAUGHLIN of Michigan. The map indicates points very far distant from each other. Does the gentleman mean that the infestation is in the extreme southeastern part of Texas and in the extreme western part?

Mr. ANDERSON. Yes. Those infestations in the western part are incident to movement across the river from infested districts in Mexico. They are very small and they are in a section of Texas where very little cotton is grown and there is not very much danger of the spread of the bollworm from those sections if an adequate quarantine is maintained.

Mr. McLAUGHLIN of Michigan. I was very much opposed to the passage of that joint resolution because I did not think it was proper for the Federal Government to use money for that purpose; but the House thought differently, and I defer to its judgment.

Mr. ANDERSON. I should like to say in this connection that the whole success of the campaign to eradicate this worm consists in noncotton growing in the sections in which the worm appears in large numbers or appears at all. Without legislation or without the rigid application of the noncotton-zone plan the possibilities of eliminating the worm would be immeasurably reduced.

Mr. McLAUGHLIN of Michigan. I do not intend to make the point of order, because the House itself voted upon this question at one time. I wish to ask the gentleman another question. I notice that the bill appropriates money and authorizes investigation as to the existence of the pink bollworm in foreign countries, Mexico, and elsewhere. In what foreign countries besides Mexico is the pink bollworm found?

Mr. ANDERSON. I do not think it is contemplated there is to be an investigation in any other place except Mexico, but my recollection is the worm is found in Egypt, parts of South America, and, perhaps, India.

Mr. BUCHANAN. And the Hawaiian Islands.

Mr. McLAUGHLIN of Michigan. It is found in the Hawaiian Islands?

Mr. BUCHANAN. It destroyed the cotton industry out there.

Mr. ANDERSON. They do not raise cotton now on account of this bug.

Mr. McLAUGHLIN of Michigan. My understanding is they are not raising cotton out there now. Is it because of the ravages of the pink boll worm?

Mr. BUCHANAN. That is the report of the department.

Mr. McLAUGHLIN of Michigan. That is news to me. Well, is there any intention of making an investigation and use a part of this money in foreign countries other than Mexico?

Mr. ANDERSON. I think not.

Mr. McLAUGHLIN of Michigan. It seems to me it would not be wise to use these words "Mexico or elsewhere," because it would justify making an examination and trips all over the world.

Mr. ANDERSON. Of course, with a worm as destructive as this one it is necessary, I think, to make an investigation in the countries in which it exists in order that it may be ascertained how it behaves under different environments and see the extent to which it has been possible to grow cotton in its presence and the methods that have been taken in other countries to make the growing of cotton possible, notwithstanding the presence of the worm. If, for instance, the weevil or worm went outside its present territory and into the cotton belt proper, we would be confronted with the necessity immediately of the adoption of methods which would enable us to grow cotton notwithstanding the presence of the worm. Some preparation ought to be made, it seems to me, for an eventuality of that kind.

Mr. McLAUGHLIN of Michigan. I think the gentleman is entirely right, but it seems to me his statements after all are inconsistent. As I understand, he said there is no intention of making any investigation in any foreign country except Mexico, and the gentleman in another breath says that the disease is found in a number of other countries, and that it is advisable to make investigations of those other countries.

Mr. ANDERSON. Perhaps I should have said so far as we inquired there was no statement made to us of investigations that are contemplated in any other country now than Mexico.

Mr. McLAUGHLIN of Michigan. Another word. Generally speaking, is satisfactory progress being made in this work?

Mr. ANDERSON. I think the work is progressing very well, indeed. There have been some new infestations in the western part of Texas along the Rio Grande, but in the section where noncotton areas have been established there has been very good progress made, and there is a prospect of complete eradication.

Mr. McLAUGHLIN of Michigan. It is a terrible pest, and we ought to take hold of it. I know at one time the Government did very good work and the results were satisfactory. I do not understand, however, lately, just what measure of success they have reached.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. WHITE of Kansas. Mr. Chairman, I move to strike out the last two words, or the requisite number. I remember very distinctly the discussion of this item a year ago. I would like to ask the chairman of the committee if he has information if this land is adapted to successful cultivation of other crops?

Mr. ANDERSON. I presume some other crops could be raised; a number are.

Mr. WHITE of Kansas. Mr. Chairman and gentlemen, it is well known to every investigating person that in the progress of our agriculture and its development one of the most important things that has contributed to the increased production of the soil and its successful cultivation is rotation. Now, in the matter of the Hessian fly the farmers have discovered that its ravages can be very successfully combated through rotation. Where alternating crops are raised, it is clearly also demonstrated that better crops are secured through this alternating system. Now, if that might be the case in the sections that are affected by this infestation, why not cultivate this land for other crops?

Mr. BUCHANAN. Will the gentleman yield?

Mr. WHITE of Kansas. I will be glad to do so.

Mr. BUCHANAN. Let me say to the gentleman that the State of Texas has created a commission on the condemnation of land, and there has been established noncotton zones and has provided for the appointment of impartial appraisers, and those appraisers take into consideration only the difference in what the land would yield in cotton and other crops.

Mr. WHITE of Kansas. It was so stated in the discussion a year ago; I remember it now. I would like to ask this question, does the cultivation of other crops or any other crops than cotton contribute to the propagation of this boll worm?

Mr. BUCHANAN. No other crop.

Mr. WHITE of Kansas. Well, do the weeds that grow on this land?

Mr. BUCHANAN. They have some weeds upon which the pink bollworm feeds, and it has been the policy to destroy those weeds wherever the bollworm appears by the establishment of noncotton zones in reference to that particular weed, and the Agricultural Department has ascertained the weed upon which they feed, which is a weed belonging to the same family as the okra.

Mr. WHITE of Kansas. Well, the Government has a great task. But it is well known that in many localities of this country infestation that is at present very injurious and destructive to field crops has been entirely eliminated or its

ravages have been neutralized successfully through this rotation of crops.

You folks down there tell us that you have improved your conditions agriculturally through alternation and diversity of crop production. Now, the subject to which I alluded a moment ago, the elimination of the Hessian fly, is also true in regard to the corn rootworm, which infests many fields in Iowa, and is common in Kansas, Nebraska, and Missouri; it was entirely eliminated through alternation of crops, and the productivity of the land has been greatly increased thereby. Possibly these discussions and these inquiries are not so pertinent, but I thought about it in this connection.

Mr. BUCHANAN. I will state to the gentleman that I entirely agree with him. The only thing I want to emphasize as to this appropriation is that the Government has been doing superior work and has stamped out this pest in several sections. Understand that it may appear only in one field, when you establish a cotton zone around it and sprinkle it with oil and burn the trash on the ground. They appeared this year in Ellis County, one of the finest cotton counties in Texas, sometimes making in one year 175,000 bales, and immediately the State and Federal authorities got together and established a zone around the field, and we hope to eliminate it.

Mr. WHITE of Kansas. They are alive to the importance of this and are not depending entirely on the Federal Government?

Mr. BUCHANAN. They are.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. BUCHANAN. Mr. Chairman, I move to strike out the last two words. I want to state that, unfortunately, the farmers upon this land, at least a part of them, did not believe it was the real pink bollworm, or did not want to believe it, and the State and Federal authorities had considerable antagonism from those farmers on whose land the pest appeared first. But finally they have become convinced, and the State is now alive and in splendid condition to combat it. If the State of Texas, in cooperation with the Government, can do that, it will accomplish a great task that will prove its value throughout all time to the American people.

Mr. WHITE of Kansas. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ERADICATION OF THE PARLATORIA DATE SCALE.

To enable the Secretary of Agriculture to meet the emergency caused by the existence of the Parlatoria date scale in California, Arizona, or any other State, and to provide means for the extermination of this insect in California, Arizona, or elsewhere in the United States, in cooperation with the States concerned, $13,000.

Mr. HAYDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HAYDEN: Page 71, line 10, strike out "$13,000" and insert "$15,000."

Mr. HAYDEN. Mr. Chairman, the report submitted by the Committee on Appropriations shows that $15,000 was requested for the eradication of the parlatoria date scale. The object of my amendment is to increase the appropriation to the full amount asked for by the Budget Bureau and the Department of Agriculture. We have been told in the course of this debate about the great advantage of promptly suppressing pests of this kind. By appropriating, in one instance, twice as much as was requested the citrus canker was eliminated from the orange groves of the United States. By prompt and adequate appropriations a number of diseases of animals, such as the foot-and-mouth disease and contagious pleuropneumonia, have been completely eradicated. In this instance the department has located the infested date orchards and knows exactly what must be done and has asked for a specific sum of money with which to do it. It certainly would be poor economy not to give them at least that much.

Mr. MANN. Is this work progressing satisfactorily?

Mr. HAYDEN. Entirely so, from all the reports I have obtained.

Mr. MANN. They are doing very good work now?

Mr. HAYDEN. Yes, indeed.

Mr. MANN. They have not spent $15,000 this year, and they will not?

Mr. HAYDEN. The department has spent all the money that was appropriated.

Mr. MANN. The appropriation was $15,000, of which $5,000 was to be used in the last fiscal year.

Mr. HAYDEN. Five thousand dollars was used during the spring of 1921 and $10,000 during this fiscal year. I might say to the gentleman from Illinois that there has been a recent importation of about 10,000 date trees from the Old World into this country. It is impossible to bring a date tree from abroad which is not infested with this dangerous scale insect. It is of the utmost importance that these trees be kept free from scale so that the offshoots they produce can be sold to the date growers of the Southwest. In view of this very large importation, one of the largest ever made, it is highly desirable that the appropriation be maintained at $15,000 without reduction, as it is a question of insurance of an industry already worth as many millions as the appropriation calls for thousands. All of the infested orchards must be kept under quarantine.

Mr. MANN. The quarantining part comes under another appropriation.

Mr. HAYDEN. That may be true, but the eradication of the parlatoria scale comes under this appropriation, and that is the reason why the full amount is needed. During the war it was impossible to import date trees, but a number were contracted for and have been recently brought into the United States which, with the stock formerly obtained, will thoroughly establish the date industry in the United States.

Mr. MANN. Will the gentleman yield?

Mr. HAYDEN. Gladly.

Mr. MANN. If the private parties who have these date orchards deliberately import infected date trees from abroad, is it proper to ask the General Government to clean them from the disease?

Mr. HAYDEN. The importation was not made by private individuals, but by the Government of the United States.

Mr. MANN. Are we importing millions of young date trees?

Mr. HAYDEN. No. The Department of Agriculture imported 10,000 this year, and they must all be disinfected.

Mr. MANN. Who gets them?

Mr. HAYDEN. The imported trees are planted in Government date orchards or in cooperative date orchards where the Government has absolute control of the land for 20 years.

Mr. MANN. And give them away to somebody?

Mr. HAYDEN. No. There is an agreement, however, that they shall be sold at a reasonable price.

Mr. MANN. Should that not cover the cost of cleaning them?

Mr. HAYDEN. It is necessary to first bring over the original tree, and then other trees are propagated by removing the suckers from them. There will be no trees to sell from this importation until several years from now, but in the meantime this scale must either be destroyed or the entire date industry will be ruined. The department has asked for this amount of money, and I am interested in seeing that the entire sum requested is appropriated.

Mr. MANN. The bureau got $15,000, and $10,000 for use this year, and they say they are doing all right with it. I think it would be in luck to get $3,000 more.

Mr. HAYDEN. The date experts of the Department of Agriculture are agreed that date culture in this country is almost impossible unless the parlatoria date scale is eradicated completely. Eradication work has been in progress for some years, but the rapid expansion of the date industry has necessitated more active measures to bring about a complete eradication of this very dangerous pest.

The date palm has been successfully introduced from Mesopotamia, Egypt, and the desert regions of North Africa into Arizona, California, and Texas, and of late this promising new fruit industry has been expanding rapidly. It is unquestionably destined to be one of the leading fruit industries of the hot, irrigated valleys of the Southwestern States. Already nearly $10,000,000 is invested in this industry and the investments are rapidly increasing.

The date industry, bringing into utilization lands not now yielding high-priced crops, will undoubtedly return to the Federal Treasury ten times all the moneys expended in establishing this new and promising fruit culture. In Arizona, particularly, both of the two largest plantations in the State, at Tempe and at Yuma, are dangerously infested with parlatoria scale, and this infestation delays the establishment of branch date gardens urgently needed to demonstrate the date-producing capacities of the various irrigated valleys in the State. The same is true in California. Ten or twelve of the date plantations, some of them the largest in the State, are infested with this scale, to say nothing of the 10,000 date offshoots received this year from abroad, every one of which is undoubtedly infested.

I would be pleased to hear from the gentleman in charge of the bill as to what reason there is for not allowing the full amount requested by the Department of Agriculture.

Mr. ANDERSON. The reason is very simple. It was expected that this work would be cleaned up this year, or practically so. It is proceeding under the current law on the basis of an expenditure of $13,000. There is no reason in the world for appropriating more than is used this year. The committee think that $13,000 will be entirely ample for the work. There is not an item in this bill in which we have a greater interest than in this, and if we thought for a moment that $15,000 was necessary to advance the work on a satisfactory scale we would not have thought of reducing it at all. But the committee thought it was absolutely certain on the basis of the progress that has already been made that $13,000 would carry it on very well next year.

Mr. HAYDEN. Then it is a question of judgment between the committee and those actually engaged in the work of eradicating this pest. I would rather give the benefit of the doubt to the Department of Agriculture as to the amount of this appropriation, and on that basis I hope that my amendment will be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arizona.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONTROL AND PREVENTION OF SPREAD OF THE MEXICAN BEAN BEETLE.

To enable the Secretary of Agriculture to meet the emergency caused by the recent introduction and rapid multiplication of the Mexican bean beetle in the State of Alabama and other States, and to provide means for the study, experimentation in eradication, and for the control and prevention of the spread of this insect in that State and to other States, in cooperation with the State of Alabama and other States concerned and with individuals affected, including the employment of persons and means in the city of Washington and elsewhere, and all other necessary expenses, $25,000.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. JONES of Texas. Mr. Chairman, I do so for the purpose of asking the chairman of the committee a question with reference to a provision that has already been passed. On page 69 there is a paragraph authorizing the interchange of appropriations. I notice that it provides that not to exceed 10 per cent of the amount in any of these items may be transferred from one appropriation to another. At the bottom of the paragraph it provides that not more than 10 per cent shall be added to any item of appropriation, except in cases of extraordinary emergency, and then only on the written order of the Secretary of Agriculture. Does not the gentleman think that a good deal of leeway is given in the last provision for transferring an appropriation, say one of the big appropriations, whereby the department might be able to transfer enough to one of the smaller ones to make it several times as large under that provision there?

Mr. ANDERSON. Under the interpretation that the solicitor and the comptroller have placed upon this paragraph the transfers apply only to appropriations within a bureau. There can be no transfer from one bureau to another. The paragraph to which the gentleman has referred does give quite a wide latitude, but I think that is absolutely necessary. As the gentleman well knows, it is impossible to anticipate the breaking out of contagious animal diseases, for instance, and infestations of insects, which may do an enormous amount of damage if they are not reached promptly and stamped out. This provision is intended to permit the transfer of sums in that way in order that the emergency represented by an outbreak of that kind might be promptly met.

Mr. JONES of Texas. Has this provision been carried in past years?

Mr. ANDERSON. It was carried for many years, except last year, when it went out on a point of order. I think it is very important.

Mr. JONES of Texas. Mr. Chairman, I move to withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

VAULT FOR REFRIGERATING PLANT.

For the construction of a vault for the housing, and the transfer to and the installation therein, of the machinery and apparatus of the refrigerating plant of the Bureau of Animal Industry, $25,000.

Mr. HAYDEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HAYDEN. Mr. Speaker, when the item in this bill appropriating $25,000 for the examination, appraisal, and survey of lands in effecting exchanges within the national forests was under consideration by the Agricultural Subcommittee of the House Committee on Appropriations, Mr. L. F. Kneipp, assistant forester, in charge of the lands division of the Forest Service, discussed the general policy involved in such exchanges. His remarks appear on pages 186 to 188 of the hearings held on February 1, 1922, and are of particular interest because since that time the House has passed the Smoot bill (S. 490) to consolidate national forest lands. On March 10 the Senate concurred in the House amendments to this measure, and it will probably be approved by the President and become a law within the near future. The statement is as follows:

Mr. KNEIPP. The privately owned lands within the national forests amount to 25,154,414 acres, which is 14 per cent or approximately one-seventh of the gross area of the national forests. These lands are largely nonagricultural in character, and the major portion are valuable for forest purposes only. While they represent in part appropriations under the homestead laws, they embrace lands granted to States, railroads, and other grantors, and also lands appropriated under other than the homestead laws.

Mr. ANDERSON. Are they lands that have been cut over, or are they still in timber?

Mr. KNEIPP. Both. Some of them contain timber and some are cut over. The economic value of these lands is primarily for the production of forests. Some of them are valuable for grazing, but how long they will be valuable for grazing purposes in continued private ownership is problematical. These private holdings are widely interspersed among Government lands and by their location create a situation which greatly complicates the use, management, and protection of either the Government or the privately owned lands. Efficient utilization, management, or protection is best conducted within natural units of operation. The timber operator can log most economically and efficiently when he can take all of the timber within a unit, but with part of the land owned by the Government and part by private owners this frequently is impossible. The same condition prevails with relation to grazing use. In protection against fire, insect infestations, etc., complete coordination is necessary but very frequently unobtainable because of reluctance on the part of the private owner to participate in the work to the same degree as the Government, or, in some cases, because of legal restrictions which preclude governmental action along lines proposed by the private owner.

To meet this situation, Congress has already passed 14 acts authorizing exchanges within specified national forests and 7 acts permitting exchange with specifically named owners of private lands. It has pending before it a total of 33 bills for the same purpose. Thus far the Forest Service has consummated 4 exchanges with States involving 756,402 acres of base land, and 44 exchanges with private owners involving 156,422 acres of base land. At the present time four exchanges with States, embracing a total base area of 847,560 acres, are pending. A number of exchanges with individuals have been carried to a tentative or preliminary stage, but have not yet reached the forester's office.

In order that the public interest shall be properly safeguarded and that there shall be absolutely no possibility of conditions such as were created by the old lieu land law, it is necessary that the base lands offered under acts of Congress and the lands to be selected in lieu thereof shall be carefully examined and appraised by officers of the Government. The costs of such examination and appraisal range from 1 cent per acre up to as high as 25 cents per acre in cases where very extensive timber values are involved. The average cost of examination and appraisal, however, is from 2 to 4 cents per acre.

Considering the extent of the legislation already passed by Congress, it may be proper to ask why more extensive exchanges with private owners have not been made? One reason has been the inability of the Forest Service to accept the basic land values demanded by the private owners. The heavy demand for grazing lands during the past several years has caused an advance in the price of that type of land which the Forest Service does not believe to be permanent. We are unable to assent to the values of $2.50, $3.50, or $4 placed by the owners on the property, while they, on the other hand, refuse to assent to the values of $1.25, or $1.50, or perhaps $0.75, which the Forest Service believes to be correct. The result has been a temporary deadlock which has restricted exchange negotiations. Another development has been the frankly expressed view of some private landowners that the public purposes to which the lands are to be devoted by the Government if acquired, and their adaptability to such purposes, warranted the Government in allowing for them a higher value per acre than they would command in the open market. Refusal to accede to this position has also retarded exchange negotiations. The policy of the Forest Service in handling exchange work has been, first, to approve only those exchanges which are in the public interest. Exchanges for the convenience or profit of private landowners are not deemed to be within the purview of the exchange legislation except when also advantageous to the Government.

Of course, because of the conditions previously outlined it is practicable for both the private landowner and the Government to benefit mutually from these exchanges without either party sacrificing any part of its interest. Another point always stressed is that the value of the base and selected lands shall be determined by careful appraisals, and that in making such appraisals only the market values established by transactions between willing purchasers and willing sellers will be recognized. In no instance are theoretical computations or yield or expectation values used in making appraisals. Continued insistence is laid upon the principle that the Government shall not and will not value offered lands at more than a private purchaser would have to pay for them under conditions of voluntary sale. Another point carefully guarded against is the establishment through exchange of a monopoly of the timber within a region or upon which a region is dependent. Another point always guarded against is a reduction in the county's share of the gross receipts from the sale of forest resources which would hurt the county financially.

The volume of future exchange work is wholly problematical, but if half the bills now pending in Congress become laws the exchange work will be very heavy. For illustration: One bill relating to three national

forests in northern Idaho, which has passed both Houses in slightly different form and is now with the conference committee, would permit exchanges aggregating almost half a million acres. Senator BURSUM'S bill, S. 920, which has also passed both Houses in slightly different form and is now with the conferees, would authorize exchanges in any forest in New Mexico, and under its provisions a million acres or more may be offered in exchange. Senator SMOOT'S bill, S. 490, which has passed the Senate and is now before the House, authorizes exchanges in any national forest, and thus would embrace the entire 25,000,000 acres of privately owned lands, although, of course, much that would never be offered to or accepted by the Government for forest purposes.

Mr. ANDERSON. There is no legislation now which authorizes exchanges in general language?

Mr. KNEIPP. No, sir. None has been enacted so far. S. 490, introduced by Senator SMOOT, is the one now pending.

The exchange work is important and valuable, first, to the Government in creating conditions whereby its valuable forest properties can be more economically administered, more efficiently protected, and better utilized, and to the private owner by making it possible for him to assemble his private holdings into units susceptible of the best use and management.

Of the 25,154,414 acres of land not owned by the United States, it is estimated by the Forest Service that it would be advantageous if about 10,000,000 acres were in Government ownership. The remainder is principally agricultural or mineral land, and consequently chiefly valuable for development by private enterprise. In order to make available information as to the maximum amount of land that might possibly be exchanged under the terms of the Smoot bill, I shall print the following table, compiled by the engineering branch of the Forest Service and published on June 30, 1921:

National Forest areas.

State.	Forest.	Areas within National Forest boundaries.		
		National Forest land.	Other lands.	Total.
		Acres.	*Acres.*	*Acres.*
Alabama	Alabama	65,167	133,218	198,385
Alaska	Chugach	5,130,034	102,170	5,232,204
	Tongass	15,449,302	31,698	15,481,000
Total		20,579,336	133,868	20,713,204
Arizona	Apache	1,236,665	39,735	1,276,400
	Coconino	1,769,207	146,364	1,915,571
	Coronado	1,304,841	52,987	1,357,828
	Crook	890,228	22,057	912,285
	Dixie	17,680		17,680
	Kaibab	752,339	561	752,900
	Prescott	1,447,850	196,995	1,644,845
	Sitgreaves	650,115	243,605	893,720
	Tonto	1,988,806	44,954	2,033,760
	Tusayan	1,298,115	178,014	1,476,129
Total		11,355,846	925,272	12,281,118
Arkansas	Arkansas	640,136	318,641	958,777
	Ozark	286,849	224,767	511,616
Total		926,985	543,408	1,470,393
California	Angeles	818,782	239,750	1,058,532
	California	817,172	245,400	1,062,572
	Cleveland	548,661	264,955	813,616
	Crater	47,097	9,925	57,022
	Eldorado	553,318	282,482	835,800
	Inyo	1,204,221	45,061	1,249,282
	Klamath	1,524,514	210,151	1,734,665
	Lassen	950,484	370,859	1,321,343
	Modoc	1,460,402	445,097	1,905,499
	Mono	785,701	89,160	874,861
	Plumas	1,144,418	288,442	1,432,860
	Santa Barbara	2,021,031	267,727	2,288,758
	Sequoia	1,879,809	141,790	2,021,599
	Shasta	824,071	761,129	1,585,200
	Sierra	1,493,400	169,160	1,662,560
	Siskiyou	348,879	52,916	401,795
	Stanislaus	810,802	293,610	1,104,412
	Tahoe	531,210	636,327	1,167,537
	Trinity	1,409,010	315,115	1,724,125
Total		19,172,982	5,129,056	24,302,038
Colorado	Arapaho	634,485	45,536	680,021
	Battlement	653,583	18,655	672,238
	Cochetopa	907,000	23,220	930,220
	Colorado	853,641	295,953	1,149,594
	Gunnison	905,409	45,901	951,310
	Hayden	66,053	5,947	72,000
	Holy Cross	1,171,961	89,739	1,261,700
	La Sal	27,444	176	27,620
	Leadville	928,954	127,406	1,056,360
	Montezuma	698,222	113,398	811,620
	Pike	1,093,156	162,956	1,256,112
	Rio Grande	1,135,167	85,973	1,221,140
	Routt	744,856	74,422	819,278
	San Isabel	598,912	52,288	651,200
	San Juan	1,240,168	208,832	1,449,000
	Uncompahgre	786,299	81,621	867,860
	White River	845,104	25,766	870,870
Total		13,290,354	1,457,789	14,748,143

National Forest areas—Continued.

State.	Forest.	Areas within National Forest boundaries.		
		National Forest land.	Other lands.	Total.
		Acres.	*Acres.*	*Acres.*
Florida	Florida	317,511	399,290	716,801
Georgia	Cherokee	61,905	355,251	416,256
	Nantahala	73,090	191,204	264,294
Total		134,995	546,455	680,550
Idaho	Boise	1,059,719	58,395	1,118,114
	Cache	493,234	14,387	507,621
	Caribou	702,527	37,694	740,221
	Challis	1,257,443	11,849	1,269,292
	Clearwater	785,376	122,470	907,846
	Coeur d'Alene	663,531	126,703	790,234
	Idaho	1,879,284	32,613	1,911,897
	Kaniksu	197,476	100,177	297,653
	Lemhi	1,095,938	4,624	1,100,562
	Minidoka	508,745	22,375	531,120
	Nezperce	1,626,627	39,452	1,666,079
	Payette	1,197,511	36,728	1,234,239
	Pend Oreille	674,766	199,972	874,738
	St. Joe	556,438	315,550	871,988
	Salmon	1,620,387	22,973	1,643,360
	Sawtooth	1,159,352	18,469	1,177,821
	Selway	1,688,287	113,713	1,802,000
	Targhee	984,025	41,715	1,025,740
	Weiser	561,575	98,047	659,622
Total		18,712,241	1,417,906	20,130,147
Maine	White Mountain	32,143	83,415	115,558
Michigan	Michigan	89,466	74,412	163,878
Minnesota	Minnesota	190,602	121,874	312,476
	Superior	857,018	411,520	1,268,538
Total		1,047,620	533,394	1,581,014
Montana	Absaroka	841,079	146,631	987,710
	Beartooth	660,680	21,250	681,930
	Beaverhead	1,339,568	25,432	1,365,000
	Bitterroot	1,047,420	108,448	1,155,868
	Blackfeet	895,238	233,377	1,128,615
	Cabinet	829,206	214,018	1,043,224
	Custer	518,410	78,918	597,328
	Deerlodge	830,464	133,536	964,000
	Flathead	1,707,912	295,027	2,003,939
	Gallatin	567,614	341,816	909,430
	Helena	680,134	208,497	888,631
	Jefferson	1,042,884	132,801	1,175,685
	Kootenai	1,332,353	284,787	1,617,140
	Lewis and Clark	810,891	15,469	826,360
	Lolo	850,677	330,341	1,181,018
	Madison	931,885	103,635	1,035,520
	Missoula	1,030,717	337,155	1,367,872
Total		15,917,132	3,012,138	18,929,270
Nebraska	Nebraska	205,944	11,864	217,808
Nevada	Dixie	56,324	7,086	63,410
	Eldorado	400		400
	Humboldt	1,308,207	160,011	1,468,218
	Inyo	56,365	2,412	58,777
	Mono	464,316	19,203	483,519
	Nevada	1,174,621	22,440	1,197,061
	Tahoe	13,853	40,992	54,845
	Toiyabe	1,871,464	16,552	1,888,016
Total		4,945,550	268,696	5,214,246
New Hampshire	White Mountain	383,111	487,443	870,554
New Mexico	Carson	869,320	55,981	925,301
	Coronado	125,540	3,612	129,152
	Datil	2,642,245	261,475	2,903,720
	Gila	1,559,530	78,523	1,638,053
	Lincoln	1,123,975	348,104	1,472,079
	Manzano	697,488	230,431	927,919
	Santa Fe	1,364,585	125,402	1,489,987
Total		8,382,683	1,103,528	9,486,211
North Carolina	Cherokee		44,851	44,851
	Nantahala	110,232	286,032	396,264
	Pisgah	202,843	963,206	1,166,049
	Unaka		123,289	123,289
Total		313,075	1,417,378	1,730,453
Oklahoma	Wichita	61,480	100	61,640
Oregon	Cascade	1,022,431	72,054	1,094,485
	Crater	804,533	275,592	1,080,125
	Deschutes	1,283,806	160,032	1,443,840
	Fremont	849,526	86,188	935,714
	Klamath	8,723	170	8,893
	Malheur	1,043,777	219,063	1,262,840
	Ochoco	718,024	107,619	825,643
	Oregon	1,053,700	105,500	1,159,200

National Forest areas—Continued.

State.	Forest.	Areas within National Forest boundaries.		
		National Forest land.	Other lands.	Total.
		Acres.	*Acres.*	*Acres.*
Oregon—Con.	Santiam	607,097	112,886	719,983
	Siskiyou	998,026	257,224	1,255,250
	Siuslaw	546,292	290,029	836,321
	Umatilla	915,354	111,585	1,026,939
	Umpqua	1,010,633	210,758	1,221,391
	Wallowa	957,419	96,118	1,053,537
	Whitman	1,313,738	168,454	1,482,192
Total		13,133,061	2,293,281	15,423,362
Porto Rico	Luquillo	12,443	53,507	65,950
South Carolina	Nantahala	18,454	118,762	137,216
South Dakota	Black Hills	476,608	125,403	602,011
	Custer	74,091	5,663	79,754
	Harney	526,055	85,355	611,410
Total		1,076,754	216,421	1,293,175
Tennessee	Cherokee	118,290	248,302	366,592
	Unaka	95,135	420,036	515,171
Total		213,425	668,338	881,763
Utah	Ashley	974,109	7,504	981,613
	Cache	276,737	44,018	320,755
	Dixie	435,106	31,035	466,141
	Fillmore	700,890	78,400	779,299
	Fishlake	656,901	66,690	723,591
	La Sal	510,185	14,530	524,715
	Manti	781,575	74,147	855,722
	Minidoka	69,252	23,028	92,280
	Powell	683,580	21,120	704,700
	Sevier	720,235	79,620	799,855
	Uinta	1,007,145	35,990	1,043,135
	Wasatch	605,476	51,001	656,477
Total		7,421,191	527,083	7,948,274
Virginia	Monongahela		23,245	23,245
	Natural Bridge	97,328	182,658	279,986
	Shenandoah	230,630	545,255	775,885
	Unaka	22,404	189,132	212,787
Total		350,362	941,541	1,291,903
Washington	Chelan	677,592	46,518	724,110
	Columbia	785,227	156,973	942,200
	Colville	754,737	61,263	816,000
	Kaniksu	257,607	119,156	376,763
	Okanogan	1,488,410	52,590	1,541,000
	Olympic	1,535,506	116,494	1,652,000
	Rainier	1,316,679	244,791	1,561,470
	Snoqualmie	693,733	348,267	1,042,000
	Umatilla	313,439	8,392	321,831
	Washington	1,459,748	30,231	1,489,979
	Wenatchee	657,034	499,966	1,157,000
Total		9,939,712	1,684,641	11,624,353
West Virginia	Monongahela	53,335	600,386	653,721
	Shenandoah	45,774	146,021	191,795
Total		99,109	746,407	845,516
Wyoming	Ashley	5,987	73	6,060
	Bighorn	1,124,617	11,583	1,136,200
	Black Hills	144,476	34,645	179,121
	Bridger	713,809	4,168	717,977
	Caribou	6,284	956	7,240
	Hayden	327,518	38,024	365,542
	Medicine Bow	477,794	33,417	511,211
	Shoshone	1,579,316	29,684	1,609,000
	Targhee	337,666	1,404	339,070
	Teton	1,924,497	46,695	1,971,192
	Washakie	852,315	12,558	864,873
	Wyoming	974,514	12,536	987,050
Total		8,468,793	225,743	8,694,536
Aggregate for the 149 national forests		156,666,045	25,154,414	181,820,459

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OLYMPIC NATIONAL FOREST.

For emergency expenditures incident to the disposal of wind-thrown and intermingled or adjoining timber on the Olympic National Forest and for emergency measures necessary to protect from fire the timber on the Olympic National Forest, including the repair and construction of roads, fire lanes, trails, telephone lines, or other means of communication, through or along the boundaries of the area or areas of blown-down timber on the north and west sides of said national forest, and for the employment of extra guards and patrolmen as may be found necessary by the Secretary of Agriculture, $33,000.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks on forest fires and the Forest Service generally.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CENTER MARKET, DISTRICT OF COLUMBIA.

Operation and management: To enable the Secretary of Agriculture, in carrying out the provisions of the act of March 4, 1921 (41 Stat. L., p. 1441), to pay for ice, electricity, gas, water, fuel, travel, stationery, printing, telegrams, telephones, labor, supplies, materials, equipment, miscellaneous expenses, necessary repairs and alterations, to be reimbursed by any person for whose account any such expenditure may be made; to continue the employment of the necessary persons under the conditions in existence at the time of the taking over of the property by the Secretary of Agriculture, with such changes thereof as he may find necessary; to provide a fund for the payment of freight, express, drayage, and other charges and claims against the commodities accepted for storage, and to require reimbursement thereof with interest at the rate of 6 per cent per annum, and to remove, sell, or otherwise dispose of such commodities held as security for such payment when such reimbursement is not made when due, all reimbursement of such payments and all receipts from such disposition of commodities to be credited to such fund and to be reexpendable therefrom; and to use such other means as the Secretary of Agriculture may find necessary for the proper occupancy and use by the Government and its tenants of said property, $165,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. SNELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. SNELL. I notice under this item that last year a commission was appointed to make an estimate of what it would cost. I wondered whether that commission had given the committee any information as to the cost.

Mr. ANDERSON. The commission has not yet made its findings as to cost. It has until April 4 to do that. Of course, if it makes a determination before that, we shall be able to take it over earlier.

Mr. SNELL. There is nothing to show whether a profit will be made out of this enterprise or otherwise?

Mr. ANDERSON. We have figures showing the receipts and disbursements of the market company and the amount of expenditures to be incurred by the Government. The total revenues, as I recall, last year of the market company were $280,000, as against estimated expenditures for the fiscal year 1923 under Government operation of $175,000.

Mr. SNELL. It is necessary, is it not, for the Government to make extensive repairs in order to put it into proper shape?

Mr. ANDERSON. Yes; to the extent of about $58,000.

Mr. SNELL. The gentleman thinks if we do not pay too much for it we will get out of it without losing much money?

Mr. ANDERSON. Exactly.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph on the ground that it is legislation, unauthorized, on an appropriation bill. That is the point of order. It is legislation.

Mr. ANDERSON. Mr. Chairman, the law authorizes the taking over of this property, and a commission was appointed to appraise it and make a report by April 4. On this report the Government takes over the property under the law and operates it under very extensive provisions for its operation.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. BLANTON. Is it not a fact that so far as the act went it was merely to make a complete survey and report?

Mr. ANDERSON. Oh, no, indeed.

Mr. JOHNSON of Kentucky. It provides for a complete transfer.

Mr. ANDERSON. It provides specifically for the transfer of the property to the Government and that the Government shall have the title immediately upon the filing of the report of this commission as to the value of the property.

Mr. BLANTON. Mr. Chairman, there is nothing in that act which authorizes the Secretary of Agriculture to take over the property in the sense that it also takes over ice, electricity, gas, water, fuel, travel, stationery, printing, telegrams, telephones, labor, supplies, materials, equipment, miscellaneous expenses, necessary repairs, alterations, and so on. There is much of legislation in this particular paragraph.

Mr. ANDERSON. I guess the way to get at it is to read the language for the benefit of the gentleman from Texas.

Mr. MANN. May I ask the gentleman from Minnesota, as a practical market man, if it would be possible to operate the market without the use of ice, electricity, gas, water, and fuel, or could it be operated wholly on hot air? [Laughter.]

Mr. ANDERSON. It is necessary to have all of those things, and it can not be operated on hot air.

The CHAIRMAN. The Chair is ready to rule unless gentlemen desire to discuss the point of order.

SEVERAL MEMBERS. Rule!

The CHAIRMAN. In looking up the law under which the authorization was given to the Government to take over this market, it sems to the Chair very clear that the authorization exists, and that this provision is in order.

Mr. BLANTON. I withdraw the point of order.

The CHAIRMAN. The Chair will read:

Chapter 171, Forty-first Statutes, page 1442, approved November 4, 1921: "The Secretary of Agriculture is hereby authorized, out of appropriations made by Congress from time to time for that purpose, to employ such persons and to purchase such materials as may be essential to the operation or maintenance of said property and for the proper management and control thereof."

In view of that law the Chair overrules the point of order.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to strike out the last two words. I make the motion for the purpose of inviting the attention of the chairman of the committee to the relative expense of conducting the market as compared with the conducting of it by its now former owners.

The act of May 20, 1870, leased this property to a corporation for 99 years at an annual rental of $25,000. By a piece of legislative legerdemain the annual rental, in a few months thereafter, was reduced to $20,000; and then in a few months after that it was reduced to $7,500. That rental went for many years to the District of Columbia and is now going to the District of Columbia. The District of Columbia is getting $7,500 a year as rental of that property. For about 50 years the United States Government has been contributing dollar for dollar under the half-and-half plan against that $7,500. So the United States Government has not only been losing the rental of the property, but under the half and half act relative to the District of Columbia, it has been contributing another $7,500. It has appeared heretofore in the inquiries conducted into this matter that that $7,500 rental was only one-tenth of 1 per cent of the value of the property, as fixed by the assessor. Notwithstanding that the United States Government was leasing its own property at one-tenth of 1 per cent of its value, it has been renting surrounding property at many times that rental. In addition to that, while leasing this property to the Washington Market Co. at $7,500 a year, the Washington Market Co. in turn has been charging the District of Columbia as much as $14,000 a year for the rental of one part of it.

But there is one thing that might come up between the conferees to which attention might now be invited, and that is this, that it appears in the hearings that the capital stock of the Washington Market Co. was $1,000,000. A million dollars capital stock was authorized, but the Washington Market Co. throughout all these years has issued only $150,000 of the capital stock. It has been paying 5 per cent dividend on $850,000 capital stock that never has been issued. They have issued $200,000 bonds upon the property, but they need never have done that if they had only issued $200,000 more of its capital stock.

I submit these few remarks for the benefit of those who may have the control of the matter in conference, with the view of controverting any idea that may be suggested by the other body that this transfer will not be a paying investment to the United States Government.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. The Clerk will read.

The Clerk read as follows:

ENFORCEMENT OF PACKERS AND STOCKYARDS ACT.

To enable the Secretary of Agriculture to carry into effect the provisions of the packers and stockyards act, approved August 15, 1921, $410,500: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $5,000 per annum except one person at a rate of $6,500 per annum.

Mr. BLANTON. Mr. Chairman, I make a point of order against the proviso. There is no authority for raising salaries, or at least one salary to $6,500.

Mr. ANDERSON. I admit that it is subject to the point of order if the gentleman from Texas insists upon making it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ANDERSON. I offer an amendment in lieu of the matter stricken out.

The CHAIRMAN. The Chair understands the point of order was made merely against the proviso.

Mr. BLANTON. Just merely against the proviso.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

Mr. ANDERSON. The gentleman states that his point of order was simply against the proviso in the item on page 81?

Mr. BLANTON. No. Merely against the proviso on page 80.

The CHAIRMAN. On page 80, beginning with line 14.

Mr. ANDERSON. I was under a misapprehension. I now understand that the gentleman made his point of order against the proviso on page 80. I do not concede the point of order upon that. That is a limitation. There is no provision at all limiting the salary under the act.

Mr. BLANTON. Does the gentleman think it wise to put the limitation as high as he has placed it?

Mr. ANDERSON. Yes; indeed, I do.

Mr. BLANTON. If the gentleman thinks that, I withdraw the point of order.

Mr. MANN. The point of order is not good. I would like to have it ruled upon.

The CHAIRMAN. The Chair has ruled. The Chair thinks the only way now to change the situation is by unanimous consent.

Mr. BLANTON. I ask unanimous consent to withdraw the point of order.

Mr. MANN. The Chair ruled upon the admission made by the gentleman from Minnesota under a misapprehension. I do not want that ruling to stand as the ruling of the Chair.

The CHAIRMAN. The gentleman from Minnesota conceded the point of order and the Chair ruled.

Mr. ANDERSON. I conceded it under a misapprehension.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the ruling of the Chair be vacated. Is there objection?

There was no objection.

The Clerk read as follows:

MAXIMUM SALARIES.

That hereafter the maximum salary of any scientific investigator, or other employee engaged in scientific work and paid from the general appropriations of the Department of Agriculture, shall not exceed at the rate of $6,500 per annum: *Provided*, That for the fiscal year 1923 no salary shall be paid under this paragraph at a rate per annum in excess of $5,000 except the following: Not more than eight in excess of $5,000 but not in excess of $5,500 each, and not more than three in excess of $5,500 each.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

Mr. BLANTON. I make a point of order against the paragraph.

Mr. KINCHELOE. Will the gentleman reserve the point of order?

Mr. MANN. I will reserve it.

Mr. BLANTON. I will reserve the point of order.

Mr. KINCHELOE. Mr. Chairman, I want to make a statement in regard to this matter. The question of raising the limit of maximum salaries in the Agriculture Department came before the committee and the Secretary of Agriculture was there with several of his men. I think from his statement in a few of these cases the maximum limit should be raised. But after the hearings the Agricultural Committee reported a bill to the House——

Mr. MANN. I have it in my hand.

Mr. KINCHELOE. Specifically stating that 24 of them should be raised.

Mr. MANN. Not in accordance with the paragraph in the bill?

Mr. KINCHELOE. No.

Mr. BLACK. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. BLACK. All the officials mentioned by the gentlemen are covered by the reclassification bill which the House passed some time ago, and I see no reason why the matter is not taken care of by that bill.

Mr. KINCHELOE. That question was raised before the committee, but the contention of the Secretary of Agriculture was that even if the reclassification bill became a law it could not become a law within the next calendar year, and for that reason they were satisfied with the bill which the Agricultural Committee reported.

Mr. MANN. Is it not a fact that a few years ago the highest pay for this class of employees was $3,000?

Mr. KINCHELOE. Yes.

Mr. MANN. It was increased to $3,500, then it was increased to $4,000, and then on March 9 the Committee on Agriculture reports a bill to the House making the highest salary $6,000. This bill was reported with the highest salary $6,500. The reclassification bill covers all of these cases.

Mr. KINCHELOE. I want to say that I am in sympathy with the point of order and expected to make it myself. But this provision in this bill throws the bars down and gives them unlimited authority to increase the salaries as they may see fit, and I do not think it should be done.

Mr. MANN. In the bill that we passed?

Mr. KINCHELOE. No; in this bill here it says in the proviso that it limits it for 1923.

Mr. MANN. It makes the raise in salary permanent legislation.

Mr. KINCHELOE. Absolutely.

Mr. MANN. And the only restriction is for the next fiscal year.

Mr. KINCHELOE. Yes; for the next fiscal year, and after that anybody engaged in scientific work can be paid any amount.

Mr. MANN. I thought the gentleman was seeking to defend that provision in the bill.

Mr. KINCHELOE. Oh, no; the reason I asked the gentleman to reserve the point of order was to show that the Agricultural Committee had reported a bill only giving them the right to increase the salary of 24 employees in scientific work, while this after the year 1923 will give them blanket authority.

Mr. CLARKE of New York. Was not the bill from the Agricultural Committee the result of a conference with the Secretary of Agriculture?

Mr. KINCHELOE. Yes; and it was absolutely satisfactory, and then they come to the subcommittee on appropriations and ask that after 1923 they have blanket authority to fix salaries.

Mr. BLANTON. Of course the point of order will have to be sustained and the paragraph go out, but I call attention to the fact that only three employees in the limitation are placed on the salary mentioned in line 10.

Mr. KINCHELOE. I expected to make the point of order if the gentleman from Illinois did not, but the point I am making is that the Secretary of Agriculture came before the Committee on Agriculture and agreed to this bill, and then he goes to the subcommittee on appropriations and gets blanket authority after 1923.

Mr. ANDERSON. Mr. Chairman, in connection with the action of the subcommittee, I want to say that this was agreed upon before the action of the Committee on Agriculture in reporting the bill to which the gentleman from Kentucky has referred. So it could not fairly be said that the department, after agreeing with the Committee on Agriculture as to a limitation, came before the subcommittee and asked for a higher limitation.

Mr. GARNER. May I interrupt the gentleman?

Mr. ANDERSON. I have not the floor.

Mr. GARNER. Is it the purpose of the gentleman in the future in the reports to point out and suggest legislation necessary to take care of the departments? I asked the gentleman from Illinois the other day why the committee did not adopt the policy of pointing out to the legislative committees legislation that appeared to the Committee on Appropriations necessary, in order that they might make appropriations that appeal to them, and he said that was going to be the policy in the future. I am wondering if the gentleman is in agreement with the chairman with reference to that?

Mr. MANN. It is the duty of every legislative committee that deals with the matter of appropriations to study the appropriation bills.

Mr. GARNER. I was merely trying to get the legislative committee a primer on which to study these matters from the Committee on Appropriations.

Mr. MANN. Some of them do not need a primer.

Mr. ANDERSON. As far as I am concerned, I shall hesitate very much to advise the Agricultural Committee as to what legislation it ought to pass.

Mr. MANN. Mr. Chairman, it may be possible that there should be some increase in the salaries of the scientists employed by the Government. I do not know who prepared the provision in this appropriation bill. As suggested by the gentleman from Kentucky [Mr. KINCHELOE], it is very shrewdly prepared. Apparently it puts a limit upon the number of salaries that can be paid above $5,000 by providing a limit for the next fiscal year. After that it takes off the limit entirely. Of course, some innocent gentleman somewhere innocently thought that a thing of that sort could go through the House and nobody ever notice it. He will know better the next time. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ANDERSON. Mr. Chairman, I offer the following amendment in lieu of the paragraph stricken out.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: Page 81, at the top of the page, insert:

"That hereafter the maximum salary of any scientific investigator or other employee engaged in scientific work and paid from the general appropriations of the Department of Agriculture shall not exceed at the rate of $6,000 per annum: *Provided*, That no salary shall be paid under this paragraph at a rate per annum in excess of $4,500 except the following: Not more than seven in excess of $4,500 but not in excess of $5,000 each; not more than five in excess of $5,000 but not in excess of $5,500 each, and not more than three in excess of $5,500."

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment. It is legislation on an appropriation bill. The word "hereafter" makes it legislation, regardless of anything else.

Mr. ANDERSON. Mr. Chairman, the amendment which I have offered provides the same limitation as was made by the Committee on Agriculture in the bill which it has recently reported. I admit, however, that there is no legislation authorizing it at the present time.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk concluded the reading of the bill.

Mr. ANDERSON. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having resumed the chair as Speaker pro tempore, Mr. HICKS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10730, the Agricultural appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. CURTIS, and Mr. GLASS as the conferees on the part of the Senate.

AGRICULTURAL APPROPRIATION BILL.

Mr. ANDERSON. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. CLARKE of New York. Mr. Speaker, I demand a separate vote on the amendment providing for free seeds.

The SPEAKER pro tempore. The gentleman from New York demands a separate vote on the amendment for the free distribution of seeds. Is a separate vote demanded on any other? If not, the Chair will put the other amendments en gross. The question is on agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Page 26, after line 7, insert the following as a new paragraph:

"Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $360,000. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated; and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided also*, That

any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry, and other rare and valuable trees, shrubs, vines, cuttings, and plants."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and Mr. CLARKE of New York and Mr. JOHNSON of Washington demanded a division.

The committee again divided, and there were—ayes 60, noes 45.

Mr. McARTHUR. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. It is clear that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on agreeing to the amendment.

The question was taken; and there were—yeas 174, nays 141, answered "present" 2, not voting 111, as follows:

YEAS—174.

Almon	Fordney	Lee, Ga.	Rouse
Appleby	Fuller	Lehlbach	Rucker
Arentz	Fulmer	Little	Sanders, Ind.
Aswell	Gahn	Logan	Sanders, Tex.
Atkeson	Garrett, Tex.	Lowrey	Sandlin
Bankhead	Gensman	Lyon	Scott, Tenn.
Barkley	Goodykoontz	McCormick	Sears
Benham	Griest	McSwain	Shelton
Black	Griffin	MacGregor	Sisson
Bland, Ind.	Hadley	Maloney	Slemp
Boies	Hammer	Mann	Smith, Idaho
Bowers	Hardy, Colo.	Martin	Smithwick
Bowling	Hardy, Tex.	Mead	Steagall
Brand	Harrison	Miller	Stedman
Briggs	Haugen	Millspaugh	Stephens
Brooks, Ill.	Hawley	Mondell	Stevenson
Brown, Tenn.	Hays	Moores, Ind.	Stoll
Bulwinkle	Herrick	Mott	Swank
Burke	Hickey	Murphy	Sweet
Byrns, Tenn.	Hogan	Newton, Minn.	Tague
Campbell, Pa.	Huddleston	Newton, Mo.	Taylor, Ark.
Cantrill	Hudspeth	Nolan	Taylor, N. J.
Carew	Hukriede	Norton	Taylor, Tenn.
Carter	Hull	O'Connor	Thomas
Classon	Humphreys	Oldfield	Thompson
Clouse	Jacoway	Overstreet	Tillman
Collier	Jefferis, Nebr.	Padgett	Timberlake
Collins	Johnson, Ky.	Park, Ga.	Tincher
Colton	Johnson, Miss.	Patterson, Mo.	Tyson
Copley	Keller	Patterson, N. J.	Valle
Crisp	Kendall	Porter	Vinson
Cullen	Kincheloe	Pou	Voigt
Davis, Minn.	Kindred	Pringey	Ward, N. C.
Davis, Tenn.	King	Quin	Weaver
Dominick	Kline, Pa.	Raker	White, Kans.
Doughton	Kopp	Reece	Wilson
Drane	Langley	Reed, N. Y.	Woods, Va.
Dupré	Lanham	Reed, W. Va.	Woodyard
Dyer	Larsen, Ga.	Rhodes	Wright
Echols	Lawrence	Ricketts	Wurzbach
Faust	Layton	Riddick	Wyant
Favrot	Lazaro	Roach	Zihlman
Fisher	Lea, Calif.	Robertson	
Focht	Leatherwood	Robsion	

NAYS—141.

Ackerman	Connell	Hersey	Michaelson
Anderson	Connolly, Pa.	Hicks	Michener
Andrew, Mass.	Cooper, Ohio.	Hoch	Moore, Ohio
Andrews, Nebr.	Cooper, Wis.	Hooker	Moore, Va.
Anthony	Crago	Husted	Morgan
Barbour	Cramton	Ireland	Nelson, A. P.
Beck	Curry	James	Nelson, J. M.
Beedy	Dallinger	Johnson, Wash.	Osborne
Begg	Darrow	Jones, Tex.	Paige
Bird	Dickinson	Kearns	Parker, N. J.
Bixler	Dowell	Kelley, Mich.	Parker, N. Y.
Blanton	Driver	Kelly, Pa.	Parks, Ark.
Box	Dunn	Ketcham	Perkins
Brennan	Evans	Kiess	Rankin
Browne, Wis.	Fess	Kinkaid	Rogers
Buchanan	Fitzgerald	Kirkpatrick	Ryan
Burroughs	Foster	Kissel	Sanders, N. Y.
Burtness	Frear	Kleczka	Schall
Burton	Free	Kline, N. Y.	Scott, Mich.
Byrnes, S. C.	Freeman	Kraus	Shaw
Cable	French	Larson, Minn.	Shreve
Campbell, Kans.	Frothingham	Lineberger	Sinclair
Cannon	Garner	Linthicum	Sinnott
Chalmers	Garrett, Tenn.	Luce	Smith, Mich.
Chandler, N. Y.	Gernerd	McArthur	Snell
Chindblom	Gilbert	McDuffie	Snyder
Christopherson	Gorman	McLaughlin, Mich.	Sproul
Clague	Graham, Ill.	McPherson	Strong, Kans.
Clarke, N. Y.	Green, Iowa	Madden	Summers, Wash.
Cole, Iowa	Hawes	Magee	Sumners, Tex.
Connally, Tex.	Hayden	Mapes	Swing
Temple	Underhill	Webster	Yates
Tilson	Vestal	Wheeler	Young
Tinkham	Volstead	White, Me.	
Towner	Wason	Williamson	
Treadway	Watson	Woodruff	

ANSWERED "PRESENT"—2.

Bland, Va. Cockran

NOT VOTING—111.

Ansorge	Fields	Luhring	Reavis
Bacharach	Fish	McClintic	Reber
Bell	Funk	McFadden	Riordan
Blakeney	Gallivan	McKenzie	Rodenberg
Bond	Glynn	McLaughlin, Nebr.	Rose
Brinson	Goldsborough	McLaughlin, Pa.	Rosenbloom
Britten	Gould	Mansfield	Rossdale
Brooks, Pa.	Graham, Pa.	Merritt	Sabath
Burdick	Greene, Mass.	Mills	Siegel
Butler	Greene, Vt.	Montague	Speaks
Chandler, Okla.	Hill	Montoya	Stafford
Clark, Fla.	Himes	Moore, Ill.	Steenerson
Codd	Hutchinson	Morin	Stiness
Cole, Ohio	Jeffers, Ala.	Mudd	Strong, Pa.
Coughlin	Johnson, S. Dak.	O'Brien	Sullivan
Crowther	Jones, Pa.	Ogden	Taylor, Colo.
Dale	Kahn	Oliver	Ten Eyck
Deal	Kennedy	Olpp	Upshaw
Dempsey	Kitchin	Parrish	Vare
Denison	Knight	Perlman	Volk
Drewry	Knutson	Petersen	Walters
Dunbar	Kreider	Purnell	Ward, N. Y.
Edmonds	Kunz	Radcliffe	Williams
Elliott	Lampert	Rainey, Ala.	Wingo
Ellis	Lankford	Rainey, Ill.	Winslow
Fairchild	Lee, N. Y.	Ramseyer	Wise
Fairfield	London	Ransley	Wood, Ind.
Fenn	Longworth	Rayburn	

So the amendment was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. BROOKS of Pennsylvania (for) with Mr. MONTAGUE (against).

Mr. LONDON (for) with Mr. MILLS (against).

Mr. GALLIVAN (for) with Mr. PURNELL (against).

Mr. O'BRIEN (for) with Mr. STRONG of Pennsylvania (against).

Mr. MANSFIELD (for) with Mr. ELLIOTT (against).

Mr. UPSHAW (for) with Mr. DUNBAR (against).

Mr. LANGFORD (for) with Mr. BLAND of Virginia (against).

Mr. BELL (for) with Mr. BUTLER (against).

Mr. SULLIVAN (for) with Mr. ROSE (against).

General pairs:

Mr. LAMPERT with Mr. RIORDAN.

Mr. DENISON with Mr. TEN EYCK.

Mr. REBER with Mr. CLARK of Florida.

Mr. HIMES with Mr. OLIVER.

Mr. BACHARACH with Mr. WINGO.

Mr. COUGHLIN with Mr. BRINSON.

Mr. ELLIS with Mr. DEAL.

Mr. MORIN with Mr. WISE.

Mr. WILLIAMS with Mr. RAINEY of Illinois.

Mr. VARE with Mr. KITCHIN.

Mr. KNUTSON with Mr. FIELDS.

Mr. SIEGEL with Mr. McCLINTIC.

Mr. WINSLOW with Mr. PARRISH.

Mr. FENN with Mr. RAYBURN.

Mr. GLYNN with Mr. SABATH.

Mr. GREENE of Massachusetts with Mr. TAYLOR of Colorado.

Mr. CHANDLER of Oklahoma with Mr. KUNZ.

Mr. KAHN with Mr. DREWRY.

Mr. GRAHAM of Pennsylvania with Mr. GOLDSBOROUGH.

Mr. HUTCHINSON with Mr. JEFFERS of Alabama.

Mr. LUHRING with Mr. RAINEY of Alabama.

The SPEAKER pro tempore. A quorum is present. The Doorkeeper will open the doors.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. ANDERSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

REGULATING THE BUSINESS OF PAWNBROKERS IN THE DISTRICT OF COLUMBIA.

Mr. FOCHT. Mr. Speaker, I move that the House now resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6309), known as the pawnbrokers' bill.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 6309) to regulate pawnbrokers and their business in the District of Columbia.

Mr. FOCHT. Mr. Speaker, I would like to inquire as to the time. I believe there was a division at the reading of the bill.

The SPEAKER pro tempore. The gentleman from Pennsylvania has consumed 18 minutes in favor of the bill. No time has been consumed in opposition to it.

Mr. FOCHT. I just want to inquire whether the ranking member of the District of Columbia Committee is going to ask for time——

Mr. BLANTON. I expect to ask for recognition; I did the other day, but we can run along under the general rules of the House.

Mr. BURTON. May I ask the gentleman if the gentleman from Texas desires to be heard in opposition to the bill or in favor of it?

Mr. BLANTON. I am against the bill. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The regular order is upon the motion of the gentleman from Pennsylvania that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6309).

The question was taken and the motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6309) with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6309), which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 6309) to regulate pawnbrokers and their business in the District of Columbia.

The CHAIRMAN. The gentleman from Pennsylvania has 42 minutes remaining.

Mr. FOCHT. Mr. Chairman, I would like to call the attention of the Chair to this fact, that those 18 minutes that are charged against me were not consumed in any relationship whatever to this bill. I quite generously gave the gentleman from Maryland [Mr. HILL] opportunity to present something, and I do not feel that those 18 miuutes should be taken——

Mr. BLANTON. Oh, yes; the gentleman used three minutes himself and the other was in general debate under the rule.

Mr. FOCHT. Not in any connection with this bill whatever.

The CHAIRMAN. The Chair has no option in the matter. The gentleman from Pennsylvania yielded to the gentleman from Maryland and therefore the time is charged to him.

Mr. BLANTON. Mr. Chairman, I ask recognition in opposition to the bill.

The CHAIRMAN. Does the gentleman from Pennsylvania claim the floor at this time?

Mr. FOCHT. Yes, sir; I certainly do.

The CHAIRMAN. The gentleman has 42 minutes remaining.

Mr. FOCHT. Mr. Chairman and gentlemen of the committee, in presenting a bill of this character, bringing it from the committee, there might be such a thing as an apology offered if it were not for the fact that the system of charging rates of interest for the use of money has obtained throughout the history of the world, even from the time when the Master drove the originators of the scheme out of the temple. That seems to have met the whole matter, anything aside from what is duly prescribed by law, and assumes that dignity of what they call a banking system. Unfortunately in the District of Columbia, the loaning of money has descended to a point where it is characterized and denominated as a species of graft operated and conducted by loan sharks, or whatever they are. There are two kinds of systems or two divisions of this money-lending business throughout the United States. It is recognized and sanctioned by law in every State in the Union. There was at one time a flourishing business in the District of Columbia up until February 4, 1913, when there was enacted a law here governing pawnbrokers and what they called loan sharks, holding the rate of interest allowable to 1 per cent a month. As a consequence of that law, I am advised that not one loan under its restrictive provisions has been made since that time, hence the demand has come to Congress through the Committee on the District of Columbia, the agency or the medium through which these matters are presented to the Congress, and we find here in the report submitted May 18, 1921, an appeal for relief from this 1 per cent which makes it prohibitive to secure loans from pawnbrokers. There are at least 30 different associations who have asked for the essential features of this legislation, as follows:

The Central Labor Union of Washington, D. C.
The Chamber of Commerce of Washington, D. C.
The Central Union Mission of Washington, D. C.
The Private Soldiers and Sailors' Legion.
The Benning Citizens' Association.
The Central Citizens' Association.
The Bradbury Heights Citizens' Association.
The Citizens' Northwest Suburban Association.
The West End Citizens' Association.
The Howard Park Citizens' Association.
The South Washington Civic Association.
The Capitol Heights Citizens' Association.
The Brightwood Citizens' Association.
The Seat Pleasant Citizens' Association.
The Civic Betterment Association.
The Northwest Washington Citizens' Association.
The Deanwood Citizens' Association.
The Chilum-Castle Woodburn Citizens' Association.
The Randle Highlands Citizens' Association.
The Prince Georges County Citizens' Association.
The Southeast Citizens' Association.
The Southwest Washington Citizens' Association.
The Hillsdale Citizens' Association.
The East End Suburban Citizens' Association.
The Georgetown Citizens' Association.
The Langdon-Woodridge Citizens' Association.
The East Washington Citizens' Association.
The National Woman's Party.

Now, that is the source from whence comes the importunity to restore some method by which more loans can be made. The rate charged by the different States runs all the way from 3 per cent to 10 per cent, and in most of the States there is an added fee.

Mr. BURTON. That is, per month?

Mr. FOCHT. Yes; per month. I submit the rates charged by the different States:

PAWNBROKING RATES ALLOWED BY LAW IN THE DIFFERENT STATES.

New York: Three per cent per month for six months, less than $100; 2 per cent per month thereafter; 2 per cent per month first six months, over $100, or 1 per cent per month thereafter.

All interest must be paid in full at the expiration of 12 months or new ticket issued, starting the transaction over again.

New York cities.	On amount of—					
	$1	$10	$25	$50	$75	$100
Albany	$0.03	$0.30	$0.75	$1.50	$2.25	$3.00
Auburn	.25	1.00	2.50	3.00	.....	.....
Buffalo	.10	1.00	1.25	1.25	1.25	1.50
Elmira	.10	1.00	1.75	3.00	3.75	5.00
Niagara Falls	.20	1.00	2.00	2.50	3.75	.....
Olean	.10	.60	1.25	1.25	1.87½	.....
Rochester	.10	1.00	1.75	3.00	3.75	5.00
Schenectady	.05	.50	1.25	2.50	3.75	5.00
Syracuse	.25	1.00	2.50	3.00	.....	.....

Massachusetts: On loans of $1 or less, 5 per cent for the first week and 2 per cent for each week thereafter; on loans of from $1 to $3, 4 per cent for the first week, 2½ per cent for each week thereafter; on loans of $3 to $10, 3 per cent for the first week and 2 per cent for each week thereafter; on loans of over $10 to $25, 1 per cent a week; on loans over $25 to $100, 3 per cent a month and each fraction thereof; on loans of over $100, 2 per cent a month and each fraction thereof.

New Hampshire (Concord): On loans of $1 or less, 5 cents for the first week, 2 cents for each week thereafter; over $1 to $3, 4 per cent for the first week and 2½ per cent each week thereafter; over $3 to $10, 3 per cent for the first week and 2 per cent each week thereafter; over $10 to $25, 2½ per cent for the first week, 2 per cent each week thereafter; over $25 to $50, 2 per cent for the first week and 1 per cent each week thereafter; over $50 to $100, 1½ per cent for the first week, 1 per cent each week thereafter; over $100, 1 per cent per week.

Virginia: 10 per cent per month on loans of $25 or less; 5 per cent per month on loans of over $25 and not more than $100; 3 per cent per month on loans over $100.

Rhode Island: 5 per cent per month on loans of $50 or less first six months; 2½ per cent per month on loans of $50 thereafter; 2½ per cent per month on loans of more than $50.

Connecticut: 5 per cent per month on loans up to $15; 3 per cent per month on loans up to $50; 2 per cent per month on loans over $50.

Vermont: 5 per cent per month up to $50; 3 per cent per month over $50. Law also allows a storage charge, agreement to be made by both parties.

New Mexico: 10 per cent per month.
Ohio (Cincinnati): 10 per cent per month on small loans.
Texas (El Paso): 10 per cent per month.
Indiana: 3½ per cent per month.
Maine: 3½ per cent per month.
Arizona: 4 per cent per month.
Colorado: 3 per cent per month.
Illinois: 3 per cent per month.
Montana: 3 per cent per month.
Oregon: 3 per cent per month, with no charge less than $1.
Michigan: 3 per cent per month, with no charge less than 50 cents.
Delaware: 8 per cent per month and 3 per cent per month extra, storage.
Pennsylvania: 5 per cent per month storage, one-half per cent interest per month.
Maryland: 2½ per cent per month.
Georgia: 5 per cent per month, and 25 cents for storage.
Wisconsin (Racine): General practice is to charge 10 per cent per month. No law as to what shall be charged.

I might say, for instance, in a great State like Ohio they charge 3 per cent a month and fees, making a considerable sum, that gives latitude and opportunity for some sharp practice if they desire to perpetrate it upon the poor fellow, the victim who has to borrow the money.

Now, what is known as the Sage Foundation was very much interested originally in measures of this kind, and they thought that 1 per cent would be sufficient, but I find here in a bulletin

of the National Federation of Remedial Loan Associations where they appeal for rates of interest and claim that money can not be profitably loaned for less than 3 per cent. I find also here that in the State of Ohio, in an act, section 6339–3, passed in the general assembly May 14, 1921, and approved June 7, 1921, filed in the office of the secretary of state June 8, 1921, it says:

No licensee shall charge, receive, or demand in excess of 5 per cent per month interest on any loans, or discount on any conditional purchase, up to and including the sum of $25, or in excess of 3 per cent per month on loans or discounts above the sum of $25.

Now, that leaves the matter with you, my friends, as to the amount. It matters not to me at all. I am simply the agent that brings this bill before the House and to present such facts, in the brief time that we have here, that we have gathered.

Mr. JOHNSON of Kentucky. Mr. LAMPERT and myself, as a subcommittee, spent many weeks gathering information on this subject. We have prepared a bill. I wish to say, my friends, that whatever virtue may be in any other bill, that really the whole crux of the matter is on this question of percentage, outside of this fact: That I wish to state that we have incorporated in this bill (H. R. 6309) a number of features which have not been in any bill that has been in operation in the District of Columbia, or that is perhaps either here or in the Senate, and I would call the attention of those who are interested in the subject——

Mr. JONES of Texas. Will the gentleman yield?

Mr. FOCHT. Just for a question.

Mr. JONES of Texas. I do not know if I understand the bill thoroughly or not. Does section 10 here legalize the rate of interest of 3 or 2 per cent a year?

Mr. FOCHT. Oh, no.

Mr. JONES of Texas. I am reading this part:

If interest and charges on this loan in excess of the rate of 3 per cent per month up to and including $35 or of the rate of 2 per cent per month over $35 thereof be charged, asked, or received——

Mr. FOCHT. Up to $35.

Mr. JONES of Texas. Three per cent up to $35?

Mr. FOCHT. Yes.

Mr. JONES of Texas. Does the gentleman think it is wise business for Congress to authorize and legalize the charging of those rates?

Mr. FOCHT. I condemn all kinds of usury, for my part, but how are you going to do business? This is the basis on which it is done.

Mr. JONES of Texas. But if you enact this law you legalize it.

Mr. FOCHT. You did in your State, and in all States. They do it in Pennsylvania. It is an evil that we must meet, but we are going to demand that there be protection. Otherwise there will be no restriction or control.

Mr. JONES of Texas. Have we not a usury law here?

Mr. FOCHT. We are going to make one if we pass this bill. You pass the bill and we will hold them all right.

I will read you a couple of paragraphs from the Pennsylvania law as something new in these bills.

In section 23 of this bill, in addition to the bond above mentioned, which was referred to in these other laws, it says:

That in additon to the bond above mentioned, every such pawnbroker before entering business as aforesaid shall be required to take out a policy or policies of insurance against loss by fire or theft sufficient in amount to cover the fair market value of all articles left with him in pledge as security for loans.

So it does not matter as to the value of what you put up as a pledge. It is absolutely secured by fire and theft insurance, something that never was before incorporated in any of these laws, but which we have in Pennsylvania.

Section 4 provides:

That no person, being a pawnbroker or the employee of a pawnbroker, shall make any loan or advance, or permit to be made any loan or advance, to any minor under the age of 16 years.

That is legislation here to keep the minors out of the thieving business and passing the goods over to the pawnbroker.

In section 27:

That it shall be unlawful for any person, firm, or corporation, being in possession of goods and chattels of any description belonging to another, either a storage or warehouseman, pawnbroker, second-hand dealer, or junk dealer, to conceal from any marshal or deputy marshal intrusted with the execution of any writ any such goods or chattels, with intent to prevent any such goods or chattels from being taken or levied upon under any such writ.

The warehouseman, or junk dealer, or any other agency—what they may call the "fence" man.

Mr. SMITH of Michigan. Does this bill legalize the contract between the pawnbroker and a minor between the age of 16 and 21?

Mr. FOCHT. I think they all do. This is the only one that even limits it.

Mr. REED of West Virginia. Will the gentleman yield there?

Mr. FOCHT. Yes.

Mr. REED of West Virginia. Will the gentleman address himself to this phase of the subject: There is an abuse in Washington now existing by the business being carried on over the line by a State that charges 10 per cent a month and having their agencies in Washington.

Mr. FOCHT. They can charge 10 per cent. But in the State the gentleman comes from they charge 20 per cent, and they have charged 30 per cent. The whole thing is an outrage. There is some sort of a cloak being covered over it to obscure what is known in Washington, and better known by Mr. JOHNSON than myself, because he has dug deeper into the matter, as the loan shark. They do not want a pawnbroker's bill. They want to go on with the business themselves, in some manner, with a system of notes. I do not know how they do it. They loan the money, and it is reported before the committee that they get as high as 22 instead of 3 per cent.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the bill as a member of the committee.

Mr. BROWNE of Wisconsin. The gentleman from Pennsylvania introduced a bill, H. R. 5015. Now, that bill had the indorsement of the District Commissioners, did it not?

Mr. FOCHT. I do not know anything about it.

Mr. BROWNE of Wisconsin. I hold in my hand a bill (H. R. 5015), which was introduced by yourself.

Mr. FOCHT. Yes; some time ago.

Mr. BROWNE of Wisconsin. Now, I understand that that bill has the indorsement of the District Commissioners.

Mr. FOCHT. Yes; if they indorsed that bill they will indorse this, because of the added feature of protection to the one who puts up the pledge.

Mr. BROWNE of Wisconsin. I understand that they do not indorse this bill. I understand they oppose this, but indorse that.

Mr. FOCHT. I do not think so. I think this has a universal indorsement. There might be a thousand people against it where there are 250,000 for it.

Mr. BURTON. Mr. Chairman, will the gentleman yield for a further question?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Ohio?

Mr. FOCHT. Certainly.

Mr. BURTON. Does this proposed bill repeal the existing law of February, 1913?

Mr. FOCHT. As to pawnbrokers only. It has no reference to anything but pawnbrokers, separating them from what they call the loan-shark business, a species of banking where they use notes. This is where they receive pledges.

Mr. BURTON. The gentleman's idea is that the existing law continues to be effective as to loans made not secured by pledges?

Mr. FOCHT. Yes.

Mr. BURTON. Will the gentleman state whether there is a Morris plan bank in the District of Columbia?

Mr. FOCHT. No. That was all discussed in statements made before the committee. We understand that that has been operating in some cities; but now, according to the last report read to you from the Sage Foundation, they can no longer loan money or attempt to do it at 1 per cent a month. They must have 3 per cent.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Pennsylvania reserves 25 minutes.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the bill.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, this bill embodies legislation that originally was brought before the House in a bill prepared and introduced by the gentleman from Kentucky [Mr. JOHNSON], who for several years, as you know, was chairman of the Committee on the District of Columbia. Later on, as I understand it, or it may have been prior thereto, the gentleman from Missouri [Mr. DYER] introduced a bill embodying similar legislation, and when that bill was considered before the House it was amended so that it forms the present law here in the District, under which, as the chairman stated, loan sharks operate. Instead of charging you the 1 per cent provided in that legislation, I understand in some instances they charge 30 per cent.

I am against one provision in this bill, and with that provision remaining in the bill I would vote against it. But with that provision changed I would vote for the bill. I refer to the charge of 3 per cent per month interest up to the sum of $35, and after you reach the sum of $35, then with respect to all

other amounts the blue sky is the limit as to the maximum amount that is loaned at a charge of 2 per cent. In other words, a transient person, say, some rich actor or some rich person traveling through this city, who would run out of money and would want a large sum immediately and could not get it through the bank on jewelry as collateral, could take diamonds to the extent of $2,000 or $3,000 to one of these pawnbroker shops, and under this law he would have to pay 24 per cent a year on that loan. If they borrowed from $35 down they would pay 36 per cent a year. That is entirely too much interest. I think that provision ought to be changed. With this change, I say, I am in favor of the bill.

Now, I want to discuss another subject for a few minutes. This bill has to do with people's purses. It has to do with the amount of money that the loan sharks can take out of a man's purse in recompense for making loans, little and big. It has to do with purses, and we learn in our early schoolbooks that he—

> Who steals my purse steals trash; * * *
> But he that filches from me my good name
> Robs me of that which not enriches him
> And makes me poor, indeed.

That is the substance of it; I may not have gotten it correctly. But it suffices to make a text for me on this occasion.

Some time ago in the House my colleagues—and I do not question the motive or act of any colleague—saw fit to pass a censure upon me when I thought I was doing my solemn, conscientious duty under my oath. I have never said an unkind word about any colleague who saw fit to take that action; not an unkind word. I have never questioned your motives or your intentions. But self-defense is the first law of nature. It is against the law of the land for one man to take the life of another, but when that life is taken in defense of one's own life it is justifiable under the law. The animal recognizes this law. It is the law of God and man that self-defense is the first law of nature, and that is true with respect not only to a man's person; it is true with respect to a man's good name and his reputation in the country in which he lives.

The country found out what you thought of my act for which I was censured. Do you know that I have received several thousands of communications—from Seattle, Wash., to Florida, and from the extreme northeast to the extreme southwest of this land; from lawyers, from judges on the bench, distinguished Federal judges, doctors, ministers of the gospel, teachers, college professors, professors of high standing in the leading universities of our land, and, yea, more than that, from some of the best women in our country—to the effect that, "Mr. BLANTON, with all due respect to the judgment of your colleagues, I have examined the matter upon which they passed, and, instead of censuring you, I want you to know that I commend you as a citizen of the United States"?

I think it is due to myself and to my family and to the record that I have made for 49 years in my native land that you, my colleagues, against whom I say again I have no malice—I have none against any of you—I think it is mete that you should know something of what your own colleagues, distinguished men and women of this Nation, think of the matter. Let me read you just a few extracts from some of these communications, because I want you to see them and I want the RECORD in behalf of my family in the future to show what the people of the Nation, leading men and women, think about this question.

WILMINGTON, DEL., *October 28, 1921.*

DEAR MR. BLANTON: I feel it is a privilege to commend the good work you are doing. The unpleasant incident will eventually be of the greatest help to you. Good luck to you.

WILLIAM L. SCOTT.

—

[From Dramatic and Musical Exchange.]

CHICAGO, ILL., *October 28, 1921.*

DEAR MR. BLANTON: I congratulate you upon your courageous and honorable stand. * * *

Go ahead with your fight and you will find that almost the entire country is with you. I wish we had more courageous men like yourself in Congress.

A. MILO BENNETT.

—

SEATTLE, WASH.

DEAR MR. BLANTON: Accept my word of praise for your fearless and true statement of facts. There is one man in the far-away State of Washington who is with you.

H. D. MASTERSON.

—

CLAYTON, DEL., *October 29, 1921.*

DEAR MR. BLANTON: I offer you my congratulations. I regret that the entire House is not composed of men of your kind. After reading the matter complained of, I showed it to other gentlemen, and not one of them could figure out what was meant by all of the abbreviations.

JAMES S. COBB, M. D.

NEW YORK, *October 28, 1921.*

DEAR MR. BLANTON: You did your duty by the public regardless of the consequences. I hope that you will continue to serve the public.

ULDRIC THOMPSON, JR.

—

WORCESTER, MASS., *October 28, 1921.*

DEAR MR. BLANTON: Many of those who voted for your censure did so from lack of backbone. This was the opportunity for a great many to seek revenge against the fearlessness which you have exhibited on the floor of the House and outside of Congress.

While I am a Republican, and never voted for a Democrat, you would have my vote and support.

F. H. C. COPPUS.

—

UNION, S. C., *October 28, 1921.*

DEAR MR. BLANTON: I have watched your career with much interest. You are a patriot and a gentleman and have done much service for the country. The people will stand by you.

T. J. WEST.

—

JERSEY CITY, N. J., *October 29, 1921.*

DEAR MR. BLANTON: Allow me to congratulate you. I regret that we have not a few more men of your type in Congress. Men who have the "guts" to speak as they think are the men that the real he-men of the Nation respect.

LEONARD H. ALLEN.

—

ASHEVILLE, N. C., *October 29, 1921.*

DEAR MR. BLANTON: I express my personal appreciation of your faithful and fearless efforts to maintain the old traditions of our southland. Thousands and thousands of people are with you in your fight for true Americanism. You are not the first man to suffer for the sake of others. Take courage and fight on.

CHARLES H. NEAL.

—

YONKERS, N. Y., *November 4, 1921.*

DEAR MR. BLANTON: The thinking people of this country are awakening to the fact that many Congressmen are ———. That you should be attacked and maligned is immensely to your credit. I hope you will be given strength and courage to continue your matchless fight for justice and right.

WALTER C. CHILDS.

—

MCALESTER, OKLA., *October 28, 1921.*

DEAR MR. BLANTON: We have watched your career and want to congratulate you on the fight you have been making for the people. We know you will not be bullied into deserting your principles.

HARRIS & LACKEY, *Attorneys.*

—

MELROSE, LA., *November 3, 1921.*

DEAR MR. BLANTON: Lots of us are with you. Give 'em ———.

MILTON DUNN, M. D.

—

SPRINGFIELD, MASS., *October 28, 1921.*

DEAR MR. BLANTON: Don't let this hinder the wonderful work you have accomplished since you have been in Washington. Every red-blooded man wishes there were a lot more in Washington like you.

W. P. COTHARIN.

—

[From Courier-Journal Job Printing Co.]

LOUISVILLE, KY., *November 2, 1921.*

DEAR MR. BLANTON: We hope that you will keep up the good work which you have so bravely carried on, and remember that the great American public owes you a debt of gratitude for what you have done.

JOHN BUCHANAN, *Secretary.*

—

ORVILLE, CALIF.

DEAR MR. BLANTON: You are my ideal. You are not a four-flusher. The people are with you. The politicians in Congress can't hurt you. Next year we will have an election, and then see who is right in the eyes of the world, you or the ones who tried to destroy you.

HARRY GRANT.

—

ALLENTOWN, PA., *January 7, 1922.*

DEAR MR. BLANTON: I congratulate you upon your excellent fights. With your courage and conscientious convictions you will succeed. I believe Texas will do itself honor by electing you to the United States Senate. Keep up the fight. Strike hard and, as usual, "hit 'em between the eyes."

WILLIAM J. DIETRICH.

—

NEW YORK, *December 14, 1921.*

DEAR MR. BLANTON: It was simply wicked the way they tried to persecute you. They didn't want the truth. Keep up your good work.

GEORGE KRAMER.

—

CLEVELAND, OHIO.

DEAR MR. BLANTON: The conviction is growing that—

I do not presume that this will give offense. If it does, I will cut it out—

The conviction is growing that the great majority of Representatives in Congress are merely "old women." Among men you have made friends by the enemies you have made.

F. G. CYREX.

—

NEW YORK, *October 28, 1921.*

DEAR MR. BLANTON: "The malediction of knaves is the glory of an honest man," and it is, I feel sure, a consolatory reflection to you to know that the treatment just handed out to you was in no way merited.

E. J. HART.

ST. PETERSBURG, FLA., *February 1, 1922.*

DEAR MR. BLANTON: I have read your expurgated report. It does you credit and condemns the action of Leader MONDELL and the House.

C. A. GRAVES, M. D.

From Hon. Joseph N. Brown, twice governor of Georgia. Now, if any colleague objects to this I will eliminate it, but this is from a man who has been twice governor of Georgia. This is what he said—and, of course, I offer it with a grain of salt:

In my opinion, every Representative and Senator in the United States, with the exception of Representative BLANTON, of Texas, is afraid of the labor unions.

Well, I know of some men in here who are not, so the governor made a mistake on that. I know a few men in this House with whom I am intimately acquainted who are not afraid of them and not afraid of anything else.

DONNELLSON, IOWA.

CONGRESSMAN BLANTON: I congratulate you as the only man in Congress with sand enough to stand up squarely for the people against the many "holdups" in Congress.

ALBERT BONNELL.

That comes from Iowa. I am not responsible for it.

From the distinguished educator, Dr. William Starr Myers, professor of history and politics in Princeton University:

PRINCETON, N. J., *January 18, 1922.*

MY DEAR MR. BLANTON: Please accept my sincere thanks for the CONGRESSIONAL RECORDS. They are exactly what I desired in order to go over the whole case for myself. In reading the accounts of your censure in the newspapers I suspected you had not received a square deal, and I am now confident of it.

Personally I am not opposed to labor unions, but I do feel that the closed shop is not only un-American but absolutely detrimental to the integrity and welfare of this country and the best interests of labor itself.

Permit me to congratulate you on the brave and patriotic thing you have done.

With all good wishes and kindest regards, believe me,

Very sincerely, yours,

WM. STARR MYERS.

—

SHAWNEE, OKLA.

This is an excerpt from a letter written to my colleague, Congressman PRINGEY, by one of his constituents.

SHAWNEE, OKLA.

DEAR CONGRESSMAN PRINGEY: We think Congressman BLANTON is doing the country one of the greatest services that any man has ever undertaken.

NEWS DISPATCH PRINTING & AUDIT CO.

—

[From Manufacturers' News.]

CHICAGO, *November 24, 1921.*

Quite a change is noticeable in the attitude of some of his colleagues toward Representative BLANTON, of Texas. It proved just how far professional agitators will go to carry their point.

Congressman BLANTON certainly was courageous. Neither the threats of the Gompers, nor the appeals of spineless associates prevented him from exposing the methods pursued by professional labor leaders to tyrannize over better men. His attitude is beginning to be understood.

Mr. BLANTON was made to suffer much, has been abused and persecuted, but he has won a great victory for independent labor and genuine Americanism.

—

[From Ridgly Club, Harvard University.]

Hon. THOMAS L. BLANTON,
Washington, D. C.

DEAR SIR: The members of the Ridgly Club, of Harvard University, have instructed me to dispatch to you a note of sympathy and understanding because of the recent vote of censure which the House of Representatives deemed necessary to pass upon you. It seems to us that this vote was an unprincipled attack upon the position which you had assumed and upon your own personal character. The vote of censure itself, the words of the Speaker of the House, the mysterious innuendoes of the press have all contributed to obscure the real issue and to cast upon you personally the odium which not you but the union printers in the Government Printing Office should bear.

It is indeed regrettable that a true conception of this unfortunate incident can not be drilled into the public. In the meantime, we trust that you will accept our expression of sympathy at this time of deplorable persecution.

Very truly, yours,

EDWARD C. KIRKLAND, *Secretary.*

From the distinguished jurist, Hon. Fred Lamb, judge of the twelfth judicial circuit of Missouri:

MY DEAR MR. BLANTON: Having watched your career with some interest, and I may say admiration, I have studied carefully the record which was the foundation of this attack upon you.

Being accustomed to weighing matters of this kind, I have no hesitancy in pronouncing the attack upon you as an unjustifiable outrage, the like of which finds no precedent in the record of the doings of our Congress.

This was a vile affidavit, but it was a part of your case made against the union-labor element in the Public Printing Office, and I am not sure yet that it was not properly placed in the RECORD. In any event, your good faith in the premises can not be questioned, and if it was an error it can furnish no justification for the attempted expulsion or the reprimand that followed. Many of our people who keep in touch with Congress are of the opinion that you have rendered the country invaluable service in Congress, and we hope that you keep up the fight. Now of all times we need men there with patriotism, brains, and courage to defend the common country. I think you are the right man in the right place. I hope you stay on the job. I hope you go back to your people and upon your record ask a vote of confidence, and I have faith enough in the patriotism and discriminating judgment of the good people of Texas to believe they will stand behind you.

Very sincerely, yours,

FRED LAMB.

—

LOUISVILLE, KY., *November 3, 1921.*

DEAR MR. BLANTON: The country generally appreciates the sincerity and effectiveness of your efforts. You have for a long time been making a bold, hard fight, and I hope you will not be discouraged.

WILLIAM BLACK,
President B. F. Avery & Sons.

—

HAVRE DE GRACE, MD., *November 5, 1921.*

DEAR MR. BLANTON: You have made more friends than enemies. There are apparently not many men in Congress who have the nerve and courage that you have shown.

EDWARD V. STOCKHAM.

—

DENVER, COLO., *November 4, 1921.*

Congressman CHARLES FULLER—

I will take some of this out, because it may give offense—

You voted to expel Congressman BLANTON. I recall, however, that you are the man who, when his country was assailed by a savage enemy, sinking our ships and drowning American men, women, and children, voted against America going to war.

There are those who believe your action was due to a pusillanimous knuckling to a disloyal element in your district. No one questions the patriotism of Congressman BLANTON. I still think you should have resigned in 1914.

REV. HARRY E. PURINTON.

—

From Judge Roy McKittrick:

SALISBURY, MO., *November 5, 1921.*

DEAR MR. BLANTON: I take the liberty of expressing to you my hearty congratulations for the wonderful fight that you have been making in Congress the last four years for the people of this Nation. I hope you will continue to block the "pork-barrel" Congressmen. The people understand that the reason certain leaders wanted to throw you out was to get rid of your interfering with them. The House censured you, but the people have not. The people of Missouri will not rebuke you, but approve of your efforts in their behalf.

ROY MCKITTRICK.

—

JACKSON, MISS.

DEAR MR. BLANTON: The Mississippi employing printers, of which I am president, heartily indorse your attitude. I congratulate you. Public sentiment is with you.

J. WOFFORD TUCKER.

—

[From Father George Zurcher, president of the League of Catholic Priests, fighting in Washington for Americanism and morality.]

Congressman COCKRAN denounced the act of Congressman BLANTON as "deplorably obscene and unspeakably loathsome." But neither Congressman COCKRAN nor any other Congressman said aught against men who may be in the habit of uttering, under the nose of the Government, words characterized by Congressman MONDELL as "unspeakably vile, foul, filthy, profane, blasphemous, and obscene." Is vile language to be ignored and condoned as long as it is not made public? Congressman BLANTON, unable to bring the bad behavior of Government printers to the attention of Congress, brought it to the attention of a higher authority—the people. Are we to ignore the "horrible stuff" as long as it is uttered among men exclusively? If so, we are arrant pharisees or "whited sepulchres." If one Congressman with the help of the Public Printer succeeded in banishing gambling from the Government printing shops, 434 Congressmen ought to banish from it foul language and blasphemy.

—

[From the Trenton Typothetae.]

TRENTON, N. J.

DEAR MR. BLANTON: I am a Republican through and through, but I would split my ticket to vote for you. My hat is off to you.

C. W. SCHAEFER, *Secretary.*

—

HARRISBURG, PA.

DEAR MR. BLANTON: I have carefully read your extended remarks, for inserting which you were publicly reprimanded, and I feel a sense of shame that the reprimand should have been administered for bringing to the light the circumstances.

I write thus to assure you of the sympathy of one unafraid American, who happens to represent the printing interests of a large productive territory, at an infliction wholly undeserved, and to wish more power to you.

J. HORACE MCFARLAND.

—

[From editor Hibbing Daily News.]

HIBBING, MINN., *November 24, 1921.*

DEAR MR. BLANTON: You are one of the few men in public life with nerve enough to blaze the trail to freedom, and you will find that the great majority of the American people are with you, though for business and political reasons they will not give you the encouragement and assistance your splendid effort deserves. More power to you.

C. M. ATKINSON.

—

SYRACUSE, N. Y., *November 25, 1921.*

DEAR MR. BLANTON: The people of this country are solidly behind you, "twenty to one," as against the gang who are trying to put you out of business. You will be in Congress many long years after the Mondell element shall have been utterly forgotten.

F. H. EBELING.

—

[From Salem (Oreg.) Journal.]

Representative BLANTON has been consistently the champion of the open shop and American plan in Government bureaus, and hence has been a marked man. All the pressure of organized labor has been ex-

erted against him, and the effort at expulsion was due to pressure of labor lobbyists upon Congress to get rid of a man courageous enough to expose their methods.

—

MARION, OHIO, *December 2, 1921.*

DEAR MR. BLANTON: I wish to commend you on your fearless stand. What this country needs is more men like yourself in Congress, who are willing to stand for right and justice regardless.

CHARLES B. KING.

—

WOLF CREEK, OREG., *November 5, 1921.*

DEAR CONGRESSMAN BLANTON: Millions of people are with you. I wish we had more Representatives like you in Congress.

A. W. ZOELLNER.

—

[From the Commercial Advertiser.]

CANTON, N. Y., *November 1, 1921.*

The condemned affidavit published was practically in cryptic language. A clean-minded woman or child might say there was some profanity in it, but they would never recognize the filth. That would have to be deciphered by the student of filth and obscenity. Who would ever have heard a word about it were it not that Congress picked it up and went into the scare-head business?

BLANTON was up against a lot of people who wanted to "get" him. Union labor wanted to "get" him, the Woodmen of the World wanted to "get" him, and many others wanted to "get" him, including scores of Congressmen who were forced to vote yes or no on questions when they wished to avoid being put on record. It would seem that the House of Representatives was in deplorably small business.

—

GRAND RAPIDS, MICH.

DEAR MR. BLANTON: It may interest you to know that there are a lot of northern Republicans who agree with you. I applaud your nerve.

BLAINE GAVETT.

I have just a few more that I want to read, and I am reading them only to let you know that the people from one side of the United States to the other, Republicans of high standing in their party—and it is a great party—do not approve of the condemnation I received. They are a little severe on you. In justice to you I want to say their being severe on you because of your having been severe on me is not going to cause me to do you an injustice, and I wish to say that many of you are men of lovable character and disposition, whom I love yet, regardless of the action that you took against me. I can sit and listen to you and discuss matters heart to heart, and I do it every day. There is not a day that passes that I do not sit in friendly relations with men on the floor, men who voted to censure me, but I say again that I have no malice against them. I do it simply in behalf and in defense of my good name for which I have fought and builded for 49 years in this country. Now, I will take a few minutes more time to show you that this sentiment is not from one section, but all over the country, from every State, from your constituents as well as mine.

[From the editor of the Sedgwick Sun, Colorado.]

DEAR MR. BLANTON: Thousands of citizens feel as I do, that you are a martyr to the cause of real Americanism. Personally I am a Republican, but that does not keep me from sending you my expression of sympathy.

E. R. KIELGAS.

—

FORT HAMILTON, N. Y.,
November 18, 1921.

DEAR MR. BLANTON: You have made a good, clean, and brave fight against tremendous odds, and should have the support of all decent Americans.

JOHN D. MAHER.

—

[From the editor of the Caddo Herald.]

CADDO, OKLA., *November 4, 1921.*

DEAR MR. BLANTON: I have for years admired your stand. I have read the matter complained of, and I have seen worse in print circulated through the mails. I do not think the error was yours. I think that it is time that the American people know about the utter intolerance practiced. Just want to let you know that everybody does not condemn you. Here's hoping you continue your fight and win.

G. A. CROSSETT.

—

[From the Coconino Sun.]

FLAGSTAFF, ARIZ.

That the CONGRESSIONAL RECORD is a Sunday-school paper which all the children read is silly rot. BLANTON is a rabid Democrat, but he was doing the whole people a service.

—

[From Little Rock Daily News.]

NOVEMBER 8, 1921.

BLANTON employed initial letters and dashes to indicate the vile words. Had BLANTON not in some way brought the language out in his speech, he would not have made out his case.

The News wants even one Member of Congress, who so violently opposed BLANTON'S use of the initial letters and dashes, to tell us just how BLANTON would have gotten the facts before the Congress if he had not used them.

Be it said to BLANTON'S credit that if he fights hard he also fights fair, and that he fights for what he conscientiously believes is right.

BLANTON did not indorse such language; he was condemning it. No little child and no woman would understand the letters and dashes.

BLANTON believed that the people should know about it. And why shouldn't they? Does not the Government Printing Office belong to the people? Are they not entitled to know the conditions there?

The tempest in the teapot would have been not so riotous if BLANTON'S exposé had not somewhat unsettled ancient customs at Washington and thrown the searchlight of public disapproval on some Government secrets that had been hidden in the closets these many years.

Right and justice are American qualities, and by holding BLANTON up to public scorn Congress can not cover up the fact that the Government Printing Office at Washington is the most disgracefully conducted department in the whole American Government. BLANTON may be able to come back.

—

[From the Kansas Official, issue December, 1921, p. 20.]

There is one man in the National House of Representatives at Washington, and the accent should be on man. There are no doubt others, but 317 utterly failed to assert their manhood when they sat supinely by, heard the masterful answer of Congressman BLANTON to his traducers, voted to expel, or evaded a record vote by refusing to answer the roll call October 27. Gompers and the unions had them "buffaloed."

The press and the Congressmen gave it out that Mr. BLANTON had used in his speech exposing the rottenness prevailing in the Government Printing Office under union domination language that was "vile, foul, filthy, profane, and obscene." The report sent out by Floor Leader MONDELL, and contained in his resolution to expel, was that the objectionable words were BLANTON'S, and the people were led to believe that they were his own words, his own sentiments, and that he was not a fit man to occupy a seat on the floor of the House. This was carefully constructed, premeditated, and conceived to mislead not only the Members of the House, but the public, and to bolster up and curry favor with the head of the Federation of Labor, Samuel Gompers, and his henchmen.

Unafraid and with his conscience and God as his guide, Mr. BLANTON, against great odds, manfully combated this state of things and refused to be influenced or coerced by Gompers, or to permit by silent acquiescence the usurpation of Government control by union labor. Other Congressmen quailed in the presence of this "high and mighty" set of bulldozers, but not BLANTON. He was right, he knew he was right, and being right he had the "innards" to tell others that they were rabbity. BLANTON would not buy his seat in the House at the sacrifice of honor. Our guess is that nobody can buy BLANTON.

It was shown that a union foreman had called one nonunion man a "black-hearted scab," and threatened, "If the Public Printer and BLANTON fooled with them they would have their heads taken off and lose their jobs, as the unions had the greater influence with Congress." Instead of joining BLANTON in resenting such insinuations and presenting a red-blooded American front against such usurpation of Government authority, Congressmen blanched and shrunk from the warning hand of Gompers. When Gompers demanded the unseating of BLANTON, Congressmen took the cue and sought to politely kill the one man that had the nerve to comply with his oath of office, and do so openly.

And who is BLANTON? A Texas Democrat, every inch a man, whose life and standing in the community in which he has lived has been an open book. Starting out at 10 years of age as the principal breadwinner of his family, for 49 years he made for himself an enviable name by hard knocks and self-denial. On his forty-ninth birthday the vote was taken on his expulsion. The vote was 204 yeas. One weak sister answered "present." Since going to Congress from a service of eight years on the district bench, Mr. BLANTON has persistently fought the usurpation of Government authority. He nettled the "rabbits" in Congress by his persistence, and especially when he compelled a roll call 126 times on measures before the House.

—

[From the editorial page of the New Sky Line.]

LITTLE ROCK, ARK., *November 19, 1921.*

Doubtless it failed to penetrate the ivory domes of the Congressmen that if the contents of the affidavit were obscene they were not the words of Congressman BLANTON, but that they did represent what a union agitator on the Government pay roll had during working hours, and in the presence of other workers, hurled at another Government employee. Congressman BLANTON has performed a great public service.

—

[From the Freeman, New York, Nov. 9, 1921.]

Frankly we suspect a "plant" against Mr. BLANTON, because he has made himself effectively disliked by several powerful political and quasi-political interests. The House went into one of those spasms of morality for revenue only in which it often indulges, and the disgusted spectator may get what satisfaction is to be had out of the acute observation of Remy de Gourmont, that "when morality triumphs no end of indecencies take place."

—

COLUMBUS, OHIO, *November 2, 1921.*

DEAR MR. BLANTON: Inclosed is clipping from the Dispatch. I wanted you to know the tide had turned and you were vindicated. The goody-goody Congressmen will find that they are not sustained in their persecution. Continue your work for the people in stopping extravagance.

BENJ. F. EWING.

[From the Columbus (Ohio) Dispatch.]

The influence which Republican Leader MONDELL is supposed to have over Ohio Members of Congress has been subjected to severe strain as a result of the leader's drastic efforts to force the expulsion of Representative THOMAS L. BLANTON from the House. A number are saying they are through with Mr. MONDELL'S leadership.

The dissatisfied ones assert that Mr. MONDELL'S course in the BLANTON expulsion affair was punitive in the extreme and was inspired by a desire to get the Texan out of Congress, where he always has been a disturbing factor.

It is but natural that after Leader MONDELL had gone to such lengths to oust the Texan and had failed there should be a weakening of his leadership, and the reaction is plainly noticeable in the Ohio delegation. The Ohioans say it was pressure that governed their votes in favor of expulsion and that they regret having yielded to the pressure.

Representative CHARLES J. THOMPSON, of the Defiance district, is one of those who finally yielded to importunities to cast his vote to put BLANTON out of Congress, and now he is sorry he did. He says that his conscience is hurting him.

"If I could recall my vote I would do so," he said. "I am very glad the resolution providing for expulsion did not pass."

Representative JAMES T. BEGG, of the Sandusky district, is said to feel the same way about it. As assistant whip of the House he was hardly in a position to resist pressure from above, but it is understood he has taken the position that never again will he be controlled in a similar way against his inclinations.

Representatives SPEAKS and RICKETTS were the only two Ohio Members who broke with the House leader at the time the vote was taken. Gen. SPEAKS has stated that he would have voted against expelling BLANTON if he had been the only one of the 435 Members to do it. Gen. SPEAKS believes there is no Member of Congress who leads a cleaner life than BLANTON and that his personal conduct is above reproach.

—

AKRON, OHIO, *October 28, 1921.*

DEAR CONGRESSMAN BLANTON: I am not a Democrat, but I hope you will stay in Congress. The country needs a few more men such as you are, who are unafraid.

JOHN J. STARR.

—

[From resident Farmers & Merchants National Bank.]

LOS ANGELES, CALIF., *October 28, 1921.*

MY DEAR MR. BLANTON: I have always admired you because, after Senator KNUTE NELSON, you seem to be the only other man in Congress who dares say what he thinks. You are rendering a great service to the people of the United States, and I hope you will not falter.

J. A. GRAVES.

—

WHITE CASTLE, LA., *October 28, 1921.*

DEAR CONGESSMAN BLANTON: A Frenchman once said in the Assembly: "Socrates was in the minority, they poisoned him; Jesus Christ was in the minority, they crucified Him." Such will it ever be with men who attack abuses.

LEONCE M. SONIAT.

—

[From the president of the Erie Railroad Co.]

NEW YORK, *November 1, 1921.*

CONGRESSMAN BLANTON: You are one and almost the only Member of Congress who has the courage to tell the truth. Every right thinking force is praying for more power to your elbow.

F. D. UNDERWOOD.

—

[From secretary of business men's organization.]

PROVIDENCE, R. I., *October 29, 1921.*

DEAR JUDGE BLANTON: I have been following with a great deal of interest the recent uproar in Congress, caused by your attempt to put before the country a true statement of the conditions as they exist in the Government Printing Office.

It may be some satisfaction to you to know that whatever the opinion of your colleagues in Congress may be, it is perfectly apparent to the people all over the country that you have succeeded in heading up a condition which, for a number of years, has been intolerable.

—

[From a leading Republican.]

PHILADELPHIA, PA., *December 8, 1921.*

Hon. CARL W. RIDDICK,
National Republican Fund, Washington, D. C.

DEAR MR. RIDDICK: I just received a second appeal from you for funds for the national Republican fund. I had laid the first appeal on my desk for action, when the Blanton incident occurred. You seem to support FRANK W. MONDELL, accredited floor leader in the House, in his vicious and misleading attack on Hon. THOMAS L. BLANTON. Now, Mr. BLANTON has been doing a tremendous amount of public good in combating red, disloyal, and criminal labor unionism (he is not opposed to respectable labor unions), and in fearlessly cutting out appropriations that have no business to be in the undercover positions in which efforts are made to get them through. MONDELL'S attack was evidently a mere pretext to injure a man who is fighting for the public's rights, and it has utterly disgusted me, as well as many other members of the party, and expressions of strong disapprobation have reached me from influential Republicans in California, the New England States, and many points between. I do not feel, under the circumstances, like subscribing, although I otherwise would have done so.

F. R. WELSH.

—

HASTINGS, NEBR., *November 1, 1921.*

DEAR CONGRESSMAN BLANTON: You are 100 per cent man, who stands true to convictions regardless of cost. It is easy for a man to be popular if he will just "fall in with the crowd," but it takes a strong character and personality to stand alone against the crowd and contend for the right, especially when trying to "clean house" in Congress. We want you to know that thousands of people in this section are backing you with their confidence and prayers.

MRS. JOE W. LISMAN.

—

[From a former Congressman.]

BELLEVILLE, ILL., *November 9, 1921.*

DEAR MR. BLANTON: You have been hounded by hypocrites and pharisees, by prudes and snobs, and the scandal to the Nation is not in your utterances, but in the outrageous conduct of your colleagues in persecuting you.

The biggest farce of the present century, the most laughable comedy, the most ridiculous piece of opera bouffe was pulled off when Congress passed a vote of censure on you and Speaker GILLETT pompously administered the rebuke, which you have a right to wear as a badge of honor for the rest of your days.

* * * * * * *

Accept my handshake and congratulations over the great moral victory which you gained, and I sincerely trust that the day will come when you will give them the other barrel.

FRED J. KERN,
Editor News-Democrat.

[From Republican, Iowa.]

DEAR CONGRESSMAN BLANTON: My forbears came to America in 1741. I live in Congressman's GREEN'S district in Iowa and am a lifelong Republican, yet I notice with the deepest regret and sympathy the outrageous treatment you have received at the hands of your fellow Congressman.

Some acted through policy, some through ignorance, and a good many because they have been infected with the damnable "red germ."

It would give me great pleasure to grasp your hand and indorse your actions in the strongest terms.

G. E. JACK.

—

[From the distinguished W. S. McCarthy, of Salt Lake City, Utah.]

The language to which such serious objection was raised was not Mr. BLANTON'S, was not offered with his approval, nor was it so printed that anyone who had never heard it could read it understandingly, and it seems to me that only by publishing the matter in its entirety could he show the deplorable conditions existing in the Government Printing Office.

I think, and my view is shared by everyone with whom I have discussed the matter, that instead of being censured Mr. BLANTON is entitled to a vote of thanks. The House, however, saw fit to ignore the vital principle which Mr. BLANTON so courageously upheld and saw fit to drown it in a flood of claptrap oratory.

W. S. MCCARTHY.

—

[From San Francisco Daily News, Nov. 4, 1921.]

THOMAS LINDSAY BLANTON, whose expulsion from Congress was demanded by Republican Leader MONDELL, lives up to all Texas traditions as a scrapper. He rushes in where others fear to tread, and because of his sledge-hammer attack, his resourcefulness, and his knowledge of parliamentary law he quite often accomplishes his end.

That end, however, is most often trying to defeat some measure or move.

He is concededly the hardest worker in the House.

—

SAN FRANCISCO, CALIF., *November 1, 1921.*

DEAR CONGRESSMAN BLANTON: I have read the CONGRESSIONAL RECORD containing the article complained of, and can not see in what way Congress was justified in censuring you. It looks very much to me as if this was an underhanded way pursued to revenge itself on you for justifiable criticisms.

This is to advise you that I am with you heart and soul. I think your position was correct. Although I am a Republican and you are a Democrat, I would support you for the position of President of the United States for the manly and fearless positions you have taken during the last several years in Congress.

F. C. DREW,
523 Balboa Building.

—

MINNEAPOLIS, MINN., *November 8, 1921.*

DEAR MR. BLANTON: You were censured, according to the feudal custom of slaying the bearer of bad news. Yet the real offender, who originated the objectionable language, retains his position in the Government Printing Office, encouraged to again abuse and villify any non-union employee.

Mrs. ALICE WHITNEY BURTON.

—

[From a distinguished minister, pastor First Congregational Church.]

LEBANON, MO., *October 29, 1921.*

DEAR CONGRESSMAN BLANTON: The country needs you more than it does the whole bunch against you. Do not be discouraged. Your record is a noble one for service. May God bless you. I am not a Democrat. That does not matter. I am an American. I rejoice in your abilities and sterling qualities.

Sincerely,

V. H. RURING.

—

LEWISVILLE, ARK., *October 28, 1921.*

DEAR MR. BLANTON: I read in the CONGRESSIONAL RECORD for October 22 every word of your report which caused your reprimand. I can not find anything objectionable in it. Our court records contain much more obscenity. I commend your course and hope you will never cease your bold and honorable fight. I think that you deserve a medal instead of a reprimand.

FRANK BRAME.

—

[From a distinguished minister.]

APPOMATTOX, VA., *October 28, 1921.*

MY DEAR CONGRESSMAN BLANTON: As a reader of the CONGRESSIONAL RECORD, I am familiar with its contents.

I deeply regret that the rules of the House are such as not to permit a public record of facts. Such things are awful to repeat, but somehow I have a lingering conviction that under such circumstances a "verbatim" account best serves the ends of justice.

Be assured, dear Congressman, that "truth crushed to the earth will rise again," and long after this is forgotten you will be wafted high on the wings of your noble struggle for justice. Be assured of my sincere prayers, sympathy, and respect.

W. W. PIPPIN, JR.

—

LANCASTER, OHIO, *October 28, 1921.*

DEAR MR. BLANTON: I am a Republican, but Mr. MONDELL'S action will do neither him nor the Republican Party any good. You have been badly treated. I hope you will stay in Congress and continue your fights for the people.

H. FURMISS.

—

BROWNING, MONT., *October, 1921.*

MY DEAR MR. BLANTON: Allow me to congratulate you on your courage in saying what everybody else feels like saying. More power to your elbow.

Rev. JAMES D. GOLD.

GOOD THUNDER, MINN., *October, 1921.*

DEAR MR. BLANTON: Have just read your splendid speech. Mrs. Walker and I, as Americans, wish to indorse your manly utterances and your standing alone for the right. God bless you in daring to stand alone.

REV. C. E. WALKER.

—

KANSAS CITY, MO., *October 28, 1921.*

MY DEAR MR. BLANTON: I am still your friend and unshaken by any of the events of the last few days. Don't let this "tempest in a teapot" crush your spirit.

The whole episode appears half ludicrous. Who would have thought that a "pious front" by the most saintly gentlemen who have been seeking to "oust" you is of more importance than the actual facts affecting our country and Government? I wonder if the medical books and the Holy Bible will yet have to be ruled out of the mails.

REV. CHAS. T. ALEXANDER.

—

[From Mrs. Mary P. Sutherland, who is personally familiar with Washington affairs.]

BIG RAPIDS, MICH., *October, 1921.*

DEAR CONGRESSMAN BLANTON: The CONGRESSIONAL RECORD of October 22 with your speech on the Government Printing Office is before me. Good for you! Stick to it. Keep up your fight. Not one single efficiency case did I see in 27 months' service. I saw over $11,000 a month in wages wasted on one floor in one building because there was no one with any brains supervising.

MRS. MARY P. SUTHERLAND.

—

WILLIAMSBURG, KY., *October 29, 1921.*

DEAR MR. BLANTON: I commend the spirit in which you have fought against odds and hope that much for the country's welfare may yet come from it.

J. E. TERRY.

—

ALEXANDRIA, MINN., *October, 1921.*

DEAR MR. BLANTON: You told the unvarnished truth. Stick to the convictions of your conscience. Hew to the line. Let the chips fly and hit where they have the most effect.

MRS. B. J. BIRCHARD.

—

[From the Buffalo Commercial, Buffalo, N. Y., Oct. 28, 1921.]

Proof that the ogre of unionism still lives and dominates at least a number of Congressmen and that it will stop at nothing in the fight to retain its death grip upon the throat of a number of important Government departments is contained in the attack recently launched upon Congressman THOMAS L. BLANTON, of Texas, in which the Members of Congress had the sheer audacity to propose that BLANTON should be expelled.

BLANTON'S offense was something that made unionism thirst for his heart's blood. He fearlessly exposed abuse after abuse, crime after crime, that were daily committed by agents of the closed shop unionism.

Congressman BLANTON, who is rapidly acquiring a national reputation as a 100 per cent American, exposed to his colleagues the whole rotten situation. We believe that he has performed a great public service.

—

LOUISVILLE, KY., *November 7, 1921.*

DEAR MR. BLANTON: Your self-sacrifice will bring its reward. Justice and righteousness need you in Congress. I want you to know that you have a great many friends in Louisville, who appreciate the splendid work you have done, and who have great confidence in your ability to do much more in the future.

W. HUME LOGAN.

—

WASHINGTON, D. C., *October 28, 1921.*

MY DEAR MR. BLANTON: Would that I could find words to express my indignation over the annoyance those hypocritical politicians are trying to give an honest, upright man.

Their pretended shock and fastidiousness is far-fetched. Women seldom read the RECORD. The many years my only brother was in Congress from Virginia, I never read a RECORD. I voice the opinion of many people when I say it would take more than what is in that RECORD to "shock" those "birds" over there.

They strain at gnats and swallow camels. It is all a tempest in a teapot. Their censure is more flattering to you than their regard. Everyone knows it is politics, and will retroact on them. It is your power they fear. You are thrice armed for your cause is just.

Sincerely, FANNIE CARLIN MICHINARD.

—

WOODS HOLE, MASS., *October 29, 1921.*

Mr. BLANTON might well be called a hero. No one can read papers without knowing long since the courage with which he dares to stand up for what he believes right. We, the people, greatly need such a man in Congress. I am convinced that the leaders who could not lead Mr. BLANTON about were eager to find some excuse for hitting him, and they were delighted to find a molehill they could make into a mountain.

ANITA NEWCOMB MCGEE, M. D.

—

[Excerpt from Texan's letter in Washington Herald, Nov. 1, 1921.]

Brace up Mr. BLANTON and hold your head high, the people of Texas know your value and have not forsaken you by any means. Your past efforts in the interest of the people, the integrity with which you discharge the duties of your office, are not unknown to your people.

The courage and strength with which you have faced bitter opposition when you knew you were right has won for you the undying confidence and appreciation of the people of the Lone Star State.

—

PALESTINE, ILL., *October 28, 1921.*

MY DEAR CONGRESSMAN BLANTON: I am on your side. Ever since you have been in Congress I have been intensely interested in your activities. While we all abhor the obscene and profane it is not getting at the truth to omit it at all times, and I do not believe that there is much danger that "the prurient curiosity of children" will be excited by anything appearing in the CONGRESSIONAL RECORD. Speaker GILLETT unconsciously made a grim joke of a serious matter.

I have talked to several others who read the article, and, like myself, they feel that you have been wronged, and to this extent Congress stands rebuked. My father (a minister) also read the article and shares my feeling.

CLARENCE PHILLIPS.

—

FORT LAUDERDALE, FLA., *November 4, 1921.*

DEAR MR. BLANTON: Your defense was a classic. How the gangs hate to be exposed. I thank you for publishing the rotten conditions there.

CAPT. T. HALL.

—

WASHINGTON, *October 27, 1921.*

DEAR CONGRESSMAN BLANTON: I borrowed a CONGRESSIONAL RECORD and read your remarks. I can not conceive of minds being so warped as to desire to expel you for same. The press has given the people a very different conception of what actually happened. I know because since reading the RECORD I have explained the true facts to many.

Every great man who tries to serve the public is persecuted. The greater and more powerful you become, the more you must expect to be cruelly censured. I am for you and wish you the greatest success in your wonderful career.

DR. THOMAS L. MILLER.

—

NEW YORK, N. Y., *October 28, 1921.*

DEAR MR. BLANTON: If we only had more Blantons in Congress the people's interests would be better served. Continue your great work against dishonesty and graft.

MARTIN GARVEY.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Can I have 10 minutes more? This is all the defense I have, my good name is involved, and there is but little more in conclusion. I ask unanimous consent that I have 10 minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for 10 minutes.

Mr. FOCHT. Mr. Chairman, have I any time remaining?

The CHAIRMAN. The gentleman has 23 minutes.

Mr. FOCHT. I have listened to the gentleman from Texas with much interest. I would like to ask him if he feels, after all this, that he was entirely justified in putting those things in the RECORD?

Mr. BLANTON. Let me say to the gentleman that the denunciatory remarks upon me are all in the permanent RECORD.

Mr. FOCHT. Mr. Chairman, I will yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman is recognized for five minutes more.

[From a colored Baptist minister.]

DEAR CONGRESSMAN BLANTON: It is a duty and pleasure to commend your effort in the House yesterday. While presumed to be on the side of the classes, you are here fighting for the poor who can not pay prohibitive prices. I spent 20 years in educational work in Kentucky, Virginia, and Alabama, and closed my career as a teacher in Howard University in Washington in 1918. In your manly stand for justice, law, and order you are my ideal. Were you a candidate where I had a vote Republicanism would count nothing. Will you accept this humble tribute from my very soul?

JAMES R. L. DIGGS.

—

BUCYRUS, OHIO, *October 28, 1921.*

Congressman R. C. COLE,
Washington, D. C.

DEAR SIR: As a lawyer, and looking at the matter from a purely legal standpoint, I can not follow the logic of voting to either expel or censure Representative BLANTON. He was calling attention to conditions which demand a most rigid investigation; and if true, are intolerable. His own language in doing so was temperate and unexceptionable. He should be thanked, not censured.

C. J. SCROGGS.

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[From Judge J. M. Moorer.]

WALTERBORO, *S. C., October 28, 1921.*

DEAR MR. BLANTON: The unanimous censure passed upon you was due not to the fact of the matter you had printed but rather to the strangle hold the labor unions of America seem to have on the administration of our public affairs. If the suggestion of obscenity had been omitted by you in publishing the affidavit, then the enormity of the disgusting situation would not have been disclosed to the public. I think that you are exactly right in your denunciation of conditions.

J. M. MOORER.

—

[From the Hardware World, January, 1922.]

The Hon. THOMAS L. BLANTON, Representative from Texas, has for years waged a most courageous war in the House of Representatives against the red and criminal type of labor unionism, which has tried to dominate the country. In doing this he has aroused their bitter enmity.

A REAL CHAMPION OF THE PEOPLE.

The records show a long, continuous, arduous service by Mr. BLANTON in, among other things, watching appropriations. The pages of the CONGRESSIONAL RECORD are full of points of order successfully raised by Mr. BLANTON against such appropriations.

Now, these points of order can only be successfully raised against items which have no business to be where they are, and the very success of these numerous points of order attests the correctness of Mr. BLANTON'S position and his service to the public in checking waste and extravagance. But, of course, those Members who are thus

checked have not a kindly feeling toward the man who upsets their plans.

Mr. BLANTON is a consistent champion of the public's interests. He was for eight years a circuit judge in Texas and is an elder in the Presbyterian Church and a thirty-second degree Scottish Rite Mason and a Knight Templar.

FRANCIS RALSTON WELSH.

—

[From the editor of the Spectator.]

PORTLAND, OREG., *November 30, 1921.*

MY DEAR CONGRESSMAN BLANTON: It is a matter of very sincere regret that you have been so persistently misrepresented in the press of the country. It was only by accident that I learned the facts in the case of the controversy in Congress. It did not affect the high opinion I have of you and the services you are rendering.

Yours, very truly, HUGH HUME.

—

[From Herbert George, president Business Men's Association.]

DENVER, COLO., *January 4, 1922.*

MONDELL'S attack on BLANTON fools nobody. The courageous Texan will recover and return to Congress to torment enemies of good government.

—

[From Sunday Times, Chattanooga, Tenn., Feb. 20, 1921.]

It has been left for Hon. THOMAS L. BLANTON, of the seventeenth Texas district, to take his seat in the House of Congress and live down prejudice and to be recognized as a useful Member, who is doing work that the average Member shirks. The man who was first referred to as "Blatant BLANTON" is now treated with the greatest consideration. Members who were wont to smile "when BLANTON turns loose" now give the Texas Member rapt attention. Newspaper men, who once scorned upon the Lone Star Congressman and sauntered from the press gallery when he arose, now give him an audience, because they know he has something to say. It can, in fact, be said that Mr. BLANTON is now one of the most useful men of the House. He is what might be called a free lance. His main object appears to be to stop expenditures in various departments and force the earning of salaries. By indomitable energy and perseverance he is succeeding. He has established himself in the House as a man of force and purpose, his purpose being to save the people's money.

—

[From a distinguished specialist.]

ERIE, PA., *October 28, 1921.*

DEAR MR. BLANTON: For some time many of us in this city have watched and approved of your course in the House, well knowing the rottenness that exists there. We believe it will redound to the benefit of the country in general. Many are thoroughly disgusted with the present acts of Congress.

DR. JNO. A. VAN VALZAH.

—

SHERIDAN, WYO., *October 28, 1921.*

DEAR MR. BLANTON: Mr. MONDELL is a candidate for the Senate, and in this union ridden State he expects to make political capital out of the incident. Would that we had more men in the House that had the courage of their convictions.

With best wishes for your success.

DR. FRANK CARLL.

—

[Excerpts from Wall Street Journal, New York, Oct. 31, 1921.]

Representative BLANTON performed a public service which will be nullified if labor unionism has its way. * * * The men who censured him always suffer from cold feet where the sacred labor union is concerned. * * * Unless Members of Congress have shut their eyes and stuffed their ears they saw and heard these things. But the people did not know of them, and would not but for the disclosure by Mr. BLANTON. An aroused public opinion should now administer a rebuke to our union-scared Congress, and tell it that there is no room in any Government department for an un-American organization setting itself above the law.

—

[From the Right Rev. Archimandrite Patrick J. Grattan Mythen, D. D., New York, chairman committee of English-Speaking lodges, universal congress of F. and A. Masons.]

As a priest and prelate charged with the care of souls and with power of judgment over other priests, may I be permitted to say to you that you have now a splendid opportunity of manifesting to the world your true spirit. You must now rise above the adversity in such manly fashion that those who condemned you will have to admit that their censure should have been directed at the sin. * * * You have paid a public price for us all, if the use of indecent language is to be properly punished.

—

NEW YORK, N. Y., *October 31, 1921.*

DEAR MR. BLANTON: I have been a close follower of your deeds since Texas sent you to Washington, and have learned to admire you very much. Your past reputation is such that each knock you now receive is indeed a boost to you among those who know. I am for you first, last, and always, and believe all Texans are with you.

MELVIN PRENTICE.

—

PRICE, UTAH, *October 29, 1921.*

DEAR CONGRESSMAN BLANTON: I have just read the speech for which you were censured. I congratulate you for the fight you are making for the people. Your fight must ultimately win. Keep the good work going. The people are behind you.

J. W. HAMMOND.

—

COLUMBUS, N. MEX., *October 30, 1921.*

DEAR MR. BLANTON: I have heard many complimentary remarks upon your valiant stand in the face of overwhelming odds. We believe your efforts will win in the end. Here's hoping you will keep on undismayed the good fight you have begun on graft and treasury looting. We are still behind you and wishing you luck.

W. C. FRANKLIN,
Cashier First National Bank.

[Samples from Texas—from a distinguished Texas lawyer.]

LAGRANGE, TEX., *March 3, 1921.*

DEAR MR. BLANTON: I received the expunged report. And I started to reading it, and it was so fascinating and interesting that I could not lay it down until I had finished.

I want to say this, that all of the outrages that were ever perpetrated by Congress was when they refused to hear your report. And the outrage was still greater when they attempted to expel you. * * * I heartily applaud your courage in making this exposure.

I also feel that all of the Texas Congressmen who voted to censure you for making this report should be elected to stay at home and to retire to private life at the coming election. I think that any man who seeks to win public favor, either locally or otherwise, by trying to dishonor a man who is trying to do what is right should be eternally, politically, and religiously damned. Stand up for what is right, even if you have to stand alone. I salute you with esteem and respect.

Your friend,

JOHN T. DUNCAN.

—

[From the Rusk Cherokeean, Nov. 25, 1921.]

The man who used the language still holds his job, while the man who called the attention of the country to the fact that it was used came near losing his seat in Congress.

Texas Congressmen should have been found right on their feet demanding the discharge of the man who used the language just the minute that MONDELL began his attack on BLANTON. Did they do it? * * *

—

[From Abilene Daily Reporter, Nov. 24, 1921.]

A glowing tribute to Congressman BLANTON'S work in the House was paid by Judge Fred Cockrell, who introduced the speaker. Judge Cockrell said: "An American citizen in the Government Printing Office appealed to Judge BLANTON for aid. Judge BLANTON took this man's affidavit and filed it in the CONGRESSIONAL RECORD, and then the crash came. They tried to expel him from Congress. I will give my last bit of influence, the last drop of blood in my veins for the west Texan, who was brave enough, who was courageous enough to make the fight." This assertion by Judge Cockrell was greeted with prolonged applause, and cries of "Hurrah for BLANTON!" went up from the audience. Judge Cockrell continued: "This native-born Texan had the nerve to fight them to the last ditch; is a born fighter. He is the most useful Member in Congress to-day, and he has stopped the expenditure of more of the Government's money than any other man in Congress."

A big demonstration lasting for several minutes, in which the majority of his large audience participated, greeted Congressman BLANTON. There were yells "Hurrah for BLANTON!" and loud and prolonged applause. Long before the hour set for Mr. BLANTON to speak the district court room was packed to capacity, and when he appeared all aisles were filled, many standing along the walls and out in the hall outside the room. At the conclusion of his speech hundreds crowded around Congressman BLANTON and assured him of their support.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. FOCHT. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, the extraordinary exhibition we have just witnessed, the letters that we have heard read, illustrate more than anything else could the enormity of the offense against this House and against decency committed by the gentleman from Texas [Mr. BLANTON], and for which he received the censure of the House by unanimous vote. His offense was so awful, so unspeakable, so unprintable, that the people can not be informed of the details. The people who have written these letters could not be informed of the exact character of his offense without some one sending them the objectionable matter; in other words, without the commission of a crime that would send one to the penitentiary. What he had printed in the CONGRESSIONAL RECORD for men, women, and children to read was so unspeakably vile that except through the commission of a crime in mailing it or transporting it or of a grievous offense against decency in telling it could these people know all its vile, nasty, frightful character. The only way that anyone can know just what he did, other than through receiving the printed page in violation of the law, is for some one to tell them, and no man of decency and self-respect would want to repeat it. [Applause on the Republican side.] And so he has, he says, received commendatory letters, no doubt some of them from honest people, well-intentioned people, in the main from people who see red, people who are prejudiced against union labor and against labor organizations, and so misinformed as to believe that the gentleman from Texas has influence as against these organizations or with regard to anything else.

Hailing him as a champion of their jaundiced and prejudiced opposition to organized labor, and believing, imagining—which no one here does—that he has some little influence as against those organizations, wholly uninformed as to the exact character of the offense, because there is no way of learning of it except by some one either violating the law or all the canons of decency, they write him these letters. I venture this assertion, because I have confidence in the American people—I believe that in the main they are clean-minded; that they hate obscenity—I venture the assertion that few, if any, of those commendatory letters would have been written if the individuals who wrote

them could have understood the vileness of the affidavit the gentleman from Texas placed in the RECORD. It was so vile that, in my opinion, no really clean-minded woman and few clean-minded men could have fully understood the depth of the filth and the vileness it contained. [Applause on the Republican side.]

The vote to expel was just a trifle less than two-thirds of the membership of this House, but the vote under which the Speaker administered the censure and condemnation of the House was unanimous. Therefore, if the Congress is to be condemned for what it did, the condemnation rests upon us all. All of the assaults that have been made against the honor and the dignity of this body, all of the offenses that have been committed against the House and its good name since the day of its organization, all rolled into one, would not equal the enormity of the offense of the gentleman from Texas. And yet the very unspeakable character, the very vileness of the offense, in a measure protects him. [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield me two or three minutes? Unless he is willing to do that, I shall ask recognition in my own right.

Mr. FOCHT. I yield five minutes to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Mr. Chairman, I had hoped that the regrettable incident which has been discussed here this afternoon would never arise again in the House. [Applause.] What the House did, it did, whether deliberately or in an hour of hysteria—of course, each man who voted will have to answer for himself—but since it has arisen again this afternoon it is in my mind to say something that I have very frequently thought of since the occurrence. I have never even made an inquiry privately about the matter, but I would like to know—and I wonder if any gentleman here can tell me—whether the employee in the Printing Office who used the language contained in that affidavit, for the insertion of which in the RECORD the gentleman from Texas was censured upon a motion made by myself, is still in the employ of the Government?

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. COOPER of Wisconsin. I can not speak as a matter of personal investigation, but I was informed by a gentleman who ought to know that this employee has not been for some time at the Government Printing Office.

Mr. GARRETT of Tennessee. I simply wanted to say this, that if, as many of us thought, Mr. BLANTON deserved censure for inserting the affidavit containing his language in the RECORD, surely the man who used such language ought not to be permitted to remain in the Government service. [Applause.] I hope it is true, as the gentleman from Wisconsin understands it to be, that he has been separated from the service.

Mr. UNDERHILL. Mr. Chairman, as a member of the committee, I ask for recognition in opposition to the bill.

The CHAIRMAN. The gentleman from Massachusetts is recognized for one hour.

Mr. UNDERHILL. Mr. Chairman, I yield such time to the gentleman from Ohio as he may desire.

Mr. BURTON. Mr. Chairman, this bill has to do with the general question of interest and specifically refers to loans of small amounts, where, presumably, the security is somewhat uncertain. There are many strong arguments against usury laws. The school of Bentham and of Mill maintains that interest to be charged for the use of money is determined by just the same principles as the prices of commodities, and that three controlling factors will determine the rate of interest, namely, the supply available for investment, the trouble involved in making contracts between creditor and debtor, and, third, the risk involved. The lawmakers of England accepted these ideas and abolished usury laws. Some of our own States have abolished usury laws, though I think most, if not all, have restored them. At one time there was no usury law in the District of Columbia.

The American idea in regard to interest is that usury laws serve two useful purposes, one, that they restrain from speculative and injudicious enterprise. If a man contemplates an undertaking that is especially risky and desires to borrow money, he would be refused by the bank or the lender, because the person to whom the application is made can not afford to take the risk at the ordinary rates of interest, and thus if a limit is fixed on rates of interest that class of undertakings which result in disaster will be prevented. The other reason, which applies in this bill here, is that the necessities of the borrower should be taken into account, and, unless there is a limit upon the rate which can be charged, it is within the power of one who has money to exact a compensation which is altogether unreasonable. And so it may be called the settled American doctrine that usury laws shall prevail. The rates fixed are five, six, seven, eight, and so forth, as general rates, with authority sometimes for a higher rate, if agreed upon by the parties to the contract. There is a great variety of regulations in the different States of this country.

Now, I do not favor this bill, Mr. Chairman. The solution of this perplexing question as to loans by pawnbrokers and loans in small amounts with uncertain security, it seems to me, can be more readily reached by an amendment of the existing law. The existing law came into effect on the 4th of February, 1913, limiting interest upon loans of less than $200 without pledged security and loans made by pawnbrokers to 1 per cent per month. That rate was advocated by persons with the very best of humanitarian intentions but without any adequate comprehension of conditions as between the borrower and the lender. Attention was called at the time to the fact the law would not be effective, and the very strong statement has been made that not a single loan has been made under the law of February, 1913, at 1 per cent of interest per month. Now, the Commissioners of the District of Columbia, the chamber of commerce, the board of trade have requested an amendment of that law, only changing a few lines to make it read interest at 2 per cent per month instead of 1 per cent per month. Two per cent is a rate below that in vogue in most of the States. I think across the river in Virginia it is 10 per cent per month on smaller loans, and the ordinary rate in a number of States is 3 per cent. I do not believe it is necessary to make the rate so high as that. There are a couple of objections to our passing any law fixing a rate higher than 2 per cent. In the first place, this Congress in legislating for the District of Columbia has a responsibility for passing laws which may be accepted as a model for legislation elsewhere. We ought not, I think, to pass a bill which shall be accepted in the States as a sanction for so high a rate as 3 per cent. Then there are a great many borrowers here employed in the departments who have a regular salary, so that they can readily meet their obligations, and there is not the risk that there would be in a great industrial community, where men are frequently thrown out of employment.

I remember some years ago a letter carrier was discharged in my own State because he did not pay his debts. The rule that persons in the Government service must meet their financial obligations was strictly enforced. So 2 per cent it seems to me is as high a rate as should be fixed here in the District. Now, there is one very vital objection to this bill as presented by the committee. It applies only to the pawnbrokers. Why, I ask, should it not apply to loans that are made in these smaller amounts where there is no security? Is not there an element of absurdity almost in saying that when a pledge is given and security is lodged with the lender there can be charged 2 per cent, and when there is entire absence of any security the lender can only charge 1 per cent? A great variety of persons would be able to obtain loans from friends or from organizations which might be established, something similar to the Morris Bank or Morris plan, without offering any security. This system will certainly prove ineffective if you limit these smaller loans to 1 per cent.

Mr. CHINDBLOM. Will the gentleman yield for a question?

Mr. BURTON. Yes.

Mr. CHINDBLOM. Does the Government recognize the assignment of salary?

Mr. BURTON. I do not think so; but each department perhaps has a rule for itself.

Mr. CHINDBLOM. My understanding is that the Government will not recognize any assignment of salary. That being so, how are we going to provide for loans for borrowers except upon a pawn or pledge for security?

Mr. BURTON. There are many loans made on the personal security of the borrower.

Mr. CHINDBLOM. Certainly, but I mean security to the lender?

Mr. BURTON. Well, the lender, of course, must take his chances. I am credibly informed there are persons or organizations ready to go into the business here of making loans at 2 per cent outside the pawnbroker business, providing they are authorized. They feel that they can not do business profitably at 1 per cent and could do business profitably at 2 per cent.

Mr. CHINDBLOM. Does the gentleman think that the lenders of money would lend only upon the personal security of the borrower?

Mr. BURTON. Yes; and if there is any difference, the one who loans only on the personal security of the borrower should have the higher rate.

Mr. CHINDBLOM. He takes a bigger risk.

Mr. BURTON. Under this bill the lender without security would have to pay 1 per cent, and you permit the borrower, who has diamonds and other valuable security, to pay 2 per cent.

Mr. CHINDBLOM. I presume the gentleman can not find anything in this bill which at all affects the lending of money upon personal credit only?

Mr. BURTON. No. The gentleman from Pennsylvania [Mr. FOCHT] responded to a question I asked, that this bill did not repeal the act of February 4, 1913, which authorized loaning on mere naked notes at 1 per cent.

Mr. FOCHT. I will say that the gentlemen who are advocates of having this measure apply to the bare note without pledge have argued, and you will find it in the hearings at great length, that 1 per cent is all they need, and that even 1 per cent would be all that a pawnbroker would need, but the pawnbroker makes the contention that he needs more, and we are discussing the contention of the pawnbroker rather than the man that is satisfied. That is the answer to that.

Mr. BURTON. I am very well satisfied that both of them are wrong. One reason why the pawnbrokers expect a higher rate of interest is that it is a phase of occupation or business that is in bad odor in the community. There are a number of instances where we are paying higher prices because of the disrepute that attaches to the person with whom we deal. While there is a certain amount of difficulty in keeping watches and things of that kind, the more adequate security more than makes up for the difference.

Mr. LONDON. Has the gentleman given any attention to the question of municipal institutions attending to the needs of those poor devils who are obliged to borrow money?

Mr. BURTON. I have. I will say to the gentleman from New York that I do not believe in it at all. It is impossible to establish a municipal loan office without putting it into politics, and the managers will make loans where they think they will obtain votes. Maybe the gentleman from New York may have some arguments in favor of municipal loan offices.

Mr. LONDON. In the District of Columbia it can not be a question of votes. They are voteless here. And then I would like to save the soul of the pawnbroker. I think that is one of the most contemptible of professions. I would simply like to put him out of existence.

Mr. BURTON. The gentleman has an easy task in that.

Mr. FOCHT. Permit me to ask the gentleman a question. He speaks of the pawnbroker. I have no brief for him. I have never pawned anything, and I hope that I never will have to do so, but I would like to know where he stands in more degradation and shame than the Shylock that will stand behind the counter and take from a clerk $100 when he loaned him only $50?

Mr. LONDON. And you might go further, to the bankers who rob the farmers or the bunch of financiers that held up the United States and compelled them to put up the interest on the bonds.

Mr. BURTON. It seems that we are getting a little too far afield here.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTON. I would like 10 minutes more.

Mr. LONDON. The gentleman mentioned an institution, I believe, which he called the Morris plan bank. I believe my attention was called to it several years ago. How does that institution work? It is a sort of a charitable institution, is it not?

Mr. BURTON. No; it is not a charitable institution. It takes deposits and makes loans. They, in large measure, make their loans to persons who can not obtain money at an ordinary bank. They usually require two indorsers as security, and I am told that their losses are not large.

Mr. LONDON. And they lend with or without interest?

Mr. BURTON. As I understand it, more than the usual interest, ordinarily.

Mr. LONDON. I thought the interest was nominal.

Mr. BURTON. The interest has been placed larger than in the ordinary bank. I will answer further the question of the gentleman from New York by saying that I do not believe in municipalities going into the business of loaning money under any circumstances.

I wish to present a memorandum as to pending small-loan legislation in the District of Columbia, prepared by the citizens' committee on remedial loan law, with a supplement. These state the case very strongly against this bill and in favor of another.

Mr. Chairman, I ask unanimous consent to insert in my remarks the full text of these documents, including a memorandum on the pawnbrokers' bill.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by the insertion of the documents indicated. Is there objection?

There was no objection.

Following are the documents referred to:

Memorandum as to pending small loan legislation in the District.

CITIZENS' COMMITTEE ON REMEDIAL LOAN LAW,
Washington, D. C., March 10, 1922.

The Citizens' Committee on Remedial Loan Law urges that Congress do not pass the "pawnbrokers' bill," H. R. 6309—S. 2260, for the following reasons:

1. The District now has a pawnbrokers' law which provides for the regulation of pawnbrokers and their business, with ample provisions as to licenses and the protection of borrowers, which has proved to be a wise law.

2. Any loan law which does not provide for those who need to borrow small sums on notes as well as on pledges is entirely inadequate.

3. The limitation of the rate allowed, to 1 per cent per month, is the only reason why loans of both kinds are not being made under the existing law of February 4, 1913.

4. An increase in the rate to 2 per cent per month, as originally asked for by the Citizens' Committee and by the District Commissioners in their bill, H. R. 5015, will be sufficient to establish the business in both small loans and pawnbrokers' loans, and to successfully meet all demands of this character.

5. The "pawnbrokers' bill," H. R. 6309, will afford no relief to the class of persons, probably larger in Washington than in other cities, who need small loans, but have no pledges to put up.

6. The existing law has been sustained by several decisions in the Court of Appeals and two in the Supreme Court of the United States, one of which declared it to be a pawnbrokers' law.

It has been so effectively enforced by the District Commissioners that it has closed up all the offices of illegal money lenders in the District.

7. Congress is therefore earnestly urged to pass the bill introduced by the commissioners, H. R. 5015, increasing the rate in the present law to 2 per cent per month.

8. The "pawnbrokers' bill," H. R. 6309, repeals the existing law, and as it would be a new law and makes no provision for loans except on pledges it would permit the return of the illegal money lenders, whom the commissioners have driven out.

It would be a decided mistake to pass such a new law to take the place of the one which has been so effective in stopping all illegal business, and which can be made fully effective for legitimate loans by restoring the rate to 2 per cent per month in the present law, as asked for by the commissioners.

9. The District Commissioners, the Board of Trade, the Federation of Citizens' Associations, and the Citizens' Committee have all definitely disapproved of the "pawnbrokers' bill" after careful consideration, and Congress is again urged to pass the commissioners' bill, H. R. 5015, which is indorsed also by the chamber of commerce.

Respectfully submitted.

Charles S. Shreve, William J. Eynon, John Van Schaick, jr., Mrs. Archibald Hopkins, Evelyn Wainwright, George S. Wilson, Corcoran Thom, William F. Gude, William H. Baldwin, H. C. Gauss, John Joy Edson, P. H. Marshall, Evan H. Tucker, Walter S. Ufford.

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Memorandum on the pending pawnbrokers' bill (H. R. 6309) as compared with the commissioners' bill (H. R. 5015), which amends the existing law.

The rate of 3 per cent would cover the great bulk of pawnbrokers' loans, which are ordinarily less than $35, and putting two rates into the bill renders it liable to evasion.

The language at the upper part of page 5, which is intended to protect the pawnbroker—not the borrower—as to the 3 per cent rate, is confusing. No one can tell its exact meaning in relation to the whole law until it is interpreted by the courts, and it might be construed to nullify the penalties laid down in the law.

A new law to provide for the pawnbrokers' business is not necessary. Mr. DYER insisted on taking the pawnbrokers in under the present law because the District committee considered the 3 per cent per month that they were then getting exorbitant. Mr. FOCHT voted for the bill in this form as well as for the rate of 1 per cent, which is all that prevents pawnbrokers' loans under the present law.

To make a separate provision for pawnbrokers, while the impossible rate in the existing law prevents loans on other security, would be to give pawnbrokers a monopoly of the small loan business in the District. Any such monopoly is objectionable.

A separate law for pawnbrokers is not needed. Laws passed in Maine and in Indiana in 1917, which cover other loans as well as pawnbrokers' loans, have been found satisfactory. There has been no complaint of the operation of the District law, except as to the rate.

In the existing law Congress very wisely charged the District Commissioners with the responsibility of its enforcement and of making all rules and regulations necessary for the conduct of the business, which expressly covered pawnbrokers' loans as well as other small loans. The commissioners made these regulations, which are still in force. No complaint has been made of them, and we feel that it is undesirable for Congress to enact the commissioners' rules into a law.

The District Commissioners are now charged by Congress with the responsibility of making and enforcing regulations for the erection of buildings, the motor traffic, and other rules and regulations even of more importance than the making of small loans and pawnbrokers' loans.

The laws of 1917 in Maine and Indiana do not contain detailed regulations as to pawnbrokers' loans. These are made by the officials in charge in each State, and they work satisfactorily.

If for any reason, however, it seems wise for Congress to enact the regulations into law, instead of having the commissioners make them, the regulations should be incorporated in the existing law, which covers pawnbrokers, and not in a new law proposed.

It is felt that more effective and better results are secured where the commissioners are given the authority, as in the present law, for making regulations as to details than when they are enacted into law, as has been proved in the past.

The statement that the opposition to the pawnbrokers' bill comes from bankers who wish to make small loans at higher rates of interest is not correct. No banker would be willing to accept such loans, which could be made only by a company which took out a license under the law and organized especially for making small loans.

Any objection to providing that needy borrowers may obtain loans at 2 per cent on indorsed notes or other security, it is inconsistent with allowing 3 per cent for loans on pledges, which can be made at a lower rate than other loans.

Such a provision for small loans would be for the benefit of needy borrowers, who have no pledges to put up, as against the bill which would give pawnbrokers a monopoly of all such loans at 3 per cent.

You can say unequivocally that bankers do not desire to avail themselves of making small loans at 2 per cent, and that no banker of the citizens' committee has any interest in such business.

Mr. BURTON. The present law has been subjected to an investigation by the courts. Its provisions have been interpreted, and the new law would have to go through that same ordeal of consideration by the courts, with some degree of uncertainty as to what the decision would be.

I desire to say, Mr. Chairman and gentlemen, that there are some provisions in the law as proposed here which I think it would be well to include. Bear in mind there are two bills before the committee—one, the bill H. R. 6309, favored by the Committee on the District of Columbia, and the other, H. R. 5015, the so-called commissioners' bill. The best way to solve the situation is by amendment of the existing law, changing the rate of interest from 1 per cent to 2 per cent and inserting at least one provision of the pending bill. That provision is this: It requires a pawnbroker to maintain insurance on property that is pledged and left with him. As it is now, he would be only compelled to exercise ordinary diligence, and if in case of fire the pledges should be burned he would not be responsible for them.

I do not feel quite clear about this provision in regard to minors. The point has been made that the proposed section forbidding loans to minors under 16 years of age, by implication, makes valid loans to minors over 16 years of age. I do not see how this act can be made to legalize the act of a minor. Of course, Congress could by legislation upon that subject fix the age of majority at 18 or 19 years or even at 16 years. But I do not quite understand how that provision forbidding loans to minors under 16 can be effective in validating loans made to persons over 16 years of age.

Now, there is a decided difference between these two bills, which I think the committee ought to understand. I will briefly summarize the existing law. First, it provides that no one shall make loans of this type, pawnbrokers or otherwise, without the application for and granting of a license and payment of $500 a year. Next it provides that a bond of $5,000 shall be given. Then it provides that every person, firm, and so forth, shall keep a record, and that record shall be open to the commissioners and to the officers of the law. In the following section it is provided that the rate of interest shall not be more than 1 per cent. There is a clause to the effect that complaints may be made to the commissioners and the commissioners may revoke a license.

In section 7 a penalty for the violation of the law is imposed. Section 8 provides that no attorney's fee shall be charged at more than 10 per cent of the amount found due. Section 10 is not vital. "Nothing contained in this act shall be held to apply to the legitimate business of national banks." I do not see any need for that word "legitimate" being inserted there. I do not believe any bank would wish to make this type of loans of an amount less than $200. I suppose that other institutions would be established for that purpose. Section 14 provides that the administration of this law shall be intrusted to the commissioners, and they are empowered to make rules and regulations for the conduct of the business. Under that provision, as I am informed, they have made regulations to the effect that a pledge shall be left for a year after the maturity of the loan before it can be sold. The pending bill would make this regulation a permanent law. As to that I am not very sure. In making these statutes the legislators are almost always bearing in mind the welfare of the borrower, but they overlook certain plain facts. If a man goes to a pawnbroker and wishes to borrow money and the pawnbroker knows that he can not sell the security until a year after the loan is due, he will charge him accordingly; so in the long run the query arises whether that is desirable for the borrower. I think it is well to leave such subjects as that to regulations made by the commissioners, and they have very broad and sweeping authority.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. BURTON. I would like to have just a few minutes more; five minutes more.

Mr. UNDERHILL. Mr. Chairman, I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes more.

Mr. BURTON. Now, there is one provision in the old law that is not in the pending bill and that awakens an inquiry. It is to the effect that no one who has been found guilty of a violation of the law shall retain his license or shall obtain another.

I do not wish to enter into any of these personal controversies in this matter, but there are certain facts that are well known. When this act of 1913 was under consideration there was a large subscription raised by the pawnbrokers here to defeat it. That was all brought out in the report on lobby activities made by the committee headed by the gentleman from Tennessee [Mr. GARRETT]. It appears that these pawnbrokers, of whom one man in particular was prominent, raised $8,000 and endeavored to defeat the bill. The leading one who did most of the business made no loans here after the law was passed, but went over into Virginia and started a business there. According to the reports, if a person came to him here in the District of Columbia he furnished that person an automobile to take him over into Virginia, and there they could make almost any kind of a contract, 10 per cent a month on small loans, and this pawnbroker was doing a thriving business. The handicap of not being able to make loans here in the District of Columbia was more than offset by the character of the exactions which he could make upon borrowers in Virginia. He was arrested, tried, and convicted. The case was taken to the Supreme Court. The Supreme Court decided that his conduct in transacting business in this indirect way was a violation of the law. He was the head of the syndicate that raised some $8,000, and under the existing law he would not be able to obtain a license to do business in the District of Columbia. Under the bill which is here before the committee he could obtain a license, because there is no prohibition against anyone who has been convicted under the law. I do not care to revive that controversy, but these facts are worthy of consideration.

Now, Mr. Chairman, in conclusion, I think there are some good points in this bill pending before the committee, among them the one about insurance. And possibly it is well to embody in the statute the provision that no sale shall be made of a pledge until a year after the loan has become due, though I am inclined to think it better to leave that to the commissioners. But we can best solve this situation not by passing a law under which pawnbrokers can charge 3 per cent up to loans of $35 and 2 per cent above that but by a straight 2 per cent rate, both to those who offer pledges and to those who offer no security. All this can be done by an amendment to the present law in comparatively brief language.

Mr. LONDON. Will the gentleman yield?

Mr. BURTON. I yield to the gentleman from New York.

Mr. LONDON. The provision relating to the right to sell pledged property a year after the loan has become due carries with it a provision for interest, does it not?

Mr. BURTON. Yes; for interest all the while. The gentleman knows enough about business to know that if the interest was suspended, every one of the borrowers would wait until the end of the year. The interest goes on at the rate fixed.

Mr. LONDON. Three per cent a month?

Mr. BURTON. Yes; and then, again, the borrower is compelled to pay for an advertisement in a newspaper of general circulation, and the sale must be made by a licensed auctioneer, which, I take it, is also at the cost of the borrower.

Mr. UNDERHILL. I yield to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Chairman, I have just communicated with the Public Printer by phone. I asked him if the man who was by Mr. BLANTON charged with having used that vile language was in the office still. He said, "He is. He is now in the employ of this office." I said, "I thought he was separated from the bureau." He said, "No; he is still in the employ of the office." I said, "How does that happen?" "Well," he said, "I conducted an investigation, heard those who were witnesses, and I am convinced that he never used the language. Those who listened to it said he did not. French, the complainant, was the only one who made that statement."

Mr. UNDERHILL. I yield five minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. I thank the gentleman, but I do not care to speak now, and I yield back the time.

Mr. UNDERHILL. I yield five minutes to the gentleman from Tennessee [Mr. SCOTT].

Mr. SCOTT of Tennessee. Mr. Chairman, on January 6 last I introduced House joint resolution 251 which authorizes and requests the United States Supreme Court to make an excep-

tion and reopen and rehear on its merits and redecide the case of William M. Farrington, plaintiff in error, against Rolf S. Saunders, collector of internal revenue for the United States for the western district of Tennessee, defendant in error, waiving for the United States all defense by reason of statute of limitations, lapse of time, laches or rules prohibitory for reopening, rehearing, reconsideration, and decision of this case by the United States Supreme Court.

Mr. Chairman, realizing that the provisions and purposes of this resolution are extraordinary and without precedent makes it properly deserving of thorough consideration by each Member of Congress before its final disposition. In view of this fact I am anxious to briefly present the reasons and grounds upon which I shall urge its passage in case it is favorably reported to the House by the committee before which it is now pending.

This resolution, though without precedent as to form and purpose, is nevertheless founded upon a principle that is fundamentally right, certainly within the Constitution, and I sincerely believe will be so regarded once its intentions are comprehended by this honorable body.

For approximately half a century various and sundry bills have been proposed to Congress seeking to adjust and settle the very question which this resolution is designed to bring to a constitutional finality. Some of these measures have sought to appropriate out of the United States Treasury and refund to the original taxpayers moneys collected under the acts of Congress of July 1, 1862, March 7, 1864, July 13, 1866, March 2, 1867, all of which were repealed February 3, 1868. This relief legislation was proposed and urged out of respect to the earnest appeal of a great mass of citizens and legal authorities, who insisted that Congress had no right to impose a direct tax on the ownership of personal property without being apportioned among the States of the Union on the basis of population.

Lawyers of recognized ability on constitutional questions throughout the Nation during the existence and since the repeal of the direct cotton tax laws have declared the tax to be violative of the Federal Constitution in that it was not an excise tax on the sale or use or other disposition of personal property, but a direct tax on the ownership of personal property without being apportioned among the States on the basis of population, as required by the Constitution. More than $68,000,000 was collected from the producers and owners of cotton in 23 States of the Union before a revolting public sentiment succeeded in inducing Congress to repeal what is now practically conceded by all constitutional authorities to be an unconstitutional tax law. Tennessee, my home State, paid more than $8,000,000 of this cotton tax. Article I, section 2, clause 3 of the Federal Constitution says:

> Representatives and direct taxes shall be apportioned among the several States of the Union, according to their respective numbers.

The Constitution then provides that these numbers shall be determined by the decennial census. Article I, section 9, clause 4 says:

> No direct tax shall be laid unless in proportion to the census enumeration hereinbefore directed to be taken.

I submit that a direct tax on the ownership of either land or personal property is constitutional if it is levied by the rule of apportionment among the States on a population basis, but if it is levied without such apportionment it is unconstitutional and void. This cotton tax was levied without such apportionment. The plain language of the Constitution shows that this cotton tax violated the supreme law of the land. The Supreme Court of the United States, however, when that act was passed (1862), had never decided this question one way or the other.

The first time the question was squarely and unescapably presented to the court was in the Farrington case. Farrington brought suit in that case to get back from the United States the taxes he had paid the internal-revenue collector at Memphis, Tenn., on his cotton. He alleged that the tax was unconstitutional; that was the sole and only question in the case. The judge of the United States district court at Memphis, Tenn., held that the tax was constitutional and decided against Farrington. Farrington appealed to the United States Supreme Court in 1868. Only eight judges heard the case. It was argued for Farrington by Judge Benjamin R. Curtis, of Boston, John A. Campbell, of Mobile, who had themselves previously been members of the United States Supreme Court; William M. Evarts, of New York, subsequently Secretary of State, and counsel for the United States in the Geneva arbitration on the Alabama claims; William M. Sharkey, former chief justice of the State of Mississippi; John G. Carlisle, afterwards Speaker of the House of Representatives; Alexander H. Garland, subsequently Attorney General in the Cleveland Cabinet; and Gen. Albert Pike, one of the greatest lawyers of that time. They all filed printed briefs against the constitutionality of this cotton tax which are still on file in the office of the Clerk of the United States Supreme Court. The Government was represented by the then Attorney General, E. R. Hoar, and Hon. C. H. Hill, one of his Assistant Attorneys General. After the case had been in the United States Supreme Court over two years the court entered a judgment, reciting that—

> The court is equally divided in opinion and is unable to agree.

Not a single member of the court wrote or filed an opinion. By reason of this equal division of the court, Chief Justice Chase being absent, not participating in either hearing or consideration due to illness, the decision of the United States district court at Memphis stood affirmed, and that is the way the matter has been resting ever since. As a matter of fact, no final judgment or decision as to the merits of the Farrington case was rendered by the court. The court was equally divided and so recited, which is a matter of record. No opinion was written, and the vital question as to the constitutionality of the cotton tax laws was left suspended in the air.

Mr. Chairman, the prime purpose of House joint resolution 251 is not to appropriate money out of the United States Treasury. This resolution seeks only a rehearing and decision of the Farrington against Saunders test case by the Supreme Court of the United States, which was heard in 1871 by only eight members of the United States Supreme Court, resulting, as stated before, in an equal division of the court. Only eight members having participated, the ultimate action being an equal division, did not determine the question of constitutionality of the cotton tax law within the meaning of the Constitution, since the affirmative or negative action of the court must constitute a majority of the court to make final a decision. In the light of these facts, which the United States Supreme Court records confirm, I can not appreciate how it could be urged that the Farrington against Saunders test case was regularly and constitutionally adjudicated.

Mr. Chairman, this question involves the constitutional rights and financial interests of citizens in perhaps every State in the Union. I am sure it is neither the desire nor purpose of any Member of this Congress to deny these citizens an opportunity to formally represent this vital and significant question to the United States Supreme Court, that the original issue, the question as to the constitutionality of the cotton tax act, which as it now stands remains a bone of serious contention in the minds of so many, may be finally and constitutionally adjudicated without the color of doubt. If it is possible, and I believe that House joint resolution 251 rightly makes it possible, for the reopening, rehearing, and decision of this test case, and in my humble judgment it is the solemn duty and obligation of Congress to make possible the proper legal and constitutional determination of this important question, which vitally affects the interests of so many of the Nation's citizens. [Applause.]

As stated heretofore, numerous bills have been introduced on this subject. During the Sixty-fifth Congress Hon. FRANK CLARK of Florida introduced a bill providing for an appropriation of the amount of taxes to be paid the heirs of the people who originally paid taxes under the cotton tax law. This bill was reported favorably by Mr. CLARK from the War Claims Committee of the House on January 30, 1919, in a very complete, clear, and convincing manner, which strongly urged Congress to pass the bill. This report is of such length that I would not attempt to read it into the RECORD or repeat its contents. However, I will ask, Mr. Speaker, leave to incorporate it in my remarks by extending it in the RECORD.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD in the manner indicated by him. Is there objection?

There was no objection.

The report referred to is as follows:

[House Report No. 1017, Sixty-fifth Congress, third session.]

MONEYS COLLECTED UNDER THE DIRECT TAX LEVIED BY ACTS OF CONGRESS ON RAW COTTON.

Mr. CLARK of Florida, from the Committee on War Claims, submitted the following report, to accompany H. R. 6019:

Measures similar to H. R. 6019 have been introduced into many Congresses during the past 50 years, and the subject matter has at different times been considered by committees, but for one reason or another justice has been delayed until now. No good reason exists or has ever existed to prevent the passage of a measure of this character. Governments should be scrupulous in dealing with its citizens as it demands one citizen shall be in dealing with his fellow man. The case as presented is as follows: There were four different acts of Congress levying a tax upon raw cotton. One was the act of July 1, 1862, which levied a tax of one-half of 1 cent a pound. The next act was the act of March 7, 1864, which levied a tax of 2 cents per pound. The third was the act of July 13, 1866, which levied a tax of 3 cents per pound, and the last was the act of March 2, 1867, which levied a tax of 2½ cents per pound. On the 3d day of February, 1868, Congress passed an act repealing the four acts mentioned. In order that the House may fully understand the legisla-

tion in this behalf we call attention to these different acts of Congress. The several statutory provisions levying taxes on cotton are as follows:

[Act of July 1, 1862.]

"On and after the 1st day of October, 1862, there shall be levied, collected, and paid a tax of one-half of 1 cent per pound on all cotton held or owned by any person or persons, corporations, or association of persons; and such tax shall be in lieu thereon in the possession of any person whomsoever. And further, if any person or persons, corporation, or association of persons shall remove, carry, or transport the same from the place of its production before said tax shall be paid, such person or persons, corporation, or association of persons shall forfeit and pay to the United States double the amount of such tax, to be recovered in any court having jurisdiction thereof: *Provided, however*, That the Commissioner of Internal Revenue is hereby authorized to make such rules and regulations as he may deem proper for the payment of said tax at places different from that of the production of said cotton: *And provided further*, That all cotton owned and held by any manufacturer of cotton fabrics on the 1st day of October, 1862, and prior thereto, shall be exempt from the tax hereby imposed." (12 Stat. L., 465.)

[Act of Mar. 7, 1864.]

"From and after the passage of this act, in lieu of the duties provided in the act referred to in the first section of this act, there shall be levied, collected, and paid upon all cotton produced or sold and removed for consumption, and upon which no duty has been levied, paid, or collected, a duty of 2 cents per pound; and such duty shall be and remain a lien thereon until said duty shall have been paid, in the possession of any person whomsoever. And further, if any person or persons, corporation, or association of persons, remove, carry, or transport the same, or procure any other party or parties to remove or transprt the same from the place of its production, with the intent to evade the duty thereon, or to defraud the Government, before said duty shall have been paid, such person or persons, corporation or association of persons, shall forfeit and pay to the United States double the amount of said duty, to be recovered in any court of competent jurisdiction: *Provided*, That all cotton sold by or on account of the Government of the United States shall be free and exempt from duty at the time of and after the sale thereof, and the same shall be marked free, and the purchaser furnished with such a bill of sale as shall clearly and accurately describe the same, which shall be deemed and taken to be a permit authorizing the sale or removal thereof." (13 Stat. L., 15.)

[Act of July 13, 1866.]

"There shall be paid by the producer, owner, or holder, upon all cotton produced within the United States, and upon which no tax has been levied, paid, or collected, a tax of 3 cents per pound, as hereinafter provided * * * and such tax shall be and remain a lien thereon, in possession of any person whomsoever, from the time when this law takes effect, or such cotton is produced, as aforesaid, until the same shall have been paid." (14 Stat. L., 98.)

[Act of Mar. 2, 1867.]

"On and after the 1st day of September, 1867, a tax of 2½ cents per pound only shall be levied, collected, and paid on any cotton produced within the United States." (14 Stat. L., 471.)

[Act of Feb. 3, 1868.]

"All cotton grown in the United States after the year 1867 shall be exempt from internal tax; and cotton imported from foreign countries on and after November 1, 1868, shall be exempted from duty." (15 Stat. L., 34.)

When the taxes of 1862 and of 1864 were levied the country was in the throes of civil war and there may be something in the idea sometimes advanced that the exigencies of war demanded and justified the setting at naught of statutory laws and constitutional provisions. We do not subscribe to that doctrine, because we believe that in a republican government such as ours there can arise no circumstances, there can exist no conditions, there can be no emergencies, which would justify the National Legislature in violating the solemnly enacted provisions of the organic law. However, if there should be anything in that contention it must be rememberd that the act of 1866 and the act of 1867 were both passed in a time of profound peace and, therefore, can not in any wise be regarded as war measures, and the fact is that the great bulk of the taxes levied and collected on raw cotton came from the acts of 1866 and of 1867, under which, respectively, were levied and collected a tax of 3 and 2½ cents per pound. In order that the House may get a clear idea of the amounts collected in the different years from the different States in pursuance of these acts of Congress we submit herewith a tabulated statement of such amounts as furnished by the Secretary of the Treasury.

Statement showing internal-revenue tax receipts from raw cotton.

[See act of July 1, 1862, 12 Stat. L., p. 465.]

State.	Fiscal years ending June 30—			
	1863	1864	1865	1866
Alabama				$3,733,620.25
Arkansas				203,073.84
California				145.96
Connecticut	$17.72	$110.25		
Florida				97,488.24
Georgia				3,554,554.38
Illinois	53,381.71	35,515.69	$65,802.79	113,732.66
Indiana	8,999.90	1,041.60	703.30	52,428.40
Iowa		.27		
Kansas			151.34	102.64
Kentucky	12,779.67	83,050.15	83,658.34	121,550.89
Louisiana	19,920.93	436,044.52	593,108.02	4,300,150.17
Maryland	1,867.66	139.91	1,168.65	4,324.03
Massachusetts	4,412.79	6,419.24	127.00	28,175.46
Mississippi				756,629.27
Missouri	69,493.12	39,009.76	73,603.00	247,289.14
New Jersey		500.00		
New York	102,041.83	24,836.56	10,334.04	492,557.07
North Carolina				211,658.57
Ohio	70,896.24	94,086.59	39,918.92	41,691.89
Pennsylvania	5,060.89	57,895.38		6,080.62

Statement showing internal-revenue tax receipts from raw cotton—Con.

State.	Fiscal years ending June 30—			
	1863	1864	1865	1866
Rhode Island	$2,402.27	$0.01	$22.45	
South Carolina				$731,939.67
Tennessee		488,325.80	877,901.09	2,148,437.93
Texas				1,395,524.17
Utah	36.75	11.00	48.90	211.31
Vermont				168,268.29
Virginia		1,425.83	26,435.64	
Total	351,311.48	1,208,412.56	1,772,983.48	18,409,651.99

Statement showing internal-revenue tax receipts from raw cotton.

State.	Fiscal year ending June 30—		Total.
	1867	1868	
Alabama	$3,049,868.01	$3,604,583.84	$10,388,072.10
Arkansas	1,641,342.22	711,222.37	2,555,638.43
California	284.08		430.04
Connecticut	65.67		193.64
Florida	499,645.07	321,811.67	918,944.98
Georgia	3,283,276.36	5,059,274.24	11,897,094.98
Illinois	76,013.72	34,697.85	379,144.42
Indiana	14,202.83	15,351.19	92,727.22
Iowa			.27
Kansas	32.17		286.15
Kentucky	149,905.16	102,383.24	553,327.45
Louisiana	2,971,708.19	1,777,569.17	10,098,501.00
Maryland	4,424.48	39,424.79	51,349.52
Massachusetts	16,576.85	10,967.96	66,679.30
Michigan			
Minnesota			
Mississippi	4,464,664.40	3,521,702.26	8,742,995.93
Missouri	96,721.63	65,981.71	592,098.36
Montana			
Nebraska			
Nevada			
New Hampshire			
New Jersey	3,156.42		3,656.42
New Mexico			
New York	112,570.54	125,602.64	867,942.68
North Carolina	860,704.55	887,341.75	1,959,704.87
Ohio	85,343.00	115,190.48	447,127.12
Oregon			
Pennsylvania	146.03	9,352.14	78,535.06
Rhode Island			2,424.73
South Carolina	1,429,281.10	2,011,199.39	4,172,420.16
Tennessee	1,929,301.72	2,429,494.12	7,873,460.11
Texas	2,780,307.31	1,326,509.76	5,502,401.24
Utah	389.64	647.74	1,375.34
Vermont			168,268.29
Virginia	299,147.65	330,579.45	657,583.58
Washington			
West Virginia			
Wisconsin			
Total	23,709,078.80	22,500,947.77	68,072,388.99

By exhaustive research we have been able to find only one case and that was brought to test the validity of the act of July 13, 1866. The facts of that case are as follows: On the second Monday in June, 1867, William M. Farrington began an action in law in the court of Memphis, Tenn., against Rolfe S. Saunders, a collector of internal revenue, for damages for the seizure of 148 bales of cotton which had been assessed by an internal-revenue assessor for taxes amounting to $2,005.74. The case was removed to the United States circuit court for the sixth circuit and that court decided the case in favor of Saunders, and therefore in favor of the constitutionality of the act which had been directly attacked. In due time Farrington appealed the case to the Supreme Court on December 6, 1867, and the judgment of the court below was affirmed by the Supreme Court because it was a divided court, there being only 8 justices who heard the case, and they stood 4 in favor of affirming the judgment and 4 in favor of reversing it. This took place on February 20, 1871. The record of this case can only be found in one volume and that is a volume known as "Records of Briefs," volume 216. The case in the Supreme Court was never reported, and nothing of the case can be found except the agreed statement of facts and copies of the pleadings and briefs of counsel. It will be noticed that the judgment was affirmed solely because of a divided court. The facts in the case as stated were agreed upon and filed in the circuit court at the September term, 1867, and were as follows:

"The plaintiff and defendant have agreed that the above cause, now pending in the Circuit Court of the United States for the district of west Tennessee, shall be tried by the court without the intervention of a jury, upon the following facts, which are submitted and agreed upon by both parties, to wit:

"1. That on the 26th day of June, 1867, the plaintiff, William M. Farrington, was the holder and owner, in his own right of 148 bales of cotton of the net weight of 66,858 pounds. That said cotton was the growth of and produced within the United States.

"2. That no internal revenue or other tax had been levied, paid, or collected upon said cotton.

"3. That on the said 26th day of June, 1867, H. F. Cooper, assistant United States assessor for the eighth district of the State of Tennessee, within which said district said cotton then was, acting under the provisions of the act of Congress of the United States, approved July 13, 1866, assessed a tax of 3 cents per pound upon said cotton, making in the aggregate the sum of $2,005.74, and returned said assessment on that day into the office of the defendant, who is the United States revenue collector for said district.

"4. That the plaintiff on the same day protested against said assessment, for the reason that said assessment was without authority of law, said act of Congress of the 13th of July, 1866, being contrary to the provisions of the Constitution of the United States of America and void.

"5. That on the 27th day of June, 1867, the defendant, who is the legally authorized United States internal-revenue collector for said district, the said cotton being then within said district, demanded said tax of 3 cents per pound on said cotton, amounting in the aggregate to the said sum of $2,005.74, from the plaintiff.

"6. That the plaintiff then and there protested against said tax, and protested against the defendant's demand, and objected to paying the same for the reasons assigned in his protest against the assessment of said tax, and was removing said cotton from said district.

"7. That the defendant then and there, on the day aforesaid, averred that he would, as internal-revenue collector, seize said cotton, and threatened the plaintiff then present that he would forthwith seize said cotton unless said tax was paid to him.

"8. That the plaintiff thereupon and by reason of said threats paid to the defendant the said sum of $2,005.74, lawful money of the United States, that being the amount of said tax, under protest.

"9. That on the same day the plaintiff demanded said money back from the defendant; that the defendant refused to refund it, and the plaintiff thereupon on the same day duly appealed to the Commissioner of Internal Revenue at Washington, according to the provisions of law in that regard and the regulation of the Treasury established in pursuance thereof.

"10. That the plaintiff's appeal, the same containing a properly certified record of the acts of the said assessor and the defendant, and the reasons of plaintiff's protest, were duly forwarded to and laid before the Commissioner of Internal Revenue at Washington, who examined the plaintiff's claim for the refunding of said sum of $2,005.74 and rejected it, for the reason that he regarded the law imposing a duty of 3 cents per pound upon cotton as constitutional.

"11. That the action of the commissioner was on the 1st day of August, 1867, and within six months before the suing out of summons and commencement of the plaintiff's action in this cause.

"12. That the plaintiff and defendant were forthwith notified by the Commissioner of Internal Revenue of his action in the premises, and on the 10th day of August, 1867, the plaintiff again, and after notice as above to the defendant, demanded to have said sum of $2,005.74 paid back to him, which the defendant refused.

"13. That the amount in controversy in this cause is more than $2,000.

"14. That the following tabular statement shows the growth and production of cotton within the United States from the year 1820–21 to the year 1866–67, inclusive, in bales:

1820–21	430,000	1844–45	2,394,503
1821–22	455,000	1845–46	2,100,537
1822–23	495,000	1846–47	1,778,651
1823–24	509,000	1847–48	2,347,634
1824–25	569,000	1848–49	2,728,296
1825–26	720,000	1849–50	2,096,706
1826–27	957,281	1850–51	2,345,257
1827–28	727,593	1851–52	3,015,029
1828–29	870,215	1852–53	3,262,882
1829–30	976,845	1853–54	2,939,027
1830–31	1,038,848	1854–55	2,847,339
1831–32	987,417	1855–56	3,537,845
1832–33	1,070,438	1856–57	2,939,519
1833–34	1,205,394	1857–58	3,115,962
1834–35	1,254,328	1858–59	3,851,481
1835–36	1,360,725	1859–60	4,669,770
1836–37	1,432,930	1860–61	3,656,086
1837–38	1,801,497	1861–62 (estimated)	1,000,000
1838–39	1,360,532	1862–63 (estimated)	1,000,000
1839–40	2,177,835	1863–64 (estimated)	800,000
1840–41	1,634,945	1864–65 (estimated)	500,000
1841–42	1,634,945	1865–66	2,151,043
1842–43	2,378,875	1866–67	1,860,000
1843–44	2,030,409		

"That of the above annual yield and product, three-fourths to five-sixths of the number of bales have been annually exported from the United States, except in the years 1865–66 and 1866–67, the exports for those years being about two-thirds to three-fourths, and that the returns received at the Statistical Bureau at Washington show that 667,137,870 pounds of cotton have been exported from the United States for the year ending June 30, 1867, of the value of $202,807,910.

"Now, it is agreed between the plaintiff and defendant that this cause shall be tried by the court upon the foregoing facts admitted by both parties, and the court may draw all inferences and make all deductions from said facts that a jury might or could legally draw or make, and the questions at issue between the parties which the court is asked to adjudge and determine is as to the validity and constitutionality of the various acts of Congress imposing a tax upon cotton, and particularly to the act of Congress approved July 13, 1866, imposing a tax of 3 cents per pound upon cotton produced within the United States. And if upon the trial of the cause and argument of counsel the court should be of the opinion that said act of Congress of the 13th of July, 1866, imposing said tax of 3 cents per pound upon the cotton produced within the United States is constitutional and valid, then the judgment of the court shall be simply for the defendant and against the plaintiff and his security for the costs of the cause. But if the court shall be of the opinion that said act of Congress imposing said tax is unconstitutional and invalid, then the judgment of the court shall be for the plaintiff, that he recover of the defendant the said sum of $2,005.74, with interest from the 27th day of June, 1867, and the costs of the cause.

"The right to appeal, or to take an appeal in the nature of a writ of error or to prosecute a write of error to the Supreme Court of the United Sattes, at Washington, or wherever the same shall be held, is reserved to both parties, to be taken by the losing party at his option, according to law and the rules of practice in the circuit and Supreme Courts of the United States regulating the practice in appeals and writs of error from the circuit court to the Supreme Court.

"This 2d day of September, 1867.

"WILLIAM M. FARRINGTON,
"By WRIGHT & MCKISICK, *Attorneys*,
"ROLFE S. SAUNDERS,
"By MARLAND L. PERKINS,
"Assistant United States Attorney, District of West Tennessee.

JUDGMENT.

"Upon the foregoing case agreed Judge Trigg rendered judgment as follows:

"And upon consideration of the same the court is of the opinion that the said act of Congress of the 13th of July, 1866, imposing an internal-revenue tax of 3 cents per pound upon cotton grown and produced within the United States is constitutional and valid and that the law of the case upon the facts agreed is with the defendant. It is therefore considered by the court that the defendant go hence and recover of the plaintiff, and T. A. Nelson, his security therefor, the costs of this suit, and that execution issue.

"In the Supreme Court of the United States briefs were filed by P. Phillips, W. L. Sharkey, Albert Pike, James Hughes, Robertson Topp, J. A. Campbell, Robert W. Johnson, and B. R. Curtis, for Farrington, and by Attorney General Akerman, Assistant Attorney General C. H. Hill (and later by Attorney General E. R. Hoar), and Assistant Attorney General W. A. Field, for Saunders."

Counsel for Farrington contended that the acts laying the tax on cotton violated all the provisions of the Constitution of the United States delegating the right to levy and collect taxes. Counsel for Saunders, the revenue collector, controverted this position and relied mainly upon the case of Hylton *v.* United States (3 Dal., 171). Their contention was summarized in the brief of Attorney General Hoar, as follows:

"If the cotton tax imposed by the act of 1866 was a direct tax, then, inasmuch as it was not laid by the rule of apportionment, it must be pronounced unconstitutional. It must also be pronounced unconstitutional if it was an export tax. But if, on the other hand, the tax was an indirect one simply, it is submitted that there was no conflict between the provision referred to and the Constitution, and its validity should be affirmed. He also contended that the tax on cotton of 1866 is not a direct tax, being neither a tax on land nor a tax on slaves or other capitation tax."

It will be seen that Attorney General Hoar admitted in his brief that "If the cotton tax imposed by the act of 1866 was a direct tax, then inasmuch as it was not laid by the rule of apportionment it must be pronounced unconstitutional." The whole proposition then resolves itself into the question, What is a direct tax? We desire to call attention to the constitutional provisions applicable to this tax. Upon an examination of the Constitution it will be found that it contains only four provisions relating to Federal taxation, and they are as follows:

"1. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons." (Art. 1, sec. 2, clause 3.)

The fourteenth amendment modified this provision so that the whole number of persons in each State should be counted, Indians not taxed excluded.

"2. The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States." (Art. 1, sec. 8, clause 1.)

"3. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken." (Art. 1, sec. 9, clause 4.)

"4. No tax or duty shall be laid on articles exported from any State." (Art. 1, sec. 9, clause 5.)

In the light of these constitutional provisions, we desire to call attention to the objections which lie to the levy and collection of all these taxes. First, we insist that each and every one of the acts referred to levied a direct tax upon raw cotton which was violative of that provision of the Constitution which prohibits the levy of a direct tax, except it be done by the rule of apportionment. That Congress has the power to levy direct taxes is not now and never has been questioned since the Constitution itself was adopted. The Constitution says, in Article 1, section 2, clause 3, that "Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers."

Again, in Article 1, section 9, clause 4, we have this provision: "No capitation or other direct tax shall be levied unless in proportion to the census or enumeration hereinbefore directed to be taken." We respectfully submit that in none of these tax acts will you find any provision that these taxes are to be laid "in proportion to the census" as is positively required. It is an historical fact that so great was the fear of members of the Constitutional Convention that Congress might have or claim the power to levy direct taxes without regard to the rule of apportionment or the population of the different States, as shown by the census, that the Constitution itself would never have been adopted by the people of the different States if they had not been solemnly assured by the leading statesmen of that day it would never result in oppressive taxation or violate in that respect the principle of equality. (See the Federalist, No. 36.)

In the argument of Mr. Phillips, of counsel for Farrington, who was plaintiff in error in the Supreme Court of the United States in the case of Farrington against Saunders, in referring to these constitutional provisions we find this strong language:

"By these restrictions the States supposed that they had protected themselves against partial or corrupt legislation. For indirect taxation they established uniformity; for direct they secured apportionment according to the census."

Perry on Political Economy, page 443, defines a direct tax as follows:

"A direct tax is levied on the very persons who are themselves expected to pay it; an indirect tax is demanded from one person in the expectation that he will pay it provisionally, but will indemnify himself in the higher price he will receive from the ultimate consumer. Thus the income tax is direct, while duties laid on imported goods are indirect."

Surely these taxes come squarely within the definition of a direct tax given by Perry.

Undoubtedly the best defense that has ever been made for the levy of these cotton taxes was made in a letter to Hon. George S. Boutwell, then Secretary of the Treasury, by the Hon. Israel Kimball, at that time Commissioner of Internal Revenue. The opinion of Mr. Kimball can be found in Executive Document No. 181, Forty-second Congress, third session. It is covered in a letter from the Hon. George S. Boutwell, Secretary of the Treasury, under date of February 4, 1873, and directed to the Hon. James G. Blaine, at that time Speaker of the House of Representatives. Mr. Kimball consumes some 14 pages undertaking to defend the right of the Government to insist upon these taxes. But when his entire argument is brought down to its last

analysis the one main reason he gives to support his contention that these taxes were indirect and not direct is his statement, unsupported in reason or by fact, that the producer did not in fact pay the tax; that the tax was added to the selling price and the consumer paid it. With all due respect to Mr. Kimball, this contention is little short of the absurd because everybody knows that the farmer, whether he live in the South, North, East, or West, has no more to do with fixing a price for his products than has the man in the moon. It is notoriously true that the price of cotton has always been fixed in the market at Liverpool.

Messrs. Hughes & Sharkey, of counsel for Farrington, have, however, answed this contention perfectly as follows:

"Is it [this tax] levied on the person who pays it, or does some other person ultimately pay it? Can the planter add this to the price of the cotton when he sells it? The court must assume this; otherwise it is a direct tax. Can the court assume it in the face of facts? Liverpool is the great cotton mart of the world and controls the price of cotton. Can the planter who ships his cotton to Liverpool add this tax to the price? If the Southern States had entire control of the market, or a monopoly, perhaps he might, but there the cotton of the United States comes in competition with the cotton of about 12 or 15 other countries, and the planter's price must conform to the standard there fixed. Consequently he is not remunerated to the value of a farthing a bale. The whole loss falls on him. He is the person who pays it."

An examination of the debates had in the Constitutional Convention on this subject of taxation will show that the contention made by the plaintiff's attorney in the Farrington case is absolutely correct. It will be found that as the taxing power was originally introduced in the report of the committee of detail it stood as follows:

"The Legislature of the United States shall have power to lay and collect taxes, duties, imposts, and excises." (See Madison's Debates, p. 378.)

If this clause had stood as the committee of detail originally reported it, it would have given to Congress unlimited power of taxation, which might have been used to the advantage of some States and to the prejudice of others, and for this reason, which was conceded by all, when this taxation matter came before the convention itself for adoption, it was amended by adding thereto these words: "But all such duties, imports, and excises shall be uniform throughout the United States." And right here is the provision of the organic law under which it is sought to justify the levy of these taxes. The insistence of those who support the legality of the tax levy is that the tax is laid by the rule of uniformity, as it is stated in the act that the tax is to be levied on all cotton produced within the United States.

This clause is quoted, and gentlemen say that as the tax is laid upon all cotton in the United States it is necessarily uniform and fully complies with the constitutional requirement. If cotton were grown in all the States in the Union, this contention would be eminently correct, but when it is known to the courts and to the Congress and known to everyone that at the time of the levy of these taxes cotton could not be grown in any but 11 States, and while the act levied the tax upon all cotton grown within the United States, it would not cost some States one penny and would extort from the pockets of the people in other States millions of dollars, the plea of uniformity vanishes into thin air.

The case relied on by the advocates of the legality of these acts is the case of Hylton *v.* The United States, to be found in 3 Dallas, page 171. This was a case of an act of Congress levying a tax upon carriages, and an investigation of it will show that the court sustained the constitutionality of the act largely, and, in fact, we might say wholly, upon the ground that it was a tax on the consumer of an article. The three learned judges in that case, who delivered written opinions, concurred in intimating (they say expressly that they do not give a judicial opinion) that the direct taxes contemplated by the Constitution are only two, to wit, the capitation tax and the tax on land. Even if the intimation of these judges were correct, and that direct taxes as referred to in the Constitution were limited to two, and that those two were the capitation tax and a tax on land, then the contention which we make would be sound. We assert this because the courts and the law writers of approved authority all concur in the holding that the product of land, whether it be in rentals or whether it be in crops, stands upon exactly the same footing as the land itself. In other words, if the levy of a tax upon land would be a direct tax, and it should be required that the tax be levied by the rule of apportionment, then cotton, corn, wheat, or other raw product of the land itself would likewise be considered as land and the rule of apportionment would necessarily have to be complied with.

We desire to call attention of the House to the fact that the Supreme Court of the United States, when it delivered the opinion in the Hylton case, was denied access to the debates in the Federal Convention. It is recognized in all courts that one of the very best rules of statutory or constitutional construction is the will or the meaning of the legislator as contained in the debates leading up to the adoption of the particuar enactment. The debates in the Federal Convention were secret. No copies were allowed, and when the convention adjourned the journals were placed in charge of the President, and they were not laid before Congress or the country or published until after the decision in the Hylton case was made. This statement we get from Mr. Robertson Topp, of counsel for appellant in the Farrington-Saunders case, and Mr. Topp after making this statement says:

"Thus it will be seen that the court was deprived of one of the best means of determining the real meaning of the Constitution, viz, the reasons given by those who made it."

Referring to the fear that some of the States would be in the power of the others and that grave injustice would be done the weaker ones in the matter of taxation, Mr. Madison, in the convention, said:

"It is represented to be oppressive that the States which have slaves and tobacco should pay taxes on these for Federal wants when other States who have them not would escape. But does the Constitution on the table admit of this? On the contrary, there is a proportion to be laid on each State according to its population."

Mr. Topp, in his argument in the Farrington case, submits some figures taken from the census of 1860 which strike us as being a powerful exposition of what might occur and of the injustice which might be perpetrated, and which, in fact, was perpetrated, in the levy of these cotton taxes. We desire to call attention to the table referred to:

By referring to the census of 1860 it will be seen that the total population of the United States was	31,445,089
By the same table the population of the 11 cotton-producing States was	9,103,333
By the same table the value of real and personal property of the United States in 1860 was	$16,159,616,068
Of the 11 cotton-producing States	5,402,165,107
By referring to the agricultural report of 1867, page 90, it will be seen the corn crop of that year was worth	$610,948,390
The wheat crop	421,796,460
The oat crop	172,472,970
The hay crop	372,864,670
The cotton crop	201,470,495
And that including rye, barley, buckwheat, potatoes, and tobacco, the whole crop was worth	2,007,462,231

By referring to the census of 1860 it will be seen that the cotton crop, except 100 bales raised in Missouri and 6 bales in Illinois, was entirely raised in the 11 cotton States, and such has been the case since the existence of those States and since cotton was produced for export.

By referring to the tax laws of the United States it will be seen that cotton and sugar were the only crude products of the soil taxed, and that corn, which grew in every State from Maine to Texas, worth treble; wheat, worth double; hay, worth nearly double the cotton crop; that, in fact, the whole crop of every character and description passes free, whilst cotton, less than one-tenth in value, is singled out and made to bear ruinous burdens—1867, 33⅓ per cent of the gross value—whilst more than two-thirds of the people escaped the tax.

Is this fair? Is this just? Is this uniform?

The attorneys for the Government in the Farrington case, in addition to the contention that these taxes on cotton were not direct taxes, took the further position that the tax on cotton was an excise and that therefore the rule of apportionment did not apply. Let us examine this contention under the light of the Constitution. The Encyclopedia Britannica, under the article "Excise," defines an excise to be—

"A term used in finance to signify the duty charged in a country upon articles produced in it before they are permitted to get into the possession of the public."

Judge Storey says:

"An excise is an inland imposition or duty; a duty or tax laid on certain articles produced or consumed at home."

Accepting these definitions as being correct, how stand the cotton taxes with relation to clause 1, section 8, Article I, of the Constitution of the United States? That clause reads as follows:

"The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States."

Were these taxes uniform throughout the United States? That is the gist of the whole question, and upon the correct answer to the question must stand or fall the cotton taxes.

We are permitted in the discussion of a question like this, whether that discussion take place in the courtroom or in the legislative halls, to take notice of the physical conditions of the country. We are permitted to consider those things which are matters of common information. Acting upon this rule, the Congress must have known that when these taxes were levied cotton was grown in only 11 of the States of the Union. Outside of those 11 States I believe that no cotton was grown in the United States except about 100 bales in the State of Missouri and about 6 bales in the southern part of the State of Illinois. This being true—and no one will question its correctness—can it be contended that these acts were uniform throughout the United States?

In order that the Congress may see and know and understand just how uniform these acts were in their practical operation, if they will turn to the table that we have incorporated herein they will see that under these four acts of Congress levying taxes upon raw cotton the State of Georgia paid into the Treasury of the United States $11,897,094.98, while the State of Kansas, with a population almost as large, only paid into the Treasury of the country $286.15. And so in many other cases these figures are of themselves fully sufficient to show the injustice and gross inequality of these cotton taxes. But we have discovered in the act of August 5, 1861 (12 Stat. L., pp. 294–295), some figures which by comparison with those of the table referred to will make the inequality still more impressive from another point of view. That act laid a direct tax of $20,000,000 upon land in the United States and apportioned the same among the several States according to population. It was a constitutional act, and it is highly instructive to compare the amounts apportioned under it to the several cotton States with the amounts actually collected under the operation of the unconstitutional cotton-tax acts. We have done this in a tabular statement which we now present.

Direct taxes apportioned to the several cotton-growing States by act of Aug. 5, 1861, and amounts collected in same States under the cotton-tax acts.

State.	Apportionment under act of 1861.	Collected under cotton-tax acts.
Georgia	$584,367	$11,897,094
Alabama	529,313	10,388,072
Mississippi	413,081	8,742,995
Louisiana	385,886	10,098,501
Florida	77,522	918,944
Arkansas	261,886	2,555,638
Tennessee	669,498	7,873,460
North Carolina	576,194	1,959,704
South Carolina	363,570	4,172,420

The direct taxes laid by the act of 1861, in conformity with the Constitution, have been refunded to the States from which they were collected, while these illegal and unconstitutional cotton taxes have been covered into the Treasury and used for the benefit of the United States, and no restitution made. It is an unusual case. Suppose the acts of Congress imposing these taxes had provided that 11 States, naming them, should pay these taxes and that the remaining States should be exempt therefrom. Would it be contended for a moment that this was a compliance with the constitutional provision which required that such taxes should be uniform throughout the United States? Certainly not. Can Congress by simply placing the words "all cotton produced in the United States" evade this provision when Congress knew, or must have known, that the whole burden would fall upon 11 States and would not and could not[1] be made uniform in its operation throughout the United States?

[1] Law of nature prevented. A tax on iron ore would violate Constitution for same reason; a tax on coal likewise.

Such a contention would merely be a juggling with words and a prostitution of a solemnly enacted provision of our organic law unworthy of the merest tyro in constitutional law. If our Constitution can be distorted and emasculated by such legislative legerdemain, then the right to live, the right to be free, and the right to pursue happiness, for which our fathers fought and died in the Revolution, are not protected by our sacred bond of union.

Not in anger, but in a broad spirit of brotherly love and patriotic devotion to our beloved country, let us appeal to the Congress to right this most grievous wrong to constitutional government.

We also take the position that these taxes are obnoxious to another provision of the Constitution. Clause 5 of section 9, Article I, provides: "No tax or duty shall be laid on articles exported from any State."

That cotton, when these different acts were passed by Congress, was an article of export was well known. Practically every pound of cotton grown in the Southern States during the period 1862 to 1868 was grown expressly for export and export to foreign countries. The courts and the law writers of approved authority agree that the clause of the Constitution to which we have just called attention applies as well to articles exported from one State in the Union to another State in the Union as it does from one of our States to foreign countries. It is said that the cotton crop of 1867 was 2,240,282 bales, of which 1,657,015 were shipped to foreign parts, leaving for home consumption 553,267 bales, of which it is estimated that about 60,000 bales were manufactured in the cotton-growing States. In other words, 60,000 bales out of a total of 2,240,282 bales remained in the States where the cotton was grown, thus showing that the great bulk of the crop was exported and establishing raw cotton as an export beyond all question. That this constitutional provision applies to the exporting of goods from one State to another in the Union, we desire to call attention to the definition of the word "export" given by Webster. He says that exporting means—

"To carry out, to convey, or transport any traffic, produce, or goods, from one country to another, or from one State or jurisdiction to another, either by water or land. We export wares and merchandise from the United States to Europe. The Northern States export manufactures to South Carolina and Georgia."

In the case of Almy *v.* California the court decided that articles of export from one State to another could not be taxed. No court in this country has ever rendered an opinion, not even excepting the Hylton case, that is contrary to the contention which we make for the refunding of this money wrongfully exacted from the people of these different States.

In the case of Pacific Insurance Co. *v.* Soule the learned judge who rendered the opinion in that case said:

"The taxing power is given in the most comprehensive terms. The only limitations imposed are that direct taxes, including the capitation tax, shall be apportioned; that duties, imposts, and excises shall be uniform, and that no duty shall be imposed on articles exported from any State. With these exceptions the exercise of the power is in all respects unfettered." (7 Wall., p. 446.)

In asking the passage of this bill and insisting upon this measure of retarded justice, we stand squarely upon the law as laid down by the court in the case of Soule. This Government ought to have the right to tax anything and everything when the necessities of the Government require it. But this Government in the exercise of that right should strictly comply with every provision of the Constitution, else constitutional government is a failure. Every man who loves his country and who honors the flag must agree in preserving without variance each and every clause of our organic law as framed and handed down to us by the patriots who planted the seeds of liberty in the friendly soil of this Western World. Since we have referred to the direct tax act of 1861, it may be well in this place to refer to other acts amendatory of it and to certain decisions of the courts construing the same. The acts of June 7, 1862 (12 Stat. L., 422), January 6, 1863 (12 Stat L., 640), March 3, 1865 (13 Stat. L., 501), and the resolution of February 25, 1867 (14 Stat. L., 568), made provision for the assessment and collection of this tax. All these acts were construed by the Court of Claims in the case of Seabrooke *v.* United States (21 Ct. Cls. Rept., 39), Harrison's case (20 id., 176), and Thompson's case (20 id., 270). In all these cases it was held that where a tax has been illegally collected the money should be refunded. And in Miles *v.* Johnson (59 Fed. Rep., 38, 40) it was held that the word "tax" includes taxes which have been illegally levied as well as those which have been illegally collected, though legally levied. In nearly all jurisdictions provision is made by statute for the refunding of taxes illegally exacted. (27 American and English Encyclopedia of Law (2d ed.), 756–757.) And the word "exacted" includes the levy as well as the collection.

The act of June 8, 1872 (17 Stat. L., 339), restored to the former legal owners all lands then held by the United States under the direct tax acts upon payment of taxes, interest, expenses, etc., and released the title of the United States to the said lands. And subsequent statutes have refunded the entire amount collected under the act of 1861 and the acts amendatory of it to the several States. See the act of March 2, 1891, "to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861" (26 Stat. L., 822). By this act it was enacted that "it shall be the duty of the Secretary of the Treasury to credit to each State and Territory of the United States and to the District of Columbia a sum equal to all collections by set-off or otherwise made from said States and Territories and the District of Columbia, or from any of the citizens or inhabitants thereof, or other persons, under the act of Congress approved August 5, 1861, and the amendatory acts thereto, and that all moneys due to the United States on the quota of direct tax apportioned by section 8 of said act are hereby remitted and relinquished." And an appropriation was made of a "sum sufficient to pay all money found due to them under the provisions of this act."

In almost every general deficiency bill which has passed the House within 20 years there has been an appropriation for refunding taxes illegally collected. We will cite only two instances out of many—the act of April 30, 1890 (26 Stat. L., 547), appropriated $31,156.43 "for the refunding of taxes illegally collected"; the act of March 3, 1891 (26 Stat. L., 891), appropriated $12,317.42 for the same purpose. Section 3689 of the Revised Statutes contains a general provision requiring all such taxes to be refunded upon application of the party aggrieved. Now, we claim that the cotton taxes were not only illegally collected but illegally levied; because, in addition to the violation of the rule of apportionment, Congress, in laying these taxes, also violated the constitutional provision against laying duties on exports from any State and those provisions relating to due process of law. But a literal compliance with the mandatory provisions of the Constitution, whether affirmative or negative, is a condition precedent to the validity of any law levying taxes on the property of the people. Nor does it matter, therefore, whether this cotton tax was a war tax or was not, for the taxing power is restricted and qualified in respect to all taxation by all the general limitations which are imposed upon its authority by the Constitution. (Wilkes Co. *v.* Coler, 180 U. S., 506, 525.)

Furthermore, these acts violate the fundamental principle of all taxation. We are inclined on any and all occasions to boast that under our beneficent form of government "all men are equal before the law." The rich and the poor, the great and the small, the strong and the weak, we have always been taught, must, in proportion to ability, aid in bearing the burdens of government while permitted to share its blessings.

That principle, which is as fully applicable to the action of the Federal Government as to that of any State, county, or municipal government, was stated by Judge Cooley in the case of The People *v.* Town of Salem (20 Mich., 452, 474), as follows:

"The tax must be laid according to some rule of apportionment, not arbitrarily or by caprice, but so that the burden may be made to fall with something like impartiality upon the persons or property upon which it justly and equitably should rest. A State burden is not to be imposed upon any territory smaller than the whole State, nor a county burden upon any territory smaller or greater than the county. Equality in the imposition of the burden is of the very essence of the power itself, and though absolute equality and absolute justice are never attainable, the adoption of some rule tending to that end is indispensable."

Under this legislation the Government of the United States collected, mainly from the people of the Southern States, who had no voice in laying these taxes, the sum of $68,072,388.99, and disposed of that sum as it did of legitimate revenue. Every man, no matter from what State he hails, or what may be his politics, should support this measure as an act of simple justice to the people who were wronged. In all fairness, that sum should be refunded to those from whom it was extorted.

Surely those who were compelled to pay these unconstitutional taxes should not be treated worse than those persons who, acting under the provisions of the sugar bounty law, spent money in improvements and machinery needed for the production of sugar. When the sugar bounty was declared unconstitutional by the Court of Appeals of the District of Columbia (Miles Planting Co. *v.* Carlisle, 5 D. C. App., 138), Congress refunded to them, by the act of 1895, the money which they had expended in accordance with the act of 1890, known as the "McKinley bill." In construing the act of 1895, the Supreme Court of the United States, in the celebrated Sugar Bounty case (United States *v.* Realty Co., 163 U. S., 442–443), said:

"Among the latest examples of payments that are not of a right or of any legal claim, but which are in the nature of a gratuity depending upon equitable consideration, are the cases just decided by this court of Biagge *v.* Balch, Brooks *v.* Codman, and Foote *v.* Women's Board of Missions, reported as one case in One hundred and sixty-second United States Statutes, 439. The claims in those cases are what have been known as the "French spoliation claims," being based upon depredations of French cruisers upon our commerce prior to July, 1801. An appropriation for their payment was made by Congress in 1891 upon the conditions and to the class of persons named in the act. Questions arose as to the proper interpretation of the act and as to the character of the payments provided for therein. The court held the payments were purposely brought by Congress within the category of payments that are not of right, but which are in the nature of a gratuity and as an act of grace, though founded upon a prior moral or honorable obligation to pay to some one who might be said in some way to represent the original sufferers. No question of the power of Congress to make such appropriation was raised by anyone.

"The power to provide for claims upon the State founded in equity and justice has also been recognized as existing in the State governments. For example, in Guilford *v.* Chenango County (13 N. Y., 143), it was held by the New York Court of Appeals that the legislature was not confined in its appropriation of public moneys to sums to be raised by taxation in favor of individuals to cases in which legal demands existed against the State, but that it could recognize claims founded in equity and justice in the largest sense of these terms or in gratitude or in charity.

"Of course, the difference between the powers of the State legislatures and that of the Congress of the United States is not lost sight of, but it is believed that in relation to the power to recognize and to pay obligations resting only upon moral considerations or upon the general principles of right and justice, the Federal Congress stands upon a level with the State legislature.

"In truth, the general proposition that Congress can direct the payment of debts which have only a strong moral and honorable obligation for their support is not, as we understand it, denied by the learned counsel for the United States."

No one can deny that the claim of the cotton planters is altogether as valid as the "sugar-bounty claims" or the "French spoliation claims." The cotton planters acted under the guaranty of the Constitution of the United States that their products should not be taken from them without just compensation or due process of law, unless by means of direct taxes apportioned among the several States according to numbers. This guaranty was violated by the Federal Government. Under the guise of taxation, the Government compelled them to contribute a large portion of their property to public uses. In the "income-tax cases" it was clearly demonstrated that any law of this kind was invalid. What, then, is the legal consequence? Is it not clear that the Government assumed the responsibility of refunding to those from whom it took the money in question every cent so taken? But for the prevalence of sectional ill feeling these claims would have been paid 33 years ago. In the Forty-third Congress bills were introduced, with that end in view, by Mr. McKee, of Mississippi; by Mr. White, of Alabama, on behalf of Mr. Alexander H. Stephens, of Georgia; by Mr. Blount, of Georgia; and also by Mr. Sheidon and Mr. Cook. In the Forty-fourth Congress a similar bill was introduced by Mr. Roger Q. Mills, of Texas. These bills, respectively, were: H. R. 2250, Forty-third Congress, first session, to refund certain taxes collected by the Government of the United States on raw cotton during the years 1865, 1866, 1867, and 1868, introduced March 2, 1874, by Mr. McKee; H. R. 2338, Forty-third Congress, first session, to refund the cotton tax, introduced by Mr. White, on behalf of Mr. Stephens, who was absent on account of sickness; H. R. 1076, Forty-third Congress, first session, to refund taxes collected by the United States on raw cotton during the years 1863, 1864, 1865, 1866, 1867, 1868, introduced by Mr. Cook; H. R. 1632, Forty-third Congress, first session, to extend the time for

collecting the cotton tax and reviving such claims as are now barred, introduced by Mr. Blount; H. R. 3448, Forty-third Congress, first session, to refund the cotton tax, introduced by Mr. Sheldon; H. R. 982, Forty-fourth Congress, first session, refunding the cotton tax to the producer of the cotton, introduced by Mr. Mills. All of these bills except Mr. Blount's were referred to the Committee on Ways and Means, but were never reported back. The men who prepared them were among the best lawyers then in Congress; but the animosities engendered by the late war were still too strong to secure for them a respectful hearing.

Another reason and a very cogent one, and one which should appeal strongly to the conscience of Congress, is the fact that when these taxes were levied, when these acts of Congress were enacted, the 11 States affected by them and which had to bear the burden of over sixty millions of dollars of taxation, had no Representatives in either branch of this Congress; no Representative in this House and no Senator at the other end of the Capitol was here to raise his voice or to cast his vote on these questions which so vitally affected the impoverished people of the 11 cotton-growing States.

Therefore that provision of the Constitution with reference to representation and taxation was violated. It seems that this objection to the validity of the taxes in question ought to appeal more strongly if possible to the conscience of Congress than even the other clauses which were violated by these different acts. The Constitution says:

"Representation and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers."

It has been said that—

"representation constitutes the genius of this Government, and to impose taxes or burdens without it is to change its character. But for taxation without representation the Government itself would never have existed."

The Stamp Act, the act placing a duty on tea, and other acts of the British Parliament brought on the Revolution on the ground, pure and simple, that it was legislation without representation. This Government had its origin in the protest of the fathers against taxation without representation. In 1766, on the question of the repeal of the Stamp Act in the British Parliament, Lord Camden, formerly Chief Justice Pratt, said:

"My proposition is this:

"'I repeat it and will maintain it to the last hour. Taxation and representation are inseparable. Opposition is founded in the law of nature. For whatsoever is a man's own, it is absolutely his own. No man has the right to take it from him without his consent. Whoever attempts to do it does him an injury. Whoever does it commits a robbery.'" (See 5 Bancroft's History, pp. 446–448.)

In discussing the question of the right of Parliament to tax America, William Pitt in the House of Commons said:

"I will only speak to one point—the point which seems not to have been generally understood. I mean the right. Some gentlemen seem to have considered it a point of honor. If gentlemen consider it in that light they leave all measures of right and wrong to follow a delusion that may lead to destruction. It is my point that this Kingdom has no right to lay a tax on the Colonies. At the same time, I assert the authority of this Kingdom over the Colonies to be sovereign and supreme in every circumstance of government and legislation whatsoever. They are the subjects of this Kingdom, entitled with yourselves to all the rights of mankind and the peculiar privileges of Englishmen, equally bound by its laws and equally participating in the constitution of this free country. The Americans are the sons of England. Taxation is no part of the governing or legislative power. The taxes are a voluntary gift and grant."

Mr. Pitt took this position solely on the ground that the Colonies were not represented, and it must be remembered that taxation without representation was the great rallying cry of the colonists and their chief cause of complaint when they severed their relations with the mother country.

James Burgh, the celebrated Scotchman, in discussing this same question, said:

"No pretext can justify taxing them (the Colonies) so long as they continue unrepresented."

The States affected by the cotton taxes were not only not represented when these several tax acts were enacted, but they were positively denied representation in both the Senate and House of Representatives by solemn resolution of both bodies.

In December, 1865, the House of Representatives passed a resolution to this effect:

"That all papers which may be offered relative to the representation of the late so-called Confederate States of America, or either of them, shall be referred to the joint committee of 15 without debate, and no members shall be admitted from either of said so-called States until Congress shall declare said States, or either of them, entitled to representation."

On February 20, 1866, the House passed, and on March 2, 1866, the Senate passed, this resolution:

"*Resolved by the House of Representatives (the Senate concurring)*, That in order to close agitation on the question which seems likely to disturb the action of the Government, as well as to kill the uncertainty which is agitating the minds of the people of the 11 States which have been declared to be in insurrection, no Senator or Representative shall be admitted into either branch of Congress from any of said States until Congress shall have declared such State entitled to representation."

As it has been repeatedly held by the Federal courts, and by all the departments of Government, that these States were never out of the Union, you have here a Congress denying them representation and at the same time exacting taxes from them. "Taxation without representation is robbery." The remarkable spectacle was presented to the world of 11 States of this Republic, solemnly declared by the different departments of Government to be States in the Federal Union, yet by solemn resolution denied representation in the law-making body, and that law-making body exacting taxes from them on their principal product of over $60,000,000. Surely, now that the clouds of Civil War have vanished and sectional hate, we are told, lies buried never to be resurrected, in this day of national unity and general good feeling and brotherly love, you will refund these moneys that have been wrongfully, unjustly, unconstitutionally, and illegally exacted.

In 1868 Congress repealed the tax on raw cotton. Why should this tax have been repealed? If the tax were just and constitutional and right, why repeal it? If it was constitutional and proper in 1862, 1864, 1866, and 1867, why was it not constitutional and right in 1868? And if it were constitutional, why not retain it?

The Supreme Court of the United States has more recently passed upon this question in the case of Pollock *v.* Farmers' Loan & Trust Co. As reported in United States Supreme Court Reports, volume 158, at page 601, the Supreme Court of the United States has squarely and fairly declared these taxes to be illegal and unconstitutional. In the case stated Hylton *v.* The United States (3 Dallas, p. 171) is further considered and, in view of the historical evidence cited, shown to have only decided that the "tax on carriages involved was an excise and was an indirect tax."

Chief Justice Fuller, in rendering the opinion in that case, said:

"In distributing the power of taxation the Constitution retained to the States the absolute power of direct taxation, but granted to the Federal Government the power of the same taxation upon condition that in its exercise such taxes should be apportioned among the several States according to numbers, and this was done in order to protect the States, which were surrendering to the Federal Government so many sources of income, the power of direct taxation, which was their principal remaining resource."

The Chief Justice further said:

"Taxes on real estate being indisputably direct taxes, taxes on the lands or incomes of real estate are clearly direct taxes."

Again he said:

"Taxes on personal property or on the income of personal property are likewise direct taxes."

The Chief Justice further in the decision uses this language:

"The tax imposed by sections 27 to 37, inclusive, of the act of 1894, so far as it applies to the income of real estate and of personal property, being a direct tax within the meaning of the Constitution and therefore unconstitutional and void because not apportioned according to representation of those sections constituting one entire scheme of taxation, is necessarily invalid."

These were the "income-tax cases," and it will be remembered that the Chief Justice and four of his associates concurred in the opinion rendered by the majority of the court. It is true that four associate justices—namely, Mr. Justice Harlan, Mr. Justice Brown, Mr. Justice White, and Mr. Justice Jackson—dissented from the opinion, Mr. Justice Harlan using this language:

"The recent Civil War, involving the very existence of the Nation, was brought to a successful end and the authority of the Nation restored in part by the use of vast amounts of money raised under statutes imposing duties on income derived from every kind of property, real and personal, not by the unequal rule of apportionment among the States on the basis of numbers but by the rule of uniformity operating upon individuals and corporations in all the States, and we are now asked to declare, and the judgment this day rendered in effect declares, that the enormous sums thus taken from the people and so used were taken in violation of the supreme law of the land."

There can be no possible question, in view of the decision of the court in the "income-tax cases," that it is the duty of Congress to refund the moneys collected by virtue of these tax statutes. It is said by some that Congress can not afford to do it because it involves such a large amount of money, more than $68,000,000. But when gentlemen view the case from that standpoint they must remember that the Government has had the use of this $68,000,000 for 40 years and more; that it was originally wrung from the lean purses of people who were impoverished by four years of cruel, ceaseless war; that it was wrung from the lean purses of people whose homes had been laid in ashes and whose every household was in mourning. They must remember that this money was taken from people who had no voice in the levying of it; that it was taken from a people who could least afford to bear the burden, and that now, after this rich, powerful Government has had the use of it without interest for more than 40 years, these people are simply asking that the principal be refunded. The Supreme Court of the United States has said, in effect, that it ought to be refunded; has said, in effect, that it would not be honest on the part of the Government to retain it.

There have been no laches on the part of the claimants for the return of these taxes as is evidenced by bills introduced in Congress, as follows:

[H. R. 2354, Fifty-third Congress, first session. By Mr. Enloe.]

"That the Secretary of the Treasury issue to the governors of the several States in which cotton taxes were paid United States bonds in amounts specified for each State and equal to the amount of taxes collected within the State. These bonds to be held by said States, to be refunded and distributed to the parties who paid the tax. In case of a surplus remaining, the funds to be devoted to the school fund."

(There was no report on this bill.)

[H. R. 281, Fifty-third Congress, first session. By Mr. Money.]

"That the Secretary of the Treasury issue noninterest-bearing Treasury notes in such denominations as may be deemed expedient to the several States in amounts equal to the cotton taxes collected therein, as indicated by the internal-revenue report. That the sum so paid shall be held in trust by the several States for the benefit of the cotton producers, to be paid to them under such provisions as each State may deem it proper to make. In case the producer can not be reimbursed, the sum not distributed shall become the property of the State. The claims must be filed with each State within two years after the passage of an act by such State providing for the distribution of the money refunded. That these notes shall become legal tender and shall not be canceled by the United States when received at the Treasury, but used as other money."

(No report.)

(H. R. 2356, Fifty-third Congress, first session, is same as 2354.)

[H. R. 196, Fifty-third Congress, first session. By Mr. Wheeler.]

"That the Secretary of the Treasury shall pay money equal to the amount collected in cotton taxes to each State, said State to designate who shall be custodian of the fund. In case the tax was paid by the person to whom the cotton was shipped residing in another State, the State where said cotton was grown shall be the recipient."

(No report.)

[H. R. 138, Fifty-third Congress, first session. By Mr. Oates.]

"In the case of the Supreme Court holding the law under which cotton taxes were collected unconstitutional, any citizen who had paid the tax shall be permitted to bring suit for its recovery in the Court of Claims. Within 60 days after judgment either the petitioner or the United States shall have the right of appeal to the Supreme Court, and when such appeal shall have been taken the court shall not try any case until the appeal case has been decided. The Court of Claims shall decide all suits which are brought within one year of the Supreme Court's holding the original tax law to be unconstitutional."

(No report.)

[H. R. 124, first session Fifty-third Congress. By Mr. McRae.]

"That the Secretary of the Treasury pay to each State a sum equal to the cotton taxes collected therein, the said States to pay to such producers as shall make claim within two years after the passage of this act. The remainder, if any, shall be used as a permanent school fund. In no case shall payment be made to any assignee of such claim."

(No report.)

(H. R. 2640, first session, Fifty-second Congress, is same as 124, first session Fifty-third Congress. No report.)

(H. R. 2607 same as H. R. 196, first session Fifty-third Congress. No report.)

(H. R. 650, first session Fifty-second Congress, same as 2354, first session Fifty-third Congress. No report.)

[H. R. 8865, first session Fifty-second Congress. By Mr. Oates.]

"This bill is same as introduced by Mr. Oats in Fifty-third Congress. The House report is 2528, first session Fifty-second Congress."

[H. R. 8366, first session Fifty-second Congress. By Mr. Oates.]

"That the Secretary of the Treasury pay to each State an amount equal to the cotton tax collected within said State, to be disposed of by such State as their next legislatures shall direct."

(No report.)

[H. R. 700, second session Forty-second Congress. By Mr. Golladay.]

"That the Secretary of the Treasury refund to all persons the cotton tax collected by the United States, and that he shall make such rules as he may deem necessary in connection therewith."

(No report.)

[H. R. 1592, second session Forty-second Congress. By Mr. McKee.]

"That restitution shall be made of all moneys collected as cotton taxes. That the Secretary of the Treasury shall issue bonds of $500 and $1,000 denomination and Treasury notes to cover amounts less than that. That a commission shall be appointed by the President, by and with the advice and consent of the Senate, which shall adjudicate all claims. That such commission shall sit for two years and all claims must be filed within that time." (The rest of this long bill prescribes the manner of taking testimony and the duties and powers of the commission.)

(No report.)

We present with this report extracts from the opinion of the court as well as from the dissenting opinion of the justices in the income-tax cases, and from which it will be seen that the contentions made were amply sustained by the highest court in the land, the most exalted judicial tribunal in all the world.

[Pollock *v.* Farmers' Loan & Trust Co., U. S. Supreme Court Repts., vol. 157, p. 429.]

Chief Justice Fuller:

"The men who framed and adopted that instrument [the Constitution] had just emerged from the struggle for independence, whose rallying cry had been that 'taxation and representation go together.'

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"The mother country had taught the colonists in the contests waged to establish that taxes could not be imposed by the sovereign except as they were granted by the representatives of the realm, that self-taxation constituted the main security against oppression.

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"Thus in the matter of taxation the Constitution recognizes the two great classes of direct and indirect taxes and lays down two rules by which their imposition must be governed, namely, the rules of apportionment as to direct taxes and the rule of uniformity as to duties, imposts, and excises.

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"And this view was expressed by Mr. Chief Justice Chase in the License Tax cases (5 Wall., 464–471), when he said: 'It is true that the power of Congress to tax is a very extensive power. It is given in the Constitution with only one exception and only two qualifications. Congress can not tax exports and it must impose direct taxes by the rule of apportionment and indirect taxes by the rule of the uniformity. Thus limited, and thus only, it reaches every subject and may be exercised at discretion.'

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"Ordinarily all taxes paid primarily by persons who can shift the burden upon some one else, or who are under no legal compulsion to pay them, are considered indirect taxes; but a tax upon property holders in respect of their estates, whether real or personal, or of the income yielded by such estates, and the payment of which can not be avoided, are direct taxes.

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"In the convention of Massachusetts, by which the Constitution was ratified, the second section of Article I being under consideration, Mr. King said, 'It is a principle of this Constitution that representation and taxation should go hand in hand.'

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"And John Adams, Davis, Sumner, King, and Sedgwick all agreed that a direct tax would be the last source of revenue resorted to by Congress."

"In Virginia Mr. John Marshall said: 'The objects of direct taxes are well understood; they are but few; what are they? Lands, slaves, stock of all kinds, and a few other articles of domestic property.'

"Mr. Randolph said: 'But in this new Constitution there is a more just and equitable rule fixed—a limitation beyond which they can not go. Representatives and taxes go hand in hand; according to the one will the other be regulated. The number of Representatives is determined by the number of inhabitants; they have nothing to do but to lay taxes accordingly.'

"In discussing the case of Hylton *v.* United States (carriage-tax case), the Chief Justice says: 'It will be perceived that each of the justices, while suggesting doubt whether anything but a capitation or a land tax was a direct tax within the meaning of the Constitution, distinctly avoided expressing an opinion upon that question or laying down a comprehensive definition, but confined his opinion to the case before the court.

"'By the act of July 14, 1798, when a war with France was supposed to be impending, a direct tax of $2,000,000 was apportioned to the States, respectively, etc.

"'By the act of August 2, 1813, a direct tax of $3,000,000 was laid and apportioned to the States.

"'The act of January 9, 1815, laid a direct tax of $6,000,000, which was apportioned, assessed,' etc.

"These acts are attributable to the War of 1812.

"The act of August 5, 1861 (12 Stat., 292–294, c. 45), imposed a tax of $20,000,000, which was apportioned and to be levied wholly on real estate, and also levied taxes on incomes whether derived from property or profession, trade or vocation (12 Stat. L., 309), and this was followed by the acts of July 1, 1862 (12 Stat. L., 432, 473, c. 119); March 3, 1863 (12 Stat. L., 713, 723, c. 74); June 30, 1864 (13 Stat. L., 223, 281, c. 173); March 3, 1865 (13 Stat. L., 469, 479, c. 78); March 10, 1866 (14 Stat. L., 4, c. 15); July 13, 1866 (14 Stat. L., 98, 137, c. 184); March 2, 1867 (14 Stat., 471, 477, c. 169); and July 14, 1870 (16 Stat., 256, c. 255).

"He finds:

"First. That the distinction between direct and indirect taxation was well understood by the framers of the Constitution and those who adopted it.

"Second. That under the State systems of taxation all taxes on real estate or personal property or the rents or income thereof were regarded as direct taxes.

"Third. That the rules of apportionment and of uniformity were adopted in view of that distinction and those systems.

"Fourth. That whether the tax on carriages was direct or indirect was disputed, but the tax was sustained as a tax on the use and an excise.

"Fifth. That the original expectation was that the power of direct taxation would be exercised only in extraordinary exigencies, and down to August 15, 1894, this expectation has been realized.

"In Pacific Insurance Co. *v.* Soule (7 Wall., 433) the validity of a tax which was described as 'upon the business of an insurance company' was sustained on the ground that it was 'a duty or excise' and came within the decision in Hylton's case.

"In Veazie Bank *v.* Tenno (8 Wall., 533, 544, 546) a tax was laid on the circulation of State banks or national banks paying out the notes of individuals or State banks, and it was held that it might well be classed under the head of duties and as falling within the same category as Soule's case (8 Wall., 547).

"And in respect of the opinions in Hylton's case the Chief Justice (Chase) said:

"'It may further be taken as established upon the testimony of Paterson that the words "direct taxes," as used in the Constitution, comprehended only capitation taxes and taxes on land, and perhaps taxes on personal property by general valuation and assessment of the various descriptions possessed within the several States.'

"Scholey *v.* Rew (23 Wall., 331) was the case of a succession tax which the court held to be 'plainly an excise tax or duty' upon the devolution of the estate or the right to become beneficially entitled to the same, or the income thereof, in possession or expectancy.

"In Railroad Co. *v.* Collector (100 U. S., 595, 596) the validity of a tax collected of a corporation upon the interest paid by it upon its bonds was held to be 'essentially an excise on the business of the class of corporations mentioned in the statute.'

"The case of Springer *v.* United States (102 U. S., 586, 602), chiefly relied on and urged upon us as decisive.

"That was an action of ejectment brought on a tax deed issued to the United States on sale of defendant's real estate for income taxes. The defendant contended that the deed was void because the tax was a direct tax not levied in accordance with the Constitution. Unless the tax were wholly invalid, the defense failed.

"The opinion thus concludes:

"'Our conclusions are that direct taxes, within the meaning of the Constitution, are only capitation taxes, as expressed in that instrument, and taxes on real estate; and that the tax of which the plaintiff in error complains is within the category of an excise or duty.

"While [says Chief Justice Fuller] this language is broad enough to cover the interest as well as the professional earnings, the case would have been more significant as a precedent if the distinction had been brought out in the report and commented on in arriving at judgment, for a tax on professional receipts might be treated as an excise or duty, and therefore indirect, when a tax on the income of personalty might be held to be direct.

"Be this as it may, it is conceded in all these cases, from that of Hylton to that of Springer, that taxes on land are direct taxes, and in none of them is it determined that taxes on rents or income derived from land are not taxes on land.

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"The requirement of the Constitution is that no direct tax shall be laid otherwise than by apportionment—the prohibition is not against direct taxes on land, from which the implication is sought to be drawn that indirect taxes on land would be constitutional, but it is against all direct taxes—and it is admitted that a tax on real estate is a direct tax. Unless, therefore, a tax upon rents or income issuing out of lands is intrinsically so different from a tax on the land itself that it belongs to a wholly different class of taxes, such taxes must be regarded as falling within the same category as a tax on real estate eo nomine. The name of the tax is unimportant. The real question is: Is there any basis upon which to rest the contention that real estate belongs to one of the two great classes of taxes and the rent or income which is the incident of its ownership belongs to the other? We are unable to perceive any ground for the alleged distinction. An annual tax upon the annual value or annual user of real estate appears to us the same in substance as an annual tax on the real estate, which would be paid out of the rent or income. This law taxes the income received from land and the growth or produce of the land. Mr. Justice Paterson observed in Hylton's case, 'Land, independently of its produce, is of no value'; and certainly had no thought that direct taxes were confined to unproductive land.

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"Nothing can be clearer than that what the Constitution intended to guard against was the exercise by the General Government of the power of directly taxing persons and property within any State through a majority made up from the other States. It is true that the effect of requiring direct taxes to be apportioned among the States in proportion to their population is necessarily that the amount of taxes on the individual taxpayer in a State having the taxable subject matter to a larger extent in proportion to its population than another State has would be less than in such other State, but this inequality must be held to have been contemplated, and was manifestly designed to operate to restrain the exercise of the power of direct taxation to extraordinary emergencies, and to prevent an attack upon accumulated property by mere force of numbers.

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"But the acceptance of the rule of apportionment was one of the compromises which made the adoption of the Constitution possible, and secured the creation of that dual form of government, so elastic and

so strong, which has thus far survived in unabated vigor. If, by calling a tax indirect when it is essentially direct, the rule of proportion could be frittered away, one the great landmarks defining the boundary between the Nation and the States of which it is composed would have disappeared, and with it one of the bulwarks of private rights and private property.

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"'We are of opinion that the law in question, so far as it levies a tax on the rents or income of real estate, is in violation of the Constitution and is invalid.'

"Mr. Justice Field first calls attention to the debates in the 'convention,' and particularly to the unwillingness of the coast States to relinquish their right to levy duties upon imports, and of the small interior States to confer upon the General Government the right to levy direct taxes, and says: 'It was feared at times that the effort to form a new government would fail. But happily a compromise was effected by an agreement that direct taxes should be laid by Congress by apportioning them among the States according to their representation. In return for this concession by some of the States, the other States bordering on navigable waters consented to relinquish to the new Government the control of duties, imposts, and excises, and the regulation of commerce, with the condition that the duties, imposts, and excises should be uniform throughout the United States; so that on the one hand anything like oppression or undue advantage of any one State over the others would be prevented by the apportionment of the direct taxes among the States according to their representation, and, on the other hand, anything like oppression or hardship in the levying of duties, imposts, and excises would be avoided by the provision that they should be uniform throughout the United States. This compromise was essential to the continued union and harmony of the States. It protected every State from being controlled in its taxation by the superior numbers of one or more other States.'

"'If the court sanctions the power of discriminating taxation and nullifies the uniformity mandate of the Constitution,' as said by one who has been all his life a student of our institutions, 'it will mark the hour when the sure decadence of our present Government will commence.

"'There is no safety in allowing the limitation to be adjusted except in strict compliance with the mandates of the Constitution, which require its taxation, if imposed by direct taxes, to be apportioned among the States according to their representation, and if imposed by indirect taxes, to be uniform in operation and, so far as practicable, in proportion to their property, equal upon all citizens.'"

We beg leave to quote House Report 2528, Fifty-second Congress, second session, made by the Hon. W. C. Oates, then a Member of Congress from the State of Alabama, a member of the Committee on the Judiciary, as follows:

[House Rept. 2528, 52d Cong., 2d sess.]

"The Committee on the Judiciary, having had under consideration the bill (H. R. 8865) entitled 'A bill to provide for refunding the tax laid and collected on raw cotton in the event that the Supreme Court holds the law under which the same was collected to have been unconstitutional,' make to the House the following report:

"By the act of Congress approved July 1, 1862, and subsequent amendatory acts, a tax was imposed on raw cotton, under which collections were made and the money paid into the Treasury of the United States, aggregating $68,072,388.99. This money was collected in the years 1863 to 1868, both inclusive.

"At the beginning of the late war a large part of the crop of 1860 was held by brokers and factors in the Northern States for the benefit of the producers. A large part of the crop of 1861 in the border States also went into the hands of northern factors, which accounts for the fact that a considerable amount of this tax was collected in New York, Philadelphia, and other points in the Northern States, but all of the cotton upon which the tax thus collected was grown exclusively in the Southern States. This tax was enforced and collected upon all these cottons as well as those grown subsequent to its enactment; $64,935,121.56 of this tax was collected in the Southern States, either directly or indirectly, from the producers.

"Section 8 of Article I of the Constitution empowers Congress to lay and collect taxes, duties, imposts, and excises for three general purposes, viz, first, to pay the debts of the United States; second, to provide for the common defense of the United States; and, third, to provide for the general welfare of the United States. The latter part of that section contains the following restriction upon this exercise of power: 'But all duties, imposts, and excises shall be uniform throughout the United States.'

"Subdivisions 4 and 5 of section 9 are as follows: 'No capitation or other direct tax shall be laid unless in proportion to the census or enumeration hereinbefore directed to be taken'; and 'no tax or duties shall be laid or articles exported from any State.'

"The original act taxing cotton read as follows:

"'There shall be paid by the producer, owner, or holder upon all cotton produced within the United States, * * * a tax of 2 cents per pound,' etc. The last one of the amendatory acts in relation to said tax was approved July 13, 1866, entitled 'An act to reduce internal taxation,' etc., but in fact it increased the tax imposed upon cotton from 2 to 3 cents per pound. Under the latter amendment three-fourths of the total amount of the tax was collected. It will therefore be observed that it was not a war tax, but enacted more than a year after the peace. It is yet an open question as to whether these acts were constitutional. If the tax laid was a direct one, then it is unquestionably unconstitutional for want of uniformity in apportionment. If the tax aid on raw cotton was indirect, it was constitutional, unless it was a tax upon exports, in which latter event it was unconstitutional.

"The question of the constitutionality of the laws laying this tax was brought before the Supreme Court of the United States in the case of Sanders, from Tennessee, and very ably argued upon both sides before that tribunal. Eight of the justices sat in the case. Chief Justice Chase, being indisposed, did not sit in the case; and after full consideration the court was found to be equally divided, four justices maintaining that the acts were unconstitutional and four maintaining that they were constitutional. Before the question could be again presented the law was repealed, after which a case could not be made. If this tax was imposed by a constitutional law, however oppressive its operation upon the people of the Southern, or cotton-growing, States, there is no legal ground or claim for refunding the tax. On the other hand, if the law imposing the tax was unconstitutional, the money was wrongfully collected, and there is an implied promise upon the part of the Government to refund it; or, in other words, it is a debt against the United States Government which should be paid. A great many people, and among them many of the very best lawyers in the country, believe that the law was unconstitutional. The argument of ex-Justice John A. Campbell before the Supreme Court is very convincing. The Government of the United States is one which proceeds in its civil operations according to law, and it never was intended to be administered in any of its departments otherwise. Your committee think the question of sufficient importance to provide a means by which the Supreme Court may determine the question of constitutionality and thereby forever set at rest the question as to whether this large sum collected as taxes was rightfully or wrongfully collected. The bill provides for opening the Court of Claims to those who paid the tax until a case is made and appealed to the Supreme Court, and then for a stay of proceedings until that court decides the question; and should the court hold the acts to be unconstitutional it allows one year thereafter to all persons interested to bring their suits in said Court of Claims. On the contrary, if the law is sustained, that would put an end to all these claims.

"Your committee, therefore, believing it just, report said bill favorably to the House and recommend its passage."

This committee is firmly of the opinion that this money should be refunded by the Government of the United States to the people who paid these taxes. We believe that any impartial, conscientious man who will take the time to examine the record and the law must come to the conclusion that the four acts of Congress mentioned were illegal, unconstitutional, and void, and that after a lapse of more than 50 years surely the principal, without interest, should be refunded, all of which is respectfully submitted.

Mr. FOCHT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having taken the chair as Speaker pro tempore, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 6309) to regulate pawnbrokers and their business in the District of Columbia, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. BLANTON, indefinitely, on account of important business.

ADJOURNMENT.

Mr. UNDERHILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 45 minutes p. m.) the House adjourned until Tuesday, March 14, 1922, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. McFADDEN: Committee on Banking and Currency. H. R. 8996. A bill to amend paragraph 440, section 5211, act June 3, 1864; without amendment (Rept. No. 792). Referred to the Committee of the Whole House on the state of the Union.

Mr. GREENE of Vermont: Committee on Military Affairs. H. R. 10271. A bill to reduce the number of officers of the Regular Army, and for other purposes; without amendment (Rept. No. 793). Referred to the Committee of the Whole House on the state of the Union.

Mr. McFADDEN: Committee on Banking and Currency. H. R. 9527. A bill to amend section 5136, Revised Statutes of the United States, relating to corporate powers of associations, so as to provide succession thereof until dissolved, and to apply said section as so amended to all national banking associations; with amendments (Rept. No. 794). Referred to the House Calendar.

Mr. McFADDEN: Committee on Banking and Currency. H. R. 9409. A bill to amend section 5209, Revised Statutes of the United States, relating to penalty for embezzlement by Federal reserve officers, agents, or employees, so as to include national bank examiner or assistants; with amendments (Rept. No. 795). Referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes; committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. JOHNSON of Washington: A bill (H. R. 10872) authorizing use of special canceling stamps in the Tacoma post office; to the Committee on the Post Office and Post Roads.

By Mr. OVERSTREET: A bill (H. R. 10873) to extend rediscount privileges to farm loan bonds, promote their sale, and for other purposes; to the Committee on Banking and Currency.

By Mr. FORDNEY: A bill (H. R. 10874) to provide adjusted compensation for veterans of the World War, and for other purposes; to the Committee on Ways and Means.

By Mr. FITZGERALD: A bill (H. R. 10875) to exempt from taxation Liberty bonds now taxed in the guise of capital stock by amending section 1000 of Title X of public act No. 98, approved November 23, 1921; to the Committee on Ways and Means.

By McLAUGHLIN of Nebraska: A bill (H. R. 10876) amending section 1 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. TREADWAY: A bill (H. R. 10877) to permit an increase in the number of internal revenue collection districts and in the number of collectors of internal revenue; to the Committee on Ways and Means.

By Mr. McFADDEN: A bill (H. R. 10878) to amend "An act to provide for the consolidation of national banking associations," approved November 7, 1918, and to provide for the consolidation of State banks with national banking associations; to the Committee on Banking and Currency.

By the SPEAKER (by request): Memorial of the Legislature of the State of Arizona, favoring the retention of United States soldiers at Fort Apache, Ariz.; to the Committee on Military Affairs.

By Mr. HILL: Memorial of the Legislature of the State of Maryland, asking that Fort McHenry Military Reservation at the port of Baltimore be maintained by the United States as a national park; to the Committee on Military Affairs.

Also, a memorial of the Legislature of the State of Maryland, asking that the Indianhead naval proving ground be reestablished; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAGO: A bill (H. R. 10879) for the relief of Selecman & Kendall; to the Committee on Claims.

By Mr. FULLER: A bill (H. R. 10880) granting a pension to Harriett A. Blagg; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 10881) granting an increase of pension to Charles A. Waters; to the Committee on Pensions.

By Mr. GREENE of Vermont: A bill (H. R. 10882) granting a pension to Lottie M. Bettis; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington (by request): A bill (H. R. 10883) authorizing reconveyance of land to R. A. Power; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 10884) granting a pension to Ocie Billet; to the Committee on Invalid Pensions.

By Mr. MacGREGOR: A bill (H. R. 10885) granting a pension to Mark Mitchell; to the Committee on Invalid Pensions.

By Mr. MONTOYA: A bill (H. R. 10886) granting a pension to Etta W. Cuss; to the Committee on Pensions.

By Mr. O'BRIEN: A bill (H. R. 10887) for the relief of Rosa D. Stallman; to the Committee on War Claims.

By Mr. PADGETT: A bill (H. R. 10888) granting a pension to John D. Hayes; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 10889) granting a pension to William J. Chester; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4583. By the SPEAKER (by request): Cablegram from members of the Municipal Assembly of Porto Rico, protesting against Gov. Reily; to the Committee on Rules.

4584. By Mr. ACKERMAN: Petition of J. H. Wilson and other residents of Rockaway, N. J., urging the immediate enactment of an adequate tariff law based upon American valuations; to the Committee on Ways and Means.

4585. By Mr. ANDREW of Massachusetts: Resolution adopted by Haverhill Chamber of Commerce, Haverhill, Mass., recommending legislation to remove the present inequitable burden of taxation; to the Committee on Ways and Means.

4586. By Mr. BARBOUR: Petition of the Father's Association of the Washington School, Oakland, Calif., indorsing H. R. 7 and S. 1017; to the Committee on Education.

4587. By Mr. BROWNE of Wisconsin: Petition of ex-service men of Wausau, Wis., all participants in the late war, placing themselves on record in favor of a soldiers' bonus in such form as will bring immediate financial relief to those in need; to the Committee on Ways and Means.

4588. By Mr. FULLER: Petition of R. Hendrickson and 83 other citizens of Streator, Ill., urging immediate enactment of an adequate protective tariff law, based on American valuation; to the Committee on Ways and Means.

4589. By Mr. JAMES: Resolution adopted at Iron River, Mich., by the Upper Peninsula Association of American Legion Posts, in favor of the adjusted compensation bill; to the Committee on Ways and Means.

4590. By Mr. KELLY of Pennsylvania: Resolutions of Aspinwall (Pa.) Post, American Legion, protesting against attack upon soldiers' adjusted compensation by members of Pittsburgh Chamber of Commerce; to the Committee on Ways and Means.

4591. By Mr. KIESS: Evidence in support of H. R. 10726, granting a pension to John A. O'Dell; to the Committee on Invalid Pensions.

4592. By Mr. KISSEL: Petition of William Muldoon, New York City, N. Y., relative to national physical culture week, May 1 to 8, 1922, "to build a stronger Nation"; to the Committee on Education.

4593. Also, petition of the National Retail Dry Goods Association, New York City, N. Y., relative to the tariff and American valuations; to the Committee on Ways and Means.

4594. Also, petition of the American Association for Labor Legislation, New York City, N. Y., urging the passage of the Fitzgerald accident compensation bill (H. R. 10034); to the Committee on the District of Columbia.

4595. By Mr. PERKINS: Petition of citizens of Edgewater, N. J., and vicinity, protesting against the treaties; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *March 14, 1922.*

(Legislative day of Thursday, March 9, 1922.)

The Senate met in open executive session at 12 o'clock meridian, on the expiration of the recess.

As in legislative session,

REINTERMENT OF SOLDIER DEAD.

The VICE PRESIDENT laid before the Senate a communication from the Quartermaster General of the Army, transmitting lists of American soldier dead returned from overseas, to be reinterred in the Arlington National Cemetery, Thursday, March 16, 1922, at 2.30 p. m., which was ordered to lie on the table for the information of Senators.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a resolution adopted by the board of aldermen of Fall River, Mass., favoring the passage of the so-called soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented resolutions of the Foreign Policy Association of Massachusetts; the Brotherhood of St. Michaels, of Marblehead; Massachusetts section of the National Civic Federation, of Boston; the Worcester Conference of Universalists, of Worcester; women of the Protestant churches of Beverly; the Boston Ministers' Meeting (Congregational), of Boston; the congregation of the Asbury First Methodist Episcopal Church, of Springfield; the Presbyterian Ministerial Association of Greater Boston, and the Men's Union of the First Church, Old South (Congregational), of Worcester, all in the State of Massachusetts, favoring the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented telegrams in the nature of petitions from the Kiwanis Clubs of North Adams, Pittsfield, Holyoke, and Boston, all in the State of Massachusetts, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented resolutions of the State Directorate in the District of Columbia; General Phil Sheridan Council, of Jamaica Plain, Mass.; and the Eighth Congressional District Branch, of Cambridge, Mass., all of the American Association for the Recognition of the Irish Republic, protesting against the ratification of the so-called four-power treaty, which were ordered to lie on the table.

Mr. CAPPER presented telegrams in the nature of petitions of the Kiwanis Clubs of Topeka, Augusta, and Girard, all in the State of Kansas, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented a petition of the Ottawa (Kans.) Unit, National Council of Catholic Men, praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

Mr. HARRIS presented resolutions adopted at a mass meeting of citizens of the Birmingham (Ala.) district, protesting aganist acceptance of the proposal of the Alabama Power Co., but favoring acceptance of the proposal of Henry Ford relative to the Muscle Shoals project, which were referred to the Committee on Agricuture and Forestry.

Mr. LADD presented the petitions of Ernest Engelson and 11 others of Fortuna, H. K. Fadness and 7 others of Bucyrus, Ed. Greene and 37 others of Mona, and Arch Comer and 11 others of Sheyenne, all in the State of North Dakota; and William T. Anholt and 37 others of Westby, Mont., and vicinity, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

Mr. WILLIS presented the petition of William P. Clarke and sundry other flint glass workers, of Toledo, Ohio, praying for the prompt passage of an adequate protective tariff law based upon American valuations, which was referred to the Committee on Finance.

He also presented a resolution adopted at a meeting of Frank J. Goldcamp Post, the American Legion, of Ironton, Ohio, favoring adoption of the so-called fourfold adjusted compensation plan and opposing a certificate plan of compensation for veterans of the World War, but favoring deferring action on the bonus question until a satisfactory basis for legislation can be found, which was referred to the Committee on Finance.

He also presented a resolution unanimously adopted by the Bankers Club of Cleveland, Ohio, protesting against proposed bonus measures for the benefit of ex-service men but favoring adequate relief for the care of wounded and disabled veterans, which was referred to the Committee on Finance.

He also presented resolutions adopted by the congregations of the United Presbyterian Church of Sebring; the Reformed Church of Louisville; the Congregational Church of Marietta; and the Northminster Presbyterian Church, of Columbus, all in the State of Ohio, favoring the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

Mr. SHORTRIDGE presented resolutions adopted by the Public School Defense Association, of San Francisco, Calif., favoring the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented resolutions adopted at a regular meeting of the Contra Costa County Farm Bureau and the Yolo County Farm Bureau, both in the State of California, favoring the enactment of legislation for the protection of the argicultural and allied industries, which were referred to the Committee on Agriculture and Forestry.

He also presented resolutions unanimously adopted by the board of supervisors of the city and county of San Francisco, Calif., protesting against the proposed abandonment of naval headquarters at the Mare Island Navy Yard, which were referred to the Committee on Naval Affairs.

He also presented a telegram in the nature of a petition signed by Harvey R. Cole, for American Legion Post No. 109, of Atascadero, Calif., favoring the passage of the so-called soldiers' bonus bill on a sales-tax basis, which was referred to the Committee on Finance.

He also presented resolutions adopted by the United Veterans' Council, at San Francisco, CaHf., favoring amendment of the war risk and the so-called Sweet Acts, so as to render all living veterans of any war and their dependents subject to the same benefits as now provided exclusively for veterans of the World War, and protesting against the proposal of placing World War veterans under the jurisdiction of the Bureau of Pensions and the national soldiers' homes, which were referred to the Committee on Finance.

He also presented resolutions adopted by the Negro Progressive Club of California, of San Francisco, Calif., favoring the passage of the so-called Dyer antilynching bill, which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 5762) providing for a municipal park for the city of Butte, Mont., reported it without amendment and submitted a report (No. 557) thereon.

Mr. SHORTRIDGE, from the Committee on Education and Labor, to which was referred the bill (S. 2281) to extend the benefits of the employers' liability act of September 7, 1916, to Daniel S. Glover, reported it without amendment and submitted a report (No. 558) thereon.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that they presented to the President of the United States enrolled bills and a joint resolution of the following titles:

On March 10, 1922:

S. 2471. An act to amend the act entitled "An act authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof," approved July 28, 1914 (38 Stat. L., p. 558);

S. 2993. An act authorizing a modification of the adopted project for Indiana Harbor, Ind.; and

S. J. Res. 108. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Jeanne d'Arc.

On March 13, 1922:

S. 490. An act to consolidate national forest lands.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PHIPPS:

A bill (S. 3278) to authorize and direct the Commissioners of the District of Columbia to erect a building for the care of tubercular pupils; to the Committee on the District of Columbia.

By Mr. BURSUM:

A bill (S. 3279) to provide for the payment of one-half of the cost of the construction of a bridge across the San Juan River, N. Mex.; to the Committee on Commerce.

By Mr. NORBECK:

A bill (S. 3280) granting an increase of pension to Charles T. Godman (with accompanying papers); to the Committee on Pensions.

A bill (S. 3281) to place Chester N. White on the retired list of the United States Navy (with accompanying papers); to the Committee on Naval Affairs.

By Mr. CALDER:

A bill (S. 3282) to extend the provisions of the act approved February 4, 1919, to civilians serving with or under the jurisdiction of naval authorities; to the Committee on Naval Affairs.

By Mr. HARRIS:

A bill (S. 3283) to promote the safety of passengers and employees upon railroads by prohibiting the use of wooden cars under certain circumstances; to the Committee on Interstate Commerce.

By Mr. SHORTRIDGE:

A bill (S. 3284) granting an appropriation for the acquirement of a site and the erection thereon of a new marine hospital at San Francisco, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. NORBECK:

A joint resolution (S. J. Res. 176) for the relief of Capt. Harry G. Weaver, United States Army; to the Committee on Military Affairs.

By Mr. FRANCE:

A joint resolution (S. J. Res. 177) to authorize the President of the United States to send a commission to Russia and to invite a Russian commission to the United States, to hold informal conversations with the de facto government of Russia for the purpose of arriving at a basis of understanding between the United States and Russia (with an accompanying paper); to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker pro tempore of the House had signed the enrolled joint resolution (H. J. Res. 227) extending the term of the National Screw Thread Commission for a period of five years from March 21, 1922, and it was thereupon signed by the Vice President.

HOUSE BILL REFERRED.

The bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. McCUMBER. Mr. President, I regret that the work before the Committee on Finance has been such as to deprive me of the opportunity of taking an active part in the consideration of the several treaties which grew out of the Disarmament Conference.

I have been unable so far to present my views either before the Foreign Relations Committee or on the floor of the Senate. The brief statement which I shall make to-day will be directed to one general phase of all the treaties, namely, their value in maintaining international accord in Pacific and Asiatic waters and through that accord blazing the pathway for general world peace and amity.

Considerable debate seems to have arisen over the first declaration of the treaty now under consideration, the second clause of which provides:

> If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

I confess, Mr. President, that I can scarcely imagine how anyone could read into that clause a declaration that we were to interfere by force or could be led into such interference, either directly or indirectly. Nevertheless, I asked that my vote be recorded in the Committee on Foreign Relations in favor of the resolution prepared by the chairman of the committee, not because I considered it was at all necessary, but because there were some who felt that it should be inserted and might possibly keep us out of future trouble. Therefore I will vote for that reservation for the purposes indicated.

Mr. President, the Disarmament Conference in its effective results surpassed my fondest expectations. It not only puts a stop to the ruinous race for naval supremacy, which has been sapping the very life of the greater nations of the earth, but in addition to this most beneficent result it provides for a vast reduction in the tonnage of present naval armaments by an agreed scrapping of many war vessels, thereby reducing the heavy cost of present maintenance.

For all this the tax-ridden world owes a debt of gratitude beyond measure to the President of the United States; the Secretary of State, Mr. Hughes; to Senators Lodge and Underwood; and Mr. Root.

From the time that Secretary Hughes, with an audacity which startled Old World diplomacy, declared just what the United States would do in the reduction of the American Navy by the scrapping of many vessels of war and cessation of all work on our Navy building program, and challenged each nation to show its good faith and purpose by following that example—from that moment the applauding world looked for results, and its expectations have been splendidly fulfilled.

But, Mr. President, I do not believe the people of the United States ever had any conception of the difficulties that had to be smoothed out and settled before this achievement could be consummated. I do not believe we shall ever fully realize the delicacy of some of the situations which our delegation had to meet.

The wounds of the greatest conflict the world has ever witnessed were still unhealed. The agony of battle was still in the hearts of the people of each nation so lately emerged from that contest. Out of placid skies had burst a lurid flame which had scorched the whole world. Powerful nations had been almost literally wiped off the face of the earth. The spectacle of death and devastation and bankruptcy still haunted the minds of those charged with the future destiny of their respective countries. Those nations which had stood the brunt of conflict for years and which, in the light of new instrumentalities of destruction, realized their own vulnerability, were nervously alert, centering their every thought on future defense and safety. Those nations approached the conference eager, yet timid and fearful lest by any error of judgment their capacity for self-defense might be weakened.

Not even the brave words of Secretary Hughes could at once transform this apprehension and fear into that international assurance and amity so necessary to a successful termination of the great disarmament project.

This was the situation and this the delicate work imposed upon the American delegation, and the treaties before us are the fruition of their efforts so ably and well performed.

But, Mr. President, the mere scrapping of ships, the mere cessation of great naval programs, the 10-year holiday in ship construction—all these visible results in decreased taxation, in releasing the energies of hundreds of thousands of men and billions of dollars hitherto spent on engines of death and hatred, and dedicating those earnings and that capital to the upbuilding of a shattered world—great as are all these, they are nevertheless insignificant compared with that invisible force, that world conscience which found its birth and expression in the coming together of these nations, war wounded and weary, to devise some way to avert another such world calamity.

The real, the vastly more important achievement is that the potential power of human conscience, the sense of justice and right, are assured their full and free expression in the clear light of a public understanding of every international dispute. If clouds of distrust ever appear, these nations agree with each other that they will all consult together, just as they have done in the Disarmament Conference, and such consultation will mean in the future, as it has meant in this conference, the dispelling of fear and suspicion and the assurance of good will and amity.

From the standpoint of disarmament alone, these several treaties may not mean much for world peace. In their broader contemplation there is something of human weakness, an innate ridiculousness in their provisions. If two factions engaged in feudal warfare—and such a condition still exists to some extent in our mountainous regions—should meet and solemnly agree that no man should carry more than six revolvers or maintain on his premises more than five repeating rifles, we can imagine the spirit of acrimony which would color the press reports of such an arrangement. Recognizing that in a civilized community the only legitimate use for arms of this character is self-defense or to guard against robbers and burglars, we could not refrain from suggesting to these factions that they meet again and conclude a more sensible agreement to dispense with all suspicion-breeding firearms except such as are properly and legitimately necessary.

So we might with equal justice ask these great nations, Why not reduce your navies to just what may be necessary to defend yourselves and for your police protection?

But, Mr. President, we can not expect a world that has thought war and dreamed war for centuries and which came out of this late conflict war mad to become lucid all at once. It is encouraging, however, to know that these agreements lead toward world sanity. The fact that the feudists have met and talked over their fears and suspicions, the fact that each has insisted that he has no desire to destroy the other but that his warlike proclivities were animated solely by the universal principle of self-defense, all this will bring them to a better understanding and from that better understanding will develop a trust which will finally end in cemented friendship.

So, Mr. President, the Washington conference has breathed the living soul of peace into the physical bodies of these disarmament treaties. It has prepared the soil and has planted the seed of international right and justice which, if followed by bringing other great powers into the fold, will ripen into a harvest of world peace.

The Versailles treaty, with its League of Nations, was top-heavy and required many reservations before it would be made acceptable to this country. When such reservations were adopted by the Senate then the sponsors of that treaty refused to ratify it as amended.

The treaties now before the Senate contain all that I contended for as of real value in the late Versailles treaty with none of its dangers which had to be eliminated. They contain everything that is necessary to prevent war among the signatory powers. They invite other nations of the world, like the still powerful German Empire, to become parties to the agreement.

These treaties will be ratified, and I hope to live to see the day when the principles enunciated in them shall be written into a compact that shall include all the great nations of the world.

Mr. President, long before the Versailles treaty was sent to the Senate, and while the treaty was in process of construction, I took occasion to express my views, which I hoped would be inserted in that treaty, and which, I thought, so far as an international agreement was concerned, should be the limit of our contractual obligations. The thought then in my mind is reflected in the treaties presented by the Disarmament Conference.

I proposed at that time that all the great nations of the world, including Germany, Austria, Russia, and other powers, should simply enter into an agreement with each other that they would respect the territorial integrity and the political independence of every other country; that none of them would make a war of aggression against any of the others; that if disputes should arise which they could not settle through the channels of diplomacy, they would consult together; that if the dispute should be of such nature that they could agree to settle it through arbitration, they would do so; that if it were not an arbitrable question, they would at least agree to submit it for an investigation and a report, and to give that report full publicity to the world before they should resort to arms, to the end that the people of each country and the world would know which country was in the wrong; and that all would consult together for the purpose of securing a settlement of the difficulty. That is as far as we ever need to go. There is no necessity of and should be no promise or agreement to support any contention by arms or otherwise. A nation may sometimes break its word with another nation, but it will not break its word with all the other great nations of the world. It will not stand dishonored before all nations.

Mr. President, we have here in these treaties an association of nations for the maintenance of peace in the Pacific. Is it not an opportune time to ask the President and the administration, What has become of the general association of nations for the peace of the world? When the Versailles treaty was before the Senate the Committee on Foreign Relations by appropriate reservations amended the Wilson League of Nations compact, eliminating from it all promises of force to defend any other nation from assault, and reduced that compact to a mere promise to refrain from a war of conquest and to consult together whenever serious international difficulties should arise. The then President and his administration refused to accept those reservations and the treaty failed. But, Mr. President, the Members of the Senate and the public generally, no matter how wide their differences on the Versailles treaty, all agreed that some step should be taken through some kind of international agreement to prevent another such world conflict.

Therefore, the Republican Party in its platform met this sentiment for some kind of international world agreement when it declared:

> The Republican Party stands for agreement among the nations to preserve the peace of the world. We believe that such an international association must be based upon international justice and must provide methods which shall maintain the rule of public right by the development of law and the decision of impartial courts, and which shall secure instant and general international conference whenever peace shall be threatened by political action, so that the nations pledged to do and insist upon what is just and fair may exercise their influence and power for the prevention of war.

That declaration did not mean that we should enter into an association with just those nations with whom we had been allied in war. It meant an association with all the great nations, with our late enemies as well as with our late allies. It meant an association with Germany and Austria, as well as with France and Great Britain. An association with a portion of them only would be a trouble breeder rather than a peace assurance.

What the world is wanting to-day is the same assurance in Europe that these treaties give to the Far East. France still fears Germany and the bolshevism of Russia. She still maintains a large standing army. Bring Germany, France, Russia, Great Britain, Italy, and the United States into just such a compact as is written in these treaties and the armies of France will dissolve, her soldiers will be producing articles of commerce and the necessities of life to trade for commodities which the erstwhile soldiers of Germany are now producing, and this return to productivity and normal commerce which the world is praying for will be speedily quickened into renewed life.

The Senator from Massachusetts, in his interpretation of these treaties and in his exposition of their purposes, everywhere stressed their importance as peace-assuring compacts in the Pacific and among the signatory powers. I agree most heartily with his conclusion, but I ask the question, Why should we not proceed immediately to bring about such a compact with all the nations of Continental Europe?

Just prior to the war we entered into separate agreements with each of 31 different Governments—agreements which contained similar articles for consultation, investigation, and report upon every international dispute which could not be settled by diplomacy. We asked Germany to join with us in a like treaty. I am informed that she declined our proffer, giving as her reason therefor that while she had no objection to such a treaty with us, if she made it with us she could not consistently refuse to enter into like agreements with nations of Europe, and she did not desire to do this.

But, Mr. President, that was military and aristocratic Germany. The German people were never consulted as to whether they should enter into such a treaty. Those people have now assumed control of the Government, and I am certain that they are as peace loving as any people and would to-day welcome a compact with us and with all the important nations which would allay all suspicions of France or of any other country, and which would leave them free to contest in the world for commercial equality or supremacy.

Senator LODGE, in his address on the four-power treaty delivered a few days ago, declares:

> It was our earnest hope that in a portion of the earth's surface at least we could do something to substitute the assurance of peace for the arrangements and calculations of war, and in so doing keep clear of all alliances of any sort which are in their very nature ultimate breeders of war and which always have hidden behind them penalties and force.

Mr. President, is it not pertinent here to ask: Why should not that earnest hope for the assurance of peace in this portion of the earth's surface be expanded to cover Europe as well, a section of the world where even the suspicion of a future war is more disastrous to world progress and welfare?

Again, he says:

> We hope and believe that agreements resting on the good faith, the honest purpose, and the highest aspirations of nations and peoples, carried out as they have been here, will have a permanent and lasting effect.

I agree with every word of that sentence. I have no doubt in the world of its permanent and lasting effect in the regions of the Pacific, and because I believe it I want to extend those principles to other countries.

Again, he says:

> But if we are right in thinking that men and women alike have learned the lesson of the war, then much can be accomplished by the agreements reached in Washington, and the door will stand open for further attempts to breed a larger kindliness and a more forbearing spirit among the nations of the earth, and in this way help us to take further and ever more assured and steady steps in the same direction.

But, Mr. President, is not now the most propitious time to take these further steps, to do just what we assured the country we would do and just what President Harding in his speech of acceptance declared we should immediately proceed to do?

Mr. President, I am supporting these treaties not only because of their limitation of armaments but more particularly because they contain these elements of a great international agreement which I hope will some day be consummated.

Everywhere in them are contained two fundamental principles necessary for world peace: First, a recognition of the right of every nation to live and work out its own destiny and an agreement that its independence and complete sovereignty will at all times be respected; second, an agreement that in case of misunderstanding the nations will consult together and endeavor to settle every matter of difference.

Taking the first treaty presented to the Senate by this conference—the treaty between the United States, the British Empire, France, and Japan, relating to their insular possessions and dominions in the Pacific Ocean—we have this agreement:

> Each of the contracting parties agrees to respect the rights of the other.

That is a very simple phrase, but it is full of force and full of meaning. It does not agree to enter into war to defend those rights. It simply says that it will commit no wrong against the other parties.

These contracting parties further agree that if they are unable to settle any dispute arising out of these Pacific questions by diplomacy, all of the contracting parties shall meet in joint conference for their consideration for the purpose of adjustment.

That, Mr. President, is all we need to secure peace among those powers which might be endangered by any contingency arising in that section of the world.

In the nine-power treaty relating to China, by article 1, the contracting powers other than China agree—

> to respect the sovereignty, the independence, and the territorial and administrative integrity of China.

And by article 7—

> The contracting powers agree that whenever a situation arises which, in the opinion of any one of them, involves the application of the stipulations of the present treaty, and renders desirable discussion of such application, there shall be full and frank communication between the contracting powers concerned.

So, Mr. President, we everywhere find in all of these treaties the essential agreements which I hold to be necessary for general world peace, and all that is necessary, according to my views.

If these treaties mark a vast forward step in international understanding among those nations which border upon and which have possessions within the Pacific, why should we not bring within the fold the great nations of Continental Europe? Why should we stop the good work? Why should we make no attempt to extend to all great nations the principles agreed to with reference to humane rules of warfare, with reference to disarmament, and with reference to the pledge to recognize at all times the political and administrative integrity of other nations, and, above all, the principle of open discussion of all disputes before resorting to the arbitrament of arms? Why should these principles be bounded by the shores of the Pacific Ocean only?

Mr. President, I am looking forward to a real assurance of world peace. No man of heart and conscience can but shudder at the mere contemplation of another such devastating war. Centuries will be required to rid ourselves of its burden of debt.

But, Mr. President, there are two great powers in the world which must be taken into consideration in any matter affecting world peace—Germany and Russia. We are now at peace with Germany, with Austria, and with Russia. We have shown our good will toward the latter by pouring out our treasure to aid the destitute. We should now extend the hand of friendship to our late foes, Germany and Austria. We should ask them immediately to join with us in these declarations of principles. We should ask them to join with us in an agreement that they will not war on each other until every effort has been made to maintain peace, and that this effort shall be made through the joint agreement that all will meet together and discuss matters of difference before engaging in any war.

It may be that Russia has not at the present time a government sufficiently stable for us to enter into any agreement with her. That, however, can not be said of Germany. I do not claim, Mr. President, to be a prophet; but anyone who knows the German people and their ability to organize and maintain a stable government that will meet every exigency must be blind if he fails to see that of all the European nations which engaged in the late conflict Germany will be the very first to resume her old place in the commercial affairs of the world. Outside of the reparation she does not owe one dollar except her indebtedness to her own people. She surrendered her antiquated ships to her victors, but is to-day building an immense line of small, cheaply operated, economic vessels for her foreign commerce. Her people are working longer hours and with greater efficiency than the people of any other nation of the earth. She has learned her lesson of life through her distress. Great Britain and France, and to a certain extent the United States, have their lessons yet to learn—the lesson of increased productivity, the lesson of greater economy in production, in order to compete with the markets of the world.

Germany has no navies and no armies to maintain. All her man force and all her woman force and much of her child force are dedicated to the struggle for commercial supremacy. In less than five years from to-day she will, as she did in 1914, lead the world in her foreign commerce.

Let us, therefore, forget the animosities of the late strife. We as a Nation are of the blood and bone of each of these countries, friend and foe alike. Let us take the initial step, as we did in the Disarmament Conference, and invite these Governments, now no longer allies and no longer foes, to join us in a union of declared principles, not backed by any force or any promise of force, but resting entirely upon the sacred national honor of each Government, supported by an informed public conscience that will not brook any international injustice.

Mr. President, I wish to include as a part of these remarks the form of an international compact embodying the principles which I have declared should be the standard of international conduct, and which provides for the settlement of all international misunderstandings without surrendering one atom of independent sovereignty or invoking any force other than that of national righteousness and national honor.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

PROPOSED ASSOCIATION OF PRINCIPAL NATIONS OF THE WORLD FOR THE PRESERVATION OF PEACE.

The United States of America, the British Empire, France, Italy, Germany, Austria, Spain, Japan, and Russia—when she shall have established a stable government—realizing the appalling loss of life, the enormous devastation, the stupendous burden of indebtedness, and other incalculable evils occasioned by the late World War, and recognizing the vast commercial relations among the several nations of the world and their dependence upon each other, and that any war halting or destroying international communication becomes of itself a matter of vital concern to all the peoples and nations of the world, for the purpose of preventing the recurrence of another such war and substituting therefor the peaceful settlement of all international differences and disputes, hereby join in this solemn compact and enter into this agreement each with all of the others:

1. They declare it to be a fundamental principle of international law that the same code of ethics and morality which governs individuals in their relations to each other in nations of the highest enlightenment within their own domains shall govern nations in all their international relations.

2. That each nation of the world has the right to live and work out its own destiny, free from threatened or impending aggression by any more powerful nation.

3. That wars of aggression are not only a crime against the defendant country but also a most gross offense against civilization and against every other country which of necessity must pay the penalty caused by war's carnage, devastation, and the disruption of the world's commerce and trade.

4. To establish and perpetuate these principles and to substitute the rule of reason and justice for the rule of force in the settlement of international differences and disputes, the several nations parties to this compact solemnly agree, each with all the others, that each and all will faithfully adhere to the principles aforesaid in all their relations toward and with each other and all civilized States.

5. They further solemnly agree that in case of any dispute between any of the members signatory to this compact which fails of settlement through the ordinary channels of diplomacy they will confer together, either through an international council or court to be agreed upon, and will use their most earnest endeavors to bring about an amicable settlement of such dispute and prevent armed conflict.

6. They further agree that either through such aforesaid council or court they will formulate a code of international law which, when approved by the several nations of this compact in the manner provided by the constitution or usage of such nations, shall become the law of nations and govern the parties to this compact in their relations to and with each other.

7. They shall in such code consider and determine as nearly as possible what are justiciable and what are nonjusticiable questions. Such questions as are unanimously decided to be nonjusticiable shall, for the purpose of this compact, be so deemed by the parties thereto. When the determination of such question is not unanimously agreed to, each nation must for itself determine such fact.

8. The said parties to this compact further solemnly agree that in case of any dispute between any two or more of them, which dispute they are unable to settle through ordinary diplomatic channels, they will proceed as follows:

(a) If the question involved is justiciable they will submit the matter in dispute to arbitration, either to arbitrators to be agreed upon by the disputants, or to such international court as may have been or may be established to hear and determine international disputes. And they declare they will faithfully abide by the decision of such arbitral board or court.

(b) If the question involved is not included within the list of questions as aforesaid determined to be nonjusticiable, and either or both of the parties to the dispute claim the same to be nonjusticiable, the said parties will submit the matter in dispute either to such court or to a council composed of one delegate from each of the nations to this compact for investigation and report.

(c) In all cases of investigation and report the court or council, as the case may be, making the investigation shall invite the parties to the dispute to present their respective cases, and shall within six months after the conclusion of hearings thereon make its report to the disputants and to other nations, parties to this compact, containing its findings of fact, which shall be sufficiently full and explanatory to give the said disputants a clear understanding of the question involved, together with its recommendations for a just and amicable settlement of the dispute.

9. And each of said nations agrees that it not only will permit, but will assist in, the full publicity of such findings and recommendations to its people.

10. Each of the aforesaid nations further agrees with all the others that during the period of investigation aforesaid, and for a period of six months after the publication of such findings and recommendations, it will not declare or commit any act of war against any other party to the dispute, and that during such time it will advise with the other nations, parties to this compact, and use its best endeavors in conjunction with such nations to bring about an amicable settlement of the dispute.

11. Each of the aforesaid nations further agrees that it will enact such legislation, make such appointments as may be necessary to carry out the provisions of the compact, and bear its proportionate share of the expenses incident thereto.

12. Other sovereign nations of stable government and capable of fulfilling all their international obligations may, by unanimous consent of the other members of this compact, become members thereof upon agreeing to all the principles and obligations herein set forth. Such new membership shall be effectuated by action of the several nations in the same manner as the adoption of this compact.

13. This compact shall become effective when approved by the several nations, parties thereto, in a manner provided by the constitution or usage of such nations in the ratification of international treaties. (If deemed best that the nations, parties to the Versailles treaty, should continue their membership therein there should be added the following:)

14. Certain nations other than the United States who are parties to this compact, having previously agreed under the treaty of Versailles to a settlement of their international disputes by following the course specified in article 12 of said treaty, such nations, parties to this compact, may, if they so elect, use the instrumentalities of said treaty of Versailles for the settlement of their differences. In case of such election the United States, not being a party to such treaty and not being directly interested in such dispute, will take no part.

Mr. LENROOT. Mr. President, I shall endeavor to analyze the provisions of the pending treaty with special reference to the obligations which will be incurred by the United States if ratified, but before doing so I wish to make some general observations regarding the effect of failure to ratify the treaty.

While we have five other treaties pending, growing out of the Washington conference, which must be acted upon separately, nevertheless most of these treaties are to a large degree dependent upon each other, and a failure to ratify the treaty now

under consideration may mean a failure of all the treaties and especially the failure of the treaty limiting naval armament.

I have heard Senators say the rejection of the pending treaty can not affect the naval armament treaty, for the ratification of that treaty is assured by the Senate. But it must be remembered that to make any of these treaties effective ratification must be had by the other parties to the treaty as well as ourselves, and if we reject the treaty now before us there is no assurance that such action will not form the basis for rejection of the limitation of naval armament treaty by some of the other powers. We know that France is not enthusiastic as to that treaty, and we can rest assured that the military party in Japan would not complain if all the treaties growing out of the Washington conference were rejected, for they do restrict and restrain her domination of the Orient. If the Nation that called the Washington conference and set the high standard for its deliberations shall be the first to reject one of the treaties, then there need be no surprise if other treaties are rejected by other powers and the work of the Washington conference be destroyed.

Mr. KING. Would it interrupt the Senator if I asked him a question at this point?

Mr. LENROOT. Not at all.

Mr. KING. The Senator will recall that in the call made by the President of the United States for the Washington conference, as I remember its phraseology, there was no reference to a quadruple alliance or to a four-power pact or treaty of the character which is now under consideration, and when the President addressed the conference there was no suggestion that that was a part of the agenda or would be a matter of consideration by the conference.

The Senator will also recall that Secretary Hughes, in his admirable presentation of the matter, did not allude to a four-power pact, and when he laid down the work of the conference and challenged attention to the limitation of armament, and offered the program to the conference, all the delegates from foreign countries, as well as our own, in so far as I remember their utterances, and the public generally, regarded that the program thus announced, to wit, the limitation of armament, as provided in the program announced by Secretary Hughes, was a remarkable achievement, and at the conclusion of that meeting, and upon subsequent days, before there was any talk of a four-power pact, the country seemed to be entirely satisfied with that program, and announced that the conference was a success. How, in the light of that, can the Senator contend that this afterthought is essential to the completion of the work of the conference and is indispensable to its success?

Mr. LENROOT. Mr. President, while, of course, there was no reference by Mr. Hughes to this treaty, or any proposal that there be a four-power treaty, the Senator will admit that one of the subjects before that conference was a consideration of the problems in the region of the Pacific, and this is one of them, which has been settled through an understanding that made much more possible, in my judgment, the acceptance of the program for naval limitation.

Mr. KELLOGG. I have heard statements made on the floor of the Senate about a dozen times similar to the one made by the Senator from Utah, as to why this treaty was not in the agenda. The questions of the Far East were mentioned. Does the Senator from Utah think that the Secretary of State of this country would be apt to state that the subject to be considered in this conference was the termination of the Anglo-Japanese alliance?

Mr. KING. I shall not take the time to answer the Senator, but let me make the observation that if that interrogatory has been propounded I have not heard it, and if it has been propounded it has not been answered. I am sure the Senator from Minnesota [Mr. KELLOGG] in his speech did not answer it. He has not answered it now, and he can not answer it.

I repeat, the call of the President did not contemplate a four-power pact, and the work of the conference, as announced by the great Secretary of State at that first meeting, did not contemplate a four-power pact. I admit there is some relation between the two subjects, but the questions which were submitted in the conference were independent of the other, and the four-power pact is in no wise essential to the disposition of those other questions.

Mr. LENROOT. I do not question that that is the Senator's opinion, but the Senator can not say that it is the opinion of other parties to this treaty. The point I am making is not that the rejection of this treaty may lead to the rejection of the naval limitation treaty by the Senate, but that it may lead to the rejection of that treaty by other parties to the treaty.

So grave is this danger that if this treaty is rejected I believe President Harding, if he should receive information that other treaties would be rejected by other powers, should consider the withdrawing of all the other treaties transmitted to the Senate and inform the other parties to the treaties that further action upon them will be postponed until the next Congress convenes, so that the country at the elections next November will have the opportunity in the election of Senators whose terms are expiring to express itself upon this important issue.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. LENROOT. I yield.

Mr. ROBINSON. The Senator says that the four-power treaty is so inseparably connected with the other treaties——

Mr. LENROOT. The Senator must not misquote me. I said no such thing. What I did say was that——

Mr. ROBINSON. If the Senator will permit me to state my understanding of his statement, I will ask him the question I intended to put.

Mr. LENROOT. I want the Senator to ask a question based upon the statement I made, and not upon one I did not make. I stated that they were so connected that the defeat of this treaty might result in the rejection of the naval limitation treaty by some of the other powers.

Mr. ROBINSON. If the Senator from Wisconsin had done me the courtesy to hear my question, he would have seen that that was exactly the premise I expected to lay, that the four-power treaty is so related to the other work of the conference that its rejection by the Senate of the United States would probably result in the rejection of other treaties by other powers parties to the four-power pact. What other power does the Senator think, for instance, would reject the arms limitation treaty if the Senate of the United States rejects the four-power pact?

Mr. LENROOT. I have just stated that I did not think—and the Senator does not think—that France is enthusiastic over the naval limitation treaty. The Senator must be familiar with what occurred with reference to that matter. I am not sure but that the military party in Japan would welcome its rejection. I am not speaking of the Government of Japan, but there is a party in Japan, as the Senator well knows, that does not desire any such treaty, or any of the treaties relating to Japan which are now pending before the Senate.

Mr. ROBINSON. Will the Senator permit me to make another statement with respect to the Senator's observations concerning France?

Mr. LENROOT. Certainly.

Mr. ROBINSON. It seems now to be well known that France sought an opportunity to become a party to the four-power pact; that at first there was objection to her admission by Great Britain and Japan, and that after Great Britain and Japan had consented to the admission of France to the four-power treaty then a draft of the agreement was prepared by the Secretary of State of the United States. Why does the Senator from Wisconsin think that France, in view of the fact that she sought admission to this treaty, would reject the arms limitation treaty if the pending treaty is rejected by the Senate?

Mr. LENROOT. I am not going into the question of the situation with reference to France and her final agreement and the limitations placed upon her navy in the naval armament treaty. The Senator is quite as familiar with that as I am. All I am saying with reference to France is that France is not enthusiastic over that treaty. Does the Senator think that France is enthusiastic over it? Does the Senator think that France does not believe to-day that while her representatives have assented to it she should have been permitted a larger ratio for her navy than is permitted in the naval armament treaty?

Mr. LODGE. If the Senator will yield, I only want to call attention to what the Senator from Utah [Mr. KING] said about the omission of the far eastern question. It is really of no moment. If the Senator will look at the agenda relating to China, he will find that Shantung is not mentioned.

The reason why Shantung was not mentioned in the agenda was because it was the subject of a treaty between two other powers. At the same time we had hopes of bringing about the arrangement, as we did. At the same time we did not begin by mentioning a treaty between two other parties to which we were not a party as a subject of general conference.

Mr. LENROOT. Mr. President, the only point I am making is that if this treaty be rejected there is no assurance that the other parties to the naval limitation treaty will ratify that treaty. That is the only point I am making.

Mr. ROBINSON. Mr. President, what is the assurance that they will ratify it even if this treaty be ratified? How can the Senator assure the Senate that if we ratify the four-power pact

other nations will ratify all the other treaties which have been negotiated?

Mr. LENROOT. At least, if the Senate does not reject one of the treaties which has been agreed upon that will not furnish a reason to any other power for rejecting some other treaty.

Mr. SPENCER. Mr. President——

Mr. LENROOT. I yield to the Senator from Missouri.

Mr. SPENCER. The intimate association between the four-power treaty and the disarmament treaty, which the Senator from Wisconsin has so clearly announced, is illustrated by the following sentence which opened the report of the American delegation, and I venture, with the Senator's consent—for there are only two of them—to insert them in the RECORD here. The Senator from Utah [Mr. KING] seemed to have some doubt as to whether there was any connection between the four-power treaty and the disarmament treaty, or as to whether the four-power treaty had ever been in the contemplation of the Department of State or of this Nation when this conference was called. When the President called the original conference this is the reference which the report of the American delegation makes to it:

On July 8, 1921, by direction of the President, the Department of State addressed an informal inquiry to the group of powers known as the principal allied and associated powers—that is, Great Britain, France, Italy, and Japan—to ascertain whether it would be agreeable to them to take part in a conference on the subject of the limitation of armament, to be held in Washington at a time to be mutually agreed upon. In making this inquiry it was stated to be manifest that the question of the limitation of armament had a close relation to Pacific and far eastern problems, and the President suggested that the powers especially interested in these problems should undertake, in connection with the conference, the consideration of all matters bearing upon their solution with a view to reaching a common understanding with respect to principles and policies in the Far East.

Then comes this four-power treaty, opening in its preamble with the statement that it has been agreed to "with a view to the preservation of the general peace and the maintenance" of the rights of the signatory powers "in relation to their insular possessions and insular dominions in the region of the Pacific Ocean."

It would seem as if the four-power treaty was clearly in the contemplation of those who originally caused this conference to be called.

Mr. LENROOT. To get back to the thread of my remarks, I had suggested that if this four-power treaty was rejected by the Senate, and the President should receive information that by reason of that rejection some of the other parties to the treaty would reject some of the other treaties, especially the naval limitation treaty, in that case the President would be abundantly justified in withdrawing all of the treaties which are now before the Senate.

Whether the President would take this course, I do not know, but if he believed that rejection of the four-power treaty by the United States would result in the rejection of the limitation of armament treaty by other powers, he would be abundantly justified in taking that course.

And may I say at this point that while I am anxious for the ratification of this treaty, if I were considering partisan advantage only for the Republican Party, I would welcome its rejection by the Democratic minority. I confess that at the present moment there may be some foundation for the optimism of our Democratic friends that they will make gains in the next election, but if this treaty be rejected I predict that no Democrat indorsing that action will be elected to the Senate in any Northern State. If this treaty be rejected, the Republican majority next November will be equal to that which it had in November, 1920.

But, Mr. President, anxious as I am for Republican success, I hope this and all the other pending treaties will be ratified. World consequences of rejection are too important to permit political advantage to control us in their consideration. That this treaty will be ratified either now or a year from now I have not the slightest doubt, unless other parties to it shall justify destroying the work of the Washington conference by the action taken by this Senate. I wonder if Senators realize what the destruction of the work of the Washington conference would mean. It would probably sooner or later mean war—war that would inevitably involve the United States. No conference looking to the maintenance of peace would be possible during this generation. Friendly understandings would be replaced by hate and suspicion. The race for naval and land armament will continue and eminent Senators who plead so eloquently for isolation and peace would find that in the isolation they have produced they have sown the seeds of war, for we must with that isolation become either as pacifist as China, or ready to fight at a moment's notice, and as we have the wealth and resources to outlast any other nation, the nations that can not so compete singly will inevitably form alliances that will be a constant menace to us.

May I say here, Mr. President, that if the understanding which has been reached in this four-power treaty alone will aid in the maintenance of peace in the future because at least four nations shall agree upon this understanding in the Pacific, nations which are potential enemies—and I shall refer to that a little later—then we may hope that other nations may make like regional understandings, and we may hope that the nations of Europe, those who were so lately enemies, may enter into like understandings with agreements such as are contained in this treaty, and having set the example here we have pointed the way for those nations to follow, but if this treaty shall be rejected, what hope is there for such like understandings to be entered into in other parts of the world?

Mr. President, I have made these general observations because I believe that we should realize the far-reaching consequences of rejection of this treaty. I do not for a moment contend that because of these consequences the Senate should blindly accept these treaties, but I do insist that because of them every presumption should be in favor of ratification and the burden is upon the opposition to clearly establish that the welfare of America will be better served by rejection than ratification.

Much of the debate, Mr. President, upon this treaty has not been creditable to the Senate. Here is a treaty consisting of six short paragraphs, in four articles, couched in simple language, and much of the debate has centered around the burning issue of "Who wrote it." Some Senators seem to take the position that if it was written by Balfour or Baron Kato it is bad beyond argument, while if it was written by Hughes or Lodge or Underwood or Root there might be some virtue in it. Mr. President, what difference does it make who wrote it if its construction be clear and intent unmistakable? Let us judge the instrument by what it is, and pay no attention to the attempt to create prejudice against it by allegations of authorship. However, it is now established that it was written by Secretary Hughes, and I hope that the question of who wrote it is answered for all time.

Mr. ROBINSON. Will the Senator yield to a question?

Mr. LENROOT. Yes.

Mr. ROBINSON. Does the Senator think that it can be stated that the intent and meaning of this treaty are clear in view of the fact that the conference itself which negotiated the treaty adopted two declarations in the nature of reservations before the treaty was reported; that it became necessary to report a supplementary treaty explaining the provisions of this treaty in their relation to the mainland of Japan; and, furthermore, that the Committee on Foreign Relations found it necessary to report the additional reservation proposed by the Senator from Connecticut [Mr. BRANDEGEE]? In view of the course which the matter has taken, does the Senator think that the meaning of the treaty is entirely clear?

Mr. LENROOT. Mr. President, I am very much surprised that the Senator from Arkansas should draw any inference or attach any presumption to the fact that there was a declaration of construction or a reservation inserted or agreed to at the time the treaty was made. The Senator from Arkansas must know that that is a very common practice in making treaties. I have on my desk several illustrations where the United States has entered into treaties in connection with which at the same time as the signing of the treaty declarations have been made as to their intent and construction.

Mr. ROBINSON. Will the Senator yield?

Mr. LENROOT. No; pardon me; I want to finish my answer. So in the making of this treaty, with reference to the reservation which was adopted simultaneously with it, one of two courses could have been pursued. In the first place, the language which is affected by the reservation is all inclusive; that would be the natural way to frame the language; and its framers then could have excluded that which they intended to exclude by the reservation, by a proviso, or they could have done so by a declaration simultaneously made. One would have been as simple as the other; but they adopted the latter course, which is not an uncommon practice.

Next, as to the reservation adopted by the Committee on Foreign Relations, I am not going into that now, because the whole purpose of the remarks I am now about to make is to attempt to demonstrate that there is no obligation of any kind upon the United States such as the reservation adopted by the Committee on Foreign Relations attempts to provide against; in other words, my position is that the treaty would mean exactly the same thing whether the reservation be adopted or rejected. I understand, however, Mr. President, that there were two or three members of the Foreign Relations Committee who did take the position that there might be some obligation upon the part of the United States for the use of force; that without the

reservation the treaty might be regarded as an alliance. Both those questions I shall discuss as I proceed; but I undertake to say that the Senator from Connecticut [Mr. BRANDEGEE], who is one of the able Members of the Senate, at the time he offered the reservation, which was adopted by the committee, had not made a careful study of this treaty and all the circumstances attending it—for he could not have had the time to do so—which all Senators have since had the opportunity of making.

Mr. KELLOGG. Mr. President——

Mr. LENROOT. I yield to the Senator.

Mr. KELLOGG. I do not think the Senator from Connecticut [Mr. BRANDEGEE] took the position that the reservation was necessary, but he was afraid somebody in the world at some time might think it was necessary.

Mr. BORAH. If the Senator from Wisconsin will permit me, I desire to say that the Senator from Connecticut did not take any such position.

Mr. KELLOGG. I think the Senator from Idaho is mistaken.

Mr. BORAH. The Senator from Connecticut took the position that the reservation was necessary, and he contends now that it is necessary. If the Senator from Minnesota thinks that the Senator from Connecticut does not think it is necessary, then let us take it out and see what the Senator from Connecticut will do.

Mr. KELLOGG. I will say that the Senator from Connecticut admitted that there was no obliagtion on this country to go to war or to do anything else except to consult; that is the position of the Senator from Connecticut; but he thought some other country might take some other position at some other time.

Mr. WALSH of Montana. Mr. President, now that the Brandegee reservation has been made the subject of comment, I should like to make an inquiry of the Senator from Wisconsin [Mr. LENROOT]. As I understand him, the Senator from Wisconson seems to apprehend that the naval disarmament treaty will not be ratified if the amendment offered by the Senator from Arkansas shall be adopted. If the reservation offered by the Senator from Arkansas would imperil the naval disarmament treaty, can the Senator give us any information as to how the Brandegee reservation will affect the naval disarmament treaty?

Mr. LENROOT. There is a very clear distinction between the Brandegee reservation and the amendment offered by the Senator from Arkansas.

Mr. WALSH of Montana. Of course, there is, but the Senator——

Mr. LENROOT. But in my view the treaty means exactly the same whether the Brandegee reservation be adopted or not. That is the answer.

Mr. BORAH. Mr. President, that may be a correct statement, but in last Sunday's New York Times there is a statement by Mr. Tardieu to the effect that if the reservations which had been offered were adopted the treaty would be perfectly meaningless.

Mr. LENROOT. Does the Senator refer to the Brandegee reservation?

Mr. BORAH. The reservations which had been offered. He did not designate any particular reservation.

Mr. LENROOT. The Senator from Idaho does not hold any such view as that, does he?

Mr. BORAH. No; I do not. But I am speaking now of what the other countries may do with reference to the naval armament.

Mr. LENROOT. At this point, Mr. President, I might as well spend a moment to discuss the circumstance that throughout this debate there have been quoted here alleged opinions of citizens and statesmen of other countries as to the construction of this treaty. There are some Seantors who seem to be willing—not the Senator from Idaho—to have some other country construe a treaty for the United States. There is no one, Mr. President, who can construe this treaty for us except the United States of America. We will construe it for ourselves, and we will give it such construction——

Mr. ROBINSON. Will the Senator yield?

Mr. LENROOT. I will yield in a moment. We will give it such construction as was the plain intent, as I shall be able to show, when this treaty was signed.

Mr. ROBINSON. Now, will the Senator yield?

The PRESIDING OFFICER (Mr. LADD in the chair). Does the Senator from Wisconsin yield to the Senator from Arkansas?

Mr. LENROOT. I yield for a question.

Mr. ROBINSON. If a controversy arises, as it has arisen in this case, as to the true interpretation and meaning of the treaty, and Senators differ as to the correct construction of its terms, it is not improper, it is not unfair, is it, to bring to the attention of the Senate the construction placed upon the treaty by the representatives of other nations as tending to show what is the correct legal construction? If the United States places its own construction on the treaty, each other nation, of course, will have the same right to determine its construction of the treaty. Is not that true?

Mr. LENROOT. It will, of course.

Mr. ROBINSON. Then, is it not desirable before entering into the treaty to reach an interpretation upon which all nations entering into the treaty will agree, if possible?

Mr. LENROOT. Mr. President, the point that I am making is that the Senator from Arkansas seems to be willing to quote the construction of some one in France or some one in Japan or some one in Great Britain, but he seems to ignore the construction given by the American delegates and accepted at the plenary conference. That is what I object to.

Mr. ROBINSON. Will the Senator yield further?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further to the Senator from Arkansas?

Mr. LENROOT. I yield.

Mr. ROBINSON. The Senator from Arkansas quoted the construction of Earl Grey and the construction of Prince Tokugawa in reply to an alleged construction as of date of March 10. I quoted their first construction, placed upon this instrument almost immediately after it had been negotiated and made public, for the purpose of showing their real interpretation of the instrument.

Mr. LENROOT. I think I shall be able to show——

Mr. ROBINSON. Mr. President, with the permission——

Mr. LENROOT. I want to say a word right there.

Mr. ROBINSON. Very well.

Mr. LENROOT. I think I shall be able to demonstrate before I am through that the statement just made by the Senator from Arkansas is hardly accurate, for I think I shall be able to show that the head of the Japanese delegation clearly accepted the construction given to this treaty by the Senator from Massachusetts [Mr. LODGE] at the time of the plenary conference.

Mr. ROBINSON. Will the Senator yield?

Mr. LENROOT. I yield.

Mr. ROBINSON. The Senate will remember that the Senator from Alabama [Mr. UNDERWOOD], in his address, read an interview purporting to have been given by Prince Tokugawa to the press on the 10th of March, 1922.

During the course of his remarks I asked the Senator from Alabama if he had seen the statement attributed to Prince Tokugawa in the Japan Advertiser of January 31, 1922, and he said that he had not done so. I asked that the statement be placed in the RECORD in connection with the remarks of the Senator from Alabama, and he refused permission. After the Senator from Alabama had yielded the floor I read into the RECORD the statement of Prince Tokugawa, published in the Japan Advertiser, of January 31, a month and 10 days prior to the statement read by the Senator from Alabama, showing that Prince Tokugawa said that in losing one ally Japan, by securing the four-power pact, had gained three allies. I also read the statement by Earl Grey, reported in the Manchester Guardian, showing that he construed the four-power pact at that time as an alliance, instead of a mere agreement to confer.

Now, as to the statement of the Senator from Wisconsin——

Mr. LENROOT. Mr. President, I can not yield, of course, for a speech.

Mr. ROBINSON. Will the Senator from Wisconsin permit me to reply briefly to one statement which he made respecting my refusal to take the interpretation of the American delegates?

Mr. LENROOT. I can not yield for a speech.

Mr. ROBINSON. The American delegates, with all due respect to them, have been inconsistent, in the construction which they have placed on this instrument. Both the Senator from Massachusetts and the Senator from Alabama have said that this is the most important document which has been brought before the country in their lifetime. They have declared that the future peace of the world depends upon the ratification of this treaty, and then, in order to escape the responsibility for the obligations which we contend are involved in this treaty, they have said that it means nothing but an obligation to confer. I say, in view of that kind of interpretation, the Senate must place its own interpretation upon this treaty and not rely upon the interpretation placed upon it by those who represented us in the disarmament conference.

Mr. LENROOT. Mr. President, what I said was that the American interpretation was placed before the plenary conference before the treaties were signed and that interpretation was accepted by every one of the other powers concerned. The Senator from Arkansas must have known that was what I was referring to, and my statement was limited to that fact.

Mr. President, I am very glad to yield for questions, but, without wishing to be discourteous, I must say that I can not yield for the interjection of speeches in my remarks.

Some Senators complain because they think it in conflict with the League of Nations, forgetting that this is exactly one of the regional understandings expressly permitted by the league covenant, and which it would have been very proper to enter into had we joined the League of Nations. I refer to article 21 which reads:

Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe Doctrine, for securing the maintenance of peace.

I now come, Mr. President, to an analysis of the rights and obligations imposed by the treaty before us.

The first paragraph of article 1 reads:

The high contracting parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

By the supplemental treaty signed on February 6 the mainland of Japan is excluded. Concerning the effect of this and the circumstances surrounding it, I shall have something to say later in another connection. For the present I confine myself to the obligation in this paragraph as modified by the supplemental treaty referred to.

What is our obligation under this paragraph and what benefits do we receive under it? We obligate ourselves to respect the rights of the other three powers in relation to their possessions in the region of the Pacific. Does any Senator object to that? Will any Senator assert that we ought not to enter into such an obligation? Can we for a moment assume that at any time in the future the United States will have any desire to infringe upon the rights of the other three powers in the Pacific? Happily no Senator has yet had the temerity to criticize this obligation, and that is the only obligation imposed upon us by this paragraph. The next inquiry is what benefits do we receive from this paragraph? Under it Great Britain, France, and Japan agree to respect our rights in the Pacific, which means that for a period of at least 10 years our rights in the Philippines, Hawaii, and our other islands in the Pacific will be respected, and that, no matter what the circumstances of any of the other parties may be, if they be engaged in war with each other or with any other power, there can be no violation of our rights unless a solemn treaty shall again be treated as a "scrap of paper" by a great power. But, Mr. President, the consequences to Germany in regarding a solemn treaty as a "scrap of paper" have not been such as to encourage a repetition of this practice by any nation at any time in the future.

But it is said by the Senator from Missouri [Mr. REED] that we have now treaties of peace and amity with these same powers under which this same obligation now exists. Granted; but the Senator forgets that those treaties may be lawfully terminated, usually upon one year's notice, while the pending treaty can not be terminated within 10 years. This distinction becomes important when we consider the questions still at issue between the United States and Japan covering Japanese immigration which could not properly come before the Washington conference.

So, Mr. President, this obligation to respect our rights in the Pacific for 10 years does have a definite, substantial value.

The next paragraph of article 1 reads:

If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy, and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

I do not understand that any Senator asserts that in this paragraph there is any hidden obligation for the use of force. On the contrary, by its very terms its object is to avoid the use of force and secure an amicable settlement of disputes involving rights covered by the treaty. It involves nothing more than the parties not involved in the dispute using their good offices in joint conference with the parties involved to effect a peaceful settlement of the dispute.

Some Senators contemptuously refer to this as a debating society—as a "talk fest"—out of which no good can come. But, Mr. President, the extending of good offices to nations involved in a dispute is well recognized in international law as being a most valuable aid to peace. It was the good offices of this Nation that put an end to the Russian-Japanese War, and I believe that the most effectual means to preserve the peace of the world are agreements exactly like that contained in this paragraph.

These conversations, which the Senator from Missouri [Mr. REED] speaks so scornfully about, were frantically sought just before hostilities began in the World War, and denied by the Kaiser of Germany. Why did he refuse to enter such a conference? It was because he knew he could not defend the course he was taking with Austria, and if he entered the conference he would have had to agree to assist in preventing war or stand condemned by the judgment of the world.

But when the treaty of Versailles was before the Senate the Senator from Missouri [Mr. REED] entertained a different opinion of the value of good offices, for at that time he offered a reservation which reads as follows:

The United States does not assume any obligation under article 10, but will use its friendly offices, when requested so to do, under the provisions of article 10, in assisting to procure a just and peaceful settlement of territorial or political controversies between nations.

All that this paragraph of the treaty does is, in case of dispute between two of the parties in regard to their rights in the Pacific, the good offices of the other parties will be used to secure a peaceful settlement, and this being a conference, as has been pointed out by the Senator from Massachusetts, there can be no settlement or adjustment unless it is accepted by both of the parties to the dispute.

However, I understand that there is no serious contention that this paragraph injures the United States, especially with the reservation which was agreed to by the parties and which accompanies the treaty, that the controversies referred to in this paragraph shall not be taken to embrace questions which, according to principle of international law, lie exclusively within the domestic jurisdiction of the respective powers.

I therefore pass on to article 2, which reads as follows:

If the said rights are threatened by the aggressive action of any power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most effective measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

This is the article around which the contest here is waged. It is asserted by most of the opponents of the treaty that there is here hidden a moral obligation upon our part to go to war if the rights of any of the other three powers are threatened by the aggressive action of any other power. But nowhere in the language of the article can there be found any such obligation expressed or implied.

While I agree with the Senator from Alabama [Mr. UNDERWOOD] that we can not conceive of any power outside of the four parties to this treaty becoming strong enough within the next 10 years, or during the life of this treaty, to threaten the rights of these four powers in the Pacific, let us assume for the moment that there is such aggressive action by an outside power. Let us assume that the red army of Russia does drive the Japanese out of Siberia and sends an army across the ice, as suggested by the Senator from Missouri [Mr. REED], to Sakhalin. In the first place they would have to build 600 miles of railroad from Vladivostok to a point on the Strait of Tartary, where the soldiers could cross upon the ice, and even assuming this absurdity, when the red soldiers got to the island they would be in Russian territory, to which this treaty does not apply, but would have to march south between one and two hundred miles to get to Karafuto, which is included in this treaty, and remember there is no railroad upon the island.

Mr. President, to conjure up a menace to us by reason of the inclusion in the treaty of the southern portion of the island of Sakhalin shows the desperate stress the opposition is in to find reasons for opposing this treaty.

But, assuming that the red army does get there, what would happen under article 2 of this treaty? Japan would communicate the facts to the other three parties to the treaty, and undoubtedly would announce her intention of letting the red soldiers stay there until summer came, and they would then with their navy keep them there, for the northern part of Sakhalin has for generations been a Russian penal colony, and the entire population of the island outside of convicts is not more than 20,000.

But, Mr. President, for any Senator who voted for the League of Nations without reservations to suggest that this is a menace to the United States is beyond my comprehension; because, sir, if the League of Nations had been accepted as presented by President Wilson, and the red army did go to Sakhalin, there would not have been a conference. That would not have been the extent of the obligation. There would not have been an understanding to have been arrived at, but the United States, under its guaranty, would have been compelled to send its soldiers and its warships to the defense of Japan. How any Senator who was willing to enter into such an obligation under the League of Nations can hesitate because of any obligation under article 2 of this treaty is a matter for him to explain to the people of the United States.

But to return to the analysis of article 2. Assuming there could be a real case of threatened aggression within 10 years, and the party threatened communicates with us fully regarding the facts. We might first suggest our good offices as the best means to meet the exigencies of the situation. That declined or failing, we could suggest arbitration. If that is declined, we could agree that the party upon whom the aggression is made would be justified in resorting to war in defense of her rights and there our obligation would end without our becoming a party to the war.

The Senator from Idaho [Mr. BORAH] yesterday objected to article 2 because it did not provide for a conference of the outside powers. The Senator from Idaho admits that under his own construction, if there is an aggression by an outside power, our obligation would be fully met if we said to the party upon whom the aggression was made, "The way to reach an understanding, the way to meet the exigencies of this situation, is to invite that outside power into a conference." The Senator intimates that if that were done he would be willing to agree to this treaty. That course is exactly open, and the obligation of the United States would be fulfilled to the fullest extent if that suggestion were made by the United States and refused by the other party to the treaty upon whom the aggression was made.

But, Mr. President, assuming that the threatened aggression was of such a nature that we believed our own rights would later be threatened, that unless we should act jointly with the power upon whom the aggression is made that our own existence was in danger, then under this article it would be entirely proper for the President of the United States to lay before Congress the facts communicated to him, and Congress would decide whether in our own interest we should by force of arms come to the defense of the power upon whom the aggression is made. Congress would be entirely free and independent in its action, and, unlike the provisions of article 10 of the League of Nations, there would be no moral obligation of any sort to employ our Army or Navy in the defense of the power attacked.

Mr. President, there is no obligation to use force expressed in this article and there is none implied. But conceding for the sake of argument that the article is susceptible of two constructions, then we have the right to examine the circumstances surrounding the making of the treaty in order to ascertain its intent, for it must be admitted that if the intent is proven, and that intent is not contrary to the language of the contract, such construction will be given as will carry out the intent.

Upon this proposition the proof is overwhelming that there is no obligation anywhere in this treaty for the use of force. We have the statement of the draftsman of this treaty, Secretary Hughes, we have the construction placed upon it by Senator LODGE when he placed it before the plenary conference, and no word of dissent from his construction by any delegate present. In presenting the treaty to the plenary conference, Senator LODGE said:

> There is no provision for the use of force to carry out any of the terms of the agreement, and no military or naval sanction lurks anywhere in the background or under cover of these plain and direct clauses.

This construction was accepted by the heads of the delegations representing the powers concerned. Mr. Viviani, representing France, said:

> I assent without reticence and without reservation to everything implied in the agreement just read by Mr. LODGE, who has followed it up with an analysis at once so simple and so powerful.

He a moment later said:

> He [Mr. LODGE] has pointed out that when four great powers are determined that peace shall prevail in a given part of the world, the consent of these powers without provision for naval or military action is all that is needed to assure the preservation, the guaranty, and the protection of that peace.

Mr. Balfour, following Mr. Viviani, after paying a tribute to Senator LODGE and Mr. Viviani, said:

> So far as I am concerned, I have nothing to add to what they have said upon the general aspects of the treaty.

Prince Tokugawa, the head of the Japanese delegation, said it was unnecessary to add anything to what had already been said by Senator LODGE and Mr. Viviani and Mr. Balfour, but upon his return to Japan he was more definite in his construction of the treaty, for on March 10, in a speech which the Senator from Alabama [Mr. UNDERWOOD] has placed in the RECORD, he said:

> Critics of the treaty are trying to read into the very plain terms some moral pledge binding the nations to war as well as to peace, but that interpretation is too far-fetched to need repudiation.

I may say at this point with reference to the article from the Japanese Advertiser placed in the RECORD by the Senator from Arkansas [Mr. ROBINSON] that there is nothing in that report of Prince Tokugawa's views that is contrary to the views expressed by him on March 10. He did use, apparently, the word "allies," a word which he might well have used as indicating that in the future there would be none but friendly relations between Japan and the United States. Does the Senator from Arkansas accept that little word, used in that connection, as against his express declaration that the treaty was not susceptible of the construction that the Senator from Arkansas now endeavors to place upon it?

Mr. ROBINSON. Mr. President, since the Senator has asked me a question, will he permit me to make a reply?

Mr. LENROOT. I shall be glad to have the Senator answer the question.

Mr. ROBINSON. The Prince, in the statement that I read into the RECORD, congratulated the Japanese Empire on having through the four-power pact secured three allies instead of only one under the Anglo-Japanese alliance, and I reassert that it is a fair conclusion to be drawn from his statement that at that time he regarded this treaty as being an alliance.

Mr. LENROOT. Mr. President, Prince Tokugawa, standing by his construction of the treaty that here was no obligation to use force, then chooses, because of the friendly relationships established by the treaty, to call us allies. That, of course, he can do; but the Senator will not contend that in the use of that language he was endeavoring to give to the treaty a construction contrary to the express construction that he gave to it on March 10.

Finally Secretary Hughes, who drafted the treaty, states in his letter to the Senator from Alabama that it was distinctly understood from the beginning of the negotiations—

> That this Government could enter into no alliance or make any commitment to the use of arms or which would inspire any sort of obligation as to its decisions in future contingencies.

Mr. President, in the face of this record how can any Senator assert that there is here any commitment to the use of force?

I want to remind the Senate that most of the Senators—not the Senator from Arkansas, but most of the Senators—who have thus far addressed the Senate construing this treaty as an obligation to use force, construing this treaty against the United States, are the very men who desire isolation for the United States, who object to the United States entering into any kind of contractual relations, and yet they are the ones who are giving to this treaty a construction which if their construction should prevail might involve the United States in war in the future.

Mr. ROBINSON. Mr. President, will the Senator yield at this point?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Arkansas?

Mr. LENROOT. For a question.

Mr. ROBINSON. The Senator, of course, is familiar with the address by President Harding before the Senate when the treaties were presented to the Senate. Upon the question of construction of the true meaning of this treaty has the Senator's attention been called to this language on page 9 of Document No. 125, Sixty-seventh Congress, second session, in which the President said:

> It is easy to believe, however, that such a conference of the four powers is a moral warning that an aggressive nation, giving affront to the four great powers ready to focus world opinion on a given controversy, would be embarking on a hazardous enterprise.

Does not the Senator construe that as meaning that any nation making aggression against one of the four powers would be taking aggressive action against all of them?

Mr. LENROOT. It means this—and I take it the President in that connection had in mind unprovoked aggression, concerning which I shall have something to say a little later—a clear violation of right; and, of course, it would serve as a warning. If here is some outlaw nation attempting to infringe upon the rights of sister nations, and four nations agree that they shall communicate fully and frankly with each other concerning that matter with a view to coming to an understanding as to what measures shall be taken to meet the exigencies of the particular situation, of course it will be a warning to that outlaw. I would not have it different.

But there are other circumstances supporting the construction that there is no obligation. It will be remembered that the treaty before us includes the mainland of Japan, which is excluded by the supplemental treaty pending. This inclusion, for reasons stated by them, was agreed to by the American delegation. They have said they saw no particular reason for excluding Japan, as there was no obligation to the use of force and no commitment except to respect the rights of the other parties and consult. But, if there had been the remotest idea that there was any commitment to the use of force, does anyone believe that Secretary Hughes, Senators Lodge and Underwood, and Mr. Root would have agreed that our Army and Navy

should be used to protect the mainland of Japan with no obligation upon the part of Japan to come to the assistance of the United States if our home territory was attacked? To believe that these distinguished Americans would make any such agreement is unthinkable. This in itself is very strong proof that there could not have been in the minds of any of the American delegates any such obligation as is now claimed by the opponents of this treaty.

But there is another circumstance even more persuasive that there is no commitment to the use of force in the treaty.

Mr. BORAH. Mr. President, may I ask a question there? I do not know that I understood the Senator. Do I understand the Senator to say that it was never in the mind of the American delegation to include the homeland of Japan?

Mr. LENROOT. Oh, no—to enter into any obligation to use force. In my judgment the treaty as originally drawn was not susceptible of any other construction than that the homeland of Japan was to be included.

Mr. ROBINSON. Mr. President, why was it included?

Mr. LENROOT. I, of course, would not undertake——

Mr. ROBINSON. There is no secrecy about it if there is any reason for it, is there?

Mr. LENROOT. I have not any secret.

Mr. ROBINSON. Japan did not want her homeland included; the people of the United States did not want it included, according to the statement of Secretary Hughes; and yet he included it. Now, why was that done?

Mr. LENROOT. I do not know why it was done, Mr. President. I have heard, as the Senator from Arkansas has heard, the reasons given for it by our delegation, that they considered it immaterial whether it was included or not, inasmuch as there was no obligation upon our part for the use of force, and that we would respect the homeland of Japan anyway, as we would respect the rights of others; but I think I can see a reason.

Mr. ROBINSON. Why did they go to the trouble of taking it out by a supplementary treaty? The President—with the Senator's permission for just a moment—evidently thought it was material, because he issued an interview declaring that there was no intention on the part of the framers of this treaty to include the main islands of Japan. Thereupon the Senator from Massachusetts and the other American delegates informed him that his construction of the treaty was wrong, and immediately the conference prepared and reported, contemporaneously with the four-power pact, a treaty construing it so as to make it clear that there was no intention to do what all of the delegates admitted was done in the first instance. Why did they take it out if it is so utterly immaterial?

Mr. LENROOT. Does the Senator doubt the word of the senior Senator from Massachusetts [Mr. LODGE] that Japan was the first to object?

Mr. ROBINSON. Mr. President, I have no disposition to question the veracity of any Senator. The Senator from Wisconsin has no right to ask me such a question, in my opinion. I asked him why the mainland was first included and then excluded; why the President treated it of so much materiality that he first declared it was not embraced within the four-power treaty, and, upon discovering that his interpretation was wrong, had the conference report a supplementary treaty excluding the main islands? Why was all that done if it was so utterly immaterial?

Mr. LENROOT. As I said, of course I know no more than does the Senator from Arkansas as to what was actually done. It has been related, and the Senator has had as full opportunity to learn of that as I; but I think I can see a reason why that was done. In the Pacific were Australia and New Zealand, both of them insular dominions. New Zealand and Australia desired the behefit of this treaty. They were insular dominions, great commonwealths, and I can see the embarrassment in excluding Japan in the first instance if Japan desired to be included when Australia was included.

Of course, that is based wholly upon the theory that there was no obligation in this treaty except to respect the rights of the other parties in case of controversy between them, to confer in case of aggression by one of the parties, to communicate fully and freely with each other in case of aggression by an outside power. That is the obligation. Of course, if there was any obligation in this instrument to use force, does the Senator from Arkansas think the Democratic leader in the Senate [Mr. UNDERWOOD], who was a delegate to that conference, would have been willing to include the mainland of Japan?

Mr. ROBINSON. Mr. President, will the Senator yield to me?

Mr. LENROOT. Certainly.

Mr. ROBINSON. I have repeatedly stated that I do not think the Senator ought to ask me questions the answers to which might involve a criticism of or reflection upon the motives or conduct of my associates, either on this side of the Chamber or the other side of the Chamber. I have no hesitancy in saying in reply, however, that I think the Democratic leader has made a very grave mistake in urging the Senate to advise and consent to this treaty in its present form.

If the Senator will yield to a further question, Secretary Hughes, in his letter to the Senator from Alabama [Mr. UNDERWOOD], made no explanation whatever of the reason why the main islands of Japan were included in the first draft, which he said he prepared. He failed to make that explanation notwithstanding the fact the matter had been the subject matter of discussion between the President and the American delegates to the conference. In his letter, however, he said that the people of the United States and Japan both objected to the main islands of Japan being included in the treaty. What I desire to know is why they were ever included in the treaty if Japan objected to their inclusion, and if it is utterly immaterial, why they were excluded by a separate and supplementary treaty?

Mr. LENROOT. Mr. President, the Senator from Arkansas is one of the ablest lawyers in this body. Did he think that Japan was excluded in the first draft of the treaty?

Mr. ROBINSON. I did not. I think the main islands of Japan were included.

Mr. LENROOT. I thought so. I was very sure the Senator from Arkansas would answer the question in that way.

Mr. ROBINSON. I disagreed with the construction placed upon it by the President, and thought it was manifestly the intention of our delegates to include them; but if the President thought it was immaterial, why did he raise the issue, and if the conference thought it was immaterial, why, after Japan had been included over her objection, was she excluded in response to the sentiment of the United States and Japan, as stated by Secretary Hughes in his letter?

Mr. LENROOT. The fact is that this has been done, and the Senator objects to my making an inquiry as to whether that if this treaty were a treaty of force, as the Senator from Arkansas contends it is, the Senator from Alabama [Mr. UNDERWOOD] and the Senator from Massachusetts [Mr. LODGE] would agree to it. I say it is a very important circumstance, in construing the treaty. The reason I am very sure why the Senator from Arkansas raised the question he does is because he would be compelled to answer, for he is an honest and a sincere man, that he does not believe the Senator from Alabama or the Senator from Massachusetts believed for a moment that there was any obligation to use force behind this treaty.

Mr. ROBINSON. Mr. President, I have never said, or intended to say, that there is an express committal to force in this treaty. I have said, and I repeat it, that considering the course and the application which similar agreements have taken in history, if an outside power attacks any one of these great powers, and we enter a conference to determine the most efficient means to repeal that aggression, and the conference decides that the use of force is necessary, and we refuse to abide the judgment of the conference, we will be condemned as violating the obligations of our treaty.

Mr. LENROOT. Mr. President, again, in order to take that position, the Senator from Arkansas must contend that the intent expressed by the American delegates at the time of the plenary conference, before the treaties were signed and accepted by the other delegates, must have no weight, and he would take the construction of a foreign power as against an American construction. No other conclusion can be arrived at if the Senator from Arkansas contends there is such an obligation in this treaty.

Mr. KING. Will the Senator permit an interruption at this point apropos of what he has said?

Mr. LENROOT. I yield.

Mr. KING. M. Viviani used the expression I shall read at the time the Senator from Massachusetts [Mr. LODGE] presented the treaty now under discussion to the conference. I read from pages 106 and 107 of the conference minutes. He stated:

> We fully understand that four great powers bind themselves to respect their mutual rights as far as the islands and dominions of the Pacific are concerned; we understand that if some controversy should loom up on the horizon which can not be settled through the ordinary workings of diplomacy, these powers shall take counsel together; we understand that should the rights of these powers be imperiled by the aggressive action of another power, measures would be taken to meet this situation.

Does not the Senator construe that language to mean that M. Viviani at least interpreted the obligation to be such as to require those delegates to take some concerted action, which might mean force, to meet the situation, and that it would imply some moral, if not legal obligation upon the part of the high contracting parties?

Mr. LENROOT. The Senator will agree that there are other measures which can be taken to bring about a peaceful adjustment other than force.

Mr. KING. Yes; there might be arbitration.

Mr. LENROOT. M. Viviani in that same speech expressly stated that the treaty did not provide for the use of force, that there was no provision carrying an obligation to use force, and therefore M. Viviani, under the Senator's own statement, must have had in mind measures other than the use of force, so far as the obligation is concerned.

Mr. KING. It seems to me the language used by M. Viviani, to which I have just called the Senator's attention, clearly implies that a contingency might arise which would require the application of force and that there would be concerted action upon the part of the signatories to the treaty to use such force, if force was the alternative, in order to promote the peace of those who were signatories to the treaty.

Mr. LENROOT. The Senator from Utah is too good a lawyer to seriously contend for any such construction as that. When a court is construing an instrument, if it expressly excludes by construction the doing of one thing, and the contract provides that other things may be done, does the Senator contend that because of the general expression the thing which is expressly excluded thereby becomes included? No; the Senator from Utah is too able a lawyer to insist upon any such construction.

Mr. REED. May I ask the Senator a question for information?

The PRESIDING OFFICER (Mr. RANSDELL in the chair). Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LENROOT. For a question. I can not yield for any extended discussion.

Mr. REED. I am not going into a discussion. The Senator gave some quotations from M. Viviani a moment ago. Can he give me the page reference to them?

Mr. LENROOT. It begins on page 106 of the volume containing the proceedings.

Mr. REED. What was the language to which the Senator referred?

Mr. LENROOT. I quoted two paragraphs. He said in the beginning of his speech:

> I assent, without reticence and without reservation, to everything implied in the agreement just read by Mr. LODGE, who has followed it up with an analysis at once so simple and so powerful.

A little later in the same speech he said:

> He [Mr. LODGE] has pointed out that when four great powers are determined that peace shall prevail in a given part of the world the concert of these powers, without provision for military or naval action, is all that is needed to assure the preservation, the guaranty, and the protection of that peace.

Mr. REED. On what page is that?

Mr. LENROOT. On the next page—page 107.

Mr. REED. Will the Senator permit me to call his attention to the fact that the two clauses he has read entirely omit the very direct statement of Mr. Viviani, which I can not construe in any other way than meaning that force or any other means may be employed?

Mr. LENROOT. Mr. President, I am not going to enter into a further discussion of that except to say that where Mr. Viviani says that it is his understanding that the treaty contains no provision for the use of force, I take it that that is his construction of the treaty.

Comparisons have been made between this treaty and the Anglo-Japanese alliance, and because one certain phrase occurs in both treaties it is asserted that the obligations are similar.

Mr. President, the Senator from Arkansas [Mr. ROBINSON] insists that this is an alliance within the ordinary meaning of that term in international law. During the League of Nations debate the Senator from Montana [Mr. WALSH] made a very valuable contribution to the Senate upon the subject of what constitutes an alliance, and he read into the RECORD definitions of international authorities of what constitutes an alliance.

At this point I want to read two or three of the definitions furnished to the Senate by the Senator from Montana [Mr. WALSH], who said:

> An alliance in international law is—
> "A union or association of two or more States or nations, formed by league or treaty, for the joint prosecution of a war or for their mutual protection in repelling hostile attacks." (Black's Law Dictionary.)

He then followed that with Bouvier's definition and comment, as follows:

> In international law: A contract, treaty, or league between two or more sovereigns or States made for purposes of aggression or defense.
> Defensive alliances are those in which a nation agrees to defend her ally in case the latter is attacked. Offensive alliances are those in which nations unite for the purpose of making an attack or jointly waging war against another nation.

Then he quoted from Oppenheim, as follows:

> Alliances in the strict sense of the term are treaties of union between two or more States for the purpose of defending each other against an attack in war or jointly attacking third States or for both purposes.

But, Mr. President, I quite agree with the assertion of the Senator from Arkansas, that, whatever this treaty may be, the terms of the contract itself settle the question, so that it does not make very much difference what we call it. I shall not, therefore, spend any further time upon that.

Mr. President, as I said a moment ago, comparisons have been made between this treaty and the Anglo-Japanese alliance, and because one certain phrase occurs in both treaties it is asserted that the obligations are similar. Therefore it is proper to compare the two documents. Article 2 of the pending treaty I again quote:

> If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

Article 1 of the Anglo-Japanese treaty reads as follows:

> It is agreed that whenever, in the opinion of either Great Britain or Japan, any of the rights and interests referred to in the preamble of this agreement are in jeopardy the two Governments will communicate with one another fully and frankly, and will consider in common the measures which should be taken to safeguard those menaced rights or interests.

The language of these two articles is strikingly similar, and because of this similarity it is contended that this is merely a substitution of a quadruple alliance for the Anglo-Japanese alliance. If this were all there was to the Anglo-Japanese alliance there would be much force in the contention, but the substantive part of that alliance is not found in the article I have quoted. This article is like article 2 in the pending treaty, in that it is nothing more than an agreement to consult, and when it is remembered that long before the Washington conference was called our Government had expressed its desire for a termination of the Anglo-Japanese treaty, it would be very natural if Secretary Hughes, who had given that treaty careful study, should use some of the language in the article containing the agreement to consult in drafting the treaty now before us covering the same subject.

But when it came to the agreement for an alliance, Great Britain and Japan did not rely upon the article I have quoted. They well knew that that article standing alone could not constitute an alliance. They wanted to make an alliance and went ahead and did it by the use of appropriate language, and that was done in the next article, which is as follows:

> ART. 2. If by reason of unprovoked attack or aggressive action, wherever arising on the part of any power or powers, either high contracting party should be involved in war in defense of its territorial rights or special interests mentioned in the preamble of this agreement, the other high contracting party will at once come to the assistance of its ally and will conduct the war in common and make peace in mutual agreement with it.

This is the article which made the Anglo-Japanese treaty an alliance. The makers of that treaty clearly did not intend that article 1 should commit either party to the use of force, and desiring to be so committed, they did it in the next article, no counterpart of which is found in the pending treaty. Therefore, those who invite comparison between this treaty and the Anglo-Japanese treaty to ascertain whether we are entering into alliance for the use of force must admit that in that alliance there was an express commitment to the use of force in the second article and therefore none can be implied from the first article which is similar to article 2 of the pending treaty.

But the point is made, Mr. President, by the Senator from Idaho [Mr. BORAH] and by the Senator from Nebraska [Mr. HITCHCOCK]——

Mr. McCORMICK. Will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. LENROOT. I yield.

Mr. McCORMICK. I wish to call the Senator's attention to the two preceding treaties of alliance between Great Britain and Japan in order that the Senator may note the significance of article 2 of the treaty between Japan and Great Britain to which he alludes. Article 2 is found not only in the treaty of 1911 but in the treaty of 1905, while it is not found in the same language in the first treaty, the treaty of 1902. If it were not important as constituting an offensive and defensive alliance, it would not have been incorporated in the second and third treaties while it is absent from the first treaty.

Mr. LENROOT. Certainly not, Mr. President. The Senator from Illinois is, of course, correct in that statement.

I was about to say that the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Idaho [Mr. BORAH] made a

point of the fact that in article 2 of the pending treaty the word "aggression" is used without being preceded by the word "unprovoked"; but I submit that upon reflection I think both of those distinguished Senators will concede that the absence of the word "unprovoked" in article 2 of the pending treaty lends emphasis to our construction that there was not and could not be implied any obligation to use force. Why? In the Anglo-Japanese alliance, remember, the obligation is to resort to war, for each nation to come to the assistance of its ally; and therefore it was, of course, thought, and naturally so, before undertaking an obligation to make common war with its ally, it should be understood that not any kind of aggression but only unprovoked aggression should impose any obligation upon the other party to the treaty to come to the defense of the party upon whom the aggression was made. Now, when we come to this treaty the word "unprovoked" is omitted. Why? Because, Mr. President, there being no obligation for the use of force, the treaty was meant to include all aggressions, and to leave the parties to whom the facts are communicated free to assert that the aggression was a just aggression; to leave them free to attempt to bring about a peaceful adjustment of disputes, where under the Anglo-Japanese treaty only an unprovoked aggression could be considered. So when the Senator from Nebraska [Mr. HITCHCOCK] insists that he is going to offer a reservation providing that only unprovoked aggressions shall come within the purview of article 2, the only effect of such a reservation would be to prevent a possible amicable and peaceful settlement where there was aggression, through the use of our good offices or the good offices of some other party, because under his proposed reservation there would be no duty to communicate fully and frankly with the other parties to the treaty unless the aggression was unprovoked. So, Mr. President, the very absence of the word "unprovoked" in the pending treaty gives force to the construction which I think has already been made plain.

Mr. President, I have now analyzed fairly I believe the substantial provisions of this treaty and I submit that under all proper rules of construction, upon the clear intent of those who framed it, upon a consideration of all the circumstances attending it and upon a comparison with the Anglo-Japanese treaty, which it terminates there is no alliance, no commitment to the use of force, and no reservation upon these points is necessary.

The great advantage which the United States secures by this treaty is the termination of the Anglo-Japanese alliance, which makes possible and safe the reduction of our Navy to the point provided in the limitation of naval armament treaty.

I realize, Mr. President, there are some among us who desire complete isolation of the United States from the rest of the world, who believe that we should enter no kind of an association with other nations looking to the maintenance of the peace of the world. That they are just as honest in their views and just as patriotic as those of us who differ with them, I freely admit; but, Mr. President, it is true that there are some elements in America who are not thinking of America first or her welfare, who are not thinking of peace, but war. There are elements who do not desire friendly relations between the United States and Great Britain, who would welcome war to-morrow between them, heedless of the cost in American lives and money. They are not many it is true, but they are attempting to stir up opposition to this treaty, especially among Americans of German and Irish descent. Their opposition is not because they believe this treaty breeds war, but because they believe it breeds peace. They hope that Americans of German descent who still love all that is best in their Fatherland will believe that with insured peace between England and the United States, Germany will be less able to regain her lost place in the world. They hope that Americans of Irish descent will believe that Irish independence is less likely with peace than with war between the United States and Great Britain. But, Mr. President, though a few of these elements may here and there be swayed by such arguments, their overwhelming majority are American patriots and they desire as much as any other Americans peace with all the world. They know what war is now—all its suffering and all its cost, and they want no more of it. Then there is another group, sincere and honest, who believe that if this treaty is defeated we will eventually enter the League of Nations. Mr. President, if these treaties are defeated, not only will we never enter into the League of Nations, but we will not during the lives of any one of us enter into any international conference for peace. Who would want to confer with us after the experience of the past three years, and what President of any party would venture to call another conference or participate in one? If this treaty is rejected the isolationists will have won their victory, but many of them will live to realize that their hour of victory was the Nation's hour of peril.

Within the walls of this Chamber, Mr. President, this debate has thus far been conducted upon both sides without misrepresentation of facts, but it is not so throughout the country. Much of the propaganda against this treaty has no regard for facts and is based almost wholly upon misstatements and misrepresentation.

To illustrate, the charge has been made that there was a secret agreement that the mainland of Japan should be included. To use the language of one speaker, "It was only through the happy accident of a blundering statement by President Harding that the American people were able to discover that a secret agreement had already been arrived at by Secretary Hughes and the delegates of Great Britain, France, and Japan, that the four-power treaty served to guarantee the mainland of Japan and not merely her long line of insular possessions."

Passing the misstatement that there is any "guaranty" in this treaty, I call attention to the misstatement that there was a secret agreement that the mainland of Japan was to be included. Of course, there could be no such secret agreement because by the very terms of the treaty the mainland of Japan was included and it requires another treaty to exclude it. The reason for the inclusion in the first instance has been stated by the Senator from Massachusetts and the Senator from Alabama and also the reason for its exclusion in the subsequent treaty. Instead of the American delegates being compelled by public opinion to exclude the mainland of Japan, it is now proven that the first objection came from Japan herself—which by the way is conclusive that Japan did not believe there was any guaranty of force in this treaty, because if she had so believed it is not likely that she would have objected to this advantage given her.

Now, Mr. President, I wish to devote—and I shall not speak very much longer—just a few moments to two or three assertions made in the debate yesterday by the Senator from California [Mr. JOHNSON] and the Senator from Idaho [Mr. BORAH]. The Senator from California undertook in his speech to read into this treaty a guaranty to maintain the rights of all the powers because of a recital in the preamble, and he called attention to the fact that there was very little discussion of the preamble in the Senate; that all the discussion centered around articles 1 and 2, and he seemed to imply that the advocates of this treaty were afraid of something in the preamble and for that reason would not discuss it.

I can not remember that any Senator other than the Senator from California has raised the point made by him; but I want to take a moment in analyzing his contention, because I believe that on reflection he himself will admit that his contention is not well founded.

What is the preamble?

> With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean—

Have determined to conclude a treaty.

Then follows the contract.

What is the preamble? It states the purpose of entering into the contract. The purpose is stated to be for the preservation of the general peace and the maintenance of the rights of the respective parties in the Pacific, and the contract proceeds to carry out that very thing. To the extent that we obligate ourselves to respect the territory of the other powers and they obligate themselves to respect our rights, to just that extent is the purpose of the preamble carried out—the preservation of peace and the maintenance of the rights of the different parties to the treaty. To the extent that agreements to confer under article 1 in case of dispute between any of the parties to the treaty will lead to an amicable settlement of that dispute instead of resort to war, just to that extent is the purpose of the preamble carried out—the preservation of peace and the maintenance of rights. To the extent that wherever there is an aggression by an outside power, and through communicating fully and frankly with the parties to the treaty war is averted and an amicable and peaceful settlement of the dispute secured, just to that extent is the purpose of the preamble carried out—the preservation of peace and the maintenance of rights. But, Mr. President, when those things in the contract so clearly carry out the purpose of the preamble, what Senator is there that would for a moment think of referring to the preamble to find some obligation that is not found in the contract?

I listened very closely to the speech of the distinguished Senator from Idaho [Mr. BORAH] on yesterday, because I need not say that which every Senator knows: There is no abler debater in this body, no greater student of international law, no more courageous man than is the Senator from Idaho, nearly always logical, carrying through his proposition from beginning to end; and all of us can not help but admire him, although we may differ from him. So I confess, Mr. President,

that it was with a great deal of surprise that I found the able Senator from Idaho yesterday apparently disagreeing with himself, which certainly is very unusual, because, in response to an interruption by the Senator from Minnesota [Mr. KELLOGG], the Senator from Idaho yesterday used this language:

I will say for the benefit of the Senator from Minnesota that the Senator from Idaho is in favor of a conference with any nation in the world whenever a controversy arises between that nation and the United States.

The Senator from Idaho is unalterably opposed to contracting in advance to conferring with any particular nation to take care of a war situation in which the United States may not be at all interested. If any controversy arose between the United States and Japan, I should be in favor of a conference; but I am not in favor of the United States tying itself up to take any particular action with reference to an attack which may be made upon another nation, and I do not propose ever to vote for a treaty or bind the United States to take part in any quarrel except its own.

The Senate will remember that the able Senator from Idaho yesterday throughout his discussion assumed for the purposes of his argument—and that only, I take it—the construction that the proponents of the treaty give it. Am I correct? If I am not correct, I should like to be corrected.

Mr. BORAH. Yes; I assumed it for the purpose of the argument.

Mr. LENROOT. That is what I say—for the purpose of the argument; so that this statement was in accord with the Senator's assumption for the time being of the construction that we give to the treaty; but earlier in the able speech of the Senator he used this language:

No one here objects, so far as I know, to the provision for a conference in article 1. If article 2 were stricken out of the treaty, there could be a vote on it in 10 minutes.

What surprised me, because the Senator usually is so very logical, is this: Article 1 provides for and binds the United States to enter into a conference if England should threaten Japan, although the interests of the United States were not in the least affected. According to the Senator's statement, he was willing to enter into that conference, and I assume from his speech that if article 2 were stricken out of the treaty he would favor it.

Mr. BORAH. That is a violent assumption.

Mr. LENROOT. Then I stand corrected. I gathered that from the statement that if we struck out article 2 we could have a vote in 10 minutes.

Mr. BORAH. Yes; you can have the vote, but you can not have my vote.

Mr. LENROOT. Very well. I stand corrected; but the Senator certainly used this language:

No one here objects * * * to the provision for a conference in article 1.

If no one objects to the provision for a conference found in article 1, then there must be assent to the proposition that the United States will be willing to enter into such a conference if two of the other parties are involved in a dispute, although the United States is not a party to it.

But, Mr. President, as stated a moment ago, the Senator from Idaho yesterday throughout his speech assumed, for the purpose of the argument only—because he himself holds a different view—that there was no obligation anywhere in this treaty for the use of force; and then he centered his objection upon the proposition that this was a diplomatic group, and that the very existence of the group, without obligation, would tend to the creation of another group, and eventually lead to war. I think I have stated his position correctly; and he used as an illustration the Triple Entente of England, France, and Russia, and showed, and correctly showed, that the understanding between France and Great Britain at the time of the breaking out of the European war created no greater obligation upon either of the parties than this treaty creates under our construction of it. But, Mr. President, the Senator overlooks one important factor. If he would draw an illustration analogous to this four-power treaty, instead of that being a Triple Entente of Russia, England, and France, suppose Germany had been in it with the same kind of an agreement—an agreement to confer—does the Senator think that it is not at least possible that the World War might have been avoided? And here is the distinction, Mr. President.

The Triple Entente was a group of associated powers loosely joined together because of potential enemies, constituting the triple alliance; but in this treaty what have we? A group of four powers that are entering into an understanding not because they fear aggression from some outside source, such as did the Triple Entente. Who is there to fear to-day, or for the next 10 years? That is not the purpose. The purpose of *this treaty is to have an understanding between powers that are potential enemies and get those powers together, and replace hate and suspicion by friendly understanding and concord.* That is what this treaty does; that is the purpose of this treaty; and there is the distinction, as wide as the world, between this treaty and the alliances and the entente to which the Senator from Idaho refers that have taken place in the past.

With reference to conference, I want to emphasize, in connection with my comments upon the Senator's speech, that he gave as his ground of objection that we did not provide for a conference in case of an aggression upon one of the four parties to the treaty by an outside power. Mr. President, if at any time there be an aggression, and the facts are freely and fully communicated to the United States, as the obligation is in the treaty that they shall be, the United States can say to the party on whom the aggression is made, "We believe that you should invite the other party into a conference to consider this matter and see whether it can not be peacefully settled." If the invitation is accepted, we have exactly the kind of a conference for which the Senator from Idaho contends. If the suggestion is rejected, that is the end of it, so far as the United States is concerned.

In conclusion, Mr. President, I have tried to prove by analysis of this treaty that in it there is no alliance, no obligation or commitment to the use of force under any circumstances, but under it the sovereignty and independence of the United States is left unimpaired; that it is a treaty of peace and not of war; that it is in accord with American principles and American ideals; and if ratified by the Senate we can not only look for peace in the Pacific but we may hope that the nations of Europe who were lately enemies may follow our example and enter into like understandings of friendship and good will.

Mr. WALSH of Montana obtained the floor.

Mr. LODGE. Mr. President, will the Senator allow me just to have a very brief document printed?

Mr. WALSH of Montana. Certainly.

Mr. LODGE. Mr. President, I have found with some difficulty the declaration of war made by Great Britain at the opening of the Great War of 1914. It is as follows:

A STATE OF WAR.

His Majesty's Government informed the German Government on August 4, 1914, that unless a satisfactory reply to the request of His Majesty's Government for an assurance that Germany would respect the neutrality of Belgium was received by midnight of that day, His Majesty's Government would feel bound to take all steps in their power to uphold that neutrality and the observance of a treaty to which Germany was as much a party as Great Britain.

The result of this communication having been that His Majesty's ambassador at Berlin had to ask for his passports, His Majesty's Government have accordingly formally notified the German Government that a state of war exists between the two countries as from 11 p. m. to-day.

Foreign Office, August 4, 1914.

It will be observed that the only cause of war there stated is the invasion of Belgium.

Mr. BORAH. Mr. President, before the Senator from Montana proceeds——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Idaho?

Mr. WALSH of Montana. I yield to the Senator.

Mr. BORAH. I want to call attention to the press dispatch, No. 148, dated August 2, 1914. I shall comment on it later in connection with other documents. This is from Sir Edward Grey:

After the cabinet this morning I gave M. Cambon the following memorandum:

"I am authorized to give an assurance that, if the German fleet comes into the Channel or through the North Sea to undertake hostile operations against French coast or shipping, the British fleet will give all the protection in its power."

That was the real declaration of war between Great Britain and Germany.

Mr. LODGE. Yes; I am familiar with that note of Sir Edward Grey, as he was then; but I merely wanted to call attention to the fact that the invasion of Belgium played a very important part and was not by any means overlooked or neglected.

Mr. BORAH. A proposition which has not been controverted or suggested by anyone.

Mr. LODGE. I am glad to hear that it was not.

Mr. WALSH of Montana. Mr. President, I had hoped to find an opportunity to commit to writing my reflections upon the very important question before us. They might be in more succinct and connected form if I had done so; but I address the Senate briefly this afternoon rather for the purpose of stating my position with reference to it than in the hope that anyone will be convinced or converted by anything that I may say.

I have a very sincere desire to vote for this treaty if I can *do so and satisfy my conscience.* I voted for the Yap treaty not because I considered it as of any particular consequence or

conferring upon the United States any rights of any particular value but chiefly because I could find no reason for doing otherwise, and I hope to vote for all of the other treaties; but I shall not vote for the treaty that is now pending before us unless the amendment offered by the Senator from Arkansas [Mr. ROBINSON] or some amendment in substance like it is adopted.

I am prompted to speak also because, from something that has transpired, it might be inferred that I am desirous of seeing article 2 excised from the treaty. I have no such desire. I should like to see article 2 stay in the treaty, modified as provided by the Robinson amendment or some amendment quite like it.

I remind the Senate at this time that the question before the Senate is not the resolution of ratification. It is the amendment offered by the Senator from Arkansas; and I have yet to hear a word uttered in criticism of the amendment or a reason urged why it should not be incorporated in the treaty. The discussion has all been conducted upon an entirely different plane.

Let me inquire, what is the amendment offered by the Senator from Arkansas? As finally perfected it reads as follows:

Each of the high contracting parties will respect the rights and possessions of all other nations and refrain from all acts of aggression against any other power or powers. If there should develop between any of the high contracting parties and any other power or powers a controversy relating to said insular rights and possessions or to any far eastern question which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord subsisting between any party or parties to this compact and any other power or powers, the high contracting parties shall invite all powers claiming an interest in the controversy to a joint conference to which the whole subject shall be referred for consideration and adjustment.

Mr. FLETCHER. May I ask the Senator to read the first portion? I have the printed proposal before me, but it is only the first portion which appears to be changed. I ask the Senator to read again the first clause.

Mr. WALSH of Montana. It reads:

Each of the high contracting parties will respect the rights and possessions of all other nations and refrain from all acts of aggression against any other power or powers.

Mr. President, if I were preparing this amendment, I should make it very much briefer than it is. I should cut out the clause just read, and make it read as follows:

If there should arise between any of the high contracting parties and any other power or powers a controversy involving said insular rights and possessions, threatening war, which is not satisfactorily settled by diplomacy, the high contracting parties shall invite all powers having an interest in the controversy to a joint conference, to which the whole subject shall be referred for consideration and adjustment.

If I had any hope of making any impression upon the gentleman in charge of this treaty I should commend to their very careful consideration the amendment tendered by the Senator from Arkansas thus revised.

Let me explain just exactly what it means. Under the treaty, if one of the contracting powers, Japan, for instance, should be assailed by another—China or Russia, for instance—a conference will be called. On the other hand, if Japan should attack China or attack Russia, no conference will be called.

Second, in either case the outside party is not invited to participate in the conference. That is to say, if Japan should attack either Russia or China, a conference would be called in which Japan, the United States, Great Britain, and France would participate. China or Russia, as the case might be, would be on the outside. Exactly the same situation would occur if the aggression came from the other side. The conference would consist of representatives of the four powers named, China or Russia, for the purpose of illustration, being on the outside.

I inquire of the gentlemen who are urging the adoption of this treaty, if a conference is desirable when the possessions of any one of these are assailed or likely to be assailed, why a conference is not equally desirable if any one of them contemplates assailing the possessions of an outside power?

Likewise I inquire of them, if a conference, no matter for what purpose, other than for the purpose of engaging in war against the assailing party, is desirable, why both parties to the controversy should not be invited in?

I have no controversy whatever with the gentlemen who assert that the treaty under consideration does not obligate us in any sense whatever to the use of force, nor that we are obligated to do anything under this treaty except to confer. I shall not take time to dwell upon the reasons which have impelled me to that conclusion. They have been recited here in the course of the debate and set forth by able Senators, as well as the considerations, which can not be dismissed lightly at all, which would lead the mind to the other conclusion. Neither shall I attempt to enlarge upon them. I give the Senate my own view about the matter.

Likewise, Mr. President, I am not impressed with the idea that there is no value whatever in a conference when a war is threatened between two of the great powers, even though they are not empowered to resort to force in order to make effective any conclusions at which they may arrive. It has been frequently asserted, and generally accepted, I believe, that if the powers which subsequently became belligerents could only have been brought together around one and the same table with other nations, neutral, which were interested in the controversy, the probabilities are that the Great War of 1914 would never have occurred.

When Priam assembled the Trojan chieftains in order to arrive at an understanding as to the most effective means to meet the situation which confronted them, the great Hector, wise in council as he was valiant in battle, gave this as his judgment, "Let Helen go." That was his way of meeting the exigency of that situation.

So, Mr. President, if an aggression upon Japan, involving her insular possessions or dominions, were about to take place upon the part of Russia, we will say, because Japan continues to occupy Russian territory despite her promises to withdraw, for instance, and we participated in a conference called under the terms of this treaty, we might say, "The most efficient means to meet the situation is for you to get out of Russia," and we would be entirely within our rights in proposing that as the most efficient means to meet the situation.

That reminds me, Mr. President, that it has been asserted that an assumption of that kind can not be indulged, that it is impossible to conceive that Russia should within the period of this treaty so rehabilitate herself as to permit us to imagine she might attack Japan. We must not forget, in the first place, that this treaty is not limited to a period of 10 years, as has been asserted here. This treaty goes on for an indefinite period. It simply comes to an end when one of the parties gives 12 months' notice of its desire to withdraw from the treaty. But we must forget the history we learned about the revolution in France to conclude that it is not possible for Russia, within the period of 10 years, to become a militant power, worthy of reckoning in treaties of peace which look to the future. France, it will be remembered, when red revolution had brought her Government to chaos and her industries to utter ruin, was attacked by all Europe, when she was without money, without credit, and without an alliance, and she held all Europe at bay, and, as the historian tells us, with one hand carried the torch of revolution beyond her borders and with the other stifled the flame which was devouring her within. We can not omit these possibilities in the consideration of this matter before us.

I agree quite frankly that the conference when it is assembled might agree that force is the only remedy for the situation which is presented, and the conference might agree that the nations signatory should join with the assailed power in a military operation to overcome the attack; but, Mr. President, I think the world by this time quite clearly understands that such an agreement entered into by any representative of the United States would be utterly ineffective unless it had the approbation of the Congress of the United States, or at least of the Senate. Nor is there any agreement here that we are to abide by the decision of the majority.

So far as the moral obligation is concerned, we are in exactly the same situation. I do not regard us as being under any moral obligation in the premises other than as the treaty itself provides. But I do not desire to discuss that. I want to direct my attention to the question now before us. Why not invite every outside power interested in a controversy which is likely to precipitate war to sit down at the table with us? What reason is there for imagining that any one of the powers signatory to this treaty will hesitate for one single moment to accede to such an amendment to this treaty?

We are told that if this treaty is defeated it may mean the defeat of the naval disarmament treaty by failure of some other power to accede to it in that situation. But why should any one of the other three powers signatory to this treaty refuse to meet the other party to a controversy in a conference for the purpose of arriving at an adjustment of differences likely to precipitate war? All three of the other powers are now members of the League of Nations, and by its covenant have already stipulated and agreed that if any difference shall arise between them and any other member of the league they will submit that difference to arbitration or to the arbitrament of the council of the League of Nations, so that they are already committed to the principle of submitting differences of this character to the conciliatory influence of an arbitral body of some kind or other.

The question has been presented, however, as to whether there is not something inconsistent between such an agreement

as this and the covenant of the League of Nations, to which three of these powers have subscribed. I do not see anything inconsistent or difficult about it at all. The covenant of the League of Nations contemplates that when differences arise the parties will endeavor to settle them by diplomatic action, and even that they will call in the friendly offices of other powers for the purpose of adjusting them, and if they are not able thus to agree by mutually getting together upon the matter, then the party which threatens the attack may be cited before the council for action there.

So that the parties would proceed under this treaty to hold the conference, the League of Nations meanwhile keeping its hands off in order to permit the parties, if they can, to arrange the matter in a manner entirely satisfactory to themselves. Then, if they fail to do it, any one of the three powers could cite in the party threatening the attack before the council of the league.

The very fact that the treaty before us does not provide for calling in the other party to the controversy is a circumstance which leads to the conclusion that this treaty is not an arrangement for arriving at a settlement of controversies by conference and composition, but leads to the other conclusion, that it is an agreement under which the possessions of these four powers are to be defended by force, if force is necessary. In other words, opposition to this amendment tendered by the Senator from Arkansas [Mr. ROBINSON], at least as it would be amended as I have heretofore suggested, gives color at least to the argument that this is not a treaty purely for the settlement of differences by composition and conference, but is an agreement under which the possessions of the four parties are to be defended by force.

If an amendment of this kind should be rejected by the Senate of the United States, it would naturally arouse the suspicions of the countries outside likely to be brought into conflict with any one of the four powers, and thus would precipitate the organization of a counter group of some kind or other.

Mr. President, in the course of the discussion of the Versailles treaty, and particularly with reference to the League of Nations, we heard much in the way of warning about Washington's Farewell Address. Declarations of statesmen such as that must, of course, always be considered in the light of the facts attending their issuance. The President of the United States was not issuing that farewell address without being guided by the experience of his administration and his acquaintance with public affairs. At that time it is perfectly well known that Europe was divided into two hostile camps; the one gathered about Great Britain and the other gathered about France. Undoubtedly Washington had that situation in mind, and he was warning us against tying ourselves up with one nation or with one group of nations as against another nation or another group of nations.

Those of us who favored the covenant of the League of Nations insisted that his argument had no application to the situation when all the nations of the earth of any consequence should be assembled in one league, and there was no possibility of getting another counter or opposing combination to meet it. It was, of course, contemplated at that time—and I think it was a mistake that it was not promptly done—that Germany would be admitted to membership in the league, and that Russia, as soon as she established a government that would be recognized, would also be admitted as a member of the league. Therefore, there would have remained no antagonistic powers on the outside.

However, Mr. President, that is not the situation that is presented here. Here we are asked to tie ourselves up with three nations, with the likelihood, indeed, the contemplation, that another league or alliance or association, competitive in character, will be organized against it. It is said, Mr. President, in that connection, that there is no reason why the outside power might not be invited to participate in this proposed conference; that is to say, an outside power threatening some aggression against Japan, for instance, a conference would be called, as provided in article 2 of this treaty, participated in by the United States, by France, by Great Britain, and Japan, and the United States might then propose that Russia or China, in the case supposed, should be invited to participate; but it must be remembered that the decision would be reached by unanimous action, and Japan might very readily be imagined to refuse to invite the other party. It is necessary to assure beforehand by the treaty that the other party will come in and will have the right to come in, not merely upon the suggestion of anyone but that no one will have the right to keep it out. That is the question which is presented here.

Mr. President, we are told that this is an all-important treaty; in the first place, that we get substantial and important concessions by it, and, second, that if we do not ratify the treaty it will seriously affect and may possibly result in the failure of the entire work of the recent conference. I wish to discuss those two contentions for a moment. What do we get by this treaty? We are pointed to article 1 of the treaty, which is to the effect that if differences arise between any of the four powers a conference will be called for the purpose of adjusting them, and, second, that the rights of the parties will be respected. Thus, it is said, we are insured for a period of 10 years that no attack will be made upon our island possessions—the Philippines, Hawaii, Guam, and so forth.

Mr. President, we get nothing by that provision of article 1 to the effect that the parties, respectively, will respect the rights and possessions of the other parties. As has been shown, we already have treaties of amity and commerce with all of these nations, by which they have agreed to respect our possessions; but if there were no such treaties, that is an acknowledged principle of international law, as I understand international law; that is to say, that every nation, being a member of the family of nations, impliedly agrees that it will respect the rights and possessions of every other nation.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Minnesota?

Mr. WALSH of Montana. I yield to the Senator.

Mr. KELLOGG. Assume the last statement of the Senator from Montana to be correct, what was the object of putting such a clause in the League of Nations covenant as that contained in article 10?

Mr. WALSH of Montana. I did not hear the Senator's question.

Mr. KELLOGG. If it is true that under international law—and I do not dispute it—it is the duty of every nation to recognize the rights of every other nation, what was the object of putting article 10 into the League of Nations covenant?

Mr. WALSH of Montana. Mr. President, the Senator from Minnesota will doubtless very distinctly recall that when it was proposed to eliminate from article 10 everything except the provision therein to the effect that each member of the league agrees to respect the territorial integrity of every other nation, I said we might just as well—and that I would then be perfectly willing to do so—eliminate the whole article. I did not conceive that it would then give anything to us. It would then be a mere declaration of an acknowledged principle of international law.

Mr. KELLOGG. Under article 1 of the pending treaty the nations agree to respect each other's territory in the Pacific. What is the objection to the nations having possessions in the Pacific making such an agreement?

Mr. WALSH of Montana. I do not object to that at all; it is perfectly proper to declare it in a treaty. The point I am making, however, is that we get nothing by it.

Mr. BORAH. We might as well put in the Ten Commandments.

Mr. WALSH of Montana. Certainly.

The next benefit which it is said we get by this treaty is the abrogation of the Anglo-Japanese alliance. Mr. President, I have not heard of anybody in America who was losing any sleep or spending any restless nights over the Anglo-Japanese alliance. It was offensive to the people of the United States, but they never feared it. Just stop and reflect about the matter for a single moment. It is said it was a peril to us because it signified that Great Britain would go to the aid of Japan if Japan should make war upon the United States; that it tied those two nations together as enemies of the United States if either one of them should make war upon us. Let us examine that matter from both angles. What is the probability that Great Britain is going to make war upon the United States and call upon Japan as an ally? Is anybody fearing that it is going to happen next week? That it is going to happen within 10 years? Let us take the other angle. It is said that Great Britain would come to the aid of Japan in the event Japan should make war upon the United States. I undertake to say, Mr. President, if the Anglo-Japanese treaty were renewed, solemnly signed and subscribed by Great Britain, and Japan should attack the United States for the purpose of establishing the principle of racial equality, that she could not raise an army, she could not raise money to carry on that war even in the islands of Great Britain, not to speak about Ireland, Canada, Australia, New Zealand, and South Africa. It would mean the dissolution of the British Empire.

Mr. WILLIAMS. Mr. President, in reinforcement of what the Senator from Montana is just saying, if I remember correctly, there was in the Anglo-Japanese alliance, so called, the last time it was renewed a provision that it would not apply to

any country with which Great Britain had an arbitration treaty, and we are such a country.

Mr. WALSH of Montana. The Senator from Mississippi is quite right about that, and that is only one circumstance. Moreover, before the council of the League of Nations both of those countries solemnly put upon record their conviction that that alliance was contrary to their covenants as members of the League of Nations, and was therefore in effect abrogated.

Mr. President, I said that it would mean the dissolution of the British Empire if she should ever join Japan in a war upon the United States for the purpose of establishing Japan's principle of racial equality. Whatever the occasion of any controversy between this country and Japan which might be likely to result in war that would be the cause of it, and in any treaty that might be negotiated after a successful war thus waged by Japan, of course, that principle would be recognized. In that view just imagine for a moment Great Britain making war upon the United States for the purpose of enforcing upon the people of this country that idea.

Mr. President, we should like to have the Anglo-Japanese alliance abrogated, because it bears some semblance of unfriendliness toward the United States; but that is all. I learned with some astonishment from the letter of Secretary Hughes to the Senator from Alabama [Mr. UNDERWOOD], which was read here the other day, that some representations had been made by the United States to Great Britain concerning the matter. So far as my knowledge is concerned, nobody in this country asked that any such representation should be made or indicated the slightest apprehension to our country by reason of that alliance.

Mr. President, the despairing note with which I commenced these remarks, that I did not expect anybody would take any different view of this matter by reason of anything I might say, does not, however, prevent me from indulging in the very fervent hope that those in charge of the treaty will agree to the inclusion in it of an amendment, in substance at least, like that offered by the Senator from Arkansas. I should like to inquire now of the Senator from Alabama, seeing that he is here, would he object to an amendment of that kind?

Mr. UNDERWOOD. I will be glad to say a few words when the Senator from Montana is through; I do not like to speak in his time.

Mr. WALSH of Montana. Very well; I will conclude in just a few moments.

Mr. President, I inquire if this is an agreement for the composition of international differences by conciliatory and pacific means, then would it not be in the very last degree desirable that both parties to a controversy, whatever it may be, arising between one of the signatory powers and a power outside should be brought to exactly the same table to sit down with the other signatory powers who are not directly interested in the controversy for the purpose of adjusting their differences?

I can appreciate perfectly well that the distinguished gentlemen who prepared these treaties for us would like very much, indeed, to see them ratified exactly as they were framed, but at the same time it will not be forgotten that among the most ardent advocates of this treaty are gentlemen who were entirely unsparing in their criticisms of a former President of the United States, who they asserted was unduly insistent upon the ratification of the treaty negotiated by him without any change whatever, without, as they expressed it, the dotting of an "i" or the crossing of a "t."

We are told, Mr. President, that if this treaty is rejected it will wreck the work of the conference. I do not believe it. Moreover, I am perfectly satisfied that the people of the United States are concerned, and principally concerned, in the treaty providing a reduction of naval armament, and perhaps in that alone; but if it is true that the rejection of this particular treaty will destroy the work of the conference, will result in the rejection of the other treaties, why peril the other treaties and the work of the conference by rejecting the very proper amendment tendered by the Senator from Arkansas? The majority may have enough votes to secure the ratification of this treaty without an amendment of that character, but would it not be eminently wise to get every vote that can be obtained in favor of it, to ratify it not by a bare two-thirds, but to put it in such shape that those of us who are sincere and desirous of helping complete these treaties may find ourselves able to give it our assent?

There is just another word, Mr. President, which I can not conclude without uttering. We have been appealed to by the President of the United States and by the distinguished Senator from Massachusetts [Mr. LODGE], and the appeal has yet been repeated by the Senator from Wisconsin [Mr. LENROOT], to give our assent to these treaties, because if we fail to do so none of the great powers of the earth will ever again sit down at a conference table with us with a view to devising some system to redeem a sick world or to preserve them from the horrors of war which must extend to all and not be felt alone by the participants in it. I recognize the peril; I appreciate the delicacy of the situation; but I remind Senators that those who were the moving actors in the famous round-robin protest against the League of Nations must bear a large share of the responsibility for that unfortunate state of mind which prevails among the nations abroad with respect to the efforts to engage with the United States in treaties general in their character. The admonition, Mr. President, might come better from some one other than the gentlemen who are so largely responsible for the sentiment they deplore.

Mr. WATSON of Georgia. Mr. President, the State of Georgia is one of three of the original thirteen States which unanimously adopted the present Constitution of the United States, not a vote being cast against it, all being for it, as was the case in New Jersey and in Delaware. Therefore, while it may be a mere sentimentalism, I have a special reverence for that great national instrument to which we swore allegiance here a year ago, taking a solemn oath to preserve, protect, and defend it. My conviction is very deep, Mr. President, that these treaties violate the Constitution. I do not find in it a single line that authorizes us to tax the people for any other war except a defensive war, and we have always claimed that we never have taxed the people for anything but a defensive war.

If this treaty is ratified we are, in my judgment, committed to something which will logically and inevitably lead us into war, and that war may carry us into the Pacific; and another expeditionary force will go much farther than 3,000 miles from home, and American boys will again shed their blood on foreign fields. In my judgment, and with the utmost respect for those who differ from me, we have no constitutional authority to consent in express terms to Japan's spoliations, and by implication, at least, those of Great Britain.

No one can say with any reasonableness that, after having expressly ratified the seizures which Japan made in the Pacific, we can hereafter be heard to say that Great Britain has not good title. We estopped ourselves by the Yap treaty. That conclusion is perfectly clear to my mind, and we might just as well have put in the name of Great Britain as to put in that of Japan, when we expressly said that we consent to the robberies she committed during the Great War, the spoils of which she now holds.

Mr. President, what friends will we make among the nations if we ratify this treaty? If the Anglo-Japanese alliance was a menace to us, it is a menace to other nations; and that menace is made twice as dangerous when it gains the accession of our Government and of France. This four-power treaty will arouse the suspicions and the animosities of all the other nations—nations which now perhaps have only friendly feelings for us. As to the other three parties, they make no new enemies. We are the loosers; they are the gainers.

Let us take the nations separately.

Does France make any new enemy by this treaty in which we give mortal offense to Germany and to Russia and to China? France makes no new enemies, Mr. President. Between her and Germany there is an age-long feud, intensified by what has happened since the war. Between France and Russia there can be nothing but the deepest hostility, because, as we all know, France fought her in Siberia and used Poland against her after the war, and after 4,000,000 Russians had died in defense of France. Everybody knows that when the great Russian hosts broke into east Prussia there had to be detached from the advancing German hosts, who were almost within cannon range of Paris, several of the best divisions of the German crack troops to go back to east Prussia and stem the Russian tide. But for that, in all human probability, Paris would have fallen, and perhaps the war would have been ended before we ever got in.

Does China love France? She makes no new enemy out of China, because France was one of those nations that made the opium war upon China, forcing her to accept that ruinous drug—she and England making bloody war upon a helpless, unarmed people, burning the summer palace, sacking her cities, butchering her people, and stripping her of those vast Provinces of Cochin China. No; she makes no new enemy of China by this treaty.

Take England. Does she make any new enemy by going into this four-power pact? She makes none. Germany already hates her. Russia already hates her. China already hates her; and China has good reason for hating her, because it was England that first committed an outrage upon China by seizing one of her ports.

Does Japan make any new enemies by this compact? She makes none. Germany hates her, because she takes what Germany had previously taken, and she is holding that of which Ger-

many was stripped. Russia has good reason to hate Japan, and it is only a question of time when the legions of Trotski will be marching toward Siberia and the frontier, where they will meet the troops of Japan.

So it is, Mr. President, with all these nations. They make no new enemies, but they kindly give their old enemies to us.

Is this an alliance? Why, it most assuredly is. Who will believe for one minute that all of those rejoicings in Japan and Great Britain would have taken place if it had not been believed in London and in Tokyo that they had something better and stronger than they already had in the Anglo-Japanese alliance? Nobody believes it. The idea of those astute diplomats of Japan and Great Britain spending month after month here, incubating behind closed doors, and bringing forth nothing except a mouse! Those mountains do not labor to bring forth mice.

Mr. President, the human memory is short, and history has a way of repeating itself. We heard that extraordinary speech of the Senator from Massachusetts [Mr. LODGE], appealing to our hopes on the one hand and to our fears upon the other. Oh, the war clouds all over our political heavens! Where are they? He could not point them out.

The Senator from Alabama [Mr. UNDERWOOD] can not point them out. Nobody can point them out. There never would be a cloud upon our heavens if we stayed home and minded our own business, and the appeal to our fears was made in reference to those whom we are now asked to take as our allies. We are asked to take into our national bosom, our confidence, our friendship, the very two nations that they now say hang clouds of war upon our heavens. Could inconsistency be greater?

Then the Senator from Massachusetts—such a master of words, though it does not show in this treaty—spoke of the dawn of a new era, the new hope that had taken possession of the world, and appeals to us not to break the heart of mankind by rejecting this treaty. Innocent treaty! Once upon a time there was another innocent treaty, just about a hundred years ago. Article 2 of the Holy Alliance compact expressly renounces force. Why do you not do it in this treaty? Why not renounce it?

In the compact of the Holy Alliance force is especially renounced. Let me read it. I read from Italy and the Unholy Alliance, by W. O. Pitt, page 35:

After a preamble:

In consequence—

Of what they had already said—

the sole principle of force, whether between the said Governments or between their subjects, shall be that of doing each other reciprocal service and of testifying by unalterable good will the mutual affection with which they ought to be animated to consider themselves all as members of one and the same Christian nation—

We are using the identical language, and using it to a nation which is not Christian, and in all probability never will become so—

the three allied princes looking on themselves as merely delegated by Providence to govern three branches of the one family—Austria, Prussia, and Russia—thus confessing that the Christian world, of which they and their people form a part, has in reality no other sovereign than Him to whom alone power really belongs, because in Him alone are found all the treasures of love, science, and infinite wisdom; that is to say, God, our Divine Savior, the Word of the Most High, the Word of Life. Their majesties consequently recommend to their people, with the most tender solicitude, as the sole means of enjoying that peace which arises from a good conscience and which alone is durable, to strengthen themselves every day more and more in the principles and exercise of the duties which the Divine Savior has taught to mankind.

Mr. President, for the next 30 years those three nations were drenching Europe with blood, striking down every democratic movement, repressing every reform, doing their best to degrade the people and keep them in subjection to their masters.

Before these three princes adopted that holy document, of which I have only read one clause, they held an open-air celebration of the most magnificent and spectacular character. I read from Anecdotal Recollections of the Congress of Vienna, by the Comte de la Garde Chambonas, page 26:

The sovereigns came on the ground on horseback, and the soldiery formed a huge double square, in the center of which stood a vast tent, or, rather, a temple erected in honor of the general pacification. The columns supporting the structure were decorated with panoplies of arms and with standards fluttering in the breeze. The lawn immediately around was strewn with flowers and foliage. In the middle of the tent there was an altar covered with rich cloths, and set out with all the ornaments of the Roman Catholic ritual, magnificently chased, either in gold or silver. Countless wax tapers shed their light, somewhat subdued by the rays of the sun standing brilliantly in the sky. Red Damascus carpets covered the steps of the altar.

Then comes a description of the entrance of the nobility and of the archbishop of Vienna, who went forward to perform high mass.

Practically the whole of the Vienna population had repaired to the spot to enjoy the spectacle.

At the moment of blessing the bread and the wine, the guns thundered forth a salute to the God of Hosts. Simultaneously, all those warriors, princes, kings, soldiers, and generals fell on their knees, prostrating themselves before Him in whose hands rests victory or defeat. The feeling of reverence had evidently communicated itself to the huge mass of spectators, who spontaneously bared their heads and also knelt in the dust. The cannons became once more silent and their thunder was succeeded by a solemn hush, amidst which the high priest of the Lord raised the sign of the redemption and turned toward the army to confer the supreme benediction. The religious ceremony was at an end. Amidst the clanking of swords and the rattling of muskets the huge gathering rose to its feet, and then a choir intoned in German the hymn of peace, which was accompanied by an orchestra of wind instruments. Without any premeditation the strains were taken up by the voices of the numberless spectators. No human ear ever heard anything more imposing than this spontaneous and harmonic praise of peace and the glory of the Highest.

The description continues, but that is enough. Mr. President, in every contemporaneous work we find the same thing—how the belief was universal that the Congress and the alliance would put an end to war. It is pathetic to see how really they did believe that they were putting an end to war by a formula of words.

From Lipson's "Europe in the Nineteenth Century," page 213, I read briefly. Speaking of the Holy Alliance, the author proceeds:

Two centuries before Henry IV of France had unfolded a somewhat similar idea of the Holy Alliance in the grand design, which is said to have been inspired by Queen Elizabeth. It set up a general council, or senate, modeled on the Amphictyonic Council of Greece, comprising 66 delegates from the different countries, whose duties were to settle disputes and keep the peace of Europe. Sully described the purpose of the grand design as intended "to deliver them forever from the fear of bloody catastrophies, so common in Europe; to secure for them an unalterable repose, so that all the princes might henceforth live together as brothers."

Mr. President, everyone knows that Henry IV was himself assassinated, and that Europe was convulsed with war for decades afterwards.

Quoting from the language of the Holy Alliance, the author says:

The present act has another object than to publish in the face of the whole world their fixed resolution, both in the administration of their respective States and in their political relations with every other Government, to take for their sole guide the precepts of that holy religion, namely, the precepts of justice, Christian charity, and peace.

Yet, in the various congresses which they held afterwards at Aix-la-Chapelle, at Verona, at Troppau, and at Laibach these sovereigns agreed, first, on the invasion of Spain and the crushing of the liberal movement there, and then to the holding down of Italy under the worst modern government that ever inflicted a people; a government whose attention to education was manifested by the fact that only two persons out of a hundred could read.

So, Mr. President, these empty forms of words get us nowhere at all. I for one am not willing to be driven by fear into any alliance with any nation. I am not willing to put our people in the attitude of being afraid of Great Britain and Japan, or of the whole world put together. Give our people a good cause to fight in, and they can defy, and will defy, every nation on earth.

Tell me what nation could attack us? Name it. Japan could not. Great Britain could not. France could not, and I hope would not, after what we have done for her. Germany could not. Russia can not, and never could. Of whom, then, are we afraid? Are the American people willing that their Senators should put them in the attitude of being afraid of England and Japan? I do not believe it for one minute. Let Senators who want to take that position take it, and then be responsible to their people for it. I believe it will be a serious responsibility for any Senator to put his people in that attitude. The American people are not afraid, and never were. When there were only 3,000,000 of them they defied the strongest empire in the world, and did it successfully.

Mr. President, we have been warned by one who claims to know that the military party of Japan never sleeps. We know that the military party of Great Britain never sleeps; and we ought to know that the military party of this country never sleeps. We are in as much danger from militarism as any other country in the world, and we are even now showing that we feel the necessity of curbing it.

Are we to become the accessories after the fact to the crimes which Japan has committed in Korea? Here is a book, just out, with an introduction by the junior Senator from Missouri [Mr. SPENCER], which I hope he will reread before he votes for this treaty. On page 8 of Senator SPENCER'S "Foreword," he reminds the reader that under the Presidency of Chester A. Arthur, February 13, 1883, we made a treaty with Korea, one of whose clauses reads thus:

There shall be perpetual peace and friendship between the President of the United States and the King of Chosen, and the citizens and subjects of their respective Governments.

Now, mark:

If other powers deal unjustly or oppressively with either Government, the other will exert their good offices, on being informed of the case, to bring about an amicable arrangement, thus showing their friendly feelings.

There is our solemn honor pledged, and yet when the Korean delegation came to this peace conference and asked to be heard, they were denied the privilege and sent away unheard.

What is the situation in Korea?

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. WATSON of Georgia. With pleasure.

Mr. ASHURST. The Senator also should read the treaty between Japan and Korea dated February 3, 1904, which reads in part:

The Imperial Government of Japan definitely guarantees the independence and territorial integrity of the Korean Empire.

That was in 1904.

Mr. WATSON of Georgia. I thank the Senator. I had that in mind.

Mr. ASHURST. I beg the Senator's pardon.

Mr. WATSON of Georgia. As the Senator from Arizona with his timely and welcome interruption reminds me, Japan not only pledged herself to Korea but she pledged herself to Russia and Great Britain on the same line, and then broke those treaties shamelessly. Any nation which would commit a violation of solemn treaties as Japan has done, and then trample the life out of the country to whom her faith was pledged, is an utterly faithless country, and we would be foolish if we put any confidence in her.

Mr. REED. Mr. President, we refuse to maintain diplomatic relations with Russia because it is alleged that the present Russian Government has repudiated the debts of the Imperial Russian Government. We refuse to treat with her, broadly, upon the ground that she does not keep the faith of nations. If we apply that rule to Russia, why should we not apply the same rule to a nation which breaks its treaties repeatedly, as Japan has?

Mr. WATSON of Georgia. Mr. President, the question is of the self-answering sort. I wish I had time to read of the atrocities which are being committed in Korea. They should shock the world. They murdered the Queen; they are murdering men, women, and children. They have committed massacres as bad as England committed in India when she indiscriminately shot down men, women, and children at Amritsar. She is holding Korea by methods which remind us of the worst horrors of medieval times. She is subjecting to torture systematically men, women, and children, committing upon Korean children, Korean girls, Korean women, outrages which make you shudder as you read of them.

I will read just one. If it were not typical, I would not read it. It is as follows:

Japanese soldiers attacked a young Korean who had shouted, "Independence!" and almost hacked him to pieces with swords, leaving him on the ground to die.

After this brutal attack on this unarmed and defenseless young man the officer ran away, leaving him in his terrible agony to expire in a few minutes. Some Koreans happening to pass by carried him to the nearest native hospital—Kuck Chai Hospital—but little could be done, so they placed him on a stretcher and started out for the Severance Union Medical College, still thinking that his life might be saved. While hurrying to the Severance Hospital they were stopped by a policeman from the Honmachi police station, who spoke to them in a threatening way and did all he could to prevent the case being taken to a foreign hospital. They remonstrated, saying that the case was so serious that a delay in taking the man to the Japanese hospital, which was some distance away, would surely result fatally. The Japanese are naturally anxious that such cases should not be seen by foreigners. On arriving at the Severance Hospital, medical examination revealed the fact that the man was already dead. It is impossible to say just when he died. His dead body presented the most pitiful appearance. Numbers of sword cuts had mutilated his head and hands. His clothing was saturated with blood—indeed, a sight never to be forgotten.

Their methods of torture as described in this book are hideous beyond words. One of the girls in a missionary station says just this:

I was led into a room. They dragged me on the floor; they struck me in the face; they struck me with their swords; they flung me into one corner of the room. At this point I must have been unconscious, as I do not remember what happened after that.

On recovering my senses I found myself in a room packed with young men and women. I saw some of them handled so brutally it almost broke my heart. After some time we were cross-examined. I was made to kneel down with my legs bound together, and each question and answer was accompanied alternately by blows in the face. They spat in my face, this with curses and invectives of the worst kind.

I was ordered to expose my breast. When I refused they tore my upper garments from me. They tied my fingers together and jerked them violently. I shut my eyes and dropped down to the floor. Thereupon, the examining officers uttered an angry roar and ordered me to kneel down as before, then rushed at me, seizing me by the breasts and shook me violently.

From page 87 of the same book I read the following description of the torture of political prisoners:

During the "preliminary examinations" unspeakable tortures are inflicted upon the prisoners, not by way of punishment after conviction but in order to extract evidence by which to convict, which means that the innocent are tortured equally with the guilty.

Men and boys were trussed and suspended from the ceilings so that their weight hung on the shoulders. Thus they were raised and lowered till unconscious. They had their fingers pressed over red-hot wires. Their naked flesh was lacerated with sharp hooks and seared with hot irons. Toenails were torn from the flesh with pincers. Men were placed in a tight box and then screwed up. They were tied up, their heads forced back, and hot water or a solution of water and red pepper poured down their nostrils. Slivers of wood were shoved far under their finger nails. They were flogged until they had to be taken to hospitals, where big slabs of gangrenous skin had to be cut off. In many cases they were flogged to death. And some kinds of tortures employed are unprintable. This was not done once or twice, but it was done repeatedly for days and nights, hours at a time, until the victim confessed, whether he had anything to confess or not. There are cases where men have said yes to anything, ignorant even of what they had admitted.

The book is full of just such outrages committed on native Christians.

Mr. President, I will stop, though I have not finished. We are leaving in the hands of Japan, and to the mercy of Japan, not only Korea but also huge slices of China, Manchuria, and part of Mongolia, to say nothing of Shantung with her 38,000,000 people. There are 17,000,000 of these Koreans. We are solemnly pledged to intervene in their behalf; but, instead of having done so, we refused to let them plead their own case at this tribunal, where brotherly love, justice, and eternal peace were to prevail.

Mr. UNDERWOOD. Mr. President, I see that we are within five minutes of the time when we are to vote on this amendment. I did not intend to say anything further in debate on the pending treaty, but the Senator from Montana [Mr. WALSH] has asked me to say a word, and I will do so.

I want to say, first, that I do not agree with the statement of the Senator from Montana that it is within the terms of what is called international law that one nation shall respect the rights of another nation. Nations are sovereign in their capacity, with no limitations on their sovereignty until, by a contract made through treaties, they limit their own sovereignty. I think it is perfectly apparent, if we will only drift back into the past for a few years and review history itself, that we must realize that to respect the rights of other nations is not international law where it is not governed by treaty, or international law has been continually violated by the nations of the world—I may say by all the nations of the world which have had any power—from almost the beginning of history.

International law is that understanding of nations which is recognized by all. There is hardly a nation to-day which has had the power to invade another nation which has respected the rights of other nations. The dismemberment of the territory of Africa by the European powers in the last 15 years has failed to respect the rights of the original controllers of that territory, and even those nations in very recent years have met in solemn conclave to divide up the Mediterranean coast of Africa without one word ever being said to the effect that it was in violation of international law because they were not respecting the rights of the existing sovereigns of those countries.

The only way we obtain respect for our rights is either through the power of force or by international agreement. In this covenant we seek to have our rights respected by three great powers—the other signatory powers to this contract—and it is under this contract that we secure respect for those rights.

The Senator referred to those in charge of this treaty and then called me to my feet.

Mr. WALSH of Montana. I did that only because there was no one on the other side who is in charge of the treaty.

Mr. UNDERWOOD. It is a compliment the Senator pays me. I was one of the delegates who signed the treaty, but my rights and powers in that respect ended when the treaty was handed to the President of the United States. I am not a member of the Foreign Relations Committee, and have not regarded myself as one of those who controlled the situation here on the floor of the Senate in regard to these treaties. I made a speech the other day defining my attitude, but not in any sense with the idea that I am in control of the situation.

As to the amendment of the Senator from Arkansas [Mr. ROBINSON], I voted for the treaty of Versailles. Much of what the Senator proposes to provide in this amendment is in line with that treaty. If it could do no harm to the treaty, if I felt assured that if the amendment were in it it would be accepted

by the other signatory powers, personally I would have no objection to it; but feeling, as I do, that it is of the utmost importance that this treaty shall be ratified, I can not consent to vote for an amendment, no matter how just I might think it is in the abstract, which might possibly bring about the rejection of the treaty by one of the other signatory powers.

Mr. WILLIAMS. Or prevent even further conversation on the subject.

Mr. UNDERWOOD. Surely.

Mr. ROBINSON. Will the Senator yield for a question?

Mr. UNDERWOOD. I have but a minute. I yielded to the Senator the other day.

Mr. ROBINSON. The time is up now.

Mr. UNDERWOOD. I did not intend to take the Senator off his feet, but I wanted to say that what I have said is not an attack on my part on the amendment of the Senator from Arkansas, but, from my viewpoint, I fear that if we put it into this contract we may endanger the contract, and I desire to secure its ratification.

The VICE PRESIDENT. The time for debate on the amendment has expired. The question is on the amendment of the Senator from Arkansas [Mr. ROBINSON] as modified.

SEVERAL SENATORS. Let it be read.

The VICE PRESIDENT. It will be read.

The ASSISTANT SECRETARY. It is proposed to add at the end of article 1:

Each of the high contracting parties will respect the rights and possessions of all other nations and refrain from all acts of aggression against any other power or powers. If there should develop between any of the high contracting parties and any other power or powers a controversy relating to said insular rights and possessions or to any far eastern question which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord subsisting between any party or parties to this compact and any other power or powers, the high contracting parties shall invite all powers claiming an interest in the controversy to a joint conference, to which the whole subject shall be referred for consideration and adjustment.

Mr. ROBINSON. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. COLT (when his name was called). I have a pair with the junior Senator from Florida [Mr. TRAMMELL]. I understand, however, that if present he would vote the same way that I intend to vote. I therefore feel at liberty to vote. I vote "nay."

Mr. EDGE (when his name was called). I have a general pair with the senior Senator from Oklahoma [Mr. OWEN], who is not present. I have been informed, however, that were he present he would vote the same way that I propose to vote. Therefore, I feel at liberty to vote. I vote "nay."

Mr. FERNALD (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. JONES]. I transfer that pair to the senior Senator from Pennsylvania [Mr. CROW], and vote "nay."

Mr. GERRY (when the name of Mr. JONES of New Mexico was called). The Senator from New Mexico [Mr. JONES], whose pair has just been announced by the Senator from Maine [Mr. FERNALD], is unavoidably absent. If present, the Senator from New Mexico would vote "yea."

Mr. PHIPPS (when his name was called). I have a pair with the junior Senator from South Carolina [Mr. DIAL]. I have been informed, however, that if he were present he would vote as I intend to vote, and I am therefore at liberty to vote. I vote "nay."

Mr. SMITH. I desire to say that my colleague, the junior Senator from South Carolina [Mr. DIAL] is unavoidably detained from the Senate on account of sickness.

The roll call was concluded.

Mr. BROUSSARD. I am paired with the senior Senator from New Hampshire [Mr. MOSES]. Not being able to secure a transfer of that pair, I withhold my vote.

Mr. McKELLAR (after having voted in the affirmative). I have a pair with the junior Senator from Indiana [Mr. NEW]. I am unable to secure a transfer of that pair, and, as I find that Senator has not voted, I withdraw my vote.

Mr. CURTIS. I was requested to announce the absence of the junior Senator from Oklahoma [Mr. HARRELD] on account of illness. Were he present, he would vote "nay."

I am also requested to announce the unavoidable absence of the Senator from Maryland [Mr. WELLER]. Were he present, he would vote "nay."

Mr. FLETCHER. I desire to announce that my colleague [Mr. TRAMMELL] is necessarily absent by reason of serious illness in his family. His pair with the Senator from Rhode Island [Mr. COLT] has already been announced by that Senator.

Mr. WATSON of Indiana. The absence of my colleague, the junior Senator from Indiana [Mr. NEW], has already been announced, but I desire to state that if he were present he would vote "nay."

The result was announced—yeas 30, nays 55, as follows:

YEAS—30.

Ashurst	Harris	Myers	Smith
Borah	Harrison	Overman	Stanley
Caraway	Heflin	Pittman	Swanson
Culberson	Hitchcock	Reed	Walsh, Mass.
Fletcher	Johnson	Robinson	Walsh, Mont.
France	Kendrick	Sheppard	Watson, Ga.
Gerry	King	Shields	
Glass	La Follette	Simmons	

NAYS—55.

Ball	Fernald	McNary	Shortridge
Brandegee	Frelinghuysen	Nelson	Smoot
Bursum	Gooding	Newberry	Spencer
Calder	Hale	Nicholson	Stanfield
Cameron	Jones, Wash.	Norbeck	Sterling
Capper	Kellogg	Norris	Sutherland
Colt	Keyes	Oddie	Townsend
Cummins	Ladd	Page	Underwood
Curtis	Lenroot	Pepper	Wadsworth
Dillingham	Lodge	Phipps	Warren
du Pont	McCormick	Poindexter	Watson, Ind.
Edge	McCumber	Pomerene	Williams
Elkins	McKinley	Ransdell	Willis
Ernst	McLean	Rawson	

NOT VOTING—11.

Broussard	Harreld	Moses	Trammell
Crow	Jones, N. Mex.	New	Weller
Dial	McKellar	Owen	

So Mr. ROBINSON'S amendment was rejected.

Mr. WALSH of Montana. Mr. President, I offer the amendment which I send to the desk, which is a modified form of the amendment which has just been voted on.

The VICE PRESIDENT. The amendment proposed by the Senator from Montana will be stated.

The ASSISTANT SECRETARY. At the end of article 1 it is proposed to insert:

If there should arise between any of the high contracting parties and any other power or powers a controversy involving said insular rights and possessions threatening war which is not satisfactorily settled by diplomacy, the high contracting parties shall invite all powers having an interest in the controversy to a joint conference, to which the whole subject shall be referred for consideration and adjustment.

Mr. WALSH of Montana. Mr. President, the amendment just tendered leaves out of the first sentence appearing in the so-called Robinson amendment which has just been voted on, the words "each of the high contracting parties will respect the rights and possessions of all the other nations and refrain from all acts of aggression against any other power or powers." The Robinson amendment further reads, "If there should develop between," while my amendment proposes to substitute the word "arise" for the word "develop." In the next line, instead of the words "relating to" the word "involving" is inserted, and in the sixth line the words "to any far eastern questions" are omitted and the words "threatening war" are inserted. Then there is excluded the langauge "and is likely to affect the harmonious accord subsisting between any party or parties to this compact and any other power or powers." The word "claiming," in line 10, is changed to "having," so that the amendment as now tendered reads:

If there should arise between any of the high contracting parties and any other power or powers a controversy involving said insular rights and possessions threatening war which is not satisfactorily settled by diplomacy, the high contracting parties shall invite all powers having an interest in the controversy to a joint conference to which the whole subject shall be referred for consideration and adjustment.

It should be understood that if an aggression is directed against any one of the four signatory powers those four powers meet in conference, but under the treaty the outside party which is alleged to make the aggression is not admitted to the conference. On the other hand, as the treaty reads, if an outside party should threaten aggression against one of the four signatories a conference would be called, but if one of the four signatories should threaten war upon an outside party a conference would not be called.

Mr. President, I insist if it would be a good thing—and I am sure it would be a good thing—to assemble a conference if one of the signatory powers were threatened by an outside power, it would, for exactly the same reason, be a good thing to assemble a conference if one of the four signatory powers threatened war against an outside party. So far as we are concerned, what is the difference who is the aggressor in the war between China and Japan? Our interests are affected in exactly the same way. If there is a good reason for calling a conference should China threaten aggression against Japan, what reason can be assigned why there should not be a conference called if Japan should threaten aggression against China? Likewise, in any case why should not the outside party

be invited to the conference? How can a dispute reasonably be settled by peaceful means unless the two contending parties are brought together in conference?

Up to the present time, Mr. President, I have heard no man urge a word against this argument. The Senator from Alabama [Mr. UNDERWOOD] has nothing whatever to urge against it, except that it might result in rejection of the treaty by some other nation. I should like to ask the Senator from Alabama or the Senator from Massachusetts or the Senator from Wisconsin, who want the treaty ratified just exactly as it stands, what one of the four signatory powers is likely to call in any outside party in case there is a conference, and what reason could any signatory party give for declining to agree to call in the outside party?

Mr. LODGE rose.

Mr. WALSH of Montana. I yield to the Senator from Massachusetts.

Mr. LODGE. Mr. President, if the Senator refers to me, I merely wish to say, without going into the merits of the amendment proposed by him, that its adoption would necessitate the rewriting of the treaty and returning it to another conference. It brings in new parties to the treaty.

Mr. WALSH of Montana. That may be a perfectly satisfactory answer to the Senator from Massachusetts, but it will hardly be satisfactory to the American people.

Mr. LODGE. We will risk that.

Mr. WILLIAMS. Mr. President, of course I would rather have the League of Nations than to have these treaties; I would infinitely prefer to have an agreement between all the nations of the earth, covering all controversies, rather than to have an agreement between some of the nations of the earth covering some controversies in one part of the globe.

I have sometimes felt, Mr. President, as though I sympathized with the idea that there ought to be no other people on the globe except Americans, but I have never discovered any legislative method, or any other method, of pushing the people of other nations off into infinite space. They are here, and we must somehow manage to live with them, and we ought somehow to manage to live with them in peace and not in war nor in quarrelsomeness. I have no sort of sympathy with the idea that because we can not have an agreement amongst all the civilized nations of the world to keep the peace everywhere, or at least to promise to keep it—whether we subsequently violate our promises or not—that therefore I ought to vote against a proposition to keep the peace in some small part of the world, among some few nations of the world in a restricted territory.

Mr. President, the Senator from Montana has spent a lot of his time in his highly logical and almost convincing manner in calling attention to what he thinks is a very serious defect in the particular treaty that we are now considering. He says that unless a nation is a party to this four-power treaty it can not be invited, and will not be invited, to sit at the board in order to discuss the possible adjustment of the controversy which may have arisen.

There are two objections to his argument, made in his strong, demonstrative, logical way. By the way—although it amounts to nothing, being merely my own private opinion—I am of the opinion that there is not a Member of this body on either side of this aisle better equipped, with an unvarying logical faculty than the Senator from Montana. If his premises are once granted, he drives on without wavering to his conclusion; but, unfortunately, now and then he is not as careful about his premises as he is about his conclusions and about his logical processes.

In the first place, I can not imagine the United States sitting down to a board when it had a quarrel with any other nation without inviting that other nation to sit down at the same board. I ask him can you? The Senator remains quiet, from which I infer that his imagination can not stretch any further than mine does upon that subject.

The other three parties to this treaty are Japan and France and Great Britain. By the way, it is a great pity that Great Britain is a party to it, because, if she were not, all the German-American and Irish-American opposition to it would have ceased long ago. It is a pity that Great Britain exists. It is a pity that she and her law and her language and her literature and her civilization and her commerce can not be flung out into the infinite ether and gotten rid of somehow. That would satisfy certain extreme elements in the United States who want no further justification for any position they happen to take than hatred of England.

But, Mr. President, the other three parties to this treaty are France, Japan, and Great Britain, the last country unfortunately speaking our language, loving our literature, originating our law, inspiring our commerce, but still unfortunately tabooed in German-American and Irish-American circles. All three of these nations—France, Japan, and Great Britain—have signed the treaty of Versailles with the League of Nations covenant as a part of it, and under at least two clauses of the League of Nations covenant they are compelled, whenever they have a controversy with any other member of the league—and there are some 40 other members besides them—to make their complaint to the league, and to have the league summon the nations in controversy into common council for an adjustment. Not only that but they are compelled, when they have a controversy with a nonmember, to agree to leave it to the League of Nations.

Mr. President, so much for the attitude of France, Japan, and Great Britain. The Senator's entire argument was based upon the idea that if these three powers entered into this treaty it set aside the League of Nations and their covenant with the other 40 members of the League of Nations. I believe since then the number has grown to fifty-odd; I am not quite sure.

Mr. WALSH of Montana. Mr. President, let me correct the Senator. I insisted that this was entirely consistent with the League of Nations. I made that argument.

Mr. WILLIAMS. Oh, the Senator insisted that it was entirely consistent with the covenant, and the friends of the covenant have confessed that it is. The strongest advocates of the League of Nations in Great Britain—Mr. Balfour, Lord Curzon, Winston Churchill, and the balance of them—have said that there is not a word in this treaty that conflicts with the League of Nations, and yet I have heard it in the cloakroom, yesterday and day before and to-day, argued in my ear that this was a movement to "scuttle the League of Nations"; and the Senator's argument proceeded on the idea that these three great powers, being once bound by this treaty, were freed of their obligation to the League of Nations treaty, which obligates them to summon their adversaries in council.

Mr. WALSH of Montana. On the contrary, I insisted this afternoon that they could do that.

Mr. WILLIAMS. Ah! The Senator insisted that they *could*, but he argued that maybe they *might not*, and he went on to say, "Suppose Japan objected?" Now, suppose Japan did object to calling her adversary into conference around the board, then that would prevent any unanimous agreement under this treaty but it would not prevent action under the League of Nations covenant; and everybody that signed the League of Nations covenant, including Japan, agreed that they would file any treaty that they ever made with anybody else in the secretariat of the League of Nations, and the League of Nations will pass upon the question as to whether this treaty is in conflict with the covenant of the League of Nations or not; and there is not a man here, including the Senator from Montana, who will even pretend that the League of Nations will declare that these treaties are in conflict with the League of Nations. Silence is consent once more.

Mr. President, I am a Democrat, a Bourbon Democrat, a plain, blamed-fool Mississippi Democrat. I have no patience with Republicanism and I have no patience with partisanship in connection with international affairs. If a Republican President had sent the Versailles treaty to this body three-fourths of you Republicans would have voted for it, including the Senator from Massachusetts [Mr. LODGE]. If Mr. Wilson had sent these treaties to this body two-thirds of you Democrats would have voted for it, including the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Montana [Mr. WALSH], and, of course, my poor little humble self.

Now, my friends, if I have a right to call you by that name—I am forbidden by the rules to call you "gentlemen"; this is the only body in the world where you can not call your fellow Members "gentlemen"; you must call them "Senators," and nothing else—but, just between us, is it not about time that we stopped partisanship at the coast line? A distinguished Republican nods his head in acquiescence, and yet I remember when he did not stop partisanship at the coast line. I remember when he ought to have done it. I remember having a private conversation with him rather suggesting that idea and receiving very little response. Now, when I am merely talking to this side I receive not much more response—not a much more cordial response, at any rate.

Mr. President, "the United States" is not singular, as this Brandegee amendment names it—"the United States *is* of the opinion." I thought "the United States" was *e pluribus unum*, and therefore plural. In so far as the United States are mentioned in the Constitution of the United States they are plural as much as the United Provinces of Holland or The Netherlands are plural.

I can not conceive how the United States can be anything except the several States composing the United States, and therefore plural. There was a quarrel yesterday about part of

the grammar of this so-called Brandegee resolution. I beg pardon; I said "so called"; I believe it is actually the Brandegee resolution, and not so called at all; but it was accepted by the President of the United States. He was not bullied into it—no! He was not scared into it—no! He was not frightened about it—no! He just accepted it because he did not care. He had made an arrangement with foreign powers, and instead of abiding by the gentlemen's contract, as the Senator from Alabama does, he thought maybe he had a right to change it. It never occurred to him that maybe these people might say: "Here is the thing that I agreed on with you. Now that you have changed it, I will consider it over again, and see whether I can agree on it now."

Mr. President, I am a little tired of one situation under our constitutional Government, although I worship the Constitution. I am tired of an international situation under which one man over one-third in this body—not representative of the people, but representative solely of the States—can defeat any international agreement into which the United States has proposed to enter. I think the next amendment after the three supernumeraries you had better add to the Constitution would be one substituting for two-thirds of the Senate as the colleague of the President to ratify a treaty a "majority of the two Houses in joint Congress assembled."

I am tired of allowing one over one-third to make us the laughing stock of the civilized association of nations. No matter with what overwhelming majority views this Government and its constituencies may enter into an agreement with any other power on the surface of this earth, one man over one-third of this august body, called by itself "august," can defeat it.

Talk about autocracy! Talk about minority rule! Talk about overcoming and overstepping the will of the majority! Our Constitution enables a minority of one over one-third in the Senate to do whatever it pleases in all our international agreements. Unfortunately you can not get rid of the other nations except by exterminating them, killing them, or pushing them off the globe, and no legislative method has ever been invented for doing that. They are there—Turks, Chinese, Japanese, French, Italians, Greeks, Rumanians, Czechoslovakians, Yugoslavians, and even the British—even the British, poor old Scotch and English and Welsh from whom about three-fourths of us are derived altogether or partially, because I take it that 75 per cent of the people of the United States, though they may have German or Irish blood in their veins, have also English, Scotch, or Welsh blood in the same veins. Some few of them have nothing else; and, you know, I have been ass enough to pride myself upon that fact, as far as I am concerned individually; but even those that are of mixed blood have *some* English or some Scotch or some Welsh. But I am awfully sorry that there is not any way of pushing Great Britain, including King George and Lavid Lloyd-George and Sir Arthur Balfour, and all these other fellows, into the middle of the Atlantic or Pacific and sinking them, so that we could have an Irish peace somewhere—an Irish peace somewhere—as far as English, Scotch, and Welsh, being then all drowned, are concerned.

I doubt even then whether north Ireland and south Ireland would not be fighting one another—or the Free State fighting Valera. Maybe God could keep them at peace with one another. Even the Pope can not. We would have this Irish peace in the middle of the Pacific or Atlantic if we sunk all the English, Scotch, and Welsh there, or in the middle of the Atlantic if we sunk them there, and it would be so nice to sink Shakespeare and Chaucer and Tennyson and Byron and Bobbie Burns and Lord Bacon and Huxley and Tyndall and Darwin and the Duke of Wellington.

Mr. ASHURST. He was born in Ireland.

Mr. WILLIAMS. By the way, I do not believe they would sink him, because he lived in Ireland a little while once, and so they claim even him as an Irishman now, though they denounce him as an Irish oppressor in the next breath. Even you, as the august President of this august body, can not push all the British off the globe. If you pushed them off, they would get into the sea, and if you once pushed them into the sea they would be used to it. They have been used to it ever since King Alfred's time, and have been supreme there up to very recently, when they have voluntarily agreed that they will let us be supreme.

Mr. WALSH of Montana. The Senator ought not to omit Newton and John Milton.

Mr. WILLIAMS. Mr. President, I am just reminded by the Senator from Montana that I ought not to have forgotten John Milton and Isaac Newton; but I am so absolutely Americanly patriotic, armed with a desire not for the freedom of the Philippines but for the freedom of Ireland, that I would unhesitatingly push Sir Isaac Newton and John Milton plumb off the boards if I knew how.

Mr. ASHURST. Mr. President, I hope the Senator will not forget George Harvey.

Mr. WILLIAMS. I think he is a hybrid. Mr. President, I decline to be diverted from the great sublime heights to which my oratory has just a moment ago risen to the low level of the contemplation of George Harvey or other mouse nests that may exist somewhere upon the surface of the globe. Notwithstanding the prevailing influence which the Senator from Arizona is entitled to have with me, I decline to have my sublimity of thought brought down to George Harvey. I would not mind it if one of the pages were mentioned by name, but I do not want to fool with George Harvey while I am in earnest about a great international question.

Mr. STANLEY. Mr. President, the Senator may not be fooling with him, but he is agreeing with him mighty beautifully.

Mr. WILLIAMS. Mr. President, I may possibly agree with a Mohammedan now and then; for example, when he says that "there is but one God"; but that does not argue that I am a Mohammedan, and it does not argue that I take in all the balance of his doctrines, including his harem proclivities. I might agree with George Harvey about something. I suspect he and I both speak English, and I agree with him about that in a way. By the way, he speaks pretty good English, too. I do not think I can be mixed up or identified with George Harvey simply because I agree with him about some one thing. I might agree with some Senator about being a member of that great English church which "never interferes with a man's politics or religion," and I might disagree with him about a great many other things, and could not on that account alone be identified with him. I could not be taken as his synonym, and I absolutely resent, in spite of the friendship between the Senator from Kentucky and me—a long-existing and deep-felt friendship—his attempt to identify me with George Harvey.

Mr. STANLEY. Mr. President, if the Senator will yield, I do trust that he will not take it that seriously. My friendship for the Senator from Mississippi dates back 20 years, a long and delightful friendship, and even to find him in the same dirty nest with Harvey, preaching the same political heresy, and engaging in the same nauseous adulation of Britain, will not lessen my love, hardly my respect.

Mr. WILLIAMS. Mr. President, if there is anything in the world that I would welcome, it is that confession of personal devotion, antagonistic to all of the expressed and foolish convictions of the Senator from Kentucky. I really do not think that George Harvey had much to do with this. In fact, I sometimes doubt whether any of us have much to do with what is going on in the world. I sometimes think that most of us are sort of like George Harvey; we are flies on the spokes of a wheel, and the wheel is going forward in God's good wisdom, and now and then we imagine that we are moving the spokes and making the wheel move; but whatever else may happen, when the gentleman comes to insult me next, I hope he will call my attention to some community of opinion between me and my favorite nigger mammy, but leave George Harvey out. I do not care about him particularly.

I have been a little bit diverted from the serious side of this question, but before I sit down I want to say just one more word. If there be anything in the world which I treasure most highly, it is the peace of the world. There is only one thing I can call to mind now that I treasure more highly than that, and that is the preservation of the race to which I belong, the great white race.

I believe, to use the language of Mr. Jefferson, my apostle of democracy whether he is anybody else's or not, in what he so nicely called "the philosophy of Jesus," although he was himself in conviction a Unitarian. I believe with him that the only thing in the world that can drag this world out of its present chaotic condition is "the philosophy of Jesus," the Prince of Peace, the Apostle of Love amongst men. As far as I am concerned, I have no patience with men who choose to cultivate animosities amongst men rather than to dwell upon their common points and the reasons why they can and ought to love one another and help one another on this miserable little planet, one amongst thousands of planets in a solar system amongst thousands of solar systems, each one of us nothing but one little ant in a heap of ants, and most of us inclined now and then to translate our opinion into a conviction and to worship that as a god. I know nothing that to my mind is more worthy of human devotion and human love than the love of peace itself, and I believe that these treaties tend in that direction.

I shall vote against the Brandegee reservation, although the President was weak-backboned enough to accept it, and although the chairman of the Committee on Foreign Relations accepted it, because I think it half emasculates the treaty. But there is still, in my opinion, enough virility left in it to engender some good things for the world, and amongst the good things some peace in one part of the world amongst some of the nations of the world. Would to God that it went further, as the League of Nations contemplated going when a partisan majority in this body defeated its announced purpose and the will of Jesus Christ.

Mr. ROBINSON. Mr. President, the remarks of the Senator from Mississippi [Mr. WILLIAMS] have interested and amused the Senate and the galleries. The Senator from Mississippi is always entertaining; he is usually logical when he speaks, and forceful when he attempts to be. There is no quarrel between the Senator from Mississippi and those of us who think that this treaty in the form in which it is presented is not calculated to conserve the peace of the world, but is rather calculated, in the remote if not the immediate future, to involve this Nation in serious controversies which, by the exercise of grave wisdom now, the Senate and the Nation might avoid.

The Senator from Mississippi has declared that he is a good Democrat. No one doubts that.

But, Mr. President, the Senator from Mississippi should not put his friends in this Chamber, as I think he attempted to do, impliedly, in the attitude of opposing this treaty or of suggesting amendments to it from political motives or purposes. The Senator from Mississippi is a great debater. He speaks just as fluently when he is familiar with the issues in debate as when he is unacquainted with them, and no more so. His remarks a few moments ago demonstrate that fact conclusively to those of us who heard the Senator from Montana [Mr. WALSH] discuss the amendment which the Senate recently rejected.

Unintentionally he misquoted the Senator from Montana in two or more particulars. The Senator from Mississippi did not design to be unfair. He could not intentionally be unfair if he tried to. His difficulty arose out of the fact that he was not in attendance during the course of the debate, and he did not hear the issues involved in that amendment presented by the Senator from Montana.

Neither the Senator from Mississippi nor any other Senator can divert this body from its duty at this time to treat this subject as a matter of the gravest importance. It is no answer to the provisions of the amendment, and to the argument submitted in its behalf, to say that the opposition to this treaty rises out of an element of citizenship pro-German and pro-Irish, unfriendly to the British people, and that there is a disposition among Senators who are responsive to the influences of those political elements to destroy Great Britain and all the other nationalities in the world which have not incurred the kindly feeling and friendship of Ireland.

Mr. President, the issue is far more profound than the Senator from Mississippi has stated it. If I chose to debate the subject upon the level he occupied, I might say that while there may be some Senators who look with suspicion upon this treaty because it originated in the brains of British statesmen, there are also others who, by their records in this body, have indicated such an opposition or antagonism to the aspirations of the great people of Ireland, struggling throughout the centuries for liberty, which happily now is almost in sight, that those Senators might be induced to look with suspicion upon any opposition which is countenanced or supported by the citizens of this country who are of the Irish stock.

Mr. President, the issue is more important. It is far more consequential. I am not conscious of any other motive, nor do I believe that my colleagues who take the view of this matter which I assert are conscious of any other motive than a desire to safeguard the interests of the United States and the welfare of the citizens of this Republic, whatever may be their descent. There may be Senators who are so responsive to British influences that suggestions from Mr. Balfour or other great British statesmen prompt them to immediate indorsement. I do not make that charge. I make the declaration that in the consideration of this treaty Senators should be governed by their conscientious conception of their duty to this Government and its people.

I do not challenge the motive, the integrity, or the sincerity of my friend the Senator from Alabama [Mr. UNDERWOOD], who occupies the opposite side of this question, nor do I challenge the integrity of other Senators who take the view of the subject which he presents; but I demand, as a representative in this body of a sovereign State, that if my colleagues expect to retain my confidence they accord to me the same sincerity of purpose which I concede to them.

I have not forgotten that when the treaty of Versailles was under consideration the Senate Committee on Foreign Relations investigated the secret and confidential transactions relating to the negotiation of that treaty. Witness after witness was called and the testimony was reduced to writing and is recorded in a volume which I hold in my hand, containing 1,297 pages.

I have not forgotten that when the four-power treaty was sent to the Senate the Committee on Foreign Relations refused to make any investigation of the subject and refused to inquire into the motives underlying the treaty, and reported it without information. While the Versailles treaty was under consideration the Secretary of State, Mr. Lansing, was called before the Foreign Relations Committee and cross-examined indefinitely. When the four-power treaty was pending before the Committee on Foreign Relations the Secretary of State, Mr. Hughes, went to Bermuda for a vacation. No information whatever was furnished the Senate or the Committee on Foreign Relations respecting the negotiation of this treaty.

In addition to the fact that those who were in authority in the State Department were examined when the Versailles treaty was pending, the President of the United States was called upon for information. As a member of the Foreign Relations Committee, I visited the White House, in company with the other members of that committee, and President Wilson subjected himself to cross-examination. He answered every question that was asked him; but in this case, for some reason, all information has been denied the Senate as to the secret negotiations which brought forth this instrument.

Mr. President, Secretary of State Hughes is a great man and an able lawyer, but there stand out prominently in recent history two great mistakes which Secretary Hughes made. Senators will recall that when the last national election was imminent, he, with 31 other eminent Republicans, signed a letter, which was published broadcast throughout the United States, declaring that he favored the League of Nations, and that the way to get the United States into the League of Nations was to elect President Harding. I could not understand at that time the mental processes by which Mr. Hughes arrived at the conclusion that the way to promote the league was to elect to the Presidency a man who said he was opposed to it. Nevertheless when the elections had passed Mr. Hughes was found to be very gravely mistaken respecting Mr. Harding's attitude. Mr. Hughes has never offered any explanation for his own change of mind, if he has changed.

Mr. Hughes made another grave mistake, apparently, in connection with the cost of our army of occupation. In the Versailles treaty it is provided that the expenses of the armies of occupation shall constitute a claim prior to reparations. An expense of $241,000,000 has been incurred by the United States in that behalf, and now we find that Great Britain, France, and other parties to the Versailles treaty are contending that since we are not parties to that treaty we can not demand or receive the benefits of its provisions. They claim they are not bound by the provisions of the separate peace made between the United States and Germany.

So by his failure to safeguard by proper language in some instrument or agreement or by proper proceedings the prior claim of the United States for the expenses incurred by the army of occupation we stand in danger of losing $241,000,000. Now, we are told that so great is his wisdom and so responsible his word that we should take without question his conclusions as to the true interpretation and application of this proposed treaty. Mr. Hughes tells us that he made the first draft after consent had been secured for France to become a party to the four-power pact. He tells us that with Japan and the United States objecting to the inclusion of the main islands of Japan in the four-power treaty, they were included, and that afterwards it became necessary to report a supplementary treaty to exclude them; that is, to interpret the four-power pact as meaning that the main islands of Japan were not included in the treaty.

Mr. President, why are we not furnished with the information as to why the main islands of Japan were originally included in the four-power pact? The friends of the treaty here say that there is nothing material about the matter; that they might just as well have been in as out or have been out as in; but Mr. Hughes tells us that the main islands were taken out of the treaty in response to a sentiment among the people of the United States and the people of Japan who opposed their inclusion. It would be interesting to the Senate and to the people of the United States to know the history of the negotiation of this treaty; and to know who suggested it, who prompted it, who inspired it.

We are told that the treaty relieves us from the Anglo-Japanese alliance. That is the one accomplishment of which

its advocates boast. The Senator from Montana [Mr. WALSH] has shown that there is nothing of value in that contention, if it be true. Now, we are presenting to the Senate an amendment which will give to any nation assailed by any one of the four powers the privilege of sitting in a conference for the settlement of that dispute. Not a word of argument is offered by Senators why the amendment which was recently defeated should not have been accepted. The Senator from Mississippi [Mr. WILLIAMS] comes into the Chamber and undertakes to ridicule this important provision out of the Senate. He can not do that. The amendment proposed by the Senator from Montana ought to be agreed to, because it accords to China and Russia and to any other nation which may have a dispute with one of the four powers party to this agreement the right to come into conference and be heard. If that right be refused, we shall make little progress toward peace by the ratification of this treaty.

Why does not some Senator who has voted against my amendment give some reason for doing so? The Senator from Alabama [Mr. UNDERWOOD] said that he was in hearty accord with the principle of the amendment; that personally he believes it ought to go into the treaty; but he is afraid that one of the three powers will reject the treaty if we agree to amendment. Does not that, then, put the Senator from Alabama on notice that if any one of these powers objects to this amendment that power intends to do the very thing which the amendment seeks to prevent? If he fears rejection by a power unwilling to be restrained from aggression, then should he not, in the discharge of his duty as a Senator of the United States, vote to protect this Government from entering into a combination which will permit the four powers forming it to make aggressions against other nations now friendly to the United States?

Mr. STANLEY. Mr. President, I regret to see so accomplished a statesman, so ready a debator, so learned a legislator as the erudite Senator from Mississippi [Mr. WILLIAMS] devote his superb talents to so mean a purpose as the gratuitous, unprovoked, unwarranted assault upon a great and patriotic body of American citizens simply because they happen to belong to a race which, in some mysterious way, has incurred his hostility. I refer the learned Senator from Mississippi to the wise aphorism of Edmund Burke, who did not know "the method of drawing up an indictment against a whole people." God pity and God help the man who, with a knowledge of their history, with all its proud, its pathetic, and its tender memories, can frame an indictment against the Irish people.

I, like the Senator from Mississippi, have not a drop of Irish blood in my veins. I wish I had. I, like the Senator from Mississippi, can trace my ancestry for some centuries in an unbroken English line. I am not bound to or prejudiced in favor of the Irish race by any tie of creed or kin or clan, but I do know that when the history of all the peoples of all the world shall have been written, there will be nothing in song or story sweeter or sadder or grander than the sufferings and, thank God, at last, the triumph of the Irish people and the Irish nation.

Out of centuries of persecution such as no other race ever suffered, up from fields incarnadined in the blood of heroes, from stakes and gibbets, sanctified by the sacrificial death of martyrs, in her rags and her poverty, her learning and heroism, wild and grand and beautiful, Ireland rises like a transfiguration to command the admiration of the world, for at last, thank God, in spite of the irony of JOHN SHARP WILLIAMS and the power and the oppression of all England old Ireland is free.

Mr. President, it might be well if we are to follow the advice of the learned and cynical Senator from Mississippi, to go to Quebec and efface from the eternal rock the last vestige of the blood of Richard Montgomery, because he was an Irishman and hated the English when he fell pierced by cannon balls upon the heights of Abraham, and go to the front of the White House and tear down the inspiring equestrian figure of Andrew Jackson, because Old Hickory hated the same English when he hurled Pakenham and his red hosts into the sea, and erect, if you will, instead some fitting tribute to Lloyd-George or George Harvey or the learned Senator from Mississippi.

Mr. CARAWAY. And may I suggest to the Senator, while we are doing that, we might erect a monument to Gen. Ross and Admiral Cockburn for their great exploit in burning the Capitol and the White House?

Mr. STANLEY. Exactly. Why should not Ireland feel an antipathy to Great Britain? What right has the senior Senator from Mississippi to treat contemptuously her just resentment against wrongs so deep and damnable that their reiteration might make the very angels in heaven weep and of the sinews of childhood thews of steel?

Were I an Irishman, as I am an American of English ancestry, I would swear my first-born son, as Hamilcar did Hannibal to the eternal hate for Rome, to the abhorrence of all that Englishmen say or do or think as long as he remembers the women they had outraged, the babes they had butchered, her sons sent to the stake and the gibbet, her faith dishonored, and her fields drenched with blood and desolated by fire and sword.

From Ireland her sons have come to America. They have filled every post of honor; and they have nothing touched that they have not adorned; and, as an American, as a Democrat, as a patriot, I take this occasion at this hour to pay my poor but humble meed of praise to the brainpan of the world, to the home of poetry, of eloquence, and of valor—to the Emerald Isle.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Montana [Mr. WALSH] to article 1.

Mr. WALSH of Montana. Mr. President, before the vote is taken I desire to advert to the answer made by the Senator from Massachusetts [Mr. LODGE] to my inquiry for a reason for opposing this amendment now under consideration. The Senator said it would mean the reassembling of the conference. I recall very distinctly when the Versailles treaty was under consideration, and the Senator had offered some 23 amendments or reservations, I put the identical question to him, whether the adoption of those reservations would not mean the reassembling of the Versailles conference. In his customary manner he dismissed the question as unworthy of consideration and said that all of the other nations would be perfectly delighted to get us in with the reservations. I inquire of him now whether the other three nations, parties to the pending treaty, would not be perfectly delighted to get us into this agreement with the amendment now offered without reassembling the conference?

Mr. President, I now desire to make an observation in relation to some remarks made by the Senator from Mississippi [Mr. WILLIAMS] concerning my attitude. The Senator from Mississippi, as has been remarked, could not have been present when I addressed myself to the amendment offered by the Senator from Arkansas [Mr. ROBINSON], in the course of which I said that, in my view, there is nothing inconsistent between this treaty and the League of Nations. The Senator from Mississippi assumed, apparently, that I had taken the contrary position, and chose to attribute my desire to see the pending treaty amended to an overenthusiasm in favor of the League of Nations or to partisan considerations. I repeat, Mr. President, that, according to my mind, there is nothing whatever inconsistent between the treaty before us, either in its present form or as it would be if it were amended by the pending amendment or by the amendment offered by the Senator from Arkansas, and the League of Nations. The covenant of the League of Nations contemplates that whenever differences arise between any of the members thereof or between a member and some outside party, the parties to the controversy will endeavor to adjust their differences through diplomatic negotiations or by consultation with and the assistance of friendly nations or otherwise, but that if they are unable to do so, then either party may cite the other before the council of the league, and there the matter will be disposed of as provided in the covenant. The pending treaty contemplates merely that the four powers, if a difference should arise between any two or more of them, shall assemble and adjust the difference if they can, or, if the difference should arise with an outside party, that they will endeavor to arrange in some way or other to dispose of that difference. If, however, that proceeding is unsuccessful, then any of the parties involved may institute a further proceeding before the council of the League of Nations and have the matter disposed of there. So it seems to me no one need be in the least alarmed that the amendment which is pending would in any wise militate against the operation or defeat the growth of the League of Nations.

Mr. SHIELDS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Tennessee?

Mr. WALSH of Montana. I yield.

Mr. SHIELDS. The Senator will remember that there was no reservation offered to the provision of the League of Nations providing for arbitrations, calling in outside parties, and allowing any party to participate, and, therefore, any Senator who voted for the Versailles treaty, with reservations or without reservations, voted for those provisions.

Mr. WALSH of Montana. The Senator is quite right. No reservation and no amendment was tendered to article 11, which contemplates gathering together the parties to a controversy, whether they were members of the league or not, in the endeavor to adjust the differences which might arise between them.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Nevada?

Mr. WALSH of Montana. I yield.

Mr. PITTMAN. I gathered from the statement of the Senator from Mississippi [Mr. WILLIAMS] that he felt that the argument of the Senator from Montana to the effect that China or Russia in the event of a controversy in which they were involved might be left out of consideration was minimized by reason of the fact that, under the covenant of the League of Nations, Japan and England and France, who are members of the league, would be compelled to call either China or Russia before the council of the League of Nations, and in that forum those countries would have the right to present their cause; but it seems to me that he forgot that we are not members of the League of Nations, and that we would not have an opportunity to be present at the conference which would thus take place, while under this treaty we are compelled to be present at any conference which takes place under the provisions of the four-power pact.

Mr. WALSH of Montana. The Senator is quite right about that.

Mr. PITTMAN. In other words, we are compelled to meet with Great Britain, France, and Japan, but the nations thus conferring are not compelled to have at their meeting either China or Russia or any other country with which a controversy may arise; we must sit in that conference with them out; and if subsequently, after the matter has developed, perhaps after war has occurred, the question is taken before the council of the League of Nations, we can have no voice in the determination which may be arrived at there.

Mr. WALSH of Montana. The Senator is quite right; and I also understood the Senator from Mississippi further to contend that under the covenant of the League of Nations to which the three powers are signatories it was obligatory upon them to cite in the outside party; but that is not correct. The outside party may be cited before the council of the league; but there is no obligation upon anybody, by reason of the covenant of the League of Nations, to call the outside party into the conference contemplated by this treaty.

The VICE PRESIDENT. The question is on the amendment of the Senator from Montana [Mr. WALSH], which will be stated.

The READING CLERK. It is proposed to add, at the end of article 1, the following:

> If there should arise between any of the high contracting parties and any other power or powers a controversy involving said insular rights and possessions threatening war which is not satisfactorily settled by diplomacy, the high contracting parties shall invite all powers having an interest in the controversy to a joint conference to which the whole subject shall be referred for consideration and adjustment.

Mr. WALSH of Montana and Mr. ROBINSON called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. BROUSSARD (when his name was called). Making the same announcement as before, I withhold my vote.

Mr. COLT (when his name was called). Making the same announcement as before, I vote "nay."

Mr. SHEPPARD (when Mr. CULBERSON'S name was called). My colleague, the senior Senator from Texas [Mr. CULBERSON], is unavoidably absent. If present, he would vote "yea."

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "nay."

Mr. PHIPPS (when his name was called). Making the same announcement as before, I vote "nay."

The roll call was concluded.

Mr. McKELLAR. Has the Senator from Indiana [Mr. NEW] voted?

The VICE PRESIDENT. He has not.

Mr. McKELLAR. I have a pair with that Senator, which I transfer to the Senator from Texas [Mr. CULBERSON] and will vote. I vote "yea."

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with that Senator, which I transfer to the Senator from Missouri [Mr. REED] and will vote. I vote "yea."

Mr. KENDRICK (after having voted in the affirmative). Has the Senator from Illinois [Mr. McCORMICK] voted?

The VICE PRESIDENT. He has not.

Mr. KENDRICK. I have a general pair with that Senator. Not being able to obtain a transfer, I am compelled to withdraw my vote.

Mr. GERRY. The Senator from New Mexico [Mr. JONES], whose pair has been announced by the Senator from Maine [Mr. FERNALD], is unavoidably absent. If present, the Senator from New Mexico would vote "yea."

The result was announced—yeas 27, nays 50, as follows:

YEAS—27.

Ashurst	Harrison	Myers	Smith
Caraway	Heflin	Overman	Stanley
Fletcher	Hitchcock	Pittman	Swanson
France	Johnson	Robinson	Walsh, Mass.
Gerry	King	Sheppard	Walsh, Mont.
Glass	La Follette	Shields	Watson, Ga.
Harris	McKellar	Simmons	

NAYS—50.

Ball	Frelinghuysen	Nicholson	Spencer
Brandegee	Gooding	Norbeck	Stanfield
Bursum	Hale	Norris	Sterling
Calder	Jones, Wash.	Oddie	Sutherland
Cameron	Kellogg	Page	Townsend
Capper	Keyes	Pepper	Underwood
Colt	Ladd	Phipps	Wadsworth
Cummins	Lenroot	Poindexter	Warren
Curtis	Lodge	Pomerene	Watson, Ind.
Dillingham	McCumber	Ransdell	Williams
du Pont	McKinley	Rawson	Willis
Elkins	McNary	Shortridge	
Fernald	Newberry	Smoot	

NOT VOTING—19.

Borah	Edge	McCormick	Owen
Broussard	Ernst	McLean	Reed
Crow	Harreld	Moses	Trammell
Culberson	Jones, N. Mex.	Nelson	Weller
Dial	Kendrick	New	

So the amendment of Mr. WALSH of Montana was rejected.

SECOND DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. Mr. President, I am about to ask that the Senate proceed to the consideration of legislative business, so that I can present the conference report on the second deficiency appropriation bill.

I now move that the Senate proceed to the consideration of legislative business.

The motion was agreed to, and the Senate resumed its legislative session.

Mr. WARREN. I present the conference report on the second deficiency bill.

The VICE PRESIDENT. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10663) "making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 15, 22, 23, 24, 29, 31, 34, 39, 40, 42, 43, 44, 48, 51, 52, and 53.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 25, 28, 30, 32, 33, 35, 36, 38, 41, 45, 47, 49, 50, 53, 54, 56, 58, 61, 62, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, and 76; and agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BRIDGES.

"For repairs and improvements to the Calvert Street Bridge, $26,000: *Provided*, That one-half of any amount expended from this appropriation shall be borne by the street railway company or companies using said bridge and the amount thus collected shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as this appropriation is paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"PATENT OFFICE.

"For carrying into effect the provisions of the act entitled 'An act to increase the force and salaries in the Patent Office, and for other purposes,' approved February 18, 1922, $158,926.39, and in addition thereto the unexpended balance of the appropriation for salaries in the Patent Office for the fiscal year 1922, is made available for the payment of the salaries authorized in said act."

And the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the

sum proposed insert "$250,000"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In line 12 of the matter inserted by said amendment, strike out "$50,000" and insert in lieu thereof "$35,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment, insert "$1,000"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment, insert "$36,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "The appropriation for 'Pay, and so forth, of the Army, 1922,' shall be available to pay the expenses incurred prior to January 1, 1922, incident to carrying into effect the provisions of the act entitled 'An act authorizing the Secretary of War to furnish free transportation and subsistence from Europe and Siberia to the United States for certain destitute discharged soldiers and their wives and children,' approved June 30, 1921," and the Senate agree to the same.

The committee of conference have not agreed upon amendments numbered 26, 27, and 60.

F. E. WARREN,
CHARLES CURTIS,
CARTER GLASS,
Managers on the part of the Senate.
MARTIN B. MADDEN,
J. G. CANNON,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. POINDEXTER. Mr. President, may I ask what the three amendments are that are still in disagreement?

Mr. WARREN. I will tell the Senator. Two of the items, amendments numbered 26 and 27, are as to the officials of the General Accounting Office. They are two amendments carrying amounts put in by the Senate, as requested, because of the transfer of the accounting in the Veterans' Bureau directly to the General Accounting Office.

Mr. POINDEXTER. What was the objection? Is the difference in the conference based upon the merits of the amendment or upon a point of order against it?

Mr. WARREN. There was no point of order. It is on the merits. One of them is an appropriation of about $110,000 for additional employees in that department from now until July. The other one is an appropriation of $300,000 for the same purpose through the following year because of the transfer having been made after the regular 1923 bill had passed. The third item has to go back for adoption by the House. It is one of those things which, under the House rules, they deem legislation.

Mr. POINDEXTER. That is what I was inquiring into, as to whether or not it was subject to that point of order and consequently had to be submitted to a vote of the House.

Mr. WARREN. They on the other side have adopted a rule which, so far, we have allowed them to impose upon us, that if we put in matter that is against the House rules—of course it was not against our rules—they must take it back for a vote. It can not go out on a point of order, but they simply take it back for a vote.

Mr. POINDEXTER. I shall not delay the Senator for more than a moment. What is the view of the chairman of the Appropriations Committee as to the future arrangements between the two Houses in regard to that practice of making a point of order, in effect, in the House of Representatives against an amendment put on a bill in the Senate?

Mr. WARREN. No point of order can be made in the House now.

Mr. POINDEXTER. I mean a point of order to this extent, that the conferees are deprived of power to agree upon it. It must go to the House itself for a vote in the House, so that we are deprived of a conference on that.

Mr. WARREN. No; it goes to the conference, and then if they take it back it can go before the House; but it is generally agreed to in conference all right, subject to the bare matter of a vote of the House.

Mr. POINDEXTER. But that is not a conference.

Mr. WARREN. In that aspect, no.

Mr. WILLIAMS. There must be a vote of the House, of course.

Mr. WARREN. We are not speaking of that. It is not the vote of the House on the conference report.

Mr. LODGE. It is a point of order on the Senate amendment.

Mr. POINDEXTER. It is a vote of the House upon the amendment itself. It takes it out of the hands of the conferees. Of course the Appropriations Committee are confronted with that more than anyone else, and if they feel that they can get along with that system I suppose we can, but it is not a conference. It is, in effect, a denial of a full and free conference between the two Houses as to all those matters that they consider legislation on an appropriation bill.

Mr. WARREN. The Senator from Washington [Mr. POINDEXTER] is right about it technically. This question came up before we would go into the first conference after the House adopted that rule; but the then chairman, Mr. Good, stated that there was not an item in the bill but that he would be able to see through, because he had already taken it up with the House, and he begged us for the time being to conform to that rule on the ground that it would cause us no inconvenience; and so far, rather than make the open break, we have gotten along very nicely with it.

Mr. POINDEXTER. I was just asking, in good faith, for the experience of the committee on that subject.

Mr. WARREN. If the Senator will let me finish, I have said to the House Members that the time would soon come when we probably should have to do away with it, since we have lately changed our own rules. The time will come, of course, when there must be some change. In one sense it is not a real conference; but it comes this near it: In the conference we make the House conferees state whether they will take it up and agree to recommend such items to their House, and so far there never has been an item sent back that the conferees have agreed to recommend.

Mr. LODGE. Mr. President, I desire to ask the Senator what became of the item of a deficiency appropriation for the Immigration Service?

Mr. WARREN. I regret to say that after two hours and a half of discussion we were obliged to recede; and I will say that our contention failed, perhaps more than anything else, because the department had seen fit not to recommend the amount that we had presented in the bill. In other words, there had been no estimate made through the Budget or directly until the matter had already gotten into the bill through amendment, and it had not even then been received. I will say that the House hearings show that there was no call from the Department of Labor for that appropriation before either the Senate or the House, and what made it rather worse was that when the amendment was offered on the floor on the House side and reported this morning the votes were all against it except one.

Mr. LODGE. I did not suppose it possible to cause any change in the decision after the action of the House, but I think this further crippling of the Immigration Service is a very serious matter. It will undoubtedly lead to a great deal of smuggling both on the west coast and the east coast and also over the Canadian line.

Mr. WARREN. It will probably result in the furloughing of a great many of the immigration officers.

Mr. LODGE. It will mean the furloughing of from four to seven hundred, because there will be no money to pay them until the 1st of July. It is estimated that it will probably lead to about 10,000 illicit, unlawful immigrants being admitted, because there will be no immigrant inspectors to maintain the stations or carry on the service. This has been done by the House. They have prevented the appropriation, because we put it in in the Senate. It seems to me not economy but extravagance of the worst kind to break up a service which at the best is undermanned, and take from a total force of 1,200 men from four to seven hundred, and have that number on furlough all the time. I do not intend to make any further objection.

Mr. WARREN. I ask for the adoption of the report.

The report was agreed to.

Mr. WARREN. I move that the Senate further insist upon the amendments in disagreement, request a further conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. CURTIS, and Mr. GLASS conferees on the part of the Senate at the further conference.

DISABLED VETERANS OF THE WORLD WAR.

Mr. POMERENE. I move to discharge the Judiciary Committee from the further consideration of the bill (S. 406) to incorporate the Disabled American Veterans of the World War, and also the bill (H. R. 216) to incorporate the Disabled American Veterans of the World War. I understand that under the rule the motion will go over until a subsequent time.

The VICE PRESIDENT. The motion will go over under the rule.

REVENUES AND EXPENSES OF RAILROADS.

Mr. ASHURST. Mr. President, on yesterday, as shown on page 3775 of the RECORD, on motion of the Senator from Wyoming [Mr. KENDRICK], volumes 3 and 4 of the testimony taken before the Interstate Commerce Committee of the Senate were ordered to be printed as a Senate document. There are some illustrations in that testimony, and I am advised that the Printing Office has no power to print the illustrations unless the Senate so orders.

Mr. LODGE. I think that question will have to go to the Committee on Printing.

Mr. ASHURST. The request to print the testimony as a Senate document was granted, but I am advised that there are some charts and illustrations in it, and under the rule the Printing Office is not permitted to print illustrations or charts unless the Senate so orders. I was seeking to get that permission.

Mr. LODGE. I think it ought to go to the Committee on Printing; in fact, I think under the rule it has to go to that committee. The Senate knows nothing about the illustrations, the cost of printing them, or anything of that kind, and the request should be referred to the Committee on Printing. I do not see any member of that committee in the Chamber at the moment.

Mr. ASHURST. I do not wish to prolong the discussion more than to say that there has been a widespread demand for this testimony taken before the Interstate Commerce Committee.

Mr. LODGE. I do not object to the printing of the document; I have nothing against printing it, but I think it is a rule of the Senate which should be observed that where illustrations are to be reproduced the matter should be referred to the Committee on Printing, so that they may determine what it is to cost. Sometimes the printing of illustrations is very expensive.

Mr. ASHURST. Then I understand my request will go to the Committee on Printing.

The VICE PRESIDENT. Without objection, it will be referred to the Committee on Printing.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in secret session.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess, in open executive session, until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate took a recess, in open executive session, until to-morrow, Wednesday, March 15, 1922, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 14 (legislative day of March 9), 1922.

RECEIVER OF PUBLIC MONEYS.

Charles W. Sederburg to be receiver of public moneys at Sterling, Colo.

UNITES STATES MARSHALS.

Thurston R. Porter to be marshal of the United States Court for China.

James F. Shea to be United States marshal, district of North Dakota.

POSTMASTERS.

CALIFORNIA.

Ed Lewis, Marysville.
Shirley S. Abeel, Sebastopol.

COLORADO.

Joseph E. Dennis, Golden.
Annie Hurlburt, Norwood.
William M. Kintner, Swink.

DELAWARE.

Ella W. Johnson, Newport.

GEORGIA.

Jessie I. Crichton, Fort Benning (late Camp Benning).
Ethel C. Warren, Jakin.

HAWAII.

Joseph S. Ornellas, Koloa.

ILLINOIS.

Myron N. Hughes, Wauconda.

KENTUCKY.

Ludlow F. Petty, Louisville.

LOUISIANA.

Eugenie L. Richard, Bayou Goula.
Augustine M. Dugas, Centerville.
Russell A. Dilly, Clinton.
Beatrice Joseph, Edgard.
William E. Phillips, Greensburg.
Harry L. Truly, Harmon.
H. Ernest Benefiel, Kenner.
Esther Malmstadt, Ludington.
Theodore A. Rains, Marthaville.
Des Fuqua, Naborton.
Dessie H. Ford, Pleasant Hill.
Eula M. Jones, Torout.

MISSOURI.

Laura G. McKay, Troy.

NEW YORK.

Henry A. Cole, Pine Hill.

NORTH DAKOTA.

Kathryn Savage, Braddock.
Charles E. Harding, Churchs Ferry.
Anna A. Bjornson, Kulm.
Anthony Hentges, Michigan.
Andrew D. Cochrane, York.

PENNSYLVANIA.

Walter T. Evans, Dubois.
Gertrude Klinefelter, Jonestown.
Charles B. Lengel, Newmanstown.
Alison L. Edwards, Osceola Mills.
Edwin S. Burgham, Parnassus.
John F. Harshey, Penn (late Penns Station).

TEXAS.

Gerhard Dube, Bishop.
John E. Clarke, Knox City.
Lee Gray, Mabank.

WASHINGTON.

Charles T. Brehm, Fairfax.
Robert B. Henry, Lakeside.
George F. Thomas, Retsil.

WEST VIRGINIA.

Henry N. Murphy, Anawalt.
Sherman Pullen, Branchland.
Alexander W. Ewing, Pickens.
George A. Brooks, Pineville.
Ralph S. Kauffeld, Star City.
Emmett W. Williams, Stotesbury.

WISCONSIN.

Edward K. Cunningham, Berlin.
Bert B. Powers, Fennimore.
Halvor Thorson, Hawkins.
Albert W. Priess, Maiden Rock.
M. Vivian Brown, Minong.
Claire A. Lynn, Mount Hope.
Arnold E. Langemak, Sawyer.
Milton R. Stanley, Shawano.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 14, 1922.*

The House was called to order by the Speaker pro tempore, Mr. WALSH.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most gracious God, make the day a delight to all. Give us the mind that casts off anxiety, fear, and infirmity. Enable us to take hold of the bigness and the joy of life, and not allow the passing things of time to sadden us. Grant a plentitude of strength and wisdom, that we may see the truth and then love to follow it. Feed all hearts with hope and gladness. O may jealousies continue to cease among the nations and the waters of passion soon recede. Establish our people in the ways of obedience to Thy laws and to the laws of the land, and may morality and intelligence become the absolute securities of our Republic. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. ANDREW of Massachusetts. Mr. Speaker, I ask unanimous consent to insert in the RECORD in 8-point type a letter addressed by me to the Ways and Means Committee and other Members of the House. It concerns the extension of the adjusted compensation to the heirs of veterans who died during the war or subsequent to the war.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to print in the RECORD in 8-point type a letter addressed by him to the members of the Ways and Means Committee and Members of the House relative to the payment of adjusted compensation to the heirs of deceased service men. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, can any Member on the majority side tell us when that bill is to come before us for consideration?

Mr. MONDELL. Which bill?

Mr. GARRETT of Tennessee. The adjusted compensation bill.

Mr. MONDELL. I think we shall be able to give definite information sufficiently in advance of action to be reasonably satisfactory to all gentlemen.

Mr. GARRETT of Tennessee. Can the gentleman tell us now in what way it will come before us for consideration—whether there will be an opportunity for debate and amendment?

Mr. MONDELL. That is hardly for me to decide.

Mr. GARRETT of Tennessee. The gentleman is asking unanimous consent——

Mr. MONDELL. The gentleman from Massachusetts is asking unanimous consent to insert in the RECORD an expression of views in regard to the measure. His remarks have no bearing on the question as to when the matter shall be considered.

Mr. GARRETT of Tennessee. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD touching compensation to the relatives of deceased soldiers. Of course, the bill, so far as we know anything about it, does not provide for that.

Mr. MANN. It has not been reported.

Mr. GARRETT of Tennessee. Whether there will be an opportunity to amend the bill so as to provide for that might become somewhat important.

Mr. MONDELL. The bill has not been reported, so no one knows exactly what its form will ultimately be.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. GARNER. Reserving the right to object, I want to ask the gentleman from Wyoming a direct question—do you intend to take the bill up next Monday if the Speaker will recognize you to move to suspend the rules?

Mr. MONDELL. I do not think that is a question that I can answer. It would not be my province to move to suspend the rules in any event, but in due time and sufficiently in advance to give gentlemen who are away an opportunity to return, I hope we shall be able to announce when and the manner in which the bill is to be taken up.

Mr. GARNER. The reason I am asking the question is that I think gentlemen ought to give the information now because there are Members absent, some candidates for United States Senator——

Mr. MANN. They ought to be here.

Mr. MONDELL. There are other candidates for United States Senator who are on the job. [Laughter.]

Mr. GARNER. And the candidate for United States Senator ought to have sufficient information to advise the House when he is going to call up the bill. [Laughter.] I think the gentleman ought to give us as much information and notice when he expects to take the bill up as he can, and whether he expects to take it up next Monday if the Speaker will recognize him.

Mr. MONDELL. The present organization of the House has given advance notice and information as to the order of business in the House to a greater extent than has ever been done before in the history of this body. I am sure that an earnest effort will be made in the future, as in the past, to inform gentlemen who are away, who ought to be here, when they should be here to vote on measures that may have an influence on their election.

Mr. MANN. May I ask the gentleman from Texas—this seems to be an experience meeting—if the adjusted compensation bill comes up next Monday, will the gentleman from Texas vote for it?

Mr. GARNER. No; of course, I will not; the gentleman from Texas is intelligent as well as the gentleman from Illinois, and he is not going to vote for a monstrosity like this.

Mr. MANN. It has not always been proved. [Laughter.]

Mr. GARRETT of Tennessee. Will the gentleman from Texas yield?

Mr. GARNER. I have not the floor.

Mr. GARRETT of Tennessee. I heard a rumor a few moments ago that the Committee on Ways and Means would meet at 2 o'clock this afternoon. May I ask the gentleman if that is correct?

Mr. GARNER. That is correct. I will say to the gentleman from Tennessee that there were fortunately a sufficient number of members of the Ways and Means Committee present this morning who desired information on the bill that is likely to come up for consideration to send for these gentlemen who had the necessary information to give to the Congress. It was not in secret but in open session, and although it may be said it was done over the protest of other gentlemen who did not want information but merely an opportunity to record their votes.

Mr. GARRETT of Tennessee. Will the gentleman yield further?

Mr. GARNER. At the suggestion of my colleague from Georgia [Mr. CRISP] I might say that the Secretary of the Treasury, the President of the Federal Reserve Board, and the Comptroller of the Currency are supposed to appear before the committee this afternoon and give what information they have concerning the economic effect of this proposed bill on the country.

Mr. GARRETT of Tennessee. Will that meeting be at the Ways and Means Committee room in the House Office Building?

Mr. GARNER. Yes.

Mr. GARRETT of Tennessee. Would the gentleman from Wyoming be willing to have the House adjourn in order that we might go there and obtain that information?

Mr. MONDELL. If gentlemen are not sufficiently interested in the business before the House to remain here, it is their privilege to appear before the Committee on Ways and Means.

Mr. LONGWORTH. And I have no doubt that some of those might very well be excused.

Mr. MANN. If the gentleman wants to go, I think we can excuse him.

Mr. MONDELL. I do not think it is necessary to suspend the business of the House for that purpose.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none, and it is so ordered.

The letter referred to is as follows:

Letter of Congressman ANDREW of Massachusetts addressed to members of Ways and Means Committee and other Members of the House upon paying adjusted compensation to heirs of deceased veterans.

MARCH 9, 1922.

MY DEAR COLLEAGUE: Your attention is called to an omission in the adjusted compensation bill (H. R. 10769), which I believe you will agree involves injustice and has no warrant in logic and ought to be rectified before the bill is presented to a vote of the House.

The bill provides that in case a veteran applies for adjusted compensation and dies before receiving it the compensation to which he was entitled but which he had not received shall be paid to a designated beneficiary, or, failing that, to his estate; but, on the other hand, if he died during the war or since the war and before the act goes into effect and so never had a chance to file an application, no provision is made to pay his adjusted compensation to his heirs or estate. Certainly neither logic nor justice warrants making a distinction between the heirs of those veterans who may die a week after the law goes into effect and the heirs of veterans who may die a week before. Above all, the injustice is manifest of favoring the heirs of veterans who may die in civil life in the future, as compared with the heirs of those who died while actually in the military or naval service of the country, including those who died on the field of battle.

To prevent the commission of what would seem to me an act of inequity and unwisdom, on February 8 I submitted to the Ways and Means Committee an amendment to the adjusted compensation bill along the following lines, to be inserted among the miscellaneous provisions under Title IX:

If any veteran, as defined in section 2, died during the war or shall have died before making application in accordance with the provisions of section 302, the amount of his adjusted-service credit as authorized and defined in the provisions of Title II shall be paid to the relatives hereinafter specified under such regulations as the Secretary of War and the Secretary of the Navy shall jointly prescribe: *Provided*, That application for such benefits be made on or before July 1, 1923; *And provided further*, That the deduction of payments for 60 days of active service referred to in the provisions of Title II shall not be made in computing the benefits accruing to the heirs of any veteran who did not receive the payment of $60 under section 1406 of the revenue act of 1918 because of death either before or after the passage of that act.

The benefits authorized by these provisions shall apply, first, to a widow if living and unmarried; second, if there is no widow living and unmarried, then to a child or children; third, if there is no child or children, then to a mother; fourth, if there is no mother, then to a

father: *Provided*, That the terms "child or children" shall include a legitimate child, a child legally adopted, a step-child if a member of the veteran's household, an illegitimate child if acknowledged in writing signed by the parent or if the veteran is judicially decreed to have been the parent of such child, and that the terms "mother" and "father" shall include step-mothers and step-fathers, mothers and fathers through adoption, and persons who have stood in loco parentis to the veteran at any time prior to his enlistment or induction for a period of not less than one year.

Of the nine members of the committee who voted upon this amendment, five, as I am informed, voted against it and four in its favor. Should the amendment never be allowed to come before the House for a vote, one man will then have given the final decision upon a matter which concerns the most deserving sufferers from the war, and for this decision all Representatives in Congress who support the adjusted compensation bill will be held responsible. If the justice of this amendment appears as clear to you as it does to the undersigned, I bespeak your support for it, and ask that you urge upon the members of the committee its incorporation in the bill before the bill is reported to the House.

Respectfully, yours, A. PIATT ANDREW.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes. Pending that, will the gentleman from Mississippi [Mr. SISSON] please state how much time in general debate he needs on his side of the House?

Mr. SISSON. Mr. Speaker, I have had quite a number of requests for time. There are three different items in the bill to which several gentlemen desire to address themselves. Some gentlemen want to talk about rivers and harbors, some about the Army, and several gentlemen wish to speak generally. I think we will need about five hours on this side, and if I should grant these gentlemen all of the time they ask for it would take a great deal more than that.

Mr. ANTHONY. It has been suggested that we devote two days to general debate on this bill.

Mr. SISSON. That is entirely satisfactory to me.

Mr. ANTHONY. But for the purpose of specifying what we mean by two days, I would suggest nine hours of general debate, four hours and a half to be controlled by the gentleman from Mississippi and four hours and a half by myself.

Mr. SISSON. If we are going to devote two days to debate, rather than to have some gentleman either on his side or on this side cut out of time I suggest that we continue a little longer.

Mr. ANTHONY. Of course, the gentleman knows there is bound to be some other business taken up by the House.

Mr. SISSON. I think that would be satisfactory to me. I do not feel that there would be any objection to continuing the session a little longer in order to accommodate gentlemen on either side of the House. I have no objection to that understanding, that we devote two days to it.

Mr. ANTHONY. Mr. Speaker, I ask unanimous consent that the general debate on this bill be limited to nine hours, one-half to be controlled by the gentleman from Mississippi [Mr. SISSON] and one-half by myself.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that general debate upon the bill be limited to nine hours, one-half to be controlled by himself and one-half to be controlled by the gentleman from Mississippi [Mr. SISSON]. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The question now is on the motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10871, the Army appropriation bill, with Mr. LONGWORTH in the chair.

The Clerk reported the title of the bill.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ANTHONY. Mr. Chairman, the bill which is before the committee for consideration is the bill making appropriations for the War Department activities for the next fiscal year. For the first time the measure embraces not only the appropriations for the Army but for rivers and harbors, for fortifications, for the soldiers' homes, for the Panama Canal, and a number of other activities which heretofore have been carried in the sundry civil appropriation bill, the legislative bill, and other measures. In the first place the bill has been divided so that the essential military activities appear in Title I of the bill and the nonmilitary activities are classified under Title II.

The total estimates which came to the committee from the Bureau of the Budget were approximately $360,000,000 for all of the War Department activities for the next fiscal year. Your committee has reported a bill which makes a reduction in the Budget estimates of $87,000,000 for the conduct of the department for the next fiscal year, and I want to say to the House that in making those severe reductions in the estimates of the Budget the committee was animated, first, by the purpose of endeavoring to reduce the expense bill for the conduct of this great Government of ours for the next fiscal year so that we would be able to do our part toward contributing to the grand total of one billion reduction in the expenses of this Government for the next fiscal year as compared with the last fiscal year, which is the result we all hope to attain. [Applause.] Next, we were animated by the desire to bring the appropriations for the conduct of the War Department down to somewhere near the basis that characterized them in the years before the war. All gentlemen know that during the war, with the liberal spirit that characterized this House, appropriations in large lump sums were made for the War Department, which encouraged a spirit of waste, perhaps of extravagance or of liberality, to say the least, in the expenditure of the public funds, and which we have not entirely gotten over as yet; your committee believed it is time to bring the administration of the affairs of the War Department and of the expenditure of the moneys which you appropriate down to what might be called a business basis. We also had the idea in mind that in making these radical cuts there was danger of crippling the military service of the country, and that was the one purpose that was furthest from our thoughts. And I want to assure the House that every reduction which has been made in this bill or limitation which your committee has placed upon it has been made not only with the idea of reducing the expenditures for the Army but of increasing its efficiency and its effectiveness, and we believe that if our recommendations are carried out the Army will not only be more efficient but more effective than it has ever been before. [Applause.] We sought not only to find a way to make these reductions but we sought to find what has been the cause of these large expenditures. We devoted three months of work in committee room in an endeavor to ascertain those facts. We wanted not only to find those facts but after we found them possibly to present them to the House in some constructive form and to give some suggestions as to how these large expenditures could be obviated in the future. We think we have found where the money has been going.

It lies, as I said before, in the expensive method of administering the Army. We found a number of rat holes, gentlemen, and by means of limitations in the bill we are trying to stop them up. For instance, we find that it has been the policy of the General Staff—and I do not desire to speak of the General Staff in a derogatory manner, for they are a very able body of men and splendid officers of our Army—but we find that it is now their desire, and has been, to maintain in Hawaii in time of peace a full division of men, which means 14,000 as the minimum and perhaps 21,000 as the maximum, dependent upon the whim of the department as to the size of the division. We find they want to station a division of men in Panama, 14,000, and unless they are curbed in some way that is what you are going to see within the next year or two. It has cost as much to maintain these divisions in Hawaii and in Panama, or will cost during the next fiscal year, as it cost for our entire Army in the years following the Spanish War. So that your committee felt they would have to put a stop to this plan of stationing such large numbers of troops in our island or outlying possessions and reduce them to a reasonable basis somewhere compatible with what it ought to be.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. SMITH of Idaho. Will the gentleman indicate on what basis he proposes to determine whether or not we need less soldiers in Hawaii and Panama than at the present time?

Mr. ANTHONY. Well, the committee is forced to use its judgment to a large extent. The general thought in defense of the Panama Canal and the western coast and all of our military defense both in Hawaii and in Panama are predicated upon the American Navy being first wiped off the seas; but with a Navy probably the strongest on the seas to-day I do not think there is any probability we will have to face that event. So I do not believe it is necessary to maintain these immense garrisons at these points, and especially when they are so quickly accessible by ordinary means of transportation as they are now.

Mr. SMITH of Idaho. The conclusion the committee has reached is not concurred in by the Secretary of War nor Gen. Pershing.

Mr. ANTHONY. Oh, no; of course, they are not concurred in by these military gentlemen, and there is no more true statement that can be made than the one made by Lord Lee, one of the English representatives at the recent disarmament conference in Washington, who in speaking of England's placing large garrisons all over the world said that if the English general staff was left alone they would put a garrison on the face of the moon. It is true of any army that they will overgarrison any spot under the idea of taking extra precautions. This large saving of $87,000,000 that has been made from the estimates of the Budget may not all be net. I will say to the committee there are $13,000,000 included for pay of the Army. For the last three years we have been paying the Army a 20 per cent increase over the pay provided in the basic law of 1908. That temporary increase expires June 30 next. This bill provides for the pay of the Army beginning the 1st of July next, so the only law which we had upon which to base the pay of the Army is the basic law of 1908.

The measure now pending before this body, embodying the McKenzie bill, which I understand will shortly come before you for consideration, if adopted increases the base pay of 1908, and it will be necessary to augment the pay provision of this bill with an additional appropriation covering any increase which the House may make. Now, in reference to the size of the Army, this bill limits the number of enlisted men to 115,000. The Army to-day is approximately 140,000 men. Last year we authorized a total of 158,000, including the Philippine Scouts. In this bill the Army is limited to an enlisted force of 115,000 plus 7,000 Philippine Scouts, making a total of 122,000 enlisted men.

Mr. MANN. Will the gentleman yield?

Mr. ANTHONY. I will yield.

Mr. MANN. How is the limit fixed?

Mr. ANTHONY. By a reduction of the amount of the appropriation for pay of enlisted men, and a provision in the bill that the amount appropriated in the bill shall not be exceeded for the purposes for which they are appropriated.

Mr. McKENZIE. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. McKENZIE. I desire to ask the gentleman from Kansas whether they took into consideration the question of the abandoning of the Philippine Scouts? That proposition, as the gentleman knows, was discussed in our committee a number of times, and for one I am not in favor of continuing an army of Philippine Scouts.

Mr. ANTHONY. That question was not considered by the committee, but we discussed the Philippine situation in detail with both Gen. Pershing and Secretary of War Weeks. We have approximately 7,000 American troops in the Philippines and 7,000 Philippine Scouts. The Secretary stated he believed conditions were such that he would withdraw a large part of the American troops from the Philippines in the near future, and that would leave the garrisons in the islands very largely in the hands of the Philippine Scouts, which are recognized as a highly efficient body of men. And, further than that, they are an economical body of men for Congress to maintain, because their pay is one-half of the pay of the American enlisted men, and their maintenance is much less.

Mr. McKENZIE. Of course, it is contended by some of us that the Philippine people should maintain their own National Guard for the purpose of keeping order in the Philippine Islands, and that it should not be a charge upon the Government of the United States.

Mr. ANTHONY. Of course, the gentleman knows that the Philippine Constabulary occupies about the same position in the Philippines that the National Guard does in this country, and to all intents and purposes the Philippine Scouts are in the Regular Army—at least officered by officers of the Regular Army.

Mr. BRIGGS. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BRIGGS. What is the number of officers at the present time?

Mr. ANTHONY. I will get to that in a moment. With the reductions we propose to make in the garrisons in Hawaii and Panama—and I will say that a provision in this bill also withdraws the troops from the Rhine by July 1, and we leave 500 men on the continent of Europe largely for the purposes of cleaning up there; I presume it will be necessary to utilize a number of men in connection with the Graves Registration Service in France and work of that kind—and with the curtailment of these foreign garrisons there will be approximately 17,000 men returned to the United States, just about the number we propose to reduce the Regular Army by, thus meeting the principal criticism that can be offered to our reduction of the enlisted force at this time, namely, that we may be reducing the Regular Army below the safety point for our internal protection in this country; but by reducing our foreign garrisons we are augmenting the force stationed in the United States to a point even larger than it is to-day.

And in this connection the House should take into consideration the fact that our National Guard is growing by leaps and bounds. It is no longer a paper army, but it is composed of a body of 142,000 men, almost as efficient as are the soldiers of our regular service. We figured that by the beginning of the next fiscal year, by midsummer, it will number 160,000 men, and that by the end of the next fiscal year its growth will take it to a maximum of 190,000 men. So that there can be no charge made that the slight reductions we are making in officers and men in the regular service leaves this country without an adequate military force for its protection.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. CONNALLY of Texas. In the reduction of officers I believe the bill provides that those in the service shall be demoted or retired under certain conditions?

Mr. ANTHONY. I was just going to take that up.

Mr. CONNALLY of Texas. Who is going to say who the surplus officers are? Who is going to pick out the officers who are going to be fired?

Mr. ANTHONY. It will all be done under regulations approved by the President of the United States, and the committee presumes that, if the language of the bill is enacted into law, the machinery of the Pershing bill will be used for the purpose; that is, boards of general officers acting under regulations approved by the President.

Mr. CONNALLY of Texas. Why not let Congress say how they should be fired? Why leave it up to the Secretary of War?

Mr. ANTHONY. I do not believe it is in the province of Congress to place an estimate on the capacity of individual officers.

Mr. CONNALLY of Texas. But Congress can set up the machinery by which it can be arrived at.

Mr. ANTHONY. I think we can very safely leave it to the President and Gen. Pershing.

To discuss further the commissioned personnel of the Army, this bill limits the number of commissioned officers to 11,000. We now have 13,000, approximately, in the commissioned personnel of the Army. Seventeen thousand officers are authorized by the reorganization act of 1920, but we find this condition exists: While we limited last year the number of commissioned officers to 14,000 in our appropriation bill, and the number actually appointed was 13,000, we find that the War Department has gone ahead and made promotions in the Regular Army on the basis of the full number of 17,000 officers. So you have got the full number of colonels and lieutenant colonels and majors, and so forth, to-day in a commissioned personnel of 13,000 that the Congress authorized for the maximum of 17,000 officers. Of course it is costing the country an unnecessarily large amount of money, and it has thrown the commissioned force of the Army entirely out of balance. It has left us without any second lieutenants, so to speak. This bill proposes to correct the condition in which we find the commissioned personnel of the Army. We feel that 11,000, a reduction of 2,000 from the present number, will be an ample commissioned force. In reducing the commissioned force of the Army Congress can not make an arbitrary reduction and leave it to the department to get rid of the surplus, because under the present law there are only two ways to get rid of a commissioned officer of the Army—to accept his voluntary resignation or try him by court-martial for misconduct and give him a dishonorable discharge. So this particular legislation that we propose is necessary in order to cut down the commissioned personnel of the Army by 2,000, which the committee has decided is the proper thing to do at this juncture.

Mr. KINCHELOE. I heard a very prominent Senator of the gentleman's party say in the Senate the other day that 14,000 officers was a sufficient number to officer an army of 450,000 men, and he stated that these 14,000 officers were costing the taxpayers $53,000,000 a year, and he further stated that if the Army was reduced to 100,000 men, and the number of officers in proportion, it would save the taxpayers of this Government $100,000,000 a year.

Mr. ANTHONY. I think that is a rather extravagant statement, I will say to the gentleman.

Mr. KINCHELOE. How many civilians are employed in the Army to-day?

Mr. ANTHONY. The reduction which has been made in the civilian force has been very marked in the last year as the result of the limitations contained in the current Army appro-

priation bill and the energetic action of Secretary of War Weeks in reducing numbers of civilian employees.

Mr. KINCHELOE. Is it not a fact that there are about 40,000?

Mr. ANTHONY. The number of civilians to-day is slightly in excess of what it was before the war, in addition to the forces employed in the Chemical Warfare Service and the Aviation Service. Aside from those services I do not believe there are in excess of 10,000 more civilians in the Army to-day than there were before the war.

Mr. KINCHELOE. What is the total?

Mr. ANTHONY. I have not the total at my tongue's end, but I can give it to you in a few minutes. I should say it was in the neighborhood of 50,000.

Mr. SISSON. Mr. Chairman, if the gentleman will permit an interruption, I can give the latest figures furnished by the War Department of civilians in the field. It is 49,046.

Mr. ANTHONY. I am obliged to the gentleman from Mississippi.

Mr. KINCHELOE. Does the gentleman think that number is necessary?

Mr. ANTHONY. The Secretary of War stated to us that the number of civilians had been reduced almost to what it was before the war, with the exception of the new services that I have mentioned. There is no question but that the number has been radically reduced and is being still further reduced.

Mr. TILSON. Mr. Chairman, will the gentleman permit a question along that line?

Mr. ANTHONY. Yes, sir.

Mr. TILSON. Does that include the civilians employed on the Isthmus of Panama?

Mr. ANTHONY. I think not. That would be a nonmilitary activity.

Mr. TILSON. While they are connected with the department, they are not a part of the Army?

Mr. ANTHONY. That is correct.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. LAZARO. In framing your bill, do you make provision for the highly technical branches of the service, such as aviation, the Chemical Warfare Service, and the Medical Service?

Mr. ANTHONY. We feel that we have made most liberal provisions for these different bureaus.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. FISHER. Do I understand correctly that we have over 13,000 officers in our Army now?

Mr. ANTHONY. Twelve thousand nine hundred and eighty.

Mr. FISHER. Now, just what procedure is suggested whereby the Army would carry out the dismissal of the difference between that number and 11,000?

Mr. ANTHONY. I shall be glad to explain that to the gentleman.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. COOPER of Wisconsin. I understood the gentleman from Mississippi [Mr. SISSON] to say that there are 45,000 civilian employees in the Army.

Mr. ANTHONY. Approximately.

Mr. COOPER of Wisconsin. With an Army of 115,000.

Mr. ANTHONY. Yes.

Mr. COOPER of Wisconsin. That would be one for every three.

Mr. ANTHONY. About that.

Mr. COOPER of Wisconsin. What do they do?

Mr. ANTHONY. Let me give you one illustration: Take the Air Service of the Army, for example. We have 1,200 officers and nearly 8,000 enlisted men, or did have a short time ago. But with those 1,200 officers and nearly 8,000 enlisted men our Air Service has not been able to get up into the air without the assistance of 6,000 civilians, most of them mechanics.

Mr. COOPER of Wisconsin. That is 6,000 out of 45,000. What do the other 39,000 do?

Mr. ANTHONY. There must be 15,000 or 20,000 of these employees connected with the Quartermaster Corps, connected with the various manufacturing activities and other activities connected with the service.

Mr. COOPER of Wisconsin. That would be one man in three.

Mr. SISSON. I have some figures here that I would like to put in the RECORD at this time.

Mr. ANTHONY. I would be glad if the gentleman would make the statement.

Mr. SISSON. I give only the large employments, not the small ones. In the Quartermaster Corps there are 13,469; in the Medical Department there are 1,175; in the Engineer Department there are 19,189; in the Ordnance Department there are 6,000; in the Signal Service there are 344. Then, there are several small items of less than 100. Then, in the Air Service there are 3,400 and in the financial department there are 905. These men are all in the field service, and there are numbers that are not in the field service.

Mr. ANTHONY. I am just informed by the clerk to the committee that the maximum of 45,000 does not include civil work under the supervision of the War Department.

Mr. SISSON. Yes; that is true.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HILL. The gentleman stated that there were about 19,000 civil employees in the Engineer Department. Are they engaged in river and harbor work?

Mr. ANTHONY. Yes.

Mr. SISSON. Not those employed by contractors, but wherever the Government itself is doing the work, and there are certain civilian employees supervising the work; the civilian employees are included in this calculation.

Mr. HILL. How many are in river and harbor work?

Mr. SISSON. Well, we have various activities under the Engineer Department other than river and harbor work. In the service in connection with rivers and harbors, where the contracts are let to the contractors, those men doing the work are paid by the contractors out of another fund, and they are not included in this.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. REED of New York. I have in mind the Watervliet Arsenal. Do the civilian employees of the Army include those at the arsenals?

Mr. ANTHONY. They would be paid from the Government pay roll at the arsenals; yes.

Now, as the gentleman from Tennessee [Mr. FISHER] just suggested, it is necessary that we provide machinery by which we may get rid of the 2,000 officers, by which number we propose to reduce the force. Legislation is necessary for that purpose. But this committee has provided the legislative machinery to accomplish that end under the broad provisions of the Holman rule, because if we reduce the Army by 2,000 commissioned officers, it must be perfectly apparent to every Member that with an officer costing us on an average $3,000 per annum in salary a reduction of 2,000 officers makes a saving of $6,000,000 on the face of the bill.

Mr. DYER. Mr. Chairman, will the gentleman yield for a question?

Mr. ANTHONY. I would rather complete this statement first in regard to officers. Then I shall be glad to yield.

Mr. DYER. This is on the question of civilians.

Mr. ANTHONY. I would rather finish this statement first.

Now, in order to accomplish this reduction of officers the bill provides, first, that there shall be a limit to the number of officers in each grade. Thus we shall restore to the Army the exact proportion of officers in each grade as provided in the reorganization act of 1920. For instance, that act authorized 4 per cent of colonels, or 600.

We are providing in this reduction of 2,000 officers to a maximum of 11,000, 4 per cent of colonels, and then the exact proportion of lieutenant colonels and majors, captains, and first lieutenants. Therefore it is manifest that there will be a number of officers in each grade to be disposed of, and this bill provides that these officers can be recommissioned in the next lower grade if they are officers whom the department wishes to keep in the service, or if they have less than 10 years of service to their credit they may be discharged with 1 year's pay. That was the amount of pay provided by the Government when it discharged a number of officers after the Civil War.

Next we provide that if an officer has more than 10 years' service and less than 20 years of service to his credit he may be placed on the retired list with pay at the rate of 2½ per cent of his annual pay multiplied by the number of years of service. If he has 20 years of service and less than 30 years, we provide that he may have 3 per cent of his annual pay multiplied by the years of his service, but not exceeding the 75 per cent to which he would be entitled when he had served the maximum, as now provided by law. All this is to be done under regulations to be approved by the President, which means the appointment of suitable boards to eliminate the surplus officers.

In the bill which is pending before the House sponsored by Gen. Pershing it is my understanding that the officers that he proposes to get rid of are referred to as the least efficient officers. The bill now under consideration does not classify as inefficient the men we propose to get rid of. We classify them

as surplus in their grades, leaving it to the judgment of the department as to the individuals who should be taken out of the Army.

Mr. MANN. Will the gentleman from Kansas yield?

Mr. ANTHONY. I yield to the gentleman from Illinois.

Mr. MANN. I have not yet been able to read the bill. Are the legislative provisions to which the gentleman refers carried in the bill?

Mr. ANTHONY. They are carried in the bill.

Mr. MANN. Of course, they will go out on a point of order unless there is a rule to keep them in. Does the gentleman expect to have such a rule?

Mr. ANTHONY. The committee rather thought that under the provisions of the Holman rule this legislation would stay in the bill. We hope it will, at any rate.

Mr. MANN. It is possible that that may be so.

Mr. TILSON. Are not a number of these provisions simply limitations?

Mr. MANN. You can not bring in as a limitation a provision discharging men and providing how they may be discharged.

Mr. TILSON. No; but they can provide that no money shall be paid to officers in excess of a certain number.

Mr. MANN. Oh, certainly; but I thought the outline given by the gentleman from Kansas contemplated legislation.

Mr. ANTHONY. At any rate, I will say to the gentleman that this is the only avenue which the committee saw open through which to achieve an early reduction in the size of the Army.

Mr. MANN. I think the provisions ought to be kept in the bill, even if it requires a rule to make them in order.

Mr. CRISP. Will the gentleman from Kansas yield?

Mr. ANTHONY. I yield to the gentleman from Georgia.

Mr. CRISP. I recall that when Judge Saunders, of Virginia, was presiding in the Committee of the Whole he held in order under the Holman rule a provision reducing the number of Cavalry regiments on the ground that as a matter of fact it effected an economy.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Mississippi.

Mr. JOHNSON of Mississippi. How many officers are stationed in Washington at this time?

Mr. ANTHONY. I think I have seen the statement that there are possibly a thousand officers stationed in Washington and hereabouts.

Mr. JOHNSON of Mississippi. I understand there are between 1,700 and 1,800.

Mr. ANTHONY. I think that is in excess of the true number. There may be 1,100 or 1,200. I understand the department is taking measures to reduce that number.

Mr. JOHNSON of Mississippi. About how much?

Mr. ANTHONY. I have no means of ascertaining.

Mr. JOHNSON of Mississippi. Does not the gentleman think something ought to be done toward reducing the number of officers here? It is generally talked around that we have an excess of officers in this town.

Mr. ANTHONY. The Army has had a great many activities to look after and lots of work to do in closing up the big things that we had on hand during the war, and most of the officers who have been in Washington have been engaged in practical work for the Government. That has been my observation.

Mr. DYER. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Missouri.

Mr. DYER. Can the gentleman tell us what is the strength of our Military Establishment in the Philippines, including our civilian employees in the employ of the Army there?

Mr. ANTHONY. I can only give the gentleman the military strength there, which is 7,000 men of the American Regular Army and 6,900 Philippine Scouts.

Mr. DYER. How many officers?

Mr. ANTHONY. The clerk of the committee can give the gentleman that information.

Mr. DYER. Does the gentleman know whether or not it is the intention to bring home the Army now in the Philippines and to allow the Philippine Scouts, with native officers and men, to take care of the situation there?

Mr. ANTHONY. The Secretary of War stated to the committee that it was his intention to reduce largely the number of American troops in the Philippines. That is all the statement we have.

Mr. DYER. Did he make to the subcommittee any statement with reference to bringing them back entirely and letting the Filipinos manage their own military affairs?

Mr. ANTHONY. He announced no definite policy, except as I have stated to the gentleman.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. I should like to have a clear understanding of what is included within the term "civilian employees"? I ask this question because the gentleman mentioned the Quartermaster's Bureau. Does that term include the clerks in the Quartermaster's office here in Washington?

Mr. ANTHONY. The maximum number which we gave?

Mr. COOPER of Wisconsin. The total number of civilian employees of the Army?

Mr. ANTHONY. I take it that the civilian employees mentioned include all the civilians paid from the money appropriated in this bill.

Mr. COOPER of Wisconsin. Are the clerks in the Quartermaster's Department paid out of the appropriation in this bill?

Mr. ANTHONY. They are.

Mr. GARNER. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GARNER. Let me say that I had it from a member of the committee who heard the testimony that there are about 45,000 civil employees in the employ of the Army outside of the District of Columbia. He did not describe the nature of the employment, but that was about the number of civil employees.

Mr. COOPER of Wisconsin. I was wondering how one man in three outside the District of Columbia could be employed in the Regular Army as a civilian.

Mr. ANTHONY. Now, I will take up some of the items covered by the bill. For the Reserve Officers' Training Corps activities and from the standpoint of affording military training, they are accomplishing a splendid work. They are training at schools and colleges approximately 112,000 young men—45,000 in the high schools and 60,000 in the units at colleges. Last year we appropriated $2,850,000, and this year we are giving them $2,750,000; but we are also providing that there shall be furnished certain equipment and supplies—uniforms—which will augment the appropriation half a million dollars, so that we are amply providing for the continuation of the work.

Mr. HILL. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. HILL. I want to call attention to the bill to which reference has been made for the reduction of the number of the personnel of the Army. It uses the word "supernumeraries" and not "inefficient."

Mr. ANTHONY. Our idea was to avoid stigmatizing any officer as being inefficient.

Mr. HILL. That was the idea of the Military Affairs Committee, and section 4 of the bill says that the Secretary of War shall convene a board of five general officers, and so forth, who shall deal with "supernumeraries" and not inefficient.

Mr. ANTHONY. In the present bill we use the term "surplus."

Mr. SNELL. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. SNELL. I understand the officers of the department will continue the same military training camps that you had last year.

Mr. ANTHONY. The gentleman refers to the civilian military training. In regard to that I will say that the appropriation for the current year was $900,000, and we trained 10,000 in the summer camps with that money. This year we are providing $1,900,000 for that work under which we feel that the department will be able to train 25,000 to 30,000 civilians. With this appropriation we give authority to use available surplus supplies in the quartermaster's department. For instance, we found 5,000,000 yards of uniform cloth that had better be made up now for the men's use than to keep it on hand five or six more years, and by giving them these supplies at the civilian training camps it augments their appropriation fully half a million dollars. So, for both branches of the civilian training the committee has made much more liberal appropriation than for the current year.

Mr. SNELL. Will the gentleman yield?

Mr. ANTHONY. Certainly.

Mr. SNELL. Is the department to create additional camps, or extend the ones they now have?

Mr. ANTHONY. In the report the committee takes the liberty of recommending more camps and that they be scattered over the country geographically so as to cut down the expense of transportation, which runs very large during the present year, and using the existing facilities at military posts so they can conduct the camps much cheaper than in the past.

The next important item is the Air Service. We gave the Army $19,000,000 for the Air Service during the current year. The Bureau of the Budget sent in an estimate of $15,000,000 for the next fiscal year. The committee has allowed twelve million and some hundred thousand, and in doing so we still believe we are making ample provision for the Air Service. We

have made some reductions which we believe have been made along lines where it should be made. We are reducing the appropriation for the employment of civilian forces which various gentlemen in the House have been inquiring about.

Mr. SNYDER. Will the gentleman yield?

Mr. ANTHONY. I will yield to the gentleman from New York.

Mr. SNYDER. Can the gentleman tell us whether there has been any perceptible gain in the efficiency of the flying service within the last year?

Mr. ANTHONY. I think that there is a perceptible increase in efficiency all along the line.

Mr. SNYDER. Will the gentleman state whether the machines they are now using will be any great improvement over those that they have been using?

Mr. ANTHONY. I intend to take that up in a minute.

Mr. SNYDER. I was wondering whether with the reduction in the amount of the appropriation you are certain that the service will be better and more efficient in the future than in the past.

Mr. ANTHONY. There is no reduction in the amount we provide for new airplanes, we are giving every cent that they ask for.

Mr. SNYDER. Does the ivestigation show that the construction of flying machines was improved to any amount last year?

Mr. ANTHONY. This seems to be the situation: We found where the Air Service had made what we thought was a blunder in spending money for the Barling bomber, a gigantic plane of which they are building two up in New Jersey, that cost $375,000 a piece. They cost $375,000 a piece. There are two of them under contract, and we are informed that when completed they will be equipped with six Liberty engines each and will have such a tremendous spread of wing, such a tremendous weight, that they claim there is no landing field in this part of the country where it would be safe to fly from or to land. Gen. Patrick told us that as soon as that machine was finished, which would be shortly, he would have to dismantle it completely, put it on shipboard in New York, send it by water around to the flying fields near San Antonio—the Ellington and Kelly Fields in Texas—as that was the only place in the country where he thought it would be safe to put the monster in the air and land it again. The committee naturally concluded that that is an absurd machine for practical use.

Mr. SNYDER. To carry the question a trifle further, I am wondering whether there is a comprehensive plan worked out so that it has been determined that certain types of machine are the types that would be regular and proper for the future business of warfare.

Mr. ANTHONY. Oh, I think not. I think we are still in a state of flux, if I may use that expression, and we are all looking forward to the development of a plane which will be absolutely safe in the air, and which will fulfill all of our expectations.

Mr. SNYDER. I am somewhat familiar with the idea of spending three or four hundred thousand dollars and experimenting with a machine such as the gentleman has just described, which when you get it done you have to take down and transport rather than fly it from the place of its construction to the place it is desired to operate it. It seems to me that is very silly, and the people generally are feeling that way about the Air Service, at least those that I come in contact with.

Mr. ANTHONY. To continue with the gentleman's question along the line of what has happened in the development of airplanes, last year we were assured by the Air Service that the development of a proper pursuit plane, which is the combat plane used by the Army, was the most important thing they had in view. They claimed they had developed what they call the Thomas-Morse pursuit plane, which was all that they hoped to have, the very fastest and the best combat plane possible to manufacture.

For the last two years we have given them ample funds with which to supply these Thomas-Morse machines. They are now coming through—some of them delivered and some hundreds more to be delivered—and to our surprise and astonishment, in the examination of the Air Service officials the other day, they apologized to us, and said that they were sorry, but that they were unable to obey the mandate of the current year's appropriation act. We did not merely appropriate $6,000,000 but we ordered them to expend $6,000,000 for new planes. They apologized, and said that they had not been able to do that, because the types of plane which they thought they had perfected were not such as they thought they were. In other words, they are going to slow up on the types that they thought were final; and there is still $2,000,000 of this year's appropriation they have been unable to expend. In Dayton they have now under experimentation the Loening and the Verville, two types they say are better than the Thomas-Morse, and we are providing $2,300,000—all they ask—to go into the manufacture of those types.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GRAHAM of Illinois. Is the gentleman going to discuss the dirigible proposition? What has been done in respect to the purchase of more dirigibles and with respect to helium gas?

Mr. ANTHONY. There is a limitation under which the department can not expend to exceed $400,000 for lighter-than-air machines. We put that limitation in purposely so that they would buy no more of these *Romas* or *R-38's* or any other of these big, useless gas bags.

Mr. GRAHAM of Illinois. Is there any appropriation made for helium?

Mr. ANTHONY. Yes. We have increased it from $250,000, which the Budget asked for, which the War Department asked for, to $400,000, although the committee is convinced that we have not facilities existing now, even after the expenditure of from ten to fourteen million dollars, with which we can manufacture helium practically from a commercial standpoint. There is no certainty that with the $400,000 which this bill provides and the $400,000 which the naval bill will provide—$800,000 in all—we will get an appreciable amount of helium. They claim it will give us 12,000,000 feet of helium if they are allowed the funds to operate the Fort Worth plant for 12 months at $70,000 per month, but the committee doubts this.

We are of the opinion that these large gas bags like the *Roma* and other ships of similar type have not the slightest military value, and that it is a waste of money for Congress to expend a cent for their acquisition or for their construction. The House ought to know that the *Roma* was not purchased by funds which this committee reported in any of its recent appropriation bills. The *Roma* was purchased over a year ago by the War Department out of funds which still hung over from those appropriated for the conduct of the war, and was purchased without any direct authorization of Congress.

Mr. HUDSPETH. Did I understand the gentleman to state that it is the purpose to authorize the War Department to reopen the helium plant at Fort Worth at once? I understand it has been shut down.

Mr. ANTHONY. We make an appropriation of $400,000 for that purpose, and the naval bill will augment that by an equal amount, I understand.

Mr. HUDSPETH. How long will this appropriation run this plant?

Mr. ANTHONY. They claim it costs $70,000 per month to operate the Fort Worth plant. The gentleman can figure for himself how long $800,000 will run the plant—approximately a year.

Mr. HUDSPETH. That is for the Fort Worth plant solely?

Mr. ANTHONY. That is the only one they say is in any condition to produce helium at the present time.

Mr. HULL. Will the gentleman explain why any money is expended on these large gas bags when the committee does not consider them of any military value?

Mr. ANTHONY. There is a limitation in the bill of $400,000. There will be no large balloon like the *Roma* purchased. This is for the purpose of building smaller gas bags, semirigid in type, which the committee feels are necessary, and we would have enough helium to fill them. They are necessary for observation of artillery fire and other military purposes.

We have a number of these small balloons left over from the war. The committee thought we had an ample number on hand, but upon investigation we found that the rubber deteriorates, and in three or four years since their manufacture the fabric has deteriorated so that it is necessary to let the Army have a half dozen more of that type for practice use and training.

Mr. SNELL. Will the gentleman yield for another question?

Mr. ANTHONY. I will yield.

Mr. SNELL. Are there any more of these floating funds of the War Department whereby they can buy one of these large balloons?

Mr. ANTHONY. I do not think there are any. The committee made an exhaustive study of the status of the appropriations of the War Department, and the gentleman will find this bill carries a provision authorizing the return of $9,000,000 of unallotted and unexpended funds of the type the gentleman describes, so that with the enactment of this bill we have put an end to the use of any loose money which the War Department might have.

Mr. SNELL. I think that is a very wise provision of the bill.

Mr. ANTHONY. The appropriation for ordnance is covered by items formerly carried in the fortification act and the sundry civil bill for the manufacture of coast-defense guns,

and so forth. In our ordnance appropriation we are just appropriating enough money so that a majority of the arsenals of the country can be operated on what they tell us is 10 per cent of the maximum capacity. We find that it would be an unwise military policy entirely to close down these big arsenals, and as I say, there will be a skeleton force maintained at each one of them, and they will be operated up to what will be about 10 per cent of their maximum capacity, which will be considerably less than they are being operated for during the current year. On our big-gun program we have authorized the continuation of the construction and made provision so that they may complete the necessary number of 16-inch guns, which are far enough advanced in their manufacture so it would be better to complete them rather than to use some of the surplus 16-inch naval guns and adapt them for the purpose which will be rendered surplus by the decrease in our naval force. We propose to authorize the completion of enough 16-inch guns to man the works at Fort Tilden, Rockaway, N. Y., where there is a battery of 16-inch guns going in. We authorize the 16-inch guns which go in at Fort Story to command the entrance to Chesapeake Bay and the completion of that project. We complete the guns and the project for the 16-inch fortification at Keoti Point, Hawaii, and the 16-inch project on the western approach to the Panama Canal. Aside from that the big guns authorized for manufacture at our arsenals are a certain number along the lines of experimentation and development, and there are but a few allowed to be carried through for experimentation purposes.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. NEWTON of Minnesota. As to the guns to man the west approach to the Panama Canal, is it proposed to add to the number of the guns there, or merely change those that are on top of that high rock? There are two of them there, I think 14-inch——

Mr. ANTHONY. We have two 16-inch guns there in order to increase the range.

Mr. NEWTON of Minnesota. What about the battery that is down behind the rock. Will those be changed?

Mr. ANTHONY. I do not think there will be any change in the existing battery. The batteries will be augmented by these 16-inch guns. That brings up the problem of what the present range of those large guns is. The committee every year has a number of scarecrows brought before it, so that we will make liberal appropriations for big guns.

One argument advanced this year was that certain ships of foreign navies had guns mounted on them that can outrange any guns which we have in our shore fortifications. When pressed to name the specific ship of a specific navy that had such a gun as that in existence they were unable to furnish the information to the committee, and the committee as a result of its investigation still believes that guns mounted on land defenses outrange by far any gun which can be possibly mounted on board a ship for the reason that to secure the range the gun must be elevated to a point, and the recoil consequently from a gun elevated to secure that long range on the deck of a ship is said to be sufficient to crush almost any deck from which the gun is fired.

Mr. LAYTON. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. LAYTON. Are any of these 16-inch guns to be placed at the mouth of the Delaware in order to protect the entrance to the bay?

Mr. ANTHONY. Not as yet. There are only the 16-inch guns provided for New York and the Chesapeake Bay in this country, so far as authorized by this bill.

Mr. LAYTON. May I ask another question, if the gentleman will yield? What will be done with all the 16-inch guns upon the vessels that are to be scrapped? Are they to be scrapped?

Mr. ANTHONY. If the gentleman will go down to the navy yard in Washington, he will see a pile of guns that have already been completed for use for the Navy that possibly will never be mounted. Now, the suggestion came to the committee that it might be possible to utilize those naval guns already manufactured for our land fortifications, but they claim it will increase the cost of the naval guns to adapt them for land defenses about 40 per cent.

Mr. LAYTON. So the 16-inch guns upon naval vessels to be scrapped will be scrapped also?

Mr. ANTHONY. The guns——

Mr. SWING. If the gentleman will permit, the naval guns last about so long when they are in use and these surplus guns will be used, but in time as these guns become worn out they are taken off and sent in to be repaired and in this way the ships will be kept with a supply of efficient guns all the time.

Mr. NEWTON of Minnesota. Possibly the gentleman covered this before I entered the Hall; if so, he need not repeat himself. I notice the committee has recommended to the House a restriction upon the number of men who shall be retained in the garrison at the Hawaiian Islands. Has the gentleman covered that?

Mr. ANTHONY. I made that statement; yes.

Mr. NEWTON of Minnesota. I do not care to have it gone into again.

Mr. FROTHINGHAM. Do I understand the committee fixes the exact number of men that should be in those places?

Mr. ANTHONY. Except in time of emergency, they shall not exceed 5,000.

Mr. FROTHINGHAM. And the War Department has no discretion about increasing the number at any of those places?

Mr. ANTHONY. At their discretion, they can station a thousand there if they want to.

Mr. FROTHINGHAM. But they can not have more?

Mr. ANTHONY. Not more than 5,000, unless they think it is an emergency.

Mr. FROTHINGHAM. If they think there is an emergency——

Mr. ANTHONY. Then they can station 100,000.

Mr. FROTHINGHAM. That is the thing I wanted to know, because the thing that worries me is the difficulty of getting reinforcements to those places in case of trouble, because of the distance being so great.

Mr. ANTHONY. I think the gentleman will admit it is easier for this country to reinforce the garrisons at Hawaii and Panama than it would be for any other country to reach them.

Mr. FROTHINGHAM. To reinforce those places?

Mr. ANTHONY. To send any military force to those places.

Mr. FROTHINGHAM. I was not thinking of that as much as I was of the local conditions. We all know before we took over the Panama Canal there were 20 or 30 revolutions a year.

Mr. ANTHONY. I will say to the gentleman that we have a force of 70 policemen in the Panama Zone maintained by this bill, and we think they can take care of any revolution.

Mr. FROTHINGHAM. Are they under the War Department?

Mr. ANTHONY. Under the Panama Canal administration.

Mr. LAZARO. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. LAZARO. Does not the gentleman think the Panama Canal Zone is altogether different from all the other possessions we have? For instance, in the event of war, should we be caught there with a very small force, before we could get reinforcements there would not it be possible in a revolution in connection with foreign trouble for them to blow up the canal before we could get there?

Mr. ANTHONY. That is quite right. It is the most important point we have, and we should and will have an adequate force to prevent damage to the canal.

Mr. LAZARO. Have you made provision for that?

Mr. ANTHONY. Abundant provision.

Mr. LAZARO. How many men?

Mr. ANTHONY. Five thousand. And in addition, there is a force of marines there, and in addition there is the naval air force, and in addition there is the Navy on the Pacific and the Atlantic. In other words, we think it is very well defended at this time.

For chemical warfare the Budget asked for $1,500,000. In view of the Disarmament Conference they subsequently modified that to $500,000, which the committee has appropriated. That permits the continuation of experimentation and development work at the Edgewood Arsenal and permits it to be kept in a stand-by condition, and permits the manufacture of improved masks for experimental purposes and maintains a small force of men there so that it can be expanded if need be, but makes no provision for going into the manufacture of a large amount of chemicals to be used in warfare.

Now, as to the National Guard, the Budget asked for $30,000,000. The committee appropriates $21,000,000. As I explained to the committee a few moments ago, the guard is growing very fast. The committee desires to appropriate every dollar necessary to enable it to continue that growth, as we consider it one of the most valuable military assets we have, but we found that in the method of its organization great economies can be worked out. In other words, the War Department is permitting the National Guard to develop along the most expensive lines instead of along the most economical lines. For instance, last year we placed a limitation on the number of animals they

should have in the Regular Army. While we have gotten rid of that number of animals in the Regular Army they have increased the number in the National Guard. The same thing is true of motors. They have loaded the National Guard down with animals and surplus motors of all kinds that it costs a lot of money to keep up. So we have a limitation in this bill that there shall be no more than 4,000 animals in the National Guard. That reduces the appropriation for forage. The House should remember that for every mounted organization in the guard, for every motorized organization in the guard, there is a provision for five caretakers or mechanics at a total of $400 per month for each unit, and it runs into the millions of dollars, and we are trying to cut down that expense of the mounted, motorized, and technical forces.

Mr. NEWTON of Minnesota. The committee is recommending that the hiring of these expert mechanics, either in part or for full time, should be done away with?

Mr. ANTHONY. Not altogether. For instance, in the organization of a tank company in the National Guard, they issue 14 of these big tanks to it. We found out that each mounted troop of the National Guard or each battery has 32 horses. And in many of the county-seat towns, where these organizations exist, we find the horses have been in the livery stables, with five civilian attendants taking care of them all during the winter months, and that the horses have had little or nothing to do.

Mr. NEWTON of Minnesota. I believe in preventing that. Where there is a regiment of artillery that has been motorized, certainly expert mechanics ought to be required to take care of that equipment.

Mr. ANTHONY. Undoubtedly.

Mr. NEWTON of Minnesota. They will be allowed under this?

Mr. ANTHONY. Oh, yes; we have appropriated a certain amount for that. We may have to reduce under this bill the number of mounted units and number of motorized units. Heretofore, the guard has been able to hire horses for its artillery training. We do not know whether that would be practical or not.

But we are making liberal appropriations for the summer training period of the guard, when the Government will be able to provide all motors and all horses necessary for the guard during the training period.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HILL. As I understand this bill, it provides a limit of 4,000 animals for the National Guard?

Mr. ANTHONY. Yes.

Mr. HILL. Will the gentleman say what number was asked for by the War Department?

Mr. ANTHONY. Nine thousand two hundred.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. PARKER of New Jersey. Where mounted troops have been provided they are working their horses very hard and using them over and over again. I am very much worried over the danger of the diminution in the number of these horses. Is it necessary that these be reduced?

Mr. ANTHONY. The committee felt that it was.

Mr. PARKER of New Jersey. In the whole number?

Mr. ANTHONY. The department asked for an increase. They have 8,000 now, and they wanted 9,200. The committee felt that the mounted units should be kept at not exceeding 4,000 animals.

Mr. PARKER of New Jersey. Here is a body of Cavalry, a regiment, we will say, under the command of a lieutenant colonel, learning how to drill. My experience has been that mounted men will make better officers than unmounted.

Mr. ANTHONY. That regiment of National Guard Cavalry is a fine thing, undoubtedly, but the men can receive the necessary military training, and they will be just as valuable military assets for the country if they receive Infantry training instead of Cavalry training, which will cost only half as much.

Mr. PARKER of New Jersey. Is the gentleman sure of that, that Infantry training makes as good an officer as the Cavalry training?

Mr. ANTHONY. Our experience has been that the Infantry is the backbone of any army.

Mr. PARKER of New Jersey. One Cavalry troop that I know of, with 32 men in it, turned 272 officers into the World War.

Mr. ANTHONY. I will say to the gentleman that while it does not fall to the lot of this committee to determine a military policy, yet if we could do it we would have the National Guard, most largely for economical reasons, more largely composed of Infantry organizations, leaving it to the Regular Army to supply the mounted organizations and the technical organizations such as the Chemical Warfare Service, and the Tank Service, and the Air Service, which cost a lot of money.

Mr. PARKER of New Jersey. Does the gentleman realize that in the East no horses can be hired any more in our big cities? They have to be owned and used for governmental purposes. If there is any need for a mounted service we could not get horses except those.

Mr. ANTHONY. I agree with the gentleman. I think that in a few years we may not have any Cavalry at all.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HILL. Does this bill make any reduction in the Cavalry as such?

Mr. ANTHONY. It does not. It leaves that entirely with the department.

Mr. HILL. There are about 12,000 Cavalry on the border now to cover 1,700 miles of border?

Mr. ANTHONY. Yes.

Mr. HILL. But there is no forced reduction made?

Mr. ANTHONY. No.

Mr. McKENZIE. While the gentleman is on the subject of the National Guard economy, what has the gentleman to say about furnishing aircraft in the National Guard?

Mr. ANTHONY. We have taken the position that no further organization of technical companies should be permitted in the National Guard. That embraces, as I say, Chemical Warfare Service, the Air Service, and other such units. We believe that the Regular Army should furnish those elements.

Mr. McKENZIE. Does the gentleman believe that tanks belong to the technical side of the Army?

Mr. ANTHONY. Yes; I do.

Mr. FROTHINGHAM. The gentleman says it takes a great deal of money to have airplanes and those other things?

Mr. ANTHONY. Yes. If the States are willing to pay the money for it, they can do it.

Mr. FROTHINGHAM. Some of the States are contemplating that. The gentleman has no objection to that?

Mr. ANTHONY. No; I have not.

Now, with reference to appropriations for rivers and harbors, the committee has provided $27,635,260, the full amount asked for by the Budget Bureau for this year. This is appropriated in a lump sum. No specific items are mentioned, the same as in the case of the appropriation bills during the last two or three years.

Of this sum of $27,635,260 the committee is informed that about half of it is for carrying on maintenance work solely, and about half of it is for carrying on construction work on existing approved projects. We were informed by the Chief of Engineers that in his judgment, as the result of reports made by his district engineers, we ought to appropriate at least $60,000,000 for this purpose during the next fiscal year. But the Chief of Engineers has revised the figures of his district engineers and boiled them down to about $43,000,000, upon which he based his recommendation to the Budget Bureau and our committee. The Budget Bureau approved a total of $27,635,260.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HUDSPETH. Will a part of this appropriation for rivers and harbors permit a survey being made of different rivers with a view to building levees to prevent overflows?

Mr. ANTHONY. It does. There is something like $325,000 additional carried for survey purposes.

Mr. CHALMERS. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CHALMERS. I understand this $325,000 is for a special purpose.

Mr. ANTHONY. Not entirely a special purpose.

Mr. CHALMERS. That is for the survey of certain canals in Ohio.

Mr. ANTHONY. No. The committee agreed originally upon $200,000 for survey purposes, after which a number of Members of the House appeared before us and impressed upon us the necessity of a larger sum for this purpose, and the committee increased the amount from $200,000 to $325,000, having specifically in view the survey of three projects in contemplation for the construction of canals between Lake Erie and the Ohio River.

Mr. CHALMERS. I understand that estimate is $225,000.

Mr. ANTHONY. The committee has increased its appropriation only $125,000.

Mr. CHALMERS. That would leave only $173,000 for the general survey work, as referred to by the gentleman from Kansas.

Mr. ANTHONY. It would leave $200,000.

Mr. CHALMERS. Now, Mr. Chairman, I should like to ask the gentleman two or three other questions on this same matter. The gentleman knows that this appropriation of $27,500,000 is a revised amount reached after several hearings on the subject.

Mr. ANTHONY. Yes. I will say to the gentleman that in order to find out the amount of money that will be applied to specific approved projects it will be necessary to take the proportion of 27/42 of the amount mentioned in the schedule printed in the hearings, which was furnished us by the Chief of Engineers for his proposed total of $43,000,000. Then he will get about the amount of money they propose to expend on each of the approved projects.

Mr. CHALMERS. Is that mandatory?

Mr. ANTHONY. It is not mandatory. It is to be expended under the supervision of the Chief of Engineers, under the direction of the Secretary of War, so that it is optional with the War Department.

Mr. CHALMERS. But they can apply any proportion they see fit to any particular project, so far as the War Department is concerned.

Mr. ANTHONY. That is true, but these expenditures are made in accordance with a certain definite policy which has been approved and continued from year to year.

Mr. CHALMERS. As I understand, some very important projects are being investigated by the Rivers and Harbors Committee, and if my recollection is correct $400,000 was appropriated last year for surveys. Now, this year you are appropriating only a little over $300,000 for that purpose; $225,000 of this to be expended for special work, leaving only $100,000 as against $400,000 last year.

Mr. ANTHONY. We are appropriating $325,000 for surveys.

Mr. CHALMERS. With a new provision for $225,000 for a particular purpose, leaving very little money for the general work of surveys for the whole country. My own opinion is that it is not sufficient.

Mr. SNELL. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from New York.

Mr. SNELL. During the war the Government owned and operated barges on the Erie Canal and Black Warrior and Mississippi Rivers. I believe that some time last year we provided for the sale of the barges on the Erie Canal and stopped the Government operation of them there. Can the gentleman tell me in a few words just what is the condition of our operations at the present time on the Black Warrior and Mississippi Rivers?

Mr. ANTHONY. I will tell the gentleman. The evidence shows that it is true that we sold the equipment from the Erie Canal, as the gentleman says, but so far as the evidence indicates we have not received any real money for it yet, although we hope to. The Government proposes to continue to operate its steamer or barge line on the Mississippi River and on the Black Warrior River in Alabama. The operation of the Mississippi River line is proceeding at a profit to the Government. The operation of the Black Warrior line is being continued at a loss to the Government, but it is continued in the authorization in this bill for the reason that it should be on a paying basis, and would be on a paying basis, if the railroads of the State of Alabama treated the Government barge line as they should. For instance, on freight from New Orleans to Birmingham, practically 90 per cent of the haul is on the Government barge or the Government steamer, and the short haul of about 10 per cent is on the railroad; yet the railroad is permitted to demand and receive about 85 per cent of the total freight charge. A case was brought by the Government two years ago to remedy that, which case is now pending before the Interstate Commerce Commission.

Mr. SNELL. How are you going to get away from that proposition?

Mr. ANTHONY. We asked them, "Why in the world has not the Government insisted on a show-down for a proper prorating of that freight rate? You say you started a suit two years ago, and you have not any ruling on it." Of course we were very indignant, thinking that the Interstate Commerce Commission were possibly at fault. The gentleman from Wisconsin [Mr. STAFFORD] took it up with Mr. Esch, a member of the Interstate Commerce Commission, who was formerly a Member of this House, and found out that it was true that the War Department had had a case pending there for the past two years, but the case had been continued from time to time on request of the War Department. Civilian attorneys who had been employed were evidently more interested in prolonging the litigation than in bringing it to a show-down. But I think that both the War Department and the Interstate Commerce Commission are open to censure for failing to bring to a decision as important a matter as that, and I believe that with a proper prorating of rates with the railroads the Black Warrior line might pay.

Mr. MANN. Surely the gentleman does not mean to say that the Interstate Commerce Commission is subject to censure for not acting on a case that is not brought to an issue before it by the attorneys in the case; because no court and no semijudicial body proceeds to inflict hara-kiri where the parties agree to continue the case.

Mr. ANTHONY. This case on its face shows an injustice and a wrong on the part of the railroads, and the Interstate Commerce Commission ought to assume the right to correct a wrong of that kind.

Mr. MANN. If both sides to a lawsuit ask to have it continued, it is not the duty of the court to examine the case without the aid of counsel in order to instruct the counsel what they ought to do.

Mr. ANTHONY. Yes; but the gentleman knows about the law's delays. The gentleman has heard about the delays of the law, and the people are very impatient about it.

Mr. MANN. I have heard about the delays of lawyers. It is not fair to criticize the court because lawyers delay a case.

Mr. ROACH. Will the gentleman yield for a question?

Mr. ANTHONY. I yield to the gentleman from Missouri.

Mr. ROACH. Has not the Interstate Commerce Commission the authority to correct this manifestly unfair rate, independent of any case that may be pending before it?

Mr. ANTHONY. As I have stated, this case is pending before the Interstate Commerce Commission. It has been delayed two years for various reasons, and I think the Interstate Commerce Commission has the right to make a decision to-morrow, and that it ought to make it, regardless of how the lawyers try to delay it.

Mr. NEWTON of Missouri. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Missouri.

Mr. NEWTON of Missouri. Is it not a fact that the Interstate Commerce Commission appointed a special examiner to take testimony and report on this case—that it has been pending 14 months?

Mr. ANTHONY. I think the gentleman is correct.

Mr. NEWTON of Missouri. And they appointed a special examiner who has had the case under advisement for over a year and has just made a report, and is not it a fact that the original rates were approved by the Interstate Commerce Commission—the original rates fixed by the railroad?

Mr. ANTHONY. I think that is also true.

Mr. HILL. Will the gentleman yield?

Mr. ANTHONY. Certainly.

Mr. HILL. There was a barge line running from Baltimore to New Bern, N. C. Has that been discontinued?

Mr. ANTHONY. That has been discontinued, and the equipment sold.

Mr. HILL. In such approved projects as deepening of channels and the maintenance of channels, at the ports at Baltimore and other places, I understand that is in the discretion of the Chief of Engineers.

Mr. ANTHONY. Yes; under the direction of the Secretary of War.

Mr. SNELL. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. SNELL. I understand that if you get a favorable decision in this case with reference to the Black Warrior River, there is freight available to more than make up the losses.

Mr. ANTHONY. That is our impression. And I think it applies not only to the Black Warrior but to the Ohio and the Mississippi and all other of the more important waterway systems; if they can get the proper treatment in the matter of rates the water lines will be self-sustaining.

Now, this bill makes appropriation for the national soldiers' homes. Under the existing conditions as the committee found them it is unable to make an intelligent estimate as to the appropriations necessary for the conduct of those homes for the next year from the fact that there are 3,500 men of the last war in the Veterans' Bureau being taken care of at the soldiers' homes. The soldiers' homes are receiving approximately $3 a day each, or $9,000 a day revenue. That is almost half of what it costs the Government to maintain the soldiers at the Public Health hospitals and other hospitals, and nevertheless under existing conditions we find that the soldiers' homes authorities are using the Veterans' Bureau fund to augment all the different items for which we appropriate in this bill. Therefore the committee has had no way to ascertain the definite sum that

we should give for definite purposes. We thought of placing a limitation in the bill on the funds from the Veterans' Bureau going to certain items where it is the view of the committee that they should not go, such items as ordinary expenses and overhead for the various homes.

Mr. STEPHENS. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. STEPHENS. Do I understand the gentleman to say that the money paid in by the Veterans' Bureau is used by different homes without its going into the Treasury?

Mr. ANTHONY. Without any further action by Congress in directing how the money shall be expended. The committee was concerned over that. We tried to write a limitation which would direct that the money go into the Treasury so that Congress could appropriate directly the necessary amount for the conduct of the homes, but we found that under existing law we could not do it and the legislation would be subject to a point of order if we did. But it is a situation that the House ought to know about, and it is a situation that ought to be corrected, because it is manifestly unbusinesslike to permit such a use of public money.

Mr. STEPHENS. Under whose direction are the national soldiers' homes now being conducted?

Mr. ANTHONY. Under a board of managers appointed by this body, of which Gen. George H. Wood, of Ohio, is president.

Mr. STEPHENS. Does not the gentleman think that these national soldiers' homes ought to be taken away from Congress and put under some particular head, so that they can be properly managed?

Mr. ANTHONY. If the gentleman wants to know my personal view, when I came to Congress 13 years ago I introduced just such a bill and have introduced it four or five times since, but I never got anywhere with it. I agree with the gentleman that the homes should be operated by the War Department. But I want to say that they are well managed now and the committee can find no place for serious criticism.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. NEWTON of Minnesota. In regard to the rivers and harbors, the Bureau of the Budget, as I understand it, cut down the estimates that had been submitted by the Army engineers from $42,000,000 to $27,000,000.

Mr. ANTHONY. That is true.

Mr. NEWTON of Minnesota. Did the subcommittee conducting the hearings consider the proposition of increasing the estimates of the Bureau of the Budget to the original estimate of the Army engineers, $42,000,000?

Mr. ANTHONY. The committee did not; it felt that in a matter of that kind it was not warranted in making such a large increase.

Mr. NEWTON of Minnesota. The reason I ask is that there is a considerable sentiment among the membership of the House that the Bureau of the Budget made a grievous mistake, and as one Member of the House I would like to have had the committee go into it.

Mr. ANTHONY. It is double the appropriation made last year, but I think it is the information of the committee that more money could be spent on rivers and harbors than the amount appropriated.

Mr. BOND. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BOND. It is not true that there was more money in the surplus fund last year, and that therefore the funds available will be less this year?

Mr. ANTHONY. The gentleman is quite correct; the $27,000,000 will be the only money spent for river and harbor work during the coming year.

Mr. BOND. Is it not further true that the Army engineers originally estimated $60,000,000 and then cut the amount down to what they thought was a minimum—$40,000,000—and that then the Budget cut the amount down to $27,000,000?

Mr. ANTHONY. That is a correct statement.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. LAYTON. Is it not also true that in respect to this great work, which is necessary for the whole country and its prosperity, after economizing for some years on account of the war, we have actually less money for the work than we have had at any time in the past?

Mr. ANTHONY. I think that is true. The last item in the bill is for the Panama Canal. The appropriation for the current year was $9,000,000. The committee has reported four million and some hundred thousand dollars for the operation of the canal for the current year. The report of the canal officials is very gratifying. It shows that there has been a surplus of two and one-half million dollars turned into the Treasury as excess of tolls during the past year over the expense of operation. Of course this does not take into account the interest on the original investment, but it shows a very gratifying increase in the business of the canal and a promise that from now on it is going to pay its own way. The committee was able to get these radical reductions in the appropriations for the maintenance of the canal through the recommendations of the governor of the Canal Zone, Col. Morrow, who in his estimate proposed, first, that he would save $1,000,000 from the cost of the operation last year by utilizing $1,000,000 of previously appropriated money which he had not expended, and the appropriations for the Canal Zone are available until expended. Next he reduced the forces, which would take up approximately another million dollars. He abandoned also certain approved works of construction, thereby making a saving of another million dollars, and then, instead of asking for the money necessary to augment his stock of supplies, he proposed to use out of existing supplies almost another million, enabling the Congress to reduce the total appropriation to four million and odd dollars. The governor said that he foresaw a year ago the necessity for economy and has been preparing for it; and he has enabled us, therefore, to make the reduction in the appropriation which we present to you.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. LAZARO. Would the gentleman mind discussing the salaries paid the employees in the Canal Zone, and stating whether under this reduction there will be less Americans employed and more natives?

Mr. ANTHONY. The information which the committee received was to the effect that undoubtedly the force of men in the Canal Zone will be further reduced from time to time. As the work is more and more completed the necessity for a large force of men, of course, diminishes. It is believed that by utilizing more silver labor, which means native labor, they can dispense with a good deal of the gold labor, which means the American labor. They are doing that wherever it can be done to advantage.

The labor conditions on the canal are not satisfactory. We find that the men are very much dissatisfied with reductions which have been made in their pay, and other things. Formerly they had nothing to pay for rent, light, heat, or anything of that kind, and now under a recent ruling they are charged a reasonable amount for light, heat, fuel, rent, and they object very strenuously to that. The men are paid upon the basis of a 25 per cent increase over what the same grade of labor receives in the United States, so that the committee believes they are well paid, but the committee feels that perhaps the men in the Canal Zone do not appreciate the fact that labor in the United States is no longer receiving the high scale of wages it received during the war period.

Mr. LAZARO. In this connection, in the event you cut down your white or American laborers and depend on the native laborers, in case of emergency, would it not be a drawback to us?

Mr. ANTHONY. I do not believe there is any danger of their depleting the white labor in the skilled or mechanical grades to any great extent, but they can utilize the native labor in many places where they are not doing it now.

Mr. LAYTON. Mr. Chairman, for the purpose of the record and general information, what were the total receipts of the Panama Canal?

Mr. ANTHONY. I have not the figures, but approximately $11,000,000.

Mr. LAYTON. And the total expenditures?

Mr. ANTHONY. Approximately $9,000,000.

Mr. LAYTON. And the total appropriations carried are, in round numbers, $4,000,000?

Mr. ANTHONY. Four million dollars; and we are enabled to make this saving by means of resorting to the things I enumerated.

Mr. LAYTON. If we deduct the amount of money received from tolls paid by American shipping, how would that $9,000,000 be affected?

Mr. ANTHONY. I can not give the gentleman that information, but the committee did find one very serious situation in regard to canal tolls that ought to be remedied. This House tried to remedy it by passing a bill a year ago. The bill went to the Senate and certain interested parties there have prevented the passage of the legislation. In other words, we are losing about $2,000,000 worth of tolls now because of the method used for measuring the tonnage of vessels under the present system. Under the present system we measure only the tonnage below the decks.

Mr. LAYTON. Does that advantage accrue to American ships?

Mr. ANTHONY. It accrues almost entirely to foreign ships engaged in carrying lumber from the northwest coast to the eastern coast. The lumber is largely carried on upper decks, and, of course, it escapes measurement, and the ships get away without paying their full tonnage.

Mr. LAYTON. Of course, the chairman of the committee has not gone into the question of free tolls for the Panama Canal for American shipping?

Mr. ANTHONY. That is one thing that we overlooked.

I want to apologize to the House for taking up so much of its time in explanation of this bill, but gentlemen will agree with me that it is a very large measure. I can not close without testifying to the great obligations I am under to the other members of the subcommittee who did so much to help perfect the bill that is now before you. Mr. STAFFORD, of Wisconsin, was indefatigable in his labors.

We had the benefit of the wide military experience of the gentleman from Virginia [Mr. HARRISON]. We had the benefit of the wide knowledge of fortifications of the gentleman from Virginia [Mr. SLEMP] through his previous service in the making up of the fortifications bill, and I feel under eternal obligation to my colleague, the gentleman from Mississippi [Mr. SISSON], the ranking member of the minority on the subcommittee, for the great aid that he brought to the committee in the make-up of this bill, and I want to recommend him to the Congress as the best type of economist I have ever seen in all my congressional experience. [Applause.] His is a service of great value to the taxpayer.

A MEMBER. On the Democratic side?

Mr. ANTHONY. On both sides of this House. He seems constantly to have in his mind not only what is best for the Government, and in the giving of advice to us on every close point he would say, "Let us decide this in favor of the people back home." [Applause.]

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. ANTHONY. I will yield.

Mr. CONNALLY of Texas. The gentleman, in answer to a question propounded by me in the beginning of his remarks, said the committee proposed to reduce the officers in the Pershing bill. Did he mean the present Army bill or the one now before the Committee on Military Affairs and not yet passed?

Mr. ANTHONY. The Pershing bill has, I understand, been considered by the House Committee on Military Affairs, and that bill provides for a reduction to 12,000 from 13,000, which we now have, and also there is an authorization for an increase a year later back to 14,000.

Mr. HILL. Will the gentleman permit me to answer the gentleman from Texas? If he will notice House bill 10271 from the Committee on Military Affairs, it follows the first suggestion of the War Department, or the Pershing bill.

The CHAIRMAN. The gentleman from Kansas has yielded the floor. Does the gentleman from Kansas yield time to the gentleman from Maryland? The gentleman from Kansas has used 1 hour and 54 minutes.

Mr. SISSON. Mr. Chairman and gentlemen of the committee, I do not know that I can add much, if any, information in reference to this bill in addition to that which the gentleman from Kansas [Mr. ANTHONY], the chairman, has called to your attention in his address. He has made a very full and clear explanation of this bill. It has required a great deal of very hard labor to make it up. I have worked on many appropriation bills since I have been a Member of Congress, but there has been more painstaking and diligent service spent upon this bill than any bill that I have been connected with. The committee has given more than three months of painstaking toil in working out the details of this bill. The chairman has been eminently fair and has given to this task that splendid ability which he is able to give to a question when he is interested in it, and the crowning virtue of his service is that I do not believe there has been in his heart or in his soul one particle of partisan politics in making up this bill. In fact, it is extremely doubtful whether or not an onlooker could have decided who was a Republican or who a Democrat in making up this bill. [Applause.]

Mr. MADDEN. Has not that been true in all bills reported from the Committee on Appropriations?

Mr. SISSON. That is true, so far as I know, on all bills from this committee, and I want to say to the distinguished chairman of the Committee on Appropriations that a Democrat would be going some to be a better economist and to more faithfully follow political promises of economy than has been the gentleman from Illinois [Mr. MADDEN]. [Applause.] I feel sure that if there were a matter in which I was interested, he would not stop to ascertain what section of the country was to be benefited; he would simply want to know about the merits of the item. In his services up to date as chairman of this great committee he has shown that splendid fairness, notwithstanding the fact that he is as partisan a Republican as I am a partisan Democrat, that causes him to lose all partisanship in the Committee on Appropriations, and especially in considering items of appropriation bills. The gentleman from Illinois is entitled to not only the thanks of his own party but the thanks of the membership on both sides of the aisle and the taxpayers of the entire country for the splendid service which he has rendered. [Applause.]

The gentleman from Wisconsin [Mr. STAFFORD] gave, as he always does, very patient attention to the details of this bill. We also had the assistance of the gentleman from Virginia [Mr. HARRISON], who has had service on the Committee on Military Affairs, and the knowledge he gained on that committee has been invaluable to the subcommittee in making up the bill. I think it fair to state that the subcommittee had a most difficult task, because I think one of the most difficult things for Congress to undertake to do is to make appropriations under the Army reorganization act so that it can control the expenditure of the items of appropriation. It is the most remarkably bad piece of legislation enacted since the Civil War, if not the most remarkably bad piece of legislation ever enacted in a free government. The people of America little dream how bad this reorganization bill is. It is wonderful in that no mind can conceive of one that is worse. It is so wonderfully drawn that it is next to impossible for Congress to control the expenditure of a dollar under its terms. The whole bill is drawn for the sole benefit of the Army officers. It is drawn by one familiar with and wedded to the German military system. The best thing this Congress could do would be to repeal this law.

That bill was so wonderfully drawn that the General Staff and the Secretary of War in apportioning these appropriations may make a perfectly fair apportionment and so write it in the appropriation bill and thus meet the entire approval of Congress and then after getting the money, if they desired for any reason to divert funds along activities of their own choosing, they could take it out of the items for feeding the Army, food and clothing, and use it for other purposes, and thus under this law create a deficiency and come to Congress and ask for $25,000,000 or $30,000,000 more money than Congress intended they should have and under the remarkable Army reorganization bill spend what they please. We have done the best we could to try to regulate the expenditure of all of the money in this bill by limitations on the items of appropriation, and as bad as the law is the committee has accomplished this within the rules of the House. We have, for example, endeavored so to limit the expenditure of this money that Congress will be able to control the size of the Army. That could not be done except by limitation, so that we will be able to control the expenditure so that money appropriated to feed the Army shall not be used for other purposes. In other words, we made an effort to put in this bill provisions which would enable the appropriating body, the body representing the people, to control the purse strings. Now, that has been quite a task, and it has not been without great labor that we were able to accomplish this.

Right here, Mr. Chairman, I desire to pause for a moment and State a few principles of government, lest we forget. The Army officials do not like any sort of restrictions or limitations upon their rights and powers to spend money. They would hark to the dead centuries of the past and reestablish the old system of government, with the Army in the ascendancy. In former years, before the Declaration of Independence, it was considered the function and the duty of the masses of the people to supply the demands of those in official life, so that those in office could take from the people just what they desired and appropriate just what they saw fit and proper for their own ease and comfort and for their own benefit, rather than for the benefit of the people. That viewpoint has been entirely changed. Now, I hold that the Government should serve the people and not the people the Government. But the reorganization act—that act of the General Staff; this so-called Kahn law—is the reincarnation of the old, ancient, and medieval idea that the chief purpose and function of government is to bring unwilling people under its domain for the benefit solely of the ones in authority. Why, Mr. Chairman, this idea is being discarded everywhere except with the General Staff of the Army and our Military Affairs Committee. The life tenure and retirement features of this law are as bad as any feudal system England or Europe ever had.

Governments in the past have been so conducted that the majority of the people have worked for the small minority. Our fathers thought that they had established a Government where this condition would never exist. They never dreamed that a Congress under our Constitution would ever turn back to the old feudal tenures in office, and that, too, under the guise of national defense. Yet that is what has been accomplished in this most wonderful law under which we are now living. The best thing Congress could do would be to repeal this law at once.

We can now boast of our lords. We now have our royal families and exclusive sets. You see them everywhere around here. They are in uniform and all wear English belts and shoulder straps, some, boots and spurs. All other nations are busy getting rid of theirs at this time and are happy at the riddance. We are just establishing ours. Now, Mr. Chairman, I do not want to be misunderstood. Our Army officers are a fine lot of fellows. They are men of ability and honor. They are not to blame. I blame Congress.

Mr. Chairman, I trust that I am in no wise governed or influenced in my judgment by any prejudice in this matter. I must admit, however, that I feel very deeply on this question. When I look abroad over this, the fairest country on the globe, and see so much suffering, so much poverty, such a shortage of money, and such a heavy burden of taxes, I confess that I get impatient of this persistent effort on the part of those who secured Army positions on account of the war now using every device known to man to hold on and thus continue this burden, which is so heavy that our people can not bear it much longer. Congress alone can protect the taxpayer, and Congress can not unless it has courage and is willing to cut these appropriations and cut deep.

Now, in reference to military activities in our Government, I want to say that we must never lose sight of the fact that the Army is always, except in time of war, to be absolutely subservient to the civil authorities. Governments should not exist for the benefit of armies or army officers. Under our theory of government, army officers ought not to assume control of the country.

In time of peace the Army should be absolutely subservient to all the civilian peace officers. Government does not exist for the benefit of Army or Army officers. The purpose of an army under our system of government is to aid and assist the civil authorities in enforcing the law, enforcing the laws made by the Congress of the United States and those made in various State legislatures when called upon by the governors to do so, and in time of peace it is only a part of the police force of the country, to be called into action when the civil police can not control the situation. Let us keep that constantly in mind, because all the republics in the past have been destroyed by reason of the fact that the glamor of military life was attractive to them and the military authorities assumed control of affairs and subverted the civil authorities in time of war, and they were never able to restore the republic or government which they had prior to the time the military assumed control. There is nothing that history teaches so clearly as that you must fear constantly the encroachment of the military over the civil authority. Why, the Kaiser himself realized that, accepting as he did and his father before did the doctrine of Treitschke, who made the military theory popular in Germany at the beginning through the educational channel, offering every boy in Germany an education at the expense of the German Government, and acting under this theory every school in Germany became and was a part of the military establishment, requiring young men, when they reached a certain age, to attend these military schools. The German Emperor thought in this manner to protect his power and perpetuate his family in power. But this did not save him or his government.

In every school all the students had instilled into their minds the military theory of government and that Germany, the greatest military country on earth, with the Kaiser at its head, was destined to world dominion. The burden became great and the taxation heavy. And the very instrumentality of the Treitschke and the Bismarckian theory, accepted by the German Government, became the unmaking of the German Empire.

We need not lay the flattering unction to our souls that the allied forces, even after the United States had gotten into that conflict, overcame the German military power, because that is not the truth. The experts believed it would continue for at least two years longer than it did. They had not calculated upon the German Army and the German people not being loyal to the Kaiser. You say, Have you any authority for that? Yes. What is the authority? Oh, consult the hearings in the Military Affairs Committee; go and consult the hearings before he Appropriations Committee; and you will find it was felt by European military experts, as well as our own, that it would be at least 12 months before we could reach the peak of the offensive, and we were making arrangements for the offensive to begin about 12 months from the date the armistice was signed. The Chanteau-Thierry fight changed the whole order of things. It was not the military prowess of the Allies which brought about the destruction of Germany and caused the German Emperor to flee his country. What was it? Men had guns in their hands in Germany who did not believe in the militarism of Germany or the Kaiser's government. They were tired of being governed by an army. The burden was heavy. This was their first opportunity to get rid of this hateful burden.

The Kaiser was by this very instrumentality, upon which he confidently relied, compelled to flee his own country, and he is now living apart from his own country and is afraid to go back. What was it that destroyed the Russian Empire? The thing they thought would save Russia was the thing that destroyed it. Now, it was months after the Czar was dead before the people of the world knew it. What was it that caused his overthrow? Those people in Russia did not own the lands and most of them did not own any sort of property. The ruling class thought to keep that Government superimposed upon the people of Russia by military force. But in this great world conflict the people of Russia for the first time got into their hands precious guns. The millions of Russian peasants got guns in their hands for the first time. It is true he knew little about handling it. But when he got the precious gun in his hand he soon learned to use it and he made up his mind he would never surrender it until that Government that had so long oppressed him was absolutely destroyed. I never want Americans to lay the flattering unction to their souls that they can preserve this Republic by armies and navies. It can not be done. In other words, a government is no stronger than the love of the people for that government. Public sentiment must support and sustain the government or it will fall.

Mr. Carlyle, in his history of the French Revolution, in substance said that, prior to the breaking out of the French Revolution, there would be a little uprising in some portion of France, and a few Frenchmen with little uniforms and with nice little caps on their heads would appear with little pieces of iron pipe, with some little black substance in it that would, with smoke, roll a little leaden pellet out that would seek the life of those to whom it was directed. On these iron pipes there were little toothpicks, and there was a piece of wood along the iron pipe. He said that these Frenchmen, with their little caps and uniforms and iron pipes with wood stocks and with toothpicks on the end, would rush over and put down the uprising. The uprisings continued to multiply in spite of the number of little uniforms, and the number of little iron pipes, with toothpicks on the end of them. And thus it continued for a long time, and the King relied upon the uniforms, caps, and iron pipes. But Carlyle, as he frequently does, with a dash, says, "But what can poor France do now when all France is one belching volcano? What can these little men now do with their little iron pipes with little toothpicks on the ends of them, and with little wooden stocks and a little black substance that makes puffs of smoke that roll little pellets out?" He says, "The people of France go and take from these men in the uniforms with their bare hands these little things with holes in them and toothpicks on their ends."

In other words, Carlyle, philosopher as he was, is endeavoring to convince the reader that we must rely upon something besides arms and armies to preserve liberty and preserve the Government. And we have got to do that thing here. We must rely upon the love of the people to support the Government. I have no patience with the idea that we have got to burden people with taxation to build up great armies to preserve your liberty and mine. On the contrary, this was what was said by both Republican and Democratic Parties when we were seeking election in the last campaign: "We will reduce taxation. We pledge you that we will remove this burden if elected." You Republicans won overwhelmingly. On every platform and on every stump every Republican orator criticized Democratic extravagance and pledged himself to rigid economy. Did you mean it? Are you going to make good? I am here to help you, and I will vote for every reasonable reduction that is proposed. I have always stood for and worked for economy, as everyone here knows. Let us take from the backs of the people this heavy burden.

Now, there are, in my judgment, two places where you can really practice great economy and make a great saving, and that is in the Army and in the Navy. Your subcommittee has acted with a unanimity most remarkable in its effort to carry that into effect. I have endeavored to do everything in my power; in fact, I have tried to go further than our Republican friends

were willing to go with me. I do not believe that we would make any mistake if we were to reduce this Army down to 75,000 men. In fact, I am going to offer an amendment to reduce it down to 100,000 men.

Mr. QUIN. Mr. Chairman, will the gentleman yield right there?

Mr. SISSON. Yes.

Mr. QUIN. Can you not put that at 75,000? It looks to me as though that were big enough.

Mr. SISSON. I will say to my friend that if I thought that 75,000 men would be agreed to I would be very glad to offer that. As my friend has raised the question of 75,000 men, I will tell you what I believe would be the best thing to do in my judgment. You have got to have a little trading stock with the Senate, and if I were chairman of the committee and wanted to reduce the Army to 100,000 I would insist on 75,000 here, and then the Senate will put 150,000 in the bill, and in conference I would let the bill fail before I would go above 100,000. If you will put the number in this bill at 75,000 men, you will come nearer getting 100,000 men than you would do otherwise.

If you will bring home those troops that are now in Germany on the Rhine, and bring not less than 7,000 of the 14,000 now in the Philippines back home, and bring back half of what you have at Panama and in Hawaii—and that is what the Army officials say they are going to do—then you will have more men in continental United States with a 100,000 Army than you have now with 139,000.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Certainly.

Mr. GRAHAM of Illinois. I notice in the newspapers lately that our French and English brethren are insisting that they ought to take all the reparations money and not pay the expenses of what army we do have in Germany. Does it not strike the gentleman as a very good policy under the circumstances to bring home all those men?

Mr. SISSON. I agree with my friend. I would like to bring every American soldier out of Germany.

Mr. GRAHAM of Illinois. If we are not only not going to be paid for keeping them there, but in addition they are going to be the cause of international friction, why leave any of them there?

Mr. SISSON. I do not think it is necessary to keep any of them there, but I am not going to say arbitrarily or didactically that I am in favor of briging them home without qualification, because I imagine our State Department and those officials of ours that deal with our foreign relations know more about that than I do. But were I to consult my own personal view alone I would say we should bring them all home at once.

Mr. GRAHAM of Illinois. I do not wish to raise any embarrassing question——

Mr. SISSON. Oh, it does not embarrass me——

Mr. GRAHAM of Illinois. But, after all, Congress ought to appropriate for these men, and unless there are some representations made to your committee by the War Department that they should be kept there, why keep them there?

Mr. SISSON. I am not divulging any secret in the hearings, but the officials tell us that they are going to bring them home without any "ifs" or "ands." I am heartily in favor of that.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield there?

Mr. SISSON. Certainly.

Mr. McKENZIE. The gentleman understands, as we all do, that it is immaterial where our soldiers are stationed, whether in our country here at home or in our insular possessions; they have to be paid just the same. Now, if it is a fact that the German Government is paying the expenses of our troops in Germany, it would be economy to leave them remain in Germany, would it not?

Mr. SISSON. Unfortunately, that is not true. Unfortunately, they are not paying anything. They owe us at this time $241,000,000, to be exact. If we had not taken so many of them away, the bill would have gone up to over $300,000,000 by this time.

Mr. McKENZIE. I would be glad to see all of them brought home. But as a matter of economy, if the Germans are not going to pay for them, we should bring them home at once.

Mr. SISSON. Well, if the gentleman thinks we do not need them at home, why not leave them all over there?

Mr. McKENZIE. I would bring them home.

Mr. SISSON. Yes; I would bring them home, so that when you add them to the force we have here now you could then dispense with 15,000 surplus here, and 100,000 men would be really a greater number than we now have in continental United States.

Mr. STEPHENS. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. STEPHENS. Do the boys themselves want to come home?

Mr. SISSON. I do not know. If they want to stay in Germany after they are discharged rather than return to the United States let them stay. They are free men and can stay where they please.

Mr. TAYLOR of Tennessee. How many have we in Germany?

Mr. SISSON. My information is that 7,000 was the number that we had there last. The number has varied at different dates. I think at the beginning of this year it was 11,000, and now it has been reduced to 7,000. It is somewhere around 7,000 now.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman from Mississippi tell us what the status of these troops is—American troops in a foreign country with which we are at peace?

Mr. SISSON. They are doing guard duty under the agreement that was had at the time of the signing of the armistice with reference to policing Germany, and I understand the German people prefer to have that guard duty done largely by American troops.

Mr. CONNALLY of Texas. I have heard that same statement made before, but what is the authority for it? Has there been any official agreement of that kind or any official communication, or is that merely a rumor?

Mr. SISSON. There was an official agreement made with Germany in regard to the policing of the Rhine territory.

Mr. CONNALLY of Texas. The terms of the armistice, as well as the Versailles treaty, provided that Germany should bear all the cost of military occupation. But the United States is not a party to the Versailles treaty. We concluded a separate treaty.

Mr. SISSON. You are going into a field that our committee did not go into. It is as much as we can do to provide for the maintenance of the Army. We do not intend to let them starve. They are a part of the Army. The gentleman would appropriate for them, would he not?

Mr. CONNALLY of Texas. I certainly would appropriate for them, but I want to inquire what they are doing over there?

Mr. SISSON. They are doing guard duty; they are doing what they are directed by their superior officers to do.

Mr. CONNALLY of Texas. My complaint is not at the soldiers, but why are they directed to stay there?

Mr. SISSON. I do not know, except that under the agreement made at the time by the high contracting parties the United States Government was to perform that duty. There is another committee that handles all those matters. I feel that we are perfectly justified in reducing the size of the Army to 100,000, because in time of real war 115,000 men will not amount to anything; that is, the 15,000 extra would not amount to anything in real war. We can, however, save several million dollars by cutting off the 15,000. Then I would not only cut 115,000 men down to 100,000 men, but I would cut the officers from 11,000 down to 9,000. In fact, if I thought I could succeed I would cut them down more than that. I will vote for the very smallest number that I think we can pass through this House.

In my judgment, however, if you should keep 115,000 men, 9,000 officers are ample and more than ample. If I had my way about it there would not be more than 5,000 officers kept on the pay roll of the Government. But I do not want to go below the figures which would give us a reasonable number of officers to train the men in the event that we needed trained men for another war. But we examined the officers before us, and they said that for the next 10 years we would have an available supply of trained young men from 20 to as high as 25 years of age who would be perfectly fitted for military service for 10 years, already trained, and have had more training than even in those countries where they have universal military training, for of that number thousands have seen actual training in the field, which is the best training a man can have.

With all these things confronting me, I feel warranted in asking Congress to reduce the Army to 100,000 men, and in this time, when the condition of the country is so bad financially, when State, county, municipal, and Federal taxes are so burdensome, every dollar that we can take off of the bended back of the taxpayer is a great help and delight to the country. I do not believe you are going to have complete rehabilitation of business until these heavy burdens of taxation are reduced. And, gentlemen, the way to reduce these burdens is to courage-

ously reduce taxes like you would in your own private business, rather than to go into the bankruptcy court.

Mr. TINCHER. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. TINCHER. I agree with the gentleman that if we reduce the number of the Regular Army to 100,000 or 150,000 men, it would not affect war particularly. I understand it is claimed by the department that if you reduce the Army down to the point where the committee has reduced it, it will disturb the organization, the so-called skeleton of the Army. What is the gentleman's opinion about that, in view of his amendment to reduce it to 100,000?

Mr. SISSON. I am glad the gentleman from Kansas has mentioned that fact, because a year ago Congress was wrecking the whole Army, just ruining it, as our Army officers said when we reduced it to 150,000 men, and yet Congress almost unanimously did it. I have not heard a word of complaint about the size of the Army since that was done; it does not seem to be wrecked.

At that time we needed four or five times as many in Germany as we now have and four or five times as many on the Mexican border and the Philippine Islands. Now, if the conference just closed here in Washington amounts to anything we certainly can save some money by a radical reduction in the present Army. That is the reason why it was called. We are going to bring the troops out of Germany, cut down the force in the Philippines, Hawaii, and the Panama Canal. Yet you hear a wail from the General Staff that we are again wrecking the Army because we are putting it down to 115,000. All you gentlemen know that is mere back-yard talk for the purpose of influencing your votes and keeping their occupation. I know these Army officers are splendid fellows and I like them all. They are men of honesty and integrity, but, bless your soul, Old-man Taxpayer and Old-man People, whose servant you are, want to know what good purpose such a great number serve. They walk around with boots, spurs, and shoulder straps and look beautiful, but the people of this country are wanting to know what real service the boots and spurs are doing. Now, many of these officers are good friends of mine. They differ with me about their number. I do not blame them.

I ran up against one general before the Appropriations Committee, and he naturally took the military side of it. He flared up and said, "I have got just as much patriotism as you." I said, "I know you have, but the difference is you look at it from the standpoint of a general and I am looking from the standpoint of the people. If you did not take the view that you do you ought to have your uniform stripped off." I feel the same way, that if the officer was not proud of his uniform, did not think it was the most important position a man could hold in the Government, he ought to get out. It is our duty, however, to do the thinking. What makes me tired is that some Congressmen refuse to do any thinking at all. You leave it to Government experts, and when the majority do, this Government will not last as long as a paper collar in a fight. Any lawyer knows what you can do with experts. You have a case and you want to prove that a person died from poison. You can get the experts to prove that the person died of poison and you can find the poison, and on the other side you can get experts to prove that there was no poison at all.

Mr. TINCHER. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. TINCHER. I understand my friend to say that the skeleton of the Army that they talk about is to have sufficient privates to furnish employment for all the officers. [Laughter.]

Mr. SISSON. That is the purpose of the private. The officers must have something to practice on, and incidentally somebody to wait on them.

Mr. GREENE of Vermont. Will the gentleman yield for an interruption?

Mr. SISSON. Yes.

Mr. GREENE of Vermont. Does the gentleman base his philosophy on the fact that you must have only officers for the number of enlisted men in the Army.

Mr. SISSON. To a certain extent; certainly.

Mr. GREENE of Vermont. To how certain an extent?

Mr. SISSON. You must have a certain complement of officers for the enlisted men, and then you must have a certain number to put their feet up on the desk and do the clerical duties, and then you would have to have a small number at the schools to teach the boys in the military schools how to be social.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. SISSON. I yield to the gentleman from Vermont.

Mr. GREENE of Vermont. Does not the gentleman have the idea that a part of the policy of the present military law and of the one that obtained before it is that a part of the professional Army shall be employed in the teaching of civilian organizations and institutions and agencies, so that we will not have to maintain a large standing Army; and so that we will have better trained men to call to the colors in any war emergency?

Mr. SISSON. That is a mighty beautiful theory, and a theory to which at first everyone is very much attracted, but when we reflect and consult the figures and the real cost of this training, unless a limit is placed upon the amount and kind of training, it is cheaper in the long run to have a big standing Army than it is to have these training schools all over the country. They are beginning to talk now and insisting seriously about putting all these technical units into the schools and civilian training camps. They say they want to make them all-around soldiers. My own personal view is that in training civilians and the National Guard we ought to train them to be foot soldiers, to be infantrymen, and that the technical units, like the Air Service, the tank service, and the chemical warfare service ought to be specialized and only kept in the Regular Army, and not maintained in the schools and National Guard.

In my judgment, the only thing we ought to maintain in time of peace is a sufficient number of officers to keep up with the world, to keep up with what is going on, and not carry too many of these various technical units in time of peace. Let me show you. Take our National Guard. It will cost practically as much to keep a cavalryman in the National Guard as it will to keep a cavalryman in the Regular Army. You have got to have the same horse. You will have one man to take care of a certain number of horses—the rule is 1 man to 32 horses. You have got to furnish a stable for them. The only difference is that the Regular Army would be called upon to use the horses every day, but an hour or so two or three times a week is the only time that the horses will be used by the National Guard.

I agree with the chairman of this subcommittee that that is impracticable. He has one of these training camps out in his community and the farmers and taxpayers say, "Why are you keeping all of these hundreds of horses here? These boys come and ride them about an hour or two a week, and the balance of the time the Government is feeding them, and they have caretakers and men to curry them and look after them. It is a useless expense." Now, take the tank service.

Mr. GREENE of Vermont. Will the gentleman yield again?

Mr. SISSON. I yield to the gentleman from Vermont.

Mr. GREENE of Vermont. Is the gentleman quite correct in what he says about the use of cavalry horses in the National Guard?

Mr. SISSON. Yes.

Mr. GREENE of Vermont. Do they maintain one horse for every man all through the troops?

Mr. SISSON. I do not know that that is absolutely true, but it is practically true in the Cavalry units of the National Guard.

Mr. GREENE of Vermont. No; it is not.

Mr. SISSON. It is practically true, unless the testimony is altogether untrue.

Mr. GREENE of Vermont. They rent part of the horses for the period that they use them.

Mr. SISSON. It is just as bad when you rent them. I know something about renting horses. When you rent a horse the man who owns the horse makes a profit on the horse. The man is a fool who will rent a horse for less than it takes to keep him and pay the overhead charge. Of course, the gentleman knows that I did not mean that the Government owned a horse for every member of the National Guard. I only said that the Government furnished horses for the mounted units.

Mr. GREENE of Vermont. Will the gentleman admit that they do not maintain a full complement for mounted organizations, horses eating their heads off?

Mr. SISSON. I know they do not purchase a horse for every man. They rent part of them. Does the gentleman know why they do not purchase? The reason they do not is because this Committee on Appropriations declined to give them the money. They would be glad to do it if we would give them the money to do it. It is not because they do not want to do it. It is not because they do not argue that it would be a good thing to be done. It is only because we decline to give them the money. They claim that the horses also ought to be trained.

Mr. GREENE of Vermont. The Committee on Appropriations have had jurisdiction now for 12 months. The Committee on Military Affairs used to have jurisdiction of this appropriation bill, and I do not recall when it was recommended by the War Department that they should keep full riding complements for the mounted troops.

Mr. SISSON. But all these specialized units have come in since the World War. You did not have any tank service. You had no chemical warfare service.

Mr. GREENE of Vermont. I am talking about mounted troops, not about the tank service.

Mr. SISSON. I am talking about these expensive units. It was contended at one time that Cavalry would be useless. Now they are not. We went into that question about the usefulness of Cavalry.

Mr. GREENE of Vermont. The Army never contended that Cavalry would be useless.

Mr. SISSON. Some of the Army officers have.

Mr. GREENE of Vermont. I am talking about the General Staff.

Mr. SISSON. I have never seen anything that the General Staff was not for. I have never seen anything that tended to aggrandize the Army that the General Staff was not for. I may be wrong, but these are my views, and I am expressing them frankly.

Now, your subcommittee felt that we ought not to maintain these expensive units in the National Guard and that we ought not to maintain horses and equipment and men to take care of them in time of peace for the purpose of training these units. It makes the military forces too expensive in this country.

Mr. HARRISON. Will the gentleman yield to me for a minute?

Mr. SISSON. I will.

Mr. HARRISON. My understanding from the testimony was that these units were maintained.

Mr. SISSON. What units?

Mr. HARRISON. These units in the National Guard training corps.

Mr. SISSON. Some of them were maintained, and they wanted to increase them, but we did not give them the money to increase them. We do not intend to give them the money to increase them.

I know that there are certain men in the House now who are as strongly militaristic as men ever were in Germany. They are good, honest, and fine men. However, because I have not one idea like that in my make-up, I can not help but be vigorously opposed to anything that tends to make out of this Republic a military camp. [Applause.] There is another thing that I had not intended to mention, but in view of the turn of affairs in this debate I will say that to my mind the most dangerous wedge after this war is over that our staff and officers are seeking to drive into this country is to try to get hold of the schools. When you begin to appropriate money out of the Federal Treasury to the schools throughout the country you are going to find that all of the professors, all of the trustees, every man who wants Federal money, are going to use the military arm of the various institutions as a means of getting money out of the Treasury, and fires will be built under Congressmen and Senators to get more money for this purpose. For a fellow like me it will take a good big fire. [Laughter.] I do not believe we should go too far.

On the other hand, I am willing that men may volunteer for military service, but I am utterly unwilling that it should be the policy of the Government to expend its money and have the officers offering to all of the schools of this country military training so as to make out of our boys soldiers, universally, because you can not take a boy, in my judgment, and put him through a few years of training, and when he is about 16 put a uniform on him and put a gun in his hand without in a few years making a militarist out of him. I do not believe that is the proper thing to do. I know that I am not in accord with the sentiment of many people in the House; I know that I am not in accord with that great crowd of people who contend that we want to build up a civilian army that will cost nothing. An army that costs nothing, of course, does not exist. Go look at the hearings and see what they want to put in these Reserve Officers' Training Corps units, and why they have held on like grim death to all of this surplus military material. It is in order that they might control it and put it in these various units in making a soldier out of a man in private life.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. McKENZIE. I heard the statement of the chairman, Mr. ANTHONY, this morning, in which he stated that in his judgment the Cavalry would fall into disuse in the Army. I have heard the gentleman's statement in connection with Cavalry for the National Guard, and I would ask the gentleman in that connection, what was the position of the committee on the proposition of keeping the War Department embarked in the business of improving the breed of horses by buying up old stallions and having them taken all over the country for the purpose of improving horses, when, as a matter of fact, it seems to be the contention that we have no use for them?

Mr. SISSON. I do not think the gentleman can draw that conclusion from any statement that I have made, except that I do not believe we ought to have Cavalry in the National Guard or the State Militia, for we do believe in maintaining the Cavalry unit in the Regular Army. I do not think anyone ever wanted "old stallions taken up all over the country." But we found this item in the bill and it was the work of his own hands, not ours. If the gentleman complains of us about keeping the old stallions, I would remind him that there is a committee known as the Military Affairs Committee, of which my friend is a distinguished member, who instituted the old stallion theory, and it is a monument to the efficiency of that committee, and we hated to break it up entirely. [Laughter.]

Mr. McKENZIE. I will say not with my vote, however.

Mr. SISSON. Oh, many things happen without the gentleman's vote and without mine, because I realize that I am not the full Committee on Appropriations, and I know my friend does not feel that he is the full Military Affairs Committee. He is just a distinguished member of that, a unit of it, but we find as a result of that committee's action, notwithstanding our friend's opposition, that we have the old stallions, and we hated to turn them out and let them starve. We want to take care of them and feed them for the good they have done.

Mr. McKENZIE. I was hoping the gentleman would put in one of those limitations in the bill that no money could be used for that purpose.

Mr. SISSON. Oh, we did not want them to starve to death. We wanted to keep them. Seriously, in reference to the breeding of horses for Army purposes, in my judgment, it is a very much more economical way to do it than for the Army to undertake to breed its own horses. Not only that, the Army is under no obligation to buy any of these colts, and I must confess that while I had nothing to do with the installation of that process of getting Cavalry horses, I do not think it is a bad idea, because when the Army needs them, the farmer can get a good, reasonable price for his horses, and the Government is also protected in the price of the horse. This is the only money spent in this bill for the benefit of the farmer. If the horse is suited for military purposes, the Government gets it at a certain price.

I do not know but that it is a pretty good thing. I did not intend to discuss that matter, but I do believe the Federal Government could engage in worse things than an effort to distribute a good class of horses so that the horses are improved and when war does come there will be in the hands of the people of the United States a sufficient supply of horses for war purposes.

Mr. GREENE of Vermont. Will not the gentleman concede the same philosophy might be true among men as among horses, and that it would be a very good thing for the Government in time of peace to prepare some men for war?

Mr. SISSON. That may be true, but I do not believe that I am going to take my boy and treat him the same as I would my horse. I would not deal with my boy as I would with my hogs. I would not let a hog determine what he wanted to do with himself, but I do not object to a boy determining whether he wanted to go into military training or not; that is, I would not treat my boy as I would my horse.

Mr. GREENE of Vermont. Nobody has disputed that.

Mr. SISSON. I understand, but I do not want schools established all over the country where they have professors educated to the idea of having military schools, where boys can not get any schooling, just as they did in Germany, without becoming soldiers. It is a tendency that I am opposed to.

Mr. GREENE of Vermont. You have pretty well curbed the tendency in this bill.

Mr. SISSON. Then the subcommittee has accomplished what it intended to accomplish.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. KINCHELOE. Is it not a fact that the initiation of having these stallions throughout the country for the purpose of bettering the horses for Cavalry purposes came from the Agricultural Department, and was carried out by that department until the war came on, when it was then turned over to the War Department? Is it not the fact that the Agricultural Department is administering that law to-day?

Mr. SISSON. Well, I understand that there has been an appropriation carried all along in the Army bill. Jim Hay, of Virginia——

Mr. MANN. Long before the war came on.

Mr. SISSON. Long before the war came along, long before that.

Mr. GREENE of Vermont. In the Army remount service.

Mr. SISSON. And I recall, that was about the time I came to Congress, or maybe just before, Mr. Hay of Virginia, was the ranking Democrat on the Military Affairs Committee. I am not sure but he introduced the bill. The remount service was reorganized, and there was a provision put in the bill authoriz-

ing the purchase of certain stallions. The gentleman from Virginia [Mr. HARRISON] will recollect about it. That was in force a long time before the war.

Mr. KINCHELOE. That question came before the Committee on Agriculture, in fact when the Secretary of Agriculture was there, and they said that that was initiated in the Agricultural Department, and when the war came on it was turned over to the War Department, but as a matter of fact the Agricultural Department had the administration of the law a long time before that.

Mr. SISSON. I can not inform the gentleman where it originated——

Mr. GREENE of Vermont. I think the gentleman from Kentucky has reference to another item that used to be carried in the Agricultural appropriation bill relating to the breeding of types of horses in various parts of the country. That does not relate to the Army remount service. They were consolidated and put under the care of the War Department recently. That was not developed originally by reason of the war, and they are not to be confused with the remount service.

Mr. KINCHELOE. As a matter of fact, that item is no longer carried in the Agricultural appropriation bill?

Mr. GREENE of Vermont. No; it is in the War Department.

Mr. SISSON. Now, as to the number of officers. In my judgment, the number of officers we ought to retain in the service to a large extent depends upon the size of the Army. There are certain officers who are needed for purposes other than officering the actual number of men in the Army. You gentlemen are just as familiar with the service as I am, but I am sure that 9,000 officers would be sufficient, and if I have the opportunity I shall offer an amendment cutting the number of officers down to 9,000.

What I want to call your attention to especially is a matter that was referred to during the debate this morning. I must confess it looks to me as if the civilian employees, those people who are paid wages in the service in the field, are far in excess of the number that ought to be required. I would have the private soldier do a little of this work. I do not know if I offend him, but it ought not to offend him. I do know from the little investigation I have been able to give to the organization of the armies of Germany, France, England, and Japan, I find that their civilian employees are very few as compared with our own, because they require certain work and duties to be performed by the private soldier. An investigation of the Union and Confederate armies during the Civil War will show that there were certain duties which the soldiers performed which are now performed by civilians. Now, there are at the present time in the Army 49,437 civilian employees in the field service. That does not include those in the city of Washington. It does not include the clerks in the War Department. There are certain activities that are called field activities that are actually in Washington, but not very many of them—only a few hundred of those men, as I am informed—but we have 49,437 civilian employees in the field service of the Army. I realize the fact that many of those men, civilian employees, are now keeping guard over and taking care of the surplus property and the reserve property of the Army.

Mr. WOOD of Indiana was chairman of the subcommittee having charge of the legislative, executive, and judicial bill, Mr. WASON was also a member of that committee, and I was a member of the committee. We made a very strenuous effort two years ago to ascertain the whereabouts of that surplus property, how much was in the various depots throughout the country, what there was in the city of Washington. Mr. WOOD and all the subcommittee were very anxious to know. He summoned various and sundry people to come before the committee. We were not able to find out. The fact is it is a difficult matter now to tell how much surplus the Government has on hand. We do know that millions of dollars worth of property have been permitted to go to waste and to ruin. A great deal of it has rotted; automobiles have been permitted to stay out in the open. I want to call to your attention again, lest we forget, a matter that Mr. WOOD brought to the attention of the House some years ago in reference to the number of typewriters bought and held in reserve and the number sent abroad. They ran up into the thousands upon top of thousands. We were making an effort to find out where they were. Somebody told us some were stored down here in an old garage. We went down and downstairs we could not find anything about what was upstairs. Nobody knew what was up on the two top floors. Somebody said that he thought that there was some Army stuff up there, but he said he did not know anything about it; did not know what it was. Mr. WOOD got on an elevator and told the man that he wanted him to take him up to where that Army stuff was stored.

We went up and found a typewriter repair shop and found several hundred typewriters undergoing repair. We asked if there were any more, and they said yes. We went through and found new typewriters upon top of typewriters piled up in unopened boxes, and furniture, two whole floors of it. That building must have been 150 or 200 feet long and 40 or 50 feet wide, two floors, where this stuff was. Now, I have heard from other sources that in New York, New Jersey, and all over the country there is a vast quantity of stores, and the Army has been holding on to it. That is one of the reasons they assign now why they need all these civilian employees. We all thought then and now that that stuff ought to have been sold. But our committee had no jurisdiction to authorize the sale. If we had the jurisdiction we would have required it be sold.

A great many of these civilian employees are employed in connection with river and harbor work, but that is in the Engineer Corps, and the number now in the Engineer Corps is 13,026. In the next bill, however, that is the only line of civilian employees that has been increased. In this current bill there will be 19,189, in round numbers. Of course, that may vary a little. But that is the number which, if this bill is enacted, will be actually carried.

I feel that a great reform could be accomplished here, but it is going to take some patient legislation. I may be wrong about it, but I do not believe a soldier is made a worse soldier by making him useful. Now, I do not believe he is less able, after being in the Army for some time, to perform his duty in civil life by being employed in the Army in some useful work which will save money to the taxpayers.

Mr. TAYLOR of Tennessee. I understood you to say your impression is that the reason they want additional civilian employees is to use these typewriters?

Mr. SISSON. I am telling you that they want employees to take care of and guard the typewriters. Now, I have no doubt there are many minds that run, like my good friend's mind runs, on typewriters rather than machines.

Mr. TAYLOR of Tennessee. I was going to suggest if they would dispose of the typewriters they could dispose of the employees.

Mr. WILLIAMSON. It was reported two years ago that the War Department had 100,000 typewriters on hand, and yet I notice there are many appropriations throughout this bill for typewriters. What has become of the typewriters?

Mr. SISSON. You will have to ask the Army officers, whom we have asked a hundred times. If you can get any information from them, you can do more than we have been able to do. Most of the money for typewriters in this bill is for repairs and for special types of machines.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. GRAHAM of Illinois. The gentleman's experience has been like mine. I worked two years with 14 of my colleagues to find out how much surplus material there was, and we did not find out. Nobody knew. If they did know, they did not tell us.

Mr. SISSON. I think that statement is true. I think they did not know. There was so much of the stuff during the demobilization of the Army and the shifting of the people around, with not careful accounting, that they lost track of millions and millions of dollars' worth of this stuff.

Now, it will require, as I stated, some legislation. I do believe, instead of having a reorganization bill like the one we have now, if some care and attention were given to it, you might be able to render the country a great service by providing that certain things about the camp, certain activities that we are paying for now, that are done by civilian employees, be done by the soldiers.

Now, what has struck me with a great deal of force is this: That I go down to a marine camp in the Panama Canal Zone or down the Potomac River here. I do not find an army of civil employees. The men do the work. By the way, that marine camp down the Potomac River was under the control of the son of a very distinguished Member of Congress here, and I think he is one of the most useful officers in the Army or Navy, a young man whose life I hope will be spared to the service for many, many years. I regret that he is now in bad health. I think he is one of the ideals of the Army or Navy. He is a man of fine spirit and fine character. In addition to being a man of fine spirit and character and a man to be admired in time of peace, he is a great soldier. He is as great a soldier as ever wore the uniform of America or any other country, a man of Spartan courage—truthful and honest and straightforward—that is Gen. Smedley Butler. [Applause.]

Now, you do not find Smedley Butler, every time he wants a little improvement on a house, letting the house rot down. He

goes and says to the boys, "Let us fix the house." In other words, he does thousands and thousands of dollars' worth of work, and it does not cost the Government a penny. Why? Because he gets the right sort of spirit into his men. Thousands and thousands of dollars are saved in the way of labor. Why? Because they have the right spirit. Now, I feel that if you would put this right spirit into the Army officer, if you would fill him with that enthusiasm for service, fill him with that desire to render efficient service to the country in time of peace, get him to understand that there is a bottom to the Treasury, that there is a limit to the patience of the American taxpayer, if you please, so that he will have the men to become useful in time of peace and save money for the taxpayer by doing things for themselves, then you will begin to popularize your Army. You can not popularize the Army by the present conduct of the Army among the people and the taxpayers.

Mr. CONNALLY of Texas. In connection with what the gentleman was discussing a moment ago about these typewriters, the gentleman from Illinois [Mr. GRAHAM] says that his committee was never able to find out about them; the gentleman from Mississippi says his committee has never been able to find out; and the gentleman from Illinois here is silent. Is it true that three great committees of this House acknowledge themselves as impotent?

Mr. ANTHONY. The gentleman will find in the hearings a statement of the number of typewriters on hand.

Mr. CONNALLY of Texas. I am not talking about typewriters alone, but about all this surplus property.

Mr. SISSON. Yes. Those were the typewriters that they have been able to find on hand. Now, where did the thousands of typewriters go that we do not find?

Mr. CONNALLY of Texas. It seems to me, inasmuch as the war has been over four years, that somehow these committees ought to find out something about it and not simply be talking about it. If we have surplus property, why do not these committees provide for its ascertainment and disposition?

Mr. SISSON. I will say to my friend that the Committee on Appropriations is not a legislative committee. Not only that, but in order to find out more than the information the department is willing to give you, you would have to get on the train and visit all these depots and make a thorough investigation. I feel that even now, as late as it is, the proper committee could and should visit all the depots and make an inventory of all of this stuff.

I can only speak for the Committee on Appropriations or such subcommittees of it as I have served upon. I do not believe the gentleman himself or any other Member of Congress could have been more diligent in his inquiry in regard to this matter than the gentleman from Indiana [Mr. WOOD] and the chairman of the present subcommittee [Mr. ANTHONY] and myself have been.

Mr. CONNALLY of Texas. I do not mean to criticize the committee, but members of the committees come on the floor of Congress and growl about it without producing a remedy.

Mr. SISSON. I am not growling about it. As my duty was, I have made such inquiry as I could, and then I come back and tell you what I find. Then it is just as much the duty of my good friend from Texas and of any other Member of the House to institute an inquiry as it is my duty. This is a Republican House, and the power and burden is on them, not on me or the Democrats. They are in the majority.

Resolutions can be written and votes can be had, and no man can pass the buck to me. I have done the best I could, and so have the gentleman from Kansas [Mr. ANTHONY], and the gentleman from Illinois [Mr. MCKENZIE], and the gentleman from Virginia [Mr. HARRISON], and the gentleman from Tennessee [Mr. BYRNS]. We have done all we could do, unless we turned ourselves into Burns detectives, and that is not a very delightful occupation for a Member of Congress; and then you Members now criticize the Appropriations Committee when we attempt to do the very thing you now demand, and accuse us of usurping the authority of all the other committees of the House.

Mr. MCKENZIE. The gentleman will remember that a year ago he made a very able and forceful address on the question of vocational training in the Army and the employment of a large number of civilian employees to carry it on. I wanted to know if the gentleman and his committee had taken any particular steps to cut down that expenditure, and also to cut down the expenditure for the hire of a large number of civilian employees out at Camp Holabird, where the repairs on that large stock of automobiles ought to be made.

Mr. SISSON. I want to say to my friend that I personally would cut down that expenditure, and have made an effort to do so, but I am not the whole committee. I am not at all in sympathy with many expenditures that I might mention. But I make the same plea that my friend makes, that I am not the whole committee. But there is this to be said in behalf of not taking any precipitate action. We can not afford to abandon the property. If those people are there taking care of the property, we can not decline making the necessary appropriations to pay them. We can not allow the property to be destroyed and stolen and lost. Much of this property is very valuable. The present program, according to the testimony, is to concentrate all the property that it is necessary to keep at a few points. The balance of this property that they do not need will be sold and the money covered into the Treasury. They expect to sell a great deal of it in a few weeks. A large part of it is listed and in process of being sold at the present time. When that is done a lot of this force will be dispensed with.

Mr. MCKENZIE. But the gentleman is not answering my question about vocational training in the Army and the large number of civilian employees engaged to carry it on.

Mr. SISSON. Oh, the gentleman asked me more than one question at once. I understand that a good lawyer is a man who fires a double-barreled question at a witness, and if the witness tries to answer both barrels at the same time he will get into trouble. As to vocational training, everybody in this country agrees that with respect to the soldier who is maimed or injured or disabled it is the duty of the country to recuperate him if possible. Vocational training is not a bad thing, but I think a great many of the boys have been imposed upon, and I believe that a great many of the boys who are taking vocational training are imposing on the Government. But I do not think we should stop the training and education of the maimed or the halt or the blind.

Mr. MANN. That has nothing to do with vocational training in the Army.

Mr. MCKENZIE. I do not mean rehabilitation of disabled soldiers. I am talking about these instruction camps, such as they have down at Camp Lee.

Mr. SISSON. You mean the vocational training of the soldier in the Regular Army while he is actively engaged?

Mr. MCKENZIE. Yes.

Mr. SISSON. I would give him vocational training along the lines I spoke of a moment ago. I would give him vocational training that would amount to something. I would teach him the carpenter's trade, or I would teach him to be a brick mason by letting him lay bricks on some buildings that we need. I would teach him to be a civil engineer by having him lay off ditches and build the fortifications that we need. I would make him useful and not merely theoretical and ornamental. I would give him study hours and require the Army officers to be his teachers. I would not employ civilians to teach him. We do not need to pile up that expense on the taxpayers, but we could make our Army officers useful. In other words, give them something to do.

Mr. MCKENZIE. The gentleman would not say he would take good lumber and turn it over to these soldiers to cut up?

Mr. SISSON. No. We have all the lumber we need, and we would not have to buy an additional foot if we should use the enlisted men instead of civilians in doing this work.

Mr. MCKENZIE. I take it from the statement of the gentleman that he would prefer to let a set of officers' quarters fall down unless he could use the enlisted men to make the repairs.

Mr. SISSON. No; I do not mean that. But I do say that my friend would before he would require an Army officer or a Regular private soldier to make the repairs. Does the gentleman have such a poor opinion of our private soldier that he thinks they are so worthless and stupid as not to be able to do anything for themselves? Let the gentleman go down to the Panama Canal Zone and see what has been done there, and let him go down and look at those houses that were built at Quantico. Then the gentleman would change his mind. You will find better bricklayers and brick masons in the Army and Navy and Marine Corps than you will find laying brick sometimes in private employment at the union scale of wages. We know that even with the union bricklayer you have to have a director supervise the building. You have to have somebody who understands building a house, but when you have got the direction it is just like the work of a private soldier under the direction of a colonel. He does what he is told to do. A bright soldier can become an efficient workman, and even if he does ruin a little plank occasionally, it is still much cheaper than to hire professional civilian help.

Gentlemen, I have talked long enough. I feel that I should not trespass on the time of others. But I want to conclude what I have to say by referring to the amount of money that would be saved by the reduction in the size of our Army.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. BRIGGS. How many officers are detailed for this training corps in the schools?

Mr. SISSON. There are on duty at schools and colleges as instructors 643; at the general service schools, including the Military Academy, 243 instructors; and at general official service schools, such as the Infantry School at Camp Benning, Ga., 1,869 instructors and student officers.

Mr. Chairman, I fear that our Army expenses will continue to be very burdensome. Look at the money the people have had to expend since 1896. Just take the figures and add them up. They are as follows:

Expenditures for military purposes, by fiscal years, 1896–1921 (fiscal year ending June 30).

1896	$27,993,209.99
1897	29,868,045.18
1898	65,362,261.44
1899	246,091,994.40
1900	107,439,567.18
1901	119,874,745.52
1902	88,548,856.65
1903	80,295,258.85
1904	83,767,784.74
1905	88,210,154.06
1906	81,605,872.96
1907	87,089,151.58
1908	95,179,390.81
1909	114,938,393.70
1910	116,452,269.44
1911	114,755,794.80
1912	102,331,876.68
1913	108,382,063.05
1914	113,318,555.36
1915	115,821,879.43
1916	122,391,895.58
1917	401,418,216.94
1918	5,632,730,914.06
1919	8,915,973,972.50
1920	1,008,300,356.08
1921	439,485,094.73
Total	18,505,627,575.71

Now, this is only the Army expense and does not include the Navy and many other military and naval expenses. But look, gentlemen, during the year 1914, the first year of the World War, we expended $113,318,555.36, as compared with $439,485,094.73 this last year. This year we should get back to normal. The people demand it. They are tired of this great burden, and they see no reason why they should now support all this tinsel and red tape and show.

Mr. Chairman, I trust that this World War has taught not only us but the people of the world some useful lessons. One thing we should learn is that so-called military preparedness does not insure a nation a victory. Germany was the best-prepared nation in the world and yet she failed. Let me repeat what I have so often said on this floor before. A nation is not strong in comparison to the size of its army or navy. A big army and a big navy in time of peace are more often evidence of the weakness of a nation. A nation is only strong when that nation's government is loved and honored by its people. When the people love the government their capacity to defend and protect it depends first upon its food supply. In other words, the strength of the government is dependent primarily upon the strength and prosperity of its farmers. No army is strong unless it is fed. Every modern military authority worth consulting confirms this statement. You can not determine a nation's strength by looking at the size of her army or the number of her ships. Our best preparation to-day is to relieve the taxpayers of their burden and give the people a chance to get out of debt and to be independent and prosperous. Let them know that those in power will not take from them their substance and give it to others, even though they do wear the uniform of a soldier. The people believe, and so do I, that a big army is provocative of war and that a big army is the cause of most wars. It was the cause of the World War. Germany thought that she could rely upon her war machine to end the war quickly. If she had not had the big army she would not have so precipitately rushed into this war. A few weeks' delay would have averted this war. Too much army has been the curse of the world. A large standing army is a constant enemy to all good government. Nations are too prone to go to war when they have a large army, and that for no good cause.

In a speech that I made here a good many years ago I made the statement that a careful study of the causes of war will convince people that most wars are fought over very frivolous affairs and that most of them have been fought about matters which could have been adjusted if men had approached the question with fair and open minds. I do not know of a better illustration of that than the spark that set the world afire in the murder of the Austrian crown prince and princess. That little spark set the world afire and caused the World War. That World War cost the Governments of Europe and the Government of the United States, as nearly as can be estimated—and it is still only an estimate—something like $300,000,000,000. With what we loaned the Allies it cost us something like $50,000,000,000. It cost England more than that many billions of dollars. But that is nothing compared to the financial loss occasioned by the disorganization of business and to the loss of life.

Now, while we are protesting to the world that we are a Nation of peace lovers, why not make good our profession at this hour in the history of the world? If the other nations of the world do not follow in our lead there is no trouble to change our tactics instantly. But now is the time of all times in the history of the world to take the lead and show the world that we believe the world can transact its business without resorting to bestial and horrid war. Gentlemen of the committee, stop for one moment and think of the horrors of this war just closed—more horrible than any war in the past. When we think of it we shudder and wonder, "Is all this a necessary part of our boasted civilization? Are we really civilized? Are we far removed from savagery? Is the civilized man more cruel than the savage?" If you scratch skin deep you seem to find a fiendish savage in us all. Gases and acids and the modern horrible weapons of death, invented and used were never dreamed of in the past. However much men may throw up their hands and protest against it, when war comes we are going to destroy the enemy with whatever means we have, and the more effective, however cruel, we are going to use, and there is no use in our deceiving ourselves. When human beings act in mass and are enraged they become beasts, and when acting in mass are the most cruel of beasts, because they exercise the highest degree of intelligence in the destruction of their enemies.

What we need to do now as a Nation is to make a substantial reduction in our Army and Navy so as to be able to say to the world, "Come and join in this march of peace." Stop for one moment and think what might have been accomplished for the people of the world if they had used these billions in upbuilding the nations of the earth, in enlightening the dark places of the world along peaceful pursuits and peaceful improvements. What miles of magnificent highways might have been constructed across our fertile plains and over our mountain ranges! What marvelous leviathans of the sea might have been constructed to enable us to communicate with every port of the world! What marvelous institutions of education might have been erected! How much could have been accomplished for the poor and ignorant of this world by the expenditure of that vast sum of money! Indeed, if it had been done with the same earnestness as we went to war and flew at each others' throats, no doubt we would have reached that time prophesied that we are to reach in some age of the world's history, when "they shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more." We would have reached that period when the man most honored would be the one who distributed the greatest pleasures in the world by acts of charity, the man who removed the pangs of pain from the greatest number of hearts, the man who dried up the greatest number of human tears. He would have been the man most honored, and not the man who had directed armies in the shedding of oceans of blood. The most honored men in history have been the great captains of death, the great leaders of men who, if they had done privately what they did as leaders of armies, would have been stigmatized as the greatest murderers of the earth. The man who slays his private enemy is called a murderer, and we draw our cloaks around us and shun him as if he were to be dreaded and feared. But when we vote to go to war and when with drums and banners our boys go marching down the street, we make heroes of the great military commanders.

We have made the Cæsars and Alexanders and Napoleons, the Lees and the Grants, the great heroes of history, and have pointed our boys to them as great men. They were great men, but I fear that we have overlooked those things which were greatest in them. The greatest thing about Lee was not the fact that he was a great director of men in telling them how to kill one another. The fact that Robert E. Lee was a great character, a great heart, and a great man—these are the things that we ought to remember. He was one of the greatest men of all the world for all times because of these mighty virtues. The same is true about Grant. While he was a great commander, yet the greatest things that Grant did were not those that are always remembered about him. The greatest things that Grant did were those he was able to accomplish immediately after the war. I think the greatest thing Grant ever said was when he was called upon to send some fresh troops to one of the

States erstwhile at war with him. He sent that famous message that blazed its way from one end of this country to the other: "Let us have peace. We have had enough bloodshed." That great heart of his is the thing that ought to make the boys love and admire him. Ah, we have been making too much of generals. We have been making too much of the soldier and not enough of the accomplishments of good men in time of peace. Our poets sing of the man at the head of the battle, but they do not sing as often about the man who is the head of some great peaceful institution. I can not refrain from reading what to my mind is a perfect description of a modern army and a modern war. I want to call your attention specially to this, although written a few years ago, before the late war, it is a perfect pen picture of the late war:

TO SAFEGUARD PEACE PREPARE FOR WAR.

I know that maxim; it was forged in hell.
This wealth of ships and guns inflames the vulgar
And makes the very war it guards against.
The god of war is now a man of business,
With vested interests.
So much sunk capital, such countless callings,
The Army, Navy, medicine, the church—
To bless and bury—music, engineering,
Red-tape departments, commissariats,
Stores, transports, ammunition, coaling stations,
Fortifications, cannon foundries, shipyards,
Arsenals, ranges, drill halls, floating docks,
War-loan promoters, military tailors,
Camp followers, canteens, war correspondents,
Horse breeders, armorers, torpedo builders,
Pipe-clay and medal venders, big-drum makers,
Gold-lace embroiderers, opticians, buglers,
Tentmakers, banner weavers, powder mixers,
Crutches and cork-limb manufacturers,
Balloonists, mappists, heliographers,
Inventors, flying men, and diving demons,
Beelzebub and all his hosts, who, whether
In water, earth, or air, among them pocket—
When trade is brisk—a million pounds a week!

This is the principal motive behind war. Trade, profit, riches. Novicow, the great Russian authority on war, wrote a history of wars. He says that there have been more than 8,000 wars, great or small. He endeavors to show you what it cost, and he says the cost of all the wars prior to the Civil War was about $800,000,000,000. If that be true this last war cost about one-third or more of all the wars in all the past.

Now, he says the causes of most wars have been frivolous. All modern wars have all been either for acquisition of territory or for the acquisition of trade or for trade advantages.

The truth is that this last war fought by Germany was started with the first bad excuse Germany had in endeavoring to get across the Balkan States to Constantinople. Germany had a secret treaty with the Turkish Government to get from Constantinople down to Bagdad. The murder of the crown prince was an excuse to make war on the Balkan States. The German Government felt sure that if they could run across the little Balkan States and get to Constantinople they would say then that we will quit fighting right now and all we ask is that you let us build the railroad from Constantinople down to Bagdad. England did not want the road to be built and did not intend to allow Germany to get that base in the Indian Ocean at Bagdad. You may reason about it and let the military experts talk about it, but that was the real cause of the war—the effort on the part of Germany to get trade to the Indian Ocean by the most direct route, and England did not propose that she should have it. That again was a trade war. So it is in nearly all cases, the provoker of the war is the man who is seeking some selfish advantage. Therefore, I hope and trust that out of all the conferences we have held the statesmanship and patriotism of the world will be able to evolve some method of settling our differences without going to war. The people of all the world profess to believe in some religion and, whether following Mohammed or Aheuramasda or Buddha or Zoroaster or Christ, they are all following and believing in a Prince of Peace, because every one of these great founders of religions teaches that a time will come when all the world will be at permanent peace and all will deal with each other as brothers. There is a millennium in all these religions. All civilized people pretend to believe in one or the other of these great religions. They then are all hypocrites unless they believe that the time will come when wars will cease and the world will devise some means of settling its differences without going to bloody war, without resorting to murder, and if it is to be by a league of nations or by a conference, whatever it may be, I do not care, let us have the good sense to stop playing politics with human life and international affairs and try to join the right-thinking people throughout the world so that we may solve these great international differences without a repetition of this holocaust of blood and slaughter and this worse than hell on earth—another war. [Applause.]

I yield 10 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, a familiar and very beautiful story by Maurice Maeterlinck pictures Tyltyl and his sister, children of a humble woodcutter, as dreaming on Christmas eve that they were sent by a fairy to find the bluebird of happiness. In this quest they wandered far from their home, and by their magic power they explored the past and peered into the future and talked with babies unborn. They sought in vain for the bluebird, and then they returned broken-hearted to their cottage only to find the coveted prize of their quest at their own hearthstone. How it got there they did not know.

In August, 1868, a party of scientists, during an eclipse of the sun, were looking 92,000,000 miles away. By the use of a spectroscope they found in the solar chromosphere a peculiar yellow line, somewhat akin to the line made by sodium, and yet somewhat different. They wondered what it was. It had no counterpart in their scientific knowledge, and I fancy there must have been among them quite a bit of speculation as to what this rare element could be that could thus withstand the terrific heat of the sun. I imagine that they wished that on the earth they might find something like it, that they might learn of its nature and adapt it here to its use. To their surprise a few years later, in the air about them, in vapors emanating from certain hot springs, in certain ores, and finally in natural gas, they detected the presence in their world of this same solar phenomenon. They named this rare element at the time of its discovery helium, from the Greek word helios, the sun. They came back after this quest on high and found it in bountiful profusion at home. How it got here they do not know.

Sometimes we fail to appreciate the things that we have at our own doors, the things which flourish and prosper in our own climes.

I recall that a few years ago in our military regalia we had something approaching the German helmet. To-day we have the English military cap, and we have imported the Sam Brown belt. We went to Italy and bought the *Roma* and to England for the *Z R-2*. It used to be a fashionable thing to possess articles made in Germany. I am glad that the time has come, and I hope it is coming more and more, when we may free ourselves of this enchantment which distance lends and come back and find that things made in Germany and elsewhere are excelled in America. [Applause.] In the military realm we have here at home a practical monopoly of this wonderful element first discovered in the envelope surrounding the sun, and it is an asset valuable in peace as well as in war. I am glad we are coming to realize its importance, and I congratulate the committee upon its wisdom in making an appropriation somewhat commensurate with the requirements of the operations of our helium plant, for we have in this country the only one for the extraction of helium in quantities that may be found in the entire world.

The statement has been made that our expenditures for helium have been large and our production relatively small. It has occurred to me in this connection that there should be placed in the RECORD for the information of the Members of this House and for the country in general a statement of the nature and amounts of the expenditures which have been made in the development of this project. Up until 1917 there had been extracted in the whole world but a few cubic feet of helium, derived principally from uranium ores, procured in laboratories at the prohibitive cost of from $1,700 to $2,000 a cubic foot. Realizing its importance in war, after its discovery in this country in natural gas in sufficient quantity to make its extraction a practical and feasible thing, the Government built three experimental plants.

Plant No. 1 was located at Fort Worth, Tex. Its construction period ranged from November, 1917, to March, 1918, 4 months; its operating period from March, 1918, to March, 1919, 12 months. That plant cost $281,400, and the pipe line which supplied it with gas, $51,500, making a total expenditure for that plant of $332,900. That plant has now been dismantled and the liquefaction equipment salvaged to the amount of $87,100. It used the Linde process, subsequently adopted in the permanent plant. These first three plants I mention were experimental plants.

Plant No. 2, also at Fort Worth, had a period of construction from November, 1917, to May, 1918, 6 months, and of operation from May, 1918, to March, 1919, 10 months. It was erected at a cost of $368,500. The pipe line cost $51,500, and the total of expense of that plant was $420,000. This plant was dismantled after the experimental stage and was reerected at Langley Field, Va., as a helium repurification plant. These two plants succeeded in extracting from natural gas helium of 92 per cent purity.

A third experimental plant was at Petrolia, Tex., and was constructed during the period from April, 1918, to October, 1918, six months. Its operating period began in October, 1918, and continued until June, 1921, two years and nine months. It was erected at a cost of $1,068,250. However, this has been purely experimental, and the helium first derived there was of only 37 per cent purity.

Upon the demonstration of the feasibility of the helium project through these three experimental plants a great production plant was erected at Fort Worth, Tex. The period of its construction was from October, 1918, to March, 1921, two years and five months, and the period of its operation was from March, 1921, until it closed last November, the 30th, because of insufficient funds. The plant cost $2,024,194.74. The pipe line to Petrolia, a distance of 104 miles, cost $1,617,952.04. This pipe line was constructed and this plant built at Fort Worth by reason of the fact that it was the nearest city where there were sufficient water and power to operate a plant of this size and character. For conservation of helium we gave $1,500,000. In other words, that is the price of the contract with the company that owned the gas for the right of the Government to extract the helium from it. The total cost of that plant, including the pipe line and the contract for the conservation of helium, was $5,142,146.78.

There has been some expenditure also in the matter of research in order that this chemical element, a novel one in mundane affairs, might be more thoroughly understood. A laboratory was constructed for that purpose, and the total expense in that regard was $89,981.50. Then, there was some expenditure, naturally and necessarily, for exploration in order to determine where helium in this country might be found, and in that undertaking there has been expended $25,000. For experimentations in mine storage of helium in quantities after its extraction there has been expended $18,000. The sum total of all these expenditures is $7,096,278.28. That represents the total amount expended in the helium project up until the beginning of the present fiscal year. For the present fiscal year the Army appropriation bill carried $250,000, and, in view of the fact that the Army and the Navy have operated this project on a 50–50 basis, a similar amount was spent also from the Navy appropriation bill. In other words, for the extraction of helium after its feasibility had been determined through proper experimentation, after the plant and pipe line had been constructed, we have expended only $500,000, and for that $500,000 we have to-day more than 2,000,000 cubic feet of helium. We have stored in the plant at Fort Worth about 2,400,000 cubic feet of helium, but a small part of that was derived from these three original experimental plants—about 240,000 cubic feet—and that quantity of the gas was in metal cylinders on the docks at New Orleans ready for export abroad, to be used in the war, at the time of the signing of the armistice.

Mr. WILLIAMSON. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Yes.

Mr. WILLIAMSON. I am wondering whether or not there is any considerable loss in the storage of helium. Is there any loss after you put it into the tanks?

Mr. LANHAM. There is none. And besides the helium of 92 per cent purity which was taken out of the experimental plants back in 1918 tests just as pure to-day as then.

Mr. WILLIAMSON. Under what pressure is it stored in the tanks?

Mr. LANHAM. Each tank contains about 200 cubic feet of helium. They are cylindrical, small tanks about 6 feet high I suppose and about 8 or 10 inches in diameter.

Mr. WILLIAMSON. Does the gentleman know under what pressure?

Mr. LANHAM. I am unable to inform the gentleman under what pressure they are stored, except that it is under pressure sufficient to get about 200 cubic feet in each tank.

Mr. WILLIAMSON. In using helium in lighter than air machines is there any wastage of the gas?

Mr. LANHAM. The wastage of helium through the fabric is very much less than that of hydrogen. The experiments recently conducted with the C-7, which has made several experimental flights, shows that the loss of the gas is very negligible, and in addition to the desirability of the use of helium because of its noninflammability, it has been shown also that the loss is very much less than that of hydrogen.

Mr. WILLIAMSON. Then there is no considerable loss in the making of a flight, in going up or down?

Mr. LANHAM. No. Not so much as in the case of hydrogen, as it is not so often necessary to valve it.

Now, gentlemen, when it is said that helium is costing us considerable sums of money, we must remember that most of that money has been spent, first, in experimental plants to determine if this new project could be made a success and, secondly, in the building of a permanent plant for helium extraction. Only $500,000 has been actually devoted since the construction of that plant to the extraction of helium. To divide the quantity of helium we have produced into our total expenditures as an estimate of its cost, is very much on a par with saying that if we built a shoe factory and it cost a million dollars to construct it, and then we manufactured one pair of shoes and that pair of shoes cost $5, we could not afford to manufacture shoes in that factory since it cost $1,000,005 a pair to make them.

I apprehend that that mistake has been made in a great many estimates as to the cost of helium in its production in this country. The price has been reduced from 40 cents in the experimental plants to as low as 7 and 8 cents per cubic foot in this extraction plant, and that has been accomplished despite the facts that the project is an entirely new one, that difficulties were encountered which could not be foreseen, and that the correction of these mechanical troubles has been charged up to the cost of production.

Mr. CHALMERS. Will the gentleman yield?

Mr. LANHAM. I will.

Mr. CHALMERS. I will say to the gentleman I heard Dr. Moore, who has been in charge of the experimental station here, say in an address last evening that if these experimentations are not curtailed and they have money enough to continue them, it was his professional judgment that the cost of this would be further reduced to 2½ to 3 cents per cubic foot in time.

Mr. LANHAM. The gentleman's information is accurate in that regard. That is the hope of the scientists.

Mr. MANN. I wonder if the gentleman can satisfy my curiosity?

Mr. LANHAM. I shall try to do so if I am able.

Mr. MANN. Of course, after the helium is extracted from this gas, the gas has to be used?

Mr. LANHAM. It is used commercially; yes, sir; and is better for it by reason of the fact that a noninflammable element has been taken from it.

Mr. MANN. Is there plenty of demand at Fort Worth for the gas from which helium can be extracted?

Mr. LANHAM. The contract, as I understand it, with the Lone Star Gas Co., from which we get the gas, calls for only 15 per cent of it.

Mr. MANN. That is, the Fort Worth people can only use 15 per cent?

Mr. LANHAM. No, sir; the Government can only extract helium from 15 per cent of it, and the contract calls for the remaining 85 per cent to be used commercially without extraction of helium.

The CHAIRMAN. The time of the gentleman has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. WALSH having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed with amendment the bill (H. R. 9606) to authorize the Secretary of the Interior to extend the time for payment of charges due on reclamation projects, and for other purposes, in which the concurrence of the House of Representatives was requested.

WAR DEPARTMENT APPROPRIATION BILL.

The committee resumed its session.

Mr. ANTHONY. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman and gentlemen of the committee, I want to take up a little time under general debate, because I intend later to offer an amendment to the bill to secure a larger appropriation for research work in aviation. There seems to have been some misunderstanding between the greatest aeronautical engineer whom we have in the United States—and I refer to the commanding officer at McCook Field, the research station of the Army—Air Service, on the one hand, and the committee, on the other, because there seems to be an idea, first, that the Government aviation research or experimental organization was in such condition that it could not expend the appropriation made last year. First, I want to say with respect to that, that the Government experimental station at McCook Field could profitably spend $10,000,000 a year, and that amount could easily have been expended last year on aviation research work. The truth of the matter is that the Director of the Budget asked the head of the Air Service to make a reduction in the amount of expenditures in the Air Service, and, in his discretion, the head of the Air Service directed this engineer—Maj. Thurman H. Bane—in charge of all the research work to cut $400,000 more

or less off of that particular branch of aviation expenditures. The result was that the force was disorganized, men were discharged, and many important projects for the advancement of this Nation were curtailed.

In the second place, there seems to have been an idea gotten out that the research work of the Air Service does not need certain of the features which are believed by this engineer to be important. There have been immense appropriations made by foreign countries. I am referring not only to Japan, the program for which is the expenditure of $200,000,000 for aviation in the next seven years, but I am referring to our former allies or associates—Great Britain and France—which countries can not pay the interest on the money which they owe the United States. The appropriations for France are at normal rates of exchange over $84,000,000 for aircraft production and experimentation work. In Great Britain, at normal rates of exchange, which we are fast approaching, the appropriations now amount to over $97,000,000 a year. And these, contrasted with the appropriations in the United States, are so liberal that the people here in Congress charged with this responsibility ought to be aroused to some facts of our history.

Who invented the machine gun—the Gatling gun? An American. Who invented the steamboat? Fulton—an American. Who invented the submarine? An American. Who invented the airplane? An American. Now, what is the history of our inventions? What became of and of what use was the steamboat to us? It ruined our commerce. Preceding the days of the Civil War our clipper wooden ships, under sail, carried American products into all the ports of the world. Fifty per cent of the commerce in the Far East was in the hands of American shipping. At the close of the Civil War we had little or no merchant marine. It had disappeared, and for two causes; first, because the Confederate privateers, the *Alabama* and others, had succeeded in driving off our merchant ships or had seized or sunk them. In the second place, steam navigation had not been developed in this country. The ingenuity of the American people had been wasted and had been given away for the benefit of foreign nations. When we were busy with our internal discords and dissentions the foreigners came forward with the steamship and took away from the United States its place in the world's commerce and affairs, and we never have regained it. Wise persons of Europe seized upon the inventive skill of the United States and profited by those inventions to our great loss. The submarine was neglected by the American people. It originated in American ingenuity, and we to a large extent, with the Allies, were the sufferers because of its invention, which we had neglected.

Maxim could get little or no attention or help in the United States for his machine gun. We seemed to have not an inexhaustible Treasury, as suggested by the gentleman from Mississippi [Mr. SISSON], but we seemed to have an inexhaustible conceit in the absolute lack of limitation of our inventive ideas, and we may be absolutely right on that. But we invented this wonderful engine of destruction, the machine gun, and then calmly abandoned it, so that it has cost us in lives and property a tremendous sum. So when we got into this war we had to call upon Great Britain to furnish us with machine guns; we had to call upon France to give us the Benét-Mercier gun; we had to equip some of our troops with their Chauchat rifles. And so it went on, and at the close of the war we had the Browning gun, and to-day we are still using in our airplanes the Lewis gun.

We turn to aviation, and what do we find? We find that in the United States, though proud of the achievements of the Wright Brothers, lack of appreciation by the home people led them to go across to France, where their invention was better appreciated, where the Government took it up, and where the value of the invention was recognized, and so at the beginning of the war we woke up and found that America was so far behind that it was shameful and pitiful. This Congress then, in its energy, appropriated in successive appropriations more than a billion dollars, and we were in the war from the 6th of April, 1917, to the 11th of November, 1918, and with all our great ingenuity and with all our money we could not put one fighting plane on the front in Europe, not one.

Now, I want to speak of some lessons which we have learned from that war in reference to the ceiling as they call it, of our airplanes, because I want to emphasize the value of the research work that is going on at McCook Field.

During the war the first equipment that our American aviators had was the old French Nieuport machine. It could not stand up. The fabric was stripped from the wings on these planes when they attempted to make landings in an emergency. Then we had the Spad plane, and our greatest American aviator, Rickenbacher, equipped himself with a Spad in Paris.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. May I have a few more minutes?

Mr. ANTHONY. I yield to the gentleman five minutes more.

Mr. FITZGERALD. And by that he managed to maintain a ceiling of 20,000 feet, almost equal to the achievements of the best German planes. Twenty thousand feet above the earth was the limit. Now, how have we been able to do what we can do? We have put a man 40,000 feet off the earth at McCook Field, up to where it is 50° below zero, and where the atmosphere, instead of being 14 pounds to the square inch, is only 3; where the human body becomes soft and flabby from lack of normal air pressure, and where he would freeze instantly if it were not for his electrically heated clothing. I refer to the accomplishment of my friend, Lieut. John A. McCready, holder of the world's altitude record. How can we do it? By the research work which has been going on at McCook Field, by reason of what is known as the supercharger, to collect and compress the air with the gases of the engine, so that the full force of the horsepower of the engine may be maintained in the light atmosphere where the air is so thin. We put this man up there. Now, for practical purposes what does it mean? The man who is aloft in the air, who is above the other fellow, has a great advantage. During the war, when we could not get a machine that could climb to the altitudes of the foreign machines, we could not clear the sky, and the German planes came over and took pictures of the entrenchments and fortifications, of the thousands of troops being moved to the front, and we were absolutely helpless because we could not get up there.

Now, we can send up a photographic plane and we have developed a photographic apparatus that can take the pictures at 30,000 feet, so far away that the airplane can not be observed by one below, and accurate pictures may be taken of the surface of the ground under those conditions, and we can put a fighting plane so high in the air that there is not a rival in Europe that can contest the power, if we are allowed to go on and progress.

I want to read at this time, in confirmation of what I have said, a letter from the commanding officer at McCook Field, referring to these ideas which the committee may have had with reference to the demand or the need of this research work. I read:

MARCH 13, 1922.

Hon. ROY G. FITZGERALD,
House of Representatives, Washington, D. C.

MY DEAR MR. FITZGERALD: Referring to your inquiry of the 12th instant, in which you state that members of the Appropriations Committee gathered the impression from the hearings that we were unable to expend this year the full $4,300,000 appropriated for aviation experimentation and research, I have the honor to inform you that the committee is in error. The facts are as follows:

The Director of the Budget directed the Chief of Air Service to affect a saving of $1,000,000 out of this year's appropriations. The Chief of Air Service, acting within his discretion as to where this saving would be made, directed that $400,000 be saved out of the total of $4,300,000 appropriated for experimental purposes. I protested this action, as worthy projects had to be abandoned to make the saving. In addition, 250 employees were discharged in order to run McCook Field on the decreased allotment. We could have intelligently expended the full appropriation, so you see there was absolutely no question of inability to expend the money.

The facts are the science of aviation is so new and there are so many hundreds of things that should be done that we could have expended $10,000,000. I really believe that a proper figure for research and experimentation in aeronautics would be $10,000,000 annually. There is no better economy than scientific research.

If Congress could be impressed with the newness of this science and how little is definitely known about it, I am sure they would see the logic of pitching in and seeing that America leads the world in aviation advancement. Certainly in no other way can such a large measure of national defense be obtained for so little money.

I trust the present wave of economy—justifiable and desirable in the extreme—will not sweep away in its money-saving operations the Army Air Service research and experimental operations. I fear such action would be false economy.

Thanking you for your courteous interest in our activities, I am,
Very truly, yours,

THURMAN H. BANE,
Major, Air Service, Chief Engineering Division.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SISSON. Mr. Chairman, I yield 20 minutes to the gentleman from Texas.

The CHAIRMAN. The gentleman from Texas is recognized for 20 minutes.

Mr. JONES of Texas. Mr. Chairman, one of the most interesting questions that has come before Congress and the country within recent years has been the question of the conservation and use of helium. Helium is a distinctive element in the form of a gas that appears in other gases and is extracted therefrom. The method of extraction is to subject the natural gas to intense pressure and reduce the temperature to such a degree as to cause the other gases to liquefy. Inasmuch as helium remains in a gaseous stage at a lower temperature than any other gas, the other gases can be liquefied and the helium conserved as a gas, which is usually placed in

steel cylinders for preservation until such time as it is desired to use the same. In other words, the other gases are broken down and removed in liquid form, and after removal the pressure is released and the other gases returned to their gaseous form. The remarkable thing about the matter is that the value of the use of the other gases for heating and lighting purposes is not injured in any way, but, in fact, is improved by virtue of removing the helium. The helium that is thus removed is noncombustible, noninflammable, odorless, and tasteless.

The helium that is extracted is very valuable for use in the lighter-than-air craft. It has 92 per cent of the lifting power of hydrogen and at the same time does not involve the principal danger that arises from the use of hydrogen, to wit, the tendency to combustion. When a dirigible has been filled with helium there is absolutely no danger from an incendiary bullet or from the engine, because helium does not burn.

Another matter that is of great importance is the fact that this country has practically a monopoly on this kind of gas. There are very small quantities in Canada and in Italy, but the amount is so little as to be negligible, so that for all practicable purposes the United States Government has exclusive control of this kind of gas.

Another matter that is of great importance is the fact that helium can be conserved and used indefinitely. It may be held in steel cylinders and thus stored until it is needed for use, and after it has been used in one machine it can be transferred to another, and thus will last indefinitely. It can be arranged so that the loss even in using is very, very small. When these facts are placed alongside the further fact that with the use of the natural gas of this country, which contains helium, the supply is being forever exhausted and wasted, it is important that steps be taken to conserve the entire supply and thus to avoid the final loss of this valuable element.

The lighter-than-air craft played an important part in the great World War in the form of dirigibles and also of captive (?) balloons, and will tend to play a more important part in any war of the future. The only reason that the dirigibles were not used more extensively during the war is the fact that one strike from an incendiary bullet would bring the machine down in flames. The exhaust from the engine caused danger in this regard. However, even with these great handicaps which arose from the use of hydrogen in the lighter-than-air craft, much was accomplished, especially by the Germans by the use of this form of craft. Several different times they were able to throw bombs on London and other cities, and cause great danger and terror, and also cause the explosion of munition and destroy supplies which were gathered for use during the war. Great damage was done on days when clouds hung low, during which period the Zeppelin, hid in a cloud, would swing down a basket, which would be connected by a telephone with the main ship, and thus from a point far below the ship would be telephoned up the spot on which bombs should be dropped to be most effective. Notwithstanding the tendency to discount the part performed by the dirigible in the war it is an established fact that the Germans were planning just before the war closed to send a giant Zeppelin for the purpose of bombing New York City. This ship, to wit, the *L-72*, was constructed especially for that purpose. Col. Hensley, who talked with the pilot who was to have made the trip with the ship had the armistice not been signed, furnished some very interesting information. The Germans had got the weather charts of the German admiralty, German merchant marine, and the Danish merchant marine. These gave for each day the exact figures in miles of the North Atlantic and the weather conditions. So, theoretically, they made this trip more than 300 times, taking into consideration every possible contingency. The ship carried several tons of bombs and was fully capable of making the trip. New York would have been helpless except for the police revolvers, which could not have done much against an attack of this kind.

This was not a fanciful dream, but an actual plan that had fully matured. The man had been chosen to make the trip. Of course, failure meant death to every member of the crew, but men were easily found who were willing to offer themselves as a sacrifice on the altar of their fatherland. They were planning in every possible way for the hazardous journey, and every precaution known at the time was used in safeguarding this trip. Even with the tremendous handicap of the use of hydrogen less than one-third of the dirigibles which Germany sent out during the war were brought down, leaving a remainder which wrought terror in the hearts of the people who happened to be subject to their terrible raids.

If it were possible to have been serious in the intention of carrying out a trip across the Atlantic with a ship filled with hydrogen, how much easier and less hazardous would it have been had the same machine been filled with helium?

Up to a short time ago a great many were skeptical and made the assertion that helium could never be used commercially because of the cost of its extraction. But the tests have proven that it can be conserved at a relatively low cost, and it is expected that even the present cost will be very much lowered. An idea of the importance of this element is gained from the fact that some months ago a group of American business men formed the American Investigation Corporation for the purpose of investigating the practicability of establishing commercial air service with large rigid airships in this and other countries, and so satisfactory have been their investigations that the formation of a gigantic corporation for commercial air navigation has been announced, with such business men as Benedict Crowell; Owen D. Young, vice president of the General Electric Co.; Marshall Field the third; R. B. Mellon, of the Mellon National Bank, of Pittsburgh, and brother of the present Secretary of the Treasury; and a number of other successful business men of this country. Their plans involve the securing of a large number of dirigibles, for the present to be fabricated in Germany and transported and set up in this country. The largest ones are designed to provide accommodation for 100 passengers, as well as for mail and express. It is announced to be the plan to build ships for lines to South America and Europe when the facilities for complete construction have been arranged. It is not planned to use hydrogen gas but helium in these gigantic dirigibles, which it is asserted will replace the lighter machines of the various types.

No two countries have the same great natural resources. Our country, any country, should conserve and develop its own. The theory of yesterday, proved by practice to-day, is the basis of development for to-morrow. I know not what discoveries or inventions will be made in the infinite sea of the future, but I do know that any nation's natural resources are among its greatest assets and are its sources of supply. If America is to hold her rightful place in the vanguard of nations she should not, she must not, sit supinely by and see this great element wasted.

I can conceive of our national greatness surpassing all the glories of the past—a nation grown from simplicity and honor, the proud heritage of freedom and power, to a nation which loves the arts of peace rather than the implements of war, and which resorts to war only to keep her people free, whose love of peace and justice are known around the world and whose white-winged ships of the air shall carry a message of hope to all parts of the world.

The CHAIRMAN. The gentleman from Texas yields back 11 minutes.

Mr. ANTHONY. I yield 10 minutes to the gentleman from California [Mr. LINEBERGER].

Mr. SISSON. I also yield 10 minutes to the gentleman from California [Mr. LINEBERGER].

The CHAIRMAN. The gentleman from California [Mr. LINEBERGER] is recognized for 20 minutes. [Applause.]

Mr. LINEBERGER. Mr. Chairman, since time immemorial mankind seems to have divided itself up into two opposing camps, one dominated by hard-headed friends of truth and facts, and another numerous and ofttimes powerful group of followers of the seductive will o' the wisp—the multicolored rainbow of impossible achievement. The ancients had their Utopia, and the Middle Ages rung with song and story of the pot of gold at the end of the rainbow, and the great Spanish discoverer, Ponce de Leon, died in the fifteenth century firmly believing that he had located on our own shores of Florida the fountain of youth for which mankind had so long sought in vain.

In our own day and generation we coined that magnificent sounding word "Eureka," which again hailed to a waiting world that the Nirvana of perfection had at last been found, but this, like the rest, has been relegated to fancy and bereft of realization by that age-old "son of time"—the "logic of facts." So it is that mankind in all ages and in all climes has sought when confronted for a solution of the great problems of life, and more particularly with financial ones, some temporary formula or expedient which afforded seeming relief, but which would not bear the acid test of practical application in a strangely practical world.

The councils of State of the Middle Ages turned to the art of the alchemists for gold only to be disillusioned in failure. The French revolutionists, like their modern contemporaries, the Russian Bolsheviki, turned to the printing of worthless "assignats" only to be rewarded with that repudiation which follows all impossible schemes of finance.

The American Congress and the American people turn in the year 1922 to the House Ways and Means Committee for a workable soldiers' adjusted compensation bill only to be confronted with that child of "who knows who" characterized by some of the least charitable among us as having been conceived in haste, born in fright, and christened "impossible" by those who have viewed the infant at close range. [Laughter and applause.]

My colleague from Missouri [Mr. HAWES] who, true to the traditions of his native heath, demands to be shown, is the first ex-service man who has had the temerity to express himself on this bill. I have not discussed the matter with him personally, but he must have received something of the same reaction which I received when I first read the bill as reported, for I understand that he is quoted as saying that it is "an unfortunate child," and "that its father was haste, its mother was fear—some think he intended to say FREAR—and its name is bunk." [Laughter.] No one could ever accuse me of political connivance with a Democrat, as much as I respect some of the lovable Members who sit on the other side of the House, and it is only once in a lifetime that a Republican such as I and a Democrat such as my friend HAWES agree, and I submit the fact as proof that so far as I am concerned the criticism which I voice is not partisan.

Of course, I would not impute any political motives to my comrade and colleague of opposite political faith with whom on this occasion I find myself in such hearty agreement, but I can not pass on to a further discussion of the subject without parenthetically remarking that many of those of his party sitting in the high places and viewing the matter from the pinnacles of leadership occupied by two certain gentlemen whose names begin with capital "G" and who hail from two fine States beginning with capital "T" [GARRETT and GARNER of Tennessee and Texas], sometimes familiarly and affectionately referred to by the distinguished and popular chairman of the Ways and Means Committee [Mr. FORDNEY] as "our brethren, the Gold Dust Twins," presumably because they expect to "clean" us Republicans this fall. [Laughter.] We would not be bestowing upon these gentlemen the credit to which they are entitled were we not to admit that they are viewing this whole proposition with an astute political eye set upon the coming campaign.

Of course, if these gentlemen and their party had only conscripted labor and capital as they did soldiers at the beginning of our participation in the World War there would have been no adjusted compensation to adjust; but, as usual, they left undone the things which they should have done and did the things which they should not have done, so the Republican Party has this additional postwar problem to solve. We frankly admit that Democratic shortsightedness and inexperience has caused us many a sleepless night and no end of embarrassment. We have the record of our past achievements to stimulate us to further effort and we shall steer straight ahead until our goal is reached; that there will be difficulties and breakers ahead, who will deny? We are amidst them now, as we admit, on this bonus measure; but these will not deter us from conquering all obstacles in such a manner as to fulfill our highest obligations to the ex-service men and not put to too great a strain the finances of the country, upon whose recovery from the aftermath of the Great War the prosperity and contentment of over 100,000,000 Americans are dependent. [Applause.]

Perhaps after all we should not criticize the Ways and Means Committee too severely, for they have had a hard road to travel. Between political pressure for a willy-nilly bonus bill on the one hand and the organized propaganda for no bonus at all on the other hand, mixed with a medley of conflicting opinions and plans of those who have given this gigantic financial problem little study and less analysis, they have been placed in the proverbial predicament of being "between the devil and the deep sea." [Laughter.] In compliance with our persistent demands they have done something, and we can not accuse them of inactivity. They have at least brought out "a bill"; if we do not like it it is up to us to say so and offer constructive criticism of those features of it which are not in accord. We should have the courage of our convictions and not criticize or ridicule the work of the committee unless we are willing to take the political consequences—if political consequences there be—of frankly and concretely stating our views, so that those who have devoted themselves so assiduously to the difficult task of framing such a measure may know where we stand.

I know, and we all know, that these gentlemen of the Ways and Means Committee have had great difficulties to surmount. It is a matter of general knowledge that from within their own ranks carefully planned and effective smoke screens have been launched which have precluded a fair consideration and analysis of the sales-tax suggestion submitted by the President of the United States. Insistent rumors of caucuses that have been held where noses have been counted and means devised for bluffing or creating pressure on the committee that would cause them to discard the Executive proposals without submitting them to the House as a body leave little doubt as to the tactics which have been used on this well-meaning committee, composed, as everyone knows, of some of the most able and distinguished Members of Congress. Is it not time that the case of Frear et al. against Harding et al., which up until now has been tried in secret and well-nigh disposed of in chaos should be brought into the open and put squarely before the people of the country? The "et al." parties attached to the President in this "cause celebre" are much more numerous than is generally admitted, and consist, I am convinced, of over half the ex-service men of the House, the majority of the Republicans, and a goodly sprinkling of Democrats. At least, why should not this question, divested of all camouflage and technicalities, be submitted to a free and unhampered discussion and vote by our membership? All sorts of uncomplimentary inferences have been whispered against those who seemed even inclined to agree with the President in his desire to give the sales-tax measure its day in court. It is naïvely insinuated that conscientious, God-fearing Members, who have great difficulty in paying their income tax, are the henchmen and coconspirators of great wealth, simply because they dare to stand with a Republican President and demand a fair and impartial hearing on a proposal which he in good faith has submitted. [Applause.]

From whence comes this legislative Ku-Klux, who by the process of gentle pressure seek to intimidate Members and hope to coerce great committees, who would give the soldier a bonus by fathering an impracticable and questionable scheme of finance? A coincident not to be ignored is that the imperial wizard of this klan, for whom personally I have nothing but the highest esteem, and who would perform all these miracles for us, hails from the same State from which the effulgent and famous La Follette's Weekly sheds its rays over a benighted continent. It is to be noted that both are opponents of the sales-tax measure proposed by the President; the weekly, at least, is consistent, as many will recall how it helped to win the war fought by the soldiers we now seek to compensate by opposing it. Yes, Mr. FREAR, we think we know how Wisconsin stands and why she stands where she stands. [Applause.]

Quite properly every Member of the House who is in favor of an adjusted compensation bill has viewed the efforts of the Ways and Means Committee to produce a satisfactory bill with the kindliest and most sympathetic interest. We have realized all along that to meet the legitimate desires of the veterans and at the same time to proceed with due regard to the financial condition of the country—in a topsy-turvy economic world—presented a problem of gigantic proportions, and when I was informed that the committee instead of adopting a selective cash feature such as had been suggested by various Members had inserted the so-called certificate plan in lieu of cash payment by the Government at this time I was inclined to favor it, for I believed it to lead in the direction of a saner and safer economic solution of this thorny problem.

When I learned that the certificate plan would permit of borrowing from the bank I accepted it provisionally, assuming, of course, that the security would be handled in such a way that it would be fluid in all legitimate banking transactions. Thus most of the Members accepted this compromise, as all compromises have to be accepted, feeling that if it could be shown to be practicable it was probably the best thing which could be obtained with due regard to the soldier and the Government. Until I read the bill I was prepared to go before the ex-service men of my district and the country with the statement that it was the best we could evolve out of a muddled and difficult situation. Personally I am frank to say that I was never fully satisfied to create even a deferred cash obligation of such magnitude without providing some specific means of raising the money. It seemed to me to violate the first tenets of good business procedure. Still I was prepared to support the bill if it could stand the acid test of scrutiny and the limelight of business analysis.

But when the bill was introduced and printed, along with my other colleagues, I received the first shock of disillusionment so far as the certificate feature of the bill was concerned; lo and behold, the child had been tampered with, and the smiling countenance with which it was to win its way among those who were to nurture it for the first few years of its young life was a "frozen" one. Some call it "frozen credit," which probably accounts for the "cold shoulder" it has received from bankers and economists alike who have been called in on the

case and who are likely to act as foster mothers during the first three years of its young life, while its real mother, the United States Treasury, tries to recover her strength by "a voyage in Icarie" abroad in order to gain substance from foreign loans uncollected and perhaps uncollectible and which grow either in thin air or in the barren soil of an economically and physically shell-ridden continent. [Applause.] We now find ourselves in such a quagmire of quandary and embarrassment that Mr. Mellon, the constitutional opponent of all adjusted compensation or so-called bonus, challenges us to pull ourselves out by our own bootstraps, a feat of the impossible, and no doubt inwardly laughs and makes merry at our predicament.

Now, what shall we do in the matter?

Shall we let the unalterable opponents of all adjusted compensation sit in to see us encompass our own defeat, coupled with the ultimate downfall of the legislation to which we and our administration are committed? All this simply that we may for the moment satiate our pride of opinion and say to the world that we intend, willy-nilly, whether or no, to force this measure through the House as it is, knowing that it will rest for many weary months in that "august port of missing bills," the Senate, and that when it again finally sees the light of day in conference between the two Houses it must of necessity suffer a complete disfiguration and be submitted to one of two alternatives—either that of being so completely changed by the upper body that we will not recognize it, or a voyage to the White House unchanged, but where the veto surely awaits it, for whatever doubts the Members of this House may have as to the merits of the particular policies advocated by the distinguished American at the other end of the Avenue, no one can accuse him of vacillation or of lacking in party responsibility or leadership, for he has made it clear to all except those "who will not see" that he disapproves of any adjusted compensation measure to be passed at this time which does not embody the means of raising the revenue required to carry out the provisions of the bill. We all know that the President says what he means and means what he says, a frank and commendable American trait.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. LINEBERGER. I will be glad to yield if I have time when I have finished my remarks. Who can say that in a matter involving such a large amount of the people's money at such an uneasy moment in the world's history and to be paid to a body of men who occupy such a place of high esteem in the hearts of the American people, that his position is not fundamentally sound and unassailable?

He is the chosen constitutional President of a Nation of a hundred and five million people and realizes that it is upon his shoulders that the larger share of the responsibility for weal or woe of the people and the success or failure of his administration must rest, and great man and President that he is, he does not shirk this responsibility. [Applause.] After all, fellow Members of the Republican side of the House, whether we will it or not, we will share it with him sooner or later, and the time is not far distant when the Republican President and this Republican Congress must stand or fall together. While there are among us some who feel themselves quite self-sufficient at times, who can truthfully say that he can go among his constituents this fall and lay claim to reelection as an independent candidate? We can not be Republicans at election time and independent on the floor of this House. Even our opponents, a strong but coherent minority which sits on the Democratic side of the House, recognizes and practices the doctrine of political consistency. It is high time that the cry of party solidarity be raised on the Republican side of this House. What greater opportunity to rise to the emergency than at the present moment when a bill in which the defenders of the Nation's institutions are vitally interested is before us? If there is a way out we must find it. Few Members of this House desire to have adjusted compensation deferred, and those of us who are committed to it in principle desire to have an opportunity to vote for a measure that will have a chance to become a law. The practical necessity of the situation demands that a bill be presented whose legislative pathway will not be strewn with thorns, but which will be reasonably clear through the Senate and up to the White House. Many of us are not personally committed to the cash feature, but if it can be included and the money raised by a practical means of taxation it would satisfy those who feel the need of it. Is there such a proposition, and should we adopt it? The President has frankly indicated that a manufacturers sales tax will meet with no opposition at the Executive end of the Avenue. He has just as frankly stated that rather than to accept any other means of raising the money at this time he would be flatly in favor of postponement. It is a frank statement of his position, we have the answer as to what can and can not be accomplished under existing circumstances. [Applause.] Without doubt a bill conforming to the President's suggestion would have a safe majority in the Senate and should be functioning within 90 days of passage in the House. Any other measure at this time is doomed to failure, and will defeat the purpose of those who are attempting to force it through, for following the weary months of waiting on the part of the expectant ex-service men will come the final disappointment and a spirit of dejection and cynicism which will far exceed the temporary elation caused by the passage of the bill as now reported in this body. The men will know they have been "gold bricked," and all who know the ex-soldier well, will tell you that he is unequaled for his powers of intuition and he will place the responsibility flatly upon those who have deceived him. [Applause.]

If I may be permitted to prophesy, the major criticism will fall on this House for having passed a legislative bill with full warning and full knowledge in advance that it was doomed to failure. Assuming, for the sake of argument, that the present bill should finally be forced through both Houses and that it could muster a two-thirds vote in both Houses, which every Member knows it could not do in the Senate in the face of the President's opposition, and that it finally became a law over the President's veto. Would it, in view of its questionable financial features and the long delay which would be the price of such legislative tactics, be worth the price? Gentlemen, it is not even good politics, for it is not good American horse sense. That, at least, is expected of us by the American people, and if we fail in this we commit a political blunder for which those responsible will be held to account. [Applause.]

I am a friend of, but not of, the so-called farm bloc, which has voiced such violent opposition to all forms of a sales tax. The very word seems an anathema to them. I am against all blocs. I observed the iniquity of this system when recently I visited the German Reichstag, where they have 11 political parties or blocs in a body slightly larger than our own. It is the curse of any parliamentary system, and will prove a curse to ours if we adopt it, and we should have none of it. I vote with many of these gentlemen often, always when I think they are right, but I shall oppose them when I think they are wrong and feel that their attitude on a given question is in opposition to the best interests of the Republican Party, of which the majority of this so-called bloc are members. Frankly, I will say to them that I do not believe they carry the tonnage in this sales-tax matter they would have us believe; they are too nervous of their position; they have had us bluffed, myself included; but we are faced by necessity and must find a practical way out on this bonus measure. This, perhaps, has caused some of us to discover and we would like to share the opportunity with them to go on record with a clean-cut proposition based on a manufacturers' sales tax similar to the one in vogue in Canada, for the specific purpose of raising the cash required for the adjusted-compensation legislation shortly to come before the House.

I therefore submit this proposition to the Ways and Means Committee and challenge the opponents of the manufacturers' sales tax to submit the matter to a vote of the House before discarding it or refusing to consider it as a way out of the dilemma into which we have drifted. If you are convinced of your position you should not object to making the record clear for yourselves and permitting those of opposite views to have the same privilege. We are willing to measure our strength with you, that the country may know the result as shown by roll call, and that the responsibility may rest in any event where our constituents may see fit to place it. I was not one of the original proponents of the sales tax, but have until recently proceeded with an open mind, so I can not be accused of having any ulterior motives in the stand which I have taken.

I believe that we are called to meet a practical problem in a practical, workable way. Our President is a true friend of the ex-service men of the country and is committed to the principle of adjusted compensation, all statements to the contrary notwithstanding. With the utmost frankness he has pointed the way, and the Republican membership of this House has a right to expect of its leadership that it be given an opportunity to register by vote whether or not it desires to approve of the plan suggested by the Executive before being called upon to vote on an alternative measure of what many consider to be of questionable legislative merit.

We desire this opportunity, and feel that no substitute measure should be presented until we are first given an opportunity to vote for a measure which we are willing to accept, either on a basis of merit or of compromise, and which we

know has a reasonable chance of ultimate passage and of obtaining the signature of the President.

Mr. Chairman, in the name of scores of my colleagues like myself who are in favor of adjusted compensation which has some chance of becoming a law and in the name of thousands of ex-service men who will not accept the excuse of legislative juggling and buncombe which is being prepared for them, I earnestly plead that a bill be brought out carrying a manufacturers' sales tax for raising the money required to satisfy the cash feature of the bonus or that a rule be provided whereby the proponents of this measure will be permitted to offer it as a substitute to the bill as presented and to have a separate record vote on the measure.

All of this I ask, Mr. Chairman, so that loyal Republicans and others who may see fit to join us may be given the opportunity of supporting the measure and of voicing our confidence in a Republican President elected and confirmed by a majority of over seven and one-half millions of our fellow citizens. [Applause.]

Mr. SISSON. I yield 10 minutes to the gentleman from South Carolina [Mr. FULMER].

Mr. FULMER. Mr. Chairman and gentlemen of the committee, the House, with the Senate, several months ago appointed a special committee to investigate agriculture.

Knowing the condition of the agricultural interests at that time, as well as now, I had been hoping that we would get action as well as an investigation from that committee.

Several weeks ago the gentleman from Minnesota [Mr. ANDERSON], who is chairman of the special committee, made a speech before the so-called Farmers' Conference at the Willard Hotel and stated that his committee had found the farmers unorganized and in need of long-term credits. I have a bill, or at least am the cause of a bill being introduced in the House, to amend the Federal reserve act so as to give to the farmers 12 months' credit, whereas they now only have 6 months. This bill, that would cover to a certain extent the findings of this special committee, sleeps soundly with the Committee on Banking and Currency.

I am going to charge here and now that excessively high freight rates are doing more to paralyze agriculture and stifle business than any other thing I know of. In making this charge I believe that the Members of Congress, as well as the special committee on agriculture, will agree with me.

However, if there are those who disagree with me as to this charge, I will be glad to yield so that they may stand and have their names recorded.

When the Congress passed the Esch-Cummins transportation act the Members not only seemed to have known the needs of the railroad owners, but immediately passed this bill giving them the power, through and under the Interstate Commerce Commission, to so increase freight rates on the shippers of this country until they would be assured that their income would yield them 6 per cent on their entire investment.

Not being satisfied with the ridiculous rates that are paralyzing the farmer, the railroads, through their agents, are allowed to issue tariffs that are approved by the Interstate Commerce Commission that mean highway robbery of the people.

I have in mind a tariff issued by one J. J. Cottrell, agent of the Southern Railway at Richmond, Va., which took effect October 15, 1921, known as tariff No. 2, Interstate Commerce Commission, No. 358, eastbound Carolina class and commodity tariff.

This tariff forbids the shippers of hogs from local and junction points in North and South Carolina, Georgia, and Virginia from shipping their hogs in double-decked cars to eastern cities and certain interior eastern points.

I called up the Southern Railway office here in Washington and obtained carload rates on standard cars of hogs shipped in single and double-decked cars from Springfield, S. C., to Richmond, Va., the complaint having come to me from Springfield, S. C., as to the injustice of this ruling on the part of the Interstate Commerce Commission. I found that on account of shippers not being allowed the use of double-decked cars that it would take two single cars to carry the same number of hogs, costing the shipper $157, as against $92 for a double-decked car, making a loss to the shipper of $55.

I call this an outrage on the farmers and shippers of hogs from these States, especially at the time when the people of the cotton States are facing bankruptcy on account of the ravages of the boll weevil. My people are trying to get away from cotton by planting grain and raising hogs, so as to be able to live and pay their taxes, and now they are being penalized in the sum of $55 per car on shipments, or 25 per cent on the already high rates, and I am here to tell you gentlemen it is not right. However, I will say for the information of the Members of the House that I have taken the matter up with the Interstate Commerce Commission and I hope to obtain some relief.

Some time ago the Government sold quite a lot of nitrate of soda around $35 per ton, in lots too large for the individual farmer to buy, and since that time the importers of this country, few in number, have bought up and are now holding from the market nitrate of soda and are demanding $64 to $68 per ton, car lots delivered to the fertilizer merchants, with an additional $2 to $5 to be added as profit to the merchant, thereby costing the farmer from $65 to $75 per ton. I will say for the benefit of a great many of you who are not farmers and who know nothing about farming, that it is impossible to make a successful crop of any kind in the South without the use of nitrate of soda and if this Congress is a friend of the farmer it will investigate the outrageous acts of the nitrate of soda combination.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FULMER. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Are those Chilean nitrates which are sold at that price?

Mr. FULMER. It is the regular nitrate of soda used by the farmers of this country.

Mr. GARRETT of Tennessee. Chilean nitrate?

Mr. FULMER. Yes.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. FULMER. Yes.

Mr. SMITH of Michigan. How do the prices of nitrates compare with the prices before the war, or the normal prices?

Mr. FULMER. I think the price is about $20 a ton higher. Anyhow, for the nitrate of soda formerly sold by the Government we find the price now just about double.

Mr. SMITH of Michigan. To what do you attribute that rise in price?

Mr. FULMER. I attribute it simply to the high-handedness of a combination that is able to rob the farmers. I want to say that the farmers of the South are financially unable to buy fertilizer and soda to any large extent. Therefore it is not the demand that is creating the high prices but it is simply a matter of a combination formed to squeeze the farmer.

Mr. SMITH of Michigan. I should think the price is pretty high.

Mr. FULMER. As I have just stated to the gentleman from Michigan [Mr. SMITH], due to the financial situation in the South at this time, the farmers are unable to buy fertilizer and nitrate of soda in large quantities, as heretofore; therefore it is not the demand that is causing this outrageous act on the part of the importer but it is a matter of highway robbery on the part of one of the largest trusts in America, framed to rob the man who feeds and clothes the world. Not only this, but this same Fertilizer Trust is spending thousands and thousands of dollars sending out propaganda and lobbying around Washington trying to defeat the plans of Henry Ford in securing Muscle Shoals, knowing their day of highway robbery will cease if Henry succeeds in getting the management of these plants.

I am watching and the American farmers and labor organizations are watching the Congress—that says so much and does so little for the farmer—as to the outcome of this Muscle Shoals proposition. I wonder if you will do the right thing, let Henry Ford have the Muscle Shoals plants, or will you heed your master's call and continue to let the American farmer be handled by this Fertilizer Trust?

I have a letter dated March 9, addressed to me from one of the largest fertilizer concerns in the country, stating, "We are unable to secure any nitrate of soda at any price at present." Also, on March 9, from another large fertilizer corporation, "It seems that importers have gotten control of soda and have put the price up to such an extent that we wish our people would just quit buying. The best price we could possibly make now is $65 f. o. b. Savannah, Ga."

The following from a large dealer:

BATESBURG, S. C., *March 11, 1922.*

Hon. H. P. FULMER,
House of Representatives, Washington, D. C.

DEAR SIR: It may be interesting to you to know that recently, within the last four months, nitrate of soda has advanced in price until to-day the large importers are asking and getting $61 per ton for the material f. o. b. cars ports. Only a few months ago it was quoted around $37 per ton f. o. b. cars ports. Only a month ago it was quoted around $48 per ton f. o. b. cars ports.

It appears that as the South is forced to reduce her requirements for this material the price is put up in proportion, so that the importers of this material—and there are very few of them, indeed, about four or five—will obtain the same amount of profit. So far as demand is concerned, the requirements will be less this year than last year from farming class, due to the fact that the farmers can not purchase sufficient

pay for the material; therefore it can not be demand that is putting up the price of the material.

The South needs to be relieved from this Nitrate Trust, a trust that absolutely dictates to the South what price she will have to pay for one of her chief plant foods. Let "Henry" do it.

Very truly, C. E. JONES.

Mr. Chairman, I ask to have printed in connection with my remarks some letters that I have.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD by printing some letters. Is there objection?

There was no objection.

The letters follow:

SPRINGFIELD, S. C., *February 2, 1922.*

Hon. H. P. FULMER,
Washington, D. C.

DEAR HAMP: I am writing to ask you for a little assistance in getting a matter straightened out with the railroad company.

I am shipping hogs to the Richmond and Baltimore markets, and the Southern road refuses to furnish me with double-decked cars or allow me to build a double deck in ones they furnish.

I have taken the matter up with the South Carolina Railroad Commission and they state that they can not handle this, as it is interstate business.

I presume the proper authorities to take the matter up with is the Interstate Commerce Commission. Could you see them in Washington and get a ruling which I could use with the railroad company and have them cite me to tariffs which cover this phase of the hog-shipping business?

Other shippers are using double-decked cars from points in South Carolina and Georgia to the Richmond and Baltimore markets, and their freights are about half what mine are.

Thanking you for your assistance in the matter and with best wishes, I am,

Yours, truly, H. A. JUMPER.

—

SOUTHERN RAILWAY SYSTEM,
Washington, D. C., February 6, 1922.

Col. F. G. ROBBINS,
Director Bureau of Service,
Interstate Commerce Commission, Washington, D. C.

DEAR COL. ROBBINS: I have your letter of the 4th instant, File 126632, complaints submitted by the Hon. H. P. FULMER, from Mr. H. A. Jumper, of Springfield, S. C.

The tariff in which the restrictions occur is the one issued by J. J. Cottrell, agent, Richmond, Va., effective October 15, 1921, tariff No. 2, I. C. C. No. 358, eastbound Carolina class and commodity tariff from local and junction points in Georgia, North Carolina, South Carolina, and Virginia to eastern cities and interior eastern points in the States of Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, and West Virginia. Page 33, note 37, paragraph 1, reads:

"Loading hogs, calves, or cattle in double-deck cars will not be permitted."

This tariff applies to all roads in the States named, but I will be very glad to investigate further the claim that other shippers are using double-deck cars from points in South Carolina and Georgia to the Richmond and Baltimore markets, and will appreciate further information from Mr. Jumper in regard to it.

Yours, sincerely, W. S. ANDREWS,
Assistant to Vice President.

—

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 10, 1922.

Mr. GEORGE B. MCGINTY,
Secretary, Interstate Commerce Commission,
Washington, D. C.

DEAR MR. MCGINTY: I received a letter from Mr. F. G. Robbins, Director of Service, under date of the 8th, in reply to my letter of the 4th regarding information as to the shipping of hogs from South Carolina.

Mr. Robbins states that due to a tariff "issued by J. J. Cottrell, agent, Richmond, Va., effective October 15, 1921 (No. I. C. C. 358), Eastbound Carolina Class and Commodity Tariff." shippers of hogs from South Carolina, Georgia, Virginia, and North Carolina shipping to eastern cities and certain interior eastern points are forbidden or prevented from shipping hogs in double-decked cars.

I asked Mr. Robbins over the phone why this special order against certain Southern States and he has referred me to you.

The shipping point in question is Williston, S. C., to Richmond, Va. I called up Mr. King, who represents the Southern Railroad here, for a rate on car shipments of hogs to and from the points named, and he quoted me $73.50 per car, standard size, or $92 for double-decked cars.

You, of course, understand that twice as many hogs can be shipped in the double-decked car; therefore without the double-decked car there is a loss of $55 on each car shipped.

I am writing to ask what authority Mr. J. J. Cottrell has to issue said tariff against shippers in the States mentioned, and if you can assist me in having this changed. If there is no other way out of it I shall have to make an appeal to Congress against this discrimination on the part of the roads in favor of shippers from other sections. The people of South Carolina and other States as well are facing bankruptcy on account of a short cotton crop and low prices, and they are turning to hog raising in an effort to relieve the situation, and I feel that the order against double-decked cars is unjust and a serious handicap to the raiser of hogs.

I am deeply interested in this matter and will appreciate any help or information that you may give me.

Very respectfully,

H. P. FULMER, *M. C.*

Mr. ANTHONY. Does the gentleman from Mississippi desire to use any more time this evening?

Mr. SISSON. No; I have no one else who wishes to speak to-night.

Mr. JEFFERS of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a resolution by the patients of Mount Alto Hospital with regard to certain things that come under the Veterans' Bureau, and certain legislation indorsed by the American Legion.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. JOHNSON of Washington. Mr. Chairman, is this in the nature of a petition?

Mr. FULMER. It is a resolution by the patients in Mount Alto Hospital.

Mr. JOHNSON of Washington. Is it not customary to drop these things in the regular way in the basket and have them referred to the proper committee? I do not like to object, but I think it would be better to dispose of it in that way.

The CHAIRMAN. The gentleman from Washington objects.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10871, the Army appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent Mr. OLIVER (at the request of Mr. MCDUFFIE) was given leave of absence for five days, on account of official business.

THE DEFICIENCY BILL.

Mr. MADDEN. Mr. Speaker, I present a conference report for printing under the rule.

The SPEAKER pro tempore. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years.

Mr. GARRETT of Tennessee. Mr. Speaker, may I ask the gentleman from Illinois when it is his intention to call it up?

Mr. MADDEN. I was hoping we might get unanimous consent to-morrow, notwithstanding it is Calendar Wednesday, for the reason that $94,000,000 appropriated in this bill is for the Veterans' Bureau and their fund for rehabilitation and vocational training will be exhausted to-morrow. They will not be able to send their checks out unless this is disposed of.

Mr. MONDELL. Mr. Speaker, may I submit a unanimous-consent request? I ask unanimous consent that on to-morrow after the conclusion of the consideration of the bill to be presented by the Committee on Immigration and Naturalization, it shall be in order to take up and consider conference reports on bills from the Committee on Appropriations.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that on to-morrow, Calendar Wednesday, after consideration of bills presented by the Committee on Immigration and Naturalization it shall be in order to take up for consideration conference reports on appropriation bills. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, I have had no opportunity to confer with the minority members about the condition of conference reports. I want to ask the gentlemen if they can not transfer Calendar Wednesday business to Thursday?

Mr. MADDEN. I will say that there will be no objection from the gentleman from Tennessee [Mr. BYRNS] as to the consideration of this conference report to-morrow if the House agrees to it.

Mr. GARRETT of Tennessee. There are a number of conference reports.

Mr. MONDELL. Mr. Speaker, I had two conference reports in mind, both of which I understand the minority are willing to have taken up. One is this conference report and the other is the conference report on the independent offices.

Mr. GARRETT of Tennessee. Is it a complete agreement or do we have to vote on several provisions?

Mr. MONDELL. I think there are some provisions to be voted upon.

Mr. GARRETT of Tennessee. May I ask the gentleman from Wyoming is it particularly important to have the business of Calendar Wednesday considered to-morrow?

Mr. MONDELL. The gentleman from Washington can answer that, perhaps.

Mr. GARRETT of Tennessee. I will say now that I do not think that that is important.

Mr. JOHNSON of Washington. It depends on how often the committee has a call on the calendar; it only comes up about once in the session.

Mr. GARRETT of Tennessee. So far as I know anything about that resolution it is wrong.

Mr. JOHNSON of Washington. I disagree with the gentleman. It occurs to me, talking about the necessity of agreeing to the conference report, that if it was agreed to the President is not here and could not sign it.

Mr. MADDEN. I understand that the President is to be back Friday, and there is a disagreement in this, so that it will have to go back to the Senate.

Mr. JOHNSON of Washington. I think the bill in reference to immigration can be handled in two hours and a half. I will not object to Calendar Wednesday being transferred to Thursday.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the Calendar Wednesday business may be in order on Thursday instead of on Wednesday, and that we dispense with Calendar Wednesday business to-morrow.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that business in order to-morrow, Calendar Wednesday, may be in order on Thursday and that Calendar Wednesday business to-morrow be dispensed with. Is there objection?

Mr. ANTHONY. Mr. Speaker, reserving the right to object, that would mean that the Army appropriation bill would go on to-morrow?

Mr. MONDELL. The conference reports would first be considered to-morrow, and I assume that would be the wish of the chairman of the Committee on Appropriations. Then the balance of the day, if there was time remaining, would be utilized by the subcommittee now considering the measure before the House.

Mr. TILSON. May I ask the gentleman from Wyoming if there is any intention of having in the near future a Private Calendar day? There are some little bills that are not claims, that are not war claims, that are not pensions, but which are of considerable importance to some of us locally.

Mr. MONDELL. Mr. Speaker, I hope that before long we may have another day for the consideration of matters on the Private Calendar.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker pro tempore signed the same:

H. J. Res. 227. Joint resolution extending the term of the National Screw Thread Commission for a period of five years from March 21, 1922.

ADJOURNMENT.

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 52 minutes p. m.) the House adjourned until to-morrow, Wednesday, March 15, 1922, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LEHLBACH: Committee on Reform in the Civil Service. S. 3265. An act construing the expression "all employees in the classified civil service of the United States," as used in section 1 of the act of May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes"; without amendment (Rept. No. 796). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANGLEY: Committee on Public Buildings and Grounds. H. R. 10864. A bill to authorize an appropriation to enable the Director of the United States Veterans' Bureau to provide for the construction of additional hospital facilities and to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the United States Veterans' Bureau; without amendment (Rept. No. 797). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RYAN: A bill (H. R. 10890) to provide legal tender Treasury notes (money), without interest or tax, for soldiers' bonus to be paid to World War veterans of the Army, naval, marine, submarine, air, and nursing forces of the United States, who were engaged or about to be engaged in the World War; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: A bill (H. R. 10891) to enlarge, extend, remodel, etc., the post-office building at Kalamazoo, Mich.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10892) for the purchase of a site for the erection thereon of a public building at Eaton Rapids, Mich.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10893) to provide for the daily free delivery of rural mail and parcel-post matter to every rural home at least once each day where the houses are not more than 1 mile apart on a main traveled highway; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 10894) for the purchase of a site and the erection thereon of a public building at Marshall, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. BRAND: Joint resolution (H. J. Res. 287) directing the United States Department of Agriculture to investigate the feasibility of furnishing market prices of cotton by radiophone to the farmers of cotton-growing States; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COOPER of Wisconsin: A bill (H. R. 10895) granting an increase of Pension to Phebe J. Burrows; to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 10896) granting a pension to William W. Kinne; to the Committee on Pensions.

By Mr. DUNBAR: A bill (H. R. 10897) granting a pension to Henrietta Hyman; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 10898) granting a pension to Mary E. Hampton; to the Committee on Invalid Pensions.

By Mr. GARRETT of Texas: A bill (H. R. 10899) for the relief of Charles T. Clayton; to the Committee on Claims.

Also, a bill (H. R. 10900) for the relief of Mrs. E. A. Thompson; to the Committee on Claims.

By Mr. PERLMAN: A bill (H. R. 10901) granting a pension to Joseph J. Newton; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 10902) for the relief of Lieut. E. J. McAllister; to the Committee on War Claims.

By Mr. STEENERSON: A bill (H. R. 10903) granting a pension to Andrew Nelson; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 10904) for the relief of James Le Grand; to the Committee on Military Affairs.

By Mr. UNDERHILL: A bill (H. R. 10905) granting a pension to Mary A. Penney; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 10906) granting a pension to Allen Watson; to the Committee on Pensions.

Also, a bill (H. R. 10907) granting a pension to O. W. Surrett; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4596. By Mr. CRISP: Memorial of J. M. Larisey, chairman, and J. B. Hogsed, secretary, officers joint committee, Atlanta, Birmingham & Atlantic Railroad strike, Atlanta, Ga., relative to the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

4597. By Mr. DRANE: Resolution from Federated Railroad Shop Crafts at Tampa, Fla., relative to Muscle Shoals; to the Committee on Military Affairs.

4598. By Mr. DRIVER: Petition of the School Improvement Association, of Blytheville, Ark., in support of House bill 6045 and Senate bill 1376, providing for the placing of Government employees engaged in the enforcement of national prohibition under the civil service; to the Committee on Reform in the Civil Service.

4599. By Mr. GALLIVAN: Petition of the American Women's Overseas League, of Boston, Mass., urging the passage of House bill 7299, a bill to incorporate the Women's Overseas Service League; to the Committee on the Judiciary.

4600. By Mr. KISSEL: Petition of C. H. Denison (Inc.), of Brooklyn, N. Y., and a number of builders opposing the passage of the soldiers' bonus bill; to the Committee on Ways and Means.

4601. Also, petition of various residents of New York City protesting against the compulsory Sunday-observance bill (H. R. 9753); to the Committee on the District of Columbia.

4602. Also, petition of Lithuanians of Chicago, Ill., in commemoration of Luthuania's fourth anniversary of her declaration of independence; to the Committee on Foreign Affairs.

4603. By Mr. RAKER: Petition of Jim Cesano, James M. Robinson, Alva Frost, Leugi Pardi, Paul W. Herman, Lester B. Anderson, E. N. Belanger, J. A. Seavey, Earl G. Gerlicher, W. B. Frohwitter, William F, Tappel, Milton C. Gerlicher, Frank Kiesling, G. D. Wiley, Arthur R. Yarham, Ray Hathaway, Edward C. Bonneville, R. A. Rigor, Ben Reiner, A. G. Linn, James L. Borland, and Dr. H. C. Erno, all members Cheula Post, No. 92, American Legion, of McCloud, Calif., urging support of the bonus bill; to the Committee on Ways and Means.

4604. Also, petition of the Lassen County Farm Bureau and residents of Milford Farm Center, Susanville, Calif., opposing sales tax for payment of soldiers' bonus; also, petition of Gen. Jacob H. Smith Post, No. 83, Veterans of Foreign Wars of the United States, San Francisco, Calif., urging passage of the adjusted compensation bill; to the Committee on Ways and Means.

4605. By Mr. RIDDICK: Petition of citizens of Roundup, Mont., indorsing the Towner-Sterling bill; to the Committee on Education.

4606. Also, petition of farmers of Twin Bridges, Mont., urging the passage of House bill 9952; to the Committee on Agriculture.

4607. Also, petition of farmers of Frazer, Hill County, Baker, Zurich, and Stanford, all in Montana, urging the revival of the United States Grain Corporation; to the Committee on Agriculture.

4608. By Mr. SNELL: Petition of the members of Clinton County Grange, of Plattsburg, N. Y., opposing the soldiers' bonus bill; to the Committee on Ways and Means.

4609. Also, petition of sundry residents of Malone, N. Y., opposing House bill 9753, or any other Sunday bill, such, for example, as House bill 4368 or Senate bill 1948; to the Committee on the District of Columbia.

4610. Also, petition of sundry residents of North Bangor, N. Y., opposing House bill 9753, or any other Sunday bill, such, for example, as House bill 4388 or Senate bill 1948; to the Committee on the District of Columbia.

4611. By Mr. TOWNER: Petition of Charles J. Williams and 245 other citizens of Brooklyn, N. Y., asking for the passage of the Towner-Sterling bill; to the Committee on Education.

SENATE.

WEDNESDAY, *March 15, 1922.*

(Legislative day of Thursday, March 9, 1922.)

The Senate met in open executive session at 12 o'clock meridian, on the expiration of the recess.

EXTENSION OF DEBT DUE FOR AUSTRIAN RELIEF.

As in legislative session,

Mr. McCUMBER. Mr. President, from the Committee on Finance I report favorably with amendments the joint resolution (S. J. Res. 160) authorizing the extension, for a period of not to exceed 25 years, of the time for the payment of the principal and interest of the debt incurred by Austria September 4, 1920, for the purchase of wheat from the United States Grain Corporation, and for other purposes, and I submit a report (No. 561) thereon.

Mr. PITTMAN obtained the floor.

Mr. LODGE. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. PITTMAN. I yield to the Senator from Massachusetts for that purpose.

Mr. NORRIS. I ask that the joint resolution which has just been reported by the Senator from North Dakota may be read.

The joint resolution was read.

Mr. NORRIS. I understood the Senator from Massachusetts to ask unanimous consent for the present consideration of the joint resolution.

Mr. LODGE. I have made that request, and I hope there will be no objection to it.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts for the immediate consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr ROBINSON. Mr. President, let us have an explanation of the joint resolution. I endeavored to hear it when it was read, but was unable to do so.

Mr. LODGE. I will state the object of the joint resolution in a few words. The joint resolution has been reported unanimously from the Committee on Finance. The Senator from Arkansas will remember that three years ago, I think, after the World War, Congress appropriated $50,000,000 in the form of wheat for the relief of certain of the starving populations in Europe. The principal part of that relief went to Vienna, where undoubtedly there was greater suffering than at any other one place. The United States Grain Corporation took the notes of the Government of Austria, secured by certain of its revenues. The purpose of the joint resolution is to extend the time for the payment of the principal and interest of that debt for the period of 25 years. It is entirely different from the credits granted by the United States to other countries. This was purely a matter of charity. I do not suppose when the debt was incurred that anybody expected it would ever be paid, but we hold these notes and the revenues are held back from the Austrian Government as security for the debt. The purpose of the joint resolution is to give that Government time within which to pay the debt so that they may meanwhile use for the purpose of constructing public works and to relieve the starving population of Vienna the revenues which are now held as security.

Mr. ROBINSON. The Senator from Massachusetts has, I believe, stated that the joint resolution has been reported unanimously by the Committee on Finance?

Mr. LODGE. Yes; it has been reported unanimously by the Finance Committee.

Mr. OVERMAN. Mr. President, I suggest the absence of a quorum. My colleague, the Senator from North Carolina [Mr. SIMMONS], is not present, and I do not know whether or not he desires to be heard in connection with the joint resolution.

Mr. McCUMBER. The colleague of the Senator from North Carolina is in favor of the joint resolution.

Mr. LODGE. The Senator's colleague supports the joint resolution. There is no objection to it of which I am aware.

Mr. OVERMAN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Hale	McNary	Simmons
Borah	Harris	Nelson	Smith
Brandegee	Harrison	Newberry	Spencer
Bursum	Heflin	Nicholson	Stanley
Cameron	Hitchcock	Norris	Sterling
Capper	Johnson	Oddie	Townsend
Caraway	Jones, Wash.	Overman	Underwood
Colt	Kellogg	Page	Wadsworth
Culberson	Kendrick	Pepper	Walsh, Mass.
Cummins	Keyes	Phipps	Walsh, Mont.
du Pont	King	Pittman	Warren
Elkins	Ladd	Poindexter	Watson, Ga.
Ernst	Lenroot	Pomerene	Weller
Fernald	Lodge	Ransdell	Williams
Fletcher	McCormick	Rawson	Willis
France	McCumber	Robinson	
Gerry	McKellar	Sheppard	
Glass	McKinley	Shortridge	

Mr. FLETCHER. My colleague [Mr. TRAMMELL] is necessarily absent by reason of a very sad bereavement, the death of his wife. I will allow this announcement to stand for the day.

Mr. JONES of Washington. Mr. President, I desire to announce that the following Senators are detained from the Senate because of attendance upon the Committee on Finance:

The Senator from Utah [Mr. SMOOT], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from New York [Mr. CALDER], the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from Indiana [Mr. WATSON], and the Senator from West Virginia [Mr. SUTHERLAND].

I also desire to announce that the Senator from Idaho [Mr. GOODING] and the Senator from Oregon [Mr. STANFIELD] are detained from the Senate on official business.

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum of the Senate is present. The Secretary will state the amendments reported by the committee.

The READING CLERK. On page 2, line 6, after the name "Austria," to strike out "September 4, 1920"; in line 7, before the word "from," to strike out "wheat" and insert "flour"; in line 12, after the word "that," to insert the words "substantially all"; in line 13, before the name "France," to insert "Denmark"; in line 13, after the name "Italy," to strike out

"Japan" and insert "Norway"; in line 14, after the name "Rumania," to insert "Sweden, Switzerland"; and in line 15, before the name "Austria," to strike out "loans to" and insert "claims against," so as to make the joint resolution read:

Resolved, etc., That the Secretary of the Treasury is hereby authorized to extend, for a period not to exceed 25 years, the time of payment of the principal and interest of the debt incurred by Austria for the purchase of flour from the United States Grain Corporation, and to release Austrian assets pledged for the payment of such loan, in whole or in part, as may, in the judgment of the Secretary of the Treasury, be necessary for the accomplishment of the purposes of this resolution: *Provided, however*, That substantially all the other creditor nations, to wit: Czechoslovakia, Denmark, France, Great Britain, Greece, Holland, Italy, Norway, Rumania, Sweden, Switzerland, and Yugoslavia shall take action with regard to their respective claims against Austria similar to that herein set forth. The Secretary of the Treasury shall be authorized to decide when this proviso has been substantially complied with.

The amendments were agreed to.

Mr. HARRISON. Mr. President, did I understand the Senator from Massachusetts to say that the joint resolution provides for the cancellation of the interest?

Mr. LODGE. It provides for the extension of the time of payment of principal and interest for 25 years.

Mr. HARRISON. There is no cancellation of the principal and interest involved?

Mr. LODGE. No; they are not canceled.

Mr. KING. Mr. President, I inquire of the Senator what other nations are doing with their claims against Austria?

Mr. LODGE. They have all agreed to grant the same extension, and our action under the joint resolution is contingent upon their doing so.

Mr. KING. Are the claims of the other nations for money advanced, and are they in addition to the reparations which may have been awarded?

Mr. LODGE. The joint resolution concerns a gift made by a number of nations, including France, Italy, Great Britain, and the United States, all of which advanced sums of money for the relief of the suffering and the starving men, women, and children of Vienna. We extended relief in the form of wheat through the American Grain Corporation, which had then a profit to its account of $50,000,000. Twenty-four million dollars went for the relief of conditions in Vienna and the remainder went to Poland and some other countries where people were starving.

The joint resolution does not relate to a war credit. The object of the joint resolution is simply to extend the time for the payment of principal and interest for 25 years, to enable the Government of Austria to use the revenues which have been pledged for these loans for public works and other purposes.

The distress in Vienna, I presume, has been greater than at any other place in Europe. The wheat given by us was all exhausted. Children to the number of some 400,000 have been supported by charity from the United States and Great Britain principally but also from other countries. This extension is made contingent upon the agreement of all the other countries to take similar action.

Mr. KING. I am in entire sympathy with the object of the joint resolution, but I was wondering if at the same time France and Great Britain or the allied and associated powers were taking any action with respect to the war debt or were granting any extensions of it.

Mr. LODGE. They are making an extension as to this debt, which arises from a gift or a loan, as we propose to do.

Mr. KING. But the Senator is not advised as to whether they are making an extension in any way or contemplate making an extension of their war claims.

Mr. LODGE. The items under the joint resolution do not come within the war debt.

Mr. KING. I understand that.

Mr. LODGE. The money was advanced subsequent to the war, purely for charity.

Mr. KING. I am aware of that.

Mr. SMITH. Mr. President, the joint resolution does not provide for the cancellation of interest, but it extends the payment of interest and principal, as I understand, for 25 years.

Mr. LODGE. The joint resolution simply extends the time for the payment of principal and interest for 25 years.

Mr. WILLIAMS. Mr. President, I merely wish to make a few remarks in connection with the pending joint resolution.

I know the city of Vienna very well and I love it very much. In no part of Europe have the people suffered such hardships as have the people of the old town by the Danube. Virtually when the map of Europe was rearranged a new Austria was formed, which consisted chiefly of the city of Vienna, and from that city were cut off all of its accustomed lines of communication for procuring food and for the development of its trade.

The population of Vienna is one of the most delightful in the world, combining the softness of the southerner with the vivacity of the French. I am emphatically in favor of this joint resolution. If I had any objection to it at all, I would express it by saying that I would rather vote to forgive the debt instead of voting to postpone it. We furnished food for these people, principally the women and children, and I do not much like to be put in the attitude of charging for it. It ought to come from us and France and Italy and Great Britain as a charity. I doubt if the people of Vienna would have accepted it in that form as gladly as they did in the shape of a loan, but I hope that there will not be a single vote against the proposition to postpone the payment of this debt.

America now and then has risen to splendid heights in her magnificent charity; she has given to Russia and to the islands of the West Indies which have been destroyed by volcano and sometimes by earthquake; all over the world our money has gone to help relieve distress. We are being charged in some quarters now with having the gold of the world and sitting on it by refusing to let it go to the help of anybody else. No charge ever was less founded, nor any attack upon a people less justified than that attack upon us. I hope that some day, if the Viennese shall continue to be in as bad a fix as they now are and should need relief as much as they do now, we will forgive this debt and let it go.

Mr. McCUMBER. Mr. President, I think there is one matter that needs a little explanation that has not been touched upon. We not only required the Austrian Government to give us her bond bearing 6 per cent interest, but in that bond it was provided that this debt should be a lien upon the assets and income of the Austrian Government, and all other Governments who made like advances of flour or other things took the same kind of a contract; and it was agreed by all of them that when Austria paid any portion she would have to pay a moiety in equal percentage of the amount to all of the other Governments which made the advances.

Mr. POMERENE. Mr. President——

Mr. McCUMBER. We have received, of course, no interest on the principal, and Austria has not an income sufficient to function as a Government, and we are releasing that lien on condition that all of the other countries who joined with us will also release their liens, and also that any of those entitled to reparation under the Versailles treaty will also release their liens upon the income of the Austrian Government, so that the Government can function and so that she can borrow money, if necessary, to feed her own people.

Mr. POMERENE. The Senator has just answered the question which I was going to ask.

Mr. McCUMBER. I ask permission to insert in the RECORD, as a part of my remarks, a letter from Mr. Edward A. Filene, and also a general statement on this subject which he attaches to the letter.

Mr. WALSH of Massachusetts. Mr. President, the letter and statement to which the Senator from North Dakota refers were printed in the RECORD a few days ago upon my request. I see no objections, however, to their being reprinted.

The VICE PRESIDENT. Without objection, the matter referred to will be inserted in the RECORD.

The matter referred to is as follows:

WM. FILENE'S SONS CO.,
OFFICE OF PRESIDENT,
Boston, February 27, 1922.

Hon. PORTER J. McCUMBER,
United States Senate, Washington, D. C.

MY DEAR SIR: Even though I know that as a member of the Senate Finance Committee your time and strength are taxed by hearings in preparation for tariff legislation, I venture to address you in behalf of Austria and to urge a prompt and favorable report of the bill introduced by Senator LODGE, S. J. Res. 160.

Hundreds of thousands of the people of Austria are at the door of starvation and will perish of hunger and the diseases that accompany starvation unless early relief is obtained. The American Congress and people intended, when two years ago they gave Austria the $24,000,000 credit with the United States Grain Corporation, actually to save her people, and never intended that their loan should result in tying her hands and rendering her helpless with the result that the starvation of her people would only be delayed.

The situation now is vastly worse than when the loan was made. I visited Austria last summer and early autumn, and have been in close touch with the situation there since that time. My last report was from the American Friends Service Committee, and was received only a few days ago. The months between now and the coming harvest will be the worst that Austria has experienced.

The door to relief should be opened at once by release of the assets pledged to payment of this and like loans from other nations. I am credibly informed that all the other creditor nations, either by formal action or through diplomatic channels, have assured Austria that they would take the action proposed by Senator LODGE'S resolution, but whether or not this information is correct as regards all of them we are not justified in delaying favorable action until all others have

relinquished their claims. The bill provides, as you will no doubt notice, that the release of the assets shall take effect only when all the others have also waived their liens.

As an act of charity and mercy, I urge that this bill be reported and passed at once. I am in touch with the sentiment on this subject throughout the country, and am convinced that the people of all sections will support you in the proposed action. Won't you be good enough to let me know your attitude on the bill and what the action of the committee is likely to be?

Very sincerely, yours, EDWARD A. FILENE.

P. S.: I inclose with this letter a brief statement covering the whole situation, which you may care to refer to.

LEGISLATIVE RELIEF FOR AUSTRIA'S STARVING PEOPLE.

THE HISTORY OF RELIEF PLANS.

As long ago as March 17 last the Supreme Council of the Allies, meeting at London, after conference with an official commission from Austria, in which a plan for the financial and material rehabilitation of Austria was under discussion, asked the financial committee of the League of Nations "to meet within the following fortnight, examine the financial situation of Austria, and seek means of remedying it."

At the same time that the supreme council made this request the Governments represented in the meeting, namely, Great Britain, France, Italy, and Japan, to all of which Austria was owing money secured by a lien on the Austrian State assets, agreed "to release for a period of years, to be determined later, their liens under the treaty of St. Germain in respect of claims against the Austrian Government for the cost of armies of occupation, for relief-credit bonds, and reparations, provided other interested Governments will agree to similar postponement."

The committee of the League of Nations which was requested to make the inquiry and report was a most competent one. As requested by the supreme council, it met in Paris from March 28 to 31, where, in conference with the official commission from Austria that had previously conferred with the supreme council, it considered the whole situation.

It then sent a delegation to Vienna, which from April 15 to May 12 studied the situation on the ground, conferred with officials and leading financial men of Austria, with representatives of all the political parties in Austria, and formulated its report.

On May 31 the financial committee, having considered the report of their delegation to Austria, rendered a report to the Supreme Council of the Allies, which closed with the following words: "The committee * * * have approved a program of financial action competent in their opinion to restore the Austrian economy. Temporary advances to initiate this program are assured. It rests with the Governments concerned to allow the work to be undertaken on the conditions indicated in the committee's note of April 4."

The condition thus referred to in the committee's note of April 4 that would "allow the work to be undertaken" was that other creditor Governments of Austria which had a lien on Austrian assets should agree to take action regarding the debts due them similar to action already taken by the powers represented in the London meeting of the Supreme Council of the Allies.

The program of financial action which, in the opinion of the financial committee, was "competent to restore the Austrian economy," included (a) negotiation of a foreign loan secured by ter Meulen bonds resting on the following assets of the Austrian Government: Customs receipts, revenues from the State tobacco monopoly and from forests and mortgages on all real estate of the country; (b) a reform of the currency to be effected by a strong and independent bank of issue; (c) the balancing of the budget; (d) the flotation of a substantial internal loan which should make it unnecessary to continue the issuance of paper money.

To this program the Austrian Government and the responsible leaders of all the parties of Austria had pledged themelves, as had also the bankers and leaders of finance and industry.

As the temporary advances necessary to put the plan into execution had been agreed upon, and as Great Britain, France, Italy, and Japan had agreed to release their claims on the State assets of Austria in favor of the new foreign loan, it remained only for the other creditor nations to take like action.

Of these remaining creditor nations the United States was the chief creditor and most influential. It was generally understood that if we acted the other and smaller nations would also act, but since we failed to take action, other and minor creditors waited for us and the matter was delayed from month to month, during which time Austria drifted nearer and nearer to the financial collapse which finally has come.

STARVATION IN AUSTRIA REQUIRES IMMEDIATE RELIEF.

This delay creates a most dangerous situation for Austria. It requires only legislation by the United States to save the nation from the great dangers arising from unbearable conditions, and great masses of her people from starvation and death.

Usually the foremost in all philanthropic work, the United States in this case is holding up the procession led by the other powers. If countries such as Belgium and France, themselves cruelly ravaged by war, can favor this suspension of the Austrian debt, surely we can do so also—especially as Austria is utterly incapable of paying this debt or arrears of interest at present.

FEDERAL COUNCIL ASKS SPECIAL LEGISLATION.

On December 15 the Federal Council of the Churches of Christ in America, in view of the increasingly critical situation of the Austrian population, passed a formal resolution petitioning Congress to take separate action on Austria's debt to the United States. The council specifically petitioned that special and immediate legislation be enacted to the end that payment of Austria's debt of $24,000,000 be suspended for at least 20 years. The nations referred to above have already agreed to this arrangement.

The Federal Council has sent this petition to 150,000 churches in America, suggesting that the congregations take like action. Knowing first hand, as I do, the severe straits in which Austria finds herself, I am supplementing the campaign of the Federal Council in behalf of help to Austria by sending the facts and a covering petition to Congress, to influential leaders and organizations in every State of the Union.

AMERICAN INACTION PREVENTS RELIEF.

Our loan to Austria, enabling her to purchase from us $24,000,000 worth of flour, was authorized under special act of Congress, March, 1920. Payment for those foodstuffs, according to the act, must be made within five years.

The failure of Congress to authorize deferment of this debt, a debt which Austria is absolutely incapable of paying at the present time, is holding up a new international loan which would place Austria in a position of physical and economic rebirth.

Yet this debt of $24,000,000, contracted solely for the purchase of foodstuffs to relieve a starving people, is lumped in with a debt of over $11,000,000,000 owed to the United States by all the European debtor countries for purchases of war materials as well as of foodstuffs.

AUSTRIA IS STARVING.

In the meanwhile Austria starves. In the midst of a bitter winter her people are suffering from disease, starvation, and death. The situation is extremely critical. The crown, which before the war was worth 20 cents, is now quoted in Vienna at one one-hundredth of a cent; that is, where before the war 5 crowns would buy a dollar, 10,000 are at this date needed to buy a dollar or its equivalent in merchandise. Even in its own country the purchasing value of the crown has fallen so low that a 10-cent loaf of bread costs, according to the normal value of the crown, over $200.

As an American keenly interested in the rehabilitation of a world torn now by the peace as it was formerly by the war, and after personal study of conditions in Austria, I am taking the liberty to write you this digest of Austria's situation, and to suggest a remedy in the form of special action by Congress. The inclosed resolution is the one approved by the Federal Council of the Churches of Christ in America and by other national organizations.

* * * * * * *

EDWARD A. FILENE.

Mr. WALSH of Massachusetts. Mr. President, there is a very interesting and illuminating article—a short one—in The Nation's Business on the Austrian problem, which I should like to have inserted in the RECORD in connection with the proceedings on this joint resolution, which I trust will be speedily enacted into law.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[From The Nation's Business, Oct. 5, 1921.]

THE AUSTRIAN PROBLEM.

Austria is the crux of the central European problem and the large question it presents practically revolves about Vienna. Here is a city of 2,000,000, one of the finest capitals of the world, which was the center of operations for an empire of 40,000,000 people.

Austria now has within her new borders approximately 6,500,000, practically cut off from free trading relations with her neighbors and no longer the recognized clearing house for their business. A city of the size of Vienna can not be maintained easily as a going concern by so small a national population. Austria does not raise food enough to live on. She must import coal as well as a large part of the other raw materials she needs. With tariffs and embargoes on every side, the restriction of her business is obvious. Further, burdened with thousands of refugees from the east, only charity from the United States and elsewhere has kept her population alive.

In the face of these vicissitudes her improvement during the past year has been remarkable. The country is now enjoying a certain hectic activity, which is greatly influenced by the low state of her money and the bargains which the country offers to foreign buyers. The contrast of the present scale of living, although low, to that which the country suffered so long is such that her workers are reasonably satisfied.

Communism has disappeared and the present government, in spite of its many difficulties, is functioning with a considerable degree of satisfaction to its people. All of the rival political parties have joined in support of the present ministry.

The most serious problem the municipality of Vienna has to deal with is that affecting nearly half a million people of the middle classes, formerly government officials, pensioners, small professional people, and tradesmen, as well as those who before the war lived on small incomes from investments. There is no need for the large official group maintained in government departments on a scale necessary to care for the affairs of 40,000,000 people. The crown has so depreciated in value that its purchasing power permits these people barely to exist. As in Germany, the workers whose wages have increased are far better off than the people of this class.

The workers realize this fact and are fairly content with their lot, although a large number of them are working on a part-time basis. Under laws passed some time ago the industries are not permitted to discharge employees freely. Many of them are carrying an abnormal number of employees. The wage is so low, however, in comparison to that of more fortunate countries, that this expense is not as serious as it might appear to be, and the costs of manufacturing in Austria are low almost beyond comprehension.

Little by little the very small factories employing workers in highly skilled trades are finding themselves and increasing their output. The results of their handiwork are of such artistic value and the prices so low that the foreign demand is good.

Superficially, conditions in Vienna appear to be much better than they really are. It is not until one finds that 400,000 children and other dependents are still being fed daily through charity that the real situation becomes apparent.

There is reason to believe that even with its restricted territory Austria can and will recover and be able to maintain a life of some promise for its people if it receives essential aid from outside in strengthening its finances and restoring its currency. A prerequisite to its future is the establishment of something like prewar relations with its neighbors.

Vienna has many advantages as a trade center for central Europe, and is so placed in relation to the transportation system that it can conduct a substantial part of the business with less expense and greater efficiency than any other near-by center. The countries contiguous to it are at last coming to realize this, and a constructive plan might be carried forward with the aid of the more powerful nations which would promise a satisfactory solution of the problem of Vienna and Austria.

Next to the restoration of peace and cooperation in the western part of the continent comes the necessity for the establishment of like conditions in central Europe. One reacts on the other to such an extent that they are almost inseparable.

AUSTRIAN INDEBTEDNESS AND THE UNITED STATES.

The financial situation in Austria is most difficult. It has been the subject of study on the part of an international commission constituted as a result of the international financial conference held in Brussels in the fall of 1920. This commission evolved a plan for improving the situation which contemplates relief for the Austrian Government by a loan and by reform of its fiscal system.

The conditions have been accepted by the Austrian Government, and immediate help to the extent of some $20,000,000, with additional funds in prospect, has been pledged, dependent upon agreement by the countries holding obligations of the Austrian Government to defer payment of their claims for a reasonable period.

All of the countries involved except Italy and the United States have agreed to deferment. Italy, it is understood, has agreed to postpone her claim if the United States takes similar action. Only the approval of the United States is necessary, therefore, to make this scheme operative and give to Austria the relief required to enable her to buy food for her people to carry them through the coming winter.

The debt of Austria to the United States is in the form of obligations to the United States Grain Corporation incurred for foodstuffs. At present no official of the United States has authority to defer this payment, but such authority is contemplated in legislation now pending in Congress. The whole program, in so far as Austria is concerned, has been delayed for some months because the United States has not acted.

THE RESPONSIBILITY OF THE UNITED STATES.

To-day the world's business has apparently reached a dead center. It may move forward from the present point by slow, painful, and uncertain steps, with the result that the process of reconstruction will extend over many years. How long such movement would continue it is impossible to forecast. No one was able to approximate the length of the most destructive war in history, and no one is wise enough to foresee how long the present condition of doubt and insecurity with its inevitable suffering and social disturbances may last.

Only by gaining the confidence of investors can the credit and capital necessary to insure normal business in the world be mobilized and used. Only the free exchange of commodities between the countries in increasing volume can bring normal life to the people and the conditions they knew before the war.

The United States is regarded as the most powerful country in the world, commercially and financially. Its reputation for integrity and fair dealing is well established. In every country your committee visited and in almost every conference in which it participated, irrespective of the occupation, official position, or social status of the persons met, the opinion was expressed that neither western nor central Europe can be restored to a condition which promises hope and progress for the future without our active assistance.

Possessing as it does great quantities of raw material and manufactures which it wishes to exchange with other nations, the interest of the United States in accelerating a return to world prosperity is vital.

The fact is not debatable that after the part we have taken in the late war we can not refrain from actively participating in the settlement of the economic and financial difficulties now confronting the world.

Every country desires our friendship and assistance, and it is apparent we can participate in the restoration of commerce and industrial productivity on any reasonable and consistent terms, either by modification of the Versailles treaty to meet the policies of the United States or independently of it.

Doubtless it was the realization of our moral as well as of our financial and commercial responsibility in relieving the world's depressed condition that caused the President to call the proposed conference in Washington to consider the reduction of armaments.

Any student of world affairs can not escape the conclusion that each of the nations, including the United States, can not continue to expend so large a part of its entire revenue, derived from taxation which is almost unbearable, in preparation for future war if the present civilization is to continue. To peace and to the restoration of the world's economic balance we must give our attention.

The VICE PRESIDENT. Are there further amendments to be proposed? If not, the joint resolution will be reported to the Senate.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was amended so as to read:

Whereas the economic structure of Austria is approaching collapse and great numbers of the people of Austria are in consequence in imminent danger of starvation and threatened by diseases growing out of extreme privation and starvation; and

Whereas this Government wishes to cooperate in relieving Austria from the immediate burden created by her outstanding debts.

The VICE PRESIDENT. Without objection, the preamble as amended will be agreed to.

The title was amended so as to read: "A joint resolution authorizing the extension for a period of not to exceed 25 years of the time for the payment of the principal and interest of the debt incurred by Austria for the purchase of flour from the United States Grain Corporation, and for other purposes."

FOREIGN COMMERCE STATISTICS OF THE UNITED STATES.

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Commerce, transmitting draft of a proposed bill to consolidate the work of collecting, compiling, and publishing foreign trade statistics in the Department of Commerce by transferring the office known as the Bureau of Customs Statistics, located in the New York Customhouse, and now under jurisdiction of the Treasury Department, from that department to the Department of Commerce, which, with the accompanying papers, was referred to the Committee on Commerce.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a telegram in the nature of a petition from officers of the Florida Federation of Women's Clubs, at Dunedin, Fla., praying for the ratification of the so-called four-power treaty, which was ordered to lie on the table and to be printed in the RECORD, as follows:

DUNEDIN, FLA., *March 12–13, 1922.*

CHAIRMAN OF INTERNATIONAL RELATIONS,
Washington, D. C.:

On March 10, at a meeting of the board of directors, where 21 counties and 40 towns were represented, the Florida Federation of Women's Clubs, composed of over 12,000 members, voted unanimously to request the Florida Senators to support the four-power treaty and vote for same exactly as it came from the conference.

ELIZABETH SKINNER, *President.*

Mr. LODGE also presented a resolution adopted at a union meeting of the Union Methodist Church, the Presbyterian Church, the Maverick Congregational Church, and St. John's Episcopal Church, all of East Boston, Mass., favoring the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

Mr. NICHOLSON presented a petition of sundry citizens of Colorado, praying for the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented three memorials of sundry citizens of Boulder, Colo., remonstrating against the enactment of Senate bill 1948, providing for compulsory Sunday observance in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Vona and Kirk, Colo., praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which was referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented memorials of sundry citizens of Emporia and Lyon County, Kans., remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. STERLING presented petitions of sundry citizens of Plankinton, Wessington, Plana, Bath, Aberdeen, and Columbia, all in the State of South Dakota, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

Mr. WILLIS presented telegrams in the nature of petitions from the Kiwanis Clubs of Norwalk, Celina, and Ravenna, all in the State of Ohio, favoring the ratification of the treaties prepared by the Conference on the Limitation of Armament, which were ordered to lie on the table.

He also presented the petitions of J. Porter Donaldson and Martha Moore Donaldson, and the Sunday school of the Quaker Hill Union Church, of Sebring, Ohio, favoring the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

Mr. LADD presented the petition of J. E. Anderson and 10 others of Appam, N. Dak., and vicinity, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by County-Line Local No. 43, the Western Progressive Grange, of Camden, Wash., favoring the passage of Senate bill 2604, the so-called Ladd honest money bill, which was referred to the Committee on Banking and Currency.

He also presented a petition of sundry citizens of Nevada, Mo., favoring the passage of Senate bill 2604, the so-called Ladd honest money bill, which was referred to the Committee on Banking and Currency.

Mr. FRANCE presented the following joint resolution of the Legislature of Maryland, which was referred to the Committee on Naval Affairs:

STATE OF MARYLAND,
OFFICE OF THE SECRETARY OF STATE.

I, Philip B. Perlman, secretary of state of the State of Maryland, under and by virtue of the authority vested in me by section 59 of article 35 of the Annotated Code of Maryland, do hereby certify that the following is a full, true, and correct copy of joint resolution No. 5 of the General Assembly of Maryland of 1922, as the same as taken from and compared with the original * * * now on file in my office.

In testimony whereof, I have hereunto set my hand and have caused to be affixed the official seal of the secretary of state, at Annapolis, Md., this 8th day of March, in the year 1922.

[SEAL.] PHILIP B. PERLMAN,
Secretary of State.

A joint resolution (No. 5) requesting the Senators and Representatives in Congress from Maryland to endeavor to have the Indianhead Naval Proving Ground reestablished, and the ordnance machinery and equipment returned thereto from Dahlgren, Va.

Whereas the people of Charles County are suffering, in common with those of the rest of the State of Maryland, from low prices of their main products and the continued high prices of all commodities needful for their subsistence; which fact makes all unnecessary taxation bear oppresively upon them; and

Whereas a large area of said county's real estate, adjacent to which is located the United States Naval Proving Ground at Indianhead, Md., has been reduced very greatly in value, entailing direct financial loss to the several hundred owners of same, necessarily and materially increasing the taxes of the people of the entire county and also affecting the State's revenue, by the cessation of ordnance operations at the said proving ground and transferring them to Dahlgren, Va., after the former plant had proved its adequate capacity for supplying all demands upon it during the World War; and

Whereas the site at Dahlgren was commandeered as an emergency measure during the said war to be used exclusively for long-range gun testing, but was not so used, nor at all, until the war had ceased, and the said transference of naval ordnance work, originally established at the cost of some millions of dollars derived through taxation, has been shown to be unnecessary from the view point of governmental necessity; and

Whereas the completion of said transference would impose further taxation upon the people of the entire country; and

Whereas the dismantling of and removal of the machinery and equipment from the Indianhead Proving Ground was begun and hastened forward without apparent emergency need, and without the knowledge or sanction of Congress; and

Whereas some hundreds of citizens, and their families, of the State of Maryland and elsewhere, but principally of Charles County, formerly the Indianhead Proving Ground employees, have suffered heavy financial loss, in cases to the extent of their total earnings, as the result of the abandonment of the same, after having been prevailed upon by the naval authorities to forsake their accustomed occupations and procure homes by purchase generally, in order, as they were induced to believe on such usually competent authority, that they might become more permanent and valuable to the Government as its employees; and

Whereas the unsettled conditions prevailing in all parts of the country and the heavy taxation borne by the people as a result of the war impose upon the Government the imperative duty of refraining from unnecessary expenditure of public money: Therefore be it

Resolved by the General Assembly of Maryland, That the Senators and Representatives of Maryland in the Congress of the United States be, and they are hereby, requested to support and use all means in their power, deemed by them expedient and proper, to have the Indianhead Naval Proving Ground reestablished and continued upon the basis of its former status at Indianhead, Md., and which it possessed prior to the time any portion of its ordnance machinery and equipment was transferred as above mentioned; and be it further

Resolved, That the secretary of the State of Maryland be and he is hereby requested to immediately transmit, under the great seal of this State, a copy of the aforegoing resolution and memorial to each of the Senators and Representatives now in the Congress of the United States from the State of Maryland.

REPORTS OF COMMITTEES.

Mr. NEWBERRY, from the Committee on Naval Affairs, to which was referred the bill (H. R. 7234) for the relief of Miles Swift, reported it without amendment and submitted a report (No. 559) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 2130) changing the name of Vernon Street in the county of Washington, D. C., to U Street, reported it with an amendment and submitted a report (No. 560) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEWBERRY:

A bill (S. 3285) for the relief of settlers and claimants to section 16, lands in the L'Anse and Vieux Desert Indian Reservation, in Michigan, and for other purposes; to the Committee on Indian Affairs.

By Mr. BALL:

A bill (S. 3286) for the widening of Newton Street and Seventeenth Street NW., and for other purposes; to the Committee on the District of Columbia.

By Mr. SPENCER:

A bill (S. 3287) authorizing the Secretary of the Interior to transfer certain land to school district No. 30, Ferry County, State of Washington, for public-school purposes; to the Committee on Indian Affairs.

By Mr. SHIELDS:

A bill (S. 3288) granting a pension to William A. Jordan; and

A bill (S. 3289) granting an increase of pension to James White (with the accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A joint resolution (S. J. Res. 178) authorizing the Secretary of Labor to investigate and report on labor conditions in Cuba; to the Committee on Education and Labor.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 60, and concurred therein with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendments numbered 26 and 27, agreed to the further conference requested by the Senate, and had appointed Mr. MADDEN, Mr. CANNON, and Mr. BYRNS of Tennessee, managers at the further conference on the part of the House.

FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. PITTMAN. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment will be stated for the information of the Senate.

The READING CLERK. It is proposed to add, at the end of article 1, the following:

If there should develop between any of the high contracting parties and any other power or powers having possessions in the region of the Pacific a controversy arising out of any Pacific question involving said insular rights and possessions, threatening war, which is not satisfactorily settled by diplomacy, the high contracting parties shall invite said other power or powers to a joint conference to which the whole subject shall be referred for consideration.

Mr. PITTMAN. Mr. President, this amendment is quite similar to the amendment that was offered on yesterday by the Senator from Arkansas [Mr. ROBINSON] and the amendment offered by the Senator from Montana [Mr. WALSH]. The distinction is this: In the amendments referred to it was provided that any or all powers interested in any controversy in the Pacific should be invited to the conference. My amendment limits it to other powers having possessions in the Pacific region. The amendments to which I refer did not limit the controversy to Pacific questions. My amendment limits it to Pacific questions. The amendments which were acted upon yesterday included the words "and adjustment." I have left out of this amendment the words "and adjustment."

Mr. President, I am offering this amendment because I heard some criticism of the other amendments on the ground that they were too broad in their scope, that they took in the whole world. I do not agree with that criticism, but nevertheless it affected the minds of some Senators; whether sufficiently to cause them to vote one way or another I do not know. This amendment limits it practically to four additional powers—China, Russia, the Netherlands, and Portugal—without mentioning those names.

There has been some objection, also, to the fact that this change in the treaty is attempted to be made by amendment. Mr. President, I think it must be made by amendment. I know that Senators draw a distinction in their minds between a reservation and an amendment, and of course there is a distinction. We can place in this treaty a reservation stating that any particular provision does not affect us, but that does not reach the difficulty in this case. It is not a question as to whether we shall enter into a conference with controverting powers.

It is not a question whether the United States has the right to withdraw from the conference, or whether the United States has the right to invite a conference. The question is, Will the powers who are liable to bring about this controversy permit a conference between the parties engaged in the controversy?

There is in this whole treaty but one provision for a conference—just one—and that is a conference between the parties to this treaty. If there is a controversy threatening war between one of these powers and an outside power, what provision is there in this treaty looking to the prevention of that war? Not a single provision in it. Is it the intention of the Senate to ratify a treaty that does not tend in any way or furnish any machinery to settle a controversy between these four powers and an outside party that may result in war? Is it not perfectly evident that the danger of war in the Pacific is greater between one of these four powers and an outside power than it is between any of the powers that are parties to the treaty?

The declaration in this treaty is that it is for the purpose of preserving peace in the Pacific region. Should we not make an attempt to prevent war from arising in the Pacific region, no matter whom the controversy may be between?

Let us assume, for the purpose of argument, that after the signing of this treaty a controversy which threatens war does arise between Japan and Russia. Is there any provision in this treaty by which that controversy may be considered and adjusted? Not a thing. If, for instance, after we have signed this treaty a controversy that threatens war arises between Japan and China, is there any provision in this treaty that provides for the consideration of that controversy and its adjustment? Not at all; and yet article 2 of this treaty provides for the joint or separate use of force against any outside aggression.

Are we to sit down quietly as a party to this treaty and wait until the controversy reaches the point where there is outside aggression before we act? That is what this treaty asks us to do. It provides, in article 2:

> If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

The only provision in this treaty with regard to outside controversies is a provision to meet aggression. Is that the way you want this treaty to stand? Oh, but I have heard Senators say that the United States can not be forced as a party into that fight unless it sees fit. Admit that that is true; admit that Congress alone can force us into a war; admit that we can violate our agreement through act of Congress; that is not the question I am now bringing to the attention of the Senate. The question is this: There is a provision to meet aggression, but there is no provision in this treaty to adjust the controversy before it reaches the point of aggression.

It is claimed that this is a peace treaty; that the whole object of it is to prevent war, to preserve peace. How can you stop war after war is started without engaging in it to some extent? Was it not the policy of the covenant of the League of Nations to prevent war by considering all controversies that arise before they have reached the point of aggression? Does this instrument have for its purpose the prevention of war, the same as the covenant of the League of Nations? When they provide for the consideration and adjustment of disputes between the signatory powers is that following the peaceful purpose of the covenant of the League of Nations? If so, why do they not go further? Why do they not say that all controversies that may lead to war, not only between the signatory powers but between the signatory powers and others having possessions in the Pacific, shall be settled in the same way? There can be only one answer to it, and that is that this is not a treaty for the prevention of war, but is a treaty for the winning of war. There can not be anything else to it.

The able Senator from Mississippi [Mr. WILLIAMS] the other day called attention to the fact that the covenant of the League of Nations offers a remedy. Does it offer a remedy? The covenant of the League of Nations provides that the members of that league may, through the council, invite the controverting nations to come together to consider that question. But, mind you, if this instrument is gotten up for any purpose at all, it is because we are not a member of the League of Nations. The other three powers that are members of the League of Nations can act through the League of Nations. We are not a member of the League of Nations. Therefore they have gotten up this regional understanding so that the United States may participate in maintaining peace in the Pacific.

Now this question arises here: The United States, as a signatory to this treaty, undoubtedly would invite in Russia in the event that there was a controversy between any of these powers and Russia. The United States undoubtedly would invite in China in the event that there was a controversy between any of these powers and China; but what right has the United States to invite in those powers unless the other powers consent to it?

This treaty acts through unanimous consent. We know that the United States could not compel the signatory powers to invite any other power to a conference without the consent of the other three. If that is not true, then the contention that this is entirely by unanimous consent is not well founded, and then a majority controls. The United States, in the event of a controversy between Japan and Russia or Japan and China, might say to the signatory powers, "You should invite the other powers in here, so that we may ascertain what their complaint is, and see if we can adjust it"; but the other powers might say, "We do not care about our enemies being in this conference." The United States might say, "Then we withdraw from the conference"; but does it stop war if the United States withdraws from the conference? We do not want the United States to withdraw from any conference over a controversy threatening war in the Pacific. There could not be a war in the Pacific without vitally threatening our own interests. It is very doubtful if there could be a great war in the Pacific that we could keep out of. It is not a question whether we have a right to withdraw from the conference; what we want to know now in this treaty is whether it is the purpose of this treaty to consider and adjust in a peaceful way any controversies that threaten war in the Pacific. If that is the purpose of it, it is evident that this treaty does not provide the machinery. It is evident that unless the controverting parties are brought in to state their case, there is no way of adjusting it.

In the event of a controversy to-day between China and Japan which threatened war, what would be the result under this treaty? The four powers would meet to decide on what measures should be taken against the aggression from China. Is there any way of getting at China's side of the case? Japan comes in before that conference and says, "There are certain acts of China which constitute an aggression and threaten war." Is that true, or is it not true? They hear only one side of it. The injustice of that is apparent. Anyone who is familiar with the practice in civilized countries under law knows that you have to hear both sides. But under this treaty you hear only one side of it.

However, there is something even worse than that. Suppose a controversy arose between China and Japan over Shantung, and over the provisions of these very treaties we are now asked to ratify, and that controversy was getting to such a stage that it was threatening an aggression on the part of China against Japan. What could we do? Would we have to sit quietly down and wait until that had developed into an aggression? If not, what provision is there in this treaty by which we could stop that aggression? There is not a thing. Unless you place in this treaty a provision that these powers shall call in China in that event, and discuss the cause of her complaint, then you have no means whatever of ascertaining what the cause of the controversy is, and therefore you have no means of offering any remedy for that controversy.

Mr. President, it is perfectly evident that no analysis of this treaty is going to accomplish any purpose so far as this body is concerned. I am not discussing this question for that purpose at all. There are Senators in this body to-day who are reading more intently the signs of the public sentiment of the voters in their communities than they are the conditions and the results of this treaty upon the future of this country.

Propaganda has been started everywhere, as it has always started in these cases. Great church bodies, through executive committees, composed probably of a dozen men or women claiming to represent several hundred thousand men and women in this country, are signing resolutions for the ratification of this treaty as it is. They are honest people, but how many of those several thousand ever read this treaty? How many of those executive committees ever read this treaty? Every one of those who signed these resolutions is undoubtedly moved by the most intense desire for peace. They think this treaty provides the machinery for the prevention of war. Do Senators think for one moment that these Christian people, that these intelligent business organizations throughout the country, would indorse the ratification of this treaty in the form in which it now is if they realized that there is no provision in the treaty whatever for a conference between the disputants, unless the dispute is between the parties to this treaty?

Do Senators suppose for one moment that they would ask for the ratification of this treaty if they knew that there was no opportunity under this treaty to consider a dispute between Japan and Russia, or Japan and China, until after it had reached a stage where there was a physical aggression against Japan? Never in the world.

Mr. WALSH of Montana. Will the Senator yield until I inquire of the Senator from Alabama about the matter of which the Senator is talking?

Mr. PITTMAN. I yield gladly.

Mr. WALSH of Montana. I observe the Senator from Massachusetts [Mr. LODGE] here as well. Both those Senators told us yesterday that the only reason for declining to accept the amendment proposed is that it might result in the rejection of the treaty by some of the other powers, and I understood there was not a word to be said in opposition to it except that. I would like to inquire now of the Senator from Alabama, because the limit of time yesterday did not permit me to do so, which one of the other three powers he thinks might be moved to reject the treaty if this amendment is adopted?

Mr. UNDERWOOD. I dislike very much to trespass on somebody else's time in the midst of a speech, but if the Senator from Montana desires to have me make a statement at this time I shall be glad to do so.

Mr. PITTMAN. I yield to the Senator to make a statement.

Mr. UNDERWOOD. Unfortunately, by the lack of time yesterday I was cut short in what I had to say.

Mr. WALSH of Montana. I was going to remark, if the Senator will permit me, that I would naturally think that peace and justice loving countries would be only too glad to accede to the incorporation of this principle, which, it seems to me, conforms to elementary justice.

Mr. UNDERWOOD. Mr. President, yesterday I had only five minutes in which to address the Senate before the vote came, and I had to hasten with my statement. I said then to the Senator from Montana that I did not agree with the position he had taken—that under general international law governments were required to respect the rights of other governments. I wish that was international law, but I am equally satisfied that it is not international law. The whole history of the world and its controversies demonstrate in itself that that is not international law, that the power of a government is sovereign, and that sovereignty is only surrendered through the force of another power or by direct act and concession. Therefore I think it is necessary, when governments are willing to respect the rights of other governments, that they should say so by treaty or some mutual understanding.

What I said yesterday in reference to my position was that I did not object to the pending amendment in principle—somewhat in line with the suggestions made by the Senator from Nevada [Mr. PITTMAN]—because I stood for the unconditional ratification of the treaty of Versailles. In fact, I made the motion on the floor of the Senate for its unconditional ratification, and regret that my motion did not prevail.

The treaty of Versailles, carrying in its folds the League of Nations, sought to bring all civilized governments into the League of Nations, where each should be under an obligation to respect the rights of others. So far as I am personally concerned, I should be glad to see those principles announced and maintained as the governing principles of the nations of the world.

That can not be done, and is not done, in this treaty. Why? Because the nations of the world were not seated at the table of the peace conference. Agreements to be binding must be mutual. I think it will be conceded that this country has great generosity, because there is no nation in the annals of civilization which has been more generous in its recognition of the rights of other nations than the United States of America; but that is not true of many of the other nations of the world. They are willing to recognize in many cases the rights of other nations, but they expect a reciprocal agreement in return, and would be unwilling to sign a contract, if I understand their attitude, which undertook to bind them to recognize the rights of nations where those nations are not bound to respect their rights in return.

Is the Government, as a condition precedent to the ratification of this contract, to put within its folds a clause not only requiring ourselves, but the other three powers to the contract, to do certain things for other nations? The original term embraces all nations on the face of the earth, but the Senator from Nevada, I understand, has limited his proposal to those having possessions in the region of the Pacific. Of course, that term is broader than the treaty. The treaty relates to insular dominions and insular possessions in the region of the Pacific. The term of the Senator from Nevada would infer not only insular possessions and insular dominions, which are islands, but it would relate to the mainland.

Mr. PITTMAN. The Senator is mistaken in the wording.

Mr. UNDERWOOD. I hope the Senator will correct me if I am. I only gathered that from his remarks.

Mr. PITTMAN. It still is limited to controversies arising out of any Pacific question involving insular rights or possessions. I only attempted to describe the other powers by saying that they must have possessions in the region of the Pacific.

Mr. WALSH of Montana. If the Senator will pardon me, I wish to correct him slightly also. The amendment offered by the Senator from Arkansas [Mr. ROBINSON] and the amendment offered by myself did indeed extend to all nations, but only to such questions as affected the insular possessions or dominions of those nations in the Pacific.

Mr. UNDERWOOD. Then I misunderstood the Senator's amendment to that extent, as I heard it read.

Mr. WALSH of Montana. The Senator was quite correct in saying that it extended to all nations, but it extended only to those questions which affect the interests of those nations in their insular possessions in the Pacific.

Mr. UNDERWOOD. As I said, the pending amendment relates to questions involving nations which have insular possessions or insular dominions in the region of the Pacific. As far as I know the small islands lying off the coast of China would not come within that definition. Russia has one island possession in the region of the Pacific, the northern half of the isle of Sakhalin, which might come within the terms of the treaty. Our Government and the other Governments to this contract have refused to recognize the so-called existing government in Russia. We might be willing to say that we will enter into this contract with a government which we do not recognize. I doubt, though, whether the other parties to this contract would, and if they do not it means delay in the ratification of the treaty.

Mr. PITTMAN. Mr. President, there is nothing in this amendment which anticipates any contract with any other powers. It simply states that these four powers will invite the other nation with whom one of them is having a controversy to a conference. It does not require any contract to invite anybody to do anything.

Mr. UNDERWOOD. It does to invite a nation.

Mr. PITTMAN. It does not require a contract with the nation you invite.

Mr. UNDERWOOD. As I said a while ago, Mr. President, when one nation offers an advantage or a right or a concession to another nation, as a rule it expects that that concession or right shall be recognized, and that is the right I am talking about.

If you put this amendment in the treaty, I do not say it will destroy the treaty but I say it may destroy the treaty. It is not of sufficient value to put in the treaty to take the chances of destroying it, because in fact it has, in my judgment, no value at all. When I say it has no value at all I want to explain why I say that. Of course, to the general principle that we should invite all nations to the council table, as I have already said, I was committed when I voted for the League of Nations, and I have no desire whatever to retract my committal. I have no apology to make for my vote, and I still stand on the same principle on which I stood when I voted for the ratification of the Versailles treaty and the confirmation of the League of Nations; but when I say that the amendment has no value I mean that it has no value because this four-power treaty was hardly signed before, at the request of the Government of the Netherlands, in order that their rights might be recognized in this matter, there was an immediate exchange of notes by the four powers to this treaty recognizing the rights of the Netherlands to their insular possessions, and, as I said in my speech, there is no difficulty whatever for any other power which has insular possessions and dominions in the region of the Pacific Ocean making a similar request to these Governments and having them recognized within the terms of this treaty. If they would not recognize them, as they would not recognize Russia, they certainly would not ratify this treaty with that provision in it; and if they would recognize them, as they recognized the Government of the Netherlands and its possessions, then you would be putting a clause in the treaty which would mean nothing, because it would accomplish nothing.

Mr. PITTMAN. The Senator has two different questions that he is discussing. He is discussing the right or the propriety of inviting other nations into this conference, whether by signing this particular one or a separate one, giving them the same rights, which is the same thing. Of course, I do not know why the conference did not take the Netherlands into this group of four; we never will know. I do not know whether the Senator from Alabama knows; but it is a peculiar situation. You are willing to contract with the Netherlands to respect their rights, the same as you respect each other's rights, and yet you do not want them to get in the same group at the conference table, apparently.

Mr. UNDERWOOD. I will say to the Senator that, so far as I know—and I think I do know as to that—there was no indicated desire on the part of the Government of the Netherlands to have a concession made under this four-power treaty until after it was made, and then the treaty was signed; but when their Government made the request for recognition it was granted by the four powers.

Mr. PITTMAN. Now I understand the matter better than I ever have before. This is something entirely new. After the four-power treaty was signed the Netherlands expressed a desire to get in, but it was too late, and consequently a separate agreement was made with the Netherlands.

Mr. UNDERWOOD. It is in the record.

Mr. PITTMAN. Did it occur to any members of the American delegation that it would be a good idea to include the Netherlands with the other powers?

Mr. UNDERWOOD. No; it did not. It was of no value to the United States of America to have them in.

Mr. PITTMAN. Would it not be desirable to have in this agreement as many powers as possible as have possessions in the Pacific?

Mr. UNDERWOOD. I myself, personally, would like to have the United States a party to the only treaty in which nearly all the other powers are joined, but it was of no value to the United States to have the Netherlands in the four-power treaty, because no protection would result to the United States therefrom. The United States was glad to grant the desire of the Netherlands when the request was made; but of what value is it to the United States to have the Netherlands included in the treaty?

Mr. PITTMAN. I can conceive much of value in having the Netherlands included in this agreement. In the first place, the Netherlands is probably the only one of these countries, except ourselves, that has not a separate alliance with Japan. That is one thing.

There is another consideration. The interests of England in India and of Japan in her own insular possessions have tied those two countries mutually together at all times. The Netherlands as a small country has not perhaps the same influence as have those two great imperial empires, but the Netherlands we might imagine in some characters of dispute, while not having a great navy and army, might have a moral influence in the conference which would have its effect. What I have learned by the debate so far is something which was not learned before, that the Netherlands did want to be included in the treaty, and they were prevented from coming into the treaty on the ground that the treaty had already been signed before they made their request.

Mr. UNDERWOOD. The Senator from Nevada is misquoting me. I did not say what he has stated, and I can not allow the Senator to put those words in my mouth.

Mr. PITTMAN. What did the Senator from Alabama say?

Mr. UNDERWOOD. I said that at the time the four-power treaty was signed there was no indication or expressed desire on the part of the Netherlands, any more than there was on the part of Italy or on the part of other powers who were attending the conference, to be a party to the contract. Nothing was heard from their delegates on that subject.

Mr. PITTMAN. Did they know——

Mr. UNDERWOOD. The Senator from Nevada yielded to me to make this statement, and he must give me the time to answer his question.

Mr. PITTMAN. Go ahead. I beg the Senator's pardon.

Mr. UNDERWOOD. Of course, I do not want to take the Senator's time, and I apologize for doing so; but I was invited in; I did not "butt" in.

Mr. PITTMAN. The Senator from Alabama was invited in to answer a plain question which he has not yet answered. I want him to take all the time he desires to answer which one of the powers he thinks might object to this amendment? The Senator may take his time to answer the question.

Mr. UNDERWOOD. I can not answer that. None of them might object. I have said that several times; I said that in my main address. I do not say that any of them are going to object; but I say they may object. The Senator will accomplish nothing by his amendment, and he may be doing a futile thing and injure the treaty. I have said all the time—I tried to say it the other day and on yesterday, and I say it again to-day—that, so far as I am concerned, I wish we could join the agreement creating the League of Nations under which all nations covenant to respect each other's rights, but we can not do so; and that question was not before the conference. We entered into this agreement to respect the rights of four nations. In principle, I raise no objection to the Senator's amendment; but I say it is futile; it will accomplish no result. I have no doubt that the same concessions would be given to any other nation that had the same status and wanted to come under the agreement that was granted to the Netherlands. I think, however, to adopt an amendment of the character proposed by the Senator from Nevada might possibly injure the prospect of the ratification of the treaty. I do not say it will injure it; I have never said that; and I can not name any country that will reject the treaty on that ground; but I say some country may do so; and as I think this four-power treaty is a treaty of peace in the Pacific, that it guarantees peace to this country in the future and protects our status in the Philippine Islands from the possibility of a war in the future, I am not willing to take any chances in voting for an amendment which I do not think would be effective or would accomplish any real good and which is not going to accomplish anything more than may be accomplished by the method used in connection with the Netherlands. Therefore, I shall vote against the amendment.

Mr. WALSH of Montana. Mr. President, I wish to address another question to the Senator from Alabama, and I very much regret, indeed, that the Senator from Massachusetts [Mr. LODGE], who was here a moment ago, has been called from the Chamber, as usual when these matters grow critical. I wish he was here, because from circumstances to which the Senator from Alabama has heretofore adverted——

Mr. UNDERWOOD. I will say to the Senator from Montana that the Senator from Massachusetts was here a moment ago, and he came by my desk, and he said that he was not feeling well and would probably have to be out of the Chamber for the remainder of the day.

Mr. WALSH of Montana. From the circumstance heretofore adverted to by the Senator from Alabama, I dare say he is not able to give us any information on the matter concerning which I am desirous of getting some light. It is this: Can the Senator tell us whether this principle, which I have characterized as one of elemental justice, namely, that both parties to a controversy should be before the conference, was considered in the preparation of the treaty, and excluded designedly upon the protest of some or the objection of some member, or did the framers of the treaty forget all about it? Was it a case of casus omissus?

Mr. UNDERWOOD. I do not think the Senator from Montana is doing me justice in this matter. It is rather embarrassing for me to say it, but I have given all the information I could. As I have stated two or three times on the floor, unfortunately at the time this treaty was being framed and the details were being worked out, I was called away on account of a death in my family, and I can not give the Senator the information.

Mr. WALSH of Montana. I had a great deal rather have asked the question of the Senator from Massachusetts.

Mr. UNDERWOOD. So long as the Senator asks me for my opinion, I am glad to give all the information I can, but when it comes down to asking me about details in reference to a certain matter, the Senator knows why I was not present, and he can not expect me to answer the question.

Mr. WALSH of Montana. As I have said to the Senator, by reason of the circumstances to which he has referred, it may be that he is unable to answer my question.

Mr. UNDERWOOD. I am sorry that I can not answer the Senator from Montana. I have not any information which would enable me to answer. I should be glad to answer the Senator if I could.

Mr. KING. Mr. President, will the Senator from Nevada permit me to ask the Senator from Alabama a question; one which I regard as very important yet which is not germane to the question now under discussion?

Mr. PITTMAN. I yield to the Senator from Utah for that purpose.

Mr. KING. May I premise the question by an observation?

Mr. UNDERWOOD. I will answer the question of the Senator from Utah if I can, but I am not sure that I can.

Mr. KING. It seems to me that if there is any controversy likely to arise between the United States and Japan or France or Great Britain in the regions of the Pacific that controversy will relate to the mainland rather than to what might be denominated insular possessions. The little islands that are sprinkled throughout the Pacific Ocean are not of much consequence to us and not of much consequence to Japan or to Great Britain or to France. The real source of danger in the Pacific, as I view the situation, the prolific cause of danger, exists in China and Siberia, Manchuria and Mongolia. Why was the treaty so drawn as to exclude the prolific causes of controversy which might justly lead us to desire conferences between nations and to include matters unimportant and as to which there is not one chance in a million, if I may be permitted that expression, of any controversy ever arising?

We know that there is danger in China, in Manchuria, in Mongolia, and Siberia; we know that controversies may arise there at any moment; but we do not anticipate any trouble in Australia, in New Zealand, in the mandated islands north of the Equator, or the mandated islands south of the Equator, in Formosa, in the Pescadores, or in the southern half of Sakhalin. It seems to me that the conference avoided an attempt to bring into the forum of adjustment and conciliation those causes which may lead to controversy and may eventuate in war, and dealt with unimportant and insignificant matters, as if they were trying to camouflage the real interests and to throw dust in the eyes of the people in respect to the important quesions of controversy that might lead to war.

Mr. UNDERWOOD. I am surprised at the Senator's question, although it might be pertinent if the conditions were different. The Senator, of course, is right that the situation in reference to China is far more serious than it is in the islands of the region of the Pacific; undoubtedly he is right about that;

but the Senator overlooks entirely the fact that the four-power treaty is only one of the treaties that were made during the Conference on the Limitation of Armament, and that the questions in relation to China were adjusted and dealt with by the conference in other treaties and other resolutions.

As to whether the conference broadly and fairly covered the questions relating to China in the other treaties may be a question of controversy; I think they did in the main, so far as they could, so far as it was possible for them to handle the question, but there they were dealing with nine powers interested in China, and some of those nine powers had no interest in the islands of the Pacific. So it seems to me the Senator ignores entirely the work of the conference when he charges that they did not consider in connection with the four-power treaty the grave questions in China. When they made other treaties, upon which the Senate of the United States must pass upon after the pending treaty shall have been disposed of, there was no occasion whatever for embracing in the four-power treaty matters in relation to China.

Of course, as to Siberia we could not make—we had no power to make—a treaty concerning the mainland of Siberia when the Russian Government was not seated at the table.

Mr. KING. Mr. President, if the Senator will pardon me, I do not quite agree with the last statement the Senator has made. It seems to me that if the four powers were sitting down at a conference table for the purpose of elaborating a plan that might prevent war they would take into account not only their own territory but contiguous territory that might be the cause of international controversy and might lead us into war.

Mr. UNDERWOOD. I am afraid that my friend looks at this question and these issues very much as if he were disposing of a league of land or selling a ship. If the powers of Europe were to sit in Paris or in London and enter into a contract favorable or unfavorable as to what they intended to do with the United States of America or what their attitude in reference to the United States of America and its internal affairs should be without inviting us to the table, it would be a very serious offense to the people of this country; and, although I may recognize that the government of Russia to a large extent is down and out for the present, the Russian people are a proud people; they are a great nation; and I think it might have given very serious offense if we had undertaken to deal with the problem suggested by the Senator from Utah.

We did by declarations on the part of this Government—and that is as far as we could go in the conference—refer to our present and past relations to Russia, our desire to maintain her territorial integrity, and to prevent the invasion of her soil. We went as far as we could go, and we are not to be criticized justly, in my judgment, when we could not go any further because of conditions and facts over which we had no control.

Mr. KING. If I understand the Senator, I can not assent to the conclusion he reaches. It seems to me that we may be interested in avoiding a controversy respecting soil which we do not own and to which we do not intend to assert title.

Mr. UNDERWOOD. Undoubtedly we may be interested, but we can not settle questions in reference to the soil of other nations without giving them a chance to sit at the table, without giving offense, in my judgment.

Mr. KING. I agree with the Senator most heartily, but the Senator, I think, agrees with me that the possibility of controversy in the Pacific does not relate so much to the insular possessions as described in this treaty as it does to the mainland; and I can not yet, notwithstanding the explanation made by the Senator, understand why the Washington conference in connection with this treaty, which provides a sort of instrumentality for the adjustment of controversies, namely, a conference with three other nations, did not extend its operations and its activities, so that if any controversy should arise that would threaten the peace of any of the four powers, not only with respect to the islands in the Pacific but with respect to any land or territory or problem of the Pacific, a conference might be held for the purpose of trying to adjust and settle the dispute and thus avoid war.

Mr. UNDERWOOD. I will say to the Senator that the conference, recognizing the grave situation in China, endeavored to meet the issues involved in a separate treaty. I am not going to trespass on the time of the Senate in order to discuss the merits of the Chinese treaty, and I do not want to do so now; but I think it is a sufficient answer to the Senator's complaint that matters relating to China are not covered by the pending treaty to say that they are embraced in another treaty, and I believe the issues are met in the other treaty. The Senator may not agree with me, but when the Chinese treaty comes before the Senate I shall be very glad to discuss with the Senator the question of its merits and whether or not we met the situation in that treaty. It is sufficient, in answer to his suggestion that Chinese problems are not included in the four-power treaty, to say that they are disposed of, or attempted to be disposed of, in another treaty which is pending before the Senate.

Mr. KING. Mr. President, just one observation, because I am trespassing on the time of the Senator from Nevada.

Mr. UNDERWOOD. I, too, have been trespassing upon the time of the Senator from Nevada, and I apologize to him, but I could not help it.

Mr. KING. I repeat that this treaty attempts to dispose of matters that are wholly unimportant, as to which there is not a chance at all of controversy, and ignores questions as to which there is an opportunity for controversy and about which there will probably be controversy. The framers of the treaty have provided for conferences as to the mandated and other islands, although no one disputes the claims of any one of the possessors of those territories, but they do not provide any means for a conference with respect to other matters which possess the seeds and the germs of dispute and controversy. If this treaty had provided for conferences as to disputes in the mainland, it would have commended itself, it seems to me, more strongly to the American people than it does when it deals with insignificant and unimportant matters as to which there is no possibility of a controversy.

Mr. PITTMAN. Mr. President, I am going to take up a few of the statements of the Senator from Alabama before I resume the thread of my remarks where I was interrupted. The Senator seems to think that it would require a contract, a treaty with other powers before we could invite them into a conference. I do not think it is necessary to discuss that. The covenant of the League of Nations provided that the council might invite in a party to a controversy that threatened war that was not a member of the League of Nations. A contract, of course, is something binding. An invitation is something that may be accepted or not accepted. As a matter of fact, there is nothing binding in this conference, according to the Senator from Alabama. If there is nothing binding in this conference, why do you have to have a treaty to get an outside party in to discuss something?

Then they come right back and say it is perfectly natural that they should invite them in to discuss it. How do we know that Japan would consent to the inviting in of Russia or China for a discussion between those countries? There is only one way in which we can know it, and that is to provide it in this instrument.

The only objection that the Senator has urged against this amendment, as I understand, is that it may prevent the ratification of this treaty by England or Japan or France. That is all there is to it; and yet when the Senator from Montana asked the Senator from Alabama if there was any one of those countries that he had in mind that might object to this amendment he said he did not know.

This amendment is perfectly simple. It simply provides that in the event of a controversy between one of these four powers and China or Russia these four powers will try to stop that controversy before it becomes war. Is it possible that the Senator from Alabama can think that England would object to that being placed in this instrument or that France would object to it? I do not think so for a single moment. The only ground upon which he could expect any one of those countries to object to it would be on the ground that that country did not want the other side of the controversy known at the conference. That could be the only ground. The only other theory upon which this amendment could be objected to by England or France or Japan is that this treaty is not for the purpose of preventing controversies from developing into war but it is for the purpose of winning that war when it arises. If that is the purpose of this agreement, then it is an alliance, because undoubtedly one of the chief elements of an alliance is an agreement between powers to advance their own interests without regard to the interests or rights of others. Now we find out that the Netherlands wanted to become a party to this four-power treaty. The Senator says that I misrepresented his statement.

Mr. UNDERWOOD. Oh, no; I would not say that my friend misrepresented me. I make no such charge as that.

Mr. PITTMAN. That I misunderstood the Senator, then, and that my statement so expressed my understanding.

Mr. UNDERWOOD. To be sure. That is more kindly expressed.

Mr. PITTMAN. I am not sensitive on that point, because I know the friendship the Senator has for me and that he knows that the misrepresentation would not be intentional; but I do not yet see the difference between the way in which I presented it before and the way in which I now present it.

The four-power treaty was signed, and then the Netherlands expressed a desire to be a party to it. The Netherlands were not invited to be a party to it when it was being framed. None of the American delegation, as I understand, to the knowledge of the Senator from Alabama, ever thought about inviting the Netherlands to become a party to it. Nobody else invited them to become a party to it; and when they announced their desire to become a party to it it had already been signed. That is what the Senator said. What he meant by that I do not know. I simply said that that was the excuse offered why they were not members of it—that it was already signed.

As a matter of fact, how did the Netherlands know that a four-power treaty was being drafted? The Senator from Alabama did not know much about it, because practically all of it took place while he was on a visit to Alabama. The newspapers did not know anything about it. How would you expect the Netherlands to know anything about it until after it was signed? The fact remains that the drafters of this treaty did not want the Netherlands in it. You can not conceive that men as familiar with international law as the drafters of this treaty never for one moment considered the advisability of having the Netherlands a member of this treaty. Such a thought is absurd; and if they thought about it, it is inconceivable that they did not discuss it. Why was it, then, if they thought about it and they discussed it, that they did not want the Netherlands in this treaty? Was it because they did not want a full, frank conference and adjustment between all of the nations that have insular possessions in this region of the Pacific? If not, then why not have the Netherlands in this treaty?

I ask the Senator again if there is any provision whatever in this treaty providing for any peaceful means of settling a controversy with regard to the Pacific between one of these four powers and an outside power that might lead to war?

Mr. UNDERWOOD. Of course, the whole treaty is for that purpose.

Mr. PITTMAN. What is the article of it?

Mr. UNDERWOOD. Article 2, I believe. I have not the treaty before me.

Mr. PITTMAN. It is right here. I should like to see the article.

Mr. UNDERWOOD. Of course, Mr. President, as I said a minute ago, the Netherlands are in the treaty now. This Government has written a note to the Netherlands, and so have all the other three Governments——

Mr. PITTMAN. Has the Senator a copy of the note?

Mr. UNDERWOOD. It has been published. I can not put my hand on it at this moment. It was sent here with the original papers.

Mr. PITTMAN. I thought possibly the Senator had it on the desk before him.

Mr. UNDERWOOD. No; I have not it before me, but it was laid before the Senate officially.

Mr. PITTMAN. Yes; I know it.

Mr. UNDERWOOD. By that note the Netherlands are given all the privileges under this agreement. It is extended to them by a note. Outside of the Netherlands and the powers that sign this contract, I do not recall that there is any power that has insular possessions or insular dominions in the region of the Pacific Ocean, except Russia, holding the northern half of the island of Sakhalin. I may be mistaken about that, but I do not recall any such power, and if the Senator recalls any such power I shall be glad if he will call it to my attention.

Mr. PITTMAN. I think Portugal has such possessions, but we will pass that.

Mr. UNDERWOOD. I am not sure that Portugal's possessions are in the region of the Pacific. Are they not in the region of the Indian Ocean?

Mr. PITTMAN. Of course, I do not know what "the region of the Pacific" is.

Mr. UNDERWOOD. That is, in the Pacific Ocean, of course.

Mr. PITTMAN. Then Portugal has such possessions.

Mr. UNDERWOOD. I think they have one island there.

Mr. PITTMAN. Let us say, for the sake of this argument, that they have not any.

Mr. UNDERWOOD. I think the Senator is right, that they have one island. Of course, they have larger possessions in the Indian Ocean. Of course, the purpose of this treaty was to secure the peace between these four contracting parties, not to secure the peace between some one else; but this treaty provides that if the rights in the Pacific are threatened they shall confer, and if they can confer they can confer in the interest of peace more readily than they can confer in the interest of war; and I assume that the parties to this contract would confer under those circumstances in the interest of peace and not in the interest of war.

Mr. PITTMAN. The question I asked the Senator was to show me any provision in this treaty providing for a conference by the four powers signatory to the treaty, or any of them, with an outside power with which it was having a controversy that might lead to war. The Senator referred me to article 2, and I will read that article.

Mr. UNDERWOOD. As I stated to the Senator, the treaty was not drawn for the purpose of having a conference with outside powers. It was drawn for the purpose of having a conference with the powers signatory to the treaty; and, as I have stated to the Senator, they could be invited in under that power, but there is nobody to invite in. We can not make an agreement with Russia at this time; that is impossible; and outside of Portugal's one island, with no request on the part of Portugal to come in, as the Netherlands requested, to my mind the contention of the Senator from Nevada about our inviting other powers in here when there are no other powers to come in and no other powers desiring to come in is a mere ignis fatuus to light the way against the ratification of this treaty.

Mr. PITTMAN. Mr. President, I repeat that I asked a certain question, and to keep from the wanderings of the Senator I shall have to come back to it again. I asked him if there was any provision in this treaty requiring the four powers, in the event of a controversy between the four powers or one of them with an outside power threatening war, to invite the outside power or powers into a conference. Before his last wanderings the Senator referred me to article 2, which I will now read as the answer to my question:

> If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

That is the only clause that the Senator from Alabama finds in the treaty which he says answers my question. It does not answer the question, but it answers it as well as any other article in the treaty. As a matter of fact, article 2 assumes that a war has already commenced against one of the four powers. It has nothing whatever to do with any effort to settle a controversy that might have resulted in the war referred to in article 2. The Senator was right in one statement, and that was that this treaty was not formed for the purpose of preventing war in the Pacific, but was formed simply for the purpose of preventing war between the four powers in the Pacific. That is true, and that is the chief object of an alliance. It is the chief definition of an alliance, and that is exactly the objection that has been made against this treaty all the way through. If this treaty had for its purpose the prevention of war in the Pacific, I do not believe there would be a single vote against it on this side of the Chamber.

The Senator from Montana [Mr. WALSH] yesterday pleadingly sought an opportunity to be allowed to vote for this treaty. He wants to vote for it. He has voted for every peace treaty that ever has been brought before this body; and yet for the purpose of getting almost a unanimous vote in this body you will refuse to incorporate in the treaty a principle that you must approve, that you can not attack, upon the ground that perhaps some one of these other three nations has so low a regard for the principle that you like that it would not stand for it.

What reason is there for haste in this matter? Suppose that we did adopt this amendment to-day. How long would it take us to find out whether the other three powers would agree to it or not? It might take a week. What would happen in the Pacific Ocean in a week? Suppose it took a month to find out what the other three powers thought about this principle of peace. What would happen in that month's time? If there is any great danger hanging over this country that requires us to ratify this treaty instantly for fear of something, what is that great danger? If any Senator knows anything about it, it is his duty to the Senate and the country to state what that great danger is.

Suppose we adopt this amendment and the matter goes over to Great Britain, and Great Britain says: "We refuse to accept this amendment." All right; it is not accepted, and the treaty is sent back to this body. What has happened before it is sent back? Has any harm happened in the last month while it is gone? Have the Philippine Islands been taken? The whole thing about it is this: I am afraid that the Senator from Alabama knows the purpose of this treaty. I am afraid that the Senator from Alabama knows that the purpose of this treaty is not to prevent war in the region of the Pacific but is to insure the success of that war in favor of these contracting powers. If that is true, then, of course, they do not want the peaceful means substituted and would not accept the amendment.

I have asked the Senator where there is a provision in this treaty looking to the settlement of a dispute affecting these insular possessions between an outside power and one of these four powers, and all that he can do is to refer me to article 2. Article 2 expressly provides for a conference between the four powers to adopt means to oppose an aggression that has already commenced; and yet, as I said before, this proposition has been misrepresented to this country and has been misrepresented to the world. There is not a religious body in this country nor a great public body that has not been taught to believe that this is a treaty for peace. Do you think for one moment that you would ever hear called to the attention of the directors of a great church board the argument that I am now making? No. Who are the speakers that are now speaking in the churches on this subject? One of our Senators has been speaking in the churches of this city. He said this was a treaty for the purpose of preventing war.

Did he ever tell that great congregation of church people that this was a treaty simply to protect the interests of the four parties to it? Did he tell that great congregation of church people that this body refuses to recognize the principle that another nation outside of these four may have just rights in controversy? Oh, no. Did he tell them that this treaty does not recognize the adopted principle of this Government that disputes should be settled by conference and by arbitration and by peaceful adjustment? No; he never told them that. He led them to believe that this treaty does provide for it.

There are Members of this body who in reading the part of the treaty which refers to a conference between the four powers think that that conference is for the purpose of preventing war. They do not read it carefully enough to see that it is a conference for the purpose of meeting war; that it is a conference which has become necessary because they did not take steps to prevent the aggression before it started.

The Senator from Mississippi [Mr. WILLIAMS], who is always mentally honest, saw that point. He saw it when he said, "Your remedy is in the League of Nations." If the remedy is in the League of Nations, what is the use of this treaty at all? If this is not a substitute for the League of Nations, as far as the Pacific is concerned, what is the peaceful use of it at all? Of course, if it is an alliance in the Pacific, I see reason, as far as the four powers are concerned, for making it. If the League of Nations is the body which is to prevent war in the Pacific, if the council of the league is the body to which disputes arising in the Far East are to be referred to prevent war, then this instrument is unnecessary, as far as an attempt to prevent war is concerned. But if a dispute in regard to the Pacific takes place, if a dispute which threatens war is taken before the council of the League of Nations, we will have no influence in settling that dispute, because we will not be a member of the league; we will have nothing to do with it.

Mr. President, this argument has so far developed this fact that there is not a provision in this treaty for the settlement of controversies which may involve war in the Pacific, except controversies between the four powers. There is no provision in this treaty which gives any consideration to the cause of China or Russia or any outside power which may have a controversy with Japan, or with any of these four signatory powers. In my opinion, as the Senator from Alabama said, this treaty was never intended for any other purpose than to join together the four signatory powers and prevent them from fighting each other. There is nothing else in this treaty, Mr. President, except an agreement between these four powers to consult as to the most efficient means of meeting aggression against any one of them. It is an alliance, and the statement in the reservation offered by the Senator from Connecticut [Mr. BRANDEGEE], that it is not an alliance, is an absurdity on its face. You might just as well take a bulldog and place a sign across his breast reading, "This is not a bulldog; this is a lamb," as to say a thing like that. The very wording of the instrument which we signed makes absurd our declaration as to what it is. A declaration that this is that, or that it is not that, amounts to nothing when it stands in view of the people who see it. This instrument might be designated as an agreement for peace, the reservation might deny it was an alliance, if only the reservation were read, if only the reservation became public, if only the reservation were reduced to writing; but a declaration that something is not something which the world knows it to be amounts to nothing but an absurdity on its face.

There has been every attempt in this body to prevent consideration of the treaty. There has been every evasion in replying to questions asked in the argument. There has been a studied effort to attempt to deny questions directly. In fact, the member of the delegation who knows the least about this thing—if it is possible for anyone to know the least—is the only one who is left here to answer questions. The distinguished Senator from Massachusetts [Mr. LODGE] runs every time anyone starts to ask him a question. He is constantly on the run.

I said a long time ago, before I was interrupted, that this propaganda which is being incited in this country, even by speeches of United States Senators in churches in this city and in speeches by Senators before great national clubs and civic bodies, is possibly having its effect upon some of the Senators in this body. Oh, it looks as though there is a great, unanimous feeling in this country that this treaty must be ratified immediately to prevent this country from being deluged in some great destruction which is not described. How long do Senators think that deception is going to last?

I remember away back before the treaty of peace was signed that we had a great league in this country to enforce peace. I remember that they sent its messages all over this country demanding that everybody support the League to Enforce Peace. When the treaty of Versailles came here I had on my desk, as every other Senator did, resolutions by the directors of these church associations, representing hundreds of thousands of people. We had resolutions from every patriotic body in this country, from every great civic association, urging us to ratify the Versailles treaty immediately. It looked as though the whole country were in favor of it, and yet, when it came to an issue before the American people, there is no doubt as to what they thought about it. They thought that it was an alliance, whether it was an alliance or not. I do not think it was. I did not think it was an agreement of one group of nations against all the others, as is undoubtedly contemplated in this instrument. I want to tell Senators one thing, that when the majority of 7,000,000 people who voted for the Republican Party find out what this instrument is, when they find out what the whole deal is, the condemnation which will come down upon the proponents of these treaties will be severe indeed compared to the punishment which was administered by the people to the supporters of the Versailles treaty.

Things can not be rushed through a body of this kind with as little information as surrounds this; men can not, by just crying that we will have war unless we do this, influence long the people of this country. They will have a little influence on them for a short time, but not for long.

This instrument is going to be condemned more than any instrument ever presented to this body. It is the result of the diplomatic cunning of the diplomats of the Old World and the Christian confidence of the delegates of the New World. It is the result of the deliberations of politicians who have long dealt in the framing of alliances with politicians who are simply afraid of a war scare.

They contend, through their propaganda throughout the country, that the United States Senate is interfering with the transaction of business by this Government. They charge that the United States Senate is bringing this Government into contempt by delaying the ratification of these treaties. Mr. President, what the world may think about this Government may affect our feelings, may even affect our commerce, but it does not weigh with our duty to protect this Government. There has been no talk in all of this debate of protecting this Government, except our protection from an attack on some of our foreign possessions by some foreign foe.

The United States Senate, according to some of the people of this country, has prevented hundreds of treaties from wrongfully binding this Government. When we enter into a contract with an individual, which is a private treaty, and there is a violation of the terms of the agreement, there are courts to enforce those terms; but when a nation violates its contract with another nation there is but one power to enforce it, and that is war. That is one reason why the organizers of this Government, that is one reason why the makers of the Constitution of the United States, required such solemn consideration and practices in the adoption of a contract with a foreign government.

Look back over the history of our treaties. What has been the result of those treaties? There has possibly been more trouble between nations by reason of the different construction of treaties than from nearly anything else. Take our treaty with regard to the Panama Canal. It would have been far better if the Senate of the United States had given more time to the consideration of that treaty. It was drawn by men just as able as those who drew this treaty, and yet the language was so indefinite, so ambiguous, that two of the greatest international lawyers in this country disagreed diametrically as to what it meant. The late Senator Knox held that the language of that treaty plainly meant that it did not apply to American ships, while the distinguished American lawyer who was a member of

the conference which drew this treaty and participated in the drawing of this treaty, Elihu Root, held that it did include American ships.

Practically every treaty which has ever been drawn has been ambiguous. It seems to be the habit of the drafters of treaties to so draw them that they may be read favorably by all parties to the contract. Read them, and you will find that is true. When diplomats arrive at an understanding, then they call in the drafter of treaties, who draws the language so that it may be construed to mean what each side desires it to mean, without regard to what should have been meant. Thus they shift the burden to posterity.

We are entering into a treaty to bind this country for 10 years, and yet it is the will of those proposing this treaty that it be passed in 10 minutes. They are seeking to take this Government into an alliance affecting the whole Pacific Ocean, an alliance that is more fraught with the germs of war to-day than any other alliance in all the world, an alliance we can not get out of for 10 years; and yet they condemn the Senate of the United States because it is willing to take some time to analyze and consider this matter.

The proponents of this treaty are responsible for the delay so far, because they have not come to this body with the information which was essential to the proper action of this body, and because they have not answered directly the questions asked them touching the negotiation of this treaty. Whether that be by reason of the fact that they do not know, or because they are unwilling to tell, is absolutely immaterial. It is only to-day, after weeks of debate, that we find out from the Senator from Alabama [Mr. UNDERWOOD] that the Netherlands were never asked to become a party to this treaty, and that the Netherlands tried to get into the treaty just as soon as they found out that there was such a thing as a four-power treaty.

When the Senator was asked as to why he objected to an amendment being placed in the treaty bringing in China, or bringing in Russia, when there was a dispute involving China or Russia, his answer was that it might kill the treaty, that France and England and Japan might not accept it. If the ratification of this treaty were so essential to the country that it had to be ratified in a week or we would be involved in a great war, there might be something in the argument of the Senator. If war were hanging over us in the Pacific, which might break even in the next month unless we signed this treaty, there might be something in the argument of the Senator. But we are not threatened with war. There is not a proponent of this treaty who would state that if we did not sign this treaty at all there would be any war inside of five years. There may be war later on. Why not accept some of these amendments, which can not be opposed in principle, and put them up to our cosigners of this treaty, and ask them whether they do not approve of them in principle? What would be the great harm if they turned them down? It would simply mean a reconsideration by this body. The whole matter would have been debated.

There is a grave chance that this treaty will be defeated, because there are Senators on this side whom the proponents of this treaty have felt they had in their hands who see the necessity of amendments to make this a treaty for peace and not alliance for war. There are four or five Senators on this side who have been so conscientiously anxious for the ratification of this treaty that they are willing to swallow almost anything, but I tell Senators on the other side that those Senators will not stand for an alliance which means war instead of peace. If the majority are going to proceed in an arbitrary manner, if they proceed to force this alliance down the throats of the Senate, if they arbitrarily refuse to accept any explanatory provision, if they are going to stick to the proposition that the Senator from Alabama has just stated, that this treaty is simply an agreement between the four parties to prevent war between the four parties and not to prevent war by any one of the four parties against any other power, then this treaty will be defeated.

Mr. UNDERWOOD. Mr. President, I do not rise to answer the argument that my friend from Nevada has just made, because I think his last statement is very clear, that the purpose of this treaty is to prevent war between the four powers to the treaty. It is not for the purpose of engaging in war against people who are outside of the treaty. Of course, anyone who is familiar with the facts in the regions of the Pacific and as to the navies of the world knows that there is no other power in the islands of the Pacific, where naval warfare is essential if warfare is to be made at all, that has the navy to withstand an attack by any one of the four powers.

Mr. WATSON of Georgia. Will the gentleman permit a question?

Mr. UNDERWOOD. What is the question?

Mr. WATSON of Georgia. I will state it, Mr. President. If this is a peace treaty, why is it that the Republican majority votes down every amendment which would really make it a peace treaty?

Mr. UNDERWOOD. I can not answer for the Republican majority. The Senator from Georgia will have to address his remarks to the Senators on the other side of the Chamber.

Mr. WATSON of Georgia. Then, Mr. President, I ask the Senator from Alabama what are his reasons for opposing such amendments?

Mr. UNDERWOOD. I do not know whether or not the Senator from Georgia was then present, but at considerable length this morning I have already stated my position. I have stated that I did not think the amendments would be effective or would accomplish the result desired, and that they might bring about delay.

Mr. WATSON of Georgia. I heard what the Senator from Alabama calls an answer.

Mr. UNDERWOOD. I am sorry my answer was not satisfactory to the Senator from Georgia.

Mr. WATSON of Georgia. I did not think the Senator met the issue.

Mr. UNDERWOOD. But, of course, I realize that when two men differ in debate it is very difficult for one to answer to the satisfaction of the other, at least, while the debate is on.

I hold in my hand a memorial from a great church; but before I present it—and I have been sitting here for the last hour, in addition to enjoying the pleasure it always gives me to hear my friend from Nevada [Mr. PITTMAN] discuss a question, to get an opportunity to present this memorial—I think I ought to try to make it clear in the RECORD that the treaty now pending before the Senate is an effort to maintain peace between the four great parties who have signed it. So far as they are concerned, there is no other nation in the world that has the power to disturb the peace against any one of them, because individually they possess the great navies of the world; and as to the nations which are entirely outside of this pact, none of the four powers is going to make war on Portugal in reference to Portugal's possessions, nor is Portugal going to make war on them, and it can not do so. The Netherlands are already embraced within the terms of the contract, and, as I said before, the only other nations that could possibly be involved in these questions in the Orient are China, whose affairs are dealt with in another treaty, and Russia, which at present has no government with which we can deal. So I do not know to whom my friend referred as discussing these matters in the churches; but I am glad to say that the Christian churches of America stand for peace. They stood for the League of Nations; they stand for this treaty. They are not fooled about it, because in their hearts they know, whether it is effective or is not effective, that it is an honest effort to maintain the peace of the world.

Mr. President, I was given a memorial this morning which is addressed to the Senate of the United States from the Church of the Brethren, which is sometimes known as the Dunker Church, by its peace committee, W. J. Swigart, chairman, of Huntingdon, Pa.; J. M. Henry, secretary, of Washington, D. C.; Jacob Funk, Pomona, Calif.; and I. W. Taylor, of Ephrata, Pa. I send the memorial to the Secretary's desk and ask that it may be read in my time.

The PRESIDING OFFICER (Mr. PEPPER in the chair). The Secretary will read as requested.

The reading clerk read as follows:

To the honorable gentlemen, the Members of the Senate of the United States.

GENTLEMEN: This presentation is made to you by the peace committee of the Church of the Brethren (Dunkers). This committee is authorized and appointed by our international conference composed of over 600 delegates from America, Europe, India, and China. We authoritatively bear to you the united sentiment of the entire membership of this church, thousands of whom are among your constituents in many of the States you represent. We hereby ask that you hear our plea and trust you will have respect to our prayer.

We have noted with very great interest the work of the council of nations that sat in the city of Washington considering plans for the reduction of the armaments of the world and the establishment of peaceful and friendly relations among the nations.

Naturally, we could not expect perfection in their work, because it is the product of finite men. There doubtless are features in their report that are objectionable, in degree, to our American ideals. But Americans can be generous—they are generous—and take forward ground in yielding personal provincial ideals to the accomplishing of the general good of mankind. "National consciousness may consistently yield to international conscience."

We have been profoundly gratified by the purpose, spirit, and work of the council and believe that if the findings—the pacts and treaties and conclusions—are ratified, and the proposals become operative within the nations of the earth, a most notable service to mankind in the history and working of human governments and the progress of civilization will have been accomplished.

As we understand it, the results and findings of the council are now in your hands awaiting the action of your honorable body. We appreciate in some measure the responsibility resting upon you and the complexities and the consequent perplexities that will arise in the consideration of the varied interests involved.

Trusting that it may not be deemed presumptuous on our part, we are respectfully but earnestly asking that these treaties may speedily and without change receive confirmation at your hands.

We think of the facts that—

The council was called by the President of the United States in response to a call that originated within the Senate, so that the very inception of this worthy movement was brought forth from your own honorable body.

The council, composed of delegates from the powers of the world, sat day after day for a period of three months within the Capital City of this country.

The President of the United States and our delegates set the pace and, for the most part, established the policy and initiated and announced the purposes and the ends to be accomplished.

The other nations, by their delegates, worked in gracious harmony and conceded more than was expected at the beginning, especially those nations that had conflicting interests at stake. The final report was unanimously adopted and duly signed.

The council was closed and the finest spirit of good will and bona fide fellowship were apparent. The foreign delegates returned to their home Governments enthusiastic in their admiration for America and the wise and patriotic leadership of the statesmen of our Republic. The entire world is still turned toward us, and all eyes are expectantly waiting and watching for our move.

If, now, the United States of America should hold itself aloof and refuse to appear as party to the pacts, or even to delay with prolonged debate, it will provoke in the minds of the powers and the world at large a suspicion of the sincerity of our American people and our republican government in our calls and claims for unselfish peace negotiations. It will give the impression abroad that we are divided and uncertain of our own minds and judgments, and are moved by partisan and factional feeling rather than by a generous patriotism, and indicate that there is opposition and clash between the Executive and legislative powers of our Government.

So far as our own America is concerned in this glorious experiment, this is now the final test. It rests within the body that conceived and fostered the scheme awaiting recognition and confirmation. Should this work stop or fail here, the high ideals resident in the scheme, as well as the lofty hopes of the world, would receive a severe shock, and the prospect of permanent world peace be seriously disturbed.

But we believe it will not fail; and in the interest of the successful completion of the great opportunity, in behalf of the church which we represent, and at the same time reflecting the mind and wish of the great mass of the people of the United States, we again express our prayer that the treaties may receive early and favorable action. And so shall we ever pray.

The peace committee.

W. J. SWIGART,
Chairman, Huntingdon, Pa.
I. W. TAYLOR,
Ephrata, Pa.

The PRESIDING OFFICER. The memorial will lie on the table. The question is on agreeing to the amendment offered by the Senator from Nevada to article 1.

Mr. PITTMAN. Mr. President, I send to the desk the note with regard to the Netherlands, which I will ask the Secretary to read. It is the note referred to by the Senator from Alabama as constituting the provision by which the Netherlands were let into this treaty.

The PRESIDING OFFICER. Without objection, the note will be read.

The Assistant Secretary read as follows:

(From the CONGRESSIONAL RECORD, February 16, page 2643.)

THE SECRETARY OF STATE,
Washington, February 11, 1922.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Referring to our conversation in relation to the note given to the Netherlands Government, I beg to say that the following is a copy of the note which was delivered to the minister for foreign affairs of the Netherlands on February 4, 1922:

"The United States of America have concluded on December 13, 1921, with the British Empire, France, and Japan, a treaty with a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean. They have agreed thereby as between themselves to respect their rights in relation to these possessions and dominions.

"The Netherlands not being signatory to the said treaty and the Netherlands possessions in the region of the Pacific Ocean therefore not being included in the agreement referred to, the Government of the United States of America, anxious to forestall any conclusion contrary to the spirit of the treaty, desires to declare that it is firmly resolved to respect the rights of the Netherlands in relation to their insular possessions in the region of the Pacific Ocean."

This is identical with notes delivered by the British, French, and Japanese ministers.

A similar note was delivered to the Portuguese Government.

Very sincerely, yours,

CHARLES E. HUGHES.

Mr. PITTMAN. Mr. President, I wish to call attention to the fact that the Senator from Alabama is mistaken when he says that the Netherlands have been guaranteed the same rights in a separate instrument that are guaranteed to the four powers signatory to this treaty. The only right guaranteed to the Netherlands under that note is that the United States will respect their rights in the Pacific. There is no provision in that note by which the Netherlands may be called into conference or shall have a right to go into conference with regard to any matters affecting their possessions in the Pacific Ocean. The Netherlands are guaranteed the right that every honest government guarantees to every other honest government, namely, that their rights shall be respected. The Netherlands received merely a simple little note; that is all they got. They wanted to be in this treaty, but instead of letting the Netherlands in the treaty there was written a sweet little note to the Netherlands.

Mr. UNDERWOOD. Mr. President, I do not interpret this matter as does my friend from Nevada. I think that the great thing in this four-power treaty is that the four nations have agreed to respect the rights of each other. Outside of that, all of the other provisions are ancillary. The Netherlands, when they requested to have recognition on the grounds stated, were given a note, not only by the United States but also by the other three powers to the treaty, setting forth that each one of them would respect the rights of the Netherlands in their territory in the region of the Pacific. That was entirely satisfactory to the Netherlands, if not satisfactory to my friend from Nevada. They are satisfied with it; they think it covers their territory; they think it means peace for them.

I had overlooked in the debate this morning that a similar note had been delivered to Portugal by the four powers. So there is no difference in reference to these other nations, so far as their rights in the Pacific are concerned. The only difficulty that they are having is in the United States Senate.

Mr. PITTMAN. Mr. President, the Senator did not quite finish stating what he likes about this treaty. What he said he likes about this treaty is that the four powers agreed to respect each other's rights. Another thing that he likes about the treaty is that they shall not respect the rights of anybody else.

Mr. UNDERWOOD. That does not necessarily follow at all.

Mr. PITTMAN. Poor little Netherlands got a sweet note, and so did Portugal, saying that the four powers would respect their rights, but they got no invitation to join in the conference which has been provided for by article 2. Any nation which sees fit may attack the rights of the Netherlands, and there will be no joint action by the four powers to protect the Netherlands. If any nation attacks any of the rights of the four powers, they will jointly or severally defend those rights. They will not defend the rights of the Netherlands; they will not defend the rights of the Portuguese; not at all. They will not try to stop any dispute whatever involving Portugal; they simply say, "so far as we are personally concerned, we are not going to trespass on your rights," and this country has agreed to that long ago in numerous treaties. The fact remains that it is evident that they did not want the Netherlands in this four-power treaty. It is just one of the little pieces of evidence that go to show that this is a premeditated alliance between those four powers for their selfish interests.

The PRESIDING OFFICER. The question is upon the amendment proposed by the Senator from Nevada [Mr. PITTMAN].

Mr. ROBINSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Borah	Harris	McNary	Simmons
Brandegee	Harrison	New	Smith
Broussard	Heflin	Newberry	Spencer
Cameron	Hitchcock	Norris	Stanfield
Capper	Johnson	Oddie	Townsend
Caraway	Jones, Wash.	Page	Underwood
Culberson	Kellogg	Pepper	Wadsworth
Elkins	Kendrick	Phipps	Walsh, Mass.
Fernald	Keyes	Pittman	Warren
Fletcher	King	Reed	Watson, Ga.
France	Ladd	Robinson	Weller
Gerry	McCormick	Sheppard	Willis
Hale	McKinley	Shields	

Mr. JONES of Washington. I desire to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from New York [Mr. CALDER], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from New Mexico [Mr. BURSUM], the Senator from Idaho [Mr. GOODING], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Indiana [Mr. WATSON], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are absent in attendance upon a meeting of the Finance Committee.

The VICE PRESIDENT. Fifty-one Senators have answered to their names. A quorum is present. The question is on the amendment offered by the Senator from Nevada [Mr. PITTMAN].

Mr. PITTMAN. I ask that the amendment may be stated.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. It is proposed to add, at the end of article 1, the following:

If there should develop between any of the high contracting parties and any other power or powers having possessions in the region of the Pacific a controversy arising out of any Pacific question involving said insular rights and possessions threatening war, which is not satisfactorily settled by diplomacy, the high contracting parties shall invite said other power or powers to a joint conference to which the whole subject shall be referred for consideration.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nevada.

Mr. PITTMAN. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. BROUSSARD (when his name was called). I have a general pair with the Senator from New Hampshire [Mr. MOSES] and therefore withhold my vote.

Mr. FERNALD (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. JONES]. I transfer that pair to the senior Senator from Massachusetts [Mr. LODGE] and will vote. I vote "nay."

The roll call was concluded.

Mr. COLT. Although I have a general pair with the junior Senator from Florida [Mr. TRAMMELL], I am at liberty to vote on this amendment. I vote "nay."

Mr. DILLINGHAM. I inquire if the Senator from Virginia [Mr. GLASS] has voted?

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. I have a general pair with that Senator, which I transfer to the Senator from Pennsylvania [Mr. CROW] and will vote. I vote "nay."

Mr. PHIPPS. I have a pair with the junior Senator from South Carolina [Mr. DIAL]. I understand that if he were present he would vote as I intend to vote, and therefore I am at liberty to vote. I vote "nay."

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with that Senator, and therefore withhold my vote.

Mr. CURTIS. I have been requested to announce that the Senator from New Jersey [Mr. EDGE], the Senator from Oklahoma [Mr. HARRELD], and the Senator from Massachusetts [Mr. LODGE], if present, would vote "nay" on this amendment. They are necessarily absent.

The result was announced—yeas 29, nays 50, as follows:

YEAS—29.

Ashurst	Harrison	Overman	Stanley
Borah	Heflin	Pittman	Swanson
Caraway	Hitchcock	Reed	Walsh, Mass.
Culberson	Johnson	Robinson	Walsh, Mont.
Fletcher	Kendrick	Sheppard	Watson, Ga.
France	King	Shields	
Gerry	La Follette	Simmons	
Harris	McKellar	Smith	

NAYS—50.

Ball	Frelinghuysen	Newberry	Spencer
Brandegee	Gooding	Nicholson	Stanfield
Bursum	Hale	Norbeck	Sterling
Calder	Jones, Wash.	Oddie	Sutherland
Cameron	Kellogg	Page	Townsend
Capper	Keyes	Pepper	Wadsworth
Colt	Ladd	Phipps	Warren
Cummins	Lenroot	Poindexter	Watson, Ind.
Curtis	McCormick	Pomerene	Weller
Dillingham	McCumber	Ransdell	Williams
Elkins	McNary	Rawson	Willis
Ernst	Nelson	Shortridge	
Fernald	New	Smoot	

NOT VOTING—17.

Broussard	Glass	McLean	Trammell
Crow	Harreld	Moses	Underwood
Dial	Jones, N. Mex.	Myers	
du Pont	Lodge	Norris	
Edge	McKinley	Owen	

So Mr. PITTMAN'S amendment was rejected.

SECOND DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I ask consent, as in legislative session, that the action of the House on the second deficiency appropriation bill may be taken up.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives agreeing to the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, receding from its disagreement to the amendment of the Senate numbered 80, and concurring therein with an amendment, insisting upon its disagreement to the amendments of the Senate numbered 26 and 27, and requesting a further conference with the Senate thereon.

Mr. WARREN. As there are but three matters in contention, I move that the Senate recede from its amendments numbered 26 and 27.

Mr. ROBINSON. What are amendments numbered 26 and 27?

Mr. WARREN. They are two items for the General Accounting Office, to investigate accounts and claims growing out of the expansion of the work of the Veterans' Bureau, the payment of interest on the public debt, and the settlement and payment of transportation claims.

Mr. ROBINSON. What is the difference between the House provisions and the Senate provisions?

Mr. WARREN. They are items which the Senate put in which the House had not put in, and it is claimed that they were not asked for at the time the House had the bill under consideration. The House believed they were not necessary, and, if necessary, that they could be taken care of in a later deficiency bill, since the larger one of the two items is requested for the coming year. To be more specific, about $110,000 was thought to be necessary before the 1st of July for extra help and something like $300,000 was considered to be necessary during the fiscal year 1923.

Mr. ROBINSON. The Senate proposes to abandon its ground on those two amendments, and therefore the appropriations will go out?

Mr. WARREN. For the present, with the expectation that they would further investigate the matter and there would be time to take it up before the end of the session.

Mr. BORAH. May I ask the Senator a question?

Mr. WARREN. Certainly.

Mr. BORAH. This is on the deficiency appropriation bill?

Mr. WARREN. Yes; we have a disagreement, and on this matter we could not arrive at an agreement, and the House conferees took it back to the House. The House voted by a very large majority to sustain their conferees.

Mr. BORAH. Is this the bill in which there was carried an appropriation for the Legislative Reference Bureau?

Mr. WARREN. It is.

Mr. BORAH. What is the amount appropriated for it?

Mr. WARREN. The amount appropriated already is, as I recall it, twenty-five or thirty thousand dollars, and we added a matter of perhaps $6,000, which the House disagreed to.

Mr. BORAH. How does that appropriation compare with last year's appropriation? I have understood that it was cut down so that it was thought it would cripple the work.

Mr. WARREN. It is a matter of five, seven, or ten thousand dollars less than last year's appropriation.

Mr. STERLING. Mr. President, if I may be permitted a word——

Mr. WARREN. The Senator from South Dakota, I think, understands the matter.

Mr. STERLING. I understand that practically they will have to suspend the work of the Legislative Reference Bureau because of the lack of this $6,500 which they asked for. The bibliographer there, and the man who is in charge of this Legislative Reference Bureau, who is the director of it, so informed me, and he pleaded very hard for the small appropriation.

Mr. BORAH. The result would be the practical suspension of that bureau?

Mr. STERLING. So I understand, for the time being.

Mr. MCCORMICK. It means that Senators will be deprived of the services of the Legislative Reference Bureau after the 15th of April?

Mr. STERLING. Yes; it means that.

Mr. WARREN. That may be true; I am not disputing it. That bureau should do its business as every other office or department should, within the appropriations made for it. In allocating the money appropriated they have handled it in such a manner as to exhaust the funds, or, I take it, that they are nearly exhausted, before the end of the year. I can not tell whether the money available will enable them to run until the middle of April or when, but the Senate committee inserted the amendment, and the Senate agreed to it, and I am sorry we could not maintain it.

Mr. MCCORMICK. Let me say to the Senator that the appropriation for the forthcoming fiscal year, in the sum of about $35,000, is about equal to the appropriation for the expiring fiscal year and the deficiency intended to be appropriated by the Senate.

Mr. WARREN. The Senator, I think, is right about that.

Mr. MCCORMICK. This Congress voted so little for the service of that bureau that if they had spent month by month proportionately what we voted to them, they could not have served

Senators. It is most astonishing to me that the Senate and the House deliberately cut down the appropriation for the Legislative Reference Bureau, which is one of the most important adjuncts of our labors.

Mr. WARREN. There is immense latitude always in violent criticism of the Senate and the House, together or separately, but I wish to say to the Senator from Illinois that we were compelled last year to take the amount finally agreed upon, and this year we undertook to make it good. We were not able to do it in conference. We were not willing to let this bill, which carries some ninety-odd million dollars for the payment of disabled soldiers whose pay day is to-day, to go longer and to fight longer on the matter of five or six thousand dollars on that particular issue.

Mr. BORAH. Mr. President, I have not any criticism to make of the Senator from Wyoming in the course which he has taken, because I assumed that he could not afford to let this bill die.

Mr. WARREN. It was not a matter we gave up easily, I assure the Senator.

Mr. BORAH. However, I do want to say at this time that I think it very unfortunate that the Legislative Reference Bureau is not to be taken care of, but I assume it is possible to do it a little later. Is not that the case?

Mr. WARREN. It is. There probably will be further deficiency appropriation bills.

Mr. FLETCHER. My information is that without the money which the Senate provided they will practically suspend their work and be unable to carry it on.

Mr. WARREN. I am unable to say what the daily expenditure for that bureau is. I suppose from day to day it varies. I do not know what amount they still have unexpended, but they have some.

Mr. FLETCHER. I think it very unfortunate that the Senate amendment could not be retained. I find no fault with the Senate conferees, but it is very unfortunate that the amendment was not retained.

Mr. KING. May I inquire of the Senator the reason for the Legislative Reference Bureau exceeding the appropriation, when they knew that Congress had fixed a certain amount for the year?

Mr. WARREN. Mr. President, that is a very pertinent question, and answering it on the lines of the rule and good procedure, they had no right to do it. On the other hand, during the war the morale of the legislation has run down to some extent and we have been compelled to submit to deficiencies of various kinds, which we are trying to cut down; but now with the hangover of the war, especially the hospitalization and schooling of ex-service men, which we can not calculate long beforehand, quite large amounts must be brought in to be provided for in these deficiency bills.

However, let me say that the bureau which is now under discussion is the creature of and subservient to the whole of the House and the Senate—to the various Representatives and Senators as they ask for help in preparing legislation. I am not one of those who wish to criticize those men, situated as they are, who are almost bound to keep up with the work they are called upon to perform in these various requests.

Mr. BORAH. May I ask a question for enlightenment as to future action? The amount which was put on in the Senate and disagreed to by the House is to be cut out of the bill. The amount which remains, I understand, will be practically of no benefit whatever. So what is the use of appropriating anything at all if we have so crippled the Legislative Bureau as to make it worthless?

Mr. ROBINSON. What is the amount which will be left if the Senator's motion to recede is agreed to?

Mr. WARREN. This is a deficiency. An appropriation has already been made in another bill, I think, of $35,000, which is a very liberal amount, for the coming year.

Mr. KING. As I understand, this is a deficiency?

Mr. WARREN. It is provided for in the legislative bill, which has already passed, providing for the coming fiscal year.

Mr. ROBINSON. When will this work cease if this item goes out and there is no further appropriation along this line?

Mr. WARREN. They will be able to draw on the funds already appropriated for next year on the 1st of July.

Mr. ROBINSON. When will the work actually stop—on the 15th of April?

Mr. WARREN. The Senator from Illinois [Mr. McCORMICK] probably has advised himself about it. I could not tell that.

Mr. ROBINSON. So there will be a period between the 15th of April and the 1st of July when the Legislative Reference Bureau would cease to function?

Mr. WARREN. The question is whether it will cease to function altogether or whether they would suspend a part of the corps, the other part undertaking to carry on the business. If they wish to cooperate and to do as the Senator, I know, would advise, the best they can under the circumstances, they would not close their doors—they would go on—because they certainly will be provided for otherwise.

Mr. ROBINSON. How would they be provided for?

Mr. WARREN. As I have said to the Senator, I expect we shall have undoubtedly another deficiency bill before the end of the fiscal year, and I hope at that time we will not be tied up, as we are in this bill, with a great amount of money due and payable as soon as the bill is passed, which rather forces us to spend less time in struggling with the conferees than we might spend under different circumstances.

Mr. ROBINSON. I should have imagined that since the adoption of the Budget system this difficulty would be practically an impossibility.

Mr. WARREN. The Budget is not to blame. The Budget Bureau estimated for this amount the same way as with other Senate items.

Mr. ROBINSON. The Senate embraced the amount which the Budget Bureau recommended?

Mr. WARREN. The Senate did not exceed it. I want to recall one remark I made. There is one line of action under the bureau, what may be accounted for by our office here, and included in it the Library of Congress, and hence, instead of having a large line of bureaus, we excepted this one—the Capitol—in the Budget law, and we are not called upon to report to the Budget Bureau, but I think there was submitted the pay roll of the Senate and the pay roll of the House and the pay roll of the Library, and so forth.

Mr. ROBINSON. How does the deficiency arise? I think the Senator stated it, but I did not understand the statement.

Mr. WARREN. The Senator knows, of course, because he was a very able member of the Committee on Appropriations for a long time, that in these appropriations for 12 months the instructions should go out, and usually do, to the departments, that they allocate the sums for the various months so as not to exceed the amount appropriated. In this case I do not know whether they allocated or not, or whether it would be possible to do it, because Congress may or may not be in a long session, and I assume that on the calls of Senators and Members of the House for help in drafting bills, they have expended so much money that they feel that it is necessary to have this extra amount. Whether they have worked to their best advantage, and as many hours as a Senator does, or whether they have applied the eight-hour rule, and lived by it, I can not say.

Mr. ROBINSON. Mr. President, I am not sure but what if the Senate had union rules work would be more efficient. I am thinking a little bit about joining the union.

Mr. WARREN. I think there would be more work and less gas if that were the rule.

Mr. ROBINSON. I think the Legislative Reference Bureau has performed a valuable service.

Mr. WARREN. I agree with the Senator.

Mr. ROBINSON. I regret that it is to be crippled for lack of necessary funds. The opportunity has not been afforded me to know whether its funds have been judiciously administered or expended, but I take it that the Senator from Wyoming and his associates of the Senate committee believed that this additional sum was necessary and desirable. I regret very much that the work of this bureau should be discontinued. If it is not discontinued, it is perfectly apparent that it can not function with efficiency during the remainder of this fiscal year. It will be so hampered from want of funds that its activities will be very greatly circumscribed.

Manifestly, if such a service is to be provided for, it ought to be made adequate; it ought to have sufficient funds to enable the bureau to act promptly and to procure the information which Senators and Representatives desire as speedily as may be possible. If the funds are so limited and the force restricted accordingly that the Reference Bureau can not promptly furnish information, it might just as well be abolished. I very much regret that it was not found practicable to retain this item in the bill.

Mr. WARREN. That, however, is not just now the issue. The issue now is a motion that we recede on the two amendments which I have stated as to the General Accounting Department.

Mr. FLETCHER. Mr. President, I am not opposed to the motion, and I am not going to stand in the way of the action which the chairman desires to have taken on the bill. However, I do feel like calling attention to one other item, because

I am afraid, while the chairman is fully advised about it, that the other conferees, particularly in the other body, did not thoroughly understand the situation.

Last fall Florida suffered from the effects of a very considerable West Indian hurricane which blew up out of the Gulf and swept along the southwestern coast of the State. It blew away a great many of the marks and aids to navigation along the Gulf, up the coast, the Manatee River, and Hillsboro Bay, and that region of the State. The people navigating ships there now have very great difficulty in getting along without these lights and other aids to navigation.

When the bill came over to the Senate, the Department of Commerce reported that situation to the chairman of the committee in a very strong way and recommended that the appropriation for the Lighthouse Bureau be increased $60,000. The chairman very properly and considerately offered an amendment to that effect and the amendment was agreed to in the Senate. It has been yielded in conference, and the result will be that the people in that region, navigating those waters will have to get along as best they can without these aids to navigation, because the Bureau of Navigation states they have not the money with which to supply them. They have been blown away by a hurricane, a very disastrous storm, and it leaves them without any means of replacing them.

I hope that condition will not have to continue very much longer and that a way may be found whereby at least some remedy may be provided for that condition. I regret very much that the conferees on the part of the Senate found it necessary to yield on that amendment, but I would not oppose the action which the chairman asks on the bill. I merely wanted to call attention to the facts, because there was no discussion about it in the Senate, and I am a little afraid the conferees did not understand the situation.

Mr. WARREN. I think that is true as to the conferees on the part of the House, because it seems that either the magnitude of the damage had not been understood or the proper witnesses were not called. The feeling on the House side was that they had included in the $60,000 sufficient until the matter could be taken up further, and they so insisted in conference. It is true that the head of the department later wrote to the chairman of the Committee on Appropriations of the Senate explaining the situation, and the Senate included the item. It went to conference and we struggled to maintain it, but it was one of the nearly 100 differences we had which we were compelled to surrender.

Mr. KING. I want to ask the Senator from Wyoming one question, in view of the statement he made a moment ago that there would be another deficiency bill shortly.

Mr. WARREN. I am assuming that there will be. I have no authority to say that there will be one.

Mr. KING. Is it apparent, from the Senator's knowledge of the fiscal affairs of the Government and the expenses, that there will be deficits in the various departments before the expiration of the present fiscal year?

Mr. WARREN. Most likely.

Mr. KING. How many deficiency bills have already been reported?

Mr. WARREN. This is the second one.

Mr. KING. Then before the end of the year it is quite likely that the deficiencies will aggregate $300,000,000 or $400,000,000?

Mr. WARREN. I will not say that. If unfortunately we may have to run quite far into the summer, there would be a line of judgments and certified accounts, which are always taken up in the last days of the session, which must be provided for through a deficiency appropriation bill; also other matters.

In the first place, let me say that ninety-odd million dollars of the $120,000,000 is for the veterans. Then there is an appropriation of $27,000,000 to refund the taxes which have been erroneously collected from the people. Then there are many judgments, which I shall not undertake to enumerate. There are also other amounts which we have to pay. It is not a matter of pleasure, but a matter of necessity.

Mr. KING. Then, with the Budget system and with the appropriations made in accordance with it, we have not been able to determine what the appropriations should be, but have been compelled to pass two deficiency appropriation bills and may be compelled to pass two or three more? The Senator from Wyoming nods his head, which, I presume, indicates assent.

Mr. WARREN. I do not know whether the appropriations will be small or large, but the usual method is at the end of the session to sweep up and clean up these matters in a small deficiency appropriation bill.

Mr. MYERS. Mr. President, I gather from what I have heard of what has been said during the last few minutes that the motion of the Senator from Wyoming, the chairman of the Committee on Appropriations, if agreed to, would eliminate from the bill the deficiency appropriation for the continuous maintenance of the Legislative Reference Bureau in the Congressional Library. Is that correct?

Mr. WARREN. The simple truth is that the regular bill failed to carry a matter of six thousand or seven thousand dollars—I do not remember the exact sum, although if it were at all in issue I could state it—of the appropriation for the Legislative Reference Bureau. Whether they close for the time being is a matter for them to determine; but there is no necessity of their entirely discontinuing, although they may have to dispose of some of their clerical force.

Mr. MYERS. According to the Senator's motion, the Senate would recede from the Senate amendment increasing the item for that bureau?

Mr. WARREN. The Senator misunderstands the motion. That matter has been disposed of and is beyond question. I am asking that the Senate recede from two other entirely different amendments which relate to the Accounting Department in the office of the Comptroller General.

Mr. MYERS. The matter as to which I have made the inquiry, then, is not involved in the Senator's motion?

Mr. WARREN. No; it has nothing to do with it.

Mr. MYERS. I am glad to be enlightened on that point. I should very much regret if there should not be a sufficient appropriation made for the continued operation of the Legislative Reference Bureau. I believe that is a valuable bureau, and if we are to have the benefit of it at all, it seems that it should be in operation all the time. It appears to me that it would be folly for it to operate only during a part of the year and then to suspend for a few months by reason of a lack of funds. I have felt that it was in danger of having to do that unless it could obtain a larger appropriation than Congress has granted. The Senator from Wyoming, the chairman of the committee, now informs me that that question is not involved in the motion which is pending. I hope, however, that a sufficient appropriation has been made, or may be made, for the maintenance of the Legislative Reference Bureau, so that it may continue in operation without any suspension at any time during the year.

Mr. FRANCE. Mr. President, I will say that I quite agree with the Senator from Montana. I think it is very unfortunate that the appropriation for the Legislative Reference Bureau should be reduced.

I also suggest to the chairman of the committee that the appropriation to replace mariners' lights which have been swept away by storms is a matter of very great importance. It is very true that the omission of this item may result from a misunderstanding, but I think it is very unfortunate to have the lives of mariners and people who are sailing the seas imperiled and perhaps lost as the result of such a misunderstanding. It seems to me that it is imperative to have legislation providing for such an appropriation at once. The imperative need will be quite obvious to anyone who has been accustomed to sailing the seas. I hope that the committee has in mind legislation to take care immediately of that need.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Wyoming.

Mr. HARRISON. Mr. President, before the question is put I wish to ask the Senator from Wyoming how much does the pending appropriation bill carry?

Mr. WARREN. Speaking roughly, I should say it carries an appropriation of one hundred and twenty-odd million dollars. I am speaking without having all the items before me. I have, however, several appropriation bills in mind just now, so I may be a little incorrect.

Mr. HARRISON. When the bill passed the Senate it provided an appropriation of $137,000,000 and something over. Those were about the figures, but I presume since then the amount carried has been somewhat reduced. This is the third deficiency bill, is it not?

Mr. WARREN. In its present form the bill carries a little less than when it passed the Senate; but it is the second deficiency appropriation bill, I will say to the Senator.

Mr. HARRISON. The Senator says this is the second deficiency appropriation bill?

Mr. WARREN. Yes.

Mr. HARRISON. The Senator is not now counting the urgent deficiency bill, is he?

Mr. WARREN. The urgent deficiency appropriation bill was No. 1 and this is No. 2.

Mr. HARRISON. Can the Senator give us roughly the amount which is carried in the deficiency appropriation bills up to date, including this one, during the present session of Congress?

Mr. WARREN. The appropriations carried by the deficiency bills amount to something over $200,000,000.

Mr. HARRISON. Would they not amount to nearer $300,000,000?

Mr. WARREN. No.

Mr. HARRISON. The urgent deficiency appropriation bill, as I understand, carried $50,550,000; the first deficiency appropriation bill carried $105,277,000; and this bill as it passed the Senate carried $137,000,000.

Mr. WARREN. The Senator from Mississippi confuses the two sessions of Congress, perhaps, for we have only had two such bills in this session of Congress, which commenced in December last.

Mr. HARRISON. I am including the first one, which was for $50,000,000, and which was passed at the first session of the Sixty-seventh Congress. Is that correct?

Mr. WARREN. But this is the second session of the Sixty-seventh Congress.

Mr. HARRISON. What other deficiency bill, may I ask the Senator, was passed in the last session of Congress?

Mr. WARREN. The Senator is asking me, without my having the books before me, to cover a period running some time back, but I think there were, perhaps, as many as two and possibly three such bills passed during the last session.

Mr. HARRISON. And the appropriations contained in those bills amounted to about $382,000,000?

Mr. WARREN. I have not the figures before me.

Mr. HARRISON. Those are the figures contained in the book.

Mr. WARREN. They are correct, if they are in the book.

Mr. HARRISON. I thought so. So, during the last session of the Sixty-seventh Congress we appropriated in deficiencies $382,000,000, and up to date the deficiency appropriations during the present session of Congress, which is a little over three months old, total around $250,000,000. That is approximately correct?

Mr. WARREN. If the Senator from Mississippi is working along the line of comparisons, I might call his attention to the fact that the deficiency appropriations during the present session are Lilliputian compared with the deficiencies which we passed a few years ago.

Mr. HARRISON. I think the Senator misunderstands what I am driving at. I merely wanted to get the facts into the RECORD as to the amount of the deficiencies.

Mr. WARREN. I think I understand what the Senator is driving at.

Mr. HARRISON. I had hoped, as had other Senators, that after we had adopted the Budget system and had fixed our pattern that we would work toward it and that we would not have so many deficiencies.

Mr. WARREN. That is what we are doing.

Mr. HARRISON. Of course, I recall that during the World War——

Mr. WARREN. We now have fewer deficiency bills and they appropriate far less amounts.

Mr. HARRISON. I recall that during the World War necessarily we had to appropriate great amounts of money in the way of deficiencies. One bill, as I recall, carried several billion dollars; but before the war no deficiency bill ever carried more than $50,000,000, and I do not think we ever passed at any time more than two during any session; certainly at no session until our entrance in the war did Congress ever appropriate more than $75,000,000 in deficiencies.

Mr. WARREN. But the Senator understands——

Mr. HARRISON. If the Senator will permit me to continue, I desire to say that after we had adopted the Budget system we thought we would eliminate the necessity of appropriating money in deficiency bills; but we find that within three months we have appropriated practically two hundred and fifty-odd million dollars in deficiencies. So the Budget system is working splendidly up to date.

Mr. WARREN. Let me say——

Mr. BORAH rose.

Mr. WARREN. If the Senator from Idaho will excuse me for a moment, let me say the Budget system is working splendidly, and the Senator will have to admit it after it shall have had a fair trial. The Senator remembers that we are not yet out of the war; we are in the war to-day, and we shall be for a long time, so far as expenses are concerned. In fact, the very bill which is now before the Senate is almost entirely made necessary on that account, and so have been all of the other deficiency appropriation measures.

Almost a half billion dollars has had to be appropriated for the veterans of the war alone; and as the demands from that quarter increase from time to time they must be provided for in deficiency bills. That is a part of the war expenses proper. Nearly all of the judgments for which provision is made in the bill grow out of the hurry and scurry of war, when we were compelled to take property without proper compensation, to overturn patents, and to take wherever we liked; also to erect buildings on a cost-plus basis, as we did in a great number of instances. We have to clean all that up afterwards.

Mr. BORAH. Mr. President, I do not desire to delay a vote upon this matter; but, inasmuch as the Budget system has been mentioned, I desire to say that the idea has gone abroad throughout the country that by reason of the adoption of the Budget system some of the responsibility for appropriations has been lifted from Congress. The fact of the matter is that the Budget system will be an utter and absolute failure if Congress does not do its duty in cutting down expenses and appropriations. So long as the Congress creates bureaus and provides that method of expending money, the Budget Bureau can not do other than make an estimate for the bureau which we have created. The responsibility is still upon Congress——

Mr. WARREN. Exactly.

Mr. BORAH. And it can not be transferred to any other body so long as the Constitution of the United States remains as it is.

Mr. WARREN. That is correct.

Mr. BORAH. The Congress of the United States will have to assume the responsibility to the people of the United States for all appropriations.

Mr. JONES of Washington. Mr. President, if the Senator from Wyoming will permit me, I should like to add that the Budget system has been in operation only a little over six months, the law having been signed, as I recall, in June of last year.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming that the Senate recede from its amendments numbered 26 and 27.

The motion was agreed to.

Mr. WARREN. Mr. President, that leaves one matter still open, namely, amendment of the Senate numbered 60, to which the House has added an amendment. I move that the Senate concur in the amendment of the House to Senate amendment numbered 60.

The motion was agreed to.

Mr. UNDERWOOD. As I understand, that disposes of this particular bill?

Mr. WARREN. Yes; it disposes of the bill.

FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. RANSDELL obtained the floor.

Mr. JOHNSON. Will the Senator yield for a moment, in order that I may present a reservation, which I ask may be read, and then that it may be printed and lie on the table?

Mr. RANSDELL. I yield.

Mr. JOHNSON. I offer the proposed reservation because it represents the concentrated wisdom of the majority of the Republican members of the Foreign Relations Committee, or, rather, it did represent that concentrated wisdom at one time.

Mr. POMERENE. Mr. President, will the Senator please state when that was?

Mr. JOHNSON. When the Foreign Relations Committee was acting upon reservations to the pending treaty the proposed reservation represented the concentrated wisdom, I assert, of the majority Republican members of the Foreign Relations Committee.

Mr. HARRISON. Mr. President, may I ask if it represented then the wisdom of the majority members of the committee, why was it changed?

Mr. JOHNSON. Because some of the Republican members changed their minds the following day.

Mr. HARRISON. In the committee?

Mr. JOHNSON. In and out of the committee. [Laughter.]

The VICE PRESIDENT. The reservation intended to be proposed by the Senator from California will be stated.

The ASSISTANT SECRETARY. The Senator from California proposes the following reservation to be made a part of and to be incorporated in the resolution of ratification:

The United States understands that it assumes no obligation, either legal or moral, to maintain the rights in relation to the insular possessions or insular dominions of any of the other high contracting parties, and that the consent of the Congress of the United States shall be

necessary to any adjustment or understanding under articles 1 or 2 by which the United States is to be bound in any way, and that there is no obligation, either legal or moral, to give such consent.

The VICE PRESIDENT. The reservation will be printed and lie on the table.

Mr. SHIELDS. Mr. President, will the Senator from Louisiana yield to me for a moment in order that I may present a reservation?

Mr. RANSDELL. I yield with pleasure.

Mr. SHIELDS. I present a reservation which I ask may be read, printed, and lie on the table. It is one, I think, that will not provoke any argument, but will be accepted in view of the explanations made here in the Chamber by the two American delegates who are Members of the Senate.

The VICE PRESIDENT. The reservation proposed by the Senator from Tennessee will be stated.

The ASSISTANT SECRETARY. The Senator from Tennessee proposes a reservation, to be incorporated in the resolution of ratification, as follows:

Provided further, That the United States gives its consent to the foregoing treaty and becomes a member thereof for the sole purpose of aiding, by its friendly offices and efforts, in removing friction and controversy between the several high contracting parties concerning their insular dominions and possessions in the Pacific Ocean in the regions described and without purpose to depart from the traditional American foreign policy which forbids participation by the United States in the settlement of political questions and contentions of foreign nations and Governments.

Mr. ROBINSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. ROBINSON. Is there now pending any amendment to the treaty?

The VICE PRESIDENT. There is no amendment pending.

Mr. ROBINSON. If the Senator from Louisiana will yield to me for that purpose I will submit an amendment, and ask that it may be read, so that it may be the pending question.

Mr. RANSDELL. I am glad to yield.

The VICE PRESIDENT. The Senator from Arkansas proposes an amendment, which will be stated.

The ASSISTANT SECRETARY. At the end of article 1 it is proposed to add the following:

Each of the high contracting parties will refrain from entering into or being a party to any secret treaty, agreement, or understanding with any other power or powers during the life of this treaty.

Mr. RANSDELL. Mr. President, it gives me much pleasure to support the pending four-power treaty, and to express the earnest hope that it will be ratified without much further delay and by a large majority. This treaty is indissolubly connected with the treaty limiting naval armaments and with that relating to the principles and policies to be followed in matters concerning China. In my judgment these three treaties must stand or fall together. The reasons which induced the negotiation of one contributed strongly to the other two and vice versa. They were created by the same conference, at practically the same time, by the delegates who were assembled to consider the identical questions relating to reduction in navies and to peace in the Pacific and Far East that are included in these three treaties. I can not differentiate between them in such manner as to support one or two and oppose the third, hence I shall vote for all three.

So far as I can ascertain, there is practically no opposition in the Senate to the treaty which binds the United States, the British Empire, France, Italy, Japan, Belgium, the Netherlands, and Portugal to respect the sovereignty and independence of China, and very little objection to the agreement of the United States, the British Empire, France, Japan, and Italy to reduce materially the capital ships in their respective navies. But there is much difference of opinion as to the four-power treaty, and it should be considered with the greatest care.

This latter treaty between the United States, the British Empire, France, and Japan is couched in brief, simple language, which seems easy to comprehend. Article 1 binds the four contracting parties as between themselves to respect their rights in relation to their "insular possessions and insular dominions" in the region of the Pacific Ocean. In case of controversy between themselves arising out of any Pacific question and involving their said rights, not satisfactorily settled by diplomacy, they agree to have a joint conference of the four contracting powers for consideration and adjustment.

Article 2 provides that if their aforesaid rights are threatened by aggressive action of any other power, the four signatories shall communicate with one another in order to arrive at an understanding as to the most efficient measures to be taken to meet the exigencies of the situation.

Article 3 fixes the terms of the treaty at 10 years.

Article 4—the last—provides for ratification of the treaty according to constitutional methods of the high contracting parties. It also states that when this treaty is duly ratified the Anglo-Japanese Alliance of July 3, 1911, shall terminate.

An explanatory declaration attached to and made a part of the treaty recites that the controversies between themselves referred to in article 1 shall not be taken to embrace questions lying exclusively within the domestic jurisdiction of the respective powers.

And a supplementary treaty on the same subject was agreed to, which defines the meaning of the term "insular possessions and insular dominions" in its application to Japan.

When the treaty was submitted to the Senate and referred to the Committee on Foreign Relations a reservation, offered by Senator BRANDEGEE, was accepted by that committee and is now before the Senate, which reads as follows:

The United States understands that under the statement in the preamble, or under the terms of this treaty, there is no commitment to armed force, no alliance, no obligation to join in any defense.

This reservation is intended to prevent any misconception in the minds of anyone, either in this country or abroad, as to the real meaning of the treaty. It neither adds to nor takes from the treaty, as I construe it, but it can do no harm and may do good, hence I shall vote for it.

This is the treaty. Let us analyze it and try to ascertain its true meaning. This can best be done by first stating the principal reasons which led to its adoption, as follows:

(a) There has been a great deal of friction for many years among all the leading powers in regard to China, especially since Japan took possession of Shantung in 1915, and has treated it practically as a conquered province.

(b) The failure of Japan to withdraw her military forces from Siberia after the United States Army retired from that country in the spring of 1920 has added fuel to the flames.

(c) China and Russia have been strong friends of the United States for the last century, and whatever affects either or both of them adversely arouses deep interest in America.

(d) On the Pacific coast of the United States a number of domestic problems connected with Japanese immigration and land ownership have caused much crimination and recrimination.

(e) The United States has vast responsibilities in the Far East through its ownership of the Philippines, which are 7,000 miles away from the mainland of America.

(f) There has been in existence for 20 years a treaty of alliance and defense between the British Empire and Japan which binds Great Britain to conduct war in common with Japan in order to defend its territorial rights or special interests.

(g) Japan is in close proximity to the Philippines; there is a very large Japanese population in the Hawaiian Islands; Japan has exhibited a remarkably militaristic spirit in her recent wars with China and Russia, her forcible absorption of Korea, and her continued hold on Shantung and Siberia.

(h) The three leading naval powers have been engaged in a race of giant battleship construction, the United States setting the pace, Japan following as fast as she could, and Great Britain, mistress of the sea for more than a century, panting in her effort to keep up a navy equal to ours.

Owing to these matters and a variety of others there was a deep feeling of anxiety throughout the world in regard to the Pacific and the Far East prior to the opening of the Conference on the Limitation of Armaments.

Such was the situation and such the temper of the world on the 12th day of last November, when the delegates of nine great countries assembled in Memorial Continental Hall in this city on our invitation. President Harding opened the conference with a strong plea for service to mankind in the spirit of simplicity, honor, and honesty. Then came the address of Secretary Hughes, in which he detailed the plans prepared by himself and his colleagues for a practical, substantial limitation of capital ships and a naval holiday of 10 years.

As Mr. Hughes elaborated his concrete program for reducing the navies of the United States, Great Britain, and Japan by scrapping a large number of big battleships, aggregating 1,878,043 tons, and fixing the tonnage of capital ships at 525,000 tons each for the United States and the British Empire and 315,000 for Japan, his auditors heaved a sigh of relief and broke forth in spontaneous, long-continued applause.

The American spokesman had laid all his cards face up on the table and written a new chapter in international diplomacy. Humanity breathed easier from that hour. It was a great triumph for the representatives of our country. I have never felt prouder of being an American citizen than on that occasion. The work of the conference was conducted as it began, in a

spirit of honesty, fairness, and absolute frankness and openness. For three months the delegates labored faithfully and well. As a result they have presented to us five treaties, the three most important of which I have briefly outlined above.

In addition, and as a direct result of this conference, China and Japan have entered into a satisfactory treaty by which Shantung is restored to China, and that great source of trouble has been removed. As a further result of the conference Japan has made definite promises to withdraw her military forces from Siberia as soon as a satisfactory adjustment of her claims have been arranged with an orderly Russian government.

The origin and source of this conference was the necessity for maintaining peace in the Orient, and peace will be maintained if all the treaties negotiated by it are ratified.

To approve the naval disarmament plan and refuse to ratify the four-power treaty would, in my judgment, be a fatal mistake. Indeed, I very much fear that if the defensive alliance between Japan and Great Britain, which is to terminate upon the ratification of the four-power treaty, be allowed to continue in existence, owing to failure of ratification of this treaty, there will be such dissatisfaction in America, Great Britan, and Japan that the fate of the naval disarmament treaty will be greatly jeopardized, if it be not thereby defeated.

If the United States is to reduce the number of its battleships—and every lover of his country should wish to see that done, provided it can be accomplished safely—then Great Britain and Japan must terminate the alliance between them, the continuance of which would seriously threaten our country.

Many who are willing, aye, who are anxious, to reduce the number of our colossal battleships proportionately to a like reduction in the ships of Great Britain and Japan would be unwilling to see our Navy seriously crippled while an alliance continues between Japan and Great Britain providing specifically for the union of the fighting forces of these two great nations in case of trouble with any other country.

If the four-power treaty be ratified, and not alone Great Britain, Japan, and the United States but also France be joined in a friendly understanding to keep the peace of the Pacific and the Far East, at least in so far as their insular possessions and insular dominions are concerned, and at the same time the alliance between Great Britain and Japan is terminated, there is no reason why the limitation of naval armaments should not be carried out with very great benefit to all the world, and with no loss to any nation of its relative strength on the sea.

The four-power treaty is merely an agreement between the four countries which are most powerful in the Pacific to meet in friendly conference with a view to ascertaining all the facts and doing everything possible to adjust any differences between themselves that may arise in regard to their insular possessions or insular dominions in the Pacific. It is not an alliance. It does not bind any of the nations to engage in war for the benefit of the other nor to refrain from going to war with one or the other if an adjustment of their differences is found impossible after full conference and earnest efforts at settlement.

Article 1 in substance creates a court of conciliation, composed of the two other powers, who shall give their good offices whenever trouble arises between two of their associate powers. Representatives of the four countries assemble, and there is a full, frank discussion of the points in dispute; there is an actual finding of the facts in the case and a hearing of all the arguments pro and con. The two disinterested powers can then express their views so clearly and simply as to result, in most cases, in their being accepted. The experience of mankind has proven that most trouble between individuals—and the same is true of nations—arise from misconception, from ignorance of the other party's viewpoint, and whenever individuals or nations can be induced to thresh out their differences in detail, with the assistance of disinterested friends, there is generally a satisfactory adjustment, or, at least, there is no resort to hostilities.

It must not be overlooked that this conference of the four powers, assembled to consider a difference arising between two of them, will, in all probability, be conducted publicly, just as the proceedings of our recent conference were carried on, and if that plan be followed the public opinion of the world will assist in arriving at a proper settlement. I regard this as a most important feature, for there is nothing so strong on earth as well-informed public opinion, and there is no reason why we should not have the most intelligent public opinion on a matter of international import when the conferees of these four great powers get together, determined, in the spirit of the four-power treaty, to adjust any and all differences if possible.

As to article 2, providing for the adjustment of differences between one of the high contracting powers and any other power, the same general principles would apply. To illustrate, let us suppose that Russia and Japan should fall out in regard to Sakhalin and their differences should cause grave fear of a resort to arms. It would then be necessary for the United States, Great Britain, and France to join in a conference with Japan with a view to a settlement of these difficulties. In order to do justice these three powers would be obliged to hear as fully and freely as possible both sides of the case; hence Russia, as well as Japan, would be permitted to present its witnesses and arguments. In fact, these three powers would sit substantially as a court of arbitration, neither of them having any personal interest in the controversy and all anxious to maintain peace between Russia and Japan. In such a case it is inconceivable that the United States and France, which for a century have been close friends of Russia, would consent to any adjustment that did not render substantial justice to Russia. In fact, Russia in that event would have two of its best friends sitting in the conference called to adjust its differences with Japan, and it certainly could not complain of such a tribunal.

The same is true as to China in case it should have trouble with Japan and a conference between the four powers be convened, as provided by article 2. China has been and, I believe, always will be a close friend of the United States. There is also warm friendship between France and China. These three countries have demonstrated their affection for each other in many ways. Surely there would be no danger of an adverse decision to China in such a conference if the United States and France could avoid it.

I do not mean to intimate that these great powers would be too friendly to China or Russia and unfriendly to Japan. Such an idea is far from my mind, but I do contend that the tribunal, or conference, or whatever it is called, provided for in article 2, furnishes a fair-minded, just medium, which will come as near to a satisfactory settlement of international difficulties as any method that can be devised.

All will agree that the recent Conference on the Limitation of Armament has already been distinctly helpful toward world peace. It has removed many of the suspicions and anxieties that harassed the citizens of China, Great Britain, Japan, and our own country, to say nothing of other nations which are more or less interested in Pacific problems. Why can we not expect similar good results from a conference of the delegates of the four great countries who are parties to this treaty whenever they meet for the purpose of discussing international questions? Our only safe criterion for the future is the past. Conferences of the past have usually resulted in good. Why may we not expect good from those of the future?

I was a strong advocate of the League of Nations and deeply regretted the failure of the United States to join therein. That is a matter of past history, however, and we must deal now with the living present. The four-power treaty, in so far as the four leading nations of the world are concerned, very closely resembles the Versailles treaty except that it contans no threat of force nor anything bordering on force unless it be the force of public opinion. It was the alleged presence of this element of force in the Versailles treaty which was largely responsible for its defeat. I would gladly support a 12-power treaty, composed of the 12 leading nations of earth, or a greater number, applying to all questions of international controversy between themselves and others the same principles and policies which the four-power treaty applies to controversies arising out of the insular possessions and insular dominions in the Pacific of the four signatories. But such a treaty is not before us, nor is there the least likelihood of such a one being negotiated. I can imagine treaties much more far-reaching, comprehensive, and beneficial than the four-power treaty, but as a practical legislator I feel impelled to deal with what is before me and not with what I would like to have. Therefore, believing that this treaty contains much good and no evil, I shall gladly vote for it.

Mr. WILLIAMS. Mr. President, I was accused yesterday of having unnecessarily and unprovokedly dragged the Irish-American citizenship of America into this discussion. The charge, if it be a charge, the insinuation, if it be an insinuation, is false. Nobody has a right, as a so-called hyphenated American, to erect himself into a power within America and to attack the motives and the courage and the patriotism of everybody who differs with him without expecting some return in kind.

I did not bring these people into this controversy; they brought themselves into it. I have been receiving, as all Senators have been receiving, an almost daily "news-letter" from the "Friends of Irish Freedom," from the National Bureau of Information in the city of Washington. I have been reading these communications, in which they attack me and every other man who is supporting these treaties as being disloyal to

America and a sort of hired agent of Great Britain, until I got tired of it.

I have no respect for a man who makes an attack upon another and then, when his attack is replied to, pleads the baby act and says, "You are hitting me." I never hit anybody unless that body has previously attempted to strike me.

I hold in my hand one of the many vilifying utterances of this association. It is dated March 11. Amongst the other things it says are these:

Those who favored "entangling alliances" and said that if the various treaties were to be ratified by the Senate speedy action was necessary, spoke by the card. Every hour adds to the chances of defeating the un-American alliance.

The "un-American alliance"! Mr. President, one of my ancestors lay in a British prison ship six months before he could be exchanged. Another of the family is buried at Kings Mountain, and buried where he died, and these fellows are coming up telling me about something that is "un-American"! They go on:

The return of Secretary Hughes is awaited with undisguised interest by the American delegates, LODGE and UNDERWOOD, who have themselves admitted that they knew nothing of the secret negotiations leading up to the four-power pact.

Of course, they confess they knew nothing about "the secret negotiations," if there were any, because if there were any they were secret. I happen to know a little something about the ancestry of the Senator from Alabama [Mr. UNDERWOOD], a good old Kentucky family, going away back to the Revolutionary War, and serving in that war against British oppression and British tyranny, and here are these little newborn, hyphenated Americans charging him, as well as me, with something "un-American"! What they meant was something "un-Irish," and we might just as well be plain about it. They go on:

Republican opponents of the Versailles treaty and the League of Nations are filled with righteous indignation over the opposition to the "harmless" four-power pact. Opposition Senators declare that if there was any real warrant for complaint over the alleged failure of Woodrow Wilson to supply data concerning the Versailles treaty, far better ground for distrust exists now because of the frank admission that no data on the evolution of the Pacific treaty are in existence.

"The alleged failure of Woodrow Wilson to furnish information." Who alleged it? The German-American and the Irish-American societies in the United States, the very fellows who are alleging this.

The doors of the Washington conference were closed to the people.

The only instance in all history, except at Versailles, of full accounts beforehand and afterwards being sent out to the press of the whole world as to what people were talking about and what people were trying to do in diplomatic circles took place here at the city of Washington. Any man who pretends that anything was kept from him or from anybody else who read the daily newspapers in either of those conferences is guilty, in my opinion, of self-deception, not to word it more strongly.

The doors of the Washington conference were "closed to the people"!

What people? German-American people, who did not want to understand, even if they could hear?

And the result is that no one knows what happened behind those barred doors—except those who prefer to keep quiet about it.

I hold no brief for the Senator from Massachusetts [Mr. LODGE]. I never agreed with him about anything of a political character in my life, as far as I remember, and I hope to God I will die without having been guilty of ever agreeing with him about anything; but I do know something about the Senator from Alabama.

Those who prefer to keep quiet about it.

One of the peculiarities about OSCAR UNDERWOOD is that even when he wants to keep quiet he does not know how. I have frequently wished that he did know how.

Mr. President, before I go on with this, let me say that if there is one thing I despise in the world it is a man who makes an attack upon me and other people, and when I return the attack in self-defense "pleads the baby act." No man can go through this world hitting other people, if he is a sure enough man, without expecting other people to hit him back. Let us see further what this says. It goes on:

The Times—

That is, the New York Times—

is plainly worried, not regarding the effect of the treaties upon the United States but the effect the rejection will have on Great Britain.

The New York Times, not an American paper but a British paper, according to this fellow, does not regret anything which may happen to America, but is regretting what may happen to Great Britain. As far as I know, none of its subscribers, none of its editors, and none of its writers are British subjects; they are all American citizens. This is a miserable, contemptible, and cowardly attack, and yet when you resent it, there is "the baby act" plea in response to you.

She won't like us any more—

"She" is Great Britain—

won't try to make more treaties with us. We believe she will not—for a time, at least—and that the rejection of the treaties by the Senate of the United States will serve notice upon her that we stand for "no entangling alliances"—

As if any alliance could be otherwise than entangling; at least to the extent of its worded provisions—

and refuse to yield to the blandishments of her diplomats what could not be wrung from us as a nation on the field of battle.

From us, now, as a nation, "on the field of battle." The Americans who fought the War of Independence were Scotch and English and Welsh and Scotch-Irish. This crowd, now howling and pleading the baby act, had nothing to do with it. Twenty years after the Revolution a cardinal of the Roman Catholic Church, a Carroll of the State of Maryland, mentioned the fact that there were at that time but 26 Roman Catholic priests in America and 26,000 communicants, and most of those were English Catholics in the State of Maryland. If at that time Louisiana had been acquired, a great many of them would have been French Catholics and not Irish Catholics at all.

Who fought the battles of the Revolution? Did they fight them? They were not here to fight them. Most of them came over in the Irish potato panic and starvation period of 1848 and 1849, long after the War of the Revolution was over.

The Senate of the United States will never become a rubber stamp in the hands of those who like to "back out" in the presence of "royalty."

Accusing me of "backing out," and above all things "in the presence of royalty." God knows I never knew any royalty in my life, and never have had the slightest desire to know any, and nobody else of my kith or kin did. I belong to that race in Britain which never had any native nobility. The men who could sing and the men who could fight took charge in peace and took charge in war of the Welsh and British clans. We had no nobility.

All this, though, goes without saying, and the minute I reply to it by merely mentioning the names of the assailants, I must be accused, in the cloakrooms, at any rate, of "making an unprovoked attack upon the Irish-American citizenship" of the United States. I did not make the attack; they made it; and they made it upon me. They made it upon my honor; they made it upon my patriotism; they made it upon everything that my ancestors have gloried in, everything I have stood for, and everything that I hope my children and grandchildren will stand for. I say it is cowardly to attack me and then to plead the baby act, in or outside of the cloakroom, because I resent the attack.

Let me read a little further:

They indicate, merely—

Referring to the late attempts of the Parliament of Great Britain to bring about peace in Egypt and in India and in Ireland—a very laudable attempt, I think—but referring to them, this screed says:

They indicate, merely, that the scene of battle has been transferred from within the Empire to the United States.

A scene of battle in the British Empire "transferred to the United States." How? The fellow who wrote this, if it were one fellow, knows what he means; he knows how, and he is partially telling the truth. It was not the British Empire that attempted to "transfer the scene of battle," but the Irish-Americans of the United States. They hope to win in popular elections in America by the cowardice of politicians what they fear they might lose somewhere else—at home.

They indicate merely that the scene of battle has been transferred from within the Empire to the United States, where Great Britain hopes to accomplish by diplomacy and intrigue what she can not accomplish by force. The ruling class realizes that the conscience of the world has been awakened and aroused at the story of tyranny and oppression within her own domains, and that some effort must be made to satisfy an outraged public opinion, particularly in America.

Why "particularly in America"?

Mr. President, Great Britain has many sins to answer for—oppression in India, oppression in Egypt, oppression in Ireland. Her sins are her sins and not my sins. I and my ancestors parted from her long ago, and we are no longer responsible for her sins; we are not answerable for them before any tribunal of God or of men.

I never read Campbell's poem—

O'Connor's pale and lovely child; or, The flower of love lies bleeding—

without finding it difficult to restrain my tears. I know the sufferings of the Irish people in Ireland, not only of the Roman Catholic Irish in south Ireland when the Protestants were in control, but of the Presbyterians and the Episcopalian Irish in

north Ireland when Tyrone and the Roman Catholics under James II were temporarily in control. I know the whole long story of mutual outrages—women raped by both sides, children killed, men murdered. I have no sympathy with either of them. I have lost all sympathy with the majority, because I have been born and bred a member of the minority in this country, sectionally and politically. But it strikes me now and then that men who are worried to death about the freedom of the Irish under the British flag might take some little notice of the servility of the Filipinos and the dissatisfaction of the Porto Ricans under the American flag.

I do not want to keep any unwilling people subject to any flag anywhere—my flag or anybody else's. As a Senator of the United States I have no right to speak in my political capacity except concerning the subjugated races that are subjugated to my own flag, and for them I have always spoken. This paper continues:

Therefore she sends out offers of conciliation, of compromise, of concession, hoping to thus blind the people of this country until the end she seeks has been achieved here.

Who, Mr. President, doubts the power of Great Britain to reconquer Ireland to-morrow if she wanted to? The man who doubts the power of 50,000,000 brave people to reconquer 5,000,000 other brave people must be crazy. The most heroic struggle ever made in the history of the world against conquest was made by the people of the Southern States against those of the Northern States in this Union. We were at least one-third of our opponents in man strength, and we could keep the war up for only four years. The very men who talk about Great Britain "pretending to concede and compromise" are the very men who know that their only hope of life or safety consists in the magnificent common sense of the British people, which has declined to carry on a war of reconquest against Ireland—a people headed by that magnificent Welshman, David Lloyd-George, who stood in a position where he could mediate between the two races; who did not want to exterminate the Irish race; who did not want to reconquer Ireland; whose every thought and every idea and every instinct was opposed to it; and yet, instead of showing any degree of gratitude to him, this fellow writes it "is a mere pretense."

We did not find any such pretense from you men of Massachusetts and Illinois when we were down. You did not make any pretense that you were going to let us up. You not only carried your battalions, joined by all the $13-a-month men whom you could collect from Europe, against us but you kept up the war 10 years after the war had ended with carpetbaggers and scalawags and niggers. But we never pled the baby act. No southerner has ever yet pled it. We never sought a scapegoat; no southerner has ever yet sought one. It would have been easy for us to have blamed Jeff Davis and his cabinet and various other people, but we did not.

We just said, "The sin is ours if there be a sin; the subjugation is ours if it be subjugation. Meanwhile we are men and we are going to try to live as men, and we are not going to plead the baby act." Now, listen to this:

The liberty and independence—

Mark that, Mr. President—

of America are for the moment at stake.

The independence of America is at stake right now! Did you know that, Mr. President? You had not learned it, had you? Do you not know really that our independence is at stake right now? Our territorial integrity, I suppose, is also at stake. What upstanding southerner in this body or what northerner, either, is in the slightest degree afraid about the "independence" of the United States? Where are we right now as compared with the balance of the earth? Counting all the gold under our feet and sitting right on top of it and defying the world to get any of it—the balance of the world without cash or credit, and unable even to buy what we have—and now we are proposing out of pure partisan insolence to prevent the balance of the world from paying us even in the products of their labor, because we are threatening to put the highest protective tariff there ever was upon everything that they can possibly ship to us, so that we can say to them, "You have neither cash nor credit, and, so far as we are concerned, you have no products, either; so you can not trade with us at all."

The liberty and the independence—

The liberty—

and the independence of America are for the moment at stake.

This is not only the crowd that pleads the baby act whenever you resent their attack; this crowd is making the attack; it is the crowd that you wanted to let alone provided they would let you alone, but they would not. The liberty of the Senator from North Carolina is at stake! The independence of America is at stake to-day—

Through the intrigues of England, Japan, and France—

Generally they leave France out, because they think France has a sort of traditional friendship for us, and they cultivated it by leaving her out of their censures, but this time this monumental ass put her in.

And if liberty fades from the United States, then liberty is lost to the world.

This is not the fellow who was pleading the baby act, remember; this is the fellow who was making the attack bravely and valiantly, not braggartly or cowardly! That came later.

In defeating the designs England has on America at this time, and in throwing a ray of light on her propaganda—

Listen to this now—

the Friends of Irish Freedom feel that they are best serving the interests—

That they are best serving the interests of what? America? The United States? No; but of Ireland. His pen slipped again. Well, I frankly confess that I am not a Senator from Ireland. That is not all of this; there is a heap more of it. Speaking of the so-called English propaganda he says:

It has all but destroyed the facts of the Revolution.

Now, what was the outstanding fact of the Revolution? American independence. These united colonies became these United States. Is anybody who is not an ass contending that this fact of the Revolution is either destroyed or threatened at this minute? This was written by people who are not Americans; who take no glory in America; who take no courage from America, but imagine that they were standing for something outside of America in America's name.

It has all but destroyed the facts of the Revolution, and now reaches out to make this country a dependent of the British Empire.

That thing was sent to me and sent to some other Senators, I reckon; in fact, I reckon all of you received it. This little clique of hyphenated Americans imagined that you and I were asses enough to think we were about to become "dependents of the British Empire," or else they were plainly lying. They either thought we were fools enough to believe it, or else they knew we were smart enough not to believe it, and in that event were simply lying.

A dependent of the British Empire—more dependent than the original Colonies ever were—because "the forest of giant oaks" of American statesmen has all but fallen into decay.

My friends, who were the trees in "the forest of giant oaks of America" when we won the independence of this country? George Washington, English, every drop of his blood; Thomas Jefferson, Welsh and Scotch, every drop of his blood; the Randolphs, Scotch, with a little sprinkling of English; the Adamses, English all the way through, from old Samuel down to John Quincy and the modern family of that name; the Livingstons, Scotch and English. And, by the way, I picked up a paper this morning which referred to Andrew Jackson and Patrick Henry as being Irishmen. Patrick Henry's father and mother were born and raised in Aberdeenshire, Scotland, and neither he nor his father or mother ever saw Ireland in all their lives. He was named after his uncle, who was a clergyman of the Anglican Church, the Church of England, in Scotland, and probably left because the Presbyterians got too much of an underhold there and he had to leave. Andrew Jackson's father was born in Lowestoft, the very people of all the world who have the biggest quarrel with the Irish and have carried that quarrel on until now. And somebody yesterday suggested the Duke of Wellington was born in Ireland. Yes; he was born in Ireland, and was a member of a Norman family in the "English garrison" in Ireland.

I am getting a little tired of this pretense that the only real American people in America are the hyphenated Americans. I happened to be in Wales one morning and asked a gentleman a question. He responded to me in Welsh. I said, "You are barking up the wrong tree; I can not speak Welsh"; but he said, "You are Welsh; you look it." I acknowledged that I partially was, but nearly 300 years removed.

It has all but destroyed the facts of the Revolution.

The chief facts of the Revolution were local self-government and American independence; and if either one of them is either destroyed or threatened I can not see it.

And now reaches out to make of this country a dependent of the British Empire.

It not only becomes a dependent but it becomes one of the many dependents of the British Empire, according to this.

More dependent than the original Colonies ever were, because "the forest of giant oaks" of American statesmen has all but fallen into decay.

Do they not regret it—this "falling into decay" and all that?

Oh, there is lots more of it, but I do not believe I will bore the Senate with it all.

Here is a quarrel, which I read on page 7 of this miserable, false screed, with Canada and the British West Indies for offering to give Great Britain "preferential tariff rates." Why, we do not give to Mississippi and New York and Montana and California "preferential tariff rates." We go further and put them all behind a common tariff wall; and if Great Britain to-morrow were to pass a tariff law up to the size of ours, excluding our products from all her dominions, except when we pay a tax equal to that which we levy upon products coming to our shores from her and them, we would have no national right to complain. Great Britain has permitted her colonies to make tariffs against herself. Australia has tariffs against British products; so has Canada; so have the West Indies.

I hold no brief for Great Britain. I am not a British subject. None of my ancestors have been since Jim Williams died at Kings Mountain, and since John Williams led his regiment under Washington's immediate control in New Jersey, and under Greene in North Carolina, so what does all this nonsense mean?

And then the Right Rev. "Michael J. Gallagher"—Michael J. Gallagher, the right reverend—makes a little speech, too, out at Detroit. There is nothing Irish about him. There is no Roman Catholic religiousism in him, I suppose, although he is a right reverend; but he hides himself behind both, and makes an attack upon me and upon us, and I dare say if I replied to his attack or even read what he said and made a few remarks in explanation and defense against his harangue I would be accused of being irreligious as well as un-American and unpatriotic; but I have an old-fashioned notion that a preacher had better obey St. Paul's injunction and "preach Christ and him crucified" and nothing else, and that he has not anything to do with politics, and especially nothing to do with international politics. But he closes his magnificent "American" oration, in the name of "Michael J. Gallagher," a bishop of Rome and subject to Rome, with these words:

> Yet we are going to repudiate the traditions of Washington, the guiding star of our Nation for decades.

Imagine George Washington being the guiding star of a Roman Catholic bishop!

> We are about to enter into entangling alliances with foreign powers.

That refers to this treaty.

Mr. President, I apologize to the Senate for having addressed it at all; but I learned in the cloakroom late on yesterday afternoon, and I learned again this morning, that somebody was accusing me of "going out of my way" to bring the Irish-Americans into this discussion, and I wanted the Senate and the country to know that it was not I who went out of my way, but that it was they who went out of their way to attack me and every other American Senator who is voting for these treaties and world peace to the limited extent of their purview.

Mr. SPENCER. Mr. President, I desire very briefly to say something about the reservation which the Committee on Foreign Relations have proposed to the so-called quadruple or four-power treaty. That reservation reads:

> The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.

The treaty itself is so important not alone because of its inherent value both to the United States and to the world but as well because of our national pride for it as one of the great results of the Disarmament Conference, which had its origin in American minds and hearts, that I earnestly hope this treaty may be speedily ratified by the Senate.

It is not too much to say that the failure of this four-power treaty may result in the failure of the disarmament treaty, which, because of its more spectacular provisions, is perhaps far better known and is universally approved, and such jeopardy of the disarmament agreement that will inevitably exist if the instant treaty falls must not be overlooked.

It is manifest that if the present four-power treaty, which has to do with the stabilizing of potentially troublesome questions in connection with the islands of the Pacific and in connection with the Far East, is not ratified, there will immediately become apparent a disinclination, if not a refusal, to ratify the treaty providing for naval disarmament, because such international disarmament is logically dependent upon a reasonable expectation that at least future difficulties related with the Pacific, as they may arise, shall be determined by peaceful means.

I shall vote whole-heartedly for the treaty, without any reservation, and shall even vote for the treaty with the reservation as proposed by the committee in case the reservation is adopted; and, in fact, I would vote for the reservation itself, unnecessary as I shall attempt to show it to be, if I thought that the ratification of the treaty could be more promptly secured by the reservation; but I can not refrain from expressing some views with regard to the reservation itself.

This reservation creates a situation that is far more apt to produce misunderstanding than to eliminate misunderstanding. The reservation itself is in greater need of explanation than the treaty which it attempts to explain. On the face of it, the reservation declares an absurdity, for it provides inter alia that under the terms of this treaty there is "no alliance." It may be quite true, as has been forcefully stated upon the floor of the Senate, that an alliance between nations means, ordinarily, an alliance that is offensive or defensive, or both, and that it contemplates the possible use of force; but that interpretation of an alliance can not be what is intended by the reservation in the use of the word "alliance," because the reservation in its other provisions expressly provides for such possible interpretations relating to force, and declares that under the terms of the treaty there is no "commitment to armed force." Then, to make it doubly clear, it provides that no such war-breeding alliance is contemplated, and there is the added provision in the reservation that, under the terms of this treaty, "there is no obligation to join in any defense"; so that the idea of any offensive or defensive alliance is entirely negatived in the express provisions of the reservation having to do both with an offensive alliance and with a defensive alliance, and having thus completely exhausted the idea of a defensive or an offensive alliance the reservation contains the language which creates this ridiculous absurdity.

Everyone knows, or by reference to any standard dictionary can easily ascertain, that the term "alliance" in its general sense is substantially synonymous with the term "treaty"; that it means nothing more nor less than "a connection of interests between States" that is created "by treaties"; so that the reservation having by its other provisions expressly guarded against the defensive or offensive idea of an alliance, and giving to the word "alliance" its general meaning of a "treaty," which is the only meaning unprovided for in the reservation, we find that the reservation solemnly declares that "under the terms of this treaty there is no treaty."

The reservation is a gross imposition upon the treaty, whose terms are perfectly clear.

Mr. WILLIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. SPENCER. I yield to the Senator.

Mr. WILLIS. I do not desire to interrupt the Senator.

Mr. SPENCER. There is no interruption.

Mr. WILLIS. I understood the Senator to say just now that the effect of this reservation is to say that under the terms of this treaty there is no treaty. It says that under the terms of this treaty there shall be no alliance. Does the Senator contend that but for this reservation this treaty would form an alliance?

Mr. SPENCER. Undoubtedly; with or without the reservation there is an agreement or, what amounts to the same thing, an alliance to confer. If the Senator and I make an agreement between ourselves that in case of any possible difficulty in the future we will agree to a conference there is in the general acceptation of the word an alliance to confer; and precisely that alliance, and nothing more, is contemplated in this treaty.

Mr. WILLIS. The Senator understands, then, that a mere agreement to confer, to talk over, constitutes an alliance?

Mr. SPENCER. An agreement to do anything constitutes, in its general meaning, an alliance—not an offensive or defensive alliance.

Mr. WILLIS. Of course, I am not discussing that. I do not agree to that definition, however.

Mr. SPENCER. Such is the dictionary meaning of the word "alliance."

Mr. WILLIS. That is not my understanding of an alliance.

Mr. WATSON of Georgia. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. SPENCER. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. I should like to ask the Senator from Missouri—who is one of the most fluent Members of the Senate, though I notice that he is sticking to his manuscript this afternoon—why, if this is nothing more than an alliance to confer, the Senators on the other side vote against every amendment which would clearly state that meaning?

Mr. SPENCER. Because the meaning is clearly stated in the treaty itself, and any reiteration of it seems to me to be not

only unnecessary but essentially unwise; if the treaty clearly expresses its meaning in its own terms then the Senator will agree with me that it is both unnecessary and unwise to add to those terms or to reiterate them.

Mr. WATSON of Georgia. Will the Senator answer this question: How could a mere agreement or alliance to confer check and repel the aggressions of an outside nation upon the Pacific rights of either England, America, Japan, or France?

Mr. SPENCER. No one knows definitely; but I call the attention of the Senator from Georgia—and his knowledge of history is equaled by that of few in this body—to what has recently occurred. He knows as well as I that if there had been a conference in August, 1914, even of 48 hours' duration, there would have been no war. The Senator will remember how the Prime Minister of England, with a pathos that runs down through the years, begged for a conference of only 24 hours, and asserted that if he could get such a conference with the nations of the world he could avert the war that he saw impending. That is what a conference means sometimes.

Mr. WATSON of Georgia. No doubt he thought so, and no doubt the Senator from Missouri thinks so; but how can anybody know it?

Mr. SPENCER. No one can know it absolutely until the Senator and I meet in heaven, and we read the history there.

Mr. JONES of Washington. Mr. President, will the Senator yield to me for just a moment?

Mr. SPENCER. I yield to the Senator from Washington.

Mr. JONES of Washington. Does not the Senator also think that this language in this reservation—

> There is no commitment to armed force—

Implies that there is a commitment to some other kind of force—for instance, commercial pressure, financial pressure? Yet I take it the Senator agrees with me that there is not any commitment in the treaty to any sort of force.

Mr. SPENCER. I quite agree with what the Senator says, for there is undoubtedly in the reservation an inference, at least, that some kind of force other than "armed force" may be intended by the treaty and sanctioned by the reservation, when, as a matter of fact, in the treaty itself there is not a word of force or war obligation.

Mr. JONES of Washington. In other words, this reservation, in line with what the Senator says, really makes the treaty worse.

Mr. SPENCER. I quite agree with the Senator.

Mr. WILLIS. Mr. President, I desire not to misunderstand the Senator. This Government, in the course of its history, has made very many treaties. Are we to understand it to be the contention of the Senator from Missouri that every time this Government has made a treaty it has entered into an alliance?

Mr. SPENCER. The Senator from Ohio has in his mind the ordinary meaning of an alliance, which contemplates force, which is pregnant with war, which means an offensive or defensive arrangement. That, I quite agree, is the ordinary meaning of an alliance—that when two nations agree with regard to offensive or defensive cooperation, there is an alliance. My point, however, is that this usual meaning of the word can not be what is intended in this reservation, because those meanings of "alliance" have been expressly provided for in the reservation, and therefore all that is left is the general meaning of the word "alliance;" and, as the Senator will find out if he will look into any standard dictionary, the general meaning of an alliance is any connection between States, usually by a treaty, and it is substantially synonymous with the word "treaty"; so that whenever there is a treaty there is in a general sense an alliance.

Mr. WILLIS. Mr. President, what I am seeking to get at is what is in the Senator's mind with reference to the condition of this treaty if this reservation shall not be adopted. I understand him now to say that if this reservation is not adopted, and the treaty shall be ratified, this country then has entered into an alliance.

Mr. SPENCER. With or without the reservation, the agreement of the treaty provides, in a general sense, for an alliance to confer with other nations if difficulty arises. Could the Senator have any objection to such an alliance or to such an agreement to confer? What difference does it make whether you call it an agreement to confer or whether you call it an alliance to confer? A rose by any other name smells as sweet.

Mr. WILLIS. Mr. President, since the Senator asks that question, I want to say that if I entertained the view of this treaty which the Senator seems now to entertain, I can not think of any condition under which I should support it. I would not vote for a treaty that took this country into an alliance. The American people decided that matter pretty fully a few months ago. I do not think that this treaty constitutes an alliance; but I do not desire to encroach upon the Senator's time.

Mr. SPENCER. The Senator, I am sure, when he thinks of it again, will find that he has magnified a word and overlooked the meaning. Marriage is the most familiar instance of "an alliance." Surely the Senator does not think that marriage is "offensive and defensive" or is objectionable simply because it is called an "alliance." The word does not signify anything. The important thing is, what is intended and what is expressed. I do not care what it is called. The Senator is opposed, I see, to the use of the word "alliance." I do not like an alliance in its ordinary sense any more than the Senator from Ohio does, but I have no antipathy to the word "alliance" in the sense that makes it synonymous with the word "treaty."

I am prepared to admit, for academic purposes, that we have created a thousand alliances with a score of other nations, and that whenever we make a treaty we make an alliance, as we certainly do in the general acceptation of the word.

This reservation does not add a single thought, nor enforce a single provision of the treaty. At most, it simply reiterates what the treaty more clearly declares. It is reservation run wild. It arouses curiosity upon the reading of it as to what could have been the motive of any such attempt to add such evidently superfluous and unnecessary language to a treaty whose provisions are so simple and so clear as to be unmistakable in their meaning.

The treaty consists, in its substantial parts, of a brief preamble and four short articles. The preamble provides "with a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean," the four powers have concluded this treaty. Surely there is nothing in this preamble that necessitates any reservation, nor does the preamble mean anything more than an expression of the general desire of every thinking man in any one of the four powers that peace shall be preserved and that the rights of the respective parties shall be maintained and in such manner as is acceptable to and approved by each of the signatory nations.

It is axiomatic in its truth and has been the accepted position of the United States ever since this country has been a Nation.

The first article of the treaty provides that—

> The high contracting parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.
>
> If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to effect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to joint conference to which the whole subject will be referred for consideration and adjustment.

The essential words in this article are "respect their rights," "invited," "conference," "for consideration," and "adjustment." These are not the words that even remotely suggest war or force. They are the language of conference and consultation, and are not the language of struggle—but more than this, the possibility of their even indirectly suggesting any entangling alliance that would result in any obligation of any kind upon the United States to send a soldier or sailor anywhere in the world is absolutely banished when we remember that in a conference between sovereign nations, the very incident of sovereignty requires absolute independence of action for each nation, so that nothing can be binding upon any one of the parties without its express consent.

The result of a conference, in order to be obligatory upon the parties thereto, must be unanimous, because between sovereign nations the rule of unanimity is absolute. The majority rule is unknown. There can be no obligation upon a sovereignty, except by its own express consent, otherwise there would be no sovereignty.

There can be no obligation upon a sovereign nation by implication or by inference. Any obligation that is binding upon a sovereign nation must be so expressed in its terms as to definitely indicate an agreement by the nation whom it is sought to bind.

If under the terms of this article there should ever develop any controversy between the parties involving the rights referred to in the treaty, and that was likely to affect the status of peace, the high contracting powers agree that they will invite to a conference the other powers, in order to consider and adjust the matter. This agreement to invite a conference is the only obligation.

I do not care whether you call it an alliance or whether you call it an agreement, the main thing is, what does it mean? It means an obligation to invite other powers to a conference, and nothing more. It would be a sad day, both for this coun-

try and for the world if the United States should ever deliberately take any action that would indicate its unwillingness in case of any possible controversy in which it was concerned to invite and participate in a conference with the other parties concerned, in order if possible to consider and adjust the difficulties.

The second article provides that—

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measure to be taken, jointly or separately, to meet the exigencies of the particular situation.

Recalling what I have said concerning the incidence of sovereignty by which no nation can be bound to do anything unless it expressly agrees so to do, what safer or more desirable provision could be imagined than the declaration that in case the rights of any of the parties to this treaty are threatened that they will at once fully and frankly communicate with each other to arrive at the most efficient measure to meet the situation.

It has been intimated that this article comes into effect only when there has been some actual attack, so that war has actually commenced, and that in such event the only possible means to meet the situation would be means that were at once offensive and defensive, but the mere reading of the article dissipates any such interpretation. There can be a thousand threats to existing rights by aggressive action, without the firing of a gun or an act of war.

When in regard to Venezuela the German Government once threatened to send, and perhaps did start, its armed vessels to enforce the collection of a debt due from Venezuela citizens to German citizens, there was a threat by aggressive action without any act of war, and it was fortunately entirely settled by the prompt interference of President Cleveland.

When England indicated in connection with the boundary line of Venezuela that armed force must be used in order to insure what Great Britain thought was the correct boundary line it was a threat by aggressive action to accomplish its purpose, but there was no act of war and the matter was wisely settled through the prompt interference of President Roosevelt.

The outstanding words in article 2 are "communicate fully and frankly"—"to arrive at an understanding"—"as to the most efficient measures to meet the particular occasion." This is not the language of war. This is the business language of consultation.

The third article of the treaty provides merely for its 10-year duration and its subsequent continuance until terminated on a 12-month notice, and obviously needs no reservation to explain or amplify its meaning.

The fourth article provides as to the method by which the treaty shall be ratified and become effective, and particularly declares one of the outstanding advantages of the treaty itself, and that is that immediately upon the coming into effect of this treaty "the agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate." This British-Japanese treaty was an alliance offensive and defensive, and provided for cooperation between the nations, and with armed force. It has always been regarded with a certain distaste, if not with actual anxiety in the United States, and if there was nothing else in the four-powers treaty except to terminate this British-Japanese treaty the four-powers treaty would be an outstanding accomplishment of exceeding importance.

The parties themselves limited the scope of the four-powers treaty to the mandated islands in the Pacific without in any sense creating an assent on the part of the United States to these mandates, and leaving the United States entirely free to deal with the mandatory powers in relation to the mandated islands. The powers themselves voluntarily excluded from consideration, under article 1 of the treaty, any question which was "exclusively within the domestic jurisdiction of the respective powers."

It does not make the slightest difference whether the treaty applies to the so-called mainland of Japan, or only to its island possessions. The purpose and the effect of the treaty are equally desirable whether applicable to the so-called mainland of Japan, as under its original terms it undoubtedly was, or whether it is confined to the insular possessions, as the parties themselves agreed by limiting its provisions, so far as Japan is concerned, to "include only Karafuto (or the southern portion of the island of Sakhalin), Formosa, and the Pescadores, and the islands under the mandate of Japan."

When one leaves the realm of intangible and unreasonable speculation and rises above fanciful hypotheses which have no substantial foundation in fact and reads and considers the clearly expressed purposes and definite language of the treaty, there can be no reasonable doubt as to its meaning, and as to the entire absence of any necessity for any reservation, and particularly no doubt as to the unwisdom of the proposed reservation. It is not difficult to imagine that if the United States, within whose borders this treaty has just been written, are unwilling to accept its plain provisions, but insist upon adding thereto reservations which manfestly are unnecessary that the other signatory powers will at least have held up before them an example that may be productive of reservations far more complicating in their effect than the reiterating reservation which is here proposed.

In all probability no other power will ratify this treaty until the United States has acted upon it, and if we can not act with reasonable promptness upon a treaty that is as clear and simple in its provisions as this treaty, we present an unfortunate spectacle to the world. I have the most profound respect both for the patriotism and wisdom of the Senate of the United States in its aggregate action. It is a great bulwark of safety to American institutions and to constitutional rights, and it is therefore with no little misgiving that I contemplate the possible action of the Senate that shall in effect say to the people of the United States, "We have received the treaty. Undoubtedly the American representatives, Secretary Hughes, Senator Lodge, Senator Underwood, Elihu Root, were entirely agreed upon its terms, and each of them definitely understood what it was to which they intended to agree in this treaty and were assured both as to the wisdom of the provisions and as to the adequacy of the expression of those provisions, but while we, the Senate, know that there was no misunderstanding among them, nevertheless we find that their ability to use the English language in order to express their unanimous opinion was so imperfect that we, the Senate of the United States, find it necessary to clothe in adequate English what the American representatives undoubtedly had clearly in mind, and what they vainly and imperfectly tried to express."

It is, in my judgment, an absurd position for the Senate of the United States to take. The treaty is simple in its provisions and unmistakable in its language, and needs no reservation.

Mr. BRANDEGEE obtained the floor.

Mr. WILLIS. Will the Senator yield to me that I may ask a question of the Senator from Missouri?

Mr. BRANDEGEE. I yield to the Senator from Ohio.

Mr. WILLIS. The Senator from Missouri has explained, with great eloquence and power, that he is opposed to the pending reservation. I invite his attention to the fact that on February 10 the President of the United States, in presenting the treaties to the Senate, used the following language:

There is no commitment to armed force, no alliance, no written or moral obligation to join in defense.

The language of the reservation is as follows:

The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.

Since the President of the United States, who has the initiative in all foreign relations, placed upon the treaty this interpretation when he submitted it to the Senate, why does the Senator object to having the Senate place upon the treaty the interpretation already placed upon it by the President, and which he himself says he thinks is in entire harmony with the treaty as it stands?

Mr. SPENCER. I suggest to the Senator from Ohio, Mr. President, by the courtesy of the Senator from Connecticut, if I may answer, that there are eight pages of the President's address on this treaty, and why not incorporate them all in a reservation?

Mr. WILLIS. I have no objection to that.

Mr. SPENCER. I think it would be equally as sensible as the reservation we have. Undoubtedly the President, in the presentation of the treaty to the Senate, in an address eight pages long, went over the discussion, explanation, and reiteration of what the treaty meant. His point was that the treaty needed no reservation because there was not a word of obligation in it. Why incorporate any of that address as a reservation when the point of the address was to show that there was no need of any reservation? I have no objection to the wording of the reservation; it means precisely what the treaty means; and the Senator could add the whole eight pages of the President's address as a reservation, as he says he would be glad to do, without changing its meaning; but I do not think it would be wise to do it.

Mr. WILLIS. I understand from the statement of the Senator from Missouri that it is his opinion that the substance of the reservation is already included in the treaty, but there are Senators on this floor who do not entertain the view which the Senator from Missouri entertains, and which I entertain. I put

the practical proposition to the Senator, whether it is wise to imperil this great treaty, upon which the peace of the world depends, because the Senator is unwilling to put into the treaty that which he thinks is already in it, and which the President says is already in it.

Mr. SPENCER. That is a perfectly fair question. I said when I commenced the few remarks I made, that if I found or thought that in order to secure the ratification of this treaty it was necessary to vote for the reservation, I would vote for the reservation, unnecessary as I think it is, for I entirely agree with the Senator from Ohio that the ratification of the treaty, with or without the reservation, is the main thing. My point is that it ought to be ratified without the reservation, but if I can not get it without the reservation, of course, I shall take it with the reservation, because the reservation is not harmful in its provision. It is unnecessary in its reiteration; it offers an example to other nations that is unwise; and it complicates rather than helps the treaty.

Mr. BRANDEGEE. I send to the desk and ask that the Secretary read for the information of the Senate a proposed unanimous-consent agreement to see if we can fix a day for coming to a vote on the pending treaty.

The VICE PRESIDENT. The Secretary will read as requested.

The Asssistant Secretary read as follows:

It is agreed by unanimous consent that no vote shall be taken upon any amendment or reservation that may be pending or that may be proposed to Executive N, a treaty between the United States, the British Empire, France, and Japan relating to their insular possessions and their insular dominions in the Pacific, until the calendar day of Tuesday, March 21, 1922; that beginning at 3 o'clock p. m. on Wednesday, March 22, 1922, no Senator shall speak more than once nor longer than 30 minutes upon any pending amendment or reservation or any amendment or reservation that may thereafter be offered, or more than once or longer than one hour upon the treaty itself; and that on the calendar day of Friday, March 24, 1922, the Senate shall convene at 12 o'clock meridian and shall immediately proceed to vote, without further debate, upon any amendment or reservation that may then be pending or that may be offered, and immediately thereafter upon the resolution of ratification of said Executive N, as amended by a reservation or reservations or otherwise.

Mr. UNDERWOOD. I have no objection to the agreement, but I should like to ask a question for information. As the agreement is proposed, does it mean that there shall be no vote on pending amendments and reservations until Wednesday, the 22d of March?

Mr. BRANDEGEE. Not until next Tuesday; and commencing on Wednesday, the following day, debate is to be limited to a half hour on a reservation or amendment and to an hour on the treaty itself.

Mr. UNDERWOOD. The proposition is to postpone the vote on amendments and reservations until next Tuesday?

Mr. BRANDEGEE. Until next Tuesday.

Mr. JOHNSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harris	Nelson	Simmons
Borah	Harrison	New	Smith
Brandegee	Heflin	Newberry	Spencer
Broussard	Hitchcock	Norris	Sterling
Cameron	Johnson	Oddie	Swanson
Capper	Jones, Wash.	Overman	Townsend
Caraway	Kellogg	Pepper	Underwood
Colt	Kendrick	Pittman	Wadsworth
Curtis	Keyes	Poindexter	Walsh, Mont.
Elkins	Ladd	Pomerene	Warren
Fernald	Lenroot	Ransdell	Watson, Ga.
Fletcher	McCormick	Rawson	Willis
France	McKellar	Reed	
Glass	McKinley	Robinson	
Hale	McNary	Sheppard	

Mr. JONES of Washington. I desire to announce that the Senator from North Dakota [Mr. McCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Indiana [Mr. WATSON], the Senator from West Virginia [Mr. SUTHERLAND], the Senator from Connecticut [Mr. McLEAN], the Senator from New Jersey [Mr. FRELINGHUYSEN], and the Senator from Wisconsin [Mr. LA FOLLETTE] are absent from the Chamber in attendance on the Committee on Finance.

The VICE PRESIDENT. Fifty-seven Senators have answered to their names. A quorum is present. Is there objection to the request for unanimous consent presented by the Senator from Connecticut?

Mr. ROBINSON. Mr. President, I and others have collaborated with the Senator from Connecticut [Mr. BRANDEGEE] in the preparation of the proposed agreement. The agreement does not so specify, but I presume the understanding is that the treaty will be kept before the Senate so long as any Senator desires to speak upon it?

Mr. BRANDEGEE. If the Senator is asking me for my view of the matter, I desire to say that I understand that has been the ruling of the Chair in relation to similar agreements in the past; that whenever a Senator desired to speak upon a treaty the Senate would proceed to the consideration of executive business in open executive session; that a Senator might make a speech upon the treaty at any time he had a mind to; but if no Senator desired to speak upon the treaty, then the Senate could engage in legislative business.

I will say to the Senate that the Senator from Arkansas and other Senators came to me and stated that quite a number of Senators desired to go away, to be absent for the remainder of this week, but they did not want to be absent at the time of any vote on amendments or reservations that might come before the Senate. Therefore the principal object of the agreement was to provide that there should be no vote on any amendment or reservation until next Tuesday, at which time those Senators who find it necessary to leave the city could return. Of course, in proposing the agreement I have no disposition to limit the time of Senators in the discussion of this important matter; they ought to take all the time they want, and yet I suppose no Senator intends to attempt to prevent a final vote upon the treaty. If that is so, and if we can agree upon a date to vote upon the reservations and amendments and the treaty to a final conclusion, then every Senator will know when to be here for the final vote. It would be a great convenience to all of us, I am sure.

Mr. POMERENE. Mr. President, will the Senator yield to me?

Mr. BRANDEGEE. I yield.

Mr. POMERENE. Of course it is possible under this agreement, if it shall be entered into, to take up the other treaties which are now pending. I assume, however, that there will be no desire to take them up for final disposition?

Mr. BRANDEGEE. I do not think that anybody intends to do that. I am sure I do not, and I assume that if the Senate is not engaged upon this treaty it will take up in legislative session the judges' bill, which the Senator from Iowa [Mr. CUMMINS] has before the Senate, and other legislative measures.

Mr. HITCHCOCK. Mr. President, as I heard the proposed unanimous-consent agreement read, it seemed to me that if a Senator spoke upon an amendment for half an hour he was debarred from speaking upon the treaty.

Mr. BRANDEGEE. Oh, no.

Mr. HITCHCOCK. At the place I have in mind I think the agreement instead of reading "or" should read "and."

Mr. BRANDEGEE. Let the Secretary again read the agreement, if he pleases. I thought it did read "or," as the Senator desires that it shall. Let us have it read.

Mr. HITCHCOCK. The agreement, I think, should read "and."

Mr. BRANDEGEE. Let the proposed agreement be again read.

Mr. FRANCE. I ask that the entire agreement be read.

Mr. BRANDEGEE. Yes; let the Secretary read the entire agreement.

The VICE PRESIDENT. The Secretary will read as requested.

The Assistant Secretary read as follows:

It is agreed by unanimous consent that no vote shall be taken upon any amendment or reservation that may be pending or that may be proposed to Executive N, a treaty between the United States, the British Empire, France, and Japan relating to their insular possessions and their insular dominions in the Pacific, until the calendar day of Tuesday, March 21, 1922; that beginning at 3 o'clock p. m. on Wednesday, March 22, 1922, no Senator shall speak more than once or longer than 30 minutes upon any pending amendment or reservation or any amendment or reservation that may thereafter be offered, or more than once or longer than one hour upon the treaty itself; and that on the calendar day of Friday, March 24, 1922, the Senate shall convene at 12 o'clock meridian, and shall immediately proceed to vote, without further debate, upon any amendment or reservation that may then be pending or that may be offered, and immediately thereafter upon the resolution of ratification of said Executive N, as amended by a reservation or reservations or otherwise.

Mr. ROBINSON. The agreement follows the wording usually employed in such agreements.

Mr. HITCHCOCK. I think that language is ambiguous; but it may be interpreted. Is it meant by the language used that a Senator who has spoken a given length of time upon an amendment or reservation may also speak the specified length of time upon the treaty itself?

Mr. BRANDEGEE. I think that is what it means. If Senators will accept that statement as their understanding of the agreement, it will interpret the agreement.

Mr. BORAH. I presume that would be the rule, the same as when a treaty is reported.

Mr. BRANDEGEE. The same as if Senators would protest against a reservation and it is agreed to.

Mr. BORAH. I do not accept that rule there, but I will here. Mr. President, I wish to ask a question. The Chair has heretofore ruled that a Senator could not utilize his hour until the main bill or treaty was before the Senate; that is, while an amendment was pending a Senator could not utilize his hour, but would have to confine himself to 30 minutes, and could not speak upon the treaty until the treaty itself was before the Senate.

Mr. BRANDEGEE. May I suggest to the Senator from Idaho that I do not want the agreement to operate in that way? I should like to have it so framed that a Senator may take his hour upon the treaty itself and say anything he has a mind to upon the treaty or upon the reservations in an hour's speech.

Mr. ROBINSON. If there were a number of reservations or amendments on the table, the Senator from Connecticut would not want a Senator to take an hour on the treaty and then a half hour on each reservation? Otherwise, there is no use of imposing a limitation.

Mr. BRANDEGEE. I do not see when a Senator may take an hour on the treaty if reservations are to be offered up to the time of the presentation of the resolution of ratification and each Senator may talk for half an hour on each reservation and amendment. There will always be a reservation or an amendment pending before the Senate until the resolution of ratification is voted on.

Mr. UNDERWOOD. If the Senator will allow me, though, under the terms of this agreement no amendment or reservation is to be voted on until next Tuesday.

Mr. BRANDEGEE. That is true.

Mr. UNDERWOOD. In the meantime a Senator may speak an hour. Indeed, he may speak as long as he pleases, so far as that is concerned.

Mr. BRANDEGEE. If any Senator desires to speak before next Tuesday, of course he may do so.

Mr. UNDERWOOD. The limitation does not apply until then.

Mr. NORRIS. The limitation does not apply until then; but I wish to say to the Senator from Connecticut that it does not necessarily follow that a Senator may not speak for an hour on the treaty until after all the reservations have been disposed of. Of course, it is true that he could not do that if there were formally pending an amendment or reservation, but after an amendment was disposed of the Senator who obtained the floor before another amendment was offered, the treaty still being before the Senate, could then speak for an hour on the treaty.

Mr. BRANDEGEE. In practice I think there will be a reservation or an amendment pending all the time until the vote comes on the resolution of ratification.

Mr. NORRIS. Suppose there is an amendment or a reservation pending and it is disposed of, voted up or voted down, and I get the floor immediately afterwards, I can then talk for an hour on the treaty.

Mr. BRANDEGEE. Yes; and then some Senator, of course, may offer another amendment or reservation.

Mr. NORRIS. He could not do that if I had the floor.

Mr. BORAH. I want to have it understood that a Senator may divide his time to suit himself. He may have an hour at his disposal on the treaty and half an hour on each amendment, in any event, but if he wants to divide his time and speak for half an hour on any amendment and then use some of his time on the treaty, he should have that privilege.

Mr. NORRIS. I have no objection to that being made the specific agreement. I do not want, however, to have any understanding which will violate the recent decision of the Chair, which, it seems to me, was only just and fair, that, as a matter of fact, while a Senator may talk about anything he pleases under the rules of the Senate, technically he is talking to the question that is then pending before the Senate, and if there is a motion pending that is what the Senator is talking about, even though he is actually talking about something else.

Mr. BRANDEGEE. I will say to the Senator that I think the question is largely academic, for this reason: There is not a single reservation or amendment that has been proposed or that can be proposed to the treaty that does not involve a discussion of the treaty, and a Senator to discuss intelligently a reservation must discuss the whole treaty in all its aspects; but it is perfectly immaterial to me how Senators settle the division of time. I do not want 10 minutes on the matter myself; and if I can not express my views in that time I will resign; but, Mr. President, all I care about is to give the Senate a chance to fix some day when they will stop the conversation and come to a vote.

Mr. BORAH. I have not any objection to the proposed agreement; I am not objecting to it; I simply desire that it may be understood that a Senator may divide his time to suit himself.

Mr. LENROOT. Mr. President, I would have no objection to that being done, if it were so provided; but I would not want an erroneous interpretation of the unanimous-consent agreement, because I think the ruling which has been referred to is a salutary one.

Mr. BORAH. I do, too.

Mr. LENROOT. If an express provision shall be provided to cover the point raised, I shall have no objection, but I think it ought to be in the agreement.

Mr. BORAH. I think that is a good idea. I think the Chair has been correct in his ruling, and I am not finding any fault with it. I think, ordinarily speaking, it is a proper one, but in this very exigency I should like to have an exception to the rule, which is a good thing in order to prove the rule.

Mr. BRANDEGEE. Will the Senator suggest a form of words that he would like to interline?

Mr. BORAH. The Senator from Wisconsin [Mr. LENROOT] perhaps will do that.

Mr. BRANDEGEE. Very well.

Mr. LENROOT. The language reads:

No Senator shall speak more than once or longer than 30 minutes upon any pending amendment or reservation, or any amendment or reservation that may, thereafter be offered, or more than once or longer than one hour upon the treaty itself.

Then I would suggest inserting:

Which may be utilized at any time.

Mr. ROBINSON. That will do it.

Mr. BRANDEGEE. Mr. President, the senior Senator from Missouri [Mr. REED] advises me that he does not like the provision that no Senator may speak more than once on an amendment. His idea is that a Senator might not want to speak a half hour on an amendment; that he might want to speak five minutes on the amendment at first, and then answer another Senator's suggestions with five minutes more. He suggests that no Senator shall be allowed to take more than a half hour of time on any one amendment, and that he may divide it to suit himself.

Mr. REED. That he shall not speak in all more than 30 minutes on any amendment.

Mr. BRANDEGEE. Yes; that he may speak as often as he has a mind to, but not to exceed 30 minutes in all.

Mr. REED. The reason for the suggestion is this: We have had it illustrated many times. A Senator offers an amendment; he has to present it, and after he has presented it some Senator raises objections to which he may want to reply, and he is cut off from defending his own amendment.

Mr. BRANDEGEE. I think it would be perfectly immaterial to the Senate how many times a Senator spoke on his amendment, provided he did not occupy more than a half hour altogether.

Mr. NORRIS. Mr. President, under the general rules of the Senate, without any agreement, a Senator would be precluded from speaking more than twice.

Mr. BRANDEGEE. He would.

Mr. NORRIS. I do not suppose the Senator would care to modify that rule.

Mr. BRANDEGEE. No; but we are making a unanimous-consent agreement.

Mr. NORRIS. Suppose we say here that no Senator shall speak more than twice, and not longer than 30 minutes in the aggregate, on any amendment.

Mr. REED. That will do.

Mr. BRANDEGEE. In order to present an amendment or reservation properly a Senator has to engage in different colloquies, and he may want to take the floor four or five times of five minutes each. I do not see why he should not be allowed to do it.

Mr. NORRIS. Of course that modifies the general rule; but the Senator can wait until all of them are through, if he has only 30 minutes to use, and close the debate with the balance of his time.

Mr. BRANDEGEE. He can do it, yes; but I was not urging this, the Senator will understand. I was trying to comply with the suggestion of the Senator from Missouri.

Mr. NORRIS. I understand that, but I also understand that this is satisfactory to the Senator from Missouri. I do not care about it.

Mr. BRANDEGEE. I will ask the Secretary to state the unanimous-consent agreement as he has it now.

The VICE PRESIDENT. The Secretary will state the proposed unanimous-consent agreement.

The Assistant Secretary read as follows:

It is agreed by unanimous consent that no vote shall be taken upon any amendment or reservation that may be pending or that may be proposed to Executive N, a treaty between the United States, the British Empire, France, and Japan, relating to their insular possessions and their insular dominions in the Pacific, until the calendar day of Tuesday, March 21, 1922; that beginning at 3 o'clock p. m. on Wednesday, March 22, 1922, no Senator shall speak in the aggregate for a period of more than 30 minutes upon any pending amendment or reservation or any amendment or reservation that may thereafter be offered, or more than once or longer than one hour upon the treaty itself, which hour may be utilized at any time; and that on the calendar day of Friday, March 24, 1922, the Senate shall convene at 12 o'clock meridian, and shall immediately proceed to vote, without further debate, upon any amendment or reservation that may then be pending or that may be offered, and immediately thereafter upon the resolution of ratification of said Executive N, as amended by a reservation or reservations or otherwise.

Mr. JOHNSON. Mr. President, I do not intend to object to the proposed unanimous-consent agreement. Indeed, I never have objected to any. I do not like it, though, and the reason why I do not like it is this:

The most important business that has come before us during the year is this particular treaty. Upon it now are focused the attention and consideration of the Senate and the attention of the country, too. It is the business that is here. Personally, I would rather proceed with that business. Whether it be concluded in two days or two weeks, so far as I am concerned, would be immaterial; but I prefer that the business now before us be kept before us and continued before us and that we devote ourselves exclusively to it.

I have seen these agreements in my brief service in this Chamber in the past. The instant this agreement is adopted that instant will your attention flag until you come to next week, when you begin upon your half-hour and your hour rule. Your Members will be absent. They will be paying little attention. The focus of the consideration that is necessary for the determination intelligently and accurately and patriotically of this great matter will be lost for the time being.

So, Mr. President, with the expression of that view on my part, and the statement, too, that I never take up the time of the Senate unnecessarily, and much in any event, I make no objection to this proposed agreement; but I think it is a mistake, in view of the importance of the subject before us and under the circumstances that have been developed here in respect to this matter.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and the agreement is entered into.

Mr. BRANDEGEE. Mr. President, if no Senator desires a secret executive session, I am about to move that the Senate adjourn.

Mr. LADD. Mr. President, will the Senator yield to me?

Mr. BRANDEGEE. I yield to the Senator from North Dakota.

RELIEF OF FARMERS IN CROP-FAILURE AREAS—CONFERENCE REPORT (S. DOC. NO. 164).

Mr. LADD. I present the conference report on Senate bill 2897 and ask that it lie on the table.

The VICE PRESIDENT. The report will lie on the table.

Mr. NORRIS. Mr. President, the conference report ought to be printed in the RECORD. The object is to print it for the information of Members of the Senate.

The VICE PRESIDENT. The rules require it to be printed.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, and 6, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the sum $1,000,000 proposed by said amendment insert "$1,500,000," and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"An act to appropriate $1,500,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture."

And the House agree to the same.

The committee of conference have not agreed upon the amendment of the House numbered 4.

E. F. LADD,
PETER NORBECK,
JOHN B. KENDRICK,
Managers on the part of the Senate.
G. N. HAUGEN,
J. C. MCLAUGHLIN,
Managers on the part of the House.

ADJOURNMENT.

Mr. BRANDEGEE. Mr. President, having arrived at a unanimous-consent agreement as to voting on the treaty, I do not think it will be necessary to take a recess. If to-morrow the Senate desires to take up the treaty, it can proceed with executive session. Therefore, I move that the Senate adjourn until 12 o'clock to-morrow.

The motion was agreed to, and (at 5 o'clock and 30 minutes p. m.) the Senate, as in legislative session, adjourned until to-morrow, Thursday, March 16, 1922, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 15, 1922.*

The House met at 12 o'clock noon and was called to order by Mr. WALSH as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou whose name is Holy, come with us, be around about us, go before us, and all shall be well. Illuminate all thoughts of the future with the sense of Thy guiding presence. Forgive our unworthiness and all those hours in which we have forgotten Thee. We entreat Thee that our problems may be solved and our necessities answered. Grant a mighty blessing to our country, that she in turn may be a great strength to this weary, woeful world. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent—

Mr. DAVIS of Tennessee was granted leave of absence for one day on account of illness.

ORDER OF BUSINESS.

The SPEAKER pro tempore. By order entered into, the business in order to-day of Calendar Wednesday has been dispensed with and it is in order to-morrow.

CONFERENCE REPORT—DEFICIENCY BILL.

Mr. MADDEN. Mr. Speaker, I call up the conference report on the deficiency appropriation bill, H. R. 10663.

The SPEAKER pro tempore. The gentleman from Illinois calls up the conference report on the deficiency bill, which the Clerk will report.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior years, and for other purposes, had further insisted upon its amendments numbered 26, 27, and 60, disagreed to by the House of Representatives, had requested a further conference with the House, and had appointed Mr. WARREN, Mr. CURTIS, and Mr. GLASS as the conferees on the part of the Senate at the further conference.

APPROPRIATION TO PURCHASE SEED GRAIN, ETC.

Mr. HAUGEN. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Iowa rise?

Mr. HAUGEN. To submit a conference report for printing under the rule.

The SPEAKER pro tempore. The gentleman from Iowa submits a report on the bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture.

The SPEAKER pro tempore. Ordered printed under the rules.

DEFICIENCY BILL—CONFERENCE REPORT.

Mr. GARNER. Mr. Speaker, may I ask the gentleman when he expects to call up this report?

Mr. HAUGEN. Probably to-morrow.

The SPEAKER pro tempore. The Chair would state to the gentleman from Iowa that to-morrow is Calendar Wednesday.

Mr. HAUGEN. Then probably on Friday, unless I can have unanimous consent.

Mr. MADDEN. Mr. Speaker, I assumed the conference report was over from the Senate, so that I renew my motion.

The SPEAKER pro tempore. The gentleman from Illinois calls up the conference report on the deficiency bill. The Clerk will read the report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 13, 22, 23, 24, 29, 31, 34, 39, 40, 42, 43, 44, 48, 51, 52, and 63.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 25, 28, 30, 32, 33, 35, 36, 38, 41, 45, 47, 49, 50, 53, 54, 56, 58, 61, 62, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, and 76, and agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BRIDGES.

"For repairs and improvements to the Calvert Street Bridge, $26,000: *Provided*, That one-half of any amount expended from this appropriation shall be borne by the street railway company or companies using said bridge, and the amount thus collected shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as this appropriation is paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"PATENT OFFICE.

"For carrying into effect the provisions of the act entitled 'An act to increase the force and salaries in the Patent Office, and for other purposes,' approved February 18, 1922, $158,926.39, and in addition thereto the unexpended balance of the appropriation for salaries in the Patent Office for the fiscal year 1922 is made available for the payment of the salaries authorized in said act."

And the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$250,000"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In line 12 of the matter inserted by said amendment strike out "$50,000" and insert in lieu thereof "$35,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$1,000"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$36,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"The appropriation for 'Pay, and so forth, of the Army, 1922,' shall be available to pay the expenses incurred prior to January 1, 1922, incident to carrying into effect the provisions of the act entitled 'An act authorizing the Secretary of War to furnish free transportation and subsistence from Europe and Siberia to the United States for certain destitute discharged soldiers and their wives and children,' approved June 30, 1921."

And the Senate agree to the same.

The committee of conference have not agreed upon amendments numbered 26, 27, and 60.

MARTIN B. MADDEN,
J. G. CANNON,
JOSEPH W. BYRNS,
Managers on the part of the House.
F. E. WARREN,
CHARLES CURTIS,
CARTER GLASS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10663) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

On Nos. 1 to 5, inclusive, relating to the Senate: Appropriates for salaries and expenses of the Senate in the amounts and in the manner proposed in the Senate amendments.

On Nos. 6 and 7, relating to the Senate Office Building: Appropriates $23,750 for maintenance and $3,500 for furniture, as proposed by the Senate.

On Nos. 8, 9, and 10, relating to the Library of Congress: Strikes out the appropriation of $6,500, proposed by the Senate, for the legislative reference service, and appropriates $1,000, as proposed by the Senate, for contingent expenses.

On No. 11: Appropriates $10,000, as proposed by the Senate, for the Bureau of Efficiency.

On Nos. 12 to 25, inclusive, relating to the District of Columbia: Appropriates $3,000 for temporary building inspectors; strikes out the appropriation of $2,500 for contingent and miscellaneous expenses; appropriates $1,500 for postage; appropriates $26,000 for repairs to the Calvert Street Bridge and requires that the amounts reimbursed by the street railway company shall be credited to the United States and the District of Columbia in the same proportions as the appropriation is made from the revenues of each; appropriates $23,000 for public-convenience stations; appropriates $3,000 for general expenses of the electrical department; increases from $20,000 to $29,300 the appropriation for fuel for public schools; appropriates $2,000 for compensation of jurors of the police court; appropriates $7,000 for maintenance of indigent patients in the Children's Hospital; increases from $6,700 to $10,000, as proposed by the Senate, the amount for maintenance of indigent patients at the Casualty Hospital; strikes out the appropriation of $1,000 for maintenance at the municipal lodging house; appropriates $1,000, as proposed by the House, instead of $1,500 as proposed by the Senate, for buildings and grounds in and around Washington; strikes out the appropriation of $3,250, proposed by the Senate, for water mains in the Zoological Park; and appropriates $2,436.26, as proposed by the Senate, for the payment of judgments against the District of Columbia.

On No. 28: Provides for the auditing by the General Accounting Office of the financial transactions of the Emergency Fleet Corporation in the language proposed by the Senate instead of the language proposed by the House.

On Nos. 29, 30, and 31, relating to the Veterans' Bureau: Limits expenditures for construction work at any Army camp acquired for use as a training center to "minor repairs," as proposed by the House, instead of to "repairs," as proposed by the Senate; provides, as proposed by the Senate, that allotments to the Public Health Service for repairs and alterations to hospitals shall be done under the Supervising Architect of the Treasury, and strikes out the paragraph, inserted by the Senate, extending from 20 to 60 days the time for the administrative examination of accounts.

On Nos. 32 and 33, relating to the Department of Agriculture: Strikes out, as proposed by the Senate, the specification of the section of the country in which the appropriation for white-pine blister rust control may be expended.

On Nos. 34, 35, and 36, relating to the Bureau of Lighthouses: Appropriates $60,000, as proposed by the House, instead of $120,000, as proposed by the Senate, for repairing and rebuilding lighthouse structures in the seventh lighthouse district and appropriates $843.27, as proposed by the Senate, instead of $736.25, as proposed by the House, for payment of damage claims.

On No. 37, relating to the Patent Office: Appropriates $158,926.39, instead of $166,671.16, as proposed by the Senate, for carrying into effect the personnel act of February 18, 1922.

On No. 38: Appropriates $8,800, as proposed by the Senate, for the care of Alaskan insane.

On No. 39: Strikes out the appropriation of $2,500, proposed by the Senate, for the Grand Canyon National Park.

On No. 40: Strikes out the paragraph, inserted by the Senate, crediting the accounts of the disbursing clerk of the Interior Department.

On Nos. 41 to 46, inclusive, relating to the Department of Justice: Appropriates $8,000, as proposed by the Senate, for miscellaneous expenses; strikes out the appropriation of $3,000 for furniture and repairs and the appropriation of $3,100 for the conduct of customs cases; appropriates $1,800 for miscellaneous expenses of the Court of Claims; and appropriates $250,000, instead of $300,000 as proposed by the Senate and $150,000 as proposed by the House, for special assistants to the Attorney General and to United States district attorneys.

On Nos. 47, 48, and 49, relating to the Department of Labor: Reappropriates $11,000 for water supplies at Ellis Island Immigration Station and makes it available for the extension of the sewerage system; strikes out the appropriation of $150,000, proposed by the Senate, for the Immigration Service; and provides a limit of $2,000 as proposed by the Senate, instead of $2,400 as proposed by the House, on salaries to be paid by the Children's Bureau in the administration of the act for the promotion of the welfare and hygiene of infancy.

On No. 50: Appropriates $350, as proposed by the Senate, for the payment of a judgment rendered against the Navy Department by the Philippine courts.

On Nos. 51 to 55, inclusive, relating to the Post Office Department: Appropriates $4,000 as proposed by the House, instead of $10,000 as proposed by the Senate, for contingent expenses; appropriates $8,000 as proposed by the House, instead of $12,000 as proposed by the Senate, for payment to the Government Printing Office for heat, light, and power; and provides, as proposed by the Senate, for additional expenditures for telephone service and law books and books of reference; appropriates $500 for the Post Office Department equipment shops; and appropriates $35,000, instead of $50,000 as proposed by the Senate, for the payment of rewards for the detection, arrest, and conviction of post-office burglars and robbers.

On No. 56: Appropriates $20,000, as proposed by the Senate, for the embassy building and grounds at Santiago, Chile.

On Nos. 57, 58, and 59, relating to the Treasury Department: Appropriates $1,000, instead of $1,500 as proposed by the Senate, for gas and electric current; appropriates $27,468,000 for the refunding of internal-revenue taxes illegally collected; appropriates $36,000, instead of $40,000 as proposed by the Senate, for the operating force for public buildings.

On No. 61: Appropriates $94,703.44, as proposed by the Senate, for the payment of awards for lands condemned for use at the Walter Reed General Hospital.

On No. 62: Appropriates $2,000 as proposed by the Senate, instead of $1,000 as proposed by the House, for operating expenses of the Washington Monument.

On No. 63: Appropriates $266.37 as proposed by the House, instead of $1,105.37 as proposed by the Senate, for the payment of damage claims in connection with river and harbor work.

On No. 64: Inserts the paragraph, proposed by the Senate, making the appropriation for pay of the Army available for the payment of expenses authorized by law in connection with the return of destitute soldiers and their wives and children from Europe and Siberia.

On Nos. 65 to 68, inclusive: Appropriates for the payment of judgments of United States courts certified after the bill had passed the House.

On Nos. 69 to 74, inclusive: Appropriates for the payment of judgments of the Court of Claims certified after the bill had passed the House.

On Nos. 75 and 76: Appropriates for the payment of audited claims certified after the bill had passed the House.

The committee of conference have not agreed upon the following amendments of the Senate:

On Nos. 26 and 27: Appropriating $460,333.33 for additional employees in the General Accounting Office.

On No. 60: Authorizing and directing the Secretary of the Treasury to rent to the State of Alabama, for use as an armory, the old Government building in the city of Birmingham.

MARTIN B. MADDEN,
J. G. CANNON,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. MADDEN. Mr. Speaker, the amount of the bill as it passed the Senate was $138,026,763.97. The amount of the bill as it passed the House was $108,537,386.51. Added by the Senate, $29,489,477.46. Of the amount added by the Senate, $27,468,000 is for the payment of refunds for internal-revenue taxes illegally collected, mainly income taxes; $671,303.92 is for the payment of judgments and audited claims; $460,333.33 General Accounting Office; and the remainder is distributed among the other departments in the bill. The Senate has receded from $320,433.77. General Accounting Office, 253 additional clerks for the remainder of this year and for next year is still in disagreement and amounts to $460,333.33. The House has receded from disagreement to Senate amendments and agreed to $28,708,710.36. The principal amendments to which the House has agreed are as follows: Refunding internal-revenue taxes illegally collected, $27,468,000; judgments and audited claims, $671,303.92; carrying out the provisions of the act reorganizing the Patent Office, $158,926.39; special assistants to the Attorney General and United States district attorneys, $100,000,000; rewards in the Postal Service, $35,000. I may say those awards in the Postal Service amounting to $35,000 are due to the necessity of paying rewards to those who have either killed or captured mail robbers. Operating force for public buildings, $36,000, and in regard to this item I wish to say that the janitor force throughout the United States connected with public buildings would have to be furloughed for some days some time before the end of the fiscal year unless this was allowed. Payment of court awards of land condemned for use at Walter Reed General Hospital, $94,703.44. This is in the form of a final judgment on which there is to be no appeal.

One of the amendments still in disagreement is No. 26, which is for the General Accounting Office, amounting in one case to $110,133.33, and in the other case to $350,000. I wish to say in this connection that the accounting office asked for 253 additional clerks. The cost of these clerks if carried for the remaining part of this year would be $110,000. If they were allowed for next year, in addition to the remaining part of this year, it would be $350,000 more. The accounting office for 1923 has already been allotted in appropriations in the independent offices bill $2,294,231. The amount made available for 1922 for that office from transfers of appropriations from the consolidated offices was $2,152,613.57, or an increase for 1923 over 1922 of $341,617.43. It was the opinion of the managers on the part of the House, in connection with the consideration of this bill in conference, that there ought not to be any additional clerks allowed in the accounting office. First, it was my understanding when the accounting office was organized and transferred to the present management that they could dispense with 600 clerks that were then there. They have not been dispensed with, but, on the other hand, about 250 additional clerks have been provided for 1923, and if we should provide the 253 additional clerks it seemed to your conferees they would be getting more people there than they ought to have.

Mr. Speaker, unless there is some gentleman who wishes time, I move the adoption of the conference report.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 26: Page 18, after line 20, insert:

GENERAL ACCOUNTING OFFICE.

Salaries and expenses: For necessary clerical force to enable the General Accounting Office to properly audit and settle the accounts and claims growing out of the expansion of the work of the United States Veterans' Bureau and the payments of interest on the public debt, together with the settlement and payment of transportation claims, $110,333.33.

Mr. MADDEN. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 26.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. MADDEN. Mr. Speaker, I should like to have a division on this, so that we may be able to tell the Senate how the vote stood.

The House divided; and there were—ayes 69, noes 0.

So the motion was agreed to.

MINORITY VIEWS ON THE SOLDIERS' BONUS BILL.

Mr. MADDEN. Mr. Speaker, I yield to the gentleman from Texas [Mr. GARNER] to make a unanimous-consent request.

Mr. GARNER. Mr. Speaker, I want to ask unanimous consent that the minority may have until Saturday evening to file their views on the soldiers' bonus bill. I will say to the gentlemen of the House that the matter was discussed in the Ways and Means Committee, and there was no objection by those reporting the bill to this request.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the minority may have until Saturday evening to file their views on the soldiers' bonus bill.

Mr. MANN. What is meant by the term "Saturday evening"?

Mr. GARNER. Any time before 12 o'clock Saturday night.

Mr. CAMPBELL of Kansas. What month and year?

Mr. MANN. I think it ought to be stated.

Mr. GARNER. Before the House adjourns on Saturday next or before the Printing Office closes. It was understood, I will say to the gentleman from Illinois, that this report will not interfere with the consideration of the bill, and it was not anticipated that the bill would be considered until next week.

Mr. MANN. I do not think it will interfere.

The SPEAKER pro tempore. The Chair would like the gentleman to state his request again.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the minority of the Ways and Means Committee, or any member of the minority, may have the right to file minority views not later than Saturday next on the bonus bill.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the minority, or any member of the minority, may have the right to file minority views on the soldiers' bonus bill any time before Saturday next. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT of Tennessee. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. GARRETT of Tennessee. I do not think the Chair stated the request as the gentleman from Texas put it. The Chair stated "before Saturday." I understood the gentleman to request any time before 12 o'clock Saturday night.

The SPEAKER pro tempore. The Chair endeavored to state the request exactly as the gentleman from Texas stated it, and there was nothing in the request about 12 o'clock as the gentleman last stated it. If that was the intention the Chair would be glad to restate the request.

Mr. GARNER. I do not recall what the Chair said. I asked unanimous consent that we have until Saturday night. The gentleman from Tennessee evidently understood that it was before Saturday. I intended to include Saturday in the request, and I think the reporter's notes will show it.

The SPEAKER pro tempore. It might have been made to include Saturday, but the Chair will again state the request. The gentleman from Texas requests that the minority, or any Member of the minority, may have until 12 o'clock Saturday night next to file minority views on the soldiers' bonus bill. Is there objection? [After a pause.] The Chair hears none.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

The SPEAKER pro tempore. The Clerk will report the next amendment in the bill in disagreement.

The Clerk read as follows:

Amendment No. 27, page 19, after line 2, insert: "For necessary clerical force to enable the General Accounting Office to properly audit and settle the accounts and claims growing out of the expansion of the work of the United States Veterans' Bureau and the payments of interest on the public debt, together with the settlement and payment of transportation claims, fiscal year 1923, $350,000."

Mr. MADDEN. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment.

The SPEAKER pro tempore. The gentleman from Illinois moves that the House further insist on its disagreement to Senate amendment No. 27.

Mr. MADDEN. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 77, noes 1.

So the motion to further insist on disagreement to Senate amendment No. 27 was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 60: Page 46, after line 23, insert: "The Secretary of the Treasury is authorized and directed to rent, under such terms and conditions and for such period as he may prescribe, to the adjutant general of the State of Alabama, the buildings and premises of the United States situated at the northeast corner of Second Avenue and Eighteenth Street North, in Birmingham, Ala., known as the Old Government Building, or such parts thereof as may be properly utilized by the Alabama National Guard and other military and patriotic organizations."

Mr. MADDEN. Mr. Speaker, I move to recede and concur in the Senate amendment with an amendment.

The SPEAKER pro tempore. The gentleman from Illinois moves to recede and concur with an amendment which the Clerk will report.

The Clerk read as follows:

Mr. MADDEN moves that the House recede from its disagreement to the amendment of the Senate No. 60, and agree to the same with an amendment, as follows:

"In line 1 of the matter inserted in said amendment, strike out the words "and directed."

The SPEAKER pro tempore. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

Mr. MADDEN. Mr. Speaker, I move that the House agree to the conference asked for by the Senate.

The SPEAKER pro tempore. The gentleman from Illinois moves that the House agree to the conference asked by the Senate. The question is on agreeing to that motion.

The motion was agreed to.

Mr. MADDEN. I ask that the same conferees be appointed.

The SPEAKER pro tempore. The Chair appoints as conferees on the part of the House Mr. MADDEN, Mr. CANNON, and Mr. BYRNS of Tennessee.

INDEPENDENT OFFICES APPROPRIATION BILL—CONFERENCE REPORT.

Mr. WOOD of Indiana. Mr. Speaker, I desire to call up the conference report on the bill (H. R. 9981) making appropriations for the Executive and for sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes.

The SPEAKER pro tempore. The gentleman from Indiana calls up the conference report on the bill H. R. 9981, which the Clerk will report.

The conference report and accompanying statement were read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9981) making appropriations for the Executive and for sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 12, 13, 14, 15, 26, 27, 33, and 40.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 7, 8, 9, 10, 11, 18, 22, 23, 24, 32, 34, 37, 38, 39, 41, and 42, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$145,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$123,940"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$850,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lines 9 and 10 of the matter inserted by said amendment strike out the following: "and to continue available during the fiscal year 1923, $10,000," and insert in lieu thereof "$5,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and

agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "No part of the moneys appropriated or made available by this act shall, unless the President shall otherwise direct, be used or expended for the repair or reconditioning of any vessel owned or controlled by the Government, if the expense of such repair or reconditioning is in excess of $100,000, until a reasonable opportunity has been given to the available Government navy yards or arsenals to estimate upon the cost of such repair or reconditioning if performed by such navy yards or arsenals within the limit of time within which the work is to be done: *Provided*, That this limitation shall only apply to vessels while in the harbors of the United States, and all expenditures in connection with such work are to be considered in estimating the cost: *And provided further*, That the provisions of this clause shall take effect upon the passage of this act"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "*Provided further*, That no part of the foregoing appropriation shall be expended for construction work except necessary repairs"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments numbered 2, 19, 21, 28, 29, 31, 35, and 36.

WILL R. WOOD,
EDWARD H. WASON,
T. W. HARRISON,
Managers on the part of the House.

F. E. WARREN,
REED SMOOT,
W. L. JONES,
LEE S. OVERMAN,
CARTER GLASS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9981) making appropriations for the Executive and for sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1923, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

On No. 1: Appropriates $3,000, as proposed by the House, for printing and binding for the office of the President, instead of $4,000, as proposed by the Senate.

On Nos. 3 and 4, relating to the Executive Mansion and Grounds: Appropriates $12,000, as proposed by the Senate, instead of $8,000, as proposed by the House, for fuel for the Executive Mansion, and appropriates $6,000, as proposed by the Senate, instead of $5,000, as proposed by the House, for the reconstruction of greenhouses.

On No. 5: Appropriates $25,000, as proposed by the Senate, for the expenses of the Arlington Memorial Bridge Commission.

On Nos. 6, 7, and 8, relating to the Bureau of Efficiency: Appropriates $145,000 for the expenses of the Bureau of Efficiency instead of $125,000, as proposed by the House, and $150,000, as proposed by the Senate, and raises the limitation on the number of persons that may be employed at given rates from one at $4,250, as proposed by the House, to three at that rate, as proposed by the Senate, and from six at $4,000 each, as proposed by the House, to eight at that rate, as proposed by the Senate.

On Nos. 9, 10, and 11, relating to the Civil Service Commission: Appropriates $100,000, as proposed by the Senate, instead of $56,780, as proposed by the House, for additional employees, and provides for five employees at $3,000 each, as proposed by the Senate, instead of three employees at that rate, as proposed by the House; and inserts the proviso, proposed by the Senate, that $40,000 of this appropriation may be used in connection with all expenses incident to investigations and research as to the character and training, etc., of applicants for examination.

On Nos. 12, 13, and 14, relating to the Commission of Fine Arts: Strikes out the matter, inserted by the Senate, which provided that the officer in charge of public buildings and grounds should act as executive officer of said commission; appropriates $6,000, as proposed by the House, instead of $10,000, as proposed by the Senate, for the expenses of the commission; and restores the language, stricken out by the Senate, which provides that no person shall receive compensation in excess of $1,800 per annum, and that no part of the appropriation shall be expended for traveling expenses other than those incurred for actual travel only by members of the commission in going to and returning from Washington to attend meetings of the commission.

On Nos. 15, 16, 17, and 18, relating to the Employees' Compensation Commission: Strikes out the appropriation, proposed by the Senate, for two special agents at $2,000 each; appropriates $9,000 for temporary assistants in the District of Columbia, instead of $10,000, as proposed by the Senate, and $8,000, as proposed by the House; and appropriates $20,000 for contingent expenses, as proposed by the Senate, instead of $19,000, as proposed by the House.

On No. 20: Appropriates $850,000 for the expenses of the Federal Trade Commission, instead of $800,000 as proposed by the House and $900,000 as proposed by the Senate.

On Nos. 22 and 23, relating to the United States Housing Corporation: Appropriates $65,725 for salaries as proposed by the Senate, instead of $60,000 as proposed by the House.

On No. 24: Strikes out, as proposed by the Senate, the authority given the Interstate Commerce Commission to have printing done outside the Government Printing Office in an amount not to exceed $1,500.

On No. 25: Appropriates $5,000, instead of $10,000 as proposed by the Senate, for the expenses of the Interstate Governmental Commission, Colorado River, and strikes out the language making the appropriation available during the fiscal year 1923.

On No. 26: Appropriates $200,000 for the expenses of the National Advisory Committee for Aeronautics and $10,000 for the construction of an additional laboratory building, as proposed by the House.

On No. 27: Appropriates $3,600 for the compensation of the assistant to the Superintendent of the State, War, and Navy Department Buildings, as proposed by the House, instead of $4,000 as proposed by the Senate.

On Nos. 30, 32, 33, and 34, relating to the United States Shipping Board: Inserts the language, proposed by the Senate, providing that no part of the moneys appropriated or made available by this act shall be used for the repair or reconditioning of any vessel until a reasonable opportunity has been given to the available Government navy yards to estimate upon the cost of such work, modified so as to permit the Government arsenals to bid on such work, and further modified so as to require estimates from the navy yards or arsenals when the expenses of such repair or reconditioning is in excess of $100,000, instead of $5,000, as proposed by the Senate. Strikes out, as proposed by the Senate, the provision that no part of the sums appropriated shall be used to pay a greater sum than 5 per cent as commissions for the placing of advertising matter contracted for; and strikes out the matter, inserted by the Senate, modifying the limitation placed by the House upon the appropriation for the payment of claims by the Shipping Board or Emergency Fleet Corporation; and strikes out, as proposed by the Senate, the prohibition on the use of Shipping Board or Fleet Corporation funds for the printing of "bulletins."

On Nos. 37, 38, 39, 40, 41, 42, and 43, relating to the Veterans' Bureau: Inserts the language, proposed by the Senate, authorizing the purchase of passenger-carrying and other motor vehicles; appropriates $34,970,974.65 for salaries and expenses of the Veterans' Bureau as proposed by the Senate, instead of $25,815,942 as proposed by the House; appropriates $160,000,000 for military and naval compensation as proposed by the House, instead of $145,000,000 and not exceeding $15,000,000 of any unexpended balance as proposed by the Senate; appropriates $146,409,188.80 for vocational rehabilitation as proposed by the Senate, instead of $127,000,000 as proposed by the House; inserts the language, proposed by the Senate, limiting the use of Army camps or cantonments as training centers to Camp Sherman, Chillicothe, Ohio; and restores the language, stricken out by the Senate, which provides that no part of the foreging appropriation shall be expended for construction work except for necessary "repairs," instead of for necessary "minor repairs," as proposed by the House.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 2, relating to the expenditure of part of the $25,000 appropriation for traveling expenses of the President for "official entertainment."

On No. 19, relating to the employees' compensation fund and providing for the advancement of costs for the enforcement of recoveries provided in sections 26 and 27 where necessary, and not exceeding $25 in any one case.

On No. 21, relating to the General Accounting Office and providing for a lump-sum in lieu of a detailed appropriation.

On No. 28, relating to an appropriation of $1,500,000 for the purchase of land in the city of Washington.

On No. 29, increasing the appropriation for the Tariff Commission from $300,000 to $375,000.

On No. 31, relating to the authority granted the United States Shipping Board to continue to use sums received from the liquidation of assets up to $55,000,000.

On No. 35, relating to the number of employees that may be employed by the United States Shipping Board Emergency Fleet Corporation at a rate of compensation in excess of $11,000 per annum.

On No. 36, relating to the use of the Bureau of Efficiency in auditing work for the Fleet Corporation.

WILL R. WOOD,
EDWARD H. WASON,
T. W. HARRISON,
Managers on the part of the House.

Mr. COOPER of Wisconsin. Mr. Speaker, I reserve all points of order on the conference report.

Mr. DALLINGER rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Massachusetts rise?

Mr. DALLINGER. I rise to make the point of order that the conferees have exceeded their authority in Senate amendment No. 30, in agreeing to the new matter which they have agreed to.

The SPEAKER pro tempore. The gentleman from Massachusetts makes the point of order that the conferees have exceeded their authority in agreeing to Senate amendment No. 30, on page 28 of the engrossed bill.

Mr. DALLINGER. Mr. Speaker, in agreeing to it in a new draft. When this bill was before the House an amendment offered by me was adopted, which is found on page 31 of the bill, which read this way:

No part of the moneys appropriated or made available by this act shall be used or expended for the purchase, acquirement, repair, or reconditioning of any vessel, commodity, article, or thing which, at the time of the proposed purchase, acquirement, repair, or reconditioning, can be manufactured, produced, repaired, or reconditioned in each or any of the Government navy yards or arsenals of the United States for a sum less than it can be purchased, acquired, repaired, or reconditioned otherwise: *Provided*, That this limitation shall only apply to vessels while in the harbors of the United States, and all expenditures in connection with such work are to be considered in estimating the cost.

Now, the Senate adopted an amendment to this, or rather in lieu of it, as follows:

No part of the moneys appropriated or made available by this act shall, unless the President shall otherwise direct, be used or expended for the repair or reconditioning of any vessel owned or controlled by the Government, if the expense of such repair or reconditioning is in excess of $5,000, until a reasonable opportunity has been given to the available Government navy yards to estimate upon the cost of such repair or reconditioning if performed by such navy yards within the limit of time within which the work is to be done: *Provided*, That this limitation shall only apply to vessels while in the harbors of the United States, and all expenditures in connection with such work are to be considered in estimating the cost: *And provided further*, That the provisions of this clause shall take effect upon the passage of this act.

Now, Mr. Speaker, the House has fixed no limit. As a matter of fact, when this matter was before the House the gentleman from Alabama [Mr. MCDUFFIE] offered an amendment providing for a limit of $25,000, and his amendment was voted down. Now the Senate adopts an amendment providing for a limit of $5,000, so that the difference between the two Houses is the difference between no limit and a limit of $5,000. I submit that it is exactly on a par with the rulings which have been given in this House with regard to tariff schedules. Supposing the House of Representatives in a tariff bill puts a certain article on the free list, and in the Senate an amendment is put on carrying a duty of 5 per cent. In that case the conferees are limited to the difference between nothing and a 5 per cent duty. They can not in a conference report impose a duty of 100 per cent on that article. So here the Senate puts a limitation of $5,000 upon the reconditioning, practically saying that as to repairs under $5,000 they would not have to get an estimate from the navy yard. The House imposed no limit at all.

Now, I submit that the power of the conferees was limited between those extremes—nothing and $5,000. They have imposed a limit of $100,000, or $95,000 more than the Senate itself provided in the bill.

The SPEAKER pro tempore. Will the gentleman permit a question?

Mr. DALLINGER. Yes.

The SPEAKER pro tempore. Is the gentleman from Massachusetts contending that the conferees must either have accepted the Senate amendment or the original language of the bill?

Mr. DALLINGER. I contend that if they were going to impose a limit they could not impose a higher limit than either House had imposed. That is the point. The House refused to impose any limit. The Senate imposed a limit of $5,000. I submit that they have gone and imposed a higher limit than either House imposed.

The SPEAKER pro tempore. The gentleman from Massachusetts makes the point of order that the conferees exceeded their authority in agreeing to the language in lieu of Senate amendment No. 30. It will be noticed that the original provision of the bill contained no limitation whatever providing for the purchase, repair, or reconditioning of any vessel, commodity, article, or thing on the part of the Government. The Senate struck out all of the language of the original House provision and inserted an amendment which required the reconditioning or repairs in excess of $5,000 to be done in Government yards under certain conditions. The conferees have agreed to substantially that language except that they have stricken out "$5,000" and inserted "$100,000." In the view of the Chair the whole controversy before the conferees was whether there should be a limitation upon the amount of the repairs, and if so, what the limitation should be; in other words, it was between $5,000 worth of repairs and no limit whatever.

This point has heretofore arisen, and a discussion occured on March 3, 1915, Sixty-third Congress, third session, RECORD, page 5469, when Mr. Speaker Clark ruled, in passing upon a point of order raised against the conference report on the Agricultural appropriation bill, that where the House struck out all of the Senate amendment, not leaving a single line or word of that provision and substituting a new amendment, it put it in exactly the same condition as where the Senate or House struck out all after the enacting clause of a bill and inserted a new bill entirely. The Speaker then ruled that the conferees had carte blanche in drafting new language and inserting new provisions. He cited as a precedent paragraph 6424 of Hinds' Precedents, volume 5, the syllabus of which is that—

Where the disagreement is as to an amendment in the nature of a substitute for the entire text of a bill the managers have the whole subject before them, and may exercise a broad discretion as to details.

It seems to the Chair that this particular case is analogous to that situation, and that the conferees were authorized either to agree to the provision without any limitation whatever, or to a limitation of $5,000, or to any limitation between that and no limitation whatever, and that the point of order that they have exceeded their authority is not well taken. The Chair therefore overrules the point of order.

Mr. HULL. Mr. Speaker, I should like to ask the gentleman in charge of this conference report why it was that he did not bring back to the House this particular amendment, as he promised to on February 27.

Mr. WOOD of Indiana. I will state to the gentleman from Iowa that on the morning when this bill was first called up and the request made to send it to conference objection was made or it was asked that it be put over until the next morning. On this first day there was a colloquy between the gentleman from Massachusetts [Mr. DALLINGER] and myself and the gentleman from Iowa [Mr. HULL] and myself with reference to this item. I stated at that time that, so far as I was concerned, the conferees would attempt to get as nearly as possible the language of the House, but I then stated that it was so absolutely impossible that if it became the law the Shipping Board could not operate a ship; and I stated at that time that, as far as I was concerned, it might be brought back to the House.

I am frank to say to the gentleman that on the next morning, when the matter was sent to conference, the gentlemen were not here, and there was no colloquy at all about it, nor was anything said with reference to it, but there was some request made by the gentleman from Tennessee [Mr. BYRNS] with reference to bringing back some other items which are brought back; and I am free to say to the gentleman that I had forgotten what I did say with reference to bringing it back. But the amendment offered in the House is so absolutely impossible that it was the opinion of everybody upon the conference that to adopt that language would mean absolutely to destroy the usefulness of the Shipping Board and all of its operations. They could not even get a monkey wrench repaired without getting an estimate from an arsenal or from a navy yard. In consequence, as I say, I regret that the matter for the time was forgotten or overlooked by all; but if in the opinion of this House the amendment that was adopted by the House should be retained, it is a very easy matter to reject this report and send it back. In my opinion, if anyone has any desire at all that this Shipping Board shall operate or that it shall turn a wheel, he will not for a moment subscribe to the amendment adopted by this House on the original bill.

Mr. BYRNS of Tennessee and Mr. HULL rose.

The SPEAKER pro tempore. To whom does the gentleman from Indiana yield?

Mr. WOOD of Indiana. I yield to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Will the gentleman yield to me five minutes?

Mr. WOOD of Indiana. Yes.

Mr. BYRNS of Tennessee. Mr. Speaker, I simply want to sympathize with my friend, the gentleman from Massachusetts [Mr. DALLINGER], and the other gentlemen from Massachusetts who made such an able, earnest, and successful fight in putting through the amendment on this bill while it was under consideration in the House and which was designed to require the reconditioning of the *Leviathan* to be done in navy yards if it could be done at an expense not exceeding that to be incurred in private yards.

Mr. DALLINGER. Where it could be done for less than in private yards.

Mr. BYRNS of Tennessee. Where it could be done for less, as the gentleman suggests. I feel that the gentleman is entitled to some sympathy, because, due to the very great haste of the Shipping Board, I understand that that contract has already been let to a private concern; and even if Congress were now to adopt this amendment and make it a part of the law it could not possibly have the result which the gentleman from Massachusetts [Mr. DALLINGER] was desirous of accomplishing.

I understand more. I understand that the Shipping Board, in its haste to make this contract before Congress had an opportunity to finally adopt the amendment, and in face of the fact that both the House and the Senate had expressed their approval of the object of the amendment offered by the gentleman from Massachusetts, the Shipping Board has made a contract for the reconditioning of the *Leviathan* with the Newport News Shipbuilding & Dry Dock Co., the president of which is Mr. Homer L. Ferguson, who now has a $11,000 position with the United States Shipping Board as a member of the claims commission. This gentleman was first appointed on the claims commission at $15,000 a year. Then, a year ago, when Congress put a limitation upon the appropriation bill, providing that not more than six of the employees of the Shipping Board should be paid in excess of $11,000, I understand his salary was reduced to $11,000, and that he is now a member of the United States Shipping Board Claims Commission at $11,000 per annum, and at the same time is serving as the president of this private concern at Newport News, which has been given this contract amounting to something over $8,000,000 in the face, I repeat, of the expressed wish of Congress that the Government navy yards of this country be given an opportunity to do that work provided it could be done at less cost than it could be done at this private yard. I will not discuss the propriety of the Shipping Board making such a huge contract with one of the high salaried and influential employees of the board. Nor shall I do more than refer to the fact that thousands of employees are being turned out of Government navy yards because they have no work to do.

The *Leviathan* is going to be reconditioned at a cost of something like $8,000,000, or perhaps a little more than that, and I dare say that it will finally be sold for less than it will cost to recondition it. I do not vouch for the statement, but somebody told me that it would probably be sold for $6,000,000. Then, we are to be asked to pass a law giving a subsidy to whoever buys it in order to run and operate it.

Let me call your attention to another fact. If you will read the hearings on this independent office appropriation bill, you will find that the Shipping Board were there asking for authority of Congress, believing that it was necessary to obtain that authority to recondition this vessel. But they did not wait for the authority, when it appeared that Congress was about to pass the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER], but they rushed out and made this contract with this private concern in order to forestall any act of Congress to compel this work to be done in a Government navy yard and by Government employees.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. I would like two minutes more.

Mr. WOOD of Indiana. I yield to the gentleman two minutes more.

Mr. BYRNS of Tennessee. They quickly made this contract with a company the president of which is a member of the claims commission of the Shipping Board, and I understand they propose to pay for the reconditioning of the *Leviathan* out of that $55,000,000 which is to be derived from the sale of surplus material and ships.

Mr. EDMONDS. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. EDMONDS. Is the gentleman sure that Mr. Ferguson is serving on that claims commission?

Mr. BYRNS of Tennessee. I have been assured of that fact. I do not think there is any doubt about it. Mr. Lasker so stated on January 4 of this year, as appears on page 907 of the hearing.

Mr. EDMONDS. I know he was appointed on the commission, but I understand he refused to serve as long as he had any contract in view that his company was connected with.

Mr. BYRNS of Tennessee. If he is not on the board, he has resigned since he got this contract, because he has been serving on the board, according to express statements of Mr. Lasker.

Mr. EDMONDS. The gentleman says he has been serving on the board?

Mr. BYRNS of Tennessee. That is my understanding, and I think my information is correct, for it is based on the explicit statement of Mr. Lasker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had receded from its amendments numbered 26 and 27 to the bill (H. R. 10663) entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes," and that the Senate had concurred in the amendment of the House of Representatives to the amendment of the Senate numbered 60 to said bill.

INDEPENDENT OFFICES APPROPRIATION BILL.

Mr. WOOD of Indiana. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HULL].

Mr. HULL. Mr. Speaker, I agree with everything the gentleman from Tennessee has said. In my opinion, the action of the Shipping Board in this instance was assinine, dishonest, and contemptible. However, that is not the matter before us. The matter that I want to call to the attention of the House is this: Are we, the Members of the House, to be able to depend on the leadership of the House when they make promises to us in regard to conference reports? It is not a question of what was in this amendment; it is simply a question, Are we to depend on the leadership of the House to bring back conference reports when they say they will? I am not going to argue the question, but I will put into the RECORD just what was stated when this conference report was before the House, taken from the Journal of the House of February 27:

Mr. DALLINGER. Mr. Speaker, reserving the right to object, can the gentleman tell us whether the conferees are going to insist upon the House position in regard to the amendment providing that articles which can be produced or repaired cheaper in navy yards and arsenals shall be so produced and repaired?

I understand in the Senate a substitute for it was adopted which does not carry out the wishes of the House in any respect or in a very slight respect.

Mr. WOOD of Indiana. I have always understood it to be the duty of the conferees to maintain and insist upon the position maintained by the House, and I do not think there will be any exception as far as this is concerned.

Mr. HULL. Will the gentleman agree to bring this back? It is a very important amendment and I think it is a reasonable request.

Mr. WOOD of Indiana. I will agree with the gentleman that it is a very important amendment. I believe that the gentlemen who are the proponents of this amendment will now agree that the amendment carried and passed by the House would have been impossible; but, so far as I am one of the conferees, I will be glad to see that the wishes of the House are maintained and, if not, I will bring it back to the House.

Not a word of the House amendment is retained in the conference report. This is admitted.

He did not bring it back. He admits it. I do not think there is anything further that I can say, but I do suggest to the chairman of the committee that he himself make a motion to send it back to conference.

Mr. BANKHEAD. Will the gentleman yield to me?

Mr. WOOD of Indiana. I will yield to the gentleman from Alabama three minutes.

Mr. BANKHEAD. Mr. Speaker, when this bill was up we had some controversy and argument in regard to the provision for the advertising appropriation in the Shipping Board, the amount that they were to spend for advertising. It developed in debate that as high as 15 per cent was paid for placing advertising contracts. After we had had considerable discussion, I offered an amendment, found on page 33 of the bill:

Provided, That no part of the sums hereinbefore appropriated shall be used to pay a greater sum than 5 per cent as commission for the placing of advertising matter contracted for.

When I offered that amendment the chairman of the subcommittee, the gentleman from Indiana [Mr. WOOD], agreed to the amendment, and by that I assume that he agreed that it was a proper limitation to pay for advertising contracts. Now we

find that the House conferees have receded and that has been stricken out of the bill. I would like if the gentleman from Indiana will tell us why the conferees agreed to that proposition. The House had accepted it and the gentleman had recognized the wisdom and justice of the amendment.

Mr. WOOD of Indiana. I will be glad to tell the gentleman. As far as the amount is concerned, it amounts to nothing, whether it was 15 per cent or 5 per cent that might be involved, or whatever per cent might be paid by the parties. The evidence showed that out of all of the advertising the Government had only paid $285, or in that neighborhood. The Senate, so we were informed—and I do not think I am revealing any secret—was induced to strike out that language upon the assumption that it was a reflection on Mr. Lasker, who happens to be engaged in that character of business.

Mr. BANKHEAD. Mr. Lasker felt that it was a reflection.

Mr. WOOD of Indiana. That was the purpose of the Senate to strike it out, and the conferees felt that as Mr. Lasker was sensitive about it and the amount involved was absolutely null, and as far as its being of real service it amounted to nothing, and that was the reason we accepted it at the time.

Mr. BANKHEAD. Does not the gentleman think we are going pretty far afield when the naked declaration of a Government official that he feels that the deliberate action of this House undertaking to properly limit the expenditures of the department is a reflection on that official—that upon his mere suggestion the conferees should yield, notwithstanding the opinion of the House of Representatives?

Mr. WOOD of Indiana. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND of Virginia. Mr. Speaker and gentlemen of the House, the attack that was made by the gentleman from Tennessee [Mr. BYRNS] on Mr. Ferguson is based upon his acceptance of the appointment as a member of the Compensation Claims Commission. I do not know whether Mr. Ferguson is discharging the duties of that position or not. I do know Mr. Ferguson personally; I have known him for a number of years. I do know that there is not in my acquaintance a man of a higher sense of honor or a higher regard for right than Mr. Ferguson.

Mr. BRYNS of Tennessee. Will the gentleman yield?

Mr. BLAND of Virginia. Certainly.

Mr. BYRNS of Tennessee. I want to say that I made no attack on Mr. Ferguson. I was simply calling attention and submitting the question of propriety of the Shipping Board making an $8,000,000 contract with one of its high-priced employees. I made no attack on Mr. Ferguson; I am sure he is entitled to the high commendation given him by the gentleman from Virginia.

Mr. BLAND of Virginia. Personally I can not see any incompatibility in his position as president of the shipyard and as a member of the Compensation Claims Commission. If the Compensation Claims Commission had anything to do with the award of the contract for the *Leviathan* to the Newport News Shipbuilding & Dry Dock Co., the positions would be incompatible, but they occupy an entirely different position, and the Compensation Claims Commission had absolutely nothing to do with the award of the contract. It is utterly impossible for me to see just where the incompatibility arises.

I submit that there was a reason for the award of this contract on the early date on which it was awarded, a reason that has not been brought to the attention of this House. According to my understanding from the debates that occurred in the Senate—and I have not heard it denied—the bids that had been called for were limited to acceptance by February 15, as I recall the date. At any rate they were limited so that they became inoperative on the day succeeding the very day on which the Shipping Board awarded this contract. If the board had waited until the succeeding day, every private bidder could have recalled his bid and would not have been bound by it. In fact, some of the subcontractors, some of the people who had obligated themselves to the Newport News Shipbuilding & Dry Dock Co., had already served notice on the company and on the Shipping Board that unless the contract was awarded on the date fixed, I think February 15, they would no longer be bound by their contracts. Therefore the operation of the provision inserted by the Congress, if carried into effect, would have been absolutely to strike down every offer that had been submitted by a private concern.

Mr. Speaker, the newspapers are fairly accurate in sensing public opinion, and if gentlemen will examine the editorials of the newspapers of this country, even from Boston itself, to the far South, they will find that there has been an indorsement of the action of the Shipping Board in awarding this contract to a private bidder. This question is not a new one in this Congress. The people who are connected with the Government have had some experience in this. In 1914 or 1915 the Government considered the award of the contracts for the *Texas* and the *New York*. The *Texas* was awarded to the Newport News Shipbuilding & Dry Dock Co. and was constructed for about $5,830,000. One of the northern navy yards, I think the Brooklyn Navy Yard, insisted that it could build the sister ship at the same price. The result was the navy yard had to come back to this Congress for an additional appropriation of $400,000, and when completed a letter of the Secretary showed that the ship which was built in the navy yard cost this Government $1,125,000 more than the ship which was constructed in a private yard.

I submit that this was a proper business transaction on the part of the Shipping Board, especially in view of the fact that the offers would have expired by limitation on the day that the contract was let.

Mr. WOOD of Indiana. Mr. Speaker, I yield two minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, I have a letter here written to me by a representative constituent, which pertains to the efficiency of the advertising which has been spoken of to-day. That letter is as follows:

THE GREENWAY,
Baltimore, February 6, 1922.

Hon. J. CHAS. LINTHICUM,
20 East Lexington Street.

DEAR SIR: I should like to call attention to the inefficient manner of conducting business now employed by the United States Shipping Board. On January 1 I wrote to several transatlantic lines asking for information regarding rates, dates of sailing, etc. I received replies from all lines promptly except from the office of the United States Shipping Board, 45 Broadway, New York. After waiting for a reply for two weeks I answered an advertisement of the Shipping Board which appeared in one of the magazines requesting prospective travelers to send to information desk at Washington for information regarding sailings, etc. Ten days later I received a booklet giving information perhaps valuable to one who has never been abroad, regarding passport regulations, etc., but having nothing of value for the average experienced traveler. I was informed that my request for passage data had been forwarded to the New York offices. I am still waiting after nearly a month and a half of delay, for even an acknowledgment of my first letter to the New York office.

What is the use of indulging in wordy outbursts in regard to patriotically patronizing our own merchant marine, spending hundreds of thousands of dollars for advertising, and then allowing other more wideawake lines to walk away with the business for want of proper attention?

I should have liked to have patronized "our own ships," but I can not wait any longer.

Very truly, yours,

RALPH C. WILLIAMS.

Mr. WOOD of Indiana. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Speaker, this amendment was adopted by the House by almost a unanimous vote, and the same language, almost word for word, the House put into the permanent law in the Army reorganization act, and it is also contained in the military and the naval appropriation acts of last year. It simply provided that if any of this work could be done more cheaply in Government arsenals or navy yards it should be so done. When the conferees were appointed the gentleman from Iowa [Mr. HULL] and myself, knowing that the Senate had adopted an amendment very much weaker than the House amendment, asked the gentleman from Indiana [Mr. WOOD], reserving our right to object to the bill going to conference, if he would bring it back to the House if the Senate did not agree to the House position. He promised that he would. "I will bring it back to the House," he said on page 3110 of the RECORD. It seems to me that the conferees have not kept their promise. They have agreed to an amendment which not only weakens the House provision but even the Senate provision, increasing the limit as it does from $5,000 to $100,000, and the only thing that the House can do is to refuse to accept the conference report.

Mr. WOOD of Indiana. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, I have asked for this time in order to read a letter which I have received from a very distinguished man. I ask this privilege because of the very severe attacks made in a recent debate here upon another man, not a Member of the House, who, therefore, had no opportunity to defend himself. I am not personally acquainted with the writer of the letter, but know, as do the other Members of the House, that he is a man of international reputation among the highest in his profession:

CASS GILBERT, ARCHITECT,
New York, February 14, 1922.

Hon. HENRY ALLEN COOPER,
House of Representatives, Washington, D. C.

MY DEAR MR. COOPER: I have read with much interest and satisfaction your recent speech in the House of Representatives on the subject of the Commission of Fine Arts, and of Mr. Charles Moore, its chairman. As a former member of the commission and as a citizen interested in the public welfare I wish to thank you for it.

I was one of the original members of the commission, and was appointed by President Taft. At the end of my term I was reappointed by President Wilson, and resigned in the autumn of 1916, after nearly six and a half years of active service. Since then I have kept in touch with the commission, and while I do not know its work in detail I do know that its general character has not changed. As Chief Justice Taft recently said to me, "It is the best commission in Washington."

I have seen a good deal of public service in the last 25 years, and I never have known a group of men more thoroughly unselfish and more imbued with the spirit of devotion to the public welfare than have been the men constituting the Commission of Fine Arts, and this applies with especial force to Mr. Charles Moore, its chairman. His services to the Government for nearly a quarter of a century have not only been singularly unselfish, but have been of the highest order, for they have led to direct constructive results. It was he who started Senator McMillan upon the water supply and filtration plant for the District of Columbia. He followed this up by calling Senator McMillan's attention to and urging upon him the trunk line sewer system for the city of Washington. He was one of those who had a part in securing the removal of the Pennsylvania Railroad tracks from the Mall. He was one of the early advocates of the saving of Rock Creek Valley. He has been a helpful advocate of the development of the park system of Washington. Modest, unselfish, and sincere, he has been an advocate of every good cause for the development of the National Capital within reasonable lines to my knowledge for more than 20 years, and he is a man of trained taste and scholarly attainment. His scholarship is recognized by his election to membership in the National Institute of Arts and Letters and various other professional societies. I think Charles Moore has the confidence of those engaged in arts and letters to a greater extent than any other man connected with the public service, and he has earned it and he has never misused it. It will be a public calamity and an irreparable loss when Mr. Moore ceases to be an active factor in the development of the District of Columbia.

During my time on the Commission of Fine Arts I think we had to pass on questions as varied as the design of a dollar bill to the planning of the city of Balboa in the Panama Canal Zone.

I remember a single instance in which the commission recommended the omission of an unnecessary colonnade on one of the proposed public buildings which, according to my estimate, reduced the cost $2,000,000. I cite this only as evidence of the commission's attitude toward such matters, which has been one of economy, common sense, and good taste.

I note that it has been said in Congress that the members of the commission have desired such appointments because of social prestige and because they received invitations to fetes and other occasions in Washington. My own experience does not bear this out.

In fact, I can recall many occasions when I had to give up important business, professional, and social engagements in New York and elsewhere, to attend meetings of the Commission of Fine Arts, and one of the reasons why I resigned from the commission was that I was giving so much time to the work which it involved that it constituted a serious interference with the professional work for which my clients paid me.

I trust you will pardon these personal allusions, but they seem not entirely out of place in view of the statements which seem to have been made by Members of Congress.

I did not start this letter as a defense of the Commission of Fine Arts, but only to thank you for your speech and the very appreciative expressions of the work which the commission and Mr. Moore have done.

With personal regards, I remain,
Faithfully, yours,
CASS GILBERT.

Mr. Gilbert is the architect of the Woolworth Building in New York City, of the Minnesota State capitol, and of other famous structures, and has been chosen by West Virginia to draft plans for her capitol. The gentleman from Indiana [Mr. WOOD] said that not even "a pigpen can be built in Washington without the consent of Mr. Moore." Now, the fact is that the order of President Harding specifically provides that the only buildings about which the commission is to be consulted for advice, and only for advice, are buildings constructed by the executive departments or by the District of Columbia. The order does not at all relate to private buildings, and anyone who knew the law would have said that instead of what was said.

Mr. WOOD of Indiana. Mr. Speaker, I wish to call attention very briefly to what has been stated by the gentleman from Tennessee [Mr. BYRNS], which is of importance in the consideration of this report.

Mr. Speaker, the gentleman from Tennessee is mistaken in reference to the position occupied by Mr. Ferguson—an unintentional mistake, of course. Mr. Ferguson is the president, as I understand, of the Newport News Shipbuilding & Dry Dock Co. He was appointed by the President upon the claims commission of the Shipping Board; but Mr. Ferguson, because of the fact the company of which he is president has a claim against the Shipping Board, absolutely refused to accept that position, and does not occupy that position now.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BYRNS of Tennessee. I call the gentleman's attention to the hearing which was conducted on January 4 of this year, page 907, in which Mr. Lasker stated:

> We got very high-grade men on it, the members of the commission being Judge Walter D. Neals, formerly justice of the appellate court of Ohio, who is the chairman of the commission; Mr. Arthur W. Peelle, of Patterson, Peelle & Dennis, and vice president of the American Institute of Accountants; Mr. Homer L. Ferguson, president of the Newport News Shipbuilding & Dry Dock Co.; Capt. R. M. Watt, formerly chief constructor of the Navy; and Mr. F. W. Wood, of Baltimore, former president of the Maryland Steel Co.

Those were the members of the claims commission on January 4, according to the statement of Mr. Lasker.

Mr. WOOD of Indiana. I will state the board was constituted with their names, but Mr. Ferguson refused to accept. He is named as a member of this commission, but he refused to accept upon the high ground of the position he occupied in reference to this shipyard.

Mr. BYRNS of Tennessee. If that be true, why did Mr. Lasker make that statement? He made no statement in the hearings that Mr. Ferguson was not serving, but stated at that time he was a member of the claims commission.

Mr. WOOD of Indiana. I will say to the gentleman that Mr. Lasker was speaking in general terms about the people occupying this position, and in order that there might be no mistake about this thing I have just this minute, through the Clerk and Mr. WASON, had a conversation with the Shipping Board, and they tell me what I now tell you as being the latest information, that while he was appointed he refused to accept for the reason I have stated and he has never drawn a penny.

Mr. BYRNS of Tennessee. If the gentleman will pardon me, of course my statement was based upon the emphatic statement of Mr. Lasker. Now, if Members of Congress can not rely upon the hearings which were had before the committee and which were afterwards looked over and revised before being printed in order to prevent any mistake being made, I do not know what Congress can rely upon.

Mr. WOOD of Indiana. I will state that Mr. Lasker in stating the men who had been selected for these various positions named Mr. Ferguson——

Mr. BYRNS of Tennessee. But he did not make that statement, I submit to the gentleman, but named the men who had been appointed.

Mr. WOOD of Indiana. If the gentleman will just let me proceed. Mr. Lasker was making a general statement in reference to the personnel occupying the various positions connected with this board and named Mr. Ferguson among them. I can see very readily how the gentleman from Tennessee could have been misled by the language, and I confess I would have been misled also. To be exactly right about the thing, the Shipping Board was called up and the statement was as I have given it, that he was not appointed for the reason I stated and he has never drawn a cent, and in the event he had I appreciate the high-mindedness in not accepting it because of the very insinuations that might be made by reason of his connections in any capacity. But that would have nothing to do with the letting of the contract for the *Leviathan*, and that had nothing to do with the claims commission whatever; but he did not desire to place himself in a position where he might be criticized.

Now, much has been said here about the haste with which this contract for reconditioning the *Leviathan* was let. It either had to be let upon the very day that it was finally let or else new bids had, and it can not truthfully be said they took advantage of any situation. My attention has been called, and I call attention of the gentleman from Tennessee to this same hearing, on page 1075 of the hearings of the subcommittee in the second paragraph, where it mentions Mr. Homer Ferguson, of the Newport News Shipbuilding Co., and it says:

> The latter gentleman has not qualified or acted with the commission.

Mr. CHINDBLOM. Who made that statement?

Mr. BYRNS of Tennessee. That is on a different day or a different statement.

Mr. WOOD of Indiana. It was made afterwards. That is true, but——

Mr. CHINDBLOM. Who made the statement—Mr. Lasker?

Mr. WOOD of Indiana. Mr. Lasker or some one of his agents. Now, gentlemen, because the Shipping Board is unpleasant and all of its transactions have been nauseating and disgusting prior to this administration to everybody who has any connection with it at all we should not be unmindful of the fact that the United States is vitally interested in the concerns of this Shipping Board.

Mr. BYRNS of Tennessee. Just one moment. That statement which the gentleman read in response to some gentleman's question on the floor was made by Mr. Bullitt, not Mr. Lasker.

Mr. WOOD of Indiana. I believe it was made by Mr. Bullitt; I did not look the testimony over. But why quibble about this thing, except for the purpose of exciting the prejudice of men already aroused beyond the point they should be aroused? I have no more concern in this matter than anybody else has, unless it be because of the position I occupy. I tried to get the facts and be fair with this committee. I confess when I commenced this investigation I was prejudiced not only against the old Shipping Board but against the present one, and I think if you will read these hearings you will find the questions I propounded indicated this fact, but I was convinced, before

we got through this thing, by reason of the testimony that could not be questioned or disputed, that these men were trying to bring some order out of the most chaotic conditions. Amongst other things, they had conceived the idea of reconditioning this *Leviathan*, and they had asked for bids from everybody that wanted to bid. Bids came even from Germany, and they were for a less amount than the bid finally accepted of the Newport News Co., but knowing the great wrath that would be stirred up, and justifiably so, perhaps, if they were to let this contract abroad, even though it did save a great amount of money to the United States, they were justified in refusing any foreign bids, and they finally let it to the Newport News Co. on the last day, when that company was trying to get out of it. That is what they did for the purpose of saving money to the United States.

Now, as to the amendment, that whole thing was predicated on the reconditioning of the *Leviathan*, and I have no idea, if they had it not in mind, that it would have found any place in this consideration.

Mr. JOHNSON of Mississippi. If the gentleman will yield, I wish to direct an inquiry to the gentleman as to the statement made by the gentleman from Iowa [Mr. HULL] and the gentleman from Massachusetts [Mr. DALLINGER]. They charged the chairman with not keeping faith with the House. I would like to know if that is true, if the gentleman has not already made a statement in regard to it?

Mr. WOOD of Indiana. I made that statement awhile ago.

Mr. JOHNSON of Mississippi. I did not hear it.

Mr. WOOD of Indiana. There were two days when this bill was up for the purpose of referring it to the conference. On the first day there was a colloquy between the gentleman from Iowa and myself, and the gentleman from Massachusetts and myself. Nothing was done upon that day. Something was said then with reference to this amendment, I contending that it would be absolutely impossible to carry out the amendment that was offered, and that we should insist as nearly as possible in trying to find out, and, so far as I was concerned, I was willing to let it come back to the House. On the second day, or the next day thereafter, we did bring it back, and there was some objection from the gentleman from Tennessee. We did bring it back on the others. As I said before, by reason of the confusion I overlooked it. I do not want to be placed in the attitude of breaking my faith with anybody connected with the House. It is very easy for the gentlemen to refuse this conference report and to send it back. But I want to say now, if there is a fair-minded man before me, he can read this amendment with reference to having the work done in the navy yards, and he would know that you could not repair these ships there, for you could not get a bid for doing the work in the navy yards. There is some reason why this thing should be finally entirely rejected or else adopted, not so much with reference to the Shipping Board but with reference to other material matters on which options are now pending, but which will expire to-day. We did it so far as this amendment is concerned, and on the part of the House we inserted in the Senate amendment the inclusion of arsenals that was not included in the Senate amendment.

I want to call attention, and this is one of the many examples that might be cited, to the fact of how impossible it is to carry out the amendment of the gentleman from Massachusetts [Mr. DALLINGER]. Under the law the Shipping Board is required to carry a certain per cent of the immigrants that come into this country. In order to do that thing they had to recondition their vessels in order to provide satisfactory space for these passengers. Now, if we would carry out the proposals submitted and get estimates from the navy yards, and some limitation was not placed upon them, and we placed on it $100,000 in improvements, it would require much time to recondition. Under the policy adopted by the Shipping Board they take a crew of ship carpenters aboard the vessel with the material, and they go abroad to where these immigrants are collected, and they recondition the boat on the way over there. The boat is sailing all the time and does not lose any time by that arrangement, and they get the work done on a ship, according to the evidence submitted by those in charge, much more easily than if they would tie it up while the work was being done. Besides, the vessel is in movement all the while. That is just one thing, and it requires in some of these boats $60,000 or $75,000 to put them in condition to do that work.

Mr. HULL. On the second day that the gentleman speaks of, that he brought this conference report before the House, was there anything at all said about this particular amendment?

Mr. WOOD of Indiana. Absolutely. I said in the colloquy, if you will read it there, that the amendment proposed by the Senator from Massachusetts was impossible and that no fair-minded man could read it, in view of the necessity of the Shipping Board, and be in favor of it.

Mr. HULL. That was the first day.

Mr. WOOD of Indiana. On the last day there was nothing at all said about the amendment.

Mr. HULL. Was there anything said?

Mr. WOOD of Indiana. No.

Mr. HULL. You promised to bring back this report with the House amendment as suggested, and you did not bring it back.

Mr. WOOD of Indiana. Absolutely. And I say it would be a waste of time, and absolutely a useless performance. It is up to you gentlemen to determine whether or not we have served you as best we could; and if you think we have not, why, reject this report.

Mr. Speaker. I move the previous question.

The SPEAKER pro tempore. The gentleman from Indiana moves the previous question on agreeing to the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

Mr. DALLINGER rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Massachusetts rise?

Mr. DALLINGER. To make the point of order that there is no quorum present.

Mr. HICKS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HICKS. In case there is no quorum present would that require an automatic roll call?

The SPEAKER pro tempore. The Chair thinks there would not be an automatic roll call. The Chair waited before announcing the result.

Mr. DALLINGER. Mr. Speaker, I will withdraw my point of order.

The SPEAKER pro tempore. The gentleman from Massachusetts withdraws his point of order. The Clerk will report the first amendment disagreed to.

The Clerk read as follows:

Senate amendment No. 2, page 3, line 4: After the word "traveling" insert "and official entertainment."

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER pro tempore. The gentleman from Indiana moves that the House recede and concur in Senate amendment numbered 2.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield me three minutes?

Mr. WOOD of Indiana. Yes.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for three minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, I think the House ought to insist on its disagreement to this amendment. Of course, it seems in a way somewhat ungracious to resist a matter of this sort, and yet it involves a principle which I do not think the Congress ought to commit itself to. I do not understand that the President has ever requested it, and consequently nothing that I am saying can be taken as any sort of reflection on the President. It has never been the policy of this Government to appropriate money for entertainment and social purposes. It ought not to be the policy.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. I yield.

Mr. MANN. Has not Congress appropriated money for the State Department for that very purpose?

Mr. GARRETT of Tennessee. I do not recall it.

Mr. MANN. Oh, well, we have, for the entertainment of foreign visitors.

Mr. GARRETT of Tennessee. I do not recall even that, but I will take the statement of the gentleman.

Mr. MANN. Perhaps it was for their own details.

Mr. MONDELL. What about the expenditures in Paris during the negotiation of the treaty of Versailles? Was there not a very considerable amount of entertainment at very considerable cost at Government expense?

Mr. GARRETT of Tennessee. I do not know. There was a sum appropriated, of course, to the commissioners, and the commissioners were headed by the President of the United States. How he spent the money I do not know.

Mr. MONDELL. Well, the gentleman has heard rumors?

Mr. GARRETT of Tennessee. Here is the situation: We might just as well be perfectly frank about the matter. Custom has imposed upon the President of the United States the unpleasant burden of having about four public receptions a year. I imagine it is very unpleasant to all the Presidents; I do not know. There is not any obligation on the part of the President to feed the folks that go there. The present President has not been doing it, and I glory in his spunk in not doing it. [Applause.] But I do not think that the Congress ought to appropriate money to pay for food at entertainments up there. That is all there is about it, and that is all I have to say about it.

Mr. BYRNS of Tennessee. Does not the gentleman think these receptions had better be cut out altogether rather than to tax the people who have not the opportunity to attend?

Mr. GARRETT of Tennessee. Yes; I think so. They are a nuisance to everybody.

Mr. WOOD of Indiana. There has been for many years an appropriation of $25,000 for traveling expenses of the President. That item has been used for all expenses of traveling, including, of course, the expenses of entertainment while traveling, but there is some question as to whether that is authorized by the language of the appropriation. To make it clear that this item is available for official entertainment, for which it has been used, at least when the President is traveling, the language is inserted.

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Indiana [Mr. WOOD] that the House recede and concur in the Senate amendment No. 2.

The question was taken; and the Speaker pro tempore announced that the "noes" appeared to have it.

Mr. WOOD of Indiana. A division, Mr. Speaker.

The SPEAKER pro tempore. A division is called for.

The House divided; and there were—ayes 55, noes 34.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Tennessee makes the point of order that there is no quorum present. It is evident that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on the motion to recede and concur. Those in favor of the motion will signify their assent by answering "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 220, nays 96, answered "present" 2, not voting 110, as follows:

YEAS—220.

Ackerman	Dunn	King	Nolan
Anderson	Dyer	Kinkaid	Norton
Andrew, Mass.	Edmonds	Kirkpatrick	Paige
Andrews, Nebr.	Evans	Kissel	Parker, N. J.
Anthony	Fairfield	Kleczka	Parker, N. Y.
Appleby	Faust	Kline, N. Y.	Patterson, Mo.
Arentz	Fess	Kline, Pa.	Perkins
Atkeson	Fitzgerald	Kopp	Perlman
Barbour	Focht	Kraus	Purnell
Beck	Fordney	Larson, Minn.	Radcliffe
Begg	Foster	Lawrence	Ransley
Benham	Frear	Lea, Calif.	Reece
Bixler	Freeman	Leatherwood	Reed, N. Y.
Bland, Ind.	French	Lee, N. Y.	Reed, W. Va.
Bond	Frothingham	Lehlbach	Rhodes
Bowers	Fuller	Lineberger	Ricketts
Brennan	Funk	Little	Roach
Brooks, Ill.	Gahn	London	Robsion
Brown, Tenn.	Gensman	Longworth	Rogers
Browne, Wis.	Gernerd	Luce	Rose
Burdick	Goodykoontz	McArthur	Rosenbloom
Burtness	Gorman	McCormick	Rossdale
Burton	Graham, Ill.	McFadden	Ryan
Butler	Green, Iowa	McKenzie	Sanders, N. Y.
Cable	Griest	McLaughlin, Mich.	Scott, Mich.
Cannon	Hadley	McLaughlin, Nebr.	Scott, Tenn.
Chalmers	Hardy, Colo.	McPherson	Shaw
Chindblom	Haugen	MacGregor	Shelton
Christopherson	Hawes	Madden	Shreve
Clague	Hawley	Magee	Siegel
Clarke, N. Y.	Hayden	Maloney	Sinclair
Classon	Hays	Mann	Sinnott
Clouse	Hersey	Mapes	Smith, Idaho
Cole, Iowa	Hickey	Michaelson	Smith, Mich.
Cole, Ohio	Hicks	Michener	Snell
Colton	Hill	Miller	Snyder
Connell	Hoch	Millspaugh	Sproul
Connolly, Pa.	Hogan	Mondell	Steenerson
Cooper, Ohio	Hukriede	Montague	Stephens
Cooper, Wis.	Hull	Montoya	Strong, Kans.
Crago	Hutchinson	Moore, Ill.	Summers, Wash.
Curry	Ireland	Moore, Ohio	Sweet
Dale	Jefferis, Nebr.	Moores, Ind.	Swing
Dallinger	Johnson, S. Dak.	Morgan	Taylor, N. J.
Darrow	Johnson, Wash.	Morin	Taylor, Tenn.
Denison	Kearns	Murphy	Temple
Dickinson	Kelly, Pa.	Nelson, A. P.	Thompson
Doughton	Kendall	Nelson, J. M.	Timberlake
Dowell	Ketcham	Newton, Minn.	Tinkham
Dunbar	Kiess	Newton, Mo.	Towner
Treadway	Volstead	White, Kans.	Woodruff
Vaile	Walters	White, Me.	Wurzbach
Vestal	Wason	Williams	Wyant
Voigt	Watson	Williamson	Yates
Volk	Wheeler	Wood, Ind.	Young

NAYS—96.

Almon	Driver	Lankford	Rouse
Bankhead	Favrot	Larsen, Ga.	Rucker
Barkley	Fisher	Layton	Sabath
Black	Fulmer	Lazaro	Sanders, Tex.
Bland, Va.	Garner	Lee, Ga.	Sandlin
Bowling	Garrett, Tenn.	Linthicum	Sears
Box	Garrett, Tex.	Logan	Sisson
Briggs	Gilbert	Lyon	Smithwick
Buchanan	Goldsborough	McClintic	Stedman
Bulwinkle	Hammer	McDuffie	Stevenson
Byrnes, S. C.	Hardy, Tex.	McSwain	Stoll
Byrns, Tenn.	Harrison	Mead	Sumners, Tex.
Cantrill	Hooker	Moore, Va.	Swank
Carew	Huddleston	O'Connor	Ten Eyck
Carter	Hudspeth	Oldfield	Thomas
Collier	Jeffers, Ala.	Overstreet	Tillman
Collins	Johnson, Ky.	Padgett	Tyson
Connally, Tex.	Johnson, Miss.	Park, Ga.	Upshaw
Cramton	Jones, Tex.	Parks, Ark.	Vinson
Cullen	Keller	Pou	Ward, N. C.
Deal	Kincheloe	Quin	Weaver
Dominick	Kindred	Raker	Wilson
Drane	Knight	Rankin	Woods, Va.
Drewry	Lanham	Rayburn	Wright

ANSWERED "PRESENT"—2.

Cockran Humphreys

NOT VOTING—110.

Ansorge	Dupré	Kunz	Riordan
Aswell	Echols	Lampert	Robertson
Bacharach	Elliott	Langley	Rodenberg
Beedy	Ellis	Lowrey	Sanders, Ind.
Bell	Fairchild	Luhring	Schall
Bird	Fenn	McLaughlin, Pa.	Siemp
Blakeney	Fields	Mansfield	Speaks
Blanton	Fish	Martin	Stafford
Boies	Free	Merritt	Steagall
Brand	Gallivan	Mills	Stiness
Brinson	Glynn	Mott	Strong, Pa.
Britten	Gould	Mudd	Sullivan
Brooks, Pa.	Graham, Pa.	O'Brien	Tague
Burke	Greene, Mass.	Ogden	Taylor, Ark.
Burroughs	Greene, Vt.	Oliver	Taylor, Colo.
Campbell, Kans.	Griffin	Olpp	Tilson
Campbell, Pa.	Herrick	Osborne	Tincher
Chandler, N. Y.	Himes	Parrish	Underhill
Chandler, Okla.	Husted	Patterson, N. J.	Vare
Clark, Fla.	Jacoway	Petersen	Ward, N. Y.
Codd	James	Porter	Webster
Copley	Jones, Pa.	Pringey	Wingo
Coughlin	Kahn	Rainey, Ala.	Winslow
Crisp	Kelley, Mich.	Rainey, Ill.	Wise
Crowther	Kennedy	Ramseyer	Woodyard
Davis, Minn.	Kitchin	Reavis	Zihlman
Davis, Tenn.	Knutson	Reber	
Dempsey	Kreider	Riddick	

So the motion to recede and concur was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. LANGLEY (for) with Mr. CLARK of Florida (against).

Mr. TILSON (for) with Mr. BLANTON (against).

Mr. LAMPERT (for) with Mr. WINGO (against).

Mr. RODENBERG (for) with Mr. BELL (against).

Mr. WINSLOW (for) with Mr. DAVIS of Tennessee (against).

Mr. ELLIOTT (for) with Mr. JACOWAY (against).

Mr. BLAKENEY (for) with Mr. MANSFIELD (against).

Mr. HIMES (for) with Mr. STEAGALL (against).

Mr. REBER (for) with Mr. TAYLOR of Arkansas (against).

Mr. PATTERSON of New Jersey (for) with Mr. WISE (against).

Mr. FREE (for) with Mr. BRAND (against).

Mr. COUGHLIN (for) with Mr. CRISP (against).

Mr. GREENE of Massachusetts (for) with Mr. ASWELL (against).

Mr. STRONG of Pennsylvania (for) with Mr. KITCHIN (against).

Mr. KAHN (for) with Mr. FIELDS (against).

Mr. FENN (for) with Mr. OLIVER (against).

Mr. CAMPBELL of Pennsylvania (for) with Mr. BRINSON (against).

Mr. BACHARACH (for) with Mr. LOWREY (against).

Mr. OLPP (for) with Mr. RAINEY of Alabama (against).

Mr. PORTER (for) with Mr. PARRISH (against).

Mr. CHANDLER of Oklahoma (for) with Mr. RIORDAN (against).

Mr. SANDERS of Indiana (for) with Mr. TAGUE (against).

Mr. OSBORNE (for) with Mr. SULLIVAN (against).

Mr. GLYNN (for) with Mr. MARTIN (against).

Mr. DAVIS of Minnesota (for) with Mr. O'BRIEN (against).

Mr. LUHRING (for) with Mr. DUPRÉ (against).

Mr. ELLIS (for) with Mr. HUMPHREYS (against).

Mr. CODD (for) with Mr. TAYLOR of Colorado (against).

Mr. KREIDER (for) with Mr. KUNZ (against).

Mr. MUDD (for) with Mr. RAINEY of Illinois (against).

Mr. SPEAKS (for) with Mr. GRIFFIN (against).

Mr. GRAHAM of Pennsylvania (for) with Mr. GALLIVAN (against).

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present. The Doorkeeper will open the doors. The yeas have it, and the motion to recede and concur is agreed to. The Clerk will report the next amendment still in disagreement.

The Clerk read as follows:

Amendment No. 19: Page 11, line 6, after the figures "11" insert: "and advancement of costs for the enforcement of recoveries provided in sections 26 and 27 where necessary, and not exceeding $25 in any one case."

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede and concur in Senate amendment 19.

The SPEAKER pro tempore. The gentleman from Indiana moves that the House recede and concur in Senate amendment 19.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 21: Page 12, beginning with line 4, strike out the remainder of page 12 and all of page 13, down to and including line 14, and insert the following:

"For carrying out the provisions of the act of June 10, 1921, establishing the General Accounting Office, including salaries of officers and employees, traveling expenses and per diem in lieu of subsistence while absent on official business outside the District of Columbia not to exceed $50,000, rent, purchase, and exchange of books, and contingent and miscellaneous expenses, $2,496,101."

Mr. WOOD of Indiana. I move that the House recede and concur in amendment numbered 21 with the following amendment, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Indiana offers a motion, which will be reported by the Clerk.

The Clerk read as follows:

Mr. WOOD of Indiana moves that the House recede from its disagreement to the amendment of the Senate No. 21 and agree to the same with an amendment as follows: Strike out the sum of "$2,496,101" and insert in lieu thereof the sum "$2,468,601."

Mr. WOOD of Indiana. Mr. Speaker, the purpose of that amendment is to correct a mistake made by the Senate in their calculation as to the amount required.

Mr. BYRNS of Tennessee. I should like to have some time on this amendment. I should like five minutes.

Mr. WOOD of Indiana. I yield to the gentleman from Tennessee five minutes.

Mr. BYRNS of Tennessee. Mr. Speaker, I have a very high personal regard for my friend the gentleman from Indiana [Mr. WOOD], as well as a very great respect for his ability. We generally agree upon matters of appropriations; but I am very much opposed to the motion which he has just made. If his motion prevails, its effect will be to place in a lump sum in the hands of the Comptroller General of the United States the sum of $2,468,000 for the payment of salaries and the other expenses of the General Accounting Office. That is something that is not done for any other department or bureau, save a very few such as the Interstate Commerce Commission and the Federal Trade Commission, where they employ men frequently for temporary periods of a few months—investigators, and so forth. This is a departure from the uniform custom and practice of Congress not to place lump sums in the hands of the heads of departments or bureaus for the purpose of paying salaries.

In addition to that, this bureau under the Budget law is peculiarly a bureau of Congress. It is not attached to any department of this Government but it is under the jurisdiction of Congress itself under the Budget law. Now, why should we take this initial step in behalf of a bureau under Congress when we uniformly and properly decline to do so for the executive departments of this Government? When the law was passed last year it made available for the Comptroller General of the United States the employees and the appropriations which were made for the various auditors in the different departments of this Government, amounting to $2,152,613.57. Let me call your attention to the fact that that was not a lump sum. The employees so transferred were on the statutory roll, and they are now on the statutory roll in the Comptroller General's office. But if the motion of the gentleman from Indiana prevails they will be taken off the statutory roll and it will be left to the Comptroller General to fix their salaries at whatsoever amount he may choose within the maximum limitation fixed by the Budget law of $5,000. Now, are we going to do that? Are we going to take that radical and unusual step with reference to this particular office, or are we going to treat this office as we treat all the offices of this Government and have a voice as to what shall be paid to the employees of that particular office?

My friends, there is nothing personal about this. It is not because it is the office of the Comptroller General. If it was any other office, my position would be the same. I am opposed to lump sums. Whenever you undertake to appropriate lump sums you may expect extravagance and favoritism. Pressure will be brought upon those having charge of that lump sum, and whatever may be their intention you will have charges of favoritism and you will find extravagance before the appropriation has been fully expended. [Applause.]

Mr. LONDON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman from New York.

Mr. LONDON. Does the law provide a maximum number of employees?

Mr. BYRNS of Tennessee. No.

Mr. LONDON. Does it provide a maximum salary that may be paid to any employee?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOOD of Indiana. I yield to the gentleman five minutes more.

Mr. BYRNS of Tennessee. The law provides that there shall not be exceeding the number of six, I believe, who shall be paid a salary exceeding $5,000; but there is no limitation on the head of this office under the sum of $5,000, and with that as a maximum he may fix whatever salaries he pleases if this amendment is adopted.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman from Illinois.

Mr. GRAHAM of Illinois. Is the gentleman a conferee on this bill?

Mr. BYRNS of Tennessee. No; I am not.

Mr. GRAHAM of Illinois. Does the gentleman know what arguments are advanced for substituting this lump-sum appropriation for the itemized bill as it was?

Mr. BYRNS of Tennessee. The gentleman will recall that when the bill was reported in the House from the Committee on Appropriations it carried a lump sum, but by action of the House by an overwhelming vote the employees in this office were placed upon a statutory basis. Then it went to the Senate and the Senate struck out the provision of the House and put back the lump sum.

I do not question the good faith of the Comptroller General or any of his assistants. I do not question their sincerity, but I do want to say that the record made by the office is not one that would appeal to you from the standpoint of economy. When the Budget law was passed it was said that it would save 600 employees in the various auditors' offices of the department, and yet we have a situation where this office had for this year $2,150,000 for employees on the statutory roll, and, as was said this morning by the gentleman from Illinois [Mr. MADDEN], chairman of the Appropriations Committee, in the consideration of the conference report on the deficiency bill, this bill carries $341,617.43 more for next year than was had for the current year. If the House conferees on the deficiency appropriation bill had been willing to agree to the $350,000 for 1923, which was placed on that bill by the Senate at the request of the Comptroller General, it would have made an appropriation of $691,000 more for the next year than was appropriated for this year. They said $350,000 would enable them to employ 253 more persons; therefore the $341,617.43 additional carried in this bill will enable them to employ in the neighborhood of 250 more employees next year than they had this year. So I say, my friends, you can not fully rely on the economy of that office, although it ought to set the example for economy. And in the face of that record I insist that we should not put this immense sum in their hands without limitations as to salaries or the number to be employed. I hope that the House will vote down this motion and insist on its disagreement to the amendment of the Senate in placing this lump sum in their hands. I hope that you will show no partiality for this office because it happens to be under the direct jurisdiction and supervision of Congress. [Applause.]

Mr. STEPHENS. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. STEPHENS. May I ask whether the lump sum of $2,496,000 is less than the total amount stricken out in the bill?

Mr. BYRNS of Tennessee. I can not tell; I think it is the same amount.

Mr. STEPHENS. It is not any more?

Mr. BYRNS of Tennessee. I do not think it is more; I think it is the same. In the bill the employees are put on a statutory basis and in this amendment a lump sum is provided.

Mr. STEPHENS. If the lump sum was less there would be some merit in the proposition.

Mr. BYRNS of Tennessee. Yes; but there is another thing. This provision of the House fixes the salaries and the number of employees. The Comptroller General told the Appropriations Committee that he was going to employ them and the House provision takes care of that exact number. It does not take from or add to the salary of a single employee that the Comptroller General told the committee and Congress through the committee that he was going to employ if this money was allowed him. What objection, therefore, can he have to the House provision, and how can it hinder his office in any way?

Mr. BUTLER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. BUTLER. What is the argument in favor of this proposed change by the Senate amendment?

Mr. BYRNS of Tennessee. I do not know; that will have to come from others. So far as I am concerned, I can not see any reasonable argument in favor of it. [Applause.]

Mr. WOOD of Indiana. Mr. Speaker, I yield five minutes to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, I have known no exception where the head of a bureau or department did not insist in advance that he could run his bureau or department for less money with a lump-sum appropriation than he could with a specific appropriation, defining the places. I have known no exception where a lump-sum appropriation was granted that it did not result in extravagance and waste of money. [Applause.] We would not be disputing about the high salaries in the Shipping Board if they had not started under a lump-sum appropriation. The gentleman from Tennessee [Mr. BYRNS] just instanced the Federal Trade Commission and the Interstate Commerce Commission as bodies which properly receive lump-sum appropriations, and yet everyone familiar with the work of either the Federal Trade Commission or the Interstate Commerce Commission knows that the salaries paid by those bodies far exceed the average salary for similar work in other branches of the Government. [Applause.] It is human nature, and there is no use in discounting human nature. The man at the head of a bureau with a large sum of money at his control will grant salaries and promotions which he easily turns down when he does not have the authority. Now, here is a General Accounting Office, a new scheme to secure economy in the Government, a new method for cutting off expenses of the Government. If there is any bureau of the Government that ought to be willing to come under the well-recognized principles settled by Congress in regard to appropriations, this new bureau ought to do it. The amendment, which was inserted by the House on the floor when the bill was under consideration, put in all the places that they said they wanted. They do not have to keep them; if the comptroller can practice economy he does not have to employ them all. There is nothing compulsory about giving employment to this number of people; he can cut them off if he wants to practice economy. But if he gets a lump-sum appropriation and it remains from year to year the inevitable result, based not only on human nature but upon actual experience, is high salaries and poor and inefficient work. I hope the House will retain the position it took and insist on the provision it inserted in the bill. [Applause.]

Mr. WOOD of Indiana. Mr. Speaker and gentlemen of the House, I agree with the gentleman from Illinois [Mr. MANN] and also with the gentleman from Tennessee [Mr. BYRNS] with reference to the evil practice under lump-sum appropriations, and I expect I have had about as much experience in observing that abuse as anybody. If we are to be consistent in this matter, however, the gentleman from Tennessee or some one else should propose to apply the statutory rules on fixing salaries to the Interstate Commerce Commission, the Federal Trade Commission, the Housing Corporation, and some dozens of others.

Why this particular office was singled out I do not know, but I propose, if I can, to point out to you some reason, at least, why this lump-sum appropriation should be granted for the next year. I have before me a letter written by the assistant comptroller in which he says, and he so informed the gentleman from Tennessee [Mr. BYRNS], as I understand it, in an interview that he had with him, that that office is perfectly willing to obligate itself in writing, as they have done in this letter, that never again will they ask for a lump-sum appropriation. They deprecate the lump-sum appropriation. The purposes in asking it at this time are as follows: As has been stated here, this is a new activity, and it is in a state of reorganization. All of the auditors of the various branches of the Government are now combined under the comptroller and under the direction of the comptroller. There are 15 of these different offices scattered around all over the city, employing some 1,400 or 1,600 auditors and their clerks. In this process of reorganization they have already weeded out many who are inefficient and have reduced some to a lower grade and in a few instances have granted promotions. While this organizing process is going on, if you fix these statutory salaries you are tying the hands of the comptroller, who is trying as best he can in the next year to find out the positions and those occupying them who are entitled to this, that, or the other salary. If you fix them, his hands are tied to a very considerable degree.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CRAMTON. On the other hand, is it not true that if we give the comptroller one year of lump-sum appropriation, and he fixes these salaries at an overly high figure, our hands are tied and we can never reduce them?

Mr. WOOD of Indiana. Absolutely not, because salaries fixed by the heads of these bureaus have no sanction in law. We do not know now what they are paying except as the statement which was submitted by this gentleman shows, and the statement submitted by the comptroller was the basis on which the gentleman from Tennessee [Mr. BYRNS] fixed his amendment. I am informed that they have already reduced a number of clerks because of the fact that they found them inefficient, and they are holding this out as an incentive to those employees down there. They are saying that if they prove within the next year that they are entitled to this, that, or the other salary they will get it, but that they must show it by their work and not by a salary being fixed by Congress. I want to read a line or two from this letter:

> In the absence of Mr. McCarl, I hope, for him as well as for myself, that we may have the lump-sum appropriation again next year in the interest of economical administration of the General Accounting Office. We will save money to the Government if we can have that, because certainly this office (more perhaps than any other) should be and will be interested in governmental economies. I believe that those of you who know this office will readily agree with this.
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> As a direct agency of Congress and subject to its immediate supervision, I think it should always be considered that the office would want to be on the side of least possible criticism, which would not be the case if we permitted the office to run wild in the matter of increase of salaries.

As I stated a while ago, Mr. McCarl knows the abuse of this thing, and I have seen it repeated so often that I am heartily sick of the lump-sum appropriation. We have been waiting and hoping against hope that a reclassification bill would come in whereby these salaries would be adjusted and permanently fixed. Because of the fact that this is a new organization, the machinery just being adjusted, and because of the fact that in the opinion of the general accounting officer—and I think his opinion is worth while—money can be saved to the Treasury by readjusting these places and fixing these salaries according to merit and demerit, we should give him this one year's appropriation with the pledge that never again will they ask for it and that they will save money out of this appropriation.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. FESS. In a conversation with Mr. Ginn he told me that the purpose was to secure better discipline and not to increase the amount. He assured me that the amount would be decreased rather than increased, and so far as Mr. McCarl is concerned this House knows that he has been in the campaign for economy, and if any man in or out of Congress feels responsibility for economy it certainly is the man who is at the head of the Comptroller General's office. For that reason I I felt that it was in the interest of economy to grant the lump sum, although I have always been opposed to the idea of a lump sum.

Mr. BYRNS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BYRNS of Tennessee. If it be true that it is in the interest of economy, why is it that the Comptroller General, who, as the gentleman from Illinois [Mr. MANN] said, should stand for economy under the Budget law, is asking for $691,000 more for next year than he had this year, or an increase of over 25 per cent?

Mr. WOOD of Indiana. I will tell the gentleman why: The fact is that in the attempt of the comptroller to reduce the expenditures, and without knowing fully the additional work that was going to be imposed on him, he diminished his force, perhaps, greater than he should. This is what has happened, and this is the reason why this additional appropriation is asked. There can not be a complete soldier's record file without going

to the comptroller's office. There are papers lodged in the basement of Poli's Theater and a half dozen other basements that must be protected and preserved within the next year or else they will be forever lost to the Government. That is one of the reasons. That work can be done by cheap labor, not the high-class labor that is paid these higher salaries. If we will give him a little leeway he will do this work a great deal more cheaply than if we fixed the salaries that must be paid to these people who will do this work. He proposes to say to them, "If you do so much in a month, your salary will be thus and so, and if you produce a greater amount than that in a month, your salary will be increased in proportion." There will be some incentive held out; and this very additional appropriation that is asked for is for the purpose of doing this work, temporary in character, and it should be done under the supervision and direction of Mr. McCarl, who will, as I said, get the greatest amount of work for the least amount of pay.

Mr. BYRNS of Tennessee. The gentleman himself was the very able chairman of the committee which had charge of the legislative, executive, and judicial appropriation bill. I am quite sure that he had numerous requests, as chairman of that committee to place bureaus, offices, and activities on a lump-sum basis. I want to ask the gentleman if the statement was not uniformly made and the reason was not in every instance that they would save money if he would give them a lump sum, and if the gentleman did not uniformly decline to grant the request?

Mr. WOOD of Indiana. The gentleman is correct, and I say yet I am opposed to it, and but for the importance of this I would not yield in this instance. I believe Mr. McCarl—and the evidence shows the fact—has cut off 82 clerks within a very short time after he entered office, which showed his inclination and desire in relation to practicing economy. There is an immense volume of this old trumpery in the basement that must be preserved, and he is going to relieve this situation with the character of labor necessary, but not the high-class labor, not the labor employed under high salaries as we fix them. If you give him this lump-sum appropriation, he will show you at the end of the year that he has saved money, and we will not save any by putting them on fixed salaries, because those people will draw that salary and do as little work as possible to be able to get the pay, without any incentive to do more and without any fear of a discharge. So I say, gentlemen, we had better take the judgment and advice of this man, who has this thing at heart and who is charged with this responsibility, and who claims that he knows and says that if we will give it to him this year he will really save us money. It would be really refreshing to find one bureau of this Government that is saving money through a reduction of clerical hire. So let us give him a chance.

The SPEAKER pro tempore. The question is upon the motion to recede and concur with the amendment.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

On a division (demanded by Mr. WOOD of Indiana) there were—ayes 21, noes 89.

So the motion was rejected.

Mr. MANN. Mr. Speaker, I move that the House further insist upon its disagreement.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28, page 28, after line 24, insert:

"The commission in charge of the State, War, and Navy Departments Buildings, to wit, the Secretary of State, the Secretary of War, and the Secretary of the Navy, is hereby authorized and directed to acquire by purchase, so far as they may be able to at prices deemed by them to be reasonable and fair, otherwise by condemnation in accordance with the provisions of the act of Congress approved August 30, 1890, providing for a site for the enlargement of the Government Printing Office, the following squares of land for public purposes, to wit, the whole of squares known as numbers east of 87, east of 88, 124, 125, 145, 146, and 147, in the city of Washington, D. C., as officially recorded in the office of the surveyor, District of Columbia. The commission is further authorized to reduce the area to be acquired where by reason of improvements constructed, or unreasonable prices asked, or for other reasons in their judgment the public interests may require: *Provided*, That if acquired by purchase, the cost of the squares, including expenses incident thereto, shall not exceed the sum of $1,500,000, which sum is hereby authorized and the same is hereby appropriated: *Provided further*, That the squares authorized to be acquired herein shall be under the control of the Superintendent of the State, War, and Navy Departments Buildings."

Mr. WOOD of Indiana. Mr. Speaker, I move the following amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Mr. WOOD of Indiana moves that the House recede from its disagreement to the amendment of the Senate No. 28, and agree to the same with an amendment as follows: In line 24 of the matter inserted by said amendment, after the word "appropriated," insert the following: "and made immediately available."

Mr. WOOD of Indiana. Mr. Speaker and gentlemen of the House, I wish to call attention to this item because of the fact that it involves an addition to this bill. This amendment inserted by the Senate, if adopted, means the purchase of a number of tracts of ground, seven in number, that lie immediately to the west of the Army and Navy Building, which were built on the Mall during the period of the war. Some of those options expire to-day. Col. Sherrill, who is Superintendent of Public Buildings and Grounds, informs me that unless there is affirmative action taken to-day that it would result in a loss to the Government of some $200,000 because of the expiration of these options and their not being able to secure as good options again. Now as to the merits of this case. Senator SMOOT, who is at the head of the distribution of offices, perhaps is better informed in reference to the necessities of the Government and its official housing than anybody connected with either branch of this Government. He tells us of a number of rented buildings that we now have and upon which we are paying an exorbitant rate where notice has been served that unless additional rentals are paid that we must vacate those buildings. The most striking example is that occupied by the Department of Justice. A number of those buildings, or most of them, I think, down there are erected upon rented ground, and the term of those rentals is now expiring. These buildings that are included within this proposed purchase are of a somewhat permanent character, and the estimate has been made as to the probable life of those buildings with ordinary repair, and in the opinion of gentlemen who have made these surveys with ordinary care they will last for a period of 15 years. It has been the observation of the commission that we will save at least $800,000 a year if this purchase is made in comparison with what we will have to pay in rentals if the purchase is not made. This proposed purchase will involve an expenditure of $1,500,000 upon the assumption that the gentlemen are right in reference to the rental. We will save within two years more than the amount of the original cost of this ground.

Mr. SNELL. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. SNELL. Will the gentleman be a little more explicit as to where these buildings are located?

Mr. WOOD of Indiana. I will read a statement here that was prepared that will give the gentleman that information. I will say that there was a resolution introduced in the Senate, and is now pending there, for the purpose of doing the very thing proposed by this amendment and upon which this statement of fact was prepared.

This statement is as follows:

The ground which it is contemplated to acquire through the operation of this resolution is at present the site of seven temporary buildings constructed during the war. The annual rental, plus taxes, which it is required to pay in some cases, amounts to $58,020.10. The leases on this land were made early in the war at prices which were very favorable from the point of view of the Government. A number of the leases expire this year; some contain renewal clauses, others do not. If it comes to renewing these leases it is anticipated that there will be a considerable increase demanded by the owners, due to the fact that the values in this section have increased materially owing to the presence of governmental activities. The seven buildings mentioned above comprise a net office area of 598,598 square feet, and the cost of construction was $2,029,559.14. The leases provide that at their expiration the buildings will be torn down and the ground returned to the owners in good condition. When this ground is turned back some of the owners will have a just claim against the Government for buildings which were torn down to make room for the temporary war buildings. It will probably cost the Government a considerable sum to remove the buildings and fix up the grounds so that they will be acceptable to the owners, because the buildings will have very little salvage value due to the drop in the cost of materials. In addition it will be necessary to furnish office space for the activities which now fill all of the available space in these buildings. It is estimated that the annual floor rent to take care of these activities would cost at least 75 cents per square foot, or approximately $500,000 per year, or one-third the cost of the land. In other words, three years' rental in private buildings would pay for the ground. If the ground is acquired the present buildings will last for a considerable period of years with proper maintenance, and will eventually afford space for the erection of permanent accommodations for the executive departments. Seventy per cent of the land which it is contemplated acquiring can be purchased now at private sale at an average price of $2.20 per square foot. It is not believed that the prices demanded for this property are exorbitant. Attention is invited to the fact that the ground occupied by the Interior Building cost $2 per square foot in 1903. The ground where the Red Cross Building is located cost $2 per square foot in about 1914. The grounds where it is contemplated erecting the new Convention Hall is costing about $4 per square foot. If purchased now it is believed that the Government could dispose of their holdings in these seven squares in case the land is not needed at a very substantial profit.

Mr. SNELL. But it does not say just where these buildings are located?

Mr. WOOD of Indiana. I have a chart here which shows it exactly.

Mr. BUTLER. Will the gentleman yield? What are the conditions of the lease; do we have to restore the property as we found it?

Mr. WOOD of Indiana. Yes.

Mr. BUTLER. So we have to take the buildings off and clean it up?

Mr. WOOD of Indiana. Yes; that is right. I have before me a chart showing where these buildings are located and I will say that four of these tracts of ground are immediately north and west of Virginia Avenue, and the remaining three are immediately south and west.

Mr. SNELL. What activities of the Government are stationed in those buildings at the present time?

Mr. BUTLER. Do we need that?

Mr. WOOD of Indiana. We absolutely need that. I can not say offhand what activities are down there, but I am assured by Senator SMOOT that all of this space, and more, is imperatively needed.

The buildings are all being occupied and I will state to the gentleman that there is a very great necessity for all of them, and we are simply being crucified by these profiteers that are holding these other buildings, because they think that we will be forced to renew their leases rather than to go into these temporary buildings, and there is the further fact that the ground leases will all have expired within a very few months, and the buildings will be razed to the ground, and these activities that are now there will have to find housing somewhere else.

Mr. SNELL. Is not there an idea that some of these buildings——

Mr. WOOD of Indiana. There was an idea that the War and Navy Buildings would serve for the overflow that would be essential for 10 years after the close of the war. But in my opinion these activities have so increased that they will run longer than that. We are simply turning out new activities here every Congress.

Mr. SNELL. It would appear to the average citizen who walks down through that neighborhood that there is a lot of waste space there.

Mr. WOOD of Indiana. I am not a member of the commission that has the allotment of floor space. Senator SMOOT is chairman of it, and I think those who know that gentleman think that he is trying his level best to try to cut down the activities of the Government and reduce the space the Government is occupying, especially in rented buildings.

Mr. SNELL. If we did not have any place to put them, maybe some time we could end them.

Mr. WOOD of Indiana. We will have to put them somewhere. Now, we have got a temporary provision to take care of them ourselves, but we must make arrangements for their more permanent housing.

Mr. SNELL. And how are you going to save the amount that you stated per year?

Mr. WOOD of Indiana. It is shown that as compared with the rentals we are now paying and the additional rentals we will have to pay if the houses are removed, we will save money by keeping them through this purchase.

Mr. SNELL. That takes it for granted that we are going to continue the activities right along. As a matter of fact, are we going to do it? It seems to me it is time to stop.

Mr. WOOD of Indiana. That is an easy thing to say, but when it comes to doing it it is quite another proposition.

Mr. BUTLER. Will the gentleman yield for a question?

Mr. WOOD of Indiana. I yield.

Mr. BUTLER. We have certain buildings upon leased ground and we can buy that ground at a fair market value, and we must have floor space. If we do not go into these buildings upon leased ground, we will have to go elsewhere in order to get it. We will not lose any money by buying the ground, will we?

Mr. WOOD of Indiana. In the opinion of the gentlemen who have had this right under their supervision, they think it is a good investment, although the Government afterwards disposes of them.

Mr. SNELL. What is the price per foot?

Mr. WOOD of Indiana. Two dollars.

Mr. BUTLER. Can the gentleman tell how much money we will save, if we buy the ground, beyond that which we will have to pay if driven elsewhere?

Mr. WOOD of Indiana. In rentals, $500,000.

Mr. SEARS. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. SEARS. I understand there has been no hearing on this proposition before the House or the Senate?

Mr. WOOD of Indiana. Not before the Committee on Appropriations but before the Committee on Public Buildings and Grounds.

Mr. SEARS. Who prepared the statement just read?

Mr. WOOD of Indiana. Senator SMOOT.

Mr. SEARS. Does not the gentleman believe that we should have hearings before we accept it, when we have lands all over the city?

Mr. WOOD of Indiana. That might seem advisable, but we are going to pay $200,000 by exercising the present option.

Mr. SEARS. On B Street we tore down some good buildings last year and are now tearing down some good buildings all over the city. Why not move these quarters into the buildings instead of tearing them down? I understand——

Mr. WOOD of Indiana. We did tear them down.

Mr. SEARS. Those buildings were torn down where the tennis courts are now located.

Mr. CANNON. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CANNON. Where is this land located? Is it north of the new Army and Navy Building?

Mr. WOOD of Indiana. Yes.

Mr. CANNON. Just across the street?

Mr. WOOD of Indiana. Yes, sir.

Mr. CANNON. How many years ago was it—my recollection is that it is about 20—that we paid high prices for the land south of the Willard Hotel and west of the District Building, and near the ground that is south of the White House. I recollect we purchased all that. In fact, I do not know but I helped pass the bill to buy it. They were going to erect a State Department Building, and all kinds of buildings. Why not tear down those buildings? Poli's Theater is on one of the properties, as is a hotel. Why do you not tear down those buildings and cover the ground by real buildings instead of buying more ground?

Mr. WOOD of Indiana. I will say to the gentleman that the information that was brought to the attention of your committee, and also to the attention of the conferees, was with reference to the necessity for our immediate relief, without regard to what our future necessities may be in reference to our erecting permanent buildings. I hope they will come some time; I hope they will; I think as a money-saving proposition we can save the Government money by making these purchases and occupying these buildings, with such repairs as may be necessary.

Mr. BUTLER. Can we renew these leases? The leases have expired, as I understand.

Mr. WOOD of Indiana. The statement says that we can not without paying largely additional prices.

Mr. PADGETT. Are not the buildings of which you speak of a very cheap and of a very temporary character, and are not a few of them now showing evidence of disintegration, and will they not have to be torn down, or will they not fall down, within the next few years?

Mr. WOOD of Indiana. I will say to the gentleman that they have had a survey made of them, and that with ordinary repairs these buildings will answer the purpose of the Government for 15 years. They are the more permanent of the temporary buildings.

Mr. PADGETT. All these buildings, in the outside appearance, look like very cheap and very temporary structures. Now, is not that land located in the section of the city where land is very cheap? Is not that price of $1,500,000 out of all proportion to the value of the land expected to be acquired?

Mr. WOOD of Indiana. I have already given you the statement as to the price of the land in that neighborhood. What was paid for the site of Continental Hall is a good sample.

Mr. PADGETT. But what has been paid elsewhere is not a true standard or criterion of the value of land in those localities. These other buildings are in an undeveloped part of the city.

Mr. FAIRFIELD. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. FAIRFIELD. It has been stated that there are some governmental activities that will be or ought to be abandoned. Does the gentleman know of any governmental activities that are likely to be abandoned in the near future?

Mr. WOOD of Indiana. Not if those who are at the head of them are consulted.

Mr. FAIRFIELD. I think some one in authority should be asked to submit a schedule of those activities. Whoever it is who thinks they should be abandoned ought to submit a schedule of them, so that we can have a working schedule here.

Mr. WOOD of Indiana. I will say to the gentleman that the average Congressman has not the slightest idea of the manner in which our Government property is managed. I will cite one instance, with reference to the custody of the papers and files and records belonging to the Treasury Department. Those papers are scattered in 15 different buildings throughout the city. If a fire occurred there is no telling what the loss would be.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. SNELL. If this is such a desirable economy, and a matter that could be adjusted at once, why did not the gentleman's committee bring it in when the other bill was under consideration, instead of bringing it up at this time?

Mr. WOOD of Indiana. It was introduced as an independent bill in the Senate. Our committee did not have anything to do with it. The exigency is occasioned by the fact that these options expire soon—some of them expiring at midnight to-night—and it is for the Congress to determine whether it is wise to take the chance or not.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BUTLER. Suppose they do expire to-night. They can not eject us. We shall only have to pay rental. Is not that the case?

Mr. WOOD of Indiana. I say the options expire to-night.

Mr. BUTLER. It is the options?

Mr. WOOD of Indiana. Yes; and Col. Ridley says it will entail a loss to the Government of $200,000, assuming that we fail to buy it.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. MANN. I wish to ask the gentleman as to the situation respecting the leases. The leases are about to expire?

Mr. WOOD of Indiana. Yes; and we are under contract to remove the buildings and place the ground in as good a condition as it was when we took it over.

Mr. MANN. Will the leases be reduced if we do not buy the land?

Mr. WOOD of Indiana. If we do not buy the land, I am informed that they refuse to rerent them to the Government except at a largely increased rental.

Mr. MANN. I understand. Have these departments funds or power with which to make new leases?

Mr. WOOD of Indiana. No; I do not think so, because the terms of the leases provide that they shall be renewed when they expire. If they do not get the authority to extend them, I do not think they can rent them. These leases were made by the War Department and the Navy Department and other departments. I have not examined them, but my information is that they provide that they shall automatically expire at a certain time after the close of the war, with the condition annexed that the ground shall be placed in as good condition as it was before, and the owners are insisting that that contract shall be carried out. In the meantime somebody acting as the agent of the Government, without their knowing that it was the Government acting, got options on this ground for the Government. Now, it is contended that if we do not avail ourselves of the opportunity to renew them within the time specified—and some of them expire to-night—they will not renew them.

Mr. MANN. Are the buildings filled with governmental activities which will require space?

Mr. WOOD of Indiana. Every one of them. That is the trouble. The committee that has been according space to the various activities of the Government has been having trouble in providing necessary space in buildings of our own. These activities must be housed in some rented building somewhere else.

Mr. MANN. I have an impression that I have seen somewhere in some Government report in connection with this matter the statement that the cost of leases of space required in one year amounts to about one-third of the cost of the land. Is that correct?

Mr. WOOD of Indiana. Yes; that is correct. That is set forth in this statement.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Illinois.

Mr. McKENZIE. The Government, as I understand it, leased the land from these owners?

Mr. WOOD of Indiana. Yes.

Mr. McKENZIE. Then it constructed the buildings that stand thereon?

Mr. WOOD of Indiana. Yes.

Mr. McKENZIE. Since that time an option has been taken on the land in favor of the Government?

Mr. WOOD of Indiana. Yes.

Mr. McKENZIE. The Government can buy it. Those leases are about to expire. The buildings are on the land. Has the gentleman any fear that if this proposition is not acted upon to-day the Government will be held up for a high rental, when, as a matter of fact, no one else can occupy those buildings except the Government?

Mr. WOOD of Indiana. Yes; that is the reason; that is the trouble. If the buildings are torn down, it will of necessity force these people into other buildings.

Mr. CLOUSE. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CLOUSE. The gentleman has told us that some of the options expire to-night. It is manifest that this bill can not become a law immediately. I was wondering how we can take advantage of the situation and exercise the option now, since the law can not be passed within the time limit.

Mr. WOOD of Indiana. I have the assurance of Col. Sherrill that if we approve this provision he will close these options, the Senate already having ratified it.

The SPEAKER pro tempore. The question is on the motion to recede and concur with an amendment.

The question being taken, on a division (demanded by Mr. SEARS) there were—ayes 49, noes 30.

Mr. SEARS. Mr. Speaker, I object to the vote on the ground that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Florida makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and thirty-one Members present, not a quorum. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absentees. The question is on the motion to recede and concur with an amendment. Those in favor will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 133, nays 180 answered "present" 3, not voting 112, as follows:

YEAS—133.

Andrew, Mass.	Fitzgerald	Kleczka	Reed, N. Y.
Anthony	Focht	Kline, N. Y.	Rhodes
Arentz	Fordney	Kline, Pa.	Robertson
Atkeson	French	Knight	Rogers
Begg	Fuller	Kraus	Rose
Benham	Funk	Lawrence	Ryan
Bowers	Gahn	Layton	Sanders, Ind.
Brennan	Gernerd	Leatherwood	Sanders, N. Y.
Brooks, Ill.	Graham, Ill.	Lineberger	Scott, Tenn.
Brown, Tenn.	Graham, Pa.	Lowrey	Shelton
Browne, Wis.	Greene, Vt.	McCormick	Shreve
Burroughs	Griest	McFadden	Sinnott
Burtness	Hadley	McLaughlin, Mich.	Smith, Idaho
Burton	Hardy, Colo.	McLaughlin, Nebr.	Temple
Campbell, Pa.	Harrison	McPherson	Timberlake
Chalmers	Haugen	Maloney	Tinkham
Chindblom	Hawes	Mann	Towner
Clouse	Hawley	Mead	Vaile
Cole, Iowa	Hayden	Merritt	Vestal
Colton	Herrick	Miller	Voigt
Connolly, Pa.	Hersey	Millspaugh	Walters
Copley	Hill	Mondell	Wason
Crago	Hoch	Montoya	Watson
Cullen	Hukriede	Morgan	White, Kans.
Curry	Hull	Morin	White, Me.
Dale	Ireland	Nelson, J. M.	Williams
Dallinger	Johnson, Wash.	Nolan	Williamson
Darrow	Kearns	Osborne	Wood, Ind.
Dickinson	Kelly, Pa.	Paige	Woodruff
Dunbar	Kiess	Parker, N. J.	Wurzbach
Edmonds	King	Purnell	Young
Evans	Kinkaid	Raker	
Faust	Kirkpatrick	Ransley	
Fess	Kissel	Reece	

NAYS—180.

Ackerman	Clarke, N. Y.	Frothingham	Lankford
Almon	Cole, Ohio	Fulmer	Larsen, Ga.
Andrews, Nebr.	Collier	Garner	Larson, Minn.
Appleby	Collins	Garrett, Tenn.	Lazaro
Aswell	Connally, Tex.	Gensman	Lea, Calif.
Bankhead	Connell	Gilbert	Lee, Ga.
Barbour	Cooper, Ohio.	Goldsborough	Lee, N. Y.
Barkley	Cooper, Wis.	Gorman	Linthicum
Beck	Cramton	Green, Iowa	Little
Black	Crisp	Hammer	Logan
Bland, Va.	Crowther	Hardy, Tex.	London
Bond	Davis, Minn.	Hicks	Longworth
Bowling	Deal	Hogan	Luce
Box	Denison	Hooker	Lyon
Brand	Dominick	Huddleston	McArthur
Briggs	Doughton	Hudspeth	McClintic
Buchanan	Dowell	Hutchinson	McDuffie
Bulwinkle	Drane	Jacoway	McSwain
Burdick	Drewry	Jefferis, Nebr.	MacGregor
Butler	Driver	Jeffers, Ala.	Magee
Byrnes, S. C.	Dunn	Johnson, Ky.	Mapes
Byrns, Tenn.	Dupré	Johnson, Miss.	Michaelson
Cable	Echols	Jones, Tex.	Michener
Campbell, Kans.	Fairfield	Keller	Montague
Cantrill	Favrot	Ketcham	Moore, Ill.
Carew	Fisher	Kincheloe	Moore, Ohio
Carter	Foster	Kindred	Moore, Va.
Christopherson	Frear	Kopp	Moores, Ind.
Clague	Free	Lanham	Mott

Murphy	Rankin	Sisson	Taylor, N. J.
Nelson, A. P.	Rayburn	Smith, Mich.	Ten Eyck
Newton, Minn.	Reed, W. Va.	Smithwick	Tillman
Newton, Mo.	Ricketts	Snell	Tincher
Norton	Roach	Snyder	Treadway
O'Connor	Robsion	Sproul	Tyson
Oldfield	Rossdale	Steagall	Upshaw
Overstreet	Rouse	Stedman	Vinson
Padgett	Rucker	Stephens	Volk
Park, Ga.	Sabath	Stevenson	Volstead
Parks, Ark.	Sanders, Tex.	Stoll	Wilson
Perkins	Sandlin	Strong, Kans.	Woods, Va.
Perlman	Scott, Mich.	Summers, Wash.	Woodyard
Pou	Sears	Sumners, Tex.	Wright
Quin	Siegel	Swank	Wyant
Radcliffe	Sinclair	Swing	Yates

ANSWERED "PRESENT"—3.

Cochran	Humphreys	Knutson

NOT VOTING—112.

Anderson	Fenn	Lubring	Schall
Ansorge	Fields	McKenzie	Shaw
Bacharach	Fish	McLaughlin, Pa.	Slemp
Beedy	Freeman	Madden	Speaks
Bell	Gallivan	Mansfield	Stafford
Bird	Garrett, Tex.	Martin	Steenerson
Butler	Glynn	Mills	Stiness
Blakeney	Goodykoontz	Mudd	Strong, Pa.
Bland, Ind.	Gould	O'Brien	Sullivan
Blanton	Greene, Mass.	Ogden	Sweet
Boies	Griffin	Oliver	Tague
Brinson	Hays	Olpp	Taylor, Ark.
Britten	Hickey	Parker, N. Y.	Taylor, Colo.
Brooks, Pa.	Himes	Parrish	Taylor, Tenn.
Burke	Husted	Patterson, Mo.	Thomas
Cannon	James	Patterson, N. J.	Thompson
Chandler, N. Y.	Johnson, S. Dak.	Petersen	Tilson
Chandler, Okla.	Jones, Pa.	Porter	Underhill
Clark, Fla.	Kahn	Pringey	Vare
Classon	Kelley, Mich.	Rainey, Ala.	Ward, N. Y.
Codd	Kendall	Rainey, Ill.	Ward, N. C.
Coughlin	Kennedy	Ramseyer	Weaver
Davis, Tenn.	Kitchin	Reavis	Webster
Dempsey	Kreider	Reber	Wheeler
Dyer	Kunz	Riddick	Wingo
Elliott	Lampert	Riordan	Winslow
Ellis	Langley	Rodenberg	Wise
Fairchild	Lehlbach	Rosenbloom	Zihlman

So the motion to recede and concur with an amendment was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. ELLIS with Mr. HUMPHREYS.

Mr. RODENBERG with Mr. BELL.

Mr. WINSLOW with Mr. DAVIS of Tennessee.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. TILSON with Mr. BLANTON.

Mr. LAMPERT with Mr. WINGO.

Mr. BLAKENEY with Mr. MANSFIELD.

Mr. REBER with Mr. TAYLOR of Arkansas.

Mr. PATTERSON of New Jersey with Mr. WISE.

Mr. STRONG of Pennsylvania with Mr. KITCHIN.

Mr. KAHN with Mr. FIELDS.

Mr. FENN with Mr. OLIVER.

Mr. OLPP with Mr. RAINEY of Alabama.

Mr. CHANDLER of Oklahoma with Mr. RIORDAN.

Mr. GLYNN with Mr. MARTIN.

Mr. KREIDER with Mr. KUNZ.

Mr. MUDD with Mr. RAINEY of Illinois.

Mr. LUHRING with Mr. PARRISH.

Mr. HIMES with Mr. TAYLOR of Colorado.

Mr. GREENE of Massachusetts with Mr. BRINSON.

Mr. COUGHLIN with Mr. SULLIVAN.

Mr. BACHARACH with Mr. TAGUE.

Mr. ELLIOTT with Mr. O'BRIEN.

Mr. SHAW with Mr. WEAVER.

Mr. THOMPSON with Mr. GALLIVAN.

Mr. PATTERSON of Missouri with Mr. THOMAS.

Mr. BLAND of Indiana with Mr. GARRETT of Texas.

Mr. CANNON with Mr. WARD of North Carolina.

Mr. WHEELER with Mr. GRIFFIN.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present. The Doorkeeper will open the doors. The nays have it, and the motion is not agreed to.

Mr. PADGETT. Mr. Speaker, if no one else desires to make the motion, I move that the House still further insist on its disagreement.

The SPEAKER pro tempore. The gentleman from Tennessee moves that the House still further insist on its disagreement to Senate amendment numbered 28.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment numbered 29: Page 30, line 8, strike out the figures "$300,000" and insert "$375,000."

Mr. WOOD of Indiana. Mr. Speaker, I move that the House still further insist on its disagreement to this amendment.

The SPEAKER pro tempore. The gentleman from Indiana moves that the House still further insist on its disagreement to Senate amendment numbered 29.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 31: Page 32, line 22, after the word "ships," insert the following: "and (d) $55,000,000 from moneys collected from mortgages, leases, accounts and bills receivable other than those arising from current operations, and from moneys collected from the sale of ships, plants, material, securities, and other assets prior to July 1, 1923, less such portion of said $55,000,000 which shall have been collected during the fiscal year 1922 under the provisions of an act entitled 'An act making appropriation for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes,' approved March 4, 1921."

Mr. WOOD of Indiana. Mr. Speaker, I move to recede and concur in the Senate amendment.

Mr. SNELL. Would it not be well for the gentleman to explain this amendment and tell us how much it will increase the appropriation?

Mr. WOOD of Indiana. Mr. Speaker, the language put in by the Senate is the exact language that appeared in the bill when it was presented to the House, but which went out on a point of order. This exact language was contained in the bill of last year authorizing the expenditure of $55,000,000 collected from various sources for the purpose of paying judgments, reconditioning boats, and so forth. Up to date out of that $55,000,000 authorized in the last appropriation bill the Shipping Board has collected $8,140,000. The proposal is to continue the authority they had under the last appropriation bill and permit them to collect until the amount would reach the sum of $55,000,000. It is possible before the close of the fiscal year, that the Shipping Board may be put to it to collect the $55,000,000. They have authority to do it or to collect the remainder of the amount between the $8,000,000 and the $55,000,000, but it would be bad business policy to force them to do it, and I invite your attention to some things that are confronting the Shipping Board now. We have a number of claims against Belgium, and a number of claims against Great Britain. They have been putting us off for one reason and another, hoping that before this year expires the Shipping Board would be compelled out of its necessity to accept an amount less than we think we should collect, and less than they really owe in order that they may have the funds with which to carry on needed improvements. So I say it would be bad business policy to force the Shipping Board to exercise its authority within the time—before the 1st of July.

Now, we can not lose anything by extending the time. We thought it necessary a year ago to grant this authority. There is just as much necessity for it now as there was then. There is really more necessity for it now because of the fact that if they are put to it in order to do the things necessary, they must sacrifice a part of that which is owing to us.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. BYRNS of Tennessee. What was the total amount of the estimates submitted by the Shipping Board?

Mr. WOOD of Indiana. On July 1, 1921, the debts amounted to $65,000,000.

Mr. BYRNS of Tennessee. I am not asking about that; I am asking about the estimates for 1923.

Mr. WOOD of Indiana. The estimates for 1923 were $100,000,000.

Mr. BYRNS of Tennessee. That has been allowed under the bill.

Mr. WOOD of Indiana. Yes.

Mr. BYRNS of Tennessee. Then do you not think you are increasing the appropriations that were asked for by the Shipping Board?

Mr. WOOD of Indiana. No; in one sense it is an increase, but if you do not grant it you are going to compel these people of necessity to make sacrifices that they would not make, in order that these collections may be made within the present fiscal year. So, as a purely business proposition, unless we are of opinion that some abuse or fraud is going to be perpetrated it would be the part of good business to continue this authorization.

Now, I want to call attention to what has been done. In July 1, 1921, there were debts amounting to $65,000,000 and cash on July 1 was $26,000,000, which would leave a balance of indebtedness of $39,000,000. The Navy forgave $16,000,000, so there was on the 1st of July a net amount of $28,000,000 liability. The construction deficiency amounted to $12,000,000, and the United States mail $6,000,000, and the reconditioning

of the *Leviathan* $8,000,000, and admiralty judgments amounting to $3,000,000, or a total of $52,000,000. So if we are to meet these claims, if we are to do the reconditioning and do the things which should be done, admittedly within the authority of this board to do, I can not see any other way than to do this thing or force them to make a collection on the 1st day of July.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. CONNALLY of Texas. What is the objection to having the proceeds of the sales turned into the Treasury and making direct appropriations?

Mr. WOOD of Indiana. The only objection would be because of the fact that this is a business concern. We have not really anything to compare with it. This is a business concern, and it must of necessity have some leeway where they can take advantage of the situation. Under ordinary circumstances there would be no objection to the gentleman's suggestion, and that is what would be done if it was an ordinary governmental transaction, but it is a business transaction, and they ought to have some business discretion.

Mr. SNELL. Will the gentleman yield?

Mr. WOOD of Indiana. Certainly.

Mr. SNELL. When you made the appropriations for the Shipping Board did you take into consideration the fact that there would be some receipts from these other sources?

Mr. WOOD of Indiana. Yes.

Mr. SNELL. How much did you figure for receipts?

Mr. WOOD of Indiana. The amount of $55,000,000 includes the amounts collected.

Mr. SNELL. Did you compute the amount that would be collected next year?

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. WOOD of Indiana. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Speaker, and gentlemen of the House, the gentleman from Indiana [Mr. WOOD] says that this authority to use $55,000,000 was inserted in the appropriation bill for the fiscal year 1922, and that there is no reason why it should not now be continued. The fact is that the reason it was inserted in the appropriation bill for the year 1922 was that the Congress adopted that method of providing funds to carry on the work of the Shipping Board instead of making a direct appropriation, but now this year an entirely different situation presents itself, and because it is a most remarkable situation I am going to call it to your attention.

Gentlemen of the House know that it is seldom that a department can get from Congress every dollar it asks, but certainly this is the only instance that I know of in this session where a department gets not only every dollar it asks but in addition thereto $55,000,000 over and above its total estimates.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. SNELL. Do I understand the gentleman to state that a full appropriation was made for running the department regardless and without consideration of the receipts from this source.

Mr. BYRNES of South Carolina. I will tell the gentleman the history of it, and he will appreciate the importance of what I say. The original estimate of the Shipping Board for the fiscal year 1923 as submitted by the Bureau of the Budget was only for $50,000,000. Thereafter at about the time the hearings began they submitted a supplementary estimate for an additional $50,000,000. This subcommittee not only gave them the whole $100,000,000 but in addition thereto, for good measure, inserted this authority to use the unexpended balance of $55,000,000, which the gentleman from Indiana tells you to date amounts to $47,000,000.

The result is that we put at the disposal of the Shipping Board not only the $100,000,000 that they estimated for, but every dollar that is unexpended out of this $55,000,000 on the 1st of July of this year. I will say in fairness to the board that while the gentleman from Indiana tells us that there is to-day unexpended $47,000,000, it has been heretofore estimated that that would be so reduced that on July 1 it would amount to no more than $25,000,000 or $30,000,000. But whatever it is, it is that much more money than they estimated they would need for the next fiscal year. Let us see where they will get funds from. Unlike other years when they had no direct appropriation of cash and had to depend on the sale of assets, they have on this page a direct appropriation of $50,000,000. Then, on the next page they have a direct appropriation of $50,000,000, and then they have the right to use the unexpended balance of the $55,000,000 for which they did not estimate. Then they have the right to use the amount received from the operation of ships and also the amount on hand on July 1. Why this unusual liberality to this board, of all boards?

Mr. BANKHEAD. How much does it make in all?

Mr. BYRNES of South Carolina. No man on earth can tell, but certainly in direct appropriations to-day they have $100,000,000, and in addition to that any amount they receive from the operation of ships during the next year, the amount on hand July 1, and out of this $55,000,000 they will get at least $25,000,000 or $30,000,000.

Since this bill passed the House the Shipping Board sent in a deficiency estimate for $12,000,000. The gentleman from Illinois [Mr. MADDEN], chairman of the committee, is not as liberal toward the Shipping Board as is my good friend from Indiana. He proceeded to cross-examine the Shipping Board, and when he got through with them they went back to their offices and wrote a letter stating they had decided that they did not need one dollar of the $12,000,000.

The SPEAKER pro tempore. The time of the gentleman from South Carolina has expired.

Mr. WOOD of Indiana. Mr. Speaker, I yield the gentleman five minutes more.

Mr. BYRNES of South Carolina. I hope the House will do the same thing with this request for the balance of the $55,000,000. You are not going to hurt the Shipping Board by refusing to agree to this proposition. If you are going to hurt them, do not you know that they would have asked for it when they first submitted their estimate? They did not do so. But if you give it to them you can rest assured it will be spent, because that organization has a genuine disposition to spend all of the money that is put into its hands.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. SNYDER. They had it last year, but they did not spend it.

Mr. BYRNES of South Carolina. Oh, they did not get it. My friend can rest assured that if they had gotten it, it would have gone.

Mr. SNYDER. I quite agree with the gentleman, but I wondered why they did not spend it.

Mr. BYRNES of South Carolina. They have collected only $8,000,000 out of the $55,000,000 to date. Mr. WOOD says they have collected $8,000,000. It is estimated that by July 1 they will collect $20,000,000 to $25,000,000, and that would leave $30,000,000 to spend next year.

Now, the gentleman from Indiana stated that because they had it last year they ought to have it this year, but you gentlemen will recall, because you know I have been talking about these indirect appropriations from time to time, the reason that authority was put in there was that Congress did not appropriate any cash, but said that the money received from sales of these assets could be used to take care of expenditures during this year. Now, that was to do a certain thing, to prevent direct appropriation being made for this year; but is that any reason why we should continue that authority for the next fiscal year, for which in this bill there is an appropriation of $100,000,000 in cash? It is simply an additional appropriation. This is an authorization to turn them loose to spend more money in a very extravagant manner, and we had better vote against the motion of the gentleman from Indiana. [Applause.]

Mr. WOOD of Indiana. Mr. Speaker, the gentleman from South Carolina has unintentionally made a mistake here in reference to the amount of this estimate. There was $50,000,000 which was in a supplemental estimate that came to the committee after the committee was in session. That $50,000,000 was for the purpose of paying claims that could be compromised by the General Government. Now, gentlemen will remember there was a deficiency of some $48,000,000 carried last year for this board, and in order that gentlemen may know exactly——

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. BYRNES of South Carolina. The gentleman from Indiana said I was mistaken. He does not contest the fact that the total estimate submitted by the board was originally $50,000,000 and the supplemental estimate of an additional $50,000,000?

Mr. WOOD of Indiana. The estimate for the continuance included the $55,000,000——

Mr. BYRNES of South Carolina. The gentleman does not contend that is contained in the estimate that was submitted by the Budget Bureau?

Mr. WOOD of Indiana. Absolutely. Here is what I want to call to the attention of the House, and it is this: Whether we are going to try to represent the best interests of the United

States Government or whether we are going unintentionally to lend ourselves to the interests of the foreigners who are trying to take advantage of this situation. I want to call attention to what will result from this proposition.

Mr. PADGETT. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. PADGETT. How would it do to give them authority to extend the time to collect and adjust these claims and not carry authority for an additional appropriation?

Mr. WOOD of Indiana. Well, I do not see how that would help matters in that way. That is exactly the proposition of this thing——

Mr. PADGETT. The purpose of your amendment is to continue the authority and also the authority to expend the money collected. Now, my idea is to continue the authority to adjust and collect and turn the money into the Treasury, because you are appropriating the $100,000,000 that they asked for in their estimate.

Mr. WOOD of Indiana. I will say that it does not meet this situation. Last year they had a deficiency of $48,500,000. I stated a minute ago that the $55,000,000 was a continuance that was estimated by the Budget. I find I am mistaken in reference to that; it was not estimated for, but they came before us and showed us the necessity of having it, and for that very reason they were provided this deficiency.

Mr. PADGETT. You are proposing to continue this authority to expend money because they had a deficiency last year and you are anticipating that they will have one this next year. Had we better not wait until that deficiency occurs before we appropriate?

Mr. WOOD of Indiana. No; I do not think so. I think Mr. Lasker gave some very good reasons why we should not do this thing. In a letter addressed to the chairman of the Committee on Appropriations [Mr. MADDEN] February 24 he made this statement:

> We have thus far realized something less than $6,000,000 out of the $55,000,000. By June 30 we estimate we will have realized $25,000,000. The reason for this is that when I took hold I ordered liquidation ceased until we could make inventory, not only of our physical assets but thoroughly analyze our current assets. To do this required the building up of an organization of men competent for the work, for none such here existed; and after they got in it required time for them to become acquainted with the situation and make a thorough analysis. Thus our incumbency here has perforce passed (in order to do the work efficiently and with a view to good conscience to the Treasury) without our getting any large sum in liquidation; and, even working with expedition but with the principles we have laid down for ourselves, we can not look forward to receiving over $25,000,000 out of liquidation before July 1, unless we are willing to make sacrifices of the Government funds in order to bring in collections, which under no circumstances will we be willing to make.
>
> Let me point out that our debtors follow the actions of Congress very closely. Some of the very largest debtors, including foreign Governments, I believe, are holding off settlements with us, feeling that if they wait until 1 minute before 12 o'clock midnight of June 30, should Congress not make the $55,000,000 appropriation continuing, they will get a handsome discount. In other words, the attitude of these debtors toward the Shipping Board is that if we are forced by congressional action to realize $55,000,000 by July 1 we will pay a large sum in the way of discount in order to realize this liquidation, because they grasp our ambition to liquidate the indebtedness of the board, knowing that we are properly desirous of establishing a record for having so done, and that the only way we can liquidate this indebtedness is through the realization of the $55,000,000 fund.
>
> But where they are mistaken is that we are not so keen to accomplish this ambition as to be willing to make the sacrifice they have in mind. Therefore, if Congress does not make this appropriation continuing, and if it should have happened that we would be weak enough to yield to a possible situation such as I describe, the country would have its assets in the Shipping Board more or less slaughtered on June 30; whereas, if we waited until July, we could get a proper settlement. And this slaughtering would in some cases have been in the interests of foreigners and of foreign Governments.
>
> There can be no doubt that the Shipping Board can realize the whole $55,000,000 if it so desires by making this sort of sacrifice; and if we do so realize it we will attain our ambition of liquidating the indebtedness of the Shipping Board. Shall Congress, by not making the appropriation continuing, penalize us because we treat our public trust with good conscience? That is the sole question involved, and I bespeak your firm and potent cooperation in making certain that the $55,000,000 appropriation is made continuing; for, as a practical thing, if it is not made continuing, to whatever extent we have an unrealized portion of it by July 1 we will have to come in subsequently with a deficiency which will become a direct levy on the Treasury.

Mr. SNELL. Will the gentleman yield for a question?

Mr. WOOD of Indiana. I will yield.

Mr. SNELL. What would be the harm in extending the authority for them to collect the money after the 1st of July, and when it is collected turn it into the general fund of the Treasury instead of the Shipping Board, and if it is necessary let them come here and ask for what money they want and let us look it over and see whether it is a proper expenditure at the time?

Mr. WOOD of Indiana. The trouble about that is this: They have a lot of obligations which must be met. They have got a lot of cargo charges——

Mr. SNELL. It will be a long time, according to the letter, before they get this money.

Mr. WOOD of Indiana. That might possibly be, but whenever they do get it they ought to pay these debts. There are a lot of these debts, cargo charges, insurance charges, and all of that character, and the trouble is we do not discriminate between this and an ordinary governmental function. This is a business being conducted according to business principles. They ought to have some money out of which to pay their debts.

Mr. SNELL. How much money have they on hand at the present time?

Mr. WOOD of Indiana. I can not tell the gentleman offhand.

Mr. SNELL. A considerable sum?

Mr. WOOD of Indiana. No; I do not think they have any considerable sum, for the reason that before they commenced to make these collections they tried to get an inventory and tried to find out where they were at, so as to make an intelligent settlement whenever one was made, and until recently they have not been doing very much at it.

Mr. SNELL. On the 1st of July this appropriation becomes available, does it not?

Mr. WOOD of Indiana. Yes.

Mr. SNELL. They will have plenty of funds at that time?

Mr. WOOD of Indiana. Not for this purpose. And this is the only fund out of which they can pay these charges. They will have $50,000,000 out of which to pay compromised claims, and which must be confined entirely to them.

Mr. SNELL. We would have to pay them if we never collected any of this money. Would it not be a better business proposition to come before the House and say that we owe so much money and are obliged to pay it, when it would be up to us to appropriate the money?

Mr. WOOD of Indiana. I will say to the gentleman that if this was a governmental activity, he would be right about it, but every time they pay a cargo charge or a commission or an insurance policy, does the gentleman think they ought to come to Congress and ask authority to do it?

Mr. SNELL. No, sir; I do not. We have already appropriated $100,000,000 to do that. If they need another bunch of money, of $50,000,000 or $75,000,000, they should come to us for it.

Mr. WOOD of Indiana. No. There is one of two ways to do it: First, by permitting them to pay these charges when they make these collections and to do as the gentleman suggests, or have them come before the deficiency appropriation committee with a statement as to this indebtedness.

Mr. SNELL. We would know something about it then. Now we do not know anything about it.

Mr. MERRITT. Is it true that under the plan proposed by the bill, of permitting them to have their own money, they can make more economical settlements?

Mr. WOOD of Indiana. Certainly they can. They can get discounts, if they pay within a certain length of time. They can not do that in this way.

Mr. SNYDER. I understand there is a direct appropriation in this bill now for $100,000,000, $50,000,000 for the purpose of operating the shipbuilding scheme; the other $50,000,000 is for the purpose of settling claims that have already been adjusted. Is that correct?

Mr. WOOD of Indiana. That is correct.

Mr. SNYDER. As to the $55,000,000 you ask to have continued, the money to make that up must come from the assets of the Shipping Board, and that they are permitted to use as a revolving fund with which to pay obligations and to clean up the commitments that may come on from time to time in the closing up of the affairs of the Shipping Board? That money must be raised from the assets of the Shipping Board?

Mr. WOOD of Indiana. That is correct.

Mr. SNYDER. So that in reality we are only proposing in this bill $50,000,000 for the direct operation of the Shipping Board? Is not that correct?

Mr. WOOD of Indiana. That is absolutely correct.

Mr. SNYDER. I agree with the gentleman who just preceded me, the gentleman from New York [Mr. SNELL], that it is a perfectly proper business proposition for the Shipping Board to take such assets as it has and turn them into money with which to pay its obligations, and I think it should have the control of that.

Mr. DOWELL. Will the gentleman from New York yield for a question?

Mr. SNYDER. Yes.

Mr. DOWELL. Is there any difference between taking it out of the Treasury now, or, as soon as they get something, paying them?

Mr. SNYDER. I think so. I think in the management of any business that it should have the right to adjust itself from day to day, as business comes along, to the advantage of the business itself——

Mr. DOWELL. But you are appropriating this much additional.

Mr. SNYDER (continuing). Rather than wait six months or a year to get a settlement.

Mr. BYRNES of South Carolina. The gentleman from Indiana does not contend that after July 1 they would not have the authority to sell ships unless this provision is continued?

Mr. WOOD of Indiana. No. But I do contend this, that unless this authorization is permitted they would have no right to take any portion of the money that they might get from the settlement of these claims, or they have got against these foreign Governments and against people here for sales and purchases, and use it in the conduct of their business.

Mr. BYRNES of South Carolina. That is right. Under the law which this Congress passed just two years ago they had the authority to sell, and after July 1 the proceeds from such sales to go into the Treasury. And that was why the gentleman from Iowa [Mr. TOWNER], presiding during the consideration of this bill, sustained the point of order.

Mr. WOOD of Indiana. These collections that I am talking about being made are not from the sales they are going to make hereafter. It is from the collection of things now due.

Mr. BYRNES of South Carolina. That money when received will go into the Treasury. If your provision remains in the bill it will not go into the Treasury but to the Shipping Board.

Mr. FAIRFIELD. Are these obligations due to the operation of the ships to which this $55,000,000 applies?

Mr. WOOD of Indiana. Some of them are for sale of ships to the English Government, and some to the Belgian Government, and some for supplies.

Mr. FAIRFIELD. Those are the assets; but I mean the obligation to which you refer, and for which this $55,000,000 is appropriated. That is to discharge what obligation—obligations due to the operation of the ships?

Mr. WOOD of Indiana. I put that in the RECORD a while ago. I stated what it was for. Part of it is for operating expenses, part for insurance charges, and $23,000,000 is to retire debts and pay charter hire and insurance, and for supplies.

Mr. FAIRFIELD. In connection with operations?

Mr. WOOD of Indiana. Yes.

Mr. FAIRFIELD. Why would not this $55,000,000 be available for that purpose?

Mr. WOOD of Indiana. The $55,000,000 we have appropriated is for the purpose of settling claims.

Mr. FAIRFIELD. But there is another $50,000,000.

Mr. WOOD of Indiana. That is for operations.

Mr. FAIRFIELD. Why would not that be available to pay the expenses that arose out of operations?

Mr. WOOD of Indiana. Simply because of the fact that they have mortgages against them, outstanding claims, about which there is no dispute, and they ought to be settled. I expect that there are a great many gentlemen here who have people back home who are hoping that some time they will get their pay from the Shipping Board.

Mr. BYRNS of Tennessee rose.

Mr. WOOD of Indiana. Mr. Speaker, I yield five minutes to the gentleman from Tennessee.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for five minutes.

Mr. BYRNS of Tennessee. It has been stated that the total amount of the estimates, both original and supplemental, for 1923 were $100,459,000. Every dollar of that sum has been allowed. Now this amendment, which was never estimated for, which so far as the estimates and hearings show has never been requested by the chairman of the Shipping Board, Mr. Lasker, will increase the actual estimates submitted to Congress by $30,000,000, possibly, according to the statement that has been made on the floor.

I am not going to delay the House by any extended remarks of my own, but I am going to read to the House the statement of Mr. Lasker, made before the committee last August, denouncing in strong terms the policy of Congress in making available these indefinite sums, and asking Congress to withdraw from him the right to use any portion of the $55,000,000 for operating or current expenses of the Shipping Board. He says this, and I read from pages 55 and 56 of the hearings on the urgent deficiency appropriation bill, which was passed in August:

Now, before you go any further, there is one thing that should be covered here, because it is very important. You have made an appropriation that we can use $55,000,000 out of the sale of ships, etc. Last year we collected from the sale of ships in round figures practically $20,000,000. In my statement to the press I say that we collected $200,000,000 from ships and other capital assets. One of those capital assets was over $100,000,000 from the War Department.

Mr. KELLEY. That was from Congress.

Mr. LASKER. Yes; in a roundabout way. None of those things really show up, and I think that has largely to do with the inefficiency of the Shipping Board and of government generally, because you gentlemen do not make us show up what we lose. How can I get efficient men under me if the figures do not actually show their mistakes or their profits; that is, if they can juggle by selling assets so that it does not show up a loss? You have killed your efficiency to begin with. When we make a loss there I want to show it, and I want to cover into the Treasury every dollar we get from any source.

Mr. BYRNS. And then receive a direct appropriation for every dollar you use.

Mr. LASKER. Yes, sir. For instance, I have a claim against the British Government that I inherited for $12,000,000. I do not want to keep that $12,000,000. Any assets that were there when we came in I want to cover into the Treasury, and I want you to pass a law ordering me to cover them into the Treasury, and then I want you to measure what we use under my chairmanship and then we will not have any misunderstanding.

Mr. KELLEY. You do not want that to apply to your freight receipts?

Mr. LASKER. That is operating income created under us, and that belongs to us, but what we inherited I do not want. I am also asking the Director of the Budget to help me get a law passed that if we use up anything from the physical assets we are to be charged with it. That is done in every commercial institution, and any other policy makes for cheating and for incompetency. How can I with thousands of employees under me control them, if they can get stuff for nothing by act of Congress and then fool me as to what they do with it? You have undermined me before I get a chance.

You have authorized $55,000,000 in that way. In the first place, we can not get $55,000,000 out of the sale of ships, etc., and please repeal that. The Congress ought not to want to put itself in the position of ordering a thing as unwise as that, because we can not, in the first place, ever realize that much, and it continues this vicious system of letting us use assets which we inherited. As will be explained to you later, we have about $500,000,000 worth of face value, quick assets that may be worth something.

Gentlemen, I repeat, Mr. Lasker did not ask you, through the Budget Bureau or in the hearings which he had before the committee, for this appropriation. We have given the Shipping Board every dollar that it asked, and certainly we ought not to increase the appropriation beyond its request.

Mr. SNYDER. What was the date of that statement?

Mr. BYRNS of Tennessee. This was in August.

Mr. SNYDER. That was shortly after he took over the Shipping Board, was it not?

Mr. BYRNS of Tennessee. Yes. I was in error about the date. This was on July 27 instead of in August.

Mr. SNYDER. He is not talking quite so enthusiastically that way now. [Laughter.]

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. WASON rose.

The SPEAKER pro tempore. The gentleman from New Hampshire is recognized.

Mr. WASON. Mr. Speaker, inasmuch as the new chairman of the Shipping Board has been quoted to you within six weeks from the time he entered upon his duties, which he has been discharging since the 1st of July last, I would like to call your attention to some subsequent statements made by the same gentleman after he had acquired more experience, after he had had time in which to find out what the condition he inherited was, and, as you gentlemen know, he told us when this Congress was assembled. For the first time the people of the country and the Congress knew just what the condition of the Shipping Board was when he assumed office. Nobody in the years gone by had told us; nobody but the Divine Ruler himself knew what that condition was.

Now, then, contrast with what the gentleman said soon after he took charge last summer his statement made before this committee last December, found at page 890 of the hearings before this subcommittee. He was questioned by Mr. WOOD. I read:

Mr. WOOD. Here is one of the troubles of the Shipping Board, I think; that is, when the Shipping Board finds itself in need of money they go out and sell something, whether they receive the worth of it or not.

In other words, out of the properties of the Shipping Board, scattered in different parts of this country, if they needed money—and I believe they have needed it in the months and years gone by—they would go out and sell as salvage the properties which the taxpayers of this country had acquired by the outlay of money contributed to the Treasury. The Treasury in turn turned it over, and the property had been acquired and paid for out of those funds, and they would sell that property for what they could get for it. And Mr. Lasker says:

If you will read the record of the Appropriations Committee the last time I appeared, you will see that I emphasized the fact that the action of Congress in forcing the Shipping Board to find its money through the liquidation of assets would result in just that sort of thing.

Mr. DOWELL. Mr. Speaker, will the gentleman yield?

Mr. WASON. After I finish reading this answer. I read:

However, such sales as we make are made because it is good business to make them, regardless of our needs, because we would rather come to Congress for a deficiency than to make an unconscionable sacrifice of these assets. The best proof of that is the fact that so far all we have taken in at the outside is about $4,000,000 of the $55,000,000 that we could have taken in. We might have taken in a large part of the $55,000,000, but we would not sacrifice those assets.

That is what he said before this subcommittee when we were holding hearings last December.

Mr. DOWELL. Now, will the gentleman yield?

Mr. WASON. Yes.

Mr. DOWELL. In view of that statement, and in view of the statement of the gentleman that they would not sacrifice the property, is it not possible that the committee could have waited until they did collect this money, and then have made the appropriation?

Mr. WASON. In reply to the gentleman, I will say that I suppose it would be possible, but it is a good business guess that they will not succeed in collecting all of this $55,000,000 prior to the 1st day of July next without sacrifice. If they should succeed in collecting it before July 1, Congress will be in no position to give them the advantage of those receipts thus obtained to use in the ordinary activities early in the next fiscal year.

Mr. DOWELL. Does not the gentleman believe that we had better exercise a little judgment of our own in the appropriation of this money? After the property has been sold and the money is in the Treasury, is not that the time for the gentleman to come and ask for this appropriation, instead of asking for it in advance?

Mr. WASON. Oh, Mr. Speaker, there are as many different minds upon the question of what is wise to do in a given situation as there are people in a community. In reply to the inquiry of my friend from Iowa, I, for one, can only say that when I find a faithful employee conducting business for me in a businesslike way I do not watch him and insinuate that he is dishonest and that he is making mistakes, but I encourage him as long as he succeeds and pursues the course of good, sound business judgment according to my viewpoint.

Mr. DOWELL. Will the gentleman yield?

Mr. WASON. Wait a minute. I say to my friend that I am convinced that the interests of the taxpayers of the country are subserved under the administration of Mr. Lasker, and I never saw him until he appeared before the committee of which I happen to be a member, although I had heard of him before. I am satisfied that since he took the office he has conducted it in the main upon sound business principles, that he to-day is conducting it upon sound business principles, that he and his associates are attempting to get the high dollar out of the useless property now owned by the Shipping Board, and wind up its affairs at the earliest possible date and stop the constant drain from the Treasury that has been going on since the day we established Government activities in building ships years ago.

Mr. DOWELL. Now, will the gentleman yield?

Mr. WASON. I certainly will.

Mr. DOWELL. Does the gentleman think it is casting any reflection upon the distinguished chairman of the Shipping Board if Congress says to him, "Collect this money and put it into the Treasury and then let Congress pass judgment upon whether or not it shall be appropriated for any purpose"?

Mr. WASON. That, my friend, is one way of doing business.

Mr. DOWELL. It is the way you would do business with any employee that you had.

Mr. WASON. Mr. Speaker, the gentleman does not know me well enough to say how I would conduct business, and in answer to his interjection, I can say that I would not conduct it in that way. To a man in whom I had confidence I would give a little discretion and make him report to me, and if he was doing business to my satisfaction I would encourage him along the line he was pursuing.

Mr. DOWELL. That is just what I want him to do. I want him to report to us, instead of our giving him entire discretion.

Mr. WASON. He does report every dollar that he has to pay bills that are due. The gentleman from Iowa [Mr. DOWELL] knows that it has been a burning disgrace to the American administration and to Congress itself that we have been withholding payment of claims against the Shipping Board an unreasonable length of time.

Mr. DOWELL. If Congress is in any way responsible for conditions in the Shipping Board, it seems to me the time to stop it is now, and not give them any money except through actual appropriations for needs that are brought before us, when we know what we are giving the money for.

Mr. WASON. Mr. Speaker, I suggest that the gentleman from Iowa reminds me of the quaint old story of the farmer who locked his barn after his fine pair of horses had been stolen.

Mr. DOWELL. I am trying to get the barn locked before this $55,000,000 gets away from us. That is what I am trying to do.

Mr. WASON. Then we should have done it years ago instead of now, as this will be used to adjust obligations long overdue.

Mr. DOWELL. But let us save this $55,000,000 while we can. It is a small sum, I know, but let us save it.

Mr. WASON. It has not been saved yet. It has not been collected yet. It is out in cold assets scattered over the country.

Mr. BANKHEAD. Will the gentleman yield?

Mr. WASON. I yield to the gentleman from Alabama.

Mr. BANKHEAD. The gentleman has paid a very high compliment to what he regards as the business ability of the chairman of the Shipping Board, and the gentleman has confidence in his business ability.

Mr. WASON. I certainly have.

Mr. BANKHEAD. The gentleman heard read the declaration of business principles which the chairman of the Shipping Board made to the subcommittee last July?

Mr. WASON. Yes.

Mr. BANKHEAD. I will ask the gentleman if he does not think that the declaration then made by the chairman of the Shipping Board was a sound proposition?

Mr. WASON. It was sound.

Mr. BANKHEAD. If it was sound then, why is it not sound now?

Mr. WASON. And his declaration made last December was also sound, and at that time he was more familiar with the conditions existing in the Shipping Board than he was in August when he spoke before.

Mr. SNELL. Will the gentleman yield for a question?

Mr. WASON. Certainly.

Mr. SNELL. Has it not been our experience that the Shipping Board are a mighty sight more careful about spending money if they have to come to Congress and ask a direct appropriation than they have been when they have spent it out of the revolving fund of $55,000,000 and nobody has had to make an account of it? Has not that been our actual experience?

Mr. WASON. To answer the specific inquiry of the gentleman from New York I will have to say that I can not answer it along the line that his inquiry would indicate. From the time when we first provided funds to create this Government activity down to and including a very few months ago there has been a constant flow of gold out of the Treasury in unlimited amounts for these purposes.

Mr. SNELL. Let us put as many brakes on it as we can.

Mr. WASON. But we ought to have put the brakes on long ago. I would like to see this matter wound up at the earliest possible day, so as to know where we stand and know that the whole matter is behind us.

Mr. TINCHER. Will the gentleman yield?

Mr. WASON. I yield to the gentleman from Kansas.

Mr. TINCHER. I listened carefully to the reading of the position taken by Chairman Lasker last August, and then I listened to the statement made by Chairman Lasker in December, and I submit that Chairman Lasker has not changed his opinion, and that he still stands upon the same ground that he stood upon last August, and I invite the gentleman to call my attention or the attention of the committee to any discrepancy between the statement read by the gentleman from Tennessee [Mr. BYRNS] and the statement read by himself.

Mr. WASON. The statement made by the chairman last August does not disagree with that made in December, but they vary a bit. He wanted to pay the claims against the Shipping Board at the earliest possible moment. He said and has repeatedly said that they could probably force collection of all of the $55,000,000 prior to July 1 at a loss or discount.

Mr. SNELL. Has anybody contended that he should collect it before the 1st of July? No one contends that they should collect it. We are willing to extend the time, but we want the money put into the Treasury instead of going back into the funds of the Shipping Board.

Mr. CARTER. Will the gentleman yield?

Mr. WASON. I will.

Mr. CARTER. What is the advantage to the Government by giving the Shipping Board the right to use the money instead of turning it in to the Treasury and letting Congress appropriate it next fall?

Mr. WASON. I do not know as there is any advantage except this: As I understand it, he can spend it if he can collect it

prior to July 1. If he collected it so late that he could not expend it, it is covered into the Treasury anyway. The inducement would be for the members of the Shipping Board to force collections as fast as they could in order that they could have the money to use. Of course, if the Shipping Board knew that Congress would appropriate the money that is necessary with reasonable dispatch, there would be little difference.

Mr. CARTER. Does not the gentleman think that Congress ought to be the judge of that very thing—whether it will appropriate the money expeditiously and reasonably for the Shipping Board to spend?

Mr. WASON. Of course I do, but the gentleman from Oklahoma knows that when appropriations come in its takes time to get them through both branches of Congress.

Mr. CARTER. But it is one of the very best checks on extravagance.

Mr. WASON. I do not think there has been any extravagance, not any that would cause criticism in the administration of the Shipping Board in the last eight months.

Mr. MANN. Will the gentleman yield for a question?

Mr. WASON. Certainly.

Mr. MANN. Is the Shipping Board authorized to collect this amount this year or next year or until it is collected without further legislation?

Mr. WASON. Yes; until collected.

Mr. MANN. No authority to collect is carried by this item?

Mr. WASON. No.

Mr. MANN. The authority to collect exists whether this year or next year until collection is made—I think it does.

Mr. WASON. I think it was in the original deficiency bill.

Mr. MANN. Wherever it was, this does not extend the authority to collect. If they have the authority to collect, the only question here is whether they shall have the authority to expend the money in the next fiscal year.

Mr. WASON. Yes.

Mr. MANN. Congress meets on the 1st of December next, a little over five months after the beginning of the fiscal year, and it soon has a deficiency bill before it. There is never much delay about passing an urgent deficiency bill at the short session of Congress. Can not they get along with $50,000,000 which is appropriated in the bill?

Mr. WASON. My best information is that there will be a deficiency this year.

Mr. MANN. In the next fiscal year?

Mr. WASON. Yes.

Mr. MANN. Will not $50,000,000 actually appropriated be sufficient to carry them for at least six months?

Mr. WASON. It ought to.

Mr. MANN. Because if it will not, this will not take them through the fiscal year.

Mr. WASON. I think it ought to.

Mr. MANN. If it will, we will be in session if we are not all dead.

Mr. BYRNES of South Carolina. Will the gentleman yield to me?

Mr. WASON. I will.

Mr. BYRNES of South Carolina. In addition to the $55,000,000 about which the gentleman from Illinois inquires, it is a fact that the bill makes available for some purposes the amount of money on hand July 1, and in case there should be any money from the operation of the ships it makes that available.

Mr. WASON. Yes; but if there is a deficiency there will not be much available.

Mr. BYRNES of South Carolina. The amount of $55,000,000 is to be used for the claims, as I understand?

Mr. WASON. Not entirely; we make a specific authorization for the settlement of claims.

Mr. BYRNES of South Carolina. I understood the gentleman to make a statement with reference to securing discounts if they had this money available.

Mr. WASON. Discounts from people who owed the Shipping Board.

Mr. BYRNES of South Carolina. The gentleman does not contest the fact that the Shipping Board even as late as January 7 asked only $50,000,000 for claims and $50,000,000 for the operation of ships, and that in addition to the $100,000,000 we have given them the amount on hand July 1, 1922, and any amount received from operations, and then the unexpended balance of the $55,000,000 over and above their official estimate which I hold in my hand.

Mr. WASON. This item in the bill carries $50,000,000 for the operation of ships.

Mr. BYRNES of South Carolina. Yes.

Mr. WASON. And $50,000,000 to settle claims.

Mr. BYRNES of South Carolina. And that is all they asked for.

Mr. WASON. And what can be collected out of what is not collected this year of the $55,000,000.

Mr. BYRNES of South Carolina. And then the operation of ships, in the same paragraph.

Mr. WASON. Yes.

Mr. BYRNES of South Carolina. And then any amount on hand July 1.

Mr. WASON. Yes.

Mr. BYRNES of South Carolina. Will the gentleman agree with me that the official estimate of January 7 asked for only $100,000,000, and did not ask for the use of these other funds?

Mr. WASON. January 7?

Mr. BYRNES of South Carolina. Yes; January 7, 1922, an estimate sent by the President to the Committee on Appropriations.

Mr. WASON. That is the Budget's submission.

Mr. BYRNES of South Carolina. The President always sends it.

Mr. WASON. Yes.

Mr. BYRNES of South Carolina. From the Budget Bureau.

Mr. WASON. Yes.

Mr. BYRNES of South Carolina. And the total estimate was $100,000,000.

Mr. WASON. Yes.

Mr. BYRNES of South Carolina. And anything over that $100,000,000 is over and above what the Bureau of the Budget asked for.

Mr. WASON. Over their estimates, but it is a part of our hearings before the committee relating to funds or credits that are due the Government in the hands or possession of the Shipping Board, which we want them to collect at the earliest possible date consistent with good business expedition.

Mr. BYRNES of South Carolina. The gentleman and I do not disagree at all. What happened was that after the estimate was submitted they submitted a supplemental estimate, and then they came before your committee and expressed a desire to have this authority.

Mr. WASON. They wanted it continued.

Mr. EDMONDS. Mr. Speaker, will the gentleman yield?

Mr. WASON. Yes.

Mr. EDMONDS. As a matter of fact, the Shipping Board contemplated last July, when we gave them the $55,000,000, that they would be able to collect this money during the year and pay off a lot of construction claims and other kinds of claims. Now they have reached a point where they can not collect the $55,000,000, and of course the claims they contemplated paying off are open. They are of the opinion that if you continue this they may be able to get more favorable settlements out of these people than they would if the people knew they had to wait and come to Congress for the entire amount of money. I agree with the gentlemen on the other side, that Chairman Lasker did make that statement last December, but there is an old proverb that wise men change their minds and fools never.

Mr. BYRNES of South Carolina. The gentleman will agree that they have $50,000,000 with which to settle claims.

Mr. EDMONDS. There are two classes of claims. We have the old construction claims, and we have the ordinary operating claims. We have $200,000,000 worth of claims. It does not make any difference whether you settle them this way or come into the House and settle them in another way. They have to be settled in some way at some time.

Mr. BYRNES of South Carolina. In this estimate from the Bureau of the Budget they refer to both those claims, the toal being $219,000,000, and he winds up with this statement:

> This leaves approximately $100,000,000 of claims for adjudication by the Shipping Board, and it is for the purpose of negotiating for the settlement of these claims on a compromise basis that the Shipping Board requests the appropriation of $50,000,000.

Mr. EDMONDS. I think the gentleman will find that they contemplate collecting this $55,000,000 and putting it in on the construction claims.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired. All time has expired. The question is on the motion of the gentleman from Indiana to recede and concur in Senate amendment No. 31.

The question was taken; and on a division (demanded by Mr. Wood of Indiana) there were—ayes 19, noes 77.

So the motion was rejected.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House further insist upon its disagreement.

The question was taken, and the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 35. Page 34, line 9, strike out all of lines 9, 10, 11, 12, and 13 and insert in lieu thereof the following: "Not more than 13 officers or employees, including 7 attorneys, of the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall be paid an annual salary or compensation in excess of $11,000."

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede and concur.

Mr. HARRISON. Mr. Speaker——

Mr. MANN. Will the gentleman from Indiana yield me five minutes?

Mr. WOOD of Indiana. I will yield five minutes to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, when this bill came before the House on the report of the Committee on Appropriations it carried as a limitation practically that which is now contained in the Senate amendment. Last year there was a contest in the House as to the number of employees who might be employed at high salaries. I think the House first provided three, perhaps, and then the number which was finally provided for was six officers or employees whose salaries could be in excess of $11,000. When the bill was before the House the House struck out the committee recommendation for 13 high-salaried attorneys and other officers and reduced it to 6 and added a provision that no one should be employed by the Shipping Board in excess of $25,000 a year. Well, we sometimes read in the newspapers about gentlemen being engaged at a salary of $150,000 a year, which I think is pure bunk [laughter and applause], good newspaper advertising. But whatever the case may be, the Government ran along for a number of years and only paid the President of the United States $25,000 a year salary, and we have no right to start in with the idea of paying salaries that reach to the mountain top to all Government employees. [Applause.] I do not expect the departments to be run on a bank clerk's salary, but $25,000 a year is a reasonably high salary, and we ought not to pay it to anybody in the Government employ other than the President of the United States. [Applause.] I do not believe we ought to employ a great number of attorneys in the Shipping Board at salaries in excess of $11,000 a year. Six thousand dollars is enough. Let us just stick to the amendment we put in in the House when we had it before the House before [applause] and stand pat, if gentlemen know what that means. [Applause.]

Mr. WOOD of Indiana. Mr. Speaker, it is perfectly apparent what the action of this House will be, but I will not let this moment pass without at least bringing to your attention the contention of the Shipping Board and what is going to happen if the proposal submitted by the gentleman from Illinois is carried out. As I stated before and wish to state now, if this were an ordinary governmental function, I would be just as persistent as other gentlemen here that these salaries are too large. I have been very persistent in the past, and I think we are paying now a great many salaries that should not be paid, certainly in contrast with salaries in positions where a great deal more responsibility and services are required and where the officers do not receive half the amount. But here is the situation that was foisted upon this country during the war. We have got a mess here that we would all like to be rid of, and it is worth as much as anybody's reputation to be connected with. [Laughter and applause.] But it was not the making of this present administration. [Applause on the Republican side.] This thing stunk to high heaven when the present administration took hold of it. They have had a reasonable degree of success in bringing some order out of the disorder they found. Their business is scattered all over the face of the earth and the seven seas, and the plunder, waste, and ravage going on they have been trying to rectify and clear up. Of necessity they had to have men who were conversant with that peculiar kind of business. We have not anything to compare with it. There is not anything comparable with this Shipping Board business. It is the biggest business in the world. There is not anything to compare with it. The great United States Steel Corporation is a mere bagatelle so far as the volume of the business is compared with that of the Shipping Board in the amount of the responsibility and property that is under its control. So we have no gauge by which to measure the service or the quality of the service. Now, I expect there are a great many men in this House, good lawyers and good business men, who would be absolutely lost if they were at the head of some of these great divisions requiring this technical knowledge.

A striking example was called to my attention the other day. This Shipping Board has been losing hundreds of thousands of dollars each year through the incompetency of its insurance department.

Mr. CAMPBELL of Kansas. If the gentleman will yield, I wish to say that, of course, we are spending money on the Shipping Board to put it in position to carry passengers and freight, in view of accommodating American citizens and making money. There was read this morning from the desk where the gentleman now stands a letter from a proposed traveler. He had written to the Shipping Board, as he had written to several others engaged in transatlantic shipping, for information with respect to their sailings and their boats and accommodations. He has been waiting for six weeks and has not had a reply yet from the Shipping Board. Every other concern to which he wrote answered promptly and gave him all the details, but he is still waiting for information telling him where he can sail from or what accommodation he can get on a Shipping Board ship.

Mr. BUTLER. In what language did he write it? [Laughter.]

Mr. CAMPBELL of Kansas. In plain English. An $800 a year clerk could answer such a letter as that.

Mr. WOOD of Indiana. It would be a remarkable circumstance if, out of all that volume of business and all the inquiries that are made, only one isolated case of seeming neglect could present itself. The mails sometimes go wrong. There are a whole lot of things that might happen. I am not here for the purpose of excusing any of the neglect of the Shipping Board any more than the neglect of the old Shipping Board.

Mr. CAMPBELL of Kansas. That letter is so characteristic of every governmental function that I call attention to it again. [Applause.]

Mr. WOOD of Indiana. I believe that every Member of Congress has characteristic letters, which, if he would bring here and print in the RECORD, would make it two or three times larger than it is every day.

Mr. GRAHAM of Illinois. If the gentleman will yield, I wish to say that I observe that the number of attorneys is increased by one, and most of these high-salaried people are attorneys. Is it not true—at least, I gather it from reading the hearings—that in almost every case where there is a matter of important litigation, legal counsel are hired, and that the regular attorneys in the Shipping Board, who are paid these salaries, do not do that business?

Mr. WOOD of Indiana. That is not correct. They started out doing that thing, but they found it was costing four or five times what they hoped to conduct their business for if they had regular counsel.

Mr. GRAHAM of Illinois. They do have legal counsel, do they not, in various cases?

Mr. WOOD of Indiana. They have both, but here is what they attempted to do: If they had an admiralty case, involving a large amount of money, they hired an admiralty lawyer to go through that case and they found that in half a dozen cases they paid more in proportion than they would have paid at these larger salaries for a whole year. We have got more litigation than all the shipping companies in the United States put together, and the men who have to appear in the various courts have to meet the best legal minds of the day, and in consequence the United States Government is the loser by it. Here is a situation and not a condition. We have either got to meet these men with men of the same character and caliber being presented there, or else we are going to have happen to us what we know happens in a big lawsuit with bigger men on the other side of the case.

Mr. GRAHAM of Illinois. I agree that you have got to get good lawyers; but if you have to hire special lawyers, there is no advantage in having these. If the gentleman says the regular lawyers are going to do this business and that we are going to quit hiring outside legal counsel, I agree with him.

Mr. WOOD of Indiana. That is exactly what I said. That is the purpose of doing this thing; and unless we do it we are not only going to lose more money, so far as fees are concerned, but more money when it comes to the rendering of the judgments.

Mr. BYRNS of Tennessee. It was stated that there were $250,000,000 in claims filed in the Court of Claims and other Federal courts that the Department of Justice must defend, and that there were possibly $150,000,000 more of claims which would probably be presented. Now, the Attorney General, Mr. Daugherty, states through his representatives that he is not violating the rule of his department in paying over $12,000 a year for any attorney; and some of these claims that they are defending amount to $125,000,000. If the Attorney General can get competent attorneys to fight these claims for $1,000 a month, why can not the Shipping Board do the same thing?

Mr. WOOD of Indiana. I will tell you why. Take the men who are employed in the Department of Justice, assistants to the Attorney General. There is a certain modicum of honor

attached to that thing [laughter] and there is a certain degree of permanency. Now it is hoped, and these gentlemen promise us, that if they have a sufficient staff they will clean up these dockets and get the whole thing cleaned up within a year.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CARTER. Why not put all these men into a position where they would get that "modicum of honor" and not have to pay them such large salaries?

Mr. WOOD of Indiana. Because the Department of Justice does not want them, and the Department of Justice, instead of trying to encourage the character of thing you are talking about, on the other hand is encouraging this Shipping Board to take care of its own lawsuits. It has enough of its own business to attend to without this thing. They have not the force, and you would have to increase that force, and then what would happen to you? Instead of having a lot of United States attorneys for a year, you would have them for all time.

Mr. CARTER. But we would have the gentleman from Indiana here to stop them.

Mr. WOOD of Indiana. I do not think you would be doing a good job. [Laughter.]

Mr. JONES of Texas. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. JONES of Texas. Does the gentleman think, if we adopt the Senate amendment, that they would probably use some of these lawyers now on the roll at $11,000 and less and increase them to the point where they were at before we put on the limitation of $11,000?

Mr. WOOD of Indiana. That might be. And this is the situation, and I want to bring it before you gentlemen, so that you may know: Some of these men, when their salaries were reduced under this amendment before, announced their intention to quit, and some did quit, but others were induced to stay for a year, with the hope that possibly they might get through, or if not, that they would get a larger salary. Others of these men have announced their intention to quit, and their resignations are in the hands of the board now.

Mr. JONES of Texas. Some of them, I am told, were getting $15,000 and $20,000 before, and, so far as I know, none of those quit when they were reduced to $11,000. The names of those gentlemen on the high-priced list remain on the roll, notwithstanding the fact that they had been previously on the roll at a much higher price.

Mr. HARRISON. Mr. Speaker, will the gentleman yield for a minute?

Mr. WOOD of Indiana. Yes.

Mr. HARRISON. I find here in the hearings a very illustrative case, confirming what the gentleman from Texas [Mr. JONES] has stated. These claims commissioners are now receiving $11,000 a year. Here is what they did receive previously. I read:

Mr. GRIFFIN. You gave the composition of that commission, but you did not say whether they were to draw any salaries or not.
Mr. SCHLESINGER. Mr. Lasker has already put that into the record.
Mr. GRIFFIN. Are they drawing salaries?
Mr. SCHLESINGER. Oh, yes. Judge Meals was engaged at $17,000 and the others at salaries of $15,000; then when Congress passed that limitation in the appropriations act they were cut to $11,000.

Mr. BUTLER. Are they still working?

Mr. HARRISON. They are still acting.

Mr. BUTLER. Maybe they will stand a little further reduction.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BARKLEY. I would like to know from the gentleman from Indiana whether these high-priced lawyers are the ones who are the trial lawyers, or whether the trial lawyers are these other men who are working down there for $4,000 and $5,000 a year?

Mr. WOOD of Indiana. Those who are receiving the higher salaries would be the ones at the head of these various divisions.

Mr. BARKLEY. But the men who do the work of trying cases are the men who are working for $4,000 and $5,000 a year?

Mr. WOOD of Indiana. Some of those trial lawyers are drawing $9,000 and some $10,000. They are drawing various prices.

Mr. CHALMERS. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CHALMERS. I happen to know personally one of the attorneys working for the Shipping Board, the former dean of the law school in a State university. He is getting $5,000 a year, and is being sent all over the country to try these cases, and he is very successful in that work. It seems to me if these high-priced experts would look around a little they could find many competent lawyers to do this work.

Mr. BARKLEY. How much is he getting?

Mr. CHALMERS. Five thousand dollars.

Mr. WOOD of Indiana. I have stated here before and I wish to state now that I suppose you could go out into any little county seat in any State in the Union and find just as good if not better lawyers than some of those who are receiving these higher salaries; but those men are not going to give up their practice at the county seat and come down here and besmirch themselves for a year or two and lose their practice and then go back home again.

Mr. TINCHER. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Kansas.

Mr. TINCHER. I wish to say to the gentleman that some time last summer, when we had up a bill for the Shipping Board, it was disclosed that some men who were drawing $2,400 under the former administration were drawing $10,000, $11,000, $12,000, and $14,000 under this administration. Have those men been discharged yet?

Mr. WOOD of Indiana. I do not know whether they have or not.

Mr. TINCHER. If they have not, I do not want to vote to raise anybody's salary.

Mr. WOOD of Indiana. I exposed some of those gentlemen myself; and here is what happened under the former administration, and I suppose the same thing might have happened under a Republican administration. There were a lot of little fellows who got appointed to $1,500 positions because they did not go to war. That was the reason they got those positions; and when the war was over and the clouds passed away they had themselves promoted under the former administration and some of them under this administration.

Mr. KINCHELOE. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Kentucky.

Mr. KINCHELOE. I will say to the gentleman that I know of one lawyer who served under the former administration who is not one of the favorites, a man who was drawing $4,500 a year, and who is still drawing it under this administration, not being one of the elite or elect, but who is one of the best trial lawyers they have got, and he is being sent all over the country to try cases, and I know of one case involving a million dollars, and he was sent out to try that case.

Mr. BANKHEAD. I suggest to the gentleman from Indiana that in his explanation he has not touched upon the question of the reason why he agreed to strike out the limitation of $25,000 as a maximum, which a good many of us would like to see retained. What is the explanation of that?

Mr. WOOD of Indiana. I started a while ago to call attention to the necessity of having somebody to protect the interests of the United States Government with reference to maritime insurance. They have discovered that because of inefficiency in the insurance department they have been losing hundreds of thousands of dollars. They tell me they can not get a man who is big enough to take that place for less than $25,000 or $30,000 a year; and if we had had that character of a man within the last two or three years they would have saved five times more than all of the proposed increases in this amendment.

Mr. BANKHEAD. Then, do I understand the gentleman to mean that they can get that type of a man for $30,000 a year or $33,000, but can not get him for $25,000?

Mr. WOOD of Indiana. I suppose they will have to have some leeway with which to dicker. I do not know that they have any fixed market price for men of that caliber.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Mississippi.

Mr. JOHNSON of Mississippi. If we strike out the Senate amendment, how many lawyers will they have left down there?

Mr. WOOD of Indiana. I can not tell the gentleman exactly how many.

Mr. JOHNSON of Mississippi. Is not the total 85 now? I understand there were 78 provided for in your bill when it left the House, and when it went to the Senate there were 7 more added there.

Mr. WOOD of Indiana. In the city of New York there are individual law firms that have half as many men engaged in the conduct of the business of a single firm as you will find in the whole Shipping Board.

Mr. JOHNSON of Mississippi. But is it not true that the total is 85?

Mr. WOOD of Indiana. I think that is true.

The SPEAKER pro tempore. The question is on receding and concurring in Senate amendment No. 35.

The question being taken, the motion was rejected.

Mr. MANN. I move that the House further insist on its disagreement.

The SPEAKER pro tempore. The gentleman from Illinois moves that the House further insist on its disagreement to Senate amendment No. 35.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the last Senate amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 34, line 21, after the word "employees," insert "and all auditing of every nature requiring the services of outside auditors shall be furnished from the Bureau of Efficiency."

Mr. WOOD of Indiana. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER pro tempore. The gentleman from Indiana moves that the House recede and concur in the Senate amendment.

The motion was agreed to.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House agree to the conference asked for by the Senate.

The motion was agreed to.

The Chair appointed as conferees on the part of the House Mr. WOOD of Indiana, Mr. WASON, and Mr. HARRISON.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FIELDS, on account of illness.

To Mr. DAVIS of Tennesse (at the request of Mr. GARRETT of Tennessee) for the day, on account of illness.

EXTENDING TIME FOR PAYMENT OF CHARGES ON RECLAMATION PROJECTS.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9606, disagree to the Senate amendments, and ask for a conference.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent to take from the Speaker's table the bill H. R. 9606, disagree to the Senate amendments, and ask for a conference. The Clerk will report the title of the bill.

The Clerk read as follows:

H. R. 9606. To authorize the Secretary of the Interior to extend the time for payment of charges due on reclamation projects, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. GARNER. Reserving the right to object, will the gentleman make the required statement in order to get unanimous consent?

Mr. KINKAID. I will state to the gentleman from Texas that I called this up by agreement with the ranking minority member of the committee.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. KINKAID, Mr. SINNOTT, and Mr. HAYDEN.

ADJOURNMENT.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned until to-morrow, Thursday, March 16, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

567. A letter from the Secretary of the Navy, transmitting a proposed draft of a bill to permit the employment of officers of the Navy and Marine Corps by persons or companies furnishing naval supplies or war material to the Government; to the Committee on Naval Affairs.

568. A letter from the Acting Secretary of Commerce, transmitting a proposed draft of a bill to consolidate the work of collecting, compiling, and publishing statistics of the foreign commerce of the United States in the Department of Commerce; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CHINDBLOM: Committee on the Merchant Marine and Fisheries. Fisheries in Alaska (part 2 of Rept. No. 789). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. S. 3209. An act granting to the Northern Pacific Railway Co. the right to construct and maintain a bridge across the Mississippi River at Minneapolis, in the State of Minnesota; without amendment (Rept. No. 800). Referred to the House Calendar.

Mr. WALSH: Committee on the Judiciary. H. R. 9671. A bill to amend section 87 of the Judicial Code; with amendment (Rept. No. 802). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BENHAM: Committee on the Public Lands. H. R. 10419. A bill validating certain applications for and entries of public lands; with an amendment (Rept. No. 799). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 10522) granting a pension to Annie Cason, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TINKHAM: A bill (H. R. 10908) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920; to the Committee on Reform in the Civil Service.

By Mr. HICKS: A bill (H. R. 10909) to authorize the President to cancel or modify certain contracts for battleships and battle cruisers, and for other purposes; to the Committee on Naval Affairs.

By Mr. FIELDS: A bill (H. R. 10910) to enlarge and extend the post-office building at Ashland, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. BUTLER: A bill (H. R. 10911) to permit the employment of officers of the Navy and Marine Corps by persons or companies furnishing naval supplies or war material to the Government; to the Committee on Naval Affairs.

By Mr. GOLDSBOROUGH: A bill (H. R. 10912) for the erection of a public building in the town of Easton, Md.; to the Committee on Public Buildings and Grounds.

By Mr. FITZGERALD: A bill (H. R. 10913) to amend sections 4826 and 4827 of the Revised Statutes of the United States relating to Board of Managers of National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

By Mr. KELLER: Joint resolution (H. J. Res. 288) authorizing the Postmaster General to issue a special series of postage stamps commemorative of peace; to the Committee on the Post Office and Post Roads.

By Mr. FOCHT: Resolution (H. Res. 304) providing for additional compensation for Daniel R. Smith, messenger to the Committee on the District of Columbia; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW of Massachusetts: A bill (H. R. 10914) granting a pension to Mary R. Philbrick; to the Committee on Pensions.

By Mr. CANTRILL: A bill (H. R. 10915) granting an increase of pension to Emily M. Battson; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 10916) granting an increase of pension to James A. Childers; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 10917) granting a pension to William Brumfield; to the Committee on Invalid Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 10918) for the relief of Bert H. Clark, Maud A. Graham, Grace A. Graham, Lee Hurley, Emma I. Gordon, Mabel H. Dwight, and Nellie A. Pardy; to the Committee on the Public Lands.

By Mr. LINEBERGER: A bill (H. R. 10919) to pay damages to Roberta McKenzie Osborne; to the Committee on Claims.

By Mr. SABATH: A bill (H. R. 10920) for the relief of William Chinsky; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 10921) granting a pension to Frank McCoy; to the Committee on Pensions.

Also, a bill (H. R. 10922) granting a pension to Polly Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10923) granting an increase of pension to James B. King; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4612. By Mr. CRAMTON: Petition of John McCartney and other residents of Mayville, Mich., protesting against the passage of any of the so-called Sunday observance bills for the District of Columbia; to the Committee on the District of Columbia.

4613. Also, petition of George Newberry and other residents of Mayville, Mich., protesting against the passage of House bill 9753 or any other similar bill; to the Committee on the District of Columbia.

4614. Also, resolution of the Volunteer Welfare Association, of Marine City, Mich., supporting the purchase by Henry Ford of the Muscle Shoals project; to the Committee on Military Affairs.

4615. By Mr. CULLEN: Resolution passed by the State executive committee of the American Legion, Department of New York, urging the passage of the American Legion fivefold optional plan of adjusted compensation; to the Committee on Ways and Means.

4616. By Mr. DYER: Resolution adopted at a regular meeting of Local No. 106 of the Glass Bottle Blowers' Association of the United States and Canada, favoring the passage of the Hill bill (H. R. 9691); to the Committee on Ways and Means.

4617. By Mr. GALLIVAN: Petition of Simmons College, of Boston, Mass., opposing pending legislation to impose duty on the importation of foreign books; to the Committee on Ways and Means.

4618. By Mr. HAYS: Petition of H. B. Wimmer and 22 other citizens of Douglas County, Mo., protesting against the passage of the following pending legislation: House bills 4388 and 9753 and Senate bill 1948; to the Committee on the District of Columbia.

4619. By Mr. KISSEL: Petition of the National Cloak & Suit Co., of New York City, N. Y., urging the reduction of taxes and opposing the bonus bill; to the Committee on Ways and Means.

4620. Also, petition of the Williams Printing Co., of New York City, N. Y., opposing the enactment of a bonus bill; to the Committee on Ways and Means.

4621. Also, petition of James Thompson, of Tulsa, Okla., urging the enactment of legislation for the relief of ex-service men; to the Committee on Ways and Means.

4622. By Mr. LINEBERGER: Petition of William A. Frye, of Long Beach, Calif., and several hundred others, urging that the Towner-Sterling bill be reported out of committee and enacted at an early date; to the Committee on Education.

4623. Also, petition from citizens of Los Angeles County and the Ministerial Union of Los Angeles, numbering 16 signed pages, requesting the President of the United States to extend whatever protection and help may be necessary to make Armenia a self-supporting and self-protecting nation; to the Committee on Foreign Affairs.

4624. By Mr. MALONEY: Resolution adopted by the city council of the city of Lawrence, Mass., indorsing the legislation for ex-service men and urging its immediate passage; to the Committee on Ways and Means.

4625. By Mr. MEAD: Petition of Federal Employees' Union No. 4, of New York City, urging the adoption of Senator LODGE's amendment to the second deficiency bill, relative to reimbursement of the members of the staffs of the Immigration Service; to the Committee on Appropriations.

4626. By Mr. PERKINS: Petition of the National Society United States Daughters of 1812, for the preservation of old Fort McHenry; to the Committee on Military Affairs.

4627. By Mr. SINCLAIR: Petition of Melvin Torpen and 12 others, of Scranton, N. Dak., urging the revival of the United States Grain Corporation and a stabilized price for farm products; to the Committee on Agriculture.

4628. Also, petition of William F. Anhalt and 33 others, of Westby, Mont., urging the revival of the United States Grain Corporation and a stabilized price for farm products; to the Committee on Agriculture.

4629. Also, petitions of R. H. Randall and 11 others, of Fortuna, N. Dak., and C. B. Olson and 16 others of Marmon, N. Dak., urging the revival of the United States Grain Corporation and a stabilized price for farm products; to the Committee on Agriculture.

4630. Also, petition of F. H. Schroeder and 21 others, of Baldwin, N. Dak., urging the revival of the United States Grain Corporation and a stabilized price on farm products; to the Committee on Agriculture.

4631. Also, petition of J. F. Vavra and 65 others, of Stanton, N. Dak., urging the revival of the United States Grain Corporation and a stabilized price for farm products; to the Committee on Agriculture.

4632. By Mr. TEMPLE: Petition of R. M. Foster, of Racine, Beaver County, Pa., with reference to the bill providing for a bureau of civil aeronautics; to the Committee on Interstate and Foreign Commerce.

4633. Also, resolution of the Chamber of Commerce of Beaver Falls, Pa., relating to the question of the elimination of tax-exempt securities; to the Committee on Ways and Means.

4634. By Mr. TINKHAM: Resolution adopted at a regular meeting of the South Boston Citizens' Association, urging the immediate passage of the fivefold plan of readjustment for World War veterans; to the Committee on Ways and Means.

SENATE.

THURSDAY, *March 16, 1922.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our great and gracious God, we come this morning appalled by Thy greatness but wooed by Thy graciousness. We are assured that whatever need may be pressing upon us, Thou art willing to supply our needs and out of the fullness of Thine heart to meet every necessity of life in all its plans and purposes. Grant that our land may become more and more eminent as the land whose God is the Lord. We ask everything in the name of Jesus Christ. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday, March 9, 1922, when, on request of Mr. JONES of Washington and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9981) making appropriations for the Executive and for sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes, receded from its disagreement to the amendments of the Senate numbered 2, 19, and 36, insisted upon its disagreement to the amendments of the Senate numbered 21, 28, 29, 31, and 35, and agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD of Indiana, Mr. WASON, and Mr. HARRISON were appointed managers of the conference on the part of the House.

The message also announced that the House disagreed to the amendments of the Senate to the bill (H. R. 9606) to authorize the Secretary of the Interior to extend the time for payment of charges due on reclamation projects, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon; and that Mr. KINKAID, Mr. SINNOTT, and Mr. HAYDEN were appointed managers of the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. KELLOGG. I present the memorial of Harold L. Wood and sundry other citizens of St. Louis County, Minn., remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia. I ask that the memorial be printed in the RECORD, without the signatures, and referred to the appropriate committee.

There being no objection, the petition was referred to the Committee on the District of Columbia and ordered to be printed in the RECORD, as follows:

PETITION TO CONGRESS.

To the honorable the Senate and House of Representatives of the United States:

Believing (1) in the separation of church and state;

(2) That Congress is prohibited by the first amendment to the Constitution from enacting any law enforcing the observance of any religious institution, or looking toward a union of church and state, or of religion and civil government;

(3) That any such legislation is opposed to the best interests of both church and state; and

(4) That the first step in this direction is a dangerous step and should be opposed by every lover of liberty;

We, the undersigned, adult residents of St. Louis County, State of Minnesota, earnestly petition your honorable body not to pass the compulsory Sunday observance bill (S. 1948), which aims to regulate Sunday observance by civil force under penalty for the District of Columbia.

Mr. MYERS presented the petitions of Janet Richards, Mrs. Court F. Wood, and sundry members of the District of Columbia Federation of Women's Clubs, all in the District of Columbia, praying for the enactment of legislation to prohibit experiments upon living dogs in the District of Columbia or the Territorial or insular possessions of the United States, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented a resolution adopted by the Calumet (Mich.) Women's Club, favoring the prompt completion of the Great Lakes-St. Lawrence River project for ocean-going vessels, which was referred to the Committee on Commerce.

Mr. CAPPER presented petitions of the Frederick Douglass Equal Rights League, of Independence, and sundry colored teachers of the Kansas Industrial and Educational Institute, of Topeka, in the State of Kansas, praying for the passage of the so-called Dyer antilynching bill, which was referred to the Committee on the Judiciary.

Mr. ROBINSON presented a memorial of sundry citizens of Bigelow and Perry, Ark., remonstrating against the passage of the so-called Fordney tariff bill on the ground that it would disturb business, delay the return of normalcy, and increase the cost of living, etc., which was referred to the Committee on Finance.

He also presented a resolution adopted by Frank Fried Post, No. 18, American Legion, of Mena, Ark., favoring the passage of the so-called fivefold adjusted compensation bill, which was referred to the Committee on Finance.

Mr. LODGE presented a resolution adopted by the board of aldermen of the city of Chelsea, Mass., favoring the passage of the so-called soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented a telegram in the nature of a petition from employees of the Dennison Manufacturing Co., of Framingham, Mass., praying for the passage of the so-called soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented petitions of the congregations of the Prospect Congregational Church, of Cambridge, the Congregational Church of Southampton, and the First Church, Old South, of Worcester, all in the State of Massachusetts, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented petitions and communications in the nature of petitions of the Kiwanis Club of Worcester; 180 members of the Trinity Church Men's Union, of Worcester; the Whitinsville Congregational Club, of Whitinsville; the congregations of the First Baptist Church of Framingham; of the Methodist Episcopal Church of Middleboro; of the Williamsburg Congregational Church, of Williamsburg; of the First Congregational Church of Nantucket; and of the Old Cambridge Baptist Church, of Cambridge, all in the State of Massachusetts, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented resolutions of the John Boyle O'Reilly Literary Club, of Springfield; the Wolf Tone Club, of Taunton; the Robert Emmett Literary Association, of Fall River; Division No. 11, Ancient Order of Hibernians, of Holyoke; and Padriac H. Pearse Branch, Friends of Irish Freedom, of Fall River, all in the State of Massachusetts, protesting against the ratification of the so-called four-power treaty, which were ordered to lie on the table.

Mr. PEPPER presented a resolution unanimously adopted by the Pittsburgh (Pa.) Teachers' Association, favoring the passage of Senate joint resolution 31, proposing an amendment to the Federal Constitution authorizing uniform marriage and divorce laws, which was referred to the Committee on the Judiciary.

He also presented a resolution of the council of the city of Sharon, Pa., protesting against the construction of the proposed Lake Erie and Ohio ship canal, which was referred to the Committee on Commerce.

He also presented a petition, numerously signed, of employees of the Narrow Fabric Co., of Reading, Pa., praying for the prompt passage of an adequate protective tariff law with ad valorem duties assessed on American valuations, which was referred to the Committee on Finance.

He also presented a memorial of the Philadelphia (Pa.) Board of Trade, remonstrating against the passage of House joint resolution 262, relative to the canalization of the St. Lawrence River, which was referred to the Committee on Commerce.

Mr. LADD presented the petitions of R. I. Emerson and 16 others, of Drady and vicinity; Billie H. Evasdenk and 81 others, of Kief and vicinity; and George Rose and 28 others, of Ellendale and vicinity, all in the State of North Dakota, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

He also presented the memorial of William R. Thompson and 14 others of Carpio and vicinity, remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. WILLIS presented a resolution adopted at the regular annual stockholders' meeting of the Minster Farmers' Exchange Co., of Minster, Ohio, favoring the enactment of legislation permitting the manufacture and sale of light wines and beers, which was referred to the Committee on the Judiciary.

He also presented the petition of H. H. Squire and sundry other citizens of Sandusky, Ohio, praying for the prompt passage of an adequate tariff law based upon American valuations, which was referred to the Committee on Finance.

He also presented petitions and communications in the nature of petitions of the Kiwanis Clubs of Dover and Columbus, the congregations of the Friends Church of Leesburg, the Chapel of the Holy Spirit (Episcopal Church), of Columbus, and the First Presbyterian Church, of Forest, all in the State of Ohio, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented a petition of the pastor and members of the Patterson Memorial Presbyterian Church, of Dayton, Ohio, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

Mr. McLEAN presented a resolution adopted by Somers Grange No. 105, Patrons of Husbandry, of Somers, Conn., protesting against threatened strikes in the coal and transportation industries as endangering the vital interests of the country at large, which was referred to the Committee on Education and Labor.

He also presented a petition of members of the New Haven (Conn.) Trade Council, praying for the passage of House bill 10034, the so-called Fitzgerald accident compensation bill; House bill 9691, for the creation of Federal local option districts; and acceptance of the proposal of Henry Ford relative to the Muscle Shoals project, which was referred to the Committee on the District of Columbia.

He also presented a resolution adopted at a community meeting of the America Union, of Dutchess County, N. Y., favoring the ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

He also presented a memorial of New Haven Council, No. 259, Catholic Women's Benevolent Legion, of New Haven, Conn., remonstrating against the ratification of the so-called four-power treaty, which was ordered to lie on the table.

He also presented a resolution adopted by the Up-Town Social Club, of Meriden, Conn., favoring the repeal of the so-called Volstead law and the eighteenth amendment to the Constitution, which was referred to the Committee on the Judiciary.

He also presented a petition of members of the Greek-American Chamber of Commerce, of New London, Conn., praying for the recognition of King Constantine, of Greece, by the Government of the United States, which was referred to the Committee on Foreign Relations.

He also presented a memorial of members of the Rotary Club, of Meriden, Conn., remonstrating against the proposed removal of the submarine base at New London, Conn., which was referred to the Committee on Naval Affairs.

He also presented petitions of members of Charles B. Bowen Camp, No. 2, of Meriden; Lieut. N. W. Bishop Camp, No. 3, of Bridgeport; and Clarence G. Davenport Auxiliary, No. 1, of Waterbury, all of the United Spanish War Veterans, in the State of Connecticut, praying for the enactment of the so-called Knutson bill, providing pensions for widows of Spanish War veterans, which were referred to the Committee on Pensions.

He also presented the petition of Arthur J. Petrie, commander of Post No. 39, American Legion, of Westville, Conn., praying for the passage of the so-called soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented communications in the nature of petitions of Frank C. Porter, of the divinity school of Yale University, of New Haven; members of the Eunice Dennie Burr Chapter, Daughters of the American Revolution, of Fairfield; and the

congregation of the First Methodist Episcopal Church of Greenwich, all in the State of Connecticut, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

POST-OFFICE SITE AT MADISON, WIS.

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 9604) for the acquisition of a post-office site at Madison, Wis., reported it without amendment.

PUBLIC PARK LANDS IN THE STATE OF WASHINGTON.

Mr. POINDEXTER. From the Committee on Public Lands and Surveys I report back favorably without amendment the bill (H. R. 9235) providing for a grant of land to the State of Washington for public park purposes, and I submit a report (No. 562) thereon. I ask for the present consideration of the bill. I think it can be disposed of in a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the title and fee to all of the land comprising the military reservation situated on Fidalgo Island, in Skagit County, State of Washington, in township 34 north, range 1 east of the Willamette meridian, north of the entrance to Deception Pass, including the two islands in the pass, containing about 550 acres, and to the land comprising the military reservation situated on the northern end of Whidby Island, in Island County, State of Washington, in township 34 north, range 1 east of the Willamette meridian, south of the entrance to Deception Pass, containing about 630 acres, and to the land comprising the military reservation situate on Whidby Island (north point of) in township 34 north, ranges 1 and 2 east of the Willamette meridian, containing about 606 acres, and to the land comprising the military reservation situate east of Deception Pass in said township 34 north, range 2 east of the Willamette meridian, consisting of Hope Island and Skagit Island, containing about 200 acres, be, and the same are hereby, granted, subject to the conditions and reversions hereinafter provided for, to the State of Washington for public park purposes, subject, however, to the right of the United States to at any and all times and in any manner assume control of, hold, use, and occupy without license, consent, or leave from said State any or all of said lands for any and all military, naval, or lighthouse purposes, free from any conveyances, charges, encumbrances, or liens made, created, permitted, or sanctioned thereon by said State: *Provided*, That the United States shall not be or become liable for any damages or compensation whatever to the said State of Washington for any future use by the Government of any or all of the above-described land for any of the above-mentioned purposes: *Provided further*, That if said lands shall not be used for the purposes herein above mentioned the same or such parts thereof not so used shall revert to the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. LADD:

A bill (S. 3290) to define commerce and to establish when an article or commodity is in interstate commerce and when subject to the laws of a State, and for other purposes; to the Committee on Interstate Commerce.

By Mr. KENDRICK:

A bill (S. 3291) for the relief of Henry Cordes (with an accompanying paper); to the Committee on Public Lands and Surveys.

By Mr. POMERENE:

A bill (S. 3292) granting a pension to Isaac Dobbins (with the accompanying papers); and

A bill (S. 3293) granting a pension to Arthur Gross (with the accompanying papers); to the Committee on Pensions.

By Mr. BALL:

A bill (S. 3294) to authorize the Commissioners of the District of Columbia to condemn certain land; to the Committee on the District of Columbia.

By Mr. FRANCE:

A joint resolution (S. J. Res. 179) authorizing the President to appoint a commission to visit the Republic of Liberia on a mission of friendship, amity, and mutual helpfulness; to the Committee on Foreign Relations.

TARIFF POLICY FOR THE SOUTH.

Mr. SHEPPARD. I have here an editorial from the Fort Worth (Tex.) Star-Telegram on the subject of the proper tariff policy toward the South. I think it will be of great interest, and I ask to have it inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Fort Worth Star-Telegram.]

IN THE INTEREST OF THE SOUTH.

Whether the estimate made by Col. Ike T. Pryor that $1,000,000,000 a year will be added to the value of southern products if Congress accepts the schedules of the Southern Tariff Congress and incorporates them in the tariff bill is regarded as high or not, certainly every effort should be made to have fair recognition given to the products of the South in the bill.

Col. Pryor, who is chairman of the schedule committee of the Southern Tariff Congress, which meets in Fort Worth on March 15, outlines the schedules to be asked, as follows:

"We have indorsed the schedules filed by the western tariff bloc with the Senate Finance Committee, which call for a rate of 3½ cents per pound on beef, 2½ cents per pound on mutton, 4 cents on lambs, three-fourths cent on hogs, and 15 cents on unwashed wool.

"We have taken exception to the bloc rate on hides, which is 2 cents green and 6 cents dried. We regard 4 cents per pound on green hides the minimum rate that should be given. Other leading Texas products shown on the bloc schedules are vegetable oils, 4 cents per pound; eggs, 8 cents per dozen; and poultry, 6 cents per pound.

"Important southern items not included in the western tariff bloc and on which tariff duties have been requested by the tariff association are peanuts, pecans, sugar, graphite, manganese, and petroleum, and rates will be fixed Wednesday by the Southern Tariff Congress on these articles."

The greatest obstacle which stands in the way of obtaining proper recognition for southern products is the attitude of most of the Democratic Congressmen and Senators on this matter.

Instead of insisting that any tariff bill passed shall levy duties equitably, without discriminating between sections and industries on political lines but in accordance with the principle of not favoring one class or section at the expense of another, they are assuming an attitude of opposition to the entire tariff program and apparently are willing to have the Republicans pass a measure favoring special industries and sections at the expense of the South in order to make political capital of it later.

The present Congress is going to pass a tariff bill. That can be taken for granted. Democratic opposition can not prevent that. The position of the Southern Tariff Congress is simply that the products of this section of the country, most of which are of the farm and ranch, shall be given equitable protection in keeping with that given the products of other sections.

It is good Democratic doctrine that any tariff levied, no matter what its rates or its purposes, shall be equitably adjusted to the whole country and to all classes in the matter of schedules.

It is good Democratic doctrine that if tariff is levied, no matter what its rates or its purposes, shall be equitably adjusted to the whole country and to all classes in the matter of schedules.

It is good Democratic doctrine that if there is to be a tariff on manufactured articles there should also be a tariff on raw materials.

* * * * * * *

The Southern Tariff Congress represents a great body of producers in the South. We take it that the schedules which it will work out will be based upon a knowledge of conditions and in relation to schedules on the products of other sections and other industries. The delegates to the congress will be men thoroughly capable of working out such schedules and who have a full knowledge of the facts and conditions involved. For this reason we believe they should receive the cooperation of Congressmen and Senators from the South, especially from Texas.

The Southern Tariff Congress is not a political body. It is a business body, and it proposes to have a tariff law based upon principles of equity and justice and not upon mere partisan considerations. It is working for the economic interests of this entire section of the country and is seeking to prevent discrimination of a kind which will injure the producers of this section. It should receive the support of all intelligent citizens of this section irrespective of party affiliation.

SPECULATIVE TRADING IN COTTON.

Mr. HARRIS. Mr. President, I ask permission to place in the RECORD a statement with reference to the investigation of the American Cotton Exchange in New York showing that the great cotton exchanges are simply bucket shops and an injury to the farmers and that the southern cotton speculators are at the mercy of the New York brokers.

For many years the New York Cotton Exchange has been used principally to gamble in cotton futures instead of a place to buy and sell cotton in a legitimate way. The farmers of the South have lost millions annually on account of this exchange, which has been used to depress the price of cotton and rob the southern farmers. For my part, as I have often stated in the Senate, unless we can confine this exchange to the legitimate buying and selling of actual cotton and stop all gambling in cotton futures I favor abolishing the exchange. Nearly every year they sell cotton futures amounting to ten times the number of bales of cotton produced in the South. Congress should immediately pass legislation preventing the robbery of the southern farmers, who have suffered financially more than any producers in our country.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SAY COTTON MART IS "BUCKET SHOP"—BROKERS TESTIFY NEW YORK EXCHANGE OPENLY EXPLOITED SOUTHERN TRADERS.

[By the Associated Press.]

NEW YORK, *March 15*.

Charges that the American Cotton Exchange is a huge bucket shop, where actual trading is rare and where the southern speculator is at the mercy of the New York broker, were made by former members of the exchange at a "John Doe" investigation conducted by the district attorney's office before Chief City Magistrate McAdoo.

Witnesses testified to numerous instances of "cross-trading," fictitious orders, dummy accounts, "scalping," secret manipulation of unrecorded transactions, sensational advertising designed to woo the accounts of small speculators in the South, and undisguised bucketing of orders.

EXPELLED MEMBERS TESTIFY.

W. B. Wilson and J. H. Watson, members of the firm of Wilson & Co., which was expelled from the exchange last February 28 on charges that they had warned their clients against further dealings with the institution, were principal witnesses for the prosecution.

"When there was cotton for sale in the ring we made bona fide sales for our clients," Mr. Wilson testified. "But the southerner, who is an optimist about the cotton market, almost invariably bought. As

a result there seldom was any cotton for sale, and brokers simply 'bucketed' the orders, taking a chance on covering themselves when cotton eventually was offered in the ring."

ORDERS BUCKETED OUTRIGHT.

The witness declared that he withdrew from the exchange after repeated complaints to officials that "it had become absolutely impossible to transact business without bucketing." At the time of his resignation in February, he declared, conditions were such that little trading was done on the floor of the exchange, most of the orders from customers being bucketed outright.

A score of the most prominent members of the exchange, some of them its directors, were named as constituting the "inner circle" of the trading ring.

J. H. Watson, partner in Wilson & Co., testified he first entered the floor of the exchange as a "scalper" for E. L. Dutton & Co., with instructions to "force the market" when actual trading was indulged in.

"Finally they caught me short of the market and then took the market for a walk, not bringing it back for several weeks," the witness declared. He then ceased "scalping" for Dutton and became a member of the exchange, "bucketing" orders on his own account.

ADMITS BUCKETING ORDERS.

"Do you say you bucketed orders, then?" asked Magistrate McAdoo, who is sitting as a grand jury in the investigation.

"Call it what you want," the witness replied. "It is just plain bucketing."

"During the big rush last September, when every southerner was speculating in cotton and we were flooded with buying orders, brokers seldom went to the exchange to do their trading. They didn't have time. They simply marked prices on the sales contracts, sent them out for the signature of the broker with whom they had prearranged to complete the transaction of a fictitious sale, and entered it on their books. Everybody was bucketing."

Several gilt-embossed pamphlets, distributed through the South by New York brokers, were introduced as evidence.

PAMPHLETS AS LURE.

"These should be called to the attention of the postal authorities," Magistrate McAdoo told the prosecuting attorneys.

The pamphlets were entitled: "Southerners Not Slow—A Human Interest Story That Every Red-Blooded Southerner Should Know," "How to Trade in Cotton, Stocks, and Grains—by Randolph Rose," and "Methods of Successful Cotton Traders."

Mr. Rose was cited by each of the witnesses as a member of the biggest firm connected with the American Cotton Exchange and leader in bucketshop methods.

Efforts of counsel for the American Cotton Exchange were balked in their attempts to cross-examine witnesses by Magistrate McAdoo.

EXTENSION OF PAYMENTS ON RECLAMATION PROJECTS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9606) to authorize the Secretary of the Interior to extend the time for payment of charges due on reclamation projects and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McNARY. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. McNARY, Mr. JONES of Washington, and Mr. SHEPPARD conferees on the part of the Senate.

AMBASSADOR EXTRAORDINARY TO HAITI.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, submitted by the junior Senator from Utah [Mr. KING].

Mr. ROBINSON. As the junior Senator from Utah is not present at the moment, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	Myers	Robinson
Ball	Harris	Nelson	Sheppard
Borah	Harrison	New	Shields
Brandegee	Heflin	Nicholson	Simmons
Bursum	Hitchcock	Norbeck	Smith
Cameron	Johnson	Norris	Spencer
Capper	Jones, Wash.	Oddie	Sterling
Carraway	Kellogg	Overman	Townsend
Colt	Kendrick	Page	Underwood
Culberson	Keyes	Pepper	Wadsworth
Cummins	King	Phipps	Walsh, Mass.
Ernst	Ladd	Pittman	Walsh, Mont.
Fernald	Lodge	Poindexter	Warren
Fletcher	McCormick	Pomerene	Watson, Ga.
France	McKellar	Ransdell	Weller
Glass	McKinley	Rawson	Williams
Gooding	McNary	Reed	Willis

Mr. FLETCHER. I desire to announce the necessary absence of my colleague [Mr. TRAMMELL] on account of a sad affliction in his family, the death of his wife.

Mr. JONES of Washington. I desire to announce the absence of the junior Senator from Delaware [Mr. DU PONT], who is detained on official business.

I was requested also to announce the absence of the Senator from North Dakota [Mr. MCCUMBER], the Senator from Connecticut [Mr. MCLEAN], the Senator from Utah [Mr. SMOOT], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Kansas [Mr. CURTIS], the Senator from New York [Mr. CALDER], the Senator from Indiana [Mr. WATSON], the Senator from West Virginia [Mr. SUTHERLAND], and the Senator from New Jersey [Mr. FRELINGHUYSEN], who are detained at a hearing before the Committee on Finance.

The VICE PRESIDENT. Sixty-eight Senators have answered to their names. A quorum is present.

The Chair has laid before the Senate a resolution coming over from a previous day, which will be read.

The resolution (S. Res. 249) submitted by Mr. KING on the 6th instant was read as follows:

Whereas the President of the United States has designated Brig. Gen. John H. Russell as high commissioner to Haiti, with the rank of ambassador extraordinary to the Government of that country, without having sent the nomination of said Brig. Gen. John H. Russell to the Senate for the advice and consent of the Senate with respect to his appointment to said office: Now, therefore, be it

Resolved, That the Committee on the Judiciary is hereby requested to investigate the question as to the power of the President under the Constitution to appoint an ambassador extraordinary to Haiti, without the advice and consent of the Senate in that behalf, and report their findings and opinion to the Senate.

Mr. KING. I ask that the resolution may go over without prejudice until a later day.

The VICE PRESIDENT. Without objection, it will go over.

CHICAGO, DETROIT & CANADA GRAND TRUNK JUNCTION RAILROAD CO.

Mr. TOWNSEND. From the Committee on Interstate Commerce I report back favorably with an amendment the bill (S. 3268) to authorize the Chicago, Detroit & Canada Grand Trunk Junction Railroad Co., or its successors or assigns, to lease certain of its properties in the State of Michigan. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Interstate Commerce with an amendment to insert at the end of the bill the following proviso:

Provided, That any such lease shall be made subject to the condition in said act that the grant to said railroad company shall cease and determine in the event such railroad shall be discontinued.

So as to make the bill read:

Be it enacted, etc., That the Chicago, Detroit & Canada Grand Trunk Junction Railroad Co., or its successors or assigns, is hereby authorized and empowered to lease lot No. 1, or any portion thereof, and any buildings thereon, as described in the patent dated March 8, 1859, issued to such railroad company under the provisions of the act entitled "An act granting the right of way over and depot grounds on the military reserve at Fort Gratiot, in the State of Michigan, for railroad purposes," approved February 8, 1859, as amended: *Provided*, That any such lease shall be made subject to the condition in said act that the grant to said railroad company shall cease and determine in the event such railroad shall be discontinued.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROPOSED REORGANIZATION OF EXECUTIVE DEPARTMENTS.

The VICE PRESIDENT. Morning business is disposed of. The calendar under Rule VIII is in order.

Mr. ASHURST. Mr. President, the junior Senator from Utah [Mr. KING] recently introduced a bill proposing to transfer the Forestry Bureau to the Department of the Interior. That bill has aroused much discussion. The Washington Post of Sunday, March 12, published a thoughtful editorial on the subject and I ask that it be included in the RECORD.

There being no objection, the editorial referred to was ordered to be printed in the RECORD, as follows:

THE PEOPLE'S PATRIMONY.

The inquiries made by the commission delegated to map out a reorganization of the executive departments are said to have disclosed many glaring inconsistencies and inexcusable sources of extravagance. The report of the commission is in the hands of President Harding, and when published it is expected to create a sensation because of its recommendations for sweeping changes.

A single example of inconsistent grouping of activities and the evils resulting therefrom is furnished by the commission in its discussion of the Forest Service in relation to the Department of the Interior. The Forest Service is in the Department of Agriculture, and the principal arguments in favor of its retention there are that it is allied with agriculture and is in touch with other bureaus of the Department of Agriculture, such as entomology, plant industry, etc. But the bureaus of the Interior Department are in even closer touch with those bureaus of the Department of Agriculture. The Reclamation Service sets aside land for model farms to be developed by the experts of the Department of Agriculture, and the Indian Office, General Land Office, Geological Survey, and other Interior bureaus are in constant contact with the Department of Agriculture.

Inconvenience of all sorts results from the attempt to administer public lands by two executive departments. The Forest Service fails and refuses to cooperate with bureaus in the Interior Department, with serious damages to stockmen, lumbermen, miners, farmers, and others who have a right to expect a square deal from the Government. The lack of a central authority in Washington makes it impossible

to coordinate the activities of the bureaus that are created for the public welfare.

The Department of the Interior was created for the purpose of administering and developing the patrimony of the people of the United States. Broadly speaking, the chief duty of the Interior Department is to look after the public lands. It has jurisdiction over homesteads, mineral lands, nonmineral lands, Indian reservations, irrigation projects, surveys, national parks, Alaskan lands, etc. The evident intent of the creators of the Interior Department was to place under one jurisdiction all authority over the public lands. But the Forest Service was gradually expanded in the Department of Agriculture and transformed from a research into an administrative bureau, with the result that constant friction has prevailed.

The Forest Service dictates the course of roads within the national forests, and prevents the construction of highways which are required in the public welfare. It halts a farmer's cow in search of a drink of water at a spring lying a few feet within a forest area. It denies to a pioneering farmer the right to acquire a few feet of timber adjoining his homestead. It sells off the timber on a mining claim, denying the timber to the miner, who must send sometimes thousands of miles for a few sticks of timber which might have been cut from his own claim. It disposes of timber to foreign countries at a time when domestic needs are unsupplied. It does not create additional forest to replace that which is cut, but clings to lands which are not forested at all, and refuses to permit them to be opened for homes.

The chaotic conditions resulting from divided authority over the public lands should be ended forthwith. The reorganization commission has recommended that the forests be administered by the Department of the Interior, just as other lands are administered, whether mineral, desert, oil-bearing, agricultural, or Indian lands. The commission takes the position, which seems to be logical and unassailable, that one authority should be exercised over public lands, without regard to the particular nature of the lands. Only by this method can there be coordination in the various services. When the question arises whether a particular piece of land is forest, agricultural, mineral, or what not, a central authority should decide. The question of surveys is most important in connection with the public lands, and it is most damaging to the public interest that the Geological Survey and the Forest Service survey should follow conflicting systems.

It is high time that political and personal aims should give way to public interest in the reorganization of the bureaus pertaining to the public lands of the United States. Alaska is locked up, a useless treasure house, while thousands of enterprising Americans are deprived of the opportunity to build themselves homes in that great region. A few million acres remain which could be transformed into homes in the continental United States, if the lands suitable for agriculture could be wrested from the dead grip of the Forest Service, which neither utilizes the lands nor permits others to utilize them. Roads should be built to accommodate growing populations throughout the western areas; mines should be opened which are now closed because of imaginary forest uses or because timber is denied to the miners; forests should be started in areas which the Forest Service claims to be unsuitable for forests; water supplies now unavailable should be made available to the people; forests in watersheds and catchment areas should be protected; and the so-called national forests should be overhauled, for the purpose of excluding from them the lands that are not forested and never will be forested.

Congress will have the reorganization commission's report in due time, with the Presidents recommendations thereon. It is to be hoped that the people will be given an opportunity to make their land heritage available for proper use.

WORLD WAR FOREIGN DEBT COMMISSION.

Mr. WALSH of Montana. From the Committee on the Judiciary I ask leave to submit a report (No. 563) in response to the resolution of the Senate numbered 244, requesting the opinion of the Judiciary Committee touching the question of the eligibility of the senior Senator from Utah [Mr. SMOOT] and Representative BURTON as members of the Foreign Debt Funding Commission. The report is brief, and I ask that it may be read at the Secretary's desk.

The VICE PRESIDENT. Without objection, the Secretary will read the report.

The Assistant Secretary read the report as follows:

ELIGIBILITY OF HON. REED SMOOT AND HON. THEODORE E. BURTON TO MEMBERSHIP ON THE FOREIGN DEBT REFUNDING COMMISSION.

Mr. WALSH of Montana, from the Committee on the Judiciary, submitted the following report to accompany S. Res. 244:

The Committee on the Judiciary, to which was submitted by the Senate (S. Res. No. 244) the question of the eligibility of Hon. REED SMOOT and Hon. THEODORE E. BURTON to membership on the commission created under the act of Congress approved February 9, 1922, in view of the fact that at the time of the passage of the act the former was, as he still is, a Member of the Senate and the latter was, as he still is, a Member of the House of Representatives, respectfully reports that having referred the question so submitted to a subcommittee, consisting of Senators CUMMINS, BRANDEGEE, STERLING, OVERMAN, and WALSH of Montana, it reported that, having investigated the question, the conclusion was reached that the gentlemen named are ineligible, Senators BRANDEGEE, OVERMAN, and WALSH concurring in the report and Senators CUMMINS and STERLING dissenting; that upon the incoming of the said report your committee canvassed the question and now reports that in its opinion the gentlemen mentioned are not, nor is either of them, eligible to membership on the said commission for which they have been nominated by the President of the United States.

In its labors the committee had the assistance of a discussion of the question presented by Senator WALSH, a copy of which is hereto appended, supporting the view that the gentlemen named are not eligible, and in support of the contrary view discussions by Senators CUMMINS and NELSON and an opinion by the Attorney General, which, it is understood, will be made a part of a report to be submitted by the minority of the committee.

In the opinion of the Attorney General reference is made to an earlier opinion of his department, copy of which, with some comments thereon by Senator WALSH, is attached hereto.

Respectfully submitted.

T. J. WALSH.
FRANK B. BRANDEGEE.
G. W. NORRIS.
LEE S. OVERMAN
HENRY F. ASHURST.
WM. E. BORAH.
C. A. CULBERSON.
JAS. A. REED.
JNO. K. SHIELDS.

Mr. CUMMINS. On behalf of a minority of the Committee on the Judiciary, I submit the report which I send to the desk and ask that it may be read:

The VICE PRESIDENT. The Secretary will read the report.

The Assistant Secretary read as follows:

OPINION OF THE MINORITY OF THE COMMITTEE ON THE JUDICIARY UPON SENATE RESOLUTION 244.

Mr. CUMMINS, from the Committee on the Judiciary, submitted the following minority report (to accompany S. Res. 244):

The undersigned members of the Committee on the Judiciary, which committee has had under consideration S. Res. 244, are unable to concur in the report of the committee, it being their opinion that the Hon. REED SMOOT and the Hon. THEODORE E. BURTON are eligible for membership on the commission created by the act of Congress approved February 9, 1922, entitled "An act to create a commission authorized to refund or convert obligations of foreign Governments held by the United States of America, and for other purposes."

They submit herewith their views upon the subject matter of the resolution.

KNUTE NELSON.
ALBERT B. CUMMINS.
WM. P. DILLINGHAM.
LEBARON B. COLT.
THOMAS STERLING.
RICHARD P. ERNST.
SAMUEL M. SHORTRIDGE.

Mr. CUMMINS. Mr. President, on behalf of the same minority, I ask leave to print, accompanying the report just made, the views which have been already submitted to the committee from the subcommittee, as modified or changed in phraseology to suit the present occasion, and also the views of the chairman of the committee, Mr. NELSON, as well as the report or opinion of the Attorney General rendered upon request of the President of the United States.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WALSH of Montana. I was going to ask unanimous consent for the printing as a public document of the report of the majority just submitted, with the accompanying documents, and with it the report of the minority, with the documents now referred to by the Senator from Iowa.

Mr. CUMMINS. Mr. President, the suggestion is entirely satisfactory to me, but the printing can not be done for a day or two, inasmuch as it is necessary to change the argument in its phraseology so that it will constitute a report to the Senate instead of a report to the full committee by the subcommittee.

Mr. WALSH of Montana. That, of course, may be done.

The VICE PRESIDENT. Without objection, it is so ordered.

THE FOUR-POWER TREATY.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in open session, for the purpose of considering the four-power treaty.

The motion was agreed to; and the Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. REED. Mr. President, I desire to lay before the Senate, in connection with the treaties now under consideration, some facts which have not heretofore been discussed, and which, while they bear upon the disarmament treaty directly, have also a very important bearing on the treaty under consideration. I propose to place before the Senate some figures with reference to the relative strength of the navies provided for in the naval treaty; and I believe I can say as a preliminary that the whole status has been misrepresented to the Senate and to the American people. The facts I am about to present are the work of naval experts of a high order, and are buttressed by documentary proof which demands, in my opinion, the attention of this body. If they are not given attention before the four-power treaty is acted upon, we will have so far committed ourselves that probably nothing we can do will extricate us from a dilemma which is fraught, in my judgment, with the very gravest danger.

Let me say now in advance that I was in favor of calling this conference for the purpose of reducing armaments. I am in favor now of every reasonable means which can be adopted to prevent the expenditure of large sums of money in a race for naval superiority. I want to see the useless expense stopped. I believe that it can be stopped without endangering the United States.

Those in control of the conference saw fit to go outside of the purposes for which it was called and to take up the question of a quadruple alliance. It had no necessary connection whatever with the question of disarmament. It was at first denied that any thought of an alliance or treaty—by whatsoever name you may know it—was being entertained; but after the conference had assembled some influences of which we are not advised were brought to bear, and they were sufficiently potential to

divert the conference from its original purposes and to bring before it for consideration matters never dreamed of by the Senate when it passed the resolution asking that steps should be taken looking toward disarmament.

Having involved us in negotiations which had nothing to do in a legitimate way with disarmament, our friends were able to secure a treaty which every man with common sense knows in his heart is a quadruple alliance. As a part of that plan they have produced a scheme of disarmament coupled with a scheme for yielding to Japan and Great Britain the dominance of islands and potential naval bases which leave us in a position bordering upon helplessness; and I challenge the Members of our body who were members of this conference to produce to the Senate the confidential reports made to them regarding the relative strength of the navies of Great Britain, Japan, and the United States as those navies will stand when these treaties become effective.

The argument that the present treaty is nothing but a pledge to meet and confer, with no binding qualities and with no obligations which any nation is bound to observe, in itself is a manifest absurdity. If we are bound to do nothing, either in honor, by implication, or by express words, then we are signing a paper which is a mere nullity. We are doing something which might just as well not be done. If all that we agree to do, either morally or legally, by direction or by indirection, is to sit down and talk matters over, whereupon no nation is bound to try to reach an agreement and then to carry that agreement into effect, we are doing the most absurd thing ever performed by sensible men. Such an agreement is a mere cipher. It is nothing whatever. It gives no security, for it makes no promises. It gives no strength, for there is no binding force to it. It accomplishes nothing, because it agrees to do nothing.

That construction is an afterthought, and I charge it; for when this treaty was first proposed members of this commission uniformly talked of it in a different language. Some of them have asserted that it was the equivalent of article 10 of the League of Nations covenant. Some of them, in different language, which I shall quote, have expressly asserted it to be a treaty of great power and great force.

Mr. JOHNSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from California?

Mr. REED. I think I ought to yield first to the Senator from Georgia, who rose a moment ago.

Mr. JOHNSON. I do not want to pursue any inquiry if the Senator is going to pursue the matter of which he is speaking; but it seemed to me of such very extraordinary importance that I think the Senator ought to continue and we ought to know if members of the American delegation expressed the view of which the Senator now speaks.

Mr. WATSON of Georgia. Mr. President, I rose to remind the Senator from Missouri that the first speech prepared, written, and read in this Chamber by the Senator from Indiana [Mr. NEW] expressly stated repeatedly that this was an association of nations. Then the Senator's colleague [Mr. SPENCER] yesterday afternoon read a speech, in which he said it was an alliance to confer, and nothing more; and by the time the discussion reached the senior Senator from Louisiana [Mr. RANSDELL] the dilution had gone to the point that it could not do us any harm. That is the gradation.

Mr. REED. Of course, if it can not do any harm it can not do any good, because it either is true that it can do no harm because we agree to do nothing or else the statement is wholly inaccurate. If we agree to do something, then we agree to do all that may be the result of the consultation of these nations. If we agree to do nothing, of course it will do no harm except to lull nations to sleep and leave us to place our confidence in an agreement which will bring us no results, and at the same time to concede, through these four treaties, matters of the gravest importance.

If this treaty means nothing, the other treaties mean much.

First, we agree to yield to England and Japan something like 26,000 islands in the Pacific Ocean, some of which are mere rocks but a vast number of which can be used for airplane bases and airplane landings. Many of them can be used for naval bases and for fortifications. We yield them forever, and England and Japan take possession forever and a day. That they get out of these treaties.

Second, we agree that we will not fortify Guam or Wake, or further fortify the Philippines. As a result the Philippines will be helpless and can be taken in three days' time, according to the testimony of every naval officer with whom I have been able to confer. Guam, according to the best evidence, can be taken in 24 hours' time. Therefore if this four-power pact binds us to nothing and binds them to nothing, the other treaties yield to them substantial advantages and place us in a position where we can be attacked in our possessions. We can expect no security to ourselves from the four-power pact, because it is a cipher.

In other words, to state it in plain language and using a homely illustration, we are situated exactly as we would be if a body of citizens were at enmity and at war with a body of other citizens and they were to sign an agreement that they would settle their differences in a certain way, and yet, having understood that that agreement amounted to nothing and that no settlement was binding, then one side were to disarm itself upon the strength of an agreement which was a nullity.

Not a single vessel of the United States can go to the Philippines to protect them and fight a battle in their defense and return to the coast of the United States or to the Hawaiian Islands unless there is, either in the Philippines or at Guam, a coaling base, a naval station; but the Philippines to-day can be attacked and taken, as I have said, in 3 days' time, and Guam can be taken in 24 hours' time.

Mr. FLETCHER. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Florida?

Mr. REED. In a moment. So we are placing ourselves in a position where we can not defend our possessions. At the same time you tell us that you are giving us a treaty that means nothing, that binds us to nothing, and binds them to nothing. That is the situation you are presenting to the people of the United States to-day.

I yield to the Senator from Florida.

Mr. FLETCHER. I merely wish to ask the Senator with reference to a previous observation he made, that we are yielding some 25,000 or more islands. I want to know what he understood to be our interest in those islands.

Mr. REED. I do not care to go into that, because it is a digression, but I will answer the question. I understand that when those islands were surrendered by Germany they were surrendered to Germany's enemies, and we were one of Germany's enemies. I understand that if Japan and France and Great Britain got together and agreed to divide those islands among themselves, and did it without consulting us, it was an act of betrayal so base that it can not be characterized in parliamentary language.

What right did they have to meet and divide those islands? What kind of treatment of the United States was that, when we had stood by them through the late war, when we had stood by them until they had exacted the very terms of surrender they wanted? Is that the sort of Punic faith that is to be observed in this treaty? Quibbles about law, quibbles about whether we are tenants in common or tenants at will, quibbles about whether we got our rights under the Versailles treaty, which we did not sign, or whether we got them at war—what do those quibbles amount to when you are presumed to be dealing with your associates in a great and tragic struggle, and when the good faith, the very soul, of a nation is pledged? If they quibbled then, they will quibble in the future. If they sought refuge behind subterfuges then, they will seek such refuge in the future. We stand here confirming an act of perfidy and betrayal by the instruments we have already signed. We are asked to trust to the good faith of nations which, to use a common expression, "double-crossed" us before we went into the war, "double-crossed" us while we were in the war, secretly and perfidiously.

Their diplomats now come here with smiles on their countenances, our agents ratify that act, and we sit here ratifying it.

These things were done in secret, behind locked doors. They were kept from the President of the United States. They were kept from the people of the respective nations. They were concealed from the people of this country; yet we are asked to rely upon an agreement which Senators say means nothing, and to yield to them these advantages.

Let me just for one moment ask Senators to look at the map hanging on the wall of this Chamber. They can locate there with the eye the Hawaiian Islands, the square group to the left. A little farther on are Wake and Guam, then the Philippines shown to the extreme left, without a fortification which can withstand a real attack, with land which can be occupied so that the fortifications can be attacked from the rear, with Japan close at hand, and Japan with every point of land fortified.

Then observe the yellow squares to the left, which represent Japan and her holdings. She has fortified every important point along her coasts. She can fight her ships in her own seas, under the guns of her own forts, and if we undertake to go there to attack her we shall be out of coal before we can get

back to the United States. Every Japanese seaman knows that, every Japanese statesman knows it, the Japanese laborers know it, but apparently our representatives disregarded it.

Go a little farther south. I have not time to point it out, but the red on the map indicates the possessions of Great Britain, and the red spots, which look as if red smallpox—if there were such a thing—had broken out all over the Pacific Ocean, represent Great Britain's islands. There is not a single gateway in the waters of the Seven Seas which is not controlled by the guns of Great Britain's fortresses. There is not a single tactical or strategic point she does not control.

When you go to the Atlantic look over opposite the Panama Canal at the red spots which indicate England's islands. There is the cordon of England's islands commanding the canal, and the nearest important island to it you will see in red, the island of Jamaica.

North of the main islands of Japan lies the island of Sakhalin. We had a witty gentleman on the floor the other day who sneeringly talked about Russians crossing over on the ice. Napoleon Bonaparte found that the Russians could fight on the ice and in the snow. Five miles across, Japan is already in the possession of Russia's part of that island. Russia will be forced to attack that island if she has a war with Japan. According to the best evidences we have to-day, she is moving her troops in that direction now. Possibly before the snow flies again the Russian will be at grips with the Japanese, and the moment a Russian soldier puts his foot on that Sakhalin Island, then, under the terms of this treaty, we shall be bound to do something. The proponents of this treaty say we will be bound to do nothing except to talk.

I say that that is the silliest talk which ever fell from the lips of sensible men. We are making an agreement to do something, and yet we are agreeing to do nothing! That was not the construction placed upon this instrument when it was being written. It was not the construction placed upon this instrument by the statesmen who spoke of it.

We had a specimen of misrepresentation here the other day. Of course, it was inadvertent. Of course, it was not intended. We had three or four sentences read out of the speech of M. Viviani at the Disarmament Conference. I assert that Viviani's speech, properly read, demonstrates that he understands this to be an alliance of the powers, and that the words read from his speech were carefully selected and did not represent his sentiments, but represented the exact converse of what he really meant. Let me read M. Viviani's speech, which is very short. I will omit the polite French compliments which this great Frenchman passed to Mr. LODGE. He spoke of Mr. LODGE's speech as "an analysis at once so simple and so powerful." Of course, you would expect the Frenchman to say that much to the distinguished Senator from Massachusetts, but notice what follows:

> The moment that the final ratifications have been exchanged here, France will assume the obligations growing out of this pact just as she will exercise the rights conferred on her by it.

He thought there were obligations, did he not?

> Amid this gathering of nations whose custom it is to honor their signature I am entitled to say, speaking of this treaty, that France is in her rightful place here—France, who throughout the entire course of her history has scrupulously fulfilled her obligations and only a few years since offered up the blood of her sons that her plighted word might be kept.

He thought it was an obligation, did he not? You did not hear any of this foolish babble about the treaty amounting to nothing when he was talking. Notice what follows:

> We have been enlightened as to the juridical and diplomatic value of this agreement by the simple words of Mr. LODGE'S analysis. It is fitting, however, to pause a moment if only to mark the unity of our purpose. We fully understand that four great powers bind themselves to respect their mutual rights as far as the islands and dominions of the Pacific are concerned; we understand that if some controversy should loom up on the horizon which can not be settled through the ordinary workings of diplomacy these powers shall take counsel together; we understand that should the rights of these powers be imperiled by the aggressive action of another power measures would be taken to meet this situation.

What kind of measures? Getting together and passing a resolution? Holding a pink tea, when the waters of the Pacific are invaded by a hostile fleet? Twiddling thumbs or drinking highballs? Is that the sort of action you take when a hostile navy is bearing down upon you? Is that the course which nations follow? Shame upon men who would make such an argument! Let those who stand for this treaty have the honesty to confront the American people and say it is a treaty, just as Viviani said it was, under which we understand we will keep the faith, and that we understand that should the rights of these powers be imperiled by the aggressive action of another power, measures would be taken to meet the situation. I say it is sheer dishonesty to claim anything else. It is pusillanimous dishonesty to claim anything else. Mr. Viviani continues:

> The treaty provides for a duration of 10 years. At the moment of its ratification the Anglo-Japanese alliance comes to an end.

So much for the juridical value of this document. So much for the legal obligations of this document. So much for the binding force of this document. Then said the orator:

> We should, however, be remiss indeed—we should be slighting the open-handed and sumptuous hospitality offered us by America and failing in our manifest duty if we did not attempt to stress the moral worth of the agreement and thereby give this memorable day its true historic character. This moral value has just been alluded to by Mr. LODGE; he has pointed out that when four great powers are determined that peace shall prevail in a given part of the world, the concert of these powers, without provision for naval or military action, is all that is needed to assure the preservation, the guaranty, and the protection of that peace; and I say here, in this illustrious hall, in this tribune so exalted, that however feeble may be the voice speaking here it will be heard throughout the universe, that it is a good thing that this example of cohesion has been given to the world.

Now what does he say? He says that the treaty means a certain thing, that it is of binding force, that it does bind us to meet and consult and to contrive the measures to meet an attack, but, in addition to that, it has a high moral value. Very far is he from saying that it is not an instrument binding us to act, binding us to use force. On the contrary, his words expressly foreshadow and mean the application of force. He says there is a moral weight to it, too, and, of course, there is. Yet that speech was distorted here on the floor, distorted, I suppose, and sent to the people of the country with the assurance that Mr. Viviani had said there was nothing here but the moral value of four great nations agreeing to be friendly.

Now, I will proceed to read what some others said at that time. Before, in order to save the treaty, it was necessary to deny its virtue and its force, and such an opposition had begun to spring up as made it necessary to repudiate the meaning of the treaty in order to have it adopted.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I yield.

Mr. KING. I invite the Senator's attention to the fact that Mr. Viviani, who is, in addition to being an eloquent man, a learned man, appreciates the difference between the juridical question and the moral question or matter of honor. He speaks of the obligation to which the Senator has called attention, and which the Senator insists imposes a legal obligation, as coming within the category of juridical or legal obligations. Then he proceeds to the moral considerations. So he considers the obligation there involved, in the words which the Senator read, first as being juridical, as binding as a legal obligation, and then he proceeds to a discussion of the moral aspect of the case. So it is a juridical legally binding instrument as well as a moral one.

Mr. REED. If one will read it in the light of the speech of the Senator from Massachusetts which just preceded it, in which that Senator undertook to sugar-coat this pill so the American people would swallow it thinking they were getting pure candy, it is perfectly plain that this great French statesman meant to place on record a clear and concise statement of disagreement to any such construction as might be gotten out of Senator LODGE's words.

He spoke of that Senator in flattering terms, complimenting him for his speech, but nevertheless took pains to say there is a juridical question here, and this is what we have agreed to in solemn form, so that if a controversy were to arise in the future and France were to call upon us to do something, if we were to say, "This treaty means nothing; Senator LODGE said something that could be construed in that way," the French statesmen of that hour would rise and read the words of M. Viviani, in which he said that it is a juridical document and contains juridical obligations. France could then say, "Our representative, M. Viviani, in that day challenged attention to the fact and no man gainsaid him."

Again I call attention to the statement of Baron Hayashi, who is the Japanese ambassador to Great Britain, as contained in an Associated Press dispatch of December 12:

> The new pact is but an enlargement and indorsement of the old friendship between Great Britain and Japan, which will come as a welcome Christmas present to the world. The spirit of the old alliance, which has achieved such fine work, will continue, and the cooperation of the United States enables us to face the future with calm assurance.

What was the old pact to which he referred? It was the Japanese-British alliance, an offensive and defensive alliance, so construed and understood by all the world, an alliance which some of us feared, an alliance of so grave a character that we are now told the only reason for making this treaty or the chief

reason for it is to get rid of that alliance. That is, we get rid of it by becoming a party to it. We get rid of it just like the old woman got rid of the old man, by marrying him.

Here stand the proponents of these treaties in this absurd position. They say that the Japanese alliance was a thing of such moment that we must get rid of it, therefore we can afford to make this treaty in order to get rid of it. They then tell us that Japan took a treaty that meant nothing, bound us to nothing, in lieu of the treaty that bound to Japan the great British Empire, with her fleets and her armies, and bound her with chains of steel. They tell us that absurd and ridiculous thing, with the statement of Japan declaring that "the new pact is but an enlargement and indorsement of the old friendship between Great Britain and Japan, which will come as a welcome Christmas present to the world," and that "the spirit of the old alliance which has achieved such fine work will continue and the cooperation of the United States enables us to face the future with calm assurance."

Had the other alliance worked finely? Indeed it had. It enabled Japan to take Korea by the throat. It enabled her to overwhelm Russia. It enabled her to strengthen her army and her navy and to take a position among the first-class nations of the world. The old pact had worked so well that when Japanese soldiers invaded the mainland of Russia on one side, British soldiers went in on the other side.

Mr. President, these are not the only two men who have spoken on this matter. Mr. Balfour said:

Now, I am perfectly well aware that the treaty between Great Britain and Japan has been the cause of much searchings of heart, of some suspicions, of a good deal of animadversion in important sections of opinion in the United States.

I pause to inquire, if that caused searchings of our heart, what will the four-power pact do to the rest of the world that is left out of it? Notwithstanding the claim that we are tied to England by blood, though some people of this country would have us tied to her by political bonds, for there are tories to-day as there have always been tories, if a Japanese-English alliance alarms us and creates suspicions in our heart, what will this four-power pact do to the rest of the world?

But Mr. Balfour continued:

I think that from the historical point of view that attitude may at first cause surprise, for certainly nothing was further from the thoughts of the original framers of the treaty between Japan and Great Britain than that it could touch in the remotest way, either for good or for evil, the interests of the United States. The United States seemed as remote from any subject touched in the original agreement as Chile or Peru.

If that is true, if those words were spoken in good faith, will some Senator rise in his place and tell us what we are getting by this treaty? If we were getting the abrogation of a treaty that never was intended to affect our interests adversely, if we were getting the abrogation of a treaty that never contemplated an attack upon the United States, will some one tell me what we are getting out of this bargain? How can Senators stand here and pretend we are escaping a menace and at the same time concede the truth of Mr. Balfour's words that the Japanese-British treaty was never intended to affect the United States?

Even at the risk of repetition I say that if England would have joined with Japan against us in a causeless war—and they will never have a war with good cause with us—if those two nations would attack us after our blood had been spilled in their defense, if the blood bond would not hold them, then will some one tell me what ink upon a piece of perishable parchment will do and of what binding effect it would be? If your heart is so black, if your soul is so debased, that you are ready to murder your neighbor without cause, your neighbor who has sustained you and protected you and poured out his blood for you, then no agreement signed will give you security.

But I continue to read:

When two great nations have been united in that fiery ordeal—

Referring to the war—

they can not at the end of it take off their hats one to the other and politely part as two strangers part who travel together for a few hours in a railway train. Something more, something closer, unites them than the mere words of the treaty; and, as it were, gratuitously and without a cause to tear up the written contract, although it serves no longer any valid or effective purpose, may lead to misunderstandings in one nation just as much as the maintenance of that treaty has led to misunderstandings in another.

That is Mr. Balfour's statement. It is not very pointed, so far as the particular question I am discussing is concerned, but read properly it is a clear indication on Mr. Balfour's part that the United States and Great Britain and Japan are to form a closer union and the purposes of that closer union are written in the document, and one of the terms of that document is that whenever the waters of the Pacific are invaded by a hostile fleet or the islands attacked, which is the same thing, then they will consult together and take action or with reference to the action to be taken.

Prince Tokugawa said:

The terms of the important pact assuring mutual security and friendship have just been made known. It is needless for me to say that all Japan will approve the consummation of this work. Japan will rejoice in this pledge of peace upon the Pacific.

What is the "mutual security"? Is there any "mutual security" in passing a resolution? Is there any "mutual security" in meeting and talking a matter over and agreeing to do something, and nobody to be bound to do it? Is it "mutual security," or is it tommyrot and foolishness? The "mutual security" is the security that comes out of the agreement we signed, and that agreement is that we will consult together and will devise the best means to repel an attack.

Senator Schanzer, speaking for the Italian delegation, said:

Any measure aiming at the creation of guaranties for the safeguard of peace in the world can not but meet with our fullest consent.

"Guaranties" of the peace of the world!

The principles involved in the agreement are entirely in accordance with the main lines of policy inspired by the high aim of the peaceful elimination of conflicts between nations.

We therefore express our full confidence that this agreement will represent the most firm and lasting guaranties for the safeguarding of peace in the Pacific.

Yet Senators say there is no guaranty; that we agree to nothing; that we are indulging in an empty form; that the treaty is a sounding brass and tinkling cymbal; that it imposes no obligation and it in no respect binds any nation to do anything; but, speaking with reference to it, the representative of Italy declared that it was a guaranty.

Viscount d'Alte, of Portugal, said:

It would, of course, be easy to evade any of the clauses of the treaty of which I am speaking; it would even seem as if the men who have drafted it have tried to signify that they did not place their main reliance and the achievement of their aims in a long series of carefully worded clauses. Only four powers, who repose the most implicit trust in the honor and integrity of each other, could sign a treaty such as this. And it is this fact that gives the agreement its tremendous binding power. The confidence so fully given no nation would dare to betray.

But already on this floor we are told that we have agreed to do nothing; already we are breaking the spirit of these words and violating the very ethics laid down by this Portuguese statesman. We are doing it here, but when we come to the council table of the four nations, what representative of the American people will dare assume the attitude of the coward and the poltroon and—I will use the slang term—the "welcher," and say, "We agreed to sit down with you; we agreed to devise the best plans of defense; but now we say to you that that is all we are going to do; we will not act in accordance with the manifest interests of the four powers concerned." That much, Mr. President, in reply to some of the statements which have been made here.

Now, I challenge the attention of those Senators who have yet an interest in these treaties and in their country to a statement regarding the condition in which our Navy is left. If I am not seriously mistaken, this demands the most careful consideration by every Member of this body. I have already challenged attention to the fact that the naval bases are in the hands of Japan and Great Britain, France holding some. We are substantially and practically without them in all the waters of the ocean. I do not mean to say that we have none, but those we have are so inefficient, so small, and so scattered that they scarcely need be referred to. A fleet with an abundance of naval bases starts out in any war with an infinite advantage over the nation that has no bases, no fortresses, no coaling stations, for her fleet can be made much more efficient thereby.

Among other things, the treaty provides: (1) That for a period of 10 years, with the exception of two vessels for the United States and two for Great Britain, there shall be no further construction of capital ships.

(2) With the exception above stated, all capital shipbuilding programs, either actual or projected, are to be abandoned.

(3) Further reduction is to be made by the scrapping of certain of the older ships.

(4) Capital ship tonnage is to be used as the measurement of the strength for navies.

Under the treaty the United States in effect agrees (1) to scrap 7 battleships and 6 battle cruisers, of 520,200 tons; (2) to scrap 17 of the older battleships, of 267,740 tons; or a total of 30 capital ships, of an aggregate tonnage of 787,940 tons, which are to be scrapped.

Of the 13 vessels mentioned in the first group to be scrapped, 1 battleship, the *West Virginia*, has already been launched. It is, of course, a new vessel. Six battleships and 6 battle cruisers are in process of construction. Let me here call attention to

the fact that we are scrapping vessels upon which construction has already begun, which are from 30 to 60 per cent completed, and upon which we have expended $650,000,000. On the other hand—and I challenge the attention of Senators to this statement—Great Britain is scrapping no vessels whose construction has been begun, but is agreeing not to build two ships which she had planned to build and on which no work has been done. They are, as has been suggested, paper ships.

The Japanese agreement includes both classes. Some of their vessels are actually begun, while on others which they agree not to construct no work at all has been done; but they were used to trade with just the same.

The 17 older American ships mentioned in the second group are all in existence. Two of them, however, the *Maine* and the *Missouri*, of 12,500 tons each, are not on the active list. Eliminating these two, the total tonnage to be scrapped by the United States amounts to 762,940.

Great Britain agrees not to build two battle cruisers heretofore contemplated, the keels of which have not been laid down, aggregating 86,000 tons, and to scrap 24 of her older battleships. The 24 ships to be scrapped are as follows:

King George V, Ajax, Centurion, Thunderer, New Zealand, Lion, Princess Royal, Conqueror, Monarch, Orion, Australia, Agincourt, Erin, Commonwealth, Dreadnought, Bellerophon, St. Vincent, Inflexible, Superb, Neptune, Hercules, Indomitable, Temeraire, Agamemnon.

Of the ships above referred to, the first four, namely, the *King George V*, the *Ajax*, the *Centurion*, and the *Thunderer* are the only ships of the 24 on the active list. The remaining ships are all tied up at the docks and have all been offered for disposal at public sale. By scrapping them, therefore, Great Britain loses nothing. She is still at liberty to sell them, as she contemplated before the Limitation of Arms Conference was called.

Japan agrees (1) not to build 4 battleships and 4 battle cruisers the keels of which had not been laid down by November 11, 1921, aggregating 364,000 tons; (2) to scrap 2 of the new battleships and 4 of the new battle cruisers, aggregating 255,200 tons; (3) to scrap 11 of the older battleships, aggregating 163,932 tons; or a total of 17 capital ships, of 419,132 tons.

(a) The keels of none of the four battle cruisers mentioned in the first group which Japan agrees not to build had been laid on November 11, 1921. It is true, however, that while the conference was in progress Japan by rush work laid down the keels of two of the battleships. This was so manifestly a threat as to require no comment.

(b) Of the six battleships mentioned in the second group actually to be scrapped two battleships are in process of construction, two battle cruisers are in process of construction, and two battle cruisers had not had their keels laid by November 11, 1921.

(c) The 11 older ships mentioned in the third group are all now in existence. Japan is to be credited with scrapping 11 battleships actually in use. As a matter of fact, however, 3 of these, the *Kurama*, the *Ibuki*, and the *Ikoma*, until now have been classed merely as first-class cruisers. My authority for that is Janes's "Fighting Ships." Deducting these 3 vessels leaves but 8 vessels of a total of 120,982 tons, which, with the 4 vessels in process of construction which are to be scrapped, amounting to 168,200 tons, gives a total of 12 capital ships, of 289,182 tons, to be scrapped by Japan.

I desire now to give the summary.

Mr. OVERMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from North Carolina suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Hale	McNary	Smoot
Ball	Harris	Myers	Spencer
Borah	Harrison	Nelson	Stanfield
Broussard	Heflin	New	Sterling
Calder	Hitchcock	Nicholson	Sutherland
Cameron	Johnson	Norris	Townsend
Capper	Jones, Wash.	Oddie	Underwood
Caraway	Kellogg	Overman	Wadsworth
Colt	Kendrick	Page	Walsh, Mont.
Cummins	King	Phipps	Warren
du Pont	Ladd	Pomerene	Watson, Ga.
Ernst	La Follette	Ransdell	Weller
Fernald	Lenroot	Rawson	Williams
Fletcher	McCormick	Reed	Willis
France	McKellar	Sheppard	
Glass	McKinley	Shields	
Gooding	McLean	Simmons	

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum is present.

Mr. REED. Mr. President, it appears, therefore, that of the capital ships now carried on the active lists of these three nations and of the capital ships in actual process of construction on November 11, 1921, the tonnage to be scrapped by these nations is as follows—and I wish Senators would notice these figures:

	Tons.
The United States	762, 940
Great Britain	92, 000
Japan	289, 182

It would be interesting to know why Great Britain is credited with scrapping 24 capital ships, 20 of which are obsolete, offered for sale, and, in fact, already scrapped, and why Japan is credited with scrapping 3 capital ships which are not actually capital ships. Is it merely an attempt to pad the lists in order to make a presentable appearance against that of the United States?

If the treaty is ratified, the navies of these three powers are to be reduced to the following basis:

(a) The United States, 18 capital ships, 525,000 tons.

(b) Great Britain, 20 capital ships, 525,000 tons.

(c) Japan, 10 capital ships, 315,000 tons.

The foregoing demonstrates that the United States is required to scrap 7 battleships and 6 battle cruisers in process of construction, against 2 battleships and 2 battle cruisers for Japan and none for England. The United States is also required to scrap 17 older battleships, as against 8 for Japan and 4 for Great Britain. In other words, the United States is to scrap 30 capital ships, 17 of which are in the water, able to fight, and 13 new vessels in process of construction and upon which she has already expended over $650,000,000, as against Japan scrapping 8 in the water, able to fight, and 4 new vessels in process of construction, and against Great Britain scrapping 4 of her older vessels now in active service, the remaining 20 of the total of 24 having, as heretofore stated, been offered for sale—that is, scrapped.

Somebody put something over on these delegates of ours, one of whom said that the strategic value of the islands had not even been considered. Evidently the fighting strength of the Navy was not considered. The fastest of our vessels go at 21 knots an hour. Notice the armament of the ships. We have three ships armed with 16-inch guns. All the rest of our ships except four are armed with 14-inch guns.

If the treaty is ratified, the particular capital ships eventually allowed to these three navies are as follows:

United States.

Vessel.	Completed.	Displacement.	Speed.	Armor over vital parts.		Principal guns.		Broadside. Guns.		Broadside. Metal.
BATTLE CRUISERS.		*Tons.*	*Knots.*	(1) *In.*	(2) *In.*	*No.*	*In.*	*No.*	*In.*	*Pounds.*
None										
BATTLESHIPS.										
Colorado	1922	32,600	21	16	18	8	16	8	16	16,800
Washington	1922	32,600	21	16	18	8	16	8	16	16,800
Maryland	1921	32,600	21	16	18	8	16	8	16	16,800
California	1921	32,300	21	14	18	12	14	12	14	16,800
Tennessee	1920	32,300	21	14	18	12	14	12	14	16,800
Idaho	1919	32,000	21	14	18	12	14	12	14	16,800
Mississippi	1917	32,000	21	14	18	12	14	12	14	16,800
New Mexico	1918	32,000	21	14	18	12	14	12	14	16,800
Arizona	1916	31,400	21	14	18	12	14	12	14	16,800
Pennsylvania	1916	31,400	21	14	18	12	14	12	14	16,800
Oklahoma	1916	27,500	20½	13½	18	10	14	10	14	14,000
Nevada	1916	27,500	21	13½	18	10	14	10	14	14,000
Texas	1914	27,000	21	12	14	10	14	10	14	14,000
New York	1914	27,000	21	12	14	10	14	10	14	14,000
Arkansas	1912	26,000	21	11	12	12	12	12	12	10,440
Wyoming	1912	26,000	21	11	12	12	12	12	12	10,440
Utah	1911	21,825	21	11	12	10	12	10	12	8,700
Florida	1911	21,825	21	11	12	10	12	10	12	8,700

See Janes's "Fighting Ships, 1921," pp. 179–187.

Under heading Armor over vital parts No. 1 is for belt and No. 2 for turrets.

The above includes the Colorado and Washington soon to be completed and omits the North Dakota and Delaware which are to be scrapped as soon as the Colorado and Washington go into commission, which will be in 1922.

Great Britain.

Vessel.	Completed.	Displacement.	Speed.	Armor over vital parts.		Principal guns.		Broadside. Guns.		Broadside. Metal.
BATTLE CRUISERS.		*Tons.*	*Knots*	(1) *In.*	(2) *In.*	*No.*	*In.*	*No.*	*In.*	*Pounds.*
Hood	1920	41,200	31	12	15	8	15	8	15	15,360
Super-Hood[1]		35,000	29			12	16			25,200
Super-Hood[1]		35,000	29			12	16			25,200
Renown	1916	26,500	22	9	11	6	15	6	15	11,520
Repulse	1916	26,500	22	9	11	6	15	6	15	11,520
Tiger	1914	28,500	29	9	9	8	13½	8	13½	11,200

[1] See Janes's "Fighting Ships, 1921," p. 47; H. C. Bywater, "Britain's New Battle Cruisers"; and Scientific American, December, 1921.

Great Britain—Continued.

Vessel.	Completed.	Displacement.	Speed.	Armor over vital parts.	Principal guns.	Broadside.	
						Guns.	Metal.
BATTLESHIPS.		Tons.	Knots.	(1) In. (2) In.	No. In.	No. In.	Pounds.
Royal Sovereign	1916	25,750	22	13 13	8 15	8 15	15,360
Royal Oak	1916						
Resolution	1916						
Revenge	1916						
Ramillies	1917						
Queen Elizabeth	1915	27,500	25	13 11	8 15	8 15	15,360
Warspite	1915						
Barham	1915						
Valiant	1916						
Malaya	1916						
Benbow	1914	25,000	22	12 11	10 13½	10 13½	14,000
Emperor of India	1914						
Iron Duke	1914						
Marlborough	1914						

See Janes's "Fighting Ships, 1921," pp. 39–52.

Mr. ASHURST. Mr. President, I move that the Senate take a recess for 20 minutes.

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Missouri yield to the Senator from Arizona?

Mr. REED. Yes; I yield for that purpose.

The PRESIDING OFFICER. The Senator from Arizona moves that the Senate take a recess for 20 minutes. [Putting the question.] The motion is lost.

Mr. REED. It is singular how it was lost, as there are only two Senators present on the other side, and only one of them voted; but I will proceed. In view of that ruling I think I ought to go on.

Great Britain has one ship of 41,200 tons, the *Hood*. She has two super-Hoods of 35,000 tons. She has the *Renown* and the *Repulse*, of 26,500 tons; the *Tiger*, of 28,500 tons; the *Royal Sovereign*, the *Royal Oak*, the *Resolution*, the *Revenge*, and the *Ramillies*, of 25,750 tons; the *Queen Elizabeth*, the *Warspite*, the *Barham*, the *Valiant*, and the *Malaya*, of 27,500 tons; the *Benbow*, the *Emperor of India*, the *Iron Duke*, and the *Marlborough*, of 25,000 tons. Notice how they outrank us in size.

Now, we come to the question of speed. The *Hood* has a speed of 31 knots an hour; the two super-Hoods, 29 knots; the *Tiger*, 29 knots; the five vessels—the *Queen Elizabeth*, the *Warspite*, the *Barham*, the *Valiant*, and the *Malaya*—25 knots. All the rest of her vessels have a speed of 22 knots, so that they outrank us in speed as they do in size.

Now, I come to the question of the caliber of the guns. She has two vessels equipped with 16-inch guns, and all the rest of her vessels, I believe, except two, are armed with 15-inch guns.

The same disparity between the two fleets appears in the matter of broadsides of metal thrown. It is to be noted that the *Renown* and the *Repulse* are classified as 26,500-ton vessels. Those vessels when built were so classified. They then had a belt of side armor of 6 inches; but the 6-inch armor belt of the *Repulse* has already been replaced by a 9-inch belt, and under chapter 2, part 3, section 1(d)(2) of the naval treaty, the same refitting is now being done on the *Renown*, and is to be completed. No allowance for these changes in the displacement allowance is made, although the defense of the vessels is thereby enormously increased.

Mr. President, Japan has four battle cruisers, with a displacement of 27,500 tons, and a speed of 27½ knots. She has two battle cruisers of 33,800 tons, with a speed of 23 knots. She has two battleships of 31,200 tons, with a speed of 23 knots. She has two of 30,600 tons, and a speed of 22 knots.

Those vessels are armed principally with 14 and 16 inch guns. I print a table displaying accurately the strength of each vessel, its speed, and its armament, as follows:

Japan.

Vessel.	Completed.	Displacement.	Speed.	Armor over vital parts.	Guns.	Broadside.	
						Guns.	Metal.
BATTLE CRUISERS.		Tons.	Knots.	In. In.	No. In.	No. In.	Pounds.
Kirishima	1915	27,500	27½	8 9	8 14	8 14	11,200
Haruna	1915						
Hi Yei	1914						
Kongo	1913						

Japan—Continued.

Vessel.	Completed.	Displacement.	Speed.	Armour over vital parts.	Guns.	Broadside.	
						Guns.	Metal.
BATTLESHIPS.		Tons.	Knots.	In. In.	No. In.	No. In.	Pounds.
Nagato	1921	33,800	23	13 14	8 16	8 16	17,500
Mutsu	1921						
Hiuga	1918	31,200	23	12 12	12 14	12 14	16,800
Ise	1917						
Yamashiro	1917	30,600	22	12 12	12 14	12 14	16,800
Fuso	1915						

See Janes's "Fighting Ships, 1921," pp. 260–267.
Vessels bracketed are sister ships.
First figures under "Armor over vital parts" are for belt and second for turrets.
The Setsu is omitted from the above table because the Mutsu is now completed and the Setsu is to be scrapped.

Mr. SHEPPARD. Mr. President, in what class among those vessels is the *Mutsu*?

Mr. REED. It is not listed in this table, but it has a displacement of 33,800 tons.

Mr. SHEPPARD. Probably it was not listed among those referred to when Secretary Hughes made his first announcement.

Mr. REED. That is correct.

Mr. SHEPPARD. Afterwards, I understand, the Japanese persuaded him and our delegation to allow them to include the *Mutsu*, which, under his original proposal, was among those to be scrapped.

Mr. REED. I think I cover that later. I remember dictating a statement in regard to it.

Mr. SHEPPARD. I understand it is the most powerful battle vessel in the world.

Mr. REED. It is understood that when completed it will be one of the most powerful ships in existence. The foregoing figures are taken from "Janes's Fighting Ships" and are exactly reproduced in the tables. Now, I call attention to a very important matter. It should be noted that Great Britain's tonnage figures are arrived at on a different basis from that by which the corresponding figures for our own ships are arrived at, the distinction being that when British ships go for a trial after being built they have aboard just enough fuel and stores to make the run. They do not carry spare oil, water, or sea stores, which they would have aboard in normal commissioned status. On the other hand, when American vessels make their trial runs they carry a full allowance of everything which they would take to sea in actual service. The result is that the tonnage of British ships is shown to be less than the tonnage of the identical American ships. An average of a number of instances has led to the conclusion that one-eighth of the listed tonnage of British vessels should be added to their displacement in comparing them with similar American ships. That is to say, an American ship of 30,000 tons would, in the case of an identical British ship, estimated by the British method, show a vessel of 26,600 tons. In order, therefore, to compare the tonnage of American ships as given in the table with British ships as given in the table we must add one-eighth, or 12½ per cent, to the British tonnage.

Accordingly, the total British tonnage allowed by the treaty as to existing ships will be 628,820 tons, as against America's 525,860 tons, a difference of 20 per cent in favor of Great Britain.

That fact has been concealed from the American people, whether designedly or stupidly I do not know. I charge it to be a fact, and I charge it to be an act of unspeakable perfidy to thus deceive the American people and the American Congress.

That the foregoing statements are accurate is further shown by the fact that in the treaty it is recited that—

> a vessel completed hereafter shall be rated at its displacement tonnage when in the standard condition defined herein.

The standard is laid down in paragraph 2, part 4, at the end of chapter 2. It will be observed, therefore, that as to existing tonnage Great Britain has an advantage of over 100,000 tons over the United States.

The Japanese follow the English method of measurement. We must, therefore, add to the Japanese tonnage one-eighth, or 12½ per cent, which raises the tonnage of Japan from 341,320 tons to 383,985 tons, creating the same proportion of disparity as exists between the ships of Great Britain and the United States.

Mr. KING. Would that give the United States, then, only 425,000 tons?

Mr. REED. It gives us 525,000 tons by our measure, but if we were to apply our measure to the British ships, they would have 628,820 tons.

The revised figures, therefore, as to the total tonnage are as follows:

	Tons.
Great Britain	628, 820
United States	525, 850
Japan	383, 985

That is to say, the ships of Great Britain measured by the American rule and the American ships measured by the same rule give the results I have just stated in figures.

Mr. KING. Will the Senator yield?

Mr. REED. I yield.

Mr. KING. During the conference negotiations, and during the meetings of the experts of the respective signatories to the treaties, when they were agreeing upon a limitation and setting forth the relative strength of each nation, was there not something produced which evidenced the discrepancy to which the Senator refers?

Mr. REED. I can not answer, but I am informed that there was a confidential statement made by some of our naval experts with reference to these fleets; that there were only about a dozen copies of it ever made, and those copies have never been made public. What our naval experts said further than that I can not say. Manifestly, we are all in the dark. We went into this conference with the Senator from Massachusetts protesting against the resolution of the Senator from Mississippi [Mr. HARRISON] in favor of open sessions throughout. Finally the Harrison resolution, as I will denominate it, was passed with some amendments, and evidently for the purpose of keeping outside of the terms of that resolution they proceeded to keep no records. They met and agreed, and when they had something agreed upon, they wrote out the final conclusion in the form of a treaty, they came into a plenary session to which the public was graciously invited, and they told to the public what they had done, but not how they had done it, nor what evidence they had before them. Nothing was there of the character produced from the Versailles conference, where they did have what they called a procès verbal, which contained at least minutes of the various conferences.

This, I charge, was designedly the most secret conference which has been held between nations within the last 10 years, unless we except the time when France and England and Japan got together and agreed to divide up the possessions they intended to take from Germany, and they were concealing that from us.

Mr. KING. If the Senator will pardon me, I am at an utter loss to understand how there could be any misunderstanding as to the tonnage of Great Britain or Japan or the United States or any of the participating powers, because, as the Senator knows, for a number of years there has been available a vast amount of literature as to the tonnage of each nation. We know that just as soon as a ship is built in Great Britain, in Germany, or in the United States the tonnage, the size and the caliber of the guns, their range, and so forth, are known, and why our representatives here did not know of the tonnage of the nations and of these ships, and how such a discrepancy as the Senator has indicated could arise, is something which surpasses my comprehension.

Mr. REED. I think the Senator was out when I made that plain. Great Britain measures her ships when they are practically without a load. We measure our ships when they are loaded, ready for a cruise. Tonnage is estimated by the amount of water displaced. Two ships of exactly the same size placed upon the surface of the water, one of them loaded and the other unloaded, will show a great difference in tonnage. All of our figures of tonnage have been published, but they have been published according to the American method of estimating. All of the British figures have been published, but they have been published according to the British method of estimating. So if we take the works that have been written in regard to the various navies of the world and find the tonnage of an American vessel given and the tonnage given of a vessel of exactly the same size which is a British vessel, we get a great discrepancy in those figures; but the man who takes the book and copies the figures and does not understand that there are different methods of measurement makes the mistake of concluding that the two vessels are equal in tonnage when they are not equal at all in size or in tonnage, either, if they were measured by the same standard.

The statements I have made are made upon the authority of an expert whose name I can not give, but we can get this testimony if we will have an investigation. There is no question about the verity of what I am saying.

Now I come to the question of battle cruisers, having compared the strength of battle fleets. Here are the battle cruisers and here is a comparative table:

GREAT BRITAIN.

Super-Hood; speed, 29 knots; guns, 12 16-inch caliber.
Second super-*Hood;* speed, 29 knots; guns, 12 16-inch caliber.
Hood; speed, 31 knots; guns, 8 15-inch caliber.
Renown; speed, 22 knots; guns, 8 15-inch caliber.
Repulse; speed, 28 knots; guns, 8 15-inch caliber.
Tiger; speed, 29 knots; guns, 8 15-inch caliber.
These great cruisers, all of them except two, have very high ratings.

JAPAN.

Kirishima; speed, 27½ knots; armed with 8 14-inch guns.
Haruna; speed, 27½ knots; armed with 8 14-inch guns.
Hiyei; speed, 27½ knots; armed with 8 14-inch guns.
Kongo; speed, 27½ knots; armed with 8 14-inch guns.

What has the United States? Absolutely nothing. We are required to scrap the six cruisers we were building which would have outrun and outshot any cruisers in the world. We enter upon this agreement without a single battle cruiser of any kind or character.

Mr. OVERMAN. Mr. President——

Mr. REED. I yield to the Senator from North Carolina.

Mr. OVERMAN. What is the reason why our delegates allowed every cruiser, which would seem to be the best fighting ship we have in case of war, to be scrapped? Why did they agree to scrap all our cruisers and then let England and Japan keep their cruisers?

Mr. REED. I can not tell the Senator any more than I can tell him why we give away all the islands in the Pacific, any more than I can tell him why we make an agreement in which we agree to do nothing, according to the construction placed on the treaty by those who stand here and tell us it is the most important treaty every proposed.

Mr. FRANCE. Mr. President, is it not true that our Navy has been notoriously inferior because of our lack of cruisers? Is it not true that our present program was to make up that deficiency?

Mr. REED. Our present program was calculated to make up that deficiency. It was thought by our naval experts that they had designed a battle cruiser that would overmatch the battle cruisers of any other country. There is more in regard to the cruisers, to which I will call attention in a few moments. I am trying now, although figures are always dull and difficult to follow, to convince the Senate with these figures of the absolutely helpless condition in which this treaty will place the American Nation.

When we compare the battleships of the British Navy and the battleships of the American Navy, we find that on the battleships of the English Navy, on all her best vessels, the guns are larger in every instance except with reference to three of our vessels.

We have, it will be observed, four vessels armed only with 12-inch guns—the *Arkansas*, the *Wyoming*, the *Utah*, and the *Florida*. Vessels with 12-inch guns may be eliminated from consideration, for, as H. C. Bywater, a British naval engineer, states, the 12-inch gun is no longer considered equal to the tactical requirements of the near future. On page 14 of "Sea Power in the Pacific" he says:

> Capital ships armed with these guns have ceased to be reckoned as first-class fighting units.

According to the same author—

> Capital ships are now rated according to their heavy guns upon the following basis: First-class ships, guns of 15 inches or more; second-class ships, guns of 13½ to 14 inches; third-class ships, guns of 12 inches or less.

All of Great Britain's 20 capital ships, therefore, are or will be able to take their places on the line, while but 14 of the 18 United States ships can do so. Japan's entire fleet of 10 ships can also take its place in the first line. Of this American fleet of 14, but 3 are or will be of the first class based on gun power, the remaining 11 belonging to the second class. Of Japan's 10, 2 are of the first class and the other 8 of the second class. As against this Great Britain has or will have 15 first-class and 5 second-class ships. In tabular form it works out as follows, and I print the table:

Class.	First.	Second.	Third.
United States	3	11	4
Great Britain	15	5	0
Japan	2	8	0

In addition to this, of the 20 other ships the minimum speed is or will be 22 knots, the maximum 31. Of the 10 first and second class Japanese battle vessels, minimum speed is 22 knots,

maximum 27½ knots. Of the 18 American first and second class vessels, the minimum speed is 20½ knots and the maximum speed 21 knots. It must be remembered that when fleets engage in combat each fleet generally strings out in single file. It is at once apparent that as a general proposition the fleet speed must be measured by the speed of the slowest vessel in the line. If the speed of the various ships in the three navies is compared we find that the slowest British ship has or will have a speed of at least 21 knots, the slowest American ship 20½ knots, and the slowest Japanese ship 22 knots. If the British fleet maintains all of its 20 vessels in line against our 18 ships she would have a fleet advantage of at least 1 knot an hour.

Mr. OVERMAN. Suppose we fail to ratify the four-power treaty, but ratify the naval disarmament treaty, what position would we be in, in that event, under the statement the Senator has just made?

Mr. REED. It is pretty difficult to answer that sort of a question as to which would be the worst of two bad things. My position is that the United States to-day is in a position to negotiate and to make proper treaties. We are not foreclosed by any blunders or mistakes that have been made, and now is the time to make the right kind of a bargain.

Mr. OVERMAN. A gentleman said to me that all these treaties are interdependent; that one rests upon the other. It looks as though that might be the case, according to the statements the Senator has made.

Mr. REED. I think not. I think we can make a treaty with regard to disarmament or reduction of armament without any difficulty. I will tell you why we can make it. We can make it because we have a lever that always has moved Great Britain. We have a greater power to-day than she has in the matter of building ships. We can, if we were compelled to do so, build three ships to her one. A nation that can not pay its interest to the United States and that can scarcely meet the expenses of its Government could not enter a naval race with the United States. As badly taxed as we are, we can nevertheless get the money. That does not mean that I am in favor of getting the money and building an enormous fleet, but it does mean that we are in a position to say to Great Britain: "We will make a reasonable agreement on limitation of armament. We will do everything that is fair; but if you do not accept a reasonable proposition, then we are in a position to take care of ourselves." And that is an argument that every Englishman can understand.

If we compare these first-class ships according to speed, we find the following state of affairs: The United States has three first-class ships with a maximum speed of 21 knots, Great Britain has four with a maximum speed of 29 knots, five with a maximum of 25, six with a maximum of 22, and Japan has two with a maximum speed of 23 knots. This disparity in speed would enable the British capital ships and all those of the Japanese to keep out of the range of the guns of our ships if they so desired. Their superior speed would give them the option of engaging our ships or of refusing, and also give them the ability to overtake any isolated vessel of our fleet.

In gun power, if we consider gun power as measured by large-caliber guns, we find a similar disparity. The United States will have three vessels armed with eight 16-inch guns. Their speed, however, will be but 21 knots and their displacement 32,600 tons. As against this Great Britain has or will have the two super-Hood battle cruisers with a speed of 29 knots and a displacement of 35,000 tons, and eight or ten 16-inch guns; also the battle cruiser *Hood*, with 31 knots, a displacement of 41,200 tons, and eight 15-inch guns. Japan has or will have two battleships, the *Mutsu* and the *Nagato*, each with a speed of 23 knots, a displacement of 32,500 tons, and eight 16-inch guns. If we eliminate these vessels as of comparative equal value, which, of course, is by no means true, we find that the remaining 15 American vessels which are able to take their places in the line are of the second class and armed with 14-inch guns, and the remaining 8 Japanese vessels are also of the second class and armed with 14-inch guns, while 12 of the British vessels are of the first class and have 15-inch guns, the remaining 5 being of the second class with 13½-inch guns.

At least 15 of the British vessels could outdistance and outshoot 15 of our 18 allotted vessels. By their superior speed they could select their range, and, while keeping out of range of our ships' guns, could still keep our ships within range of their guns. This would practically enable them to engage our vessels without any risk to their own.

All will remember the astonishment with which we found that Dewey had sunk the Spanish fleet at Manila and yet only one or two stray shells had struck an American ship; but the mystery was easily explained when we learned that our guns outranged the Spanish guns, and, accordingly, Dewey, very properly, stood off out of range of the Spanish guns and battered the Spanish fleet to pieces. The same thing occurred, as I understand, although here I do not speak by the card, in the battle between the Japanese fleet and the Russian fleet.

Mr. WATSON of Georgia. Mr. President, it happened also in the battle between the Japanese fleet and the Chinese fleet on the Yalu River; and that was the beginning of Japan's ascendancy.

Mr. REED. Yes. Of course, it is elementary, and yet it is worth while to state that a man with a rifle that will shoot 200 yards can stand off with perfect safety and fight all day with another man who is armed with a rifle that can shoot only 100 yards. Then, if he can run faster than the other man he can always preserve the distance between them, so that he can constantly be within killing range of the other man without a chance of himself being hurt at all. That is as true on the water as it is on the land.

Apart from the three ships of the *Maryland* class, which are equaled by the Hoods and super-Hoods, there is not a single ship in our allotted list to which the British can not oppose a vessel of superior speed and armed with larger guns, and still have two battle cruisers to spare.

It is also to be noted—indeed, it has already been noted—that we have no battle cruisers, which would mean that six British battle cruisers, with their tremendous speed and their 15 and 16 inch guns, could play havoc with any and all of our 15 slower and less heavily armed ships.

I might add that they could sweep our commerce from the seas, sinking every vessel, and we would have not a single vessel which could overtake them.

According to Lord Fisher, who really invented the battle cruiser, that type of ship armed and armored as heavily as a battleship, but with greater speed, is superior to the battleship. In all the naval engagements of the World War it was the battle cruiser that carried off the honors. Admiral Beatty's fleet was composed of vessels of this type. In the battle of Helgoland in August, 1914, it was the British battle cruiser in the squadron under Beatty that determined the result. In the battle of Falkland Islands, in December, 1914, it was the battle cruisers *Invincible* and *Inflexible* that put an end to Von Spee's squadron, which had preyed upon British commerce for months and had previously destroyed Admiral Craddock's British fleet.

In the Battle of Dogger Bank, in January, 1915, it was Beatty's squadron of five battle cruisers which won the day. This action particularly emphasized the importance of speed and long-range guns. In the Battle of Jutland it was Von Hipper and Beatty's British squadron of battle cruisers which did practically all the fighting, and developed all the strategy of the two main fleets. In spite of this the United States has no battle cruisers, and under this treaty has agreed not to build them. In this connection I ask consent to print in the RECORD a list of authorities.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list referred to is as follows:

(1) Lord Fisher, "Memories and Records," Vol. I, 32, 209–210; Vol. II, 143–144, 198–199, 222.
(2) See generally F. Young: "With Beatty in the North Sea" and Lord Fisher's "Memories and Records."
(3) Stevens and Westcott, "History of Sea Power," pp. 351–355.
(4) Ibid, pp. 358–366.
(5) Ibid, pp. 369–374.
(6) Ibid, pp. 286–409.

Mr. REED. Bywater, on page 118 of his recent book, says:

> The circumstance that the American Navy does not as yet possess a single battle cruiser * * * detracts very appreciably from its power and readiness for war * * * it is certain that the want of such ships would most seriously handicap the fleet in any warlike operation.

Lord Fisher says that—

> In the Great War the fast dreadnaught battle cruisers carried off all the honors.

The United States has actually on the ways six battleships in various stages of completion whose names and characteristics are as follows:

Lexington, Constitution, Constellation, Ranger, Saratoga, United States.

Displacement, 43,500 tons; speed each, 33½ knots; armament, 16-inch guns and torpedo tubes.

If those vessels had been built they would have outfooted any ship afloat; they would have been able to meet any battle cruiser on the water. They would have been able to protect our commerce against commerce destroyers; they would have been able to turn to flight in times of battle; they would have been able to have met and destroyed every slow laggard ship unless it was of the very first class of battle type. We are

graciously permitted to complete and to convert two of these as aircraft carriers, but the tonnage is not to exceed 33,000. To meet this Great Britain is to be allowed to construct two of her super-Hoods as aircraft carriers with the same limitation as to tonnage.

It was stated by the late Admiral Mahan in his book on naval strategy that if the first-line ships of two powers are on a parity and one nation has a superiority over the other in second-line ships it would be the part of strategy to force an engagement of the first-line ships. By such an engagement the ships of the enemy might be destroyed or at least so damaged they would be compelled to resort to repairs and be removed from the fighting line for some time. Thereupon the second-line ships would automatically become ships of the first line, and the superiority in ships of this type would control the situation.

In view of this principle it is interesting to study the fleets of cruisers and other auxiliary vessels which by reason of the fact that there is no restriction in the treaty with reference to these types of vessels the signatories now possess or will possess when their proposed building programs are completed.

Mr. President, without reading I ask permission to print a table showing the smaller vessels of the type I am now discussing which the United States has and also a table of the vessels of similar type which Great Britain will have or has.

The PRESIDING OFFICER. Without objection, it is so ordered. The tables referred to are as follows:

Cruisers, first line, in process of construction and uncompleted.

UNITED STATES.

Vessels.	Completed.	Displacement.	Speed.	Armor over vital parts.	Principal guns.	Broadside.	
						Guns.	Metal.
		Tons.	*Knots*	(1) (2) *In.* *In.*	*No. In.*	*No. In.*	*Pounds.*
Omaha							
Milwaukee							
Cincinnati							
Richmond							
Raleigh		7,500	33.7		12 6		
Detroit							
Trenton							
Marblehead							
Concord							
Memphis							

Cruisers, second line, completed.

UNITED STATES.

Vessels.	Completed.	Displacement.	Speed.	Armor over vital parts.	Principal guns.	Broadside.	
						Guns.	Metal.
		Tons.	*Knots*	(1) (2) *In.* *In.*	*No. In.*	*No. In.*	*Pounds.*
Salem							
Birmingham	1908	3,750	24	2 0	{ 4 5 / 2 3		
Chester							
Charlotte	1905				[1] 4 10	4 10	
Missoula	1905	14,500	22	5 9	4 6	2 6	
Seattle	1905				12 3	6 3	
Huntington	1903						
Pueblo	1903						
Pittsburgh	1903	13,680	22	6 6	[1] 4 8	4 8	
Frederick	1903				14 6	7 6	
Huron	1904						
Charleston	1904	9,700	21½	4 4	{ 12 6 / 4 3	7 6 / 2 3	
St. Louis	1905				{ 4 8 / 8 5	4 8 / 4 5	
Rochester	1891	8,150	21	4 6½			
Olympia	1892	5,865	21.6	4½	10 5	6 5	
Chicago	1885	4,500	18		4 5		

[1] Guns of 1899 pattern.

First figures under "Armor over vital parts" are for belt and second for turrets.

Cruisers, first line.

GREAT BRITAIN.

	Completed.	Displacement.	Speed.	Armor over vital parts.[1]	Principal armament.	Broadside.	
						Guns.	Metal.
		Tons.	*Knots*	*In. In.*	*No. In.*	*No. In.*	*Pounds*
Courageous	[2] 1917	[3] 18,600	31	9 3	{ 4 15 / 18 4	4 15 / 6 4	7,680
Glorious		[3] 22,700	[4] 33				186
Emerald	1918	7,000	32	3 0	7 6	6 6	600
Enterprise							

[1] First figure covers belt armor; second figure, turret armor.

[2] See Janes's "Fighting Ships, 1921," pp. 56–59.

[3] Normal displacement is 18,600 tons, but with full load is 22,700 tons.

[4] Speed under full load is 1½ knots faster, i. e., 32½ to 33 knots.

Cruisers, first line—Continued.

GREAT BRITAIN—continued.

	Completed.	Displacement.	Speed	Armor over vital parts.	Principal armament.	Broadside.	
						Guns.	Metal.
		Tons.	*Knots*	*In. In.*	*No. In.*	*No. In.*	*Pounds.*
Cairo	1918						
Calcutta	1917						
Carlisle	1917	4,190	29	3 0	5 6	5 6	500
Capetown	1917						
Colombo	1917						
Despatch	1918	4,765					
Diomede	1918	4,765					
Delhi	1917	4,650					
Dunedin	1917	4,650	29	3 0	6 6	6 6	600
Durban	1918	4,650					
Danae	1916	4,650					
Dauntless	1916	4,650					
Dragon	1916	4,680					
Cardiff	1917						
Ceres	1917						
Coventry	1918	4,190	29	3 0	5 6	5 6	500
Curacoa	1918						
Curlew	1917						
Effingham	[1] 1922		29				
Frobisher	[1] 1922	10,000	30	3 0	7 7½	6 7½	1,200
Hawkins	1919		31				
Raleigh	1921		31				
Caledon							
Calypso	1916	4,120	29	3 0	5 6	5 6	500
Caradoc							
Centaur							
Concord	1916	3,750	29	3 0	5 6	5 6	500
Cambrian	1916						
Canterbury	1916						
Castor	1915	3,750	29	3 0	4 6	4 6	400
Constance	1916						
Calliope							
Champion	1915	3,750	29	4 0	4 6	4 6	400
Caroline							
Carysfort							
Cleopatra							
Comus	1915	4,780	29	3 0	4 6	4 6	400
Conquest							
Cordelia							
Galatea	1914						
Inconstant	1915						
Royalist	1915	3,500	29	3 0	{ 3 6 / 4 4	3 6 / 2 4	300 / 61
Phaeton	1915						
Undaunted [2]	1914						
Birmingham							
Lowestoft	1914	5,440	25½	3 0	9 6	5 6	500
Southampton	1912						
Dublin	1913	5,400	25½	3 0	8 6	5 6	500
Weymouth	1911						
Yarmouth	1912	5,250	24½	2 0	8 6	5 6	500
Dartmouth	1911						
Antrim	1905						
Carnarvon	1901						
Essex	1902						
Shannon	1907	8,000					
Birkenhead	1915						
Chester	1916						
Penelope	1915						

[1] Building.

[2] The Undaunted carries 2 6-inch and 6 4-inch guns.

In addition to the above, the various colonies of Great Britain are credited with the following cruisers:

	Completed.	Displacement.	Speed.	Armor over vital parts.	Principal guns.
AUSTRALIA.[1]		*Tons.*	*Knots.*		*No. In.*
Adelaide	1921	5,560	25		9 6
Melbourne	1913				
Sydney	1913	5,400	25½		8 6
Brisbane	1916				
Encounter	1902	5,880	21		11 6
NEW ZEALAND.[2]					
Chatham	1912	5,400	25½		8 6
Philomel	1890	2,575	19		{ 1 6 / 1 4
CANADA.[3]					
Aurora	1914	3,500	29		{ 2 6 / 6 4

[1] Janes's, "Fighting Ships, 1921," pp. 122–123. [2] Ibid, p. 129. [3] Ibid, p. 131.

Mr. REED. Mr. President, I trust the Senators will read the tables in the RECORD. It would be a waste of time to read them here, because they are composed of figures which must be studied; but when we are dealing with a question that may involve the very life of our Nation a little time might profitably be spent in looking over tables which show our strength or our weakness. But, commenting upon these figures, I have to say it may be seen at once that the two British cruisers—*Courageous*

and *Glorious*—are indeed battle cruisers, though not classified under the treaty as such.

The treaty provides, in chapter 1, article 12, as follows:

No vessel of war of any of the contracting powers, hereafter laid down, other than a capital ship, shall carry a gun with a caliber in excess of 8 inches.

The words "hereafter laid down" in connection with chapter 1, article 11, which limits cruisers to a maximum of 10,000 tons, precludes any cruiser of more than 10,000 tons or carrying larger than 8-inch guns. By reason of these words, however, Great Britain is allowed to retain both the *Courageous* and the *Glorious*, and to class them as cruisers. They carry side armor of 3 inches, turret armor of 9 inches, are armed with four 15-inch guns and eighteen 4-inch guns, and steam 33 knots.

Lord Fisher, the real inventor of the battle cruiser, regarded these two cruisers and their sister ship, the *Furious*, now used as an airplane carrier, as he did the battle cruisers *Renown* and *Repulse*, classified under this treaty as capital ships. In the fight of Helgoland Bight in August, 1917, these two cruisers and the *Repulse* determined the outcome of the battle. I ask leave to print here a table of Japan's cruisers of the first line and cruisers of the second line.

The PRESIDING OFFICER. Without objection, the table will be printed in the RECORD.

The table referred to is as follows:

Japan.[1]

CRUISERS, FIRST LINE.

Vessels.	Completed.	Displacement.	Speed.	Armor over vital parts.	Principal guns.
		Tons.	*Knots.*	*Inches.*	*No. In.*
Nisshin	1904	7,750	20	6	4 8
Kasuga	1904	7,750	20	6	14 6
Aso	1902	7,800	21	8	2 8 8 6
Idzumo	1901	9,750	20½	7	4 8
Iwate	1901	9,750	20½	7	14 6
Adzuma	1901	9,426	21	7	4 8 12 6
Yakumo	1901	9,735	20½	7	4 8 12 6
Asama	1899	9,700	21½	7	4 8
Tokiwa	1899	9,700	21½	7	14 6

CRUISERS, SECOND LINE.

Nagara	1922				
Kuma	1920				
Tama	1920	5,500	33	3	7 5.5
Kiso	1291				
Kitakami	1921				
Oh-i	1921				
Tenryu	1919	3,500	31	2	4 5.5
Tatsuta					
Chikuma					
Yahagi	1912	4,950	26	3	8 6
Hirado					
Tone	1909	4,105	23	3	2 6 10 4.7
Niitaka	1904	3,420	20	2½	6 6
Tsushima	1904	3,420	20	2½	6 6
Chitose	1899	4,992	22½	4½	2 8 10 4.7

[1] Janes's "Fighting Ships, 1921," pp. 271-281.

Mr. REED. Mr. President, if cruisers are measured by displacement—and I should like Senators to realize this, because we can build no more large cruisers, but the cruisers of this class are allowed to be retained without restriction—we find, as the matter now stands, that the United States has 16 cruisers with an aggregate tonnage of 161,000 or 165,000; Great Britain has 60 cruisers, with a tonnage of 311,500; and Japan has 24 cruisers of this type, with a tonnage of 113,328. Of the cruisers which Great Britain has, 43 have been built since 1915, while the United States has but four built since that date and three built earlier than 1893, one of these dating back to 1885—old, obsolete, worthless craft—and but 16 of them against Great Britain's 60 modern cruisers of this type.

If these cruisers are compared on a tonnage basis, we find that of cruisers of 20,000 tons or over the United States has none, Great Britain has two, and Japan has none.

Of cruisers of 10,000 to 20,000 tons, the United States has eight, Great Britain four, and Japan none.

Of cruisers of 5,000 to 10,000 tons, the United States has 9, Great Britain has 9, and Japan has 15.

Of cruisers of 3,500 to 5,000 tons, the United States has 4, Great Britain has 40, and Japan has 9.

If we compare the caliber of the guns carried by the cruisers, we find the following to be true:

Of cruisers having 15-inch guns, the United States has none, Great Britain has two, and Japan none.

Of cruisers having 10-inch guns, the United States has three, and Great Britain and Japan have none.

Of cruisers having both 6 and 10 inch guns, the United States has 13, Great Britain 53, and Japan 16.

Of cruisers having 3 and 6 inch guns, the United States has five, Great Britain none, and Japan eight.

If we compare speed in the various cruisers, we get the following results:

Of cruisers of speed over 30 knots, the United States has four, Great Britain eight, and Japan eight.

Of cruisers of speed of from 28 to 30 knots, the United States has none, Great Britain has 40, and Japan none.

Of cruisers of speed of from 25 to 28 knots, the United States has none, Great Britain has four, and Japan three.

Of cruisers of speed of from 20 to 25 knots, the United States has 16, Great Britain 3, and Japan 13.

Of cruisers of speed under 20 knots, the United States has one, and the others have none as slow as that.

In other words, Great Britain has 48 cruisers of over 28 knots' speed, as against 4 of the United States and 8 of Japan.

Great Britain has 52 cruisers of 25 knots or over, as against 4 of the United States and 11 of Japan.

Coming now to aircraft carriers, Great Britain has seven aircraft carriers, the United States one—not complete—and Japan one. I print them in a table, with their speed and their armament and their aircraft-carrying capacity.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Aircraft carriers.

UNITED STATES.

Vessels.	Completed.	Displacement.	Speed.	Airplanes carried.	Principal guns.
		Tons.	*Knots.*		*No. In.*
Langley[1]	(2)	19,360	12	34	4 5

GREAT BRITAIN.

Hermes	1922	10,950	25	20	10 6
Eagle	1920	22,790	24	20	6 6
Vindictive	1918	9,750	30	6	4 7½
Furious	1917	22,900	31	20	10 5½
Argus	1918	14,450	20½	20	2 4
					No. Lb.
Pegasus	1917	3,070	20½	6	2 12
Ark Royal	1914	7,080	11	10	4 12

JAPAN.

Wakamiya	1901	7,600	9½	4	2 12

[1] Converted from a collier in 1920. [2] Not completed.

Mr. REED. Coming now to merchant marine:

In the consideration of vessels designed for or adapted to use as fleet or fighting ships an examination of the merchant marine is most necessary.

Mr. Lasker, chairman of the United States Shipping Board, recently stated:

Granting that the 5–5–3 naval program, or some equivalent, be adopted, and that we have a naval holiday for a term of years, the question of naval equality is not solved; because if, in addition to the equalized navies, any one nation possesses a merchant marine of convertible strength vastly beyond that of another nation, the nation possessing that added convertible merchant tonnage has the preponderance of naval power.

As already stated, Mahan laid down the principle that the nation with the greatest naval reserve force of secondary or tertiary power will in the last analysis, when the ships of greater power are eliminated from the struggle, control the naval situation. In the application of this principle it is obvious that if a nation's capital ships, cruisers, and vessels designed for fighting are equal to those of another nation, the nation which possesses the greatest number of merchantmen convertible into fighting ships will have the advantage.

Chapter 1, article 14, of the proposed treaty provides:

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6-inch caliber.

It should be noted, therefore, that this treaty recognizes and impliedly approves the "installation of warlike armaments" upon peaceful merchantmen for the purpose of converting them into "vessels of war." The treaty merely provides that such installation and such conversion shall not be made in time of

peace. However, the treaty provides that even in peace time the decks of vessels not previously so constructed may be made sufficiently strong to support 6-inch guns, the number of such guns not being provided for. The treaty, however, does not restrict merchant vessels as to the number of guns which may be carried, nor does it restrict such guns to a 6-inch caliber. An analysis of the merchant vessels possessed by the United States and of those possessed by Great Britain is therefore most illuminating.

The tonnage of the entire American merchant marine, according to the latest annual report of the Shipping Board, was 12,115,571. The tonnage of the British merchant marine was 16,916,664. The tonnage of the Japanese merchant marine was 2,132,601. I print a table setting forth a comparison of this tonnage.

The matter referred to is as follows:

Gross tonnage.	Number of vessels.[1]	
	United States.	Great Britain.
15,000 and over	7	36
10,000 to 15,000	39	113
5,000 to 10,000	333	1,245
3,000 to 5,000	735	1,394
Total	1,114	2,788

[1] Lloyd's Register 1920-21, Vol. II, pp. 327, 346.

Mr. REED. In vessels of the 3,000-ton type or over which may be converted into war vessels, the ratio is over 2.25 to 1 in favor of Great Britain.

In vessels of 5,000 tons or over, the ratio is 3 to 1 in favor of Great Britain.

Taking into account vessels building in both countries, the ratio of vessels of 8,000 tons or over is 5 to 1 in favor of Great Britain.

Mr. Lasker on December 14, 1921, said:

When speed is considered, and speed is essential for naval purposes, the ratio is even more startling in favor of Great Britain; as of vessels of 22 knots and over she possesses 5, the United States only 1, a ratio of 5 to 1; in all vessels of 12 knots and over, which is the minimum speed useful for naval operations, she possesses 234, and the United States possesses only 53, a ratio of 4.4 to 1 in favor of Great Britain.

It is apparent, therefore, that the great advantage which Great Britain has over the United States in the number of merchant ships capable of conversion into vessels of war would insure Great Britain a superiority in naval power over the United States if the actual vessels of war possessed by these nations at all approximated equality. When this fact is taken in connection with the similar advantage which, under the terms of this treaty, is accorded to Great Britain over the United States in actual fighting ships, the superiority of Great Britain over the United States in naval power is tremendously increased.

Mr. President, if this treaty is ratified the American Navy will be left without any battle cruisers. This means that we will have no fast wings for quick operation or change of formation in time of battle, and no fast commerce destroyers of a heavy type, and no vessels able to meet the commerce destroyers of Great Britain. Great Britain and Japan are each left in possession of four ships of the character I am discussing.

In the matter of cruisers, as distinct from battle cruisers, the American Navy is practically helpless. The ones in our possession are old, weakly armed, and slow. Those in possession of Great Britain average in date of completion about 1917. The Japanese vessels average in date of completion about 1918.

Furthermore, we are distinctly inferior to the British in the number of merchant ships which may be employed in war. The use of such armed craft in future wars is openly forecast by the provision of the treaty allowing their decks to be strengthened to carry guns, even in time of peace. The disparity in merchant-ship tonnage appears even more dangerous when an examination of their classification shows that in large ships and in fast ships British superiority is even more pronounced than in the matter of total tonnage.

From what I have said it will be seen that the treaty takes cognizance only of the comparative tonnage of capital ships and aircraft carriers. It completely disregards all the other units just as valuable to the strength of a navy, such as cruiser forces and merchant marine; but, regarding the capital-ship tonnage alone, it is apparent that under a seeming equality there really exists a distinct inequality between the Navy which will be left to us and the one which will be left to Great Britain.

In the matter of aircraft carriers, Great Britain has at present nearly all of such vessels that there are in existence. The United States has only one slow-going collier, which is being converted and which is not yet completed. Japan has only one small merchantman, with no flying-off deck to it. France has one converted battleship, not yet completed. Great Britain has seven completed aircraft carriers which have been in service as long as four years. It is, therefore, the only nation which has had actual experience with this kind of craft; and although two of them are just recently completed, and are therefore to all intents and purposes new ships, Great Britain is to be allowed to count them as experimental craft and to replace them when it is found to be convenient.

Mr. President, I make no complaint that figures such as I have produced have not been listened to with patience by the Members of the Senate. They are problems to be studied with the figures upon paper before the student.

I make no complaint that throughout my address there has been generally a maximum of two Senators on the Republican side, because I never complain if I individually am not listened to. Indeed, none of us have a right to complain if we are not listened to. It is not only the right of every Senator to leave the Chamber, but to refuse to listen to the remarks of another Senator, and sometimes it must be done in self-defense. No personal pride enters into what I am saying.

I want a disarmament treaty made which will reduce to the minimum the armaments of all the nations of the world. I want that treaty so made that the United States will be safe and not placed at a disadvantage, and I am imploring the Senators who now pay me the compliment of their attention, and those who have been called away by other business, to study these figures, which I believe in every singular particular to be accurate, for I have taken pains to have them checked by two experts, who know their business if any two men in the United States know the business of comparing naval armaments and the speed and quality of ships.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Nebraska?

Mr. REED. I yield.

Mr. HITCHCOCK. Has the Senator made a comparison between the figures which he has given as to tonnage, armament, equipment, and so on, with the figures given at the open conference by the Secretary of State?

Mr. REED. The figures I have given are the same figures which are printed in the hearings; that is to say, when a ship is listed in the hearings as having a particular tonnage I have employed the figures given there. The difference is, as I have explained at length, when perhaps the Senator happened to be out, the English ships are listed under the English measure and the American ships under the American measure, and there is an actual disparity between the two methods of measurement in the British of one-eighth, or 12½ per cent.

Mr. HITCHCOCK. I heard the Senator make that explanation, and I have been trying to find in the hearings a statement made by Secretary Hughes to the effect that that difference between the British and the American plans had in some way been reconciled.

Mr. REED. The only thing I found of that character is the statement that as to new vessels, vessels to be hereafter built, they are to be measured according to a rule which is there laid down, and that, of course, would give a uniform rule as to new construction; but that does not apply to vessels now in existence.

Mr. President, not because it has to do with the matter I have just discussed, but because I am called out of town for a day or two, I suggest to Members of the Senate, merely to think about, a question which I think is of importance. We have provided as follows in a recent act of Congress, the merchant marine act of 1920:

That from and after February 1, 1922, the coastwise laws of the United States shall extend to the island territories and possessions of the United States not now covered thereby.

And * * * that the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same.

In a word, the proposition is, upon the proclamation of the President, to extend our coastwise laws so that they will cover trade with the Philippine Islands.

The question I want to put to Senators for their consideration is, whether that will not raise a question justiciable by the four powers; whether the inevitable result would not be that Japan and Great Britain would insist that we had no right to extend to the Philippines our coastwise service and the protection of our coastwise laws, which would, of course, exclude foreign vessels from that trade?

Japan has already, not officially, but through the representative of one of her large steamship lines, raised the question and made a protest. At the same time, Japan has extended her coastwise regulations so as to include Formosa.

I am not prepared, because I have not been able to give study to the question, to state a conclusion, but two things occur to me as within the possibilities, and I suggest them without asserting them: First, that if we undertake to control the trade between the Philippines and the United States under our coastwise laws there will be a sharp protest on the part of Great Britain and Japan, and probably of France, and they will insist upon that as a question of dispute coming within article 1 of this treaty, and will insist on sitting down about the council table to determine it. When they do, every one of them will have an interest against the claim of the United States, and we can look for a three to one vote against us.

The second proposition I make is that it is well worthy of study, since Japan has already extended her coastwise regulations to Formosa, whether she may not assert a similar claim with reference to all of the islands she receives through these various treaties. I repeat, I merely suggest the question for thought, but I believe these two questions are worthy the most serious attention of the Members of the Senate.

My attention was called to this matter a few minutes before I took the floor, and called to my attention, as such things usually are, by a gentleman who could not have his name used because he is connected with the Government service. As soon as a man gets into the Government service he becomes tongue-tied. I do not blame this gentleman, who is a splendid man. If I were to tell his name, it would be recognized that he is a man for whom Senators have the highest regard, as I have. Such men are tongue-tied by virtue of their positions; but, as I said, my attention was called to it by this gentleman, who is so situated that he naturally might anticipate danger from such a proposition as is here involved.

I appeal to the Senate to give that consideration. It may be necessary, even if these treaties are ratified, that some reservation which will clearly protect American rights shall be put in.

Mr. HITCHCOCK. Will the Senator yield for a question?

Mr. REED. Certainly.

Mr. HITCHCOCK. Do our coastwise laws at present extend to the islands of the Hawaiian group?

Mr. REED. I think so.

Mr. HITCHCOCK. That is my impression. But they do not extend to the Philippines.

Mr. REED. They have not been extended to the Philippines, but I think they extend to the Hawaiian Islands; I am very sure they do.

Mr. President, there is much else I might say along the line I was previously following. I have a few concluding words which I present for the consideration of the Senate as to the naval strategy and the advantages we are giving other nations. The observations I am about to make are not mine. They were prepared for me in this form by a man who undoubtedly ranks high as a naval authority:

> The general conduct of a war depends on many things. The elementary test of one navy's power as compared with another's depends on the strength which can be brought to and kept in the main theater of action. It is not what is back in the navy yards or in some distant bases, but what strength can be steadily maintained in the neighborhood where the fighting is to take place that is going to count.
>
> The matter of equality of strength is directly connected with the capability of a navy to bring that strength to bear in the proper locality. The British have fleet bases all over the world, completely fitted with coal, oil, reserve supplies of ammunition, and dry docks. To count only the main ones outside of the home islands, they have Gibraltar, Malta, Sues Canal district, Colombo, Singapore, and Hongkong. Outside of the limits of the United States we have nothing to compare with any of these except for the docks at Panama.
>
> The Japanese main bases are all in her home islands. But there is this great difference between her position and ours: If there is to be any war with Japan, it is understood all over the world that the nation fighting her must carry the conflict to her home waters. Her bases are just where she needs them. We have no base west of Honolulu equipped as a major fleet source of supply or repair.
>
> The four-power treaty was so drawn as to make sure that we shall never be able to construct one and by that restriction, regardless of the size of Navy we may have, we are rendered helpless in the Pacific. If our Navy were ten times as large as it is, the fact that there will be no bases to receive it when it arrives in the vicinity of operations, no reserve supplies of food, fuel, and ammunition and no docks to receive wounded vessels or keep the fleet's bottoms clean, will prevent the operation of that force at any such distance from our bases as the Asiatic mainland.
>
> Remember what happened to the Russian fleet in 1904. When it arrived at the end of its long voyage from the Baltic, the crews were worn out and exhausted by the extended passage; the machinery was crippled and the bottoms fouled by months at sea. The Japanese waited in their home waters for the coming of the Russian fleet. They trained their crews in perfect security. Their ships were clean and ready. The men were rested and confident. The complete obliteration of the slow, exhausted Russian fleet was effected in one day.
>
> The point to be made here is that the Russians had to fight when they arrived. There were no bases to which they might go to rest and refit and clean their ships. The Japanese fought when they pleased and they had plenty of time in which to get ready to do it.
>
> Furthermore, on the subject of fleet bases, it should be noticed that the longitude chosen to designate the western limit of the area in which no further fortifications are to be made was carefully chosen to exclude Singapore. And it is here that the British have repeatedly indicated their intention of establishing their main fleet base for the East and on which the New Zealand, Australian, and East Indian Squadrons are to be concentrated on a declaration of war, there to await the arrival of the main British fleet.
>
> Hongkong comes within the area in which no expansion of the facilities and fortifications of bases is to be allowed. But Hongkong does not need any more. It is impregnably fortified already. It has been the main British base in the East for 60 years and neither trouble nor expense have been spared to make it perfectly secure.
>
> On the other hand, public utterances and public articles have informed the people of this country that Manila and Guam can be captured with ease. The same articles have informed them that these American harbors (and the only ones fit to serve as a fleet base in the East) may be securely defended at a relatively small expense; that without them we shall be helpless in a war in that part of the world; that the four-power treaty will insure that helplessness.
>
> With the restriction of our Navy and the provisions against preparing any fleet bases in the western Pacific, Japan will have gained an absolutely free hand in the Far East. If at any time we are not in accord with her policies, it will make no difference. We will be completely unable to interfere. In agreeing not to fortify the western bases, we have, to all practical purposes, abandoned that part of the world, and we are helpless to shape any action in it. In a word, the Japanese will have gained more from the results of the Limitation of Arms Conference than she could have hoped to secure by a successful war.
>
> Great Britain, on the other hand, will be immediately relieved of the necessity of paralleling our new Navy, partially built. The flat saving to her will be about $800,000,000, or the approximate cost of her fleet. She could, therefore, afford to pay almost any price for the success of the disarmament agreement. And the day it is signed she will sink six of the newest, biggest, and most formidable battle cruisers in the world and seven battleships of the same characteristics without firing a shot. In other words, her bag will be thirteen times as big as it was the day she met the Germans at Jutland.
>
> She is further relieved of the extreme embarrassment which attended the expiration of the Anglo-Japanese treaty. It is a well-known fact that the conference of premiers of the British Dominions last summer refused to sanction the renewal of this treaty; that the opposition to the renewing of this pact was so severe that the British Home Government was unable to announce its policy in regard to the Anglo-Japanese treaty. This situation will be entirely and pleasantly cleared up by the four-power treaty.

Mr. President, all that I have laid before the Senate may be disregarded. We may close our eyes and go blindly forward to confirm these treaties, trusting in some way or other to the god of fortune to look after us, for it is perfectly plain that we can not trust to those who represented us when they tell us that the strategic value of the islands of the Pacific was not even considered.

A possible scene rises before me. I can see this Nation unhappily involved in war with Great Britain. I can see our fleet moving out, and as it goes every man upon the decks understands that in case the British Navy is met and overcomes the American Navy there will be no colors struck, there will be no surrender, but that as a vessel sinks, even as its decks are awash, the guns will still thunder their defiance and the last man will go to a watery death. That is the tradition of our Navy. It is also the tradition of the British Navy.

As the fleet sails out the men walking its decks will know, the men on shore will know, the women will know at that time if they do not know now that in tonnage the British have one-eighth more than we in battleships, that in guns they are vastly superior, that they can hurl broadsides far outweighing ours, and that their guns for the most part outweigh ours. They will know that we have not a single battle cruiser. They will know that Great Britain's battle fleet can sail away from us and that her cruisers can run around our fleet and utterly defy it. They will know that our slow-going fleet can not bring the British to a fight unless the British are willing to fight and to make the circumstances satisfactory to themselves when they enter the fight; to pick their day, their time, and their place, and they, of course, as sensible men, will pick the right day for them and the right time and place for them.

They will know, with cold hearts they will know, that we have sent our men out to a desperate venture, where they do not have a fair and equal chance. If you do not think of these disparities to-day, if you live until the event comes of which I am speaking you will think of them then, you will think of them with souls that will be horrified at your present carelessness, and you will think of them with the curses of fathers and mothers burning in your ears because you did not think and act when it was your duty to act.

You say we will never have a war with Great Britain. God knows I hope we will never have a war with any country; and yet as long as nations build great battle fleets, as long as they insist in bargaining that they shall have the advantage of the weapons, we know that war may come; and he who does not

look ahead and anticipate not certain dangers but possible dangers is unworthy the name of statesman and is a disgrace to the Government he pretends to serve.

I do not know what the result of this treaty fight will be, but I do know that there is to be a propaganda in the country, organized, systematized, and capitalized. I know that it has money to send out its agents, for I see the tracks of the agents. I know that it has the money to send out circulars and letters and telegrams by the thousands, for we see the evidence of them. Who is it that carries on this propaganda? What interest is back of it? Why is it done? Why this haste to drive these treaties through? Why the threat of night and day sessions until there was forced an agreement to vote? Why should not these measures have been submitted to the American people? The very men who now cry, "Haste, haste; drive on; drive on; make haste," a few months ago were standing across this aisle insisting that another great treaty involved the interests of America, and that it should be submitted to the grand assize of the people. The very men who now insist on driving through to a quick conclusion were the men who then insisted that the people had a right to know, to be advised, to understand. The very influences that are now propagandizing this country were then insisting upon submitting the question to a great referendum of the people. We had the grand assize; we took the vote. The present occupant of the White House had given the people of the United States to understand there never would be a treaty made while he was President that would involve the United States in any kind of a binding obligation, in any kind of an alliance. Upon the faith of his word he secured a majority of nearly 7,000,000 votes in the United States. I shall on another occasion put his language into the RECORD, and I hesitate not to charge that he has broken faith with the American people; that he has broken faith with millions of men who voted for him.

I hesitate not to charge that those upon the other side of the Chamber who stood with him a few short months ago have turned their coats, have altered their opinions because, forsooth, they now have a treaty presented to them by a man of their party; yet I can hear their words echoing in my ears when they proclaimed a few short months ago that they stood above all party alignments, that no party prejudice controlled their action, and that they were voting as Americans and lovers of their country. They repudiated reservations then; they insisted upon the doctrine of Washington then; they stood squarely fronting the issue; but now they crawl under the miserable veil of a miserable reservation. They have "gone to heel" as well-trained setters "go to heel" at the master's command.

And the master—from whom is he taking his commands? From Root? The man whose close connection with great and sinister interests was commented upon by a very distinguished gentleman at the time. From Root, who was in favor of the compact that was brought here from Versailles, and ready to swallow it in its entirety; who talked of reservations only because he hoped to allay the rising storm and to save the body of the instrument from defeat.

The President selected another as his chief adviser, the present Secretary of State, who was also in favor of entangling alliances, but who wanted to put in some reservations which every lawyer who has read the documents knows took out of it not one single essential quality. He was selected and placed at the head of the State Department.

The President chose another of those who stood ready to do that which he had throughout his long campaign denounced as a betrayal of his country, and elevated Mr. Taft to the highest judicial position in the world.

He went further. He found a gentleman who had lived all his life in Great Britain after he was 21 years of age; who has never yet voted in the United States; whose house and home were in England; who came to this country, and when he was asked his politics, said he was "a liberal," not knowing at that time enough about American politics to know our party names. Some months later, not knowing enough about our party politics successfully to classify himself either as a Republican or a Democrat, not himself knowing and nobody else knowing, accordingly a number of Democratic papers started running him for the Democratic nomination for President and a number of Republican papers started running him for the Republican nomination. He was also looked on with great favor by the Socialists and people of that kind. That man, Herbert Hoover, who was also in favor of world entanglements, was put into the Cabinet of the President of the United States.

Another member of his Cabinet has been quoted repeatedly as so favorable to foreign interests that he has advocated the cancellation of the American foreign debt, and I have never heard his denial of that statement.

The President calls a conference for the purpose of agreeing upon the reduction of armament, a thing dear to the hearts of all the people of this country and dear to the hearts of all the people of the world. Having called it for that purpose there comes out of it this alliance, which we are now told does nothing, and yet there is not a man who makes that statement, in my opinion, who makes it in good faith. I do not believe it possible for an intelligent man to make that sort of statement and believe it.

We are told that the conference has produced an agreement for naval equality. I have exposed the iniquity and subterfuge of that proposition.

As I stand and look at these empty benches I wonder where now are the gallant 18, the "irreconcilibles," the men who said they would never put this country into an alliance with other countries; that they would never subject it to the decision of foreign powers; that they would stand by the doctrine of George Washington, which they declared to be immortal and indestructible. They have turned. They join not in the debate; they sit with silent lips. They apparently are ashamed of their own attitude, and take refuge in two statements: First, that this is a great treaty which will preserve the peace of the Pacific and prevent all onslaught in that direction by any power on earth; that it is a treaty of great power and great potentiality. They point to it and say, "there it stands, the Gibraltar of our hope, the protection of the peace of the waters of the Pacific, indeed of the waters of the world." Then, in the next statement they say, "the agreement amounts to nothing; it binds nobody to do anything; it is so weak and poor a thing that we can sign it because it is innocuous and can do neither harm nor good." That is the picture these gentlemen paint of themselves; and so they stand before the American people, one hand holding a treaty which they declare is powerful, potential, compelling, and the other hand holding a repudiation of all they have said. But it is now said the Republican Party has to do something; it has not done anything as yet, and so it had better do something, even if the something amounts to nothing.

Mr. ASHURST. Mr. President, while I was absent yesterday afternoon in attendance upon the Committee on the Judiciary, which was considering the resolution inquiring into the eligibility of the Senator from Utah [Mr. SMOOT] and Representative BURTON to membership on the World War Foreign Debt Commission, the Senator from Mississippi [Mr. WILLIAMS] delivered a speech, from which I quote a brief extract. I read from page 3908 of the CONGRESSIONAL RECORD:

> The Americans who fought the War of Independence were Scotch and English and Welsh and Scotch-Irish. This crowd, now howling and pleading the baby act, had nothing to do with it.

A reading of the Senator's previous remarks indicates the Senator from Mississippi, in that elegant vernacular which he sometimes employs in the Senate, in referring to this "crowd" meant the large body of citizens of Irish extraction. I insist that, at least in the Senate of the United States, a man who pretends to be an historian, who has a reputation throughout the United States as an historian, ought not be permitted, unrebuked and unchallenged, to fall into such an egregious blunder as to say that the citizens of Irish extraction had nothing to do with aiding the patriot cause in the Revolutionary War.

Mr. President, in the latter part of the year 1778 and in the early part of the year 1779, during our American Revolution, there was dissatisfaction in England, and especially in Parliament, with reference to some of the movements of the English generals.

Severe strictures were made in Parliament against Sir William Howe, commander of the English forces on the American Continent, and a parliamentary investigation was had as to the evolutions and movements of the English troops in America.

Hon. Joseph Galloway, who had been for some 12 years speaker of the house of delegates or the house of assembly of the Pennsylvania Legislature, was called upon to testify before a joint committee of the two houses of Parliament. His testimony was published in the Royal Gazette, then printed by James Rivington, printer to the King, and in the issue of the Royal Gazette of Wednesday, October 27, 1779, the original of which is in the Congressional Library, and photographic copy of which I have here, the following testimony was given by Mr. Galloway:

> Q. That part of the rebel army that enlisted in the service of the Congress, were they chiefly composed of natives of America or were the greatest part of them English, Scotch, and Irish?

Mr. Galloway answered:

> A. The names and places of their nativity being taken down, I can answer the question with precision. There was scarcely one-fourth natives of America; about one-half Irish; the other fourth were English and Scotch.

The Senator from Mississippi is an historian, and he surely must know that in the fields of war the Irish race has furnished more luminaries than have been furnished by any other race in Europe. In our own Revolution we recall Gen. Greene; Gen. Richard Montgomery, who fell at Quebec and who was so highly esteemed as a soldier by that other great soldier, Aaron Burr, that when Montgomery fell at the head of his men, Burr rushed forward alone and, under fire of the English guns, carried back the precious body of Gen. Richard Montgomery; Gen. George Clinton, brigadier general, governor of New York and twice Vice President, was an Irishman; Andrew Jackson, whom as a soldier and statesman neither man nor muse can praise too much, was born of Irish parents who came from Carrickfergus.

We perceive that the Duke of Wellington, the Iron Duke, was an Irishman. So were Lord Kitchener and Lord Roberts and Gen. French.

Gen. James Shields, Senator from three States, was an Irishman.

In our war between the States we remember Generals Phil Kearney, McDowell, McCall, Thomas, Meagher, and gallant Pat Cleburn, all of Irish origin; and who does not recall the great triumvirate, Sherman, Sheridan, and Grant, all of Irish parentage? While on this subject let me remark that no more splendid figure arose out of the Civil War than the Irishman, Stonewall Jackson.

Charles Thomson, patriot, was born in Maghera, County Derry, Ireland, November 29, 1729. He was brought to this country in 1740, attended the academy of Francis Allison, and while very young was made principal of a Friends academy at Newcastle, Pa. He was respected and trusted by the colonists, and was a prominent local leader during the strained relations with the mother country. He was the secretary in every Continental Congress, 1774–1789, and from the private memoranda that he made compiled a history of the Revolution.

It will be remembered that Judge James Wilson, the grandfather of President Wilson, was born in County Down, Ireland; that the ancestors of President James K. Polk came from Donegal, Ireland; that the ancestors of President James Buchanan and President McKinley came from the same vicinity; that the ancestors of President Arthur came from Antrim, Ireland; and that the mother of President Roosevelt was Irish.

Agricola, who was born A. D. 37 and lived until about A. D. 93, advised the empire builders of his day that—

> Rome should war down and take possession of Ireland so that freedom might be put out of sight.

Thus, in this early Roman reference to Ireland we pick up for the first time the golden thread of Irish militant resistance to imperial exploitation, and this thread of courage and patriotism runs through all Irish history.

On the one side is the "warring down" so that freedom might be put out of sight, and on the other it is the eternal struggle to uphold the rights of free men.

Contemplating the Europe that existed before the Christian era, in the east we find Greece; in the west we find Ireland, and it is Ireland alone amongst the lands of western Europe that preserves the recorded traditions of its speech, culture, and song that connect the half of Europe with its ancestral past.

It was the Irish race that lit the lamp of genius in the brain of Europe.

When the unlettered Welsh and English ancestors of the Senator from Mississippi [Mr. WILLIAMS] and myself were staring in mute amazement at the Phœnician and Carthaginian navigators who, before the Christian era, visited the Scilly Islands, then called the "Islands of Tin," to obtain a supply of that metal, the Irish race was fully acquainted with the use of precious metals, the fabrication of fine linens, was fond of music and song, and was enjoying its literature.

When the Druids at Stonehenge, on Salisbury Plain, made their last midnight sacrifice, the triennial council of the Irish people was held at the great hall or court of Tara, where Irish kings and nobles assembled.

King Alfred the Great ascended the English throne in the year 871 A. D., and he was indeed one of the world's wisest and noblest men. He ruled for 30 years, and he proved himself to be a valiant warrior and an earnest patron of whatever promised to promote the good of his people, but long before Alfred ascended the English throne the Irish race had scattered throughout Europe manuscripts of priceless masterpieces limned by Irish scribes, such as the Book of Kells in the library of Trinity College at Dublin, acknowledged to be the most beautiful book in the world; indeed, into its pages are woven such a wealth of ornament and it has such an ecstasy of art that the colors are as lustrous, as fresh, and as soft as though it was the work of yesterday, but the book was made 1,200 years ago.

In the fields of oratory and poetry history swarms with the names of Irish orators and poets whose lips were touched by the Promethean fire.

Shakespeare tells us how imperial governments looked upon Ireland in his day. Historians will recall that Richard II landed in Ireland the first time in 1394, and Shakespeare, who erected a mighty dome which fills and glorifies the intellectual sky, made Richard II say this of Ireland:

> We will ourself in person to this war.
> And, for our coffers, with too great a court,
> And liberal largesse, are grown somewhat light,
> We are enforced to farm our royal realm;
> The revenue whereof shall furnish us
> For our affairs in hand; if that come short,
> Our substitutes at home shall have blank charters;
> Whereto, when they shall know what men are rich,
> They shall subscribe them for large sums of gold,
> And send them after, to supply our wants;
> For we will make for Ireland presently.

Again, speaking of his uncle, John of Gaunt, brother of Lionel, Duke of Clarence, Shakespeare said:

> Now put it, Heaven, in his physician's mind
> To help him to his grave immediately!
> The lining of his coffers shall make coats
> To deck our soldiers for these Irish wars.

Mr. NELSON. Mr. President, I want to say to the Senator that I am interested in his remarks, and he reminds me of the fact that my ancestors, the Northmen, sometimes called the Norse pirates, occupied Ireland for a hundred years. They had Norwegian kings in the city of Dublin, and I have an idea that they left some of their warlike and piratical spirit among the Irish.

Mr. ASHURST. I have no doubt they did; the Senator from Minnesota frequently leaves with us no piratical spirit, indeed, because he is too honorable to be a pirate, but he frequently leaves his warlike spirit with us, and when the seats here, which have known him for so many years, no longer know him, which I hope will be many years yet, he will be remembered with affectionate regard by his fellows who served with him here, because never in all his long service in public life has he seen fit to insult any of the races making up the United States, or any of our fellow citizens.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER (Mr. NORRIS in the chair). Does the Senator from Arizona yield to the Senator from Georgia?

Mr. ASHURST. I yield.

Mr. WATSON of Georgia. I am sure it must be in the mind of the Senator, though he has not mentioned it, that the Irish planted religion and education in Europe. The great Emperor Charlemagne imported school-teachers from Ireland, and the great missionary Columbianus and others carried the Christian religion into western Europe. The greatest lawyers, the greatest orators, and some of the greatest poets, as well as the greatest warriors who ever lived, were Irish.

Mr. ASHURST. I thank the Senator for his reinforcement of my argument. I confess I would have overlooked it if I knew it. I do not know that I was aware of the fact, but since the Senator has refreshed my mind I will be glad to rest the case there, because I prefer to trust to the accuracy of the Senator from Georgia [Mr. WATSON] rather than to the accuracy of the Senator from Mississippi [Mr. WILLIAMS] on this Irish question, because I think the Senator from Georgia has no bias and no prejudice against any race, and for that he is to be congratulated.

As in legislative session,

LEGISLATIVE SUGGESTIONS.

Mr. McNARY. I have received a very interesting letter from a citizen of the State of Oregon, open in its character, and he desires me to request that it be read in the Senate. I ask unanimous consent that it may be read at the desk.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

An open letter to all Members of the United States Congress, Senators and Representatives, Washington, D. C.

PORTLAND, OREG., *March 5, 1922.*

GENTLEMEN: In order that you may get an intelligent idea of economic conditions throughout the United States, I suggest that at the close of the present congressional session each of you don the usual dress of a farmer or industrial worker, have but a dollar or two in your pocket, and no check book.

Thus, traveling incog, hike from your present luxurious surroundings to your home wherever that may be. Camp with the wayfarer; visit mines, factories, and farms; take potluck with Uncle Sam's children everywhere. See their daily routine, hear their plaints and prayers, heft their load of handicap and responsibility, estimate their love of home and country, their loyalty, courage, patience, and perseverance, get in touch with the great, throbbing heart of the American people.

Then, when you have arrived at your own home, gather about you the most reliable and complete statistics of our Government and civil actuaries and figure out how these people are to pay the usury—wrongly

called interest—on our aggregated indebtedness, which—national, State, county, municipal, school districts, port districts, improvement districts, transportation corporations, industrial corporations, private mortgages, notes, and bank loans—is not less than $200,000,000,000, approximately $2,000 for each man, woman, and child in the United States.

At 6 per cent compounded annually this sum doubles itself in a little less than 12 years. Is it not time we quit the little side shows and gathered in the one big circus of human woes under one canvas?

In another 10 years mortgages will have taken both the Republican elephant and the Democratic ass. On what, gentlemen, will you then ride?

The estimated wealth of the United States is approximately $400,000,000,000. If we persist in our present monetary insanity, we have but to consider the accumulated results of the last 10 years to know what our circumstances will be 10 years hence.

The equilibrium beyond which even big business dare not go now confronts us. What are you going to do with the usury system which has brought us to our present deplorable state of affairs?

Cordially, yours,

C. L. LOCKE.

Mr. KING. May I inquire of the Senator from Oregon whether this is an argument in favor of the League of Nations, or against the bonus, or in favor of abrogating and repudiating the public debt entirely?

Mr. McNARY. I think it is very largely a reflection of some of the speeches and notions so eloquently expressed by the Senator from Utah.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, and that the House receded from its amendment numbered 4 to the said bill.

APPROPRIATIONS FOR DEPARTMENTS OF COMMERCE AND LABOR.

Mr. JONES of Washington submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10559) "making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 32, 33, 34, 37, 40, 46, 47, 48, 49, 50, 51, and 58.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 35, 36, 39, 44, 52, 53, 54, 55, 56, and 57; and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,598,410"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,300"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,300"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,400"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,250"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$802,340"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: On page 10 of the bill, in line 14, strike out "$1,741,780" and insert in lieu thereof "$1,737,680"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,176,975"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,206,810"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$18,651,805"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$175,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$589,380"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,916,920"; and the Senate agree to the same.

W. L. JONES,
SELDEN P. SPENCER,
WM. J. HARRIS,
Managers on the part of the Senate.

MILTON W. SHREVE,
E. C. HUTCHINSON,
W. B. OLIVER,
Managers on the part of the House.

Mr. JONES of Washington. This is a full agreement. I ask for the immediate consideration of the report.

The PRESIDING OFFICER (Mr. NORRIS in the chair). Is there objection? The Chair hears none. The question is on agreeing to the conference report.

The report was agreed to.

THE MUSCLE SHOALS PLANT.

Mr. McNARY. Mr. President, a few days ago a desultory debate took place in the Senate regarding Muscle Shoals and the nitrate plant there, particularly with reference to the offer of Mr. Ford. The eloquent and distinguished Senator from Alabama [Mr. HEFLIN] seems to have agreed upon a verdict favorable to Mr. Ford, and evidently wants the Government to accept his offer. At that time I suggested and counseled that all these offers be given serious consideration, and, I think, expressed the opinion that the plant is more or less obsolete and that a change in the process would be necessary.

Having that in mind, I call attention to the fact that on Tuesday, March 14, there appeared an article in the Washington Post regarding the matter, which I ask unanimous consent to have read by the Secretary.

There being no objection, the Assistant Secretary read as follows:

[From the Washington Post, Tuesday, Mar. 14, 1922.]

SAYS FORD WOULD LOSE "LAST PENNY" ON PLANT—MUSCLE SHOALS, EXPERT DECLARES, CAN NOT PRODUCE COMMERCIAL FERTILIZERS.

Charles L. Parsons, consulting chemist and former technical adviser to the Government on nitrate fixation, testified yesterday before the House Military Committee that Henry Ford or any other person or company would "lose their last penny" before they ever produced commercial fertilizers at nitrate plant No. 2, at Muscle Shoals, Ala. The plant which has cost the Government about $69,000,000, the witness said, was designed to be operated only by the cyanamid process of nitrate fixation, an obsolete method, and was worthless as a fertilizer producer.

The cyanamid process was condemned by Mr. Parsons as obsolete and economically impossible, having been superseded, he declared, by improved methods. It was his conviction, he added, that the Muscle Shoals plant could not be redesigned to produce commercial fertilizers. This judgment was based, he explained, on a thorough investigation of the cyanamid plants in Europe, many of which were being closed down by bankrupt operators, while others already had gone out of business because they could not compete with establishments using the improvements.

Mr. HEFLIN. Mr. President, I merely wish to say a word at this juncture. Replying to the statement in the Washington Post which was read by request of my good friend the Senator

from Oregon [Mr. McNARY], it is in keeping with the suggestion I made a few days ago to the effect that the present plant at Muscle Shoals does not manufacture a complete fertilizer. Henry Ford will put in the necessary equipment at Muscle Shoals to manufacture fertilizer complete. I can not understand how any man of intelligence would write an article to the effect that fertilizers can not be manufactured at Muscle Shoals. There are a few fertilizer factories in my State now operating on a small scale. If they can manufacture fertilizer complete, why can not a man of Henry Ford's financial strength, skill, and genius put up a plant on a large scale and manufacture commercial fertilizer? There is no doubt on earth but that he will be able to do that. He is going to contract with the Government that he will do it and there is no doubt about his being able to do it. With the equipment already established at Muscle Shoals certain fertilizer ingredients can be manufactured now. Henry Ford has been to Muscle Shoals. He has seen the plants that now turn out certain fertilizer ingredients and he says that he can manufacture and that he will manufacture a complete fertilizer at Muscle Shoals. That is all I care to say just now.

RELIEF OF FARMERS IN CROP-FAILURE AREAS—CONFERENCE REPORT.

Mr. LADD. I ask leave to call up the conference report on Senate bill 2897, which I submitted yesterday. I do not think there will be any discussion of it.

The PRESIDING OFFICER. The Chair lays before the Senate the following conference report, which will be read.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, and 6, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the sum $1,000,000 proposed by said amendment insert "$1,500,000"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"An act to appropriate $1,500,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture."

And the House agree to the same.

The committee of conference have not agreed upon the amendment of the House numbered 4.

E. F. LADD,
PETER NORBECK,
JOHN B. KENDRICK,
Managers on the part of the Senate.
G. N. HAUGEN,
J. C. McLAUGHLIN,
Managers on the part of the House.

Mr. KING. This is a partial report, I understand?

Mr. LADD. No; it is a full report. The House recedes from amendment numbered 4.

Mr. KING. There are two messages from the House then.

The PRESIDING OFFICER. The Chair lays before the Senate the action of the House receding from amendment numbered 4 to the bill. The question is on agreeing to the conference report.

Mr. WARREN. Let me ask the Senator to what figure the report reduces the amount?

Mr. LADD. From $5,000,000 to $1,500,000. It cuts out the appropriation for feed altogether.

Mr. WARREN. This is for seed?

Mr. LADD. For seed entirely.

The report was agreed to.

BOARD OF ACCOUNTANCY FOR DISTRICT OF COLUMBIA.

Mr. CAPPER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 2531) to create a board of accountancy for the District of Columbia, and for other purposes. It is a local bill reported unanimously from the Committee on the District of Columbia.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas?

Mr. KING. Let the bill be read.

Mr. HARRISON. Reserving the right to object, I should like to know something about the purposes of the bill.

Mr. CAPPER. It proposes to create a board of accountancy in the District of Columbia. There is no regulation of any kind in so far as accountancy is concerned in the District. The bill is in line with the law in two-thirds of the States of the Union and is recommended by the Government departments in Washington, especially the Internal Revenue Bureau, which is most concerned.

Mr. JONES of Washington. Is it not correct that a school has been organized in the District to teach accountancy and is giving certificates, or rather diplomas, to people as certified public accountants without any regulation of the District or otherwise?

Mr. CAPPER. That is true.

Mr. JONES of Washington. The purpose of the bill is to provide a regulatory body to control and put them very much on the basis of similar work in the States where they are now controlled by State laws?

Mr. CAPPER. That is exactly the purpose of the bill. There is a so-called school here now that is issuing or pretending to issue certificates or diplomas which have really no value. The bill is intended to protect the District of Columbia against that sort of business.

Mr. HARRISON. So if the bill becomes a law, anyone who desires to become a public accountant must make application to some commission or board and pass an examination before a certificate is issued and before he can become a public accountant?

Mr. CAPPER. Before he can be a certified public accountant. I suggest that the report of the committee be read. It will explain the matter.

Mr. HARRISON. The bill is unanimously reported from the Committee on the District of Columbia?

Mr. CAPPER. Oh, yes.

Mr. HARRISON. And it has passed the House?

Mr. CAPPER. No; it is a Senate bill. It has the approval of the District Commissioners; it has the approval of the accountants of this city and of the various departments of the Government.

Mr. CUMMINS. Mr. President, I rise for a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. CUMMINS. Does the record show that the Senate has returned to legislative session?

The PRESIDING OFFICER. It does not.

Mr. LODGE. It is done by unanimous consent.

The PRESIDING OFFICER. The request of the Senator from Kansas is for unanimous consent to proceed to the consideration of a bill.

Mr. CUMMINS. I merely wish to understand the status.

The PRESIDING OFFICER. Does the Senator from Utah ask that the bill be read? He made that request, and the reading was interrupted.

Mr. KING. I wish to ask a question or two in regard to the measure, and probably, if those answers are satisfactory, I shall not ask that it be read.

The PRESIDING OFFICER. The Chair has submitted the request of the Senator from Kansas for the present consideration of the bill, which has not yet been agreed to by the Senate. That is now pending.

Mr. KING. I do not object to its consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2531) to create a board of accountancy for the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia with amendments.

Mr. KING. May I inquire of the Senator from Washington or the Senator from Kansas whether they regard a bill of this character as necessary in the District?

Mr. CAPPER. There is a very strong demand for it. The District Commissioners believe that it is necessary. The Government departments here are very much interested in it. The Internal Revenue Bureau, which employs a large number of accountants and which is interested in accountancy as it is carried on in the District, particularly requests a measure of this kind. It is in line with laws that are now in effect all over the

country. It simply guarantees careful accountancy and some responsibility by certified public accountants.

Mr. KING. I understand there is a demand throughout the country, and I have had hundreds of letters from all parts of the United States urging that I support the bill. It seemed to me there must have been some propaganda or some persons interested in securing the passage of the measure, or there would not have been this appeal, which is nation-wide in character, in favor of the bill.

It looks as though this is in line with the demand that everybody who intends to prosecute a business shall get a license; that you have to put the stamp of the Government or some Government functionary upon everybody; that you must get a license before you can engage in any business.

Of course, I appreciate the fact that it is difficult to draw the line. Lawyers have to pass an examination. Even barbers now have to pass an examination. Practically everybody who practices any sort of a profession is compelled to pass an examination and get a license. After a while no one can be a farmer or a bricklayer or even a worker upon the streets unless he passes an examination and gets a license. You will have to have a Government stamp upon your back before you can do anything.

Mr. JONES of Washington. If the Senator will permit me, I think this is very much in line with the profession of law or of medicine and matters like that, because the certified public accountants do a special kind of business and that business requires special qualifications if it is to be done properly. I understand, although I may be mistaken, that there are only about 2,500 or 3,000 certified public accountants in the United States. To be a certified public accountant a man is supposed not only to have experience, but special training as well.

As I understand the situation here in the District, a school has been organized and issues what purports to be, and I suppose are, in the absence of regulations, certificates under which a person may claim to have a certificate as a duly certified public accountant. They may have practically no qualifications such as are generally required by public accountants in the States.

It is the purpose of the bill to see that the men who hold certificates as certified public accountants are duly qualified, just like I think everybody would concede that a man who is admitted to the bar should be admitted under such circumstances and regulations as will be a reasonable guaranty to the public that he has had the necessary training and has gone through the necessary studies. That is, the purpose of the bill with reference to certified public accountants in the District of Columbia is to see to it that the man who holds himself out as a certified public accountant has had the training that is generally required of those who hold certificates of that character. As I understand it there are now no such regulations in the District.

Mr. KING. May I say that a number of individuals have written me protesting against the bill. They say it is an attempt upon the part of a certain select few to monopolize the accountancy business of the United States; that the few want to get control of the bookkeeping or the accounting business in the various States, and then in the United States, and that they want to keep out of the work of accountancy those who do not take examinations.

Mr. JONES of Washington. The purpose of the committee, I am satisfied, is to protect the public, as far as it can be done by reasonable regulations, from men who are not fitted to do work they claim they are able to do, and which is work that requires special training and special qualifications.

Mr. KING. I call the attention of the Senator to the fact that in many lines of activity men representing themselves to be competent are employed, and the employer soon discovers their incompetency, if they prove to be incompetent, and discharges them and seeks somebody else to perform the task.

Mr. JONES of Washington. Of course, that is true; but I do not think the Senator would contend for a moment that anybody who wants to practice law should be permitted to do it without any preparation or special qualification. I think that the work of a certified public accountant, so far as I know it, although I am not an accountant, is work which requires special training and special study in order that a man may be fitted to do it. If I had anything of the kind to be done, I would want to know that the man I was employing had had reasonably proper training.

It is a question of the interest of the public. It may, of course, result in keeping some people out of that business who would like to go into it without any special preparation. Possibly a good many people might like to go into law without being required to go through a certain course of study, and all that sort of thing, but in the interest of the public regulations are made and boards are provided, so that the man who holds a certificate along certain lines may be assumed at least to be reasonably well qualified to do the work.

Mr. KING. I wish to call the attention of the Senator to a complaint which was made by a merchant in a communication to me. He stated that in order to get credit he had to furnish from a certified accountant the condition of his business, his liabilities, assets, and so forth, and that the certified accountants seemed to be banded together; that they charged him $50 a day to make the examination; and that it took weeks, whereas a competent bookkeeper, one who had kept his books and who knew the business, could have furnished such a statement within a day or two, or two or three days, at the outside; but he was not permitted to employ him or one of that character; that his own bookkeeper knew far more about accountancy than did the certified accountant; and that he was compelled to pay hundreds of dollars in order to furnish that statement.

There is complaint that legislation of this kind is in the interest of a select few; that it is to build up an organization composed of the elite and to let them monopolize the business. Of course, they convey the idea that no one else is competent to submit a report or to examine books except members of their particular organization. I am not criticizing the public accountants, for I know many of them, and they are very able men.

Mr. JONES of Washington. I wish to suggest that in the case cited by the Senator the public accountant probably was not responsible for the request that he be employed, but that the man to whom application was made for a loan insisted before he would make the loan, or whatever the transaction was, that a report should be made to him by persons in whom he had confidence. That is a very natural attitude. While the merchant to whom the Senator from Utah referred may have been satisfied that his bookkeeper could have made a satisfactory report—and he might have been able to do so; I do not know—nevertheless, as I have indicated, the man who was furnishing the accommodation would not be satisfied with such a report. I can very naturally see how that would be true. If I had a large amount of money to invest in a very complicated business, at any rate, or in making a loan, I should want a report from a man who I was confident knew what he was doing when he was preparing his report.

Mr. KING. Mr. President, this legislation, of course, is in line with the legislation which is being enacted in the States and in municipalities and in Congress. It presupposes the incapacity of the people to look after their own business. We have to have boards and commissions and organizations and Federal and State and municipal supernumeraries to put their hands upon the people. After awhile we shall have more boards and commissions and officials than we shall have persons who work; we shall have just two classes—those who toil and the great class of officeholders, and the latter will outnumber the toilers. Instead of each toiler carrying a soldier on his back he will carry an officeholder or some member of a commission. I suppose, however, we can not stem the tide of this legislation, for it seems to be quite agreeable to the sentiment of the people.

Mr. JONES of Washington. I have much sympathy with the latter suggestions of the Senator from Utah, I will say.

Mr. SHEPPARD. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. SHEPPARD. Has the Senate resumed legislative session?

The PRESIDING OFFICER. By unanimous consent the request to consider the bill was granted. The Chair considered the bill, of course a legislative proposition, and assumed that the Senate had resumed its legislative session only to the extent of the consideration of the bill.

Mr. SHEPPARD. I did not understand that the request was to have the bill considered as in legislative session. I simply wanted to have the RECORD show that it was being so considered.

The PRESIDING OFFICER. The Chair so understood. The amendments reported by the Committee on the District of Columbia will be stated.

The bill had been reported from the Committee on the District of Columbia with amendments, in section 4, page 3, line 12, after the word "or" to insert the word "one"; in line 15 to strike out the letter "c" and to insert the letter "b"; in the same line to strike out the letter "d" and insert the letter "c"; in line 17 to strike out the letter "e" and insert the letter "d"; in line 20 to insert a comma after the word "accountant"; in line 22 to strike out the letter "f" and insert the letter "e"; on page 4, line 4, to strike out the letter "e" and to insert the letter "d"; in line 11 to strike out the letter "e" and insert

"d"; and in line 14 to strike out the words "provided such person also holds the diploma required in said clause (e)," so as to make the section read:

SEC. 4. That the board of accountancy shall not grant a certificate as a certified public accountant to any person other than (a) a citizen of the United States, or one who has duly declared his or her intention of becoming such citizen, who is over the age of 21 years, and (b) of good moral character, (c) who is a graduate of a high school with a four years' course or has had an equivalent education, and (d) who has received a diploma from some recognized school of accountancy and has had one year's experience in the employment of a practicing certified public accountant, or has had three years' experience in the employ of a practicing certified public accountant, and (e) except under the provisions of section 6 of this act, who shall have successfully passed examinations in the theory and practice of general accounting, in commercial law as affecting accountancy, and in such other related subjects as the board may deem advisable: *Provided*, That the board of accountancy may waive the provision for accounting experience as set forth in clause (d) above, and in lieu thereof may hold in abeyance a certificate to any person who shall otherwise have qualified until such time as the applicant can prove to have served two years in the employ of a practicing certified public accountant: *Provided further*, That the board may waive the requirement for service in the employ of a practicing certified public accountant, as set forth in clause (d) above, in the case of any person who has had not less than five years' actual and continuous experience in auditing the books and accounts of other persons in three or more distinct lines of commercial business, but nothing contained in this act shall be construed as granting any power to waive any provision of this act other than as set forth herein, nor shall any such waiver be granted except by the unanimous vote of the members of the board.

The amendments were agreed to.

Mr. KING. I should like to inquire of the Senator from Kansas whether this bill imposes any charge upon the District of Columbia and whether it imposes any limitation upon the compensation which the board of accountancy may charge for their services?

Mr. CAPPER. It provides for a charge of $25 for an examination, which will take care of the cost of conducting the examination and the expenses of the board.

Mr. KING. The board, then, may absorb the entire amount they receive from the applicants for licenses?

Mr. CAPPER. The board is appointed by the commissioners, and are officers subject to their direction the same as is any other board in the District of Columbia.

Mr. KING. The point I am trying to get at is that there is no charge upon the District?

Mr. CAPPER. Not at all.

Mr. KING. Is this board permitted to absorb all of the income which is derived from the applicants?

Mr. CAPPER. No; they must turn in the fees to the District of Columbia?

Mr. KING. What will they receive for their services? If there were 1,000 applicants in a year, the collections would amount to $25,000. Would the board absorb it all? Is there any limitation?

Mr. CAPPER. The provision of the bill governing that matter reads as follows:

From the fees collected under this act the board shall pay all expenses incident to the examinations, the expenses of issuing certificates, and traveling expenses of the members of the board while performing their duties under this act; and if any surplus remain on the 30th day of June of each year the members of the board shall be paid therefrom such reasonable compensation as the Commissioners of the District of Columbia may determine: *Provided*, That no expenses incurred under this act shall be a charge against the funds of the United States nor the District of Columbia. The board shall annually report the number of certificates issued and the receipts and expenses under this act during each fiscal year to the Commissioners of the District of Columbia.

Mr. KING. Then, they have to wait until the end of the year to find out how much has been received, and the commissioners then determine what compensation shall be paid each member of the board?

Mr. CAPPER. They make return of the fees received to the District Commissioners.

Mr. KING. The Senator read something about traveling expenses. What traveling expenses will they have?

Mr. CAPPER. Traveling expenses in the District of Columbia, of course, can not be very much of an item.

Mr. KING. It is not intended that they shall go outside of the District to make examinations?

Mr. CAPPER. Not at all.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GULF, FLORIDA & ALABAMA RAILWAY CO.

Mr. FLETCHER. Mr. President, as in legislative session, I ask unanimous consent for the immediate consideration of the bill (S. 2599) for the relief of the receiver of the Gulf, Florida & Alabama Railway Co. The bill was introduced over a year ago, and was referred to the Committee on Claims. It has the unanimous report of that committee, and the recommendation of the department. It has also passed the scrutiny of the Budget authorities.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida for the immediate consideration of the bill?

Mr. KING. Reserving the right to object, I ask that the bill be read.

The PRESIDING OFFICER. The Secretary will read the bill.

The bill was read as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $27,008.04, for the relief of the receiver of the Gulf, Florida & Alabama Railway Co. as full compensation for amounts expended and unreclaimable in connection with the construction of an extension of tracks to the United States naval air station and yard at Pensacola, Fla.

Mr. KING. May I inquire of the Senator if appropriations have not been made for the Navy Department to meet that charge, if it is a charge against the Navy Department?

Mr. FLETCHER. No; the Navy Department have no funds out of which to pay it. The Secretary of the Navy recommends the passage of this bill; the Navy Department have examined it and admit they ordered the railroad track built to the air station and the expense to be incurred by the railroad company. They have checked up the amount and find it accurate and recommend the passage of the bill.

Mr. KING. Mr. President, would the Senator object to having an amendment added to the bill providing that the amount appropriated shall be a charge against the Navy Department? The point I have in mind is this: We frequently make appropriations for Army expenses or for Navy expenses which are not charged either to the Army or to the Navy, and when we seek to ascertain the expenses of the Army or the Navy many items which are chargeable against those services are charged to some other fund, and the result is we do not always know what the Army and the Navy cost.

Mr. FLETCHER. The transaction involved in this bill was incident to the operations carried on during the war. The track was built for the naval air station during the war, and the expense was incurred at the instance of the Navy Department. There is no question about that. I repeat the Secretary of the Navy has recommended this course. I do not know how we could amend the bill so as to provide that the amount appropriated shall be charged to the Navy. The bill speaks for itself in that connection. As I have said, it grows out of the naval operation at the naval air station at Pensacola.

Mr. KING. I should like to ask the Senator why it has not been included in some naval bill?

Mr. FLETCHER. I do not know that it belongs on the naval appropriation bill. It should properly, I think, come in the form of a separate bill. The Navy Department has no funds to take care of it otherwise.

Mr. CUMMINS. Mr. President, is this one of the expenditures made by the Director General of Railroads under the Federal control act?

Mr. FLETCHER. I think the director general ordered it.

Mr. CUMMINS. If this is one of the expenditures made by the director general as an addition to or a betterment of a railroad of which he was in possession, then the railroad became bound, under the terms of that act, to repay the Government of the United States the amount so expended. I do not know just how the expenditure was made, or when it was made; but if it is one of the expenditures made by the director general for additions or betterments to a railroad the Government is under no obligation whatever to pay that money.

Mr. FLETCHER. This is only what has remained after salvaging everything in connection with it. This expenditure was incurred at the instance of the Navy Department and is the balance due this company. The Secretary of the Navy reports:

Further replying to the committee's letter of October 24 last, you are informed that careful consideration has been given to Senate bill 2599, "For the relief of the Gulf, Florida & Alabama Railway Co."

In May, 1918, it was deemed advisable to obtain the extension of the tracks of the Gulf, Florida & Alabama Railway Co. to the naval air station at Pensacola, Fla., and an arrangement was made with the receiver of the road having that end in view.

The right of way was acquired by the receiver and the grading done and the material necessary purchased, but the road had not been finished at the signing of the armistice, with the consequent discontinuance of its construction.

Such portions of the material as were available were used by the receiver on other parts of the railway under his control, but there remained expenditures for right of way, grading, bridges, etc., which could not be salvaged. These amounted to $27,008.04—

The amount in this bill.

While it is probable that the receiver at the inception of this work anticipated that he would be reimbursed through the traffic to be obtained, it is also true that the early discontinuance of the work, before the receipt of any traffic earnings, was not anticipated. I am therefore

of the opinion that this legislation should pass, and recommend favorable action by the Congress.

A clear comprehension of the entire question may be obtained from the statement of claim filed by the receiver, of which a copy is herewith transmitted for your information.

This proposed legislation has been submitted to the Director of the Bureau of the Budget, as required by paragraph 3 (b) of Circular No. 49 of that bureau, and the director advises that this request for legislation is not in conflict with the financial program of the President.

Sincerely, yours,

THEODORE ROOSEVELT,
Acting Secretary of the Navy.

Mr. CUMMINS. I take it from the statement just read that the Senator is in error with regard to the conditions under which the additions or betterments were made. They were not made by the director general.

Mr. FLETCHER. No; and they were not really completed when the armistice was signed.

Mr. CUMMINS. The Federal control act did not end with the armistice.

Mr. FLETCHER. No. They were made by the receiver at the instance of the Navy Department.

Mr. CUMMINS. With that understanding I make no objection to the bill; but if the director general made the improvements or ordered the betterments, then under the terms of the act which control him there would be no liability on the part of the United States. On the contrary, the railroad company itself, if the director general expended the money, would be under obligation to return the money so expended.

Mr. FLETCHER. I misunderstood the Senator. That was not the situation here. The claim is a very just one.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KING. Mr. President, I should like to ask the Senator from Iowa whether this provision, which I find in the report, would change the conclusion which he now apparently has reached? I see an agreement here signed by the syndicate managers of the reorganization of the Gulf, Florida & Alabama Railway Co., and so forth, as follows:

Agreement made this ——— day of June, 1918, between John T. Steele and W. F. Fuqua & Co., as syndicate managers under the plan and agreement for reorganization of the Gulf, Florida, & Alabama Railway Co., dated November 2, 1917, party of the first part, hereinafter known as the "syndicate managers," and the Capital Issues Committee, party of the second part, hereinafter known as the "committee."

Then the agreement proceeds to set forth certain conditions under which, I suppose, issues might be made. Is there anything there which would indicate——

Mr. CUMMINS. No; the War Finance Corporation furnished some of the money which the director general expended, but under the law the director general went forward and spent or agreed to spend whatever money was necessary to put properties in the proper condition to operate and to make such extensions as the war service required at that time; but the same agreement provided that the railroad companies should return to the Government the moneys thus expended, and they are doing that now. They must return altogether more than a billion dollars; and I thought, from the first reading of the bill, that this might have been an expenditure made under that act.

Mr. FLETCHER. No.

Mr. CUMMINS. From the reading of the report, however, I take it that it was not made by the director general at all.

Mr. FLETCHER. No; not at all. The road was released entirely in order that the receivers might make this contract with the Navy Department.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN HAWAII.

Mr. NEW. Mr. President, I ask that the Senate proceed, as in legislative session, to the consideration of House bill 7881, Order of Business 495.

I do not think there can be any objection on the part of anyone to the consideration of this bill. It is meant to correct an injustice worked upon a few natives of the Hawaiian Islands who undertook to take up homestead lands and whose cases were confused for them by the authorities themselves. They have complied with the law in every respect.

Mr. KING. Mr. President, if the Senator will pardon an interruption, I think this is a just bill, but some objection was made by the Senator from Montana [Mr. WALSH]. Does the Senator know whether or not he has abated that objection?

Mr. NEW. I never have heard of that objection. I do not think the Senator ever objected to this bill. I think perhaps the Senator from Utah is confused as to the bill to which the Senator from Montana did object. He never has interposed any objection to the consideration of this bill, so far as I know, and I am quite certain that that is the case.

Mr. BROUSSARD. Mr. President, I may suggest that I recall that the Senator from Montana did object to a measure granting certain franchises in Honolulu.

Mr. NEW. Oh, yes; I recall that perfectly, but that was an entirely different bill. I will say for the information of the Senator from Utah, if he desires further light on this subject——

Mr. KING. Oh, no; I will say to the Senator that I am familiar with the bill, and I think it ought to pass.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7881) to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements, which was read, as follows:

Be it enacted, etc., That the governor of the Territory of Hawaii is hereby authorized and directed to ratify and carry into effect the agreements made by the commissioner of public lands of the Territory of Hawaii with certain homesteaders, referred to in the resolution adopted by the senate and house of representatives of the Territory of Hawaii, April 26, 1917; also to issue land patents to those living up to the terms of the agreements when the same have been completed; also to issue land patents to those who have already complied with all the terms of their agreements, and to ratify and confirm the land patents already issued to homesteaders in accordance with the provisions of the resolution of the senate and house of representatives, Territory of Hawaii, of April 26, 1917, above mentioned.

SEC. 2. That the governor shall report to the Secretary of the Interior the action taken by him hereunder.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. B. WATERMAN.

Mr. WILLIS. Mr. President, some days ago—the last day we worked on the calendar—the Senate passed over Order of Business 467, Senate bill 1059, for the relief of J. B. Waterman. That is a bill in which I am very much interested, but it was passed over on objection of the Senator from Utah [Mr. KING], who desired an opportunity to examine it. I wondered whether he had sufficiently examined it so that he would permit it to be taken up at this time.

Mr. KING. Mr. President, I have asked for some additional information in regard to the bill. I have it on my desk. I shall be glad to have the Senator call up the bill for consideration on the next calendar day.

Mr. WILLIS. That will be satisfactory.

REVENUES AND EXPENSES OF RAILROADS.

Mr. KENDRICK. Mr. President, on Monday last the Senate passed Senate resolution 257, which provided for printing as a Senate document volumes 3 and 4 of the hearings before the Interstate Commerce Committee of the Senate on the railroad question. Before introducing that resolution I made inquiries which showed, as I thought, that it was authorized as to cost; but it seems that the cost will be in excess of the amount which, under the law, can be expended for the printing of a document. I therefore ask unanimous consent that the Senate reconsider the vote by which that resolution was agreed to.

The VICE PRESIDENT. Is there objection?

Mr. CUMMINS. I have no objection to that request.

The VICE PRESIDENT. Without objection, the vote whereby the Senate adopted the resolution will be reconsidered. The question now is on the adoption of the resolution.

Mr. KENDRICK. Mr. President, I desire to say that I have made closer inquiry, and I find that one of these volumes—volume 4—can be printed easily within the limit of expense allowed in the case of such documents. I therefore send to the desk a substitute resolution which I ask unanimous consent to have considered at this time.

The VICE PRESIDENT. The amendment, in the nature of a substitute, will be read.

The reading clerk read as follows:

Resolved, That there be printed as a Senate document volume 4 of the hearings before the Committee on Interstate Commerce of the United States Senate, held pursuant to Senate resolution No. 23, Sixty-seventh Congress, relative to the revenues and expenses of railroads which report to the Interstate Commerce Commission, and that 2,500 additional copies be printed for the Senate document room.

Mr. CUMMINS. Mr. President, I do not intend to object either to the present consideration of this resolution or to its adoption; but I think I ought to state in connection with the adoption of this resolution, if it be adopted, that this request

must inevitably be followed by other requests which will include other parts of the testimony which has been taken under the original resolution to which reference has been made.

The committee of which I am chairman has been taking testimony now for 10 months—not all the while, of course, but we have taken a great deal of testimony—and I suppose that the evidence, broadly speaking, presents the most complete statement of railroad earnings and railroad expenses and railroad history that can be found in any one volume or any one place. If this part of the testimony is made a public document—and I have no objection in the world—then when other requests are made that other parts of the testimony shall also be made public documents, I shall feel constrained to insist that those requests be granted, in order to be entirely fair to all the interests that are involved in this investigation.

The testimony as a whole is very voluminous. I do not know how much it would cost to reprint all of it, but it would cost a very considerable sum.

Mr. UNDERWOOD. Mr. President, I am a member of the committee which held the investigation. The subject matter of the investigation is one of very vast importance. I wish the railroad question were settled, if it could be settled right, but it is still a question which is before the Congress and before the country. These hearings have been held. It is not alone for the benefit of the members of the committee that the hearings were held. The reflected view of the country should be had on these hearings. Some of the testimony which has come before the committee I can agree with; other testimony I disagree with; but I would like to hear the viewpoint of those who are interested, and unless we publish these hearings I do not see that there is a great deal accomplished by having the hearings.

It is not like an ordinary case. These hearings involve almost a scientific determination of this question, and I think the best evidence of the necessity of the publication is the desire on the part of people to read it. It may cost a good deal of money, and I am in thorough accord with the idea of cutting down expenses where we can; but this is not a dead issue; it is a live one. The purpose of the committee in taking the testimony was to make it public, and unless we are going to allow a resolution of this kind to go through, when there is a real demand for the testimony, which I have no doubt is backed up, or the Senator from Wyoming [Mr. KENDRICK] would not request it, there is no necessity for holding hearings. So I think the resolution should be agreed to.

Mr. CUMMINS. I am not objecting to the adoption of this resolution, but it must be remembered that all this testimony has been printed and is now in print, but all the copies which the law allows to be printed have been exhausted. There is a very general, widespread demand for this testimony. One class of people want one volume of it; another class of people want another volume of it.

Mr. WARREN. Will the Senator yield for a question?

Mr. CUMMINS. Certainly.

Mr. WARREN. Is the Senator informed as to what it would cost per thousand to reprint this testimony, it being in print already?

Mr. CUMMINS. No; I am not informed. There is one volume, and possibly a little more, which comprises the evidence of a single witness, covering 450 or 500 pages, somewhere in that neighborhood. Certain unions which are particularly interested in the testimony of that witness, who was a very highly accomplished economist, ordered fifteen or twenty thousand copies of it, paying for it, of course; but in printing that number the type, if it be called type, was worn out, and all of it will have to be reset. So I can not give an estimate of the cost of reprinting the whole of the testimony.

Mr. KENDRICK. I want to say to my colleague that the estimate given to me of the cost of printing 2,500 copies of volume 4 is $414.80. I have no objection to a reprint of the entire testimony given before the committee, of course, but this is the only part of the testimony for which I have had requests.

Mr. WARREN. I thank my colleague for that information. A continuous demand has come to my office for copies of the entire hearing, and I would be glad to know at the earliest opportunity what it would cost to print a very large number, for I am satisfied that the demand will be very great. I shall support the resolution of my colleague, and after that is disposed of I hope we may get further information as to what it would cost to reprint the whole testimony.

Mr. JONES of Washington. Does not the Senator think it would be well to refer the resolution to the Committee on Printing, which is supposed to look into all such matters for the Senate? I have no objection to the resolution, except that it does seem to me that the committee of the Senate which is supposed to advise the Senate with reference to such matters should give it consideration. It might be well, in considering it, to go into the question of printing some of the other testimony. The senior Senator from Wyoming [Mr. WARREN] has just stated that he has had requests for other parts of the testimony.

Mr. FLETCHER. Has the Senator from Wyoming obtained an estimate of the cost of printing what he asks shall be printed?

Mr. KENDRICK. The estimate is $414.80 for this one volume. The Senate on last Monday authorized the publication of volumes 3 and 4, but I was informed later that the publication of those two volumes would cost an amount in excess of the $500 limit.

Mr. FLETCHER. The Senate can expend only $500 for printing. A greater cost requires a concurrent resolution of the two Houses.

Mr. KENDRICK. I therefore ask the Senate to adopt this resolution instead, so that we can have volume 4 for immediate use. I have had a number of requests for it, and I find that almost every Senator with whom I have discussed it has also had requests for it.

Mr. JONES of Washington. Was the resolution which was passed last Monday, and for which this is offered as a substitute, referred to the Committee on Printing and reported by that committee?

Mr. KENDRICK. It was passed without referring it to the committee.

Mr. JONES of Washington. I am very sorry that was done. I think all such resolutions ought to go to the Committee on Printing; but as the resolution has passed the Senate and the Senate now has reconsidered its action on that resolution, so as to consider a resolution which does not carry such a large appropriation, I shall not object to it at this time. Hereafter, however, if such a resolution is offered when I am on the floor, I think I shall insist that it shall go to the Committee on Printing, which is supposed to advise the Senate with reference to such matters.

Mr. KENDRICK. The only objection I would have to referring it to the committee is that it would delay the printing just that long. Demands have been coming to my office for these volumes for several weeks past.

The VICE PRESIDENT. The Secretary will state the amendment offered by the Senator from Wyoming [Mr. KENDRICK] to the pending resolution.

The READING CLERK. On page 1, line 2, strike out the words "volumes 3 and" and insert the word "volume," so that it will read:

That there be printed as a Senate document volume 4 of the hearings, etc.

The amendment was agreed to.

The resolution as amended was agreed to.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in secret session.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate, as in legislative session, took a recess until to-morrow, Friday, March 17, 1922, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 16, 1922.

COLLECTOR OF INTERNAL REVENUE.

John W. Hering, of Milford, Del., to be collector of internal revenue for the district of Delaware in place of Henry T. Graham.

RECEIVER OF PUBLIC MONEYS.

Frank O. Northrup, of Oregon, to be receiver of public moneys at Portland, Oreg., vice George I. Smith, term expired.

POSTMASTERS.

ALABAMA.

Andrew J. Beard to be postmaster at Jacksonville, Ala., in place of E. G. Caldwell, removed.

ARIZONA.

Nell Carlson to be postmaster at Camp Verde, Ariz. Office became presidential April 1, 1921.

ARKANSAS.

Fred H. Price to be postmaster at Gurdon, Ark., in place of A. D. Agee. Incumbent's commission expired January 24, 1922.

Bunyan Gilbert to be postmaster at McRae, Ark. Office became presidential January 1, 1921.

CALIFORNIA.

William F. Knight to be postmaster at Pasadena, Calif., in place of Clark McLain. Incumbent's commission expired January 24, 1922.

Charles H. Windham to be postmaster at Long Beach, Calif., in place of W. J. Desmond. Incumbent's commission expired January 24, 1922.

Lena E. Reed to be postmaster at Stagg, Calif. Office became presidential January 1, 1922.

Carl G. Lykken to be postmaster at Palm Springs, Calif. Office became presidential July 1, 1921.

Lillian C. Linde to be postmaster at Keeler, Calif. Office became presidential January 1, 1922.

Wayne E. Dorman to be postmaster at Casmalia, Calif. Office became presidential July 1, 1921.

Eugene S. Franscioni to be postmaster at Soledad, Calif., in place of William Weber. Incumbent's commission expired June 27, 1920.

Warren A. Bradley to be postmaster at Gustine, Calif., in place of W. A. Bradley. Incumbent's commission expired January 24, 1922.

COLORADO.

Frank L. Dodge to be postmaster at Denver, Colo., in place of B. F. Stapleton, resigned.

Edward F. Watt to be postmaster at Fraser, Colo. Office became presidential August 1, 1921.

Edward W. Roscoe to be postmaster at Ridgway, Colo., in place of Judith Nichols. Incumbent's commission expired January 24, 1922.

CONNECTICUT.

James Geddes to be postmaster at Waterbury, Conn., in place of E. M. O'Brien, resigned.

George A. Engisch to be postmaster at Cornwall Bridge, Conn. Office became presidential January 1, 1922.

FLORIDA.

Edith H. Frazier to be postmaster at Zephyrhills, Fla., in place of J. L. Geiger. Incumbent's commission expired January 31, 1922.

Silas E. Yon to be postmaster at Blountstown, Fla., in place of S. E. Yon. Incumbent's commission expired January 31, 1922.

GEORGIA.

Emmett D. Dial to be postmaster at Woodstock, Ga. Office became presidential January 1, 1921.

Henry A. Moses to be postmaster at Uvalda, Ga. Office became presidential April 1, 1921.

James E. Mathis to be postmaster at Stockton, Ga. Office became presidential July 1, 1921.

Robert J. Walsh to be postmaster at Garfield, Ga. Office became presidential January 1, 1921.

IDAHO.

Russell C. Plummer to be postmaster at Homedale, Idaho. Office became presidential October 1, 1920.

Florence M. Shockey to be postmaster at Firth, Idaho. Office became presidential July 1, 1921.

ILLINOIS.

Oliver E. Ray to be postmaster at Poplar Grove, Ill. Office became presidential October 1, 1921.

May B. Rush to be postmaster at Edgewood, Ill. Office became presidential April 1, 1921.

Robert L. Endicott to be postmaster at Crossville, Ill. Office became presidential April 1, 1921.

Ira A. Coltrin to be postmaster at Cave in Rock, Ill. Office became presidential April 1, 1921.

Gustav H. Beckemeyer to be postmaster at Beckemeyer, Ill. Office became presidential April 1, 1921.

George E. Stauffer, jr., to be postmaster at Baylis, Ill. Office became presidential January 1, 1921.

Edward F. Guffin to be postmaster at Pawpaw, Ill., in place of W. A. Woods. Incumbent's commission expired February 4, 1922.

Henry W. Schilling to be postmaster at Noble, Ill., in place of F. M. Martin. Incumbent's commission expired August 1, 1921.

William Sargent to be postmaster at Griggsville, Ill., in place of A. P. Ferguson, removed.

Roger Walwark to be postmaster at Ava, Ill., in place of F. W. Meisenheimer, removed.

INDIANA.

John L. Walker to be postmaster at Lexington, Ind. Office became presidential October 1, 1921.

IOWA.

Earl P. Tucker to be postmaster at Panora, Iowa, in place of J. W. Morris. Incumbent's commission expired January 24, 1922.

Earl E. Shibley to be postmaster at Lone Tree, Iowa, in place of M. J. Harty. Incumbent's commission expired January 24, 1922.

KANSAS.

Florence M. Heinz to be postmaster at Grainfield, Kans. Office became presidential January 1, 1921.

Francis E. Williams to be postmaster at Elgin, Kans. Office became presidential July 1, 1920.

Ellen G. Fairley to be postmaster at Chautauqua, Kans. Office became presidential April 1, 1921.

Bertha McClair to be postmaster at Carbondale, Kans. Office became presidential January 1, 1921.

Ernest W. Stoop to be postmaster at Lyndon, Kans., in place of R. H. Miles. Incumbent's commission expired July 23, 1921.

KENTUCKY.

Snowden Shirley to be postmaster at Sanders, Ky. Office became presidential January 1, 1921.

LOUISIANA.

Clifford P. Connell to be postmaster at Haughton, La. Office became presidential April 1, 1921.

Jesse M. Talbot to be postmaster at Bernice, La., in place of J. M. Melton. Incumbent's commission expired January 31, 1922.

MAINE.

Ambrose W. Kneeland to be postmaster at Easton, Me. Office became presidential January 1, 1921.

Mae L. Berry to be postmaster at Denmark, Me. Office became presidential January 1, 1922.

Edward Johnson to be postmaster at Monson, Me., in place of A. C. Gilbert. Incumbent's commission expired January 24, 1922.

MARYLAND.

Carroll L. Smith to be postmaster at Walkersville, Md. Office became presidential January 1, 1921.

Alice C. Widmeyer to be postmaster at Hancock, Md., in place of Benjamin Mitchell. Incumbent's commission expired January 24, 1922.

MASSACHUSETTS.

Myron M. White to be postmaster at South Duxbury, Mass. Office became presidential January 1, 1922.

Delano E. Chase to be postmaster at Linwood, Mass. Office became presidential July 1, 1921.

Raymond C. Hazeltine to be postmaster at Clemsford, Mass., in place of P. H. Haley. Incumbent's commission expired January 24, 1922.

MICHIGAN.

Otto L. Wickersham to be postmaster at Onaway, Mich., in place of J. F. McEvoy. Incumbent's commission expired September 1, 1920.

James M. Bonine to be postmaster at Vandalia, Mich. Office became presidential April 1, 1921.

George W. Davis to be postmaster at Tekonsha, Mich., in place of B. R. Osborn. Incumbent's commission expired January 24, 1922.

MINNESOTA.

Francis H. Densmore to be postmaster at Wilmont, Minn. Office became presidential January 1, 1921.

Elmer H. Magaw to be postmaster at Lester Prairie, Minn. Office became presidential April 1, 1920.

George M. Young to be postmaster at Perham, Minn., in place of M. J. Daly, resigned.

Joseph Huelskamp to be postmaster at Gaylord, Minn., in place of Joseph Huelskamp. Incumbent's commission expired January 24, 1922.

MISSISSIPPI.

Laura L. McCann to be postmaster at Norfield, Miss. Office became presidential April 1, 1921.

Sedley B. Thomas to be postmaster at Terry, Miss., in place of S. B. Thomas. Incumbent's commission expired January 24, 1922.

MISSOURI.

Albert G. Reeves to be postmaster at Lucerne, Mo. Office became presidential October 1, 1921.

Fred L. Mills to be postmaster at Commerce, Mo. Office became presidential January 1, 1921.

James L. Creason to be postmaster at Camden, Mo. Office became presidential October 1, 1921.

Edward Early to be postmaster at Baring, Mo. Office became presidential July 1, 1921.

Thompson F. Wommack to be postmaster at Fair Grove, Mo. Office became presidential October 1, 1921.

Clarice H. Lloyd to be postmaster at Valley Park, Mo., in place of J. S. Herrington. Incumbent's commission expired May 10, 1920.

NEBRASKA.

Minar Anderson to be postmaster at Elwood, Nebr., in place of Frank Haworth, resigned.

NEW HAMPSHIRE.

Josie L. Pascoe to be postmaster at Chocorna, N. H. Office became presidential January 1, 1922.

NEW JERSEY.

La Mott Hartshorn to be postmaster at Manville, N. J., in place of G. E. Holladay, resigned.

Harvey K. Trumpore to be postmaster at Califon, N. J., in place of J. B. R. Clark. Incumbent's commission expired January 24, 1922.

NEW YORK.

Chester J. Hinman to be postmaster at Palenville, N. Y., in place of C. J. Hinman. Incumbent's commission expired January 24, 1922.

William F. Hadley to be postmaster at North Bangor, N. Y., in place of W. F. Hadley. Incumbent's commission expired January 24, 1922.

Isaac Bedford to be postmaster at Thiells, N. Y. Office became presidential January 1, 1922.

Truly Merritt to be postmaster at Brewerton, N. Y. Office became presidential January 1, 1922.

May L. McLaughlin to be postmaster at Blue Mountain Lake, N. Y. Office became presidential January 1, 1922.

Sutherland Lent to be postmaster at Sloatsburg, N. Y. Office became presidential October 1, 1921.

Everett W. Penney to be postmaster at Eastport, N. Y. Office became presidential October 1, 1920.

Albert H. Clark to be postmaster at Silver Springs, N. Y., in place of L. R. Grover. Incumbent's commission expired January 24, 1922.

Alfred B. Kent to be postmaster at Nunda, N. Y., in place of J. P. Boyle. Incumbent's commission expired January 24, 1922.

Donald M. Dickson to be postmaster at Andes, N. Y., in place of G. M. Miller. Incumbent's commission expired January 24, 1922.

NORTH CAROLINA.

John L. Vest to be postmaster at Rosemary, N. C., in place of W. C. Bass, resigned.

Lawson M. Almond to be postmaster at Albemarle, N. C., in place of J. D. Bivins. Incumbent's commission expired July 21, 1921.

Arthur T. Willoughby to be postmaster at Ahoskie, N. C., in place of L. T. Sumner, removed.

Julia B. Greer to be postmaster at Moravian Falls, N. C. Office became presidential January 1, 1921.

Minnie T. Moore to be postmaster at Atkinson, N. C. Office became presidential January 1, 1921.

Jethro A. Hooper to be postmaster at Elizabeth City, N. C., in place of A. L. Pendleton. Incumbent's commission expired January 24, 1922.

NORTH DAKOTA.

Bernard E. Rierson to be postmaster at Regan, N. Dak. Office became presidential October 1, 1921.

George Klier, jr., to be postmaster at Bisbee, N. Dak., in place of J. W. Schulenberg. Incumbent's commission expired January 24, 1922.

OHIO.

Cassius C. Stephenson to be postmaster at Yellow Springs, Ohio, in place of C. H. Hackett. Incumbent's commission expired January 31, 1922.

Monto B. Coffin to be postmaster at New Vienna, Ohio, in place of R. C. Hale. Incumbent's commission expired January 31, 1912.

Wilbur M. Shaw to be postmaster at Lakeview, Ohio, in place of E. L. Davis. Incumbent's commission expired March 16, 1921.

Francis M. Hiett to be postmaster at Spring Valley, Ohio. Office became presidential October 1, 1921.

Franklin H. Smalley to be postmaster at Jeromesville, Ohio. Office became presidential October 1, 1920.

Bertha Warner to be postmaster at Macksburg, Ohio. Office became presidential January 1, 1922.

Ruth Seabert to be postmaster at Alger, Ohio. Office became presidential April 1, 1921.

Mary B. Wanamaker to be postmaster at Cortland, Ohio, in place of C. C. Hadsell. Incumbent's commission expired January 31, 1922.

James F. Bumpus to be postmaster at Butler, Ohio, in place of I. L. McCullough. Incumbent's commission expired January 31, 1922.

OKLAHOMA.

Dan Voorhees to be postmaster at Walters, Okla., in place of J. H. English, deceased.

Roscoe C. Fleming to be postmaster at Tishomingo, Okla., in place of J. M. Loper. Incumbent's commission expired January 5, 1920.

Bruce Hueston to be postmaster at Kellyville, Okla. Office became presidential January 1, 1921.

PENNSYLVANIA.

Philip W. Hunt to be postmaster at St. Davids, Pa., in place of E. D. Lockard, resigned.

SOUTH CAROLINA.

Mollie W. Tittle to be postmaster at Troy, S. C. Office became presidential April 1, 1921.

SOUTH DAKOTA.

James Gaynor to be postmaster at Springfield, S. Dak., in place of James Gaynor. Incumbent's commission expired January 31, 1922.

Edward M. Schmida to be postmaster at Letcher, S. Dak., in place of J. L. Davis, resigned.

John D. Smull to be postmaster at Summit, S. Dak., in place of H. H. Millard. Incumbent's commission expired January 31, 1922.

Arthur Griffin to be postmaster at Selby, S. Dak., in place of Frank Wall. Incumbent's commission expired January 31, 1922.

Irene E. Jackson to be postmaster at Lebanon, S. Dak. Office became presidential October 1, 1920.

TENNESSEE.

Mamie B. Riley to be postmaster at Humboldt, Tenn., in place of J. W. McGlathery, resigned.

Bethel C. Brown to be postmaster at Cleveland, Tenn., in place of J. R. Brown. Incumbent's commission expired July 25, 1921.

John H. McKenzie to be postmaster at Manchester, Tenn., in place of C. E. Rodes. Incumbent's commission expired July 25, 1921.

William P. Whaley to be postmaster at Liberty, Tenn. Office became presidential January 1, 1921.

Arthur Hall to be postmaster at Lancing, Tenn. Office became presidential July 1, 1921.

TEXAS.

John F. Warrington to be postmaster at Valley Mills, Tex., in place of Pope Allen. Incumbent's commission expired July 21, 1921.

Thomas J. Bailey to be postmaster at Royse City, Tex., in place of W. A. Medlen. Incumbent's commission expired July 10, 1920.

Louis J. Scholl to be postmaster at Malakoff, Tex., in place of J. W. Duncan. Incumbent's commission expired July 21, 1921.

Walter W. Layman to be postmaster at Bangs, Tex., in place of H. H. Taylor, resigned.

Almyra L. Williams to be postmaster at Taft, Tex., in place of A. L. Williams. Incumbent's commission expired January 24, 1922.

McKinley H. Frank to be postmaster at Grapevine, Tex., in place of M. E. Hendrickson. Incumbent's commission expired January 24, 1922.

William H. Tallant to be postmaster at Chico, Tex., in place of M. D. Parnell. Incumbent's commission expired January 24, 1922.

Roy K. Duphorne to be postmaster at Aransas Pass, Tex., in place of G. P. Tarrant. Incumbent's commission expired January 24, 1922.

Arthur C. Polk to be postmaster at Manning, Tex. Office became presidential July 1, 1921.

Ada H. Worley to be postmaster at Malone, Tex. Office became presidential January 1, 1921.

Lottie H. Rector to be postmaster at McCaulley, Tex. Office became presidential April 1, 1921.

Loren G. Wilder to be postmaster at George West, Tex. Office became presidential April 1, 1921.

Wilce V. Garton to be postmaster at Booker, Tex. Office became presidential January 1, 1921.

Daniel B. Bynum to be postmaster at Eustace, Tex. Office became presidential January 1, 1921.

VIRGINIA.

Thomas J. Wilson to be postmaster at Clifton Forge, Va., in place of J. B. Graves, removed.

Thomas L. Woolfolk to be postmaster at Louisa, Va., in place of G. V. Cameron. Incumbent's commission expired July 21, 1921.

Myron B. Bickers to be postmaster at Standardsville, Va. Office became presidential January 1, 1921.

Hannah Y. Smith to be postmaster at Newport, Va. Office became presidential April 1, 1921.

Lilly G. Cook to be postmaster at Madison, Va. Office became presidential October 1, 1920.

John W. Gibbs to be postmaster at Howardsville, Va. Office became presidential July 1, 1921.

Ruth E. Brown to be postmaster at Hamilton, Va. Office became presidential October 1, 1920.

William R. Berry to be postmaster at Meherrin, Va. Office became presidential April 1, 1920.

Ida Valley to be postmaster at Grundy, Va. Office became presidential July 1, 1920.

Henry H. Hardenbergh to be postmaster at Fredericks Hall, Va. Office became presidential October 1, 1920.

William J. Ivey to be postmaster at Catlett, Va. Office became presidential January 1, 1921.

Sydney B. Elliott to be postmaster at Belle Meade, Va. Office became presidential July 1, 1921.

WASHINGTON.

William G. Menerce to be postmaster at Carson, Wash. Office became presidential January 1, 1921.

William W. Woodward to be postmaster at Darrington, Wash. Office became presidential April 1, 1920.

WEST VIRGINIA.

Robert E. Horan to be postmaster at Summersville, W. Va., in place of J. L. Evans, resigned.

John W. Mitchell to be postmaster at Wayne, W. Va., in place of W. B. Spurlock, resigned.

Godfrey B. Beebout to be postmaster at New Cumberland, W. Va., in place of H. C. R. Stewart. Incumbent's commission expired December 20, 1920.

Roger T. Price to be postmaster at Widen, W. Va. Office became presidential January 1, 1922.

WISCONSIN.

Fred S. Thompson to be postmaster at Superior, Wis., in place of F. A. Russell. Incumbent's commission expired September 8, 1921.

William A. Roblier to be postmaster at Coloma, Wis., in place of W. A. Roblier. Incumbent's commission expired January 24, 1922.

William L. Chesley to be postmaster at Lena, Wis., in place of A. H. Dionne. Incumbent's commission expired January 24, 1922.

Thomas P. Edwards to be postmaster at Hazel Green, Wis., in place of D. S. York. Incumbent's commission expired September 8, 1921.

Hazel I. Hicks to be postmaster at Linden, Wis., in place of H. I. Hicks, resigned.

Alexander F. Fleischmann to be postmaster at Campbellsport, Wis., in place of T. N. Curran, resigned.

James Kelly to be postmaster at Ridgeway, Wis. Office became presidential July 1, 1921.

Roy E. Lawler to be postmaster at Gordon, Wis. Office became presidential January 1, 1922.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 16, 1922.

APPRAISER OF MERCHANDISE.

Bert Kahn to be appraiser of merchandise, district No. 28, San Francisco, Calif.

ASSISTANT APPRAISERS OF MERCHANDISE.

Denis E. O'Keefe to be assistant appraiser of merchandise, district No. 28, San Francisco, Calif.

Jacob Shaen to be assistant appraiser of merchandise, district No. 28, San Francisco, Calif.

POSTMASTERS.

ALASKA.

D. W. Stoddard, Anchorage.
Jacob Otness, Petersburg.

ILLINOIS.

Clarence L. Kiger, Cisne.
Arthur F. Eberlin, Hardin.

KENTUCKY.

Mary B. Bishop, Dry Ridge.
Ben H. Lott, Lewisport.

MONTANA.

Erling B. Richardson, East Helena.
James S. Honnold, Joliet.
Edward M. Erickson, Paradise.

NEBRASKA.

Ernest E. Goding, Dix.
Erma L. Thompson, Dunning.
Peter Rasmussen, Elba.
Orville E. Bicknell, Elk Creek.
Charles Leu, Elkhorn.
Elbert L. Taylor, Haigler.
Bert L. Strauser, Madrid.
Frank A. Melvin, Murdock.

NEW HAMPSHIRE.

Alberta W. Wight, Berlin.
Webb Little, Campton.
Samuel G. Blaisdell, Milton.

NEW YORK.

James Avery, Aurora.
Earle L. Burdict, Belmont.
William J. Scott, Black River.
Hugh M. Hall, Cassadaga.
James E. McDonald, Cohoes.
Lincoln G. Hawn, Evans Mills.
Harvey S. Decker, Germantown.
Winfield S. Carpenter, Horicon.
Clarence E. Hirsch, Lindenhurst.
Charles D. Overacre, Manchester.
George E. Gladstone, Margaretville.
William L. Buck, Mexico.
Benjamin S. Helmer, Mohonk Lake.
Milton Jeffery, New Woodstock.
George P. Hammond, Pearl River.
Frederick Harrigan, Roosevelt.
Robert L. Smith, St. James.
Gilford L. Hadley, Sandy Creek.
Howard M. Brush, Smithtown Branch.
Scott E. Phinney, Westport.

REJECTION.

Executive nomination rejected by the Senate March 16, 1922.

POSTMASTER.

Henry J. Keller to be postmaster at Hogansville, Ga.

WITHDRAWAL.

Executive nomination withdrawn from the Senate March 16, 1922.

POSTMASTER.

Raymond Kemmer to be postmaster at Holgate, in the State of Ohio.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 16, 1922.*

The House met at 12 o'clock noon and was called to order by Mr. WALSH as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord our God, who knowest our necessities and art merciful to hear the humblest petition, bend over us, and may we speak to Thee even as we would to a dear earthly friend. Help us to live nobly, simply, and humbly; leave no need untouched. Meet us in the way of duty and make it plain and sure. Give us light and make the truth bare. Go where our thoughts go, into our business, into our social life, into our homes, and may we always keep Thee in heart and in life. O be with us every step of the road and never go away. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVES OF ABSENCE.

By unanimous consent leave of absence was granted to—
Mr. SUTHERLAND for five weeks, on account of business.
Mr. MORGAN for five days, on account of illness.

ELECTIONS TO COMMITTEES.

Mr. MONDELL. Mr. Speaker, I present the following nominations for membership on the standing committees of the House and move the election of those nominated.

The SPEAKER pro tempore. The gentleman from Wyoming presents the following nominations to membership on the standing committees of the House, which the Clerk will report.

The Clerk read as follows:

To be members of the Committee on Appropriations: HENRY Z. OSBORNE, of California; FRANK MURPHY, of Ohio.
To be a member of the Committee on Ways and Means, OGDEN L. MILLS, of New York.
To be a member of the Committee on Naval Affairs, A. PIATT ANDREW, of Massachusetts.
To be a member of the Committee on Foreign Affairs, CYRENUS COLE, of Iowa.
To be a member of the Committee on Rivers and Harbors, WALTER F. LINEBERGER, of California.
To be a member of the Committee on the Merchant Marine and Fisheries, MICHAEL J. HOGAN, of New York.
To be a member of the Elections Committee No. 1, HERBERT W. TAYLOR, of New Jersey.
To be a member of the Elections Committee No. 3, MARTIN C. ANSORGE, of New York.
To be chairman of the Committee on Expenditures in the Department of Commerce, CLARENCE D. COUGHLIN, of Pennsylvania.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Wyoming, that the gentlemen named be elected to the committees named.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GARNER. May I ask the gentleman whether or not the delay in the assignment to the Committee on Ways and Means of Mr. OGDEN MILLS until after the bonus bill had been reported out of that committee was at his request, or at the instigation of the gentleman from Wyoming?

Mr. MONDELL. The election of these gentlemen to the committees for which they were nominated depended in a number of cases upon their resignation from other committees, and the presentation of the nominations has awaited the presentation and acceptance of the resignations by the House.

Mr. GARNER. But, as far as the record shows, I notice that on the morning before the bonus bill was reported out of the committee all of the resignations now being filed had been filed with the Speaker and had been accepted by the House, and it was currently reported, I will say to the gentleman, that the gentleman from Wyoming was keeping the gentleman from New York off the Committee on Ways and Means until the bonus bill had been reported. It was also rumored that the gentleman from New York had requested the gentleman from Wyoming to keep him off until after the vote had been taken. Which one of those is true, if either?

Mr. MONDELL. If one were to be interrogated in regard to all of the rumors that float about the cloakrooms, we would have time for little else. The floor leader being rather busy, did not find time to prepare and present the list until this morning. It was necessary to go over the resignations to see if they had all been turned in and accepted before the list could be presented.

Mr. GARNER. Then, if I understand the gentleman from Wyoming, one of the reasons why he did not submit the list at an earlier date was not the fact that he did not want Mr. OGDEN MILLS on the committee before the bonus bill was reported?

Mr. MONDELL. The gentleman is inferring a very great deal.

Mr. GARNER. I am asking a question.

Mr. MONDELL. The list was presented as soon as convenient after it was prepared, and it was prepared as soon as possible after the resignations had been received.

Mr. GARNER. Did that influence the gentleman in delaying the preparation of the list?

Mr. MONDELL. The gentleman prepared the list as soon as it was convenient after the resignations had been received.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Wyoming, that these gentlemen be elected to the committees named.

The question was taken, and the motion was agreed to.

CALENDAR WEDNESDAY.

The SPEAKER pro tempore. Under the order previously agreed to, business in order under the Calendar Wednesday rule is in order to-day, and the Clerk will call the roll of committees.

IMMIGRATION.

The Clerk called the Committee on Immigration and Naturalization.

Mr. JOHNSON of Washington. Mr. Speaker, by direction of the Committee on Immigration and Naturalization I call up House joint resolution 279, to permit to remain within the United States certain aliens admitted temporarily under bond in excess of quotas fixed under authority of the immigration act of May 19, 1921.

The SPEAKER pro tempore. The gentleman from Washington calls up House joint resolution 279, to permit to remain within the United States certain aliens admitted temporarily under bond in excess of quotas fixed under authority of the immigration act of May 19, 1921. This being on the Union Calendar, the House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the resolution, and the gentleman from Illinois [Mr. MADDEN] will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House joint resolution 279, with Mr. MADDEN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of House joint resolution 279, which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That aliens who entered the United States before March 1, 1922, in excess of quotas fixed under authority of the act entitled "An act to limit the immigration of aliens into the United States," approved May 19, 1921, and were temporarily admitted under bond, may, if otherwise admissible, and if not subject to deportation for other causes, be permitted by the Secretary of Labor to remain in the United States without regard to the provisions of such act of May 19, 1921. In the case of any alien so permitted to remain the bond shall be canceled.

The committee amendment was read, as follows:

Page 1, line 3, strike out the figure "1" and insert in lieu thereof the figure "7."

Mr. JOHNSON of Washington. Mr. Chairman——

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. The gentleman from Washington will have his hour. Will the members of the committee who made the minority report be recognized for the other hour?

The CHAIRMAN. This bill is being considered under the Calendar Wednesday rule permitting two hours of debate, one hour for and one hour against.

Mr. RAKER. I desire to be recognized in opposition to the bill, Mr. Chairman.

The CHAIRMAN. All right.

Mr. JOHNSON of Washington. Mr. Chairman, I desire to be notified when I have used 15 minutes.

Mr. Chairman and gentlemen, the resolution, I think, is simple and easily understood. It is necessary; it is humane; it is proper; and it is an aid rather than a hindrance to the great cause of the restriction of immigration. I desire to present a statistical statement, which, I think, will be of interest not only to the membership of the House but to the country at large. You will all remember that an act was passed May 19, 1921, less than a year ago, which changed the United States on short notice from an asylum or dumping ground for the rest of the world to a country with a plan of restricted immigration. That act has been in effect now since July 1 and 27 days in the previous June. It was a big act, a great step; it ended the asylum idea. The immigrants coming into the United States for the year ending June 30, 1921, were, in round numbers, 805,000. Under the 3 per cent act of May 19, 1921, there have been admitted as immigrants within the quota only 197,521 persons. There has been admitted within that same length of time in excess of the quota 2,453 persons. Nearly all of these excess admissions have been admitted for humane reasons, which I shall explain a little later. To have turned them back would have hurt the cause of restriction, in my opinion.

Mr. SABATH. Will the gentleman yield?

Mr. JOHNSON of Washington. Let me finish the statistical statement first. There have been deported or sent away from the United States on account of excess of quotas from July 1 to February 28, or in eight months, 1,153 persons only.

What I want to call attention to is that, in spite of the enactment of the 3 per cent restriction act, which greatly limits immigration, there have not come to our doors great numbers in excess. There have come all told in excess of quota a total that will be found by adding 2,453 and 1,153, which shows, to me at least, that all concerned have made a sincere effort to

keep within the quota limitations. I considered that a good showing. I myself was under the impression during the hearings which we held that large numbers had come to Ellis Island in excess of quotas and had failed of admission. I was mistaken, as the actual figures show.

Mr. RAKER. Will the gentleman yield there?

Mr. JOHNSON of Washington. In just a moment. We did not get the exact number or get the statistical report until quite recently, and the official figures showed us, as I say, that the number which came in excess and was not admitted was 1,153 persons. Now, there were admitted in excess of quota 2,453, and it is to make legal and give the Secretary of Labor the right to admit those who have been admitted temporarily under bond that we come to the House with this resolution. Note that these are to be admitted only if otherwise admissible. Account has been kept and reason could be shown for the admission of everyone who have been admitted, or who is otherwise qualified to be admitted under the permanent immigration law, and if not so qualified they are not admissible under this resolution.

Mr. RAKER. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. RAKER. Where did the gentleman get the information of the number he quoted under the quota law?

Mr. JOHNSON of Washington. I got the figures from the Commissioner of Immigration. They are in his office and available to all.

Mr. RAKER. How many were there?

Mr. JOHNSON of Washington. I will hand the gentleman the slip, which shows the actual figures.

Mr. RAKER. I would rather have the gentleman's statement than the slip.

Mr. JOHNSON of Washington. I have stated it, but I will state it once more. The number of aliens deported on account of excess of quota from July 1 to February 28 was 1,153.

Mr. RAKER. I thank the gentleman.

Mr. JOHNSON of Washington. Many persons fail to realize that the deportation of aliens is a serious matter; deportation is not done easily, as some people think, but under restriction of immigration deportations are being made more frequently and with more time for proper inquiry. This 3 per cent act, which has reduced immigration to date to 197,000 people in eight months, has afforded not only opportunity for closer examination of those who come to be admitted within the quota but has afforded opportunity for deportation of other aliens throughout the country who were entitled to be arrested and deported.

Mr. KINCHELOE. Will the gentleman yield?

Mr. JOHNSON of Washington. In just a minute. For the entire fiscal year ending July 1 last we deported for all causes 2,342 persons. Those were the ones deported throughout the country, picked up for deportable causes and deported—2,342. But between July 1 and December 31—that is, six months of the present fiscal year—we have deported, not counting those who have failed to get in on account of excess of quota, a total of 2,394, or more in six months than during the entire previous year. We are literally cleaning house. [Applause.]

Now, all who have followed this subject will remember when the quota act was written both the House and the Senate, and later the conferees of the two bodies, undertook in every possible way to find words by which a little margin could be provided for the Secretary of Labor so that he might take care of proper exemptions. We wanted the law to be humane.

It was not possible to find the words. The law requires the limit of admissions to be at a maximum 20 per cent per month per country. We proposed to make that monthly limit 15 per cent and let the Secretary withhold the 5 per cent. But if that had been in the law the 5 per cent would have been quickly absorbed. You will notice in some recommendations for amendment to the 3 per cent resolution which is now pending in the other body and which was passed in this body one recommendation indorsed by the Federal Council of Churches is that there be added to any restrictive immigration act the following:

A general clemency clause authorizing the Secretary of Labor to deal humanely with exceptional cases in order to avoid hardships amounting to inhumanity.

We have not been able to find quite the words in which to do that. We have had to depend on the ninth proviso of the third section of the Burnett Immigration Act, which authorizes the Secretary to admit temporarily, under bond, certain aliens. Under the old law, of course, that applied to the inadmissible. But I think it is properly applied now to those who have right and reason for appeal to remain in excess of quota, but, of course, if applied temporarily only, the time must come when they should go out. I think the Secretary of Labor, Mr. Davis, and the Assistant Secretary of Labor, Mr. Henning, have acted justly, literally, wisely, and with reason. Note that nearly all of these 2,400 cases which are to be covered by this resolution are cases which have been admitted for causes of extreme humanity.

Mr. LAYTON. What do you mean by that?

Mr. JOHNSON of Washington. I mean, for instance, a wife to join her husband. Perhaps the wife had been born in Poland and husband in Germany, and the Polish quota was exceeded, while the German quota was not. Perhaps, I mean a case where a family in transit, coming from Russia and being a whole year on the way, was detained a while in Turkey, and while there a child was born, and the child under the law is called a Turk and inadmissible if the Turkish quota is full. I refer, perhaps, to the four or five hundred cases which came on an American ship from over in the Asia Minor country somewhere, bringing four or five hundred Armenians, assuming that they would be admitted under the Armenian quota, which was not exhausted, but on arrival it is found that they were from Turkish Armenia and were to be counted under the quota for Turkey, which was exhausted. In that party there were many orphan children from 5 to 10 years of age, in charge of an English-speaking teacher from the Beirut College. To deport those children to Constantinople under any circumstances would have been the height of inhumanity. In fact, it could not have been done, in my opinion.

Mr. GARRETT of Tennessee. Are the facts which the gentleman is recounting here in the hearings before the committee?

Mr. JOHNSON of Washington. They are scattered all through the hearings. In an effort to perfect the quota act there were extensive hearings, and in an effort to make various amendments to that act these facts appeared all through those extensive and exhaustive hearings.

Mr. GARRETT of Tennessee. But no hearings were held on this resolution?

Mr. JOHNSON of Washington. Not on this particular resolution, but on an earlier resolution of similar import. In every effort to amend the 3 per cent act we ran into hearings on this phase of the situation.

Mr. STAFFORD. Is it not a fact that the committee held extensive hearings on the resolution that was passed here a few weeks ago extending the 3 per cent quota act for another year?

Mr. JOHNSON of Washington. That is what I referred to. And still earlier we held, after five months of operation of the 3 per cent act, hearings on the operation of it, and many of these cases I mention you will find described in detail in the pamphlet entitled "Operation of the Quota Act for Five Months."

Mr. LAYTON. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. LAYTON. What provision was made for these four or five hundred Armenian children?

Mr. JOHNSON of Washington. Do not misunderstand me. They were not all Armenian children. They were mostly women and children, and quite a large party of orphan children. And let me tell you something before it gets out of my mind. There are in Armenia to-day 200,000 orphan children. We talk about the United States as an asylum. Even those most interested in those children know it would not be possible for us to bring any considerable number of them to the United States, no matter how much it is desired.

Mr. LAYTON. You imagine that there are many millions of orphan children in the world to-day?

Mr. JOHNSON of Washington. Undoubtedly.

Mr. LAYTON. What I am trying to get at is this: The gentleman said unless this bill was passed these Turkish Armenians would be deported and would go somewhere, probably falling into the hands of the Turks, which would be a matter of great inhumanity.

Mr. JOHNSON of Washington. The charge was made literally in these hearings by Armenian ministers here that we deported some 27 or 37 who were, upon reaching Constantinople, outraged and murdered.

Mr. LAYTON. Who is going to take care of those over here?

Mr. JOHNSON of Washington. The bond has been put up. They are admitted temporarily under bond. Church organizations and charitable people stand ready to adopt them, and in some cases they have done so or have guaranteed that they would do so. Our committee had before it a plan by which orphans might be admitted under sufficient bond to provide that they should not become public charges before they became of age, but that of itself was impracticable, because if they came in great number it would be impossible for the United States to provide that they should not become "bound-out" children, such as we had a couple of generations ago.

Mr. KINCHELOE. I want to ask the gentleman, if this resolution is passed admitting those who are here illegally, what assurance has the Congress that immigrants in the future will not come in under the same circumstances?

Mr. JOHNSON of Washington. Many of these cases developed at the expiration of the five months with the 20 per cent per month limitation. You will remember the law reads not to exceed 20 per cent a month. So the quotas of many countries ran out all in a lump just before Christmas. There was a considerable congestion and also a misunderstanding as to whether one was an exemption or a quota. That 20 per cent made the congestion.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. I will take five minutes more.

Now, then, the quotas having been completely exhausted from many countries, the number coming in is very much smaller; in fact, it is almost nil.

For instance, last week, covered in for the week from March 1 to March 7, 10. This present week, 4. From countries where the immigration would have come there is only now and then an exceptional demand for admission, owing to a misunderstanding as to the total count or as to place of birth. The number arriving at Ellis Island last week was less than a thousand. The number detained at Ellis Island yesterday was less than 300. But still there is an occasional excess of quota. For instance, the other day there was a woman from the Azores Islands with five or six children, two or three of which were born abroad, and three or four born here, American citizens; she went a few months ago back for a visit, which is permitted under the law, and while she was away a baby was born. She returned to Ellis Island, herself admissible under the law, but with a 2-months-old baby in her arms, born in Portuguese territory, and the Portuguese quota was exhausted months ago. Her 2-months-old baby is a Portuguese immigrant in excess of quota and is not admitted. The law was new, an untried instrument, its effect changing the United States from that of an asylum to a country of restriction. We also require passport visés. Reservations were not made quickly. Our consular officers all over Europe were issuing passport visés in excess of the quotas. But they are not doing that now. Here was confusion as to the quotas and the figures given out by us. All these things are now working more and more on a uniform method.

Mr. KINCHELOE. I do not think the steamship companies want to understand it very much.

Mr. JOHNSON of Washington. Well, if we succeeded in cutting off immigration from what it was before to 200,000, we have not stretched it so badly.

Mr. KINCHELOE. I do not know whether the gentleman has covered this by the statistics of how many people will be admitted by reason of the enactment of this law in addition to what are already here.

Mr. JOHNSON of Washington. Less than 3,000 instead of a possible 600,000 or 700,000.

Mr. KINCHELOE. Does the gentleman think that these men——

Mr. JOHNSON of Washington. They are not men. Most of them are mothers and children, and grandmothers.

Mr. KINCHELOE. Well, will not positions be taken from our people here for them? I think we have enough idle people in this country now under this Republican administration without bringing these people here.

Mr. GENSMAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. GENSMAN. Would a man who came into this country by way of the Mexican border and who was under bond be admitted?

Mr. JOHNSON of Washington. Not at all. This resolution says "otherwise admissible." No insane man can be admitted, no sick person, no defective, no helpless dependent.

Mr. GENSMAN. But would a man be entitled to be admitted who got over the Mexican border, and was captured and put under bond? Would he be admitted?

Mr. JOHNSON of Washington. Not if he came in illegally. And before this 3 per cent act starts on another year's operation I shall place before you an amendment requiring that the residence of such immigrants in Mexico and Canada shall be five years instead of one year.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. BOX].

The CHAIRMAN. The gentleman from Texas is recognized for 20 minutes.

Mr. BOX. Mr. Chairman, I ask unanimous consent at the outset to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BOX. Mr. Chairman, I ask not to be interrupted until I have completed my statement, because the time is very short.

Mr. Chairman and gentlemen, the remarks of the gentleman from Washington [Mr. JOHNSON] do constitute something of an argument against the enactment of the act of May 19, 1921, and much of an argument in favor of its amendment, but no argument against its enforcement.

The chairman and majority of the committee will have to hurry this resolution through before other shiploads of immigrants excluded by the law arrive, embarrassing them with the question whether their unlawful admission shall be charged to this backdown or breakdown resolution or the third one which must follow it soon. New admissions are being made in violation of the law from time to time. Up to and including October 31, 1921, according to official reports, such admissions numbered 843. Up to the end of November 9, 968 were admitted. November 16, a week later, it stood at 1,195. From that time to this every weekly report has shown additional illegal admissions, until the number is now three times what it was four months ago.

Moreover, I object to this method of handling the situation, because it keeps the gentleman from Washington busy writing these resolutions ratifying illegal admissions made for the accommodation of alien groups and steamship lines. I now hold in my hand several such resolutions presented by the gentleman. They are House joint resolution 153, House joint resolution 237, House joint resolution 273, and House joint resolution 279—all to the same general effect, introduced at different times. The two last admit many aliens who could not be admitted under the former.

I can fish into the basket almost any day and take out a resolution by the chairman of the committee ratifying the illegal admissions of aliens, the later ones being more and more liberal to the aliens and steamship lines.

Since I am fully convinced that such resolutions go far toward breaking down the law, and since the Commissioner General of Immigration has advised the committee that a similar resolution, which did not ratify or authorize the admission of more than one-third as many as this does, tended to break down the law, I think these deathblows should be as few and infrequent as possible.

Speaking of House joint resolution 237, one of this troupe, the chairman himself asked the Commissioner General of Immigration the following question:

> Do you think a resolution of that kind running for a time coincident with the emergency act would break the act down?
> Mr. HUSBAND. Very largely. (Hearings of Dec. 19, 1921, p. 215.)

The act of 1917, embodying the general immigration laws, contains the following:

> That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall issue rules and prescribe conditions, including exaction of such bonds as may be necessary, to control and regulate the admission and return of otherwise inadmissible aliens applying for temporary admission. (Immigration Laws, p. 8.)

The following is one of the rules for the enforcement of the clause quoted:

> In cases in which aliens who are mandatorily excluded from permanent entry apply for the privilege of entering the United States temporarily, they shall be required to show that their temporary entry is an urgent necessity or that unusual and grave hardship would result from a denial of their request. (Immigration Laws, pp. 57–58.)

This is the provision under which they have been pretending to admit these people.

First, I call your attention to the fact that it applies only to people who are inadmissible under the immigration laws. No man who can be legally admitted under the immigration laws, the act of 1917, can be permitted to enter the United States temporarily under this clause.

Second, the "admission and return" are connected and always jointly provided for. The idea of admission under it—in fact permanent—is inconsistent with the terms of the law itself and foreign to the very purpose of it. If an alien was critically ill on board ship and could not be admitted under the immigra-

tion laws, he could be placed in a hospital within the custody and under the control of the immigration authorities and treated until he could be deported. Other emergency situations of a similar nature were foreseen and provided for. But the very fact that none but inadmissible aliens were governed by the provision certainly excludes the idea that admissions expected to be made permanent could be made under it.

Neither are these people admissible under the 3 per cent act of May, 1921, which provides:

That the number of aliens of any nationality who may be admitted under the immigration laws of the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910.

Note that this applies only to aliens admissible under the act of 1917. The clause quoted from that act applies only to those who are inadmissible under it.

The 1921 act further provides:

When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this act shall have been admitted all other aliens of such nationality, except as otherwise provided in this act, who may apply for admission during the same fiscal year shall be excluded.

It will be noted that this provides that all aliens who may be admitted under the act of 1917 in excess of the 3 per cent limitation "shall be excluded."

There you have it.

First. These people have to be inadmissible under the 1917 act in order to come within this clause in that act relating to temporary admission.

Second. That those admitted under the act of 1917 shall not exceed the 3 per cent, so that if these people were legally admitted under the first act they are mandatorily excluded by the second act.

Their admission, as has been done recently, is not even an evasion of the law. It is a flagrant violation of it.

I take the immigration law seriously. I take all laws seriously. Anything else is bolshevism. The act of May, 1921, should be repealed or amended or enforced as it is. House joint resolution No. 279, and all of the several companion resolutions presented by the gentleman from Washington for the same purpose, contemplate neither.

There is no reason for this course. There is no excuse for it. The excuse which they present—and it is only an excuse—is that the law works a hardship on those who come in conflict with it. That is exactly what all law does. The laws of nature visit harsh consequences upon those who come in conflict with them. The laws of civilized people do. Our quarantine laws work hardships on individuals, very painful ones. Our penal laws work hardships on criminals and innocent members of their families, often extending through a lifetime. Our draft laws, which call individual citizens from the safe and peaceful walks of life to the conflict, suffering, and death, inseparable from military service, work hardships on the men and on their loved ones at home.

The gentlemen say that we can not deal with immigrants as with sacks of flour. Law rarely deals with sacks of flour. It usually deals with men and women and visits its consequences, its painful punishments, upon men and women. When the Government of the United States refuses to enforce its law because somebody suffers as a consequence, those who administer it should have repeated in their ears the old, old saw:

No man e'er felt the halter draw
With good opinion of the law.

But it is pretended—and it is no more than a pretense—that the 3 per cent act of 1921 is especially bad, so bad that it should not be enforced uniformly, in that it works hardships. In that respect it is not different from other immigration laws, all of which have worked hardships in hundreds of thousands of cases. But these gentlemen seem to think that because this law was passed by the Sixty-seventh Congress and approved by the present administration that it should be subjected to all kinds of contemptuous treatment. It is the child of the present Congress and administration, and may be suffering from "inherited constitutional psychopathic inferiority," but since it is the law it should have the respect at least of the Congress that enacted it and the administration which approved it and is charged with its enforcement. But is it peculiar in producing cases of hardship? The law as it stood for 20 years, beginning in 1901, worked hardships in that it divided families, turned back many people who wanted to come in, who suffered and even died because they were deported. They were the most unfortunate of people, too. For instance, during that time, 295 poor idiots were turned back into the wretchedness of Europe; 445 imbeciles went back in their weakness; 299 feeble-minded were turned back; 2,128 insane were rejected or deported. Who is more unfortunate than an insane man? Unfortunate epileptics numbering 369 were rejected or deported; 18,813 persons, who were suffering from constitutional, mental, or nervous inferiority and other things of kindred nature, were rejected or deported after having been admitted.

Persons to the number of 37,719 suffering from loathsome diseases, sick and diseased as they were, were turned back into the sources of their infection, doubtless to die there. Orphans, or children under 16 years of age, unaccompanied by parents, numbering 5,560, were turned back or deported from the United States to the wretchedness of the Old World without a guardian. Can you imagine anything more unfortunate? People numbering 154,156, who were so poor, so helpless, so friendless, so incompetent, that even in the abundant opportunity of America, they were liable to become a public charge, were sent back to Europe, where life is so much harder and where, doubtless, tens of thousands of them begged in wretchedness for a while and then died and were buried in potter's fields. The figures from which these totals are made will be found on pages 117 and 118 of 1921 report of Commissioner General of Immigration. But the laws under which these people were excluded and deported were passed under the administrations of McKinley and Cleveland and Roosevelt and Wilson, and therefore were taken seriously and were understood as having been made to be enforced.

I object to the favoritism practiced in the admission of these people. The Commissioner General of Immigration testified before your committee:

The reason is that the law is an uncertain quantity. It is recognized as such because it has—they have brought people over who were in excess of the quota and they have been admitted, and they have brought others in excess of the quota and they have been sent back, and others have been admitted temporarily or something like that. (See p. 218, hearings, Dec. 19.)

Is the National Government to openly practice favoritism in the administration of its law? To admit that it is doing so is to admit that it has been debauched. I warn you and the country that an effort has been made, with a regrettable degree of success, to demoralize and debauch the Immigration Service and break down the immigration laws. [Applause.]

I shall here attempt to expose that effort and show the measure of success which it has met.

1. I read you a telegram placed in the hearings by the chairman of the committee:

YOUNGSTOWN, OHIO, *December 19, 1921.*

Representative ALBERT JOHNSON,
Chairman House Immigration Committee,
the Capitol, Washington, D. C.:

Mary Olexa, among Hungarian immigrants detained for deportation at Ellis Island, comes to her uncle, Frank Vasko, one of the best known American citizens of Hungarian birth in the Mahoning Valley, willing and able to take care of her, and file bond to guarantee that she does never become a public charge. Vasko is large property owner here and resides at 1020 Ford Avenue. Other cases are still under investigation. Kindly try to arrange for her admission as a special favor.

AMERICAN HUNGARIAN JOURNAL,
N. GROSSHANDLER, *General Manager.*

(Hearings, Dec. 19, 1921, pp. 223, 224.)

We have many of these.

Note that many such telegrams were sent to the chairman.

Mr. Henning, the Assistant Secretary of Labor, administering the immigration laws, said:

We have received the same telegram. We have received many of them exactly like that. (Hearings, Dec. 19, 1921, p. 224.)

I wonder if they were exactly like it in wanting these people admitted because their relatives were large property owners? I wonder if they were exactly like it in asking the admission of these aliens "as a special favor." I wonder if they were exactly like it in being sent by managers of the foreign-language press? I want you to note that this telegram was dated December 19, 1921, and that about that time great numbers came to the chairman of the committee and to the Assistant Secretary of Labor administering the immigration law.

Next, I call your attention to this statement by the Assistant Secretary of Labor, Mr. Henning, speaking of the time when he was receiving these telegrams. He said:

Just as I was trying to get out some Congressman's stenographer came in with an armful of them and I went through them hurriedly. (Hearings, p. 224, Dec. 19.)

In the same connection I call attention to the following language by the chairman of the committee, as reported on page 235 of the same hearings:

* * * Neither do I think we are justified in leaving conditions just as they are, with Members of Congress working for their constituents, with Senators working for their constituents, and further pressing the department.

Next, I call your attention to the fact that on that very morning of December 19 a whole battery of steamship-line magnates filed in and occupied places in the committee room. That

day they appeared before the committee urging the passage of House joint resolution 237. There were Mr. Franklin, Mr. Farley, Mr. Sanford, and other big ones, and they came, or some of them came, from the committee room and took seats in the gallery to watch the gentleman from Washington "play ball." On that very day House joint resolution 237, by the gentleman from Washington, was presented on the floor of the House by the gentleman from Washington, who did not take time to have it printed. When I first saw it after the House met on December 17 it was written with a lead pencil. When I saw it next it was typewritten. He presented it in that form, but it had to be withdrawn at the request of the Speaker because it interfered with other business. It was printed the next day. The telegrams from the foreign-language press and the pressure by the steamship lines, the appeals to Congressmen and their pressure on the department, all together brought results that very day, or else there was a remarkable coincidence.

Next, I call your attention to the following, which appeared in the New York Times of December 25:

YOUNGSTOWN, OHIO, *December 24.*

Representative ALBERT JOHNSON, Republican, of Washington, will introduce a resolution, when the House convenes January 5, to make permanent the temporary 90-day release granted yesterday to 1,100 aliens held at Ellis Island because quotas for their countries under the immigration law had been filled, according to a telegram from Mr. JOHNSON received here to-day by E. N. Meymenyi, editor of a Hungarian-language newspaper which has been active in urging release of aliens.

Gentlemen, these foreign-language alien groups, represented by the foreign-language newspapers and the steamship companies, and the pressure of Representatives here who feel constrained to serve their foreign-born constituencies, subject your committee and your Department of Labor to more pressure than is safe. The American people should know when such unholy influences are bearing so heavily upon their Government. [Applause.]

The steamship group sat in the gallery all the afternoon of December 19 and left looking "real disgusted" when the gentleman from Washington did not get action on his House joint resolution 237. That night the scene was transferred to the committee room. I was there; the steamship group filed in again; Assistant Secretary of Labor Henning came; Mr. Husband, the Commissioner General of Immigration, came. I do not approve of his course, but I sympathize with his position. He is a subordinate under great pressure suffering from lack of support. He told the committee in the face of the steamship people and in the face of his superior, Mr. Henning, that that resolution would largely break down the immigration laws.

Mr. Farley said that he was for it, and that Mr. Franklin, the president of the International Mercantile Merchant Marine, was for it. Mr. Henning, the Assistant Secretary of Labor, said he was for it. It being the chairman's own output, he was for it. Mr. Henning showed a disposition to be critical of his subordinate, Mr. Husband, because he said it would break down the immigration laws. Here is what Mr. Henning said about the attitude of Mr. Husband in opposing it:

* * * I am for it. Mr. Husband always has some one he can pass the buck to. But when it gets to me my back is against the wall. I do not know who to pass the buck to.

The CHAIRMAN. I am with you. (Hearings, p. 224.)

That probably made Mr. Husband feel lonely. I do not know whether the chairman meant that he was with Mr. Henning in his criticism of Mr. Husband or whether he was with Mr. Henning in his effort to find somebody to whom to pass the buck. I do know that he is now helping Mr. Henning, after you have excluded, to pass the buck back to you and make you and the President say whether or not you meant what you said in the passage and approval of the act.

While this hearing was drifting in the direction indicated by these quotations, the chairman of the committee remarked:

I can readily see why Mr. Husband doesn't want to let it go. [Referring to the 3 per cent law.] It is Mr. Husband's baby, line for line.

Mr. BOX. I think Mr. Husband is trying to carry out the law, and that he hasn't any pride of authorship in it. (Hearings, p. 223.)

Since I made this offhand remark I have become convinced that because of a lack of support Mr. Husband is not enforcing the law steadily.

Gentlemen, my fear—my conviction—is that certain foreign-born and un-American groups in New York and elsewhere, the steamship line managers, and perhaps other powers have very largely debauched your Immigration Service at certain of your greater ports, and that men and their friends are literally buying their way into the United States. It is my conviction, based on a careful study of what I have observed. I do not pretend that I can prove this, but I warn you and the country that I believe it is true, and direct attention to it in the hope that it can be discovered and corrected. [Applause.]

My more immediate purpose is to show that demoralization does actually exist in Washington—that it has gotten into Congress—as evidenced by this resolution and the facts I have stated. For instance, the committee amendment proposed, changing the date from March 1 to March 7, has no purpose other than to admit some people in whom the gentleman from New York, the Hon. ISAAC SIEGEL, is specially interested.

I regret to have to advise you that I am no longer able to rely on the correctness of the reports that come from the Bureau of Immigration. They issue weekly reports showing how many excess admissions there are. Up to the close of December 21, 1921, the number of these as stated in this official report was 1,456. On December 24 and 25 they admitted from 900 to above 1,200, and yet the official report showing the total excess up to and including December 31 showed only 1,597 in all, or an increase of only 141 within a period within which there had been from 900 to above 1,200. I crave your patience while I give you the basis for this statement.

The New York Times of December 25 contained the following item:

Of the 1,100 immigrants detained on Ellis Island as excess quota, whose release Secretary Davis ordered on Friday morning, only a few hospital cases remained last night.

The entire article bears that out and shows that about 1,100 were admitted at that port at that time, but it may be said that this is only a newspaper report. We will see, then, what Mr. Husband said about it at another time and place. I read from the hearings of December 14 (p. 209):

Mr. BOX. About how many are there?

Mr. HUSBAND. Well, at Ellis Island specifically there are about 1,125 to-day. There are perhaps about 75 at Boston. Now, the difficulty is this: These people are there almost permanently. At least these 1,125 have been sifted down to about the last limit, and they have got to stay there until they are deported.

The CHAIRMAN. When you have sifted out all that you can, you have about 1,125 left?

Mr. HUSBAND. About 1,125. That is the residue of a very much larger number.

Mr. SIEGEL. There are 1,125 at Ellis Island and about 75 at Boston?

Mr. HUSBAND. Yes.

Mr. SIEGEL. A total of about 1,200?

Mr. HUSBAND. Yes; strictly quota cases. (Hearings, p. 209.)

Further down, as shown on page 210, Mr. Husband said:

They are all quota cases. There were more deportations, of course, but these are on account of the quota.

Now, I call your attention to the order under which they were admitted and remind you that this order admits all who were then at Ellis Island, all who were then at the Boston station, all who were then at all other seaports, and all who should thereafter arrive on the 24th or 25th day of December, 1921, at any of the seaports of the United States. We had 1,200 at the New York and Boston immigration stations, according to the statement of Mr. Husband, plus the number then at all other stations, plus the number everywhere on shipboard, plus the number arriving at all other ports, during December 24 and 25.

Besides that number at the station at New York and Boston there were some 2,300 immigrants in the harbor of New York and about 380 "coming up the bay," many of whom were Hungarians, Italians, and Poles, and many of whom were probably quota cases. (See statement by Mr. Husband, hearings, Dec. 19, p. 208.)

The admission of all these and subsequent arrivals at these and all other ports on December 24 and 25 were covered by the order of admission, which I shall read you soon. Yet in the weekly report of the Commissioner General of Immigration the number of excess quota admissions was increased only 141 from December 21 to December 31, covering that very time. The number reported up to and including December 21 was 1,456, and up to and including December 31, 1,597. On December 24 and 25 all these new admissions were made. Yet the report of such admissions up to and including December 31 was only 141. The majority report says that these admissions numbered only 906. That is not correct, but it is more than six times the increase shown by the report of the Commissioner General of Immigration.

Then the increases ran along at about the normal rate which had characterized these admissions before Christmas. Each report stating:

Total excesses up to and including January 4, up to and including January 18, up to and including January 25, up to and including February 8.

The total increase from December 31 to February 8 was 313, about the normal rate of increase. Then, on February 28, 671 were added. But, making no allowance for the normal increase which had gone on before Christmas, the total number of excess admissions from December 21 to February 28 is less than those

shown to have been admitted at New York and Boston December 24 and 25.

The report of the committee accompanying this bill has the same unfortunate weakness of not stating the facts. I will undertake to show this by its own contents. I read you two sentences:

To avoid great hardships the Secretary of Labor ordered releases under conditions stated above. (Majority report, p. 2.)

Then above that I read the following:

All these temporary admissions were made on individual showings.

Now, gentlemen, listen to this reading:

To officers of the United States Immigration Service:

By direction of Secretary, aliens now being held in detention all seaports solely because in excess of quota, and those who may arrive on or before the 25th instant and be so held are hereby landed for a period of 90 days on execution of their personal bonds or personal bonds relatives, with additional understanding that bonds with qualified sureties may later be required.

This order will not apply to those seeking admission and who are therefore in detention. Expedite to fullest possible extent release for all aliens who may be affected by this decision.

W. W. HUSBAND,
Commissioner General.

(P. 2, majority committee report.)

That order includes the 1,200 who were at the stations in New York and Boston, and, in addition, all quota cases among the Hungarians, Poles, and Italians in the harbor and coming up the bay at New York, and all who might be on the sea on December 24 and December 25, and all who might thereafter arrive at any seaport of the United States. Yet the committee in its report tells the House that "all these temporary admissions were made on individual showings."

You may wonder why House joint resolution No. 237 was not presented for final action and why subsequent ones had to be introduced. Well, I shall state to you the effect of the two resolutions, and you will have to form your own conclusions as to the reason for the abandonment of House joint resolution No. 237 and the subsequent introduction of House joint resolution No. 273 and House joint resolution No. 279.

House joint resolution No. 237, presented on December 19, it was found on a hearing before the committee would not let in all of these aliens in whose behalf the steamship companies and the alien groups were working so vigorously. It provided for the admission of cases the exclusion of which would work great hardships upon people having certain blood relatives in the United States. The hardships were the excuse for all these resolutions, but it was later found that even House joint resolution No. 237 would exclude a lot of these aliens because they could not show the facts which are made an excuse for these resolutions—that is, extreme hardship and certain relationship. Concerning House joint resolution No. 237 the testimony is as follows:

Mr. BOX. How many of these that you have in port now would be released by this resolution?

Mr. HENNING. I should say one-third.

Mr. BOX. About one-third. You would send two-thirds of these urgent cases back, then?

Mr. HENNING. Yes. (Hearings, pp. 227–228.)

These cases are spoken of as urgent ones involving hardship. The urgency is the urgent desire to get in the United States and the hardship consists of being excluded. Any such rule as that destroys the immigration law, and that as it is being done the people should know it. While Representatives and Senators having foreign-born constituencies, alien groups, the foreign-language press, and the steamship lines are exercising pressure which is proving too strong for their Government, the people should understand the situation, and I have spoken with that end in view. Nothing less important would have prompted me to have spoken as I have.

If the chairman and majority of the committee would go straight on in the preparation of proper restrictive and constructive legislation, and insisting on its uniform and steady enforcement, they would have my constant and best support. I believe they would have the support of the House. The approval of the country would be assured.

But this situation deeply disturbs me. [Applause.]

Mr JOHNSON of Washington. Mr. Chairman, I yield five minutes to the gentleman from Colorado [Mr. VAILE].

Mr. VAILE. Mr. Chairman and members of the committee, it is very hard, indeed, to take issue with men with whom you entirely agree on most of their theses. The three members who signed the minority report are men of the same views as mine. We only differ on what appears to me to be a very small matter of detail. It strikes me as unfortunate, indeed, that those of us who believe, with almost religious fervor, in strong restriction of immigration, who have worked for it in and out of Congress, who have spent most of our time discussing it from the public platform and endeavoring to arouse the country to the imminent dangers of the mongrelization of our American blood and the decay of our American ideals attendant upon the admission of vast alien hordes—it strikes me as unfortunate, I say, that we of identical views on the main point should now be split on such a minor matter as is here involved.

Up to 1907 the United States had no general law limiting immigration. In that year Congress passed the act excluding those who were likely to become a public charge, those who were insane or mentally deficient—polygamists, anarchists, and people who were the bearers of contagious diseases.

In 1917, under the leadership of that patriotic statesman from Alabama, the Hon. John Burnett, former chairman of the House Committee on Immigration and Naturalization, Congress passed the literacy test law over the veto of President Wilson, after a similar bill had been vetoed in previous Congresses by Presidents Taft and Cleveland.

In 1921 the last preceding Congress took the great step of the 3 per cent limitation law, cutting down the number of admissible aliens of any nationality to 3 per cent of the unnaturalized aliens of that nationality residing in the United States according to the 1910 census. The House of Representatives of the present Congress has passed a resolution extending that law for another year from June 30, 1922. We expect that the Senate will soon agree. The 3 per cent law is not perfect. It was not exactly the kind of a restrictive measure which we presented to the House in the last Congress, but we hope and expect before this law, as so extended, runs through its second year that we shall pass, in the present Congress, a more permanent and constructive plan embodying some kind of selection on the other side, a problem which is hedged about with many difficulties affecting our foreign relations.

For 10 years prior to the act of 1921 our immigration approximated a million a year. In 1908 it got up to 1,300,000, more than 100,000 a month. In the fiscal year ending June 30, 1921, which included 27 days under the 3 per cent law, it was less than 900,000, but this was due largely to the destruction of ships, to the very low value of money in Europe, and to the inability of foreign-born people resident in America to get money to their relatives who wished to come. There are now plenty of ships to bring them, and plenty of money is being sent to them to make up for the low rate of exchange of foreign money. And those of us who have studied the subject at all are certain that without the 3 per cent law our immigration in the current fiscal year would considerably exceed 2,000,000.

In the eight months of its operation the 3 per cent law has cut immigration down to less than 200,000, and right now through the operation of the same law immigration has dwindled to less than 1,000 a week.

All of our restrictive immigration law, except as applied to orientals, has been made in the last 15 years, and in this present fiscal year we have cut immigration down to one-fifth of its former annual amount, and I believe to less than one-tenth of its reasonably to be anticipated amount.

Now, in changing to an entirely new and drastic system there has been a little margin which could not be taken care of by the new law. It is a very small margin, about 1¼ per cent of the total number who have been admitted under the new law, and the purpose of this resolution to-day is to take care of that small margin.

It consists of 2,453 people who have already been admitted temporarily under bond by the Secretary of Labor to avoid extreme hardship and suffering in individual cases. The cases are those of people coming from countries which supposed—in some cases through our own error—that they had a quota left and where it was afterwards discovered that the quota had been exhausted. There are some Armenians who came because the quota from Armenia was not exhausted, but who found that having been born in Turkey they were Turks, and the Turkish quota was exhausted. Many of these Armenians were orphan children. If we send them back, we would simply be sending them to their death. There are cases of wives, husbands, parents, and minor children so admitted, notwithstanding the quota was exhausted, in order to join their families. There are cases of babies born in a country whose quota was exhausted while their mothers were en route here from a country whose quota was not exhausted. All of the 2,453 cases are cases of manifest equities in favor of the aliens who have been so admitted, and it was practically inevitable that there should have been such cases when we changed to an entirely new system, especially at a time when the very boundaries of the countries from which these people came were not settled.

Now, the three gentlemen who signed the minority report of our committee and who are here on the floor leading the opposition to this resolution are ardent advocates of restriction of

immigration. They have voted for each of the restrictive measures I have mentioned which came up during their respective terms in Congress. These gentlemen, as you know, are all judges—Judge RAKER, Judge WILSON, and Judge BOX. As you look at them sitting here they are men of the most amiable and humane appearance in the world, and I know from my several years' acquaintance with them that that is in fact their character. But somehow when they get into the House considering a proposition of this sort involving a few hundred unfortunate people they seem to be possessed with the idea that they must have a kind of Rhadamanthean severity.

Rhadamanthus, as you will remember, is described in Greek mythology as the particularly hard-boiled magistrate who presided as the chief justice of the supreme court of hell. There were—the coincidence is a little singular—three of those unrelenting judges, the associate members of the bench being Minos and Æacus. Of course I do not want to suggest that at any time except the present moment my kindly judicial friends from California, Louisiana, and Texas possess any of the characteristics of those mythical judges. Neither do I want to suggest any comparison between the territorial jurisdiction of the court of Rhadamanthus and the place where these three colleagues of mine are now delivering their opinions. But exactly that comparison will occur to some two thousand poor people if the House does not pass this resolution to-day.

Let us see how our congressional judges have steeled their hearts to the performance of the task which they have set for themselves at this hour.

My friend from Texas, Judge BOX, stands up here and talks about this exception, this act of Congress, as a violation of law. I am reminded of two Presidents of the United States who, in a sense, violated the law of this country—President Lincoln, when he pardoned several boys, soldiers in the service of their country who were condemned to be shot because they had violated the Articles of War in sleeping at their posts in time of war. President Wilson violated the law in the same way in pardoning several men. I do not really believe that the gentlemen now opposing this resolution, who have been distinct ornaments to the bench, have always practiced such extreme severity in the business of their own courts. I am reminded of the words of that great philosopher, the Bard of Avon, who looked at humanity with a clear and at the same time a humane eye, and said—this is from Measure for Measure, an appropriate source since we are considering a numerical measure of immigration:

> Not the king's crown, nor the deputed sword,
> The marshal's truncheon, nor the judge's robe,
> Become them with one half so good a grace
> As mercy does.

Now, what are we trying to do here to-day, gentlemen? We are trying to make, in the interest of mercy, a variation of about 1½ per cent in the number admissible under the 3 per cent law. To be sure that is a larger variation than we allow in the case of the prohibition law, but that deals with things and, as my friend from Texas remarks, we are dealing now with human beings. We are asking to let in 2,400 people who have already come, who have been admitted, on the ground of particular hardship.

Mr. BURROUGHS. Will the gentleman yield?

Mr. VAILE. I will.

Mr. BURROUGHS. Is it the gentleman's position that these people were admitted legally?

Mr. VAILE. Certainly.

Mr. BURROUGHS. Do I understand the gentleman to take the position that there was any discretion whatever from the administrative standpoint to admit people after the quota was full?

Mr. VAILE. I do not know that I can answer the question to the gentleman's satisfaction, and I am not sure that I can answer it to my own satisfaction, but was there any discretion in the Presidents of the United States in pardoning young men condemned to be shot for sleeping at their posts? We are by this measure legalizing the action of the administration in admitting them. This is to remove the doubt on the subject, if there be any.

Mr. BURROUGHS. It is my understanding that the President of the United States at the time he pardoned these young men had full authority to grant a pardon, and that it was not in violation of any law.

Mr. VAILE. We are asking Congress to exercise its undoubted authority to remove any question of illegality from these particular admissions. As a matter of fact, we do somewhat similar things every day. We pass bills for claims against the Government; we pass private pension bills; we pass bills granting homestead or other rights in the public lands—all for the benefit of people who can not bring their cases directly within the provisions of some general statute, but who do exhibit strong circumstances disclosing a moral or equitable right which we decide to recognize.

Nor do I think that the chairman of this committee should be criticized for busying himself humanely in drawing resolutions to cover such cases as those presented by this resolution. This is the first of such resolutions to be presented, except one, and that was merely in favor of people who started when the 3 per cent law became operative and who were found to be coming in excess of the monthly quota. These were, of course, charged against the quota for succeeding months, and are not involved here. This resolution does increase by the very small margin which I have indicated the quotas admissible from certain countries, but it will have no effect at all to increase the total number who would be admissible under the 3 per cent law from all countries, because a number of countries have not used and will not use anything like their full quota.

Nor is there any reasonable apprehension that we may have to present other relief bills of a similar nature to this, because the 3 per cent law is having its effect. It served notice on the world that the United States is henceforth not to be a dumping ground. That that notice has been heeded is shown by the fact that we are now getting in a week only about half as many immigrants as we formerly got in a day. Anyone could expect, and most everyone did expect, that there would be some slack to be taken up in the first year of the working of this law. We are not trying to take it up by indirection or evasion. We are coming to the House of Representatives with a full statement of the facts, asking for specific authority. We are by no means ashamed of the statement we present. On the other hand, we are proud that the 3 per cent law has worked so well as to require only an adjustment of approximately one and a quarter per cent of the less than 3 per cent already admitted.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. VAILE. Mr. Chairman, will the gentleman grant me a few minutes more?

Mr. JOHNSON of Washington. Mr. Chairman, I yield one minute more.

Mr. VAILE. Mr. Chairman, I can not say much in one minute. I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. VAILE. No; I can not yield. In my one minute I shall ask these gentlemen, my friends, the minority of the committee, to heed again the Bard of Avon, and I slightly paraphrase the last line by changing the pronouns from the first to the second person:

> Having thus far proceeded—
> Unless thou thinkest me devilish—
> Is't not meet
> That you did amplify your judgment?

I hope, gentlemen of the minority, that you will do so, in the interests of humanity. These 2,400 unfortunate people will not flood the country and they are all admissible if they are excused, for the special reasons applicable to them, from the quota requirement.

Mr. GERNERD. Mr. Chairman, will the gentleman from Washington yield for a question?

Mr. JOHNSON of Washington. Mr. Chairman, I yield myself two minutes. I yield to the gentleman from Pennsylvania.

Mr. GERNERD. What assurances have we, if this be agreed to, that there will not be a repetition of it?

Mr. JOHNSON of Washington. I have already stated that now passport visés are issued, as far as possible, in accordance with the limitation, and that is the principal assurance. Then there is the fact that the law is understood, and the fact that quotas are exhausted. I presume that under an absolute, literal interpretation of the quota law, when the quota has reached the point of exhaustion, there should be no appeal to the Secretary or to anyone else. I presume that we should send a man or a part of a man back, even if we have to cut him in two; that we should send his wife back and let the man in; but the appeals came from the fact that there were questions as to geographical boundaries, questions as to nationalities, questions as to the legal residence of children. We developed these appeals, and these 2,400 cases, all of which have been properly acted on. To say that I agreed with the Assistant Secretary of Labor is correct. Certainly I was with him. I am with him, and I am doing now what I conceive to be my duty in coming to Congress and asking Congress, if it so desires, to grant this

act of grace, of mercy, and of right to 2,400 people at a time when we are reducing immigration from 1,000,000 a year to 250,000 a year, and that is all there is to it. [Applause.]

I yield 10 minutes to the gentleman from Ohio [Mr. CABLE].

Mr. CABLE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there any objection?

There was no objection.

Mr. CABLE. Mr. Chairman, there is no question of more vital importance to the American public, and particularly the workers, than the subject of immigration. Before the war immigrants came to this country at the rate of a million a year for at least 10 years. During the war immigration subsided; the number coming in was very small. Since the war the number has been on the increase until during the last fiscal year over 800,000 again came here. The condition became alarming. It was necessary for Congress to act. Because of the conditions in Europe, a million or more, I may safely say, would have come to this country to escape from the chaotic conditions as a result of the war. The coming of large numbers would have been a calamity to the country and to the American workers as well as to the immigrants themselves. There were no homes to shelter the immigrant or his family and no work whereby he could earn money to support them. The 3 per cent law was enacted for the very purpose of restricting immigration, and it has accomplished its purpose. During this fiscal year there will be not to exceed a net increase of at least 50,000 immigrants. They are now coming into this country at the rate of about 2,000 per week, but at the same time emigration is equal to at least that number; so that from now on, by reason of many exhausted quotas, emigration and immigration will be about equal. Many are emigrating from this country because in Europe their money converted into money of their native country will give them greater purchasing power than if they had remained here.

This resolution puts the question squarely up to Congress whether or not they will permit these additional 2,400 persons who are now here under bond to remain. Many of them can not be sent back to their own country because there is no one to receive them.

Congress is to be congratulated on the able work of the Secretary of Labor, Mr. Davis, and the Commissioner General of Immigration, Mr. Husband. They have provided quotas for these alien immigrants from countries that did not exist according to the census of 1910; they have provided quotas for countries whose boundaries have been changed since 1910; they have had a thousand and one obstacles to overcome; and I do not believe there is a man here in Congress who can point out a single instance where under the administration of the 3 per cent law there has been a failure. The purpose of the law has been accomplished. The restrictive law is, in fact, almost prohibition.

Whenever and wherever a man can hang out a card "Employment wanted" and have 10 employers seek his services, and he can take his pick and send nine away, conditions are good for the worker. If labor is scarce, it usually gets what it wants, be it better wages or working conditions. When more workers are needed than this country can supply, a law limiting the immigration into the United States is not as necessary as a strict selective system. Prosperity attracts aliens to this country. They come by the hundreds of thousands without a restrictive law. Because of the abundance of laborers and expansion of new and competitive industries, more goods and products are often manufactured than the public can consume. Money and working capital become tight. Directly following each peak wave of immigration comes a period of depression. Work is not so plentiful. The unskilled is the last to be hired; he is the first to be let go. Mr. Jones, the Director General of the United States Employment Service, advises me that a majority of the American workers are placed in the unskilled class. More than 75 per cent of those immigrants who do come here are also in the unskilled class; so that immigration without restriction does the most harm and injury to the unskilled American workman.

The competition is always between the unskilled laborer of America and the immigrant. It is not a fair competition. The latter are used to lower standards of living and lower wages in Europe. The skilled workers fare better. A good industry does not like to lose its organization of skilled men and they are retained as long as possible.

Whenever the country has many unemployed, immigration recedes; many emigrate to their own country. The number of unskilled diminishes. Then gradually industry gets another start. The employer gets ready, he hangs out a card "Men wanted." Ten men apply for every job. He takes his pick and sends the others away. If immigration had not been restricted or diminished during the period of depression, there would be many more to send away. Conditions are now easier for the employer. Then is the time for restrictive immigration. An American Congress should care for Americans first. If there is not enough work for all, we should see that our countrymen have the first opportunity.

The gentleman from New York [Mr. COCKRAN] is opposed to the 3 per cent restrictive measure. He is against the literacy test. On the day the resolution extending the 3 per cent law was before the House he said that only "the vicious, the diseased, and the imbecile should be excluded." He was one of the 36 against the resolution, while 281 Members of the House were in favor of further restricting immigration. The negative votes were almost entirely from New York, Chicago, Cleveland, and other centers of foreign population.

The gentleman from New York [Mr. COCKRAN] on the day the resolution was under consideration asked the question in his debate on the resolution: That if it is desirable to restrict immigrants, why should it not be more desirable to prohibit them? In reply, I ask if it is desirable for you to stop eating when you have enough, would you say it is more desirable not to eat at all? Or, I would ask you western Members, if it is desirable to restrict the flow of water on a piece of irrigated land, is it more desirable to cut the supply off altogether from that land?

Economic conditions must balance. Rainfall is necessary to produce crops, but too much rain drowns them out. In the construction of a brick wall, referred to by the gentleman from New York, the skilled laborer—the bricklayer—is first necessary. Next comes the man who carries the bricks, but there is a limit to the number of carriers that can be used. If we have too many carriers, there will soon be a surplus of bricks and the carriers will have to cease work. We do not need more of that which is now abundant—workers—but we do need more of that which is scarce—necessary capital to start the wheels of industry. The more wheat or corn we have the better off is everyone except the farmers. The price goes down. The more houses that are constructed the better it is for everyone except the landlord. Rent is lower. The more manual workers we have the better it is for everyone except the workers. Working conditions or wages may not be so good.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. CABLE. Yes.

Mr. FESS. My colleague is on the Committee on Immigration?

Mr. CABLE. Yes.

Mr. FESS. In the House we suspended immigration entirely in the first bill, but that was not accepted by the Senate. It is now 3 per cent of the nationals, as I understand it?

Mr. CABLE. That is correct.

Mr. FESS. If we accept the 2,400 that the bill proposes, what effect will it have on the unemployment situation?

Mr. CABLE. As I see it, it will have but little effect, because emigration from this country now equals immigration to it. Those 2,400 consist chiefly of women and children, who will not compete with the workers of America.

Mr. FESS. Emigration is now equal to immigration?

Mr. CABLE. That is my understanding. There are now coming into this country about 2,000 per week, and at the same time, in the months of January and February of this year, close to 8,000 emigrated from this country.

Mr. FESS. What is the purpose of their returning in such numbers? That is an interesting matter to me.

Mr. CABLE. I will try to explain that, and I will refer again to the statement of the gentleman from New York in his discussion on extending the 3 per cent immigration law. He contends that we never emerge from a period of depression except under the influence of increased immigration. On the contrary, a flood of immigration always directly precedes a period of depression. The flood recedes during depression. Only when business activity reaches normal does immigration again increase. Increased immigration is one of the causes of bad times. History tells us that we always emerge from a period of depression by the aid of American workers only; then when times get better the immigrant is attracted by the good wages in this country and he returns to America. He is with us in times of prosperity, but always absent in periods of depression.

If you will take the year 1882 as an example, the tide of immigration reached its high point up to that time—almost 800,000. Overproduction, inability to consume, capital tied up, money tight, directly followed. At the end of that year, with the huge number of immigrants, came a period of depression. The low point of the depression occurred in 1885, when prosperity and business began to increase; business went back to normal by

July, 1886. Let us see what part immigration played in bringing the country out of a depression and back to normal. Figures of the Department of Labor show us that immigration did not increase until 1887—that is, probably a year after the country was back to normal and only when wages were good did they start to come back here in any large numbers.

Or, again, take the depression of 1907. There is always a cycle of immigration the same as there is a cycle of depression, and one fits into the other. In 1907 occurred the high mark of immigration to this country, over 1,285,000. Another depression immediately followed. Then came a slump in immigration as a result of the depression. Immigration fell off, but in the meantime business began to pick up in the summer of 1908, and was back to normal in the summer of 1909. If immigration had anything to do with pulling America out of a depression, as the gentleman from New York contends, it must be shown that the immigrants came here in times of depression in large numbers, but the fact is not so. The official records show that it is not until business hits normal and there is a return to prosperity that there is always a return of the immigrants.

A more striking example is the depression of 1914. In 1913 and 1914 more than 2,400,000 immigrants came. If these people create work, as the gentleman from New York contends, why then in 1914 did we have such a depression instead of prosperity? Why was it that business returned to normal in 1915 while the gentleman's increase of immigration necessary for the return of prosperity was entirely absent? In fact, there was a decrease of immigrants of almost 900,000 less than the year previous.

We should not put the alien and his interest first. To hold that his presence here in large numbers is necessary for prosperity is contrary to history itself. Let us act humanely, justly, and fairly to both the would-be immigrants and to the Americans, but America should first be for the Americans.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, I yield 15 minutes to the gentleman from Louisiana [Mr. WILSON].

Mr. WILSON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. WILSON. Mr. Chairman, this resolution proposes to admit into the United States some 2,443 immigrants from the various nations of Europe in excess of those who would be admitted under the 3 per cent quota law. The 3 per cent quota law is the most restrictive measure we have ever had upon our statute books with respect to immigration. After the House passed the first bill suspending immigration it went to the Senate, and this bill was written in its stead as being the only restrictive measure possible to get through the Congress. I supported it. Later, when the resolution came in to admit something over 1,000 immigrants who were to be admitted over the quotas of the various nations, I supported that resolution, broke with my colleagues on the committee in order to do so, because that did not increase the number of immigrants coming from any country and because there was some confusion in the early stages of the working out of the immigration act. Now, this resolution comes up on a different basis. The restrictive act has been in operation for quite a long period. The authorities have had every opportunity to work out its details and the nations of Europe have had every opportunity to know what the quotas were, because they have been published and sent over, and the steamship companies, who have persisted in violating every immigration law that has ever been on the statute books of this country, not only knew about it, and yet they have taken advantage of what they thought would be a failure of those charged with the enforcement of this act in America to live up to the law, and so the immigrants have continued to come in excess of the quotas.

Mr. JOHNSON of Mississippi. What is the reason for this exception?

Mr. WILSON. From my standpoint there is no reason why we should make any exception, and the only reason that has been given is that just stated in the majority report and that just stated in the very interesting speech of the gentleman from Colorado [Mr. VAILE]. The majority report gives as the reason that it would be an act of grace on the part of the United States; that is what the report says. The gentleman from Colorado [Mr. VAILE], after quoting a few lines of poetry, stated it would be an act of mercy to admit those people. Gentlemen, if you are going to vote for this resolution at all that would be the reason that you follow—that there are 2,443 people from various nations of Europe who have been permitted to land here in violation of the statute whom they are going to ask to admit, and we say we will admit them as a matter of grace, or, in the language of Mr. VAILE, as a matter of mercy.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. WILSON. Yes, sir.

Mr. NEWTON of Minnesota. I am wondering what the gentleman would do with some of these, particularly infants, who have been mentioned by the chairman of the Committee on Immigration?

Mr. WILSON. What would I do with them? Do what we ought to do and say to them, as to everybody, that here is a statute, a solemn act of Congress, that ought to be obeyed and ought to be enforced. No one knows who these people are——

Mr. NEWTON of Minnesota. What are you going to do with the baby of this woman from——

Mr. WILSON. There is no evidence before the committee or the House that there are babies, or who these 2,443 people are. Now, that is the sentimental side of this question, and that happens to be a situation that becomes very interesting just at this time.

I do not know any better way to answer the argument for this resolution, the argument of grace or the argument of mercy, than to read you a few extracts from a very interesting editorial appearing in the Saturday Evening Post of March 4. It seems, whether we are dealing with immigration or any other question, that there is a disposition in this country to concede everything to the Europeans, whether it be a question of financial consideration, of immigration, or treaties, or anything else. A very interesting question came up some time ago when we were asked to pay something over $100,000,000 to Great Britain. The question was raised that Great Britain owed us more than that amount of interest on the loan to that country. This was a question of expense for the transportation of our troops that fought in battles of the late war. We paid over the cash to Britain and were not even given permission to give credit for $168,000,000 against the interest due us of $400,000,000. So that is something of the same sentiment and conditions that prevail here by which we are asked continually, after months of trial, to relax our law on immigration.

This editorial is entitled "America Last." I will read a few extracts from it. It says:

> The mob mind, without which there can be no war, has reached its fullest development in Europe; but the mush mind is peculiar to America. Every other nation, both in its foreign and in its domestic affairs, has its eye on its number all the time, and that number is invariably number one.

The writer goes on to discuss this question of picking up every European habit and yielding to European sentiment, and states, for reasons he does not give and which I do not know, that there is beginning to be a departure from that custom in America; that we are beginning to get away from that. And he goes on, after saying that, with this very interesting and encouraging observation, speaking of this yielding to other nations and the relaxing of our laws, giving up our money without contention, joining in any kind of an agreement so as to protect the rest of the world, without regard to America:

> All this is not native to America. There is a dash of Puritanism in the American character, and even at its broadest and roughest a saving remnant of decency that instinctively revolts against this lowering of our old standards.

Further—

> Wherever we turn our immigration problem confronts us, and we see the results of our policy of putting the alien and his interests first and America last. For we have done just that. We have babbled in our political platforms of the full dinner pail and the necessity for tariffs to keep it full, and then we have let down the bars to the cheap labor of every European country so that the dinner pail may not be too full. To justify the claims made by its proponents a high tariff must go hand in hand with high immigration bars or we shall have dear goods and cheap men.

Now, after that the author goes on to discuss this proposition of bringing over hordes of immigrants and putting them on American farms in order to settle up the waste places of the country—to bring them here to compete with the American farmer—and states that that is the propaganda of those who believe in unlimited immigration. Everybody who is informed on the question knows that as conditions are now it is the easiest thing in the world to produce a surplus of agricultural products, and yet the contention is to bring over immigration to reclaim land and settle up the waste places of the earth and thereby compete with the American farmer. He gives a very interesting observation, that when you have an overproduction in the steel mills production is cut down. The same is true of every other industry. But when you have it on the farm you come and ask for unlimited immigration to increase production by cheap labor with which the American farmer can not compete and maintain his standard of living.

And then later on he says:

If you will make an understanding survey of New York or Chicago or Pittsburgh, cities where the immigration problem is more apparent at a glance than in other places, though it is everywhere, you will see for yourself what is happening to America.

With it all we have not solved or even helped a single one of Europe's problems, but we have half ruined America. Yet our sentimentalists babble on of our "traditional policy" and demand that we shall "offer refuge to the poor and oppressed of Europe." There are tears for alien children, sobs for alien uncles, convulsive weeping over alien cousins, but few to consider what this bogus generosity, this asinine sentimentality has done to Americans. Must they always be last, thrown out of their jobs, run off their land, shouldered aside in their own country to make room for this plague of pushing immigrants? Must we try to solve everybody's problems except our own, and to work out everybody's salvation except our own? Or shall we go back a ways to saner and cleaner standards and strive to make this a country worth living in?

And further:

As this is written Congress is greatly concerned over the tariff and the American valuation plan. It is trying to prevent dumping of cheap foreign goods. That is important. But it is the dumping of cheap foreign men that is of first importance to us—American values, not American valuation—that should first engage our attention.

And here is something of the first importance here:

Those who want immigration—more of it, lots of it—are active. They supply mush freely, but they do not use it themselves. Their feet are on the ground and their heads are busy with the future of their races. Only the American has been so concerned with his little affairs that he has had no time to bother with larger problems—so engrossed with to-day's petty business and pleasures that he has had no time for the future of America and of his children.

Now, Mr. Chairman, nothing truer was ever said than that the proponents of unlimited, unrestricted mass organization are always busy in this country. With this 3 per cent immigration restriction, which I rather predict will be on the statute books for a number of years, not over 350,000 would come annually. Yet this resolution is proposing to admit those who have come, in violation of the law, after the quotas from their countries had been exhausted.

Mr. JOHNSON of Mississippi. And would it not encourage the very same thing in the future?

Mr. WILSON. That is what I am trying to impress upon the Members of the House. The disposition here to relax our laws, relax our customs, sacrifice our principles, for European people and European causes has become a dangerous practice in this country, and the only way we can get away from it is to stand by the laws we pass—see that they are enforced not only in this country but as against those from other countries.

Mr. KELLY of Pennsylvania. I am in general hearty accord with the gentleman, as he knows, and in accord with what he has stated to be the purpose of the bill—in other words, to permit the 350,000 aliens to come here in a fiscal year. If we pass this resolution admitting 2,400, does that mean an excess of the 350,000 in the year?

Mr. WILSON. Yes; that will be in excess of the quota for the countries from which they come.

Mr. KELLY of Pennsylvania. These are in excess of the 3 per cent quota list?

Mr. WILSON. Yes.

Mr. KELLY of Pennsylvania. I want to be sure that it is in excess over the year's quota.

Mr. WILSON. The report says that. It says that if they come in at all we do not permit it for any reason except as an act of grace on the part of the United States.

Mr. KELLY of Pennsylvania. It is not an act of grace or mercy if there is no excess of quota above the amount we allowed of 350,000 from all countries.

Mr. WILSON. I stick to my statement, that these are landed here and admitted, and if the quotas from those countries are exhausted——

Mr. VAILE. From those countries?

Mr. WILSON. Those countries; yes.

Mr. KELLY of Pennsylvania. I am talking about the quotas.

Mr. WILSON. I say the quotas from those countries, and it involves the same principle exactly. Who are these people that are seeking to come in here?

Mr. CLOUSE. Mr. Chairman, will the gentleman yield for a question?

Mr. WILSON. I first want to explain to the gentleman from Pennsylvania [Mr. KELLY]. These are here in excess of the quotas allowed from their countries. Who are they about whom all these tears are being shed, and about whom all this talk is being made about grace and mercy on the part of the United States? Read the report. Three hundred and forty-three Turks we are asked here to shed tears about and relax our laws for; also some 70 Africans.

Mr. KELLY of Pennsylvania. I was in accord with the gentleman, and I believe that we could perhaps assimilate 350,000 a year. Now, if we admit these 2,400, that does not mean that we admit those in excess of the 350,000?

Mr. WILSON. These are here in excess of the quotas of those countries.

Mr. VAILE. But the gentleman knows that immigration now has diminished to less than 900 a week.

Mr. WILSON. I do not know what it will be for the rest of the year. That is uncertain. Here are 379 from Hungary that the gentleman is here quoting his mournful poetry about, for whose benefit we shall pull down our statutes and waive our right to enforce the law and tell those people who are here unlawfully on our soil, "You can stay."

Mr. BROOKS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WILSON. Yes.

Mr. BROOKS of Illinois. Where are these people?

Mr. WILSON. I do not know where they are. They are here under bond. They have been admitted temporarily, and unless this law is passed I suppose they will be subject to deportation.

Mr. BROOKS. They are scattered all over the United States and it will be impossible to find them.

Mr. WILSON. That would be a fine excuse for the violation of the law—to say we have admitted them and they are now scattered all over the country and we can not find them.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. WILSON. Yes.

Mr. JOHNSON of Mississippi. That is a reflection on our action in allowing them to come in, is it not?

Mr. WILSON. Exactly.

Mr. LONDON. They are all under bond. They must appear when summoned.

Mr. WILSON. Yes; but they are not likely to be summoned. Now, as previously stated, the record does not show anything as to the class or condition of the people constituting the 2,443 aliens sought to be admitted by this resolution. If there are unfortunate and distressing cases of women and children, why not deal with those alone and independently? Then your appeal for sympathy might be entitled to consideration.

Mr. Chairman, when I appeal here for the proper consideration of America; American customs, ideals, and institutions; and respect for and obedience to our Constitution and the statutes we solemnly enact, I have in mind as part of this Nation our immigrant citizens as well as the native born. Those who have come here and assumed the responsibilities of American citizenship and have become a part of the social, commercial, and industrial life of our country are entitled to equal protection of its laws and the full enjoyment of all its privileges. I stand for that. But in the interest of all and for the good of all we must adhere to the policy of restricted immigration, whatever the results may be to foreign countries or their inhabitants. This question is beyond the field of politics, and about which there should be no room for division and partisanship.

There are to-day 700,000 veterans of the late war out of employment and in distress. There are 5,000,000 American citizens without work. Upon these many American women and children are dependent for their daily bread and sustenance. Should these not be first in our sympathy? And are they not entitled to our first consideration? Actuated by the belief and conviction that these Americans should come first, I believe that in the proper discharge of our obligations to our country we should oppose the passage of this resolution.

Mr. JOHNSON of Washington. Mr. Chairman, I yield to the gentleman from New York [Mr. ROSSDALE] four minutes.

The CHAIRMAN. The gentleman from New York is recognized for four minutes.

Mr. ROSSDALE. Mr. Chairman, the question under discussion here to-day is not that of immigration restriction. The only issue involved in this resolution before the House is the question of the resolution itself to make permanent the right of admittance of the 2,443 immigrants whom the immigration authorities for humanitarian reasons had temporarily permitted to enter the United States under bond in excess of the quota limit. This resolution is to remedy some of the defects of the 3 per cent immigration restriction act of last year and lessen some of the inequalities, injustices, and unusual hardships entailed to these immigrants in the administration of that law.

It is not an attempt to break down or nullify the present 3 per cent restriction act, because all of the 2,443 cases mentioned are unusual cases, resulting from the enactment of a law that suddenly changed the accepted and traditional policy of the United States from a haven and a refuge to all of the oppressed peoples of the world to a land of very limited entry, bordering on close restriction.

The administration of this new law, so different from the old law, very naturally brought about such complications which any new law brings about, for it is inevitable when a new law

is passed, especially a radically changed law, such as the 3 per cent quota act, that many inequalities would exist and that it would entail many injustices, and it is to correct these things that this resolution is presented here to-day.

Now, how unfair and unjust and how cruel some of these things may be is known only by the victims themselves, their relatives, the immigration authorities, and those Members of Congress who have interested themselves in the fate of these unfortunate people.

I want to bring before the House the case of a mother and a daughter who, if this resolution is not passed, will be subject to deportation. They are admitted under bond at present. It is the case of a poor Polish woman and her daughter. The mother had a son living in my congressional district. The boy enlisted in Company D of the Three hundred and twenty-eighth United States Infantry. He was a runner, a dangerous assignment as you know, and he was killed in action in France. Some time in the month of December my home paper, the Bronx Home News, called my attention to this case, and I went down to Ellis Island and saw this old lady and her daughter, and through an interpreter I got her story. She handed me this telegram. It had been forwarded to her in Poland by another son, who is also a citizen of the United States, and it was from The Adjutant General of the United States Army. I am going to read it to you. I read:

MEYER GOSTIN,
1037 Bryant Avenue, New York:

Deeply regret to inform you that Pvt. Harry Gostin, of Three hundred and twenty-eighth Infantry, is officially reported as killed in action between October 8 and October 15.

(Signed) HARRIS,
The Adjutant General.

The record there is wrong. The name is Gostinska. The mother's name is Rela Gostinska and her daughter Perl Gostinska.

No one will deny that this poor woman and her daughter have a just claim to enter the United States. This mother gave all that any mother can give to our country. She gave it her boy. [Applause.]

Mr. Chairman, it is unthinkable to insist upon deportation and send this boy's mother and sister back to Poland. I do not think harsh action in such a case would meet with the wishes of the American people, for deportation is generally a tragedy since they have nowhere to go, once they leave their homes in their native land. We owe a great debt to some of these soldier boys. Among that 2,443 aliens are numerous blood relatives of foreign-born American soldiers. I could bring a number of such cases before this House had I the time.

I have here a poster or billboard that was posted in 1917 and 1918 in my district and elsewhere throughout the country, and on it in blood-red letters are the words "Americans all." "Enlist." It mentions all of these names: Du Bois, Smith, O'Brien, Cejka, Haucke, Turovich, Kowalski, Pappandrikopolous, Andrassi, Villotto, Levy, Chriczanevicz, Knutson, Gonzales. I find here two Polish names. I can understand why Harry Gostinska enlisted and fought and died for this country, but I can not understand why gentlemen will stand up in this House and deny to this woman, this mother of an American hero, an asylum here. [Applause.]

The case I have cited is of two of these 2,443 immigrants who face deportation unless this resolution is passed. I could recite the heart-rending stories of a number of the others, for their cases have been called to my attention by their relatives, and I have aided in bringing their appeals before the department whenever the extenuating circumstances warranted it. Each of these cases is gripping in its human-interest story and tells of sufferings and hardships almost beyond belief. This resolution affects 2,443 immigrants, very few of whom have a place to go if we were to deport them.

I have stressed the case of the mother and sister of an enlisted foreign-born soldier, who gave his life for his adopted country, and which country now challenges the right of his mother and sister to enter that land of adoption, because, unfortunately for them and for all the others who have no ex-soldier relatives here, a certain stipulated number of persons—we call it a quota—preceded them here by possibly a number of weeks or days.

The 3 per cent immigration restriction act of last year made no exception and gave no preference to the blood relatives of our foreign-born soldiers who served this country in the late World War, and among these 2,443 immigrants are many parents, brothers, and sisters and fiancés of foreign-born American soldiers. It is too late now for us to discuss the merits or demerits of that act, for it is the law; but we can at least remedy some of its defects, and I believe no quota restriction should prevent the father, mother, sister or brother, or fiancé of any honorably discharged American soldier from coming to our shores.

The CHAIRMAN. The time of the gentleman fom New York has expired.

Mr. ROSSDALE. Mr. Chairman, I ask for a few minutes more.

Mr. JOHNSON of Washington. Mr. Chairman, I yield to the gentleman one minute more.

The CHAIRMAN. The gentleman from New York is recognized for one minute more.

Mr. ROSSDALE. Under the provisions of the act of last year the total number of immigrants eligible to enter the United States from everywhere in the world was about 300,000. Of this total quota from all countries, 198,000 have been admitted to date. From a number of countries the quotas were filled in a five-month period and some shortly thereafter. From the countries with large quotas only a portion of those eligible came; hence it is that the countries with the smaller quotas were soon filled, and there came a surplus. It could not be avoided, for we had no way of properly allotting the consular visés to check it. About 1,700 were actually deported because of excess of quotas; an additional 2,443 cases were of such unusual circumstances that they were permitted to enter temporarily under bond, and I am certain this small number of persons added to our population will not alter the industrial, political, or economic conditions of the United States, and we ought to permit them to enter, and I hope this resolution will be passed.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. ROSSDALE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 17 minutes.

Mr. JOHNSON of Washington. I yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. RAKER. And I yield to the gentleman two minutes.

The CHAIRMAN. The gentleman from California yields two minutes, making seven minutes in all.

Mr. SABATH. Mr. Chairman, if the House had given any consideration originally to the law, and had given a little more time so as to make it possible for those who were already on their way to enter our ports, this resolution would not be necessary. But unfortunately the majority of the 2,400 immigrants in question were on their way before the 3 per cent law went into effect.

Mr. JOHNSON of Washington. The gentleman means that they were either on their way or that they had visés on their passports.

Mr. SABATH. Or that they were in different ports. I do not mean that they were already on shipboard.

Now, in some way or other gentlemen are under the impression that this amendment to the law will let in a great number of people, and even the chairman tells how many will arrive. Do gentlemen know that during the period in which the 3 per cent law has been in effect, and I quote from statistics which were just handed to me, that since July 1, 1921, only 226,661 immigrants were admitted and that 251,461 departed, or 27,600 more immigrants departed than arrived; and I venture to say that when the fiscal year is over we will not have admitted more than 275,000, most of whom are the wives, children, and parents of American citizens and declarants, and that at least 350,000 will have departed from the United States?

And still there is great hue and cry about the 2,400 people who have been admitted, a majority of whom are the wives, mothers, and fathers of American citizens and declarants who have done a great deal for the country during the war. I am amazed that there are some people who are ready and willing to say that these mothers and fathers, these wives, and these little children should be taken from here and sent back where they have no one to take care of them. I think it would be not only unjust but the most inhumane act of which this House could be guilty to send them back. I appeal to the membership on this side not to be carried away by prejudice, but to demonstrate that we are big enough, that we possess hearts, that we do sympathize with unfortunate people, especially women and children, and that the membership of this House will say to them, "You are here; you have been admitted; you are not taking any jobs from anyone else; you are being taken care of; you are living with your friends and relatives; and here you

may remain." The majority of these people do not deprive anyone else of a job.

Mr. BURROUGHS. Will the gentleman yield?

Mr. SABATH. I can not yield. I am sorry I can not; I have not the time. The unemployment in this country last year was not due to immigration. It was due to other causes. Do not blame it on immigration, because since 1915 we really have had no increase in immigration. So do not charge it to that. If you think these people are undesirable, I wish you would come out into the interior of the country and see what good citizens they are getting to be, instead of reading prejudiced articles that have been paid for and instigated by narrow-minded, prejudiced men. Come out to Chicago and I will show you some of these people. I had the case of a mother and two daughters for whom I appealed. A mother lost her two boys fighting for the cause of the Allies. These daughters have been admitted temporarily, and they have been here seven or eight months. In that time they have saved $450. They will not become a public charge. They have already deposited $300 on a little home which they have purchased and in which they now live. By refusing to vote favorably for this resolution you say to that happy mother and two daughters, notwithstanding that she gave to the cause her only two sons, that they must be taken into custody and deported to a country where nothing but starvation awaits them.

Mr. Chairman, the gentleman from Louisiana [Mr. WILSON], who preceded me, has read from an article from the Saturday Evening Post, wherein the writer points out the great dangers our Nation faces because of our broad and liberal immigration policies in the past. To him and all others who are engaged, as well as those who employ them to write these articles, I will say that the actual facts completely belie their charges and assertions. If they were desirous of giving the actual truth as to the effect that immigration had upon our Nation, they would be obliged to say that the real increase in immigration commenced in 1880, and since that time the country has increased its wealth from $43,000,000,000 to $290,000,000,000 in 1921; our exports have increased from $835,000,000 in 1880 to $6,516,000,000 in 1921; in 1880 money in circulation amounted to $973,382,228, while in 1921 it reached the sum of $5,774,065,654; in 1880 bank clearings totaled $84,000,000,000 and the amount reached in 1921 was $462,920,000,000; deposits in savings banks in 1880 was $819,000,000; in 1921 they were $6,018,000,000; the number of depositors in 1880 numbered 2,335,582; in 1921 they numbered 10,737,843. The value of farms and farm property in 1880 was $12,180,501,508; in 1921 the value was $40,991,449,090; farm products value in 1880 were $2,212,000,000 as compared to $8,498,000,000 in 1921; the farm animal value in 1880 was $1,576,000,000; in 1921, $6,235,000,000. Cattle horses, and swine actually doubled since 1880. In 1880 we exported $835,000,000 worth of merchandise, and in 1921, $6,516,000,000; in 1880 the value of our mine and quarry products amounted to $367,000,000; in 1920, $6,707,000,000. In 1899 we built vessels amounting to 300,000 tons; in 1920, 3,880,629,000; and in 1921, 2,665,000,000 tons; in 1920 we had 12,601,935 telephones in the United States.

In 1880 we had 8,955,000 dwellings and in 1920, 20,697,000, and notwithstanding that within the last 10 to 15 years we have constructed thousands of up-to-date, tremendous apartment buildings, in 1920 there was only 5.1 per cent persons to a dwelling as against 5.6 in 1880, clearly showing that more people own their homes and live better. In 1880 the average daily school attendance was 6,144,000; in 1918 it was 15,548,000. The university attendance for 1880 was 286,000 students and in 1918 it had increased to 650,000. For common-school education the sum of $78,000,000 was expended in 1880; in 1918, $763,000,000. The number of collegiate resident graduate students in universities, colleges, and technical schools in 1880 was 68,256; in 1918 they numbered 375,000.

There is no one who has the courage or nerve to say, notwithstanding the immigration for the last 40 years, that America and the American citizen has not progressed, not only in wealth but in education and knowledge, so that he is head and shoulders above any other people on the face of the globe. It must be admitted by all and everyone that the five millions of boys who formed our Army, Navy, and Marine Corps in the late war, beyond any doubt, surpassed men that composed the armies of any other nation, not only in vigor, loyalty, courage, and bravery, but physically, mentally, and intellectually, and that notwithstanding the fact that nearly 50 per cent of them were the boys of immigrants or immigrants themselves.

Mr. Chairman, it seems to me that the article which the gentleman from Louisiana [Mr. WILSON] read must have been written by the same individual who just completed a book which has just reached me, and undoubtedly sent to every other Member for the purpose of prejudicing them on this question. This book, to my mind, contains more unjustifiable, unwarranted charges, and more libel than any other "thing" ever written by anyone who had the courage (?) to publish it under his own name.

Mr. Chairman, during the war immigrants demonstrated beyond any doubt that they were loyal and patriotic and ready to give even their lives for this country of ours. Why should we not be fair and liberal and humane to these few people who will not affect anyone. I venture to say that not one of these 2,400 people live in the districts of the gentlemen who are opposed to this joint resolution. Still, these gentlemen take great pains to oppose this humane measure that has been brought in by the chairman of this committee. I congratulate the chairman [Mr. JOHNSON of Washington] upon his action, and I congratulate the majority of the committee, and I hope that when you gentlemen vote you will not be carried away by the remarks and statements that have been printed in some of the papers, statements which are not true, written by people who do not know anything about conditions or who willfully and deliberately falsify. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, I yield three minutes to the gentleman from Minnesota [Mr. NEWTON].

Mr. NEWTON of Minnesota. Mr. Chairman, during the last fiscal year nearly 1,000,000 immigrants were permitted to enter our country. Thousands upon thousands of others would have come over if it had not been for the restrictions of the visé law. This Congress felt that for the present at least immigration to the extent of 1,000,000 per year was far too much, and passed the 3 per cent law which provided for a maximum of 355,000, providing every country filled its quota. Up to the present time about 200,000 have been admitted, and as many countries have already exhausted their quotas, probably not to exceed 250,000 will enter this fiscal year. This 3 per cent law was not a substitute for existing restrictive laws but an addition. It was a further restriction. It said in effect that regardless of qualifications under existing law not more than the 3 per cent shall enter.

It was a distinct departure from existing law. It was passed as an emergency measure, and was placed in operation without adequate time to work out proper methods for administering it. Quotas had to be established for each country. European boundaries have been changing, making it difficult to apply quotas to individual cases. But with all its faults and difficulties it has one real virtue. It restricts, and that is what this country needs.

Some of these quotas were necessarily small and were exhausted almost immediately following the passage of the act.

It appears that in one way or another 2,443 persons have been admitted by the Immigration Service who are in excess of the quota. The list is as follows:

EXCESS OF QUOTAS.

A table showing the excess of quotas by countries from July 1, 1921, to February 28, 1922, follows:

Number of persons admitted in excess of quotas to Feb. 28, 1922, during eight months of operation of 3 per cent act.

Belgium	5
Greece	152
Hungary	379
Yugoslavia	228
Poland (including eastern Galicia)	251
Portugal (including Azores and Madeira Islands)	78
Spain	97
Other European (including Andorra, Gibraltar, Lichtenstein, Malta, Memel, Monaco, San Marino, and Iceland)	25
Palestine	151
Syria	87
Turkey (Europe and Asia, including Smyrna district)	431
Other Asia (including Persia, Rhodes, Cyprus, and territory other than Siberia, which is not included in the Asiatic barred zone; persons born in Siberia are included in the Russia quota)	444
Africa	63
Australia	7
New Zealand	24
Atlantic Islands (other than Azores, Madeira, and islands adjacent to the American continents)	21
Total	2,443

These people are not defectives. All are admissible under our immigration laws. All have a visé from an American consul. They have not been admitted because they come from countries whose quota has been exhausted.

How did they happen to come? Why did they leave their own country before learning whether they would be permitted to enter here?

Among this number are orphan children whose friends were assured by the Government that the quota was not exhausted and who then cabled for the children to come. Upon arrival here the quota was found to be exhausted.

Others of these people left their homes in far-away parts of Asia before we passed this law. The journey here has cost them thousands of dollars.

There is a group of people from Assyria, who fought against the Turks in Mesopotamia and who, after untold hardships, finally reached civilization. Throughout their overland march of hundreds of miles they carried at the head of their column the Stars and Stripes. American consular officers furnished them with visés. This was long before the 3 per cent law was enacted. The quota from Assyria was small, and when they arrived at our Pacific port the quota had been exhausted.

What shall we do with them? We can not send them back to Assyria. They have no way of getting there. Furthermore, the Turk would be there to exterminate those who arrived.

In this group of 2,400 are 200 Armenian refugee children. They were gathered together by American citizens, who brought them here in good faith, with no knowledge of the fact that coming from the Armenians of Turkey they were properly chargeable to Turkey, whose quota was exhausted.

You who are opposing this law, what do you advise doing with them? American citizens in the best of faith brought them here after they had rescued them from the Turk. Shall we turn them back? You who oppose this law must either answer in the affirmative or propose another remedy.

The hearings before the committee show that the Turks massacred one group that were denied visés because the quota had been exhausted. Three American citizens were among those slain.

Surely we can not turn these people back under such circumstances. American citizens in good faith have brought them here, and I am not willing to lend my aid to their deportation to certain death.

Mr. BOX. Will the gentleman yield?

Mr. NEWTON of Minnesota. I am sorry, but I can not yield.

Mr. Chairman, there is but a choice between admission or deportation.

It is the business of the State Department to establish a proper liaison between its visé officers and the Immigration Service so as to prevent issuance of visés where quotas are exhausted or nearly exhausted.

The Immigration Service should not permit quotas to be exhausted, but should keep a sort of reserve list for cases of great emergencies.

The steamship companies should be required to observe even more care in selling passage to citizens of countries whose quota is nearly exhausted.

Mr. Chairman, I understand that this is being done, or is being worked out. In my judgment there should be no occasion for any similar request for the next year if there is this cooperation between State Department, Immigration Bureau, and steamship companies. Mr. Chairman, this bill in the interests of humanity and for the good name of America should pass. [Applause.]

Mr. RAKER. Mr. Chairman, I will occupy the remainder of my time.

The CHAIRMAN. The gentleman has 20 minutes.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I request, for the first time I have ever done it, that I may be permitted to conclude my remarks without interruption.

Mr. MOORE of Virginia. Will the gentleman yield for one general question?

Mr. RAKER. For one question.

Mr. MOORE of Virginia. It does not pertain directly to this measure. At least three years ago the promise was held out that a permanent law would be enacted fixing a definite immigration policy. When the bill was brought in that was passed about a year ago that promise was renewed. Nevertheless since that bill was enacted there has been another merely temporary extension measure passed by the House. Can the gentleman tell us—and I know if he can he will do it very frankly—why it is that the committee has failed to evolve permanent legislation dealing with the immigration problem, which is admitted to be of prime importance, and with all its features, and including the matter of examining immigrants on the other side of the ocean, so as to avoid having those who are disqualified from being landed in this country?

Mr. RAKER. I wish I could do so now, but I will get to that before I get through. Now, gentlemen, I shall be frank and as near to the point as I can on what I am going to say. The gentleman from Ohio [Mr. FESS], on the 2d of March, made a speech on what had been accomplished in the present administration, and included in that as one great constructive piece of legislation the act of May 19, 1921. Now, that act provides that when the 3 per cent has been exhausted no more can be admitted. It is not a provision that allows any discretion in the Secretary of Labor; it is a plain mandatory provision:

> When the maximum number of aliens of any particular nationality who may be admitted in any fiscal year under this act shall have been admitted, all other aliens of such nationality, except as otherwise provided in the act, who may apply for admission during the same fiscal year shall be excluded.

There is no discretion. The question of mercy is not involved in this case. The minority would go as far as anyone if it was.

Now, gentlemen I want to say to you that there was not a word of hearings or testimony had on this resolution. There was nothing before the committee in regard to these 2,400—who they are, where they came from, what is their nationality—except a written statement left with the chairman of the committee, which I hold in my hand, and which is referred to and made a part of this report. There is nothing to show when they left their own country, and I say without successful contradiction that the chairman of this committee made a statement to this House when the matter was up on June 20, 1921, when we allowed the 11,000 during that time to come in under the resolution, that "that would clear the seas." Turn, gentlemen, to the RECORD, page 2778, and you will see that he said that would clear the seas of all the men that had started entitled to enter, and they allowed the 11,000 to enter.

Mr. BOX. And were not a lot of them landed in advance while that was being considered?

Mr. RAKER. That is true. The order made does not show any question of hardship. I want to impress on your mind, if I can, that when we made a request that the committee have hearings to show where these people came from, when they left, and how they were admitted, and whether there was any question of mercy or sympathy, it was defeated and turned down and the committee of this House was denied an opportunity to be heard. All these statements about sympathy, all these statements about mercy, are not involved in this case, because there is not a word of testimony before the committee on any such basis.

Let me tell you what is the matter. The Immigration Service, by virtue of the enormous pressure that is being brought to bear by certain Members high in official authority, many groups of people interested because they want the work, many people who desire to bring them here, organizations, have been doing everything in their power to break down this law and get their people in. I believe that we would have been able to show if we had gone into testimony in the hearings that some of these men had been sent for and notified four or five months before they came over believing they would be entitled to be admitted. They have broken down the Immigration Service at Ellis Island ruthlessly, improperly, and I just want to call your attention without reading any names, as I think it ought to be, what was done:

> Report that certain officials under Immigration Service at Ellis Island and New York have been charged with criminal violation of the law in regard to admitting immigrants. How many and what is the situation? Kindly advise me. I want it as a member of the Committee on Immigration of the House.

That was the only chance I had to get any information. What do I get?

March 13, 1922—this is from a public official, who has charge and knows:

> The matter about which you have telegraphed me is in the hands of the district attorney. I can not, therefore, divulge any names at the present time.

Money being used; desire to bring these people in against the law; desire to break the law down? Gentlemen, there was never such a saturnalia of effort to break down a law as there is at this time, and we would have been able to demonstrate it if we had had the hearings. I am not going to criticize my colleagues, but I think they were mistaken. They are overburdened with telegrams to break down the law and put people in. That is the trouble.

Now, in addition to that, here is the crux of the situation, and I want you to think about this: There are 2,400 and over who are here. Nobody knows whether they are men, women, or children; nobody knows whether they are all laboring men; nobody knows——

Mr. ROSSDALE. The department knows.

Mr. RAKER. We do not get the information. Their agents are charged with a criminal offense in letting them in.

Mr. ROSSDALE. They are not admissible under this act.

Mr. RAKER. Twenty-four hundred. Let us see what that means to the steamship companies. According to my colleague and lovable chairman, when he made his speech, which I have before me, on June 20, 1921, that bill cleared the seas. That is what he said, and it did. We extended it four or five days. None of these people that are admitted started without knowledge, and everybody knows it. This notice is given every week to the steamship companies and to everyone else. The steamship companies, under the law, must pay the expense of keeping these people; they must pay the expense of gathering them up. They must pay the expense of returning it, and they have been active, energetic, persistent, domineering, and have almost tried to override the Congress. They have appealed to the President; they have gone to the Secretary of Labor; they have gone to the Commissioner General of Immigration. They have done everything on earth they could in every way in New York. This bill alone means to them in the neighborhood of $500,000, from the payment of which they will be relieved, if the bill is passed.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. MANN. Do I understand that these persons who have been admitted under bond, if they are returned, are returned at the expense of the steamship companies?

Mr. RAKER. Yes.

Mr. MANN. That statement is directly opposite to one made to me by the Immigration Service.

Mr. RAKER. It could not be.

Mr. MANN. It was so made.

Mr. RAKER. What I mean is this: It could not be the law, because the law says that they can not be admitted. There is no provision that gives the Secretary of Labor or the Commissioner General of Immigration the right to admit these people. Therefore he has allowed them to enter temporarily, with an understanding, and the order is made now for deportation in every case, because they are here contrary to law, and the steamship companies must pay their expense while at Ellis Island and must assist in gathering them up and must return them, and it will amount to in the neighborhood of $500,000, and the steamship companies are personally involved here. They are the ones for whom we are shedding tears and not for any pretended or assumed orphans. To make my answer plain to the gentleman from Illinois——

Mr. MANN. Oh, I think the gentleman makes the answer plain, but it is contrary to what the Immigration Service told me was the case.

Mr. RAKER. I say this, and I stand by it, and there is no getting away from it. If they had not been admitted, if they are admitted temporarily, legally, the steamship company is responsible, and if the Secretary of Labor has admitted them illegally, then the question of whether the steamship companies would be compelled to return these people and pay their expenses is doubtful.

Mr. MANN. It is easy to split hairs about the theory, but the fact is another thing. The fact is that the steamship companies do not return them at their expense.

Mr. RAKER. It is a dead, open, moral certainty that if they had been detained as directed by law, had been kept at Ellis Island, the steamship companies under the law would have been compelled to return them at the expense of the steamship companies.

Mr. MANN. There is no doubt about that.

Mr. RAKER. There is no doubt about that. It is only a question of the violation of the law.

Mr. VAILE. Mr. Chairman, will the gentleman yield?

Mr. RAKER. I can not yield. Except for a voluntary, ex parte statement, there is not a word before you upon which you can base your judgment or sympathy upon the question of even humanity, if you please. The committee were denied that right. We were unable to get that testimony to bring it before you, and there is brought in here the bold statement, and they rely on hearsay or outside testimony in regard to this matter, and they are now appealing to you on the question of sympathy to break down the Immigration Service to permit these people to come in here contrary to law, to the end and for the reason that many people or a number in these large cities are interested and always have been against the immigration law in the first place, and in the second place as a finality and as a fact the steamship companies are the people involved, and they are the ones who want this law repealed if they can get it repealed. They are the ones who are the strong sponsors for the particular legislation to allow these people in here. Talk about sympathy, talk about mercy, talk about humanity! Then my friend from New York comes in here with a folder that he has had rolled up for three or four years, with nothing to show who these people are. We could have gotten at the testimony and have presented it to the House if we had had the opportunity. We would have been able to show how the Immigration Service at Ellis Island is being broken down, when it has been suggested on the outside that some men went in and rubbed at least 20 names off the manifest, and then had gotten $100 apiece for these men that were over the quota. This is thus reported. The facts should have been adduced. We could have proven those facts I am convinced, but we were denied the opportunity, and you are denied it. The Secretary of Labor, the Commissioner General of Immigration, each in his heart and in his mind wants to enforce the law. They told us that they are in favor of it, but there is a constant appeal and demand that they do not enforce it. We should uphold them in enforcing the law.

Then they promised him they would possibly get this piece of legislation through in this body if he would let them in temporarily, and then he told them that these people ought to be deported. That they were here illegally, and this Congress breaks the law down. That was his statement to the committee some time before on another matter. If we are going to enforce the law, it is up to you, it is up to the people. Now, what are you going to do about it? We said, enforce the law, of course; there is nothing else to do. You break it down in this instance; break it down in matters that are somewhat important; and every steamship company gets notice every week, and everybody knows the quota, full information has been given to these people, and notwithstanding that they said that they secured the passage of one resolution leaving in over 11,000 who were illegally here at that time, and we will run the risk, we can even send over for our friends, our relatives, or anyone we want, because we know by the time they get here they will be held at Ellis Island for a week or two or maybe 10 days, great complaint will come up on the ground of sympathy; we will give no facts; we will submit no testimony to be presented; and the House will have no opportunity to know the facts, and we will make a grandstand play on the ground of mercy and humanity, and we will get the resolution through, notwithstanding the appeal of my distinguished colleague from Ohio, who got up here the other day and said that this was one of the great pieces of legislation enacted by the present administration, that he believed in the enforcement of the law, that if we passed a law and if we find men violating the law we ought to punish them, and that we ought to stand by the law, we ought to stand for the enforcing of the law. Here you come, because there are a lot of appeals, because there is organization, as Judge Box said, because he watched them; the steamship companies stayed up until 11 o'clock at night with the committee on December 19, and the next day, when they thought they were going to get the resolution through, the whole bunch of them were in the gallery looking down here weeping for the little girl or the little boy, claiming mercy for them because of the women and children and the wives and mothers of the ex-service men. My God, they never thought about it. They were thinking about the $500,000 that was coming into their pockets if such a resolution was passed.

Mr. ROSSDALE. Will the gentleman yield?

Mr. RAKER. I can not. That is what there is in this business. Gentlemen, I do not know in 10 years when there was a matter of this importance that has come before the House that the committee having charge of it was denied the opportunity to go into the facts and get an opportunity so we might present it.

Mr. JOHNSON of Washington. Does the gentleman deny the facts are not strung all along the 500 pages of the hearings?

Mr. RAKER. I am not criticizing the gentleman; I do not intend to; but am stating my idea of this resolution. We had no testimony on it. You will remember, Mr. Chairman, I made a motion to have a hearing, and I was voted down.

Mr. JOHNSON of Washington. I remember——

Mr. RAKER. We started out——

Mr. JOHNSON of Washington. I will ask the gentleman if he denies the testimony, and I make the charge that the gentleman in order to delay this piece of legislation wanted to run through and have an individual investigation of the 2,400 and more immigrants, which would have been an impossible thing to do.

Mr. RAKER. I did not intend to delay, and I never have. I wanted to get the facts. I made the charge then, and I make the charge now, that if the facts were presented to this House there would not be 5 votes in favor of this resolution. You could not afford to stand for such a bad piece of legislation, breaking down the laws of the country in favor of the steamship companies. This testimony which the gentleman refers to

related to another proposition altogether, not to these 2,400 and over here desired to be admitted by this resolution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I yield two minutes to the gentleman from Kansas [Mr. WHITE].

Mr. WHITE of Kansas. Mr. Chairman, in all the declamation to which we have listened, full of sound and fury, not one single opponent of this resolution has said "send them back, deport them"—not one; not one has suggested it. Mr. Chairman, in inaugurating a new and untried policy after 135 years' experience under the Constitution the only wonder is that this law has been as successfully administered as it has. [Applause.] Not a man has said "send them back." The gentleman from Louisiana [Mr. WILSON], for whose veracity I have a very high regard, I think unintentionally misled some members of this committee when he stated or carried the idea that the admissions proposed by this resolution exceeded the aggregate provided for under the law. He should have said definitely that it exceeded the quota from the certain countries involved. The operation of this law has reduced immigration from 750,000 to 195,000 up to date, and the well-authenticated statement by men particularly close to this subject, with every opportunity to speak by the book, is that the immigration will not exceed 250,000 for the current year.

Gentlemen speaking on this resolution did not state the issue. They avoided it; they side-stepped it. They did not attack the law. They stated that some mysterious, unlocated influence is and has been at work to break down the law, and yet did not even cite a single instance where any officer charged with its enforcement had connived at its violation.

In most pathetic terms we have been presented with the catalogue of the deportation or rejection of 37,719 inadmissible aliens through a period of 20 years preceding this restriction because of idiocy, imbecility, epilepsy, constitutional, mental, or nervous inferiority, insanity, and so forth. Does the gentleman find any justification in these citations for his opposition to this resolution? Certainly the gentleman would not have admitted any of the 37,719 who were rejected or deported in conformity to law. The gentleman does not complain that the same provision of law is now being rigidly enforced. Does the gentleman mean since we have turned back so many thousand undesirables, we should now turn back a few hundred immigrants who are admissible except for the reason that they are in excess of the quota from their respective countries? The gentleman from Texas [Mr. Box] is painfully exercised because an immigrant is seeking admission among the list covered by this resolution, because it is shown she is coming to her uncle, who is well able to care for her, so that she will not become a public charge, and complains that there are many other similar instances. Well, what does the gentleman want? Would he prefer we should admit a pauper or one who is liable to become a public charge? The gentleman is a good lawyer and knows well that the requirements in this particular are rigidly enforced.

Mr. Chairman, there is but one question involved, and it has been clearly stated by the chairman of the Committee on Immigration and Naturalization. Shall we do what we have the unquestioned power to do, pass this resolution and admit a few here and there in excess of the inflexible number fixed by law, or shall we say, with what seems to me an almost brutal and certainly a cruel disregard of the finer instincts of humanity, we will enforce the law and make no exception? We will not mitigate its harshness; no, not if it separates the mother from her baby, the husband from the wife, the little boy or girl from his citizen father and mother in a good American home. Gentlemen, I will not so vote. In answer to my name my lips would refuse to pronounce the word "no." And so long as the kindlier instincts of humanity shall stir my soul, when no national interest is jeopardized, my sympathy and my vote will never be cast to separate a mother from her baby.

Mr. JOHNSON of Washington. I yield the remainder of my time to the gentleman from New York [Mr. SIEGEL].

The CHAIRMAN. The gentleman from New York is recognized for six minutes.

Mr. SIEGEL. Mr. Chairman, I have been a member of the Immigration and Naturalization Committee for over seven years. Never before in the history of this House and of this committee have I seen any gentleman rise here and make remarks along the lines which have been made by the gentleman from California [Mr. RAKER] as to what occurred in the committee room on the evening when one of the steamship representatives appeared before the committee. I say to you that the steamship representative came before the committee at the particular request of the committee, because we were seeking information.

At page 230 of the hearings we find the following testimony:

STATEMENT OF MR. E. H. FARLEY, ASSISTANT PASSENGER TRAFFIC MANAGER, PANAMA PACIFIC LINE, INTERNATIONAL MERCANTILE MARINE CO., 9 BROADWAY, NEW YORK CITY.

Mr. FARLEY. I represent the International Mercantile Co. Our president was here this morning, and there is very little I can add to what he so ably presented.

Mr. BOX. That was Mr. Franklin?

Mr. FARLEY. Yes, Mr. Franklin. I simply came here at the suggestion of Congressman SIEGEL.

Mr. SIEGEL. We all had the pleasure of meeting Mr. Farley, if you will recollect, when we were on the *Adriatic*.

Mr. FARLEY. I want to assure you, Mr. Chairman and gentlemen, that I appreciate the fact that the chairman and yourselves recognize that the steamship companies had a problem to deal with in carrying out the execution of the law. That we have done so well to me is remarkable. I recall that when the law went into effect we asked the authorities, the commissioner general—we pointed out to him that, in our opinion, the best way would be to govern quotas by departures from Europe, pointing out the difficulty otherwise to properly enforce it on basis of arrivals. However, it was not found possible to put that into effect; but, to my mind, to regulate the movement by departures rather than arrivals is the solution, and in any legislation contemplated I think that should be arranged.

Mr. Chairman, there is not a single man, woman, or child of these 2,453 whom they want to be returned to the other side who would be shipped back at the expense of the steamship companies. The law is plain in regard to that. And why all this hairsplitting? Who are these 2,453 immigrants? Ninety per cent of them are women and children—many of them are mothers of men who gave their lives on the other side during the World War fighting under our flag. I hold here a picture of one of the boys whose life was given up on the other side on October 8, 1918, and among his papers was found a request that his mother come to this side. She got her visé in May, arrived in December, and was ordered excluded because the quota was exhausted. Secretary of Labor Davis, under the power vested in him under the immigration act of 1917, permitted her to enter America. I want to say that all these cases are somewhat along that line. When the gentleman from California [Mr. RAKER] attempts to tell you that these steamship companies are appealing to keep these men and women and children here in order to save money, he is telling you something which, to use charitable words, is not a fact. I might use stronger language to emphasize what I mean, but the House understands.

Mr. VAILE. Will the gentleman yield?

Mr. SIEGEL. I will.

Mr. VAILE. If they were deported they would be deported at the expense of the United States, would they not?

Mr. SIEGEL. Either at the expense of the Government or of their relatives if they would volunteer to pay for their return transportation. The law is plain in regard to that particular subject. These people came to America of their own accord originally, and the United States consul in each case received $10 to visé their passports. These visés were granted by our own officials abroad, who apparently were not informed of the exhaustion of the quota. If our consuls did not know, how could these immigrants know?

Mr. VAILE. The steamship companies would profit by the deportation because they would be paid by the United States.

Mr. SIEGEL. There is no doubt about that, because we have a contingent fund for the return of aliens.

Mr. BOX. Will the gentleman deny that Mr. Sanford, Mr. Farley, and Mr. Franklin insisted before the committee on the night of December 19 that they should be admitted in accordance with this resolution?

Mr. SIEGEL. Mr. Franklin appeared in the daytime. The only witness appearing in the evening was Mr. Farley, because he returned at my particular request.

The 500 pages of testimony were taken, not only in the daytime but at nighttime as well. This committee has worked day and night for months for the purpose of gathering testimony. No person can understand the immigration problem with its numerous ramifications affecting life and death of individuals unless he will read this testimony. And I say right now and once more, and I defy the gentleman from California [Mr. RAKER] or anyone else to prove to the contrary, that these 2,453 people are not women and children mainly who are coming here. To whom? Their own next of kin. We all know what the situation was when the law went into effect. We know that the testimony establishes that these couple of hundred children and others had gotten their visés in May, before the law went into effect, and it took a long time for them to come here. The stories of the hardships, sufferings, and cruelties many of them had undergone were bound to move the hearts of fair-minded men and women, in whose hearts there

is no hate. I appealed to the President when some of the cases arose and told him what the situation was, and I say that the Secretary of Labor had the right to admit them temporarily under the act of 1917. The United States District Court in the Southern District of New York only a few days ago took the same view as I did and held that the act of 1917 is still in existence, and that the act of 1921 was simply an addition, because if you took a contrary view, then the entire law of 1917 might be deemed to have been wiped off the statute books. All that we did in 1921 was to put in the 3 per cent quota law as an amendment to the act of 1917.

What are you going to do with these women and children? Where are you going to send them? Are you going to say to the American people that this Congress is not going to exercise the power which it possesses, a power of mercy, fair dealing, and humanity? [Applause.]

Mr. Chairman, some gentlemen who have spoken here in opposition to the resolution probably forgot the testimony given before the committee that orphan children returned to Constantinople were murdered. The following poem may remind them of what they would see repeated if this resolution should fail. It is entitled—

ARMENIANS AT ELLIS ISLAND.
(By Isabel Fiske Conant.)

"We will go to America," said one.
"It is a land of kindness and of plenty.
There'll be a place there for us, in its sun;
Some one will hear of us; some sweet-and-twenty,
Told of war's aftermath, touched by its welter,
Instead of giving one more evening ball
Will give us somewhere shelter;
Some lonely woman, who has lost her all
Except her wealth. . . ." "Some church will," said another;
"Yes, we must go; there's no hope else," they said.
"It's brotherhood. . . . Would that our elder brother
Once more were risen radiant from the dead!"

Twixt doubt and hope they left Armenia—
"At least it will put off the evil day,"
One, grimly, said. They hailed America,
After a storm-tossed and imprisoned way. . . .
They were beyond the quota for September.
A group of seventeen—fair-looking folk—
(Recording Angel! may you not remember
'Gainst us those unheard prayers they spoke!)
Pictured one Sunday in the supplement,
Souls in their faces begged us not to shirk.
For all that, nothing happened. . . . They were sent,
Women and children all, back to the Turk. . . .
They all were murdered, but were outraged first
(Multiple Calvary, watched by Christian States).

It's since the war that war has done its worst.
And stricken is the sentry at our gates;
Torch-bearing Liberty. . . . And now again
Another group is here! This time we know
What waits for them, deported . . . with what pain
Must Christ's old wounds reopen, if they go!
Spare His torn feet and hands. . . .
(The heart of evil in the world is wild.)
Make known love's succor to the pleading lands,
His day, the birthday of a little Child.

—(From the New York Times.)

The CHAIRMAN. The Clerk will read the resolution.

The Clerk read as follows:

House joint resolution (No. 279) to permit to remain within the United States certain aliens admitted temporarily under bond in excess of quotas fixed under authority of the immigration act of May 19, 1921.

Resolved, etc., That aliens who entered the United States before March 7, 1922, in excess of quotas fixed under authority of the act entitled "An act to limit the immigration of aliens into the United States," approved May 19, 1921, and were temporarily admitted under bond may, if otherwise admissible, and if not subject to deportation for other causes, be permitted by the Secretary of Labor to remain in the United States without regard to the provisions of such act of May 19, 1921. In the case of any alien so permitted to remain the bond shall be canceled.

The following committee amendment was also read:

Committee amendment: Page 1, line 3, strike out the figure "1" and insert in lieu thereof the figure "7."

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. BOX. Mr. Chairman, I rise in opposition to the committee amendment.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BOX. Mr. Chairman, this committee amendment is typical of the whole thing. It was put in there to accommodate a certain group. That is what put it in.

Mr. SABATH. What group, may I ask?

Mr. BOX. They were people in whom the gentleman from New York [Mr. SIEGEL] was especially interested.

Mr. SIEGEL. Will the gentleman yield?

Mr. BOX. I will.

Mr. SIEGEL. I will state that the amendment was reported because a child happened to be born in Poland and the father was in Russia, and they applied for citizenship papers in New York and could not get them because of the fact that his wife was not there.

Mr. BOX. I call your attention to the statement in the committee report that these cases had been passed on individually, so as to find out whether or not they were cases of special hardship, which is the excuse for this resolution. I read from the committee report:

To avoid great hardships, the Secretary of Labor ordered releases under conditions as above.

Above that is the following:

All of these temporary admissions were made on individual showings.

Now, gentlemen, read the order as I presented it in my remarks a few moments ago. That order was made on the 24th of December. It ordered the admission of all who were at the New York and Boston immigration stations, then numbering 1,200, more or less, all who were in ships out in the harbor or on the seas, or in any port of the United States, or who might arrive at any port of the United States on or before January 25. And we have this statement that each case had been passed on individually for you to act on, that these cases were passed on individually. There are things involved, gentlemen, I say to you—and I hope with proper moderation—in this course that are utterly ruinous in their tendency. These people were admitted while they were on the seas. There were 2,300 on shipboard in the harbor and 380 coming up the bay at New York. I do not know how many were coming in or coming to all other ports. Besides there were 1,200 then at the two ports of New York and Boston at that very time, and yet they tell you that those people out there on the seas had been investigated, every case had been tried, and that each had been found to be a special case of distress, and that as a matter of humanity they must let them in.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. ANDREW of Massachusetts having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment the bill (H. R. 9235) providing for a grant of land to the State of Washington for public park purposes.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 9606) to authorize the Secretary of the Interior to extend the time for payment of charges due on reclamation projects, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCNARY, Mr. JONES of Washington, and Mr. SHEPPARD as the conferees on the part of the Senate.

IMMIGRATION.

The committee resumed its session.

Mr. RAKER. Mr. Chairman, I desire to be recognized.

Mr. JOHNSON of Washington. What does the gentleman desire?

Mr. RAKER. I want five minutes on this amendment.

The CHAIRMAN. Is the gentleman from California for or against the amendment?

Mr. RAKER. I am against the amendment.

The CHAIRMAN. The gentleman from Washington rises in opposition to it?

Mr. JOHNSON of Washington. No; I am not in opposition to it.

Mr. SABATH. The gentleman from Washington is in favor of the amendment, and the gentleman from California is against it.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that the debate on this amendment and all amendments thereto close in 10 minutes, of which the gentleman from California shall have 5 minutes and I 5 minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that the debate on this amendment and all amendments thereto be closed in five minutes. Is there objection?

Mr. RAKER. Mr. Chairman, reserving the right to object, I supposed the gentleman would give the House or some of these Members a chance.

Mr. JOHNSON of Washington. I do not want to use unnecessary time.

The CHAIRMAN. Is there objection?

Mr. RAKER. I object.

Mr. JOHNSON of Washington. Mr. Chairman, I move that the debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Washington moves that the debate on this amendment and all amendments thereto close in 10 minutes. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The gentleman from California is recognized for five minutes.

Mr. RAKER. Mr. Chairman and gentlemen, in support of my statement to the Members of the House, I want to call your attention to section 18 of the immigration act of February 5, 1917, which says:

That all aliens brought to this country in violation of law shall be immediately sent back in accommodations of the same class as those in which they arrived—

And it then goes on to provide that the steamship companies shall pay all expenses. The Commissioner of Immigration and his assistants all concede that the steamship companies must pay the expenses of these people while in the United States if they are brought here unlawfully.

Mr. MANN. Does not that say they must be immediately deported?

Mr. RAKER. That is what this law requires.

Mr. MANN. I know; but when they are admitted in bond they can not be immediately deported.

Mr. RAKER. What I am trying to convey to the House——

Mr. MANN. What I am trying to convey to the House is the fact, not an interpretation.

Mr. RAKER. This is the fact. The record shows that 2,400 and some odd people were illegally brought into the United States in violation of the law. The duty of the Secretary of Labor was to order them deported. He ordered them deported. Then, by virtue of widely extended requests, he temporarily admitted them, without any law to permit him to do it. I say that you can not find a scrap or a sentence in the law anywhere to the effect that the Secretary of Labor or the Commissioner General of Immigration has the right or the power to admit anyone illegally or unlawfully brought to the United States.

Mr. SABATH. Does the gentleman still claim that the steamship companies shall be compelled to take them back at their own expense now?

Mr. RAKER. Yes.

Mr. SABATH. Oh, the gentleman is wrong.

Mr. RAKER. Oh, of course, it is all wrong to enforce the law. In that case the steamship companies and their friends have worked a ruse on the department, and they are going to save themselves, by the failure of our authorities to deport these people, something like $500,000. That is all there is to it.

Mr. MANN. Does the gentleman say that under the law the department has not the power to admit them?

Mr. RAKER. Yes.

Mr. MANN. But they did admit them.

Mr. RAKER. Yes; a man can commit murder if he wants to.

Mr. MANN. But they did admit them. It is like the case of the man in jail who is told by his counsel that he can not be put in jail.

Mr. CLOUSE. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. CLOUSE. The gentleman has shown that under existing law the steamship company would have to pay the expense of deporting these people who were illegally admitted. Now, if the Commissioner General of Immigration permitted them to come in here, did he require the steamship company to execute a bond to the effect that they would carry out the provisions of the law in the event it should be decided to deport them?

Mr. RAKER. We did not get opportunity to require that that should be done.

Mr. CLOUSE. If he had done his duty, would he not have required such a bond as that?

Mr. RAKER. I think the bond would have been illegal and worthless, because he had no power to require the bond to be given. The law does not permit him to accept the bond. If he had required a bond or had required the execution of a bond, and he had no authority to do that, the bond would have been worthless.

Mr. CLOUSE. I concede that to be true. But he had no right in the first place to admit them.

Mr. RAKER. I want to call your attention to the first provision, the only provision that can possibly be referred to. That is in section 3 of the act of April 5, 1917, and it has this language:

Provided, That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall issue rules and prescribe regulations, including the exaction of such bonds necessary to control and regulate the admission and return of otherwise inadmissible aliens applying—

Applying for what? "For temporary admission." All of these people were seeking to come here permanently and seeking to stay here. It is conceded by the department that they have no right to admit a man here who comes to the United States to remain permanently. This is only to apply to the admissions provided for, and it was only done by the extreme solicitation, by the almost overwhelming power brought to bear, that the Secretary made these orders to let these people in here, even before they arrived in the United States.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I desire to correct some misstatements and set my colleagues right, if I can, as to some misinformation that they seem to possess. The House Committee on Immigration and Naturalization sat week in and week out, with many night sessions, trying to perfect amendments to the 3 per cent act. Some of these amendments, designed to make the law more workable, will be offered to you at an early date.

If these are not attached in the Senate to the House resolution extending the time of the 3 per cent act, which was recently passed by a vote of 281 to 36, they will be offered here by special resolution. One of these amendments deals with the boundary situation. European immigrants who are piling up in Canada, Mexico, and Cuba, hoping to beat our present restrictive act, will not be permitted to do so. Other amendments, we hope, will take care of some of the situations which made necessary the resolution which is now before you.

We have the temporary 3 per cent restriction act. We are not going to lose that act. We are not going to break it down. We are going to strengthen it. In my opinion, the United States, having ceased to be an asylum for the oppressed, can afford to be the least bit humane in getting its new law under way. Because we are ending the melting-pot fallacy and we know now our grievous blunder of unrestricted immigration, and are now changing front, we need not send back to the bloody Turks a hundred or so Armenian babes.

Let me repeat, extensive hearings, running for weeks and months, were held by the committee, including numerous night sessions. They were wide open to all. Everybody came, and those that did not, like the Labor Department and Immigration Bureau officials, we invited. Among those present and entitled to be heard were, as has been said, steamship officials, but there is nothing to the innuendo that there was any undue influence anywhere by anyone.

Of the 2,443 in excess of quota which this resolution proposes to admit, let me call attention to the fact that 1,000 or more of them could not be deported to any country—to any place in the world—resolution or no resolution! You can not send back certain people who fled from Syria, Assyria, and Turkish Armenia months before there was a quota law. You can not send certain Spaniards back to Spain when they left the United States in fishing vessels before there was a quota and got back from their fishing trips to find the quota law in existence and the quota from Spain exhausted in the first two months of the law. The immigration from Spain numbered 18,821 in 1920 and 23,818 in 1921, so that the excess of 97 during the time under consideration, it seems to me, represents a very small surplus in view of the fact that Spain's quota was only 663 for the present fiscal year. We have an excess quota from Spain of 97! Is not that remarkable in the working of a new law when Spanish immigration dropped from 23,818 to almost nothing in a year?

The excess of 432 from Turkey is due principally to Armenians and to some extent to Greeks, who were admitted in order to avoid grave and unusual hardship. They have been referred to in this debate as Turks, and they are, but only because Turkey was their birthplace and in complete disregard of their adopted country.

The excess of 444 from "other Asia" is probably almost entirely made up of the so-called Assyrians, who were natives of Persia. These people, for the most part, left their temporary homes in Mesopotamia for the United States before the act of May 19, 1921, passed Congress, and the strongest kinds of appeals from various religious and philanthropic organizations were made in their behalf. They are remnants of massacred families.

I am accused of writing several relief resolutions, one as far back as December 19. I did, and the steamship men had nothing whatever to do with it. I was thinking of those unfortunates and the law itself.

Further, in this House on December 22 last, I made some remarks on the workings of the 3 per cent act, and I announced then that I would offer to the House the very resolution you have before you to-day. I said then that the 3 per cent act, in its first try out, had developed some weak spots which could and should be corrected by Congress itself. I said then:

Some of those people, under a strict reading of the law, must be returned to the stricken regions in Asia Minor where constant war rages between the Bolshevik on the north and the followers of Mohammed on the south, who preach death on the edge of the sword

of Islam, and who kill Christian and Jew alike; and so help me God, I will not stand idly by and let the United States send back these people if we can save them.

I said that then. I say it now.

During the six months ended December 31, 1921, a total of 985 aliens were actually debarred at United States ports because coming in in excess of the quotas prescribed by the act of May 19. This number has been increased somewhat since January 1 by very small numbers, as follows:

January	72
February	96

or a total of 1,153.

You heard read here a telegram from a Hungarian newspaper, a telegram sent to me. The inquiry developed that a mistake had been made in the Hungarian quota figures and some 200 Hungarians who supposed they were admissible were held up as a result of the clerical error over Christmas. That is all there is to that.

Mr. BOX. Will the gentleman yield?

Mr. JOHNSON of Washington. One minute. That mistake was not corrected until the middle of February. I want to be fair. 'Tis human to err.

I have brought in this joint resolution in good faith. I think the step is a right and proper thing for Congress to do. Congress makes laws. This is to be a law.

I am afraid gentlemen who have signed the minority report, at last after years and years of no politics in our committee, appear to be injecting politics into the consideration of this question. They seem to charge that the Secretary of Labor did what he should not have done. But they do not say one word about the last Secretary of Labor, who, among other similar things, finally before he went out of office admitted under bond some 200 insane persons, probably one-half of them now married to American citizens in the country, who can not now be deported and here to breed long lines of insane people. They admitted them without coming to Congress. They admitted hundreds and hundreds of people who should not have been admitted, 10,000 sick, insane, and diseased in one year. Those objectionable aliens are in this country now by edict of that Secretary, who did not ask Congress for one word of authority.

We in one year's time have enacted a law which has reduced immigration in eight months from a probable million to 200,000. In that gigantic transformation from an asylum for the oppressed of all lands to a country of real restriction, we have on hand 2,443 exemptions, excesses, the slips, mistakes, and excusable cases of a new and drastic law, and a war-torn world whose changes could not be foreseen. The asylum idea is over forever, and so is the myth of the melting pot, I hope. Gentlemen may charge what they please. We have come to Congress in all fairness to give Congress its chance to pass a new law that gives a measure of grace, a mode of relief, an act of fairness or of necessity, or whatever you care to call it, and in order that the new law may be made practical and more popular.

I ask for a vote. [Applause.]

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. JOHNSON of Washington. I move that the committee do now rise and report the joint resolution favorably with the amendment, with the recommendation that the amendment be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having resumed the chair as Speaker pro tempore, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration H. J. Res. 279, to permit to remain within the United States certain aliens admitted temporarily under bond in excess of quotas fixed under authority of the immigration act of May 19, 1921, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the joint resolution as amended do pass.

Mr. JOHNSON of Washington. Mr. Speaker, I move the previous question on the joint resolution and amendment to the final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment.

Mr. CANNON. May the amendment be read?

The SPEAKER pro tempore. The Clerk will report the joint resolution and the amendment.

The Clerk read as follows:

Resolved, etc., That aliens who entered the United States before March 1, 1922, in excess of quotas fixed under authority of the act entitled "An act to limit the immigration of aliens into the United States," approved May 19, 1921, and were temporarily admitted under bond, may, if otherwise admissible and if not subject to deportation for other causes, be permitted by the Secretary of Labor to remain in the United States without regard to the provisions of such act of May 19, 1921. In the case of any alien so permitted to remain the bond shall be canceled.

With the following amendment:

On page 1, line 3, after the word "March," strike out the figure "1" and insert in lieu thereof the figure "7."

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question being taken; on a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 105, noes 35.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Tennessee makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seventy-one Members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees. The question is on the passage of the joint resolution. Those in favor will, as their names are called, vote yea, those opposed nay, and the Clerk will call the roll.

The question was taken; and there were—yeas 243, nays 91, answered "present" 2, not voting 92, as follows:

YEAS—243.

Ackerman	Echols	Kline, Pa.	Reed, N. Y.
Andrew, Mass.	Edmonds	Knight	Reed, W. Va.
Andrews, Nebr.	Evans	Knutson	Rhodes
Anthony	Fairfield	Kopp	Ricketts
Appleby	Faust	Larson, Minn.	Robertson
Arents	Favrot	Lawrence	Rogers
Atkeson	Fenn	Layton	Rose
Bacharach	Fess	Lea, Calif.	Rosenbloom
Barbour	Fitzgerald	Leatherwood	Rossdale
Beck	Focht	Lee, N. Y.	Sabath
Begg	Fordney	Lehlbach	Sanders, Ind.
Benham	Foster	Lineberger	Sanders, N. Y.
Bird	Frear	Little	Schall
Bixler	Free	Logan	Shaw
Bland, Ind.	French	London	Shelton
Bland, Va.	Frothingham	Longworth	Shreve
Bond	Fuller	Luce	Siegel
Brennan	Funk	McArthur	Sinclair
Brooks, Ill.	Gahn	McCormick	Sinnott
Brooks, Pa.	Gensman	McFadden	Smith, Idaho
Brown, Tenn.	Gernerd	McLaughlin, Mich.	Smith, Mich.
Browne, Wis.	Glynn	McLaughlin, Nebr.	Snyder
Burdick	Goodykoontz	McLaughlin, Pa.	Sproul
Burroughs	Gorman	MacGregor	Stafford
Burtness	Graham, Ill.	Madden	Stephens
Burton	Green, Iowa	Magee	Stiness
Butler	Greene, Vt.	Maloney	Strong, Kans.
Cable	Griest	Mann	Summers, Wash.
Campbell, Kans.	Hadley	Mapes	Sweet
Campbell, Pa.	Hardy, Colo.	Merritt	Swing
Cannon	Hardy, Tex.	Michaelson	Taylor, N. J.
Carew	Harrison	Michener	Taylor, Tenn.
Chalmers	Haugen	Mills	Temple
Chandler, N. Y.	Hawes	Millspaugh	Ten Eyck
Chindblom	Hawley	Mondell	Thompson
Christopherson	Hays	Montoya	Timberlake
Clague	Hersey	Moore, Ohio	Tincher
Clarke, N. Y.	Hickey	Moores, Ind.	Tinkham
Cockran	Hicks	Morin	Towner
Cole, Iowa	Hill	Mott	Treadway
Cole, Ohio	Hoch	Murphy	Vaile
Collins	Hogan	Nelson, A. P.	Vestal
Colton	Huddleston	Nelson, J. M.	Voigt
Cooper, Ohio	Hukriede	Newton, Minn.	Volk
Cooper, Wis.	Hull	Newton, Mo.	Volstead
Copley	Husted	Nolan	Walters
Crago	Hutchinson	Norton	Ward, N. C.
Cramton	Ireland	O'Connor	Wason
Cullen	Jefferis, Nebr.	Osborne	Watson
Curry	Johnson, Wash.	Paige	Wheeler
Dale	Jones, Pa.	Parker, N. J.	White, Kans.
Dallinger	Kearns	Parker, N. Y.	White, Me.
Darrow	Keller	Patterson, Mo.	Williamson
Davis, Minn.	Kelly, Pa.	Patterson, N. J.	Woodruff
Denison	Ketcham	Perlman	Woodyard
Dickinson	Kindred	Porter	Wurzbach
Dowell	King	Purnell	Wyant
Dunbar	Kinkaid	Radcliffe	Yates
Dunn	Kirkpatrick	Ramseyer	Young
Dupré	Kissel	Ransley	Zihlman
Dyer	Kleczka	Reece	

NAYS—91.

Almon	Byrns, Tenn.	Fisher	Johnson, Ky.
Aswell	Cantrill	Fulmer	Johnson, Miss.
Bankhead	Carter	Garner	Jones, Tex.
Barkley	Clouse	Garrett, Tenn.	Kiess
Black	Collier	Garrett, Tex.	Kincheloe
Bowling	Connally, Tex.	Gilbert	Lanham
Box	Crisp	Goldsborough	Lankford
Brand	Dominick	Hammer	Larsen, Ga.
Briggs	Doughton	Hayden	Lazaro
Buchanan	Drane	Hooker	Lee, Ga.
Bulwinkle	Drewry	Hudspeth	Linthicum
Byrnes, S. C.	Driver	Jeffers, Ala.	Lowrey

Lyon	Padgett	Sanders, Tex.	Swank
McClintic	Park, Ga.	Sandlin	Thomas
McDuffie	Parks, Ark.	Scott, Tenn.	Tillman
McPherson	Pou	Sears	Tyson
McSwain	Quin	Sisson	Upshaw
Miller	Raker	Smithwick	Vinson
Montague	Rankin	Steagall	Weaver
Moore, Va.	Rayburn	Stedman	Wilson
Oldfield	Roach	Stevenson	Woods, Va.
Oliver	Robsion	Stoll	Wright
Overstreet	Rouse	Sumners, Tex.	

ANSWERED "PRESENT"—2.

Herrick	Humphreys

NOT VOTING—92.

Anderson	Ellis	Lampert	Rodenberg
Ansorge	Fairchild	Langley	Rucker
Beedy	Fields	Luhring	Ryan
Bell	Fish	McKenzie	Scott, Mich.
Blakeney	Freeman	Mansfield	Slemp
Blanton	Gallivan	Martin	Snell
Boies	Gould	Mead	Speaks
Bowers	Graham, Pa.	Moore, Ill.	Steenerson
Brinson	Greene, Mass.	Morgan	Strong, Pa.
Britten	Griffin	Mudd	Sullivan
Burke	Himes	O'Brien	Tague
Chandler, Okla.	Jacoway	Ogden	Taylor, Ark.
Clark, Fla.	James	Olpp	Taylor, Colo.
Classon	Johnson, S. Dak.	Parrish	Tilson
Codd	Kahn	Perkins	Underhill
Connell	Kelley, Mich.	Petersen	Vare
Connolly, Pa.	Kendall	Pringey	Ward, N. Y.
Coughlin	Kennedy	Rainey, Ala.	Webster
Crowther	Kitchin	Rainey, Ill.	Williams
Davis, Tenn.	Kline, N. Y.	Reavis	Wingo
Deal	Kraus	Reber	Winslow
Dempsey	Kreider	Riddick	Wise
Elliott	Kunz	Riordan	Wood, Ind.

So the House joint resolution was passed.

The following pairs were announced:

Mr. SULLIVAN (for) with Mr. MARTIN (against).

Mr. GALLIVAN (for) with Mr. JACOWAY (against).

Mr. RAINEY of Illinois (for) with Mr. DAVIS of Tennessee (against).

Mr. GRIFFIN (for) with Mr. FIELDS (against).

Mr. O'BRIEN (for) with Mr. WINGO (against).

Mr. TAGUE (for) with Mr. WISE (against).

Mr. LUHRING (for) with Mr. KITCHIN (against).

Mr. HIMES (for) with Mr. MANSFIELD (against).

Mr. SNELL (for) with Mr. BLANTON (against).

Mr. WINSLOW (for) with Mr. BELL (against).

Mr. OLPP (for) with Mr. RAINEY of Alabama (against).

Mr. ELLIS (for) with Mr. HUMPHREYS (against).

Mr. LANGLEY (for) with Mr. CLARK of Florida (against).

General pairs:

Mr. LAMPERT with Mr. MEAD.

Mr. REBER with Mr. RUCKER.

Mr. GREENE of Massachusetts with Mr. TAYLOR of Arkansas.

Mr. ELLIOTT with Mr. DEAL.

Mr. CONNELL with Mr. BRINSON.

Mr. VARE with Mr. KUNZ.

Mr. KENDALL with Mr. PARRISH.

Mr. MORGAN with Mr. TAYLOR of Colorado.

Mr. HUMPHREYS. Mr. Speaker, did the gentleman from Missouri [Mr. ELLIS] vote?

The SPEAKER pro tempore. He is not recorded.

Mr. HUMPHREYS. I voted "no." I am paired with the gentleman from Missouri [Mr. ELLIS] and I will withdraw that vote and answer "present."

The result of the vote was announced as above recorded.

On motion of Mr. JOHNSON of Washington, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

Mr. FOCHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the House joint resolution just passed.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the joint resolution just passed. Is there objection?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to dispense with Calendar Wednesday business for the balance of the day.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent to dispense for the balance of the day with the business of Calendar Wednesday. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, may I ask the gentleman from Wyoming what will be taken up?

Mr. MONDELL. The gentleman from Iowa [Mr. HAUGEN] desires to present a conference report on the seed bill. If that is disposed of without the use of very much time, we may go to the debate on the Army bill.

Mr. GARRETT of Tennessee. May I ask whether the gentleman of the minority of the Subcommittee on Appropriations has been advised of this request?

Mr. MONDELL. I think so; the gentleman from Iowa is here, and can inform the gentleman.

Mr. GARRETT of Tennessee. I am not talking about the seed bill, but the Army appropriation bill. Has the gentleman from Mississippi [Mr. SISSON] been advised?

Mr. MONDELL. It is simply a matter of further general debate, and I understand there would only be one speech if we went to that debate.

Mr. GARRETT of Tennessee. On that side of the Chamber?

Mr. MONDELL. Yes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming to dispense with further Calendar Wednesday business?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. DAVIS of Tennessee, on account of illness.

APPROPRIATION TO PURCHASE SEED GRAIN, ETC.—CONFERENCE REPORT.

Mr. HAUGEN. Mr. Speaker, I call up the conference report on the bill S. 2897, to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas in the United States, said amount to be expended under the rules and regulations prescribed by the Secretary of Agriculture.

The Clerk read the report and statement as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, and 6, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the sum $1,000,000 proposed by said amendment insert "$1,500,000"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"An act to appropriate $1,500,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture."

And the House agree to the same.

The committee of conference have not agreed upon the amendment of the House numbered 4.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
Managers on the part of the House.

E. F. LADD,
PETER NORBECK,
JOHN B. KENDRICK,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

Nos. 1, 2, and 3 relate to the $1,000,000 made available for the purchase of feed for the relief of live stock.

No. 5 authorizes an appropriation of $1,000,000 instead of $5,000,000, as proposed by the Senate.

No. 4 inserts the word "authorize," so as to authorize the appropriation of $1,000,000 instead of appropriating $5,000,000, as proposed by the Senate.

No. 6 strikes out the words "of which not more than $1,000,000 may be used for the purchase of feed for relief of live stock" and inserts the words "and not more than $20,000 may be used, in the District of Columbia and elsewhere, by the Secretary of Agriculture in the administration of this act."

The amendment of the House to the title authorizes an appropriation of $1,000,000 instead of appropriating $5,000,000, as proposed by the Senate, and strikes out the words "and of feed," thus limiting the authority to make advances or loans to farmers, where the Secretary shall find that special need for such assistance exists, for the purchase of wheat, oats, barley, and flaxseed for seed purposes, and when necessary, to procure such seed and sell same to such farmers.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
Managers on the part of the House.

Mr. HAUGEN. Mr. Speaker, amendments 1, 2, and 3 relate to the $1,000,000 made available for the purchase of feed. If the conference report is agreed to no part of the money will be available for the purchase of feed. Amendment No. 5 authorizes an appropriation of $1,000,000 instead of $5,000,000, as proposed by the Senate. The Senate recedes with an amendment making the amount $1,500,000. Amendment No. 4 inserts the word "authorize" instead of making an appropriation. As proposed by the Senate, the House amendment authorizes an appropriation to be made. That amendment has not been agreed to. Amendment No. 6 strikes out the words "not more than $1,000,000 may be used for the purchase of feed," and inserts the language "providing $20,000 for expenses," in the District of Columbia and elsewhere. The amendment agreed to the title is to conform with the text.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. BYRNES of South Carolina. Has the gentleman any idea of the amount that he will recommend for the next year?

Mr. HAUGEN. We will cross the bridge when we get to it.

Mr. BYRNES of South Carolina. The gentleman has not yet made up his mind?

Mr. HAUGEN. We trust that no appropriation will be necessary.

Mr. BYRNES of South Carolina. Has the gentleman made up his mind that he will recommend an appropriation any year in which they fail to make a crop?

Mr. HAUGEN. I think that policy should be determined by the House.

Mr. BYRNES of South Carolina. Whenever there is a necessity for making an appropriation the gentleman from Iowa is in favor of it, is he?

Mr. HAUGEN. Of course, if Congress establishes that policy, yes. I am not very enthusiastic over that policy.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. ANDREWS of Nebraska. Will the gentleman from South Carolina guarantee an abundance of rainfall on this territory for the next two years?

Mr. BYRNES of South Carolina. I only wanted to know if the gentleman was in favor of making the appropriation when there was no crop.

Mr. HAUGEN. I think if these people can not make a success at farming in that area they had better try something else.

Mr. LAYTON. Will they guarantee the State against losses by frost? We have lost crops in our State from frost.

Mr. HAUGEN. We have lost in Iowa also.

Mr. LAYTON. They ought to if the Federal Treasury is to pay for all these losses.

Mr. ANDREWS of Nebraska. Mr. Speaker, the gentleman from Delaware better move to a territory where frost will not afflict him.

Mr. GARRETT of Tennessee. Mr. Speaker, does the gentleman from Nebraska mean to imply by the question he asked of the gentleman from South Carolina that if it does not rain they will try to grow wheat in that territory out there where God never intended it to grow?

Mr. ANDREWS of Nebraska. I make no guaranty on the subject. I simply asked the gentleman what he would do on the subject of rainfall.

Mr. GARRETT of Tennessee. I was asking about the implication.

Mr. BYRNES of South Carolina. We can not control the rainfall, but we can control appropriations.

Mr. ANDREWS of Nebraska. Sometimes.

Mr. BYRNES of South Carolina. The Republican side of the House ought to be able to do it, but it seems unable to do so.

Mr. KINCHELOE. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. KINCHELOE. How did the conferees arrive at the amount of $1,500,000? When the bill passed the Senate evidently through the advocacy of its enthusiastic admirers ovet there it passed with an amount of $5,000,000. I understand it passed unanimously. When the bill was considered before our committee its advocates contended for $2,000,000, and the committee, though not unanimously, reported the bill for $2,000,000. Then, when it came to a suspension of the rules, the advocates of it evidently were satisfied with a million dollars, because the gentleman from Iowa himself offered the motion to suspend the rules and pass the bill at $1,000,000. That failed. Then, when a special rule was brought in to provide for its consideration, it passed the House at $1,000,000. Evidently the advocates in the House were satisfied with that. I am wondering at the other body coming down from $5,000,000 to a million and a half; evidently it meets the hilarious approval of the advocates of the measure in the House, who in that way have obtained $500,000 more than they were asking in the House.

Mr. HAUGEN. As I stated before, the Senate bill carried $5,000,000. The House cut it to $1,000,000. I believe it was made clear in the House that the House would not stand for a large appropriation. Therefore it was the duty of the managers on the part of the House to insist on the lowest amount possible; it seems to me that when we agreed to a million and one-half, or an increase of $500,000, and the Senate conceded seven times that amount, it is all that could be expected.

Mr. KINCHELOE. I was just a little bit surprised at the condescension of the other body.

Mr. JOHNSON of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. JOHNSON of Mississippi. How many States will this be used in?

Mr. HAUGEN. So far as we know, probably three or four States.

Mr. JOHNSON of Mississippi. That is, Wyoming, Montana, and North Dakota?

Mr. HAUGEN. The two Dakotas?

Mr. MONDELL. Oh, if the gentleman will permit, no part of this sum is to be used in Wyoming. There was no suggestion of that sort until the gentleman from Mississippi made it.

Mr. JOHNSON of Mississippi. I wanted to make an observation, Mr. Speaker. I believe the gentleman from Iowa yielded to me

Mr. MONDELL. Mr. Speaker, will the gentleman from Iowa yield?

Mr. HAUGEN. Yes.

Mr. MONDELL. As I understand it, the effect of the conference report is to leave the bill just as it passed the House, except that the amount to be loaned is increased from $1,000,000 to $1,500,000.

Mr. HAUGEN. Yes; except so far as the authorization is concerned, that has not been agreed to.

Mr. JOHNSON of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. JOHNSON of Mississippi. That would leave $500,000 each for the three States. Does the gentleman think that will be sufficient to elect the three Senators in those States next fall?

Mr. HAUGEN. I am not advised as to politics in the various States, and I can not answer that question.

Mr. CLARKE of New York. Mr. Speaker, will the gentleman from Iowa please inform me why it is that it gets dryer out there as we approach the Canadian border. [Laughter.]

Mr. HAUGEN. It is very dry out there.

Mr. LOWREY. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. LOWREY. Mr. Speaker, I want the attention of the gentleman from Nebraska [Mr. ANDREWS]. In regard to the appropriation, I was opposed to the $2,000,000. I was willing to accept the $1,000,000, and I believe I am now willing to accept the million and one-half; but so far as guaranteeing the rainfall is concerned, I merely wanted to say that we Democrats expect to be in power very soon, but not in power to that extent.

Mr. ROSENBLOOM. You will promise that, anyway. [Laughter.]

Mr. LOWREY. And when we get into power a lot of us are going to do all we can to make the country dry instead of wet.

Mr. ANDREWS of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. ANDREWS of Nebraska. In reply to the gentleman from Mississippi, I am glad to say that Nebraska will have none of this fund, but out in Nebraska we will have the full vote cast, and we will not rely upon a fraction of the vote of the State to make the State dry.

Mr. GREENE of Vermont. Oh, a fraction of Nebraska has gone down to Florida, however. [Laughter.]

Mr. HAUGEN. Mr. Chairman, I move the adoption of the conference report.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The question was taken, and on a division (demanded by Mr. DOMINICK) there were—ayes 91, noes 54.

So the conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment still in disagreement.

The Clerk read as follows:

Amendment No. 4: Page 2, line 11, after the word "hereby," insert the words "authorized to be."

Mr. HAUGEN. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment No. 4.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. GARRETT of Tennessee. Mr. Speaker, I do not see the chairman of the Committee on Appropriations in the room at the moment. I see other members of the committee here. Of course the effect of this amendment——

Mr. MANN. If the gentleman will yield, I will state that I conferred with the chairman of the Committee on Appropriations about this proposition.

Mr. GARRETT of Tennessee. And it is satisfactory to the chairman, is it?

Mr. MANN. Yes.

Mr. GARRETT of Tennessee. Of course if the Committee on Appropriations chooses to abdicate its functions I suppose we can not help it.

Mr. MANN. It is not a matter of abdicating any functions. This is a practical matter, as the gentleman understands.

The SPEAKER pro tempore. The question is on the motion to recede from the disagreement of the House to Senate amendment No. 4.

The question was taken, and the motion was agreed to.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the motion was rejected.

CONFERENCE REPORT—DEPARTMENTS OF COMMERCE AND LABOR.

Mr. SHREVE. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Pennsylvania rise?

Mr. SHREVE. To present a conference report from the Appropriations Committee covering the Department of Commerce.

The SPEAKER pro tempore. The gentleman from Pennsylvania presents a conference report on the bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor.

The SPEAKER pro tempore. Ordered printed under the rule.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10871, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10871, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes.

Mr. ANTHONY. Mr. Chairman, I yield 45 minutes to the gentleman from Missouri [Mr. NEWTON].

Mr. SISSON. Mr. Chairman, before the gentleman begins I would like to ask what the record shows as to time?

The CHAIRMAN. The gentleman from Kansas [Mr. ANTHONY] has 146 minutes remaining and the gentleman from Mississippi [Mr. SISSON] has 120 minutes remaining.

Mr. NEWTON of Missouri. Mr. Chairman, I desire to discuss that item of this bill which undertakes to appropriate funds for the improvement and maintenance of all the navigable rivers and harbors of the United States and its Territories. I desire also to discuss transportation and rates as affected by waterways.

Our chief difficulty in procuring adequate appropriations for river and harbor improvement in this country results from the fact that there are few among us who have any conception as to the enormity or importance of our river and harbor projects. If the possibilities of water transportation and its benefits to commerce were more generally understood, our appropriations would be tremendously increased. At any rate, I think I can convince you that the amount provided in this bill, $27,635,260, is totally inadequate to meet the country's needs.

Some months ago the Chief of Engineers of the War Department requested the district engineers, in charge of the various districts of the United States, to report estimates of the money needed during the next fiscal year to do the absolutely urgent river and harbor work in their respective districts. When the reports were all in the Chief of Engineers added the estimates and found that they made a total of $61,337,911.

At the urgent request of the leaders of this House the Chief of Engineers went over the estimates prepared by the district engineers, and in the interest of strict economy cut them to the bone, reporting only such amounts and upon such projects as, in his judgment, the commerce of the country absolutely demanded. The total of his estimates prepared upon this basis amounted to $42,815,661. These estimates applied only to projects heretofore adopted by Congress. In addition to these adopted projects, however, the Rivers and Harbors Committee of the House has reported a bill authorizing new projects which will cost in excess of $31,000,000, and the Chief of Engineers recommends that certain of these new projects are so important that $14,922,220 of this amount should be expended upon them as speedily as possible. Thus it will be observed that the amounts necessary for the continuation of work on the projects heretofore adopted, together with amounts for new projects, will make a sum total necessary for river and harbor work next year amounting to $57,737,881.

Mr. STAFFORD. If the gentleman will yield, is the gentleman aware of the fact that the Subcommittee on Appropriations considering the river and harbor appropriations for the next year did not take into consideration the needs of appropriations for projects that have been recommended by the Committee on Rivers and Harbors? That item of expenditure has not been considered at all by the Committee on Appropriations. We did consider the amount needed in aid of existing authorized projects. Later on I shall try to state to the House the reasons for our favoring $27,000,000 to carry on the work of all worthy projects recommended by the Secretary of War.

Mr. NEWTON of Missouri. I know as a matter of fact that some of these new projects are very urgent, and the Chief of Engineers recommended that approximately $15,000,000 be made available for their improvement at once, and I know furthermore that the people who are sponsoring these new projects are expecting a part of the $27,000,000 to be allotted for work upon them.

Mr. STAFFORD. I have one in my own State, which the Chief of Engineers says is most worthy, and yet no part of this $27,000,000 will be utilized for that purpose. If the bill goes through authorizing these new additional projects, undoubtedly the committee will recommend additional appropriations for them.

Mr. LAYTON. Will the gentleman from Missouri yield?

Mr. NEWTON of Missouri. Yes.

Mr. LAYTON. I do not understand that the report of the Chief of Engineers comprehended any new projects whatever.

Mr. NEWTON of Missouri. It did not.

Mr. LAYTON. It was a minimum amount which he set, based upon the reports of the engineers of the whole country, as being the minimum amount absolutely necessary for existing and authorized projects.

Mr. NEWTON of Missouri. That is true. And then in addition to that the Chief of Engineers in a supplemental report says that $14,922,220 of the amount provided for in the new bill should be made available at once, and I know that the advocates of the new projects are expecting that this lump-sum appropriation shall be available for their projects.

Mr. KINDRED. Does the gentleman make any distinction between the projects which have been authorized and on which money has been spent and the projects which have been authorized and upon which no money has been spent?

Mr. NEWTON of Missouri. I presume there are some projects authorized in the past upon which no money has been spent.

Mr. KINDRED. And which may be very urgent?

Mr. NEWTON of Missouri. I think that is probably true. And in reply to the gentleman I will say that I think that some of these new projects are very urgent.

Mr. KINDRED. Just as urgent as those on which money has been spent?

Mr. NEWTON of Missouri. From the information I have, I think that statement is true.

The Appropriations Committee of the House, upon whose shoulders has devolved the enormous task of making adequate and economical appropriations for all the departments and activities of this Government, has adopted the estimates allotted in the Budget for river and harbor improvement amounting to $27,635,260. The great difficulty results from the fact that the officers who made up the budget had little knowledge of the river and harbor needs of the country and with the mass of work before them they had no time to investigate this subject.

It has been declared to be the purpose of the Appropriations Committee and of the leaders of this House to deal with river and harbor improvements upon the same basis as we have dealt with them during the past two fiscal years. I have faith that I can convince you, however, that in this purpose they have failed.

For the fiscal year 1920 we appropriated $12,000,000 for river and harbor improvement. But at the time we made that appropriation we had in the Treasury theretofore appropriated for river and harbor work a sum total of $58,800,000, thus making available for river and harbor improvement during that year a sum total of $70,800,000. And we appropriated for the year 1921 the sum of $15,000,000, but at the time we made that appropriation we had available in the Treasury, already appropriated for river and harbor work, the sum of $37,500,000, thus making available for the year 1921, for river and harbor improvement, the sum of $52,500,000.

The testimony of the engineers recently given before the Rivers and Harbors Committee shows that by the end of the present fiscal year practically all moneys available in the Treasury for river and harbor improvement will have been exhausted. As a matter of fact, since the war and until recently, the cost of river improvement has been so excessive that the engineers, in the interest of economy, have done little work except that which they felt to be absolutely necessary for maintenance. But the engineers in their testimony state that prewar conditions have been sufficiently restored in the cost of river and harbor work that such improvements now cost little more than they did before we entered the war, and, as a result, during the last few months they have been making progress, but now they are handicapped for want of funds, and this condition will grow steadily worse until June, when substantially all the funds will be exhausted.

As stated before, in 1920 we had $58,800,000 available in the Treasury. We appropriated that year an additional sum of $12,000,000, and last year we appropriated $15,000,000, making a total of $85,800,000, which we made available and which has been expended in maintenance and improvement of meritorious existing projects during the last two fiscal years. In other words, the engineers have actually expended in necessary river and harbor work the sum of $42,900,000 during each of the past two fiscal years, and they tell us that the absolute needs of the country for next year amount to $42,815,661.

Mr. ROACH. Will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. ROACH. Is it not true that if the appropriation is cut any considerable amount below $42,000,000 the large harbors, where commerce already exists, will have the strong claim for the available funds, and that our inland rivers will be the ones to suffer as a result of such cut?

Mr. NEWTON of Missouri. The gentleman is quite correct. We who are interested in the inland rivers have learned by experience that when inadequate lump-sum appropriations are made the pressure from large seaports upon the War Department is so strong that under the law, which provides that the money shall be expended in the interest of commerce, the department finds itself unable to allow sufficient funds to the inland rivers to make effective improvements thereon, and after this kind of experience during the past three years we are no longer fooled about the results of inadequate lump-sum appropriations, and that is why we Representatives from the valley are here stubbornly insisting upon appropriations sufficient to enable the engineers to take care of the harbors and still make reasonable allotments to our inland rivers.

Those of us who know the Chief of Engineers, Gen. Lansing H. Beach, and his assistant, Gen. Harry Taylor, and know their records for fairness and economy, and who have taken the time to go over the needs and merits of the projects upon which this money is to be expended, know that their estimates are reasonable and that it is not in the interest of economy to appropriate less than they have recommended.

From these facts and figures I am persuaded that any fair-minded man must concede that an appropriation of $27,635,260 is totally inadequate to meet our river and harbor needs and that the amount reported in the bill should be increased to at least $42,000,000.

Mr. ROACH. Will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. ROACH. As I understand, the Chief of Engineers at first recommended that $61,000,000 could be profitably expended, but that, at the request of the leaders of the House, the engineers revised their estimates to a minimum—in other words, cut them to the bone—and that such revised estimates called for an appropriation of $42,000,000 as being absolutely necessary to carry on river and harbor work, and that with the urgent projects which are being provided for in the new bill $42,000,000 will not be enough by $15,000,000 to carry on the urgent and necessary work of the country.

Mr. NEWTON of Missouri. The gentleman is entirely correct. It will require $57,737,881 to do the work which is urgent during the next fiscal year. But, of course, the engineers can do infinitely better with $42,000,000 than they can with $27,000,000.

Those responsible for this item in the bill contend that the cut was made in the interest of economy, and I will concede that in this hour of national stress economy is essential; but if we are to meet our national obligations we must develop our resources, and if we are to develop our resources we must have more adequate and cheaper forms of transportation, and we can not have this without the development and use of our inland waterways, and we can not develop our waterways without adequate funds with which to improve them.

The first essential to river navigation is an adequate channel, just as the first essential to rail transportation is a proper and safe roadway. A river for navigation is no better than its shallowest and narrowest section and can not be used any more than a railroad can be used between two given points until the last tie has been laid and the last rail nailed down, and so our great misfortune in river improvement has been due to the fact that while Congress has appropriated millions of dollars it has doled it out in such inadequate amounts that none of the projects have been completed. I will now give you the proof of this assertion.

On June 25, 1910, Congress undertook the improvement of the Mississippi River from the mouth of the Ohio to the mouth of the Missouri with a view to establishing an 8-foot channel from Cairo to St. Louis, and a 6-foot channel from St. Louis to the mouth of the Missouri, the work to be completed within a period of 12 years at a cost of $21,000,000.

On June 25 next that 12-year period will have elapsed and yet Congress in its effort to carry out its plan to improve this project during the time allotted has appropriated only $1,970,000, and still our river critics are demanding to know why the Mississippi River between Cairo and St. Louis is not in more general use. If a railroad company had undertaken to build a railroad from Cairo to St. Louis in 1910 and had pursued a course such as Congress has pursued, how much freight do you think would have been hauled over such railroad between the points named? And to what extent do you think such railroad would now be in use?

On June 25, 1910, Congress undertook the improvement of the Mississippi River from the mouth of the Missouri to Minneapolis with a view to establishing a permanent 6-foot channel within a period of 12 years and at a cost of $27,000,000. On June 25 next the 12-year period within which these improvements were to have been made will have expired. Upon that project Congress has expended $12,250,000, and yet that enormous expenditure can not be utilized because the project has not been completed. There are still shallow places unimproved. In other words, the last tie has not been laid and the last rail nailed down, and, consequently, the vehicles of commerce can not move.

On July 25, 1912, Congress undertook the improvement of the Missouri River between Kansas City and its mouth with a view to establishing a permanent 6-foot channel within a period of 10 years, and at a cost of $20,000,000. Like the other projects just named, this project was adopted by a solemn act of Congress. The people of Kansas City, inspired by their faith in Congress and with a hope and realizing the need for cheap water transportation, raised by private subscription more than $1,000,000, and out of these funds they built docks, barges, and tow boats and undertook the navigation of the Missouri River and the establishment of commerce thereon.

In vain did they labor, for on July 25 next the 10-year period will have expired, and while Congress has appropriated during that time the sum of $7,500,000 the project is only one-third completed, and the river can not be used except in high water, because its sand bars have not been removed and its channel fixed. It has 350 miles of permanent 6-foot channel the year round, but for 50 miles there are sand bars, and as a result this large expenditure is not being utilized. And the people of Missouri, Kansas, Iowa, Nebraska, and the adjoining States are still deprived of the blessings which cheap water transportation would bring in carrying to the market their wheat, corn, hay, and manufactured products.

On June 25, 1910, Congress undertook the improvement of the Ohio River from Pittsburgh to the mouth, with a view to establishing a permanent 9-foot channel within a period of 12 years, at the cost of $63,731,000. On June 25 next that 12-year period will have expired. Congress in its efforts to carry out its plan has appropriated $43,624,000 upon this project. And yet this vast expenditure of money can not be utilized to any considerable extent, because the project is only two-thirds completed. The commerce from Pittsburgh and that great territory adjacent to the Ohio River is deprived of the benefits of cheap water transportation out to the sea and to the markets of the world because Congress, although spending millions of dollars upon this project, has failed to carry out its program as planned.

What we need in this country to-day, and what we have needed in this country during the last 12 years, is more business in Government, less pork-barrel appropriations, and more projects completed.

As every Member of this House is doubtless aware, the War Department has been operating a Barge Line upon the Mississippi River between St. Louis and New Orleans during the past year. St. Louis has expended $1,000,000 building a 900-foot concrete dock with modern loading and unloading equipment. When it was constructed it was thought to be adequate for years, but it has been outgrown by the commerce developed in one year's time and extensions will have to be constructed. From New Orleans to Cairo the river has been improved. Between these points full cargoes are moving the year round, but because Congress has failed to carry out its program for the improvement of that stretch of 120 miles between Cairo and St. Louis full cargoes can go from St. Louis through to New Orleans only when the water is high. At other seasons the cargoes have to be broken up at Cairo and the barges towed separately from Cairo to St. Louis by tugs, which is a wasteful interference with a successful operation.

It is asserted that we have an 8-foot channel the year round between Cairo and St. Louis. This is true, but the channel as now improved during the low-water season is wide enough only for single barges and packet boats. I doubt if the average Member of this House comprehends either the size or potentiality of a modern towboat with its cargo of barges making its way along the Mississippi River. When the water was high last season it occurred upon numerous occasions that one towboat would make the trip in six days from St. Louis to New Orleans with eight barges, carrying enough freight to load 12 full freight trains, each train carrying 50 loaded cars, with 50,000 pounds of merchandise to the car.

But a tow of barges, such as I have described, is 900 feet long and 150 feet wide, and while it can navigate upon an 8-foot channel, yet, with the river between Cairo and St. Louis in its present unimproved condition, its navigable channel being narrow in places, such a cargo in low water can not navigate the bends in the swift current without danger of its barges colliding with sand bars. If Congress had carried out its project and had appropriated the funds as planned, that stretch of the Mississippi between Cairo and St. Louis would now be improved, and cargoes, such as I have described, would be moving without interference practically 10 months in each year from St. Louis straight through to New Orleans.

One of the difficulties with which the barge line has had to contend and which has done much to prevent river navigation in this country has been the unfair and unreasonable rates which the Interstate Commerce Commission has permitted the railroads to charge upon their lines which parallel the rivers, and this likewise applies between coast points as well as between river points throughout the United States. Congress has given to the Interstate Commerce Commission full power to correct these abuses, but it has not done so. In order to illustrate and demonstrate the contention that unfair and unreasonable rates have been made upon rail lines which parallel the river, permit me to call your attention to a few specific instances of rates now in force, as I found them to be within the past 30 days, from the records of the Interstate Commerce Commission. For instance, the railroads haul to-day from New Orleans to St. Louis, a distance of 718 miles, 100 pounds of second-class freight for $1.73, while they charge for hauling the same amount of the same kind of freight from New Orleans to Fort Smith, Ark., a distance of 494 miles, but where no water competition exists, the sum of $1.84½. The railroads to-day haul 100 pounds of first-class freight from Portland, Me., to New Orleans, a distance of 1,685 miles, for the sum of $2.51, because water competition exists between these points, while they charge from Kansas City to New Orleans, a distance of 879 miles, but where no water competition exists, because the river has not been improved, the sum of $2.48½; while they charge from Omaha to New Orleans, a distance of 1,062 miles, $2.79½—one-third less distance, but a greater rate. And they charge from Denver to New Orleans, a distance of 1,349 miles, 300 miles less than from Portland, Me., to New Orleans, but where water competition is not possible, the sum of $3.04.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. NEWTON of Missouri. Certainly.

Mr. STRONG of Kansas. The railroads make low rates for competing with water transportation and then make the inland points pay for it.

Mr. NEWTON of Missouri. Yes; and Kansas has been making a very substantial contribution to this system.

Mr. STRONG of Kansas. We have been making contributions for a good many years.

Mr. NEWTON of Missouri. No better illustration can be shown of the methods used by railroads to destroy water competition than the rate recently established between Minneapolis and St. Louis upon first-class freight. A barge line is about to begin operations upon the Mississippi between these points. The railroads went recently before the Interstate Commerce Commission and received authority to make a rate upon 100 pounds of first-class freight from Minneapolis to St. Louis, a distance of 586 miles, for $1.06½, while the same commission permits the railroad over a more level country from Minneapolis to Kansas City, 86 miles less distance, to charge for hauling the same kind and amount of freight the sum of $1.44, because no river runs direct from Minneapolis to Kansas City.

If the railroad can afford to carry freight from Minneapolis to St. Louis for $1.06½ per 100 pounds, it ought not to be permitted to charge 38 cents more to carry 100 pounds of the same kind of freight a less distance to Kansas City, and if the rate from Minneapolis to Kansas City is a reasonable one, then the railroad ought not be permitted to establish a confiscatory rate along the river, merely for the purpose of preventing river navigation.

Mr. SANDERS of Indiana. The gentleman would not advocate a refusal to permit the railroads to make rates to meet the competition of the actual waterway competition?

Mr. NEWTON of Missouri. I would advocate prohibiting the railroads from collecting exorbitant rates upon inland lines to make up what they lose trying to destroy barge-line transportation upon our waterways.

Mr. SANDERS of Indiana. It is usually contended that when the rates were cut to enable the railways to compete with the water lines, that the rates are fixed so as to make a little more than out-of-pocket costs. The theory is that it would so destroy the system throughout the country that it would mean an increase of the rates where there was no water competition, so the real result is that we get a better service by permitting the competition of water rates.

Mr. NEWTON of Missouri. I know they have fine-spun theories by which they seem to be rather successful in continuing the practice. I know, on the other hand, that the railroads of this country never have and never will be able to compete with water transportation successfully. There is only one way they can compete, and that is to make a rate less than cost along the water lines and recoup their losses by overcharging the shippers who live in territory where water transportation does not exist.

Another striking illustration of the influence of water competition upon railroad rates and of the discriminations which the people of the Mississippi Valley are compelled to endure because of the failure of Congress to improve our waterways, is shown by the fact that the railroads to-day will haul 100 pounds of paint from Boston to Seattle, a distance of 3,258 miles across all the mountains and prairies of this country, for $1.83½, because water competition exists around through the Panama Canal, while they charge $1.06½ for hauling the same amount of paint a distance of 916 miles across the prairies from St. Louis to Denver, but where water competition is not possible. In other words, the people of the valley are compelled to pay $1.06½ to have 100 pounds of paint hauled 916 miles across a level country, while the railroads haul the same amount of paint a distance of 2,342 miles across the mountains of this country

for the sum of 77 cents, and all of this is done under authority conferred upon the railroads by the Interstate Commerce Commission.

The railroads to-day haul 100 pounds of first-class freight 3,313 miles from San Francisco to Boston for $6.16, while they charge $5 to haul the same amount of the same class of freight 1,986 miles from San Francisco to Kansas City. Such discriminations against the interior of the country should not be allowed.

Mr. BARKLEY. I do not know whether they are violating the law, but the law provides for discriminatory rates at water points, and they are not allowed to put it below compensatory rates.

Mr. NEWTON of Missouri. I know, but they have queer systems of bookkeeping.

Mr. HUMPHREYS. As I read the law, the railroads can not charge more than a compensatory rate to any people.

Mr. NEWTON of Missouri. I know that is true according to law.

Mr. HOCH. Following out that line, would it not follow that if the rates in competition with water transportation are, as a matter of fact, compensatory, then rates to the interior are unquestionably high?

Mr. NEWTON of Missouri. Yes.

If the railroads can afford to make the rates they do between Frisco and Boston and between Boston and Seattle, then they ought not be permitted to charge the rates which they impose upon the people of the Mississippi Valley. And if they can not afford to make the rates which they make between Boston and Seattle and between Frisco and Boston, then they ought not to be permitted to make such rates in competition with the merchant marine which we have expended $3,500,000,000 to establish. And if the railroads can afford to make such rates as I have described, then why was it necessary for Congress to appropriate out of the Treasury and to pay them as a result of the deficit under governmental operation the sum of $1,600,000,000 and to loan them $500,000,000 more?

Mr. SANDERS of Indiana. I do not think that follows at all. The rate may be more than the out-of-pocket cost and yet not sufficient to be compensatory in the general sense of that term. It does not follow at all.

Mr. HUMPHREYS. The law says "reasonably compensatory at river points." If you cut it to reasonably compensatory rates and higher elsewhere, the elsewhere is more than reasonably compensatory.

Mr. SANDERS of Indiana. Not at all; it is a different standard. When you take the compensatory rates with reference to water competition it is a different standard from the compensatory rate in a general way.

Mr. ROSE. Will the gentleman yield?

Mr. NEWTON of Missouri. I will.

Mr. ROSE. I note from the chart exhibited by the gentleman from Missouri [Mr. NEWTON] that there is great discrimination in the rates charged by railroad companies between certain points, as shown on the chart. It would appear that the inland districts and cities are obliged, indeed compelled, to make up losses incurred by railroads where the roads are in competition with water transportation. If that be true, why is it that all inland towns and cities are not charged proportional rates instead of being called upon to pay discriminatory rates, which makes competition in certain commodities almost prohibitive. I agree with the general proposition that inland cities and towns should pay a higher freight rate than the rate in competition with water rates. Any point other than a terminus of a railroad must of necessity pay a larger freight rate, for the reason that the breaking of trains, shifting cars to sidings, and drilling trains can only be done at increased cost, so that location has much to do with freight rates by railroad transportation only. But from information from persons in position to know, I offer the suggestion that the rates are not uniform. A number of complaints have been filed with the Interstate Commerce Commission because of unfair rates charged on lumber shipped to Pennsylvania from some of the Southern States. Our chamber of commerce, of Johnstown, Pa., has joined with other bodies in filing complaints with the commission. The unfair or discriminatory rates are not directly chargeable to the railroads entering the city of Johnstown; they have made every effort to bring relief to the business interests affected in the city of Johnstown. It so happens that Johnstown is compelled to suffer the brunt of the high freight rate. It may be that it will be found necessary to make a formal complaint to the commission, but our people are justly entitled to a revision of the rates without being compelled to expend large sums of money therefor. It may be that the southern lines will appreciate the situation and make proper adjustment of the rates to cities situated as is Johnstown and so make possible fair competition in many lines of endeavor. This appears to me the right place and time to present this situation.

Mr. NEWTON of Missouri. I agree with the gentleman, and I think some system ought to be worked out so that our transportation systems can be made to cooperate and not be fighting each other all the time.

A striking illustration of this country's lack of business in Government may be found in the operation by the railroad administration of the railroad and barge line between St. Louis and New Orleans. With one arm of the Government the Director General of Railroads took $9,000,000 out of the Treasury with which to build barges and towboats in an effort to develop commerce upon the Mississippi River, while with another arm of the Government he wasted millions of dollars carrying freight upon railroads which parallel the river at less than cost trying to prevent commerce from developing upon the river. Again, I repeat, the need of our country is more business in government. And while Members of Congress from the valley States are helping to appropriate millions to improve the harbors along our seaboard and to reimburse the railroads for their losses, it would seem that a just reciprocity would demand that the Mississippi and its tributaries should be improved for navigation in order that the people who live in that great productive area of this country might be given an opportunity through the blessing of cheap transportation to develop the resources so abundant in that region.

The most deadly obstacle with which the barge line has had to contend, more destructive even than the cutthroat competition carried on by the rail lines which parallel the river, is the unfair division the barge line has to make with the railroads of the revenue collected for a joint rail-and-water haul. I know of no way to present this feature more effectively than by giving a number of concrete examples. I will quote the divisions of rates approved by Examiner Woodrow, representing the Interstate Commerce Commission in a case filed by the barge line and now pending before the commission, and I am advised that the proposed division of rates is merely a continuation of the rates prescribed by the railroad administration and still in force.

For instance, on first-class freight from St. Louis to Bayless, Ark., by a joint rail-and-water haul the rate is $1.55½ per 100 pounds. The rail line carries this freight 74 miles, while the barge line carries it 306 miles, and yet the rail line gets 88.5 cents for hauling it 74 miles, while the barge line is allowed only 67 cents for hauling the same freight 306 miles. In other words, the railroad carries the freight 15 per cent of the total haul and collects 57 per cent of the revenue.

Mr. LAYTON. Who fixed that rate?

Mr. NEWTON of Missouri. That rate was fixed by the railroad administration just before they went out of office. But it is an abuse that ought to be corrected.

Mr. LAYTON. Will the gentleman please tell me how and by whom?

Mr. NEWTON of Missouri. It can be corrected all right.

Mr. LAYTON. By the Government?

Mr. NEWTON of Missouri. Yes.

Mr. LAYTON. Is not that the only solution?

Mr. NEWTON of Missouri. Yes; I think it is. You can see the difficulty of operating against this kind of discrimination.

Mr. LAYTON. Has the Interstate Commerce Commission the power to fix water rates?

Mr. NEWTON of Missouri. The Interstate Commerce Commission has the power under the law to fix joint rail and water rates.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. NEWTON of Missouri. I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. How many miles of that haul you referred to are by water and how many by rail?

Mr. NEWTON of Missouri. The railroad hauls the freight 74 miles and takes 88½ cents of the freight and the barge line hauls it 306 miles and gets 67 cents of the freight.

Mr. ROACH. Will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. ROACH. Is it not a fact that the Interstate Commerce Commission has the authority to regulate and correct the unjust discriminatory rates now in force and to which the gentleman has referred?

Mr. NEWTON of Missouri. I will answer the gentleman's question by reading an extract from subdivision 3 of section 15 of the transportation act:

The commission may, and it shall whenever deemed by it to be necessary or desirable in the public interest, after a full hearing upon complaint or upon its own initiative without a complaint, establish * * *

joint rates * * * applicable to the transportation of passengers or property * * * (or in the case of a through route where one of the carriers is a water line, the maximum rates, fares, and charges applicable thereto) and the divisions of such rates * * * as hereinafter provided, * * * and this provision, except as herein otherwise provided, shall apply when one of the carriers is a water line.

In the face of this language, can there be any question about either the right or the duty of the commission to correct abuses such as I have described? And if complaint is not made, then it should correct them upon its own initiative in the public interest. Yes; and in the interest of water transportation, which Congress has by law declared should be fostered and preserved in full vigor.

The shipper pays $1.48 per 100 pounds on first-class freight from St. Louis to Monroe, La., over a joint rail-and-water haul.

In the division of the revenue so collected the railroad takes 81 per cent for hauling the freight 37 per cent of the distance, while the barge line is allowed 19 per cent of the revenue collected for hauling the freight 63 per cent of the distance.

It costs $1.64 to haul 100 pounds of first-class freight over a joint rail and water line from St. Louis to Smithson, Ark. The railroad performs 36 per cent of the service and takes 88 per cent of the revenue.

It costs $1.28 to haul 100 pounds of first-class freight from St. Louis to Holly Springs, Miss. The railroad hauls the freight 10 per cent of the distance, but takes 50 per cent of the revenue collected, leaving to the barge line the other half of the revenue for performing 90 per cent of the service.

It costs $1.74 to haul 100 pounds of first-class freight over a joint rail and water line from St. Louis to Collinston, La. The railroad hauls this freight 35 per cent of the distance and takes 81 per cent of the revenue collected.

It costs $1.03½ to haul 100 pounds of freight over a joint rail and water line from New Orleans to Quitman, Miss. The railroad hauls this freight 40 per cent of the distance, but collects 96½ per cent of the revenue. In other words, the railroad hauls this freight 109 miles and receives $1 therefor, while the barge line hauls the same freight 165 miles and receives 3.5 cents.

It costs $1.32½ to haul 100 pounds of freight from New Orleans to Brownsville, Tenn., over a joint rail and water haul. The railroad hauls this freight 7 per cent of the distance and takes 41 per cent of the revenue.

It costs 87½ cents to haul 100 pounds of first-class freight over a joint rail and water haul from Mobile to Yolande, Ala. The railroad hauls this freight only 7 per cent of the distance and takes 42 per cent of the total revenue collected.

It costs $1.54 to haul 100 pounds of first-class freight from St. Louis to Stuttgart, Ark., over a joint rail and water haul. The railroad carries this freight 20 per cent of the total distance and takes 61 per cent of the revenue collected. From these illustrations you will understand the system used by the railroads for destroying water transportation by taking the major part of the revenue, while the barge line performs the greater part of the service.

Mr. GREENE of Vermont. Will the gentleman yield for an inquiry?

Mr. NEWTON of Missouri. Yes.

Mr. GREENE of Vermont. The gentleman should bear in mind the difference between the expense of maintaining and operating the water line and maintaining and operating the railroad. The railroad has to pay the expense of maintaining its right of way and it has other expenses which the water line has not.

Mr. NEWTON of Missouri. That is the point precisely. It costs the railroads infinitely more to transport a given amount of freight than it costs the barge line to transport an equal amount of freight, and the public has to pay the carrier the cost to it of the transportation plus a reasonable amount of profit, and if the public can get its commerce hauled by water at one-third or one-fourth the price at which the railroads can afford to haul such commerce, why should not the public avail itself of that advantage instead of continuing to pay the rate which it is now compelled to pay to the railroads? [Applause.]

Mr. GREENE of Vermont. Yes; but the waterways do not extend to all parts of the country.

Mr. NEWTON of Missouri. That is true; but let us give the public the benefit of cheap water transportation where waterways exist and then pay the railroads a compensatory rate, a rate which will pay their expenses and will give their stockholders a dividend occasionally between points where water competition does not exist. [Applause.]

Mr. GREENE of Vermont. The gentleman realizes that there is time freight and that there is dead freight?

Mr. NEWTON of Missouri. I do.

Mr. GREENE of Vermont. There is some freight in the hauling of which time is of the essence of the contract.

Mr. NEWTON of Missouri. Yes.

Mr. GREENE of Vermont. And there is other freight which may just as well be transported by the slower water route.

Mr. NEWTON of Missouri. That is true.

Mr. GREENE of Vermont. Is the public willing to pay the difference?

Mr. NEWTON of Missouri. Certainly. For first-class freight they can afford to pay what it costs to haul it, and the waterways should be utilized to haul the heavy, bulky freight, such as lumber, coal, building materials, sisal, burlap, coffee, sugar, and so forth, and the cars which are now being utilized for this purpose should be set free to supply the ever-increasing demand for transportation facilities in those sections of the country where waterways do not exist.

The unfair division of rates which I have described has been continued for two years, while full power was vested in the Interstate Commerce Commission to correct it, and that, too, in the face of an act of Congress approved more than two years ago, which contained the following language:

It is hereby declared to be the policy of Congress to promote, encourage, and develop water transportation service and facilities in connection with the commerce of the United States, and to foster and preserve in full vigor both rail and water transportation.

Can it be contended with any show of color that the Interstate Commerce Commission is trying to preserve in full vigor the water transportation of this country when it permits the railroads to take 97 per cent of the total revenue collected for a joint rail and water haul when it performs only 40 per cent of the service, as is being done upon the Mississippi and Black Warrior Rivers?

Mr. ARENTZ. Will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. ARENTZ. If they paid that Black Warrior traffic manager $16,000 or $20,000 a year instead of $12,000 he might be able to get more than 4 per cent of the total freight. The Government runs that Black Warrior Line and gets 4 per cent of the freight charge, and the traffic manager gets $12,000 a year and has no traffic.

Mr. NEWTON of Missouri. I am not advised as to the salary now being paid the manager of the Black Warrior section. I suspect that it is not exorbitant, but I do not believe that any salary which may be paid to the manager of that line would insure a successful operation with the present division of rates which the railroads demand of the barge line.

Mr. BANKHEAD. The gentleman from Nevada [Mr. ARENTZ] is very much mistaken when he says there is no traffic there.

Mr. NEWTON of Missouri. There is traffic there and the barge line is hauling it; but under the present division of rates it does not pay, and these rates were undoubtedly made for the purpose of destroying water transportation.

Mr. ARENTZ. When I say there is no traffic, I mean to say there is so little that you can hardly call it anything at all.

Mr. NEWTON of Missouri. A suit was filed before the Interstate Commerce Commission on the 11th day of October, 1920, pointing out these abuses and appealing to the commission to correct them. That suit has been pending for one year and four months, while the barge line is compelled to struggle on, enduring this frightful discrimination, while the railroads collect as high as 97 per cent of the revenue for 40 per cent of the service.

The water critic is frequently heard to proclaim that river navigation is not practicable and that money expended in that direction is wasted. If that is true, then why do the railroads carry commerce along water lines and between ocean points at an infinitely less rate than they carry the same commerce between points where water competition does not exist, and if river navigation is not practicable then why should it become necessary for the railroads to take three-fourths of the revenue for one-fourth of the service where commerce passes over a joint rail and water line?

As a matter of fact, cutthroat rates have long been practiced by the railroads in their efforts to prevent water transportation in this country, and they are not only destructive to river navigation but they are destructive to the railroads themselves. Experience shows that the railroads never have been and that they never will be able to successfully compete with water transportation, and every attempt that they make in that direction is a source of useless expense.

As a Member of Congress I voted for the Esch-Cummins bill and for every other bill which in my judgment would strengthen and sustain the railroads, and I have not changed my views upon that subject. The country needs railroads and must have them where a cheaper form of transportation does not exist. For their services they ought to be allowed to collect sufficient revenue to defray all their necessary expenses and to pay a reasonable dividend to the stockholders, but they should not be allowed

to charge a confiscatory rate in one section of the country to destroy water transportation upon our rivers and then to charge exorbitant rates upon lines where there can be no water competition in order to recoup their losses. The public is entitled to the cheapest form of transportation available. If our railroads will quit wasting money along our rivers and between our water points, they will be able to give our people who are away from our rivers a reasonable rate and still earn a profit.

The thing in which we are interested in this country is a means of carrying our commerce. If our resources are to develop so that our national obligations can be met, then we must develop a great system of transportation, consisting of railways, waterways, and highways, each serving the public as economically as it can afford, not competing but coordinated with each other in one harmonious transportation system.

Mr. LAYTON. As a matter of fact, this great question of transportation in the United States is one that has never yet apparently invited the real solemn attention of the American people.

Mr. NEWTON of Missouri. I think you are absolutely right.

Mr. LAYTON. We are spending large sums of money on rivers and harbors, and every dollar that we spend on rivers and harbors, as a rule, is in competition with the railroads, and then we have an Interstate Commerce Commission, with labor boards and everything of that kind, and we are taking the railroads over and handling them by law, and every instrumentality of transportation is running against every other. There is no coordination in any direction. In addition to that we are spending millions of dollars for public highways, which always enter into competition with both waterways and railroads.

Mr. NEWTON of Missouri. We are not interested in railroads, we are not interested in waterways, we are not interested in highways. But the thing in which the American people are interested is adequate and economical facilities for transportation. [Applause.]

The War Department, through the direction of Col. T. Q. Asburn, of its department of transportation, and Theodore Brent, the barge-line director, is making a demonstration upon the Mississippi River between St. Louis and New Orleans which is proving, in the face of tremendous obstacles, that river navigation is not only practicable but that it can be made a powerful instrument in the commercial development of the country. The barge line is carrying freight at 80 per cent of the rail rates which parallels the river, and the rail lines which parallel the river are permitted to make rates which amount to little more than 50 per cent of the average rail rates of the country; and in addition to this severe competition the barge line is handicapped by the unfair and unreasonable division of joint rail and water rates which I have just described. And yet the Mississippi Barge Line, in the face of all these difficulties, is operating at a profit.

The barge line began its operation on the 1st of January last year, and with 1 new towboat and 39 barges, most of which were inactive for a time for want of power to move them. In June 2 new towboats were added to the fleet and 1 old sternwheel towboat, the *Barrett*, was rebuilt and put into service. Then 2 additional towboats were completed and put into service in November, making a total of 6 towboats, aided by three or four old inferior tugs, and this fleet is still in operation between New Orleans and St. Louis, and in order that you may understand the extent and success of that operation I will give you the tonnage, the gross expenses, the gross revenue, and the revenue, and the results.

Mississippi River section, 1921–22.

1921.

JANUARY.

Tonnage, 5,921.

Gross expenses	$81,915.80
Gross revenue	31,986.00
Deficit	49,929.80

FEBRUARY.

Tonnage, 23,203.

Gross revenue	86,480.78
Gross expenses	77,610.21
Profit	8,870.57

MARCH.

Tonnage, 24,012.

Gross expenses	95,783.00
Gross revenue	92,792.43
Deficit	2,991.18

APRIL.

Tonnage, 36,917.

Gross revenue	166,366.10
Gross expenses	122,541.24
Profit	43,824.86

MAY.

Tonnage, 44,412.

Gross revenue	$158,263.23
Gross expenses	129,555.98
Profit	28,707.25

JUNE.

Tonnage, 38,476.

Gross revenue	186,241.93
Gross expenses	148,017.07
Profit	38,224.86

JULY.

Tonnage, 44,829.

Gross revenue	192,584.52
Gross expenses	138,997.11
Profit	53,597.39

AUGUST.

Tonnage, 58,345.

Gross revenue	252,800.77
Gross expenses	180,938.43
Profit	71,862.34

SEPTEMBER.

Tonnage, 44,372.

Gross expenses	175,976.71
Gross revenue	159,917.35
Deficit	16,059.36

OCTOBER.

Tonnage, 40,026.

Gross expenses	173,699.65
Gross revenue	148,667.83
Deficit	25,031.31

NOVEMBER.

Tonnage, 38,850.

Gross expenses	154,598.31
Gross revenue	115,004.69
Deficit	39,583.62

DECEMBER.

Tonnage, 59,062.

Gross revenue	199,140.48
Gross expenses	159,289.42
Profit	39,851.06

1922.

JANUARY.

Tonnage, 60,529.

Gross revenue	190,650.00
Gross expenses	188,000.00
Profit	2,650.00

FEBRUARY.

Tonnage, 59,257.

Gross revenue	183,378.00
Gross expenses	130,500.00
Profit	52,878.00

SUMMARY.

Total tonnage, 563,211.

Gross revenue	$2,164,270.09
Gross expenses	1,559,423.72
Profit	204,463.37

It is interesting to note that within a period of 14 months, with this limited equipment in its experimental state, operating under conditions which I have described, the barge line collected a total revenue of $2,164,270.09. Operating, as it did, at 80 per cent of the rail rate which paralleled the river, this 20 per cent differential has resulted in a saving to the shippers who patronize the barge line amounting to $541,134. It is also interesting to note that in spite of the obstacles encountered by the barge line during the first 14 months of its operation, its receipts exceed its total expenditure in the sum of $204,463.37.

The barge-line equipment was built under war conditions at a war-time cost in excess of $9,000,000. That equipment has been recently appraised, and it is found that the same equipment could be constructed to-day at a cost of approximately $4,000,000.

Experienced rivermen tell me that there are barges and other equipment inferior to this which have been in use upon the Mississippi River for more than 40 years. There is no reason to believe that this equipment, under proper care, would not last equally long. This would mean a depreciation of 2½ per cent, amounting to $100,000 per year. It will be observed from the figures which I have given that the barge-line profit during the last 12 months amounted to $245,905.60. After setting aside $100,000 of the total profit earned as depreciation, there is enough left to yield 3.6 per cent income upon $4,000,000, the present reconstruction cost of the equipment. Even though the rail lines on an average collect 50 per cent more for the services rendered than the barge line, yet how many railroads are there

in this country who can boast of a better showing during the past 12 months?

It has been reported that while the barge line earned a profit last year it did not earn enough to pay its depreciation, but this is due to the fact that the barge line was required by a rule of the Interstate Commerce Commission to set aside for depreciation a sum equal to 5 per cent of the book value of the equipment, amounting to more than $9,000,000, and the 5 per cent was fixed on the theory that the equipment will be worn out in 20 years. A fair depreciation would be 2½ per cent upon the cost of constructing the same equipment to-day.

The barge line made a profit of $245,905.60 during the year in spite of the fact that during the months of September, October, and November, 1921, there was a loss of $72,674.29. This is due to the fact that great quantities of wheat were moving from Iowa, Nebraska, Kansas, and western Missouri and adjoining States over the barge line during these months, and the Interstate Commerce Commission had reduced the freight rate upon wheat from 19 to 14 cents per 100 pounds, and, inasmuch as the 20 per cent differential made the barge line attractive to the shipper, great quantities of this wheat went over the barge line with much profit to the shipper but with considerable loss to the barge line. The railroads, however, fared only 20 per cent better than the barge line upon wheat which they carried. As a matter of fact, when unjust discriminations are eliminated and a fair division of freight is compelled on a joint rail and water haul, States like Iowa, Kansas, Nebraska, and South Dakota will profit as much from cheap water transportation on the Mississippi and the Missouri Rivers as the farmer and the merchant who resides upon or near the bank of the river.

In order to ascertain the character of freight which is being carried upon the Mississippi barge line and in order to learn its origin and destination I procured from that line a list of the freight which went down the Mississippi in one cargo last November. It would take too much time to give the entire list of freight carried in that cargo, but I will give you a few of the items, together with the point of origin and point of destination of each item:

From—	To—	Commodity.
St. Louis	New Orleans	Bulk corn.
Do	do	Bulk wheat.
Do	Porto Rico	Liquid paint.
Do	Habana, Cuba	Corn.
Do	Hamburg, Germany	Flour.
Do	Tampa, Fla	Wheat.
Do	Portland, Oreg	Iron castings.
Do	Vera Cruz, Mexico	Nails.
Memphis	Tampa, Fla	Feed.
Do	Liverpool, England	Cotton.
Do	Shanghai, China	Do.
Do	Stockport, England	Do.
Do	Ghent, Belgium	Do.
Do	San Francisco	Washboards.
Sandusky, Ohio	New Orleans	Crayons.
Indianapolis, Ind	do	Iron link belting.
Collierville, Tenn	Bremen, Germany	Cotton.
Jonesboro, Ark	Liverpool, England	Do.
Racine, Wis	New Orleans	Liquid wax.
St. Joseph, Mo	Tampa	Animal feed.
Kansas City, Mo	New Orleans	Burlap bags.
Bayard, Nebr	Tampa	Stock feed.
Elkton, Mich	do	Dried beans.
Indiana Harbor, Ind	Kobe, Japan	Sheet steel.
Chicago, Ill	San Francisco	Agricultural implements.
Do	Portland, Oreg	Do.
Paris, Ill	Hamburg, Germany	Starch.
Blytheville, Ark	Liverpool, England	Cotton.
Covington, Tenn	do	Do.
Caruthersville, Mo	Bremen, Germany	Do.
Do	Liverpool, England	Do.

Criticism is sometimes made of the fact that the Government is engaged in the operation of a transportation system, and no one believes in private operation more than I, but as a result of the war we have millions invested in waterway equipment, and if we do not want Government operation of our waterways we must find a status, a legal status, by which private capital in river operations can be made safe, and in the face of the discriminations and unfair division of rates, which I have described, it is evident that that status does not exist to-day. Who would be willing to purchase the barge-line equipment on the Mississippi and subject himself to the cutthroat competition and unfair division of rates which the Interstate Commerce Commission permits the railroads to practice?

Mr. GRAHAM of Illinois. Mr. Chairman, while the gentleman is on that subject, let me ask him a question. That barge line is a feature of the war, primarily?

Mr. NEWTON of Missouri. Yes.

Mr. GRAHAM of Illinois. There is practically no transportation on the Mississippi River to-day except that barge line?

Mr. NEWTON of Missouri. There has been quite a good deal developing recently.

Mr. GRAHAM of Illinois. How can you with success develop transportation on the Mississippi River by private enterprise so long as this system of discriminatory rates exists?

Mr. NEWTON of Missouri. I will say frankly to the gentleman that if the discriminatory rail rates, which I am pointing out, and the unfair division of freight collected upon joint rail and water rates are continued and some legislation is not passed by Congress to correct these abuses, there is little hope of any considerable water transportation being developed by private capital.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. LAYTON. As a matter of fact, could the Interstate Commerce Commission correct these abuses now, taking into consideration the operation of the railroads, with your labor boards and your wage boards and all that?

Mr. NEWTON of Missouri. Yes; they could.

Mr. LAYTON. I do not think they can.

Mr. NEWTON of Missouri. If this Congress will enact legislation which will make it mandatory for the Interstate Commerce Commission to prevent these abuses and to treat waterway transportation with the same consideration which it gives to transportation by rail, our equipment can be sold to private capital at a tremendous advantage and cheap water transportation will develop upon our inland rivers which will stimulate the industries of the country and will benefit the railroads as well.

There may have been some excuse in years past for neglecting our rivers and depending upon our railways, because our railways were able then to meet the demands of commerce and their rates were not unduly high. But conditions are changed now. There has not been a railroad of any consequence constructed in this country in 15 years, and I have not seen capital looking for railroad investment. As soon as business opens up in earnest again the railroads will be totally inadequate to meet the demands of commerce. Furthermore, their rates are high, and when we consider the cost of railroad operation I am convinced that these rates may have to go higher still. I know of no better authority for the inability of the railroads to reduce rates or to meet the demands of commerce than statements made by officials of the railroads.

I am advised that Vice President McCrea, of the Pennsylvania Railroad Co., before the Pittsburgh Chamber of Commerce on February 24, 1922, while discussing this subject, made a statement which contained the following:

> In the United States during the 12 months ended December, 1921, but 400 miles of new line were built, while 700 miles have been abandoned. Practically no railroads have built double track, increased their yard facilities, or taken steps to relieve congested points where they have had much of their trouble in the past few years and know they will have more trouble in the future. We have had no money for this; every dollar available and all of our energies have of necessity been expended in restoring our existing facilities to a safe and efficient operating condition.

I am also advised that Vice President Elisha Lee, of the Pennsylvania Railroad Co., in a speech recently before the Manufacturers Association of Philadelphia made a statement which, among other things, contained the following:

> Traffic on our American railroads measured in ton-miles doubles about once in a decade or possibly a little longer. The next time our country has a real revival in business we shall in all probability be confronted with the most severe congestion of railroad traffic and the greatest inadequacy of railroad facilities ever experienced in our history.
>
> When that happens rates will be lost sight of. Everyone will be clamoring for service, and our public highways will again be torn to pieces by huge truck loads of freight carried over roadways never designed for such purposes, and at rates and costs of operation so high as to constitute gross economic waste.
>
> Then business men will not be bothering themselves much about rates. All they will be thinking about will be how to get transportation at any price.

In the face of these gloomy forebodings proclaimed by high railroad officials; in the face of their admissions that when business conditions improve they will not be able to meet the demands of commerce; in the face of their promise of still higher rates and with our knowledge that their predictions are well founded, how can any Member justify himself in failing to support adequate appropriations for the improvement of our waterways so that we may have facilities sufficient for our slow freight at least?

Mr. McDUFFIE. And do not they carry the commerce in shorter time than the railroads?

Mr. NEWTON of Missouri. Yes. I have received a number of letters from shippers in St. Louis stating that consignments

of freight from points in England and Europe brought by ocean steamers to New Orleans and by barge to St. Louis have arrived in a shorter time than shipments by rail from various points in the United States.

The commerce of the country must have a cheaper and more adequate form of transportation for its bulky commodities. And where can you find such transportation except by the use of our waterways? At the close of the World War Kansas had an abundance of wheat. The market was strong and the price high, but cars to move the wheat were not available. Before the railroads could supply the cars to move this wheat the market had gone down until, I am advised, there was a loss to the farmers of Kansas amounting to more than $2,000,000. Unless transportation facilities are increased this thing will occur again. If the Missouri River had been improved a few cars could have hauled this Kansas wheat to Kansas City, where it could have been loaded upon barges and carried to the market while the price was high, and that at a low freight rate. Surely the farmers of Kansas are interested in having this thing made possible.

In order to demonstrate to you the extent to which freight rates in this country have been increased during the past two years, I want to give you a few specific examples. Two years ago the rate on 100 pounds of sugar from New Orleans to St. Louis was 44 cents; to-day it is 59½ cents. Two years ago the rate on 100 pounds of sugar from New Orleans to Camden, Ark., was 50 cents; to-day it is 67½ cents. One year ago the rate on 100 pounds of wire rope from Clinton, Iowa, to Seattle was $1.32; to-day it is $1.50. One year ago the rate on 100 pounds of wire rope from Mount Wolf, Pa., to Seattle was 69 cents; to-day it is $1.83½. And this general increase prevails throughout the country. I am not contending that the railways can afford to make cheaper rates, for I know that it costs about three times as much to construct the necessary equipment and to carry a given amount of freight over a rail line than it does over a water line. What I am contending is that we need a form of transportation which it costs less to produce.

As an illustration of what barge-line transportation means to the farmer, I was told by a St. Louis hay merchant recently that he had been seeking a market for his hay in Cuba, but that he had found that hay produced upon the farms of Canada was being transported from Canadian ports to Havana for $3 less freight per ton than hay could be shipped from St. Louis to the same port. He told me that the corn men of St. Louis were competing in the Cuban market because the barge line, though its space was limited, would take corn at the river rate. Hay from Missouri and Iowa and Kansas could likewise compete in the Cuban market if the barge-line equipment was adequate to give this bulky commodity space and likewise the benefit of its low rate.

I have stated that the barge line was carrying freight at 80 per cent of the rail rate which paralleled the river, and that the rail rate which paralleled the river was little better than 50 per cent of the average rail rate of the country. In proof of this assertion I desire to state that the barge line last year collected 3.86 mills per ton-mile for all the freight which it hauled. In other words, for every ton of merchandise which it carried 1 mile it received for compensation therefor the sum of 3.86 mills. In response to a request which I made upon the Interstate Commerce Commission as to the average revenue per ton-mile which the railroads of the United States received for carrying commerce during the years 1920 and 1921, I received a communication from that commission, dated the 2d instant, in which they informed me that the record for 1921 is not yet compiled, but that their records show that for the year 1920 the railroads of the United States received on an average for all freight carried the sum of 10.52 mills per ton-mile; and the rates were higher in 1921 than they were in 1920. In other words, the service of the barge line costs the shippers only 36 per cent as much as the service of the railroads, and the records further show that of the 10.52 mills which the railroads collected for each ton-mile for freight hauled it required 93.05 per cent of such amount to pay the expenses of operation, but that of the 3.86 mills which the barge line collected for each ton-mile of freight hauled it required only 90 per cent for operating expenses. There can be no question about the economy of water transportation. In the face of these facts, if the primary purpose of Congress is to serve the best interest of the whole people, how can we justify our failure to make appropriations adequate to insure the development of a form of transportation which will cost the people of this country only one-third as much as the form of transportation which they are compelled to use to-day? Whom are we here to serve, the railroads or the public? If it is the railroads, then for their own sake we should bar them from from this foolish and wasteful competition. If it is the public, then we should no longer deprive them of the economy of water transportation. In what are we interested? Is it railroads or is it transportation for American commerce, regardless of form and at the cheapest prices obtainable? In our answer to these questions the public is concerned. [Applause.]

Mr. LAYTON. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAYTON. According to the gentleman's own statement there will be——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAYTON. I ask unanimous consent that the gentleman may proceed for an additional 15 minutes, not to be taken out of the time already allotted.

The CHAIRMAN. The Chair thinks that can not be done.

Mr. NEWTON of Missouri. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. KELLER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KELLER. Mr. Speaker, I desire to address myself particularly to the rivers and harbors item of this bill.

Too much stress can hardly be laid upon the absolute necessity of a thorough and comprehensive program for the development of our inland waterways, those great natural channels of transportation which have for so many years been practically neglected in our economic development. While it is true that millions have been appropriated from time to time for the development of individual projects, the great fault has been that plans completed in all sincerity have not been carried out. Appropriations have been made for the maintenance of a 6-foot channel from St. Paul, the headwaters of the Mississippi, to St. Louis—upon what is known as the upper Mississippi. Expenditures have been made with this purpose in view, but the work has lapsed from time to time, with the result that the 6-foot channel has not been maintained during the period of low water, and consequently navigation has been suspended.

Considering river navigation from a national viewpoint, in conjunction with our plans for developing our merchant marine and increasing our foreign trade, it is absolutely essential that shippers be given as low a through rate as possibly can be fixed upon the bulky commodities that enter into our foreign trade in order to permit American business to compete with our overseas rivals. If we can cut our transportation costs materially in delivering our commodities from the interior to our ports, it means that much more of an advantage to our people in foreign markets. This cost must be kept down to a minimum in order to compete with the constantly increasing productive capacities of foreign countries. Unless our transportation costs upon wheat and other agricultural commodities entering our export trade are decreased, it means the American farmer must bear the burden of decreased prices for his products. By the expenditure of a few millions of dollars in perfecting these lanes of transportation benefits of untold millions will accrue to the producers of our country. Surely this is economy of the most practical nature. We can well afford to accept the expert advice of the Chief of Engineers of the United States Army in appropriating $42,815,661, the amount he sets as the absolute minimum required for the improvement and the maintenance of our river and harbor facilities and for the very urgent new projects under contemplation.

In an address made by Vice President McCrea, of the Pennsylvania Railroad Co., before the Pittsburgh Chamber of Commerce on February 24, 1922, he stated:

> What is the real problem we have before us? Should we not anxiously consider the time when industries will be producing 100 per cent and will be demanding double the amount of transportation from the railways? Do you appreciate that the railways of this country are standing still, as far as expansion to meet these inevitable conditions of the future?

This statement, coming from one of the responsible heads of one of our great railway systems, clearly indicates the condition of our transportation facilities at the present time. Further on in his address Mr. McCrea pointed out that our railroads are doing nothing to meet the anticipated requirements of the near future when American business again returns to its normal capacity, nor to meet the increased output of our factories and farms as a result of the increasing demand due to the development of our foreign trade. There is a solution to this most perplexing problem. The railroads can and must be relieved of the responsibility of this added service. It

can very conveniently and very practicably be handled upon our inland waterways at an economic saving of millions of dollars to our producers. Our foreign competitors have the full use and benefit of both rail and water transportation, while we are practically confined to the use of but one form of transportation which has become entirely inadequate to meet the needs of our growing commerce. The only possible means of relief is water transportation. What are you going to do about it? Are you going to make sufficient appropriations for the proper development of our waterways, or are you going to allow our railroad facilities to suffer another total collapse such as we experienced during the recent war, as they surely will under the stress and strain of the constantly growing mountain of freight that must reach our ports once our output reaches its peak. To stagnate this business once it assumes these proportions will result in irreparable damage to our economic structure. It will create a spirit of depression even more sinister in its forebodings than that following the signing of the armistice. We must take advantage of this opportunity to ward off this danger by approving the recommendations of the Chief of Engineers for the development of our inland waterways. Of course, we all realize that railroad transportation is an absolute necessity. We could not exist without this system of transportation. But the point I desire to bring out forcibly is that our inland waterways are just as essential to the economic development of our country as are the railroads. In order to utilize our railroads to the utmost and increase their practicabiltiy and efficiency we must develop our waterways. Our railroads have reached the limit of their capacity for rendering satisfactory service. This thought is expressed generally by men primarily engaged in railroad activities. No one knows better than they the seriousness of the situation confronting us; they admit the railways will be in no position to handle the constantly growing commerce of the country, and yet some of their leaders openly and stubbornly antagonize all efforts tending to effect a utilization of the only other means of transportation which can effectively preclude the disaster which imminently hovers over them.

The practicability of transportation upon the Mississippi River is no longer doubted. The success of the service maintained between St. Louis and New Orleans has set at rest any fears of the failure of this method of transportation. To extend this service successfully upon the upper Mississippi is a very simple procedure. The barges and the motive power for the maintenance of such service has already been provided. The Government has recently completed the construction of a fleet of up-to-date barges and power boats, which are ready to operate on the river. The only drawback at this time is the lack of appropriations to put the channel in such shape as to insure a 6-foot waterway for the entire season. Once the municipalities along the river are assured of regular service very little time will be lost in building adequate dockage facilities to handle their local freight. The Government should assist municipalities along the river in the construction of docks and providing facilities for handling all foreign freight—that is, through freight from inland points to down-river points, and vice versa—for this burden should not fall entirely upon the local people; it is a national requirement and should be financed by the people as a whole. Under an amendment to the transportation act the Secretary of War was authorized to construct terminal facilities for interchange of traffic between the transportation facilities operated by him and other carriers. The War Department is now operating facilities on the lower Mississippi and on the Warrior River from Mobile to Birmingham, Ala. The authority for the construction of such terminal facilities and their maintenance should be extended to include those required along all our navigable inland waterways wherever they are utilized for the transshipment of commodities. Congress is responsible in a large measure for the success or failure of our transportation systems in an emergency. It has the power now to avert a repetition of the serious breakdown that occurred during the war. It has the opportunity to assist in the development to the fullest extent of our merchant marine and our foreign commerce, which directly concerns our people as a whole. This is a national problem and must be considered as such and not as a community or local matter. The amendment to increase the item of $27,635,260 for rivers and harbors to the amount suggested by the Chief of Engineers of the War Department—$42,815,661—should be adopted.

Mr. ANTHONY. Does the gentleman from Mississippi desire to yield time?

Mr. SISSON. I yield 20 minutes to the gentleman from Mississippi [Mr. QUIN]. [Applause.]

Mr. QUIN. Mr. Chairman, this is designated as the Army appropriation bill, before the House for consideration, but the speeches have taken a broad range and have gone far afield from this immediate subject under discussion. One gentleman discussed railroad rates and fertilizers. Another discussed rivers and harbors, another discussed the bonus, and it occurs to me that they have failed to reach the fundamentals of what is the matter. My friend discussing the fertilizer business and railroad rates surely ought to see that they can not have any cheaper fertilizer under present conditions and that you can not have cheaper railroad rates under existing conditions as are safeguarded around the famous Esch-Cummins railroad bill. When the Congress of the United States guaranteed to the railroads in the United States, after allowing them to pad their expense accounts and pyramid all types of expenses, and make 6 per cent clean profit, how do you expect the railroad rates to come down? Every man who is cognizant of conditions throughout this country, from the Canadian line to the Gulf of Mexico and from the Pacific Ocean to the Atlantic, must see that railroad rates are taking too much toll from all lines of industry. And let me say that any man who is a friend of the wealth producers of the United States is bound to admit that in the last analysis they are paying these exorbitant freight rates. In the last analysis these same people are paying these exorbitant fertilizer prices. What brought that about? The Republican majority of this House rammed through that Esch-Cummins bill that fastened these railroad rates on this country that will hang like a millstone around the neck of every honest wealth producer and wage earner in it. The farmers of the United States are paying seven-tenths of all the charges on freight of these railroads to-day. The statistics from your Government show that he paid that outrageous toll for freight on all the produce from the ground that he ships; that all of his truck, wheat, corn, potatoes, cotton, and wool, all of his live stock, must finally go to the manufacturer or to the consumer, and the charge for the freight is fixed in the sales price, and the farmer must bear that high freight rate that goes to make up their transportation charge on what he produces.

Mr. HUDSPETH. Will the gentleman yield?

Mr. QUIN. I will yield.

Mr. HUDSPETH. It costs just exactly half you get for beef steers shipped from Texas to Kansas City. What is responsible for that, the freight rate?

Mr. QUIN. It is the infamous Esch-Cummins railroad bill. When a Republican Congress guaranteed to them a profit of 6 per cent on all of their watered stocks and bonds, on all of their padded pay rolls, and unwarranted expense accounts, how do you expect, my friends, for the farmer and wage earner of this country to get a square deal? How do you expect the man out on the farm to prosper who must buy farm implements, who must buy clothing for his family, who must buy wagons, must buy tractors and fertilizers and other implements to carry on the occupation of a farmer?

He must pay that same exorbitant freight rate on those things that he consumes from the factory or distributing point down to the railroad station where he goes in to take them out to his farm. Do you not see that they rob him coming and going? There is a reason why all the outrageous toll comes out of the pockets of these men back on the farms, and some newspapers and some people in high station have the gall to criticize men in the Senate and in the House of Representatives because we have the manhood and the courage to endeavor to have some relief given to these farmers of the United States who constitute the backbone of the population of this Republic. And if this Republic is to be saved from all the dangers that stare it in the face it must be saved by the people back in the rural districts, these people who produce from the earth the food and the clothing that the folks of the country must consume.

Mr. RAYBURN. Will the gentleman yield?

Mr. QUIN. I yield.

Mr. RAYBURN. In 1920 the railroads of the country collected from the people of the United States——

Mr. QUIN. Talk fast. I have only 20 minutes. [Laughter.]

Mr. RAYBURN. Will the gentleman yield for a question?

Mr. QUIN. Just a short question. I have not much time. I want to make a speech here. [Laughter.] In 1920 the railroads were robbing the people, and by the help of the Republican Party and a few Democrats they have been allowed to continue that thievery and robbery into the year 1922. One gentleman said that the United States was not able to pay the soldiers a bonus.

That same Republican Congress that put across this iniquitous railroad bill, to allow the transportation companies to press down upon the wealth producers, wage earners, in fact all laboring people, and every legitimate industry of the United States,

and take away from them half of their earnings in railroad rates, did some other things. They placed an additional burden on the people. They allowed all of these contractors to come in and filch this Government out of $2,000,000,000, and the gentleman from California, my good friend Mr. LINEBERGER, said that they could not pay a bonus unless they do it by the sales tax, which would make the soldier himself pay his own bonus. They are going to enact a sales tax and let the poor people of the United States pay the bonus. Has it come to pass that this administration and a set of Congressmen and Senators would vote to give the railroads $2,000,000,000, and paid all these war-profiteering contractors that rode during the war in their fine limousines and with silk hats on their heads $2,000,000,000, and refuse to give after the war is over a bonus to these soldiers who went back home after the war was over, but before going to their families they had to get rid of the camp lice by having all their Army clothing run through a delousing machine? And yet some rich people in the United States cry out to-day, "Do not allow the boys a nickel; they were taken better care of than at any other time in their lives; they got plenty to eat, and a good suit of clothes, and can work." These same wealthy people were back home profiteering while those boys were standing deep in the mud of the trenches, ready to be shot at from German machine guns, cannon, rifles, and poisonous gas, receiving $1 a day. One dollar and twenty-five cents per day is all that the American Legion asks Congress to pay as a bonus. Just $1.25 a day for the actual time the soldier was in the service. Is that too much compensation? And yet they will allow a railroad president $100,000 a year salary. By conscription you forced the soldier into the service to fight for his country, whether he wanted to or not, and now this country can not allow him to have the paltry sum of $1.25 a day as bonus compensation, a just compensation at that, from this great Government of ours, except as the President said, and as the gentleman from California [Mr. LINEBERGER] said, it is proposed he shall pay it himself through the route of the sales tax. Who in the world would consider that anything except an insult to every soldier of the United States, that he can only have a bonus provided he and his kinsfolk pay it? [Applause.] These people who profiteered during the war and are profiteering now, and are putting their hands down into the pockets of the people, are to go free and not help to pay these soldiers any bonus.

Another thing, the President of the United States, whom my friend Mr. LINEBERGER praises so highly, came before this Congress and asked it to aid and give further assistance to the rich. It seems that his policy is to give unto them that hath and take away from them that hath not, even that which they seemeth to have. [Laughter.] He proposed a ship subsidy bill to this House. The profiteers robbed the people in the construction of those ships of many hundreds of millions of dollars, and now the President proposes to let that same gang take them back at 30 cents on the dollar, and give them out of the Treasury of the United States $30,000,000 to $50,000,000 a year, compelling these same farmers, these same wealth producers, wage earners and laborers, and small business people of the Nation, not only to take care of these railroad freebooters, but to come up and take out of their pockets sufficient money to enrich the gentlemen who will take over the Government's fine merchant marine for nothing. Will Congress bow down to any such thing as that? And yet the gentleman from California says the Government can not give the soldiers a bonus unless they make the soldier himself pay it by sales taxes.

Now, what else have they done? They have proposed to allow the biggest Army here four years after the war is over that was ever heard of in the United States in peace times. War is over; the country is at peace. President Harding did a fine thing to call the nations of the earth together in a peace conference here, and they did a lot of good. They propose to take off a great part of this burden of the Navy, and I had hoped that this Congress, acting upon the request of the President of the United States, would reduce the size of the Army down to 50,000.

Yet that same President is alleged to have given out an interview on the day after I told Gen. Pershing before our committee that we ought to pass a bill limiting the Army to not over 75,000, and in that interview the President said the Army must not be reduced; if so, but very little; that he would rather have it stay as it is. Do you believe that those farmers that are paying seven-tenths of all these freight rates, and who are going to have to pay exorbitant rates on all the freight that goes on the ocean vessels after the Government practically gives its ships to a smooth set of business men, and in addition $50,000,000 yearly as a subsidy, and with all other laboring people will have to pay 70 per cent of all the $50,000,000 a year that the President proposes to pay out as a subsidy to the shipowners, are not going to have to pay the greater part of this immense Army bill?

The committee did its best, I think, to bring in a report recommending an appropriation for 115,000 men; but they want 11,000 officers. I am ashamed to say it, but when the Committee on Military Affairs, of which I am a member, reported out the bill, against my vote, to have officers up to the number of 13,000, Gen. Pershing, Chief of Staff, said he would need as many officers for an Army of 75,000 as for one of 150,000. [Laughter.] If a man had a few hands working for him—say 25 hands—according to Gen. Pershing's reasoning he would need as many foremen as he would if he had 50 hands or 100 hands. Gen. Pershing said he did not want a single general knocked off. You know there are 67 generals, and each of them gets as much as the combined income of 15 or 25 farmers. He did not want a single general displaced, no matter how much the Army was reduced.

Here is an Army recommended in this bill of 115,000 men. In my judgment, in peace times it is 65,000 more men than we ought to have. Fifty thousand enlisted men in the Regular Army and a strong National Guard is all we need. It ought to be reduced anyhow to 75,000 men. With all the foreign countries bankrupt, the United States is the only Nation that is able to pay its debts, and those other countries, which owe us so much money, are using our money to pay a bonus to their former soldiers. That bonus is coming out of the pockets of the people of the United States, and yet some folks are sitting here now bellowing for a big Army when every nation in the world is broke except the United States. [Applause.]

What do we want this big Army for? Do you believe that the wealth producers, wage earners, small business people, and professional men of the United States want such an Army as that? Do they want to have a soldier strapped on the back of each one of them when they are already humpbacked with bearing taxes of every kind—road taxes, and school taxes, and municipal taxes, and State taxes, and Federal taxes—and then have the Federal Government come in, slapping them in the face and pushing them down and putting soldiers on their backs? Do you believe there is a small business man or laboring man or woman or a farmer in this great Republic who wants such a big Army as this? [Applause.] Certainly none of them want 11,000 or 13,000 officers. If we are going to have an Army to go out and fight, they have already shown how we can get there. But we are not fixing to fight anybody. Before our committee those officers sat up with a straight face and talked as if we were going to war next week. [Laughter.] Ah, gentlemen, these gentlemen always told us before we got into war that it would take two years to train a soldier. Their faces would be as long as affidavits [laughter] when they told the committee it would take two years to teach young men how to march and drill and fight the enemy. But that fiction has been done away with. This war has demonstrated that we can train a man to fight, and fight effectively, in three months' time.

But that is the kind of rot that they used to hand out. Now that that is done away with it seems they want to destroy the National Guard. It seems that the National Guard must be supplied with a flying squadron and with a tank squadron and a balloon squadron and a chemical-warfare squadron, and every other kind of expense. Of course, the States can not maintain that kind of a National Guard. There is only one kind of army that is any way cheap, and that is the National Guard. Every State in this Union ought to have a strong National Guard of infantrymen, and the Federal Government ought to pay its part of it. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. QUIN. Can the gentleman from Mississippi give me five minutes more?

Mr. SISSON. I would be glad to give the gentleman all the time remaining, but I can not. It is all promised.

Mr. QUIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, does the gentleman from Mississippi [Mr. SISSON] wish to use any more of his time to-night?

Mr. SISSON. No.

Mr. STAFFORD. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having resumed the chair as Speaker pro tempore, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the War Department appropriation bill (H. R. 10871), had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 160. Joint resolution authorizing the extension, for a period of not to exceed 25 years, of the time for the payment of the principal and interest of the debt incurred by Austria September 4, 1920, for the purchase of wheat from the United States Grain Corporation, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2897) to appropriate $5,000,000 for the purchase of seed grain and of feed to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Joint resolution (S. J. Res. 160) authorizing the extension for a period of not to exceed 25 years of the time for the payment of the principal and interest of the debt incurred by Austria for the purchase of wheat from the United States Grain Corporation, and for other purposes; to the Committee on Ways and Means.

ADJOURNMENT.

Mr. STAFFORD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned until Friday, March 17, 1922, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SINNOTT: Committee on the Public Lands. H. R. 10443. A bill to repeal section 2453 and to amend sections 2450, 2451, and 2456, Revised Statutes of the United States; with amendments (Rept. No. 803). Referred to the Committee of the Whole House on the state of the Union.

Mr. FORDNEY: Committee on Ways and Means. H. R. 10874. A bill to provide adjusted compensation for veterans of the World War, and for other purposes; without amendment (Rept. No. 804). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 4933) granting a pension to W. W. Cooper, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TEN EYCK: A bill (H. R. 10924) to increase the limit of cost of the post-office building to be erected at Cohoes, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. MORIN: A bill (H. R. 10925) to authorize the Secretary of War to sell real property known as the Pittsburgh storage supply depot at Pittsburgh, Pa.; to the Committee on Military Affairs.

By Mr. CRAGO: A bill (H. R. 10926) to provide surgical or medical treatment for the men of the Army, National Guard, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey who have been honorably discharged from the service; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 10927) granting an increase of pension to Sarah E. Hanes; to the Committee on Invalid Pensions.

By Mr. BENHAM: A bill (H. R. 10928) granting a pension to Nimmie M. Wayt; to the Committee on Pensions.

By Mr. BROOKS of Illinois: A bill (H. R. 10929) granting a pension to Sarah R. Spraggin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10930) granting a pension to Minnie Hosier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10931) granting an increase of pension to Sarah C. Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10932) granting a pension to Robert Ashby; to the Committee on Invalid Pensions.

By Mr. GENSMAN: A bill (H. R. 10933) for the relief of Allen Ellsworth; to the Committee on Military Affairs.

By Mr. KOPP: A bill (H. R. 10934) granting a pension to Kate Garrity; to the Committee on Pensions.

By Mr. SANDERS of New York: A bill (H. R. 10935) granting a pension to Emma J. Philhower; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 10936) granting a pension to Charles Farris; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 10937) for the relief of John C. Fite; to the Committee on Military Affairs.

By Mr. VINSON: A bill (H. R. 10938) granting a pension to Eva E. Parker; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4635. By Mr. BEGG: Petition of citizens of Huron County, Ohio, protesting against so-called Sunday blue laws for the District of Columbia; to the Committee on the District of Columbia.

4636. By Mr. CRAMTON: Resolution of the Michigan State Horticultural Society, of East Lansing, Mich., favoring the purchase of Muscle Shoals by Henry Ford; to the Committee on Military Affairs.

4637. Also, petition of Mrs. W. H. Hall and other residents of Vassar, Jacob Law and other residents of Millington, and Andrew J. Pierce and other residents of Lapeer, all in the State of Michigan, protesting against the passage of House bill 9753, Senate bill 1948, and similar bills; to the Committee on the District of Columbia.

4638. By Mr. CULLEN: Resolution adopted by the Board of Aldermen of the City of New York, urging the reestablishment of the pneumatic-tube system in the New York post office; to the Committee on Appropriations.

4639. By Mr. DREWRY: Petition of sundry citizens of Petersburg, Va., opposing the passage of House bill 9753 or any other Sunday observance bill; to the Committee on the District of Columbia.

4640. By Mr. HADLEY: Petition of certain citizens of Bellingham, Wash., opposing the passage of House bill 9753 or any other Sunday observance bill; to the Committee on the District of Columbia.

4641: By Mr. KETCHAM: Petition of residents of Cassopolis, Mich., requesting that immediate action be taken in the form of special and immediate legislation providing that the payment of Austria's debt to the United States be suspended for at least 20 years; to the Committee on Foreign Affairs.

4642. Also, petition of residents of Bangor, Mich., protesting against the enactment of House bill 9753; to the Committee on the District of Columbia.

4643. By Mr. KISSEL: Petition of Jabez Burns & Sons, of New York City, N. Y., opposing the soldiers' bonus bill; to the Committee on Ways and Means.

4644. Also, petition of Edward B. Smith & Co. and their employees, all ex-service men, of New York City, N. Y., opposing

the passage of any soldiers' bonus bill; to the Committee on Ways and Means.

4645. By Mr. LEE of New York: Resolution of the Board of Aldermen of the city of New York, for restoration of pneumatic-tube service in New York and Brooklyn; to the Committee on the Post Office and Post Roads.

4646. By Mr. MALONEY: Resolution adopted by the City Council of the city of Lynn, Mass., favoring the passage of the soldiers' bonus bill; to the Committee on Ways and Means.

4647. By Mr. RAKER: Petition of the Fathers' Association of the Washington School, of Oakland, Calif., indorsing House bill 7 and Senate bill 1017; to the Committee on Education.

4648. Also, petition of the California Bean Growers' Association, of San Francisco, Calif., urging appropriation for research work looking to the eradication of the "ladybird" or "Mexican bean beetle"; to the Committee on Appropriations.

4649. Also, petition of the National Organization of Masters, Mates, and Pilots of America, of San Francisco, Calif., indorsing and urging the passage of House bill 10198; to the Committee on Interstate and Foreign Commerce.

4650. Also, petition of B. F. Mackall, of San Francisco, Calif., protesting against the enactment of the bonus bill; also, petition of C. C. Dickinson, M. D., member of Cheula Post, No. 92, American Legion, of McCloud, Calif., indorsing the bonus bill and urging its support; also, petition of David G. Kling, a lawyer of Los Angeles, Calif., protesting against a tax on letter mail in raising revenue for the soldiers' bonus; to the Committee on Ways and Means.

4651. By Mr. RIORDAN: Resolution adopted by the board of aldermen of the city of New York, urging the restoration of the pneumatic-tube system in the New York post office; to the Committee on Appropriations.

4652. By Mr. ROSSDALE: Resolution adopted by the board of aldermen of the city of New York, to have the pneumatic-tube system restored in the city of New York; to the Committee on Appropriations.

4653. Also, resolution adopted by the New York State executive committee of the American Legion, to provide proper hospitalization for the disabled soldiers and that the Langley bill be immediately reported to Congress; to the Committee on Public Buildings and Grounds.

4654. Also, resolution adopted by the New York State executive committee of the American Legion to approve the fivefold optional plan of adjusted compensation; to the Committee on Ways and Means.

4655. By Mr. SMITH of Idaho: Petition of Twin Falls Chamber of Commerce, of Twin Falls, Idaho, urging that the unemployed be given work on the reclamation projects; to the Committee on Appropriations.

4656. Also, petition of the Commercial Club of Burley, Idaho, urging that the unemployed be given work on the reclamation projects; to the Committee on Appropriations.

4657. Also, petition of the North Side Community Club of Gooding, Idaho, urging the enactment of legislation providing for a more rapid development of the waste lands; to the Committee on Irrigation of Arid Lands.

4658. Also, petition of the Wallace Study Club, of Wallace, Idaho, urging the enactment of legislation providing for a more rapid development of the waste lands; to the Committee on Irrigation of Arid Lands.

4659. Also, petition of the members of the Eldorado Heights Civic Club, of Jerome, Idaho, urging the enactment of legislation providing for a more rapid development of the waste lands; to the Committee on Irrigation of Arid Lands.

4660. By Mr. TAYLOR of New Jersey: Petition of sundry citizens of New Jersey, protesting against House bill 9753; to the Committee on the District of Columbia.

4661. By Mr. THOMPSON: Petition of Northwest Grange, No. 413, of Edon, Williams County, Ohio, urging immediate consideration of the truth in fabrics bill; to the Committee on Interstate and Foreign Commerce.

4662. Also, petition of certain citizens of Liberty Center, Ohio, urging that House bill 9753, a bill to secure Sunday as a day of rest in the District of Columbia, be not passed; to the Committee on the District of Columbia.

4663. Also, petition of Pulaski Grange, No. 2046, of Bryan, Ohio, asking for the early consideration and passage of the truth in fabrics bill; to the Committee on Interstate and Foreign Commerce.

4664. Also, petition of citizens of Liberty Center, Ohio, protesting against the passage of House bill 9753, a bill to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

SENATE.

FRIDAY, *March 17, 1922.*

(Legislative day of Thursday, March 16, 1922.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a list of papers and documents on the files of the Treasury Department which are not needed in the transaction of business and having no permanent value or historic interest, and asking for action looking to their disposition, which was referred to a joint select committee on the disposition of useless papers in the executive departments. The Vice President appointed Mr. STERLING and Mr. MCKELLAR members of the committee on the part of the Senate and ordered that the Secretary notify the House of Representatives thereof.

RESTRICTION OF IMMIGRATION.

Mr. HARRIS. Mr. President, several days ago I called the attention of the Senate to a statement issued by the head of the American Legion showing that there are several million men out of work in the United States, 700,000 of whom are ex-service men, and protesting against the number of immigrants continually coming into the country to increase the number of idle people. He urged the President to help provide work for these unemployed ex-service men. I am not saying this in criticism. I am simply calling the attention of the Senate to the alarming condition brought about by the millions of unemployed in our country, which is being increased by the large number of immigrants constantly brought to our shores. If Congress had not passed the 3 per cent law last year we would have had one or two million more unemployed here now. I favored at the time this legislation was enacted and think now we ought to stop all immigration for five years, except in certain extreme cases of the same family, some of whom are already here and a number of whom served in our Army during the late war.

I have a letter now from the head of the American Federation of Labor, which I ask may be printed in the RECORD. I hope that the Senate Committee on Immigration will change the recent bill which passed the House and take steps to stop practically all immigration. The House bill simply extends for one year the 3 per cent law Congress enacted last year. If the Senate concurs in the House bill the 3 per cent law will expire June 30, 1923. Unless Congress is called in extra session at that time there will be no law restricting immigration, and the steamship companies, interested only in the profits they make in bringing the immigrants here, will use extra ships and bring in two or three millions more before Congress can pass a law preventing it. The regular session of Congress will convene in December, 1923. If one House of Congress should pass a bill restricting immigration the opposition in the other House might be able to delay action, which would give the steamship companies another year, in which they would bring in three or four million more immigrants to add to our already several million unemployed. If the Senate will not stop immigration entirely, as I believe should be done, it seems to me absolutely necessary that we should extend the present 3 per cent law until June 30, 1924, instead of 1923, as provided in the House bill. The letter from the head of the American Federation of Labor protesting against the House bill is exactly in line with that of the head of the American Legion. I have again offered an amendment that will prevent immigration for five years; also an amendment requiring that all immigrants be brought to this country in our own ships, and our agents could then prevent the undesirable ones from coming over and being sent back to their own country.

The VICE PRESIDENT. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., March 16, 1922.

Hon. WILLIAM J. HARRIS,
Senate Committee on Immigration, Washington, D. C.

SIR: In the name of the workers and the would-be workers now unemployed we protest against the adoption of H. J. Res. No. 268, as passed by the House of Representatives.

At the hearings before the House committee the representatives of the American Federation of Labor urged that immigration be restricted, except for the dependent immediate relatives of aliens now here who have established themselves and are able to support such dependent relatives, on the ground that every effective immigrant admitted under present industrial conditions must result in throwing out of employment a worker now in our country. We repeat that assertion; we point

to the millions of workers walking the streets of our cities and industrial towns or tramping the roads because they can find no employment. We hold that to admit more potential workers at this time is an injustice not only to those now here but to those aliens who might be admitted.

The resolution adopted by the House of Representatives provides for the consideration of the present 3 per cent limitation law until June 30, 1923.

While we recognize the fact that under this law upward of 200,000 immigrants, most of them potential workers, have been admitted between June, 1921, and the end of that year, we also recognize that without the limitations provided in that law there would have arrived here nearly 1,000,000 immigrants in the period mentioned. At the time the 3 per cent limitation law was under consideration immigrants were arriving at the rate of 100,000 per month, and only the fact that shipping accommodations were limited prevented the incoming of a far greater number. We have no doubt but that if the limitation law had not been adopted the capacity of shipping would have increased to accommodate the full demand.

We therefore wish to point to the fact that only the "short session," December to March 4, intervenes between the present session and the time set for the expiration of the limitation law, and if the law expires and no other legislation is adopted in the short session the bars will be down and we can expect immigrants by the hundreds of thousands each month.

We ask, first, for restriction of immigration to the immediate dependent relatives of foreigners now here.

Or, second, that the present 3 per cent limitation law shall be the law until further action of the Congress of the United States.

Or, third, that the present limitation law shall continue in force until June 30, 1924, thus safeguarding the country from a flood of immigration, until Congress shall have opportunity to adopt permanent legislation dealing with this problem.

Respectfully, yours,

SAMUEL GOMPERS.
President American Federation of Labor.

CALL OF THE ROLL.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	McNary	Shields
Borah	Hale	Nelson	Simmons
Brandegee	Harris	New	Smith
Cameron	Harrison	Norbeck	Spencer
Capper	Heflin	Norris	Stanfield
Colt	Johnson	Oddie	Sterling
Culberson	Jones, Wash.	Overman	Townsend
Cummins	Kellogg	Page	Underwood
Dial	Kendrick	Pepper	Wadsworth
du Pont	King	Phipps	Warren
Edge	Ladd	Poindexter	Watson, Ga.
Ernst	Lenroot	Pomerene	Weller
Fernald	Lodge	Ransdell	Williams
Fletcher	McKellar	Rawson	Willis
France	McKinley	Robinson	
Glass	McLean	Sheppard	

Mr. FLETCHER. I wish to announce that my colleague is necessarily absent. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from Montana [Mr. WALSH] is detained on official business.

Mr. JONES of Washington. I wish to announce that the junior Senator from Delaware [Mr. DU PONT] is detained on official business.

I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from New York [Mr. CALDER], the Senator from West Virginia [Mr. SUTHERLAND], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained at a hearing before the Committee on Finance.

The VICE PRESIDENT. Sixty-two Senators have answered to their names. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. LODGE presented the following resolutions of the Legislature of Massachusetts, which were referred to the Committee on Finance:

THE COMMONWEALTH OF MASSACHUSETTS,
In the year one thousand nine hundred and twenty-two.

Resolutions memorializing Congress in favor of the passage of Federal law to further regulate the use of narcotic drugs.

Whereas the number of drug addicts in the United States has abnormally increased to such an extent as to become a serious menace to the health and welfare of the citizens of this country; and

Whereas the importation of opium and coca leaves and their derivatives has increased beyond necessary proper medical requirements, and a great proportion of such importations are illegally sold and distributed throughout the country, due to the lack of sufficiently drastic Federal legislation; and

Whereas under the present Federal law it is impossible for the Commonwealth of Massachusetts, without further assistance from the Federal Government, to effectively curb the illicit drug traffic existing within its confines; and

Whereas the lack of cooperation between the Federal Government and the States and the absence of proper and effective legislation throughout the country has made possible the abnormal growth of the illicit drug traffic: Therefore be it

Resolved, That the Senate and House of Representatives of the Commonwealth of Massachusetts urgently request Congress to pass such legislation as will provide for proper and effective Federal regulation of the importation of narcotic drugs and of the sale and distribution thereof, to the end that sufficient quantity thereof may be available only for proper, legitimate medical purposes through the establishment of properly regulated Federal distributing agencies; and be it further

Resolved, That copies of these resolutions be sent by the secretary of the Commonwealth to the President of the United States, the Vice President, the Speaker of the House of Representatives, and the Senators and Representatives in Congress from this Commonwealth.

In house of representatives, adopted, March 3, 1922.
In senate, adopted, in concurrence, March 8, 1922.
A true copy.
Attest:

F. W. COOK,
Secretary of the Commonwealth.

Mr. LODGE also presented resolutions adopted at a meeting of a committee for ratification of the treaties, at Washington, D. C., praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

Mr. CAPPER presented a resolution adopted by the Women's Bar Association of the District of Columbia, praying for the enactment of legislation providing for the compulsory school attendance of children in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. WILLIS presented the petition of Dr. Henry Churchill King and sundry other members of the faculty of Oberlin College, of Oberlin, Ohio, praying for the passage of the so-called Dyer antilynching bill, which was referred to the Committee on the Judiciary.

He also presented the petition of Dr. Henry Churchill King and sundry other members of the faculty of Oberlin College, of Oberlin, Ohio, praying that payment of Austria's debt to the United States be suspended for 20 years, which was ordered to lie on the table.

He also presented a resolution of Dewey Council, No. 7117, Stoneware Potters' Union, of Crooksville, Ohio, favoring the prompt passage of an adequate tariff law based on American valuations, which was referred to the Committee on Finance.

He also presented resolutions of the Kiwanis Club of Lancaster, Pa.; the official board of the Euclid Avenue United Brethren Church, of Dayton; the Brotherhood Bible Class of the South Methodist Episcopal Church of Columbus; and the pastor and congregation of the Grace Reformed Church, of Lancaster, in the State of Ohio, favoring the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented the petition of Sarah R. Steenrod, of Dayton, Ohio, praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

REPORTS OF THE COMMITTEE ON MILITARY AFFAIRS.

Mr. SPENCER, from the Committee on Military Affairs, to which was referred the bill (S. 1343) granting relief to persons who served in the Military Telegraph Corps of the Army during the Civil War, reported it without amendment and submitted a report (No. 564) thereon.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 263) authorizing the purchase of land for cemeteries for American military dead in Europe and the improvement thereof, reported it without amendment and submitted a report (No. 565) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 3295) to consolidate the work of collecting, compiling, and publishing statistics of the foreign commerce of the United States in the Department of Commerce; to the Committee on Commerce.

By Mr. BALL:

A bill (S. 3296) to authorize the merger of certain street railway corporations in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

AMENDMENT OF RIVER AND HARBOR BILL.

Mr. NELSON submitted an amendment providing for the improvement of the west side of the Mississippi River at St. Paul, Minn., with a view of there establishing a harbor, intended to be proposed by him to the bill (H. R. 10766) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

APPLICATION OF RECLAMATION LAW TO IRRIGATION DISTRICTS.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (H. R. 4382) to provide for the application of the reclamation law to irrigation districts, which was referred to the Committee on Irrigation and Reclamation, and ordered to be printed.

ADDITIONAL DISTRICT JUDGES.

Mr. CUMMINS. Mr. President, I ask that the unfinished business, House bill 9103, be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside their districts, and for other purposes.

Mr. BORAH. Mr. President——

Mr. CUMMINS. I yield to the Senator from Idaho.

AMERICAN TROOPS ON THE RHINE.

Mr. BORAH. Mr. President, under date of March 13 I find a dispatch in the New York Times which begins as follows:

It is the opinion of Premier Poincare, who, like Secretary Hughes, is known as an able lawyer, that the United States has no legal rights upon which to base its claim for the payment of $251,000,000 for army of occupation costs out of the sums which Germany has paid to the Reparations Commission.

The way in which the French premier views the situation from a legal point of view may be reduced to the following formula of logic:

Major premise—Just as America is not bound by the Versailles treaty terms, so the Allies are not bound by the terms of the Berlin treaty.

Minor premise—America's claim is based on the Berlin treaty.

Conclusion—The Allies are not bound to grant America's claim.

It is furthermore known to be the premier's attitude that as matters stand Germany has no right to pay America directly without the consent of the Reparations Commission, because the treaty of Versailles gives the Allies a first mortgage on all German resources, including German property sequestered in the United States.

Mr. President, I do not desire to discuss the proposition of securing the $251,000,000 at this time. This dispatch says—and with that I agree—Mr. Hughes is a very great lawyer, and I have no doubt that out of the intricacies arising by reason of the Versailles treaty and the Berlin treaty he will evolve some method and mode of securing the $251,000,000. I have no doubt that it will engage his utmost ability as a lawyer to do so. However, it is not my purpose to discuss that.

Our Army was left in Europe supposedly for the benefit of the Allies. It was not, certainly not, left upon the Rhine for the benefit of the people of the United States, directly or particularly. It was supposed to be there for the purpose of giving poise, as it were, to the situation and as an influence for good and possibly steadying what might be otherwise confusion between those who were more immediately connected with affairs in Europe than our people and our Army. If the American Army is no longer desired in Europe—and this would indicate it is no longer desired—upon what possible theory is it kept in Europe?

It seems to me that the attitude of the Allies with reference to this entire matter, if for no other reason—and there are plenty of other very good reasons—warrants us in bringing all these soldiers home. The time has now come, Mr. President, when it is apparent that their presence there is calculated to irritate the situation rather than to work for the benefit, as it was supposed, of the Allies. I trust, therefore, that our entire attention will not be devoted to securing the $251,000,000 to the exclusion of considering the wisdom of bringing the soldiers home and relieving the situation of our presence there entirely.

There is another reason why they should be brought home. I think one of the unjust things connected with the actions of the allied and associated powers since the armistice is that of maintaining so large a body of men upon the Rhine. They are maintained at the expense of the German Government, as they should be, if it were necessary to maintain them at all, but there is no justification, and never has been, for maintaining anything like the large body of armed forces upon the Rhine that have been maintained there. All these things are calculated to retard the recovery of Germany economically, and the recovery thereby of Europe economically, a thing in which the whole world is very greatly interested.

I observe this morning in the press dispatches from St. Augustine that the Secretary of War is buckling on his armor to fight Congress against the reduction of the Army. Well, Mr. President, if the American Army is not needed in Europe, certainly to that extent the troops should be brought home, and to that extent the reduction of the Army of the United States might very well be justified. There can be no justification for maintaining an Army there if the Allies think that they are unnecessary, and certainly it would assist us in reducing the size of the Army of the United States and to do so without working any detriment to the security of the people of the United States.

However, what I rose to say—and I can say it in a sentence in conclusion—is that there is no longer any justification for maintaining a single American soldier upon European soil. They should all be brought home. It would have been the wiser course to have brought them home long ago, but to keep them there now will justify severe criticism.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield to the Senator from Washington.

Mr. POINDEXTER. Is the Senator from Idaho advised as to how many soldiers are there now?

Mr. BORAH. No; I can not tell just how many are yet there.

Mr. POINDEXTER. My information is that only 2,500 troops are left there, and that the policy of the administration is to bring them home just as rapidly as the regular transportation facilities will enable that to be done.

Mr. BORAH. I observe in the press dispatches from St. Augustine this morning that the administration are going to bring all of the soldiers home except 2,000. I assume, therefore, that they are going to leave 2,000 there. I do not know whether that is a correct statement, but I have no doubt that the contents of the press dispatch were known before the dispatch was sent. However, 2,000 soldiers upon the Rhine, as the situation now develops, would be just as unfortunate, in my judgment, as 4,000. The idea of leaving 2,000 soldiers there must be, as I said a moment ago, merely in the nature of an element of poise in the situation, but now that Poincare and representatives of the other allied powers seem to think that they are no longer necessary, as their action discloses, I do not see why they should not all be brought home.

Mr. NELSON. Will the Senator from Idaho allow me to interrupt him?

Mr. BORAH. Yes.

Mr. NELSON. I desire to say a few words in favor of the American soldiers. The American soldiers have been retained on the Rhine, and are still being retained there, because, of all the soldiers who fought in the Great War against Germany, the American soldiers are the most popular. In the first place, their pay is greatly in excess of that which the troops of other countries receive, and they are liberal spenders. Then, too, frequently they marry German women. The Germans much prefer to have the American soldiers than to have either the French or the English. I desire to say that much in favor of the American soldier.

Wherever the American soldier goes he is preferred to the soldier of any other country, because he is, first of all, a gentleman; and, in the next place, he is well supplied with money and patronizes the local interests in the expenditure of his money. He courts the native girls and often marries them and brings them back to America to make of them good citizens.

Mr. BORAH. Mr. President, I have heard something about the American soldier and the German girl. I did not intend to discuss that matter, but I think what the Senator from Minnesota states is a very high recommendation both for the American soldier and the German girl. I do not suppose, however, that what the Senator states is really the reason why we are keeping the American soldiers on the Rhine.

Mr. NELSON. I wish to state further to the Senator from Idaho, if he will allow me, that from the last report which I noticed there are two places in particular where the American soldiers have been stationed. One is Coblenz and the other is Ehrenbreitstein, where great fortifications are located on the Rhine. Both are in the wine country; and there the Germans like to keep the American soldiers. The Germans have fairly fallen in love with them, and they dislike very much to have them leave. It is a great help to the Germans to have the American dollar circulated there instead of the depreciated German mark.

Mr. BORAH. I think there is a great deal in what the Senator says, but what he states has not been the reason thus far assigned by the administration for keeping the soldiers on the Rhine. If that is the reason, of course, we must approach this argument from a different standpoint. There are a great many interesting matters which might be disclosed with reference to that feature of the question. However, Mr. President, I did not desire to do other than call attention to this matter this morning, but it will be a very live issue when the appropriation bill with reference to the Army reaches the Senate.

Mr. UNDERWOOD. Will the Senator from Iowa yield to me for just a moment?

Mr. CUMMINS. I will yield to the Senator from Alabama.

Mr. UNDERWOOD. Mr. President, I have listened with much interest to the statement of the Senator from Idaho [Mr. BORAH]. He is always very clear and speaks to the point. Possibly, however, if the Senator from Idaho some years ago had agreed with my viewpoint with reference to the European situation some of the present complications would not have arisen, for, undoubtedly, if we had ratified the treaty of Versailles these settlements would have been made some time ago.

Mr. BORAH. Had we done so, we should have had many thousand troops in Europe by this time.

Mr. UNDERWOOD. At least we should have had some reason for keeping them there.

Mr. BORAH. There would have been no good reason in the world for doing so.

Mr. UNDERWOOD. Mr. President, the treaty of Versailles was not ratified; there is no disturbing condition so far as America is concerned, and I can see no reason now why a single American soldier should remain on the Rhine. I think the place for them is at home. I agree with what the Senator has said in that regard, and I hope that at an early date they will be brought back. In justice to the War Department, however, let me say that my understanding is that they are bringing the soldiers home in American transports, and possibly saving money in returning them in that way, but there is a limited space on the transports, and it takes some little time to bring all of them back.

As to the other point, we were invited by the supreme council, which did not grow out of the treaty of Versailles but grew out of the war, and by our allies to maintain a certain number of troops on the border line at the Rhine, and although technically M. Poincare, the French premier, may be right, in justice and fair play, the American Government is entitled to stand on the same basis as the other allied Governments and to receive from Germany its proportion of reimbursement for the soldiers it has maintained on the Rhine, just as the other Governments are to receive reimbursement for maintaining their soldiers. I regret very much that our allies in the late war are determined to stand on a technicality and to refuse to allow our soldiers who have done their part of the service in protecting the border on the Rhine to receive from Germany compensation for that service in proportion to what is paid to France and England.

However, Mr. President, while I am not going back and thresh out the Versailles treaty, for that is now water that has gone over the mill, there is a matter which may not be said to be water that has gone over the mill, which, in fact, has been retained in the dam by the action of the majority party and the present administration. I refer to the Reparation Commission, which is the matter about which I rose more particularly to speak.

The Reparation Commission is not a part of the League of Nations; it is an organization that grew out of the winding up of the war; and necessarily our Government and our people are not going to be able to settle satisfactorily various difficulties, such as the payment for services of troops on the Rhine, unless we send a representative to take a seat on the Reparation Commission.

It is not necessary for the Republican majority to retract what they said in reference to the treaty of Versailles or the League of Nations, for in the treaty of peace which has been concluded with Germany—I might say their own treaty of peace, which has been indorsed by the present administration—it is provided that nothing in that treaty shall prevent us having representation on the Reparation Commission, provided Congress shall authorize the President to make the appointment.

Mr. BORAH. Mr. President——

Mr. UNDERWOOD. I will ask the Senator to allow me to utter a sentence more. I think the time has come when we should be represented on that commission, and I believe the argument the distinguished Senator from Idaho has just made, pointing out one of the difficulties growing out of our failure to be represented on that commission, although we are entitled to representation, leaves the door wide open for him to offer a resolution authorizing and directing the President of the United States to send a representative of this Government to take his place on the Reparation Commission, to assist in winding up the difficult affairs which are confronting us. I am sure that if such a resolution emanated from the distinguished Senator from Idaho there would be no difficulty in securing its passage.

Mr. BORAH. I have no doubt it will go through when I do offer it.

Mr. POINDEXTER. Mr. President, I should like to ask the Senator from Alabama a question. If the suggestion which he has just made, that Congress authorize the President to appoint a representative of the United States on the Reparation Commission, were adopted, is it not true that we would then necessarily, as participating in the work of that commission, become involved in the apparently insoluble problem that now confronts Great Britain and France in collecting reparations from Germany, a matter which at present seems to be the source of more economic and political trouble in the world than anything else? What benefit would it be to us; how could we be compensated, in view of the comparatively small interest which we have in those matters, by involving ourselves in that tremendous fundamental world difficulty?

Mr. UNDERWOOD. Mr. President, if we want to scuttle and run, of course, we can scuttle and run. This question does not involve the League of Nations or the treaty of Versailles; it is a matter of winding up the Great War. We had our responsibility in the war, and if we are going to occupy our rightful place in the house of nations we must still live up to our responsibility. A part of that responsibility is winding up the war, and the Reparation Commission was appointed to wind up the war.

Of course we have not made the claims against Germany that other nations have. I am not criticizing either the late administration or the present administration for not making such claims. I am perfectly willing for our Government to be generous in such matters; but certain claims, such as the one which the Senator from Idaho has pointed out, are just and proper claims, due our Government; but there is no use of our making complaint about losing $251,000,000 if we intend to scuttle and run.

More than that, I should like to ask the Senator from Washington a question myself. I wanted to wind up the war, and when I could not wind it up in my way I wanted peace, and I voted to wind it up in your way. It was not the way I wanted, but I agreed to vote for your treaty of peace; and when you asked me to vote for your treaty of peace you had in it a provision that this Government could take its seat in the Reparation Commission and perform its duty. I say that if you do not do it there will not only be this embarrassment, but there will be embarrassments for years to come if you do not take the responsibility that is our part in the winding up of this war. Therefore I say that as you put it in your treaty of peace, and you invited me to vote for your treaty of peace with that provision in it, the responsibility is up to you to pass the necessary resolution to allow the President of the United States to appoint a representative to take his seat at this table.

Mr. LODGE. Mr. President, will the Senator allow me to say a word on that point?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. UNDERWOOD. I yield.

Mr. LODGE. This claim, if it may be so called—I should call it our right to be paid this $251,000,000—has nothing to do with the Reparation Commission. That was an agreement made under the armistice, which we signed, and of which we were a member. That made the provision that the United States troops should be paid for by Germany. It stands wholly apart from our treaty of peace, and wholly apart from the treaty of Versailles. It is not a reparation, and the attempt to avoid it now is a mere technicality.

Mr. UNDERWOOD. I agree with the Senator that it is a mere technicality, and I do not think our late allies should attempt to avoid it; but, nevertheless, it rests in the Reparation Commission. Why do I say that? Because the supreme council—the war council; not the supreme council of the League of Nations, but the supreme war council—was in charge of winding up the war, and we had a representative on that council until after the defeat of the treaty of Versailles, and that supreme council turned over to the Reparation Commission the administration of these funds to be collected from Germany to pay the troops on the Rhine, and they are handling the funds; but if we were sitting in the Reparation Commission to-day they could not deny us our share of this fund.

Mr. LODGE. My point is, if the Senator will allow me, that I deny absolutely the right of the supreme council or anybody else to turn over a claim which rests on the armistice. It is wholly distinct.

Mr. UNDERWOOD. I agree with the Senator. There is no difference between us. Nevertheless, the only way in which we can get it, since they are administering it in that way, is to take our seat at the reparation table.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. UNDERWOOD. I yield.

Mr. ROBINSON. In connection with the criticism which the Senator has made of the administration for not authorizing representation——

Mr. UNDERWOOD. I am not criticizing the administration, I am criticizing ourselves, because the administration can not act until we pass the resolution.

Mr. ROBINSON. In connection, then, with the criticism that this Government has not authorized representation on the Reparation Commission, it may interest the Senator from Alabama and the Senator from Idaho, and perhaps the Senator

from Massachusetts, to call their attention to an interview published under date of March 15, from Naples, attributed to former Gov. Frank O. Lowden, of Illinois.

In this interview, which I shall ask to have published in the RECORD, the governor is quoted as expressing the opinion that the United States made a very grave mistake when it refused to enter the League of Nations; also that a serious mistake was made when the present administration declined to participate in the Genoa conference. Mr. Lowden is quoted as saying:

I am coming to the conclusion that many American policies may have to be changed. Various ideas and regulations which we regarded as established have been proved to be harmful in the new world which the war created.

I believe that close American contact with Europe is inevitable, and the sooner we produce men capable of mingling advantageously in European conferences the better. It is a matter of education.

Many of our problems would be more easily solved if we were a member of the League of Nations. Reconstruction is a world problem—

Omitting a portion of his statement—

While I have nothing but sympathy for France and understand the French fears, I think a way should be found out of the vicious circle of European hates, which if continued can produce only endless wars—

Omitting again a portion of his statement—

With regard to the Genoa conference I consider that the United States is making a big mistake by not taking part in it.

I thought this interview might intrench somewhat the position of the Senator from Alabama and add interest to the remarks hereafter to be made by the Senator from Idaho. I ask that the entire interview be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

LOWDEN SAYS UNITED STATES SHOULD JOIN LEAGUE.

[By Edgar Ansel Mowrer. Special cable to the Atlanta Journal and Chicago Daily News. Copyright, 1922.]

NAPLES, *March 15.*

Former Gov. Frank O. Lowden, of Illinois, who was a candidate for the Republican nomination for President two years ago, declared on his arrival to-day that the United States made a mistake in not joining the League of Nations, with reservations to the treaty covenant. He also believes America is making another mistake in not taking part in the Genoa economic conference, holding that closer contact with Europe is inevitable.

Mr. Lowden is making a study of conditions at first hand in several European countries while over here with his family visiting two daughters at school in Paris.

"I am coming to the conclusion that many American policies may have to be changed," said Mr. Lowden. "Various ideas and regulations which we regarded as established have proved to be harmful in the new world which the war created.

"I believe that close American contact with Europe is inevitable, and the sooner we produce men capable of mingling advantageously in European conferences the better. It is a matter of education.

"Many of our problems would be more easily solved if we were a member of the League of Nations. Reconstruction is a world problem. While on shipboard I read John M. Keynes's latest book on the revision of the treaty of Versailles. I believe it is the sanest book written on the subject and that the real solution of the reconstruction problem can be found in it.

"While I have nothing but sympathy for France and understand the French fears, I think a way should be found out of the vicious circle of European hates, which if continued can produce only endless wars. The limitation of population is another problem which the world must deal with intelligently. I am an optimist and believe that the situation can be saved, but it needs thought and effort. The key to reconstruction is education, and competent foreign correspondents are the best educators.

"With regard to the Genoa conference, I consider that the United States is making a big mistake by not taking part in it."

Mr. BORAH. Mr. President, it may be that the Government of the United States made a mistake in not entering the League of Nations; but while personally I am very fond of Mr. Lowden, yet if the gentleman from Illinois is correctly quoted I am satisfied of one thing, and that is that the political convention in Chicago did not make any mistake when it refused to nominate him for President. I have observed the effect which these trips over to Europe have upon a good many of these gentlemen. I would prefer that they give their interviews here at home. There is something in the soil, apparently, or the association hard to explain.

Mr. NORRIS. Mr. President, may I interrupt the Senator there on this question of interviews at home?

Mr. BORAH. Yes.

Mr. NORRIS. There is a great difference between giving an interview over in Italy and giving one at home. The Senator must not forget that we have the prohibition laws in force here, and they do not over there; and that very often adds a great deal to an after-dinner speech, I have been told.

Mr. BORAH. A trip over there seems to work its results on all men regardless of habits or tastes.

Mr. NORRIS. I think the governor is one of them.

Mr. BORAH. But, Mr. President, the Senator from Alabama is perfectly consistent in his position, and has been all the way though. He is working for a certain end, and I think he is accomplishing it day by day; but I call his attention to the fact that we do not need a resolution to have an American member of the Reparation Commission. We have one now. We have a gentleman sitting as a member of the Reparation Commission, and as far as the naked eye can discern there is no difference between his position and that of any other member of the Reparation Commission. He sits, so I am informed, as the others sit in the commission, in the council. He advises, he votes, he counsels, and his judgment is taken, and his vote is taken just the same as that of anyone else. I do not know that I can state that as a fact any further than to say that gentlemen who have been in the presence of the commission, who have seen the commission in action, who have observed its official conduct, state that that is precisely what takes place. I presume that is what takes place, because I read, upon the 15th day of March, from the New York Times, the following:

There was delivered to-day to Roland W. Boyden, the American representative on the Reparation Commission, a reply to the American request for the payment of $251,000,000 * * * which Mr. Boyden transmitted to the finance ministers of Great Britain, France, Italy, and Belgium March 10. The reply of the allied finance ministers states—

And so forth.

For the last several months all the dispatches from Europe have treated Mr. Boyden as an active, full-fledged member of the Reparation Commission; and Mr. James, who writes these articles for the New York Times, is a very accurate journalist—a very accurate reporter, using that term in its broadest sense—and I have no doubt that as Mr. James observes the goings-on of this commission he observes no difference between the position which Mr. Boyden occupies and that which the representatives of Great Britain occupy. So it is not necessary, I will say to the Senator from Alabama, to pass any resolution; and the Senator from Alabama will do the Senator from Idaho the justice to say that in the debate on the German treaty he prophesied that when the treaty was ratified we would take our place upon that commission and conduct ourselves prior to the time of the passage of any resolution by the Congress just the same as if the Congress had passed it. For all intents and purposes we are now a member of the Reparation Commission, just as I had no doubt we would be when we ratified the German treaty.

Mr. UNDERWOOD. The Senator is undoubtedly correct with reference to his position; and the only objection I have to his reference to our being represented on the Reparation Commission is that we are not represented. If we were represented, we would have a voice. If we had been represented, M. Poincare would not have made the statement he did that the Senator from Idaho read. We have a looker-in, a man in the lookout box, looking into the Reparation Commission, but not a man who is an active part of it; and the Senator is correct. His prophecy that when the German treaty was ratified we would have to go into the Reparation Commission was correct. He made it from the standpoint that he did not think we ought to go in; but he is correct. The inevitable logic of the situation in the end is going to drive this Government to take a seat on the Reparation Commission and to take its part, not in going into the League of Nations, not in being connected with the Versailles treaty, because, as I said, that is water over the dam, but to take its position, its responsibility, in winding up the Great War.

Mr. NORRIS. Mr. President, it seems to me that it is immaterial whether we now have a representative on the Reparation Commission or whether we should have, as far as the payment for the American soldiers on the Rhine is concerned. I never have been able to understand why we kept any soldiers on the Rhine after the treaty of peace was agreed upon. After the Versailles treaty was agreed upon between our allies and Germany it seemed to me there was no reason why American soldiers should longer be kept in Europe. That was particularly true after we had agreed upon a treaty of peace with Germany. Why we should maintain soldiers on the Rhine is more than I could ever understand, and I never yet have been able to secure from any person what I considered a good reason for that course of action.

Now we are confronted with the fact that these soldiers were kept there, as everybody knew, at the request of our allies, for their benefit, not for ours—there is nothing in it for us—and they were to be paid by Germany; but our allies—Great Britain and Italy and France—have a mortgage on the income of Germany, and we can not be paid, it seems, without their consent.

So they say to us, "Keep your troops here," and they keep their troops there, and to accommodate them, to be friendly with them, to be good to them, we keep our troops there; but when they collect the money from Germany to pay they pay the expenses of their own troops, refuse to pay those of ours, and divide the balance of the swag up among themselves. To

my mind, Mr. President, that is treating the American Government with disrespect. It is not fair, it is not honorable, and there have been many times in the history of the world when diplomatic relations have been broken for causes much less than that which exists now.

It seems to me, Mr. President, that if they are going to maintain the position which they have assumed, that the expenses of our troops shall not be paid, that they shall be the only troops whose expenses are not paid, until all the other debts of Germany are paid, it will mean that the expenses of the American troops will not be paid——

Mr. BORAH. At all.

Mr. NORRIS (continuing). Until those who are yet young in years will die of old age, and will have forgotten that we ever had any troops on the Rhine. It means no payment.

With that in our faces, with that thrown at us, we are still proposing to keep troops on the Rhine for the accommodation of our allies. It seems to me that one thing ought to be done, and it ought to be done by unanimous consent: Every American soldier on the Rhine should be brought home, and then we should take up in diplomatic channels the question of what further course ought to be pursued as to the payment of the expenses of the soldiers while they have been there.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. NORRIS. I yield.

Mr. LODGE. I regret that the chairman of the Committee on Military Affairs is not here, because he knows all the facts, but I think I am correct in saying that the troops have been coming home steadily for some time. They have come rather slowly, because I think the War Department did not care to go to the expense of employing any but our regular transports and American bottoms in bringing them; but they are coming steadily. I do not know how many are still there, but they are all coming.

Mr. NORRIS. I hope they will all come.

Mr. LODGE. I hope so, too.

Mr. NORRIS. I hope the House of Representatives, now considering the military appropriation bill, will provide that none of the funds appropriated shall be used to pay the expenses of American soldiers on the Rhine, making it compulsory and necessary for the administration to bring them all back before the close of the present fiscal year.

Mr. President, when it was proposed by some of us that our Secretary of the Treasury should be instructed to collect the interest due from our allies when they were able to pay it, nobody wanting to crowd them, nobody wanting to be hard on them, or ungenerous, even, the answer which came back will be found in the CONGRESSIONAL RECORD of about the time I proposed an amendment to the bonus bill when it was before the Senate, providing that the Secretary of the Treasury should collect the past due interest, and use it to pay the soldiers of America the bonus provided in that bill. That created consternation at once, and it was said on the floor of the Senate that nothing could hurt the Government of the United States more than to have that debt paid, because, it was alleged, the great difference in exchange would bring ruin to us if those who owed us paid even the interest on what they owed. I do not agree with that at all. It is now demonstrated that as between Germany and France, Germany and England, and Germany and Italy, that rule does not apply at all. The difference in exchange is about the same between Great Britain and Germany as between Great Britain and America; I do not know but what it is greater; yet Germany is paying reparations to Great Britain, paying reparations to France, and paying reparations to Italy, and, as queer as it may seem, those Englishmen and those Frenchmen and those Italians are glad to get it. But when it comes to paying the interest due to America, it is claimed that it is not a good thing for Americans to receive it.

We have notice now, if our allies continue in the stand they have taken, that we are not to be paid the expenses of the American soldiers in Germany; that the American taxpayer must stand that burden, not for the benefit of America or the United States Government but for the benefit of our allies. If the United States Government permits that to go unchallenged, and submits to that, we will be ready to submit if our allies should say, "We will not pay you anything else, either." If we accept that proposition without objection, and abide by that unjust decree, it would not be half as big a step to say that anything due us, interest, principal, or anything else, shall not be paid, either now or at any time in the future.

Mr. FRANCE. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. NORRIS. I yield.

Mr. FRANCE. I hope the Senator will not put himself in the position of being so selfish as to insist upon American rights being considered before the rights of other nations. The great heart of a Senator like the Senator from Nebraska certainly ought to be for every other country before he is for his own, if he is to be in harmony with the policy which we have been hearing so much about for the past year.

Mr. NORRIS. Mr. President, I regret to say that I have not advanced quite so far yet in my philanthropy and my Christianity; and I do not know of anyone else who has done so.

Mr. POINDEXTER. Except the Government of the United States.

Mr. NORRIS. Yes; as the Senator suggests, unless it is Uncle Sam; but if he has advanced that far, I want to call a halt on him if I can, and get him to muster up some of his courage and demand some of his rights.

Mr. FRANCE. Of course, I am quite well aware of the fact that nobody announces that he is in favor of such a proposition, but sometimes actions speak louder than words. I am quite well aware, however, that the Senator from Nebraska really is devoted to his own country above all other countries, which I think is the proper attitude for a man and a statesman to take. In that, of course, I am rather old-fashioned, perhaps reactionary.

The VICE PRESIDENT. The Senate resumes consideration of the unfinished business, House bill 9103, and the question is on agreeing to the amendment of the Committee on the Judiciary.

Mr. KING. What is the committee amendment? Let it be reported.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. The committee proposes to strike out all after the enacting clause and to insert a substitute.

Mr. FLETCHER. I give notice that before the vote is taken on the committee amendment to the pending bill I shall offer an amendment to the proposed substitute, and I shall want to discuss that amendment when it becomes in order.

Mr. CUMMINS. I suppose I ought to say a word upon the measure in completion of the discussion that I was indulging in the other day, but I do not want to ask the Senate to listen to this matter until it has finished with the subject which has engaged the Senate for the last half hour, and if there is anyone else who desires to discuss our foreign affairs, I hope he will rise now and ask recognition of the Chair, so that when we do begin upon domestic matters we can consider the questions arising somewhat continuously.

Mr. WILLIS. Mr. President, as I stated privately to the Senator from Iowa, I desire at some time during the day to make some observations on the views advanced by the Senator from Missouri [Mr. SPENCER] the other day as to whether or not the four-power treaty is an alliance, but I do not desire at all to intrude at this time. If the Senator desires to go on with his bill, I shall be very glad to wait.

Mr. CUMMINS. As far as I am concerned, any time convenient to the Senator from Ohio will be convenient for me, because we have now fallen into the habit of subordinating the pending bill to every other matter which has been brought to the attention of the Senate.

Mr. KING. Mr. President, in view of the very generous invitation of the Senator, I would like to make just one observation, which relates not alone to foreign affairs but to domestic affairs as well.

The Senator from Idaho [Mr. BORAH] called attention to the expenditures in connection with the Army, and stated that when the Army appropriation bill comes before the Senate undoubtedly, if we were to continue our soldiers upon the Rhine, the appropriation for that purpose might be challenged. I call the attention of the Senator from Vermont [Mr. PAGE] and the Senator from Washington [Mr. POINDEXTER] to the naval appropriation bill, which will soon be before us, and the apparent purpose of the Secretary of the Navy, regardless of the number of the personnel which may be fixed by Congress for the Navy, to maintain the number of marines at more than 27,000. We have gotten into the habit of stationing marines in various parts of the world where we have no business to have them—in Haiti, in Porto Rico, in Guatemala, and the Lord only knows where else. I hope the committee will not accept the views of the Secretary of the Navy and continue to authorize a marine force of more than 27,000. I suggest to the Senator from Washington that if they report the bill con-

tinuing that number they will encounter some hostility to that provision.

Mr. POINDEXTER. I think the Senator from Utah is mistaken as to the number of marines now in the service of the Government. I do not think the number is 27,000. My impression is that it is 20,000. It used to be 24,000, but in the appropriation act for the present fiscal year the provision was cut down so as to allow for only 20,000.

Mr. KING. I do not have before me the figures which have been recently submitted, I am told, by the Secretary of the Navy with respect to the number of marines. My recollection is that he desires 27,000, plus.

Mr. POINDEXTER. I am not speaking about what the Secretary of the Navy desires; I am speaking about the actual force we have.

Mr. WILLIS. I have conferred with the Senator from Iowa [Mr. CUMMINS], and he advises me that he will be perfectly satisfied if I go on with the observations I intend to make relative to a certain phase of the four-power treaty.

Mr. LODGE. If any Senator desires to speak on the treaty, I think it is my duty, under the unanimous-consent agreement, to move that we go into open executive session. We can return immediately, as I hope we shall, to the consideration of the judges bill, but I think under the unanimous-consent agreement I am bound to take that course.

Mr. CUMMINS. I quite agree with the Senator from Massachusetts in regard to that action.

THE FOUR-POWER TREATY.

Mr. LODGE. I move that the Senate proceed in open executive session to consider executive business, for the purpose of considering the four-power treaty.

The motion was agreed to; and the Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. WILLIS. Mr. President, I think the Senate will bear me out in the statement that I have not detained it very often, and certainly not upon this particular question; but the point raised by the remarks of the junior Senator from Missouri [Mr. SPENCER] day before yesterday seems to me to be of such importance that I want to take a few minutes of the Senate's time to direct especial attention to those remarks, and to what I deem the dangerous effect they are likely to have upon the country.

At page 3911 of the RECORD my friend, the junior Senator from Missouri [Mr. SPENCER], used the following language:

As the Senator will find out if he will look into any standard dictionary, the general meaning of an alliance is any connection between States, usually by a treaty, and it is substantially synonymous with the word "treaty"; so that whenever there is a treaty in the general sense there is an alliance.

Later on he said:

I have no antipathy to the word "alliance" if it is synonymous with the word "treaty."

A little further on he made this statement:

I am perfectly prepared to admit, for academic purposes, that we have created a thousand alliances with a score of other nations, and that whenever we make a treaty we make an alliance, as we certainly do in the general acceptation of the word.

Now, Mr. President, I feared that that statement would have just the effect on the country which it evidently has had; I noticed in a number of papers yesterday the statement "friends of the treaty admit that it constitutes an alliance." That is reflected not only in the statement in the newspapers but in telegrams and letters that have reached me, as they have no doubt reached other Senators. For example, here is a typical telegram:

Vote down the four-power treaty and all such obnoxious alliances.

I want to take just a few minutes on the rather uninteresting subject of whether or not this treaty does constitute an alliance. As I said in reply to the Senator from Missouri the other day, if I thought this treaty did constitute an alliance, I can not conceive of any power that would induce me to vote for it. To find out whether it is an alliance I desire to put into the RECORD some of the definitions from the authorities as to what an alliance is.

Now, I think that I understand perfectly the thought of the Senator from Missouri. He is as much in favor of the treaty as I am, but in his remarks he has taken not the legal meaning of an alliance, but a rather unusual meaning, the one that the people of the country do not have in mind, and therefore I believe if his statement is allowed to go unchallenged it is likely to do great harm. Therefore, not for the purpose of converting the Senator from Missouri, because he needs no conversion—he votes right on this anyhow—but to keep the RECORD straight I desire to put into the RECORD first just what the treaty itself says upon this point. It has been read many times, but I read part of it again:

The high contracting parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

Now, obviously, in that statement there is no creation of an alliance. Nobody binds himself to do or not to do any particular thing. But let us read on and see what follows:

If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

Now, as I understand the term, there is no alliance provided for in that language, but to see whether or not we have a correct understanding of the term let me place in the RECORD some of the definitions that the authorities give for an alliance. I have here the Century Dictionary Encyclopedia. Let us see what statement is made there. Here is the general definition, the one quoted by the Senator from Missouri, not the one the people have in mind at all, but the literary definition. The definition that the people have in mind for an alliance is the idea that nations have bound themselves to do or not to do a particular definite thing and usually for a warlike purpose. When the Senator from Missouri expresses his opinion that this is an "alliance" he places a weapon in the hands of those who seek to misunderstand and misinterpret the treaty. Let us see what this definition is.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Ohio yield to the Senator from Florida?

Mr. WILLIS. Certainly.

Mr. FLETCHER. May I ask the Senator what difference it makes what we call this contract? Is it not wholly immaterial whether we call it an alliance or an association or a league, or what sort of a name we may give it? What difference does it make how we designate it? The document speaks for itself, and I can not quite see the force of drawing any fine distinction about designating it in any way.

Mr. WILLIS. I think the answer to that is at hand. It would not make any difference to the Senator from Florida, and it would not make any difference to myself what we call it, whether we call it a treaty or an alliance or a compact or an agreement or anything else; but if the Senator will bear with me I think I can show him that it makes a tremendous difference upon the public opinion of the country. The Senator must know that there is a propaganda carried on in the country for the purpose of making the people of the country think that if the treaty is ratified the independence of our country is gone. Because that is the effort that is being made, I do not desire any statement made by a friend of the treaty to be used as a means of furnishing a club to those who want to pound the treaty to death.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Georgia?

Mr. WILLIS. I certainly do.

Mr. WATSON of Georgia. It is very interesting to see the internecine strife raging on the other side of the Chamber. I notice that they have to resort to the dictionary to find out "where they are at." I would like to ask the Senator from Ohio how four parties can enter into a partnership contract and any one of them claim afterwards that he is completely independent of the other three?

Mr. WILLIS. But my contention is that four men can sit down and talk about a proposition without going into partnership.

Mr. WATSON of Georgia. But if they draw up and sign articles of partnership, does not the partnership exist?

Mr. WILLIS. Oh, yes; if they sign articles of partnership; but there has been no such signing of articles of partnership in this case, as I shall show the Senator.

Mr. WATSON of Georgia. Allow me to remind the Senator that we first consented to the rights of Japan, and impliedly those of Great Britain, in 25,000 islands in the Pacific Ocean, and then we come with another treaty and say we will respect those rights and take measures to defend those rights, if there is aggression against them.

Mr. WILLIS. Of course, I do not admit that we do those things at all. I do not admit that we bind ourselves in any way

whatsoever to aid any of those nations in defending their rights. There is nothing in the treaty that so says.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Maryland?

Mr. WILLIS. In just a moment. I want to get through with Senators one at a time.

With reference to the suggestion my friend from Georgia makes, that we have to have dictionaries straighten us out to make our position clear, I want to say to him there is no doubt in my mind about my own position. I am endeavoring to straighten out my friend from Missouri. That is the object of this effort.

I now yield to the Senator from Maryland.

Mr. FRANCE. I hope the Senator from Ohio will develop further his thought upon the propaganda which is being carried on against the treaty. I wish he would put in the RECORD who is raising the money for the carrying on of this propaganda.

Mr. WILLIS. If the Senator knows, let him put it in the RECORD. I do not know. I am not concerned about those matters.

Mr. FRANCE. Perhaps he knows who is carrying on the propaganda and paying the bills for propaganda in favor of the treaties?

Mr. WILLIS. I certainly do not, and if there is any such propaganda and any bills are being paid, the Senator would seem to know more about them than I do. I have not heard of it; I have no information about it; but if the Senator knows about it, why does he not put the information in the RECORD?

Mr. FRANCE. I know that millions of dollars must be paid to carry on the propaganda in favor of the treaty which is being carried on. I have received at my own desk enough material to almost convince me that the treaties are desirable if I did not know something about them.

Mr. WILLIS. I wish the Senator might be altogether convinced.

Mr. FRANCE. Fortunately for the Senator from Maryland, he has taken the trouble to acquaint himself with the real conditions in Europe.

Mr. WILLIS. I do not know about that, either.

Mr. FRANCE. And it takes something more than a paid propaganda to change my views upon the subject. I wish to say to the Senator that even prepared lectures are being sent out to women's clubs. I am sorry that I have not a sample of one of those prepared lectures being sent out to women's clubs so that any woman who wishes to read a lecture upon the great desirability of the adoption of the treaties can do so without any cost to herself and without any trouble whatever. The number of lectures that are being sent out——

Mr. POMERENE. Mr. President——

Mr. WILLIS. I want still to retain my right to the floor. If the Senator from Maryland has any information upon these matters, if there is a fund collected to send out propaganda for the treaty or against it, and if he has that information let him put it in the RECORD. I do not have that information, and I do not care much about it. I yield now to my colleague.

Mr. FRANCE. I shall be very glad to have an investigation made. I thought perhaps the Senator from Ohio had some information as to the propaganda to which he referred. I have no positive information. I have some suspicion.

Mr. WILLIS. All I know is that there is propaganda sent out against the treaty in most insidious form. Who is back of it I do not know, and I do not care, because I do not believe it is going to get anywhere.

Mr. FRANCE. In what form does the Senator refer to it—insidious form?

Mr. WILLIS. In the form of letters, in the form of identical telegrams, in the form of messages of various sorts. The Senator is well acquainted with propaganda.

Mr. FRANCE. I wish the whole question of the expense of carrying on this propaganda might be investigated.

Mr. WILLIS. I have not the slightest objection to that.

Mr. FRANCE. If we could have an investigation and all the facts disclosed, I assure the Senator that the facts would be most interesting to the American people and not at all helpful to the Republican Party.

Mr. WILLIS. If the Senator desires an investigation, he can move for it. If he has any information he can put it in the RECORD. I do not care for it; I am not interested in it, because I think the question will be settled before the investigation could be had.

I again yield to my colleague.

Mr. POMERENE. I did not rise to ask my colleague a question, but in view of the statement that has been made by the Senator from Maryland to the effect that there were millions being expended on propaganda favoring the treaty, I should like to have some specific information as to just one dollar that was furnished in that behalf. Then when it comes to the designation of the senders of such literature as is being sent out to Senators, it would be interesting to know whether that literature was sent because of promptings of the heart in favor of the treaty or because of the purse to which he refers.

Mr. FRANCE. Mr. President——

Mr. WILLIS. I yield to the Senator from Maryland for a brief reply.

Mr. FRANCE. I desire to say that I rose not to give information but to ask information from the junior Senator from Ohio, who seemed to be in possession of some facts with reference to the propaganda against the treaty.

Mr. WILLIS. If the Senator will listen he will get information, but I am not posing as an authority upon propaganda. If the Senator knows anything about this matter of collecting funds, let him have an investigation or put his information in the RECORD. I know nothing about it and I care nothing about it, because the treaties will all be ratified before he will get his investigations started anyhow.

Mr. FRANCE. Possibly.

Mr. WILLIS. Now, I proceed with the proposition I had in mind, namely, the placing in the RECORD of some definitions from authorities for the benefit of my friend, the Senator from Missouri. I have here the Century Dictionary Encyclopedia, which gives the following definition of "Alliance":

> Union between nations, contracted by compact, treaty, or league. Such an alliance may be defensive; that is, an agreement to defend each other when attacked; or offensive; that is, an agreement to make a combined attack on another nation; or it may be both offensive and defensive.

Now, it must be perfectly apparent to one who thinks of it for a moment that there is nothing in this so-called four-power agreement contemplating anything of that sort. No distortion of language, no torture of words can make it appear that there is any agreement here by which we are bound to defend any nation if they are attacked.

Mr. POMERENE. Mr. President——

Mr. WILLIS. I yield to my colleague.

Mr. POMERENE. Does not my colleague think that there is another signification attached to the word "alliance," irrespective of whether it is of an offensive or defensive character? In other words, when we speak of alliances between nations we sometimes speak of them as alliances of offense, or alliances of defense, or alliances of offense and defense; but there may be alliances for other purposes, for purely altruistic purposes, for peace purposes, and so forth, without any reference to the hostile phase. In that sense, it seems to me, that my colleague, as well as myself, may well say this is an alliance or it is an association in the more comprehensive sense and not in the restricted sense.

Mr. WILLIS. Mr. President, the point I was seeking to make clear, as my colleague will observe, is the fact that the alliance that the people of this country have in mind is an alliance such as we have always understood the word to mean, either for offensive or defensive purposes. When the senior Senator from Missouri, or any other friend of the treaty, announces that this is an "alliance," it seems to me that that statement is likely to be misunderstood. Therefore, I have thought it proper to put into the RECORD three or four of the definitions of the term "alliance." Here is one from the Encyclopedia Britanica. Let us ascertain what that work says:

> Alliance, in international law—

That is, as the word is used in international law—

> Alliance, in international law, a league between independent States, defined by treaty, for the purpose of combined action, defensive or offensive, or both.

Here is another authority on international law, Oppenheim, volume 1. Let us see what his definition is:

> Alliances, in the strict sense of the term, are treaties of union between two or more States for the purpose of defending each other against an attack in war or of jointly attacking third States, or for both purposes.

Then here is the statement which is made in Wheaton's work on international law:

> Treaties of alliance may be either defensive or offensive. In the first case the engagements of the ally extend only to a war really and truly defensive; to a war of aggression first commenced, in point of fact, against the other contracting party. In the second the ally engages generally to cooperate in hostilities against a specified power or against any power with whom the other party may be engaged in war.

And so on, bringing out the same idea that has already been brought out in the definitions which I have quoted from the

other authorities. Then, here is the definition given in Bouvier's Law Dictionary:

ALLIANCE.

In international law: A contract, treaty, or league between two or more sovereigns or States, made for purposes of aggression or defense.
Defensive alliances are those in which a nation agrees to defend her ally in case the latter is attacked.
Offensive alliances are those in which nations unite for the purpose of making an attack or jointly waging the war against another nation.

Now, carrying out the idea suggested by my colleague:

The term is also used in a wider sense embracing unions for objects of common interest to the contracting parties, as the "holy alliance" entered into in 1815 by Prussia, Austria, and Russia for the purpose of counteracting the revolutionary movement in the interest of political liberalism. (From Bouvier's Law Dictionary, third revision, 1914, volume 1, page 180.)

I call attention to the fact that the same idea is set forth there, that this is an agreement among nations to do or not to do a certain thing. Then I will quote one other authority, Mr. President. This is Black's Law Dictionary, and the definition contained in that work is substantially the same as the one already quoted:

ALLIANCE IN INTERNATIONAL LAW.

A union or association of two or more States or nations, formed by league or treaty, for the joint prosecution of a war, or for their mutual assistance and protection in repelling hostile attacks.

Mr. President, without spending any further time on quotations from the authorities, having called attention to what the authorities define an alliance to be and what the treaty says, I think it would be useful again to call the attention of the Senate and of the country to the statement which was made when this treaty was presented to the Conference on Limitation of Armament by the spokesman of the American delegation, whose language has already been quoted on the floor of the Senate a number of times, but I quote it again because of its applicability to this particular question. The Senator from Massachusetts [Mr. LODGE] in presenting this treaty to the conference said in part:

Each signer is bound to respect the rights of the others and before taking action in any controversy to consult with them. There is no provision for the use of force to carry out any of the terms of the agreement, and no military or naval sanction lurks anywhere in the background or under cover of these plain and direct clauses.
The surest way to prevent war is to remove the causes of war. This is an attempt to remove causes of war over a great area of the globe's surface by reliance upon the good faith and honest intentions of the nations which sign the treaty, solving all differences through the processes of diplomacy and joint consideration and conciliation.

So that the treaty itself contains no language indicating that it is an alliance. It does not conform to the definition of an alliance given by the authorities, and when it was presented by the spokesman for the American delegation it was specifically denied that it was an alliance.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. WILLIS. I yield to the Senator from Minnesota.

Mr. NELSON. Suppose America and Great Britain were to enter into a treaty to circulate the Bible in China and Japan, and nothing more. Would that not be an alliance? Would it not be an alliance to circulate the Bible in China and Japan?

I wish to say further in reference to the matter of reservations that I have heard of some pious people who have been so extremely careful that before they would indorse the Lord's Prayer they would want some reservations.

Mr. WILLIS. Mr. President, in reply to the question propounded by the Senator from Minnesota, I desire to say that, of course, I agree with him in this respect: I think such an agreement as he suggests would be a very desirable one for the United States and Great Britain to make; but I do not think, Mr. President, that that would be an alliance as the term is understood by the American people. The only reason why I am combating the idea set forth by the Senator from Missouri is that I think it may be used, and is being used, to the detriment of the forces which are in favor of the ratification of the treaty.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Georgia?

Mr. WILLIS. I yield to my friend from Georgia.

Mr. WATSON of Georgia. Mr. President, if the Senator from Ohio can trace any resemblance between the Lord's Prayer and the Yap treaty and the four-power treaty, I would be very much edified to listen to him do so, especially as Japan, one of the parties to this arrangement, does not believe in the Lord or in His prayer.

Mr. WILLIS. Mr. President, I will leave that to my distinguished and able friend, the Senator from Minnesota, who brought that element into the discussion, and who is entirely able to take care of himself.

Proceeding further, Mr. President, not only did the senior Senator from Massachusetts [Mr. LODGE] in presenting this document to the conference specifically call attention to the fact that it did not provide an alliance and that it did not involve the use of force, but it was so understood by the other members of the conference. With other Senators I was present at that conference, and no man who sensed that situation can feel otherwise than that when the Senator from Massachusetts spoke to that conference he spoke that which met with the practically unanimous approval of every delegate to the conference, as well as of those of us who had the privilege of witnessing the ceremony. The fact that when that document was presented and when the question came up next day on the approval of the minutes there was no objection to it, it seems to me places upon the treaty an interpretation that can not well be attacked.

Mr. President, some Senator has quoted something from the distinguished Frenchman, Mr. Viviani. Let us see what he said. I quote from page 107 of the minutes, where Mr. Viviani said in part:

We should, however, be remiss indeed—we should be slighting the open-handed and sumptuous hospitality offered us by America and failing in our manifest duty, if we did not attempt to stress the moral worth of the agreement and thereby give this memorable day its true historic character. This moral value has just been alluded to by Mr. LODGE; he has pointed out that when four great powers are determined that peace shall prevail in a given part of the world, the concert of these powers, without provision for naval or military action, is all that is needed to assure the preservation, the guaranty, and the protection of that peace.

He admits openly there is no provision for military or naval action, and by implication the countries which were represented and which entered into this treaty are perfectly free hereafter to act as they may deem proper.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. WILLIS. I yield to the Senator from Utah.

Mr. KING. I do not have before me the minutes of the conference, but the Senator will find, as I recall, on the page next to that from which he is reading, or probably the preceding page, that Mr. Viviani divided his argument with respect to the treaty into two categories. He discusses the juridical value of the treaty and then he discusses it from a moral standpoint, referring to its moral value and the sense of honor that might result from the agreement. When he uses the words "juridical value," obviously, as an acute and able lawyer, as Mr. Viviani is, he was speaking of its legalistic characteristic, of its value as a legal contract, of its juridical value, meaning thereby its binding legal force or value. Now, I ask the Senator what is its juridical value, what is its legal binding force, in contradistinction to the moral element, to which Mr. Viviani referred?

Mr. WILLIS. Mr. President, in response to the inquiry of the Senator from Utah I desire to say that I have just read what Mr. Viviani states to be the moral value of the treaty. He is not talking about the juridical value of it at all. The Senator thought that it was on the next page, but it is on the very page—page 107—from which I have been reading. It is there where he is estimating the moral value. Of course, if he desires to discuss the juridical value of it, the opinion of Mr. Viviani, as it was the opinion of every other delegate to the conference, as it must have been, because it was accepted unanimously and expressly, was that this treaty was simply an agreement to confer; that there was no binding action provided for at all.

Now, Mr. President, let us see how far we have gotten. In the first place——

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from Utah?

Mr. WILLIS. I yield.

Mr. KING. Of course, I do not accept the view of the Senator. An alliance does not frighten me at all; I believe in a world alliance, an alliance which involves force.

Mr. WILLIS. It does not frighten me, but I do not believe in a world alliance, nor a world supergovernment. That, however, is not material here.

Mr. KING. I was about to ask the Senator what value does he ascribe to this treaty? Is it a mere consultative agreement, or is there not some obligation resting upon the signatories to the treaty to do something in the event there is an aggressive movement that threatens the invasion of the insular dominions which are covered by the treaty?

Mr. WILLIS. Mr. President, I intended to touch upon that, and will touch upon it more at length later on in my remarks; but I want to say just here that if the Senator takes the view that a mere agreement to confer and talk over a situation has no value in promoting the peace of the world, then I must

disagree with him totally. As I understand this document, we are not bound to any action at all; but the mere fact that four great powers come together here and talk over the situation and bind themselves to confer in the future when certain classes of questions arise I think has tremendous value in promoting the peace of the world.

Mr. SPENCER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. WILLIS. I yield to the Senator from Missouri.

Mr. SPENCER. May I ask the Senator from Ohio whether, in his address—to which I am listening with great pleasure—he has passed the point where he is straightening me out? I ask because, if he has passed that point, I wonder if he will yield for a moment to enable me to say something?

Mr. WILLIS. Mr. President, I would not undertake to fix the precise point at which I quit trying to straighten the Senator out. I do not want to establish any such point. In other words, if the Senator will permit me, I should like to proceed just a little bit further, and then I shall listen to him with great delight, as I always do.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Georgia?

Mr. WILLIS. I yield to the Senator.

Mr. WATSON of Georgia. I should like to have the Senator from Ohio say what he understands to be the meaning of the pledge which we make to adopt measures to resist the aggressions of a fifth power, for instance.

Mr. WILLIS. I did not understand the first portion of the Senator's question.

Mr. WATSON of Georgia. The pact, as I understand, binds us not only to confer but to adopt the measures thought best to resist the aggressions of an outside power on one of these four powers. What does the Senator think that means?

Mr. WILLIS. I think it means exactly what it says—that we are to confer about it.

Mr. WATSON of Georgia. Then you adopt measures, do you not?

Mr. WILLIS. We confer about it and then——

Mr. WATSON of Georgia. You adopt measures?

Mr. WILLIS. Just wait. The Senator can not ask a question and answer it. This conference is held, and the matter is talked over, and then we do whatever we please, so far as the terms of this treaty are concerned.

Mr. WATSON of Georgia. Mr. President, let the Senator turn to his dictionary and see what the word "measures" means.

Mr. WILLIS. I think I understand that without bothering to look at the dictionary. The point I make is, and I think the Senator understands me very clearly, that the mere conference that is provided for in this treaty has tremendous value in promoting the peace of the world; and after the conference is held this Government is not bound to do anything, but is perfectly free legally and morally.

Mr. WATSON of Georgia. But a conversation is not a measure, is it, and a measure is not a conversation?

Mr. WILLIS. That would be an interesting academic question to discuss, but I have stated my view of this matter.

Now, Mr. President, I want to go just a little further with this matter. I have read what the spokesman of the American delegation stated when the treaty was presented, and that statement was accepted as an authoritative interpretation. Now let me see what the delegation itself said when it presented this treaty to the President in its report, page 824:

> When controversies arise of the character stated in the article, the powers merely agree to confer together concerning them. No power binds itself to anything further; and any consents or agreements must be reached in accordance with its constitutional methods. The reference to "consideration and adjustment" does not imply that any agreement can be made at a conference relating to a controversy which would be binding upon the United States unless that agreement is made by constitutional authority. The present treaty promises not an agreement of any sort, but merely consultation.

Then the delegates quote a portion of the language I have already read from the statement made by the Senator from Massachusetts, as follows:

> There is no provision for the use of force to carry out any of the terms of the agreement, and no military or naval sanction lurks anywhere in the background or under cover of these plain and direct clauses.

Then the delegates say:

> This statement was made in open conference, in the presence of all the delegates who signed the treaty, and must be regarded as an authoritative and accepted exposition of its import.

So that in the first place the Senator from Massachusetts, speaking for the American delegation, gives the treaty this interpretation; and then the delegates as a whole, in reporting to the President, confirm the statement already made.

Let us see what further statement is made in the address that was made by the President at the close of the conference. On this very point now—and the President is the one who takes the initiative in matters of our foreign policy—the President says on page 868:

> No intrigue, no offensive or defensive alliances, no involvements have wrought your agreements, but reasoning with each other to common understanding has made new relationships among governments and peoples, new securities for peace, and new opportunities for achievement and attending happiness.

So that the authorities, to start with, furnish no basis for the contention that this is an alliance as the people understand that term; secondly, there is nothing in the treaty itself to give color to such a claim; in the third place, the spokesman for the American delegation so interprets the treaty in presenting it to the conference, and that interpretation is accepted by the conference, and the American delegation places upon it the same interpretation when the treaty is presented to the President; and in the fourth place, the President of the United States in his address to the conference places upon the treaty the same interpretation.

But that was not all. So that there could be no question about it, the President in his address here dealt with that particular proposition. He said in the address that he made to the Senate in presenting this treaty:

> The conclusions reached and the covenants written neither require nor contemplate compulsive measures against any power in the world, signatory or nonsignatory. The offerings are free will; the conscience is that of world opinion; the observance is a matter of national honor.

Then he says, further on in his address to the Senate:

> Therefore I can bring you every assurance that nothing in any of these treaties commits the United States or any other power to any kind of an alliance, entanglement, or involvement. It does not require us or any power to surrender a worth-while tradition. It has been said, if this be true, these are mere meaningless treaties, and therefore valueless. Let us accept no such doctrine of despair as that. If nations may not establish by mutual understanding the rules and principles which are to govern their relationship; if a sovereign and solemn plight of faith by leading nations of the earth is valueless; if nations may not trust one another, then, indeed, there is little on which to hang our faith in advancing civilization or the furtherance of peace.

Then a little further on in his address he said:

> There is no commitment to armed force, no alliance, no written or moral obligation to join in defense.

Further on he said:

> If nations may not safely agree to respect each other's rights and may not agree to confer if one to the compact threatens trespass, or may not agree to advise if one party to the pact is threatened by an outside power, then all concerted efforts to tranquillize the world and stabilize peace must be flung to the winds.

The statement which the President of the United States makes in presenting the treaties to the Senate is exactly in harmony, first, with the clear meaning of the treaties themselves; second, with the interpretation placed upon them by the spokesman for the American delegation; third, with the interpretation placed upon the treaties by the delegation in making its report to the President.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. WILLIS. I yield.

Mr. KING. Is not the President inconsistent in the very sentences which the Senator has just read?

Mr. WILLIS. I do not think so.

Mr. KING. He speaks about commitments and about covenants, and deplores a situation which would render agreements and covenants and commitments not binding upon those who make them. Then, in the next breath——

Mr. WILLIS. I believe the Senator is mistaken there. I am inclined to think the word "covenant" is not used. I hope that the President has excised that term. I think it is not in here; but no matter.

Mr. KING. I think the Senator used the word "covenant," but if the Senator objects to that I will use the word "agreement" and the word "commitment."

Mr. WILLIS. Well, let us talk about the language of the President. That is what the Senator is inquiring about. Here is his language now. The President says:

> There is no commitment to armed force.

Does the Senator think there is?

Mr. KING. Will the Senator read two or three sentences before that? I have not the address before me. The Senator just read them.

Mr. WILLIS. I will commence clear back near the beginning of that paragraph:

> In case of controversy between the covenanting powers—

Mr. KING. "Covenanting powers."

Mr. WILLIS (continuing):

it is agreed to confer and seek adjustment, and if said rights are threatened by the aggressive action of any outside power these friendly powers, respecting one another, are to communicate, perhaps confer, in order to understand what action may be taken, jointly or separately, to meet a menacing situation.

Mr. KING. Will the Senator read a little further, please.

Mr. WILLIS. Certainly.

There is no commitment to armed force, no alliance, no written or moral obligation to join in defense, no expressed or implied commitment to arrive at any agreement except in accordance with our constitutional methods.

Mr. KING. The Senator read a moment ago, I think, from the President's address in which he deplores a situation where nations could not meet together and where they would not be bound by any commitment or covenant which they had made. Now, I ask the Senator if there is anything in the President's statement, does it not mean that there is something in these treaties, or in this treaty, or in treaties which are desired, which calls for commitments and understandings and agreements which will eventuate in keeping the peace either of the signatory powers or, in part, of the world?

Mr. WILLIS. I think the President's statement is perfectly clear. I will read it again to the Senator. It will do him good:

There is no commitment to armed force, no alliance, no written or moral obligation to join in defense, no expressed or implied commitment to arrive at any agreement except in accordance with our constitutional methods.

I think that is perfectly clear.

Mr. McCORMICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Illinois?

Mr. WILLIS. I yield to the Senator from Illinois.

Mr. McCORMICK. Will not the Senator read the reservation adopted by the committee in that conjunction?

Mr. WILLIS. That is what I was just about to do when I was diverted by the inquiry of the Senator from Utah. I was just about to read that.

Mr. President, let us summarize and see how far we have gone.

First. I have read the authorities, and the authorities furnish no color to the view that this is an alliance.

Second. There is nothing in the treaty that, to my mind at least, indicates that it is an alliance.

In the third place, the Senator from Massachusetts, the spokesman of the American delegation, in presenting the treaty to the conference, specifically stated that it was not an alliance.

In the fourth place, the American delegation adopted that statement as its own, and used even a stronger statement when it presented the treaty to the President.

In the fifth place, when the President brings it here, he uses in presenting it the language which I have just quoted.

So far as I am concerned, Mr. President—and in this I think I agree entirely with my friend, the junior Senator from Missouri—so far as I am concerned, I am entirely satisfied with that. It makes it perfectly clear to me, and I am satisfied to vote for the treaty without any further explanation or reservation.

But there are able Senators who do not share the view entertained by the Senator from Missouri and by myself, as far as that is concerned, and they desire that this language shall be added as a reservation:

The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.

I think I can read the signs of the times, and in all probability that reservation will be adopted, and I am entirely willing that it shall be adopted; when it shall have been adopted it seems to me that there can not be any question in the mind of any thinking person as to what this conference, the American delegation, the President, and the American Senate meant to do. They did not mean to enter into any alliance. They have negatived that as clearly as the English language can negative a proposition.

It is interesting to note that there is not any foreign Government which is raising any question about the interpretation of this language. The only question being raised is that raised in our own country, particularly in the Senate Chamber.

I have spoken this much, Mr. President, not because I have any quarrel with my friend the junior Senator from Missouri [Mr. SPENCER], who will vote for the treaty, as I shall, but because I thought the interpretation he placed upon it was likely to be damaging, and I feel that it is damaging in that it is being used as the basis of an assertion going before the American people that a distinguished and able and eloquent advocate of the treaty, as the Senator himself is, openly admits that it is an alliance. I think it is not an alliance, and if I thought that it were such an alliance as his language seems to indicate he thinks it might be I certainly could not bring myself to vote for the ratification of this treaty. I think that this treaty and the other treaties pending before the Senate are America's answer to the cry of a world warworn and weary and calling for leadership, and I think the country has responded well to that call.

The Conference for the Limitation of Armament had as its beginning, as its inauguration, the mightiest spectacle this country has perhaps ever seen, one which I trust it may not be called upon again to see, and that was the great ceremony incident to armistice day last year. We saw the long lines of people, from daylight until away into the night, marching through the Rotunda of the Capitol to show respect at the casket of America's heroic dead. Then, on armistice day we heard the trampling of thousands of feet, we saw the marching of the military, we saw the meeting of the representatives of the Governments of all the earth, and we heard the eloquent address made by the President of the United States; but I thought as I looked out over that vast crowd of 50,000 people that there were others there in spirit, even though we could not see them. I thought that I saw standing out in the mists the figures of the 100,000 boys who gave up their lives over yonder that there might be peace and the preservation of free government. I thought I saw those boys standing there at "Present arms" to do honor to the memory of this soldier, the unknown dead.

The spirit of the Washington conference was born in that solemn hour when with bated breath and tear-dimmed eyes a sobbing, heartbroken world stood on armistice day at the grave of the unknown soldier at Arlington. In high, solemn purpose this Nation then and there resolved that it must not be again. The pending treaties are America's answer to the world's call for leadership.

Then when, the next day, the conference met, and when some of us sensed the spirit of that meeting, we could not have believed that this effort to realize the things for which those soldiers fought could possibly be questioned in this country; they might be questioned elsewhere, but not here. Mr. President, when we have thought it all over, we will realize that we have come to the time when not hatred and suspicion are to rule in the world, but rather good feeling and confidence. If we are to proceed on the theory that every other nation is made up of liars and thieves and murderers, whom we may not under any circumstances trust, then we have come to an end of all treaties. If that is to be the position we are to take, there is only one thing to do, and that is to arm to the teeth and to fortify. Those who say we should defeat this treaty, unthoughtedly are themselves by their acts making possible the continuance of the most threatening alliance in the world—that is, the Anglo-Japanese alliance—playing into the hands of those who would maintain that alliance.

Those who say that these treaties ought to be defeated, by their acts are saying, "Let us go on in the manufacture of more deadly poisonous gases; let us go on in the construction of more stealthy, murderous submarines; let us go on building stronger fortifications; let us go on constructing more $40,000,000 battleships."

Those are the two courses which are open to this country, and I believe, Mr. President, when we think it out, there will not be much doubt about what the attitude of the Senate will be. Either we shall ratify these treaties and throw our influence in the scale in the interest of peace and confidence and mutual understanding, or else we shall defeat them and announce to the world that we intend to arm to the teeth in the fierce rivalry of competitive armament.

This conference had been planned by the President and the Secretary of State and had more than once received the cordial sanction of both branches of Congress. Indeed as I now recall the Senate by unanimous vote had specifically urged the limitation of naval armaments and asked the calling of a conference for that purpose.

In cordial cooperation the President designated two distinguished Members of the Senate as delegates representing America. On what theory can the Senate now repudiate its own act, throw overboard its own representatives and make ridiculous the whole country by refusing to agree to the very things without which limitation of armament is impossible?

President Wilson went to Europe. I do not criticise that, but I call attention simply to the fact that he went to Europe. President Harding brought Europe and Asia to America, and induced them, under his leadership, to accept an American plan of peace and mutual understanding. I think that when the votes are counted it will be found that the Senate will sustain the President of the United States in his patriotic effort to interpret the high hope of the world.

Mr. SPENCER. Mr. President, my good friend, the junior Senator from Ohio [Mr. WILLIS], was pleased to say that his purpose in speaking was to make an attempt to straighten out the junior Senator from Missouri as to the meaning of the word "alliance." By my silence I do not want it to be even inferred that the junior Senator from Missouri needed any straightening out or interpretation of what an alliance is, nor do I think that my good friend from Ohio made any substantial progress in his declared intention.

There can not be the slightest difference between him and me, if he will but look in the dictionary, and let his mind revert to what the word "alliance" means; nor is there any mistake among the people of the United States as to what an alliance is. What kind of an alliance is it of which the Senator from Ohio is all the time thinking? It is an offensive and defensive alliance. It is an alliance which means war. That is not the common understanding of the word "alliance."

What is the most familiar illustration of an alliance which the rank and file of the American people know anything about? It is marriage. Marriage is the most familiar alliance. Does the Senator from Ohio think that is offensive and defensive? Every time there is a meeting of minds between individuals or between States there is an alliance. The Senator from Minnesota [Mr. NELSON], with that keen good sense which characterizes everything he does, struck the nail on the head when he said that if the United States and Great Britain were to agree to send the Bible to China, there would be an alliance between Great Britain and the United States for the purpose of sending the word of God to China. There is nothing in the word "alliance" which anybody need stumble at or be fearful of.

The Senator from Ohio does not seem to be able to get out of his mind that there is something in the word "alliance" that breeds war, or that means trouble, or that has the idea of force. I agree with him that there is not the slightest word in this treaty, from the beginning to the end of it, which has any such meaning; that there is not a word in this treaty which can even inferentially be tortured to mean an alliance that is associated with force, or that is defensive or offensive.

If he, among the dictionaries which he was good enough to read from, as they lay upon his desk, would look a little further in the Century Dictionary, from which he quoted, he would find that an alliance is a union between nations contracted by treaty. That is precisely what this is. He would have found in the same dictionary that an alliance is any joining of interests by States. If we join the interests of the United States with those of any other nation regarding the extradition of criminals, there is an alliance.

Mr. FRANCE. Mr. President——

Mr. SPENCER. In just a moment. If the Senator from Ohio had read a little further in Bouvier's Law Dictionary, to which he referred, he would have found that an alliance, in its wider sense—and I think he did quote this—is a union of States for any object of common interest. There must be no mistake between the Senator from Ohio and myself. If he used my word "alliance" as the mere text around which he desired to cluster the beautiful thoughts and eloquent language which followed, I have no objection. I have heard ministers before who did not stick any closer to a text than that. I am perfectly willing that he should have used what I said as a text; but there is no difference between the Senator from Ohio and myself. I know that the proposed treaty does not have the shadow of a meaning of alliance as he construes the word "alliance," but he underestimates the intelligence of the American people if he thinks that in the rank and file of the farms and towns of this country they do not know, just as well as we know in the Senate, that in its general meaning an alliance is any agreement between nations to do anything; and when we agree with Great Britain and with France and with Japan, in this treaty, to confer in case difficulties arise in the future, in its general sense, of course, we have an alliance, and there is no sense in shutting our eyes to that fact; but there is not a breath of a defensive or offensive alliance.

Now I yield to the Senator from Maryland, and I thank him for his courtesy in waiting until I had finished.

Mr. FRANCE. Mr. President, the Senator from Missouri is a very eminent lawyer, and, as I can testify, one who uses English very carefully. I desire to ask him if he wishes to maintain that the word "agreement" and the word "alliance" mean the same?

Mr. SPENCER. The dictionary calls them synonyms. I think they are, too. If the Senator will open the pages of the dictionary he will find as a synonym for the word "alliance" the words "agreement," "contract," and "treaty."

Mr. FRANCE. Of course, using those words as synonyms would lead us into endless difficulties over verbiage and the meaning of language; but I think the debate has developed quite clearly this fact, that the Senator from Missouri is for this treaty, believing it to be an alliance, and that the Senator from Ohio is for it, believing it not to be an alliance.

Mr. SPENCER. I wish the Senator from Maryland were for it, whatever it might be called, because the main thing is what it intends to do. The word is insignificant. It is folly to magnify a word and forget the principle or the thought.

Mr. FRANCE. Mr. President, I am very much pleased that the Senator from Missouri has suggested the very thought which I had intended to develop. The Senator from Ohio has said that the European statesmen were not quibbling about whether this was an alliance or whether it was not an alliance. Certainly they are not quibbling, because they know that it makes no difference whether it is an alliance or whether it is not an alliance.

The Triple Entente was not an alliance. There was no formal treaty agreement between Russia and Great Britain, except perhaps the mere passing of a letter, and yet that was a powerful association between the two nations, and it was in part as a result of that entente that the triple alliance became such a menace. In other words, the mere matter of terms has nothing to do with it. The principle is what we should examine.

As I have already said, Washington warned us not merely against entangling alliances but against showing special favors to a particular nation as distinguished from other nations. He warned us against any particular association with one group of nations, because he realized that if we showed favoritism to one group we would excite the jealousy and animosity of all the others.

Now, there is a law—and I may say in passing that the associations of men with each other, the associations of nations with each other, are all, in my judgment, subject to certain fundamental principles and laws which act as inevitably as the laws of physics and dynamics.

The history of the world discloses the fact that, generally speaking, if we review the past, great nations have been developed for the purpose of aggrandizing themselves at the expense of other nations. The leading nations of the past have been imperial nations, and the imperial nation has organized in each particular instance to aggrandize itself. That is the way the law operates. A nation starts to develop an imperial policy, a policy of self-aggrandizement at the expense of the other nations. It goes on developing that imperial policy.

You can trace the thing in history from the beginning of the world. Take Rome as an example. The imperial policy of Rome developed self-aggrandizement until reaction set in, the reaction of the weak against the strong. The imperial policy of Rome developed until a counteraction took place among the weak, until the weak became strong enough to balance the imperial policy and action of the Roman Empire, and when the balance takes place there is a status of peace which is maintained up until the counteralliance, or the counterassociation or the counteraction, or whatever you may call it, becomes powerful enough first to check and finally to overthrow the aggrandizing nation or power.

Now that is the law. The same thing occurred prior to the last war. Take either association. Take the German side. We will see that the Germans, for reasons which we need not discuss, following the imperial policy, started self-aggrandizement. Germany associatel herself with other nations in the Triple Alliance. The reaction to that was the Triple Entente. The aggrandizement of Germany could not go on because counteraction took place—the Triple Entente. There came the balance of power, and then there came the test of strength, which was the World War. The moment the World War was over the same principles began to operate, the British Empire vastly extending her territory as the result of war, the Japanese Empire vastly extending her territory, the French Imperial Republic having materially extended her territory. All, having embarked upon an imperial policy, wished us to join as a protective element as they proceeded to carry out their imperial policies.

The inevitable result of the four-power pact between the United States and the three empires—and I care not whether you call it an alliance, an entente, an association, or what you call it—a result as inevitable as the result of the law of action and reaction in physics, will be the reaction which will cause the weak to suspect that this is an association, an entente or an understanding, between the great empires for further aggrandizement of those empires, and, actuated by the law of self-protection, the others will certainly consolidate themselves in some way in opposition to it. If that does not take place, then the law which I have been attempting to discuss is not a law and there is no law which governs the organization of nations with reference to each other.

But there is a law, and its action can be traced from the days of the first empire down until the present time. It has always operated. There was a combination in opposition to Alexander. There was a combination in opposition to Charlemagne. There was a combination in opposition to Napoleon; and if it had not been so the dominion of France to-day would extend over the continent of Europe, because, unchecked by a counterforce, Napoleon would have conquered Europe and would have set up a permanent European world empire.

There is a law of action and reaction. Napoleon, of course, carried on his campaign and carried on his policy of imperial aggrandizement until there had to be formed against him an association which checked him and which finally overthrew him.

Now, it is just as inevitable that, as a result of these four nations getting together, one Republic in company with three empires—and let me tell you that there can be no real friendship, no real association, between a Republic founded upon the principles of the Declaration of Independence and an empire founded upon the theory of the divine right of kings and the right of might to exploit any people——

Mr. NELSON. Is not France a republic?

Mr. FRANCE. France is an imperial republic, sir, with colonies in every part of the world—republic in form but a real descendant of the Napoleonic Empire.

There can be—and I have already quoted the authorities—no real association between nations moving in the imperial direction, in the direction of domination, in the directon of subjugation, in the direction of exploitation, and a Republic such as ours, which is moving in the very opposite direction, in the direction of self-determination, of liberation, of emancipation, of elevation, of education.

The Senator from Minnesota referred to a union between the British Empire and the United States for the carrying of the Bible to the backward peoples. If he knew anything about the history of the British Empire he would not have used that simile. The noblest people in the world are the English-speaking people with whom we are related, and if they would get a Government which would truly express their best aspirations we could cooperate with them; but they have been unable for some strange reason to do it. The British Government, so far from ever being in favor of the dissemination of Christian knowledge, has been in opposition, as I have already shown upon this floor by the testimony of British writers, to the spread of education and of Christianity in their own colonies, notably in Africa.

Mr. NELSON. I would call the attention of the Senator from Maryland to the fact that it was in Great Britain that the first Bible society was organized for the distribution of the Bible, and we followed them.

Mr. FRANCE. So I have already intimated. Before I made the statement I referred to the noble attributes of the English people. In fact, the Society of Great Britain for the Protection of Aboriginal Peoples, the missionary societies of Great Britain, the great organizations for the spread of education and of Christianity in foreign lands, have met with the opposition of the imperial statesmen who have the empire in their hands; and perfectly consistently so, because it is certain, as some of the British imperialists have contended, and I can quote to the Senator some of the statements that the moment you Christianize a man and educate a man he wants to become self-governing. Is not that true, may I ask the Senator from Minnesota?

Mr. NELSON. Evidently the English have been Christianizing Egypt, because she now wants to be a self-governing nation.

Mr. FRANCE. In developing the Egyptians, if they had gone to Egypt as I hope they did, if they had trained the Egyptians, if they had Christianized the Egyptians, if they had fitted them for self-government, if they had then extended to them self-government, that would be a policy quite contrary to the policy of imperialism; and when they liberated Egypt they did something quite inconsistent with the imperialistic policy of which I am speaking. I am quite sure that under American leadership the British could have been persuaded to the adoption of an American as distinguished from an imperialstic policy in the administration of the affairs of the Empire.

But I was about to say when I was diverted the association of the United States with the three great Empires, just as inevitably as the sun rises and sets, just as inevitably as action brings reaction, will bring a counteraction in the world which must come if those four powers are not finally to spread their dominion to every part of the globe.

The Japanese are moving into Siberia. To-day they are probably fighting on the frontiers between eastern Siberia and the country immediately around Vladivostok. It is quite possible that Vladivostok may already have fallen. The Japanese absolutely unchecked would certainly move on to a larger expansion of the Japanese Empire; the British unchecked would undoubtedly add to their territory; the French unchecked would undoubtedly add to theirs. We are seeking no new territory. But there will be a reaction and combination of the weaker powers against the stronger, and that process will go on until there comes to be a perfect balance of power, in which one group is counterbalanced by the other group, and that balance of power will be maintained until the weaker group decides to move against the stronger. Then there will be another war.

I am astonished that anybody would say that the four-power pact is America's answer to the great problem of the war. It is not America's answer; it is not, I feel, President Harding's answer. I wish that the great President, Mr. Harding, had been able to take charge of the peace conference. We then should have had a different result. He arose at the beginning of that conference and spoke the words which would have made that conference a success if they had been heeded.

He said:

> All of us demand liberty and justice. There can not be one without the other, and they must be held the unquestioned possessions of all peoples. Inherent rights are of God, and the tragedies of the world originate in their attempted denial. The world to-day is infringing their enjoyment by arming to defend or deny, when simple sanity calls for their recognition through common understanding.

Sirs, if those words had been heeded, something would have come out of this conference that would have been worthy of America—an association, a concert of all the nations, based upon the principle that there should be a common world recognition of inherent human rights. If that sort of an agreement had come out of the conference, how changed at once would have been the whole aspect of the world. The restlessness and feverish turmoil in India would have been stilled, because there would have gone forth this to India: "Prepare yourselves for self-government; show your capacity; you will be given every right to try yourselves in administrative offices, and when you are able to administer your government you may be free to join as a full member of the family of nations." The same thing would have been true of Egypt; the same thing would have been true of South Africa. That was what President Wilson advocated when he went to Europe; that is what he realized to a very large degree in the League of Nations. Personally I was opposed to the League of Nations because I did not think it met the situation; because I did not think it included enough nations; and I did not think that it clearly affirmed that its object was the realization to all men everywhere ultimately of their inalienable rights.

Mr. KING. Will the Senator yield to me?

Mr. FRANCE. I merely wish to add that that plan was so much better than this that there can be no comparison. There is almost the difference between the two that there is between twilight and night. Now I yield to the Senator from Utah.

Mr. KING. I was very much interested in the last observation made by the Senator from Maryland, as well as all of the observations he has made in his very admirable speech. I was about to ask the Senator if the challenge made by the Senator from Idaho [Mr. BORAH] the other day can be successfully met, namely, that whenever an alliance is formed by a few nations or a small group of nations, and particularly if those nations be strong, it has not always provoked, and will it not in the very nature of things always provoke, counter alliances and counter groupings which must result in war or in controversy that may involve a large part of the world in war? If the Senator answers that question affirmatively, I ask does it not follow that if the United States is going to depart from its position of complete isolation the only course for us to pursue is to seek a world association of nations in which all nations, great and small, may be brought together in harmonious relation for the purpose of maintaining their rights and securing the peace of the world?

Mr. FRANCE. The Senator's premise is absolutely sound and his conclusion is inevitable. That is what President Wilson recognized when he went to Europe. I do not know what his attitude is upon this particular treaty. Certainly, if he were consistent he must be against it, because as a student of history he recognizes the fact that every alliance has always invited and made inevitable counteralliance. Indeed, to be perfectly accurate, I should modify that statement by saying that even the great and growing strength of one single empire in the world, expanding its territory, invading the rights of others, causes a counter force or an alliance against it. In the early days, of course, the counteralliances were all against one strong power.

Mr. WATSON of Georgia. If the Senator will allow me right there, I desire to remind him of a very apt illustration of what he has said. The predominance of Louis XIV, of France, became so menacing to the remainder of the continent

and even to England itself that there was a great federation against him, in which, of course, the Senator knows that the Duke of Marlborough won his fame.

Mr. FRANCE. It has to be so; it is the law of nature. That law operates between men as well as between nations. One group of men organizes and another group organizes against it. Capital and labor in self-protection organizes against it. It is the law of equilibrium. Otherwise in international affairs there could be no equilibrium; there would be only motion in one direction, which would ultimately lead us we know not where, but probably to a great empire, with one man dominating the world, or to chaos.

The Senator from Utah [Mr. KING] has suggested that it is an indisputable historic fact that an association or entente between imperial nations leads to a counterassociation. Of course, as for myself, I have long advocated a plan which I think would have accomplished what President Wilson hoped to accomplish when he went to Europe. I think that the recent Washington conference has furnished us pretty strong evidence of the forces with which President Wilson had to contend in Europe, and when we consider what he brought back, compared with the treaty now before us, we must recognize the fact that he brought back something, I may say, almost infinitely better or better to the nth degree. More nations were included in the league; there was the machinery for conciliation not only between those nations but between those nations and nonmember nations, which is the very essence of any such plan. If the League of Nations might be considered an alliance—and I did so consider it, and for that reason I opposed it—this much must be said of it: That it created a machinery by which that alliance would meet before an international court of equity, if I may call it such, the nonmember nations whose rights might be invaded by the league or by any single member of the league, and the presumption is that if the league and all of the members of the league were willing to do that they were willing to do equity. But, as the Senator from Montana [Mr. WALSH] very clearly brought out in his questions the other day, the pending treaty provides no such machinery, and there is no evidence in this document that the empires which are forming the alliance with this Republic have any disposition in an international court of equity to meet an outsider who may have been wronged by one of the members of the association or coalition.

I will say that, personally, I have long been urging what the Senator from Utah has suggested. I have not gone so far as to say that I wished an association of nations. The plan which I have proposed, and which has been before the Foreign Relations Committee, or at least upon its files for many months, provided for a concert of nations, that term having been used for the reason that I did not wish anything in the relationship between the nations which might be interpreted as a surrender of national sovereignty. It was to be a concert of all of the nations acting together, each member acting as an independent sovereign power for the accomplishment of certain definite ends, for action in recognition of certain fundamental principles, which principles have been enunciated in the basic documents of our Republic, in the Declaration of Independence, and in the Constitution of the United States. I will say that the plan which I finally presented to the Senate has stood the analysis of some of the most eminent of the international lawyers, and would be in every respect a desirable plan.

Mr. President, I did not expect to make any remarks to-day. I merely rose to ask the Senator a question.

Mr. JOHNSON obtained the floor.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Tennessee?

Mr. McKELLAR. Is the Senator going to make a speech at this time?

Mr. JOHNSON. I am going to take about 15 minutes.

Mr. McKELLAR. Will the Senator permit me to suggest the absence of a quorum before he begins? I suggest the absence of a quorum.

Mr. JOHNSON. I beg pardon, but I would rather the Senator would not do that. What I am trying to do is to preserve for the RECORD a mere argument to-day, following the line of the arguments that have been advanced here in regard to the four-power pact, and applying them to the Anglo-Japanese alliance, which has been described as the great menace and danger to us; so I beg the Senator to withdraw his request.

Mr. McKELLAR. I withdraw the suggestion.

Mr. JOHNSON addressed the Senate. After having spoken for several minutes,

Mr. HARRISON. Mr. President, I hope the Senator will yield in order that I may suggest the absence of a quorum. The reason why I do it is because there are several Senators who wanted to hear the Senator from California, and they did not know he was going to proceed at this time. If he will permit me, I will suggest the absence of a quorum.

Mr. FRANCE. Mr. President, the absence of a quorum has been suggested.

Mr. JOHNSON. If I have a right to object to it, I object to it. I do not know whether I have or not.

Mr. HARRISON. There are several Senators who are not here because they did not know the Senator from California was going to proceed at this time, and I am making the suggestion so that those Senators can be in the Chamber; so I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Glass	McNary	Shields
Ball	Gooding	Myers	Smith
Borah	Hale	Nelson	Spencer
Bursum	Harris	New	Stanfield
Cameron	Harrison	Norris	Sutherland
Capper	Heflin	Oddie	Swanson
Colt	Johnson	Overman	Townsend
Culberson	Jones, Wash.	Page	Underwood
Cummins	Kellogg	Phipps	Wadsworth
Dial	King	Pittman	Walsh, Mont.
Edge	Lenroot	Poindexter	Watson, Ga.
Ernst	Lodge	Ransdell	Willis
Fletcher	McCormick	Rawson	
France	McKellar	Robinson	
Frelinghuysen	McKinley	Sheppard	

Mr. JONES of Washington. I desire to announce that the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. McLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from New York [Mr. CALDER], and the Senator from Indiana [Mr. WATSON] are detained at a meeting of the Committee on Finance.

The VICE PRESIDENT. Fifty-seven Senators have answered to their names. A quorum is present.

Mr. JOHNSON. Mr. President, I had proceeded so briefly with what I had to say in order that its thread may be followed—it, perhaps, is of little consequence, but embraces something of argument upon a proposition which I think of more or less importance—that I begin again.

Not only upon this floor, but in the protreaty press and by its official sponsors, it has been iterated and reiterated that the great accomplishment of the new alliance is in terminating the Anglo-Japanese alliance, and that the new alliance is imperatively necessary because it abrogates the old. The Senator from Massachusetts made this very plain, and although I have already quoted the words with which he commenced his plea for ratification I again quote them:

> The chief and most important point in the treaty is the termination of the Anglo-Japanese alliance. That was the main object of the treaty.

The ominous character to us of the Anglo-Japanese alliance is variously described by the advocates of the new treaty as a threat, menace, danger, the object of unrest or suspicion or distrust.

Before the meeting of the Conference on Limitation of Armament the people of the United States had not the slightest idea that their Government intended to enter into any special agreement with Britain, France, and Japan. There had been no suggestion from the responsible agents of the Government that any such course would be pursued. No such agreement lay in the thought or even the dreams of our people. They were thinking of limitation, not combination, of armaments. They had but recently emphatically registered their will concerning agreements with foreign nations which might lead to future difficulties, controversies, or entanglements. The foreign policy of the Nation the ordinary citizen believed to have been definitely settled. If those in charge of the recent conference had said to the people of the United States, "We are about to meet with Great Britain, France, and Japan in the city of Washington to make a treaty with them to supersede or terminate the Anglo-Japanese alliance and for the maintenance of the rights of all of the parties in the Pacific," there would have been such a storm of dissent and disapprobation that the proponents of such a conference would never have dared hold it. For months preceding the conference our people were made to feel the terrible burden of taxation, to understand that a part of it came from armaments on land and sea.

They were wrought to the highest state of exaltation by odes and lyrics to peace, and their minds were carefully prepared for just one thing—the relief of overburdened peoples by limitation of armaments. The first day of the conference came. The fruition of high hopes seemed at hand. The demand for which our people had waited so long and for which their hearts were

crying was eloquently made by the Secretary of State, and with one accord there were pæans of praise and thanksgiving all over the world. And then before any work had been completed came the alliance, the treaty before us, which we are now told was the most important work of the conference and which was the great object to be attained. This treaty may have been in the minds of statesmen and was doubtless for many months before the conference. It was not in the minds of our people.

The policy embodied in the four-power treaty is a novelty in the history of our international relations, a sudden sharp turn in the American path in the world. The proponents of the treaty justify that turn by saying that if it were not made we should encounter a certain national danger, a continuance or renewal of the Anglo-Japanese alliance. The advocates of the treaty have all argued alike upon this floor, and not only have the advocates of the treaty adopted the same methods of argument but the distinguished Secretary of State in his letter to the Senator from Alabama presents the treaty in like fashion. All of them have stressed the fact that the treaty announces a purpose of peace; that nothing must be read into it that its words do not clearly require, and that the words of the treaty can not be made other or greater than its unequivocal language sets forth. I desire to apply in the light of what these same gentlemen have said about the Anglo-Japanese alliance the same methods of argumentation to that alliance which have been applied to the four-power treaty, and I wish that the Senate would follow me for a very brief period.

I am now arguing, mind you, in the fashion in which our distinguished brethren upon the other side have argued concerning the four-power treaty.

The four-power treaty, with an eloquence that runs the whole emotional scale, its proponents say, announces a purpose of peace. The Anglo-Japanese alliance equally announces a purpose of peace. The preamble of the Anglo-Japanese alliance announces as its first aim "the consolidation and maintenance of the general peace in the regions of eastern Asia and of India." The Senator from Massachusetts counsels us not to torture the words of the four-power treaty into meanings of danger when the words themselves are declaratory of peace. I beg to observe that the words of the Anglo-Japanese alliance are most emphatically declaratory of peace. They assert the maintenance of peace. They assert not only the maintenance of peace but also the consolidation of peace, and not only of peace but of the general peace.

For professions of peacefulness the Anglo-Japanese alliance is definitely superior to the four-power treaty. Its preamble professes peacefulness with a greater emphasis than the four-power treaty. It then professes two other aims. One of them is regarding China, an aim most laudable. The "common interests of all powers in China," it says, are to be preserved. This is to be done, it says, by "insuring the independence and integrity of the Chinese Empire" and also by insuring "the principle of equal opportunities for the commerce and industry of all nations in China."

The Senator from Massachusetts must surely give his cordial approval to this aim of the Anglo-Japanese alliance. Certainly he will admit that it levels no threat at the United States. It in fact announces the adherence of Great Britain and of Japan to the very policies in China which are most distinctively American policies.

We observe, then, that there is no danger to the United States either in the Anglo-Japanese purpose of maintaining the general peace in the regions of eastern Asia and of India or in an Anglo-Japanese purpose of maintaining the open door in China.

I pass now to the third aim of the Anglo-Japanese alliance as expressed in its preamble, begging the Senator from Massachusetts again to note the innocuousness of the words used. This third aim is centered still on "the regions of eastern Asia and of India."

It does not touch the Pacific. No part of the Anglo-Japanese alliance mentions the Pacific. The Anglo-Japanese alliance is concerned entirely with eastern Asia and India. The four-power treaty, on the other hand, is concerned entirely with the Pacific. It never mentions eastern Asia and India. The two documents deal with two adjacent but different regions.

If treaties then are to be judged by the outward meanings of their words we find ourselves confronted with the amazing fact that the British and the Japanese, having now secured a treaty for the maintenance of peace in a certain region of the world, proceed in compensation to surrender and abrogate a treaty for the maintenance of peace in a certain other region of the world.

This is an amazing fact. I think I may safely go farther. I think I may say that it is a totally unintelligible fact unless, contrary to the views expressed on this floor, these treaties of agreement, of conference, of cooperation, containing meanings broader than their words, and in practice imply a partnership operative beyond their words.

The Japanese had a certain partnership with the British in a region named as eastern Asia and India. They now have a certain partnership with the British and with the French and with us in a region named as the Pacific. How is it possible that they should regard this latter partnership as the equivalent of the former partnership unless the point is the partnership and not the region?

I return, however, for a moment to the third aim of the Anglo-Japanese alliance. It is the maintenance of the rights and interests of the signatory powers in the regions of eastern Asia and of India.

Let us follow the counsel of the eloquent proponents of the treaty and refrain for a moment from torturing the words of treaties. I ask: Is it wrong for the British and the Japanese to join together to maintain peace? Is it wrong that they should join together to maintain the open door? Is it wrong that they should join together to maintain their rights and interests in eastern Asia and India? And why is it dangerous to the United States that they should join together to do these things on the Asiatic mainland, where the United States has no dominions or possessions?

Another question of like tenor is suggested by a consideration of the six articles which follow the preamble of the Anglo-Japanese alliance, and which, together with the preamble, constitute the whole of the wording of that alliance.

Nowhere in any of those six articles is there any slightest promise by either Japan or Great Britain to come to the assistance of the other in any war of offense. On the contrary, as fully appears in article 2, the only occasion on which either nation is bound to come to the assistance of the other is an occasion when the rights or interests mentioned in the preamble are endangered by other nations and are the object of what is described as "unprovoked attack or aggressive action" by those other nations.

That is to say, the Government of Great Britain and the Government of Japan, under the terms of the Anglo-Japanese alliance, make war together against a third nation only when the third nation is guilty of an "unprovoked attack" or of an "aggressive action" against the rights or interests of Great Britain or of Japan in the regions of eastern Asia and of India.

Those who accuse us of distorting the plain words of a new alliance should out of their knowledge of international affairs explain frankly to this body just why it is that is that in the verbal circumstances which I have detailed the Anglo-Japanese alliance can be regarded by them as constituting a danger or a problem for this country.

I ask the question, Does the Government of the United States intend to commit an "unprovoked attack" upon British or Japanese interests in the regions of eastern Asia or of India? Does it intend to take "aggressive action" against Britain or Japan in those regions?

The British and the Japanese are members of the Anglo-Japanese partnership. It is a partnership dealing with the Asiatic mainland, a region of the world where we have no dominions or possessions. It is a partnership for peace, which we approve. It is a partnership which by its own terms will not resort to arms unless its rights on the Asiatic mainland are attacked, and we, of course, have no intention of attacking them. And yet this alliance is so dangerous to us—it is asserted to be so dangerous to us—that now we must enter into a treaty covering us from it, shielding us from it, purchasing us a security from it.

I have made it clear, I think, that the danger of the Anglo-Japanese alliance is not in the words of the text of the treaty which evidences its outward existence to the world. In those words no ingenuity can discover any danger to us. The danger is disclosed only by an observation of the inevitable consequences of the treaty in practice and in action.

Mr. President, in action perhaps our friends fear the Anglo-Japanese alliance because we are not parties to it. For precisely that same reason every nation which is not a party to the four-power treaty and which has possessions in any place near the region of the Pacific will fear the four-power treaty, will suspect the four-power treaty, will in time hate the four-power treaty. I do not need to enumerate those nations which are not parties or those particular dangers which may arise because certain nations are not parties to the four-power treaty. That, I think, has been covered; I am looking at it now from another angle. I have been talking thus far from the standpoint of the

arguments which are made by the proponents of the treaty; but look now at what this alliance for peace has done in the past.

Look now upon what the partners in this alliance for peace under it have accomplished during the time of its existence. I dwelt the other day very briefly, and I merely reiterate it now, upon the fact that the alliance between Great Britain and Japan in 1902 originally was formed not only for peace but to maintain the territorial integrity of China and to maintain the independence and territorial integrity of Korea. I recall to you historically that under this alliance and while that agreement for peace, not only for peace but for the consolidation of peace and for the general peace, existed between those two great nations, Korea was cruelly and ruthlessly destroyed as an independent sovereignty and taken by Japan, and Korea is now brutally oppressed and the oppression, the cruelty, the national destruction were all accomplished under the great pact for peace, the Anglo-Japanese alliance. Under this treaty's mantle China was invaded, and yet to-day that invasion continues, and Japan holds large parts of China. So historically you can understand what a pact for peace may mean, a pact for peace such as the Anglo-Japanese alliance, into which, in the words of Lloyd-George, we have now become merged.

I do not care whether it be called an alliance or whether it be called something else. I will not waste my time in debating whether the treaty comes within the definition of Bouvier or the Standard Dictionary or not. It is not the name that is important. The question is, what are we let in for? We know what we have been let in for by what has occurred under the instrument to which we succeed, the Anglo-Japanese alliance.

Mr. President, a very distinguished Englishman recently attended the conference and was a part of it. After the adoption of the four-power treaty he was asked, "What do you think, sir, the four-power treaty means?" He replied, "It enables Great Britain to commit bigamy." I do not know what it enables us to do. God only can tell what it has let us in for.

Mr. WATSON of Georgia. Mr. President, we were told a couple of days ago by the Senator from Alabama [Mr. UNDERWOOD] that Holland had been satisfied on the subject of her having been excluded from the peace conference and from the four-power treaty. The Senator said that our Government had addressed a note to Holland, and that Holland had expressed her content with her position.

Mr. President, the fact that Holland was left out is profoundly significant as to the meaning of the treaty. The Dutch control 47,000,000 people in the Pacific, near the Equator. France controls comparatively few. Her possessions there are almost, if not quite, negligible. In comparison with those of Holland, they are trivial. Yet France was brought to the conference, although she was not named in the resolution which the Senate addressed to the President, and Holland was left out—Holland, who had a greater moral right to be invited.

Why was France brought in? It was because she has the largest standing army now in the world. She has 700,000 white soldiers on the Continent of Europe, and she has 5,000,000 black soldiers on the Continent of Africa. England needs those soldiers to supplement the power of her fleet. England has no great standing army, and never has had one. Ever since the days of Queen Elizabeth, who broke the power of the Spanish navy, England has been the mistress of the seas; and, in order to advance her empire, it has only been necessary for her to secure the service of the troops of other countries. She has always been able to do it. With her money she has hired armies for the last 200 years. Beginning with the period of the French Revolution, for instance, she hired army after army from the kings on the Continent, to make war upon the democracy of France and to deny the French people the right to choose their own form of government and their own ruler. She spent four thousand million dollars in the 20 years' war against France, during which she hired the troops of the Czar of Russia, the King of Prussia, and the Emperor of Austria.

Holland has never had any trouble with her colonies. France has had very little. England has always had trouble with her colonies, beginning with her troubles with us when we were the American colonies. Because of the fact that Holland has no trouble with her colonials, she has not had to maintain a large fleet or a large army. Consequently she was of no value as an ally to Japan and to Great Britain in the region of the Pacific. She had no military strength to contribute. Therefore she was left out and France was brought in, although not named by the Senate, because she has military power which England and Japan will need. Is there any escape from that conclusion?

The Senator from Alabama said that Holland replied that she was content. What other reply could she have made? She had to be content or array against her the most powerful nations on earth. She yielded because she had to. There was nothing else to do.

Mr. President, the Senator from Ohio [Mr. WILLIS] grew eloquent as he described the thousands of people who passed reverently by the casket of our heroic soldier-dead here a year ago. He spoke of what our soldiers died for. Did they die for a thing like this? What were they told they were dying for? They were told they were dying for the highest ideals of the human race. They were told they were crusaders in the cause of right and justice. They were told that they were fighting in order to give to weak peoples the right for the same freedom that the strong peoples enjoyed. They were told that if they won the war, as we confidently believed they would, the conscience of the world would be organized, and this conscience would hereafter rule the destinies of mankind.

Mr. President, it was a thrilling spectacle to see those thousands of people pay honor to their loved and lost, the brave men who had given their lives, as they believed, to lift the world to a higher and better plane. But, sir, it had not been so very long before that there was another inspiring spectacle, when 16,000,000 American voters marched to the polls to express their intention to hold in perpetuity the absolute independence which their forefathers had won with the musket and the sword. Let us wait a little while. November will come again, and you will again see those millions of American voters marching to the polls to cast a ballot in favor of the maintenance of the liberties which we won on the battle fields of the Revolutionary War.

I do not know what irresistible power is behind the Senate, I do not know why every administration measure goes through, almost without debate, when those measures are different from what the people expected. You praise your soldier boys, but you kill the bonus bill. You will have to answer for that, too, in my judgment. You praise the soldier boys, but you are surrendering the victory they won.

Mr. President, what is this powerful influence, unseen but felt, which prostrates the opposition? Senators on the other side of the Chamber do not care to hear debate—at least only a few of them do. The other side obey orders. Talk about rubber stamps! We heard a good deal about rubber stamps when President Wilson was in office. Could he use his rubber stamps with more facility than President Harding uses his?

In my judgment, it is the money power that is behind this treaty and the Yap treaty. In the Yap treaty we were made to consent to the vast spoliation of Japan and impliedly to that of Great Britain. Now, having vested them with those rights, we guarantee to them under the four-power pact that they shall hold what they took by the good old plan of force.

Senators say that this does not bind us to anything. Does any man here, or throughout the country, believe that a lawyer like Elihu Root, the attorney for the Anglo-Japanese pact, would surrender that pact unless he was getting for his clients a far better contract? This is the work of Elihu Root. What is Mr. Root's record? It is that of a great corporation lawyer, the lawyer of international bankers, the lawyer of predatory corporations, the lawyer who can tell financiers how to commit felony and keep out of the penitentiary; the lawyer of Boss Tweed, who had to flee from his country; and it would have been for his country's good if his lawyer had gone with him; the lawyer of the Ryans and the Belmonts; the lawyer who could screen the men who stole the traction companies of New York.

Was not he also the lawyer representing the international bankers at Paris? Do you remember what his attitude was with reference to the League of Nations?

Why should he have been chosen to represent this Government at that peace conference where we had so little to gain and so much to lose? We started in for disarmament; we had no thought of such a pact as this. The cry of peace was heard throughout the land, and the propagandists in the churches and in the schools, who are trying to influence the Senate by their letters, their telegrams, and their petitions, have been made to believe that this pact means peace.

Mr. President, when Elihu Root was Secretary of State he was a party to Japan's rape of Korea. By the treaty to which I referred a few days ago we were pledged, from 1882 on down, to use our good offices in behalf of Korea if her sovereignty were threatened. Instead of that, what did we do? Russia and Russian capitalists were invading Manchuria and threatening Korea, and Japan convinced the Korean Emperor that Korean interests were at stake and that Russia meant to seize her territory. Therefore, with their wonderful powers of per-

suasion, Japan secured an alliance with Korea by which Japanese troops were allowed to land peacefully on the soil of Korea, and thus establish a base for land operations, without which Japan could not have won the war against Russia. Korea turned over to Japan her railroad lines and her telegraphs, and without these Japan's troops could not have been transported and directed.

Russia, waging war thousands of miles away from her base of supplies, with only one line of railroad on which to transport food, munitions, clothing, and men, was at a fearful disadvantage. I remember that an experienced officer of the Union Army told me in New York that Russia would lose the war, because she had only the one railroad, a prediction which soon came true.

Mind you, now, Senators, Korea gave to Japan indispensable help in the war, and immediately afterwards, instead of showing gratitude, Japan laid her plans to seize her ally; and those plans she put into effect. The Emperor and his minister were importuned, day after day, to agree to certain concessions to Japan. The Emperor refused and the minister refused. The minister was taken into a private room and, behind closed doors, a sword was drawn upon him and his life was threatened. He still refused to yield. They left him there under guard, went to the Emperor, made such threats against him, and used such harshness with him that he, in fear of his life, under duress, signed the document which they wanted him to sign. Immediately upon his release he sent a messenger to our State Department repudiating his enforced signature. Mr. Hulbert was the messenger and Elihu Root was Secretary of State. Mr. Root refused to see either the Korean minister or Mr. Hulbert. Day after day that messenger waited and knocked at Elihu Root's door, and not until Mr. Root knew what had happened in Seoul would he receive the message from the Emperor of Korea. When the minister delivered his message, Mr. Root said, "It comes too late to be seriously considered." He had waited for it to come too late, and was thereby an accomplice in the violation of a treaty to which our national honor was pledged. That is how Korea fell the victim of Japan.

Talk about taking the word of Japan for anything! In a speech delivered here in the Senate on October 13, 1919, the Senator from Nebraska [Mr. NORRIS] quoted paragraph after paragraph of the various treaties in which the independence and sovereignty of Korea had been guaranteed by Russia, by England, by Japan. It is the most startling chapter of deliberate perfidy and wanton bad faith that history can present.

From page 6813 of the RECORD, quoting from the remarks of the Senator from Nebraska, I read as follows:

On January 30, 1902, England and Japan made a treaty, and the preamble says:

The Governments of Great Britain and Japan, actuated purely by a desire to maintain the status quo and general peace in the extreme East, being moreover especially interested in maintaining the territorial integrity of the Empire of China and the Empire of Korea, and in securing equal opportunities in those countries for the commerce and industry of all the nations, hereby agree—

In 1902 Great Britain and Japan were actuated by a desire to maintain the integrity of China and Korea, one of which has been swallowed and the other sliced to pieces—

Article 1. The high contracting parties, having mutually recognized the independence of China and Korea, declare themselves to be entirely uninfluenced by any aggressive tendencies in either country.

Bad faith! That of Benedict Arnold would almost whiten like snow by comparison. The same pledge was repeated year after year. It was made again in 1904, and then again in 1905. If ever there was a country whose independence would seem to be thoroughly secure it was that of Korea, and equally secure, so far as paper pledges could secure it, was the integrity of China; but now Korea is gone, and China has lost in Manchuria; she is losing in Mongolia; and so long as the 21 demands of Japan or any part of them bind her, she can not call herself a free nation; she does not possess her own soul. No nation that submits to 21 or any other number of demands from another nation can still say it is independent.

Mr. President, I do not think very strange of it that a man should change his mind, especially if he is a young man, immature, insufficiently posted as to the facts; but when a man of my age, or the age of the senior Senator from Massachusetts [Mr. LODGE], changes his opinion upon a vital subject, it seems to me he might give his reasons for it, and give them in such terms as all can understand.

Many, many years ago—I will not say how many, because it might not be pleasant to him—the senior Senator from Massachusetts wrote a biography of George Washington, the best biography in American literature. In 1920 he got out a new edition, and in April, 1920, he wrote the preface to it; and in that preface he stands by the George Washington doctrine of "no entangling alliances with any foreign country" as strongly as Alexander Hamilton wrote it for Washington, in Washington's Farewell Address. It is amazing—in 1920, mind you; not quite two years ago. Let me read you a little of it. He writes so well, and I am beginning to believe that he can write as well on one side of a subject as he can on the other.

The peace with Germany has now brought before the country more vividly than ever before another of Washington's cardinal doctrines, and the conflict which has arisen over the League of Nations has turned very largely upon whether we should abandon or maintain the principles stated by Washington in his Farewell Address.

That sounds familiar. At that time the world was ringing with the Lodge reservations and the Lodge speeches in the Senate.

Washington never tried to hide his meaning.

What a pity that his example has not always been followed, especially by the gentleman who wrote his biography!

And the principles laid down in the Farewell Address, as well as in many letters quoted in the last chapter of this biography, which likewise display his intense Americanism in regard to our relations with other countries, are so plain that he who runs may read.

That is a good deal more than could be said of this four-power pact. On the other side they run but do not read; and they differ about this pact. The Senator from Indiana [Mr. NEW] said it was an association of nations, and he said it several times, in a speech which he had carefully written out. Presumably he wrote it. Afterwards came the speech of the Senator from Missouri [Mr. SPENCER]. He read it, and presumably he wrote it. In that speech he said distinctly that this four-power treaty was an alliance which bound us to confer. I asked him to explain to the Senate how a mere conversation, a mere conference, could stop the aggressions of an outside power on one of these four, and he said that when we both got to heaven we would find out. The information, of course, will be a little too late to be of service in this debate. Then came the Senator from Ohio [Mr. WILLIS] to-day. In his speech, which was ably supported by dictionaries, he said that there was no alliance. So the brethren on the other side of the aisle are very much at odds as to what this compact means, it not being one that "he who runs may read."

The balance of Senator LODGE'S preface to his book, written less than two years ago, is to the same effect. He has changed. Why? He has not told us.

I ask to have the remainder of the preface printed as a part of my remarks, without reading.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

Washington advised against all permanent alliances, drawing a careful distinction between permanent alliances and the temporary exceptions brought forth by some compelling emergency. He said: "It is our true policy to steer clear of permanent alliance with any portion of the foreign world;" and, further, "taking care always to keep ourselves by suitable establishments in a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies." This exactly covered the case of our engaging in the war with Germany. From this declaration of Washington came as a corollary the Monroe doctrine. Jefferson, in his first inaugural, in his warning against entangling alliances, expressed the same thought, but in a general way and with a qualifying adjective which left an uncertainty of definition, as qualifying adjectives generally do, which was wholly absent from Washington's declaration. The principles, however, then laid down by Washington have been the guiding star of the policy of the United States from the day when Washington announced them down to the present time. The covenant of the League of Nations, which is, in fact, an alliance, involved a complete departure from the Washington policy, and on that the controversy of the last two years has turned. Those who desired abandonment of the Washington doctrine could not meet it as a general proposition with any effective argument; they therefore adopted the plan of belittling it. They said that Washington lived a long time ago, which, comparatively speaking, is quite true. This, however, was not Washington's fault, and I should think anyone capable of reflection who looks out upon the world as it is to-day would hesitate to say that it was his misfortune. There seemed to be no other point made, and the only new feature was that I have heard Washington patronized by those who advocated the League of Nations. It is, of course, possible to say that Washington's doctrines do not fit a situation which has arisen 120 years later; but I confess to an emotion of surprise that anyone could be found who would patronize Washington and ask a great audience not to laugh at him, which the great audience had not the slightest intention of doing. Washington's principles did not rest upon physical conditions which have changed our environment by quickened methods of transportation or communication or by the development of the destructive forces of war. They were firmly founded upon a profound knowledge of human nature, and if they were sound when the eighteenth century was closing they are just as sound at the beginning of the twentieth century.

I mention these two examples, one domestic and the other foreign, of Washington's farseeing policies and calm wisdom—there are many others—because the circumstances of the time have made them very conspicuous and brought them sharply to public attention. There are but few very great men in history—and Washington was one of the greatest—whose declaration of principles and whose thoughts upon the policies of government have had such a continuous and unbroken influence as his have had upon a great people and through them upon the world. The criticism, the jeers, the patronizing and pitying sneer will all alike pass away into silence and be forgotten just as the coarse

attacks which were made upon him in his lifetime have faded from the memory of men; but his fame, his character, his sagacity, and his ardent patriotism will remain and be familiar to all Americans who love their country. In the days of storm and stress, when the angry waves beat fiercely at the foot of the lofty tower which warns the mariner from the reefs that threaten wreck and destruction, far above the angry seas and in the midst of the roaring winds, the light which guides those who go down in ships to the haven where they would be shines out luminous through the darkness. To disregard that steady light would mean disaster and destruction to all to whom it points out the path of safety. So it is with the wisdom of Washington, which comes to us across the century as clear and shining as it was in the days when his love for his country and his passion for America gave forth their last message to generations yet unborn.

Mr. WATSON of Georgia. Again, the Senator from Alabama [Mr. UNDERWOOD] was asked, "Why vote against amendments or words which would make clear the meaning of this treaty if it is a peace treaty?" Mr. President, if it had been a compact for peace, there would have been no necessity for secrecy. There would have been no necessity for closed doors. When President Wilson was in Paris the cartoonists, the editorial writers, and the speakers blamed him, day after day, week after week, month after month, for the secrecy in which those proceedings were conducted. Those proceedings were no more secret than these. When President Wilson came from behind the locked doors he brought with him what would have been a new government of the world. In that government there was a balance wheel. I opposed it, and made a fight on it in the State of Georgia—it was almost the sole issue in my campaign—because I considered it a revolutionary change in our Government, upon which the people had not been consulted, and which could not be lawfully made by the Senate or by the President, or by both.

In this four-power pact, however, there is no balance wheel at all. Each nation has a vote, and the three can outvote the United States. Japan and France could deadlock Great Britain and our Republic. On the other hand, if three of them agree, we are powerless. We are in honor bound to abide by the vote if we ratify this treaty. We put ourselves in the power, whether you call it a conversation or a measure of these foreign countries; and if our people ever understand that, there will be thunders of protest against the proposed new arrangement.

Senators say that there is no pledge of action. What does the word "measures" mean? It is not synonymous with "conferences." It is not synonymous with "conversations." You first confer, and then you agree to adopt measures—to do what? To resist the aggressions of some outside power on one of these confederated powers.

Take an illustration. Russia attacks Japan. There is your aggression. Our contract would call upon us, in honor and in law, to confer with Japan and to adopt the best measures to repel the aggressions of Russia. How could she be repelled except by fleets and armies? What would be our contribution, except money or men or both?

Do the American people want another expeditionary force sent to another foreign country to fight the battles of Japan, of England, or of France? Even the mention of such a thing would stir a feeling of horror throughout the Union; but that is what this commits us to. We agree to confer as to the best means, the best measures, to repel from Great Britain or to repel from France or to repel from Japan the aggressions of some outside power.

Mr. KING. Mr. President, will the Senator yield to a question?

Mr. WATSON of Georgia. Certainly.

Mr. KING. I am interested in the Senator's analysis of article 2 of the treaty which he is now discussing, and I shall be very glad if the Senator will, if he cares to, give further his views as to the meaning or proper interpretation to be placed upon these words. I will read all of the article, so that there may be no misunderstanding:

> If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

Assume, using the same illustration that the Senator has just used, that Russia should make an assault upon Japan and should seek to regain the northern half of Sakhalin Island, or should make war upon Japan, and a conference of the powers were called, and three of them—to wit, France, Great Britain, and Japan—recognizing that military measures would be needed if the aggression of Russia were to be met and successfully combated, should recommend that an exigency existed and that the most efficient measures to meet the aggressive action of Russia would be for all of the four powers to send their fleets and a certain number of men—say a million men—and to make contributions in proportion to the wealth of the respective nations. Does the Senator think that if that were the view of the three there would be any obligation upon the part of the United States to participate, assuming that our delegate or representative in the conference refused to take that view, although he conceded that unless troops were raised and ships sent and money raised Russia would triumph? What does the Senator think the obligation of the United States would be? How could it meet it? And when it became apparent that military measures were necessary to meet the aggressive action of Russia, if the United States failed to do anything and left the entire burden upon the other three powers, what does the Senator think would be the position of the United States, either juristically or in honor—morally?

Mr. WATSON of Georgia. Mr. President, our allies could accuse us of Punic faith, of broken obligations, unquestionably.

A very great danger about this treaty is that a 12-month period is left after notice has been given that we want to retire from that companionship, from that alliance. We can not terminate the treaty at once. No matter how objectionable it may have become, no matter to what extent it may have involved us, we are still held by it for 12 months.

Mr. PITTMAN. Mr. President, that is 12 months after 10 years, is it not?

Mr. WATSON of Georgia. Yes; 12 months after 10 years—precisely so—making it an 11-year compact, as I mentioned here the other day while the Senator from Alabama [Mr. UNDERWOOD] was on the floor.

Mr. President, let us take a common-sense view of this. Let us assume a partnership between four men in a mercantile business, or any other kind of business—a sawmill, a banking business, a manufacturing industry, or anything else. Let them have just such a contract of partnership as this is. Let one of those partners notify the other three as follows: "I am dissatisfied with you. I am no longer willing to be associated with you, and I now give you notice that in 12 months from now I will withdraw from this copartnership."

What will be their attitude toward him at once? There will be embarrassing relations between him and the other three immediately. Those strained relations will soon grow into hostility, passive at first, and active later on, as that feeling develops. What will those three dissatisfied partners, now hostile to him, do to his interests in their firm during the next 12 months?

They will endeavor to dissipate his share of the profits, by bookkeeping or otherwise, and in 12 months they will be able to so diminish his share in their firm that when he comes to take out his part of the assets he will be able to take it away in a very small purse.

The Senator from Alabama says that they have always given us notice. I beg leave to differ from the Senator. There has never been any such notice given. There never was such a provision as this in a treaty. Such a provision was in the Versailles treaty, which was not ratified by the United States, but no treaty we have made ever had any such dangerous clause in it. If we serve notice on England, France, and Japan that we are discontented, and that we intend to leave them after the expiration of 12 months, immediately intrigue will start against us, and intrigues may be followed by hostile combinations; and by the time the 12 months will have expired we may be in actual warfare with those three, who will say, "We will not let you go. We will combine, and take others into the combination, and we will not let you go." Then will follow war, of course, and the worst of wars.

Mr. KING. Mr. President, will the Senator permit me to interrupt him again?

Mr. WATSON of Georgia. Certainly.

Mr. KING. I do not do this in any controversial way, but I did not quite understand the reply of my friend from Georgia to the question which I propounded a moment ago. Let me assume that there is an aggression by a third power against one of the signatories to this treaty, and under article 2 the four powers meet together in consultation. Two of them determine that a certain line of conduct shall be followed in order to repel the aggression. The other two insist that a different policy shall be pursued in order to meet the aggressive movement of the outside power, and they can not come to any agreement whatever with respect to the steps to be taken to meet the aggression.

It would seem to me, I will say frankly, that none of the parties then could be charged with dishonor or with a violation of the treaty, if that impasse continued for an indefinite period, notwithstanding the fact that in the meantime the outside power was making headway in its aggressive movement against one of the parties to the treaty.

Let me suppose another case. Suppose the same outside power is carrying on this war, and when the four signatories to

the treaty confer three of them agree that a certain course shall be pursued which calls for a united action upon the part of the four, calls for military operations, of course defensive in character. Suppose the fourth power is the United States and it refuses to assent to the adoption of any measure whatever. The situation obviously calls for the adoption of some efficient measures to meet the encroachment of the fifth power, but the United States stubbornly refuses to do anything. Our delegate confesses that the aggressive movement will eventuate in the subjugation of one of the parties to the treaty unless something is done to resist it, and yet he stubbornly refuses the assent of the United States to the adoption of any measures, weak or strong, to meet the aggressive movement. What does the Senator think the attitude of the United States would be? Would the United States in those circumstances be charged, and could it be charged, with a breach of the treaty, with a violation of a legal or of a moral obligation?

Mr. WATSON of Georgia. Yes, Mr. President; because the obligation to meet and confer is not a bit stronger than the obligation to agree upon measures. We are as strongly bound to adopt measures to repel the aggression as we are bound to hold a conference. You can not separate the two obligations. They are linked together in the same sentence, and the same construction applies to both. That being so, Mr. President, I repeat, in order that it may be thoroughly understood throughout the country, it is a mere quibble to say that we are bound to meet and confer, but are not bound to adopt measures to repel the aggression. The one obligation is as clear, as positive, and as binding in law and in honor as the other.

Mr. SHEPPARD. Mr. President, may I suggest to the Senator from Georgia that there is nothing said about force in the Monroe doctrine; there is no mention of force there; and yet the implication is undeniable that the United States will use force to carry it out.

Mr. WATSON of Georgia. That is quite true, and I think there are many treaties which have led nations into war which did not use the word "force."

Coming back to the point of this notice, the Senator from Alabama [Mr. UNDERWOOD] must have misunderstood me, or I must have misunderstood him. I repeat the assertion, that this very dangerous clause covering the 12 months' notice of the denunciation of the treaty before you can get rid of it, is a novelty, is not to be found in any other treaty I ever heard of, and I would be very glad to have the Senator cite me to one if he can.

Mr. President, did not everybody have an illustration, in the last war, of such a situation? Ever since 1882 Italy had been bound in the triple alliance, which was the crowning victory of Bismarck's diplomacy. She had been bound to Austria and to Germany. Yet when Germany and Austria plunged into this war and told Italy to come, Italy refused to come, and for months and months she wavered, listening to proposals on the one side and weighing them against proposals on the other.

Finally she accepted those of the Entente, and now that she has not gotton her share of the spoils there can be no doubt of her hostility to us, as well as to England and to France. She was bitterly disappointed about Fiume, and she was bitterly disappointed about Smyrna, which was promised to her and then given to the Greeks. The Italians will not forget or forgive, and the time will come when Italy might welcome an offer to join an alliance against us, against England, and against France.

Mr. President, take the case of the famous treaty between France and England of 1802, the peace of Amiens. Did England give France any notice that she was going into war again? Not the slightest. She threw down the obligations of the treaty, struck France, and continued to strike her, until the general peace of 1815. I could cite any number of treaties where no notice was given. I can not cite a single one where any notice was given, and I would welcome the information if any Senator here will supply my deficiency.

The Senator from Mississippi [Mr. WILLIAMS] accuses us who oppose the treaty of partisanship. I wonder where patriotism would come in? There is no partisanship in our opposition. Those of us who are standing by the very doctrine which the senior Senator from Massachusetts [Mr. LODGE] was standing for less than two years ago, and for which this Government has stood ever since its foundation, surely are not guilty of acting from partisan motives. Surely, that might be called patriotism.

Mr. President, it is hard to understand the apathy of Senators as this revolution is taking place. It is a revolution which entirely changes our relationship with ourselves and the outside world. As I said earlier in the day, if four men go into any combination with one another, so far as the scope of their contract goes there is no freedom of action for the individual. He must go with his copartners; he must go with those to whom he has pledged his faith. He has not the liberty of action he had before he surrendered it and went into that combination.

How can anybody say that we will preserve our complete freedom of action, our complete freedom of motion, of deciding our own fate, after we shall have ratified this treaty?

Not long will you be able to disguise this from the American people. It will not be long before they will see just what it is.

When foreign complications arise which call for our money and our men, curses loud and lasting will visit the memory of everyone responsible for this surrender of the independence of which we have always been so proud.

What sort of speeches will orators make on the Fourth of July hereafter? Spread-eagleism will be out of date. You will have caged your eagle. He will not have the freedom to look into the eyes of the sun and beat the heavens with perfectly free wings. Ah, no.

What will North Carolina think about this, she who at Mecklenburg was the first to declare for independence? What will South Carolina think when she remembers the perfect independence and freedom of action won in part on her soil, which was drenched with her blood, soil upon which the Swamp Fox—Marion—and the Gamecock—Sumter—fought year after year for the independence which has been her proudest heritage?

Would that Patrick Henry were here, that he might rise and cry again, "I know not what course others may pursue, but as for me give me liberty or give me death." I wonder what the brave farmers who fought at Lexington and at Bunker Hill would say if they could be here and read this preface written less than two years ago, and then read the votes which the senior Senator from Massachusetts [Mr. LODGE] has cast, and will cast, in this matter of surrendering our hard-won independence?

I can see brave Nathan Hale, standing before the gallows upon which he was soon to perish, saying, "I regret only that I have but one life to give for my country." I can see the ragged army at Valley Forge, shivering, hungry, almost despairing, before Georgia and Carolina send them clothing and hundreds of barrels of rice to keep them alive. I can see those volunteers of the southern valleys riding night and day to round up Ferguson on Kings Mountain and to win the turning-point battle of the Revolutionary War. I can see Cornwallis delivering the sword to Washington, which now we are handing back to the descendants of Cornwallis.

I do not deceive myself at all about this treaty, I think, and I feel profoundly about it. My heart sinks in grief, and my soul with discouragement, as I see a heritage like this surrendered in order to get rid of an Anglo-Japanese alliance. What have we to fear from any alliance between Japan and Great Britain? It has been in existence for years. Are we to tell the country that we are afraid of them? God forbid. We are so magnificently situated that we do not need any such alliance as this. Let us treat Canada right, let us treat Mexico right, let us treat Central and South America right, and bring the New World into a position of unity and power which will defy anything the Old World can bring against them. That is the American policy, so far as I can think it out.

There was a time when the allied kings of Europe threatened our independence, and a southern President virtually said, "You have run over Spain and you have trampled Italy, but don't you dare to put a foot on this side of the ocean," and they did not dare to do it. Thereafter, when the Emperor Napoleon III set a Hapsburg on the throne of Mexico, supported by French bayonets, this Government waited until the Civil War was over and then notified the French to get out, and they got out.

Afraid of Europe? Since when? Afraid of Japan? Since when and why? Ah, Mr. President, I know to what goal this is all tending. The international banker, the manufacturer, the trust, want to exploit all the vast regions of undeveloped resources in the east. There is no doubt in my mind that one of the first results of this four-power treaty will be the cancellation of the debt which Europe owes us, $11,000,000,000. The little children here in America put up some of that money. The little boys of this country put up some of that money. The clerks, the typewriters, the very bellboys, the farmer, the merchant, the mechanic, the carpenter, the common people put up most of that money, and they are paying the interest on those European bonds, which Europe refuses to pay. Why has it been held back? Because, after they propaganda us into this treaty they will propaganda us into canceling their debt. You need not doubt that for one moment.

Is not Elihu Root the counsel for these international bankers? Is not he the lawyer of J. P. Morgan & Co., the Rothschilds,

and all that great interlocking system of bankers? Did not Sir Robert Horne, chancellor of the British exchequer, say the other day, March 11, that we must cancel that debt, and if we would cancel the $11,000,000,000 which Europe owes us they will give Germany credit for it on what Germany owes them; in other words, our people will pay Germany's reparations.

Who has been appointed on that foreign debt refunding commission? Mr. Mellon, the financial tool of Wall Street, the financial associate of J. P. Morgan, a man holding office in violation of the law. Somebody ought to arrest him and send him to the penitentiary. A man ought not to be allowed to violate the law so flagrantly and brazenly. What will he do for Mr. Morgan, and for himself incidentally? He will postpone our debt and get the first lien for his debt and then, when propaganda has done its work in schoolhouse, church, Kiwanis Club, and so on, we will agree to cancel. You can propaganda us into anything.

Mr. President, how did England get into India? How did she get into Egypt? Let us take Egypt first. She went into Egypt as the partner of France. France had gone first and dug the Suez Canal. French money had paid for it. The Khedive had a controlling share of the stock. France and the Khedive together controlled the canal. During the ministry of Disraeli he and the Rothschilds compelled the Khedive to sell his controlling share of the stock, and the English Government now has it. There she holds that waterway, without which there can be no outlet. She holds the great dam on the White Nile and is completing a great dam on the Blue Nile. She says she has given freedom to Egypt. How much freedom? They may wear the form of freedom, but they will not have the substance of it as long as England controls the Suez Canal on the one hand and these two great reservoirs on the other, because Egypt is the one country that depends upon a river, she having no rainfall at all.

England ousted France, took it all for herself, and now Egypt will be economically a slave to England, as long as she holds those dams and holds that canal.

How did England get into India? The banker and the merchant got concessions from native princes, and when they wanted more and could not get it, the British soldier was there backing the banker, just as our soldiers are backing the bankers in San Domingo and Nicaragua, and we will soon be doing in Peru and Salvador.

Perhaps the greatest speech in the English language is that in which Burke arraigns Warren Hastings, as Cicero arraigned Verres, for despoiling those subject peoples in India, as Verres had despoiled those in Sicily. India is beneath the yoke of Great Britain because of the penetration of those merchants, manufacturers, and money lenders. The flag and the soldier follow the pounds, shillings, and pence, just as the flag and the marines are following our American dollars.

Mr. President, one could talk on this subject by the day. I have about expressed what I wanted to say, however. We were asked, "Are other nations composed of liars, thieves, and murderers?" If Japan does not come up to just that, the books all lie about her, and so do the missionaries. Have there been more perfidies committed, murder on a vaster scale committed, than Great Britain has committed in India, and is committing now—greater cruelties than Japan has inflicted upon Korea, and is inflicting now?

We Christians had pledged our Christian faith to protect these Christians of Korea, but we would not even listen to them when they came here with their complaints to the peace conference. As to China, we pledged her our faith, and have broken it. We have allowed her to be mangled, slashed, sliced, robbed. Now we are asked to become the accomplices of the men who have committed these crimes. Why go into partnership with criminals whose hands are dripping with blood and whose garments are reeking with human gore?

Mr. President, if I could plead this case before the American people, I have no doubt whatever as to what the verdict would be; but our people are not learning the truth; there is a conspiracy of silence; there is a general misrepresentation of the facts. The good people have been made to believe that this pact means peace; it means anything else but peace. The other day after the Senator from Missouri [Mr. REED] had finished his masterful speech, I received a card from a lady who was out in the reception room. She turned out to be a Georgia lady who had recently been in South Carolina. She was accompanied by a lady from New York. She had been so powerfully impressed by the speech of the Senator from Missouri, the facts which he gave and which she then learned for the first time, that her eyes were dancing with indignation. She told me it was a shame the way they were misrepresenting the case down South in the churches, in the schoolhouses, and wherever they could spread their propaganda; she said it was a shame that the American people could not learn anything about this treaty unless they came here and took seats in the Senate gallery.

Yes; the proponents of the treaty will put it through, and then in November next the American people will put them through. It was said in Georgia that everybody wanted the League of Nations, but it turned out they did not. President Wilson said in Boston and New York that the American people wanted the league, but by a majority of 7,000,000 they said they did not. The Senator from Alabama [Mr. UNDERWOOD] now says that the American people want this four-power pact. How does he know? When did the American people tell him so? In what way have they expressed themselves? What chance have they had to express themselves? They will not get any chance until November next. Then they will have it. The ides of March have come, but they have not passed. Watch out, you are going to catch it in November. Oh, yes. The places that now know you will never know you any more, except as you serve out your unexpired terms. You are going to go; you need not doubt it. The people will put you out and they will keep you out. Hereafter neither the Democratic Party nor the Republican Party will dare to change our form of government without consulting the people.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The roll will be called.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harrison	Moses	Sheppard
Ball	Heflin	Nelson	Smith
Brandegee	Johnson	New	Spencer
Cameron	Jones, Wash.	Nicholson	Sterling
Capper	Kellogg	Norris	Swanson
Colt	Keyes	Oddie	Townsend
Cummins	King	Overman	Underwood
Edge	Ladd	Page	Wadsworth
Ernst	La Follette	Phipps	Walsh, Mont.
Fletcher	Lenroot	Poindexter	Warren
France	Lodge	Pomerene	Watson, Ga.
Hale	McKellar	Rawson	Williams
Harris	McNary	Robinson	Willis

Mr. JONES of Washington. I desire to announce that the following Senators are detained from the Senate in attendance upon the Committee on Finance:

The Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. CALDER], the Senator from West Virginia [Mr. SUTHERLAND], and the Senator from New Jersey [Mr. FRELINGHUYSEN].

The VICE PRESIDENT. Fifty-two Senators have answered to their names. A quorum is present.

CLAIMS OF HOBOKEN, N. J.

Mr. EDGE. As in legislative session, I ask to have Senate resolution 254, which was submitted by the Senator from New York [Mr. WADSWORTH] for my colleague [Mr. FRELINGHUYSEN], and which was ordered to lie on the table, referred to the Committee on Commerce for consideration by that committee.

The VICE PRESIDENT. Without objection, the resolution will be so referred.

PUBLIC-LAND ENTRIES BY DISABLED EX-SOLDIERS.

Mr. WALSH of Montana. Mr. President, I ask unanimous consent for the consideration of a bill reported by the Committee on Public Lands and Surveys relating to disabled veterans. It is House bill 9633.

The VICE PRESIDENT. The Senator from Montana asks unanimous consent for the immediate consideration of a bill the title of which will be read by the Secretary for the information of the Senate.

The READING CLERK. A bill (H. R. 9633) to extend the provisions of section 2305, Revised Statutes, and of the act of September 29, 1919, to those discharged from the military or naval service of the United States and subsequently awarded compensation or treated for wounds received or disability incurred in line of duty.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands and Surveys, with an amendment.

Mr. WALSH of Montana. Mr. President, I merely desire to say that the purpose of the bill is simply this: Under the existing law a soldier discharged from the Army on account of

permanent disability is entitled to make final proof upon a land entry made by him without further residence or cultivation.

Mr. WARREN. Mr. President, that refers to some application made before he became thus wounded, I presume?

Mr. WALSH of Montana. Yes. He enters the Army, having made an entry, and then is discharged for disability, so that he can not go back and cultivate. We have already taken care of that man. We have excused him from further residence and cultivation. The amendment is intended to reach the man who was not discharged for disability, but who was discharged as in perfect health, but is afterwards awarded compensation on account of disability; and he is given the same privilege to complete his proof. It will be remembered that we passed an act which raised a presumption, in case of tuberculosis or psychoneurasthenic disease occurring within two years afterwards, that it was incurred during the service. By this bill we extend the same presumption as to the land entry if the award for disability occurs within three years of the date of discharge.

Mr. WARREN. It is simply a matter of allowing completion of his proof at the end of the time, notwithstanding he may not have been able to live on his claim?

Mr. WALSH of Montana. Exactly; when awarded compensation for disability.

Mr. WARREN. I have no objection to the passage of the bill.

The VICE PRESIDENT. The amendment of the committee will be stated.

The READING CLERK. On page 1, line 9, after the word "subsequently" it is proposed to insert the words "and within three years from the date of discharge was."

Mr. LENROOT. Is it a long bill? I have not a copy of it before me.

The VICE PRESIDENT. It is a short bill.

Mr. LENROOT. May the whole bill be read?

The VICE PRESIDENT. The Secretary will read the bill as proposed to be amended.

The READING CLERK. As proposed to be amended, the bill reads:

Be it enacted, etc., That the provisions of section 2305, Revised Statutes of the United States, as amended by the act of February 25, 1919 (40 Stat., p. 1161), so far as applicable to those discharged from the military or naval service because of wounds received or disability incurred therein, be, and the same are hereby, extended to those regularly discharged from such service and subsequently and within three years from the date of discharge was awarded compensation by the Government for wounds received or disability incurred in the line of duty.

SEC. 2. That the provisions of the act of September 29, 1919 (41 Stat., p. 288), entitled "An act to authorize absence by homestead settlers and entrymen, and for other purposes," be, and they are hereby, extended to those who, after discharge from the military or naval service of the United States, are furnished treatment by the Government for wounds received or disability incurred in line of duty.

Mr. WALSH of Montana. Mr. President, I observe that the language is not apt. In the amendment proposed by the committee, I move that the word "who" be inserted between the word "and" and the word "within" in line 9, and that the word "were" be inserted in line 10 in lieu of the word "was," so that it will read:

And who within three years from the date of discharge were awarded compensation.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. Mr. President, unless some Senator desires to speak further in regard to the treaty, I shall move that the Senate proceed to the consideration of executive business in closed executive session. I make that motion.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate, as in legislative session, took a recess until to-morrow, Saturday, March 18, 1922, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 17 (legislative day of March 16), 1922.

RECEIVER OF PUBLIC MONEYS.

Frank O. Northrup to be receiver of public moneys at Portland, Oreg.

COAST AND GEODETIC SURVEY.

Ernest Lester Jones to be hydrographic and geodetic engineer, with relative rank of captain in the Navy, in the United States Coast and Geodetic Survey.

POSTMASTERS.

ALABAMA.

John E. Sutterer, Cullman.
Hiram T. Graves, Crossville.
Joe L. Hinson, East Tallahassee.
Walter R. Warrick, Marbury.
William K. Black, Millport.
Jesse D. Newton, Odenville.

GEORGIA.

James H. Foster, Cornelia.
Herbert I. King, Dexter.
Casca S. Barbre, Leary.
Portia C. McAllister, Pitts.

MASSACHUSETTS.

Martin Hickey, Grafton.
Ephrem J. Dion, Northbridge.
John Howe, North Brookfield.
William E. Gibson, West Bridgewater.

PENNSYLVANIA.

Thomas H. Probert, Hazleton.
Maurice L. Zimmerman, Soudersburg.

PORTO RICO.

Pedro M. Rivera, Barceloneta.
J. V. Berrios, Carolina.
Cesar Rossy, Ciales.
America Rossy, Ensenada.
Leonor de Lucca, Guayanilla.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 17, 1922.*

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. WALSH.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O blessed Lord, may we approach Thee in spirit and in truth. Thou hast called us out of the uncreated, out of the pregnant depths, and out of the whispering silence of Thy infinite nature. O, Thou art our everlasting Father and our God. Always keep us in touch with human relationships and human responsibilities. Let us have sight of commonplace duties, to commonplace things. Keep them before us—clear, high, and serious—day by day, and herein may we have our pride and our joy. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

PRINTING REPORT ON THE PHILIPPINE ISLANDS.

Mr. KIESS. Mr. Speaker, I submit a privileged resolution from the Committee on Printing.

The Clerk read as follows:

House concurrent resolution 47.

Resolved by the House of Representatives (the Senate concurring), That 100,000 copies of the Report of the Special Mission on Investigation to the Philippine Islands to the Secretary of War, without the map but with the data on the Philippines preceding and accompanying such report, be, and the same is hereby, ordered printed as a public document, to be distributed as follows: Fifty-five thousand through the document room of the House, 35,000 through the document room of the Senate, 5,000 through the Committee on Insular Affairs of the House, and 5,000 through the Committee on Territories and Insular Possessions of the Senate.

With the following committee amendments:

Line 8, strike out the words "fifty-five" and insert the words "sixty-five." Line 9, strike out the words "thirty-five" and insert the words "twenty-five."

Mr. STAFFORD. Will the gentleman from Pennsylvania yield?

Mr. KIESS. I will.

Mr. STAFFORD. Has the gentleman any estimate of the cost of printing this report?

Mr. KIESS. The report shows it.

Mr. STAFFORD. But the report has not been read and we have not it before us.

Mr. KIESS. The cost will be $2,328.45 for printing 100,000 copies.

Mr. STAFFORD. What is the need of such a large number for use in the document room—65,000 and 25,000, respectively?

Mr. KIESS. In reply to the gentleman I will say that there has been a very large demand for these publications. Only a few copies of the report were printed by the War Department, and none have been available for Members of Congress. I have taken the question up with Mr. Grayson, of the document room, and he tells me that they have had many requests. A number of Members of Congress have brought the question to my attention as chairman of the Committee on Printing. I think for a report as important as this the number is not excessive.

Mr. STAFFORD. As I understand, they are not to be distributed through the folding room, but through the document room.

Mr. KIESS. That is true.

Mr. STAFFORD. Can the gentleman state any instance where such a large number of reports have been made available for distribution through the document room?

Mr. KIESS. The report of the International Joint Commission concerning the improvement of the St. Lawrence River was distributed through the document room.

Mr. STAFFORD. That was a report on a project which had universal interest throughout the country. This report has no interest except in certain localities.

Mr. TOWNER. Will the gentleman yield?

Mr. KIESS. Certainly.

Mr. TOWNER. I want to say to the gentleman from Wisconsin and to the House that there is a very widespread demand for this document. Of course, the report of Gen. Wood of his visit created a great deal of interest, but aside from that the relations of the United States with the Philippine Islands is being debated all over the United States in colleges and schools. The number named in the resolution will be really too small to satisfy the demand that is now existing for this report.

Mr. STAFFORD. I suppose the gentleman from Pennsylvania and his committee have considered the question of having some of the reports placed at the disposal of Members through the folding room. Why was not that policy adopted instead of putting them in the document room to be appropriated by a few?

Mr. TOWNER. I have no objection to that.

Mr. KIESS. I think we can arrange so that all Members will be supplied with what copies they need.

Mr. STAFFORD. By what method are you going to supply them to Members when you put them in the document room to be appropriated by a few Members?

Mr. KIESS. I think we can make satisfactory arrangements with those in charge of the document room.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. KIESS. Certainly.

Mr. FAIRFIELD. I think I have had more call for the literature on the Philippine Islands than most anything else. Somebody has suggested that the Wood report gives only one side. Propaganda is going on all over the country for the independence of the Philippine Islands. I have no trouble in securing documents favorable to the independence of the Philippine Islands, and I think there is real need for the printing of this document.

Mr. DYER. Will the gentleman yield?

Mr. KIESS. Yes.

Mr. DYER. Mr. Speaker, I am much surprised at the statement made by the gentleman from Indiana that there is such a widespread demand for this document. I have been in Congress some 12 years, and the Philippine question has been before us all that time. There was great publicity given to the Wood-Forbes report by the War Department at the time it came out, and I have never received a single request for a copy of that report. I can not understand, Mr. Speaker, this widespread demand. Some time ago a committee of Filipinos appeared before the Committee on Insular Affairs of the House and made a report, which is in the hearings, and I have never known of any requests made by anyone for its publication. Mr. Speaker, I realize as one Member of the House our responsibility on this question. I feel that Congress ought to give it the consideration to which it is entitled. We have promised independence to the Philippines, and yet we are making slow progress in that direction. We all know, and every Member of this House knows, that the Army of the United States is not now and in my judgment never will be in favor of granting independence to the Philippines.

Whether or not the Filipinos are entitled to independence now is a question for the Congress to settle. I have visited the Philippines, and have seen splendid evidence of their ability to manage their own affairs. I realize that the Committee on Insular Affairs of this House is the one that should bring before us the information as to whether or not they are ready. I have the greatest respect for the gentleman from Iowa, who is chairman of that committee. I know that he is a thorough, sincere, earnest representative of the people and wants to do the right thing in regard to this question, and I would rather have a report from a committee of this House upon this question of whether or not the Filipinos are prepared for independence than I would to have the report of Gen. Wood and Mr. Forbes. Gen. Wood has been in the Army all his life.

The Army does not want the Filipinos given independence. Mr. Forbes served over there as governor general for a number of years and was succeeded by another gentleman as governor general. Their opinions differ. Gov. Gen. Harrison, who succeeded Mr. Forbes, reported in favor of independence of the Filipinos. Gov. Forbes did not. His views were different at the time he saw service there. I think, Mr. Speaker, that the time has come when the Congress of the United States ought to be brave enough to say whether the Filipinos are to be given their independence, and if so, when they are to be given it, and whether or not we are to be guided entirely by what Army officers say. [Applause.] Those who have been in the Philippines and know the situation and know the sentiment of the War Department know that they will never recommend the independence of the Filipinos because it is a splendid station for the Army and they want to go there and want to maintain a station there, and I feel the Committee on Insular Affairs should take up this question and seriously consider it and make a report to this House and not let us be advised solely by the report of Gov. Gen. Wood and former Gov. Gen. Forbes. I trust the information will come to us other than this information which we are about to print. I have no request for this information, and I represent a fairly intelligent constituency in the city of St. Louis, and we have high schools, colleges, and universities.

Mr. CANNON. Will the gentleman yield?

Mr. DYER. I have not a single request for this report. I will yield to the gentleman from Illinois.

Mr. CANNON. The gentleman's mind is satisfied if he had the power that he would give the Filipinos independence to-day?

Mr. DYER. That is not my statement, I will say to the distinguished gentleman from Illinois. I said in my remarks I am reasonably prepared to say they are entitled to independence to-day, but will accept gladly further information. I have been to the Philippines, as I have stated, and have seen them there and understand what they have been doing. They have organized a legislative body—a senate and a house—and there has been no criticism of their ability to transact business; but I say, Mr. Speaker, we ought to take up this question and decide for ourselves what the facts are, and not leave it entirely to a commission sent over there, composed as it was of two great Americans, very splendid gentlemen, but I am not satisfied to accept their judgment solely.

Mr. CANNON. Will the gentleman yield further?

Mr. DYER. I will yield; certainly.

Mr. CANNON. First a Democrat and then a Republican and then a Democrat go over there, you know, and they come back with documents, statements, reports, and all that sort of thing. Unless somebody knows more than I do about the capacity of the Filipinos under existing circumstances for self-government, I think I would be glad indeed to be informed.

Mr. DYER. Mr. Speaker, if the gentleman from Pennsylvania will yield just a minute——

Mr. KIESS. Just a minute.

The SPEAKER pro tempore. The gentleman from Missouri is recognized for one additional minute.

Mr. DYER. I want the best information, Mr. Speaker, we can have, and my suggestion is merely that the Committee on Insular Affairs, which is charged in the first instance with the responsibility for this question, investigate it themselves.

Mr. SMITH of Michigan. Can not they go ahead and investigate if they choose to do so?

Mr. DYER. They should do that and not ask that this report should be sent broadcast throughout the country. I do not know who wants it. I do not think that there is anybody who wants it; but if there be a demand for information, let us get first-hand information from a committee of this House, because

we are charged with the responsibility and not the War Department.

Mr. LONDON. Will the gentleman yield? Is not the gentleman's real objection that the information is one-sided?

Mr. DYER. Well, of course, the information comes from those gentlemen mentioned who say that the Filipinos are not prepared for independence, and I want the Committee on Insular Affairs——

Mr. CANNON. Will the gentleman yield for another question?

The SPEAKER pro tempore. The time of the gentleman has expired. The question is on the committee amendment.

Mr. HUMPHREYS. What is the committee amendment?

The SPEAKER pro tempore. The Clerk will again report the committee amendment.

The committee amendment was again reported.

The SPEAKER pro tempore. The question is on the committee amendment.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

On a division (demanded by Mr. HUMPHREYS) there were—ayes 38, noes 9.

So the committee amendment was agreed to.

Mr. KIESS. Mr. Speaker, I move the previous question on the resolution.

Mr. GARNER. Will the gentleman yield for a question?

Mr. KIESS. I will yield for a question.

Mr. GARNER. I want to ask why you do not distribute these through the folding room like ordinary documents?

Mr. KIESS. Mr. Speaker, we thought by distributing in this way that those people who are most interested could get a larger number.

Mr. GARNER. Who are these people?

Mr. KIESS. Well, Members of the House want them——

Mr. GARNER. If they are Members of the House they ought to be distributed through the folding room so that each Member of the House will have an opportunity to distribute them to his constituents.

From the way you are fixing this thing, a Member of the House will say, "I am very much interested; lend me 5,000 copies, and I will take them over to my office and send them out," and the first thing you know they will be exhausted. It seems to me if a man is particularly interested in this and another man is not, it is easy enough to assign them on assignments from one Member to another, as with ordinary documents. It seems curious to me. It is the first time I have seen a document like this distributed through the document room instead of the folding room.

Mr. MANN. Will the gentleman yield?

Mr. GARNER. I have not the floor. I merely wanted to know the reason for this; that is all.

Mr. MANN. Of course, if this is distributed through the folding room there would be a large proportion of them never used at all. That is not the case with the ordinary document.

Mr. GARNER. I have been told in the document room that it is the custom of some Members of Congress who are more energetic than others and desire to reach their constituents with every conceivable document on the face of the earth, whenever the document goes to the document room and it is not called for at an early date, they say, "Send it over and we will mail it to our people." That is perfectly satisfactory with a document they might not want to get copies of, but where it is a document that is of benefit to the schools, as suggested by the gentleman from Iowa [Mr. TOWNER], and which this would probably be, it seems to me each Member of Congress ought to have his proportionate number.

Mr. MANN. Where people are interested and want the document, it is proper to put it through the document room. There is no use of printing a large number of these documents and eventually have them consigned to the waste-paper basket, as would be the case here. The gentleman from Missouri [Mr. DYER] says he has no one in his district who wants the document. Why should we distribute only for his benefit that which he will not use? Why not give them to those who desire them, and, if more are desired, print more?

Mr. GARNER. There are probably 150 Members of the House present. I will venture the assertion now that you can not find 20 men in the House who have requests for this document, and yet you are printing 100,000 of them.

Mr. MANN. That statement will not go unchallenged. There are 20 men in this House that have already spoken to me about how to secure this document.

Mr. GARRETT of Tennessee. Will the gentleman from Pennsylvania yield to me two or three minutes?

Mr. FESS. I wish to say that there is a constant application from high schools for these things, where they wish to discuss Philippine independence.

Mr. GARNER. That kind of a request comes to everybody from those who are desirous of getting information for debate, and I think there would be requests for this particular report.

Mr. MANN. I said for this particular report.

Mr. GARRETT of Tennessee. Will the gentleman from Pennsylvania yield to me about two minutes?

Mr. KIESS. Mr. Speaker, I yield two minutes to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Mr. Speaker, so far as any discussion of the principle or the policy of Philippine independence is concerned, there is nothing whatever new in the Wood-Forbes report. The report, in so far as questions of principle or policy are concerned, might just as well have been written here in the United States before Gen. Wood and Mr. Forbes went over there. There are some facts stated in that report in regard to conditions that are somewhat new, though not very new. I do not think it will hurt anything to publish this report, because, after all, the Congress is going to finally decide this particular question of principle and policy, I reckon. There is some demand for it by debating societies in the public schools of the country and by persons who are making a study of this question; so that, the cost not being very large, I agreed some days ago with the gentleman from Iowa [Mr. TOWNER] that I should make no objection to its publication. I do not think it is a matter of very great consequence, with all deference to my friend from Texas, whether it is distributed through the folding room or the document room.

Mr. GARNER. I agree with the gentleman; but the idea is in having 65,000 documents—the importance of printing that number of documents and then turning them over to one or two men or half a dozen men. It does not seem to me a reasonable thing to do. That is the only point I had about it.

Mr. GARRETT of Tennessee. Well, I took the floor more by reason of what the gentleman from Missouri [Mr. DYER] said than anything else.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. KIESS. I yield two minutes more to the gentleman.

Mr. GARRETT of Tennessee. Of course, Gen. Wood went to the Philippines opposed to Philippine independence; Gov. Forbes went to the Philippines opposed to Philippine independence.

I believe the President of the United States to be opposed to Philippine independence. This document is not, in my opinion, going to affect the matter one way or the other.

Mr. KING. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. KING. As a matter of fact, can you not prove by this very report that the Filipinos ought to have their independence and are entitled to it?

Mr. GARRETT of Tennessee. I think from the report it could be proven; I think independent of the report it could be proven. Of course, I occupy an attitude about that, and have from the beginning. There never has been a day or an hour from the time we went in there that I was not only willing but anxious to grant Philippine independence.

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LONDON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER pro tempore. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of ordering the previous question will, as their names are called, answer "yea," those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 266, nays 47, answered "present" 1, not voting 114, as follows:

YEAS—266.

Almon	Bland, Ind.	Campbell, Kans.	Connally, Tex.
Anderson	Bland, Va.	Campbell, Pa.	Cooper, Ohio
Andrew, Mass.	Boles	Cannon	Cooper, Wis.
Andrews, Nebr.	Brennan	Chalmers	Copley
Anthony	Brooks, Ill.	Chindblom	Crago
Appleby	Brooks, Pa.	Christopherson	Cramton
Arentz	Brown, Tenn.	Clague	Crowther
Atkeson	Browne, Wis.	Clarke, N. Y.	Cullen
Bankhead	Burdick	Classon	Curry
Barbour	Burroughs	Clouse	Dale
Begg	Burtness	Cole, Ohio	Dallinger
Benham	Burton	Collier	Darrow
Bird	Byrns, Tenn.	Collins	Davis, Minn.
Bixler	Cable	Colton	Deal

Dempsey	Johnson, Ky.	Moore, Ill.	Smithwick
Denison	Jones, Pa.	Moore, Ohio	Snell
Dickinson	Kahn	Moore, Va.	Snyder
Dowell	Kearns	Moores, Ind.	Sproul
Drewry	Keller	Morin	Stafford
Dunbar	Kelly, Pa.	Mott	Steagall
Dunn	Kendall	Murphy	Stedman
Dupré	Ketcham	Nelson, A. P.	Steenerson
Echols	Kiess	Newton, Minn.	Stephens
Edmonds	Kinkaid	Newton, Mo.	Stevenson
Evans	Kirkpatrick	Nolan	Stiness
Fairchild	Kissel	Norton	Strong, Kans.
Fairfield	Kleczka	Oldfield	Summers, Wash.
Faust	Kline, Pa.	Oliver	Sumners, Tex.
Favrot	Knutson	Osborne	Sweet
Fenn	Kopp	Overstreet	Swing
Fess	Lanham	Padgett	Taylor, N. J.
Fisher	Larsen, Ga.	Paige	Taylor, Tenn.
Focht	Lawrence	Park, Ga.	Temple
Fordney	Layton	Parker, N. J.	Ten Eyck
Foster	Lea, Calif.	Parker, N. Y.	Thomas
Freeman	Leatherwood	Patterson, Mo.	Thompson
French	Lee, Ga.	Patterson, N. J.	Tillman
Frothingham	Lehlbach	Porter	Tilson
Fuller	Lineberger	Purnell	Timberlake
Fulmer	Little	Radcliffe	Tincher
Funk	Longworth	Raker	Towner
Gahn	Lowrey	Ramseyer	Treadway
Garner	Luce	Ransley	Tyson
Garrett, Tenn.	Lyon	Reavis	Underhill
Garrett, Tex.	McClintic	Reece	Vaile
Gensman	McCormick	Reed, N. Y.	Vestal
Gernerd	McDuffie	Reed, W. Va.	Vinson
Gilbert	McFadden	Rhodes	Voigt
Glynn	McKenzie	Ricketts	Volstead
Graham, Ill.	McLaughlin, Mich.	Riddick	Walters
Green, Iowa	McLaughlin, Nebr.	Roach	Wason
Greene, Vt.	McPherson	Robertson	Watson
Griest	MacGregor	Robsion	Weaver
Hadley	Madden	Rogers	Wheeler
Hardy, Colo.	Magee	Rose	White, Kans.
Harrison	Mann	Rossdale	White, Me.
Hawes	Mapes	Rouse	Williams
Hawley	Martin	Sabath	Williamson
Hayden	Merritt	Sanders, Ind.	Woodruff
Hays	Michaelson	Scott, Tenn.	Woodyard
Heisey	Michener	Shaw	Wurzbach
Hickey	Miller	Shelton	Wyant
Hoch	Mills	Shreve	Yates
Hukriede	Millspaugh	Sinclair	Young
Hull	Mondell	Sinnott	Zihlman
Hutchinson	Montague	Smith, Idaho	
Ireland	Montoya	Smith, Mich.	

NAYS—47.

Aswell	Carew	Jones, Tex.	Rayburn
Barkley	Carter	Kincheloe	Rucker
Beck	Crisp	Kindred	Sanders, Tex.
Black	Dominick	King	Sandlin
Bowling	Doughton	Lankford	Sears
Box	Driver	Lazaro	Sisson
Brand	Dyer	London	Stoll
Briggs	Hammer	McSwain	Swank
Buchanan	Hardy, Tex.	Maloney	Wilson
Bulwinkle	Hudspeth	Parks, Ark.	Woods, Va.
Byrnes, S. C.	Jeffers, Ala.	Quin	Wright
Cantrill	Johnson, Miss.	Rankin	

ANSWERED "PRESENT"—1.

Humphreys

NOT VOTING—114.

Ackerman	Frear	Kraus	Reber
Ansorge	Free	Kreider	Riordan
Bacharach	Gallivan	Kunz	Rodenberg
Beedy	Goldsborough	Lampert	Rosenbloom
Bell	Goodykoontz	Langley	Ryan
Blakeney	Gorman	Larson, Minn.	Sanders, N. Y.
Blanton	Gould	Lee, N. Y.	Schall
Bond	Graham, Pa.	Linthicum	Scott, Mich.
Bowers	Greene, Mass.	Logan	Siegel
Brinson	Griffin	Luhring	Slemp
Britten	Haugen	McArthur	Speaks
Burke	Herrick	McLaughlin, Pa.	Strong, Pa.
Butler	Hicks	Mansfield	Sullivan
Chandler, N. Y.	Hill	Mead	Tague
Chandler, Okla.	Himes	Morgan	Taylor, Ark.
Clark, Fla.	Hogan	Mudd	Taylor, Colo.
Cockran	Hooker	Nelson, J. M.	Tinkham
Codd	Huddleston	O'Brien	Upshaw
Cole, Iowa	Husted	O'Connor	Vare
Connell	Jacoway	Ogden	Volk
Connolly, Pa.	James	Olpp	Ward, N. Y.
Coughlin	Jefferis, Nebr.	Parrish	Ward, N. C.
Davis, Tenn.	Johnson, S. Dak.	Perkins	Webster
Drane	Johnson, Wash.	Perlman	Wingo
Elliott	Kelley, Mich.	Petersen	Winslow
Ellis	Kennedy	Pou	Wise
Fields	Kitchin	Pringey	Wood, Ind.
Fish	Kline, N. Y.	Rainey, Ala.	
Fitzgerald	Knight	Rainey, Ill.	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. ELLIS with Mr. HUMPHREYS.

Mr. RODENBERG with Mr. BELL.

Mr. BURKE with Mr. SULLIVAN.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. FREE with Mr. O'BRIEN.

Mr. LAMPERT with Mr. TAGUE.

Mr. REBER with Mr. HAYDEN.

Mr. HIMES with Mr. DAVIS of Tennessee.

Mr. ACKERMAN with Mr. JACOWAY.

Mr. BACHARACH with Mr. WINGO.

Mr. KREIDER with Mr. UPSHAW.

Mr. CONNOLLY of Pennsylvania with Mr. BLANTON.

Mr. GREENE of Massachusetts with Mr. FIELDS.

Mr. OLPP with Mr. GRIFFIN.

Mr. WINSLOW with Mr. LOGAN.

Mr. VOLK with Mr. RAINEY of Illinois.

Mr. LUHRING with Mr. TAYLOR of Arkansas.

Mr. VARE with Mr. WISE.

Mr. PERLMAN with Mr. BRINSON.

Mr. BLAKENEY with Mr. COCKRAN.

Mr. CODD with Mr. WARD of North Carolina.

Mr. FITZGERALD with Mr. DRANE.

Mr. GORMAN with Mr. TAYLOR of Colorado.

Mr. MORGAN with Mr. GALLIVAN.

Mr. STRONG of Pennsylvania with Mr. HUDDLESTON.

Mr. OGDEN with Mr. KITCHIN.

Mr. BOWERS with Mr. MEAD.

Mr. CONNELL with Mr. PARRISH.

Mr. BUTLER with Mr. RIORDAN.

Mr. HOGAN with Mr. KUNZ.

Mr. ELLIOTT with Mr. GOLDSBOROUGH.

Mr. WOOD of Indiana with Mr. POU.

Mr. GRAHAM of Pennsylvania with Mr. HOOKER.

Mr. SIEGEL with Mr. LINTHICUM.

Mr. CHANDLER of Oklahoma with Mr. MANSFIELD.

Mr. SPEAKS with Mr. O'CONNOR.

Mr. COUGHLIN with Mr. RAINEY of Alabama.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present. The Doorkeeper will open the doors. The previous question is ordered. The question is on the passage of the resolution.

The question was taken, and the resolution was agreed to.

On motion of Mr. KIESS, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

DEPARTMENTS OF COMMERCE AND LABOR APPROPRIATION BILL—CONFERENCE REPORT.

Mr. SHREVE. Mr. Speaker, I call up the conference report on the bill H. R. 10559, making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes.

The SPEAKER pro tempore. The gentleman from Pennsylvania calls up the conference report on the bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes.

The SPEAKER pro tempore. The Clerk will read the conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 32, 33, 34, 37, 40, 46, 47, 48, 49, 50, 51, and 58.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 35, 36, 39, 44, 52, 53, 54, 55, 56, and 57, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,598,410"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,300"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,300"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and

agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,400"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,250"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$802,340"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: On page 10 of the bill in line 14 strike out "$1,741,780" and insert in lieu thereof "$1,737,680"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,176,975"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,206,810"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$18,651,805"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$175,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$589,380"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,916,920"; and the Senate agree to the same.

MILTON W. SHREVE,
E. C. HUTCHINSON,
W. B. OLIVER,
Managers on the part of the House.

W. L. JONES,
SELDEN P. SPENCER,
WM. J. HARRIS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

DEPARTMENT OF COMMERCE.

On Nos. 1, 2, 3, 4, 5, and 6, relating to contingent expenses of the Department of Commerce: Appropriates $80,200, as proposed by the Senate, instead of $50,000, as proposed by the House, and provides for the transfer from other appropriations of $87,250, as proposed by the Senate, instead of $75,250, as proposed by the House.

On Nos. 7, 8, 9, 10, and 11, relating to the Bureau of Foreign and Domestic Commerce: Provides for janitor and messenger service in the offices of commercial attaché, as proposed by the Senate; appropriates $379,100, as proposed by the House, instead of $450,000, as proposed by the Senate, for promoting commerce, and makes $100,000 of that sum, instead of $86,200, as proposed by the House, available for the maintenance of branch offices in the United States; and appropriates $450,000, as proposed by the Senate, instead of $385,000, as proposed by the House, for the promotion of export industries.

On Nos. 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28, relating to the Census Office: Appropriates for 5 chief statisticians at $3,300 each, instead of $3,600 each, as proposed by the Senate, and $3,000 each, as proposed by the House; appropriates $3,300 for the chief clerk, instead of $3,600, as proposed by the Senate, and $2,500, as proposed by the House; appropriates $2,400 for the geographer, instead of $2,000, as proposed by the House, and $2,600, as proposed by the Senate; strikes out provision for a stenographer at $1,500, as proposed by the Senate; appropriates for 14 expert chiefs of divisions at $2,250 each, instead of 9 at $2,000 each, as proposed by the House, and 14 at $2,400 each, as proposed by the Senate; provides for a private secretary and stenographer to the director at $2,100, as proposed by the Senate; provides for clerks and laborers on the statutory roll, as proposed by the Senate, instead of on the lump-sum roll, as proposed by the House, and reduces the lump-sum roll by a sum equal to that added to the statutory roll for clerks and laborers.

On Nos. 29, 30, and 31, relating to the Bureau of Navigation: Appropriates $130,000, as proposed by the Senate, instead of $80,000, as proposed by the House, for the enforcement of wireless communication laws, and makes $17,600 of that sum available for salaries in the District of Columbia, as proposed by the Senate, instead of $10,900, as proposed by the House.

On Nos. 32, 33, and 34, relating to the Bureau of Lighthouses: Strikes out the appropriation of $100,000, proposed by the Senate, for the Barnegat Light Station, New Jersey.

On Nos. 35, 36, 37, and 38, relating to the Coast and Geodetic Survey: Appropriates $29,841, as proposed by the Senate, instead of $15,000, as proposed by the House, for researches and observations in connection with tides and currents; and appropriates $75,000, as proposed by the House, instead of $97,400, as proposed by the Senate, for repairs to vessels.

On Nos. 39, 40, and 41, relating to the Bureau of Fisheries: Appropriates for employees at fish-cultural stations and biological stations in 2 paragraphs, as proposed by the Senate, instead of in 42 paragraphs, as proposed by the House, the rates of compensation and the number of employees being identical with those provided in the House bill with the exception of an additional foreman at $1,200, which is added.

On No. 42: Corrects the grand total for the Department of Commerce.

DEPARTMENT OF LABOR.

On Nos. 43, 44, and 45, relating to the office of the Secretary of Labor: Appropriates $175,000 for commissioners of conciliation, instead of $150,000, as proposed by the House, and $200,000, as proposed by the Senate; and provides for the purchase of an automobile for official use of the Secretary of Labor, as proposed by the Senate.

On Nos. 46, 47, and 48, relating to the Bureau of Labor Statistics: Strikes out the appropriation, proposed by the Senate, for three additional experts at $1,800 each.

On Nos. 49, 50, and 51, relating to the Bureau of Immigration: Strikes out the authority, inserted by the Senate, for the use of not to exceed $20,000 of the appropriation for regulating immigration for the compensation of employees in the District of Columbia; and strikes out the appropriation of $150,000, inserted by the Senate, to supply a deficiency in the appropriation for regulating immigration for the fiscal year 1922.

On Nos. 52, 53, 54, and 55, relating to the Children's Bureau: Appropriates $120,000 as proposed by the Senate, instead of $80,000 as proposed by the House, for investigation of matters relating to the welfare of children and child life; provides for the employment of 12 persons at rates of compensation of $2,000 per annum and above, as proposed by the Senate, instead of 8, as proposed by the House; and inserts the limitation, proposed by the Senate, upon the rates of compensation which may be paid in connection with the administration of the appropriation for the welfare and hygiene of maternity and infancy.

On Nos. 56 and 57, relating to the Women's Bureau: Appropriates $100,000, as proposed by the Senate, instead of $75,000, as proposed by the House, and provides, as proposed by the Senate, that the number of persons who may be employed from this appropriation at rates exceeding $1,800 may be increased by the addition of one at $3,000, one at $2,500, and three at $2,200 each.

On No. 58: Appropriates $225,000, as proposed by the House, instead of $250,000, as proposed by the Senate, for the salaries and expenses for the United States Employment Service.

On No. 59: Corrects the grand total of appropriations for the Department of Labor.

The amount of the bill as passed by the Senate is $25,976,525. The amount of the bill as passed by the House is $25,321,584, an addition by the Senate of $654,941. The Senate has receded from amendments and amounts aggregating $407,800, and the House has receded from its disagreement to Senate amendments and amounts aggregating $247,141. The bill as agreed upon carries $25,568,725.

MILTON W. SHREVE,
E. C. HUTCHINSON,
W. B. OLIVER,
Managers on the part of the House.

Mr. SHREVE. Mr. Speaker, the Senate has been very kind to us in the disposition of our appropriation bill covering the Departments of Commerce and Labor. Their amendments were few, and we very easily arrived at a settlement of all the matters where there was a difference between the managers of the House and of the Senate.

The amount of the bill as it passed the Senate was $25,976,525. The amount of the bill as passed by the House was $25,321,584. The amount added by the Senate to the House bill was $654,941, but the Senate has receded to the amount of $407,800, and the House has receded and agreed to an increase of $247,141. So the amount of the bill as agreed upon now is $25,568,725.

The principal items of the Senate recessions making up the $407,800 are as follows:

Promotion of commerce, Bureau of Foreign and Domestic Commerce	$70,000
Barnegat Light Station	100,000
Repairs to coast survey vessel	22,400
Commissioners of conciliation, Senate amendment added $50,000, of which they recede from	25,000
Regulating immigration, deficiency for 1922	150,000
Employment Service	25,000

The principal items to which the House agreed in the aggregate of $247,141 are as follows:

Contingent expenses, Department of Commerce	$30,200
Export industries, Bureau of Foreign and Domestic Commerce	65,000
Enforcement of wireless communication laws, Bureau of Navigation, radio broadcasting	50,000
Commissioners of conciliation	25,000
Children's Bureau, investigation of welfare of children and child life. (Number of positions at $2,000 and above is increased from 8 to 12.)	40,000
Women's Bureau, increased from $75,000 to $100,000. (Number of positions above $1,800 increased by adding one at $3,000, one at $2,500, three at $2,200 each.)	25,000

I will say that this first item of $30,200 was largely to cover the work of the Bureau of the Census, by reason of the fact that it now comes back to the department, having passed out of the lump-sum appropriations period.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield in that particular?

Mr. SHREVE. Yes.

Mr. STAFFORD. I notice the Senate increased the salaries on the statutory roll of the Bureau of the Census in a number of instances, raising the salary of the chief clerk from $2,500, which has been carried for years and years, to $3,600, and the conferees have agreed upon the amount of $3,300.

We have chief clerks running through all the various departments at much less than this, in many instances where their work is much heavier. For instance, the chief clerk of The Adjutant General's office receives $2,750. Will the gentleman kindly inform the House for the guidance of other committees as to the policy which his subcommittee followed in arriving at the decision of fixing the salary of the chief clerk of the Bureau of the Census at $3,300?

Mr. SHREVE. Yes. That is a very simple proposition. The committee was confronted with this situation: In order to find some substantive law upon which we could base the estimates for the salaries we had to go back to the 1919 period. The lump-sum period, covering three years, did not provide for the continuation of salaries paid during that period. So we had to go back to the law of 1919, although it was working a great injustice. Now the position the gentleman refers to here paid $4,000 under the Census Bureau. We tried to work out an equitable solution regarding these salaries, and we fixed them as has been stated by the gentleman, and the Senate, going into it possibly more deeply than we did, came to the conclusion that we had fixed the salaries too low for the character of the work that was being done and in consideration of the pay that these men had been getting. It is a very material reduction now. Under the agreement we have come to it seems to be just, fair, and equitable.

Mr. STAFFORD. If the gentleman will permit, in prior decennial censuses the salary of the chief clerk was increased during the period of the actual census taking, but when that was over the salary went back to $2,500. Now if chief clerks of bureaus are going to receive $3,300, as is provided in the conference report, naturally the precedent of this high salary will be presented to other committees as a model in accordance with which the salaries of other chief clerks are to be increased.

Mr. SHREVE. Oh, no. I will say to the gentleman that it is hardly fair to go away back to the time that he speaks of to make comparisons, because the cost of living is very much greater now than it was even in 1919.

Mr. STAFFORD. Take, for instance, the chief clerk of The Adjutant General's office. He receives $2,750, and has been receiving it for years. His office force is much larger than the office force of the Bureau of the Census. If you are going to pay a salary of $3,300 to the chief clerk of the Bureau of the Census, naturally pressure will be brought to bear to raise the salary of the chief clerk of The Adjutant General's office to a like sum.

Mr. SHREVE. This is one item that the Senate was very insistent upon. They worked out the amendment, and were very urgent that it remain in the bill.

Export industries, Bureau of Foreign and Domestic Commerce: We have allowed an increase of $65,000. This item covers a number of commodity divisions that were not included in the bill, the technical study of which would materially aid the development of our foreign trade.

Enforcement of wireless communication laws, Bureau of Navigation: We have given them $50,000 for the reason that especially since the radio convention was held in Washington last year we find that the air is filled with radio messages. It is practically clogged. There is so much interference that it is absolutely necessary to establish more inspectors so that the work may be better regulated. So we gave them $50,000.

We gave the Commissioners of Conciliation an extra $25,000, feeling that they were entitled to it for the great work they are doing, a work that I will say has spread all over the United States. On making a careful analysis of their work we find that they are about 90 per cent successful, so we gave them $25,000 extra.

Children's Bureau: For the investigation of the welfare of child life there is an addition of $40,000. The Woman's Bureau was given an increase of $25,000, and the number of positions above $1,800 was increased by adding one at $3,000, one at $2,500, and three at $2,200.

I yield 10 minutes to the gentleman from Indiana [Mr. BLAND].

Mr. BLAND of Indiana. Mr. Speaker and gentlemen of the House, amendment 43 in this bill increases the appropriation from $150,000 to $175,000 for conciliation work in the Department of Labor. I am thoroughly in accord with the appropriation, because we all know that there is much need for the conciliation service at this hour; and while I am not very hopeful that the conciliators employed under this provision can settle at this time the great industrial crisis that threatens the country, I am hopeful that eventually the efforts of the conciliators may bear good fruit.

I want to call your attention to the fact that we are slowly drifting into what I believe is going to be one of the greatest industrial struggles in the history of our country. On March 10, 1920, the operators and miners of the United States entered into a written contract, which was underwritten by the Government and made at the Government's solicitation, the terms of which agreement provide that prior to April 1, 1922, the miners' and operators' representatives should get together and have an interstate joint conference with a view of arriving at a settlement or agreement between them. The country was then led to believe that when the two years' agreement entered into at that time expired we were assured of the fact that the representatives of the operators' organization and representatives of the miners' organization would meet to discuss terms and eventually arrive at an agreement. The country looked forward to a fixed, peaceable, and satisfactory adjustment which would last for another period of two years.

Notwithstanding the interest of the Government seeing that the contract entered into with their approval is kept, and notwithstanding the fact that the prosperity and happiness of our people depend upon the continued operation of the coal mines and the employment of our 750,000 miners, the operators of Pennsylvania and southern Ohio have proclaimed that they will not meet the miners in conference, but are permitting the 1st of April and the expiration of the contract to come, knowing that a great nation-wide strike will prevail.

When we inquire into the motives of the men now refusing to enter into such a conference and in breaking their agreement, we can arrive only at the conclusion that their purposes are twofold: First, to break up miners' organizations if possible;

and, second, by the strike or threat of the strike to boost the price of coal. I do not believe the operators in my own State are subject to the same criticism that the operators in some other portions of the Nation are. While I do not profess to be on the inside and to know always the motives prompting the officials of these two great organizations, I am convinced that the operators of my State are not now and for many years have not been adverse to dealing with the miners' organizations in entering into biyearly contracts. Our fellows have always been able to get together. Then the operator knows the price he must ask for his coal and would plan ahead for two years to come. I do not believe that the majority of the Indiana operators were in sympathy with the ruling of Judge Anderson, holding invalid the check-off provision in the joint agreement.

Our industrial life has become accustomed to the recognized contractual relations between the miners and operators, and to disrupt this relationship is to throw our business enterprises into confusion.

Propaganda, evidently coming from the operators who refuse to go into the conference, point to the high price of coal, with the intimation that the miner's wage is the cause of it. The miner gets $1.08 per ton for mining coal. It is estimated that the entire wage cost of producing a ton of coal is $1.97. Coal is selling for $10.50 per ton. Surely there are several hoggish profiteers between these two figures. Yet the country is led to believe that the miner is to be blamed for the high price of coal. It is time the force of the Government was brought to bear upon men responsible for the failure of the conference to meet. It is time that the public censure be placed where it belongs, and that our citizenship be aroused to indignantly protest against the continuance of this stubborn and unjustifiable refusal to try to get together, so that the public may have the coal essential to its future prosperity. I venture to say that if the miners would refuse to meet the operators in accordance with their agreement that not only all the power and threats of the Government but that the whole public would be aroused at the indifference of a set of people who would bring on industrial paralysis and strife at a time when we are trying to heal up wounds caused by the great world conflict.

I am glad to know that our President has expressed disappointment and impatience at the attitude of men who are willfully violating their agreement, and I believe that within a short time these contract breakers who are indifferent to the Nation's welfare will be told that they must in good faith keep the agreement they entered into and try to bring about a satisfactory solution of the distressing problem that confronts the Nation.

Mr. ANTHONY. Will the gentleman yield?

Mr. BLAND of Indiana. Yes.

Mr. ANTHONY. The gentleman has made the statement that the operators are refusing to meet the miners.

Mr. BLAND of Indiana. That is true.

Mr. ANTHONY. Is it not true that the operators have consented to meet the miners of their own States, but they are opposed to meeting the miners of other States?

Mr. BLAND of Indiana. In one or two States they may be willing to meet the miners, but they are not willing to meet in other States.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. BLAND of Indiana. Yes.

Mr. HARDY of Texas. Is there any information showing that the operators do not have combinations running over State lines?

Mr. BLAND of Indiana. They do have combinations, and I fear they have combinations for controlling the price of coal. We did have something of that kind in Indiana once, I believe.

Mr. HARDY of Texas. If they have combinations operating nation wide, why should they refuse to meet the miners?

Mr. BLAND of Indiana. It is for a twofold reason; one is to break the miners' union, which, if they did, would bring about chaos in the country, and the other is to boost the price of coal.

Mr. EDMONDS. Will the gentleman yield?

Mr. BLAND of Indiana. Yes.

Mr. EDMONDS. Did the gentleman say that the miners got $1.80 for mining coal?

Mr. BLAND of Indiana. One dollar and eight cents.

Mr. EDMONDS. And that coal was selling for $10.40?

Mr. BLAND of Indiana. Yes.

Mr. EDMONDS. We are selling coal at the mine for $1.80 to $2.50. That is the market price.

Mr. BLAND of Indiana. I say that the miner gets $1.08, and I can show you where they are selling it for $10.50 a ton.

Mr. EDMONDS. The gentleman is not talking about the price at the mine. I am selling coal every day, and I know what the market price is.

Mr. BLAND of Indiana. It is being said that the man that digs the coal is getting the profit? Somebody is getting a profit between the $1.08 and the $10.40. The operator would like to say that it is the coal miner that makes the price of coal high when it is not him at all.

Mr. SMITH of Michigan. Will the gentleman incorporate in his remarks the freight rates?

Mr. BLAND of Indiana. I have not them here. I am just informed by the gentleman from South Carolina [Mr. STEVENSON] that he is paying $15 a ton for coal here. This would be a good market for the gentleman from Pennsylvania to sell his coal in.

Mr. SNYDER. The gentleman may be correct about the pay of the miners, but I want to say that only yesterday, in the face of this strike in my own plant, we purchased coal for $2.35, Clearfield, Pa., coal, plus the freight. What the freight has got to do with the contract of the miners is beyond me.

Mr. STEVENSON. Only last week I paid $15 a ton for coal.

Mr. BLAND of Indiana. What I am trying to make plain is that there is a high price paid by the public, and the enemies of the coal miners are pointing to the high price and saying it is because of the high price paid for digging it, when if you will look into it, instead of censuring the miners who are digging it we would place the blame upon the operators and the other profiteers who handle it and who get the difference between the $15 and the $1.08. Mr. Speaker, I would like to insert a copy of that part of the agreement, referred to a moment ago, between the miners and operators which was entered into two years ago:

Resolved, That an interstate joint conference be held prior to April 1, 1922; the time and place for holding such meeting to be referred to a committee of two operators and two members from each State herein represented, together with the international officials of the United Mine Workers of America.

I also here insert a statement of the average wage of coal miners in the United States which is as accurate as it is possible to compute it:

	Average days worked for 1921.	Average annual earnings.
Pittsburgh district	123	$262
Ohio	118	550
Indiana	148	.....
Illinois	159	.....
Western Kentucky	.....	[1] 80
West Virginia	80	500

[1] Per month.

In Tennessee, approximately one-third of the miners worked one-third time, averaging $105 a month per man for the time they worked.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HARDY of Texas. Does the gentleman's statement show also——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLAND of Indiana. One more minute.

Mr. SHREVE. I yield the gentleman one additional minute.

Mr. HARDY of Texas. Does the statement the gentleman will include show also the fact that the miners are only given part time; they have the right to work only a limited number of hours a limited number of days in a week?

Mr. BLAND of Indiana. Yes; that is very true. They only get about one-third time, but the statement I have included shows the number of days worked per year.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SHREVE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

CHARLES C. COOMBS.

Mr. IRELAND. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. IRELAND. I ask unanimous consent for the consideration of a privileged resolution.

The SPEAKER pro tempore. The Clerk will report the privileged resolution.

The Clerk read as follows:

House Resolution 272.

Resolved, That there shall be paid, out of the contingent fund of the House, to Charles C. Coombs, son of Charles W. Coombs, late an employee of the House of Representatives, a sum equal to one year of his compensation as such employee, and an additional amount, not exceeding $250, to defray the expenses of the funeral of said Charles W. Coombs.

The committee amendment was read, as follows:

Line 4, strike out the words "one year" and insert in lieu thereof "six months," so that the line as amended will read: "A sum equal to six months of his compensation as such employee."

The committee amendment was agreed to.

The resolution as amended was agreed to.

AUTHORIZATION TO VISIT MUSCLE SHOALS AND GORGAS, ALA.

Mr. IRELAND. Mr. Speaker, I ask consideration for a further privileged resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 300.

Resolved, That the Committee on Military Affairs, or any subcommittee thereof, be, and they are hereby, authorized to go to Muscle Shoals and Gorgas, Ala., for the purpose of taking evidence and making investigation regarding the advisability of the completion of the Government improvement for power purposes at those places, either by the Government itself or by some lessee or grantee, and to employ a stenographer at a cost not exceeding $1.25 per printed page. The expenses of said investigation shall not exceed the sum of $2,000. All expenses of the committee incurred for any such purposes shall be paid out of the contingent fund of the House on the usual vouchers approved by the chairman of the committee and the chairman of the Committee on Accounts.

Mr. IRELAND. Mr. Speaker, this resolution was adopted by the Committee on Military Affairs, or requested, I believe, by a majority of the committee and sent to our committee for action. A similar committee for the same purposes, I believe, has been appointed for the Senate, and if it be desirable at all, it is desirable for the sake of economy that both committees act jointly and make this investigation at the same time.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. GARRETT of Tennessee. Does the gentleman know when it is the purpose of the committee to go?

Mr. IRELAND. Well, I believe right away, or as soon as they can conveniently arrange it. There was an inquiry from the Senate side yesterday in making their arrangements to know whether this resolution had been favorably reported or not, and when it would be acted upon, so I imagine they are anxious to cooperate with a similar House committee in making their arrangements, and probably at an early date if possible.

Mr. GARRETT of Tennessee. Does the gentleman know whether the full committee is going or a subcommittee?

Mr. IRELAND. I am unofficially informed they are not, that only a portion, but I can not give the individual members who expect to go.

Mr. GARRETT of Tennessee. If the gentleman will just yield for a statement.

Mr. IRELAND. Certainly.

The SPEAKER pro tempore. Does the gentleman from Illinois yield?

Mr. IRELAND. I yield.

Mr. GARRETT of Tennessee. Mr. Speaker, I am very much in favor of the resolution——

Mr. IRELAND. I did not imagine it was going to meet with any opposition from that side.

Mr. GARRETT of Tennessee. The resolution ought to pass. If the committee feels it is necessary to visit there in order to make up their minds, I think they will derive satisfaction as well as information by visiting that property, and I hope that they will go at once. And if I may be permitted to say it, I hope that by the time they return they will be prepared to bring something before the House upon which the House can act. It is a matter of profoundest interest to a very great section of the country. Millions of dollars worth of Government property are standing there now idle that ought to be, it seems to many of us, in operation in some way.

Of course, there is a particular plan I am ready to support. But whether that plan is best or not, certainly the Committee on Military Affairs of the House ought to be prepared shortly to bring before this House some proposition that will give the House an opportunity to act. And let me say this further: I do not want to be unjust at all, but there is a fear—I will not say a suspicion, but there is a fear—upon the part of a very great many Members of the House and persons interested in that development that there is an unnecessary amount of delay that is going on in the Committee on Military Affairs on this proposition, as well as unnecessary delay in an executive department in submitting the matter to Congress.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. GARRETT of Tennessee. With the permission of the gentleman from Illinois.

Mr. PARKER of New Jersey. I want to ask the gentleman from Tennessee whether he was conscious of the fact that this matter had been only a few weeks in the hands of the Committee on Military Affairs, and that ever since the matter has been before them they have been sitting daily in connection with it. The gentleman intimates there is delay on the part of the Committee on Military Affairs.

Mr. GARRETT of Tennessee. Well, I do not want to be offensive to the gentleman from New Jersey——

Mr. PARKER of New Jersey. I know the gentleman does not want to be offensive, but I do not think criticism of that sort ought to be made of a committee of the House without grounds. The gentleman speaks of feeling aroused. Committees must do their duty, without regard to people who are talking on the outside.

Mr. GARRETT of Tennessee. If the gentleman from Illinois will yield further to me—well, at any rate, I hope that this resolution will pass and that the committee will visit that property and that they will come back prepared to bring in a report upon which we can act, and bring it in quickly.

Mr. IRELAND. I yield five minutes to the gentleman from Illinois [Mr. McKENZIE].

Mr. McKENZIE. Mr. Speaker and gentlemen of the House, as one of the members of the Committee on Military Affairs I simply wish to say that a very large majority of the members of our committee expressed a desire to visit Muscle Shoals. Personally, I am so tied up with other matters that I feel, probably, that it will be impossible for me to go; but I am not unmindful of the momentous question which is up for consideration by our committee, and, personally, I do not view it as a proposition to sell some surplus property belonging to the Government.

I think the duty of our committee and of this Congress is not to settle upon a price, whether it is $2,000,000 or $5,000,000 or $10,000,000, that shall come back to the Government, but it is to settle a great national policy, and so far as I am personally concerned, in the settlement of a great fundamental national policy, I do not feel it would do me any particular good to view the beautiful Tennessee River or magnificent structures down there. For one I am ready now to begin the consideration of the great question before this Congress. I want to say to my friend from Tennessee [Mr. GARRETT] that there has been no delay so far as our committee is concerned. We have been pressed by people who wanted to be heard and who are deeply and vitally interested in this question, and we have taken our time, under the leadership of our chairman, to get full and complete hearings, in the hope that we might be able to solve this most vexed question, and, when solved, that it will be solved right, not only to conserve the interests of the people of that locality but the interests of the people of all the country and still keep in line with the great fundamental principles and precedents of our country. [Applause.]

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

ADDITIONAL CLERK, COMMITTEE ON TERRITORIES.

Mr. IRELAND. Mr. Speaker, I ask for the consideration of the following resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent for consideration of a resolution which the Clerk will report.

The Clerk read as follows:

House Resolution 284 (Rept. No. 807).

Resolved, That there shall be paid out of the contingent fund of the House compensation at the rate of $3,200 per annum for the services of an additional clerk to the Committee on the Territories from January 9, 1922, until the end of the present Congress, in the discretion of the chairman of said committee.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is upon agreeing to the resolution.

Mr. GARRETT of Tennessee. Will the gentleman yield? I am sorry my attention was diverted for a moment.

Mr. IRELAND. Mr. Speaker and gentlemen of the House, you will all recall that some time ago a resolution was brought in here, which was knocked out on a point of order, having to do with taking care of the office of the late beloved and lamented Hawaiian Delegate, pending the election of a new Delegate from Hawaii. This resolution has been substituted for that. The clerk to the late Prince Kalanianaole has served unofficially under the direction of the chairman of the Committee on Territories ever since the death of the prince, which occurred early in January of this year, without any compensation whatsoever. This is to provide for that, as everyone realizes that the busi-

ness of the Territory of Hawaii has to be carried on, and is voluminous; perhaps more voluminous than that of any other Representative in the House. The election will occur soon; and though this resolution provides for an additional clerk to the Committee on the Territories, the same clerk now attending to the affairs of the Hawaiian Islands, I am sure, will be that appointee and that the chairman of the Committee on the Territories will not retain him in that capacity longer than the election and qualification of the new Delegate from Hawaii. As soon as the Delegate is elected and reaches here and is qualified this resolution will terminate by the action of the chairman of the Committee on the Territories, in whose hands that authority lies.

Mr. MANN. Is there any time limit?

Mr. IRELAND. It provides for the remainder of this Congress, because we could not definitely set the time when the Delegate would arrive and be sworn in.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

WAR DEPARTMENT APPROPRIATIONS.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill making appropriations for the War Department for the next fiscal year.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10871, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes.

Mr. SISSON. Mr. Chairman, I would like to make an inquiry as to how the time stands on each side?

The CHAIRMAN. The gentleman from Kansas [Mr. ANTHONY] has 101 minutes remaining and the gentleman from Mississipi [Mr. SISSON] has 117 minutes remaining.

Mr. ANTHONY. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Chairman, in the remarkable career of that great American, Theodore Roosevelt, no one thing stands out more prominently than his unfaltering advocacy, in season and out of season, of the importance and urgency of national preparedness. If he were living to-day, I can well imagine his astonishment and disgust at the attitude of some of the leaders of his own party in so reducing the appropriations for the Army and Navy as to destroy the fighting efficiency of these arms of defense.

He would undoubtedly read with approval the sentiments expressed in an editorial which appeared in that stalwart Republican newspaper, the Boston Transcript, under date of March 3, 1922, a part of which I desire to read:

An example of the sordid folly that abounds in the record of the present House is its attitude toward our national defense. In defiance of the President, who to-day appears to have very little influence over the House, in wanton disregard of the recommendations and appeals of the strongest Cabinet that any President has assembled in 20 years, the so-called leaders of the House appear determined to outdo the record of Josephus Daniels as Secretary of the Navy and Newton D. Baker as Secretary of War. Little attention is paid either to Secretary Weeks or Secretary Denby. Their recommendations are either laughed at in committee or jeered at on the floor, and this despite the fact that both Mr. Weeks and Mr. Denby in the course of their public service have been Members of the House. But the so-called leaders of the House are equally indifferent to Secretary Hughes, and their indifference toward him is shown by their threat to torpedo the "treaty navy," provided for by the five-power treaty. This can easily be done by reducing the trained personnel of the Navy below 100,000, driving out of the Navy the entire corps of midshipmen at Annapolis, dismissing from one to two thousand commissioned officers, and refusing to appropriate enough money to enable the fleet to steam anywhere for any purpose. The fuel appropriation is already so nearly exhausted that about all the fleet can do is to limp home and tie up alongside our pork-barrel navy yards until the 1st of next July.

Our Army is to be reduced by 50,000 although the Executive has repeatedly declared that our military policy which Congress recently enacted into law must be abandoned if the Army is reduced below 150,000. But for the activity of the American Legion the present House would not have dreamed of keeping its pledges in regard to adjusted compensation. There is, however, another legion—the legion of average Americans—made up for the most part of the plain people of the land. They are becoming aroused to what is threatened at Washington. They did not vote according to party alignment during the war, and the experience in independent voting then and there developed has benefited them. They are quite competent to go into the Republican and Democratic primaries, in this and other States, and retire Republican or Democratic Senators or Congressmen who are now attempting to conspire against our national security and torpedo the "naval treaty." Failing to retire these gentlemen in the primaries and nominate in their places men of the character to keep their campaign pledges, men of the courage to scrap "pork-barrel" navy yards; and "pork-barrel" Army posts not needed by the Army and Navy before voting for wholesale dismissals in the trained personnel of either arm of the service, the plain people will have another opportunity at the polls next November—the opportunity to cast a vote of rebuke against the party in power, and to cast that vote in numbers sufficient to give us in the place of the present House a House led by men who in matters of foreign policy and national defense put their country before their party.

If the Republican organization here or elsewhere thinks that it can permit the Republican House at Washington to execute the threats now emanating from committee, and not be punished in the primaries and in the November elections, let them try it. The number of independent newspapers is much larger to-day than it was before the war, and every day witnesses an increase in the number of loyal Republicans and loyal Democrats who recognize the fact that there comes a time when true loyalty to party can best be expressed by voting for the other party. Such a time comes when our public servants forget that he serves his party best who serves his country best.

Rather harsh language but it expresses the feelings of thousands of patriotic Republicans everywhere. Now, what are the facts?

The Army of the United States was reorganized in 1920 and its personnel placed at 280,000, under what is known as the national defense act. The personnel was further reduced by appropriation acts until last year it had reached the minimum of 150,000 men. Now, in the interest of false economy, it is proposed in the present bill to reduce the number even further, although such a step is impossible without virtually nullifying the effectiveness of the national defense act.

The lessons learned in the late war are embodied in the defense act. Now it is proposed to forget these lessons, to turn our backs on all that was learned, and once more go back to the ill-conceived methods in use before 1917.

The missions of the Regular Army to-day are to teach the militia and the authorized reserves; to maintain what is known as overhead; to provide a mobile force available for duty here in this country or elsewhere in time of emergency; to guard the Mexican border; and to garrison our insular possessions.

The number needed for the purposes of instruction is roughly 8,000 enlisted men; for maintenance of overhead, 15,000 men; for our entire coast defense line, 8,000 men; for insular garrisons, 35,000; for duty at the Mexican border, 25,000; leaving for a mobile force only 59,000 men. We shall either have to abandon the well-thought-out plan which was made the law in the national defense act, get along with practically no mobile force at all, or appropriate enough to keep the Army's strength at 150,000, with 12,907 officers distributed as follows:

Distribution of active Regular Army officers, Feb. 28, 1922.

PART I.—FOR DUTIES INDEPENDENT OF ENLISTED STRENGTH OF REGULAR ARMY COMPONENT.

I. General administration and overhead:			
1. War Department General Staff			90
2. Offices, chiefs of branches			479
3. Civil, semimilitary, and military duties			319
4. Corps area staffs			415
5. Depots, arsenals, hospitals, and miscellaneous			1,071
Total			2,383
II. Service schools:	Staff and instructors.	Students.	
1. General service schools	81	365	446
2. Special service schools	645	1,283	1,928
3. United States Military Academy	179	----	179
4. Technical schools, etc	---	108	108
Total	905	1,756	2,661
III. Reserve forces:			
1. National Guard			208
2. Organized Reserves			247
3. Reserve Officers' Training Corps			654
4. Training centers			105
Total			1,214
Total for duties independent of enlisted strength			6,258

PART II.—FOR DUTY WITH REGULAR ARMY COMPONENT.

IV. Expeditionary force in United States:	
1. Active regular units	4,252
V. Coast defenses, United States:	
1. Coast Artillery officers	389
2. Air Service and staff officers	123
Total	512
VI. Insular garrisons:	
1. Philippines	675
2. Hawaii	450
3. Panama Canal Zone	325
4. Porto Rico	37
5. Germany	398
Total	1,885
Total for Regular Army component	6,649

SUMMARY.

Part I	6,258
Part II	6,649
Total	12,907

To reduce the personnel to 115,000 would, if we retain our plan, reduce this mobile force to less than 30,000 men, a force ridiculous for a nation having over 3,000,000 square miles of territory.

Mr. Chairman, there are in this country to-day over a million people, mostly aliens, who believe in overthrowing this Government by violence. The apostles of Lenin and Trotski, though not quite so noisy of late, are still at work. They frankly propose to organize what they term the proletariat to overthrow by force our existing Government. In Russia a mere handful succeeded with disastrous results in conquering by force a population nearly twice the size of ours. One machine gun properly handled will cow many hundred unarmed men. Not too long ago to be forgotten anarchists exploded a bomb in Wall Street and attempted to assassinate the Attorney General of the United States. But a few months since the miners of one section of the country, organized along military lines and well armed, marched across a State line in an attempt to unionize by force the miners of another region. Even with an Army of 150,000 these things happen. Under these circumstances is it safe to reduce our mobile force even from the point of view of internal trouble alone?

Since December, 1918, the enlisted personnel of the Navy has been reduced from 480,000 to 101,000 men, and we find that if the four-power and limitation of armaments treaties are ratified the ships allowed under those treaties will be undermanned if further reduction in enlisted men is permitted. It surely would be folly to keep our Navy at the maximum allowed under these treaties and at the same time fail to maintain its personnel at the figure most likely to give us a 100 per cent fighting force. If the plan for 96,000 men proposed by Secretary Denby is carried out, he estimates it will be possible to maintain efficiency and at the same time reduce the appropriations from $478,000,000 for this fiscal year to $350,000,000 for the next fiscal year, a saving of over $100,000,000.

I do not care to discuss at this time the merits of the acquisition of our insular possessions. However they may have come to us, they are ours for better or for worse. And having them and being unable to get rid of them if we wanted to, the burden is on us to afford them protection and the measure of protection which the experts of the Army and Navy deem necessary. They are a source of protection to continental United States if properly safeguarded. Especially is this so of the Hawaiian Islands, where it is essential to keep a garrison of at least 11,000 men.

Secretary Weeks, before the Appropriations Committee on February 20, 1922, in speaking of our insular possessions, testified:

> * * * I look on the Hawaiian Islands as the point from which the defense of the Pacific coast should be made; that any expenditure in the protection of the Hawaiian Islands saves a vast amount of preparation of the Pacific coast.

Speaking of these possessions further, he said:

> There is no reason to try to control these places unless we have enough men to protect the situation. There are 140,000 Japs in the Hawaiian Islands, almost half the population—forty-odd per cent. I do not know—

Of course, nobody knows—

> whether there will ever be any trouble from that source, but it would be the height of imprudence not to have a material military force there, in my opinion. * * * I think the Hawaiian Islands are of as much importance to the protection of our west coast, from Alaska to Panama, as the island of Malta has been for the past 200 years and until recently to the British Nation in the Mediterranean.

Secretary Weeks tells us that 25,000 men are needed all the time to patrol the Mexican border. Now, we do not want trouble with Mexico, either with the de facto government or with bands of roving revolutionists, bent on loot. But to prevent just such murders, loot, and arson as have taken place in the past along this border we owe the citizens of the United States, living in those States, in that section, absolute protection. That is what armies are for, and to protect its own is the first duty of a government. Perhaps we do not want to spend money to protect our own citizens on our own soil, but we have got to do it. Likewise, none of us likes to pay premiums on insurance, but for the protection of our loved ones we find it necessary.

Who can say when the next war will come? Is there a prophet among us who can name the day when wars will cease and who can say, "At last we shall have peace and no longer need armies and navies"? I am not an alarmist nor a militarist. I am not looking for trouble, but I do insist that we must not let our ideals for lasting and universal peace run away with our good judgment. As long as war is possible, prepared for it to the extent at least of having an efficient skeleton organization we must be, and in this preparation we must profit by the lessons our Army and Navy learned in the war and which are embodied in the recommendations of our military and naval experts. The comprehensive plan of national defense so capably prepared by them must be carried out, and to save a few millions of appropriations we must refuse to jeopardize the lives and property of our people. We know the need. May we have the patriotism to insist upon it. [Applause.]

Mr. SISSON. Mr. Chairman, I yield 30 minutes to the gentleman from Virginia [Mr. HARRISON].

Mr. HARRISON. Mr. Chairman and gentlemen of the committee, I can not begin the discussion of this bill without making my grateful acknowledgment to Mr. ANTHONY, the chairman of the subcommittee, who has had the bill in charge. For days, beginning at 10 o'clock in the morning and continuing until late in the evening, he has devoted all his energies to the drudgery of the investigations that this bill required. [Applause.] He has brought his knowledge of the Army, acquired from long service on the Military Affairs Committee, to aid him in making this investigation, and has been prompted solely by a desire to relieve the burdens of the taxpayers of this country without in any wise impairing the national defense. [Applause.] And I join with my colleague, the gentleman from Mississippi [Mr. SISSON], in paying tribute to my Republican associates on the subcommittee, who, with Mr. ANTHONY, have rendered patriotic, faithful, and diligent service in making the necessary inquiries.

My colleague and Democratic leader [Mr. SISSON], for years a member of the Appropriations Committee, has long earned a reputation for stern economy in the expenditure of public money, which he has exemplified throughout the hearing on this bill.

The question of most interest which arises on this bill is the size of the Army, but the underlying principle involved is not of prime importance. For some years a controversy was waged whether or not the defense of this country should be mainly in a large standing Army or in the training of our citizen soldiers. Secretary Garrison at one time advocated a Regular Army of 500,000 men, and Secretary Baker, backed by Gen. March, an Army of 576,000 men. But this House has stood firmly against all propositions looking to a great Military Establishment. [Applause.]

In 1916 the national defense act committed this country to the policy of a small Regular Army, the military training of civilians, and the development and organization of our State Militia into the National Guard. In the amended act of 1920 the same general principle was insisted upon. Jefferson years ago advocated the same principle. In speaking of military training for the citizens, he wrote Col. Monroe, afterwards President: "This was the case with the Greeks and Romans, and must be that of every free State. Where there is no oppression there will be no pauper hirelings. We must train and classify the whole of our male citizens and make military instruction a part of collegiate education. We can never be safe until this is done."

And so it has become the fixed policy of this country that we are not going to have a huge standing Army in order to defend the country, but will depend upon the units that comprise the citizen soldiers of the country.

The size of the Army is determined not as the main reliance of our defense but by the requirement for garrison, police, and training service. There may be a variety of opinion as to the proper size, but no great principle is involved. Last year the War Department insisted that an army of 150,000 meant national disaster. The House, however, only provided for this number, and the Army has been reduced below 150,000 and is now only 139,000, and yet the country has suffered none of the foretold evils. A few weeks ago the Secretary of War testified before a subcommittee that the irreducible minimum was 150,000. If the committee should fix a smaller number he predicted the foundation of the Republic would crumble. And yet only to-day I see in the press reports that Secretary Weeks himself says that the country can get along with an Army of 130,000 men.

So that in a few weeks' time the Secretary of War has changed his view as to what should be the irreducible minimum size of the Standing Army of this country by 20,000 men. I agree that there is an irreducible minimum and I think this bill has reached it. If we do not have a sufficient number for garrison, police, and training service the money we do appropriate is in great part wasted. But what constitutes that minimum is a matter of simple investigation and arithmetic. It involves no great questions of policy. We propose in this bill an Army of 115,000 enlisted men and 11,000 commissioned personnel. I do not believe we could safely go below those figures. But that there could be any possible danger of a national disaster in coming to those figures can not be shown or demonstrated, according to my view. On the contrary, it plainly appears that, so far as garrison and police service is concerned, if the announced purposes of the War Department are carried

out, we will have more men in this country than can possibly be required for such purposes. The men who will be brought home to this country from foreign services will place in continental America a larger permanent force than has ever existed.

The War Department has announced its purpose of bringing home from Germany 7,500 troops, and that 5,000 or 6,000 are to be brought from Hawaii, and that 4,000 or 5,000 troops or more will be brought from Panama, and 600 from China, and several thousand from the Philippines, so that we shall have in this country a stronger armed force than exists at present.

In passing, I regret to say that, under the rules of the House, the committee had to appropriate for the pay of the commissioned personnel according to the salaries fixed by the act of 1908. For my part, had I been free to do so, I would have been glad to have voted to continue the salaries now received by the Army officers. But the law fixing these salaries expires by limitation on June 30, 1922, and the salaries of 1908 automatically are reinstated. An appropriation committee can not consider matters of legislation, and we were perforce limited to the salaries fixed by law.

I understand the matter will be brought before the House by the proper committee. Owing to the advance in all matters affecting the cost of living, these salaries are grossly inadequate and unjust. This great and rich country should not subject the Army officer, who has charge of the defense of its wealth and prosperity, to the suffering, humiliation, and almost degradation of these wholly inadequate salaries.

But besides garrison and police service the Army furnishes the ready means for the instruction of the civilian reserve. The Army furnishes instructors in the schools and colleges, in the civilian training camps, in the Reserve Army Officers' Corps, and to the National Guard. The most important branch of the national defense is that furnished by the National Guard. The policy of the present bill to the National Guard is one of great importance. It should not be forgotten, however, that the National Guard organizations are State troops. Until taken into the service of the Federal Government they are not subject to Federal control. Each State provides for and controls its own National Guard. It is the national policy to aid in the training and development of the National Guard, but the National Guard is no part of the Army. Again, it should be remembered that the National Guards are civilians. They are men engaged in civilian life with military service only an incident.

The Army Staff has undertaken to organize the National Guard on a great national scale. The National Guard units can not organize to meet the requirement and needs of the State, but must organize to meet the requirements of this great national organization. A State may require a company of infantry, but it can not organize, if the Army Staff organization needs an ambulance corps. The result has been the organization of highly technical units for which the National Guard system is not adapted at any great expense to the National Treasury. Such units require the service of men who devote their whole time to the work. Thus, the National Guard has its units of infantry, its units of cavalry, its tank corps, its air service, its field artillery, organized on national lines into divisions, corps, and so forth. At present the strength of the National Guard is 142,000. Of these, 84,000 are infantry, 23,000 are field artillery, 4,446 are engineers. The air service is 607, the medical department 2,500, the antiair service 3,100, the cavalry 12,600, and the coast artillery 6,100.

The following table gives the respective cost of maintenance per man, which does not include the initial cost of $375 per man:

Cost of maintenance (exclusive of equipment) per year; and including armory drill pay, total camp expenses, animals and their forage and caretaking (animals only included for cavalry and horse-drawn artillery batteries), and general expenses.

Organization.	Strength.		Total cost.	Cost per man.
	Officers.	Enlisted men.		
Cavalry troop	3	96	$25,275.68	$256.32
Artillery battery (horse-drawn)	4	114	28,807.65	244.13
Artillery battery (motorized)	4	114	21,137.35	179.13
Infantry company	3	93	13,612.84	154.37
Medical detachment	5	30	6,961.80	198.88
Tank company	5	105	19,533.06	174.54
Ambulance company (animal-drawn)	2	50	7,539.22	139.88
Ambulance company (motor-drawn)	2	38	6,102.78	152.77
Air Service, observation squadron	25	90	60,000.00	
Signal company	6	150	22,967.21	147.22

The cost per man is $210 on the average, and the sum required to support the 142,000 men so organized is $30,000,000——

Mr. HULL. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. HULL. Is it the idea of the committee to have some of these technical units demobilized?

Mr. HARRISON. We leave that to the States. The National Government really has no control of the National Guard. They are State troops. But the question comes up whether we are willing to go into the Federal Treasury to support these expensive units, which we consider unduly expensive, in view of the fact that the National Guard is only a temporary force. By temporary, I mean essentially composed of civilians.

Mr. HULL. Will the gentleman yield further?

Mr. HARRISON. Yes.

Mr. HULL. On page 1304 of the hearings Gen. Rickards says he must have $30,000,000 to support the present National Guard.

Mr. HARRISON. I said so.

Mr. HULL. And you have appropriated only $20,000,000.

Mr. HARRISON. We appropriate $21,000,000, and give them $11,000,000 of supplies in addition. And in Gen. Rickards's estimate of $30,000,000 required for 142,000 men there is an estimate for the support and maintenance of 8,000 horses that are eating their heads off the whole year round when they are for the use of civilians occasionally given to military training. An Army trooper takes care of his own horse, but for the horse of a civilian trooper there must be a caretaker paid for out of the national purse.

Mr. HULL. But 8,000 horses do not cost $9,000,000, and you have not provided for the armory drill and summer maneuvers of the National Guard. You have demobilized them.

Mr. HARRISON. You will find that the expense of each character of service is given in the hearings, as before stated by me, and that for infantry drill and for the necessary tank corps and field artillery the cost is $154 a man, but when you come to the question of taking care of the cavalry it is over $256 a man.

Mr. HULL. According to the testimony you do not expect all of the National Guard to have summer maneuvers?

Mr. HARRISON. We expect the National Guard to be taken care of. We do not cut them out entirely. We appropriate for 4,000 horses and furnish their artillery and furnish their cavalry; but the testimony of Gen. Rickards himself is that 12,000 cavalry are entirely out of proportion to the 84,000 infantry. And why should this Government, when these men are out for a few days' parade service each year, maintain the horses and caretakers for all the months that these men are not in the military service?

Mr. HULL. Then the committee must intend to demobilize some of these cavalry and artillery units?

Mr. HARRISON. We are not going to demobilize them. That is up to the States.

Mr. HULL. It is up to the Militia Bureau, and they must be guided by the appropriation made by Congress.

Mr. HARRISON. The States can demobilize them. They are State troops. We expect to keep within reasonable appropriations to make them effective if the Federal Government should ever need them; but certainly it is not in the interest of economy for the National Government to take charge of these National Guards and maintain the necessary equipment during the months that they are not in the military service.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. FAIRFIELD. I am very much interested in the gentleman's discussion of this thing, and I would like to know, if the National Guard were disbanded and not considered an arm of the national defense, whether the 115,000 men in the Regular Army would be considered sufficient for the defense of the country?

Mr. HARRISON. The National Guard is of the greatest importance; but we can not enlist men in the National Guard. That is a matter that is done entirely by the States. They are merely supplementary adjuncts to the Regular Army, and as such citizen soldiery must be trained. That is the only possible excuse for this Government taking care of them.

Mr. FAIRFIELD. Are they considered a worthy adjunct of the national defense?

Mr. HARRISON. Oh, splendid, fine; but if you organize them into a regular army you might as well ask that they be put into the Regular Army.

Mr. FAIRFIELD. Does the gentleman mean to say that we had better increase the Regular Army and disband the National Guard?

Mr. HARRISON. We do not disband them. As I say, it is a matter for the States.

Mr. FAIRFIELD. It amounts to the same thing if you do not appropriate for them.

Mr. HARRISON. I say, as I said in the beginning, that I believe the surest and best national defense is the National Guard, and I believe we ought to encourage the National Guard organization in every way, and furnish them the necessary drill; but there are certain expensive technical units in that National Guard that can well be left to the States more economically to be taken care of than by national appropriations.

Mr. FAIRFIELD. I am very glad to have the gentleman make the statement that he believes the National Guard to be a valuable arm of defense, because I had a misconception of his opinion from his statement that the National Guard is only temporary.

Mr. HARRISON. They are not soldiers. They are citizens and business men. They have other daily occupations. But under the Army Staff regulations the cost is unreasonably increased by highly technical and expensive units not adapted to such a system.

Mr. HULL. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. HULL. Do the committee intend to encourage the National Guard to continue to develop?

Mr. HARRISON. We do.

Mr. HULL. Gen. Rickards, on page 1305, says that $30,000,000 will support the present National Guard and allow of no further development. You have given them an appropriation of $20,000,000 and then you say that you are encouraging the National Guard. Now how are you going to pay the National Guard?

Mr. HARRISON. If we should encourage the National Guard in accordance with the methods recommended by Gen. Rickards, we would have to increase the appropriations, as he himself stated, to $48,000,000. He says that $30,000,000 only keeps up the National Guard to what it is now. I again repeat what I have just stated, the cost of the National Guard is unduly swollen by attempting its organization into expensive and technical units.

Mr. HULL. You made a cut of $10,000,000.

Mr. HARRISON. The appropriation for 1921 gave them uniform supplies, and it was charged to the appropriation other than the Regular Army supplies. But we give them supplies estimated at $11,000,000, which are not charged against their appropriation.

Mr. HUDSPETH. Will the gentleman yield for a short question?

Mr. HARRISON. I will.

Mr. HUDSPETH. What is the difference between the appropriations in this bill and the last or current appropriation?

Mr. HARRISON. When the last appropriation was made we did not have as many troops, and this is in excess of last year. I do not remember the exact amount.

Mr. HULL. I think the gentleman is mistaken.

Mr. HARRISON. I may be, but I think the National Guard is increased in numbers to 142,000, and last year I do not think we had more than 100,000. That is my recollection. Now, the average cost per man in the National Guard is $210 a year, without his equipment, and that is something about $375. So that we have appropriated for about the same amount that is asked for, $30,000,000, and we have provided that $21,000,000 of it shall be in money and the rest of it shall be in supplies from the surplus stores of the Army. Why should we go out and buy supplies which the Army already has? We furnish them support in the way of supplies rather than in the way of actual appropriation. I believe if the gentlemen of this committee will investigate, they will find that the appropriations in this bill will amply take care of the National Guard, because that was the desire of every member of this subcommittee, that they should be taken care of and amply taken care of. But why support 11,000 or 12,000 horses and these caretakers of the horses, which is an additional expense attached to the motorized field artillery, as it is called? All this additional amount and expense will naturally attach to this expensive unit when that matter can be more readily and economically left to the State.

Mr. SMITH of Michigan. How many are there in the National Guard?

Mr. HARRISON. One hundred and forty-two thousand, of which 12,000 are cavalry.

Mr. SMITH of Michigan. The horses of the cavalry unit belong to the Government.

Mr. HARRISON. Yes; and they ask for 8,000 horses; they want 3,000 additional. We have provided in this bill for 4,000 horses which will take care of the units as they are now.

Mr. SMITH of Michigan. It is the policy of the Government to encourage the National Guard, is it not?

Mr. HARRISON. Yes; and all the way through we have endeavored to do it.

Mr. McKENZIE. Will the gentleman yield?

Mr. HARRISON. Certainly.

Mr. McKENZIE. I think I agree to a large extent with the gentleman from Virginia in connection with the National Guard organization. But I want to ask this question, if he does not believe that when the Appropriation Committee undertakes to prescribe how the National Guard shall be organized by limitation, it is indirectly seeking to do what should be the province of the standing committee of the House, and that if that course is pursued by the Committee on Appropriations, what becomes of the other committee of the House?

Mr. HARRISON. If that was the case, the provision would be subject to a point of order, but we have kept within the limitation of the rules of the House by not making appropriations not within the jurisdiction of the committee.

Mr. HULL. Will the gentleman yield?

Mr. HARRISON. I will.

Mr. HULL. A short time ago in answer to a question by the gentleman from Texas [Mr. HUDSPETH] the gentleman from Virginia said that the committee had increased the appropriation for the National Guard. I call the gentleman's particular attention to the fact that the committee has decreased it $4,400,000 and they have got 50,000 more to provide for.

Mr. HARRISON. I called the gentleman's attention to the fact that that was in money, that by making the appropriation in money and the balance in supplies we have increased the appropriation. Now, Mr. Chairman, my time is expiring and I want to say a few words on the other side. Under the present bill the enlisted strength of the Army is about what was its prewar strength. Indeed, with the additional units, such as air, tank, machine gun, which the war has made essential, the enlisted strength of the present bill is virtually less than prewar strength. It would be, in my opinion, however, a national calamity to permit the Army to drift back to prewar conditions. When the war broke out this country was woefully unprepared. We had only about 5,000 commissioned personnel, and it had to meet the exigencies of an Army of 4,000,000 men suddenly called to the colors. We barely had the necessary officers to drill the young men who were selected as emergency officers. Our splendidly educated officers, qualified for military service to take charge of the Army in time of battle, had to devote themselves to military drilling. Now, if we cut down the commissioned personnel you are coming dangerously near having the same conditions again. We do reduce the commissioned personnel 2,000, but that was necessary, in my judgment, in order to procure proper ratio between the different grades of officers. We have an Army of 139,000 men without a second lieutenant in it. We have colonels for an Army of 280,000, lieutenant colonels, majors, and captains, but when it comes to the essential officers to take charge of the line, the second lieutenants, we have actually no second lieutenants. Perhaps there may be 20. We should have all the second lieutenants the Army requires, and this perhaps is just as essential as having all the colonels an Army of 280,000 requires. The Secretary of War says that the law required the keeping of the colonels, and so forth, to the full authorized complement. If such is the case we correct it by changing the application of the money appropriated. The cut in the Army personnel is sufficient to make the proper correction.

We furnish officers to train in the schools and colleges, in Reserve Officers' Training Corps, in the civilian training camps, in the National Guard. All strictly in the line of suggestion of Thomas Jefferson.

If war comes we should have officers to meet the necessary expansion. Never again should we have to make drillmasters of our highly trained officers and send our raw recruits into battle under inexperienced and ill-trained officers which the emergency required. It is hard to estimate the loss of young American manhood due to the exigencies which our unpreparedness in the Great War entailed. We should never forget the lesson that the war calamity taught us. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRISON. I ask unanmous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. SISSON. Mr. Chairman, I yield to the gentleman from Missouri [Mr. HAWES].

Mr. HAWES. Mr. Chairman, the American public, the American Legion, and the American Government are united in the opinion that the dependents of the soldier and the disabled and sick soldier shall have the best and most generous treatment that a grateful public can give.

For these there must be no limit in our appreciation. We can not pay our obligation in dollars alone. To Government aid must be added sympathetic and personal interest, the word of cheer, and entertainment.

Our provision for this class of our soldiers will be extended very largely; but there is another class which is not covered by the present law.

The report of the Director of the Veterans' Bureau, under date of March 1, 1922, shows 332,113 claims for compensation have been disallowed.

These claims are divided into two classes: First, claims for compensation due to disability numbering 230,758, and, second, claims for compensation due to the death of the ex-service men numbering 101,355.

In the first class claims were disallowed because in the main the soldier could not prove to the satisfaction of the bureau that his disability was the result of his service.

In a majority of these cases the bureau admits the man is disabled but decides that it is powerless under the law to recognize the disability as being of service origin because sufficient proof has not been submitted.

The second class is for compensation caused by the death of the ex-service man, for which applications are filed by the widows and dependent parents.

This class of claims has been denied because sufficient proof has not been filed to convince the bureau that the death was due to a disease or injury received while a member of the military or naval forces.

I am handling many hundreds of these claims. One of my secretaries devotes practically his whole time to such matters; and in many cases I can not agree with the findings of the bureau, and it is my custom to exhaust every means to procure a settlement before finally yielding to the decision of the bureau.

When we consider the veterans of the Indian wars, the Mexican War, the Civil War, and the Spanish War and the allowances made for pensions for widows and service pensions, amounting to $250,000,000.00 annually, it is but common justice to push with all energy the claims of the widows and dependents of the last war.

So in considering this new matter we find: Those who are clearly classified under the Veterans' Bureau; those who will come under the new adjusted compensation law when passed; but still a third class, which is already represented by 332,113 claims, which is not covered by any law.

The bill under consideration was intended to give to the ex-service man of the World War who does not come under the above classes an adjusted compensation, sometimes called a bonus.

Of the 4,500,000 ex-service men, approximately 1,000,000 presented a bill to Congress or expressed a desire which culminated in the preparation of a bill containing five elements:

First. A cash compensation;
Second. Paid-up insurance;
Third. Vocational training;
Fourth. Farm or home aid; and
Fifth. Land-settlement aid.

The bill approved by the American Legion is not the one now submitted by the Ways and Means Committee of the House.

Plan number one, submitted by the American Legion, which was variously estimated would be selected by from 75 to 95 per cent of the ex-soldiers, has been abandoned by the committee. Therefore it can not be said by anyone that the American Legion or its various post commanderies have indorsed the bill now under consideration. In fact, unless they have received a copy of the bill within the last few days, they have not even read it, and there has been no opportunity for indorsement.

The bill is opposed by the President, the Secretary of the Treasury, the comptroller, and is not approved by the Governor of the Federal Reserve Board. It has so far not received the indorsement of a single high official.

Wherever the taxpayer has been heard from, it has been in opposition to the bill, and, unless the executive officers of the American Legion will personally assume the responsibility for indorsement of this new measure, it has been reported in opposition to the wishes of all the executive officers of the Government, of the taxpayer, and not in accordance with the desires of the American Legion.

An attempt will be made to present it under a rule which prohibits amendment and will limit debate to 20 minutes favorable discussion and 20 minutes opposition, when the bill itself could not even be read in a leisurely manner in 20 minutes.

The bill will pass the House, because it is the only bill presented for its consideration and because under the rule it can not be amended or changed.

Members are limited to a vote of approval or disapproval without opportunity for explanation or chance to amend in conformity with the wishes of what might be the majority of the House.

If President Harding does not change his express declaration he will veto the bill, unless it is radically changed in the Senate, the financial adviser of the Government, the Secretary of the Treasury, and the Comptroller of Currency selected by him having both opposed it.

The impression may be temporarily created, for primary and election purposes, that the bill is to become a law, but there are few in the House who believe it will be passed in its present form by the Senate and that if it is passed it will receive the approval of the President.

It is equally certain that if the President does veto the bill, the House can not muster the necessary two-thirds vote to pass it over his veto; so that one of two things are quite obvious:

Either the President must back up and yield to the House, or the House must back up and yield to the President.

In the meantime the country is left in uncertainty and the wishes of the American Legion are made a football to be passed between the executive and legislative branches of our Government.

The subject naturally falls, in the matter of interest, into three subdivisions—the soldier, the taxpayer, and the Government—and I shall attempt to give the reasons why the bill will be unsatisfactory to all three.

THE SOLDIER.

The bill on its face proposes to pay for adjusted overseas service $1.25 a day, with a maximum limitation of $625; to pay for adjusted home service $1 a day, with a maximum of $500.

This looks good on its face, but the soldier, having computed his number of days' service and examined the benefits provided, will find that—

1. Only those men whose total compensation is $50 or less will receive cash. This means that the men who served the shortest time, had the least service, and made the fewest sacrifices will be the first paid, and the only ones who will be paid in full in cash.

2. The veteran, then, has his choice, and only one choice, of five different methods of payment: The first a 20-year insurance policy, payable in 1942, with a borrowing value of 50 per cent of its total if presented before September, 1925. If the veteran borrows and fails to pay back the loan, it will be forwarded by the bank to the Government and the balance will be held for him or his heirs for 20 years, or until the year 1942.

If he desires to borrow he must, under a plan yet to be devised by the Secretary of the Navy and the Secretary of War, make his note for 50 per cent of the amount due him, present it to some bank or trust company, be properly identified, present his note accompanied by his certificate, and then, if the bank desires to loan him the money (a matter which is entirely optional with the bank) he may, after identification and the presentation of his personal promissory note and the Government's certificate, borrow 50 per cent of his insurance policy. For this he must pay the then rate of interest charged on commercial paper, the only limitation being that the rate of interest shall not exceed by 2 per cent the rate of commercial paper on that date.

Of course, 10 different schemes will be devised, by way of commission for the inducement of expediting payment, to make this interest any amount which the institution or "go-between" may determine.

It is estimated that the average value of the paid-up insurance will be $325. This would give it a loan value of 50 per cent, or $162.50.

It must not be understood that each veteran will receive this amount. Approximately one-half of the amounts paid will be less than this, varying from $162.50 down to the $50, which amount and below which amount will be paid in cash.

This insurance feature will be accompanied by conditions, exceptions, bookkeeping, red tape, affidavits, and so forth, which will keep a small army of clerks busy for 20 years.

The recording, correcting, marking of changes of residence, keeping a record of the different amounts of loans, the differ-

ent interest of each loan, the payment and nonpayment of loans, and continuing this record for 20 years, with records of deaths in the interim, will require an immense bureau and prove of tremendous expense.

Instead of the Government paying in cash, by one transaction, direct to the soldier, the banks of the country will, through patriotic motives, be compelled to advance this money. It will take from circulation and "freeze" at least $300,000,000 of the banks' assets for a period of three years, withdrawing just this amount of available money and credit from the use of the farmer, the merchant, the manufacturer, and the business man generally, creating a higher rate of interest and adding to the difficulties of a national financial situation which has now begun to adjust itself.

This method of payment will be the one, in my opinion, which will be asked for by 85 per cent of our soldiers, will be troublesome and harassing to the soldier, embarrassing and annoying to the bank, increase the general interest rate of borrowers throughout the United States, and place on the Federal Government an extensive and enlarged bookkeeping and accounting system. It will be objectionable to the soldier, injurious to the banks, and expensive for the Government.

But a very small per cent of veterans will accept vocational training, and how any man can be expected under the farm or home aid to be tempted by that proposition is beyond my comprehension.

The limited amount of money which he will draw will hardly permit him to pay for a team of Missouri mules. He could not buy a house, put a fence around his few acres of land, dig a well, or buy farm implements; nor would it permit him to have enough money to carry him through the period in which his crops were growing.

The last proposition of land settlement aid will have no attraction whatever for any ex-service man in my district.

Public lands have been "picked over" for 100 years, and what is left in the Western States is either mountainous, arid, or unfit for cultivation, and at best could be used only for grazing purposes. Grazing requires a large acreage and a large investment in cattle and equipment.

It would take nearly all of the average man's bonus to travel from the Eastern or Central States to the point of destination and take his family with him.

It would never be successful excepting by a large movement of population, which would involve the breaking of home ties and a leap in the dark for many a poor fellow who feels the call of land.

If we had suitable public lands at a low price for actual settlers, this last proposition might be practical for a very small per cent of ex-service men.

If either of the land options are considered in large numbers, it will mean the creation of a national board and expensive machinery to supervise, direct, and control improvements, and will necessarily result in clouded titles, lawsuits, and irritation, which will take not only all profits but all the joy out of life in attempting such a venture.

I am satisfied that none of the ex-service men in my district would consider anything but cash, possibly a few the vocational training.

If the ex-service man needs anything it is cash money to tide him over the necessities of the hour, to purchase such things as his fancy or his necessities dictate. He will want to use his own judgment as to expenditures and not have the dictation of the Government as to how his money shall be spent.

When he finds that he is not to receive cash but only security which can be used with a limited borrowing value, and that this security is nonnegotiable, the ex-service men will not be satisfied. He will be disgruntled, irritated, and angry.

The whole Government machinery necessary for such a loan is complicated, will occasion long delays, frequent trips to a bank, accompanied by witnesses—and possibly the banks will require affidavits—and all supervised by a costly system of inspection and Government red tape.

It is, of course, possible during the coming primaries and election to describe in glowing terms this supposedly generous conduct of the Government, but when the ex-service man actually attempts to make his collection and finds that he has been treated as a ward of the Government, intrusted with but 50 per cent of his money, and that under complicated conditions for its use, and the balance held for 20 years, he will not feel grateful.

If the Government intends to do this thing, why can it not be done gratefully, graciously, and honestly?

There is a possibility that some votes may be influenced in the year 1922, but it is quite certain that there will be a strong reaction and resentment in the year 1924, so that possibly the President may be right in two ways: First, politically; and second, in his consideration of the welfare of the soldier and the welfare of the taxpayer.

THE TAXPAYER.

Turning from the deceit practiced upon the soldier, let us give some consideration to the taxpayer.

The taxpayer I mean is the citizen who stayed at home and paid and gave with hearty good will—the men and women who fully did their "bit."

The taxpayer who in his way did his best even as the service man did his best.

This Congress has not pointed out the way to reach the war profiteer, and he will not have my sympathy nor the sympathy of the average taxpayer if he is reached, because none will have a kind word or lift a protecting hand for the man who made money out of misfortune while they gave "until it hurt" and the soldier risked his life.

The taxpayers to whom I refer are the men and women who subscribed to the Red Cross, the Knights of Columbus, the Salvation Army, the Y. M. C. A.—to everything that could be suggested; who bought Liberty bonds until their savings accounts were exhausted and saw them go down 15 points, and in many cases were forced to sell at a loss; citizens whose businesses were disorganized, whose savings accounts disappeared, whose professions were neglected.

Citizens who could not borrow upon their real estate; who could not borrow money from the banks except at ruinous interest; whose business was restricted and controlled by the Government, while raw materials went to Europe, sending up the prices at home.

Some of the best assistants of these taxpayers were drafted, disorganizing the force upon the farm, in the factory, in the office, and in every vocation in life.

The men and women at home did their part and made their sacrifices. Their efforts may be soon forgotten while our boys who wore the uniform have received the praise, the glory, and the public applause.

Let us be fair with this great army of men and women who stayed at home and did their "bit"; who put clothes on the backs, food in the stomachs, and guns in the hands of the men who served; to the women who knit socks, rolled bandages, planted war gardens, and made war bread.

We must not forget the men who served upon the draft and returning boards, laid aside their businesses and professions at great financial sacrifice.

We must not forget the Four-Minute speakers who warmed the blood and kept the fighting and sacrificing spirit alive.

We must not forget the actors, actresses, singers, and entertainers who laid aside engagements paying large sums of money to give the best they had to stir the public and cheer our men.

We must not forget that small army of teachers of conservation, thrift, and domestic economy, who made the household save so that food and clothing could go faster to the fighters.

We can not forget the prayers in the churches, the sleepless nights, the sad hearts, the long lines watching the bulletin boards, the agony of suspense, the vacant chair at home, the reduced income, the added expense.

While there was glory in the Army, there was a quiet glory at home that came with sacrifice not so conspicuous, but almost as great as those who went to the front.

Military morale is dependent largely upon civil morale, and the civil morale of our Nation was perfect.

We must remember that when the German civil morale broke German military morale gave way, and the men and women who stayed at home and preserved our civil morale should be considered in the afterwar settlement.

Some of these things will fill fine pages of our history and, dividing somewhat the credit of our soldiers and sailors, they secured the respect of the world; and this respect for the United States at home in civil conduct, added to the renown won by our soldiers abroad, will be the best guaranty against future wars.

These taxpayers at home gave our boys better food and clothes than any other nation.

While England paid her soldiers $11.40 a month; France, $1.50; Japan, $1.78; Italy, $1.58; we paid our boys for overseas $33, and for home service $30.

While England allowed for total permanent disability $376.48, Canada $540, France $314, Italy $55.44, we gave $1,200.

In addition to the $60 given each soldier and sailor upon his discharge, amounting to $256,239,900, we assumed an insurance liability—exclusive of premiums paid by soldiers—of $860,154,495.65.

We had a casualty list of 205,000 men; England, 1,400,000; and France, 1,800,000. Actually on the front we had 2,805,000 men; England, 9,000,000; France, 9,500,000.

And yet the taxpayer at home paid for soldier benefits more money than the combined expenditures of both France and England, despite the fact that the combined casualties of these countries was fifteen times greater than our own.

The taxpayers are paying in cash every day $1,000,000 for ex-service men and their dependents.

The hospitalization bill is $78,000,000 a year; vocational training, $180,000,000. We have allowed 388,069 compensation claims, amounting to $310,969,181, and have not completed the work.

We have allowed 148,000 insurance claims, amounting to $1,321,673,335, of which $297,627,510 has been disbursed.

The "stay-at-homes" created for the purposes of the war a national bonded indebtedness of $23,000,000,000, of which we must pay $6,000,000,000 within 15 months. The annual interest on these bonds is $1,000,000,000, and it is estimated that now each family carries an additional war burden of $1,000.

The taxpayer does not complain of these expenditures, nor will the voice of a single decent man or woman be raised against an extension or increased cost for sick, disabled, or dependents.

But these taxpayers are entitled to know how much money adjusted compensation will cost, who will pay it, and when it will be paid.

They should know, so they may adjust themselves to the duty of meeting the expenditure when it comes. In other words, they must be thought of at the same time we are thinking of the ex-service man.

We have been discussing the national effort to do the right thing by the right-thinking taxpayer through the National Government.

STATE TAXPAYER.

Some mention must be made and credit given to the taxpayer's contribution through the State.

The general tax rate in nearly every State in the Union has increased, and, in addition, 24 States have voted bonuses amounting to $360,539,200 to be given to our service men.

In addition to these direct bonuses, many States have given exemptions and benefits of various kinds. Some give civil preference to veterans, certain exemptions from taxation, special aid to education, assistance in buying homes, and legislative assistance in procuring employment.

All of this was supplemented by thousands of volunteers who supported private organizations designed to help.

This is a fine record of the State taxpayer which will even yet be improved upon.

We must remember that the taxpayers in these 24 States will, in addition to the $360,539,200 voted by them, pay their full share of the national expense equally with the 24 States which have not contributed directly to the ex-service man.

The soldier paid the highest price for the war in risk and sacrifice, but we must not forget or belittle the sacrifices and the price paid by the taxpayer who did his work at home.

There were shirkers and "slackers" in the Army and there were shirkers and "slackers" at home. These are known in their respective communities, and will each receive the severest punishment possible; that is, the contempt of neighbors and associates.

I have been speaking of the 95 per cent of our men and women who did the fine, square thing both in the Army, the Navy, and at home.

THE GOVERNMENT.

There are three phases of war, all part of the whole—the preparation, the conflict, and the return to peace.

We went through the period of preparation with speed and efficiency. We carried to the conflict soldiers that amazed Europe with their courage, individuality, resourcefulness, and strength.

Instead of wasting time in exchange of diplomatic notes, if we had settled the war in the way of Grant and Lee, in the old-fashioned chivalrous way, the return to normal would have been accomplished, our Government would have known where it stood, trade and friendly relations with the enemy would have been restored, foreign exchange would have been adjusted, and business would now be proceeding with some degree of certainty.

When our soldiers were demobilized, instead of giving them $60—which would hardly get them back home with a new civilian outfit—we should have been more generous, as generosity at that time was needed most, and the failure to be liberal then is the basis for an adjusted compensation for those men who have suffered through loss of business and loss of occupation by reason of their service.

To-day, having passed through the preparation and the conflict, our National Government is faced with tremendous difficulties.

This period of readjustment and return to the normal will require upon the part of our officials the same courage, the same determination, and the same clearness which was required to take us through the other periods of the war.

If this is lacking there will be delays, uncertainties, wasted money, and "normalcy" will be a long way off.

The Government does not know where the money is coming from to pay its present bills. It does not know what real value can be attached to its $10,000,000,000 loaned to our allies—whether it will be paid even in part, or when, or even if the interest will be paid.

It has not cleared away the useless ships and war materials.

It can only guess the amount of its annual income.

The year's return from income taxes are not complete. What they will bring no man knows; but it can be reasonably surmised that they will be far less than they were for the year 1921.

We have only a temporary tariff tax; even the question of valuation has not been settled.

Internal-revenue taxes have been practically wiped out, and the cost of prohibition enforcement is running into startling figures.

In the meantime, in order to curtail and make Government expense balance with Government income, appropriations for rivers and harbors have been reduced.

The Army is being reduced and thousands of men will be out of employment.

The Navy is being reduced and thousands more will have no work.

Thousands of shipbuilding employees were discharged overnight without notice.

The appropriation for national highways has been cut. National irrigation and drainage programs have been suspended. Eighteen billions in railroad properties are facing readjustment or bankruptcy.

Not one of the great domestic problems has been settled.

The farmer is dissatisfied and uncertain of his future.

Four million men are idle, factories are closed, strikes threatened, a coal shortage predicted, banks crowded with "frozen" paper, and no man is certain of his industrial future.

We have a national war debt of $23,000,000,000 and each family is $1,000 poorer.

Sixteen billions of nontaxable bonds have been withdrawn as a source of Government revenue.

The people of the United States selected Mr. Harding for President and to him was given the control of the executive branches of the Government. He called to his assistance Mr. Mellon, an experienced financier and banker. He called to his assistance as Comptroller of the Currency a man of high repute and experience, Mr. Crissinger.

These three men, upon whose shoulders will ultimately rest the failure or success of our financial policy, have unanimously recommended that Congress shall provide the revenue for $1,200,000,000 to be paid by January 1, 1926, and a total of approximately $3,500,000,000 to be met in 1942, knowing that about the same time we will have to take up and cancel $11,000,000,000 in Liberty bonds.

If banks must refuse their regular customers or refuse the soldier, it is an embarrassment which should not be placed upon them.

If business can not borrow it will break and all classes will suffer.

The comptroller tells us that banks are carrying paper now long overdue in order to preserve financial stability in the country.

There are signs of returning prosperity.

Are we justified in endangering or destroying this pleasing prospect, especially if we do so over the protest and against the advice of the President of the United States, the Treasurer of the United States, and the Comptroller of the United States, who have charge of our financial system?

CONCLUSION.

We can not separate our 4,500,000 soldiers from the rest of our 100,000,000 citizens. An injury to one is an injury to all.

This bill will not satisfy the soldier. It will not fool the taxpayer. It will not improve a critical national situation.

The passage of this particular bill means delay for the soldier, uncertainty for the taxpayer, and confusion in national administration. [Applause.]

Mr. ANTHONY. Mr. Chairman, I yield 30 minutes to the gentleman from California [Mr. KAHN]. [Applause.]

Mr. MILLER. Mr. Chairman, I am sure many Members of the House would like to hear the gentleman from California, he being certainly the best and closest student of military affairs in this body, and I therefore raise the point of a quorum being present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and eleven gentlemen are present, a quorum.

Mr. KAHN. Mr. Chairman, history always repeats itself. Let me read you an extract from Hazlitt's "Life of Napoleon."

> The first consul had hoped for the duration of peace. He had, indeed, been so little apprehensive of a recurrence to a state of hostility that he had granted an unlimited leave of absence to every French soldier. * * * and the Infantry regiments were nearly reduced to skeletons. The Cavalry in like manner had been suffered to dwindle away to almost nothing. The parks of artillery and field equipages were broken up. Every other consideration had given way to economy.

That is an extract from Hazlitt's "Life of Napoleon," and this occurred when Napoleon came back from Egypt and proclaimed himself first consul. It was December, 1799. In three years came that terrific war with England, and the French armies became larger than ever. The French commanders realized what a mistake had been made by discharging the men of the army and letting them return to their homes whether they were required or not. They realized what a mistake had been made in the name of "economy." I merely cite that instance as showing what was done over 100 years ago and what this committee of this House is trying to do practically 125 years later.

The prime mission of the Regular Army as fixed by the amendment of the national defense act, approved June 4, 1920, and as recognized by Congress in its appropriation act for the Army, approved June 30, 1921, may be summarized as follows:

To provide for the Regular Army.
To provide for the National Guard.
To provide for the Organized Reserves.
To provide for the reserve officers' training camps.
To provide for citizens' training camps.
To provide for our garrisons in peace and war for our overseas possessions.

Lately it has seemed to become profitable on the part of a good many of the men in Congress to insist on cutting down the allowances for our Army and Navy. Economy is the watchword of a good many legislators. But let me call the attention of the House to the fact that false economy is the poorest kind of economy.

Prior to our entrance into the World War our national debt was only about $1,000,000,000. By reason of our lack of preparedness we were compelled to expend during the 19 months we were in the World War the startling sum of $24,000,000,000. The generations to come after us will groan under the burden of paying the taxes to meet the cost of that World War.

But what had the country done in the years immediately prior to the World War to try to build up our Army? The national defense act was signed by President Wilson on June 4, 1916. It passed the House by a vote of 403 to 2.

Almost every Republican in the House stood with the Democratic President to build up a proper force for these United States, and I commend the actions of the Republicans in that Congress.

Mr. SMITH of Michigan. Will the gentleman give the date again?

Mr. KAHN. That was 1916.

Mr. SMITH of Michigan. What month?

Mr. KAHN. It was March 23, 1916. The page in the CONGRESSIONAL RECORD is 4731.

Republicans and Democrats joined in passing the measure through the House. It was believed that this measure was a great step in advance of anything that the United States Congress had ever written upon the statute books regarding a military force. Under this act there was provided a force for the line of the Army of 175,000 men. In addition to that, the Staff Corps attached to the Quartermaster, Medical, and Signal Corps aggregated 43,000 men. There were also unassigned recruits and Philippine Scouts totaling 21,000 men. In other words, that act of June 3, 1916, aggregated a total of 239,000 men.

And then we were at peace with the world. We had not joined the World War, we had no war with anybody, and yet we decided to provide for a peace army.

Mr. ROGERS. I desire to ask the gentleman if that figure included officers as well as men?

Mr. KAHN. No; they were enlisted men. In those years the membership of this House was trying to help the President of the United States to bring forth an army that would meet any possible emergency. The splendid manner in which both sides stood together on that matter ought to be a lesson to the Committee on Appropriations of this House at this time. [Applause.]

But the measure also provided that there should be an increase, in five annual increments, to the enlisted force. The first annual increment which was added to our Army consisted of 26,000 enlisted men. In April, 1917, the President exercised his authority under the law and authorized the enlistment of the four remaining increments. As volunteering was not rapid, the increase was slow. So that we entered the World War with about 155,000 enlisted men in our Regular Army and with an additional 84,000 authorized by the law but not yet recruited. Within a few weeks of the declaration of war the Army was recruited to full strength of 239,000.

Now, it is the purpose of the members of the Appropriations Committee to reduce the force to 115,000 enlisted men and 11,000 officers. This is a much lower number than we have had since the end of April, 1917. In my opinion it is altogether too drastic a cut at this time.

It might be interesting to call to the attention of the House what other countries of the world who participated in the Conference on the Limitation of Armament held in Washington expended on their armies per capita during the years 1920–21.

The British Empire, exclusive of its dependencies, with 45,516,000 population, expended $562,123,000, or $12.35 per capita.

The Republic of France, with 41,476,000 population, expended in the same year $933,927,000, or $22.52 per capita.

Italy, with a population of 36,740,000, expended $246,081,200, or $6.70 per capita.

Japan, with 55,961,000 population, expended $189,082,900, or $3.38 per capita.

While the United States, with a total population of 106,418,000, expended $343,155,303, or $3.22 per capita.

These figures show that we are exceedingly mindful of the welfare of our people in keeping down military costs and expenditures.

So much below all the other nations is the United States that it is ridiculous to attempt to cut down the force of this country at this time, when there is still a great deal of world unrest in the different parts of the universe. It might be attempted in a few years from now, when we get back to normalcy, but we are not back to normalcy yet. Our country has made every effort to bring about conditions of absolute peace everywhere, but take the case of China. The bill which is before us contemplates withdrawing 600 troops from China. I have here a letter from the Secretary of State on that very proposition. In China there is a serious civil war progressing. The south and the north have armies in the field against each other. The southern army is gradually moving toward Peking. We do not know but that another condition may arise in China that may require the presence of our troops in large numbers to protect the rights of our representatives. This is what Secretary Hughes said. It is addressed to me and is as follows:

> DEPARTMENT OF STATE,
> *March 15, 1922.*
>
> The Hon. JULIUS KAHN,
> *Chairman Military Affairs Committee,*
> *House of Representatives.*
>
> SIR: With reference to your conversation of to-day over the telephone with the Far Eastern Division of this department, I have the honor to state that the right to station troops at Tientsin, China, and along the line of the railway which connects Peking with the sea was conceded to the United States and to certain of the European powers by the final protocol for the settlement of the disturbances in China of 1900, which was signed September 7, 1901.
>
> During the Chinese revolution of 1911 and 1912 the powers who were party to the protocol of 1901, including the United States, considered that the disturbed conditions then prevailing in the neighborhood of Peking necessitated the stationing of troops at Tientsin and at other places along the railway between Tientsin and Peking, for the purpose of maintaining open communication between the capital of China and the sea. In recognition of its obligation in this connection the United States dispatched to Tientsin a number of troops, which in 1921 numbered 62 officers and 1,469 enlisted men. During the summer of 1921, the Secretary of War raised the question as to whether this number of troops might be entirely withdrawn or reduced, and on July 9, 1921, the State Department informed the Secretary of War that it did not favor the entire withdrawal of these men, because an action might result in unsettling the situation then prevailing.
>
> The department expressed itself, however, as being agreeable to a reduction of 50 per cent. The Department of State now understands that a reduction of 50 per cent was effected last fall. The conditions prevailing on July 9, 1921, have not changed, and the department still believes that it would be inexpedient at the present time to effect any radical change in the present arrangement.
>
> I have the honor to be, sir,
> Your obedient servant, CHARLES E. HUGHES.

That is the sentiment of the Secretary of State regarding the withdrawal of troops from China.

Mr. Chairman, based on the national wealth of all the countries, including their dependencies, this showing which I am about to make is even more favorable than it was on the former statement I made a few minutes ago.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. KAHN. I can not yield now. I have just half an hour, and I want to finish this.

The United States has a national wealth of $350,000,000,000. The amount for our Army was $343,155,303, or ten one-hundredths of 1 per cent of the national wealth of this country.

The British Empire, with a national wealth of $180,000,000,000, expended for her army $800,524,500, or forty-five one-hundredths of 1 per cent of the national wealth.

In France, the national wealth, including dependencies, is $100,000,000,000. The amount expended for the army was $933,927,000, or ninety-three one-hundredths of 1 per cent of the national wealth.

In Italy, the national wealth is $30,000,000,000. The amount expended on the army was $246,081,200, or eighty-two one-hundredths of 1 per cent of the national wealth.

In Japan, the national wealth is $25,000,000,000. The amount expended for the army was $189,082,900, or seventy-six one-hundredths of 1 per cent of the national wealth.

When compared with the sums of expenditures made by our people for pleasure or for nonessential commodities, the expenditures by the United States for military purposes sink into comparative insignificance.

For the fiscal year 1921 the people of the United States spent for admissions to theaters, concerts, cabarets, baseball games, and other entertainments of a similar character, $897,000,000—more than twice the appropriation for military purposes. In fact, the appropriations for the Regular Army, the National Guard, the Organized Reserves, and all expenses charged to the Army, including river and harbor work, cemeteries, and other nonmilitary accounts, only aggregated $418,000,000.

For tobacco and materials related thereto, such as pipes, there was spent the enormous sum of $1,151,000,000, or three times the amount expended for the Army.

For candy and chewing gum, $750,000,000, as compared to $418,000,000 for all Army appropriations.

For sodas and confections, $834,000,000, as against the $418,000,000.

For personal adornment, including perfumery, cosmetics, and jewelry, $959,000,000, whilst for all expenses charged to military affairs the amount was, as I have already stated, $418,000,000.

I merely cite these instances to bring to your attention the comparatively small amount used to furnish military protection to the citizens of our Republic.

Let me call the attention of the House to the small proportion of our population in our military forces as compared with the other principal countries of the world. Contrasted with the other leading world powers, our proportion of Army to population appears most favorable, as may be seen from these statistics of the Conference for the Limitation of Armament.

The population of the United States for the year 1921 was 106,418,000. The number in the Army was 151,000 men. The number per 1,000 population was 1.42.

The population of the United Kingdom was 45,516,000. The number in the Army was 334,000, or 7.34 per 1,000 of population.

The population of France was 41,476,000. The number in the Army was 600,000, or 14.47 per 1,000 population.

The population of Italy was 36,740,000. The number in the Army was 300,000, or 8.17 per 1,000 population.

The total population of Japan was 55,961,000. The number in the Japanese Army was 302,000, or a per capita of 5.40 for 1,000 population.

China had a population of 340,000,000 people. She had the number of 1,370,000 soldiers, or a percentage of 4.03 per 1,000 population.

A comparison of our national wealth with the number of soldiers now maintained in the Regular Army shows that each soldier is charged with affording protection and national security to $1,755,597 of the $350,000,000,000 total of our national wealth.

Each of these soldiers is at the present time protecting some 25 square miles of territory of our mainland and dependencies, and with giving 848 of our people a guaranty against foreign interference with their constitutional rights in their pursuit of health, happiness, and lawful gain. All this at a cost of $3 per capita of population. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ANTHONY. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL]. [Applause.]

Mr. MONDELL. Mr. Chairman, I want to congratulate the subcommittee of the Committee on Appropriations in reporting this bill. Possibly we do not all of us appreciate the tremendous character of the problems they had before them, the amount of research and examination and study and investigation that was necessary to enable them to reach a conclusion relative to the size and the cost of the Military Establishment at this time. There are some who think that the committee has gone a litle too far in reducing the size of the Military Establishment and in appropriating for its upkeep. I do not think we can properly or logically judge as to what should be the size of the Military Establishment or as to how much it should cost by comparison with other establishments with which there is not the slightest probability we shall come in conflict. I do not think that the question of the cost or size per capita or per unit of wealth can be properly or logically used in determining the size and the cost of a military establishment. Military establishments should be maintained by people who have no thought other than that of proper defense and no temptation to conquest, not from the standpoint of other establishments which may or may not be necessary elsewhere or of their comparative cost, but from the standpoint of the needs and necessities of the country from the viewpoint of the national honor and the national defense. There is always, necessarily, a wide difference of opinion as to the proper size of the establishment, even among those who view the size of the establishment from the standpoint of the factors, the purposes, I have just suggested.

The question before this committee was this: May we reduce the size of our Military Establishment as at present constituted and still perform our clearly necessary and essential duties so far as they are fulfilled through military forces and maintain the nucleus of an establishment that may with reasonable rapidity be expanded to meet the needs of an emergency? The committee believes that the reduction which is made will not bring the establishment below a point from which it may be expanded in time of emergency or below a point in numbers with which we may properly garrison the outlying posts of the Nation and maintain within the United States the proper nucleus for expansion in time of need. There may be those who believe that the enlisted strength should be 125,000 instead of 115,000. And there is ground for difference of opinion. But I think there are very few who have studied the situation but will agree that we can maintain such a military establishment as is necessary and essential to our present or prospective needs and still reduce both the enlisted and the commissioned personnel considerably below the present establishment.

I am convinced that the committee has not gone too far in reducing the establishment to an enlisted strength of 115,000, exclusive of the Philippine Scouts and a commissioned personnel of 11,000. Compared with the enlisted strength the commissioned personnel is liberal and should be.

The gentleman from California [Mr. KAHN], who just took his seat, drew a parallel between the conditions in France after the time of the return of Napoleon from Egypt and our condition. It would have been a very happy thing for France and for the world if on Napoleon's return from Egypt he had not been seized with that lust for conquest that kept Europe in turmoil and in continual war for nearly 20 years, and left practically every nation on the Continent, France included, frightfully impoverished. There was no call for a war with England, and no one except Napoleon saw any necessity for the great forces that he gathered together for that fruitless attempt to invade the British Isles.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Will the gentleman give me five minutes more?

Mr. ANTHONY. I regret there is no more time available.

Mr. MONDELL. Two minutes more?

Mr. ANTHONY. There is only one loose minute on this side.

Mr. MONDELL. So that whether or no the forces of France had been reduced at that time below what they should have been, there was no necessity for the expansion that followed, and no reason for regret that that expansion failed to accomplish its master's purpose, save the regret of the man who sought to become the world's conqueror. America has no such thought. Her wish and desire is to maintain a military establishment first class in every regard and sufficient unto her needs. Such an establishment the committee believes it has provided. I am disposed to agree with them. [Applause.]

Mr. SISSON. Mr. Chairman, I yield 25 minutes to the gentleman from New York, Dr. KINDRED.

The CHAIRMAN. The gentleman from New York is recognized for 25 minutes.

Mr. KINDRED. Mr. Chairman, I ask unanimous consent to extend my remarks on the subject of the crisis in the hospital needs of the disabled veterans of the World War, on which I shall speak now, and also on the subject of the adjusted compensation bill, or the bonus bill, on which I shall speak later.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. KINDRED. Mr. Chairman and gentlemen of the committee, in view of the crisis in the hospital needs of the sick ex-service men of this country, and in view of the many letters which I, among other Members of the House, have received, calling attention to this sad and disgraceful condition, and in view of the further fact that the so-called Langley bill was introduced into this House on Monday last, I believe, carrying appropriations for $17,000,000 for additional hospital facilities for the ex-service men who are disabled and sick, I, as a physician of over 30 years' practical experience in hospital management, desire to call the attention of the gentlemen of the committee to certain, very sad and disgraceful facts connected with the crisis in our hospital needs for the disabled war veterans to which I have referred.

As a specialist with a practical experience in mental and nervous diseases, which has extended over 30 years in the study of these diseases in the hospitals of New York, Pennsylvania, and Europe, I have naturally the keenest interest, along with all the other Members of Congress, in the hospitalization and medical cure of disabled ex-service men, and from this point of view and without bias or partisanship I intend to present to the Members of the House of Representatives some facts which they and the people of this country should know with relation to what has really been done and what has not been done for these disabled men, whose welfare we all wish to serve.

It is timely to present this whole subject now, in view of the fact that Congress will be called upon in a few days to vote upon the bill introduced by the gentleman from Kentucky [Mr. LANGLEY], chairman of the Committee on Buildings and Grounds, and which will carry an appropriation of $17,000,000 for new hospitals, in addition to the $28,600,000 already appropriated for hospitals and hospital equipment for these disabled men.

Commencing with the need for hospitalization and medical treatment of the first group of ex-service men who were sent back home disabled, we find that the United States Government had very inadequate hospitals, both as to the number of beds and hospital construction and equipment, and that the demand for more hospitals grew very rapidly, and that this demand has not been met at the present time. In other words, the United States was totally unprepared at that time and is still unprepared to properly hospitalize and humanely care for the disabled ex-service men and women.

Congress discussed at some length the first appropriation to increase and provide additional hospital facilities, and early declared its policy, to which it still adheres, to provide at all times any amount of money really necessary for the proper hospitalization and humane treatment of ex-service men, and the Sixty-fifth Congress appropriated $10,000,000 and the Sixty-sixth Congress appropriated $18,600,000, totaling $28,000,000 for hospitals and hospital equipment, exclusive of the $17,000,000 to be appropriated by the Langley bill.

Congress has also passed a number of bills in the interest of the disabled veterans of the World War, including the Sweet bill, which consolidated all activities of the Government relating to ex-service men into the United States Veterans' Bureau, of which Col. C. R. Forbes is the director. This bureau has the large and grave responsibility of adjusting what will ultimately reach many millions of claims for insurance, allotments, and compensation, besides the work of providing vocational training and arranging for the immediate care of over 30,000 sick men and women who require to be hospitalized and provided with medical and surgical treatment and proper nursing and care.

Reference is here made to an official chart issued by the Director of the Veterans' Bureau in connection with claims for compensation for disability and allotments, and so forth, indicating the expenditure by this bureau of nearly $2,000,000,000. It is certain that many additional billions will be necessary for these purposes and for additional hospital facilities during the next 30 years. The problem of providing sufficient and proper hospital beds and medical treatment for these men and women is the one I mainly wish to discuss at present.

These more than 30,000 sick and disabled are classified into three main classes: The medical and surgical cases; the tubercular, and the neuropsychiatric cases.

There are approximately 9,300 medical and surgical cases, 11,698 tubercular cases, and 9,000 neuropsychiatric cases in hospitals and 3,000 outside of hospitals. The last-named group—the neuropsychiatric—include both the simplest and the most complex nervous cases, and also the so-called psychasthenic cases, meaning those with mild or serious nervous and mental symptoms, and also includes the various forms of outright insanity.

The proper housing and treatment of this last-named group, and also the tubercular group, is the disgraceful weakness of the Government's hospital system, to which I will refer later. This situation is a serious and sad one, and I approach the whole subject of its solution in no other spirit than that of trying to be helpful and constructive in the interest of our sick ex-service men, as well as in the interest of humanity and the people of this country.

The Surgeon General of the United States Public Health Service and also the Surgeon General of the United States Army and the Surgeon General of the United States Navy, all preeminently able and experienced heads of their respective departments, have carefully studied the problem of hospitalization for the ex-service men, and particularly has the United States Public Health Service, which has had the full responsibility of the medical care and treatment of nearly all the war veterans since the close of the World War, made exhaustive studies of this whole subject, which studies, together with voluminous reports and data for additional hospitals, have been made public in the form of the reports of the Surgeon General of the Public Health Service made annually to the Secretary of the United States Treasury.

The United States Public Health Service has from the beginning, with inadequate hospital and other facilities and under great difficulties, coped with the serious problem of supplying proper and humane medical and surgical treatment and care and nursing for the rapidly increasing number of sick and disabled war veterans; and it must in all fairness be stated that the Public Health Service deserves and should receive full credit and commendation for its achievements under difficult conditions, this service having, in fact, laid the broad and deep foundations for the good work in the medical treatment of the ex-service men which it is hoped and believed will be creditably continued.

The Public Health Service, under the direction of the Director of the United States Veterans' Bureau, is still responsible for the medical care and treatment of the war veterans who are in hospitals owned and controlled by the United States Government.

The total number of men being hospitalized by the bureau February 23, 1922, according to a letter addressed to me by the Director of the United States Veterans' Bureau, was 30,879.

Approximately one-third of this total number—namely, 4,200 patients—suffering with nervous and mental diseases, the neuropsychiatric group, and over 6,000 tubercular and medical and surgical cases, are not in Government owned and controlled hospitals, but are "farmed out" in State and privately controlled hospitals and institutions at the rate of $3 per day paid by the Government for each patient.

I pause here a moment to repeat that approximately one-third of the total number have no facilities for humane and proper treatment. There are no hospitals owned and controlled by the United States Government for 6,000 and more tubercular and medical and surgical cases which can not be provided for in Government hospitals, making a total of 10,000 that have to be farmed out, about one-third of the total number of 30,000 patients, who are the wards of the Government at the present time.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. KINDRED. Yes.

Mr. LONDON. In the case of the 4,200 neuropsychiatric patients, would it not be better for individuals to take care of these men rather than place them in hospitals?

Mr. KINDRED. I am aware of the fact that that used to be considered a desirable method of treatment in certain kinds of cases. That is a long question which involves the question of neuropsychiatrics and a definition of each particular case. But with respect to some of the ideas involved in that connection the treatment of this whole class and various forms of curable psychiatric cases should be provided for as speedily as possible in Government-owned and Government-controlled hospitals.

In this connection I desire to say also that if a nervous case, which may be developing in the direction of outright insanity, or if a tubercular case whose tendency is to advance rapidly into an incurable stage—if these two classes of cases are not treated under proper conditions, if proper and nutritious food and proper surroundings and proper nursing and every hospital facility are not provided in the early stages of these two classes of disease, constituting, as we have seen, nearly one-third

of the total number of cases under treatment by the Government, then there is no hope of cure at all in this class of cases.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield there?

Mr. KINDRED. Yes.

Mr. GREEN of Iowa. Does the gentleman know of any tubercular cases in his district that are not receiving proper care?

Mr. KINDRED. I will call the gentleman's attention to the fact—which is a matter of record and not denied—that there are over 6,000 tubercular and medical and surgical cases that are not in Government-owned and Government-controlled hospitals, but are farmed out, and I call the attention of the gentleman in that connection to a report which I have as to the manner in which certain cases are treated in the State of Ohio.

Mr. GREEN of Iowa. There are no such soldiers in my district who are not getting proper treatment.

Mr. KINDRED. The gentleman is indeed very fortunate if he has no tubercular ex-service men in his district. The gentleman himself must be exceedingly fortunate, and his district must be exceedingly well located from a climatological standpoint.

Further reference will be made to the neglect by governmental agencies which have deprived approximately 4,200 neuropsychiatric patients (meaning those who are suffering from the mildest nervous diseases and those with the most violent forms of insanity) and over 6,000 tubercular and medical and surgical cases, of proper and humane treatment in Government owned and controlled hospitals.

Notwithstanding the fact that the United States Public Health Service and other governmental agencies had worked efficiently in an effort to solve the problem of rapidly providing additional Government owned and controlled hospitals, and notwithstanding the fact that ample data had been provided over a year ago, as a basis for expediting the work of selecting additional hospital sites and completing additional hospital facilities, we find that after the lapse of more than one year since the $18,600,000 appropriation made by the Sixty-sixth Congress became available, and since the so-called medical consultants on hospitalization of the United States Treasury Department assumed the responsibility of locating and constructing the 6,000 additional hospital beds for which this appropriation was voted, that not a single hospital or a single hospital room had been completed February 13, 1922, according to a chart officially issued to me from the consultants on hospitalization, and which chart is entitled on the headlines thereof: "Progress Report of Consultants on Hospitalization," and which title is certainly a misnomer if the usual meaning is to be attached to the word "progress."

It is interesting to read from this chart, under the headlines "Remarks," the various explanations offered by the consultants on hospitalization for their absolute failure to provide a single additional hospital up to the date mentioned under this appropriation.

I desire in this connection in order to emphasize the unspeakably sad and disgraceful conditions which have resulted from this culpable delay and incompetency on the part of the consultants on hospitalization, as is evidenced by the bare facts in the case, to state that as a result of the failure of the consultants on hospitalization to grasp the great importance of their vast problem, and on account of their evident incompetence, that there is now a crisis in the hospitalization of ex-service men, as will be shown by the facts and figures, to be referred to later.

The fact is, according to the official report of the consultants on hospitalization of the Treasury Department, that not one single hospital bed is available under the $18,600,000 appropriation for which they were responsible for providing hospitals speedily.

I have here, and hold in my hand, an official chart issued by the consultants on hospitalization of the Treasury Department, which is, curiously enough, denominated "the progress chart." "The progress chart" will be interesting to analyze. The facts are that when "the progress chart" is analyzed it shows all sorts of flimsy excuses, all sorts of ridiculous explanations; explanations like this one, in the case of the metropolitan district of New York City, under the head of "Remarks"; on the progress of a hospital in that great metropolitan district there is a blank. The minds of the consultants on hospitals must have been much of the time a blank. Under the head of some other hospital projects, under the head of the hospital proposed at Marion, Ind., for example, occurs, "New bids were approved February 2, 1922." We find that they have made wonderful progress in the State of Ohio, in which State there has been a farming-out system which has been a disgrace to the community, and to which I shall refer later. We find that in that State they have made wonderful progress with the proposed hospital there, which is indicated here in the words, "Excavation completed."

I charge them with incompetency, with culpable neglect.

In various other projects, of which there are many, I find similar excuses and flimsy explanations. Therefore their report, which is designated a "progress chart," is evidently a misnomer.

It is interesting to consider some further facts which I desire to emphasize in this serious situation.

In addition to my own personal investigations in this matter and to bring out the facts showing a condition constituting a national disgrace, I here refer to letters addressed to me by Col. R. C. Forbes, Director of the United States Veterans' Bureau; to the letter of John Thomas Taylor, vice chairman of the legislative committee of the American Legion; and to a personal letter and telegram from Col. Cornelius W. Wickersham, chairman of the hospital committee of the American Legion, Department of New York, New Jersey, and Connecticut; and also to a public statement of Robert S. Marx, national commander of the Disabled American Veterans of the World War, which last-named statement, dated January 11, 1922, I quote in part as follows—and to this statement I refer for further details as to the shocking conditions connected with the "farming out" system:

INADEQUATE TREATMENT IN OHIO.

We represent that in the State of Ohio to-day:

First. The Government of the United States has provided no hospital facilities of any kind to care for mentally disabled ex-service men.

Second. That the United States has farmed out the insane ex-service men of Ohio to State asylums which are notoriously overcrowded, undermanned, and inadequately equipped to treat and care for them.

Third. That, for example, in the Longview Asylum, of Hamilton County, Ohio, there are 42 gallant soldiers who broke down mentally under the stress of war, although Longview is so overcrowded that 240 of the inmates sleep on the floor like cattle every night.

Fourth. That although approximately one-half of the 250 mentally disabled soldiers now in Ohio asylums could be restored to reason by proper medical treatment and hospital care for their mental disease, these men are given no medical treatment of any kind for their mental diseases, and curable cases are being daily doomed to permanent insanity.

Fifth. That the tubercular and nontubercular patients in these institutions are not separated, but are all mixed together.

Sixth. Finally, we represent that the State of Ohio is making a profit averaging $300 a year for every ex-service man confined in Ohio asylums, which profit is made from the money paid by the United States Government to the State.

The truth of these charges is frankly admitted by the officials of the State institutions.

Dr. E. W. North, superintendent of Longview Asylum, in a public statement issued December 28, 1921, said: "These statements are not exaggerated in any particular."

Dr. H. S. MacAyeal, director of the State welfare department, said in a public statement issued December 30, 1921, that the State of Ohio made the profit shown by the following table on each insane soldier in its institutions, namely:

Institutions.	Cost per man.	Received from United States.	Profit made by State per man per year.
Athens State Hospital	$277.86	$547.50	$276.66
Cleveland State Hospital	238.24	547.50	309.26
Dayton State Hospital	309.54	547.50	237.96
Lima State Hospital	310.75	547.50	236.75
Masillon State Hospital	234.20	547.50	304.30
Longview State Hospital	231.28	547.50	316.22
Toledo State Hospital	286.86	547.50	260.64
Ohio Hospital for Epileptics	332.69	547.50	214.81
Institution for Feeble Minded	226.57	547.50	320.93

The State of Ohio makes a profit of more than $125,000 annually by reason of ex-service men in Ohio asylums.

What is true in Ohio is true in practically every State in the Union, because of the failure of the United States to provide adequate facilities for the medical care and hospitalization of our mentally disabled comrades.

The national magnitude of the problem may be grasped from the fact that almost one-third (27 per cent) of all sick soldiers now in hospitals are mental cases.

Moreover, for every mentally afflicted soldier in any institution to-day there is another soldier who should be receiving treatment, but whose family will not consent to have him adjudged a "pauper insane" and sent to one of these State asylums for the pauper or criminal insane, which are the only places now available. If the Government had proper hospitals, these men who now form the unseen army of neglected insane would soon come forth, and half of them could be restored to useful citizenship. We charge that not only are these cases totally neglected but that in thousands of cases the United States Government has farmed out its responsibility to care for its own fighters who broke down mentally because of their service.

I desire to emphasize particularly some of the foregoing statements of Commander Marx, notably that "approximately one-half of the disabled soldiers now in Ohio asylums could be restored to reason and health by proper medical treatment and hospital care for their mental disease."

It is a well-known medical fact that active and proper treatment must be given to insane and neuropsychiatric cases as

well as to tubercular cases during the first two years of the duration of their disease if they are to be prevented from becoming totally incurable and deteriorating into hopeless cases.

In this same connection I quote from a telegram to me from Col. C. W. Wickersham, dated March 7, 1922, chairman hospitalization committee of the second hospital district—New York, New Jersey, and Connecticut—as follows:

Answering your telegram, situation in New York very bad. We have no tubercular hospital nor Government mental hospital here. Fox Hills Hospital is a miserable collection of war shack buildings wholly improper, particularly for tubercular and mental cases. Polyclinic hospital being abandonded. Catholic orphanage hospital not yet opened. Two thousand tubercular and mental cases in second district in contract hospitals, including 200 in State hospital for insane on Wards Island. Of 30,000 patients in the country at large 20,000 are mental and tubercular. Public Health Service has no mental hospital yet except St. Elizabeths in Washington, which is largely filled. Greatly lacking in tubercular beds. Am forwarding statement which will be of value.

C. W. WICKERSHAM.

I also quote the concluding portion of a statement made by Col. Wickersham March 4, 1922, as follows:

The sufferings of our disabled and sick comrades in the past and the great delays in giving them proper hospitalization, prompt and just disability compensation, and timely and adequate vocational training demand that we devote our efforts to the future, with the experience gained since the armistice, to lighten and relieve the hardships they have suffered, rather than to endeavor to minimize facts and cover failure. Let us face a bad situation squarely and use our best endeavors to provide a remedy.

C. W. WICKERSHAM,
Chairman Hospital Committee, American Legion,
Department of New York.

Some of the results of this crisis in hospitalization of ex-service men have been referred to frequently in the newspapers, but more specifically by responsible persons in position to know the full facts as to the wretched conditions among many of the sick ex-service men in State and privately owned hospitals, whose chief interest in these wards of the Government is a mercenary commercial interest.

I wish to be perfectly fair and to make acknowledgment to these State and privately owned hospitals, which have provided efficient and proper treatment to the ex-service men, whom they have cared for with great inconvenience and difficulty because of the overcrowding in most of these hospitals.

How may we get the best results in hospitalizing and humanely caring for our ex-service men? We have a duty, as Representatives in Congress, that extends beyond the necessary appropriation of millions of dollars for hospitals and such facilities. Ours is also the sacred duty of safeguarding the expenditure of these millions so as to secure actual results and prevent the money appropriated from being foolishly or improperly expended, as it is proposed to expend a part of the available $18,600,000 appropriation.

Mr. HAYDEN. Will the gentleman yield?

Mr. KINDRED. I gladly yield to the gentleman from Arizona.

Mr. HAYDEN. Are any steps being taken to acquire new hospitals in New York for the treatment of tubercular patients?

Mr. KINDRED. There has been a very singular step taken in the State of New York to acquire a site for a hospital for the treatment of tubercular patients. As I am reliably and officially informed, the consultants on hospitalization of the Treasury Department are negotiating now for the acquiring as a site of a hospital for the care and treatment of tubercular patients the celebrated farm of Ex-Gov. Levi P. Morton, which was no doubt a fine show farm for blooded cattle, but which is located in the damp Hudson River Valley, where sore throats and colds and pneumonia and consequent tuberculosis are not uncommon, and which farm is practically at sea level. The price at which that farm is held is $400,000. It was a beautiful and delightful show place and it will probably make a charming residence for some of the higher-up consultants in this vast scheme of hospitals which it is proposed to adopt. [Applause.]

Tubercular patients, according to all medical authority, and, as is also well known to the lay mind, require an altitude of not less than 2,000 feet above sea level, and this required altitude may be gotten within 20 miles of the Ex-Gov. Morton farm in the beautiful Catskill Mountains, or within 75 miles in the dry, elevated climate of the Adirondack Mountains. Why locate a hospital for tuberculosis patients in a damp river valley, practically at sea level?

Another plan in which the consultants on hospitalization are about to embark is the establishment of a hospital at Tuskegee, Ala., at which medical and surgical cases and neuropsychiatric cases—including mild nervous diseases and raving insane patients—all in one hospital plant, within a small area, with the excuse of giving near-by clinical material to the students of the Mahary Medical College for Negro students. This mistaken and incompetent policy on the part of the consultants on hospitalization is in line with the experience of the State of New York in having wasted a million of dollars because a large hospital was started in a location which had to be abandoned, on the order of the highest court, for the reason that it was found impossible to provide proper sewerage.

The consultants on hospitalization, inexperienced in hospital management and practical policy, would ignore every principle and all experience in medical science for the welfare and care of the sick World War veterans, in order to play practical politics and supply the Negro medical students with clinical material at the expense of the welfare of these veterans.

It has been suggested that such suggestions as these as to hospitalization and hospital management is the reason why the Amerigan Legion at a recent meeting recorded its opposition to Brig. Gen. Dr. Charles E. Sawyer, chairman of the Federal Hospitalization Advisory Committee, who is reported in officially planning the management and policy of the magnificent Federal hospital system which we have so liberally provided for, to have ignored the Surgeon General of the United States Public Health Service, the Surgeon General of the United States Army, and the Surgeon General of the United States Navy, all of whom are members of the Hospitalization Advisory Committee, who, as stated before, are experienced and profoundly learned in medicine and all the details of hospital management and policy.

If Congress wants to properly settle this all-important question as to the control of the policy of hospital management of the great hospital system which we intend to establish, it should safeguard that question and also safeguard the enormous appropriations we have made and intend to make by providing that the policy of hospital management should be in control of the Surgeon General of the United States Public Health Service, or of a board consisting of that official and of the Surgeon General of the United States Army, and the Surgeon General of the United States Navy, these distinguished medical officers of the United States Government having coped with this and similar problems before, during, and since the World War. In addition to these, Congress might well provide that if, in the discretion of the President of the United States, additional competent medical specialists, experienced in hospital management, were required, the President should appoint them from among the most distinguished physicians in this country.

In this connection, it is interesting to read from the article referred to in the American Legion Weekly on "The hospital program crisis," as follows:

The American Legion has insisted at these hearings that the mistakes and delays experienced in the $18,600,000 program shall be avoided in the new program. Chairman Sprague, of the Legion's rehabilitation committee, has indorsed the proposal contained in the Langley bill, that Director Forbes, of the Veterans' Bureau, shall have sole charge of the whole new program. He has opposed the suggestion that the Federal Board of Hospitalization, headed by the President's personal representative, Brig. Gen. Charles E. Sawyer, shall have jurisdiction in the new program.

Mr. Sprague has contended that the history of the $18,600,000 appropriation is eloquent testimony that divided authority is the father of the two bureaucratic twins—delay and red tape—and that only by giving Director Forbes full authority to select sites and design and build hospitals in the quickest time possible, can the mistakes of the past be avoided. Director Forbes, speaking for himself, has told the congressional committee that he believes that, inasmuch as the responsibility for making use of the new buildings rests upon him, he should have absolute authority in determining where those hospitals shall be and what they shall be like. The congressional committee has shown that it agrees with the main proposals of the $17,000,000 appropriation bill. At this writing, however, it is still uncertain whether the White committee will be authorized to assist Director Forbes or whether the committee will grant the request of Brig. Gen. Sawyer and give his committee advisory jurisdiction.

Relative to chairman Sprague's testimony as to the bad results of the existing divided authority, it should be stated that the architects of the Treasury Department have also been insistently charged with inexcusable delay and red tape, especially in connection with their system of purchasing materials and hiring labor—the so-called hiring and purchase system—which system, it is reasonably claimed by John Thomas Taylor, vice chairman of the hospitalization committee of the American Legion, in a personal letter to me, has not brought about the completion of hospital construction as rapidly as it would have been brought about if this construction work were placed under contract to responsible bidders by the architects of the Treasury Department, with a severe penalty for failure to complete the work on time.

The representatives of the architects of the Treasury Department, after their alleged failure to efficiently expedite hospital construction, appeared before the Committee on Buildings and Grounds and argued that the $17,000,000 appropriation to be authorized under the Langley bill should be placed under the sole direction of the Treasury Department, instead of being appropriated to the Director of the Veterans' Bureau or to

some other governmental agency than the Treasury Department.

All this, together with some other known and unknown facts, will explain that there has been recently quite a jealousy between certain governmental departments as to who should have the honor and privilege of expending the seventeen millions to be authorized by the Langley bill for additional hospitals.

It is not only of the utmost importance that these immense appropriations should be expended by the most efficient governmental departments, but it is also a matter of grave importance as to whether or not competent governmental medical officials are to control the management and policy of these hospitals after they are occupied by our disabled war veterans, and I wish to say with a knowledge of hospital management and policy that it would be, indeed, a calamity to the ex-service men and to our Nation if the management and general policy of these hospitals, after they are completed, are intrusted to incompetent and visionary physicians or other governmental officials who may have good intentions, but who are merely inexperienced dreamers in the practical workings of the administration and policy of a great hospital system.

Congress should prepare now to meet the hospital needs which will be acute during the next several years. During this period approximately 11,000 hospital beds owned by the Government and which are old and unfit will have to be abandoned, and this number of new modern hospital beds provided. Besides this number, an additional number of hospitals will have to be provided to care for the increase in neuropsychiatric and tubercular patients, which increase during the next four to six years, based on the ratio of increase during the past two years, will be approximately 10,000 to 11,000 cases.

Still an additional number of hospital beds will have to be provided to meet the present program for the additional 6,000 hospital beds recommended by the Director of the Veterans' Bureau.

To sum up, in addition to this number and to the total number of hospital beds now owned and rented by the Government—30,000—approximately 20,000 additional hospital beds will be needed in the next several years in order to meet the needs of the approximately 56,000 patients who will require hospitalization at the end of that period, including the rapid increase in neuropsychiatric and tubercular cases during the next several years.

In connection with the shortage of hospitals and the abandonment of Fox Hills and other unfit Government hospitals, it is pointed out, to the personal knowledge of myself and many others, that the enforced transfers of many patients from one hospital to another has resulted in many avoidable deaths, this being particularly true in tubercular cases, where such transfers in all kinds of weather and other unfavorable conditions cause an exacerbation of their diseases from exposure and fatigue.

This fact is emphasized by the intention to abandon Fox Hills Hospital, New York, and the consequent necessity to find hospital accommodations for 400 tubercular patients, many of whom are bedridden and whom it is intended, according to reports, to remove from the vicinity of their old homes and families to California and North Carolina, although it appears vacant hospital beds for that number can be found in the salubrious climate of Saranac and Liberty, N. Y., places peculiarly adapted to the treatment of tuberculosis.

From these facts as to the inadequacy of the number of hospital beds and proper facilities for neuropsychiatric and also tubercular cases, which inadequacy at this time, three years and three months after the armistice which ended the World War, is due to the neglect and incompetency of the governmental agencies already referred to, it will be seen that these wards are not only denied the humanitarian treatment to which they are entitled as deserving wards of the Nation, but that even from an economic standpoint the Government is failing to keep faith and do its duty toward its wards, our war veterans.

Let us as the people's Representatives in Congress continue our liberal policy toward the disabled ex-service men and provide them with the best possible hospital facilities and care, but after we have made liberal appropriations of millions of dollars let us see to it that additional modern hospitals are promptly completed and that the people's money for this noble purpose is not wasted in any foolish experiments. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANTHONY. I yield to the gentleman from Minnesota [Mr. NEWTON].

Mr. NEWTON of Minnesota. Mr. Chairman, I ask leave to extend my remarks in the RECORD by printing an address delivered by Rev. Marion D. Shutter, D. D., of Minneapolis, upon the subject of the Army of the United States as a constructive force. It is particularly timely and pertinent in view of the discussion upon the Army appropriation bill. I ask that it be printed in the RECORD in 8-point type.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD in 8-point type by printing the document indicated. Is there objection?

Mr. LONDON. Reserving the right to object, what does he claim the Army constructs?

Mr. NEWTON of Minnesota. I can not take up the time of the committee in a detailed explanation of what he says.

Mr. LONDON. Who is the gentleman?

Mr. NEWTON of Minnesota. Dr. Marion D. Shutter, pastor of the Church of the Redeemer at Minneapolis, who has lived there for 30 or 40 years.

The CHAIRMAN. Is there objection?

Mr. MANN. Reserving the right to object, does the gentleman think a document of this kind should be printed in 8-point type?

Mr. NEWTON of Minnesota. I want it in a type in which it can be read. I have difficulty in reading the smaller type.

Mr. MANN. Yes; I never read the other; and I believe I inaugurated the custom of asking to have documents printed in 8-point type; but does the gentleman think we ought to adopt it as a practice in such cases as this? I think the gentleman ought to insert it in the ordinary small type in which documents are printed in the RECORD.

Mr. NEWTON of Minnesota. If the gentleman is going to object, I will modify my request accordingly.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks by printing the document in the ordinary type in which extracts are printed. Is there objection?

There was no objection.

The document is as follows:

THE ARMY OF THE UNITED STATES AS A CONSTRUCTIVE FORCE.

[By Rev. Marion D. Shutter, D. D., Church of the Redeemer, Minneapolis, Minn.]

In these days of discussion about armaments—naval, land, and air—days in which doubts have been raised about their value, days in which in some quarters there is a demand for scrapping them all without further debate, it is well to keep our heads. There never has been an epoch in which the salvation of the world's civilization was so swiftly followed by attempts to discredit and to degrade the means of that salvation. Armies are now thought of, even by the best informed, as simply and only agencies of destruction; the soldier is stigmatized as one whose sole trade is slaughter. Odium is constantly thrown upon his calling. The country is so insistent upon peace that investigating committees are formed to smirch the men who made it possible. "Statesmen" make war, soldiers make peace. To be logical, we ought to "scrap" the "statesmen" or politicians. There is a side—not often thought of—to this whole question upon which I wish to speak. In what I have to say I shall confine myself to the Army of the United States.

My thought upon this subject may be condensed into a sentence or two from Gen. Leonard Wood. Speaking of the Army, he says: "As a matter of fact, it has been one of the great influences in opening up and building up the country and in maintaining public order. Of recent years it has played a very great role as an administrative force, and in areas under its control great advances have been made, and lasting benefits to humanity secured."

This is my theme, and I ask you to consider with me some of the facts.

DEVELOPMENT OF THE WEST.

Let us go back to the close of the Civil War. In the years immediately following the Army was the main instrument in the maintenance of order and the safeguarding of life in the South, and the protection of lines of communication incident to the development of the West.

Three things stand out in this period—

First, the peace which the Union soldiers had just achieved was menaced, as well as the interests of the entire Western Hemisphere, by the attempts of France to set up an empire in Mexico with a Hapsburg upon the throne. An Army moved toward the border and served notice upon France that no foreign empire was to be established in Mexico. Gen. Grant sent word by Sheridan, "It shall not be," and it was not. No drop of blood was shed.

Next, the Army preserved order in the South during the days of reconstruction, while a new system was being wrought out upon the ruins of the old. This service was, of course, not recognized at the time by all parties concerned; but without it anarchy would have prevailed.

And third, it cleared the Wild West of the savages who hindered the construction of the great continental railway lines which opened up the West for settlement and protected the settlers. It is difficult to realize that at the close of the Civil War the region beyond the Mississippi, excluding portions of older States, a region containing about two-thirds of the area of the United States proper, had only a population of a million and a half. Vast territories were peopled only by nomadic savages, who gained their livelihood by hunting the buffalo. The transformation of this immense desert and wilderness into "a peaceful land of ranches and railroads, of wheat fields and fruit farms, of dams and irrigation ditches, of mines and macadam roads," forms one of the biggest facts in American history, and is due primarily to the troops who went before, under the leadership of such men as Gens. Custer and Miles and Crook, crying out, as did the prophet of old, "Prepare ye the way of the Lord!"

SANITARY WORK OF THE ARMY.

Wherever the Army has gone it has not only set up public order but it has promoted the public health. This service alone has been worth many times the cost of maintaining the Army in times of peace.

Immediately after the Spanish War the Army took over the administration of the acquired territory. This involved not only the everyday conduct of public business, but an immense amount of constructive work incident to the establishment of a school system, construction of great public works, and administration of the general laws governing charitable institutions, as well as an enormous amount of sanitary organization, an electoral law, and everything necessary to convert a war-wrecked, demoralized, and exhausted colony, fever stricken and overrun by disease, into a self-governing republic. The salvation of Cuba and Porto Rico was the army of occupation. The same was true of the Philippines. They were saved from anarchy and epidemics by American soldiers. Has our trade with these islands justified the expense? Can anyone doubt that the presence of an army along the Mexican border prevented our foes during the last war from organizing hostility against the Nation, from a possible effort to induce Mexico to try to recover her ancient territory?

The sanitary work alone revealed the secret of yellow fever in Cuba, of beriberi in the Philippines, of typhoid fever along the Mexican border, of malaria and smallpox in Porto Rico. The annual death rate in Porto Rico alone was soon reduced by a number exceeding the total number of men killed during the Spanish-American War, and an inquiry made some years ago of all planters in the island with reference to their workers indicated an average increase of 60 per cent in efficiency. The knowledge gained in Cuba and Porto Rico employed in Panama made the canal possible. Epidemics of malaria and yellow fever had mowed down the workmen under the French like machine guns. They were worse than battles. The engineers under Gen. Goethals built up a sanitary foundation.

In this connection it may be remarked that the new laws in many of our States concerning the treatment and control of venereal disease have grown out of experiences in the Army during the recent war. These laws are the result of suggestions from the medical and surgical officers of the Army. The Columbia Law Review (January, 1921) says:

"Provision was made in the selective conscription law for strict supervision of such diseases in the Army, and private and public health agencies earnestly planned cooperation. The cumulative effects of this activity may be seen in the increased legislation on this subject in practically every State of the Union."

THE ARMY IN NATIONAL CALAMITIES.

There are certain great calamities that from time to time come upon the Nation through flood or fire when the help of the Army is invoked. The Army did tremendous service for the country in handling the grave and alarming conditions arising out of the great Mississippi flood of a few years ago, and did it so quietly that the country hardly knew about it and so effectively that thousands and thousands of people were saved from watery graves or from starvation. The same was true at Dayton, Ohio, and later at Pueblo and San Antonio. The San Francisco earthquake, when Gen. Funston and his soldiers took charge, is another case in point. The Army on such occasions is not sent to destroy men's lives but to save them.

In this connection and while there is so much complaint about the burdens of taxation for war—past, present, future, possible, and impossible—it should be remarked that by no means all of the appropriations for Army and Navy are spent for war. The Bureau of Insular Affairs is a bureau of the War Department, and its expenses come from Army appropriations. Also, there is an item in the Navy budget, amounting to $343,000, for the government of the Virgin Islands. Army appropriations cover the care of flooded and devasted districts. Army engineers have charge of much of the river and harbor work, and other improvements, like the Panama Canal, which we have already said could never have been built without the Army. The Coast Guard Service is now a part of the Navy. Its hydrographic office makes all navigation safer. Much of our colonial administration comes out of naval appropriations, as well as the expense of such emergencies as those presented by Haiti and San Domingo. These last are much in evidence. In spite of protests by incompetent authorities in those islands, our commission has just reported that "peace and order have been established everywhere, sanitary work has cleaned up once filthy towns, and roads and other public works are under way," and believes that "the continued presence of the small American force in Haiti is as necessary to the peace and development of the country as are the services to the Haitian Government of the American officers appointed under the treaty of 1915." Appropriations for the Army and Navy are not all spent in the work of slaughter and destruction. They build much more than they batter down.

COST OF THE ARMY AND NAVY.

One word more as to the cost of armaments. The burdens of taxation are heavy, and will be for a generation or more to come. But coming generations will benefit by the results. We fought the battles of to-morrow no less than of to-day. The burdens are heavy, but they need not be exaggerated. The statement was made in the recent educational convention here that "approximately 92 cents out of every dollar of the Nation's income goes for wars, either past, present, or future, and that the amount required to build the battleship *Tennessee* would support the high schools of the State of Tennessee for four years." The proportion of the dollar is variously stated at from 40 to 98 cents. In any case it is not correct. The burdens of the past must be taken care of in any event. Set them down to the charge of pacifism, incompetence, and graft. We have to pay them because we were unprepared. They run back to the days of the Civil War. But even so, would you be rid of them, and have the things that were accomplished done away? Would you bring back slavery? Would you restore the power of Spain in Cuba? Would you prefer, in the case of the World War, to pay out what you are paying to your own Government in tribute to a conqueror? That is precisely what would have happened if Germany had won. These obligations would have to be paid if we disarmed to-morrow. The future we do not know. The only real question is, What are armaments costing us to-day, and is the cost out of proportion to the other expenses of the Government? The actual appropriation for 1920 and 1921, for Army and Navy both, was $862,889,077; for 1921 and 1922, $748,686,868. Included in these appropriations, as we have seen, are items which do not properly belong there. For the fiscal year, therefore, about 18 cents out of every dollar expended by the Government went to the Army and Navy; this year it will be less.

Glaring contrasts are made between the amounts expended for national defense and the amounts expended for government, education, public health, and other departments. The fact is obscured that the comparisons are all made within the sphere of the Federal Government, and that it is only the Federal Government which can provide for the "common defense." But States and communities have to be governed. Add the cost. They have to educate. The Federal Government does not. Add that cost. They have to engage in various other enterprises. Add the cost. If the cost of State, county, city, and other local government is taken into account, the proportion of every dollar that goes for national defense is exceedingly small. Nor can it properly be called waste. Most of it is distributed at once in the community and goes into the ordinary channels of trade and industry, as does any other money paid out by the Government. According to internal revenue returns the American people in 1920 paid the following bills: For the Army, $418,000,000; for tobacco, $1,151,000,000; for chewing gum and candy, $750,000,000; for soda water and confections, $834,000,000; for amusements, such as baseball, cabarets, and movies, $897,000,000; and for silk stockings, perfumes, and other matters of milady's wardrobe, $959,000,000. Is it worth while for a gum-chewing generation to worry about the Army and Navy? We are much more in danger of being suffocated by the fumes of nicotine than by poison gas!

THE ARMY AND PROTECTION AT HOME.

Closely connected with what we have just been saying, is the protection of life and property during those periods of violence when strikes ripen into defiance of the Government of the United States.

One such instance was furnished in 1894, when the American Railway Union, under the leadership of Eugene V. Debs, who has just been restored to his bereaved country, undertook to prevent the running of mail trains and defied the injunctions of the United States courts. Grover Cleveland, then President of the United States, fearlessly did his constitutional duty, and the rule of the revolutionary mob was brought to an end. How much in property and in human life did the Army then save to the Nation?

Another instance is very recent. The defiance of law and authority by the striking miners of West Virginia needed the presence of Federal troops—who did not fire a shot. It is the province of the police to preserve order; it is the province of the soldier to put down insurrection. When strikes ripen into insurrection they must be put down as any other uprising against the authority of the Government, State or Federal.

The Government has just had to call upon the marines to protect mail trains. A letter from a soldier says: "Notice also the only step which has been taken to combat the incessant mail robberies. United States marines are guarding the mails to-day. A potential mail robber was shot by one of these men, and by way of expressing his gratitude the governor of Wisconsin wants the marine tried by court-martial."

FOREST PATROL AND OTHER PURSUITS OF PEACE.

The forest patrol is a part of the Air Service of the Army and under the War Department. It is now discontinued (or was for a time) for lack of appropriations by Congress in the interests of economy and to discourage "militarism."

The Department of Agriculture tells us that the entire forest area of the United States covers 463,000,000 acres and that this region is being burned over at the rate of 10,000,000 acres yearly, reforestation requiring a minimum of 20 years. Now, in 1920, the Air Service, through its forest patrol, saved from destruction by fire in two and one-half months standing timber valued in excess of $35,000,000, or considerably more than the entire appropriation that year for the air defense of the United States.

Camp Bragg is carrying out in a different way the national plans for forest reclamation. A report sent me from that camp says: "The Army has taken over the job. Soldiers, trained in forest preservation, constantly patrol the entire timbered area. Over a hundred men daily are logging out the fallen timber. A lookout station with radio apparatus has been established on a high point to report any outbreak of fire. A party of engineers is cutting a firebreak around the entire reservation. Fire protection is insured, not only to Federal property but to the surrounding country. Thus the Army is doing work that ordinarily falls to other departments of the Government. Besides it is training men to be forest rangers and spreading among the public the principles of forest conservation."

But the soldiers at Camp Bragg—and this camp is a typical one—are developing the roads of that region, and to facilitate transportation between the camp and Fayetteville they are at work upon a railroad between the two places. The Army is promoting many agricultural interests by the cultivation of fruits and grains, by the breeding of farm animals, and by the establishment of model dairies. All this work is carried on under the direction of experts. The benefits are derived mostly by the public at large. "The immediate community profits by the commerce attracted by a large military camp and by the employment of numerous civilians in various occupations on the reservations. Approximately $285,000 was paid out during the year of 1921 for civilian employees at Camp Bragg"—and it all came out of Army appropriations. So the military camp to-day has its full share of plowshares and pruning hooks as well as of swords and spears.

The service that the Army has done to the automotive industry is not generally realized, particularly in the matter of developing trucks and tractors. It was through experiments conducted at Fort Sill that a tractor was devised which could operate successfully when completely submerged. In one instance a stream was crossed where there was no bridge and where the driver sat in water up to his neck. In 1919 the Army staged the first transcontinental motor convoy. Civilian firms were invited to send samples of their trucks which were taken in the convoy, and the advantages of each noted, and the manufacturers had the chance of benefiting by this experience and correcting the defects which developed.

"Summing up," says the report from Camp Bragg, "the one thing brought into great prominence is that the Army spends a large portion of its appropriations in nonmilitary pursuits. The work done is useful and constructive. It offsets much of the great expense paid out for armament." And yet, to use the Scripture simile, you might bray some people in a mortar with a pestle, yet would not their notions of "militarism" depart from them.

THE ARMY AND EDUCATION.

There is another feature of the Army to-day that is extremely important. How much this feature may now be modified by the cutting down of appropriations and personnel I can not say. That is the educational work of the Army.

"The damfoolest thing that has come out of Washington," said a leather-faced major at a Texas post, "since Secretary Root sent out 780 school-teachers to the Philippines in one transport while they were still shooting at us!" "Well, that didn't work out so badly," drawled the colonel. "The Army caught 'em an' the teachers taught 'em!" "So it is to-day," comments the narrator, "the recruiters catch 'em, and the Army schools teach 'em!" Another says about the United States Army as reorganized since the World War, that "it is a debatable point as to whether the arts of peace are not advanced by increasing and retarded by decreasing it." Mr. Theodore M. Knappen, in the June (1921) Review of Reviews, concludes: "The Army is to-day an indispensable part of the educational and Americanization programs, and there be competent observers who say that it is educating better than the public schools and Americanizing better than the social settlements." Those are the words of Mr. Knappen.

I do not pause to discuss this statement; but to particularize a little more: (1) The vocational training (117 different trades) is pronounced the most effective system in the country, and with it goes a general training that fits one to enter West Point or the freshman class of any first-rate college or for the best citizenship when Army days are over. (2) But before all this come the recruit educational centers, to which are assigned "native recruits who are illiterate or, being literate, are unfamiliar with English." In June (1921) there were 4,500 men of 60 different nationalities in these basic schools, of whom 3,500 were illiterates. They go out equipped with a good working knowledge of English, reading and writing, and other basic elements of education; and only after one has taken this course is he assigned to a regular military unit and enters the general educational or vocational courses. (3) Finally comes instruction in science, civics, history, and literature. Similar courses of instruction are also given in the Navy. Thus the Army provides a primary element of defense in making loyal citizens, thus protecting the State from violence within. It combats vicious and revolutionary ideas and tendencies through its schools, which firmly ground the students in political elementals. It is estimated that more than half of these men come from that stratum in which the "Red" unrest breeds. Trained to think straight, they go back after Army days to strengthen the forces of law and order and existing Government. The statement went the rounds of the daily press not long ago that, in a single month, $2,000,000 had been paid out for vocational training alone. But it is all in these Army appropriations so bitterly assailed.

These are some of the constructive things the Army does in times of peace. The day may come when armies will be no longer needed, when their peace-time activities will be cared for by other agencies; but just now when nothing is too bad to say about the Army and nothing is too foolish for Congress to do about it, this word of justice should be spoken. We all know what it can do in time of war; we do not all know its great services in times of peace. No other organization has a more splendid civic record!

Mr. ANTHONY. I yield 15 minutes to the gentleman from Kansas [Mr. STRONG].

Mr. STRONG of Kansas. Mr. Chairman, my remarks will be confined to the Porto Rican subject, and I desire to say in the beginning that I am going to deal as little as possible with personalities, because in my opinion the question concerning Porto Rico has assumed the issue as to whether or not that island is to be American or un-American.

Porto Rico is a beautiful and fertile island, 100 miles long and 36 miles wide, and possesses a wonderful landlocked harbor at San Juan. It stands at the entrance to the Caribbean Sea. It is the guardian of the Gulf of Mexico and the Panama Canal. It occupies the same strategical position toward our southern coast that Hawaii occupies in the Pacific. It was taken from Spain in 1898 as the result of the valor and the sacrifices of the Americans who served in the Spanish-American War and was paid for by their blood. Its harbor will be the port of call between America and the countries of South America and Africa in the great trade that we hope and believe will be built up between those splendid States and our own.

For four centuries, under the rule of kings, the inhabitants of the island made but slight progress. The common people had but little chance for advancement and the resources of the island were used to produce revenue for Spain.

From 1898, when our Government took control, until 1916, an American policy was adopted. Schools were established and the people given to understand that while they had the protection and a part in the greatest people's Government on earth, they would be assisted and not restricted in the improvement of their condition and the working out of their problems.

In 1916 Congress passed the Jones bill, giving to the people of Porto Rico the right to elect the members of their own legislature and senate, and to pass laws for the government of the island, levy taxes, dispose of the public moneys, and so forth, and establish a government with more liberal provisions than that enjoyed by Hawaii and Alaska, the intention being to permit the people of the island to largely manage their own affairs, but retaining the governorship for the protection of the common interests of America and the Porto Rican people, for it must be understood that the large majority of the people of Porto Rico did not then, and do not now, take that active personal interest in their government that the people of our States do.

I had the honor and the pleasure of visiting Porto Rico two years ago, and I come to you with information as the result of personal investigation. I found that the few still governed the many, the common people took but small interest in their public affairs, leaving to those of wealth and higher education the management of their government. The schools were well attended, although but few could speak English, which I was informed by the commissioner of education resulted from the influence of those controlling the government, who encouraged the teachers to disregard the rule which provided that English should be taught one hour a day.

The minority possess the wealth and higher education, but the masses are poor and without property. At a banquet given the congressional delegation one of the principal speakers stated that the people of the island and its resources had progressed more in the 20 years of American control than in 400 years under Spanish rule. But I was later astounded when the president of the senate, Antonio Barcelo, in his address openly advocated the separation of the island from the United States, and was the more amazed because the banquet was presided over by the then governor of the island. My inquiries brought me the knowledge that the Unionist Party of Porto Rico was carrying an independence plank in their platform and were openly advocating it and building up their party on that policy and denouncing all who opposed it. The gentleman who accompanied me in our trip over the island told me of the spirit of resentment by the members of this party toward Hon. JOSEPH CANNON because when he visited the island he had denounced the secessionists and frankly told them "their party was disloyal, would not succeed, and would only interfere with the benefits which the island and its people could have under the American flag."

Since that time the Unionist Party has continued its teachings of secession from the American Government and has carried the independence plank in its platform. After the last election, in which it was successful, there was a parade of the Unionist-Independence Party, with thousands of its followers in line, each carrying the one-star flag. Not an American flag! A number of Porto Rican soldiers of the Regular Army who took part were court-martialed and relieved of their duty for several months. The children have been taught in the schools to honor and love only the one-star flag. I have a picture of the interior of a Porto Rican schoolhouse, showing the one-star flag of Porto Rico displayed on the wall of the schoolroom.

On February 23, 1921, many months before President Harding appointed the present Governor of Porto Rico, the local legislature, controlled by the Unionist-Independence Party, was in session and had before it for discussion a resolution "petitioning the President of the United States, Warren G. Harding, not to make a new appointment to the office of the Governor of Porto Rico, as the majority party was well satisfied with the then incumbent in office," under whose governorship the Unionist-Independence Party had openly advocated the independence of the island. During the discussion of this resolution, which was opposed by both the Republican and Socialist minorities in both houses of the legislature, several speeches were made by members of the majority party in favor of the resolution, and at that time the speaker of the house of representatives, Coll y Cuchi, boldly stated:

No matter how strong a man the new governor should be, the majority party would break him as they had broken other governors before.

This was the sitting which awaited the appointment of a governor by President Harding. A crisis which would either result in the recall of the people of the island to the patriotic devotion to our people's Government, which had done so much for them, or would let them continue to be led away into a one-man government and a return to conditions that existed before the American flag was raised in Porto Rico.

I read from an editorial of the Times, published in San Juan, P. R., on November 12, 1921:

When Gov. Reily reached Porto Rico he found the office of governor had been submarined. The legislature had adjourned, but the chairman of the Unionist central committee occupied the senatorial quarters, and as party chief commanded the full force of the senate when the latter was in session. The amazing fact was presented of the entire working force of the senate continued on the pay roll after the senate had adjourned, and the chairman of the party had dictated the appointments to be made by the governor, going through the farce of sending to the chief executive three names, but telling him which one to select. Occasionally the governor had asserted himself to the extent of nominating some Unionist not named, but he soon learned that if he expected his nominations to be confirmed he must accept the suggestions made. When Gov. Reily announced his determination to expose and destroy the independence propaganda, the Unionist leaders and the Unionist press let loose the dogs of war.

The paragraphs in the inaugural address of Gov. Reily that brought down upon his head the first condemnation of the leaders of the Unionist-Independence Party read as follows:

INAUGURAL ADDRESS OF GOV. REILY, JULY 30, 1921.

I have made considerable investigation of your school system here, and while the work has been good and progressed in many ways, I shall not be satisfied until the whole system is greatly improved along the lines of American ideas and American ideals. As Porto Rico is as much a part of the United States as is Ohio or Kentucky, I hope to see the

language of Washington, Lincoln, and Harding taught equally with that of Spanish in our public schools, and that all other languages shall be secondary. Therefore English must be taught more and more. This I shall insist upon, and the commissioner of education and all his subordinates shall be instructed accordingly. * * *

Our matchless President, a President of all the peoples over whom he rules, and our great Secretary of War, John W. Weeks, are as deeply interested in the Porto Rican people as they are in those of any State in the continental Union. They would be deeply distressed to see any feeling or growing sentiment on these islands tending toward any thought or idea of independence. It has come to me that the agitation of independence on these islands comes, in greater measure, from foreigners. If that be true, I want you to be fully aware that there is no room in Porto Rico for any foreigner who is not willing to support and uphold our established Government. Neither is there any sympathy or possible hope in the United States for independence for Porto Rico from any individual or from any political party. Let no man or newspaper deceive you. The last two great national conventions held in the United States, Democratic and Republican, declared unanimously against independence for Porto Rico. Neither, my friends, is there any place on these islands for any flag save the flag of our beloved and common country, the Stars and Stripes, and there never shall be. So long as Old Glory waves over the United States it will continue to wave over Porto Rico. Old Glory has come to stay. * * *

In closing, my friends, I desire to repeat that I shall always have an extended hand and a sympathetic heart for every toiler in Porto Rico, whether he speaks my language or some other, whether he toils on the plantation or toils in the sweatshop, or toils at the banking counter; all, all are welcome to come to me at any time that I may be able to lift any burden or assuage any sorrow.

Immediately the heads of the Unionist Party began their attack upon the governor, and failing to cause him to weaken, and finding that the people of Porto Rico were going to stand by him, they transferred their fight to Washington. When the governor returned to Washington in November last on matters connected with his administration a hostile reception was staged on his landing in New York, and the public press was filled with ridiculous stories about his actions as governor.

The Resident Commissioner for Porto Rico in Washington, Mr. CORDOVA DAVILA, aided by one W. McK. Jones, and acting under instructions from members of the Unionist-Independence Party in the Porto Rican Legislature, undertook to present to the administration in Washington charges against the official conduct of Gov. Reily which were so ridiculous and without consequence that they were later withdrawn. The fight was then transferred to Kansas City, the governor's late home, and after a good deal of muckraking a new set of charges, sustained as it appeared by affidavits attacking the life and character of E. Mont Reily, the citizen, before he had been appointed governor, were filed with the Secretary of War. In this campaign the Porto Rican enemies of the governor and W. McK. Jones were aided by a Washington attorney by the name of Keene, whom they had employed.

When Gov. Reily learned of these charges and affidavits he went to Kansas City and a few days later filed with the administration in Washington a set of counteraffidavits destroying all the charges that had been made against his character; perhaps the most serious of these was signed by D. W. Ross, a State bank inspector of the State of Missouri. After Reily reached Kansas City, Ross made a second affidavit, which I will read to you:

D. W. ROSS'S AFFIDAVIT NO. 2.

Donald W. Ross makes the following sworn statement:

"I have lived in Kansas City, Mo., for about 15 years, and during that time have been connected with several banks. I am now one of the State bank examiners under Gov. Hyde's administration. About a month ago a man by the name of Mack Jones, and Keene, a lawyer from Washington, came to see me at the Planters Hotel, St. Louis, Mo., where I was temporarily stopping and looking after some work for our department. They were brought and introduced to me by a representative of the Kansas City Star. These men questioned me very closely as to what I knew about Gov. Reily. They stated that they had information that Gov. Reily had asked me to pay him for his influence to be used to secure an appointment as a national bank examiner. I stated to these men that I had discussed an appointment with Gov. Reily on his return from Washington in the late spring of 1921.

"After some conversation with them they asked me if I would sign an affidavit, and I told them that anything that was true I would be willing to swear to. Later that evening, after spending several hours in their room, at which time considerable liquor was served, I signed an affidavit which was presented to me without reading it.

"I wish to further state that Gov. Reily at no time asked me for any money or any other consideration of any kind or character for his influence, nor did I ever make any offer or consideration to Gov. Reily.

"I desire to say furthermore that I have never heard of Gov. Reily ever asking anyone for any money to help secure any kind of an appointment or any office.

"I have known Gov. Reily for 15 years, and have known him as a man of the highest character and integrity, and have never heard anyone speak of him otherwise in his dealings.

"I desire to repudiate in every detail any affidavit I may have signed pertaining to Gov. Reily which was given to Mack Jones and Keene, as I have no knowledge of what said affidavit contained."

DONALD W. ROSS.

Sworn to and subscribed before me this 14th day of January, 1922.

[SEAL.] W. G. VORNDBROOCK,
Notary Public, City of St. Louis, Mo.

My commission expires February 9, 1922.

I understand that since that time this man Ross has made still another affidavit, the best evidence of the character of the man.

I have also some affidavits in my possession, signed by citizens of Kansas City, who were approached, and who refused affidavits to those who were trying to trump up charges against Gov. Reily, and in which they say they only have good words in behalf of the governor. I mention these to show the character of the attack by these men who are seeking to destroy the effect of the governor's stand for Americanism in Porto Rico.

I claim that these facts warrant my making the charge on the floor of this House that the attack on the Governor of Porto Rico which has been made by Resident Commissioner CORDOVA DAVILA was to carry out the policy of breaking the governor in order to permit the politicians who have been dominating the policies in Porto Rico to continue their effort to separate the people and the island of Porto Rico from the American Government, and I want to clarify the record a little as to the controversy between the Resident Commissioner of Porto Rico and the present governor.

It is admitted, conceded, and proven by both sides that the governor did try to get along with the acting commissioner, and that Resident Commissioner CORDOVA DAVILA started as though he were going to be a friend of the governor. The Governor of Porto Rico did not in any way know of the $5,000 a year allowance for four years which had been put through the Legislature of Porto Rico for the expenses of Mr. CORDOVA DAVILA, in addition to the salary and mileage allowed him by the United States Government, until he arrived in Porto Rico, and it is plain that the turning down of the payment of that illegal appropriation is the cause of the hatred of Resident Commissioner CORDOVA DAVILA against the governor. There have been some vehement denials by Commissioner CORDOVA DAVILA on the floor of the House regarding this $5,000 allowance. The Commissioner claimed that he refused and did not try to get this money, and said in his speech on the floor of the House on March 2—I quote:

Immediately after the bill carrying this appropriation was passed I published a letter in the newspapers in Porto Rico declining to accept the appropriation. That letter has been published. The next year the legislature made the same appropriation. The matter was brought to the attention of the auditor of Porto Rico, Judge Bonner, without my knowledge. * * * This matter of the appropriation occurred long before Gov. Reily reached Porto Rico * * * when he says that it was stopped when brought to his attention. I am compelled to say he lies, and he knows he lies.

I am going to read to you a copy of a letter to Judge Bonner, which has some bearing on this subject:

(Senate of Porto Rico, San Juan, P. R., Antonio R. Barceló, president.)

SAN JUAN, *June 21, 1920.*

HON. AUDITOR OF PORTO RICO,
San Juan, P. R.

SIR: In the budget now in force and under the heading "Sundry appropriations" there is an item of $5,000 for the expenses of representation of the Resident Commissioner at Washington.

Mr. CORDOVA DAVILA has had expenses in Washington relying on this item, such as the maintenance of an automobile for himself and other expenses inherent to his representative office, and he is in need of this amount to cover same. *I am commissioned by Mr. Cordova to get from you this check appertaining to this sum, or to suggest to you to send it, on or before the 30th day of June now current when the fiscal year will close;* and I would appreciate it if you will be pleased to act in respect and notify me for my own government.

Yours, sincerely,

(Signed) ANTO R. BARCELÓ.

(Underscoring is ours.—Ed.)

Judge Bonner was again notified of the desire of Mr. Barceló to collect this money through Gen. McIntyre, as the following cable will show:

(Western Union telegram received at 122 East Huron Street, Ann Arbor, Mich. 169 DE MK 85 GOVT.)

WASHINGTON, D. C., *June 24, 1920.*

Judge J. W. BONNER,
1025 Martin Place, Ann Arbor, Mich.:

Following cablegram from Porto Rico for you: "Complying with urgent written and verbal request of Mr. Barceló, I am cabling his request and recommendation that you reconsider decision disallowing appropriation in current budget for expenses of representation of Resident Commissioner of Washington, and that the same be made available prior to June 30. Please have bureau cable reply. McGown, acting auditor." Will be glad to cable your reply.

MCINTYRE, *Insular Bureau.*

* * * Again in 1921 we find Barceló appealing to the auditor to pay the money to CORDOVA. It was a verbal request, but Judge Bonner replied in writing, and makes the nature of the request clear. Judge Bonner's letter follows:

OFFICE OF THE AUDITOR,
San Juan, P. R., June 8, 1921.

Hon. ANTONIO R. BARCELÓ,
President of the Senate, San Juan, P. R.

MY DEAR MR. BARCELÓ: In compliance with your verbal request I have carefully reconsidered my previous ruling with regard to the appropriation of $5,000 for the purpose of paying the expenses of the Resident Commissioner of Porto Rico at Washington.

My reasons for declining to set up the first appropriation for the purpose indicated were fully set forth in my letter dated April 3, 1919, to which you are respectfully referred.

In our conversation yesterday you reminded me that the appropriation was not designed to be an increase in salary, but simply as an additional allowance for expenses. I find, however, that such allowances are as completely forbidden by the act of Congress as would be an increase of salary.

After a full reconsideration of the question submitted by yourself, I am prepared to say that I can find no sufficient reason for reaching any other conclusion than that expressed in my letter of April 2, 1919.

Very respectfully,

J. W. BONNER,
Auditor of Porto Rico.

And yet, in the face of this correspondence, conclusive of the fact that Mr. Barceló was making every effort to obtain this money, a period covering three years, Judge FELIX CORDOVA has the nerve to stand on the floor of the House and tell the Members of the House of Representatives that he had "publicly protested" against the appropriation of this money. What can the House, what can Barceló himself, say to this and kindred utterances?

In answer to the statement of CORDOVA DAVILA that Gov. Reily had nothing to do in stopping the payment of this money to him, I have here a statement signed by Judge J. W. Bonner, whom Commissioner CORDOVA DAVILA says in his speech "is one of the most honest and clean men he had ever known in his life."

STATEMENT OF JUDGE J. W. BONNER, FORMER AUDITOR.

SAN JUAN, PORTO RICO,
March 7, 1922.

To the honorable the GOVERNOR OF PORTO RICO,
San Juan, Porto Rico.

DEAR SIR: Replying to your verbal inquiry regarding the four annual appropriations of the Legislature of Porto Rico, for the Resident Commissioner of Porto Rico in Washington, I have the honor to report as follows:

1. On April 3, 1919, replying to a verbal request from Hon. Antonio R. Barceló, president of the Senate of Porto Rico, that I render available the appropriation referred to for the benefit of the Resident Commissioner, I sent him a letter in which I respectfully declined to set up the appropriation and gave him in full my reasons therefor.

2. On June 21, 1920, I received a letter from Mr. Barceló in which he states as follows:

"I am commissioned by Mr. DAVILA to get from you this check appertaining to this sum, or to suggest to you to send it on or before the 30th day of June, now current when the fiscal year will close; and I would appreciate it if you will be pleased to act in this respect and notify me for my own government."

I again notified him that I could not set up the appropriation for the reasons theretofore indicated.

3. On June 8, 1921, in response to a verbal request from Mr. Barceló, I again declined to set up the appropriation mentioned for the reasons which had been given in my letter of April 3, 1919.

On Saturday, July 30, 1921, on which date Gov. Reily arrived in Porto Rico, accompanied by Hon. CORDOVA DAVILA, Resident Commissioner, I was informed by the Commissioner that he wished to see me at my office. I cordially invited him to come whenever he found it convenient, but he did not do so. I submitted on the next Monday morning the whole matter of said appropriation to Gov. Reily, and was informed by him that he agreed with my conclusions; that in his opinion no warrant should be issued covering the appropriation to the Commissioner, and he further ordered that I should not set it up on the books of my office, inasmuch as he considered I had obeyed the law throughout the entire transaction.

Very respectfully,

J. W. BONNER,
Former Auditor of Porto Rico.

There are some other things that the Governor of Porto Rico did not know until after he had delivered his inaugural address, the objection to which interfered grievously with the plans of the Coll y Cuchi-Barceló and Davila combination. The governor found that under the direction of these leaders of the Unionist-Independista Party an issue of bonds of $14,250,000 had been authorized by the last legislature, which had appropriated $1,800,000 over and above the tax income. The governor refused to permit the issuance of these bonds for the reason that it would have financially wrecked the island, which is now already bonded for $15,000,000; so in addition to declaring against secession and insisting that the American flag shall be supreme in Porto Rico, the present governor has also protected the treasury and taxpayers of Porto Rico.

That there may be no doubt of the connection between the Resident Commissioner CORDOVA DAVILA, Senator Barceló and Mr. Jones, I will read a copy of a cablegram sent from Washington to Porto Rico on February 11:

FEBRUARY 11, 1922.

BARCELÓ, *San Juan:*

Jones and I urge strongly that the senate pass a resolution requesting Congress to inquire immediately into the official acts of E. Mont Reily as Governor of Porto Rico, such as removal of judges, intimidation of judiciary, dismissal of efficient officials, appointment of incapable, inefficient, and inexperienced men to office, insulting the people of Porto Rico in speeches by remarks about the flag in Porto Rico, conduct unbecoming a gentleman and a high official, detrimental to the best interests of the United States and of Porto Rico. Jones thinks such resolution, instead of jeopardizing prospects of Campbell bill, would further its cause by creating a national interest in the affairs of Porto Rico.

F. CORDOVA DAVILA.

Does the Resident Commissioner, CORDOVA DAVILA, deny sending that cablegram, and does he deny sending this one?

FEBRUARY 15, 1922.

BARCELÓ, *San Juan:*

Campbell says it should be better for the senate not to adopt the resolution, leaving to me to ask for a congressional investigation if it is necessary. He thinks that the senate ought to act on the merits of the appointments. Judge Towner says that he does not want to express an opinion in the matter. Keep me informed about affairs in Porto Rico regarding Reily.

CORDOVA.

Does the Resident Commissioner, CORDOVA DAVILA, deny that he recently cabled Senator Barceló in Porto Rico for money to carry on the fight here against the governor, and will he explain to this House and the country as to whether or not Mr. Barceló in complying with his request, and before he made his speech in Congress, cabled him $600 to the Dupont Bank in Washington, and said in his cable he would send more soon? Will the Resident Commissioner, CORDOVA DAVILA, give the date of this transaction and explain to the country as to whether or not that had any influence upon his attack upon the Governor of Porto Rico? Will the Resident Commissioner, CORDOVA DAVILA, also explain as to whether or not a cablegram sent by him on February 17, 1922, of which the following is an exact copy—

FEBRUARY 17, 1922.

BARCELÓ, *San Juan:*

Your cable pleases me very much. Plans actively under way for action in Congress. I will make speech at earliest opportunity, followed by a resolution which will probably be introduced by a Republican.

F. CORDOVA DAVILA.

is an acknowledgment of the receipt of the $600 or in connection with it?

Resident Commissioner CORDOVA DAVILA and Senator Barceló have a splendid press agent. I compliment them upon the misinformation they have given the country through the press. The following cablegrams show their progress:

FEBRUARY 21, 1922.

BARCELÓ, *San Juan:*

Campaign against Reily launched in full force. New York Times has adopted fight on Reily as a policy of the paper. Do not under any circumstances give in. Am making impeachment speech in Congress tomorrow. Cable developments.

CORDOVA.

—

FEBRUARY 21, 1922.

BARCELÓ, *San Juan:*

Your cable received. Am prepared to go the limit. Senate of Porto Rico should pass resolution asking Congress to investigate Reily. Everything here favorable. Press helping us.

CORDOVA.

Will the Resident Commissioner, CORDOVA DAVILA, also explain as to who the Mr. Jones is that is described in his cablegram of February 11, 1922, and as to whether or not he is now in Washington engaged in lobbying for the destruction of the American government in Porto Rico? Who pays Mr. Jones's expenses, and who is paying his expenses for his continuous trips to Kansas City, Mo.; and if it is true that the Resident Commissioner, CORDOVA DAVILA, stated that Mr. Jones was a wealthy American resident of Porto Rico, who had large interests in Porto Rico, and who was simply interested in the pubic good of Porto Rico, when, as a matter of fact, he has no residence there? Will the Resident Commissioner, CORDOVA DAVILA, deny that on the morning following the inaugural address of E. Mont Reily as Governor of Porto Rico, and before he had killed the $5,000 graft to CORDOVA DAVILA, he, Mr. CORDOVA DAVILA, went to Gov. E. Mont Reily and told him that he must not have anything to do with Mr. Barceló, because he was determined to wreck and ruin the governor's administration? Will the Resident Commissioner, CORDOVA DAVILA, deny that he told the Governor of Porto Rico that Mr. Barceló had appointed the biggest crook on the island to an important position; that this crook was a brother of the speaker of the house of representatives of the island, named Jose Coll y Cuchi?

When the governor had finished the official business for which he came to Washington he returned to Porto Rico, and was given a wonderful reception by the people there, who waited all afternoon and far into the night for his boat to reach the pier. I read from the Times, a newspaper of San Juan, published Thursday, January 26, 1922:

GLORIOUS MIDNIGHT WELCOME ACCORDED GOV. REILY—DON MONCHO MARCHES THROUGH THE STREETS AFOOT FROM PIER TO PALACE AT THE HEAD OF THOUSANDS OF HIS ENTHUSIASTIC SUPPORTERS—CITY IS THRILLED BY THE UNPRECEDENTED AND SPONTANEOUS RECEPTION OF THE MAN WHO DECLARES THE FLAG SHALL NOT COME DOWN—"HOME AGAIN; THIS IS MY HOME, AND I AM YOUR GOVERNOR," HE TELLS PEOPLE FROM GALLERY OF FORTALEZA—"VIVA DON MONCHO REYES," YELLS THE EXCITED POPULACE.

Gov. E. Mont Reily is home again—very much at home in Santa Catalina Palace—and still proposes to be governor, he told a huge crowd of enthusiastic citizens gathered under the gallery of Fortaleza at midnight. The governor had been very nearly carried from the steamship *Tanamo* when the fruit boat arrived from New York and

docked, close on to 11.30 p. m.; and then of his own volition he sprung into the midst of the densely packed and cheering crowd outside the pier and walked all the way to the palace, followed and cheered by thousands of enthusiastic citizens afoot and scores of flag-covered automobiles. Never in history has a governor or other official been accorded such a welcome in Porto Rico, and it was so genuine and spontaneous that the whole city was awakened and thrilled with the spectacle.

From an editorial in the same paper I read:

THE GOVERNOR'S RETURN.

* * * * * * *

No governor since the American occupation has received the support of the people of Porto Rico to the extent that these people, the masses of the people, stand ready to support Gov. Reily to-day. The people of Porto Rico regard the political situation as having been outlined, even settled. Porto Rico is sick and tired of politics in the sense that the wrangling, scolding, and pretentious bluffing have become nauseating.

Our people now look for substantial work at the old palace. They expect to see unnecessary employees eliminated. Already much has been accomplished in this direction in the health and interior departments, but the task is by no means finished in those important administrative branches, while the entire government structure is ready for the new broom. Upon the whole the reduction of the budget by department savings has been started.

The people are very desirous of having provision made for sending the rest of the children to school. These are the two important undertakings, or, perhaps we should say, reconstructive works that await the energy and skill centered in and gathered around the executive. The entire field must be gone over, and the task is by no means an easy one or one to be hastily accomplished.

In all of the business details of the government the people expect a great deal of Gov. Reily. They will help him. For the first time in the history of Porto Rico the people, Abraham Lincoln's "common people," have become a factor in the government, and they will make good. They expect the governor to exercise the great power vested in him by law. This people are not afraid of the exercise of power. They resent only its abuse.

Whether the senate will give the governor practically a free hand in choosing his associates and advisers in administering the laws, or whether that body will insist upon choosing his associates for him, we do not know. Much has been cabled and claimed by our Unionist friends who were at the National Capital, and their utterances have been denied by the friends of the governor. It is not worth while to discuss a matter that will so soon be made clear by events.

The governor is warmly welcomed by the people. Some political partisans will, of course, continue on with their grievances, but that situation is unavoidable, and while to be regretted it is not fatal to the success of the work in hand. And now, governor, Porto Rico is ready to "put her shoulder to the wheel" of progress. It but remains for you to give "the high sign," and then you will realize the warmth of your welcome home.

That Gov. Reily has won out in his fight for Americanism in Porto Rico is best proven by the fact that the Unionist Party has recently eradicated from their platform the independence plank that it had been carrying for years, and the story that best tells the almost unanimous desire of the people for the Government that has protected them for the past 25 years is that for the four years previous to Gov. Reily's going to Porto Rico as its governor but 1,000 flags were sold in Porto Rico, while in the half year that he has been governor over 13,000 American flags have been purchased by the people, and to-day in the schools of Porto Rico the children are taught that there is only one flag and one country—"Old Glory and America." But the Barceló-Coll y Cuchi-Davila crowd have not yet given up the fight, and when the names of the governor's cabinet went to the senate they confirmed only the members of the Unionist Party, rejecting the others, and passed a resolution condemning the governor, which has been placed in the RECORD by CORDOVA DAVILA. The governor promptly reappointed the members of his cabinet, as it was necessary to do in order to permit the government to function properly. It suffices to say that one of the members of the cabinet, whose confirmation was rejected by the senate, is the same commissioner of interior who was appointed by President Taft.

Now, they say the governor has dismissed some judges that should not have been removed; that is, if I am able to read the only charges in Mr. CORDOVA DAVILA's long and venomous attack on Mont Reily. Gov. Reily removed a judge at San Juan Sicardo. Reasons given were that there had been filed in his court 740 cases during last year that he had failed to docket. These were cases involving his Unionist friends. Will the Commissioner from Porto Rico deny that there were 740 cases that were not docketed? Will he contend they should not have been docketed? Does he think that the parties involved being Unionists is sufficient reason for the judge to not docket cases against them? The complaint is made of the removal of the secretary of this court. The secretary was short in the neighborhood of $5,000. He is out on a bond. Does the Resident Commissioner, CORDOVA DAVILA, want that excused, and does he want the Attorney General to dismiss the case now pending against this man? Another judge was being investigated along similar lines when he sent in his resignation to Gov. Reily. Does the Resident Commissioner from Porto Rico desire that Gov. Reily refuse to accept the resignations of judges whose records will not bear investigation? One judge was removed by the governor, and it was afterwards learned that the testimony that was furnished against him was not true, and the governor reinstated him.

I think the experience of the average Member of this House will lead him to be patient with the governor when he is dealing with this testimony in Porto Rico. I recall that Col. Roosevelt, when he was President, removed a certain district attorney. He afterwards found that the testimony upon which he had removed him was false, and reinstated him.

Mr. Chairman, the Resident Commissioner may be able to send a Jones, or some one, to Kansas City to get some affidavit maker drunk who will make an affidavit one way to-day and another to-morrow, but when Theodore Roosevelt told the postmaster at Omaha, who wanted to get pointers as to how he should conduct the post office on a modern plan, to "go to Kansas City and see Mont Reily, who has the most modern and best-conducted office in this country," E. Mont Reily had a testimonial as to his business fitness that can not be destroyed by all the affidavits that Jones can purchase. Later, when Col. Roosevelt was returning from Africa and he sent for Mont Reily to come abroad and accompany him home, Mont Reily received the testimonial of the personal friendship and esteem of the man, which is a better testimonial of his standing among his fellowmen than can be produced by any affidavit. It is true that Mont Reily was for Roosevelt in 1912, but after Col. Roosevelt's defeat in Chicago, Mont Reily advised him to stay with the Republican Party, and Mont Reily has the satisfaction of knowing that Col. Roosevelt lived long enough to say that "you are one of my close friends and advisers that gave me good advice."

But a new propaganda has been started in Porto Rico to serve the same purpose which the independence plank of the Barceló machine was accomplishing—a free State of Porto Rico—which means a government dominated by the Barceló-Coll y Cuchi-Davila machine, with the Old World system of "government by a few," and the resultant exploitation of the people. It is unnecessary to add that this would be the end of Americanism in Porto Rico.

I read from a letter from the United States attorney at Porto Rico, a man from my State, who lived in the district so ably represented by Mr. ANTHONY, who was a judge advocate in the Army during the World War, and for whose high standing, ability, and splendid Americanism every member of the Kansas delegation will vouch:

The taking out of the independence plank in the platform of the Unionist Party means nothing whatever, and is simply to throw dust in the eyes of Congress. People here are not fooled and know that they are just as disloyal as ever.

Gov. Reily is all right in every way and should have the backing of every American. * * * If the American flag means anything to these people it should be made known now. The people of the island are loyal and true, and it is only a few politicians who are off the reservation, and they should be made to see that there is a "God in Israel," and should be made to honor and respect the American flag.

People in the States do not realize the seriousness of this matter to the best interests of the island and are inclined to take it as a joke, but it is no joke here.

If they succeed in breaking Reily, they will break any American governor who can be sent here, and it requires a firm hand, right now and for all time. It is these bills in Congress that give them new hope, and they are furnishing the fuel by which American ideals and American patriotism is being cast upon the block and burned at the stake.

Mr. Chairman, every Member of Congress knows that it is a very easy matter to procure the introduction of a bill in Congress. Mr. Barceló was here for months, and he and Mr. DAVILA were together, and together they called upon many Members of Congress. The so-called Campbell bill is not the only bill that was introduced for Porto Rican independence. The scheme was to get a bill introduced in the House and then for the Unionist Party to use the fact that a bill had been introduced as though it was practically a law, and by such use of the bill it has had a tendency to destroy good government in Porto Rico.

Also, every Member of this House knows that there has been no serious thought by any considerable number of the American Congress to even consider any of these measures that have been introduced. The president of the Senate of Porto Rico knew it. CORDOVA DAVILA knows this fact. It is possible that the propaganda of having these bills introduced and these cablegrams exchanged is for the purpose of raising and creating a sentiment that will enable certain persons to raise money in Porto Rico to be used against the American flag. If this construction of the use they are putting these bills to is correct, then Members of Congress should be reluctant to extend the ordinary courtesy of introducing a bill at the request of these parties. It is well understood in this country that almost anyone who has an idea thinks he ought to be engaged in securing some Congressman willing to put that idea in the form of a bill in the basket on the Speaker's desk. It is just as well understood in this country that that bill is no nearer a law then than it was when it had its original inception in the mind of the

propagandist, and no notice whatever is paid to the fact that a bill has been introduced. I am able to state that the introduction of these bills has been given publicity in Porto Rico by the Barceló-Cordova Davila crowd for the purpose of raising funds to carry on their propaganda work and help their political situation.

Mr. Chairman, in conclusion I desire to observe that the facts and information I have furnished the House in this address are, of course, known to the administration in Washington, and perhaps it is unnecessary to add that they would not be discussed in Congress save and except for the fact that the Resident Commissioner, CORDOVA DAVILA, has placed some statements in the RECORD. President Harding, the Secretary of War, and several departments of our Government charged with the administration of affairs are fully informed as to conditions, and to anyone who is willing to take time to make investigation there is nothing surprising in the fact that the President has not seen fit, at the request of the Secessionists and Independistas, to remove his appointee in Porto Rico.

The Resident Commissioner, CORDOVA DAVILA, has spoken in favor of an investigation. If he really wants one, I am requested by the friends of Gov. Reily to say that they will welcome it, but they desire to have the investigation include the management of the public affairs of Porto Rico by the Barceló-Coll y Cuchi-Davila organization, so that the reasons and the need for Gov. Reily's clean-up of its government offices and the discharge of incompetent, useless, and grafting officials and employees was necessary. If we are going to interfere in the President's administration of the affairs of Porto Rico, let us get all the facts.

When this tempest in the teapot has passed the American administration in Porto Rico will go forward to the great good of the Porto Ricans, who are naturally a loyal, patriotic people, and who will realize that the people of the United States want nothing from them but their assistance to uphold the American flag and American ideals. They are now American citizens—the highest honor in the world to-day. They may always depend upon our cooperation, assistance, and protection. We hope that the present governor may succeed in having our language taught in the public schools equal with that of Spanish, in order that they may better understand our system of government and our national ideals, and in stamping out any attempt to separate the island of Porto Rico and its people from us. [Applause.]

Mr. SISSON. Mr. Chairman, I yield 16 minutes to the gentleman from Georgia [Mr. LARSEN].

Mr. LARSEN of Georgia. Mr. Chairman, the administration of no other governmental activity has provoked so much complaint and dissatisfaction as have those which pertain to the care and well-being of our ex-service men of the World War.

It was so continuous and general, without reference to class or section, that it finally culminated in the enactment of the Sweet bill, approved August 9, 1921, by which was established the Veterans' Bureau.

The proponents of the bill claimed that the legislation would lessen expense by coordinating governmental activities, and that its provisions for organizing regional offices would facilitate action on all matters involved. It is now admitted by department officials that the operation of the regional offices increases the annual expense of the bureau from fourteen to fifteen million dollars.

So much has been said regarding the service and the decentralization of the bureau since the passage of the act that I was induced to make what under the surrounding circumstances and opportunities may be considered an exhaustive study of the results obtained. The facts are such that I believe they should be brought to the attention of the House, and I therefore ask its indulgence for that purpose.

There are embraced in the Veterans' Bureau what was prior to its creation the Bureau of War Risk Insurance, also those activities of the Federal Board for Vocational Education which related to the rehabilitation of disabled soldiers, sailors, and marines, and those of the Public Health Service which relate to beneficiaries of the Bureau of War Risk Insurance, except such as had to do with hospitals and dispensaries.

The act authorizes the director of the bureau to establish a central office in the District of Columbia and not more than 14 regional offices and 140 suboffices in the territory of the United States and its outlying possessions.

Incompetency is always deplorable. Waste of public funds may be pardoned in times of war but not in times of peace.

If reports be true the waste and loss which the Government will probably sustain as a result of incompetency or carelessness in the management of affairs by some of these regional offices is little short of crime. For instance, persons heretofore receiving compensation, allotments, or allowances have had such payments reduced or discontinued altogether at the central office, but it is said that checks for the usual amounts have gone to them by error from the district offices. In some offices, it is said, they have amounted to millions of dollars.

In this connection I may add that on yesterday I called the attention of an employee occupying a responsible position in the bureau to a report which had come to me to the effect that shortage exists by reason of such action in some of the regional offices. I was informed an investigation had been made of the New York and Philadelphia offices but no report had yet been submitted. I was also advised that an investigation of the Atlanta regional office had been ordered and that it would be made at once. I then stated to the party that I had been told a shortage of a million or more dollars exists in the Atlanta office. If such funds were sent to persons who accepted and spent them in good faith, the recipient has certainly committed no crime; and if they are not financially able to repay, the Government must lose.

I have to-day introduced a resolution providing for the appointment of a committee to investigate the Veterans' Bureau, especially as to errors and shortage at regional offices.

It is not always safe to depend upon statements of the cashier as to the solvency of the bank, nor even to rely upon the directors of the institution, for it might not be to their interest to disclose its embarrassment or insolvency. It is upon this principle that we rely upon the official bank examiner in both State and Federal matters for accurate information wherein the public interest is involved.

Upon this theory, I believe a congressional investigation as to the Veterans' Bureau would satisfy and best serve the public demands.

The issues involved center largely around the question of decentralization of the bureau. Is decentralization wise or unwise? Certainly there is much dissatisfaction as to the results obtained. At no time since we have been dealing with the problem of disabled ex-service men has complaint been more general or dissatisfaction better founded. If decentralization is wise, apparently the affairs of the regional offices are in the hands of incompetent persons or carelessness and negligence prevail. If the system is a failure, we should change it; if its administration is wrong, we should correct it.

I incorporate a statement furnished by the bureau which shows the location of the regional offices, the rent to be paid for each, and the amount for suboffices. It discloses that we are paying an annual rental of $1,094,884.78 for regional offices and $577,294.11 for suboffices, a total of $1,672,178.89. None of this is for Washington quarters, nor is any necessary for that purpose. If this is necessary for the comfort or better care of disabled ex-service men, of course no one will object; but if its chief purpose or result is to further enrich opulent landlords, objection will come from every quarter. [Applause.]

But rent is only a small portion of additional expense incurred. By far the largest item results from increase in number of employees.

In the formation of the Veterans' Bureau the entire force of the Bureau of War Risk Insurance was taken over. It consisted of 5,025 employees. There were transferred from the Federal Board for Vocational Education 6,710 employees and from the Public Health Service 4,021, making a total of 15,756 employees.

Regarding personnel of the Bureau of War Risk Insurance, the report of the Secretary of the Treasury for 1921, page 432, discloses that—

> The annual net reduction in the bureau's personnel for the fiscal year ending June 30, 1921—
>
> Less than 40 days before creation of the Veterans' Bureau—
>
> amounted to 2,767 employees, or a net reduction of approximately 35.2 per cent.

In view of this well-known tendency toward reduction of such employees, I think it may be assumed that Members of Congress voting for the bill did not expect the personnel of the Veterans' Bureau to be greatly increased over the number comprising its initial organization. If so, they have certainly been doomed to disappointment, for there are at this time not 15,756 persons employed in the bureau but 19,633, an increase of 3,859 in about seven months.

Not only is this true, but the Public Health Service, from which was taken many of its activities and 4,021 employees in the organization of the Veterans' Bureau, has reorganized its forces by adding to the pay roll 2,927 more employees, an increase of more than 15 per cent. A statement furnished by the Public Health Service March 4, 1922, shows that the total personnel of the service was 22,444 on July 1, 1921, and that it con-

sisted of 21,340 employees on February 28, 1922, practically the same as prior to disenrollment for the Veterans' Bureau.

I incorporate a statement furnished by the Veterans' Bureau which shows the number of employees in the central office and each of the regional offices; the average, the minimum, and the maximum salary paid at each office and the number receiving the maximum salary. It will be seen that the average salary paid is $1,479.60 per annum. Thus, it will require on the present basis of employment $29,048,968.80 per annum to pay basic salaries of the 19,633 employees of the regional offices. The bonus paid employees will add, it is estimated, $1,694,327.90; and thus, including the $6,115,542, estimated to be necessary for salaries in operation of the central office, the total amount to be paid for salaries alone is $36,858,838.70.

There are 5,016 persons employed in the central office. The salary of the director of the bureau is $10,000 per annum. One other person in the central office receives a salary of $7,500 per annum, six receive $6,000 each, one receives $5,500, and seven receive $5,000 each. The report discloses that 17 other officials embraced in the various regional offices receive annual salaries ranging approximately from $5,000 to $6,000 per annum. Some of the regional offices have less than 500 employees—the greatest has approximately 1,600—yet the heads of these regional offices receive practically as much salary as did the Director of the Bureau of War Risk Insurance when it had enrolled 17,336 employees. I believe his salary was about $6,000 per annum.

The service rendered may be worth the money. It may be impossible to obtain efficient men for a less sum; but at a time when 700,000 deserving ex-service men walk the street and beg for employment, and when complaint regarding service rendered, especially as to regional offices, is so widespread, the public will wonder whether these high-paid officials are indispensable. [Applause.] The people will not be willing to have the bureau made a haven for high-paid officials who do not satisfy demands for efficiency.

The law does not require the establishment of 14 regional offices. It simply limits the number to be established. The director is clothed with full and complete authority to terminate any regional office or suboffice when in his judgment this may be done without detriment to the administration of the act.

The service obtained is far from satisfactory in results. Almost everyone in position to know and who has spoken upon the question has so testified. It is useless for me to cite particular instances coming within my own knowledge, though I might mention many. In view of these conditions, would it not be well for the director to consider the advisability of closing the regional offices and adopting some other system of dealing with the situation?

More than a year ago Congress appropriated $18,600,000 to provide hospital facilities and 6,000 new beds for our disabled ex-service men. Not a hospital has been completed nor a single bed made available under this appropriation. Not only this but a recent report of the Treasury discloses that in some instances not even sites for the proposed hospitals have been acquired.

We have more than 9,000 disabled ex-service men in contract hospitals, mostly private, profit-making institutions. They are costing the Government an average of $3.50 per day each—a daily expenditure of $32,000. They could be cared for in Government hospitals at a saving of from $12,000 to $15,000 per day. Most of these men do not receive vocational training, nor are such facilities afforded them. The Government has little or no opportunity for determining when a patient has sufficiently recuperated to be discharged from these hospitals, and it is not greatly to the interest of the institutions to disclose such information. In many instances the ex-service men are dissatisfied with the services rendered.

Who is to blame for such delay and extravagance? Congress can only appropriate money. It is not expected to build hospitals, or to equip them, but some one is charged with responsibility, and the country should know who it is and why the delay.

The American Legion Weekly of March 3 calls attention to this frightful condition. It says that we now have more than 30,000 patients in Government hospitals; that the number is expected to increase rather than decrease, and that by 1925 the number will probably reach 35,000. Present facilities are taxed to their full capacity. Many others are suffering, yet few can be admitted until hospital facilities are provided.

Those in authority meet the existing emergency only with delay and procrastination. Meanwhile the public does not know whether collusion and desire to benefit private institutions prevent action.

The disabled ex-service man is entitled to every consideration. He is dissatisfied with the results obtained. It is not only the duty of Congress to fix responsibility for delay and inefficiency, but to correct conditions immediately.

To obtain for these brave men who fought that liberty might live, who are to-day wrecks that freedom might survive for yours and mine, all things which may help them is due. I, for one, though criticism may follow and misunderstanding arise, shall continue to call these matters to the attention of Congress until justice be done and suffering alleviated so far as it may be.

I am actuated by no mere desire to criticise, but by the hope that constructive criticism may enable us to discharge the debt due to these soldier lads of ours. [Applause.]

EXHIBIT A.

STATEMENT BY UNITED STATES VETERANS' BUREAU AS TO LOCATION OF REGIONAL OFFICES, SUBOFFICES, RENTALS, ETC.

Fourteen regional offices and 125 suboffices have been established. The location of these are shown in the following list, which also shows the location of training centers and hospitals, as of February 1, 1922:

The annual rental now being paid for each regional office is as follows:

1. Boston, Mass	$154,500.00
2. New York, N. Y	166,430.00
3. Philadelphia, Pa	135,300.00
4. Washington, D. C. (Government owned).	
5. Atlanta, Ga	18,000.00
6. New Orleans, La	46,566.00
7. Cincinnati, Ohio	44,152.58
8. Chicago, Ill	186,250.00
9. St. Louis, Mo	68,688.00
10. Minneapolis, Minn	63,732.00
11. Denver, Colo	64,990.00
12. San Francisco, Calif	56,900.00
13. Seattle, Wash	52,626.20
14. Dallas, Tex	36,750.00
Total annual rental for 14 regional offices	1,094,884.78
Annual rental for 125 suboffices	577,294.11
Total annual rental for regional and suboffices	1,672,178.89

EXHIBIT B.

UNITED STATES VETERANS' BUREAU.

Statement showing number of employees of central office and each district with average and maximum salaries.

Location.	Number of employees Feb. 27, 1922.	Average salary.	Maximum salary.	Number receiving approximately the maximum salary.
Central office	5,016	$1,426	$10,000	1
District 1	1,002	1,366	5,000	1
District 2	1,628	1,466	6,000	1
District 3	1,141	1,483	6,000	1
District 4	1,199	1,624	5,000	1
District 5	949	1,468	5,000	1
District 6	786	1,453	5,000	1
District 7	1,575	1,484	5,000	1
District 8	1,493	1,461	5,000	1
District 9	934	1,377	5,000	[1]2
District 10	813	1,409	5,000	[1]2
District 11	1,114	1,463	4,800	1
District 12	794	1,668	5,000	[2]2
District 13	487	1,575	5,000	1
District 14	702	1,471	5,000	1
Total	19,633			

[1] District manager, $5,000; medical referee, $4,800.
[2] District manager, $5,000; medical examiner, $4,500.

NOTE.—Maximum salary shown in each district is salary of district manager.

Mr. ANTHONY. Mr. Chairman, I yield 15 minutes to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Chairman, inasmuch as one can not expect to go very deeply into the philosophy of the organization of the Military Establishment and the reasons for its being in 15 minutes I am going to ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Vermont asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GREENE of Vermont. Mr. Chairman, I do not think anybody who is cognizant with public affairs in these days would seriously attempt to deny the necessity for great and oftentimes radical economies in the administration of our various bureaus and departments of Government, and in the control of the activities of the many agencies and institutions of Government. It is not debatable. But I think the American people generally, in whose name we profess occasionally to appeal for economy, are not themselves individually and collectively in their community and home life such radical economists as sometimes their distinguished Representatives undertake to say they are.

The American people do not want their money misspent, but they do not begrudge the money that is necessary to be spent in order to have good government and security in their social order. Sometimes I am inclined to think, with all good nature, that some gentlemen in public life who preach economy vociferously and say they are speaking in the name of the people are much in the attitude of a man standing at the mouth of Mammoth Cave hallooing his speech into it, and then, when the echo of his own words comes rumbling back, calling it "public opinion."

I think a good deal of so-called public opinion is manufactured upon the floor of this House in about that kind of a way.

I think it is equally true that, if we were this very night to make a little quiet canvas of the homes of the land and ask them if they have taken particular note of the figures in the Army appropriation bill and the theory upon which it proposes to reduce the Regular Establishment and the other military activities that depend upon it, they would tell us they had not done so and, what is more, that they were not aware that there was any particular necessity for such a reduction.

Mr. GARNER. Will the gentleman yield?

Mr. GREENE of Vermont. For a brief question.

Mr. GARNER. With reference to the statement of sentiment being made in the House of Representatives, does not the gentleman believe that if the House of Representatives should take the leadership of the country according to its convictions the country would be better off?

Mr. GREENE of Vermont. I think that is probably true of all popular government when the mandate of an election represents the true political sentiment.

Mr. GARNER. In other words, if we undertook to educate our people in their thought rather than find out what they wanted and attempt to benefit them, that would be the better policy?

Mr. GREENE of Vermont. It is true; but most of us are human.

Mr. GARNER. And the gentleman might say that we want to be elected.

Mr. GREENE of Vermont. That is human, too.

So I do not think there need be so much concern about a popular demand for economy respecting the figures involved in the Military Establishment when those figures do not run beyond reason. There should be some basis of common sense back of all action of this kind, and there should not be any indiscriminate reduction without regard as to whether we are going to keep the governmental agency in a live condition and in such a vitality that even though it is required to retrench somewhat it will not be left in such shape that it will be unable to carry on the purposes for which it was originally instituted.

Back in my country there is an old, old story of the man who tried a drastic experiment in economy, and it has become proverbial. He said he had just got his horse up to the point where he was going without eating "when he up and died." [Laughter.] I often think of that in connection with some of these institutions for which we legislate.

I can see places in the Military Establishment where economies can be effected. If the Committee on Military Affairs had been allowed to continue in the work they were endeavoring to do, and had been allowed to bring into the House a scheme whereby the War Department might unload a great many thousands of acres of useless real estate, which now entails considerable overhead charge for its administration, and various other things which the committee have been trying to do, thus reducing the total cost of the Military Establishment, which now is always charged up in the popular mind to maintenance of so-called militarism, the figures for the War Department's annual budget would be more nearly representing the expense that the real, true military service carries as nearly as it can be measured in dollars.

Mr. CHALMERS. Will the gentleman yield?

Mr. GREENE of Vermont. I can not in my time.

It is an old fallacy I have often spoken of a good many times here by which people who do not approve of what they call militarism attempt to divide the total which they find charged off on the books against the War Department by the number of soldiers who are maintained, and then say militarism costs so much per capita. Then they proceed to "economize" in the cost of the Army by reducing the number of soldiers. If they would only take out of that total the great sums, such as rivers and harbors and various other activities which are nonmilitary, not directly pertaining to the military defense in any shape or manner, we would not have such a cry in reference to economy in the Military Establishment, or the clamor that we must reduce the personnel of the Army in order to economize. If we did, we would not have so much of a cry of how much it is costing for our Army. We ought to have a common-sense idea of economies which we know are necessary at this time.

I am sure we would also agree upon the proposition that that governmental agency whose existence was absolutely necessary—and we do not deny that the Army is a necessity, due to world and social conditions—we would also agree that it was a wise thing for the health of that agency if the Nation adopted something like a permanent policy regarding its maintenance and its continuance from year to year, so that men who undertook to go into the Army and the Military Establishment and make the profession of arms a life career would have some reasonable assurance before them that if they did so they were going to be able to continue in stable employment, provided, of course, they were efficient according to a fair standard or, in the language of the time, "made good."

But if we go on year after year taking a new hack at the Army on one pretense and another, one speculation and another, and continually make life within that professional circle uncertain and altogether risky and experimental, how long will it be before we get to the point where the right kind of young men will see that the Army means no career for anybody; that they can not get anywhere with it? And then we will not get the kind of material that we want.

I should like to summarize, and just touch the high point in the summarization, one of the lessons that was learned as the result of the great World War. All people who study military affairs in general know that it stands out as one of the most prominent and, in a degree, one of the expensive lessons learned in the great World War. That was that we did not go into that war with a sufficient number of highly trained, experienced, and matured commissioned officers in our Regular Establishment. I do not think anybody who has ever given any thought to that question will dispute that for a moment. As a result, we tried in the adoption of the Army reorganization act, deliberately and avowedly, to create a larger commissioned personnel than there was any necessity for if the officers in it were to be employed exclusively with troops. It was done designedly and avowedly. And when some of the brethren undertake to show that we have no reason for so many enlisted men, or when we cut down the enlisted men we do not need so many officers, they are arguing against the philosophy of the law which we adopted.

It would take more time than has been allotted to me to show how those officers are employed, but the theory of the law is that they shall be kept in circulation, first, performing duties with troops, and then being sent for a while to school, and then on detached service of one kind and another in some one of the Military Establishment's functions and activities, while most of the surplus officers are employed throughout the country in the business of training the National Guard, in acting as instructors for the Reserve Officers' Training Corps, and in training in schools and colleges where they have military units of young citizens preparing for the defense of the country in time of need.

I agree with you that in order to fix the number of officers beyond the necessary number required for the tactical units there must be a compromise, but I think it is a dangerous thing to compromise on the wrong side on that number. I think the time will never come when we shall be able to get along in this country with any less than the number we have now, and we find now that the demands all over the country for these officers to help in training and teaching and instructing the civilian population to prepare for national defense are more than the War Department can answer. And they have to rob the tactical units they maintain to-day in order to get many of the officers to put at this work. The organizations of enlisted men are short of officers, and have been for years, and yet the call comes for officers to come out and train the civilian population.

Again, I want to impress upon your minds something you know already, but which I think we ought to carry into the debate when the bill is read under the five-minute rule. We shall hear some rather emphatic and exaggerated statements made in the enthusiasm of some of our economical friends, and I think we ought to keep them closely in mind. We have never maintained in this country a fighting Army in time of peace, nor is it intended by the Army reorganization act that we shall do so. It is simply a garrison, police, and training Army. We wisely rely upon calling our entire population to arms in time of war, and thus avoid maintaining a great standing Army in time of peace. Men say we are not going to have war with foreign countries by reason of the Limitation of Armament Conference. The whole world knows that we do not maintain a war Army, but we did maintain a Navy that was practically ready for war. The Limitation of Arms Conference never asked that our Army be reduced.

Moreover, if there is no danger of our having a foreign war immediately—and that is quite likely, as the world is exhausted to-day—perhaps this generation may never see another; yet if there was ever a time in the history of man when it may be necessary to employ force to maintain our Government against radical manifestations of social upheaval and threatened insurrection, it is this very day and time when all the world is laboring under a well-nigh feverish unrest and discontent. We may think ourselves very lucky that we have not had many more radical examples of what may come of that social unrest in our own land, and yet we can not tell when they will come or when we will have need for just such an organization as this Army of ours.

I want to impress on your mind again that it is the commissioned personnel of an army, under our American system, that is the only permanent Military Establishment we have. And those commissioned officers are what we mainly rely upon in time of peace to prepare our great civilian population for national defense in time of war. Enlisted men come and go in and out of the Regular Army, but the science of war has become too complicated in these days to be learned by volunteer officers in the few weeks that an emergency army of citizens has for training when called to the colors in time of war. As an evidence of this, please take note that the recent British Army estimates, while they propose a reduction in the enlisted personnel, at the same time actually propose an increase of 4,000 in the number of commissioned officers. [Applause.]

Mr. Chairman, I append herewith a report, to accompany H. R. 10271, entitled "Reduction of officers of the Regular Army." This report, which I made for the Committee on Military Affairs, gives in somewhat greater detail than I have been able to discuss in my limited time here, some idea of the reason why the commissioned personnel of the Army should not be reduced to the extent proposed in the Army appropriation bill now before the House:

REDUCTION OF OFFICERS OF THE REGULAR ARMY.

[Report to accompany H. R. 10271.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 10271) to reduce the number of officers of the Regular Army, and for other purposes, having considered the same, report thereon with a recommendation that it do pass.

One of the outstanding lessons of the World War was the modern army's need of great numbers of highly trained, experienced, and matured commissioned officers. The wise policy of the people of the United States has been not to maintain a huge standing Army in peace time ready for the battle field at any call, but to keep a comparatively small professional Army in time of peace for garrison, police, and training purposes, and to rely upon armies of citizen soldiers in emergency for national defense. This professional Army is required to educate, discipline, and train itself for any emergency at any time, and one of its most important missions is to conduct the education and training in military science of the National Guard, Organized Reserves, and other civilians and civilian agencies and institutions so that there may be no necessity for the maintenance of a great war-strength army in time of peace.

When the Army reorganization act of June 4, 1920, was drawn, it authorized a strength of 17,726 commissioned officers for the Regular or permanent Military Establishment. This number of officers were designedly far more than would be needed simply to supply officers for the various tactical organizations of the Army or for its normal peace-time administration and overhead. But it was recognized that the commissioned personnel is the only permanent part of the Regular Army, as the enlisted men come and go with their varying terms of enlistment. It was the philosophy of the law that a number of officers varying with the needs of the time would be detailed to duty with troops or for administration and overhead, that others would be sent to the various service schools of the Army, others still to various duties and responsibilities which are by law placed under the War Department, such as rivers and harbors work, for one instance, and that the body of commissioned officers remaining would be utilized in the various agencies concerned in the training of civilians and civilian or nonprofessional military organizations, as already indicated. It was the idea of the law that the officers would be kept in circulation throughout these activities, serving for a period with troops; then perhaps going to a service school to acquire additional proficiency in their profession; then detailed once more to some administration, staff, or other overhead duty; then to the agencies of civilian training if fitted for that particular duty; and so on, roundabout, going back to troops frequently in order always to be close in touch with the actual Army and its everyday life and necessities.

It is the theory of the law that experience in these duties is essential to the Army and that officers in peace time should not only be trained in line duties but in administration, staff work, and similar responsibilities which experience shows will instantly be enormously enlarged and complicated upon the outbreak of a war and the raising of millions of men in citizen armies to take the field. It is the theory of the law, moreover, that while the small number of regular officers maintained over and above the exact requirements of the number of troops in the peace-time standing army can not be anywhere near sufficient to fill the higher grades in a war-time army, it is a number that will go some way by sprinkling through the great war-time army and helping to leaven the whole lump with some of the necessary ideas of military science and discipline, fill many of the most responsible high commands for which a sufficient number of citizen soldiers are not then prepared, and in general help raise, equip, and train the soldiers of the war-time army during the organization period, as was demonstrated during the recent war. These and many other similar details will at once suggest themselves as being most important functions for the commissioned personnel of the Regular Establishment in such an emergency when a whole nation of ordinarily peace-loving and nonmilitary people must be hurriedly put in shape for war.

As the Regular Army is operating to-day and long has been, there are not enough officers assigned to duties with troops according to the requirements in the tables of organization. The reason for this is that the civilian training has made such demands upon the commissioned strength that the troops have been deprived of the necessary tactical officers in order to go some way toward meeting this demand from the public.

It is not correct to say that in proportion as the enlisted strength of an army is reduced its overhead may also be reduced. There is about so much overhead required anyway for any army of any strength. Besides, it is regarded as very urgent that officers should have training in administration and staff duties as well as in duties pertaining strictly to the line because the war-time army needs tremendous administration overheads and increase in staff corps. One of the most emphasized lessons of the World War was our lack of training in military staff functions.

In attempting to estimate the number of commissioned officers necessary to an army it is a mistake to divide the number of enlisted men by the total number of officers and then to argue that we have an army made up of "one officer to so many enlisted men." The commissioned personnel of an army does not stand in any such ratio to the enlisted men. The various tactical organizations are not officered alike, some requiring many more officers than others, and many military functions are necessarily performed by officers who are not attached to troops at all.

Accordingly, when the Army reorganization act became law it provided for an increase in the commissioned personnel of all grades, and under the terms of the law several thousand former emergency officers in the World War were inducted into the Regular Army in various grades and the remaining vacancies were filled by promotions of the Regulars already in the service. As a matter of fact, however, it developed that not a sufficient number of emergency officers and other civilians applied for or were found qualified for admission into the Regular Army to fill all the vacancies created by the Army reorganization act, and as the law directed the upper grades to be filled as suggested it came about as a natural result that the higher grades became filled to their authorized strength, leaving the grade of second lieutenant wholly unfilled and considerable vacancies in the grade of first lieutenant besides. All this, it should be clearly understood, took place according to the very terms of the law itself, which in its turn followed the practice of military law for many years.

It should be borne in mind that if the Army reorganization act had gone into effect completely because sufficient applications had been made or accepted for vacancies created by it all the promotions made necessary by the act would have been en bloc, and would have attracted no public attention whatever because they were in obedience to the law, which provided for just such an increase in the commissioned personnel and all its grades. But the failure to fill the vacancies has meant that the promotion process has been strung out over a period going on two years, from time to time operating upon succeeding groups of officers as the files above them became vacant through natural causes, all tending to create the erroneous impression in some quarters, apparently, that the War Department itself was pursuing a ridiculous policy of building up a top-heavy Army that did not even have a second lieutenant in it.

The failure of sufficient applications for commissions in the Regular Army to fill the vacancies created by the Army reorganization act, therefore, has left the Regular Army in an absurd top-heavy condition with regard to the higher grades of its commissioned personnel. This the Army itself recognizes in the hindrance it is to the proper performance of its functions under military law and practice, and the War Department has sought some remedy for it for some time. The remedy now proposed is in the form of the bill H. R. 10271, which is now reported to the House.

This bill is the offer of the War Department itself to cure the existing situation. It keeps the commissioned personnel within a total of 13,000 for a year from July 1, 1923, and does not permit an excess of 14,000 beyond that time until Congress itself shall authorize such an increase. It redistributes the officers in appropriate numbers in the various grades to do away with the top-heaviness that is so apparent even to a layman, puts a restriction upon promotions, so that they will cease or slow up for some time, introduces the stranger known as a second lieutenant to the Army again, and provides that he shall stay in that grade for at least three years. It does these and other things, all in the interest of a well-balanced commissioned personnel of a professional Army, and many of which will be found to mean a very decided economy over the operations of the law as it stands to-day.

A complete analysis of the bill is shown in the following memorandum of the War Department prepared for the use of this committee:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, March 11, 1922.

Memorandum for the chairman Committee on Military Affairs, House of Representatives.

Subject: H. R. 10271.

I. PURPOSE OF THE BILL.

The purposes of H. R. 10271 are threefold: First, to suspend for the time being the authorization for officers of the act of June 4, 1920, and to substitute therefor a new authorization for about 4,000 less officers suitably distributed in grades and branches, thereby giving a definite guide for future administration of the commissioned personnel of the Army; second, to bring about a prompt, economical, and efficient readjustment of the present officer personnel to conform to the new authorization, and thereby remedy the existing unsatisfactory distribution and flow of promotion; and, third, to improve the general quality and effectiveness of the reduced officer body by an elimination of the least effective and by resuming the inflow of new blood in the lowest grade.

II. POLICIES GOVERNING FRAMING OF THE BILL.

The bill has been framed in accordance with carefully considered and broad policies. These may best be serially stated in broad terms as follows:

1. The minimum number of regular officers that can be maintained in the immediate future and effectively perform the missions that in our scheme of national defense devolve upon such officers is 13,000. As the development of the reserve forces progresses a thousand more officers will be required. These may, according to circumstances, be either obtained by appointment in the Regular Army or obtained by

placing junior reserve officers on active duty for limited periods. In either case the distribution of officers among the grades above the lowest should properly be on the basis of a total of 14,000 officers.

2. In reducing the number of officers at present in various grades above the lowest to conform to the new schedule the most efficient and economical method to pursue is a selective retirement and discharge of those officers who for any reason are least effective. The alternative methods are:

First, what is technically known as absorption, which means a suspension of promotions until, by normal causes such as death, retirement, resignation, etc., the surplus in any grade has disappeared. This method is not favored as it is slow, uneconomical, produces stagnation in promotion, prevents appointment of new blood in the lowest grade, and negatives any improvement in efficiency by not affording any opportunity for selective elimination.

Second, what is technically known as demotion, which means the recommissioning of officers in lower grades. This method has all the disadvantages of absorption except that it is more economical. It has the additional disadvantage of lowering morale by loss of rank and pay.

The method of selective elimination by retirement and discharge has all the advantages and none of the disadvantages of the alternative methods.

3. Officers eliminated on account of being surplus are entitled to reasonable compensation on account of the premature termination of their active service.

4. In order to avoid too great an elimination of junior officers, to have available for service a few extra junior officers during the period of building up the quota of second lieutenants, and to slow up promotions in those lower grades in which it has been unduly rapid, a portion of the reduction should be accomplished by the method of absorption.

5. Greater latitude in meeting the problem of reorganization and readjustment than the 15 per cent latitude now allowed by law is essential in the distribution of officers to the various branches of the service.

III. ANALYSIS OF THE BILL.

Section 1: This section accomplishes the following:

First. It leaves the authorized number of general officers, medical officers, Medical Administrative Corps officers, chaplains, professors, and the military storekeeper as at present authorized.

Second. It suspends for the time being certain provisions of the national defense act and reduces by 17.6 per cent the authorized number of officers in each grade from colonel to second lieutenant, inclusive.

Third. It reduces the authorized strength of the Veterinary Corps to 144, of the Dental Corps to 177, and of the chaplains to 136.

Fourth. It keeps the commissioned strength within 13,000 at least until July 1, 1923.

Fifth. It causes the authorized strength of the branches of the Medical Department and chaplains to remain fixed, instead of fluctuating with the enlisted strength, as they do at present.

Sixth. It requires that hereafter every second lieutenant serve at least three years in that grade before being eligible for promotion. This provision assures such vacancies as may exist being distributed in the grades of first and second lieutenant.

The total commissioned strength, as authorized by this section, is as shown in Appendix A.

Section 2: This section accomplishes the following:

First. For a period of five months, during which retirements and discharges are accomplished, it stops all promotions among the officers who receive promotion by seniority. By this means every ordinary vacancy that occurs during the five-month period serves to accomplish a part of the required reduction, thereby lessening the number to be eliminated by other means.

Second. It cancels all unfilled vacancies existing when the act is passed. In this way a further part of the necessary reduction in each grade is accomplished without the elimination of officers.

Section 3: This section accomplishes the following:

First. It fixes the number in the various grades to which reduction must be made within five months of passage of the act. The reduction required by this section will, in general, bring the various branches and grades to the new authorized strength as fixed by section 1 of the act. However, to avoid an excessive elimination and to slow up promotion to the grades of major and captain, a number of additional officers enumerated in the section are excluded from the elimination to be made within five months. These additional officers are authorized only during the time necessary for their number to reduce to zero by the normal losses that will occur.

Second. There being no surplus of first lieutenants, the section merely provides for the President to use his discretion in eliminating or releasing any that he may deem it to the best interests of the Government to eliminate or release.

Section 4: This section accomplishes the following:

First. It provides for a board of five general officers to select, under regulations approved by the Secretary of War and subject to his approval, the officers who should, for any reason, be declared supernumerary and be subject to retirement or discharge in accomplishing the immediate reduction required by the preceding section of the act. This board will be disinterested and impartial, being senior to all officers who come under its operations. It will operate under the close supervision of the Secretary of War. The numbers selected by this board will be only those necessary to supplement the reduction by normal casualties in bringing about the total required reduction. For example, the number of colonels is reduced by 105. If, by cancellation of unfilled vacancies, retirement on application and for physical disability, and by other normal processes, a reduction of 60 is brought about, the board will be authorized and required to select only the remaining 45 to be declared supernumerary and retired.

Second. The proviso of this section insures a reasonable portion of the reduction in the Medical Department being made in all grades. For example, a total reduction of 8 per cent being required in the Medical Corps, this proviso would require a reduction of 8 per cent of the actual number of colonels, of lieutenant colonels, and of majors of that corps. The effect of the proviso is to insure reaching the least effective in each grade and to prevent elimination of really effective officers in any grade.

Section 5: This section accomplishes the following:

First. Within the limits of the reduction required in the Army it affords an opportunity for officers to apply for retirement or discharge with the same compensation as though selected by the board as supernumerary officers. By this means there will be a large voluntary reduction, obviating an equal nonvoluntary elimination.

Second. It provides authority for the President, in his discretion, to place upon the retired list any officer eligible to be retired upon his own request.

Section 6: This section contains the specific authority to retire and discharge supernumerary officers and fixes the compensation they are to receive. Officers of over 10 years' service, who are retired, are to receive 3 per cent pay per year for each year of service. This provision is similar to that already made by law for the inefficient class B officers, the difference being a rate of pay of 3 per cent instead of 2½ per cent. This slight increase is due the officers eliminated on account of being surplus to differentiate between them and the absolutely inefficient officer who gets into class B. Officers of less than 10 years' service are discharged with a year's pay for five years' service or for a major fraction thereof. This also corresponds closely to the compensation provided for class B officers of less than 10 years' service, and also corresponds closely to a provision of the act of June 30, 1882, for the discharge and compensation of supernumerary officers.

The constructive service provisions of this section make reasonable provision for officers who have attained their present places other than by the normal process of promotion. In general, the effect of the bill is to credit each such officer with the same service as the officer next senior to him who did reach his place by the normal process of promotion. In other words, the position of an officer is recognized without question or discrimination as to the route or means by which he got there.

Section 7: This section merely prevents appointments in the Medical Department and of chaplains until the surplus in those branches has disappeared.

Section 8: This section authorizes, with their consent, the use of reserve officers on active duty when, due to unfilled vacancies in the Regular Army, reserve officers are needed and funds are available for their payment.

Section 9: This section accomplishes a redistribution of the reduced quota of officers among the various branches of the Army. The resulting relative proportions in various branches will be as now authorized by law, except that in meeting the problems of readjustment and reorganization the President may increase or diminish any branch by not more than 35 per cent.

SUMMARY.

In general, this bill will bring about within five months a reduction of the commissioned strength from the present number of 12,907 to about 12,000. This opens the way for a resumption of the appointment of second lieutenants. During the fiscal year 1923 such appointments may be made within a total strength of 13,000 officers. Thereafter further appointments may be made within such total strength, not exceeding 14,000 in any case, as funds appropriated permit. If Congress shall see fit to continue the limiting strength of 13,000, only such appointments will be made as are necessary to offset losses, junior reserve officers being used in place of the 1,000 appointments not to be made so long as the limit of 13,000 is continued.

This bill presents a logical and scientific method of bringing about an economical and desirable reduction and readjustment. It embodies the manifestly businesslike course of first dropping the least effective personnel. It goes as far as it is safe to go without seriously crippling the military service. To go further than this bill provides will undoubtedly cause to be eliminated and lost to the Government service officers who are thoroughly competent and efficient and who can not be spared if we are to have, as everyone knows we must have, an efficient and sufficient corps of professional officers.

Not the least of the virtues of the bill is the avoidance of demotion, a disheartening and demoralizing process that would drive many good officers out of the service, and, by blasting prospects of future promotion, would reduce greatly the effectiveness of those who remain.

The effects of the bill in tabular form are illustrated by the table in Appendix D. There are also appended hereto tables showing the distribution by grades and the functional distribution of the present officers of the Army.

JAY L. BENEDICT,
Major, General Staff.

APPENDIX A.

Distribution, by grades, of 14,000 officers.

Major generals, line	21	
Brigadier generals, line	46	
Total general officers, line		67
Colonels, promotion list	494	
Lieutenant colonels, promotion list	555	
Majors, promotion list	1,850	
Captains, promotion list	3,700	
Lieutenants, promotion list[1] (of whom not to exceed 3,515 may be first lieutenants)	5,735	
Total, promotion list		12,334
Medical Corps (in all grades)	1,053	
Dental Corps (in all grades)	177	
Veterinary Corps (in all grades)	144	
Medical Administrative Corps (in all grades)	81	
Chaplains (in all grades)	136	
Professors (in all grades)	7	
Military storekeeper	1	
Total, nonpromotion list		1,599
Grand total[2]		14,000

APPENDIX B.

Distribution of active Regular Army officers, Feb. 28, 1922.

PART I.—FOR DUTIES INDEPENDENT OF ENLISTED STRENGTH OF REGULAR ARMY COMPONENT.

General administration and overhead:	
War Department General Staff	99
Offices, chiefs of branches	479
Civil, semimilitary, and military duties	319
Corps area staffs	415
Depots, arsenals, hospitals, and miscellaneous	1,071
Total	2,383

[1] At least three years' service required for promotion from second to first lieutenant.

[2] This is exclusive of the General of the Armies, the present Judge Advocate General, the Chief of Engineers, the Chief of the Insular Bureau, and two brigadier generals, Medical Department, who are extra numbers for the time being and do not, upon vacation of office, create vacancies that may be filled by similar appointments.

	Staff and instructors.	Students.	
Service schools:			
General service schools	81	365	446
Special service schools	645	1,283	1,928
United States Military Academy	179	----	179
Technical schools, etc	----	108	108
Total	905	1,756	2,661
Reserve forces:			
National Guard			208
Organized Reserves			247
Reserve Officers' Training Corps			654
Training centers			105
Total			1,214
Total for duties independent of enlisted strength			6,258

PART II.—FOR DUTY WITH REGULAR ARMY COMPONENT.

Expeditionary force in United States:	
Active regular units	4,252
Coast defenses, United States:	
Coast Artillery officers	389
Air Service and staff officers	123
Total	512
Insular garrisons:	
Philippines	675
Hawaii	450
Panama Canal Zone	325
Porto Rico	37
Germany	398
Total	1,885
Total for Regular Army component	6,649

SUMMARY.

Part I	6,258
Part II	6,649
Total	12,907

APPENDIX C.

Authorized and actual strength in officers.

	Authorized act June 4, 1920.	Authorized act June 4, 1920, as amended.	Present.
General of the Armies	1	1	1
Major generals	21	21	21
Brigadier generals	46	46	46
Colonels	599	599	589
Lieutenant colonels	674	674	669
Majors	2,245	2,245	2,217
Captains	4,490	4,490	4,428
First lieutenants	4,266	4,266	3,068
Second lieutenants	2,694	2,694	.....
Total	15,036	15,036	11,039
Medical Corps	1,821	1,053	1,141
Dental Corps	299	180	286
Medical Administrative Corps	140	81	138
Veterinary Corps	175	175	161
Chaplains	242	139	179
Professors	7	7	7
Military storekeepers	1	1	1
Insular Bureau	.....	.....	.....
Philippine Scouts	.....	.....	.....
Total	2,685	1,636	1,863
Major general, Judge Advocate General	1	1	1
Major general, Corps of Engineers	1	1	1
Major general, Insular Bureau	1	1	1
Brigadier generals, Medical Department	2	2	2
Total	5	5	5
Grand total	17,726	16,677	12,907

APPENDIX D.

Proposed reduction in the number of officers of the Army.

	Actual numbers (see note 4) Feb. 28, 1922.[1]	Reduction to be made in five months.	Strength at end of five months.	Further reduction by absorption.	Resulting strength.
Promotion list, officers:[2]					
Colonels	589	95	494	None.	494
Lieutenant colonels	669	114	555	None.	555
Majors	2,217	173	2,044	194	1,850
Captains	4,428	333	4,095	395	3,700
Total	7,903	715	7,188	589	6,599

[1] A datum being essential for this calculation, the actual strength Feb. 28, 1922, is taken. Due to normal causes the strength in this column changes slightly from day to day. The figures derived from this column will change accordingly.

[2] No reduction is required in the grade of lieutenant. During the 5-months' period there will be a gain of 102 second lieutenants from the graduating class at West Point.

APPENDIX D—Continued.

Proposed reduction in the number of officers of the Army—Continued.

	Actual numbers (see note 4) Feb. 28, 1922.	Reduction to be made in five months.	Strength at end of five months.	Further reduction by absorption.	Resulting strength.
Promotion list, officers—contd.					
Medical Corps	1,141	88	1,053	None.	1,053
Dental Corps	236	27	209	32	177
Veterinary Corps	161	17	144	None.	144
Medical Administrative Corps	138	17	121	40	81
Chaplains	179	21	158	22	136
Total	1,855	170	1,685	94	1,591
Grand total	9,758	885	8,873	683	8,190
Whole Army[3]	12,907	885	12,022	(4)	(5)

[3] Only those grades and branches affected by the bill are shown. The total effect on whole Army shown in last line includes the grades and branches not affected and not shown in the table.

[4] No definite number can be stated, as the further reduction after five months will be more than counterbalanced by appointment of second lieutenants.

[5] If a sufficient number of qualified candidates can be secured the total strength o the Army will be 13,000 by July 1, 1923.

[H. R. 10271, Sixty-seventh Congress, second session.]

A bill to reduce the number of officers of the Regular Army, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter there shall be officers of the Regular Army as now authorized by law except that, until it shall be determined by Congress that conditions justify maintenance of the numbers now provided by the act of June 4, 1920, there shall be 494 colonels, 555 lieutenant colonels, 1,850 majors, 3,700 captains, 5,735 lieutenants, including first and second lieutenants and of whom not to exceed 3,515 may be first lieutenants, 1,053 officers of the Medical Corps, 177 officers of the Dental Corps, 144 officers of the Veterinary Corps, 81 officers of the Medical Administrative Corps, and 136 chaplains: *Provided*, That, until July 1, 1923, the total number of officers shall not exceed 13,000. Hereafter no officer whose name is carried on the promotion list shall be promoted to the grade of first lieutenant until he shall have served at least three years in the grade of second lieutenant. The number of officers herein prescribed for any grade or branch shall not be exceeded except as authorized by this act. Hereafter the number of officers of the Medical Corps, Dental Corps, Medical Administrative Corps, and chaplains shall be as prescribed herein, notwithstanding any changes that may be made in the authorized enlisted or commissioned strength of the Regular Army.

SEC. 2. That for five months after the date of approval of this act there shall be no promotions of officers of the Regular Army to any grade below that of brigadier general, and thereafter there shall be no promotions to any grade that would cause the number of officers authorized for such grade by section 1 of this act to be exceeded. Vacancies existing in any grade below brigadier general on the date of approval of this act and not actually filled by the acceptance of a tendered appointment shall not be filled: *Provided*, That nothing in this act shall prevent promotions in the Medical Department and of chaplains as now provided by law.

SEC. 3. That within five months of the date of approval of this act the number of officers shall be reduced to not to exceed the numbers prescribed in section 1 of this act and 194 additional majors, 395 additional captains, 32 additional officers of the Dental Corps, 40 additional officers of the Medical Administrative Corps, and 22 additional chaplains: *Provided*, That the number of first lieutenants may be reduced to such number as the President may deem advisable: *Provided further*, That additional officers within the numbers herein prescribed are authorized only during such time as may be necessary by retirement, discharge, and other means to absorb such additional officers and to reduce said grades and branches to the numbers prescribed in section 1 of this act.

SEC. 4. That the Secretary of War shall convene a board of five general officers, who, under regulations prescribed by him, shall select such number of officers, hereinafter designated as supernumerary officers, as may be necessary, in addition to officers removed from the active list by other means, to reduce to not to exceed the numbers to which reduction is to be made within five months of the date of the approval of this act as prescribed in the preceding section: *Provided*, That for the Medical Corps, the Dental Corps, the Veterinary Corps, and the chaplains the number in each branch in each grade above captain shall be reduced not less than the same per cent that the whole number of officers of such branch is required to be reduced within five months of the date of approval of this act.

SEC. 5. That within five months of the date of approval of this act the President may, in his discretion and upon application from the officer concerned, place officers upon the unlimited retired list or discharge officers under the same conditions as to length of service and pay as prescribed in the following section of this act for supernumerary officers: *Provided*, That no officer may be so retired or discharged whose retirement or discharge would reduce the number in any grade or branch below the number to which reduction is to be made within five months as prescribed in section 3 of this act: *Provided further*, That hereafter the President may, in his discretion, place upon the retired list any officer who, under existing law, may be retired on his own application.

SEC. 6. That supernumerary officers of more than 10 years' commissioned service shall within five months of the date of approval of this act, or as soon thereafter as practicable, be placed upon the unlimited retired list with pay at the rate of 3 per cent of their active pay multiplied by the number of complete years of commissioned service, not exceeding 75 per cent. Supernumerary officers of not more than 10 years' commissioned service shall within five months of the date of approval of this act, or as soon thereafter as practicable, be honorably discharged with one year's pay, unless they shall have more than 7½ years' commissioned service, in which case they shall be discharged with two

years' pay: *Provided*, That supernumerary officers of more than 10 years' commissioned service, who so elect, may be discharged with two years' pay in lieu of retirement and retired pay as herein provided.

In computing service under this section only service as a commissioned officer in the active service of the United States shall be counted: *Provided*, That any officer whose name is carried on the promotion list, who was originally appointed in a grade above second lieutenant, shall be credited with a length of service that shall be the same as that of the officer next above him on the promotion list who was originally appointed in the grade of second lieutenant prior to July 1, 1920; and any officer of the Medical Corps, Dental Corps, Veterinary Corps, or any chaplain originally appointed in a grade above the lowest authorized for the branch in which commissioned shall be credited with a length of service that shall be the same as that of the officer of said branch next senior in rank who was originally appointed in such authorized lowest grade; and captains and first lieutenants of the Medical Administrative Corps shall be credited with 10 and 5 years' commissioned service, respectively, to which shall be added their actual service as commissioned officers since July 1, 1920; and any colonel, except of the Medical Department, whose name is not borne on the promotion list and who was originally appointed in a grade above second lieutenant shall be credited with the same service as the colonel, exclusive of colonels of the Medical Department, next senior in rank who was originally appointed in the grade of second lieutenant: *Provided further*, That any officer whose length of commissioned service is actually greater than that with which he would be credited under the foregoing proviso shall be credited with such actual length of commissioned service. Service shall be credited as prescribed in this section for the purposes of this act only.

SEC. 7. That hereafter there shall be no appointments in the Medical Department that will cause the number of officers of any branch thereof to exceed the number prescribed for such branch in section 1 of this act or that will cause the total number of officers of the Medical Department to exceed 1,455, exclusive of general officers now commissioned therein, and there shall be no appointments of chaplains that will cause the number of chaplains prescribed in section 1 of this act to be exceeded.

SEC. 8. That whenever the total number of officers of the Regular Army shall be less than the maximum number authorized by this act, the President may, in his discretion, order reserve officers to active duty with their consent within the limits of funds available appropriated for pay of officers of the Army, and within the vacancies existing in the Regular Army in the numbers authorized by section 1 of this act.

SEC. 9. That the officers provided by section 1 of this act shall be assigned to the several branches of the Army so that the number assigned to each branch, exclusive of the Medical Department and chaplains, shall be 84.2 per cent of the number prescribed for such branch by the act of June 4, 1920, but the President may increase or diminish the number of officers assigned to any branch by not more than a total of 35 per cent.

SEC. 10. That all laws and parts of laws, in so far as they are inconsistent with this act, are hereby repealed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McDUFFIE. Mr. Chairman and gentlemen of the committee, I have asked for the privilege of using some of the valuable time of the committee, within which I hope to discuss as briefly as possible two provisions of this bill in which I am deeply interested and in which I think the country is interested. The first is that provision carrying an appropriation for the work on the rivers and harbors of the country and the second is the item providing for the continuation of the Mississippi-Warrior Barge Line service.

It is my understanding that General Dawes and his committee occupied the whole of 20 minutes in the original consideration of the item providing for river and harbor work in this bill, and even then without consulting the Army engineers. As a result of this 20 minutes' consideration and this "rough and ready" manner of estimating for one of the greatest and most important activities of the Government they recommended or suggested $13,000,000 for all the rivers and harbors of the Nation. Just think of it, gentlemen, this Budget committee, that is supposed to be saving so much money for the taxpayers of the country—and they are saving it on paper—using only 20 minutes in making an estimate which the Rivers and Harbors Committee, together with the engineers, usually make by hard work in the course of a week or 10 days. And yet I am told that some of the members of the Committee on Appropriations were ready to accept this estimate and put the thirteen-million item in this bill. This is the result of your change in the rules of this House whereby you have 35 Members of Congress passing upon the appropriations for all the expenditures of the Government. Here you have three men passing upon the amount necessary for river and harbor work, when neither of them have ever before made a study of such legislation and are unfamiliar with the country's needs along this line.

The friends of the river and harbor work suggested to the Budget committee that $13,000,000 would hardly provide for the maintenance of the channels, and after calling in the engineers and after the Subcommittee on Appropriations made some investigation the amount carried in this bill was agreed upon. How the committee ever agreed upon this amount of $27,635,000, and how they ever persuaded themselves, even in their wildest desire for economy, to believe that this sum is sufficient I have never been able to understand. I have seen men save a lot of money and make money with a piece of paper and a pencil, but when the actual operations began they were sorely disappointed. So it will be with these experts on river and harbor work, who believe this amount will accomplish results. Not only they will be disappointed but the country will be disappointed, and I venture to assert that you who are responsible for this legislation will hear from it in the coming elections if you do not amend this bill so as to carry the amount which the engineers show conclusively is absolutely necessary in order to properly, economically, and wisely maintain and improve our rivers and harbors. Why should the Appropriations Committee call to their assistance the office of the Chief of Engineers and then refuse to adopt the advice or suggestions given them by General Taylor, as shown in the hearings covering some 200 pages? In these hearings it is shown beyond question, just as it was shown to the Committee on Rivers and Harbors, that $42,815,661 is the minimum amount with which the Engineer Department can properly function

The amount carried in this bill does not mean economy. I appreciate the fact that this is a time when every one of us should practice as well as preach economy. There is such a thing as stinting economy, an unwise economy, and a foolish economy which results in waste. If you persist or if this House persists in appropriating only the amount carried in this bill for the river and harbor work, you will actually waste the public moneys by such a niggardly and unsound policy. I say you will waste money, because this amount can not get us anywhere. We could properly maintain the important channels, but we could not accomplish anything in the way of completion of the new projects. I believe it would be economy in the long run to immediately make appropriations for the completion of all the projects already adopted.

We have in this country the greatest river systems on earth, but we are not developing and utilizing them to their capacity. We spend less money in proportion to our population and resources than any other nation. Even during the war, Germany expended more each year on her waterways than we carry in this bill. France has developed her waterways to a state of high efficiency. A noted Frenchman, viewing the Mississippi River at St. Louis a few years ago, exclaimed:

> If France had such a river flowing through her heart without being used to carry its commerce, it would go mad.

In 1908 James J. Hill, in addressing the Rivers and Harbors Congress, said:

> Our neighbor on the north has put us to shame. Canada has spent in proportion to her population and wealth dollars on her waterway systems where we have spent dimes. Because she has worked on an intelligent plan, she has more to show for her dime than we have to show for our dollar.

For the last two years this Congress has appropriated lump sums of twelve and fifteen millions of dollars, in round figures, for rivers and harbors. It is argued that there are some fifty millions now appropriated for the work and in the hands of the engineers. This is not correct, and while there have been available under continuing appropriations various amounts for specific projects, you must not forget that these amounts must be expended on the projects for which they were appropriated and can not be used on any other project. For instance, money that may be expended on the Ohio River for locks and dams can not be used at Mobile or Boston for their harbors.

According to the testimony before the committee there was of all moneys appropriated for all river and harbor improvement in the country, including, of course, money for specific projects, the sum of $28,324,247.89 in the hands of the engineers, unexpended on December 1, 1921. Of this amount $9,774,165.76 is now obligated on contract, leaving a balance of $18,550,082.13 unexpended and unobligated on last December 1. We have expended since that date about $2,500,000 per month. At this rate of expenditure you will see where we will be at the end of the year.

The testimony before the committee further shows that of all the money heretofore appropriated for all projects, every penny has now been allocated with the exception of $203,500. Remember this is the amount available unexpended and unallocated at present, under all the appropriations made. You will therefore see that we have come to the end of using the money heretofore provided, and the only money available for improvement of rivers and harbors for the next fiscal year is the amount you carry in this bill. This amount is totally inadequate, and the amount absolutely necessary is $42,815,661.

Mr. ROACH. Will the gentleman yield?

Mr. McDUFFIE. Yes; I yield to the gentleman from Missouri.

Mr. ROACH. Do I understand the gentleman to say that it is taking forty-two millions to carry on the work of the several projects that are now under way?

Mr. McDUFFIE. Yes; I mean to say that forty-two millions is the amount necessary and the amount which can be wisely and economically expended for the maintenance of completed projects and the improvement of projects already adopted by

Congress but not completed. It takes something like twelve millions for maintenance alone. The engineers have to set aside about three millions for emergencies, which they have done under your lump-sum appropriations, and you will see that out of the twent-seven millions carried in this item we could not hope to accomplish anything in the way of new work on uncompleted projects.

Mr. ROACH. Then the item carried in this bill will not be sufficient to properly carry on the work of improving projects already adopted?

Mr. McDUFFIE. That is quite true.

Mr. ROACH. Can the gentleman tell us what particular projects will suffer?

Mr. McDUFFIE. I will say to the gentleman that all uncompleted projects will suffer, and those completed, I fear, will not be properly maintained. General Taylor says if we appropriate only the amount carried in this bill the engineers could only allocate about 50 per cent of the money needed on each project. We have, according to his testimony, something over 500 works or projects altogether, and at the present time work is being prosecuted on less than 100 of these projects. I will state further that I have in mind three of the big harbors of the country which have already suffered as a result of the policy adopted by the Congress in taking care of river and harbor improvement during the last two or three years. These harbors are Mobile, Providence, and Baltimore. My time is so limited I shall ask the gentleman to excuse me from further interruption. I wish I could secure more time.

At Mobile a 30-foot project was adopted in 1917, at which time we had a completed project of 27 feet. At this good hour the mean depth in our channel is hardly 27 feet, and while the engineers say the project is 20 per cent completed the fact remains that it has hardly been maintained, and many vessels calling at the port of Mobile actually plow 2 or 3 feet of mud. Mobile is the tenth port in the United States. It is nearer the Panama Canal than any other southern port of its size. It is nearer Chicago and St. Louis than any other Gulf port and has five trunk-line railroads connecting it with all parts of the country. The United States Steel Corporation has constructed one of the best shipbuilding plants in the country at Chickasaw, a few miles north of Mobile. The ships built by this company could not load to their dead-weight capacity and get out of the harbor, so they were compelled to leave the port and call at other ports to complete their cargoes. Mobile is the largest shipbuilding port south of Newport News in the United States. Thousands of tons of commerce have been denied the use of the port of Mobile because of the insufficient depth of the channel. The engineers recognize the importance of the port and are themselves anxious to complete the 30-foot project, but they can not do this much-needed work at Mobile nor in other ports because Congress does not provide the funds. Mobile has received her full share of the money provided, but the amount is too small to accomplish anything in the way of new work on the channel.

In the harbor of Providence, I understand, within the last few months some work is necessary for the removal of shoals which interfere with the commerce of the port, and yet there is no money available for that work. At Baltimore it is going to take a million dollars to do work left undone, because the engineers did not have sufficient money to carry it on. A large part of this money could have been saved had funds been available for this harbor within the last two years.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. McDUFFIE. Yes.

Mr. HILL. The engineers recommended $350,000 for work on the channel at Baltimore and we did not get it, and Baltimore is spending $50,000,000 of its own money on its own harbor.

Mr. McDUFFIE. It is my understanding that Baltimore has mapped out a great program in the way of improving her harbor at her own expense, and the people of Baltimore are to be congratulated upon this progressive movement and upon their spirit of cooperation.

Gentlemen of the committee, the engineers of the War Department are highly intelligent and patriotic. I will pit the Army engineers of this country against the engineers of the world. They are not only good officers but splendid gentlemen. They have no desire to waste the funds of the Treasury and, in my judgment, are real economists.

The testimony before the committee shows that the district engineers, the men on the ground, estimated that they could profitably use for the various projects of the country about $63,000,000. When these estimates reached the office of the Chief of Engineers, using the words of General Taylor, they were "combed with a fine-toothed comb." Every estimate was revised and sent back to the district officer, with the instruction that they cut their estimates "to the bone." The estimates were returned to Washington, and after revision and further cut of some $21,000,000 the figures show that $42,815,661 is the amount we must have for the next fiscal year.

Is the majority party of this Congress willing to stagnate and cripple this great and important activity of the Government? Are you willing to see organizations abandoned and equipment deteriorated? Are you going to waste the people's money by a picayunish appropriation of this kind for the care of our rivers and harbors, over which was floated last year 369,000,000 tons of commerce, of the value of $20,000,000,000?

The equipment of the engineers has deteriorated in the last three years. They have not contracted for new equipment, nor have they urged appropriations for new equipment, for the very reason that labor and material have been excessively high. Equipment or the construction of equipment can be done now for almost 50 per cent of the cost of two years ago. Contracts for work on harbors can be secured now for one-half the amount asked by the contractors 18 months ago. There is much unemployment in the country, and in some places laborers will work for their food. Contractors will now accept work without the hope of profit but simply to keep their organizations intact. This is the time, therefore, to embark upon additional public works of all kinds throughout the country.

If you expect to carry on the work of improving the rivers and harbors of the country, if you do not contemplate disbanding the organizations you maintain for that purpose, you must adopt an amendment to this item raising the amount to $42,815,661. This is not "pork-barrel" legislation. Such an amendment is necessary; it would show good judgment and in the end mean economy for the country.

If the time permits I beg you to indulge me in taking up one more proposition. It was suggested by some one yesterday afternoon that we should not make further appropriations for the Mississippi-Warrior Barge Line. No one is more anxious than I am to get the Government out of all sorts of business. The Government is, however, committed to the development of transportation on our inland waterways. Section 500 of the transportation act reads as follows:

> It is hereby declared to be the policy of Congress to promote, encourage, and develop water transportation, service, and facility in connection with the commerce of the United States and to foster and preserve in full vigor both rail and water transportation.

We should not abandon our support of the Mississippi-Warrior service until it has had a fair trial. I contend, and I think the figures will bear me out, that this service is to-day almost self-sustaining. In the year 1920 the service operated at a net loss of $1,181,622.01, while for the last year the net loss is only $235,375, showing that it has picked up during 1921 nearly a million dollars. The present loss is largely depreciation on the equipment, which is charged off at the rate of 5 per cent on the original cost of the steel boats and 10 per cent of the cost of the wooden structures. This amounts to nearly $400,000 annually, and this amount, of course, is charged up as loss in operation. You will observe, therefore, but for this unusual amount charged off for depreciation the service is practically self-sustaining. The Mississippi end of the service operated at a very substantial profit, but there was a loss sustained on the Warrior end of the line. The loss on the Warrior is due principally to the use of improper equipment, an inequitable division of the rates between the railroads and the barge line, and a failure to extend the zones within which the joint rail and water rate should be operative. A petition asking for this extension is now before the Interstate Commerce Commission.

The greatest handicap under which this service is operating is a refusal of the railroads to fairly divide the rates. To give you an idea of what I mean, let me call your attention to one instance where 10,000 bags of coffee were shipped from New Orleans to Birmingham by way of Tuscaloosa. The rate was 48 cents per 100 pounds from New Orleans; that is, the joint rate as published in the tariff of the Interstate Commerce Commission. The barge line paid 5 cents a bag to transfer the coffee at New Orleans. There being no joint water-rail rate from New Orleans by way of Tuscaloosa to Birmingham, the railroads can take the local rate, which was 39 cents from Tuscaloosa to Birmingham. They took their 39 cents for hauling this coffee the distance of 56 miles, and as a result the barge line actually paid 1 cent per 100 pounds for the privilege of carrying the coffee from New Orleans to Tuscaloosa. Steel is shipped down the Warrior River from Birmingham to Mobile, and there is a joint river and rail rate of $2.17 a ton. A railroad carries the steel 14.3 miles and receives 89 cents a ton, while the barge line pays the transfer cost and gets less for carrying the steel 407 miles than the railroads do for carrying it 14.3 miles. A petition to remedy these conditions

was filed in October, 1920, but thus far no decision has been made by the Interstate Commerce Commission.

Mr. STAFFORD. Will the gentleman yield?

Mr. McDUFFIE. I yield to the gentleman from Wisconsin.

Mr. STAFFORD. The hearings show that the delay in rendering a decision on the petition is due to the attorney for the company and the other side asking that it be postponed. No fault lies with the Interstate Commerce Commission.

Mr. McDUFFIE. I can not say the gentleman is correct about that.

Mr. STAFFORD. I can give the gentleman the page of the hearing. That is the testimony of Commissioner Esch.

Mr. McDUFFIE. I understood that there were requests for postponement, but even if that be true it occurs to me that the Interstate Commerce Commission could have remedied and should have remedied the situation some time ago.

The people of this country are entitled to the benefits of transportation on inland waterways, these great God-given resources of the Nation. I have no desire to cripple the orderly and proper function of our wonderful railway systems. What we need is the proper cooperation between the water and rail service. It is natural for the railroads of the country to oppose competition by the waterways, and they have always been hostile to the development of commerce on our inland rivers. Until we can pass some act or get some ruling that will prevent the railroads from choking and stifling to death the water transportation in this country we will never derive the full benefits of our great river system, on which this Government has expended its millions. [Applause.]

In the year 1920 commerce carried on the inland waterways connected with the canals of this country was 162,975,781 tons, valued at about $2,900,000,000. The learned gentleman from Mississippi [Mr. HUMPHREYS], who for many years was a member of the Rivers and Harbors Committee, and who is thoroughly familiar with the water transportation of the country, stated to me that last year the inland rivers alone, without the connecting canals, carried 80,000,000 tons of freight; that it would require 1,600,000 fifty-ton box cars, carrying 100,000 pounds each, to haul that freight; that if we estimate one train to carry 30 of these box cars, it would take 53,330 trains to haul it. The commerce floated on the rivers of the Mississippi Valley alone last year amounted to more than 50,000,000 tons of American freight. When we consider the handicaps under which commerce on our rivers is handled we can readily appreciate the vast possibilities of river transportation and the importance of its development.

It was suggested by some one on yesterday that there was no commerce on the Warrior end of the Mississippi-Warrior system. The report of the War Department for 1920 shows that 600,000 tons, valued at $11,000,000, passed over the Warrior River, and I understand there was an increase for the year 1921. The Warrior River taps the rich coal and iron fields of Alabama, where we are mining annually 20,000,000 tons of coal and have hardly scratched the surface. It is estimated that there are 16,000,000,000 tons of iron ore in the mineral district of Alabama, the very heart of which is reached by this river system.

I quote from the Mobile Register, a daily newspaper, in a recent issue, as follows:

> Steamer *Havre Maru*, a Japanese vessel, left the port of Mobile yesterday with 3,137 tons of Ensley steel rails for Japan. She headed for Galveston for additional cargo before leaving for the Orient. Shipment of rails from Ensley mills for the Orient has been continuous for a year out of the port of Mobile. The rails are floated down the Warrior in barges and constitute an important item in the southbound operations of that service.

I mention this to show you the possibilities of the Warrior River end of the barge line. There is no doubt in my mind that with the proper equipment and a fair division of rates the development of commerce on this river system will justify every dollar the Government has expended to prove that it is feasible.

Another great handicap to the Mississippi-Warrior service is the cost of the interchange of freight at Violet, which is the entrance from the Mississippi River to the Lake Borgne Canal for boat lines going from Mobile to New Orleans. The Mississippi River boats are too large to go through the lock and the Warrior River boats can not come through the lock to deliver their goods to New Orleans. This has cost the service about $20,000 a month, or $240,000 annually, and this expense will be eliminated by October 1, when it is expected that the industrial canal being constructed by the State of Louisiana, connecting the Mississippi River with Lake Pontchartrain, will be completed.

The Government has expended some $10,000,000 in connecting the port of Mobile with the coal fields of Alabama by an 8-foot channel through the Tombigbee and Warrior Rivers. The tonnage is there, and it would be the height of folly for Congress to abandon its policy of demonstrating the feasibility and value of this system as a great commercial highway. In my judgment, if you will give to this service $300,000, the amount recommended by the Secretary of War to be included in this bill, Congress will never be called upon again to appropriate one dollar for the cost of operation on the Mississippi-Warrior Barge Line. This amount may never be used by the service, but it should be carried as an emergency fund. While the service is practically self-sustaining now, a serious accident might create a deficit. It is simply to safeguard and assure the continued operation of the service that this amount is asked for.

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. LOWREY].

Mr. LOWREY. Mr. Chairman, I agree with the two gentlemen who have preceded me that in our enthusiasm for economy we may practice an economy that does not economize. I had an old political friend some years ago who used to tell a story about an old lady who mixed sawdust in her wheat bran for chicken feed. She said that when a setting of 14 eggs hatched out 13 of them hatched chickens with wooden legs and the fourteenth one hatched a woodpecker. [Laughter.] So the old lady discovered too late that she had been practicing an economy that did not economize. [Applause.]

Mr. Chairman, as has been well said, we are now on the line of legislation in which we can and must cut appropriations and expenses in proportions sufficient to really mean something to the taxpayer—the matter of war and war preparedness, of naval armament and Military Establishment.

Practically every nation of the world owes its present financial embarrassment and heavy taxation to war in some form. And, to my mind, the most encouraging sign of the times is that the civilized nations are at last waking up to the fact that the prevention of war is an absolute necessity. It is either that or national bankruptcy. We have come upon a time when war is so costly that it means financial ruin even to the victor. Rome became satiated with wealth by the imposition of indemnities on the peoples of whom she made conquest. But any nation that tries to follow Rome's example now is doomed to disappointment. For we are learning that it is not now possible, even when nations have all justice on their side, to impose indemnity on a vanquished foe sufficient to pay so much as the original cost of war.

But a still worse feature of war is that the prewar and postwar cost is far greater than the immediate cost. Take two illustrations: In the War between the States the Federal Government spent about $800,000,000 in revenue and accumulated a debt of about three thousand million, a total expense of about $3,800,000,000. Since the war closed we have spent about twice the accumulated debt above mentioned in pensions, or six thousand million. And we still have on the pension rolls nearly a half million Civil War pensioners, who are receiving an average of $477.74 per person per year, or a total of nearly a quarter of a billion dollars. In other words, the Civil War is costing us in actual expenditure of revenue for pensions in 1922, 57 years after its close, as much or more than it cost in actual expenditure of revenue during one of the years through which it was fought.

Add to this all the cost of soldiers' homes and hospitals, all the cost of reconstruction to the Government, all that has been added to the cost of administration of government by conditions growing out of the war; then add the industrial and commercial loss from the disturbance of conditions and relations, and the diminution of man power through the death or disabling of a million men. This for the Federal Government.

Add to that all the cost and losses to the South, all the pensions that have been given to Confederate soldiers, all the terrible economic paralysis—and obviously the cost of the War between the States had not well begun when Lee surrendered at Appomattox. Again, take our participation in the late World War. Exclusive of the $10,000,000,000 which we loaned to our allies, we spent in conducting the war $22,000,000,000. Thus our total disbursement was $32,000,000,000. Since the war we have appropriated for soldier benefits of all kinds $1,462,845,000. This includes appropriations for gratuity, insurance, rehabilitation, hospitalization, compensation, and pensions. Calculating that 4,000,000 men entered the service this means an expenditure for soldier benefit alone in these three years of peace of nearly $366 dollars for every man that put on the uniform. It also means a cost of about $13.50 for every man, woman, and child in the United States, or $67.50 for every family in the United States. And this is only the beginning. Judging by the history of past wars the cost will increase from year to year as more of the soldiers die and leave widows and orphans and as all grow older and many fall into ill health. The peak of pension costs for the War between the States was not reached until

1921, 56 years after the war closed, and for that matter may not have been reached yet. Now, in addition to this comes the bonus, which looks to be practically assured, since the party in power is pledged to it and a large proportion of the minority favor it. Nobody seems to be able to give any certain estimate of its cost. The chairman of the committee, I believe, estimates the actual expenditure for the bonus as somewhat more than $4,000,000,000. Others estimate it at about $6,000,000,000.

But bring it to the lowest possible figure and it is hardly possible that the bonus will do less than double the cost of current soldier benefits for the next three years, or for that matter for many years. If this bonus could be collected from the heartless profiteers who coined their millions out of the blood of a bleeding world, our soldier boys would want it and justly. But 85 per cent of our people have an annual income of less than $350, and if the money is to come from a burdensome tax upon them I think the majority of our brave boys who went to the front will not want the bonus until the basis can be changed some way. So long as the present administration is controlled by a cabinet of millionaires, a situation unprecedented in the history of the country, and by a legislative majority that will so twist a tax bill as to make it possible for the same corporation by increasing its percentage income on its capitalization to decrease its taxes, I see little hope for that. Any provision made by this majority, gentlemen, and approved by this administration, for raising a bonus fund is going, I fear, to fall full weight on the poor people of the country. But I think we may also depend on it that this majority and this administration have arranged to so bungle and confuse the whole measure as to nullify any practical good that may come to the soldier boys and at the same time make a cheap bid for their votes—which bid will not be successful.

But again, this World War has left us with a national debt of $224.85 per capita, of $1,224.05 per family, and an annual interest charge of $8.05 per capita, or $43.25 per family.

Add this to the calculation of soldier-benefit cost just given and then add to this the local taxes under which our people generally are struggling, street and road tax, drainage or irrigation tax, school tax, State tax, county tax, municipal tax. Then face next the fact of millions of unemployed and the fact that farm products over a large part of the country have not for the past year brought actual cost of production and that many good people have been unable to borrow money to pay their local taxes. I know men who have heretofore been considered successful above the average and who on farms of hundreds of acres have not made money to pay their taxes. I know one county where at the end of the tax-paying period this winter it was reported that one-fourth of the taxpayers were delinquent.

Visualize this whole situation. Face it square; and if it does not startle you with ghosts of private and public bankruptcy, then I hope it will do the better thing of startling us all into a more serious view of our responsibilities in directing public affairs and of the importance of thrift and economy in private and public matters.

But back a little closer to my subject. We are on a bill making appropriations for the War Department, and I started out with the proposition that here is where we should make our effective strokes of economy. I have shown something of what war is costing us already.

England and France are in worse shape than we are. England's debt is $814.08 per capita, or $4,070.40 per family, three and a half times as big as ours per capita. France's debt is $1,218.10 per capita, or $6,090.50 per family, or more than five times as big as ours. Yet England has spent since the war on her naval and military establishments, including air, which she carries separately, about $2,000,000,000. And France last year, not since the war, but two years after the war, spent one and three quarter billions.

America since the war has spent $2,000,000,000 on ships soon to be scrapped, and perhaps more than that on Army and Navy expenses that might have been saved had we begun two years ago the disarmament program that was then before us.

Had we saved this and paid it on our debt, and had France and England saved theirs and paid it to us on their debt, as they might have done with a little cooperation from us, we would to-day have been five and a half billion dollars better off, $10 taxation off of every person and $50 off of every family, with even greater promise of relief in the future.

But France and England can not be induced to disarm while we continue to arm, and we can not blame them. We must allow them the same degree of liberty in such things that we ourselves assume.

America is in position to lead the disarmament of the world as no other nation has ever been, and it is to our own interest as well as to the good of the world that we do so. We have begun late, but we have begun well. Let us continue as we have begun. For my part I am gravitating far toward Mr. McAdoo's position on the Navy question. If no nation had any real navy, we would all be equal and the prospect of war would be largely diminished and the cause of arbitration largely advanced.

And why should America now keep anything like a really fighting land force? We need a police force, but certainly nothing more. On the scale of modern wars, it would mean worse than war for any nation to maintain anything like an adequate war army in peace times. And as for keeping a full force of officers with a skeleton army for nucleus and training in case of war, first, let us avoid the "case of war"; and second, let us remember that we have not less than 3,000,000 trained men now, trained in actual war, the most effective military training possible, which is all the army we are likely to need for years.

For my part, I am more than ready to cut the Army to a hundred thousand. For the present, and let us hope for the future, we would be taking no serious risk to cut it considerably lower than that.

Congress has almost unlimited taxing power and appropriating power, and it is easy for us to sit here and draw our salaries and vote taxes and appropriations, but under present world conditions and domestic conditions it is criminal oppression for us to do so except in response to demands that are absolute and compelling.

Mr. ANTHONY. Mr. Chairman, I yield 25 minutes to the gentleman from Wisconsin [Mr. FREAR].

The CHAIRMAN. The Chair will inform the gentleman that he has not that much time remaining.

Mr. SISSON. I think I have 15 minutes remaining.

The CHAIRMAN. The gentleman from Mississippi has 17 minutes remaining.

Mr. SISSON. I yield the remainder of my time to the gentleman from Wisconsin.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 17 minutes.

Mr. FREAR. I may not use all the time yielded to me, but I appreciate the courtesy of the gentlemen in extending it to me.

Mr. Chairman, it has occurred to me that it is a right thing for some one to do—I wish it had fallen into better hands—to speak for the independence of the House and the right of Congress to legislate without undue interference. I think I may safely say we will always welcome the advice of the President of the United States at any time; and however we may differ or have differed either with the President or with any of his predecessors, it is his right under the Constitution to give us the benefit of his advice. But things have gone so far that not only Cabinet officers but clerks under them—with impressive titles—feel it is incumbent upon them to tell Congress what we should do. The very influential, powerful press of the country gives ear to those in high places, and their remarks and their judgment pass current throughout the country, and very little comes from Congress itself except the decisions made here.

For illustration, the Secretary of the Treasury, who is unquestionably an able man, wrote a letter of 24 pages in regard to the bonus bill, which bill I wish to discuss briefly.

No member of the committee ever asked him to write the letter. It was given to the press immediately after he wrote it and circulated throughout the country. It was a letter practically in condemnation of the action of the Ways and Means Committee, and also incidentally of the prevailing sentiment of the House and of those who approved of what is known as the soldiers' bonus bill.

Another gentleman, Mr. Crissinger, gave to the press of the country his particular advice, and it was in the nature of a refusal on his part to recognize legislation from Congress, because he gave his judgment of what the national banks, over which he had jurisdiction, should do.

A gentleman out in Kansas has written a very comprehensive statement in three lines, handed to me a few moments ago by Representative STRONG of Kansas. It comes from a former president of the Bankers' Association of Kansas. I believe he expresses the sentiment of the country outside of a few big business centers. He says:

MY DEAR MR. STRONG: The inclosed clipping causes a man to wonder whether employees of this Government or Congress are running our United States affairs.

He is a banker, and he refers to the Crissinger statement that he would advise banks not to loan money on the soldiers' bonus certificates.

Mr. STRONG of Kansas. I want to call attention to the fact that there is one banker in my district—and he is typical of

others—who says he is willing to cash the certificates of the boys if they are granted under the bonus bill.

Mr. FREAR. I thank the gentleman from Kansas. I am satisfied there are thousands of banks in the country that will do the same.

The point I want to make at this time is that Congress is being condemned for endeavoring to give ex-soldiers some slight help, as is proposed by the bill reported by the Ways and Means Committee. And let me say, Mr. Chairman, that every member of our committee, from the chairman [Mr. FORDNEY] down to members who are opposed to the bill, have given the best service they could and have worked hard in season and out for two months in preparation of the bill reported.

It is not what we all want. Like all legislation, it is a matter largely of compromise, but we feel it is a good bill and will give aid to the soldier, and that is what we have endeavored to present to the House. I am not speaking for the committee, but I am saying this because the soldier is entitled to the information and to have unjust criticisms answered on the floor of the House. We have had recent condemnation of the bill on this floor. Members have attacked the bill without knowledge of its provisions. Crissinger did not know what it contained. That is one cause for his criticism given to the papers. Suggestion has been made that we have paid little attention to the advice of the Secretary of the Treasury and other men of standing, which is not true. We have long studied and changed the bill; we have studied the evidence of all parties carefully and we believe we know how the bill is going to affect the country just as well as the Secretary, and we are endeavoring to do our duties as Members of Congress responsible to the country.

SOLDIERS' BONUS BILL.

Great financial interests and powerful newspapers have bitterly opposed the soldiers' bonus bill by misrepresentation and unjust criticism. These are the same influences that demanded Congress take the men and boys from their jobs and send them to do our fighting. The bill is now before the House.

For many weeks Chairman FORDNEY and our committee have labored in an effort to prevent any heavy drain on the Treasury and yet to do some measure of justice to the ex-service men of the country. After public hearings to determine the merits of the latest objections of Secretary Mellon and Crissinger we reported the bill favorably by a vote of 19 to 5, or nearly 4 to 1, and defeated Mr. Mellon's sales-tax proposal by the same record vote.

The soldiers' bonus bill is based on length of service in the American Army or Navy with small increase for overseas service. It is confined to enlisted men and to officers not above rank of captain in the Army. As reported by our committee, the bill provides, first, that the veteran of the last war may have either (1) adjusted service pay in cash from the Government if his service credit does not exceed $50; (2) an adjusted service certificate based on his service of $1 per day in this country and $1.25 overseas, not to exceed in all $500 and $625, respectively, plus 25 per cent of the certificate's face value and interest compounded annually for 20 years at 4½ per cent, the $60 heretofore paid by the Government to be deducted; (3) vocational training with service-pay allowance of $1.75 per day; (4) farm or home aid; and (5) land settlement on irrigated projects.

The service certificates will have a loan value of 50 per cent of their face for three years that may be borrowed from any bank or trust company at interest rates not exceeding 2 per cent over Federal reserve bank rates, or at a maximum of about 7 per cent. If canceled or unpaid during the three years, a balance is credited to the soldier. Thereafter the Government will loan 80 per cent of the face of the certificate. If carried 20 years without any loan, the certificates through compounding of interest will have a cash value of about three times the base rate. The bill seeks to have the ex-service man retain his certificate as paid-up insurance and to make more attractive the opportunity of saving. If one-half of the men make loans, and at the full 50 per cent it would amount to less than $350,000,000 draft on all the banks and trust companies of the country, or less than 1 per cent of their assets, and this amount is probably far more than will be drawn from the banks. Practically all of the money so drawn will find its way back to the banks within 30 days. With total bank assets reported of about forty billions of dollars it shows the character and purpose of Treasury contentions that predict disaster will occur if less than 1 per cent additional is offered, not necessarily accepted, to member banks.

This briefly describes the options contained in the bill. Exaggerated statements of probable cost of loans by banks and other propaganda have been spread broadcast in order to arouse opposition to the bill, but estimates may be made with some degree of certainty based on known facts.

NUMBER ENTITLED TO BONUS AND AMOUNT.

Army and Navy witnesses testify that the total number of persons entitled under the bill is 4,458,199. Based on days of service the amount is computed:

Overseas $1.25 class—			
Day base	$659,469,956	Cash base	$824,333,820
Not overseas $1 class—			
Day base	831,441,804	Cash base	831,441,804
Total, day base	1,490,910,860	Cash base	1,655,775,624
Deduct balance to $50 men			160,775,624
Net cash base			1,495,000,000
Increase of 25 per cent			375,750,000
Gross cash base			1,868,750,000
If compounded 20 years			4,506,890,000

That estimate gives the Government the use of the cash base for 20 years without charge, while the outside Treasury cash charge is $1,868,000,000, or less than the cost of the war for a month and a half during 1918. The loan value at the outset is only the net cash base, and it will require several months to prepare the options after the bill becomes law. No unprejudiced man will find serious objection to this plan without offering something preferable, and such offer singularly enough has been lacking from the Treasury Department.

These are outside figures and will be varied by the different options, but estimates of actual payments made by the Government under this bill during the next 20 years at the outside averages about $225,000,000 annually, which includes compounding of interest.

Under the bill the cash drain on the Treasury will be comparatively small until the Government-loan period of three years is reached and any interest thereafter is repaid at 4½ per cent by the borrower, so that no new charge will be made from that source. Foreign debts should finance the bonus.

COMPTROLLER CRISSINGER WARNS CONGRESS.

Congress is warned by the press daily, weekly, and monthly just what Secretary of the Treasury Mellon and Comptroller Crissinger and other officials of the administration think of Congress and of the soldiers' bonus bill. It is a novel proposition when Crissinger says that he will not permit national banks of the country to loan to the soldiers on their certificates if the bill is passed by Congress.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. FREAR. I will.

Mr. GARRETT of Tennessee. In the statements I have seen from Mr. Crissinger he did not say he would not permit. He said he would advise the banks not, but I did not understand at any time he used the expression that he would not permit the banks to loan.

Mr. FREAR. The gentleman's statement is right, but I take it when a school teacher in school or the man in charge of all national banks of the country says he would not advise the banks to do a certain thing, he means "permit."

Mr. SNYDER. If the gentleman will permit, is it not fair to state that that is not exactly what Mr. Crissinger says. I understand he said that he would advise if he was asked to advise. He did not say he would advise.

Mr. FREAR. I am speaking of the article he gave to the press, not of his statement made before the committee.

Mr. SNYDER. I think he stated——

Mr. FREAR. In the statement before the committee he modified his position.

Mr. SNYDER. I do not think he modified it at all. I think he said to the committee that if he was asked to advise that he would advise them not to do it.

Mr. FREAR. It has been published repeatedly that he was opposed to this proposition and that he was going to advise banks not to loan money to soldiers on their certificates.

Thousands of other banks will do so if our advices are right, but on what meat does Crissinger feed, and for whom does he speak? Is Crissinger or Congress to determine what the bill contains? Crissinger and Secretary Mellon claim that when the soldiers ask for loans they will find they have "frozen credits."

The freezing process that confronts the soldiers and Congress to-day is that which comes from officials of the Treasury Department who have handed out many icicles to Congress and to the soldiers recently. Frequent threats are reported that campaign contributions will not be forthcoming unless a sales tax is passed as a substitute for the present personal income tax.

Again it is said the price of a soldiers' bonus bill must be a general consumption tax to relieve large taxpayers.

The Wall Street campaign of scaring the administration and the country is found on every hand. A New York newspaper opposed to the soldier bonus says in a staring headline over a news dispatch from Washington: "Bonus alienating donors to G. O. P. campaign coffer—Prominent supporters emphasize displeasure in reply to national committee appeal."

The latest expression of Secretary Mellon, of 24 pages, received yesterday and published broadcast over the country, contains one palpable mistake of over $165,000,000,000—a mere bagatelle. Other efforts to unfairly prejudice the bill in public opinion appear throughout the entire letter.

From now on distorted statements of Treasury receipts and conditions may be expected, all of which were lacking when the railway securities bill was before the House.

As an evidence of frigidity, why did the Treasury first demand that obnoxious taxes be placed in the bonus bill, which we were later informed would have invited its veto? Why did the Treasury Department next refuse Congress a soldiers' bonus bill unless it provided its own means of payment?

The Secretary of the Treasury suggested a sales tax and various other taxes, and we were told that any bill that did not contain those proposals would be vetoed.

Mr. OLDFIELD. Will the gentleman yield for just one question? I do not think the department recommended the sales tax. Secretary Mellon has never recommended a sales tax in my presence.

Mr. FREAR. The other day when I questioned the Secretary I asked, "You are opposed to the reenactment of the excise-profits tax?" He answered, "Yes." "You are opposed to the issuance of the foreign bonds as security?" His answer was "Yes, sir." I asked about the inheritance tax, gift tax, and other taxes, and finally I said: "The only alternative, then, is a sales tax, Mr. Secretary?" And he said, "Yes; a kind of sales tax." I believe I state the record substantially.

Mr. OLDFIELD. I was not present.

Mr. SNYDER. Will the gentleman yield?

Mr. FREAR. Not now; I will later if I have time.

Why did the department object to paying any soldiers' bonus from Treasury certificates when it had previously paid billions of dollars in canceled war contracts? Why did the department reject any proposal to pay the soldiers' bonus bill by $11,000,000,000 in foreign debts?

Why did the department admit it will take 2,000 more employees, who could not be housed, to administer a sales tax and yet left that tax as the only alternative; a tax that helped overturn the Canadian Parliament last December, a tax never before levied in this country in time of peace?

The American people may well ask, Why should Congress abandon its right and duty to legislate for the whole people independent of Mr. Mellon's department or any other branch of Government?

Why is the sales tax constantly linked up with the soldiers' bonus bill when no general sales tax could pass Congress unless fastened onto some worthy object? Why are the soldiers asked to help pay their own bonus through a sales tax, and what special reason has Wall Street and big business generally for demanding a general sales tax?

THE REASON FOR A SALES TAX.

The following table explains why every man who pays a large income tax favors a sales tax that will relieve him from his income taxes. Any sales tax once adopted will not be repealed, but will be constantly enlarged in its scope by interests that never sleep. That is Canada's experience. This table explains the reason:

Present income-tax payments.

Income.	Normal tax.	Surtax 1921 act.	Total tax.
$6,000	$160	.....	$160
$10,000	480	$40	520
$20,000	1,280	440	1,720
$25,000	1,600	780	2,380
$30,000	2,080	1,440	3,520
$50,000	3,680	4,960	8,640
$75,000	5,600	11,800	17,400
$100,000	7,680	22,460	30,140
$200,000	15,680	70,960	86,640
$500,000	30,680	220,960	260,640
$1,000,000	79,680	470,960	550,640

I do not claim these rates are just, but do claim that an eventual $1,000,000,000 sales tax is indefensible. The man who pays $8,640 tax on a $50,000 income has a vital interest in a sales tax. The man who pays $550,640 on a $1,000,000 income has a vital interest in a sales tax.

A few newspaper publishers and many other men, including at least one department head are to-day paying upward of $550,640 annual income tax that will be wiped out if the tax burden can be shifted from their pocketbooks to the shoulders of the hundred million through a consumption tax on what the people eat, wear, and use.

I desire to have those persons who are interested in the sales tax study the little table at this point. A man who has $2,000,000 income pays $1,000,000 tax to-day, ordinarily speaking, on his income. If he has $1,000,000 income he pays $550,000 income tax. And in a letter which I sent to the Secretary of the Treasury the other day, in response to a long letter from him which I felt unfairly stated the position of the committee, men who are publishers of great newspapers, like publishers in the city of Washington, for instance, with possibly a million or two million dollars income or more, have an interest of over half of that income in securing the repeal of the income tax and the enactment of a sales tax, which several witnesses who have been before our committee have urged as a substitute for the income tax. Naturally a man does not want to pay taxes. I am not criticizing anyone for that human trait. The only question which we have to decide here is which is the proper tax for the country, in our judgment. And that I have tried to press upon the House repeatedly, and possibly with reiteration, but we ought to know its effect.

Mr. SNYDER. Will the gentleman yield?

Mr. FREAR. Later on, but not now.

It would seem a just method of financing the bonus bill, based on the theory of ability to pay, would be to reenact the excess-profits tax, which will return about $460,000,000 for 1921. If any new tax is levied this tax should be reenacted. However, this plan does not meet with unanimous favor, and a popular plan is open that will not require the levy of any new tax.

We are advised by reputable writers in the Washington Post, Star, and Times that the President will veto any bonus bill without a sales tax. Price, of the Post, Lawrence, of the Star, and various writers for the Times are sending these articles throughout the country.

Lawrence says, March 11:

> The President is in favor of the sales tax for many reasons: He believes it will collect the money for the bonus easily, and he thinks it may get a trial sufficient to prove to the country that a sales tax would be a good substitute for most forms of taxation.

I do not believe that Lawrence knows the President's mind. It is also significant that the publishers of two of the papers named and the Secretary of the Treasury are reputed to pay annually over a million dollars each in income taxes that would be wiped out if a shift could be made through a sales tax to the backs of the people. That shift has been rejected by the Republican platform, which specifically declared the party would not excessively mulct the consumer. Price, Lawrence, and others presumably represent only the sentiment of publishers that have great interests at stake.

PAST EFFORTS TO PASS A SALES TAX.

The press and high officials, as stated, have declared that no bonus bill shall be allowed unless accompanied by a tax, and no tax will be acceptable except a consumption tax. Bankers, brokers, publishers, manufacturers, and large business interests generally that desired to escape the excess-profits tax and the present income tax have demanded the repeal of both. The excess-profits tax was repealed and high surtaxes reduced. A consumption tax was next proposed, but defeated on the first bonus bill that passed the House. Again it was defeated when tacked to the revenue bill. Its insistence now in this bill is postponed only by confident claims it will be put on in the Senate. Linked with the bonus bill it is proposed as a permanent part of our revenue system to replace the income tax. Levied on what we eat, wear, and use, opposed by every disinterested tax expert in the country, by every farm organization and by organized labor, we are yet told it will be fastened on the American people at some stage of this soldiers' bonus legislation and that soldiers will be compelled to help pay their own bonus. Idle men and women of the country will pay if they consume; that is the penalty proposed to be exacted for asking a bonus for the soldier. Will these interests be able to defeat the bonus bill if it fails to carry a vicious sales tax?

HOW THE BONUS BILL SHOULD BE PAID.

We spent over $1,000,000,000 monthly for war. We loaned allied Governments money which, with interest, now amounts to $11,000,000,000. If our soldiers had not won the war, that debt would have been wiped out. Even now many of those who oppose the bonus ask that foreign debts be canceled to "help business." Secretary Mellon says that 80 per cent of the $11,000,000,000 should be collected, eventually. Of that amount England owes four and one-half billions of dollars, and her interest alone that will be paid us will average about

$200,000,000 annually; or, in other words, the English interest alone will practically wipe out the soldiers' bonus bill in 20 years without touching the principal. What better means could be asked for financing the soldiers' bonus bill than by using a small part of the foreign debts which were made secure by the sacrifices of American soldiers?

In to-day's Herald a column article quotes Otto Kahn, a New York banker and German ex-soldier, according to Who's Who, urging the cancellation of debts of foreign Governments held by this country to help business—debts amounting to $11,000,000,000. And yet he is opposed to the bonus, and he is the man who led all others before our committee in favor of the sales tax. Read his speech in to-day's papers. It is echoed by other international bankers of New York City, whom I quoted at length when the refunding bill was before the House.

The English loan is about $4,500,000,000. The annual interest on that is about $200,000,000. It will be more than sufficient, compounded, to pay all the soldiers' bonus.

Mr. GARRETT of Tennessee. Of course, we ought not to deceive ourselves about that matter. If the interest collected from the foreign Governments was taken and paid on that it would be simply a diversion. We would have to pay the interest on the bonds.

Mr. FREAR. Undoubtedly. I am simply calling attention to the fact that many men to-day are urging cancellation of the $11,000,000,000 debt to help business, and they are against a soldiers' bonus. I believe we can divert interest on this loan, made safe by the sacrifices of American soldiers, and can divert into no more worthy channel than this bonus bill.

OTHER COUNTRIES AND OUR OWN STATES.

We are behind all our allies in recognition of ex-soldiers. The following maximum payments have been made by other Governments to their enlisted men: Canada, $631; Belgium, $492; France, $249; England, $190; Italy, $64. Most of these Governments have debts that reach upward of one-half or more of their national wealth. Ours, the richest Government in the world, with national wealth of over $250,000,000,000, has a total indebtedness of less than $24,000,000,000. Against this debt 80 per cent of $11,000,000,000 foreign debt may be set off, leaving a net debt of approximately $16,000,000,000, or about 6½ per cent of our national wealth, and yet the richest country in the world, with the smallest per capita debt and only a fraction of that of England, is behind all others in recognition of its soldiers. Have our own people favored soldiers' bonus legislation?

Twenty-four States—just half the total—have made some cash provision for their soldiers and 18 States have given majorities and in some cases overwhelming referendums in favor of such legislation. With three exceptions, every State in the Union has given State aid to its service men. New York gave $45,000,000 to its service men, but the gift was set aside by legal proceedings. The strongest opposition to the bonus comes from that State.

Yesterday the assembly of the State of New York unanimously passed a constitutional amendment for $45,000,000, to be covered by bonds, and yet most of the pressure comes from the city of New York against this bonus bill. That measure passed the New York Assembly unanimously.

Mr. SNYDER. The gentleman means that the motion was that it should go to the people to be voted on.

Mr. FREAR. And the people, as they did before, will pass it overwhelmingly. The people in Wall Street will not.

Mr. SNYDER. Of course, the gentleman knows that.

Mr. FREAR. Unquestionably, if the Wall Street Journal, Times, and other papers correctly represent the sentiment of that locality. Complaint is made that its taxes are heavy, but a great part of the national wealth is centered in New York City and the taxes are not nearly as heavy proportionately as the tax paid by farmers and labor generally of the country, a majority of whom received less than $500 per laborer, annually, according to the Anderson report and other official statistics. Many of the ex-service men are among this number.

BONUS CRITICS.

The Wall Street Journal has been aptly described as the leader that sounds the opposition keynote to any soldiers' bonus bill. A few metropolitan papers in New York, Boston, Philadelphia, and elsewhere, read by brokers, big bankers, and professionals of the stock and bond and banking business, describe Congress as raiding the Nation's Treasury. For illustration we read from the Journal: "There is no way of passing a soldiers' bonus, and if there were a way the bonus should not be paid." * * * "It prostitutes patriotic service," and so forth.

After vehement denunciation of Congress and of ex-service bonus claims the Wall Street Journal sounds a different tone when it says on February 18: "The railways are short not less than $350,000,000 of compensation, both morally and legally due them," and again "the money used to subsidize shipping would be in the nature of national defense." These papers constantly lampoon and misrepresent Congress speaking for those who with little knowledge and less understanding of the subject continually shower on Members propaganda against any bonus egislation.

The power of propaganda voiced by New York financiers, by the Journal, and other metropolitan papers is well understood. For months before we entered the war these agencies bombarded Congress with demands that we declare war immediately. We were constantly reminded of the insecurity of New York City, where the world's financiers were centered. Its people were said to be in mortal terror of enemy submarines and hostile airplanes. Possession of $5,000,000,000 of allied indebtedness by New York money interests it was known would be valueless if the Allies were defeated, and these interests further feared German indemnities unless we entered the war.

Belgium's invasion, sinking of the *Lusitania*, war against Prussianism, self-determination of small nations were additional reasons advanced for immediate declaration of war, while conscription of all able-bodied men from the Atlantic to the Pacific was demanded for protection of American rights, including the great financial interests centered at New York.

TWO PICTURES.

War was declared and those who thereby enormously profited were among the hundreds of multimillionaires in New York and elsewhere whose numbers were doubled during three years of war. While our soldiers were serving in camp or at the front for a dollar a day, men of wealth continually waxed more numerous and powerful at home until American soldiers in France had won the war and forced the armistice.

To-day all the pictures of our soldier boys marching to their transports and all the sacrifices of war are forgotten by these New York financiers, many of whom advocate the cancellation of $11,000,000,000 of European debts, which would vastly enhance the value of five billions of allied private obligations they now hold. These same financiers, with few exceptions, strongly oppose any soldiers' bonus to be paid by allied bonds, because that would block foreign debt cancellation plans. The journals they control bitterly denounce Congress as cowardly and acting through fear of political consequences because it now favors a bonus and because it would grant tardy recognition heretofore extended by every other country to its ex-service men.

These financiers and big business men, who urged the war and profiteered by the war, now demand that a general consumption tax be plastered over the consumers of the country as a penalty tax for any soldiers' bonus. These same men, who demand the cancellation of foreign bonds, who demand a sales tax, who denounce Congress for political motives—these are the men who demanded immediate war, to protect their billions of allied securities, and asked for the conscription of young manhood of the country, which was invoked for the first time in all our history. Now they threaten Congress, individually and collectively, for questioning Wall Street's commands.

Multimillionaires made great fortunes during a few years of war, which were saved from German indemnity by the sacrifices of American doughboys. Now they shout threats because Congress is giving these same doughboys only about what one month of war cost this country. Many months of war were saved to the country and to the world by these boys, and yet these same financiers and big business men have forgotten the days of 1918—although the people have longer memories.

BILLS NOT OPPOSED.

What of recent demands on Congress by New York financiers for guaranty of their railway security earnings and what of the bill for $500,000,000 that passed the House to help stabilize railway securities?

What of successful demands on Congress by these financiers for $3,000,000,000 with which to pay canceled war contracts financed by the same interests? Not one objector was then found among the army of Wall Street financiers or the journals they control. We were not asked to find what profiteers or cost-plus war contractors were financially wounded, maimed, or otherwise disabled. All were financial patriots and all were treated alike, but to-day, when Congress proposes to pay the ex-service men $1 a day for saving Wall Street and the country from possible German indemnity, the financial interests thus saved ask why should we reward patriotism unless physically crippled, and insist that any bonus must be paid by the soldiers and the hundred million of people through a consumption tax, by those who have little margin over what they consume.

Mr. SNYDER. Will the gentleman yield?

Mr. FREAR. Later; I have not the time now.

Mr. CROWTHER. Will the gentleman yield?

Mr. FREAR. I can not until I get through. I will be glad to do so later.

THE SOLDIER HAD NO CHOICE.

Congress took the American soldiers from their families, their jobs, and from schools, pushed them into camps and then to the front to be shot at while drawing the munificent sum of $1 a day, three-fourths of which generally went for allotments and insurance. The soldier had no choice, because he was conscripted and sent through mud, mire, and hell-fire to fight for those who stayed at home. Others took his old job back home, receiving increased wages, and when he came back to a grateful country he found his job gone in many cases and the cheering crowds that thronged the streets of New York in 1918 had vanished back into countinghouses and banks in two short years. Over 500,000 of these soldiers, we are told, who helped make the world safe for democracy are now out of employment, vainly looking for jobs, many are on the streets of New York and Washington and all over the country, yet Wall Street journals and great financiers denounce Congress for seeing anything outside of a group of big business interests on Manhattan Island.

There are men who honestly ask why any bonus should be granted and who wonder why all our allies have granted extra pay to their own soldiers, but the most active protestants to-day are those who sat safely in swivel chairs and profited by that war and also officers, generally stationed far in the rear, who received many times the doughboys' pay yet found their old jobs waiting their return. Scratch the bonus critic and ordinarily he was among the shouters before the war of "go on boys," but now he puts an extra safety pin over his full pocketbook to prevent its being pried open by a generous impulse. Agricultural organizations throughout the country and labor generally oppose any sales tax but approve the bonus bill, but those most benefited by the sacrifices of American soldiers—war profiteers—are opposed.

REFERENDUMS THAT MEAN LITTLE.

Referendums received from chambers of commerce of the country oppose any soldiers' bonus. The directors of the chambers of commerce constantly conduct half-baked referendums. Every subject from taxes to rheumatism is now referendumed back to its members for our legislative action. Not one chamber in a dozen offers anything constructive on the subject, but Congress is referendumed on everything. The chamber of commerce appointed a committee of tax experts two years ago to tell Congress how to raise revenues. This tax committee reported unanimously against a general sales tax. Commerce members were immediately referendumed, and the sales tax was rejected by a country-wide vote. Again the directors referendumed members to secure an opposite verdict, and the chambers on a second referendum did as directed.

This commerce body now tells Congress no soldiers' bonus should be granted. Recently many States held official referendums at regular elections, and by overwhelming votes in every case urged compensation for the soldier. Those State referendums voluntarily taxed nine out of every ten to benefit the tenth man, and reflected public sentiment more accurately than any prejudiced referendum of commerce bodies.

A legitimate field exists for chambers of commerce and business bodies, and many high-class men are among that membership, but Judge Rummy referendums are of little value to intelligent legislation for self-evident reasons, and not one Congressman in a dozen is influenced by ill-considered referendums we regularly receive. The right of petition and protest exists with all bodies, although unintelligent action, based on prejudiced propaganda, is not the voice of the people from whom we derive our certificates of representation, and their referendum has been expressed in favor of a bonus.

Let me say I understand that practically every ex-service man in the House is for this bill. Possibly ex-service men holding positions as high as majors, who were on the Army staff located in the city of Washington, may oppose it. I understand they have opposed it on the floor of the House. But the men who were over there fighting, some of them from your membership here, practically every one of them is for this bill.

THE PEOPLE WHO SACRIFICED.

We know that the vast wealth and power of the world centered in a great city or a few men of wealth of the country do not speak the heart of the Nation when they denounce a soldiers' bonus bill and abuse those who propose its enactment. Great press agencies of the land, that obey the master's voice of selfishness and greed, do not represent the voice of the people when they distort, misrepresent, and malign the Congress, the soldiers' bill, and even men who stand sadly and silently awaiting congressional action.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield there?

Mr. FREAR. Yes; I will yield.

Mr. ARENTZ. I know that the gentleman does not want to make a mistake about our colleague, the gentleman from California [Mr. LINEBERGER]——

Mr. FREAR. I did not mention the gentleman from California. Let me correct the gentleman's misapprehension. Mr. LINEBERGER I hear has a fine record.

Mr. ARENTZ. Yes; I want to say that he has a splendid record.

Mr. FREAR. Yes. It was the gentleman from Missouri [Mr. HAWES], whom the RECORD quotes as opposed to what he terms "bunk" and "sob stuff," who has criticized the committee and the bonus bill on the floor. I understand he had some position at Washington during the war, and without criticism I submit that a man drawing $7,500 a year now in Washington is hardly prepared to stand in the shoes of the 500,000 boys who are out of jobs.

May I add in answer to an unjust column editorial in a New York paper that my only son served with the Thirty-second Division at Château-Thierry and has since received from others several times any possible bonus to meet after war needs. Hundreds of thousands of others have had no one to lean upon. My own father, still living, served three and one-half years in the Union Army. A great-grandfather was killed in the Revolution. Modestly I add that I enlisted and served five years in the Regular Army and 11 years more in the Wisconsin National Guard, retiring with rank of colonel, during which period I raised a company for the Spanish American War, which was tendered to Governor Schofield, and yet I voted against the last war in company with General SHERWOOD, who was raised from a private to general, due to repeated gallantry in battles. Once war started I voted, without question, over $30,000,000,000 to win the war, and will now vote a billion or more of foreign debts—that Wall Street would cancel—for some slight measure of justice to those who won the war for the rest of us.

Mr. CROWTHER. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. CROWTHER. I want to state to the gentleman that Wall Street does not represent the sentiment of the people of New York State. There are 10,000,000 of us, and we are good folks, and most of us are for the bonus.

Mr. FREAR. Yes. I am sure of it. No people could have made a better record than your assembly did yesterday in passing the $45,000,000 State bonus bill unanimously. It was the voice of New York State and not of the group of business men who continually denounce Congress and the bill.

Mr. CROWTHER. Yes. The first bonus bill passed by this House was a good bill, and if it had been enacted into law in the other body as it was passed in the House the trouble would all have been ended.

Mr. FREAR. That is just the point. New York City and the financiers there do not represent the heart of the people of this great country. I walked down past the employment agency on Pennsylvania Avenue a day or two ago. I suggest that gentlemen of the House walk down there to-morrow morning and see the white boys and the colored boys who were in former Army service now standing in line, waiting for jobs. Contrast that exhibition with multimillionaires opposed to this bill, insisting that it ought not to be passed!

As spake Anthony to Brutus and to other cold-blooded noble Roman icebergs, "Gentlemen all—alas," and of the human sacrifice, "Yesterday his acts might have stood against the world; now, none so poor to do him reverence."

Far out over the land, hundreds and thousands of miles away, a people lives, back in the forests of the North and in the high mountains of the West, in the fields of the South, and in the congested homes of Mulberry and Sullivan Streets—these people offered their boys for their country's cause when the call came. Every mother gave more than all the wealth of Manhattan itself when she sent her boy to war.

In the trenches, in the field, in the air their boys met the picked soldiery of the world and carried our flag again and again to victory. They recovered the lost fields of France; they revived the courage of the Allies; they won for posterity a fight that had been lost, and they saved for humanity the ideals of a liberty-loving people. The world sung their praises during those hours of conflict and victory; the great American heart back in the forests, fields, mountains, and Mulberry Street sings their praise to-day. No country can repay the sacrifices of war; no power can compensate for war losses; but speaking for those we represent, for the millions who are the hope and foundation of our Government, we offer the boys who returned the thanks of a grateful Nation, the blessings of a rescued world, and recognition that means more than empty words,

because it carries with every dollar the prayers and hopes of the American people that the war to end all wars, which they won, was not won in vain. [Applause.]

The following letter to Secretary Mellon is self-explanatory:

MARCH 13, 1922.

Hon. ANDREW W. MELLON,
Secretary United States Treasury Department,
Washington, D. C.

MY DEAR MR. SECRETARY: Your letter on the soldiers' bonus addressed to Chairman FORDNEY, given wide publicity, is one of a number of letters and interviews in the press from your department that heretofore have gone unanswered. Without assuming to speak for Mr. FORDNEY or for the committee, but, rather, to voice a protest against criticisms by yourself, Crissinger, and other high officials against the committee, against Congress, and against a soldiers' bonus, may I be pardoned for this brief letter?

Congress has constitutional rights and responsibilities that can not properly be assumed by others nor avoided by those selected by the people for legislative duties; that should be conceded. Congress took from their homes, jobs, and schools 4,500,000 men and boys and sent them to war to fight for the rest of us at $1 a day, most of which munificent sum went for allotments and insurance. Over 500,000 of these men and boys are now reported to be without jobs, and some of them were standing this morning before the public employment office on Pennsylvania Avenue within one block of the Treasury Building.

During the war Treasury records are said to show that millionaires who stayed at home doubled in number and that fortunes were made by many thousands of others. These facts confront Congress, and we know that you have repeatedly and publicly expressed your opposition to any soldiers' bonus legislation. You have, further, said that no bonus should be paid except through taxes and you reiterate that in your letter to-day. You have objected before the committee to any inheritance and gift taxes or the reenactment of the excess-profits tax. You have suggested taxes to which we finally tentatively agreed, only to be advised that the President, whom you see frequently, would veto a bill if accompanied by such taxes.

You objected before the committee to paying the bonus by Treasury certificates, as authorized by law, and as the Treasury did when paying $3,000,000,000 of canceled war contracts, to which, we were advised, you never objected. The recent bill to stabilize railway securities, appropriating $500,000,000, passed by the House was with the approval of your department. You have objected before the committee to paying any soldiers' bonus out of foreign debts, which the soldiers helped to save for us. In fact, many icicles of sympathy and freezing advice are handed out that are in harmony with the last protest against "frozen credits." These hypothecated credits would probably never reach 1 per cent of all the loans held by the banks and trust companies combined, nor will they freeze soldiers half as much as the cold reception accorded them in many quarters. The figures you present are not admitted to be correct either in fact or effect.

You have left Congress but one alternative—enactment of a general sales tax. This tax repeatedly has been defeated by Congress during the Sixty-seventh session. This tax you admit will require thousands of new employees and also presents many difficulties of administration. If adopted, it will eventually shift $1,000,000,000 or more in income taxes now paid by the wealth of the country over to the shoulders of the consumers of the land.

For illustration, Mr. Secretary, Henry K. Klien (p. 155), in his recent work, rates your wealth at $300,000,000. Assuming that one-tenth of that amount is nearer right, then your annual income tax paid to the Treasury is probably over a million dollars, and this amount is believed to be approximately the income tax paid by two publishers of Washington papers which carry frequent sales-tax editorials—one in this morning's issue.

It is proposed in many quarters eventually to relieve income taxes by a sales tax, if that tax can be fastened to a soldiers' bill. It is conceded it can not be passed in any other way. By a coincidence many men with large wealth favor a sales tax, and I say this without criticism, because all men dislike to pay taxes. The fundamental principle of taxing according to ability to pay, however, can not be ignored, based on the testimony of every disinterested tax expert. All national, agricultural, and labor organizations are on record opposed to this tax. A similar sales tax helped turn the last Canadian Parliament, and its enactment would in like manner create many changes in the present Congress.

A sales tax has never been adopted in this country in time of peace, nor has any bill ever before passed Congress that was requested to create its own means of payment, as you insist shall be done with the soldiers' bonus bill. In short, Mr. Secretary, Members of Congress charged with official responsibilities are seeking to perform their constitutional duties, and if we fail to do so the people and not the Treasury Department will pass judgment on the record. I do not venture to criticize any department of the Government in offering its advice, but respectfully say that it is time we try to find some common ground if Congress submits its action for Treasury approval.

In conclusion, the bonus bill will be reported with little opposition, and will pass the House 5 to 1, according to indications. It will, we are advised, pass the Senate, not because of political fear as attributed in some quarters but because it is based upon absolute justice and right.

Very sincerely, JAMES A. FREAR.

The bill was reported by a vote of 19 to 5 and passed the House 10 days later by a vote of 333 to 70—a verification of the letter's prediction concerning House action.

In reply to my letter to Secretary Mellon I received a telephone call a few minutes ago, just before taking the floor, to speak for the bonus bill. Secretary Mellon said he had written me a letter in reply to mine of the 13th instant, and asked if I had any objections to its being given to the press, to which I replied I was perfectly willing anything he might write should be given publicity. His letter received is equally remarkable for its errors of commission and items of omission in its answer to my letter of March 13. It is as follows:

THE SECRETARY OF THE TREASURY,
Washington, March 17, 1922.

MY DEAR CONGRESSMAN: I received your letter of March 13, 1922, with respect to the soldiers' bonus. At the request of the Committee on Ways and Means I have addressed two letters to the chairman of the committee under date of January 24 and March 11, 1922, in order to show the state of the Treasury, with particular reference to the receipts and expenditures of the Government for this and the next fiscal year, and the refunding operations that will have to be carried on within the same period, and in that connection have indicated the Treasury's views as to the cost of a soldiers' bonus and its financial consequences. My position in the matter is fully stated in those letters, and, as you will have noticed, I have not attempted in them to argue the merits of the soldiers' bonus. Whether or not there is to be a soldiers' bonus is a question for which, as you say, Congress will assume responsibility. For the Treasury I have attempted to point out the necessity of meeting by taxation the cost of whatever bonus may be adopted and the dangers of attempting to provide for a bonus by borrowing or by makeshift measures. As I think was made clear to the committee and the country, I have not recommended any particular taxes, though I have, at the request of the committee, suggested several possible sources of additional revenue that would be available if Congress should decide to grant a soldiers' bonus, and in that connection have given the Treasury's estimates as to the yield of such additional taxes.

I gather from your letter that you are under some misapprehension also as to the Treasury's position with respect to a sales tax. The Treasury has not recommended any general sales tax. As a matter of fact, I am not in favor of a general sales tax if it is to be imposed in addition to all existing taxes, unless made necessary by an emergency in the revenue, such as would arise through adoption of the bonus measure.

Neither the payments which the Government has made in order to settle canceled war contracts nor the so-called railroad funding bill to which you refer present situations in any way analogous to the soldiers' bonus. In the first place, the Government did not pay, as you suggest, "$3,000,000,000 of canceled war contracts"; but, on the contrary, settled war contracts amounting to over $3,700,000,000 at a total cost of about $503,000,000. In this connection I invite your attention to the following extract from a letter recently received from the Acting Secretary of War:

"The total obligations of the War Department on uncompleted contracts which were suspended shortly after the armistice, which have been settled, amounted to $3,701,643,800.35. The total number of claims filed with the War Department was 32,986. The total number of claims settled as of January 1, 1922, was 26,216. Relief was denied in 3,203 cases and 3,520 claims were withdrawn. The total amount paid out by the War Department in settlement of the uncompleted portion of all war contracts to January 1, 1922, was $503,546,764.62, which represents a settlement for 13 cents on the dollar.

"The act of March 2, 1919, expressly provided that in the settlement of informal contracts the award by the Secretary of War should not 'include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and a reasonable remuneration for expenditures made or obligations and liabilities necessarily incurred in performing or preparing to perform such contract.' In the adjustment of informal contracts prospective or possible profits were, therefore, necessarily disallowed.

"Many of the contracts executed in the manner required by law, particularly those entered into during the last half of 1918, contained termination clauses which provided that in the event of termination before completion the United States would reimburse the contractor for the delivered portion of the contract at the price stipulated in the contract and would make reimbursement for the suspended portion of the contract on the basis of actual cost of direct and indirect material, work in process, labor, and pro rata overhead, plus 10 per cent thereon, the 10 per cent being a remuneration for expenses and services of the contractor in connection with the uncompleted portion of the contract.

"The formal contracts which did not contain the termination clause and which were suspended after the armistice were settled on the same basis as if they had contained the termination clause referred to above."

From this it appears that the payments which were actually made on account of canceled war contracts represented, for the most part, reimbursement to contractors for actual expenditures incurred in reliance upon war contracts. The so-called railroad funding bill has never become a law, and, in any event, would not have appropriated any money out of the Treasury. Its purpose was simply to finance settlements of Government obligations arising out of Federal control through the sale of railroad securities already owned by the Government, and it has since become unnecessary with the change in market conditions which has made it possible to dispose of these railroad securities at par and accrued interest through the investment markets.

Very truly, yours,

A. W. MELLON, *Secretary.*

Hon. JAMES A. FREAR,
House of Representatives, Washington, D. C.

To Secretary Mellon's letter I immediately wrote a reply, which is also inserted herewith:

WASHINGTON, D. C., *March 17, 1922.*

MY DEAR MR. SECRETARY: I have your letter of to-day relating to the soldiers' bonus bill and thank you for the same. Let me correct what are unintentional errors, I am sure, and as the preceding letter contained a manifest error of $167,000,000,000, admitted to our committee, although given wide publicity, I feel that even belated corrections will be accepted with a purpose of preserving a correct record.

Your letter states first: "At the request of the Committee on Ways and Means I have addressed two letters to the chairman of the committee, under date of January 24 and March 11, 1922, etc." On page 29 of hearings of March 14 appears letter dated March 8, signed by the clerk of the committee, transmitting copies of the soldiers' bonus bill. The letter is as follows:

MARCH 8, 1922.

Hon. ANDREW W. MELLON,
Secretary of the Treasury.

MY DEAR MR. SECRETARY: In the absence of the chairman I acknowledge receipt of your letter of March 7, which was delivered by messenger yesterday after the chairman had left town.

I shall be glad to bring your letter to Mr. FORDNEY'S attention immediately on his return to Washington, and particularly that portion with reference to newspaper accounts which have purported to quote you.

For your information there is inclosed herewith several copies of H. R. 10769, which is a bill "To provide adjusted compensation for veterans of the World War, and for other purposes."

Such comment as you may care to make thereon, addressed to the chairman, will be appreciated.

Very truly, yours,

CLAYTON F. MOORE, *Clerk.*

The above letter contained no request from the Ways and Means Committee or from any member of the committee, and it was stated in committee session that no member of the committee had requested any letter from your department. The committee clerk, in the absence of the chairman, said on his own responsibility such comment as you desired to make would be appreciated, which was undoubtedly true, although he could not speak for the committee or chairman, of course. The 24-page letter given to the press by you on the opportunity afforded by the Clerk's letter starts out as follows:

"THE SECRETARY OF THE TREASURY,
"Washington, March 11, 1922.

"DEAR MR. CHAIRMAN: I received the letter of March 8, 1922, with the inclosed copies of H. R. 10769 from the Committee on Ways and Means, and, in accordance with the suggestion that the committee would be glad to have the Treasury's comment thereon, have examined the proposed bill to provide for a soldiers' bonus or so-called adjusted compensation for veterans of the World War."

I do not believe you were in any way responsible for the voluntary letter, for the error as to its request by the committee, or for the unusual proceeding in handing it to the press, where it was given two or three columns of valuable space, whereas the average expression of men at our end of the Avenue is afforded a scant dozen lines, which is presumably a fair measure of the difference in value according to news standards.

Startling headlines confronted the public the next morning that the bonus would cost the Government $185,625,000,000, as follows:

"Land settlement cash base, $1,495,000,000; possible cost to Government, $185,625,000,000. Cash bonus base as 8 per cent of total cost."

The slight error of $167,000,000,000 in possibilities and of $185,000,000,000 in all human probability is apparent to anyone familiar with the facts. I do not desire to burden you with other corrections brought out in the hearing, where the evident intention of the writer of the letter was to discredit in every way the bonus proposal. The committee absolved you of any such purpose or of any exact knowledge of matters of detail necessarily prepared by others.

In my letter of March 13 I said you have left Congress but one alternative—enactment of a general sales tax. To this you reply: "The Treasury has not recommended any general sales tax." I do not desire to misconstrue or misquote, but submit the following from page 6 of committee hearings:

"Mr. FREAR. May I ask a question, Mr. Chairman—and let me say, in all fairness to the witness and myself, that I was not one of those who voted to have the Secretary here, not but what we are very glad to have him. There is only one line of questioning I have to offer. What method would you propose, if any, for financing the bonus bill, if it is enacted into law? Before answering that question, let me ask you this question: Is it not true that you have opposed in the record which I have here any increased tax on inheritances or on gifts and opposed the reenactment of the excess-profits tax?

"Secretary MELLON. Yes.

"Mr. FREAR. Opposed the issuance of certificates based upon foreign debts; in fact, everything we have presented, except where you submitted some special taxes which, when embodied in a bill, the President said he would veto; or, at least, that is the information brought to us. Now, is that the situation as you understand it, Mr. Secretary?

"Secretary MELLON. The answer to that is that the objection to the taxes which are now in existence is that they are as burdensome now as the country should be asked to bear. Now, for the purpose of the bonus or for providing revenue, there should be a diffusion of that burden. It should be spread over a large class of objects or commodities, if there is a tax of that nature required.

"Mr. FREAR. What kind of tax would that be?

"Secretary MELLON. That would be in the nature of a sales tax, but not a general sales tax.

"Mr. FREAR. On specific articles?

"Secretary MELLON. It would not be necessary to impose a general sales tax, but just a tax on a broad class of commodities, where the percentage would be small on each one and the effect would not be burdensome.

"Mr. FREAR. Is that the tax proposed in Canada or adopted there? Is that the suggestion you have, or what kind of sales tax have you in mind?

"Secretary MELLON. To some extent the Canadian tax is of that nature.

"Mr. FREAR. That is the only tax you have in mind or the only means of raising revenue to finance the bonus bill, of which you would be in favor?

"Secretary MELLON. There were other suggestions, such as to increase the tax on first-class postage, and to increase the tobacco tax, etc.

"Mr. FREAR. But the President, we understood, would veto any bill that proposed taxes along the line of postage and gasoline taxes and others you recommended, so that, of course, those would be eliminated, if we follow the suggestions that have been given to us about having the bill passed and secure the signature of the President. Now, are we left only to the sales tax; is that your understanding?

"Secretary MELLON. Not necessarily to a general sales tax."

Your statement that I said over $3,000,000,000 in canceled war contracts were paid, is noted, and I accept without question your correction that $3,700,000,000 in claims were settled for $503,000,000, and I congratulate the officials who reduced $3,700,000,000 in claims to a half billion dollars. But when authority was given the Treasury Department to settle and pay over three and a half billion dollars in claims of men who were not wounded, maimed, blind, or otherwise physically disabled, the Treasury Department did not demand that the bill should contain special taxes to pay the three and a half billion dollars which were finally shaved down to a half billion dollars, in round numbers. In other words, without knowledge of what reduction would be made, my point is that the Treasury Department never demanded that a "possible" $3,700,000,000 claim, to use Treasury terms, should finance itself whereas you now insist that a soldiers' bonus bill that will not take any amount to embarrass the Treasury within three years—not 10 per cent or not 5 per cent of these former war claims—should be so financed.

My own contention, Mr. Secretary, is that foreign bonds, when received, should be used for that purpose, and that $200,000,000 annual interest on British bonds of $4,500,000,000 would pay the entire bonus for 20 years without imposing one dollar of taxes. The soldiers who gave these bonds some value by winning the war have a fair lien on them.

I note next you say "the so-called railway refunding bill has not become law, and in any event would not have taken any money out of the Treasury."

My letter read: "The recent bill to stabilize railway securities, appropriating $500,000,000, passed by the House, was with the approval of your department." The bill was to permit the purchase of railway securities, if I remember correctly, and the House, as I stated, passed the measure. Whether it became law or not was not due to Treasury opposition but to Senate inaction, with malice aforethought we learn. Where the money was to come from I can not say without the bill, but it is correct, I believe, to say that in all the billions of dollars heretofore appropriated and all authorizations heretofore made by Congress, in no single case before has the Treasury Department had hitched to the bill any separate financing scheme.

In conclusion, Mr. Secretary, let me say I do not question the full right and duty of your department to protect to the utmost the Treasury from ill-considered legislation. My own protest is against methods pursued and in what appears to be making fish of railway, shipping, and other war contracts and fowl of the bill for the relief of ex-service men.

Permit me to express personally the consideration which is extended to you by every member of our committee for your ability and purpose. All we ask is equal consideration, which I am certain will be extended, so far as you are personally concerned.

Sincerely, yours,

JAMES A. FREAR.

The following letter from a Treasury employee, one of many received from ex-soldiers, is self-explanatory:

TREASURY DEPARTMENT,
Washington, March 14, 1922.

Representative FREAR,
Washington, D. C.

DEAR SIR: I am, indeed, pleased to note the fact that we still have a few true-blooded Americans at the head of our Government. The reason for this statement is because of the fact that you have the nerve to buck the moneyed powers that are trying to ruin this fair Nation of ours. * * * The crowd that Mr. Mellon belongs to will be doomed if our Senators and Representatives will decide which is the better, a choice few or the people.

I am fully convinced that Mellon is determined to have his way about all affairs, his own as well as those affecting others. You are positively correct in your stand on the bonus question, and the bill should become a law now and not after we boys are dead. Mellon, many times a millionaire, does not care what becomes of others, or their rights, either. I am surprised at Mr. Harding. * * * The administration should lose sight of the soldier in olive drab and note the same man as a citizen doing his official duties as if the war never happened. We are voters now and free to think and act. I again thank you for your true stand for our right.

Yours, truly,

———.

P. S.—I have had three years' military service, 18 months overseas, belong to the Veterans of Foreign Wars, and voice the sentiment of the best service men; also am a * * * and only took two weeks' vacation in May, 1919, after my discharge, which proves the fact that the service man wanted to work if any was to be had. I will appreciate a home benefit most gladly, as I had to pay a war patriot 16 per cent interest on a loan against my home in Virginia, made necessary by my father's illness during my enlistment. This I had to pay when discharged, while he enjoyed many fine chances to make good money, as Mr. Mellon and thousands of others. I soldiered with the Thirty-second Wisconsin troops, and never met a finer type of men in all my experience, and am glad that you are one of the same kind. * * *

———.

My own son served with the Thirty-second on the Marne.

Apart from misrepresentation by powerful newspapers and equally powerful financiers, the dishonest and reprehensible methods used to influence the President and Congress may be gathered from the following:

The American Legion Weekly prints an affidavit showing graphically how "sentiment" is being worked up throughout the country. The Legion Weekly prints the following statement of an ex-service man who was employed by a New York financial institution:

"For two and one-half years I have been employed by ———, Exchange Place, New York City, dealers in stocks, members of the New York Stock Exchange.

"On Wednesday, February 8, 1922, at about 4.45 p. m., the head of the department in which I was employed requested that each employee write four letters in opposition to the adjusted compensation now pending in Congress. He requested that one letter be addressed to President Harding, one to each of the United States Senators of the State in which the employee lived, and one to the Representative of the congressional district in which the employee lived. A typewritten form of the letter he desired written was passed around among the employees. This typewritten form letter was on ordinary bond paper and not on the firm's letterhead, as most other memoranda usually were. The name of the firm did not appear on the form letter. The same action, I learned later, was taken in the other departments of ———.

"Each employee was advised to write the four letters and to hand them in on the following morning to the department heads. Each employee was told to leave his letters, unsealed, as the firm would seal them, put stamps on them, and mail them. For the convenience of employees it was announced the firm would look up the names of the Senators and Representatives of their respective districts.

"I heard one of the department heads remark while employees were discussing the instructions, 'You fellows had better write these letters to-night if you want to keep your jobs.' Naturally, after these orders were given out, there was a lot of comment and many arguments among the employees, and from expressions I believe that fully 60 per cent considered it was unjust and unfair to ask them to write any such letters in the way it had been done. They considered they had been deprived of their rights, as they realized that if the firm's wishes were not complied with they would be discharged, if not immediately, at the first trivial offense they committed. Despite their feelings, however, most of them figured they could not afford to disobey the implied command. Many of them were married and felt that it would be hopeless to try to refuse to write the letters under the circumstances.

"Out of approximately 250 employees 3 did not write the four letters requested of them. I am one of the 3." * * *

This man was let out at once, he says.

KAHN WOULD CANCEL DEBTS—EUROPE'S PLEDGE TO END TURMOIL ENOUGH IN RETURN, SAYS BANKER.

NEW YORK, *March 15.*

Cancellation of the allied war debts to the United States in return for pledges that conditions keeping Europe in turmoil will be eliminated, was advocated to-day by Otto H. Kahn, banker, in a speech before the Advertising Club. The disturbing conditions referred to have grown out of the various peace treaties and form the basis for interminable strife, he said.

"The most troublesome of many ills growing out of the treaties is the amount of the German reparation," he added. "It is not only greatly beyond Germany's capacity to pay but it is causing grave damage to all the world. A policy of audacious kindliness in dealing with foreign problems is necessary if prosperity is to return to this country."

BARNES'S BONUS BILL PASSED—ENABLES NEW YORK STATE TO BORROW $45,000,000 TO PAY EX-SOLDIERS.

ALBANY, N. Y., *March 15.*

By unanimous vote the assembly late to-day adopted the Barnes bill proposing an amendment to the constitution to empower the legislature to borrow not to exceed $45,000,000 for the payment by the State of bonuses to residents of the State who served in the World War.

The moneys would be raised by a bond issue.

SOLDIERS' BONUS.

(By Joseph D. Miller.)

A few weeks ago all America paid homage to the unknown soldier. From the Nation's highest to the lowest we bowed in reverence to those who sailed the sea to battle for the cause of world liberty, and who in that cause fought and fell.

Almost at the same moment the body of Albert Miller lay unclaimed in the Buffalo morgue. Friendless, jobless, emaciated from lack of food, Miller had died in a squalid rooming house. With unconscious irony the medical examiner said he had died of "natural causes." Is it, indeed, "natural" for men to die in this way? Is it not because we have set at naught all natural laws that should govern society? * * * He found none to employ him and no opportunity to employ himself.

FOUGHT FOR HIS COUNTRY.

* * * Bravely, indeed, had he fought. As a dispatch rider, a particularly hazardous service, he had brought the news of the armistice to British general headquarters. He was the first man to carry the news to the men in the line that the war was ended. He wore the British distinguished service medal and he had been decorated for gallantry at Vimy Ridge. And the end of it all was an oak slab in the dimly lighted morgue, his soul fled from the poor starved body ticketed with a small tag marked "unclaimed."

Look, you, lords of the land, lawmakers, you can not remedy the injustice done to this brave soldier dying at 25, an age when to most of us life is just beginning. He has passed where you can do him neither good nor ill. He was told that he fought to keep the German hordes from laying waste our cities when they were through with France and England. He was asked to fight to keep them away from your perhaps more tenderly reared sisters and wives and daughters. And he took you at your word. And this is the reward you have meted out to him.

But Alfred Miller is only a type. There are hundreds of thousands like him. We owe them a great debt. We should pay it, in so far as we may, if we have any self-respect. * * *

At the risk of trespassing on the right to print, I add to my remarks a letter appearing in the New York Times of March 12. It contains more human interest, more eloquent appeal, more well-grounded protest, and more hard facts than any statement I have ever seen from any soldier. I do not know the man who wrote, nor do I expect he will ever learn his contribution found a place in the RECORD, but I challenge any Senator or any Representative to make appeal to his fellows that will be more effective. We are frequently charged with being a cold-blooded race bound up in the almighty dollar, our own political or personal fortunes, or in purely selfish interests. The citizen soldier of to-day at the door or standing on the street corner without medals, chevrons, or any gleam of pride or hope, is the same man whom we patted on the back and shouted "We will take care of you when you come back. Give 'em h—l and remember our prayers are with you." Did we mean it? Have we done it? What a contemptible feeling if we do feel and understand to know that we were safe at home enjoying comforts and ease when this man and hundreds of thousands of his comrades were at the front fighting for us, and yet we begrudge him the small bonus carried in this bill. I ask that his letter be read. It contains an unanswerable appeal for the soldier bonus bill:

AN APPEAL TO MELT "FROZEN CREDIT" ICICLES.

To the editor of the New York Times:

I was one of the 50,000 men who reached France in June and July, 1917, while the 95 per cent mentioned by the contributor of "the bonus and the fighting man" were holding on to the jobs they had and gambling on the draft getting them—the language is that of the same contributor. It is not pertinent to this discussion that I was overseas nearly two years without receiving any medals and returned home in good health, except for a knee that twinges in damp weather, several teeth that are in bad shape due to hurried treatment by Army dentists, and a stomach that refuses to function properly at intervals. With thousands of others, I volunteered as soon as possible after war was declared. I went, and they went, not because we had to, but because we wanted to do our full duty to our country. When we enlisted news of the draft act had not yet reached the first pages of the newspapers. The declaration of war was our only summons. Perhaps it is egotistical to mention the Minute Men of Lexington, the volunteers who manned Perry's ships in Lake Erie, the boys who risked fever and Spanish bullets in Cuba, and say that like them we needed no other summons.

I recall in those early days we realized what was ahead of us and did not look forward to France with unalloyed pleasure. Yet we did want passionately to be among the first Americans to reach that country; probably the boys to jump to answer Lincoln's call in 1861 had the same feeling. We were not the scum of the cities or the loafers of the small towns or the ne'er-do-wells of the farms, who were glad to have an opportunity to place the responsibility of providing food and lodging in the hands of Uncle Sam. In my company, with which, of course, I am most familiar, all but three or four were native-born Americans, fully half were college or university students or graduates, all of the others had left good positions or jobs, 20 or more coming from industrial plants paying fancy wages for the manufacture of shells or explosives. A considerable percentage were under 21 years of age, a smaller number were over 35. The other day, while reading the roster of men from my county who enlisted for the War of 1812 and the Mexican and Civil Wars, I noticed the similarity in names—I could have been reading my own regimental roster. I say this without one thought of disparaging our foreign-born Americans, who wrote the story of their patriotism in blood at Chateau-Thierry and in the Argonne Forest. Many of the men in my company never would have had to go—they were above the draft age, or below it, or engaged in the so-called essential industries. When I walked into the recruiting station to enlist as a private for the duration, I carried in my pocket an important looking document authorizing me to attend an officers' training camp. I knew I could get to France before that course had fairly begun. Unlike the writer of the article mentioned above, the pride we feel always can be at flood tide, for what service we were able to give we gave cheerfully and ungrudgingly.

To-day I can not, with honor, shut my eyes to the needs and aspirations of the men who were with me in France, who joked and toiled their way through the grim winter of 1917 with summer underwear, Canadian overcoats, sometimes with but one pair of socks and never more than three, sleeping at times in unfinished, unheated barracks, without even a candle for light, with gloves that did not last through a day's hike or a night's work. I suppose the man who sold them to the Government is opposed to the bonus. I remember one boy who struggled through a case of pneumonia lying on a wooden bunk in cold barracks. There was no other place to send him. I can not shut my eyes to the present needs of the fellows who went through that bitter mess over there with courage and what cheerfulness they could muster, telling themselves how good it would be to be back on their jobs in America, doing a day's work, then going home to dinner. At the same time their families were skimping to buy Liberty bonds—and it is not the returned soldiers who bought them during the depression at 85 and are holding them for a raise—and contribute to the Red Cross, and writing such cheerful letters that the soldiers never learned of profiteers, shipyard workers, and pretty officers with spurs in Washington offices until they returned home. Things would be all right, we hoped, when we returned home.

Things were all right for a while. True, we found John Doe, who had been working in a munitions factory, riding around in a big automobile and wearing silk shirts. We found foodstuffs high and rent still higher. The $60 tossed like a crust to us when we were discharged hardly paid for our new civilian outfit. But we found jobs that enabled us to earn enough to get along, eat regularly, and keep a roof over our heads, even if we could not lay anything aside for the proverbial rainy day. How quickly that rainy day came. Mills closed, in many cases using the system that the last hired must be the first to leave; soldiers who had been given jobs after the war were dropped and men who had stayed at home to work in essential industries were retained. Soldiers who had come back home to reopen their little stores or garages or manufactory found first that they could get orders and no money and later that they could get neither orders, money, nor credit. Clerks, draftsmen, engineers, laborers, surveyors, stenographers, all former soldiers, trained and untrained men, but all with the will and desire to work, not only found themselves without jobs but without a chance to find jobs. True, other men who had not been in the Army or Navy found themselves out of work, but in many cases these men had earned big wages during the war, and if they had not been unduly extravagant had tidy sums in banks to tide them over the period of depression. We who had been two years in France had had no opportunity to save.

As I write to-night, I see on my desk the names of 12 or more men of ability and training, all veterans with overseas service, who had come to me in the last week or two to enlist my help in finding a job. Proud as they were, independent as they were, they were reduced to practically begging for an opportunity to earn enough to keep them alive, having come to the end of their resources after weeks of tramping the streets from office to factory. Some of them have wives and children. One who was here a few minutes ago is an accomplished mechanic and can not even find a job as janitor or digging ditches. Can I with honor desert these men? And is it any wonder that while the pride we feel in our service to Uncle Sam can be at flood it rarely bubbles over into words? Does that sound bitter? Well, these men do not want charity; they want work. Is it possible to explain to certain members of the United States Chamber of Commerce, who damn the bonus while they sit in palatial homes built with war-time profits, that to-night, in the cold rain, men are walking the streets wondering where in God's name they will find a place to sleep, praying for a chance to earn enough to keep from starving, desperate at the thought of old mothers and fathers and hungry wives and kids? I realize these men ought to be used to hunger—they sometimes went hungry in France. I realize these men ought not to mind the rain—the rain was just as cold at Dun-sur-Meuse. I realize they should not worry about their loved ones, who struggled on without them while they were in France. But I declare there is something unjust in this situation, something wrong in a situation that enables those who were safe and comfortable during the war to be comfortable now and discriminate against those who bore the burden and brunt of the fighting, who lived anxious days and weary nights, and who now must learn still further lessons of hunger and privation.

There is something wrong, but, like my friend who signed himself one of the four million, I know too little of economics to point out the root of the trouble. Remember, these men are Americans who have proven their patriotism in a manner many of those mouthing opposition to the bonus can not even realize or imagine; the forefathers of many of these men fought to create the Nation and preserve the Union. True, they were reared under the protection of the American flag; but if they did not show sufficiently their appreciation and pay whatever debt that upbringing entailed in France, then surely their service has earned them the right to ask Uncle Sam to give them a chance to work, an opportunity to begin payments on homes or to use what little money they would receive from the bonus legislation to keep soul and body together until such time as jobs are more plentiful without being called "profiteers," "ne'er-do-wells" or "grafters." "There is a note of sad-

ness in this bonus agitation," wrote the author of "The Bonus and the Fighting Man." True, and there is no sadder note than that sung by a man who can so far forget the men who fought shoulder to shoulder with him in France as to refer to them collectively as a "hold-up gang."

In the article which aroused the energy now being expended on my typewriter the author used some statistics, including a sentence to the effect that not 5 per cent of the former soldiers believe the bonus will do any permanent good, and that all but 5 per cent would squander it. Statistics are handy things for the writer, and there comes to my mind an old and profane adage that catalogues statistics as the superlative of lies. I know, and every reader knows, that the writer of that article has made no national effort to discover what the former service man thinks or will do, nor has Andrew W. Mellon made such an effort, nor the directors of the United States Chamber of Commerce, nor anyone else opposed to the bonus, not even our new Senator, GEORGE WHARTON PEPPER, who, possibly, has been too busy explaining his vote on the Newberry case to bother about any statistics.

I have before me the report made by a State official of the American Legion who toured my State, getting in touch with some 300,000 former soldiers. He found them almost a unit in favor of the bonus—I use the word the opponents of the measure are so fond of using—and incidentally reported that nearly 98 per cent intended to take the home aid or insurance provisions of the bill now before Congress. That was but one State. When a man says all but 5 per cent of the soldiers will squander the bonus, he first should read the bill and learn that under the systems provided for payment there will be little opportunity for squandering, and, second, should remember that the Army was but a cross section of American citizenship and that former soldiers will no more squander the bonus than will any other class of men or women. I know two or three veterans of the Civil War who, despite their age, are having a riotous time squadering their $75 a month. God knows, by the time some of these soldiers who are out of work pay grocery bills and coal bills and clothing bills and doctor bills and dentist bills the amount left for squandering will not provide sufficient ice cream to feed an Eskimo.

I admit the bonus will not enable the soldier to start his business career in a magnificent office, with mahogany furniture and a blond private secretary, but it will enable him to find his footing in these industrial everglades. The bill provides installments of $50. Do you smile at that sum? Monsieur Un de Quatre Mille—recognize that, Yank—have you ever "carried the banner" through city streets at night, with the collar of your last summer's suit turned up to keep out the rain? Have you ever wished to God there was an Army cook handy to ladle you a tin of greasy slum? Have you ever begged to be allowed to sleep in a lousy doss house? Have you ever had it driven home to you that there are no jobs to get, not though you tramp from place to place all day, interviewing foremen here and bosses there, plugging with all the courage and grit you displayed when you won your D. S. C. in France? If you have, you will know that $50 will keep a man's head above water for a long time, and that he won't squander a copper cent, but will pinch three times every nickel he spends for stale bread and bowls of stew.

You will appreciate the sentiment of the members of the American Legion in this city who feed and lodge every night about 200 men who spend their days looking for work, which even the Legion can not get for them. These men are anxious to find jobs—they are fighters from the word go. The citizens of America, especially those who have valuable property and are so anxious to hold on to everything they have, should thank God every night that practically all of these men are too honest to turn to beggary or crime even as a last resort. These men are inarticulate. We need such organizations as the Veterans of the Foreign Wars or the American Legion to tell their stories for them.

I am neither an economist nor a financier, so can not discuss intelligently the plans for raising the bonus funds that daily are mentioned and discarded in Washington. I am, I hope, blessed with an ordinary amount of common sense, and know that so astute a banker as Mr. Mellon can, if he so desires, devise a plan to raise the necessary funds, just as he undoubtedly would raise the money if it were needed in his private enterprises. Can it be true that the country that paid bonuses to shipyard workers and civilian employees in the camps, that donated gold like water to this foreign nation and that, that appropriates money here and money there, can not find sufficient for her own soldiers? It is to laugh! That is, if it were not so tragic, this picture of American boys, who gave some of the best years of their lives to the flag, tramping the streets, hungry, searching for work.

* * * I have read this over and I suppose it will sound bitter, coming from one who has a job and who is working as hard as he can to hold it and to advance a little, if possible. But I can not help thinking of the boys who are out of work, and, besides, will not consider myself either a ne'er-do-well or a grafter if, when the bonus bill finally is approved, I accept whatever provision appeals to me, for I must admit that during the war my bank account dwindled to next to nothing and I have not been able to increase it to a respectable figure since. The writer of "The bonus and the fighting man" ended his article with a threat against legislators who would vote for a bonus. I can not do that. Somewhere—perhaps in France—I learned to respect the rights of other men to opinions differing from my own, and take for granted that those opinions are honest until proved otherwise. I can conceive of myself voting gladly for a man who happened honestly to oppose the bonus, but who usually is in the right, as far as I am able to determine. But I can not conceive of myself or any soldier with straight thoughts and red blood doing otherwise than opposing with all the strength we have those who assail us with bitter names because we ask for the passage of a bill we honestly believe equitable, just, and honorable.

ONE OF THE FIFTY THOUSAND.

The CHAIRMAN. All time has expired. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, namely:

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the last word.

Mr. GARRETT of Tennessee. How long does the gentleman from Kansas intend to run to-night?

Mr. ANTHONY. I thought we would read the first paragraph, and then I would move to rise.

Mr. GARRETT of Tennessee. The first paragraph has been read.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH, as Speaker pro tempore, having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3268. An act to authorize the Chicago, Detroit & Canada Grand Trunk Junction Railroad Co., its successors or assigns, to lease certain of its properties in the State of Michigan;

S. 2599. An act for the relief of the receiver of the Gulf, Florida & Alabama Railway Co.; and

S. 2531. An act to create a board of accountancy for the District of Columbia, and for other purposes.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 7881. An act to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements.

ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker pro tempore signed the same:

H. R. 9235. An act providing for a grant of land to the State of Washington for public park purposes; and

H. R. 10663. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3268. An act to authorize the Chicago, Detroit & Canada Grand Trunk Junction Railroad Co., or its successors or assigns, to lease certain of its properties in the State of Michigan; to the Committee on Military Affairs.

S. 2599. An act for the relief of the receiver of the Gulf, Florida & Alabama Railway Co.; to the Committee on Claims.

S. 2531. An act to create a board of accountancy for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

EXTENSION OF REMARKS.

Mr. MICHAELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bonus bill.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

SOLDIERS' BONUS.

Mr. MICHAELSON. Mr. Speaker and Members of this House, does this Nation now owe anything to its defenders, its gallant soldiers and sailors who fought in the World War and of whom the Republican national convention said in its platform of 1920:

"We hold in imperishable remembrance the valor and patriotism of the soldiers and sailors of America who fought in the Great War for human liberty, and we pledge ourselves to discharge to the fullest the obligations which a grateful Nation justly should fulfill, in appreciation of the services rendered by its defenders on sea and on land."

Mr. Speaker, it is my belief that when this Government called these men for military service abroad, without giving them a voice and in violation of the foreign policy which we had pursued from the organization of the Government itself, it—the Government—incurred a most binding and sacred obligation to care, not only for the dependents of those who would have to

make the supreme sacrifice and those who would be physically disabled, but it bound itself, morally at least, to take care of the financial loss sustained by those who went through that inferno unscathed.

Without perfidy and dishonor to itself, therefore, this Government can indulge in no quibbling as to the amount of the bonus, the manner in which it shall be paid, or the way in which the money to pay it shall be raised. Thousands of precious lives might have been saved, and untold suffering by the living avoided, if those in authority had performed their plain duty by giving this matter the right of way, over everything else, immediately after the signing of the armistice. But while those lives can not be recalled or the suffering by the living forgotten, other lives can be saved, and further suffering can be avoided if Congress will settle this question as it ought to be settled.

There is, of course, only one way to solve any problem, and that is the right way. And the only right way to solve this problem is:

First. To pay these men the difference between what they were earning in civil life when called to the colors and what the Government paid them while in its service. In other words, if a man were earning $100 per month in civil life when he was enrolled, and received $30 per month while in the service, he should be paid a bonus of $70 per month during the period of his enrollment.

Second. To pay each man in cash, money which is worth 100 cents on the dollar everywhere.

Third. To raise that cash by selling United States bonds, to be known as the soldiers' bonus liberty bonds, in precisely the same manner that we sold Liberty bonds to raise money to loan to France, and with which France has paid her soldiers a bonus of $249 apiece.

Such a bonus is just, because it is the best kind of an object lesson in patriotism to future generations, and because it will serve as the surest and best insurance policy against future wars that this Nation can have. Such a plan has been submitted to this Congress in H. R. 7569, introduced by myself on July 6, 1921, and referred to the Committee on Ways and Means.

Precedent has been amply established for such a bonus as this. Organized wealth, represented by the international bankers, the railroads, the profiteering munitions makers, shipbuilders, dealers in war material, food and supplies, have already collected all of their alleged war losses, and the public utility corporations throughout the land, aided and abetted by commercialized newspapers, have taken their pound of flesh, and few, if any, of the beneficiaries of these bonuses ever ventured outside the security of the safety zone.

Any further compensation allowed our soldiers and sailors, any bonus granted them should be worth 100 cents on each dollar thereof, anywhere and everywhere, because at this time and in this instance the soldier and the sailor, and they alone, should share in the benefit. Under the plan submitted to this House by the Ways and Means Committee many of the veterans in order to obtain ready money will have to submit to the extortion of the loan sharks by heavily discounting their bonus certificates.

Is it not ungenerous enough for the Government to compel the veteran to pay his share of his own bonus by taxation? Should we now add insult to injury by compelling the needy veteran to discount his bonus in order to obtain cash for it?

If the Government had done its full duty and conscripted, at the time it conscripted the boy, enough great wealth to support the boy, funds for a bonus would not now be so hard to find. But as the war profiteers, through commercialized newspapers, strangled that plan in its infancy, the fairest, safest, and quickest way to raise money for a bonus is through the sale of bonds.

Did we not sell bonds to raise the $10,000,000,000 which we loaned to our so-called allies, among which were Belgium, France, and England?

With a part of that money, has not Belgium paid its soldiers a bonus of $492?

With a part of that money, has not France paid its soldiers a bonus of $249?

With a part of that money, has not England also paid its soldiers a bonus of $190?

And were not many overseas American veterans, who are today in destitute circumstances, called upon to buy some of the bonds which were sold to raise money which was loaned to Belgium, France, and England, and a part of which has been used by those countries to pay their own soldiers a bonus?

Why, then, do not those endowed with the power to do so arrange to pay America's debt of honor as Americans should discharge an obligation of this sort?

Why do they not arrange to pay this debt in full by paying these men what the Nation really owes them, which is the difference between what they were paid and what they were earning when called for service?

Why do they not arrange to pay them in money which is worth 100 cents on the dollar wherever it may be tendered?

And why do they not arrange for raising the money with which to redeem this sacred pledge in an aboveboard manner by authorizing the sale of soldiers' bonus liberty bonds for that purpose?

ADJOURNMENT.

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Saturday, March 18, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

569. Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting list of useless papers in the Treasury Department to be disposed of was taken from the Speaker's table and referred to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KNUTSON: Committee on Pensions. H. R. 10533. A bill to pension soldiers who were in the military service during the Indian wars and disturbances and the widows, minors, and helpless children of such soldiers, and to increase the pensions of Indian war survivors and widows; without amendment (Rept. No. 810). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 10793) granting a pension to Syntha Black, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McCLINTIC: A bill (H. R. 10939) to amend sections 402, 406, and 416 of the interstate commerce act, approved February 28, 1920, for the purpose of restoring to State commissions certain jurisdiction exercised over intrastate questions prior to the war with Germany; to the Committee on Interstate and Foreign Commerce.

By Mr. BRAND: A bill (H. R. 10940) to amend the Federal farm loan act so that actual farmers may borrow money for indebtedness due by them when not incurred for agricultural purposes; to the Committee on Banking and Currency.

By Mr. STEENERSON: A bill (H. R. 10941) authorizing the Postmaster General to grant permission to use special canceling stamps or post-marking dies; to the Committee on the Post Office and Post Roads.

By Mr. ROACH: A bill (H. R. 10942) authorizing the governor of the State of Missouri to expend the balance of a fund created and paid to him by virtue of an act of Congress approved July 8, 1898, as amended March 3, 1899; to the Committee on the Library.

By Mr. LANKFORD: A bill (H. R. 10943) to create the "farmers' finance corporation," to provide an efficient method of making loans promptly to farmers, and for other purposes; to the Committee on Banking and Currency.

By Mr. LANGLEY: A bill (H. R. 10944) to amend section 42 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended; to the Committee on the District of Columbia.

By Mr. LEHLBACH: A bill (H. R. 10945) to repeal an act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the navigable waters of Newark Bay, in the State of New Jersey, approved August 8, 1919; to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Joint resolution (H. J. Res. 289) urging the recognition of the Republic of Lithuania by the Government of the United States; to the Committee on Foreign Affairs.

By Mr. BOND: Concurrent resolution (H. Con. Res. 50) for the appointment of a committee of Senators and Representatives to represent Congress at the ceremonies attending the ar-

rival of the last of the bodies of American soldiers from the battle fields of the World War; to the Committee on Rules.

By Mr. SHAW: Resolution (H. Res. 305) directing the Secretary of War to transmit certain facts to the House of Representatives; to the Committee on Rivers and Harbors.

By Mr. LARSEN of Georgia: Resolution (H. Res. 306) providing for the appointment of a special committee to investigate the action of the Veterans' Bureau; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the Commonwealth of Massachusetts, favoring the passage of Federal law to further regulate the use of narcotic drugs; to the Committee on Ways and Means.

By Mr. ROGERS: Memorial of the Legislature of the Commonwealth of Massachusetts, favoring the passage of Federal law to further regulate the use of narcotic drugs; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 10946) granting a pension to Martha Cox; to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 10947) granting an increase of pension to Edmund F. Laible; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 10948) granting a pension to Maurice Perry; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 10949) for the relief of Helen Partridge; to the Committee on Claims.

By Mr. JAMES: A bill (H. R. 10950) granting a pension to Charles J. Young; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 10951) granting an increase of pension to Shiloh Sally; to the Committee on Pensions.

By Mr. MONTAGUE: A bill (H. R. 10952) for the relief of Mrs. W. H. ReMine; to the Committee on Claims.

By Mr. PARKER of New Jersey: A bill (H. R. 10953) for the relief of Edward A. Abbey; to the Committee on Claims.

By Mr. PARKER of New York: A bill (H. R. 10954) granting a pension to Emily D. Jenkins; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 10955) granting a pension to Arta Pearl Beedle; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4665. By the SPEAKER (by request): Petition of the American Trona Corporation, of Searles Lake, Trona, Calif., and other corporations, concerning the wrecking of the American potash industry; to the Committee on Ways and Means.

4666. By Mr. FRENCH: Petition of G. W. Jordan and other residents of Viola, Idaho, protesting against the passage of House bill 9753 and any other Sunday bill; to the Committee on the District of Columbia.

4666½. By Mr. FROTHINGHAM: Resolution passed by the Massachusetts House of Representatives, favoring the passage of a Federal law to further regulate the use of narcotic drugs; to the Committee on Ways and Means.

4667. By Mr. GALLIVAN: Resolution adopted at a recent meeting of the South Boston Citizens' Association, of South Boston, Mass., Frederick O. Watt, of 63 L Street, South Boston, Mass., secretary, urging immediate passage of the adjusted compensation bill; to the Committee on Ways and Means.

4668. By Mr. KAHN: Resolution adopted by the Narcotic Control Association of California urging that the Harrison Act be amended as suggested; to the Committee on Ways and Means.

4669. By Mr. KISSEL: Petition of the Raymond Concrete Pile Co., of New York City, N. Y., opposing the passage of the bonus bill; to the Committee on Ways and Means.

4670. Also, petition of the Gemaco Co., of New York City, N. Y., opposing a tariff duty of 60 per cent on Cuban sugar; to the Committee on Ways and Means.

4671. By Mr. PATTERSON of New Jersey: Resolution of 15 residents of New Jersey, urging that Austria's debt to the United States be suspended for at least 20 years; to the Committee on Ways and Means.

4672. By Mr. TIMBERLAKE: Petition of William Stamm and others of Colorado, urging the revival of the United States Grain Corporation and a fixed price for the 1922 wheat crop; to the Committee on Agriculture.

4673. By Mr. WATSON: Petition signed by the residents of Mifflin County, Pa., favoring "American valuation"; to the Committee on Ways and Means.

4674. Also, petition filed by local association of farmers and dairymen of Bucks County, Pa., favoring House bill 8086; to the Committee on Agriculture.

4675. By Mr. YOUNG: Petition of John Hoffart, of Orrin, N. Dak., and 14 others of that vicinity, asking for fixed price on farm products; to the Committee on Agriculture.

4676. Also, petition of Martin Anderson, of Edgley, N. Dak., and 18 others, asking for the revival of the United States Grain Corporation and a fixed price on wheat; to the Committee on Agriculture.

4677. Also, petition of Arne Lima, of Hannaford, N. Dak., and 38 others of that vicinity, asking for guaranteed price on farm products; to the Committee on Agriculture.

4678. Also, petition of William Tiedje and 13 others, of Sykeston, N. Dak., urging the revival of the United States Grain Corporation and a fixed price on farm products; to the Committee on Agriculture.

4679. Also, petition of J. E. Jevne, of Russell, N. Dak., and 19 others, requesting legislation to provide for a better system of agricultural credits, a proper system of cooperative marketing, and an intelligent system of disseminating information relative to world supply and demand for farm products; to the Committee on Agriculture.

4680. Also, memorial of Mrs. N. J. Olson, secretary, and 13 other members of the Myosotis Club of Sanborn, N. Dak., protesting against the rates of duty on women's leather gloves in paragraph 1433 of the tariff bill; to the Committee on Ways and Means.

SENATE.

SATURDAY, *March 18, 1922.*

(Legislative day of Thursday, March 16, 1922.)

The Senate met at 12 o'clock meridian on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10559) making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes.

The message also announced that the House had passed a joint resolution (H. J. Res. 279) to permit to remain within the United States certain aliens admitted temporarily under bond in excess of quotas fixed under authority of the immigration act of May 19, 1921, in which it requested the concurrence of the Senate.

The message further announced that the House had adopted a concurrent resolution (H. Con. Res. 47) providing for the printing as a public document of 100,000 copies of the Report of the Special Mission on Investigation to the Philippine Islands, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker pro tempore of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 9235. An act providing for a grant of land to the State of Washington for public park purposes; and

H. R. 10663. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes.

CALL OF THE ROLL.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	Moses	Shields
Ball	Hale	Myers	Simmons
Borah	Harris	Nelson	Smith
Brandegee	Harrison	New	Spencer
Broussard	Heflin	Nicholson	Stanfield
Bursum	Johnson	Norris	Stanley
Cameron	Jones, Wash.	Oddie	Sterling
Capper	Kellogg	Overman	Swanson
Colt	Kendrick	Page	Townsend
Culberson	King	Phipps	Underwood
Cummins	Ladd	Poindexter	Wadsworth
Dial	Lodge	Pomerene	Walsh, Mont.
Edge	McCormick	Ransdell	Warren
Ernst	McKellar	Rawson	Watson, Ga.
Fernald	McKinley	Robinson	Williams
Fletcher	McNary	Sheppard	Willis

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from New York [Mr. CALDER], the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from West Virginia [Mr. SUTHERLAND], and the Senator from Indiana [Mr. WATSON] are detained at a hearing before the Committee on Finance.

The VICE PRESIDENT. Sixty-four Senators have answered to their names. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. NELSON presented the petition of John L. Love and sundry other citizens of Kansas City, Mo., praying for the passage of the so-called Dyer antilynching bill, which was referred to the Committee on the Judiciary.

Mr. WARREN presented a memorial of sundry citizens of Buffalo, Wyo., remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. LADD presented the petitions of John Skavlan and 25 others, of Schafer; William Brumemeyer and 29 others, of Rock Lake; and Roy Bechle and 2 others, of New Rockford, all in the State of North Dakota; and H. T. Ahrens and 26 others, of Mondovi, Wash., praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

Mr. WILLIS presented a resolution adopted at a meeting of the executive committee of the Federated Churches, of Cleveland, Ohio, favoring the ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

He also presented the petition of Rev. D. G. Grady and sundry other citizens of Delaware, Delaware County, Ohio, praying for the passage of the so-called Dyer antilynching bill, which was referred to the Committee on the Judiciary.

Mr. HARRIS presented a resolution adopted at a meeting of the truck growers of South Georgia at Adel, Ga., favoring the enactment of legislation providing a permanent tariff on peanuts and peanut and vegetable oils, which was referred to the Committee on Finance.

He also presented resolutions of Locals Nos. 853 and 2193, Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Stations Employees, of Fitzgerald and Columbus, respectively, both in the State of Georgia, favoring acceptance of the offer of Henry Ford relative to the Muscle Shoals project, which were referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a memorial of sundry citizens of Emporia, Kans., remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a resolution adopted at a regular session of the Gove County Farmers' Union, of Hackberry, Kans., protesting against the cancellation of the foreign debt of the United States, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of the District of Columbia, praying for the establishment of better school conditions and various changes in the school program in the city of Washington, which were referred to the Committee on the District of Columbia.

Mr. SHORTRIDGE presented a petition signed by 400 citizens of Long Beach, Calif., praying for the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry employees of the Emeryville factory of the Judson Manufacturing Co., of San Francisco, Calif., favoring the immediate passage of an adequate tariff law based upon American valuations, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Los Angeles, Calif., remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry members of the Union League Club of San Francisco, Calif., praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

He also presented a memorial of sundry members of the Union League Club of San Francisco, Calif., remonstrating against the passage of an indiscriminate cash soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented a resolution adopted by the Central Labor Council of Los Angeles, Calif., favoring the passage of House bill 9691, providing for the creation of Federal local option districts, etc., which was referred to the Committee on the Judiciary.

MARIE DOUGHTY GORGAS.

Mr. BURSUM, from the Committee on Pensions, reported a bill (S. 3300) granting a pension to Marie Doughty Gorgas, which was read twice by its title, and he submitted a report (No. 566) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LADD:

A bill (S. 3297) to amend section 4884 of the Revised Statutes; to the Committee on Patents.

By Mr. KELLOGG:

A bill (S. 3298) to amend section 405 of an act to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes, approved August 15, 1921; to the Committee on Agriculture and Forestry.

By Mr. HALE:

A bill (S. 3299) granting a pension to Edna P. Getchell (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 3301) to amend the War Finance Corporation act, approved May 5, 1918, and the act amendatory of the same, approved August 24, 1921, by extending for one year the powers and authority of the War Finance Corporation; to the Committee on Finance.

By Mr. CALDER:

A bill (S. 3302) to amend section 3114 of the Revised Statutes; to the Committee on Finance.

ADDITIONAL DISTRICT JUDGES.

Mr. SHIELDS submitted an amendment intended to be proposed by him to the bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside of their districts, and for other purposes, which was ordered to lie on the table and to be printed.

INVESTIGATION OF ATLANTIC CORPORATION (S. DOC. NO. 167).

Mr. MOSES. I move that the report of Frank S. Streeter, filed February 25, 1922, in the matter of the investigation of the Atlantic Corporation, United States Shipping Board, Raynes et al., authorized and requested by the Department of Justice, be printed as a Senate document.

The motion was agreed to.

HOUSE JOINT RESOLUTION REFERRED.

The joint resolution (H. J. Res. 279) to permit to remain within the United States certain aliens admitted temporarily under bond in excess of quotas fixed under authority of the immigration act of May 19, 1921, was read twice by its title and referred to the Committee on Immigration.

REPORT ON PHILIPPINE ISLANDS.

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution from the House of Representatives, which will be read.

The concurrent resolution (H. Con. Res. 47) was read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
March 17, 1922.

Resolved by the House of Representatives (the Senate concurring), That 100,000 copies of the report of the Special Mission on Investigation to the Philippine Islands to the Secretary of War, without the map but with the data on the Philippines preceding and accompanying such report, be, and the same is hereby, ordered printed as a public document, to be distributed as follows: Sixty-five thousand through the document room of the House, 25,000 through the document room of the Senate, 5,000 through the Committee on Insular Affairs of the House, and 5,000 through the Committee on Territories and Insular Possessions of the Senate.

Mr. MOSES. I move that the Senate concur in the resolution of the House of Representatives.

Mr. UNDERWOOD. Has the resolution gone to a committee?

Mr. MOSES. It is a concurrent resolution and has not gone to a committee. I am strictly following the custom.

Mr. UNDERWOOD. I do not know that there is any custom which would require a concurrent resolution to be agreed to without consideration.

Mr. MOSES. No, indeed, except the custom for the chairman of the Committee on Printing to make a motion to concur in a resolution of this kind.

Mr. UNDERWOOD. This involves a large appropriation. I think there can be no harm done by letting it go to the committee. I believe that course would be better.

Mr. MOSES. A concurrent resolution does not have to go to a committee. However, I have no objection to having it sent to the Committee on Printing, so far as that is concerned.

Mr. UNDERWOOD. Reference to a committee gives a chance for each side to look into the matter.

Mr. FLETCHER. Is it a Senate resolution?

Mr. MOSES. No; it is a concurrent resolution passed by the House and sent here, and I am simply making the usual motion.

Mr. SIMMONS. Mr. President, we can not hear what is going on.

Mr. MOSES. If the Senator from Alabama wishes to have the resolution go to the Committee on Printing, I have no objection to the reference, and I therefore withdraw my request that the Senate concur in it.

The VICE PRESIDENT. Without objection, the concurrent resolution will be referred to the Committee on Printing.

Mr. ROBINSON. Mr. President, there has been so much confusion in the Chamber that we have been unable to hear. May I inquire what the motion or request is?

Mr. UNDERWOOD. It is a concurrent resolution from the House providing for the printing of a very large number of copies of the report of the special commission regarding the Philippine Islands. I do not mean to say that the report ought not to be printed, but we do a vast deal of useless printing.

Mr. MOSES. With all that I concur.

Mr. UNDERWOOD. I am merely insisting that the concurrent resolution shall go to the committee and be looked over by those whose business it is to look after such matters before the Senate is asked to pass upon it.

Mr. ROBINSON. I do not suppose anyone will object to that.

Mr. MOSES. I have no objection to the resolution going to the committee. I merely wish to say that in view of the parsimonious policy of the House in the matter of printing, when a concurrent resolution for printing comes over here we may generally accept it as having been cut to the bone.

The VICE PRESIDENT. The concurrent resolution will be referred to the Committee on Printing.

ORDER OF BUSINESS.

Mr. LODGE. Mr. President, I believe the Senate is in legislative session?

The VICE PRESIDENT. It is.

Mr. LODGE. Of course, if anyone on either side desires to address the Senate upon the pending treaty, I consider that under the unanimous-consent agreement it is my duty to move that we go into open executive session.

Mr. ROBINSON. I wish to engage in a brief discussion of the treaty.

Mr. LODGE. Then I shall move that the Senate proceed to the consideration of executive business in open session.

Mr. WALSH of Montana. Will the Senator withhold the motion for a few minutes?

Mr. LODGE. Certainly.

INTERNATIONAL LABOR BUREAU.

Mr. WALSH of Montana. Mr. President, at the last session of the Interparliamentary Union at Stockholm, Sweden, there was adopted, among other resolutions, the following, heretofore included in the RECORD:

Resolution adopted by the nineteenth conference of the Interparliamentary Union, held at Stockholm, Sweden, August 17, 18, 19, 1921. (Submitted by Messrs. Engberg, of Sweden; Sigg, of Switzerland; and Munch, of Denmark.)

III.

The nineteenth conference of the Interparliamentary Union greets with satisfaction the creation of an international labor bureau; it appreciates the services of this bureau, destined to render the greatest assistance in the amelioration of the burdens resting upon the laboring masses of all countries, contributing thus to the establishment of social and world peace. It is pleased also to note that the numerous conventions and recommendations elaborated by the international labor conference have already been ratified by many parliaments affiliated with the union. It expresses its profound conviction that the union will have to continue its efforts within the parliaments in favor of this work of restoration and promises its aid and that of its group to the end that there may be a most careful study of the conventions and recommendations above mentioned. It urges the groups to promote within the parliaments the greatest possible constructive legislation looking toward the realization of the conventions and recommendations elaborated by the international conferences at Washington and Genoa, and to support the work of the international labor bureau. It urges further that each of the national groups may see fit to establish a labor committee, which shall be organized to aid such works of the group and which shall look after the promotion of the efforts of the union in accordance with the spirit of this resolution.

In accordance with the direction of the American group of the Interparliamentary Union, I have the honor to present to the Senate at this time the recommendations of these two labor conferences, the one held at the city of Washington and the other at Genoa, and I shall ask that they be referred for consideration to the Committee on Education and Labor of the Senate.

Let me say in this connection, Mr. President, that these resolutions emanate from what is known as the International Labor Organization. It is an organization which had its inception with the League of Nations, but operates practically independently of that body. It consists, as it will be recalled, of delegates selected by the labor unions of the various countries, by the labor employers of the various countries, and of delegates appointed by the Governments of the various countries. Its purpose is, if possible, to make legislation touching labor in the various countries as nearly uniform as possible, so that labor in this country, for instance, will not be brought into competition with labor in other countries, where 10, 12, or 14 hours may constitute a day's work, and where other conditions are such as to make difficult, if not impossible, competition to obtain.

Let me read in this connection, Mr. President, simply the titles of some of the resolutions which have been adopted by these conferences. Here, for instance, is a draft of a convention limiting the hours of work in industrial undertakings to 8 hours in the day and 48 hours in the week. It is recommended that the legislatures of all countries belonging to the union enact laws establishing the 8-hour day and the 48-hour week as the standard, and a draft of such legislation is offered.

The next is a draft of a convention concerning unemployment; then a draft of a convention concerning the employment of women before and after childbirth; then a draft of a convention concerning employment of women during the night; then a draft of a convention fixing the minimum age for admission of children to industrial employment; another one concerning the nightwork of young persons employed in industry. Those emanate from the Washington conference.

Then, from the Genoa conference there is another recommendation concerning unemployment; a recommendation concerning reciprocity of treatment of foreign workers; a recommendation concerning the protection of women and children against lead poisoning; a recommendation concerning the prevention of anthrax; a recommendation concerning the establishment of Government health service; a recommendation concerning the application of the Berne convention of 1906 on the prohibition of the use of white phosphorous in the manufacture of matches.

There are further recommendations from the Genoa conference touching a number of similar subjects, including a draft of a convention concerning the age for the admission of children to employment in agriculture; another concerning the right of association and combination of agricultural workers, a question which had the consideration of the Senate some time ago; another concerning workmen's compensation in agriculture; another concerning the use of white lead in painting; another concerning the application of the weekly rest in industrial undertakings; another fixing the minimum age for the admission of young persons to employment as trimmers; another concerning compulsory medical examination of children and young persons employed at sea; and others of like character, the result of the thoughtful study of experts in these branches.

I trust, Mr. President, that this will not be considered as in the nature of a formal presentation of resolutions of this character, but that they may have the considerate attention of the Committee on Education and Labor, to which I now ask that they may be referred.

The VICE PRESIDENT. Without objection, the resolutions will be received and referred to the Committee on Education and Labor.

MICHIGAN SENATORIAL ELECTION.

Mr. WALSH of Montana. Mr. President, on March 8 there was inserted in the RECORD, upon the motion of the Senator from Washington [Mr. POINDEXTER], a letter or article contributed by the junior Senator from Pennsylvania [Mr. PEPPER] to the weekly publication which is known as the Independent, setting forth the reasons which impelled the junior Senator from Pennsylvania to vote for the seating of the junior Senator from Michigan [Mr. NEWBERRY].

As the Newberry case promises to be an issue in the coming campaign in the State of Michigan and in the State of New Jersey, if not in every other State in which a political contest will be waged, I thought it not inappropriate to address to the

editor of the Independent a communication in which was set forth the reasons which compelled some of us who voted against Mr. NEWBERRY to take that course, asking that it be given the same publicity as was given to the article by the junior Senator from Pennsylvania. I have a very polite communication from the editor of the Independent this morning saying that my communication is too late for insertion in that journal. I ask, Mr. President, that my letter to the editor of the Independent may be published in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

TO THE INDEPENDENT: In your issue of February 18 appeared a brief article from Senator GEORGE WHARTON PEPPER setting forth his reasons for voting to confirm TRUMAN H. NEWBERRY in his seat in the Senate. The enviable reputation enjoyed by the new Senator from Pennsylvania, to which you appropriately refer, the unique character of the position he occupies in having come to the Senate on the very eve of the vote, with other circumstances, contribute at once to awaken public interest in his utterances on the subject and to lend weight to the same.

In the belief that in the interest of an enlightened public opinion you will not be averse to giving equal publicity to the facts which impelled other Senators to the course they took in the matter, I am sending this communication for such disposition as you may care to make of it.

It is to be inferred from the whole tenor of Senator PEPPER'S article what he has elsewhere asserted, that the Democratic Members who voted against seating the Senator from Michigan were actuated by partisan considerations wholly, or at least that their action was controlled by such. He apparently is not prepared to admit even that such a case was made as that an honest difference of opinion might reasonably arise between men sincerely desirous of arriving at a just conclusion. He chooses to attribute to those differing with him among his colleagues motives unworthy of men occupying the responsible positions with which they have been intrusted and discharging the grave duties imposed upon them. Of that readers of the Independent may judge from the brief comment here made on the justification of Senator PEPPER in the article to which reference has been made. It is all too obvious to anyone familiar with the facts that he has accepted the current newspaper apology for the Newberry campaign instead of being guided by the record in the case. He advances—

(1) That huge sums spent in it, denounced alike by the majority and by the minority reports of the Committee on Privileges and Elections, as well as by the resolution seating NEWBERRY, was justifiably spent, necessarily spent, in order to defeat Henry Ford, contesting for the Republican nomination.

The facts are, as disclosed by the record, that having been in communication with friends for some months prior thereto, having in the month of December, 1917, endeavored to engage Jay Hayden as manager of his campaign, and having, in the month of February, 1918, had a conference in New York with Paul King, who became such, and King having as early as the 6th of March openly taken charge, it was not until June 14, 1918, that Ford's candidacy was announced, no intimation having been given theretofore that he would seek the nomination on the Republican ticket. Such rumors as were current touching his candidacy prior to that time had reference to his becoming a candidate on the Democratic ticket, not the Republican. Meanwhile the Newberry campaign was directed against such unimpeachable Republicans as ex-Gov. Warner, three times elected chief executive of Michigan; ex-Gov. Osborn, who remained in the race to the last; William Alden Smith, who had a long and honorable career in both Houses of Congress; and C. B. Warren, now minister to Japan. It was against the pretensions of these formidable contenders that the Newberry campaign was organized, as is fully disclosed by the letters that passed almost daily between NEWBERRY in New York and King and others in Michigan. The pretense that the lavish expenditure of money characterizing the Newberry campaign was necessary was exploded in a letter written to him on September 17, 1918, by Gov. Osborn, in which that gentleman said:

"The plea can not be honestly made that you spent money in excess because you were fighting Ford, because you had begun your reckless campaign long before Ford was mentioned and had already transgressed the law. Nor can you plead you 'did not know.' That would prove you to be both an ass and a liar, which I choose to think you are not. I am for you only to save the Nation and the State from the curse of Fordism."

(2) That NEWBERRY being "continuously absent from the State" during the campaign, "the committee" raised and spent about $195,000.

It is true that NEWBERRY was in New York during the campaign, a fact from which, if it has any importance at all, the reader is to assume that he was ignorant of what was going on in Michigan and had no part in it. The fact is that he had repeated conferences in New York touching his candidacy before "the committee" began its work touching his campaign, that he had daily reports by wire from his private confidential agent touching the campaign, as well as from the manager thereof, who communicated with him by letter almost daily as well, and from time to time submitted to him detailed reports of his work and of conditions in almost, if not quite, every county of the State, while NEWBERRY was active himself in New York with concerns doing business and being influential in Michigan and being represented in the metropolis. Besides members of "the committee" and others made repeated trips to New York to confer with NEWBERRY, going sometimes singly but usually in groups. He was as thoroughly advised as to what was going on as if he were a daily habitue of the headquarters in Detroit.

"The committee" was no committee. They were simply NEWBERRY'S agents, selected by him. They represented no one else. "The committee" neither raised nor expended any funds, save that after a public uproar was raised in Michigan about the scandalous expenditure some effort was made by one or two members to solicit subscriptions. Up to that time, after the campaign had been in progress for five months, practically every dollar was contributed nominally by NEWBERRY'S immediate family and relatives—his brother, his wife's brother, his sister's husband, etc.

(3) "This money was all spent for purposes authorized by the Michigan statute governing election expenses."

One J. Scott Hunter got $600 of the Newberry money, which he says he spent for liquor and cigars. One John E. Korn visited Detroit headquarters, where during a conference there was laid before him on a table a sealed envelope. He opened it on the way home and found it to contain $400. One Hanson had slipped to him either in or under a magazine a $50 bill. Frank P. Bohn testified that he paid 15 men $5 apiece "to get their support and vote for NEWBERRY."

Instances like these might be multiplied indefinitely, but it is unnecessary, since the whole campaign was conducted in defiance of "the Michigan statute governing election expenses." It is needless to consider whether the line between legitimate and illegitimate expenses is crossed in placing an advertisement in every paper in Michigan, nor whether it was crossed in the particular case in which Paul King wrote NEWBERRY that a certain labor paper had still remained unconverted, but that he had sent it a full-page advertisement to be inserted just before the primaries, from which he evidently expected results. Every county in the State was "organized" by King, a chairman and a secretary appointed, all paid. Besides numerous "field agents" were employed at munificent salaries, one or more to reach the laboring men, one to influence fraternal organizations generally, another specially to work among the Masons. The foreign-born population was appealed to by field agents speaking their language. A whole army of paid workers was in the service of "the committee." The Michigan statute provides that—

"SEC. 45. Every person who, directly or indirectly, by himself or by any other person in his behalf, gives * * * or promises * * * to or for any person in order to induce or have such person induce any voter to * * * support or oppose any candidate, * * * every person who by any means receives * * * any money on account of doing or agreeing to do or having done any campaign work, electioneering, soliciting votes for such candidates on primary day or prior thereto, * * *"

And lest there should be aroused any doubt about the construction of the foregoing language the statute continues:

"It being the intent of this clause to prohibit the prevailing practice of candidates hiring with money and promises of positions, etc., workers on primary day and prior thereto; * * * shall be deemed guilty of a misdemeanor."

It further provides:

"SEC. 48. * * * It shall be unlawful for any other person to do or perform for or on behalf of any such candidate or to help or injure the candidacy of any candidate, any of the acts or things which it is by this act made unlawful for such candidate to do."

"(4) Within 10 days, as required by law, the Newberry committee published a classified statement exhibiting the receipt and disbursement of the sum above specified."

Every book and memoranda from which the truthfulness of the report could be verified has disappeared and the only man who could account for their loss or give the facts was unavailable as a witness. When desired he was in Canada, a helpless wreck as a result of an automobile accident, it was asserted by NEWBERRY'S friends, in active business in Detroit to-day, it is averred on the other hand.

"Thereupon—that is, upon the filing of the report—the Ford machine attacked the expenditure as unjustifiable, and the subject was discussed all over the State for two months."

That sentence conveys a wholly erroneous impression. Reference has heretofore been made to the letter of Gov. Osborn written shortly after the primary. But on August 8, nearly three weeks before the primary, the editor of the Grand Rapids Herald addressed a letter to NEWBERRY, to which publicity was given at the time, in which he said:

"DEAR SIR: I desire to direct your attention to certain phases of the Michigan Republican senatorial campaign which seem to demand very clear and explicit public statement from you well in advance of primary election. * * *

"I direct your attention to these specific charges which have appeared in responsible newspapers. They are charges, furthermore, which find kinship in very general rumor and report. I fully realize that gossip is deadly and a ruthless assassin. But gossip, in this instance, is too widespread to be longer ignored. It charges you and your associates with the expenditure of money running into six figures in the erection of your senatorial organization. Such a situation must be as intolerable for you, if these reports are false, as it is intolerable for the State if the reports are true. Therefore it is a situation which must be challenged, because if not challenged by you it will have to be challenged by the electorate."

To this very pointed letter NEWBERRY replied in a communication which he characterized in a letter to Paul King, as follows:

"I am inclosing a copy of my noncommittal reply to the Grand Rapids people, which covers the situation in a rather flimsy manner."

It is aside from the purpose of this communication to attack the course of reasoning by which Senator PEPPER defends his vote upon the assumption that the facts are as he recites them. Neither will the argument be followed that, however reprehensible were the means by which his nomination was accomplished, the voters of Michigan condoned the offense by giving him a majority of less than 5,000 votes in an overwhelmingly Republican State which has never elected a Democratic Senator since the days of Lewis Cass.

It is quite evident from recent newspaper reports that some effort will be made in the ensuing campaign by Republican leaders to secure from the people of Michigan a revision of their judgment notwithstanding "the subject was vehemently discussed all over the State for two months," considering that little save rumor and gossip was available then, while the facts as revealed by the trial at Grand Rapids and before the Senate Committee on Privileges and Elections can now be made the basis of discussion.

T. J. WALSH.

WASHINGTON, D. C., *March 6, 1922.*

THE FOUR-POWER TREATY.

Mr. MOSES. I move that the Senate proceed to the consideration of executive business in open session.

The motion was agreed to; and the Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. ROBINSON obtained the floor.

Mr. LODGE. Mr. President, will the Senator yield to me for just a moment?

Mr. ROBINSON. I yield to the Senator from Massachusetts.

Mr. LODGE. I desire to present a memorial from the Greater Boston Federation of Churches, praying for the ratifica-

tion of the treaties, and ask that it lie on the table and be printed in the RECORD.

The VICE PRESIDENT. Without objection, the memorial will lie on the table and be printed in the RECORD.

The memorial is as follows:

GREATER BOSTON FEDERATION OF CHURCHES AND RELIGIOUS ORGANIZATIONS,
Boston (9), Mass., March 11, 1922.

Hon. HENRY CABOT LODGE,
Senate Office Building, Washington, D. C.

MY DEAR MR. LODGE: The Greater Boston Federation of Churches and Religious Organizations, representing more than 600 Protestant churches, Jewish synagogues, and other religious bodies, is throwing all its influence on behalf of the early ratification by the Senate of the treaties submitted by the President for its action. Its board of directors have authorized me to write you that they are confident that such ratification will conduce more to the permanent peace of the Pacific than any other action that our Nation could at present take.

The members of the churches and other organizations which constitute our federation are, in general, persons of education and of large interest in public affairs. They have for years given close attention not only to legislation within the Commonwealth but also to measures before Congress that have ethical significance, and especially to those affecting international relations. Among them are not a few men and women who have lived for years in the Far East and have been close students of the problems of the Pacific. Naturally the carefully considered opinions of these, whom we have the right to look upon as authorities, carry great weight with us. Hence we feel that our conviction with regard to these treaties, which is substantiated by these merchants, missionaries, and students of Pacific questions, is fully in accord with truth.

Our federation therefore earnestly petitions, through you, the Senate of the United States to ratify as speedily as may be the treaties negotiated by the recent Washington conference and submitted by the President.

We can not but believe that failure to ratify these treaties will both discourage the leaders of democracy in China and Japan and give power to the militarists in those nations to whom the treaties and agreements negotiated by and in connection with the Washington conference are, according to their own confession, death blows. Nothing could so reanimate the militarists of Japan and reestablish their hold upon their own nation, upon China, and Siberia as the defeat of these treaties in the United States Senate. Every mail brings from that Empire statements of those militarists showing the disorganization in their ranks created by the achievements of the recent conference and, in fact, voicing their conviction that they have suffered irretrievable overthrow. Coincidentally, the leaders of Japanese democracy are proclaiming that the defeat of the militarists of their nation effected by the conference marks the beginning of a new era of international friendship with both America and China, safeguards the Far East from war, and makes possible a movement for complete disarmament. At this very moment these democratic leaders, who have always championed a policy of closest friendship with China, Russia, and the United States, are fighting a battle to the finish on behalf of universal manhood suffrage, and radical reduction of the Japanese Army. In the present Imperial Diet they are unlikely to succeed, but another general election will probably see them victorious.

If the Senate should refuse to ratify the treaties, it is impossible to calculate the disastrous effect upon this splendid movement toward democracy in Japan and the consequent elation and stimulation to further encroachments on the Asian mainland that would be fostered among her militarists.

The effect upon China also would be calamitous beyond estimation. It is within the bounds of cold scientific truth to affirm that the hope of China is grounded upon our Senate's treatment of these treaties. For the first time in history the forces in that Republic making for law and order and for the development of a Government devoted to the public weal have met with international treatment by the strong nations of the world calculated to back them up in their battle with the well-nigh irresistible elements of personal greed and selfish ambition so long dominant there. A very grave responsibility rests upon America in this emergency to give Asia a helping hand and to open a new era of national liberty, political probity, public service, and international good will throughout the Far East.

For these reasons our federation begs its two Senators who represent the Commonwealth of Massachusetts and the entire Senate speedily to ratify the treaties now under consideration.

Very truly, yours,

DOREMUS SCUDDER,
Executive Secretary.

Mr. LODGE. Mr. President, will the Senator from Arkansas yield to me for a moment or two more?

Mr. ROBINSON. I yield to the Senator from Massachusetts.

Mr. LODGE. Mr. President, there has been some discussion concerning the position of M. Viviani as to the four-power treaty. On the 10th of March he made a statement, which has been copyrighted by the Public Ledger Co., and from which I take the last paragraph, in which he says:

> I understand that the majority of those who protest against the Pacific accord fear that it is but the nucleus of a group of treaties which will lead the United States beyond its political orbit. We do not wish to pass judgment on American politics. If the Senate demonstrated by the rejection of the Versailles treaty that it was against all alliances, it was certainly acting within its rights. But the pact of the Pacific had been precisely conceived outside all alliances as an agreement on a common and definite point.

Mr. ROBINSON. Mr. President, the pending amendment to the four-power treaty is designed to safeguard the United States from the perils which might arise through the signatories of the four-power treaty entering into secret engagements respecting international affairs. During recent years the sentiment in favor of publicity touching international relationships generally has been growing throughout the world. Sentiment in the United States has become well-nigh unanimous to the effect that the public ought to be permitted to know what is going on between the nations of the earth, particularly as the course of events may be calculated to affect the interest and the welfare of the people of this country.

The proposal that is now offered is in the form of an amendment. In my opinion, there ought to be no uncertainty as to the attitude of this Government respecting the requirement for publicity on the part of all nations with whom we combine for the accomplishment of any important international purpose. I anticipate that the advocates of the treaty will be slow to accept any amendment. During the debate the other day the Senator from Alabama [Mr. UNDERWOOD] declared his complete sympathy with the amendment proposed by myself, intended to prevent the parties to the pending treaty from taking aggressive action against other powers and securing to other powers interested the right to participate in conferences which may arise out of such aggression. The Senator from Alabama, however, refused to accept the amendment, on the ground that it constitutes a change in the terms, and would make necessary a resumption of negotiations between the powers who are parties to the treaty, and might result in their rejection of the treaty.

It was pointed out at that time that if the other powers who are parties to this treaty are so insistent upon retaining freedom of action in respect to possible aggressions against the mainland of Asia it puts this country upon notice that we ought to be very careful indeed in entering with them into any enterprises or undertaking which may have the practical result of binding this Government to a passive attitude while other nations with whom we are in alliance proceed at will to commit aggressions against powers friendly to the United States.

Throughout the debate no Senator has combated the principle of that amendment further than to say that it might cause a rejection of the treaty by other powers. No Senator has put himself on record as opposing the principle that while the four powers are combining to protect themselves against aggressions by outside powers, they ought also to give to the world their pledge that none of them will seek to violate the rights of outside powers. No Senator has contended here that it is wrong in principle or unfair in any sense to permit outside powers to participate in the conference when controversies arise between outside powers and any one of the four powers parties to this compact. The whole opposition to it so far has been put upon the ground that it may make necessary further negotiations, and may result in the rejection of the treaty by one of the other powers.

It is my intention, when the parliamentary status permits it, to offer that amendment, in substantially the same form, as a reservation. When so presented it will express merely the understanding of the United States that it is the intention and purpose of these four powers—Great Britain, France, Japan, and the United States—not to aggress against any other power, and that if a controversy arises with another power that power will be granted a hearing in the conference. Surely the Senate will not reject the proposal when submitted as a reservation, and thus impliedly declare that the United States understands that the parties to the treaty will refuse to respect the rights and possessions of other powers, or that it has no understanding of what the policy of the four powers will be respecting aggressions against the sovereignty or rights of weaker nations.

I want Senators who are willing to try this case stripped of every political consideration, who are willing to try it solely upon its merits, to give serious consideration to the question as to whether, in view of the facts and circumstances that are well known, and in view of the lack of information respecting many important questions relating to this treaty, the Senate shall put itself on record as rejecting the proposal that it is the understanding of the United States that these four powers, while binding themselves together for their mutual protection, will respect the possessions and the rights of other nations, and will grant other nations who complain of the action of any of them the right to a hearing before the conference contemplated by the treaty.

It has always been my belief that international questions ought to be determined as nearly as possible free from every political consideration. We divide politically very naturally upon domestic questions, and the interests of the country require that we should maintain those divisions, that our varying viewpoints touching all domestic questions may be brought to the consciousness of the public and the public be given an opportunity of determining who is right. In the conduct of our foreign relations, however, it has long been the accepted theory that, in so far as it can be done, every question should be stripped of considerations of personal or political advantage, and a conclusion reached based solely upon the best interests of this Government and the righteous performance of

its duty to its people and to the world. If that rule has been departed from while other treaties were being considered the precedent can furnish no justification for similar conduct now.

From the beginning of this contest in the Senate an effort has been made by some to inject into its consideration political issues. It has seemed to me that the portion of the press which has been unqualifiedly favorable to the treaty has been prompt to attempt to give to this debate a political color. In my opinion, nothing could be unfairer to the country and unfairer to those who are actually moved by a conscientious sense of duty in assuming their attitude on this important question. Politics shall not prompt me to oppose any treaty which in my sincere judgment is wholesome and beneficial in its probable effects, neither shall I be influenced by propaganda, however widespread, to favor an international arrangement which I believe conceals dangers to our country.

The New York World, a protreaty newspaper, publishes this morning an editorial that I am going to print in the CONGRESSIONAL RECORD. The editorial relates to the subject which I have been discussing—the fairness of the amendment which I proposed and which the Senate rejected. It discusses the duty of the Senate to make clear the fact that it is not entering into a combination with three other great powers by which those powers, while claiming for themselves immunity from attack by reason of the united strength of all, refuse to avow a purpose to respect the rights and possessions of other and feebler powers. This editorial comments upon the fact that no opposition to the principle of the amendment has been asserted in the Senate save that which grows out of the fear that Japan or some one of the other powers might reject the treaty if we expressly avow it to be the understanding of the United States that hereafter she will not commit aggression on the Asiatic nations.

I declare with all the emphasis at my command that if it is the purpose of any one of these four powers to pursue a policy of aggression in the Orient or elsewhere, and if that power would reject this treaty if we so modified it, either by amendment or reservation, as to deter or restrain it in such aggression, if such power would for such considerations reject this treaty, then it is our duty to make clear on the face of this instrument that we will not be a party to any such arrangement as the instrument and the powers actually contemplate.

If it is the purpose of any one of the four powers entering into this agreement to use it as a cloak behind which to extend their authority and their dominion over feebler nationalities, then, unless we can restrain that purpose, we ought to reject this treaty; and the refusal of those who propose the treaty to accept the principle of the amendment, either as an amendment or as a reservation, does not argue very strongly their good faith that this is an honest enterprise, undertaken solely in the interest of the peace of mankind.

The secret arrangements between some of the great powers unquestionably were responsible for many provisions of the Versailles treaty which have come to be regarded by students of international affairs as oppressive and unjust. Old World diplomacy has always been characterized by secrecy. The assertion is made by many responsible persons and the belief is quite general that already there exist secret engagements between some of the four powers who are parties to this pact that are calculated very powerfully to influence the future of the Asiatic mainland.

The Senator from North Carolina [Mr. OVERMAN] called to my attention a few days ago a press report in the New York Times, under date of March 15, in which it appears that Mr. Skvirsky, appearing in Washington as a representative of the Far Eastern Republic at the time the Washington conference assembled, openly declares that there is now in force a secret arrangement between France and Japan for the exploitation of Siberia. I read now the press report, as follows:

> The allegation that France and Japan have an understanding for the exploitation of Siberia to the exclusion of other nationals was made to-day by M. Skvirsky, spokesman of the delegation of the Far Eastern Republic, which came to Washington during the arms conference and is still here. He asserted that all developments since the arms conference and reports from Siberia indicated that France and Japan had an understanding as to their policy in the Washington conference.
>
> "Our information," said M. Skvirsky, "is that Marshal Joffre's visit to Japan, ostensibly one of pleasure, was in reality for the purpose of concluding details of the entente between France and Japan for the exploitation of Siberia. A new figurehead government will be established by Japan in Vladivostok to replace the discredited Merkuloff government, and this new government will probably be headed by Eremeloff. He will be as much a tool of the Japanese as Merkuloff has been, and no doubt will give large concessions to the Japanese, just as Merkuloff has done."
>
> Skvirsky charged that the Japanese sought to control the whole of Siberia, but "because of the objections which would be raised by other nations the Japanese dare not openly set up a Japanese administration," he said, "and, therefore, accomplish their purpose in a roundabout way by setting up figurehead 'counter-revolutionary' or 'white' governments from which they get concessions."

Here is a statement that while the Washington conference was in progress two of our allies, France and Japan, entered into a secret arrangement by which they propose to exploit Siberia. At another time I may take occasion to go somewhat into the details of the circumstances which give color to the accuracy of this charge by the representative of the so-called Far Eastern Republic.

We all know that a study of the economic conditions in Japan reveals remarkable developments during the last few years. In spite of those developments, Japan is dependent for certain necessary materials and products, without which she can not continue her progress and could not maintain herself in case of war. Particularly among them may be mentioned petroleum, steel, rubber, cotton, and wool, and perhaps other almost indispensable commodities. In order to secure these and other necessary materials, which Japan can not produce in abundant quantities, she has gone into Korea, into Shantung, into Manchuria, and into Siberia. Everywhere she has penetrated it will be found that back of her advance has been an economic necessity which has driven her to the course taken.

In this connection it may not be improper to refer to the fact that the Japanese policy, which has been well recognized throughout the last 25 years, has been one of expansion. Japan has the viewpoint that she ought to occupy toward the Orient the relationship which the United States occupies toward the western world; that there ought to be created, recognized, and enforced a Monroe doctrine in the East supported by the power of the Japanese Empire. Japanese aggressions have usually arisen out of economic conditions. She is not adequately supplied with certain materials necessary to her prosperity and progress, not to say military prowess. The conditions which have caused her expansion still exist as to some necessaries, and it is therefore likely that her policy of economic penetration supported by military power will be continued.

We have here a representative of the Far Eastern Republic, not admitted to the Washington conference, not granted a hearing, entirely extra-official so far as the proceedings of the conference are concerned, openly announcing that already a secret combination has been formed between two of the powers, France and Japan, which means the exploitation of the whole of Siberia.

It would be interesting, Senators, to know the facts relating to this alleged secret agreement between France and Japan. The Senate can not procure them. The Foreign Relations Committee might go into the subject, if it thinks it of importance, and might ascertain something about the nature of this arrangement, its purposes, and its probable effects. But we should not become a party to this treaty with Great Britain and Japan making secret engagements respecting China, and Japan and France making secret engagements affecting Siberia, and then, when we find they are carrying out those engagements, express astonishment. We have notice now that secret arrangements are being effected.

Has any Senator who knows the course of history during the last few years respecting the relationships between Japan and Great Britain the slightest doubt that there still exists an understanding betwen Japan and Great Britain as to the future policy of the two in the Orient? Does any Senator doubt that there is an arrangement of some sort between Japan and France affecting Siberia, although we do not know the details of it?

Mr. SHIELDS. Will the Senator yield for a question?

Mr. ROBINSON. I yield.

Mr. SHIELDS. I wish to ask the Senator if he read the account of an address which Ambassador Geddes made yesterday in Los Angeles, Calif., in regard to this treaty?

Mr. ROBINSON. I read a brief press report of the address. I thought it was an Associated Press report.

Mr. SHIELDS. According to the press report, in his address he enlarged upon the advantages of this treaty to the United States, one of which was the removal of a great menace of war in the Orient.

Mr. ROBINSON. Yes; I saw that.

Mr. SHIELDS. Has the Senator any idea what that menace was, and whether it was presented to the conference in formulating this treaty, and was one of the reasons for the negotiation of the treaty?

Mr. ROBINSON. I have no information upon the subject whatever. I read with astonishment the statement attributed to Ambassador Geddes in the press report. He was quoted as having said that this four-power treaty is of great benefit to the United States because it has averted war in the Pacific Ocean, a war which was plainly imminent. I wonder if it is

the view of the Senators who participated in the negotiation of this treaty that his declaration is true. I wonder if it is true that at the time the Washington conference was called and this treaty was negotiated the United States was facing a desperate war in the Pacific Ocean.

Mr. JOHNSON. Will the Senator yield?

Mr. ROBINSON. I yield, with pleasure.

Mr. JOHNSON. I did not catch who made this declaration.

Mr. ROBINSON. The British ambassador, Sir Auckland Geddes.

Mr. JOHNSON. On yesterday, in California?

Mr. ROBINSON. That is correct.

Mr. JOHNSON. Is he at present engaged in making addresses for this treaty?

Mr. ROBINSON. The British ambassador made an address at Los Angeles, Calif., a news report of which I read.

Mr. JOHNSON. I have not seen it, and that was the reason for my inquiry.

Mr. ROBINSON. It would interest the Senator from California to read the published reports of the address. The report was quite brief, but it was an emphatic declaration attributed to the ambassador that the great benefit to be derived by the United States from the four-power treaty was the fact that the four-power treaty averts a war in the Pacific Ocean which was imminent and scarcely to be otherwise avoided.

Mr. KING. Will the Senator yield?

Mr. ROBINSON. I yield to the Senator.

Mr. KING. My question is not perhaps germane to the matter which the Senator is now discussing, but it is in line with the question propounded by the Senator from Tennessee [Mr. SHIELDS].

It has been averred repeatedly by the proponents of this treaty that the chief benefit to be derived by the United States from it is the termination of the Anglo-Japanese alliance. In the first place, I do not assent to the statement that that alliance constituted a menace to the United States; but assuming that it did, the question I want to ask the Senator is this: Did not the treaty of Versailles ipso facto terminate the Japanese alliance? Are there not provisions in the Japanese alliance which are in contravention of the letter, as well as of the spirit, of the Versailles treaty, and did not representatives of Japan, of Great Britain, of France, and perhaps of other nations, state, at the time the Versailles treaty was negotiated, or immediately following, and upon a number of occasions since, that the Versailles treaty abrogated the Japanese treaty and all other treaties which were in contravention of the terms of that treaty? If that be true, then why is it urged here or elsewhere as the reason for this treaty that it does terminate a treaty which has already been terminated?

Mr. ROBINSON. Mr. President, my friend the Senator from Utah has asked me so many questions that it is impossible for me to keep all of them in mind.

Mr. KING. I want the Senator to speak at length.

Mr. ROBINSON. It is true beyond doubt that the representatives of both Great Britain and Japan expressed the view that the Anglo-Japanese alliance was inconsistent with the obligations of the Versailles treaty, and therefore was terminated. It is also true that the Anglo-Japanese alliance constituted a combination between those two great powers growing out of mutual interests and mutual necessities, if I may use the term, in the Orient. It may be that the Anglo-Japanese alliance would be construed to be a regional understanding, exempt from the provisions of the Versailles treaty. It is undoubtedly true that the four-power treaty is intended to be a regional understanding, and therefore exempt from the provisions of the Versailles treaty.

I can not conceive what use the words "the regions of the Pacific Ocean" would have if it were not the intention of the framers of this treaty to bring the four-power treaty within the provision of the League of Nations covenant, which expressly states that that treaty shall not affect regional understandings.

Mr. BORAH. Mr. President, the treaty of 1911, the last Anglo-Japanese alliance, specifically provided that that treaty should not apply to any nation with which Great Britain had a treaty of arbitration.

Mr. JOHNSON. A general treaty.

Mr. BORAH. The United States did not have a specific treaty of arbitration with Great Britain, but we did have a general treaty. Sir Edward Grey took up with the Japanese Government the proposition whether or not that general arbitration treaty exempted the Anglo-Japanese treaty from operating against the United States, or vice versa. He said that he construed it as exempting the United States from the operation of the Anglo-American alliance under any circumstances, and the Japanese Government responded that it accepted Sir Edward Grey's interpretation of the treaty.

Since the passage of those letters, if there is any honor between nations, the Anglo-Japanese alliance was abrogated so far as the United States was concerned, just as perfectly and completely as it will be abrogated when the four-power treaty is ratified.

Mr. ROBINSON. Mr. President, beyond doubt the purpose of the provision in the treaty of 1911, referred to by the Senator from Idaho, was to exempt the United States from the effect of the Anglo-Japanese alliance. Everybody understood that. It was a matter of common information. So that the Anglo-Japanese alliance, if the representatives of Great Britain and Japan are to be believed, was already abrogated before the Washington conference assembled. It did not constitute a menace to the United States for the reason that the United States was exempted from its provisions by the treaty of 1911.

Mr. POINDEXTER. Mr. President——

Mr. ROBINSON. I yield to the Senator from Washington.

Mr. POINDEXTER. In case trouble should arise out of the alleged aggressions of Japan on the Asiatic Continent, and they should be of such a character that the United States, while not immediately involved in them, would regard them as vitally affecting our interests or our policies, such as the open door, for instance, or any other international policy that we might have in that region of the world, and Great Britain, by reason of her treaty with Japan, should take the side of Japan, we would then be affected by the Anglo-Japanese alliance, even though we accept the interpretation of the agreement which has just been referred to by the Senator from Idaho and by the Senator from Arkansas as having previously annulled the alliance so far as it was directly applicable to war between either of the parties and the United States. In any controversy between Japan and some third power Great Britain would be involved on the side of Japan by reason of the alliance so long as it remained in effect as between them. Thereby it can be seen, it seems to me, that the Anglo-Japanese alliance would have the effect of preventing the United States from securing the cooperation of Great Britain in any intervention, diplomatic or otherwise, which it might care to take in such an emergency.

Mr. ROBINSON. That is quite true, and the same conditions will prove true, the same course of history will result, when the four-power treaty has been ratified. Does any Senator imagine, because of the express provision in the four-power treaty annulling the Anglo-Japanese alliance, that the conditions and the circumstances which have made allies of Japan and Great Britain have changed or terminated? Does anybody doubt that in the future as during the last 25 years Japan and Great Britain will make common cause in so far as any conflict which may arise between either of them and an outside Asiatic power is concerned?

Mr. WATSON of Georgia. Mr. President——

Mr. ROBINSON. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. Has the Senator from Arkansas seen the Associated Press dispatch from Paris as to the heated debate in the French Chamber in which the statement is made that France was bitterly humiliated because she was excluded from the preliminary conferences in which the four-power pact was agreed on?

Mr. ROBINSON. I have not seen that debate.

Mr. WATSON of Georgia. I call it to the Senator's attention.

Mr. ROBINSON. I have understood from some of my friends who represent newspapers here that it is true that France was denied admission for a long time during the negotiations, and that in all probability the negotiations were almost complete before the arrangement was finally effected for France to be admitted. Mr. Hughes's letter justifies some such declaration. He refers to the fact that after the consent of Japan had been procured to the admission of France to the treaty, he himself framed the first draft that was then made, but he did not tell us what had occurred prior to that, and he did not tell us the reason why Japan objected to France coming in, and the reason why Italy, Portugal, and the Netherlands were finally excluded. Would you not like to know?

Mr. WATSON of Georgia. Mr. President——

Mr. ROBINSON. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. I call the attention of the Senator from Arkansas to the interesting statement made by the Senator from Alabama [Mr. UNDERWOOD], who has said here several times that he did not know what was going on when this agreement was reached. He stated, of course, the providential cause which kept him away, but I thought it a strange thing that his colleagues in the conference could not wait until he got back

from the burial of his mother or at least tell him all about what they had been doing while he was away.

Mr. ROBINSON. Whatever may have been the motive for secret negotiations, whatever may have been the reason for the course taken, we now know that we are lacking in information which the Senate is entitled to receive and which it ought to have if it is intelligently to determine the folly or the wisdom of the United States becoming a party to this treaty.

Mr. KING. Mr. President——

Mr. ROBINSON. I yield to the Senator from Utah.

Mr. KING. I have listened in vain, in the speeches made by the distinguished Senator from Massachusetts and the Senator from Alabama, and others who have been the ardent champions of this treaty, for reasons justifying it. I can understand that there might be reasons binding the persons who are interested in the Far East to treaty negotiations and perhaps to a treaty. It is obvious that any quarrels this Government may have or other Governments may have in the Far East or in the region of the Far East will relate to the mainland and not to those little islands in the Pacific Ocean. The United States has no quarrel with Japan over Sakhalin or the Pescadores or any of her islands.

Mr. ROBINSON. Or even Yap. We gave her everything we had in that region.

Mr. KING. We have acceded to the action which was taken by the League of Nations in awarding the mandates. Certainly we have no controversy with Great Britain over her islands south of the Equator. We have no controversy with France, if she has any insular possessions of importance in the Pacific, with respect to the same. We have no controversy with Japan with reference to her insular possessions in the Pacific. They have no controversy with us. None of them claims the Philippines. None of these nations claims Guam or Hawaii or any of the islands owned by the United States which might come within the terms of the treaty.

What reason was there, then, to enter into a treaty to respect the insular possessions of those four nations when there is no controversy respecting them? What reason was there, I repeat, for entering into a treaty when three of those nations under the Versailles treaty not only had agreed to respect their territorial possessions, not only insular but upon the mainland, but had guaranteed the title? What reason was there, then, for this treaty, which limited its operation only to insular possessions, whereas if there is any cause of controversy in the Pacific or the region of the Pacific it is bound to be upon the mainland?

It seems to me the treaty must be innocuous, or, if it is not innocuous, it must have some hidden or secret meaning or interpretation which thus far has escaped my mind, though perhaps it may be apparent to others.

Mr. ROBINSON. Mr. President, referring to the statement just made by the Senator from Utah, it is remarkable that this instrument should be put forward as the greatest document of modern times, and that no one who advances it will give a single reason for the United States becoming a party to it except that it rids us of the menace of the Anglo-Japanese alliance. The answer to that suggestion is that the Anglo-Japanese alliance never was a menace to the United States, according to the construction placed upon it by both Great Britain and Japan, and by agreement they had excluded the United States from the effects of it by the treaty of 1911 providing that it should not relate to any nation with which Great Britain had an arbitration treaty.

So that we are left without information as to the actual origin of this treaty or the motives which prompted the conference, called for the purpose of providing a limitation of armaments, to enter upon it.

Mr. POINDEXTER. Mr. President——

Mr. ROBINSON. I yield to the Senator from Washington.

Mr. POINDEXTER. The Senator from Utah asks the question what interest we had in the agreement in regard to the Pacific islands, and the Senator from Arkansas seems to agree with him that there was no reason, so far as those islands are concerned, why we should enter into such an agreement as that contained in article 1 of the four-power treaty.

I may answer that by calling the attention of the Senator to the very elaborate addresses which have been made to the Senate in the last few days in opposition to the treaty by the eloquent and distinguished Senator from Missouri [Mr. REED], in which he pointed out the menace to the title and interest of the United States in the Philippine Islands on the part of Japan and the ease with which they could be captured. I may point out to both distinguished Senators editorials appearing almost every day in some of the most influential papers in the country, which are vigorously opposing these treaties upon the very ground that, by reason of the menace to the interests of the United States in the Philippines, by reason of the aggressive disposition of at least a portion of the people of Japan, of which there was evidence in the news dispatches at frequent intervals, we were limiting our ability to defend those possessions by agreeing not to fortify them, and so forth. It seems to me that there is the most elaborate and the most complete answer to the question of the Senator from Utah as to our interest in the islands of the Pacific.

Mr. KING. Mr. President——

Mr. ROBINSON. I yield to the Senator from Utah.

Mr. KING. Just one word if I may reply, though I do not mean it as a reply, to my friend from Washington. The inquiry which I made was based upon the theory, as I attempted to state, that we do not claim any of the insular possessions of Japan or Great Britain or France in the Pacific. Neither do either of those countries claim any of our insular possessions. Of course, we have an interest indirectly in the islands of the Pacific as we have an interest indirectly in the islands of the Caribbean in the matter of trade and commercial relations. We have trade interests and commercial interests in all countries, but we are not interested directly in any of those islands and we do not claim them, and they are not interested in our islands and they do not claim them. So that we are entering into an agreement or treaty merely to respect the boundaries of those insular possessions when there is no controversy with respect to them.

We do not contest the title to those insular possessions claimed by either of the signatories to the treaty, and they do not contest our title to any of the islands that we claim. Therefore we are virtually affirming a bald principle of international law, which is that each country respects the territorial integrity of other nations. That is all there is in this treaty unless there is some sinister motive back of it or some understanding that this is an alliance rather than a mere agreement to consult and respect the territorial integrity of the signatories to the treaty.

Mr. ROBINSON. Mr. President, referring to the remarks last made by the Senator from Washington, I have not commented upon that portion of the statement of the Senator from Utah to which the Senator from Washington refers, but I point out to the Senator from Washington that it seems to be his position, and the position of those who agree with him, that the United States, in addition to getting rid of the Anglo-Japanese alliance, gets a promise of protection for her islands in the Pacific Ocean; that is, immunity from assault on the part of the other three powers.

Mr. President, does the Senator from Washington contend, as it seems the British ambassador does, that Japan really had a purpose, before the four-power treaty was negotiated, to attempt to seize the islands in the Pacific Ocean belonging to the United States? Does any Senator believe that Japan had formed a purpose to attack the Philippines or the Hawaiian Islands if the United States did not enter into some such arrangement as the four-power treaty contemplates?

Mr. POINDEXTER. I do not make any such claim as that, but I do make the claim that the contingency was subject to very frequent assertions and counterassertions between the two countries.

Mr. ROBINSON. No, no.

Mr. POINDEXTER. Let me complete the sentence. What I referred to were the assertions of the opponents of these treaties as to the menace which existed, and their objection to the series of treaties in which we have agreed not to fortify Guam and not to fortify the Philippines. The distinguished Senator from California [Mr. JOHNSON], who sits in front of me, is one of those who attach great importance to that feature of these agreements.

Mr. JOHNSON. Mr. President——

Mr. POINDEXTER. Now, just a moment. To show its relevancy, if it is a mistake to agree not to fortify Guam and the Philippine Islands, or, to state it conversely, if the true policy of this country is to fortify Cavite and Guam, against whom are we to fortify? Whose menace is it to guard against which these fortifications are to be erected if it is not the nation to which the Senator refers?

Mr. ROBINSON. Mr. President, the Senator——

Mr. JOHNSON. If the Senator from Arkansas will pardon me for an instant—for I do not wish any position of mine unintentionally to be misstated by the Senator from Washington—I have been interested, of course, in obtaining information concerning fortifications in the Philippines, in Guam, and in the Hawaiian Islands; but I do not wish the Senator from Washington to take that as an indication at all of my attitude in respect to any treaty that is not now pending before the Senate. My remarks and my arguments have been devoted exclusively

and entirely thus far to the four-power treaty, and to the four-power treaty alone.

Mr. ROBINSON. Mr. President, the Senator from Washington [Mr. POINDEXTER] can not divert this argument from the point of weakness, which his statement a few moments ago disclosed, in the position of those who claim that the United States is the beneficiary of great reforms in this treaty. I repeat, their contention is that, in addition to getting rid of the Anglo-Japanese alliance, we are securing the agreement of the three other powers, parties to this compact, that they will not attack our possessions and our rights in the Pacific Ocean. Mr. President, if it be true that prior to the Washington conference a purpose to violate our rights in the Pacific Ocean existed in the policies, secret or public, of any one of the other powers parties to this compact, I ask you, then, are you willing to accept the mere promise of that party that it will respect those rights, and are you willing to refrain from taking action to secure those rights on behalf of the Government of the United States?

Mr. POINDEXTER. Mr. President——

Mr. ROBINSON. I yield to the Senator from Washington.

Mr. POINDEXTER. If the Senator will allow me to answer his question. I will answer it in the negative, that I am not willing to depend entirely upon this agreement, however much I may respect the good faith of the parties to it, for I realize the uncertainty of human agreements, especially international agreements; but the Senator from Arkansas must bear in mind that in one of the treaties which accompany the pending treaty there is a provision for another guaranty, and that is that we shall have a Navy in the ratio of 5 to 3 as compared to that of Japan. So far as my dependence is concerned, I would place it to a considerable extent upon the willingness of the Congress to maintain a Navy upon the ratio and basis provided for in this treaty, and to maintain it efficiently, to give it proper supplies and proper personnel; and if the Senator from Arkansas will join with me in that, I will put forth my best efforts to furnish that additional guaranty for the agreements of the four-power treaty, in addition to the agreement itself.

Mr. ROBINSON. Mr. President, I had hope that such arguments as those made this morning by the Senator from Washington will not drive me to the conviction that it is my duty to vote against the naval arms limitation treaty; but if his premise be correct, if the statement which has been attributed to Ambassador Geddes be correct, that the four-power treaty averted an attack by Japan against the possessions of the United States in the Pacific Ocean, then, instead of disarming, I would call upon the American people to arm.

I have not understood that war in the Pacific against the United States was imminent; I have not understood that any one of the other three powers, parties to this compact, was planning or designing to attack the rights or possessions of the United States in the Pacific Ocean. If it be true that they were, it is a dangerous thing to rely upon a mere political promise and scrap our battleships and refuse further to fortify Guam and the Philippine Islands.

Mr. WATSON of Georgia. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. Mr. President, I remind my friend from Arkansas that what Ambassador Geddes is said to have stated is practically the same as the senior Senator from Massachusetts [Mr. LODGE] said in his speech asking us to ratify the pending treaty.

Mr. ROBINSON. I had not understood that the Senator from Massachusetts stated to the Senate when he delivered his address that the United States was in danger of an attack from any one of the other three powers; I had not understood that the four-power pact was being advanced as affording relief from imminent and pressing controversies likely to result in war. I had understood that it is claimed to constitute an arrangement by which a controversy which may arise between the four powers shall be adjusted without danger of resorting to force; but, I repeat, if it be true that Japan, at the time of the Washington conference, was meditating an attack upon the United States—and I do not believe it—then the four-power pact could only prove a palliative, and we are not justified in leaving our Pacific possessions at the mercy of Japan.

Mr. LODGE. Mr. President, I am not sure that I understood the Senator correctly; but I never said anything to indicate that I thought war was imminent.

Mr. ROBINSON. That was my understanding of the Senator's speech.

Mr. LODGE. Then, I misunderstood the Senator.

Mr. ROBINSON. I said that I did not understand the Senator from Massachusetts made any such statement. Such a statement, if made, would put an aspect on this treaty and give an importance to it, and render it so obnoxious that the people of the Untied States would demand its rejection. Mr. President, do you believe——

Mr. WATSON of Georgia. Mr. President——

Mr. ROBINSON. Just one moment—do you believe that if the Washington conference entered into this arrangement to enable the United States to escape an attack on her island possessions in the Pacific which Japan was contemplating, the country would stand for this treaty? I had not dreamed that there was such an issue here.

Mr. LODGE. There never was.

Mr. ROBINSON. I had understood that we feared Japanese aggression on the mainland of Asia, but I had not understood, as the Senator from Washington seems to understand, that it was necessary to enter into this treaty to protect American islands in the Pacific Ocean. I now yield to the Senator from Georgia.

Mr. WATSON of Georgia. Mr. President, I listened attentively to the speech of the senior Senator from Massachusetts, and I took notes as he went along. I had those notes before me when I made two speeches, and they showed that I understood him then just as I have stated.

Mr. LODGE. The speech delivered by me is all in print.

Mr. WATSON of Georgia. I do not know whether the Senator revised his remarks or changed them in any way.

Mr. LODGE. I did not.

Mr. WATSON of Georgia. I do not allege that he did. I do not know, for having heard the speech I did not read it.

Mr. LODGE. I did not change my remarks at all.

Mr. WATSON of Georgia. But I took notes of the speech, and I ask the Senator if he did not use this language: "If we reject this treaty the outlook is dark, indeed," or words to that effect?

Mr. LODGE. No; I did not use the words that "the outlook is dark in the East." I was speaking of the general outlook for peace in the world, and I said "if we rejected this treaty, the outlook is dark, indeed," as it is.

Mr. WATSON of Georgia. That is exactly what I said, Mr. President. The Senator did not hear what I said. I asked if he did not use the words "dark, indeed," and not "dark in the East," and now he says he did use those words.

Mr. LODGE. Those were the words I used, and I was referring not to the East but to the world at large and the cause of peace.

Mr. WATSON of Georgia. But the words clearly indicated that we were in danger of war unless we ratified this pact.

Mr. LODGE. I did not say that.

Mr. WATSON of Georgia. The Senator's words were to that effect. He also said that the clouds of war would settle over the world.

Mr. LODGE. I was talking about the peace of the world.

Mr. ROBINSON. Now, Mr. President——

Mr. LODGE. Will the Senator allow me to say a word or two in reference to the Navy?

The PRESIDING OFFICER. Does the Senator from Arkansas yield further to the Senator from Massachusetts?

Mr. ROBINSON. I yield.

Mr. LODGE. The Senator from Arkansas has referred to the reduction of the Navy. In that connection there is this to be remembered, as the Senator from Washington has pointed out: The ratio was established 5-5-3, Great Britain 5, the United States 5, and Japan 3. If we had continued our building program of 1916, and Japan had continued hers, and Great Britain had continued hers, at the end of 10 years the ratio would have stood, Great Britain 106, the United States 100, and Japan 87. Under the naval treaty it will stand, as I have said, 5-5-3; and from the view that is now presented in the House of Representatives I think the Senator from Arkansas must, indeed, be sanguine if he thinks we are going to have even the ratio so provided.

Mr. ROBINSON. Mr. President, I do not want to discuss at this time the naval arms limitation treaty. I have said, and I repeat, that I am friendly to the purposes of that treaty; that I want to support it; but some arguments have been advanced in favor of the four-power pact this morning that, to say the least, have not strengthened my inclination to support the naval arms limitation treaty. If we have just missed a war with Japan, if we have just avoided an attack on her part upon the Philippines and the Hawaiian Islands by this innocent instrument which we are now considering, I should be very slow to take any action in concurrence with the Japanese Empire.

I should prefer to pursue an independent policy or a policy which would at least give me the assurance of good faith from the nations with which we deal.

Mr. President, we want publicity; we want the light turned on this whole subject. If it is right, why should there be so much mystery and concealment in connection with its conception? Why should there be so much information withheld and so little furnished to the Senate concerning the origin and the negotiations which led up to the adoption of the treaty by the conference? Why should not the Senate know about it and why should not the people of the United States know about it? Why should we commit ourselves to the Old World policy of secrecy and mystery, which always means evil intent?

If Secretary of State Hughes had not gone to Bermuda and had been called by the Foreign Relations Committee to give that committee information regarding this subject, as Secretary Lansing and others were called when the Versailles treaty was under consideration, we might have learned what mysterious secret influences were propelling this agreement as the great achievement of modern diplomacy. We might have learned what secret engagements between our allies already had been formed. Does anybody doubt that there is a secret arrangement of some nature between France and Japan intimately related to the purposes of this treaty? Does anybody doubt that there is a community of interest and purpose between Japan and Great Britain which may place the United States at a great disadvantage when an issue arises between one of the other parties to the treaty and some nationality on the mainland of Asia? Is the Senate going to say by rejecting this amendment or rejecting the proposal in the form of a reservation that our allies may make what secret engagements they will among themselves; it is no concern of ours? If we take that course, the day we ratify the four-power treaty will prove pregnant with danger to this Republic.

I ask leave to print in the RECORD, in 8-point type, the editorial in the New York World, to which I referred in the opening of my remarks, and also the press report relative to the alleged secret agreement between France and Great Britain.

The PRESIDING OFFICER. Without objection, the matter will be included in the RECORD as requested by the Senator from Arkansas.

The matter referred to is as follows:

[From the New York World of Saturday, Mar. 18, 1922.]

WHAT ARGUMENT AGAINST IT?

The World is still waiting for Secretary Hughes or Senator LODGE or Senator UNDERWOOD to give a valid reason why the Robinson amendment in substance should not be attached to the four-power treaty by resolution of the Senate as a formal definition of American policy. There may be strong and convincing arguments why this should not be done, but they have not been presented to the Senate.

Article 2 of the four-power treaty was written with Russia in mind. All the common guaranties among the four powers are contained in article 1, which pledges them to respect one another's insular rights in the Pacific and to enter a joint conference in the event of a dispute which can not be satisfactorily settled by diplomacy. But article 2 relates to "the aggressive action of any other power," which means a clash beween Japan and Russia over the island of Sakhalin, one-half of which Japan owns and the other half of which Japan has seized from Russia. In order to remove any doubt that article 2 refers to Sakhalin, the supplementary treaty mentions the island of Sakhalin by name.

In case of "aggressive action," which may mean any action on the part of Russia that Japan chooses to regard as aggressive, "the high contracting parties shall communicate with one another fully and frankly in order to arrive at an uderstanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation." Nothing is said about bringing Russia into the conference. Russia is to be excluded. Russia is not to appear in court. But Russia's case is to be decided by a jury of which the complaining witness is a member.

Taking everything into consideration, that is a dubious method of stabilizing peace in the Far East, inasmuch as it is certain that Russia will not indefinitely submit to continued Japanese occupation of territory in Siberia and in northern Sakhalin. If there is trouble and the United States is obligated to enter a conference, the only rational thing would be to bring Russia into the conference, too. A conference to which only one member of the dispute is admitted is not a conference at all. Not only should Russia be admited but the United States should make it plain at the outset, in order to prevent future misunderstandings, that such is to be its policy.

The four-power treaty does not provide for this, but the Senate can provide for it without amending or mutilating the agreement in any respect. To attach the Robinson formula to the treaty as a resolution of the Senate does not change the obligations or responsibilities of the United States. It neither adds to them nor subtracts from them. It simply rounds out the conference, in so far as this country can do it, and makes that conference complete.

The World can understand why the Republican Senators should have voted against the Robinson amendment as an amendment. It can not understand why they object to the principle of it and refuse to attach it to the treaty as an expression of American policy. When Senator WALSH of Montana raised the question of Sakhalin during the debate Senator LODGE said nothing and Senator UNDERWOOD tried to dismiss it with the plea that it was all based on "such a dream as that Russia could come back within 10 years." Neither Senator UNDERWOOD nor anybody else knows what may happen during the next 10 years, but treaties are supposed to be written by statesmen and not by prophets. Nothing is more dangerous than to mix diplomacy with soothsaying. When the administration refused to recognize the Russian Government it did not advance the argument that Russia could not come back within 10 years, and hence recognition would be futile. It had better reasons than that, and Senator UNDERWOOD's manner of disposing of Senator WALSH's question only added to the sum total of senatorial ignorance about the treaty.

The World is ready to be convinced that it is wrong in its contention that the United States should at once announce its intention to bring Russia into conference should there be aggressive action within the meaning of article 2, but it can not be convinced by silence and evasion. Nor can the essential facts of the situation be disposed of by the Senate's primitive process of shutting its eyes to them.

The Senate Chamber rang yesterday with declarations that the United States should insist on payment of its bill of $251,000,000 for the upkeep of troops in the Rhineland. How the administration was to go about it to get the money nobody seemed to know. No suggestions were made along that line. But if the Senate could talk the claim into the Treasury it would be there before the week is out.

[From the New York Times of Thursday, Mar. 16, 1922.]

SAYS JOFFRE MADE FAR EAST ACCORD—CHITA DELEGATE INSISTS FRANCE AND JAPAN HAVE AN AGREEMENT TO EXPLOIT SIBERIA—NEW VLADIVOSTOK CONTROL—REPUBLIC'S TROOPS ANXIOUS TO OCCUPY THE PORT, BUT ARE PREVENTED BY JAPANESE.

(Special to the New York Times.)

WASHINGTON, *March 15.*

The allegation that France and Japan have an understanding for the exploitation of Siberia to the exclusion of other nationals was made to-day by M. Skvirsky, spokesman of the delegation of the Far Eastern Republic, which came to Washington during the arms conference and is still here. He asserted that all developments since the arms conference and reports from Siberia indicated that France and Japan had an understanding as to their policy in the Washington conference.

"Our information," said M. Skvirsky, "is that Marshal Joffre's visit to Japan, ostensibly one of pleasure, was in reality for the purpose of concluding details of the entente between France and Japan for the exploitation of Siberia. A new figurehead government will be established by Japan in Vladivostok to replace the discredited Merkuloff government, and this new government will probably be headed by Eremioff. He will be as much a tool of the Japanese as Merkuloff has been, and no doubt will give large concessions to the Japanese just as Merkuloff has done."

Skvirsky charged that the Japanese sought to control the whole of Siberia, but "because of the objections which would be raised by other nations the Japanese dare not openly set up a Japanese administration," he said, "and therefore accomplish their purpose in a roundabout way by setting up figurehead 'counter revolutionary' or 'white' governments from which they get concessions."

Merkuloff, head of the Vladivostok government, who is now reported in flight before the armies of the Chita government, granted vast concessions to the Japanese in the coal mining regions, Skvirsky said. In return for these concessions, he alleged, the Japanese agreed to provide Merkuloff safe conduct to Japan in case his government failed and to turn over to him large sums of Russian gold, which has been on deposit in Japanese banks since the fall of the provisional government at Moscow.

"The flight of Merkuloff," Skvirsky said, "indicates that the Japanese are about to live up to their agreement to provide

protection for Merkuloff to Japan, and reports that Merkuloff's cabinet officers are accusing him of absconding with large sums of money indicate that he has already received or is about to receive the cash payments the Japanese agreed upon."

Troops of the Far Eastern Republic are within easy striking distance of Vladivostok, the Chita delegate declared, and if Japanese support were withdrawn, he said, they would be in the city within a few hours.

"It probably would not be necessary for our forces to capture the maritime Province," he declared, "as 95 per cent of the population is for us and would take over the government themselves the moment Japanese troops were withdrawn."

Japan is now endeavoring to get the Chita government to recognize concessions granted to Japanese companies by the Merkuloff government, Skvirsky said. This effort, which, he said, had been stoutly resisted by the Far Eastern Republic, is mainly responsible for the long-drawn-out proceedings at the Dairen conference between Japan and the Far Eastern Republic.

Mr. JOHNSON. Mr. President, I am quite heartily in sympathy with what the Senator from Arkansas [Mr. ROBINSON] has said respecting his amendment. While, of course, from my standpoint his amendment, either as an amendment or as a reservation, does not cure the vice of this treaty, nevertheless it does accomplish some good. It is incredible to me that in a pact for consultation alone there should be only a few interested invited to the consultation, rather than all interested; for if this be a mere pact for conference, it is perfectly futile to confer only among four powers interested in the Pacific, rather than among all powers interested in the Pacific, and there can be no legitimate reason for excluding the other powers which may be interested in the regions of the Pacific in like fashion with the four powers to this pact; and when they are excluded, Mr. President, it is the demonstration that this pact means something else than consultation. However, sir, my purpose in rising was not to discuss the amendment of the Senator from Arkansas, but in just a word to call the attention of the Senate to a peculiar and anomalous situation that exists here in the arguments of the advocates of this treaty.

The hobgoblin that is to frighten us into the four-power treaty is, as we know, the Anglo-Japanese alliance. Yesterday I showed that the terms of the Anglo-Japanese alliance related to a specific and a particular locality, the locality being described as the regions of eastern Asia and of India, not the Pacific Ocean at all; and I endeavored yesterday to make plain in a word or two that we, having no territorial interests in Asia or in India or in the East—the regions described in the Anglo-Japanese alliance—should not be at all concerned with that alliance, or touched with it in any way, shape, form, or manner; but if we could be affected by the Anglo-Japanese alliance, which relates to the regions of eastern Asia and of India, we may be affected in like fashion by another alliance concerning which this four-power treaty says nothing at all.

Mr. POINDEXTER. Mr. President, may I ask the Senator a question before he leaves the subject of the Anglo-Japanese alliance as affecting only the region of eastern Asia?

Mr. JOHNSON. Certainly.

Mr. POINDEXTER. I understand the Senator to say that it is of no concern to the United States, because we have no interests in eastern Asia. Is that the position of the Senator?

Mr. JOHNSON. I say that the alliance could not touch us because we have no interests there; I mean by that no possessions there.

Mr. POINDEXTER. It is true that we have no possessions there, but the Senator would hardly contend that we have no interests there.

Mr. JOHNSON. Oh, I am not speaking of trade relations or commerce, if that is what the Senator means.

Mr. POINDEXTER. I apprehend, if the Senator will pardon me for just a moment, that the substance of what he is stating is that we have no such interests there as would lead to war between us and any country on account of them.

Mr. JOHNSON. We have no territorial interests at all there. That is what I mean.

Mr. POINDEXTER. But, notwithstanding that, there has been presented here in the course of this debate as one of the most important features of the situation the fact that the greatest interests internationally between the United States and the parties to this treaty do relate to the very region of eastern Asia, and not merely to the islands of the Pacific.

Mr. JOHNSON. All right; let us pursue that inquiry.

Mr. POINDEXTER. Just one second. The Senator knows the great controversies, diplomatic and otherwise, referred to in the so-called Lansing-Ishii agreement and various other diplomatic exchanges, the great reputation made by the late Secretary Hay because of the establishment of the so-called open-door policy, the question in relation to the aggressions of Japan in Siberia at the present time, the maintenance of an army there, and the interest of the United States in extending the trade of her merchants into that great, rich, and practically undeveloped territory of eastern Asia, the very territory covered by the Anglo-Japanese alliance; so that it seems to me quite difficult to reach the conclusion that the Senator from California reaches, that we are not concerned in the matters which were affected by that agreement between Japan and Great Britain.

Mr. JOHNSON. We may be territorially affected in eastern Asia and in India. If we are, I do not know it; but if we are affected in the fashion that the Senator from Washington says so emphatically, of course in the four-power treaty we would have dealt with the particular region; but in the four-power treaty we are dealing territorially, and we are dealing with certain insular possessions and certain insular dominions. In the Anglo-Japanese treaty they were dealing with the consolidation and maintenance of the general peace, of course, in the regions of eastern Asia and of India. Territorially, the one does not concern the other at all. That is what I have been saying, and that is what I repeat; and if the vast interests that are suggested by the Senator, of Siberia and of eastern Asia, and the like, were intended to be embraced within the four-power treaty, it is remarkable that these gentlemen, with the skill that they possess, did not embrace them.

But leaving that aside, territorially the Anglo-Japanese alliance does not touch us at all. If the Anglo-Japanese alliance was such a menace and such a danger, it may have been so great a part of this conference and of such transcendent importance as the Senator from Washington has pointed out that it was absolutely essential that it be eliminated by the four-power agreement. I do not believe anything of the sort; but if it was, and if that was the sole object, as has been asserted again and again here, or one of the main objects of the execution of the four-power treaty, I ask why the other treaty that related to a territory adjacent was not in like fashion terminated? It may have been by this time for aught I know. I have no very great information upon the subject, and I rise more for the purpose of obtaining that information than for the purpose of indulging in any dogmatic declarations concerning the matter.

I inquired this morning from one of the members who represented us in this conference whether or not the treaty that had been executed between France and Japan had been taken up when this four-power treaty was under discussion. He replied to me that in the later stages of the conference it was considered by the American delegation, but not thought by them to be appropriate to the particular discussion, or to affect it at all, and therefore it was not brought to the attention of the conference generally. I think I repeat accurately the reply that he made to me; but here is the agreement which he tells me—and I am dependent upon the information that thus I can derive—is yet in existence between France and Japan:

> The Governments of France and Japan, being agreed to respect the independence and integrity of China—

I wonder if you mark how sweet, ethereal, spirituelle, every treaty that is made by every exploiting nation is. They all begin in the name of sweet peace, and they all proceed upon the theory of protecting the territorial integrity of the weak. The most vicious of them proceed in just that fashion.

Mr. POINDEXTER. Mr. President, in that connection, if I may interrupt the Senator for just a moment, did the Senator ever know one of them to live up to the ideals that are so beautifully set out in the preamble?

Mr. JOHNSON. I know of none; and the first one that these gentlemen assert will live up to those ideals is the one that our friend from Washington advocates. I do not advocate it at all, in addition to the reasons that I have given for my opposition because all history teaches us from the time that pacts were made among nations, from the time that there were agreements by imperialistic countries, that those pacts, however innocently phrased and whatever may be their spirituelle designs, are always ultimately used by one party or the other for exploitation, for oppression, and for ruthless activity against weaker countries.

Mr. POINDEXTER. Mr. President, all along the path of civilization we find monuments to the truth of the skepticism of the Senator from California as to the holy protestations in the preambles of these treaties. There is China, which has relied upon the promises of others to protect her sovereignty. There is Armenia, which has been a harmless and, as far as we know, a virtuous nation, falling a victim to dependence on the

good faith and generosity of other people. There is Russia, which listened to the voice of Germany, and now lies among the wreckage of the great powers of the past.

So, believing and agreeing with the Senator from California, I know he will agree with me that whatever may be the effect of this treaty, whether he may be against it and I may be for it, after all, and back of all treaties, the only true dependence of a self-respecting people is upon themselves in their own defense, and the preparations for their own defense, and that is not provided for in this treaty.

Mr. JOHNSON. Ah, yes, and the only way you can preserve your Nation is to preserve it. Preserve it how? Not by entering into imperialistic schemes with any other nation; not by entering into partnership with those nations which you know are always exploiting. Preserve it how? Letting it live its own life, in its own way, doing justice to all the world, seeking in every fashion amity with every nation on earth, but preserving itself by preserving the policy under which it has grown great, and under which its people have become the most powerful people in all the world. That is what I am seeking, sir, in this contest upon this treaty, to preserve the United States of America as the United States of America have come to us; retaining, sir, the heritage that is ours, retaining it so that we may go on to our glorious destiny instead of going over the brow of the hill and marching downward with those nations, imperialistic in character, exploiting in their activities, which never yet have regarded their plighted troth or their plighted word.

Mr. President, I did not rise to indulge in any such remarks as these, but to call the attention of the Senate to this French treaty, which I am advised is yet in force. It reads:

> The Governments of Japan and France, being agreed to respect the independence and integrity of China, as well as the principle of equal treatment in that country for the commerce and subjects or citizens of all nations, and having a special interest in having order and a pacific state of things guaranteed especially in the regions of the Chinese Empire adjacent to the territories where they have the rights of sovereignty, protection, or occupation, engage to support each other for assuring the peace and security in those regions, with a view to maintaining the respective situation and the territorial rights of the two contracting parties in the Continent of Asia.

That was signed the 10th of June, 1907, by Kerana and Pichon.

It provides "for the maintenance of the territorial rights of the two contracting parties in the Continent of Asia and to support each other in assuring peace and security in those regions."

I simply put the query, If the Anglo-Japanese alliance, which provided for the consolidation and maintenance of the general peace in the regions of eastern Asia and of India was such a menace to us, does the French-Japanese alliance, providing for maintaining the respective situation and territorial rights of Japan and France in the Continent of Asia, constitute a menace as well?

The one, the Anglo-Japanese alliance, is terminated by the new four-power alliance. I do not know where the other, the French-Japanese alliance, is or what is its particular position to-day. I call the attention of the gentlemen upon this side of the Chamber to it in order that they may enlighten us concerning it. I repeat only the conversation this morning held with one of our delegates respecting it, and I repeat, as well, that in the historical documents to which I have access it is asserted that this treaty is yet in existence and constitutes a binding arrangement between France and Japan.

I wonder if my friend, the Senator from Washington, in what was a very able but a very rapid dissertation just now upon treaties in the past, can not see the reason for preventing his country from entering into that kind of treaty? If he is right in what he said in his excoriation of these agreements of nations since time began, if they have ever been, with their peaceful words, with their ethereal intention, the mode by which peoples have been subjugated and territories stolen; if from the time civilization began pacts claiming to be of the character of this four-power pact have always been, as he said, merely the methods by which oppression rules, how in the name of God, with a real affection for our country and for its future, can he unite to-day in making us a party to that sort of thing?

The Senator from Arkansas stated this morning that we now have notice of what is transpiring in the Far East. You do not need the detail of the facts to-day about what is happening there. Every man who follows events at all understands and knows. But without those facts he has suggested, without the daily news items which come to us from across the Pacific, without this bloody page in to-day's history of what is transpiring in Siberia and in Korea, you have the experience of mankind, as the Senator from Washington has suggested.

You have, too, the experience of the last 20 years under the Anglo-Japanese alliance, and the experience of all mankind, as the Senator from Washington said. Certainly the experience of the last 20 years under the Anglo-Japanese alliance gives us notice, a notice which we can not fail to observe, that, conceal the facts in regard to this new treaty as you will, write it in words as ambiguous as diplomats ever used, couch it in terms which may be read one way in Japan, another way in France, another way in Great Britain, and another way in the United States Senate—do all these things, and yet you enter into a pact finally which takes your country upon a perilous course and leads it no man yet knows where.

It is this, sir, that by my opposition I would prevent if I could.

Mr. POINDEXTER. Mr. President, just a word in answer to what the Senator from California has just said in quoting the remarks I made in interrupting his speech.

What I said was not in condemnation of treaties of amity and peace, but it was in condemnation of what I would regard as the fatuity of any people that would divest itself of the means of self-defense because of the existence of such a treaty.

I may have occasion at some later time, before the Senate votes upon the treaty into which we are about to enter, to give my reasons for casting my vote in favor of it, as I expect to do. It will have a binding effect upon the powers which are parties to it in so far as it affects the interests of this country just so long as this country maintains in its own control the means by which it can enforce its rights.

I do not believe for a moment that the United States would have had the consideration of the world which it has had; that its policies in regard to the region of the Pacific which are dealt with in this treaty would have had the recognition of those powers that assembled in the so-called Arms Limitation Conference, if this had been a weak and helpless nation. I rather think that if we had been weak and helpless we would have occupied just about the position in that conference which the weak and helpless nations occupied. I think we would have gotten just as much consideration for the policies which we have advocated respecting conditions in the region of the Pacific and our rights and our possessions in the South Seas as China received in her dependence upon the good will and benevolence of nations defending her against the aggressions of the powers of the world.

So, Mr. President, I repeat what I said, that the agreement which has been reached in this conference, providing for the maintenance by the United States of a relative sea power sufficient in the opinion of those who have so far expressed and defined the policy of this Nation in regard to power upon the sea, is at least equally important, in the effect it will have upon the life and the interests of the people of the United States, as the agreement to respect those rights embodied in the four-power treaty; not that I deny the value of those agreements, because I do attach value to them, but that I would adjure the people of my country, in so far as any responsibility rested upon me as one Member of this body, fixing those lines which were to guide its future conduct, not to be misled by the illusion or the delusion, so that they would disband their Army, throw down their arms, and deprive themselves of the power of self-defense because some other nations had signed an agreement that they would respect their rights.

I hope, Mr. President, that when the execution of these treaties is to be provided for by the Congress of the United States the Congress will realize the truth of that principle, and that means will be provided by which the United States can live up to the terms and conditions of these several treaties, which are interrelated, and which depend to a considerable extent upon each other; that we will not simply limit ourselves in one direction in so far as our naval power is concerned, and be content because we have agreed not to exceed a certain limit, but that we will likewise regard it as an obligation at least that we owe to our own people that when we have fixed that ratio among the powers of the earth we will likewise live up to it, and that we will supplement the faith and the dependence which we have upon all the nations by providing a Navy which is at least equal to that of any other power within the limitations provided in the naval limitation treaty, and superior to that provided for in these agreements to some of the powers.

This is not a new policy with me. Some time ago, upon a resolution introduced by the Senator from Idaho [Mr. BORAH] and referred to the Committee on Naval Affairs, of which I have the honor to be a member, being designated by the committee to formulate the report upon that resolution, I wrote into that report, and submitted it to the Senate, that in view of

the influence of sea power upon history, which has been so conclusively demonstrated by a great naval authority furnished by our own Navy, Admiral Mahan, that with limitations to avoid a useless race for supremacy which might have no end, the United States should be equal upon the seas to any of the other nations of the world, knowing that the destiny of nations has been controlled by sea power.

Mr. BORAH. Mr. President, as I understand the able Senator from Washington [Mr. POINDEXTER], he is in favor of the ratification of these treaties, and then he is in favor of building a Navy sufficiently strong and having an Army sufficiently large to be sure that we can protect ourselves from those who are signatories to the treaty with us. I think the Senator from Washington is entirely right in his diagnosis of the situation. Anyone who relies merely upon a political pact for security is so grossly misinformed touching the history of the world and human nature itself that it would be most unfortunate to have his doctrine prevail in national affairs.

I wish to ask those who are advocating this political pact as a pact of security—this political combination as a matter of security—to point to a single political pact that was ever observed by a nation after the exigency or conditions had changed so as to make it no longer to the interest of the nation signing to observe it. It seems harsh, in the first instance, to suggest the answer, but political treaties have been almost universally disregarded when changed conditions made it no longer to the interest or benefit of nations to regard them. It is one of the most universal things in the relation of nations. I have come definitely to the conclusion that if there is to be peace there must be acts, deeds, upon the part of nations, not mere promises. So long as nations are armed as these four nations still are, so long as imperialism still obtains as a national policy, so long as strong nations oppress the weak and exploit them, as is now being done in Haiti, Santo Domingo, Manchuria, Siberia, Syria, Mesopotamia, and Egypt, these political facts are but hypocritical coverings for continued aggressions and crime which lead ultimately to war.

Mr. POINDEXTER. Mr. President, if I may answer the Senator's question, or at least one phase of it, I think that many instances might be found in which nations have lived up to their pacts. I do not claim they have violated all of them.

Mr. BORAH. I said political pacts—when conditions had changed.

Mr. POINDEXTER. But what I fail to understand is how the very able Senator from Idaho, who is a learned historian, believing as he does in the inefficacy of the promises of nations—and I think an international promise is about as worthless as any kind we can have unless it is supplemented by something else—believing as he does that we can not depend upon mere agreements, advocates complete disarmament? If I had such utter cynicism in regard to international agreements I certainly would not be in favor, in the face of that, of complete disarmament or disarmament to the extent the Senator from Idaho says should leave only sufficient for police purposes.

Mr. BORAH. The Senator from Idaho has never advocated disarming the United States alone. The Senator from Idaho has never urged that we destroy our Navy and leave the other nations of the world to build navies. I think the Senator from Washington knows that has not been my position. The Senator from Washington and I have differed as to what constitutes a modern navy. The Senator from Washington has great faith in battleships and my opinion is otherwise. I wish I had the report here—I will have it when I speak next week—of an official character showing how utterly worthless battleships have become in modern sea warfare.

That is the only instance where the Senator and I differ as to what constitutes a modern navy. I have never advocated for a moment that the United States should destroy its Navy and permit Japan and Great Britain to build as big navies as they see fit. My idea in calling them into conference was to see whether or not they would disarm proportionately.

I do not rely upon political pacts and I do not rely upon the good faith of other nations to the extent of asking our Nation to go without any defense at all. My idea is the same policy we have pursued for 150 years, and that is to remain aloof from political associations and political connections and political arrangements with other Governments and take care of ourselves as best we can as an independent, self-governing people. So far it has been very successful. Political pacts foment war, they do not augment peace. Peace is secured in a different way, by actual deeds, conduct, the doing of justice, the refraining from injustice, not promising peace and then pursuing policies which bring war.

Mr. POINDEXTER. Mr. President, I think it is extremely doubtful, although it is mere speculation, whether we could have secured such an agreement as the so-called four-power treaty between these powers unless it had been accompanied by some agreement for the limitation of naval armament. As I understand the Senator's position, it is that we should refuse to agree with Great Britain and Japan to respect their rights in their insular possessions and dominions in the region of the Pacific, and at the same time we should proceed to bring about an agreement for disarmament.

Mr. BORAH. No; I do not object at all to our agreeing to respect the rights of Japan and Great Britain in the Pacific. We will do so without agreeing to it. I have no particular objection to taking Great Britain's and Japan's agreement to respect our rights. I only say that if we must depend upon the mere agreement for our security, according to all these political pacts, there is no security in it. In other words, if for any reason it should be to the interest of Japan to disrespect our rights or to aggress against our rights and as a great nation she should deem it to her welfare to do so, does the Senator from Washington really think that she would respect this political agreement? If she did do so, she would be the only nation in the world which has ever done so, under such changed conditions.

Mr. POINDEXTER. I am sorry I did not hear the first part of the Senator's question.

Mr. BORAH. I say, if Japan should come to the conclusion that it was to her national interest or her national welfare or according to her plans to attack the islands of the United States in the Pacific, does the Senator think that by reason of this agreement she would hesitate to do so? Would the mere promise to respect our rights control if it should seem to her interests to disregard the promise? Did she respect the rights of China which she had solemnly agreed to respect?

Mr. POINDEXTER. Of course, that opens up a very wide and indefinite range of philosophical speculation——

Mr. BORAH. No; not philosophical.

Mr. POINDEXTER. Yes; I think it does, because it would depend entirely upon what those interests were, the extent of her interest, and, furthermore, it would lead to rather a fine analysis of what "interest" is—what it consists of.

I make this proposition to the Senator from Idaho. It is a good deal more to the interest of Japan to respect the rights of the United States in her insular possessions, which his eloquent colleagues have pointed out is the weak point in the armor of this country, because of the distance at which they lie from the shores of continental United States, that it is more to the interest of Japan to respect those rights if we have a four-power agreement in which another great sea power has agreed with Japan and the United States, under a solemn international pact, that they shall be respected. That constitutes one of the elements of the interest of that power, and so if she should be guided by her interest in determining what her interest is she will read the agreement which she has made with the other great sea powers of the world before she reaches a conclusion.

Mr. BORAH. That might be true; that is to say, they might have a conference and they might not.

These political pacts are never of any more worth than the character of the nation which is behind them. A nation which would attack another nation because it felt it was able and wanted to do so would never regard its mere promise not to attack. In other words, as I said a moment ago, I do not know of any political pact of this nature which was ever observed after a change of conditions in the nation's interest. For instance, take the Anglo-Japanese alliance, which was dedicated to peace as is the four-power pact. It was written for the purpose of preserving peace in the Far East. It specifically provided for the protection and maintenance of the integrity of Korea and China. I ask the Senator as a historic fact, although it was signed by two great nations which are now to be our partners, was it respected in a single instance? The aggressions which are now the cause of disturbance in the Far East, and which are what might be conceived as the seeds of war in the Far East, are aggressions which took place under the Anglo-Japanese alliance, which specifically provided that they would respect the rights of China and Korea.

Mr. LENROOT. Mr. President——

Mr. BORAH. I yield to the Senator from Wisconsin.

Mr. LENROOT. I would like to ask the Senator if the Anglo-Japanese alliance, being what it was, had been a treaty similar to this, and France and the United States had been parties to that treaty, does he think the rights of Korea would be likely to have been violated as they were?

Mr. BORAH. I do think so.

Mr. LENROOT. I think not.

Mr. BORAH. I will tell the Senator why. At the time the Anglo-Japanese alliance was made we had a treaty with Korea by which we specifically agreed that in case the independence and integrity of Korea was attacked, we would interpose our good offices for the purpose of protecting Korea. What happened? When Japan got ready to amalgamate Korea, Korea sent her representative to the Government of the United States and pleaded for a hearing before the Secretary of State, and the Secretary of State refused even to hear him until it was too late in defense of the independence of his country.

Mr. POINDEXTER. Why was that, may I ask the Senator? And if he will allow me to answer my own question I will say simply it was another proof of that principle which I have asserted and reasserted this morning. It was because Korea was a helpless nation. If Korea had been able to defend herself and had sought the assistance of other powers, she would have gotten a hearing and recognition.

Mr. BORAH. Likely so.

Mr. POINDEXTER. So it seems to me, if I may add just a word in relation to this controversy, that the United States under similar circumstances, if she had been as weak and helpless as Korea, would have got just about as much recognition and just such treatment as Korea received.

Mr. BORAH. But my friend from Washington knows full well that at the time we made that treaty with Korea it was not made because she was a strong nation. We did not expect Korea to come to the protection of our independence nor to maintain our integrity. We made it because Korea was a helpless nation and we proposed to interpose our good offices to protect that independence. So the fact that she remained helpless did not at all excuse us from refusing to hear her, at least, when she came to plead for her independence. It was the old story of political pacts—the situation had changed, conditions were changed—we felt it was no longer to our interest to interpose our good offices, and we disregarded our solemn promise and left a helpless nation, which had trusted us, without a friend to plead her cause in the hour of her dissolution.

Mr. POINDEXTER. It did not excuse us, but we did it nevertheless.

Mr. BORAH. That is precisely what I say.

Mr. POINDEXTER. At different times we promised to help Armenia, but we have never helped her.

Mr. BORAH. The Senator is supporting me in my contention. I agree with all he says. I was answering the Senator from Wisconsin [Mr. LENROOT], who takes another view of it. The Senator from Washington and I are in complete accord that these political pacts are not observed at all. Nations observe these political pacts so long as it is to their interest to do so, and nations also observe the rules of honor and the dictates of conscience without treaties so long as it is to their interest to do so.

Mr. LENROOT. The Senator assumes that conditions to-day are, in so far as the aim and purpose and objects of the nations are concerned, exactly as they were 20 years ago. How does he account for the fact that in the Washington conference, instead of their expressly permitting and providing for further exploitation, they at least did justice in part and retrieved the wrong in part that has been committed upon China? Has that no significance to the Senator from Idaho?

Mr. BORAH. It has this significance, and that is that the Senator is mistaken in his facts. The fact is, Mr. President, that under the Anglo-Japanese alliance Japan presented her 21 demands to China. Those 21 demands, had they been accepted or been enforced, would have destroyed the independence of China. Notwithstanding the meeting of the Washington conference, the 21 demands, except as to the first and fifth groups, still stand just as they did when they were presented; in other words, group 2, group 3, and group 4 stand, and Japan even refused to discuss them or permit them to be discussed before the conference.

Now, if the Senator will refer to the 21 demands and examine groups 2, 3, and 4 he will find that Japan has her hold upon the natural resources, the material, and even the sovereignty of China, just the same as she had before the conference met.

The effect of group 2 of the 21 demands was to give Japan control over Manchuria and inner eastern Mongolia, and by reason of the fact that those demands still stand and that Japan refused to permit them even to be discussed Japan to-day has practical control over Manchuria and eastern inner Mongolia, the same as she has had for the last five or six years. Also under group 3 it will be found that Japan took practical control of the great iron mines in the very heart of China, without which China is practically robbed of one of her great resources. Did Japan consent to rectify the wrong? Did she even consent at the conference to discuss whether she should retain her hold upon the great coal wealth of China? No. She said to the conference, "I will not even permit that question to come within the jurisdiction of this conference," and Japan went home with her hold firmly established upon the great coal mines of the center of China. Did she go home with clean hands?

Under group 4 China agreed with Japan in 1915 that she would not grant any other nation any harbor or bay or island along the coast of China. Was that modified? It stands to-day just as it did in 1915, and, as a result, China to-day is an isolated nation under the dictation and control of one of our allies; no, two of our allies, for southern China is passing under the control of Great Britain.

Mr. POINDEXTER. China has pursued the policy of nonresistance, pacifism, and disarmament, and that is the natural and inevitable consequence.

Mr. BORAH. She, as Korea, has also relied upon the worthlessness of political pacts.

Mr. LENROOT. The Senator must have understood that I expressly used the words "in part rectified the wrong." I think the Senator from Idaho was one who prophesied during the debate upon the Versailles treaty that Japan never would restore Shantung.

Mr. BORAH. And Japan never will, in my judgment. I will get to that now in a moment.

Mr. LENROOT. Very well.

Mr. BORAH. How has Japan restored Shantung? One thing is an absolute certainty, she has not restored it as yet, and four years have passed since she took it. The second proposition is that she refused to permit China to redeem Shantung for five years. Why? What will take place in China as a result of the movement in Japan in the next five years it would be difficult for one to prophesy, but if Japan was inspired by good faith, if she was acting in integrity of purpose, why did she not permit China to redeem Shantung when and under such terms as China could redeem it? Then, having permitted China to redeem Shantung in five years, she provides for the payment of a certain amount of money for a railroad. For whose railroad? Not Japan's railroad, but for a railroad which belonged to China from the hour that war was declared against the German Government. Talk about redemption; it was not a case of redemption. In common honesty it was a case of restoring property and territory which had been unjustly taken. There was no need for delay or details.

But, notwithstanding the fact that it was a railroad that belonged to China, China is compelled to purchase it and to pay for it. How is she going to pay for it? Seventy-eight per cent of the great wealth of China to-day is under the domination and control of foreign powers, and we have signed a treaty which permits her to levy a tariff of 1½ per cent, or something like that, in excess of that which she had the right to levy. How may we expect China to pay for the railroad in the next five years? There is not anyone who is familiar with conditions in the Far East who supposes for a moment that China will be able to redeem Shantung under these circumstances and conditions. Then, if China is not able to redeem Shantung, do Senators not see what will happen? It is forfeited under the color of title, and Japan takes that which she has held by aggression under color of authority and under color of a treaty.

Mr. POINDEXTER. Mr. President, the Senator from Idaho condemns all that, and everybody who loves justice and liberty also condemns it; but in its application to the concrete questions which are before the Senate, let me ask the Senator from Idaho what he would have the United States do in a practical way to remedy that situation—by positive and affirmative action?

Mr. BORAH. Mr. President, I do not deem that it is the business of the United States to go about correcting the inequalities or injustices which affect other nations. By example, by counsel, or advice, if requested, by moral leadership, we can do much, but not by joining alliances.

Mr. POINDEXTER. Then, if the Senator means to say that, not being our duty, we should do nothing about it, how does that constitute an objection to an agreement in regard to the Pacific islands?

Mr. BORAH. I will tell the Senator how it constitutes an objection, so far as I am concerned. I do not want to be a political associate or ally with the nation which is now indulging in these very practices. We are giving our moral support to wrongdoing. We are becoming an ally in wrongdoing, although we may not actually do the wrong ourselves. If we are going to have an alliance, let us have justice for its foundation; let us start out by every member restoring wrongfully titled territory; let us have righteousness as its basis. That is the only hope of peace. If you will put into this treaty, I will say to my friend

from Washington, a provision that these four nations shall respect from the hour of ratification the sovereignty and the rights of all other nations in the Far East, you will put the test at once as to their good faith.

Mr. POINDEXTER. I thought the Senator said a moment ago that he would not place any dependence upon the "asininity" of such an agreement as that.

Mr. BORAH. I do not, but it would test the good faith of the signatory powers. Japan will not agree, and the powers will not agree, because at this very hour she is practicing her aggressions in the Far East; at this very time she is invading the territory of other nations, and we are becoming associates of the nation which is practicing those aggressions without attempting to prevent them. If A is going to commit a robbery, I consider that my joining with him in committing the robbery is an entirely different act from my standing apart and separate from him as a respectable citizen.

Mr. POINDEXTER. Does the Senator mean to say that we are joining with them in committing a robbery?

Mr. BORAH. I mean to say precisely that. The wrongs now being practiced in China, in Siberia, in Korea are indefensible.

Mr. POINDEXTER. I do not think the facts verify that statement.

Mr. BORAH. Here is what Japan is doing now: She is practicing in Siberia precisely what she practiced in Korea, and we are becoming her ally, her copartner; we are giving to her our moral prestige and our moral support and tacitly our approval, and she is carrying on those practices against another nation while the United States is practically her associate in the matter.

Mr. POINDEXTER. We have made no agreement with regard to that; we have made no agreement with regard to the Asiatic Continent, and I understand that we are practically free to take any action that we may choose to take as a Nation and a Government with regard to those matters.

Mr. BORAH. No; we are not free. Great Britain herself was greatly handicapped because of the Anglo-Japanese alliance when she witnessed the things which were being done by her ally. We will be in a very different position after we join this pact from the position we hold now.

Mr. STANLEY. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. STANLEY. As a matter of law, is it necessary in order to become an accomplice to know all the details of a conspiracy to violate the law?

Mr. BORAH. No; I do not think so.

Mr. President, we are shutting our eyes to what is now going on in the Far East. The Senator from Arkansas has offered an amendment which provides that the four powers shall respect in the Far East the rights of other nations outside of the combination. If there is anything in this proposition at all, why should not the four powers agree to respect the rights of other nations as well as to respect the rights of those nations which happen to sign this treaty?

Here is China, with its great wealth; here is Siberia, with its great wealth. Those two great countries are now being assailed, "aggressed" upon, as it were, or attacked by one or two of these powers—for Japan is not alone; Great Britain is pushing her aggressions in China also—and we associate ourselves with the particular powers which are committing the aggressions. We refuse to write into the treaty an obligation upon our partners that they will respect the rights of those on the outside. What is the inference? The inference is that which China has already drawn, which Russia has already drawn, and that is that we are conniving at the things which are going on and adding our moral influence and our moral prestige to the support of those nations which are guilty of these attacks. The Senator from Washington knows quite as well as I do that if he were in a political campaign and I should associate myself with his opponent he would assume that I was interested in seeing his opponent succeed. So when we see Japan and Great Britain attacking the integrity of China and of Siberia and we associate ourselves with Japan and Great Britain the natural presumption is that we want to see them succeed in their aggressions. We are not even willing to write into this treaty that they shall respect the rights and sovereignty of the other nations. We respect the rights of each other, so we declare, but when asked to pledge ourselves as four nations to respect the rights of other nations we will not do so. What is the inference to be drawn by the other nations—continued aggressions, aggressions as they have gone on for 20 years. And that means war.

Mr. LENROOT. Mr. President, I was very greatly surprised at the statement of the Senator from Idaho that, as a result of the Washington conference, Japan was giving up nothing. I had supposed that it was conceded by everybody that, while Japan had not given up everything that she should have given up, perhaps, China did receive out of the Washington conference and the treaty entered into there the restoration in large part of that which had been taken from her, the seizure of which had been so severely condemned on the floor of the Senate while the Versailles treaty was under discussion. I think the Senator from Idaho was one of many who prophesied then that Shantung would never be returned to China and that China would not again be permitted to exercise sovereignty over the Province of Shantung.

Mr. President, I want to quote some of the paragraphs of that treaty between China and Japan.

The first paragraph reads:

Japan will, within six months from the date of the treaty, restore to China the former German leased territory of Kiaochow, and all public properties therein, without charge except for such additions and improvements as may have been made by Japan during the period of her occupation.

Of course, the Senator from Idaho may take the position that a solemn engagement of that sort to restore the sovereignty of Shantung to China within a period of six months will be violated by Japan; but I do not believe that he will be able to convince anyone in America that any such result should be presumed.

The next paragraph:

All Japanese troops are to be withdrawn as soon as possible from the line of the railway within six months at the latest, and from the leased territory not later than 30 days from the date of its transfer to China.

Is that a rectification of a wrong, or is it not?

The customhouse at Tsingtao is at once to be made an integral part of the Chinese maritime customs:

The Shantung (Tsingtao-Tsinanfu) Railway and appurtenant properties are to be transferred to China, the transfer to be completed within nine months, at the latest, from the date of coming into force of the treaty; the value of the property to be determined by a commission upon the basis of approximately 53,000,000 gold marks, already assessed against Japan by the Reparations Commission as the value of the railway property taken by Japan from Germany in 1914; the value fixed being paid by China to Japan by Chinese Government treasury notes, secured on the properties and revenues of the railway, and running for a period of 15 years, but redeemable either in whole or in part at any time after 5 years from the date of payment.

If I correctly understood the Senator from Idaho, he believed that this payment for the railways to Japan was something that was going to Japan as a demand upon China, charging them millions of dollars, which had cost Japan nothing, while the very terms of the treaty provide that China is to pay for that railroad no more than has been assessed against Japan by the Reparations Commission created under the treaty of Versailles.

Pending the complete redemption of such treasury notes—

Which, as the Senator from Idaho says, may be at the end of 5 years and not later than 15 years—

the Chinese Government to employ a Japanese subject as traffic manager, and a Japanese subject as one of two joint chief accountants, under the authority and control of the Chinese managing director of the railway.

Mr. President, the only control in Shantung that Japan or a Japanese subject will be entitled to under that treaty is the selection by the Chinese authorities of a Japanese traffic manager for the railroad, and a Japanese subject as one of two accountants.

The rights in the construction of two extensions of the Shantung Railway, reserved in 1914 for German enterprise, and subsequently granted to a Japanese syndicate, are to be opened to the activities of an international financial group on terms to be arranged between China and that group;

The coal and iron mines formerly owned by the German Shantung Railway Co. are to be handed over to a company to be formed under a special charter of the Chinese Government, in which Japanese capital may participate equal with Chinese capital;

Japan relinquishes its claim to the establishment of an exclusive Japanese settlement in the leased territory, and China opens the whole of that territory to foreign trade, undertaking to respect all valid vested rights therein;

China is enabled to purchase, for incorporation in its Government salt monopoly, the salt fields now operated in the leased territory by Japanese subjects, on the understanding that it will allow the export on reasonable terms of salt to meet the shortage in Japan;

Japan relinquishes to China all claims with respect to the Tsingtao-Chefoo and Shanghai cables, except such portions as were utilized by Japan during the war for the laying of the cable from Tsingtao to Sasebo;

Japan is to transfer to China for fair compensation the wireless stations at Tsingtao and Tsinanfu;

Japan renounces all preferential rights in respect of foreign assistance in persons, capital, and material stipulated in the Kiachow convention of 1898 between China and Germany.

Mr. President, I can not understand the apparent effort to discredit everything done at the Washington conference. I can

not understand why there is not full and free recognition of what everybody must concede was accomplished by the Washington conference. Japan may not have gone as far as she should have gone in securing justice to China; she may not have restored to China all that she should have restored; but for the Senator from Idaho to stand on this floor and say that Japan has done nothing is certainly beyond my comprehension, in the face of these specific provisions that are contained in the treaty.

Mr. BORAH. Mr. President, if the Senator from Idaho seems a little doubting in his faith, I ask the Senator from Wisconsin to go back with me to the treaty of Portsmouth, executed under the leadership of the late President Roosevelt, between Japan and Russia, and observe the agreements which were made there as to what Japan was to do in the future, and he will find that I have justification for having some doubt as to the fulfillment of such agreements. I undertake to say that Japan never fulfilled her agreements made in the Portsmouth treaty in very important particulars. She has utterly disregarded some of the obligations. What I say is that the promises made in this treaty are contingent upon the happening of certain things, and that the condition of China is such that they never can happen, and therefore when the forfeiture takes place it will take place under the color of title and under the color of the treaty.

Mr. LENROOT. Mr. President, I should like to ask the Senator what condition is attached to the restoration of the sovereignty of China over Shantung?

Mr. BORAH. Mr. President, so far as sovereignty is concerned, there may be none at all; but what does the sovereignty amount to if you have control of the economics of the situation or of the natural resources of the country? President Wilson advised us that Japan advised him at Versailles that she was perfectly willing to return the sovereignty of China; but the sovereignty of China, with Japan controlling the natural resources, the railroads, the mines, and such things as that, the Senator will concede, would amount to nothing.

Mr. LENROOT. I will ask the Senator another question. What condition is attached to the restoration of the railway, which does control the economic situation?

Mr. BORAH. I understand that the condition is that they shall make this payment of 53,000,000 marks.

Mr. LENROOT. Oh, no; the Senator is mistaken.

Mr. BORAH. I do not think I am.

Mr. LENROOT. The restoration is absolute, and then there is an indebtedness of approximately 53,000,000 marks for which the railroad is security.

Mr. BORAH. Oh, yes; and if the payment is not made Japan will get the railroad.

Mr. LENROOT. But within the nine months the railroad must be returned to the complete control of China; and all that Japan has to do with the railroad after that is that a Japanese subject must be employed as traffic manager during that period, and there must be one Japanese accountant.

Mr. BORAH. Precisely so. The Senator and I are simply using different terms to express the same thing. The railroad is returned conditionally. It is returned with a Japanese traffic manager and a Japanese accountant in control of it. The Senator knows what kind of a return that is. In case the 53,000,000 marks are not paid, the Senator does not contend that the railroad passes nevertheless absolutely in title to China. The situation is such and the plan is such that Japan in the end will own the railroad and dominate Shantung.

Mr. LENROOT. But this traffic manager is under the control of the Chinese Government, and not under the control of the Japanese Government.

Mr. BORAH. But suppose they fail to make the payment of the 53,000,000 marks. What happens then?

Mr. LENROOT. I suppose there would be a foreclosure.

Mr. BORAH. Yes; I suppose so. A forfeiture, rather.

Mr. LENROOT. But does the Senator think that China will be unable to pay this lien of 53,000,000 marks at that time? If she is, all that has been said about the possibilities of China and her rehabilitation amounts to very little.

Mr. BORAH. As I said a few moments ago, 77 or 78 per cent of the territory of China is to-day under the control or domination of foreign powers. Her natural resources are practically controlled by foreign powers. The aggressions are continuous from the outside; and with her power to levy a tariff controlled by foreign powers, I undertake to say that China under those circumstances can not pay this indebtedness which she agrees to pay, and they did not anticipate that she could.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. BORAH. Yes.

Mr. ROBINSON. The policy of the foreign powers toward China will have a great deal to do with determining the question as to whether or not she can meet her obligations under this treaty.

Mr. BORAH. If you take the last 10 years of China's life, the manner in which she has been dominated by foreign powers, the manner in which she has been compelled to incur indebtedness by reason of the aggressions of foreign powers, and then look at the next 10 years, using the last 10 years as a guide for the next 10 years, you can come to but one conclusion.

The fact of the matter is, Mr. President, that Japan had no right to Shantung at all. She did not have even the color of title to Shantung. She took Shantung from China in violation of all laws of honesty and of all laws of nations, and she has held it. She took Shantung from an ally. If she was acting in good faith and wanted to give Shantung to the people who owned it and who were entitled to it, why did she not do it? She has had four years. There was no difficulty about giving back Shantung to China. If she had wanted to do so, she could have done so. Therefore I say I am perfectly justified in saying that there is an element of doubt in the matter by reason of the transactions of the past and by reason of the terms which have been imposed upon China, which I say she never can comply with.

Mr. LENROOT. Mr. President, the Senator from Idaho might give me a thousand dollars if he chose——

Mr. BORAH. I could not.

Mr. LENROOT. But if the Senator signed a note to give me a thousand dollars, I should expect him to pay the note.

Mr. BORAH. We must go a little further back than that. If the Senator comes and robs me of my automobile and exacts from me that I give him a thousand dollars in order to get my automobile back, whatever might happen in the future, all good citizens would doubt the character of the Senator from Wisconsin. That is exactly what I am saying about Japan. I doubt Japan's good faith in the matter. She took a piece of territory which did not belong to her. She took it by force. She took it in violation of all laws of honesty, and she required certain things to be done before the nation that had been robbed could get back her own property.

Mr. LENROOT. Mr. President, again using the same illustration that the Senator from Idaho does about the automobile, the Senator from Idaho might charge me with stealing his automobile. I might claim that I had never stolen it; that it was my property, rightfully secured. There might be a dispute between us with respect to that. I might pay the Senator from Idaho a thousand dollars because he thought or believed that I had stolen his automobile; but if, in settlement of the dispute, I signed a note to pay the Senator from Idaho a thousand dollars I should expect to pay it.

Mr. BORAH. Well, I should be awfully happy if I got it.

Mr. FRANCE. Mr. President, I do not rise to advise the Senator from Idaho to keep his automobile locked, but I think it quite apparent that he should do so while he remains in the Senate. I do rise, however, to ask the Senator from Wisconsin if he is contending that under these treaties the sovereignty of China over her own territory is being restored?

Mr. LENROOT. I contend that under the express terms of the China-Japan treaty within six months the sovereignty that Japan now exercises over Shantung must be restored to China.

Mr. FRANCE. I should like to ask the Senator this question: Does he believe that it is the restoration of sovereignty to a country when this doctrine of extraterritoriality still applies—the doctrine under which Japanese in China are tried, not by the courts of China, by courts constituted under Chinese authority, but by courts which are constituted under Japanese authority? Does the Senator think there is a restoration of sovereignty when that condition prevails?

Mr. LENROOT. Before I answer that question I would like to ask the Senator from Maryland a question for information. Is there any provision that there would be the exercise of that kind of jurisdiction by the Japanese Government in Shantung after the restoration of sovereignty?

Mr. FRANCE. Not after the restoration of sovereignty.

Mr. LENROOT. Certainly not.

Mr. FRANCE. But under the provisions of this treaty that practice will continue.

Mr. LENROOT. Why does the Senator say that practice will continue?

Mr. FRANCE. As I understand it, there is no provision in these treaties for the abolishment of that pernicious system of extraterritoriality.

Mr. LENROOT. Mr. President when the full and complete sovereignty over any territory is returned to a nation the doc-

trine of which the Senator from Maryland speaks can not be exercised in that territory.

Mr. FRANCE. That is very true; but the point is whether there is a provision in these treaties for doing away with that.

Mr. LENROOT. When it said that sovereignty is to be restored it applies to all, of course.

Mr. FRANCE. But it is in that particular that the sovereignty of China is being disregarded. The Senator from Wisconsin is a prohibitionist, I believe.

Mr. LENROOT. I do not care to discuss that question now. We have enough controversies before the Senate at present.

Mr. FRANCE. Did not the Senator from Wisconsin vote for the eighteenth amendment?

Mr. LENROOT. I did, and for the Volstead Act, and for the amendment to it with reference to beer.

Mr. FRANCE. So that my statement has been confirmed. Would the Senator believe that the United States had sovereignty over its territory if Englishmen, desiring to sell Scotch whiskey here, should come into the United States and sell Scotch whiskey, and when they were arrested for the violation of our laws, should be tried, not by the American courts, but by the English courts?

Mr. LENROOT. Of course not.

Mr. FRANCE. The Senator very well knows that is the practice which is being carried on in China to-day.

Mr. LENROOT. Oh, Mr. President, I supposed the Senator from Maryland and every other Senator who has been listening to this debate well understood that I have not for a moment claimed that Japan is getting out of China as a result of the Washington conference. The only point I am making is that she has expressly agreed to get out of Shantung.

Mr. FRANCE. Does the Senator believe she will get out of China and restore the sovereignty of China over her own territory?

Mr. LENROOT. Of course I believe it, so far as Shantung is concerned.

Mr. FRANCE. I am very happy to hear that.

Mr. LENROOT. Of course, I believe it, but let us see the position some of these Senators are in when pleading for this splendid isolation, contending that the United States must have nothing to do with the affairs of other nations. They say, "Let them do as they please; it is no concern of ours." Then complaint is made, when a conference is held at the instance of the United States, because full and complete justice has not been done to a nation, although more has been done for that nation than could be done in any other way, or would ever be done if the isolation should proceed. Complaint is made because we have not done more.

Mr. FRANCE. Mr. President——

Mr. BORAH. Just a moment. I do not want to be placed in the position in which the Senator from Wisconsin places me. I do not conceive it to be our business at all to tie up politically with these nations, either partially or completely. I am not complaining because we did not do more to get further into this situation politically. I am complaining because we got as far as we did. I do not believe in any political relationships with these powers at all. I want no political connections, no political partnerships.

Mr. LENROOT. Then the Senator thinks we ought to be entirely indifferent to Shantung, that we should not have taken even the action that was taken, through our friendly offices in bringing about what has been brought about.

Mr. BORAH. I have no objection at all to using our friendly offices whenever they can be employed and the nations interested call upon us to do so; but we are being asked, in addition to exercising our friendly offices, to ratify a treaty which would tie us up politically with these powers and with the powers which practiced the wrong. That has nothing to do with our exercising our friendly offices between two nations when we are asked to do so. We have done that all through our life as a nation. We have done it for 150 years, and we have been very successful at it; but we did not seek a partnership with them and go into political business with them.

Mr. LENROOT. Neither is this a partnership or going into political business with them. Of course, the Senator has his own construction, but he argued the treaty the other day upon the proposition which the proponents of it contend for, that it was an agreement to respect the rights of the other parties, to confer with any of the other three, and in case of an aggression by any outside party, to communicate frankly and freely with each other with a view to arriving at an understanding. That is all there is to this treaty. Of course, if the Senator thinks that there is in the treaty an obligation to use force, he would be justified in opposing it, and if I thought so, I would be in accord with him; but if I have understood the Senator's position, not only in this debate, but in the debate during the consideration of the Versailles treaty, he would have the United States isolated, enter into no understandings by way of agreement with any other nation with reference to keeping the peace and settling disputes amicably, because he thinks it would be entering into a political partnership.

The trouble with my good friend is, I think, that he is living 20 years ago. He goes back to all the treaties in the past, and shows that they have not been effectual in keeping the peace. He referred to the Portsmouth treaty between Russia and Japan. Mr. President, something has happened since those days. Since that time we have had the greatest war known to history. World opinion is centered against war as it never has been before, and while the Senator is pessimistic, and thinks that no agreement with any nation can be relied upon to any degree, that there is no value in friendly understandings, I am not one who believes that the world has not moved forward after going through the World War, and I refuse to believe that friendly understandings, however ineffectual they have been in the past, will not aid in preventing war in the future. The Senator may.

Mr. BORAH. The Senator from Idaho does not take so pessimistic a view of this situation as the Senator from Wisconsin would have the listeners believe. I do think there is everything in friendly relations. I want to be friendly with all nations alike. I do not want to tie up in a partnership with any three or four nations and thereby incur the displeasure of other nations. I do not want any political connections with any nation. So far as business affairs and commercial affairs are concerned, they are things which we have had agreements about for the 150 years which we have existed as a nation; but I go back to the old doctrine which we have abided by for 150 years and pin my faith to it. That is the difference between the Senator from Wisconsin and myself. The Senator from Wisconsin seems to think that there has been a change in the situation. What is the change in the Far East?

Mr. LENROOT. I was not speaking of the Far East; I was speaking of world opinion, which will no longer tolerate the exploitation of one people by another without protest and without trying to stop it, without bringing world opinion against such practice; and that did not exist in the past.

Mr. BORAH. Mr. President, what is being done in Syria to-day by one of our allies? The most complete exploitation of a subject people, who were taken into the confidence of the Allies during the war and promised their independence. What is going on in Mesopotamia? The exploitation of the oil interests of Mesopotamia and the exploitation of the natural resources of Mesopotamia, a subject people, taken under our control during the war, is going on as completely as it ever went on against any nation in the history of the world.

Is there any difference in the situation in the Near East or in the Far East from that which existed 20 years ago? Is not Japan exploiting Siberia? Is she not driving out Russians, burning their homes, depopulating the country, so far as the people are concerned—not 20 years ago, not 20 days ago, but now? Is not the same thing going on in Manchuria? Who denies it?

The Senator asks me to have faith. Whenever the nations support their faith by acts, by works, then I will pin my faith to their conduct; but permit me to call attention to the fact that when these four nations met here there was not another nation upon the face of the earth to challenge them from a military standpoint. Germany was disorganized and demoralized. Russia was on the verge of starvation. Austria was totally disabled also. There was no nation to challenge the military supremacy of these four nations, or any one of them. Yet the four nations here assembled would not agree to discharge a single soldier, or reduce the size of their armies a single battalion, or cut down their fighting forces in the least, notwithstanding the fact that the Senator from Wisconsin says that the world has entirely changed. To-day these four great nations of the earth, whose supremacy or power there is no one to dispute, are more thoroughly armed than any four nations were ever armed in the history of the world. They have powerful navies, they have vast armies. They are armed upon a stupendous scale, notwithstanding the naval treaty.

Mr. WADSWORTH. Just in the interest of accuracy, is not the Senator willing to concede that Great Britain has reduced her army?

Mr. BORAH. I said she had not as a result of the conference.

Mr. WADSWORTH. Has she not done it since the conference?

Mr. BORAH. I do not know about that.

Mr. WADSWORTH. Then the Senator has not seen the official reports from London.

Mr. BORAH. Perhaps she has.

Mr. WADSWORTH. She has.

Mr. BORAH. I am speaking of what these four nations did at the conference. The Senator knows that they refused there to disarm by the discharge of a single soldier.

Mr. WADSWORTH. I think the Senator can hardly say that was what happened at the conference. One of the nations declined to consider that matter with the others, so the subject was dropped. I do not think the Senator can say that each and every nation there specifically, on its own initiative, declared that it would not reduce its army.

Mr. BORAH. I said that these four nations meeting in conference refused to disarm on land in the slightest, and they did. They refused even to take up the subject. They did not deal with it at all.

Mr. WADSWORTH. That does not tell the whole story.

Mr. BORAH. Perhaps we have disarmed. We have reduced our Army, and we are going to reduce it some more, but for other reasons than I am now considering.

Mr. WADSWORTH. I think the Senator will find that, without any doubt, the others are reducing.

Mr. BORAH. France is not reducing.

Mr. WADSWORTH. I think the Senator is wrong about that.

Mr. BORAH. I do not think so. I received my reports very lately, and I am satisfied I am accurate in that statement. I know there has been some shifting of scene, but I do not believe any real disarmament.

Mr. WADSWORTH. I will be glad to hear the Senator's reports when he presents them.

Mr. BORAH. We will get to that when we come to consider the military appropriation bill. The Senator must agree with me that so far as the conference was concerned there was nothing done in regard to land disarmament.

Mr. WADSWORTH. That is perfectly true——

Mr. BORAH. That is what I was discussing.

Mr. WADSWORTH. As far as the conference was concerned; but the Senator's first intimation was far more sweeping than that. His first intimation very clearly was that every one of these nations refused to discharge a single soldier. They have been discharging their soldiers.

Mr. BORAH. They did not do it by reason of the conference, or by reason of any agreement reached at the conference.

Mr. WADSWORTH. It makes no difference why they did it; they have done it.

Mr. BORAH. It does not make any difference to the Senator, perhaps. I was discussing a particular proposition. Four great nations met here for the purpose of reaching some agreement as to disarmament. There was no other nation to challenge their supremacy from a military standpoint, but the conference could not come to an agreement to disarm by land even in the slightest degree. Whatever the nations might do individually by reason of their distance from other nations, by reason of isolation, or on account of ocean protection, or anything of that kind, would be a different proposition; but so far as reducing their armament on land was concerned, they took no steps toward disarmament by land at all.

Mr. KING. Mr. President, while the Senator from New York desires to speak in the interest of accuracy, I think it will be an addition to the record to state that whatever reduction has occurred in Great Britain has been far less than was recommended by the commission which was appointed to make recommendations to effectuate economies in the army, the navy, and the civil administration.

Recently, when the army was being discussed before Parliament, it was confessed that they could not make the reductions in the army which had been recommended months ago in virtue of the commission which had been appointed; so that instead of reducing to what was recommended before the conference they have kept the army at a higher level than was recommended by the commission, which made a very full investigation.

Mr. WADSWORTH. Is not the net result a decrease?

Mr. KING. I am not sure whether there is a decrease in the net result.

Mr. WADSWORTH. Does not the Senator know there is a net decrease in the official report of the budget to the House of Commons?

Mr. KING. In the aggregate for the coming year?

Mr. WADSWORTH. Yes.

Mr. KING. Yes; I think that is true.

Mr. WADSWORTH. That is what I said.

Mr. KING. If the Senator will keep in mind recent revelations he will find that with the possible recrudescence of outbreaks in India and the unsettled condition in Ireland, they are holding in abeyance some of those recommendations.

Mr. GLASS. May it not be said that if decreased at all it was not in the interest of peace, but in the interest of economy? It did not reflect a less warlike spirit in Great Britain than otherwise.

Mr. BORAH. Of course they have elections in Great Britain the same as they do in the United States, and they have to consider these things, and undoubtedly they do consider them. But that was not in my mind at all. I think the Senator will find, as I found in reading the report in the CONGRESSIONAL RECORD this morning upon that subject, that the decrease has been very slight indeed in England. I am satisfied there has been no real disarmament in France. I am quite certain there has been none in Japan. There may be some slight decrease in England on account of economy, though I do not know. However, taking the group as a group meeting there in conference, they did not deal with the subject and refused to make any regulations in regard to it upon which the conference was willing to act. I think that is correct. As I said, the Senator may be correct about the individual nation. We have reduced some ourselves, but very slowly.

Now, Mr. President, I believe I shall not venture upon any further discussion of this matter to-day, but I will say to the Senator from Wisconsin that some time during the week I propose to discuss more fully what the conference did in the way of straightening out China, and also what it did in the way of dealing with these matters which foment war in the Far East. There was no war in the islands. There was no disturbances in the islands. The disturbance was on the mainland. There is where the disturbance is now. If the disturbance on the mainland results in war, it will soon spread to the islands. So as I view it very little was done and much promised.

I do not criticize the American delegates for not doing more. I am satisfied the American delegates would have been glad to have settled all these questions. I am satisfied the American delegates would have been glad to see complete disarmament—that is to say, general disarmament by land. But we are called into a group, and we are asked to sign a treaty with four powers. I am dealing with our friends, our neighbors, or associates, our allies, and I am saying that as a group, as an alliance, they have not dealt with those subjects, and it was not the fault of the American delegates.

Mr. LENROOT. Mr. President, the Senator from Idaho is even more pessimistic than I had expressed myself as believing that he was. I had supposed that even the Senator from Idaho believed that some progress had been made in world thought toward peace growing out of the late war, but evidently the Senator from Idaho thinks nothing has been accomplished with reference to the thought of the world along that line, that the nations of the world, other than the United States, are just as militaristic as they ever have been in the past.

Why, Mr. President, I say to the Senator from Idaho that if he is correct in his view of the aims and ambitions of the other three powers to the treaty, and if his views should obtain that the United States should keep hands off, remain isolated from the rest of the world, take no interest in the peace of the world, and admitting what he said was true, that those four powers can by their force control the world to-day, why do not England, France, and Japan carve up the rest of the world? It would have been done once in history. If any group of powers had the power that these four nations had, there would not have been anything left on the face of the earth that would not have been under the direct sovereignty of one of those four nations.

Mr. BORAH. When we consider the secret treaties which were made in 1915 and 1916, how much was left of the world that was not carved up? China was dismembered and the territories of the Far East were practically distributed. What part of the world was not carved up by the secret treaties?

Mr. LENROOT. I am speaking of conditions since the World War being governed by world opinion. With respect to those secret treaties that obtained, the Senator knows, if there had been no change in world thought, that the treaties that had never been carried out in so far as direct sovereignty is concerned would have been carried out. It was because the thought of the world has changed, growing out of the tremendous losses in the war, that a different view is being taken to-day. They are compelled to take a different view. That is revealed in the Washington conference. If there had been no change in the world thought, instead of a part of China being restored to her, a conference of these four powers would have carved up China

among them, the sovereignty of China would have gone, and China would have gone down into history as a nation that was but is no more.

That is the difference, Mr. President. When the Senator says there has been no change in world opinion, that our position of isolation should continue in the future as it did in the past, that we should take no interest even in using our influence in the way of treaties such as this to secure peace in the world, I say to him that the answer is found in the 50,000 American boys who fell upon the fields of France, in the 200,000 American boys who are disabled to-day, and in the $26,000,000,000 of indebtedness that exists to-day. That is the answer to the splendid isolation for which the Senator from Idaho contends.

Mr. BORAH. The United States was drawn into the situation in Europe by reason of the very condition of affairs which the Senator from Wisconsin is seeking to create in the Far East. I have no doubt at all if it had not been for the antagonistic alliances existing in Europe that there would have been no World War. We were drawn into it by reason of that condition of affairs. The Senator seems to think that the creation of this alliance or grouping will not result in the creation of another group. There is where we differ. I think it will result in just that thing. Inevitably it will result in that if we judge the future by the past. By building up this same old bloody system of alliances the same old grouping of nations we are preparing the world for more world wars, for the sacrifice of more boys, for more misery. Why try again the old system, whose history is written in blood?

The 400,000,000 Chinamen who are upon the outside, the 180,000,000 Russians who are on the outside, and the other people who may have or want to have an interest in the Pacific who are on the outside will naturally group themselves together and we will have precisely the condition of affairs which took our boys to Europe and which left a large number of them there and sent a large number of them home disabled. In my opinion, instead of proceeding along the right line we are simply adopting the old European system and going into it and transferring it from the Atlantic to the Pacific.

Mr. LENROOT. The Senator will admit, or does he not believe that at least until that other group is formed peace will be maintained by the powers within the group?

Mr. BORAH. Possibly that may be true, but if so, it would be so, anyway.

Mr. LENROOT. Ah, it would be, anyhow?

Mr. BORAH. Yes.

Mr. LENROOT. The Senator evidently gives no weight to the many, many speeches that have been made by his colleader upon the other side, the Senator from Missouri [Mr. REED], concerning the wickedness of Japan, and how we should fortify Guam and how we should fortify the Philippine Islands.

Mr. BORAH. The Senator from Idaho is trying to take care of himself, not the rest of the Senate.

Mr. LENROOT. Yes, that is true; only the Senator will admit that whenever a naval appropriation bill comes before the Congress there is immediately held up the menace of war with Japan. He has been one of the strongest in denouncing those scares. But two nations in a race for armament may so create an enmity between themselves, through suspicion, that it leads to war. The Senator will admit that, and the Senator must, therefore, it seems to me, admit that if we were to go on with constant misunderstandings between Japan and the United States, if Senators are to repeat on the floor of the Senate the attacks upon Japan that have been made frequently in the past, that it may, although there be no cause for it in the first instance, lead both countries to believe that each is a menace to the other and that each has designs upon the other that may lead to war.

Mr. BORAH. The Senator complains that these intimations are thrown out here upon the floor. That is what started the debate this afternoon. The Senator from Washington [Mr. POINDEXTER] said that he was not willing to trust to this political pact for peace, that he was in favor of building a navy which was equal to any navy in the world, and to take care of the United States from the standpoint of naval force. He could not have had in consideration Germany. He could not have had in consideration Russia. It is not likely that he had in consideration Great Britain. It is not likely that he had in consideration France. I do not know what nation he did have in consideration.

Mr. LENROOT. That was preceded by the statement of some Senator that, in his opinion, no promise that Japan might make was worth the paper upon which it was written. That is what started the Japan controversy in the debate to-day.

Mr. BORAH. I do not know who started that part of it. I only know that the able Senator from Washington was very clear in his statement that he did not propose to rely upon this agreement, but that he proposed to rely upon a navy.

Let me say to the Senator from Wisconsin, just as a matter of prophecy, that inside of a few years we will hear advocated upon the floor of the Senate the increasing of our Army and the increasing of our Navy, the building up of our Army and the building up of our Navy, for the very reason of the obligation which is imposed upon us by the four-power treaty.

Mr. LENROOT. That might be so if the argument of the Senator from Idaho and his associates shall prevail in this country that a solemn promise is of no value.

Mr. BORAH. It will be so if the solemn promise is of any value or not.

Mr. LENROOT. If it is of value, the Senator has admitted that until a new group is formed peace is assured.

Mr. BORAH. I said as between these powers; it might be so—not as to other powers.

Mr. LENROOT. Certainly.

Mr. BORAH. But it will be found inside of the next few years, in my opinion—in fact, the debate here was started to-day upon that point—that our obligation under this treaty and our relationship to the outside world, not those who are in the treaty, impose upon the United States such an obligation that we must have an increased Army and an increased Navy. Instead of bringing soldiers home from these islands, we will be asked to send more over there. Instead of decreasing our Navy, we will be asked to increase it inside of two years.

Mr. LENROOT. When that time comes, I think, the Senator and I will be in agreement.

Mr. BORAH. Yes; we will stand together, and the Senator from Wisconsin will confess then that his political pact is not worth the paper it is written on.

Mr. LENROOT. No; the Senator will not. The Senator will rely upon this pact as doing something at least to prevent war. The Senator from Idaho will not, but nevertheless he will take the same position with reference to the Army and the Navy as if he believed it was of some value.

Mr. WATSON of Georgia. Mr. President, when the distinguished Senator from Massachusetts [Mr. LODGE] was urging the Senate to ratify the treaty I took several notes of statements made by him because they astonished me very much, and I expected to comment upon them as soon as I could obtain the floor.

One of those notes reads as follows:

If the treaty fails, the outlook is dark indeed.

Another one reads:

Are we to look always to war?

Another one reads:

Clouds of war.

Another reads:

Let us not blight this new hope.

Another reads:

Let us not break the heart of the world.

I was again surprised this morning, Mr. President, when the Senator from Massachusetts disclaimed having had in his mind any idea of saying that we were in danger of war with the parties to the Anglo-Japanese alliance. I will read what the Senator said as it appears in the RECORD of March 8 last, and I will submit to the judgment of the Senate whether I misconstrued his words:

It is sufficient to say that in my judgment the Anglo-Japanese alliance was the most dangerous element in our relations with the Far East and with the Pacific.

That is exactly what I attributed to the Senator. I addressed my speech to that. The Senator heard the speech or a part of it, as much as he could stand, and he should have corrected me then, if I was misrepresenting what he had said.

The sands are shifting a good deal, Mr. President. When Senators make statements here which do not go down well with the country, when they are taken up on this side of the Chamber, such Senators are a little bit inclined to do what the sands do—shift. The Senator proceeded:

The Anglo-Japanese alliance caused a growing feeling of suspicion not only in the United States but in Canada. On the other side it tended to give a background to Japan which encouraged the war spirit and large preparations, both by land and sea, for future conflict.

With whom?

It immobilized England and prevented the exercise of her influence in the East for the cause of peace, and peace is distinctly in her interest in that great region. That menace to peace is removed by the four-power treaty.

In what stronger language, in what plainer language, could the Senator from Massachusetts have assured the Senate that we were in danger of war then from the Anglo-Japanese pact?

Where? In the East? After having referred to the World War, the Senator from Massachusetts proceeded. I quote again:

The misery and horrors of the Great War must never come again.

Come to whom? Come to us. By way of what? The Anglo-Japanese alliance. His words can not be construed in any other way, when they are taken together. He proceeded:

If we fail, the outlook for the future is dark, indeed.

Whose outlook, if not ours? For whom are we on duty here in this Chamber if not for this country?

If we can not do this, then no one can, and the clouds of war will again settle heavily over the future of civilization.

Exactly as I quoted—the clouds of war will hang over our civilization as well as that of other countries.

Mr. JONES of Washington. Mr. President, as a general rule, I do not ask not to be interrupted—in fact, I rather welcome interruptions in connection with matters which are up for discussion—but to-day I desire to discuss a couple of matters in my own way. I do not expect to convince any of the Senators against their will, and so I shall ask to proceed without interruption.

Mr. KING. Would the Senator from Washington like to have a quorum present?

Mr. JONES of Washington. No, indeed. I expect to occupy the floor for just about an hour. I give that information to the Senators so that they may govern their actions accordingly.

Mr. HARRISON. Did I understand the Senator from Washington to say that he did not want any interruption during his speech?

Mr. JONES of Washington. I think the Senator did, for that was the understanding I tried to give him.

Mr. HARRISON. Then, evidently the Senator is going to speak on the alleged accomplishments of the Republican administration.

Mr. JONES of Washington. I have no doubt the Senator from Mississippi can surmise pretty well what I am going to do.

Mr. CARAWAY. It is evident that the Senator from Washington did not expect he would be interrupted on his side of the Chamber, because there is not anybody over there to interrupt him.

Mr. JONES of Washington. And, of course, I did not expect interruptions from the other side of the Chamber before I got started.

Mr. President, the pending treaty is so clear that any attempt to make it plainer is apt to obscure its meaning. The preamble states that it is made by the four powers "with a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean." There is no agreement, no covenant, no obligation in this. It is a simple, plain statement of the object to be attained through the agreement that follows.

What is that agreement? In article 1 the parties agree "as between themselves to respect their rights relating to the insular possessions and insular dominions in the region of the Pacific Ocean." What is there uncertain about this? It seems to me to be so plain that the wayfaring man can not help but understand it. It promises nothing that a self-respecting nation will not do without any express agreement, and yet there is no more perfect way to preserve peace among nations as well as among men, than to agree to respect and then to respect each other's rights. If any strife arises between any of the parties involving any of these rights, what is to be done? Are the contending parties to go to war? No. It is agreed that all parties are to be invited "to a joint conference to which the whole subject will be referred for consideration and adjustment" if it can not be "satisfactorily settled by diplomacy." Can anyone have any doubt of the meaning of this? Here is no "entangling alliance." Here is no provision to use force. It simply calls for free, face to face conferences, where honest differences may be settled.

Article 2 provides a way to deal with the situation when "the said rights are threatened by the aggressive action of any other power." What is to be done then? No conference is required, but the parties "shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken jointly or separately to meet the exigencies of the particular situation." This is all. There is no obligation or agreement except to "communicate with one another fully and frankly." No one can find any force, any entangling or offensive or defensive alliance in this article.

This entire agreement simply embodies in written words the obligation that rests upon all nations to respect the rights of others and points out the honest and fair way to deal with any differences over such rights. The great thing about this agreement is not what is in it, but the great moral force behind it. The spirit behind and in this agreement was expressed with wonderful eloquence by Viscount d'Alte, when he said:

I can add but little to all that my distinguished colleagues who sit around this table have so ably said to-day; but I may perhaps be forgiven if I endeavor to draw attention to a notable feature of the agreement which has to-day been the object of our thoughts. Even more than the words in which it is written, it is the spirit in which this memorable agreement was conceived that will fill the whole civilized world with high hopes for the future. It would, of course, be easy to evade any of the clauses of the treaty of which I am speaking; it would even seem as if the men who have drafted it have tried to signify that they did not place their main reliance and the achievement of their aims in a long series of carefully worded clauses. Only four powers, who repose the most implicit trust in the honor and integrity of each other, could sign a treaty such as this. And it is this fact that gives the agreement its tremendous binding power. The confidence so fully given no nation would dare to betray.

Instead of arousing jealousy and fear on the part of other nations this agreement points the way through the centuries to come to avoid strife and bring peace throughout the world.

If there were any doubt as to the meaning and purpose of this agreement—and in my mind there is none—what took place upon its presentation at the conference ought to dispel such doubt and make plain the purpose. The Senator from Massachusetts [Mr. LODGE] presented it to the conference in an address that in lofty sentiment, clear statement, broad vision, poetic fancy, genuine eloquence, and wide learning has seldom been equaled. There in the presence of the representatives of all the powers he told them what this agreement is and what it means. After stating the terms of the treaty he said:

Each signer is bound to respect the rights of the others and before taking action in any controversy to consult with them. There is no provision for the use of force to carry out any of the terms of the agreement, and no military or naval sanction lurks anywhere in the background or under cover of these plain and direct clauses. * * * This is an attempt to remove causes of war over a great area of the globe's surface by reliance upon the good faith and honest intentions of the nations which sign the treaty, solving all differences through the processes of diplomacy and joint consideration and conciliation. * * * We make the experiment here in this treaty of trying to assure peace in that immense region by trusting the preservation of its tranquility to the good faith of the nations responsible for it. * * * Our surest appeal in order to prevent wars in the future must be to the hearts, the sympathies, the reason, and the higher impulses of mankind. Such an appeal we make to-day by this agreement among four great nations. We rely upon their good faith to carry out the terms of this instrument, knowing that by so doing they will prevent war should controversies ever arise among them. If this spirit prevails and rules we can have no better support than the faith of nations. For one, I devoutly believe the spirit of the world is such that we can trust to the good faith and the high purposes which the treaty I have laid before you embodies and enshrines. * * * If we enter upon this agreement, which rests only upon the will and honor of those who sign it, we at least make the great experiment and appeal to the men and women of the nations to help us sustain it in spirit and in truth.

If any reservation making clear the meaning and purpose of this treaty were necessary, this frank and definite statement by the Senator from Massachusetts is the best reservation that can be framed. It was uttered in the presence of the delegates of all the parties to the treaty. There was no dissent. These statements must be taken as a part of the treaty, and the construction given must be accepted by all. Not only was there no dissent but there was an express acceptance. Mr. Viviani, representing France, said:

Gentlemen, in the name of the Government of the French Republic, which to-day has conferred on me its authority and which speaks through my voice, I assent, without reticence and without reservation, to everything implied in the agreement just read by Mr. LODGE, who has followed it up with an analysis at once so simple and so powerful. * * * He has pointed out that when four great powers are determined that peace shall prevail in a given part of the world the concert of these powers, without provision for naval or military action, is all that is needed to assure the preservation, the guaranty, and the protection of that peace.

Mr. Balfour said:

Mr. Chairman and gentlemen of the conference, you have heard an exposition by Senator LODGE of the contents of this treaty, admirable in its clarity, perfect in its literary form, and you have just heard the way in which this treaty strikes a great Frenchman in its world relations. * * * So far as I am concerned, I would most gladly leave the matter in their hands, for I have nothing to add to what they have said upon the general aspects of the treaty.

Prince Tokugawa, speaking for Japan, said:

The terms of the important pact assuring mutual security and friendship have just been made known. It is needless for me to say that all Japan will approve the consummation of this work.

These statements from the representatives of the powers that signed the treaty leave no room for doubt or question as to the meaning and purpose of this treaty.

China, though not a party to the treaty, is vitally interested in it and the other treaties made. Mr. Sze said:

The Chinese delegation notes with gratification the intention of the powers agreeing to the draft treaty reported this morning to preserve general peace and to adjust by peaceful means all matters of controversy that may arise between them with reference to their rights in relation to their insular possessions and insular dominions in the region of the Pacific.

There is no commitment to armed force or force of any kind. There is no alliance of offense or defense. There is no obligation to join in any defense in this treaty. It is simply the solemn expression of the confidence that these four great powers have in the honor, integrity, and good faith of each other, and their conviction that upon these great moral qualities rests the peace of the world rather than upon military or naval forces.

The Brandegee reservation adds nothing to the treaty, and I hope takes nothing from it. I do not like it. I think it can only dim the luster of the Senate in the eyes of the world. If I can be sure that the treaty can be ratified without it, I will gladly vote against it. If it seems to be necessary to secure ratification, I will vote for it.

Yes, Mr. President; I want to see this treaty ratified. I wish it could be done without a dissenting vote. I know that our country needs no written promise to make it respect the rights of other nations, but I am glad to have it put this obligation in solemn and enduring form as an example to others. It requires no plighted word to lead it to consult over differences, but it rejoices in leading the way for this kind of settlement of questions that threaten the peace of the world.

RECORD OF REPUBLICAN PARTY.

Mr. President, the Republican Party has been in power a year. Does the record justify the confidence placed in it by the people at the last election? The Democrats say it is a failure and that the people are anxious to repudiate it. The Republicans claim it to be a success and that the people approve. It is easy to denounce and it is easy to boast. The people will judge by the record, which they will know pretty well, and they can be depended upon to render a just verdict.

Every ill that affects the people will be laid at the door of the Republicans by the Democrats. That is politics in this country. There is too much of it, but it can not be helped. We can with confidence appeal to the justice and good sense of our people to give us credit for what we have done and take into account the conditions we have had to meet. We have not done all we should have done; I admit that. We have made mistakes; but, taking it all in all, we have a record of actual accomplishment that we can point to with confidence and, to use a Democratic phrase, "with pride."

On the 4th of last March the Republican Party took charge of every branch of the Government. For a little over two years after the armistice the administration had been drifting in the midst of war problems. These problems were hard enough when the war ended, but they got worse and worse as time passed and neglect continued.

While the war was on everything else was neglected. Peaceful pursuits were forsaken and all labor and business effort was turned to war. War demands brought prices of everything to an abnormal level. Everybody, rich and poor, got upon an entirely different plane of living from that theretofore enjoyed. When the war ended war activities ceased. The end came so suddenly that the people were dazed. They did not know what to do. Everything seemed to be out of joint. Congress looked to the President for guidance and leadership, but it got neither; and so it was that when the Republican Party took charge it found the problems of the war made much more difficult by two years of peace drifting.

It is much easier to carry on a war than it is to solve the problems growing out of it. It is not difficult to carry on war. Partisanship is laid aside; differences of opinion are waived; mind, heart, and soul go together to do one certain thing—whip the enemy. Men and money are needed. The strong hand of the Government reaches out and takes the boy from the home and puts him on the battle front, whether he will or no. The same strong hand takes in taxes the money required to buy supplies of every kind. We can not solve the problems of peace in that way. Reason, experience, and judgment must guide instead of power and force. Partisanship flames up fiercely; opinions are held with great tenacity; conflicting interests of section, community, and individual demand their rights, and obstructions are placed in the way of the majority everywhere and at all times. This is being done now.

I know that the Republicans are being blamed for the delays in passing legislation. Much of this delay is caused directly by the Democrats, as the record will show. They act as if they think they owe nothing to the country now, but all to their party. Party advantage is sought at all times and upon every question. I may be wrong, but in my judgment this is not right. We really need an intense patriotism more now in solving the problems of peace than we did to solve the problems of war. In war the unpatriotic man can be forced to serve his country. In peace, this can not be done except through public opinion.

The Republican Party is in control, and is therefore primarily responsible for what is done and for what is not done. Our Democratic friends seem to think this fact relieves them from all responsibility. They give us no help in solving these problems. A very prominent Democratic Senator said a few days ago, referring to these problems, "Why should we worry? These are nuts for you to crack, and not for us"; and so they oppose, delay, obstruct, hinder, and criticize. I submit that such action does not and will not commend them to the people. They can not escape their duty as the people's representatives. The problems we face are their problems, the same as they are ours. The people will not overlook these things when studying the record we have made and in weighing the tactics of our Democratic friends.

The burdens the people bear come from the war and from Democratic incompetency, and not from us. If they are heavy, we can not help it. If any have been lightened, we have done it. We are criticized because we have not reduced appropriations or lowered taxes. We are not responsible for either. The $29,000,000,000 we spent during the war is the debt of to-day. We must meet it in some way. We can not refuse appropriations without repudiation. No matter how unwise the obligation, no matter how wasteful the expenditure, we must fulfill our agreements and pay our debts. War materials that cost us billions must be paid for in full, even if we must sell what is left for a song.

The war has been fought and now we must pay for it. Taxes must be taken now from the pockets of the people to pay for the cost and waste of war, and the needed appropriations must be made. While the war was on we borrowed money to pay the expenses. These loans and the interest must be paid, and it is utterly impossible to reduce appropriations or reduce taxes to the prewar or even the war level.

It is said that the people are impatient with Congress. It may be so; but who encourages that impatience? The Democrats themselves, who should be the last ones to complain. We must build up what they tore down. We must reorganize what they disorganized. We must collect what they spent. We must pay what they owed. Under Democratic leadership things done in hours can not now be cared for safely in months. For instance, the Senate, with two hours' debate, voted $640,000,000. This money, according to a Democratic committee, was wasted, but the people must pay it. We sold for $120,000—and were surprised to get that much—what cost us $80,000,000. We must raise these millions now in taxes. Can we say in a few hours or a few days how that shall be done? Is it not wisdom, is it not our duty, to be careful and take time to weigh well what we do, so as to cause as little injury as possible, and make a heavy burden as light as we can? We would be justly censured if we took less care with the many difficult questions we face. Hasty action would make more waste and increase our taxes and our burdens.

Let us see what we have done. Let us see what the record shows.

For many years good men and women have done much to promote world peace. They sought to have an organization among the nations of the world to secure and enforce it. A strong sentiment had been created and high hopes were held out that world peace would be insured. When the World War came to a close President Wilson placed himself at the head of this movement and sought by solemn treaty to do this great thing. His effort ended in failure—why, I will not say—but as the years go by the greatness of his aims and sacrifices will hide the causes for his failure. He left us in a humiliating position. Without seeking a cause it is enough to say that on the 4th of March, 1921, the United States was without a friend in the world. No people trusted us; no nation honored or respected us. That is all changed. We lead the nations of the world. They honor, respect, and trust us, and seek our advice and counsel. This is due to the tactful, wise, statesmanlike, and patriotic conduct of the administration, and is an achievement deserving of the highest commendation.

A new but simple policy has been started that means much for the peace of the world. Nations have been brought together about the conference table to talk and reason over their differences and devise ways and means to promote mutual understandings and remove the causes of war. Its wisdom is now clear. That it will be a permanent practice among nations is certain. This very great thing has been brought about by this administration, and it will loom larger as the years go by. If nothing else were done, this alone justifies last election's verdict.

The calling of the arms conference met a glad response from every heart in the land that hopes for peace. The selection of

the delegates to represent this country evidenced a rare judgment, while the confidence placed in and the position given to his Secretary of State by the President showed a statesmanship of the highest order and a manliness that must profoundly impress every high-minded man. That conference is epochal in the history of the world. The success it attained was beyond the dreams of the most hopeful. Its work will loom larger with the passing of time. It will lighten the burdens of humanity through the centuries, and save generations yet unborn from the horrors of war. What man or woman can now regret a vote cast for Warren G. Harding?

While the executive branch of the administration has been doing these great things, the legislative branch has not been idle; and when its record is studied in the light of the facts and conditions that it had to face, and the problems it had to grapple with, the people will conclude that it has done well, too.

Congress was called in special session to revise the taxes and the tariff. It has not yet been able to complete both. Maybe it should have done so, but the Democratic minority is not blameless. They consumed a great deal of time in what many would term useless talk, but I would not be so harsh. They acted wholly within their rights. We do not need to rely on this. The problem to be met fully justifies the time taken to work it out. The expenses of the Government to be met by taxation could not be reduced except by the most rigid economy. Three or four billions must be raised by internal taxes to meet the expenses imposed upon the people during the war and under a Democratic administration. About all we could do was to revise the law, and levy the taxes more justly, and so as to disturb business and industry the very least.

The tax laws we have had to revise were passed in the hurry and stress of war. Taxes were levied upon business that was prospering, and that was sure to prosper while the war lasted. Revision was a stupendous problem. From three to four billions of tax must be taken from business in time of peace to meet the demands of the war that had just closed. It was most patriotic to try to take this money in such a way as to do as little harm to business as possible, and at the same time take it from those best able to pay. Every individual, every business, and every section of the country would be affected. Hearings were asked by many. It would not have been right to disregard these requests. It was not safe to do so. These hearings took months. A bill was finally passed. It is now the law. It did not wholly meet the wishes of anyone. No tax bill raising three or four billions can be prepared by anybody that will wholly satisfy anyone. This law has many injustices in it, but they are the injustices of the Democratic law. It places no more burdens upon the people, but it does relieve them of many. We not only revised the tax laws more equitably but we made a great reduction in the taxes.

Under this law, even with the great demands upon the Government, the tax burden on the people will be over $800,000,000 less next year than this. That is, we have relieved the people of the country from paying over $800,000,000 taxes annually that they would have had to pay under the Democratic law. Confronted with the necessity of raising almost as much tax as during the war, this, it seems to me, was a great thing to do. The wonder is not that we did not get a better bill, but that we got one so good. We are seeking, through economy and efficient service, to reduce the demands of the Government so it can be further reduced and more equitably adjusted.

"But," they say, "you have not yet passed the tariff bill." True. Tariff bills are not framed in a day. They are not passed overnight. It took from 7 to 10 months to pass tariff acts under normal peace conditions. Why should there be so much impatience if it takes us a year to pass these two great tax and tariff measures? Not alone uncertain, unsettled, and disturbed conditions at home, but disturbed conditions of exchange and business abroad, make the task almost a superhuman one. Extreme care must be taken not to injure business. The great need is to foster and encourage it. Labor, agriculture, industry, transportation, and business of all kinds must be guarded from every angle, and it is far better to move slowly but surely than to move swiftly and hurtfully. We shall pass this tariff act after due consideration of all the varied interests of this vast country. We will not follow the Democratic theory in framing our bill. American labor, capital, and enterprise will again have the aid of the Republican policy of protection and we will surmount the hard conditions that now seem so dangerous. Republican capacity and statesmanship will again vindicate itself and justify the people's verdict and command approval when they are called upon again to express themselves.

We passed a resolution declaring a state of peace between this country and Germany. We went further and did what our Democratic friends said we could not do; we negotiated and had ratified a treaty of peace with Germany, saving all our rights without entangling ourselves in the troubles of Europe or impairing our sovereignty in the slightest degree.

The Budget law was passed and has been put in operation so well that many millions of dollars have already been saved to the people of the country in the running of the Government, and when it is fully worked out it will be a great instrument of economy.

We reduced the Regular Army to a hundred and fifty thousand men and thereby reduced the military expenses of the Government hundreds of millions of dollars. This should be all the more appealing to the people when they recall that a Democratic President vetoed a bill passed by a Republican Congress reducing the Army to 175,000 men, and that his Secretary of War recommended a Regular Army of over 500,000 men, which would have burdened us with more than $500,000,000 yearly.

We passed a law greatly restricting immigration, not because of any antagonism to the peoples of other countries who have given so much of their blood to make this country and people what they are, but in defense of the prosperity and stability that every people owes to itself to defend.

Special consideration has been given to the American farmer, not because of any enmity to any other industry but because upon the prosperity of the farmer depends in a great degree the prosperity of every other line of endeavor. Agriculture felt the first reaction from the abnormal war conditions. Its products dropped almost overnight to prewar prices and below them while all the things the farmer had to buy remained high. The emergency tariff was passed to aid him. No one, of course, will ever know how much worse off he would have been if we had not taken this action. No one can prove that it was of any benefit, but I am sure it helped him greatly. Another act for his relief was the revival of and the granting of permission to the War Finance Corporation to issue a billion dollars of securities to extend the sale and export of agricultural products. The so-called packers law was passed. It provides for the regulation of commerce in live stock and other farm products and makes it possible for the Secretary of Agriculture to prevent abuses long complained of by farm producers. A law has been passed prohibiting gambling in grain futures and seeking to prevent speculations deemed injurious to both producer and consumer. We provided $25,000,000 additional for the Federal Farm Loan Board, enabling it to function again in behalf of the farm producers. We have passed a law making legal farmers' organizations and marketing associations, a measure long sought and deemed of the utmost importance to the farmers. If these measures aid the farmers to prosper, they will be fully justified and they will do much to bring prosperity to every other industry.

The Veterans' Bureau has been created, consolidating all the agencies for the soldiers' relief. Action upon claims has been simplified and expedited and an efficient and economical system is being created.

Permanent and comprehensive legislation for highway development has been passed and $75,000,000 for Federal aid for this fiscal year has been provided, insuring great development of our roads, the employment of thousands of our people, and increased economy in the marketing of our products.

We passed the maternity law, so earnestly sought by the mothers and women of the country. It will do much to alleviate the sufferings of maternity and to conserve infant mortality.

The effective enforcement of the eighteenth amendment has been provided for, and despite the desperate resistance of a strongly intrenched outlaw traffic the blessings of prohibition are being shown more and more in better food and clothing for wife and children, fewer inmates of jails and almshouses, better health, more comforts for the home, less brutality, more home companionship, larger savings, and more of joy and happiness in American lives and homes and the development of a better American citizenship.

Provision has been made for the refunding of the debt of foreign nations. This is a long step toward settling conditions in Europe and toward the improvement of our own financial condition. Under it the debts owed to us by our associates in the war will be put in definite form, and as soon as they are able to pay they will begin to pay. Not a penny owing from them will be remitted, but we will not act the Shylock toward them, but will give them the time that is necessary for them to prepare to meet their obligations without humiliation. By such a policy we not only show them proper consideration but we also best serve our own interests. This shows clearly, too, how different our problems are from those of the last administration. It was easy to make the loans to our associates in the distress during the war. It did not take long to fix the

terms. It was no trouble to them to sign these I O U's. It is not so easy to collect this money or arrange for its payment by bankrupt peoples.

We have passed long-needed legislation for the relief of the Patent Office. This has been strongly urged by the business interests of the country because of the great delay in dealing with patent applications. This act will bring the business of the Patent Office up to date.

We have made ample provision for our disabled soldiers and greatly increased hospital facilities.

Let me tell you of a few of the outstanding acts of some of our departments.

The Department of Commerce has been made what it was intended to be, an aid to the business public. It is now a Federal agency to which any business man can come to get adequate and reliable advice, information, and cooperation in meeting and handling his current business problems. The Bureau of Foreign and Domestic Commerce has been so organized that the little man in American business now has virtually the same opportunities abroad that heretofore have been enjoyed only by the big man with his own organization abroad. Now the little man, like the big man, is a unit in a national manufacturing, exporting, and selling scheme and in a real sense the bureau is his sales organization or agent. The more generally this is known the greater benefit it will be.

The Census Bureau has been reorganized so that production and consumption data are gathered at frequent intervals, presented in commodity as well as dollar figures, and published in the main within 10 days after gathered. The elimination of waste in commerce and industry is being done by two new divisions, Building and Housing and Simplified Practice. Efforts to relieve home shortage are promoted, proper zoning of cities and towns is fostered, the establishment of uniform building codes is encouraged, and the alleviation of the burden of seasonal and intermittent building operations is sought. Earnest and effective efforts are being made to assist in the reduction of size and varieties in those commodities where either the manufacturers, distributors, or users will receive marked benefit from such simplification. For instance, in the paving-brick industry where 66 varieties were manufactured now only 11 are made. In the field of dry-cell batteries 32 sizes have been reduced to 8. Such work as this is of real practical value and will reduce repair and maintenance costs and enlarge foreign commerce.

The War Department has been put upon a fine military as well as an economic business basis. The framework of the organization developed during the World War is being perpetuated so that its tremendous cost will be a permanent investment for all time. This is being done largely through the allocation and the development of the National Guard and organized reserves. Enrollments in Reserve Officers' Training Corps units have been greatly stimulated and the citizens military training camps have been made a great success. The discontinuance of some activities, the consolidation of others, and the elimination of many duplications have brought economy and efficiency and contracted the Military Establishment to the requirements of peace on a basis of sound business principles.

But a glance can be given to the wonderful work of Postmaster General Hays in transforming the Post Office Department in his brief year of service. The department, through reorganization and other economies, has been able to make material saving in expenditures. The total appropriations for 1921-22 were $586,000,000. The appropriation which the department has asked for 1922-23 is only $562,000,000, making a saving of approximately $24,000,000.

Restoration of the morale of the postal workers has been accomplished through the personal interest of the Postmaster General in the welfare of the postal workers. He established the "open-door" policy with them and invited in the fullest manner their suggestions for improvement and their participation therein. Individual initiative and intelligence have been brought into play, and the human element from personal contact has permeated the whole force with the result that the greatest tasks have been met in the most successful way. The primary result of the helpful spirit is the vastly improved service to the public. This was demonstrated in the most remarkable cleaning up of the Christmas rush without delay or congestion of the mail in the records of the Postal Service. It seems that the postal workers themselves were eager to establish this record, and the public was no less interested in assisting. The great arteries of the Railway Mail Service were at no time congested, and at 6 o'clock Christmas Eve reports came in from every part of the country showing unanimously that everything was cleared up at that time. Not only did the public cooperate in mailing Christmas parcels early but they packed the parcels so securely that there was less damage than ever before recorded.

Notwithstanding this remarkable record, the Christmas mail was 20 per cent heavier than ever before, and the postal receipts were the largest on record. Among the service betterments the Railway Mail Service is prominent. This is the great artery of the Postal Service where approximately 90 per cent of the weight of all the mail is carried, and of this a large part is distributed or handled by this service on the railroads en route. This service is one vast traveling post office, functioning simultaneously throughout the entire country, and in which the necessary separation, distribution, and dispatches of mails that could otherwise be made in the post offices are made in the swiftly moving railroad post office cars. Thus the mails are advanced in delivery in the greatest time, and the post offices are relieved of a work the magnitude of which they would be unable to handle. The other departments have been doing equally good work, though probably not along so constructive lines, notably the Labor Department, that has adjusted disputes involving almost 1,000,000 men.

No more striking proof of the benefits of a Republican administration can be seen than the action of Liberty bonds. They were issued during the war. The people paid for them their full face value. What happened to them? They went below par. They kept going lower and lower until they were from 10 to 15 per cent below par. In other words, they were from a billion to a billion and a half dollars less in value to the people who bought them than they had paid for them. What has happened during less than a year of this administration? These bonds have risen in value until they are all nearly to par, and some of them are above par. The holders of these bonds are richer by a billion dollars or more now than they were on the 4th of last March. Why? It is largely because of the confidence of the people in the Republican Party and in its ability to put the Government on a business basis. You say the people are losing confidence in us. Maybe so, but are the millions of Liberty bond holders going to risk losing on their bonds by putting the Democratic Party into power? I do not think so. It will take more than talk to lead them to do it.

Economy: That word was unknown to the Democratic administration before and during the war. They spent the people's money in the most reckless fashion. Not only did they build up a wasteful and uselessly large organization but they secured the money they spent by the sale of bonds. No matter how wastefully this money was used these bonds must be paid in full and the interest is an annual charge that we must meet. We can and we must change the organization. We must reduce its expense and increase its efficiency. This we are doing. No more earnest effort was ever made in this line than the President is putting forth. He is insisting that his Cabinet chiefs reduce their force to the minimum consistent with efficiency. They are doing so and at the same time instilling in their employees the spirit of emulation. Thousands of employees taken on during the war have been taken from the Government pay roll and far better service is being rendered by the balance. Concretely, January 1, 1921, there were 643,833 civil employees in the Government service; July 1, 1921, 637,767; and January 1, 1922, 588,018, or a reduction since July 1 last of 43,749. Probably we can do more in this way. But we can not do much in other ways to lessen expenses. In my judgment we will do well if we can hold them where we are. The obligations that we must meet were created by or under the Democratic administration. We can not escape them. We can not diminish them. We must provide for meeting them, and it ill becomes Democrats now to berate us for the appropriations we make or the taxes we levy, because we are doing it only to meet their obligations. Will they tell us how we can escape paying annually $975,000,000 interest on our bonds? Can we refuse to provide $381,000,000 for the sinking fund? Would they have us refuse to provide $489,000,000 for the compensation, hospitalization, insurance, and payments to dependents of dead or wounded soldiers? How can we avoid paying over $200,000,000 for pensions? These amounts will get larger rather than smaller.

We are cutting appropriations to the bone. In order to economize I fear we are neglecting needed improvements that in the end mean waste and loss to the Government. The people want internal improvements. The Democrats berate us for not making them. They can not be made without money. The money can not be gotten except from taxes or the sale of bonds, and they and the interest on them must be met by taxes. We appropriated $75,000,000 for good roads. We could have refused to do so, but in my judgment it was real economy to spend it. Many people urge increased reclamation activity. It costs money to carry on reclamation work. To do so we must add

to our appropriations and that means more taxes. I believe it will be real economy to provide something like $250,000,000 for systematic development during the next 5 or 10 years. That sum will complete economically the projects now under way and being carried out wastefully from lack of funds. Some new projects can be started and hundreds of thousands of acres of land now waste, barren, and unproductive can be made a source of power, wealth, and taxes as well as furnishing employment for thousands and homes for as many more. We have had only small sums during the last seven years for river and harbor work and aids to navigation. Is it real economy to neglect these things? We have been doing so and we may continue to do so in the interest of economy and to save the people from added tax burdens. During the last two years of the Democratic administration we had a Republican Congress. All efforts at economy were made by it in spite of the efforts of the administration to add to expenditures. Democratic officials sent huge estimates of their needs and in two years the Republicans cut their estimates over $3,900,000,000. In other words, if we had appropriated Democratic estimates nearly $4,000,000,000 more would have to be raised in taxes than we now are raising. We have just passed a tax bill that reduces the tax burden on the people by about $800,000,000 a year. If Democratic estimates had been carried out, we would have had to increase taxes by three or four billions instead of decreasing them. And yet our Democratic friends think the people are tired of the change. The people may groan under the burdens they bear. They may growl at the troubles they face, but they understand the causes of them and it will be a long time before they go to the Democratic Party for relief.

The Democrats say we are drifting. Not at all. We have a definite program.

The treaties, that will go a long way toward making the world a fit place to live in and to undo the harm done by Democratic leadership, will be ratified, and the United States will take its proper place as the leader of the world's thought for peace.

Supplemental shipping legislation will be passed which will make certain an adequate merchant marine.

Legislation will be passed under which reclamation work will be broadened so as to include swamp lands and the work under way will be hastened.

Legislation will be passed that will express the Nation's gratitude to its soldiers of the World War without placing any undue or disturbing burden on the people or on business.

Government salaries will be reclassified and put upon a fair and just basis.

The commission created to reorganize and coordinate the various activities and agencies of the Government will report, and legislation will be passed to carry it into effect, and thus do away with much duplication and produce efficiency and economy.

We may not and probably will not be able to complete this program this session, but we will do much of it, and we will present such a record of real achievement to the people this fall that they will confirm the verdict of the last election.

I have tried to make a fair and concise statement of the record of the Republican Party during the first year of its service. I prefer to appeal to the good judgment and common sense of our people rather than to their passions or prejudices. They are fundamentally just, and in their aggregate and ultimate verdict they are right. In reaching a conclusion they will take into account not only what we have done and the conditions under which we have done it but also the results of the first years of the Democratic administration under Woodrow Wilson. We were in normal peace times. The war had not begun. No one expected it. If the Democratic Party can run the country well, it should have done so then. How did it succeed? Have the people forgotten? This is what the facts and the record show: We had business depression, idle labor, curtailed markets, reduced revenues, greater appropriations, increased transportation rates, special direct and multiplied taxes, and a higher and increasing cost of living. The party that made such a dismal failure then and showed such poor leadership after the war can not be trusted to solve the great and difficult questions that face us now.

Mr. CAPPER. Mr. President, we speak and act here on this treaty and the companion treaties for the most powerful Nation on the planet, the wealthiest, the Nation whose credit and income and resources remain intact after a convulsion that has brought near to insolvency every other great power in the world.

It is natural, therefore, that we hear the demand from every part of the land and from all classes of the people that we shall not refuse our approval here of arrangements with other great powers, the sole purpose of which is to promote peace in the world, the curtailing of ruinous armaments, and the ending for at least the next 15 years, as provided in the treaties, of the remorseless rivalry in naval armament that we all recognize as the one outstanding menace of peace and recovery.

On what grounds can we reverse this universal judgment of the people that it is our national duty to make this contribution, great as it is, with so small a sacrifice of our sovereign power to determine particular questions from our own interest solely, if they should arise under these treaties? Is any nation not associated in these agreements likely to attack the United States? We look over the face of the earth and what do we see? One great power, the United States, solvent and a creditor of all the rest, with undiminished man power, with no enmity to any other, with no designs upon others, and with the reputation among all nations of friendly good will toward them all, and every other important power crippled in its resources of credit, wealth, and man power, sick of war and of the causes of war, desiring nothing but a chance to regain its solvency and restore its industrial life, and looking anxiously and eagerly to us to point the way, and to lead the way, to a better order.

Mr. President, the dangers from which we would escape we are all familiar with, and they were the cause of the President's invitation to the other great powers to join in this conference. We were confronted with an offensive and defensive alliance of the two other great naval powers of the world, which there were reasons to believe was a menace directly to our policy of the open door in the Far East. Because of this alliance we felt bound to erect a naval power equal to or greater than any other. Thus the naval rivalry grew, until our own expenditures for naval power alone threatened to reach the collossal figure of twice the ordinary cost of the whole Government 10 years ago.

The conference was called. The limited scope defined for it by our distinguished Secretary of State was finally agreed to. The purpose was to put an end to this insane and ruinous rivalry in battleship construction and to the menace to the world's peace that it necessarily involved. We desired to go further and to establish, if possible, our principle of the open door in China. We hoped to see the Province of Shantung, in which its two great philosophers and sages, Confucius and Mencius, were born, restored to the Chinese. We intended to ask our friends, the British and Japanese Governments, to abandon their treaty of alliance that for 15 years had been to us as a thorn in the side.

And every one of these splendid objectives was attained by our President and Secretary of State, with the brilliant cooperation of the members of the peace commission, including the Republican and Democratic leaders of this body.

The great conference proved to the people not only of our own country but of the world that there are alternatives to war and force and rivalry in arms to obtain justice and right among nations. It was such a demonstration of the worth of conferences on particular questions that the people everywhere have been enormously impressed by this method of international dealing in all disputatious questions and issues. No wonder that every telegraph wire, every mail that reaches this Capital, is freighted with messages of delighted approval of the President, of Secretary Hughes, and of the commissioners who accomplished this splendid thing in behalf of the world's peace and recovery, the chance of recovery from the ruin of war, and this impressive reduction in costs and taxes in time of peace to prepare for—yes, and to cause—war.

Mr. President, I can not vote against such an achievement of the true spirit and efficiency of America. The defeat of these treaties or the mutilation of them, as it seems to me, would be a tragedy hardly less appalling than the Great War itself. To dash a people's hopes, raised so high during the memorable, historic, fateful days of the negotiation of these treaties of peace, because of timid doubts or suspicions, or technical and petty criticism of words, or a preposterous fear of attack from some unknown and impossible quarter, or a chronic fear of any sort of agreement among nations requiring our signature and fulfillment of terms, is to assume a responsibility for future misunderstandings, rivalries, and wars that I, for one, do not dare to take.

On the contrary, I feel that in supporting the treaties, in holding up the hands of our President and Secretary of State in their superb success in accomplishing the great purposes of the conference, I act on one of the great privileges of my life to serve my country and all countries.

Mr. President, I support the treaties because I believe in them, confident that they make the greatest single contribution to world peace that has been made in my lifetime, but I sup-

port them also because I indorse the striking statement of President Harding concerning the great possibilities for peace and understanding, good will, and intercourse and commerce and happiness and profitable industry on the earth, in his farewell address to the armament conference. "I once believed," he said, "in armed preparedness. I advocated it. But I have come now to believe there is better preparedness in a public mind and a world opinion made ready to grant justice precisely as it exacts it. And justice is better served in a conference of peace than in a conflict at arms."

Mr. HEFLIN. Mr. President, I desire briefly to say a word in reply to the speech of the able Senator from Washington [Mr. JONES] recounting the imaginary achievements of the Republican administration. The distinguished Senator seemed to want to leave the impression that the Democrats had not helped but had seriously hampered and hindered the Republicans in their efforts to pass beneficial legislation.

I recall one thing that has been of value to the American people, especially the farmers, the merchants, and the bankers of the South and West, and that is the revival of the War Finance Corporation. This was done by coalition between the Democrats and the western Republicans. It would not have been passed but for this mutual arrangement. The Republicans with 24 majority would not pass it. The papers tell us now that Iowa has secured some $22,000,000, I believe, through the War Finance Corporation, and that Nebraska has obtained some twelve or fifteen million dollars; that some of the other States have received a goodly sum, and that it has aided the local banks in tiding them over. Now, this but proves the contention that I have made here for 16 months that the Federal reserve banks were not supplying the money necessary to meet the needs of the farmers, merchants, and bankers in the agricultural sections.

They tell us plainly and pointedly that this money has enabled the banks to function again, which shows that the great banking system of the Nation that we established has been changed from the course that we intended it to follow, crippled and hogtied by the Federal Reserve Board so that it does not function as we intended it should function.

As the Senator from Washington proceeded to talk about how much money had been expended during the war, that we all had one thought and only one—that of winning the war—I thought of the money appropriated and used in the building of ships, ships costing $600,000 and $800,000 which were put upon the auction block by the Shipping Board under the present administration and bartered to the Shipping Trust for $2,100 each.

Some of us made such an outcry against it in this body and in the other body that those deals have been temporarily held up. Now the administration comes along and suggests that the ships must be sold, and I suppose for a song, and you are not only going to sell them to the Shipping Trust but you are going to give them a subsidy of $30,000,000 to induce them to operate the ships which you will practically give to them.

The Democratic Party under the leadership of President Wilson built up a great merchant marine during the war, and the great ships that we built are now going to be gathered like a flock of ducks and turned over to the Shipping Trust, whose members have agreed among themselves that there shall be no competitive bids. When the auctioneer says, "How much am I offered for this ship?" then all will stand with sealed lips but one, and he will say, "$2,100," and the auctioneer will say, "Once, twice, three times and sold to this man or this concern for $2,100," a loss of $792,900 on each ship. Is the Government helpless? Can it not wait and keep these ships in condition until normal times are restored?

The Ship Trust has decreed it, and they must be gathered together and bartered so that the Shipping Trust may obtain this wonderful bargain and the Government may lose these millions and hundreds of millions of dollars. This is one of the boasted achievements of the Republican administration.

This is one of the things which came to my mind as I listened to the Senator from Washington. There is a great propaganda going on in some of the Republican newspapers. The Washington Post is carrying these articles daily. Kansas has reported, Nebraska has reported, Missouri is getting on her feet again, so the papers say, and they are just boosting prosperity on paper, when, as a matter of fact, there is dire distress all through the South and the West. Corn is selling now below the cost of production. Oats and cattle are likewise selling below the cost of production. Cotton is selling below the cost of production. Yet the Senator from the far western coast stands here to-day and regales our ears with a speech on the accomplishments of the Republican administration.

It has been beneficial to a few people. I thought, as the Senator proceeded, how Wall Street had fattened and flourished upon it. I was reminded of the story of Sut Lovingood, who got his father to get down on all fours and put a pup to playing with the old man, to train the pup to bite and hold. The pup in taking hold of the old man's coat also got hold of pop's flesh. Whereupon the old man told Sut to take him loose, but Sut said, "I know it hurts you, pap, but it's the makin' of the pup." [Laughter.]

Now, that is the present situation. The administration has hurt the masses, "but it is the makin' of the pup." Wall Street has never had such a killing in all its days. It is flourishing in rank luxuriance as never before. We are told that "everything is lovely up there and the goose honks high."

Mr. President, I am going to make a speech during this session of Congress upon the achievements of the administration and upon some of the failures of the administration. I will tell Senators what the Republican administration has produced. Just now let me say that it has reduced thousands, tens of thousands, many, many hundreds of thousands of Democrats and Republicans from a state of bountiful prosperity to a condition of abject poverty. It has destroyed property values by the billions and laid waste the substance of the people like some mighty besom of destruction. It has paralyzed business and driven millions of men out of employment and denied justice to the soldier. It has produced in the ranks of the Republican Party a queer literary genius, and this disgusted and long-suffering Republican, in his distress and desperation, has been driven to write the following mournful lines, which he has sent to me:

President Harding is my shepherd.
He maketh me to want.
He leadeth me beside free soup houses.
He maketh me to lie down on hard benches in the parks.
He forceth me to go hungry in the presence of mine enemies.
Surely unemployment and an unsatisfied appetite shall follow me all the days of his administration.

[Laughter.]

The Republican administration has certainly created conditions that produced this testimonial to its wholesome and beneficial results. Mr. President, I recall another incident which should be of interest to Republican Senators. During this administration a Negro of Republican proclivities was convicted of stealing some bacon and meal and sugar and coffee. They tried him before a Republican judge. The judge said, "You have been convicted of larceny." The Negro said, "Yas, sir; I know I has." "You broke into this man's house and you stole." "Yas, sir." The judge said, "I am going to break this thing up. I am going to teach you Negroes something. I am going to give you one year in the penitentiary." The Negro said, "Judge, could you, please sir, make that three years?" The judge asked, "Why should I make it three?" "Well," the Negro said, "because if I gets out in one year under this here régime, or whatever you call it, I am going to steal again; I know that; but if you makes it three years the Democrats will be in power by that time and I won't have to steal no more." [Laughter.]

And thus the record is written.

As in legislative session,

POST OFFICE APPROPRIATIONS.

Mr. TOWNSEND. I desire to call up House bill 9859, the Post Office appropriation bill.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Borah	Jones, Wash.	Moses	Spencer
Broussard	Kendrick	Norris	Sutherland
Capper	King	Oddie	Swanson
Caraway	La Follette	Overman	Townsend
Ernst	Lenroot	Page	Underwood
Harris	Lodge	Rawson	Warren
Harrison	McKellar	Sheppard	Watson, Ga.
Heflin	McNary	Simmons	Willis

Mr. JONES of Washington. I desire to announce that the following Senators are detained from the Senate in attendance on the Committee on Finance:

The Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], and the Senator from New Jersey [Mr. FRELINGHUYSEN].

The VICE PRESIDENT. Thirty-two Senators have answered to their names. A quorum is not present. The Secretary will call the names of the absent Senators.

The reading clerk called the names of the absent Senators, and Mr. POINDEXTER and Mr. SMITH answered to their names when called.

The following Senators entered the Chamber and answered to their names:

Bursum	Fernald	Keyes	Nelson
Dial	Gooding	McCormick	Sterling
Edge			

The VICE PRESIDENT. Forty-three Senators have answered to their names. A quorum is not present.

Mr. UNDERWOOD. Mr. President, of course I should like to see the Senator from Michigan get up the appropriation bill and have it passed; I recognize that he has been very patient in the matter; but I do not believe there is a particle of a chance of securing a quorum here this afternoon.

Mr. TOWNSEND. I am inclined to believe that is so. If I had thought that any Senator was going to ask for a quorum I should not have asked that the bill be taken up. I had stated to several Senators that all I intended this afternoon was to call the bill up, have the first reading, consider items about which there was no possible contention, and allow all other items to go over. It seemed desirable, however, to others that we should have a quorum. I recognize the fact that probably it will be impossible to proceed with the bill this afternoon because of the difficulty of securing a quorum.

Mr. UNDERWOOD. I do not think a quorum is now within reach.

Mr. TOWNSEND. Every Senator understood, I thought, that no question involved in this bill was to be disposed of this afternoon about which there was the slightest contention; but I thought we could make some progress.

Mr. UNDERWOOD. I wanted to make the suggestion as to the difficulty of securing a quorum, because I thought the Senator might desire to direct the Sergeant at Arms to request the attendance of absent Senators.

Mr. TOWNSEND. I realize that this debate is out of order——

Mr. McKELLAR. Mr. President, is it the Senator's intention to call up the bill on Monday?

Mr. TOWNSEND. It is my intention to call the bill up at the very first opportunity which is afforded. I realize that the treaties have the right of way, but I recognize that there may be times when no Senator desires to speak on the treaties, and I intend to take advantage of such opportunities.

Mr. McKELLAR. I think it will take a very short time to dispose of the bill. I do not see any reason why it should take long.

Mr. TOWNSEND. I do not understand that it is going to take any great length of time, but it is going to occupy some time.

Mr. HARRISON. Mr. President, as the Senator evidently directed his moderate censure toward me, may I say that I made the point of no quorum because I believed that when a bill carrying approximately $300,000,000 was being considered there should be in this Chamber more than four or five Senators. I asked the Senator if he intended to call up his bill before I suggested the absence of a quorum. He said he did. I knew nothing about the fact that he was not going on with its consideration, and consequently I suggested the absence of a quorum. If I had known that he was not going to take up controversial matters I would not have raised the point; but I may say in passing that it seems to me that following a speech of an hour's duration by a distinguished Senator on the other side, extolling the virtues of this administration and recounting its achievements and accomplishments, it comes with bad grace at this time not to have a quorum here so that we can pass a great appropriation bill; and if Senators would stay here we could go on with these bills.

Mr. TOWNSEND. Mr. President, I find no fault at all with the Senator's argument. I am in hearty accord with what he has said. I realize, however, that we do not have a quorum here much of the time; and I felt that we could make some progress on a bill which all want passed, and simply pass over all questions about which there might be any controversy. That is my only object. I have waited all day for this opportunity, and I am not complaining.

Mr. WARREN. Mr. President, while I am rather sorry that the Senator in charge of the bill should have informed his colleagues that it was not necessary for them to stay here, because he was not going far with the bill, at the same time there is no reason why there should not be a quorum here at this time of the day, on Saturday or any other day, if we intend to do business. While I agree with the Senator from Alabama that probably we would have some trouble in getting a quorum, it strikes me that we should have a quorum here whether it is Saturday or another day, and I sincerely hope the Senator in charge of the bill will insist upon securing a quorum.

Mr. NORRIS. Mr. President, what is the use of having a quorum? Senators are going on debating various matters and they can speak just as well without a quorum. Why have one? If we are not going to enforce the rule, let us go on without it.

Mr. LODGE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

Mr. CUMMINS, Mr. MYERS, Mr. CURTIS, Mr. ROBINSON, Mr. FRELINGHUYSEN, Mr. MCKINLEY, and Mr. CAMERON entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators having answered to the roll call, a quorum is present.

PRINTING OF SHANTUNG TREATY (S. DOC. NO. 166).

Mr. LODGE. Mr. President, I find that there is only a committee print of the treaty between China and Japan known as the Shantung treaty. I ask that it be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

The order was reduced to writing, as follows:

On motion of Mr. LODGE it was—

Ordered, That the treaty between China and Japan for the settlement of outstanding questions relating to Shantung, with agreement supplementary thereto, be printed as a Senate document.

Mr. LODGE. I move that the Senate return to legislative session.

The motion was agreed to; and the Senate resumed legislative session.

INTERNATIONAL REFORM BUREAU.

Mr. TOWNSEND obtained the floor.

Mr. MYERS. Will the Senator yield to me to make a request?

Mr. TOWNSEND. I yield to the Senator from Montana.

Mr. MYERS. Mr. President, there is here in the city an institution known as the International Reform Bureau. Its superintendent and treasurer is Dr. W. F. Crafts. Recently there appeared in a publication of this city, and in some other publications in the country, a charge that Dr. Crafts has a slush fund of a million dollars with which to get certain legislation through Congress. I am sure there is no truth in the ridiculous charge. However, it would tend to reflect upon Congress, perhaps, as well as on Dr. Crafts. He has written me a letter denying it, and I ask that the letter be printed in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *March 9, 1922.*

Hon. HENRY L. MYERS,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your recent letter, I am sending you additional information about the published charge that the International Reform Bureau has attempted to terrorize Congress into support of our "pet bills" by "a million-dollar slush fund," which reflects, you see, not only on the reform bureau as dispenser of the "slush fund" but also on Congress as receiver of it, and especially on the 10 reform leaders in Congress who are on the bureau's board of directors, Senators SHEPPARD, WESLEY L. JONES, STERLING, MYERS, and CAPPER, and Representatives UPSHAW, HERSEY, SMITH, BARCLAY, and BLANTON, who, if the bureau has a "slush fund," would naturally be supposed to be both dispensers and receivers. In this view, one of these legislators has suggested that a denial and disproof in Congress of this charge, which will otherwise be believed by some despite its absurdity, is "a matter of high privilege." Recent letters, subjoined, from some of these legislators, denying this allegation and describing the reasonable methods by which reform measures are secured, may put a check on much reckless talk about alleged use of improper methods in legislative work for home protection laws.

In a quarterly magazine entitled "Liberty" in its issue for the third quarter of 1921, and in press reports in Buffalo Express and other papers of a lecture often given by its editor, the following statement is made:

"Dr. Wilbur F. Crafts, the superintendent of the International Reform Bureau, who styles himself a 'professional reformer' and 'Christian lobbyist' at Washington, according to published reports of the Washington papers, recently threatened every Congressman with political beheadal by the churches, whose animosity he would stir up by a slush fund of a million dollars which was at his command, if Congress did not pass his pet Sunday bills which were then pending."

The truth or falsity of this charge is a concern, you see, not only of the reform bureau and of Congress but also of the "Washington papers," especially if they really said what is attributed to them, if it is not true.

When Prof. Charles A. Longacre, the editor who made the serious charge above, was asked to prove it, he quoted, in a letter dated December 2, 1921, the actual statements of "Washington papers," which he had professed to summarize. The first quotation was from the Washington Times of December 10, 1920, where it was not stated that I had "a million at command" but was "expecting" it (I thought the interview sent out widely to the press might prompt some millionaires to give it), and desired to use the million for promoting many reforms, no reference being made in the Times to any "Sunday bills" pending but only to indefinite "blue laws" as a part of our program with "safeguarding prohibition," "putting the Bible in the schools," etc. In fact, no "pet Sunday bills" of the bureau were pending; no Sun-

day bill at all except one for the District of Columbia in charge of a local society, a bill that corresponded to Sunday laws in force in all States save California. Our efforts as to Sunday are to maintain State Sunday laws and improve Sabbath observance by the churches.

Prof. Longacre's second citation was from the Washington Star of December 10, 1920, page 18. This quotation also described the "million dollars" not as at my "command" but as "expected."

These were the only citations Mr. Longacre could quote from "Washington papers," and in neither of them was there any reference to a "slush fund" or any intimation that the money was to be used for anything but open promotion of legislation that, in the words of Edmund Burke, "makes it harder to do wrong."

The "slush-fund" charge, even before it was published in the Liberty Magazine, appeared in exactly the same words in the Buffalo Express of May 9, 1921, in a report of a lecture by Mr. Longacre the night before to a large audience, which had no knowledge that he was really a sectarian defender of the Saturday Sabbath, for the Religious Liberty Association, for which he spoke as secretary, posed as a nonsectarian champion of American liberty. That the charge was in exactly the same words as in the magazine showed that Mr. Longacre furnished the press report. The same lecture was given in many cities, where the miscellaneous "antiblue law" forces, bootleggers, prizefighters, gamblers, and Sunday profiteers gathered, apparently glad to find one religious body that would furnish a chaplain for the motley crowd, the aims of the other members of the alliance being too manifestly selfish to make any appeal to outsiders.

The Jewish Sabbath Alliance had deliberately declined to defend people of any race that observe neither Saturday nor Sunday but continue their business seven days a week.

That Mr. Longacre, on the platform and in the press, joined in the nation-wide cry that a Puritan "blue law" was "pending in Congress for the whole country" was the more reprehensible in that he was living almost at the door of Congress, and by a mere telephone call to the document room of House or Senate might have learned that *no national Sunday law, drastic or otherwise, has been introduced by anyone in Congress in the quarter century of the Reform Bureau's history.*

Mr. Longacre having found nothing in the Washington papers about the "slush fund," and having a wholesome fear of the consequences of making such a charge out of his own head, printed in Liberty magazine of the first quarter of 1922, page 27, what he labeled "A denial and corection," but in fine print and on an obscure page and with a specious plea that "slush fund" is not defined in dictionaries, and that he "did not mean to imply Dr. Crafts obtained it or was going to use it in a corrupt way," as if "slush fund" was not a well-known synonym for a legislative bribery fund of dirty money, to be used in ways that would not bear the light. There was nothing in the correction like the manly frankness with which Frederick the Great showed his greatness by saying unqualifiedly, "I made a mistake."

The correction would not in any case be expected to reach 1 per cent of those who heard and read the original charge against the Reform Bureau and Congress. My demand for a further correction in the daily press was frustrated by Mr. Longacre insisting on discussing a lot of other Seventh Day Adventist theories and quarrels under which the false charge to be retracted would have been buried out of sight.

Mr. Longacre's most libelous charge, that the Reform Bureau "had at command" a "slush fund of a million dollars," could not fail to interfere with the much needed support of the bureau in two ways: First, by the charge that the funds were improperly used; second, by giving the public to understand that in any case the Reform Bureau had more than enough funds, and needed no help from anybody. In fact, the bureau's audited report of the year ending June 30, 1921, showed that its total receipts, plus funds on hand at beginning of the fiscal year, were only $55,600. The previous year it was $56,000, which is as large a sum as it ever collects in a year for its manifold reform work, now including law enforcement, suppression of gambling, marriage and divorce amendment to the Constitution, investigation and regulation of motion pictures, and placing Bible readings and commandments in the schools.

For more than a quarter century this bureau has helped Congressmen to carry good bills, including 18 that were introduced on the bureau's request, two of them by the present Speaker, Hon. F. H. GILLETT, one on divorce, the other to protect savage islands having no civilized government against American traders bringing them rum, opium, and firearms. Mr. GILLETT, on hearing of the "slush fund" charge, wrote to Dr. Crafts the following letter under date of March 6, 1922:

LETTER FROM SPEAKER F. H. GILLETT.

"I have known you well for many years and I never have seen any evidence of your threatening Congressmen or using any improper influence, either by what your critics call a slush fund—of whose existence I never had any suspicion—or in any other way."

One of the bureau's bills, skillfully carried to victory by Congressman Sims, put the Benning race track on the scrap heap. Another, introduced by Mr. Roddenbery, of Georgia, prevented fight films of the Johnson-Willard match in Habana from brutalizing the boys of the Nation. Senator NORRIS has certified in writing that the war prohibition act as finally passed was in the main the work of the Reform Bureau, which has always cooperated with its big temperance allies, the Anti-Saloon League and the Woman's Christian Temperance Union, as Belgium fought with France and Britain.

That phrase "professional reformer" used by Mr. Longacre, as if it were a term of reproach, is a curious illustration of how people pick up counterfeit phrases and give them undeserved currency through failure to test them by a moment's clear thinking. When people want a doctor they want a professional doctor, not a quack; and when they want a lawyer they want a professional lawyer, not a shyster; and so when they want reform, which means restoration to normalcy, as when a doctor sets a leg that was out of joint, they should want a professional reformer, not an amateur.

And the "Christian lobby," also spoken of disparagingly by Mr. Longacre, is simply the place where legislators meet Christian experts for counsel. Selfish men may get into the lobby, but in a representative government the people have a right to consult with their public servants, who ought to be able to resist a knave even better at the door of a legislative hall than in the privacy of a house or hotel.

Seventh Day Adventists' lobbying is near insanity, because based not on facts of history but on their "pet" theory of prophecy, which is that if work and business is stopped in Washington by law on the national rest day it will necessarily lead right on to compulsory church-going on Sunday on penalty of death, though Sunday laws now existing in all our States, save California, are having no such effect.

These Seventh Day Adventists have just sent out—so Mr. Longacre told me in a recent letter—a million copies of an "extra" edition of the "Liberty" magazine, each copy attacking two Sunday bills and a 6-day bill for the National Capital, in the nature of city ordinances against conducting labor and business on seven days a week. In each of these magazines there is a printed petition to Congress that confuses the ignorant with the assumption that "prohibition of secular labor and business on any stated day of the week" is a "union of church and State" and "the enforcement of a religious observance" and therefore "subversive of religious liberty" and "should be opposed by every lover of liberty"—all this in face of the fact that religious liberty, civil liberty, and "personal liberty" for one free day every week are all found in largest measure in those countries where Sunday laws have long been in force.

Talk about threatening Congress with "a million dollar slush fund"! What about flooding Congress with a million of such disguised sectarian petitions, that hide opposition to American Sunday rest under the unspoken assumption that if Congress stops Sunday work it must ere long compel Sunday worship under penalty of death?

The Washington Star of March 12, 1922, published, no doubt from copy furnished by the Seventh-day Adventists, whose national headquarters are at Takoma Park in this city, an article headed, "Protest of Blue Laws." Liberty, a magazine of religious freedom, which is vigorously opposed to "blue-law legislation, not only in the District of Columbia but in the States as well, is to be distributed throughout the city the coming week by the Religious Liberty Association of America, with headquarters at Takoma Park." Not a word to intimate that the Liberty Magazine is published by Seventh-day Adventists, who control the Religious Liberty Association as one of their agencies. What do the people and Congress think of such a camouflage in sectarian warfare?

I will show you, if desired, a copy of Seventh-day Adventist book of "Bible Readings," whose sectarian purpose is disguised, that will solve for many legislators and others the puzzling question why Seventh-day Adventists devote more money, zeal, and effort to fighting Sunday rest in law and Sunday observance in practice than to fighting the great social evils which they oppose when not absorbed in fighting Sunday.

In spite of their persistent efforts they expect Sunday laws will prevail because they think the Bible so foretells. One chapter in this official Seventh-day Adventist book teaches that the United States Government is "the third beast" of Revelation xiii, 11–17, which "had two horns like a lamb but spake as a dragon," and is to repeat, they hold, the persecution, unto death, of the first and second beasts, "pagan and papal Rome." This lamb-dragon, that is to take the place of the American eagle as our symbol, they say will make a law of Congress to compel everybody to go to church on Sunday—including all Congressmen themselves—on penalty of death. Here is a representative sentence from this book which is a key to all the intense activity of this sincere but obsessed people:

"The voice of the dragon (that is, the United States Government) is the voice of intolerance and persecution. This indicates that this Nation, which for over a century has stood as a beacon light of liberty to all the world, will repudiate its mild and lamblike professions of civil and religious liberty, and become a persecuting power."

There is in this publication reference to a photo-engraving facsimile of this "third beast" from a Seventh-day Adventist chart. I call it "a horned hog," because the head of this imaginary beast looks to me like the head of a wild boar. The body, they tell me, is intended to look like a lion. Certainly the whole imaginary symbolic figure does not look like a "lamb-dragon." But the drawing is not important and should not divert attention from the amazing devotion to a fanciful theory of prophecy that makes a whole denomination believe more than anything else in their creed that history is going back fifteen to twenty centuries and a nation of whom only half go to church is going to inflict capital punishment on everybody who does not go to church on Sunday—as if such a church-going could be secured, and as if it would be of any use if it could be secured.

We admit the sincerity of these Seventh-day Adventists, and their industry and generosity, and their loyalty to prohibition—except when they have to choose between helping prohibition or hitting Sunday. But surely we ought not to allow people so crazed by the "beasts" of Revelation to influence us against American institutions and American associations.

I subjoin the letters previously referred to, from national legislators who are also International Reform Bureau directors, and in that capacity and as national legislators have long been familiar with the bureau's legislative work.

Yours for a "better world" here and now.

WILBUR F. CRAFTS.

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LETTERS FROM SOME LEGISLATOR-DIRECTORS OF REFORM BUREAU ON "SLUSH FUND" CHARGE.

[From Senator WESLEY L. JONES, of Washington State.]

Your favor of March 1 with reference to the charge that you had a "slush fund" of a million dollars and "threatening Congressmen" to do your will with reference to bills, etc., at hand.

These charges are so ridiculous that they do not deserve any attention whatever. You have conferred with me often with reference to matters of legislation in which you are interested, but you never suggested or intimated in any way, manner, or form that if I did not do as you wanted me to do you would try to injure me politically or otherwise. You have always presented your matters to me upon their merits and left them with me to do as my judgment dictated.

—

[From Hon. ADDISON T. SMITH, of Idaho.]

I am surprised to learn that a charge has been made that you ever threatened to antagonize the reelection of Congressmen who were not in sympathy with legislation which you have so ably sponsored. My acquaintance with your activities extends over a period of a quarter of a century and at no time have I ever observed that you attempted to influence Senators or Members in any other way than by arguments appealing to their intelligence. There are many laws on the statute books, through your initiative and influence, which have been for the benefit of the general welfare of the people which otherwise would probably never have been enacted.

—

[From Senator HENRY L. MYERS, of Montana.]

As a Member of Congress who is well acquainted with you and your congressional work, I utterly repudiate the statement that you ever threatened with defeat every or any Congressman who does not vote for bills which you advocate or who does not obey your behest or work in conjunction with you. I am surprised that anyone would make such a charge. I am sure it is absolutely false and unfounded.

Those are not your methods. I have known you long and intimately and am well acquainted with your congressional work. I know you are or have been interested in many measures, all measures for that matter, for the betterment of humanity, for good government, for better morals, and for cleaner living, but in advocating such measures you only use argument and persuasion and you deal only in facts. Your work has been strictly legitimate, highly honorable, and of a clean nature. I have never heard of your having at command a slush fund of $1,000,000 or $1 or any money at all except for your few needs and very moderate legitimate expenses.

So far as I know, there is pending in Congress no Sunday bill for the Nation at large. Congress has no jurisdiction of such matters. I believe there are two or three Sunday observance bills for the District of Columbia pending in Congress, and, so far as I know, you have had nothing to do with any of them. I introduced one, and it was not at your suggestion. I did it purely of my own volition. I am sure you are doing a good work, and I am sure that no improper motive or improper methods with which you may be charged can be substantiated.

—

[From Senator MORRIS SHEPPARD, of Texas.]

I have had a number of conferences with you regarding legislation, and I have never known you to use threats or improper arguments of any kind. I have never heard of your pursuing this course with anyone else.

The statement that you were or are connected in any way with a slush fund is, of course, entirely without foundation.

—

[From Senator THOMAS STERLING, of South Dakota.]

In connection with legislation relating to enactment and enforcement of national prohibition and restraint of race gambling, I have had frequent occasion to confer with you, and have also met you and your associates in the Reform Bureau management at annual councils, and have never seen anything to suggest that either money or threats were used to influence the action of legislators.

The Reform Bureau's plan is, as I understand it, to have reform experts outside of Congress bring the facts in the case to those in charge of bills on the inside, and to rally public support to bills that are regarded by both groups as at once desirable and practicable.

—

[From Hon. IRA G. HERSEY, M. C., of Maine.]

I have your letter of the 2d instant, and note what you say. Do not be disturbed by these unwarranted criticisms about your work here. Our enemies, of course, have to say something from time to time, but I do not pay any attention to them, as we know practically all their statements are unfounded. They can not hurt you, in my opinion. Come in any time and talk it over with me if you feel there is anything I can do to help you. I would not pay any attention to these slurs about what your enemies think.

—

[From Hon. WILLIAM D. UPSHAW, M. C., of Georgia.]

I am glad, indeed, to have your letter of March 2, but I am possessed with a feeling that is a cross between outrage and amusement to learn that some blind or designing "phule" has been charging that you have been "threatening every Congressman" who didn't vote for Sunday restriction laws, and yet more solemnly amused at the suggestion that you have a "slush fund" for the purpose of intimidating and submarining "poor defenseless Congressmen."

As one of the directors of the International Reform Bureau, I know that the story about the "slush fund" is an unmitigated, unfumigated lie, while the claim of your carrying a bloody guillotine for wayward Congressmen is the same kind of an article, needing a disinfectant.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (S. 2897) to appropriate $1,500,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture, and it was thereupon signed by the Vice President.

AGRICULTURE IN THE SOUTH AND SOUTHWEST.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD a statement of Dr. H. A. Morgan, the president of the University of Tennessee, for a long time the head of the department of agriculture at the University of Tennessee, on the subject of agricultural investigations and research, especially as applied to our southern part of the country. I think it will be interesting reading.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF TENNESSEE,
Knoxville.

The Nation owes a peculiar obligation to the South. This can, for the following reasons, be better paid in support of agricultural investigations and research than in any other way.

1. For more than three-quarters of a century the Southern States have produced practically all of the Nation's cotton, and prior to the advent of the Mexican boll weevil the major supply of the world. As I shall point out presently, this has been done by an enormous loss of soil fertility and the development of agricultural, social, and economic problems very difficult of solution. Twenty-five years ago the United States produced 90 per cent of the world's cotton, but in 1921 not more than 50 per cent. To lose our position in cotton production means a loss of world prestige that no other crop or combination of crops grown in this country can equal. If our cotton production influence is to be maintained, more extensive investigations must be inaugurated in soil restoration, plant selection, systematic rotation, and in methods of controlling insect pests and cotton diseases. To relinquish our position in the production of cotton would most seriously affect the agricultural, industrial, commercial, and domestic life of the Nation. The by-products (cottonseed meal and oil) are nearly as national in their distribution as cotton fiber, and while substitutes may be found for these by-products their place can not be filled without expensive economic adjustment and liberal investigation.

2. Special crops, other than cotton, produced only in this territory enter into the commerce of the whole country. Sugar cane, dark tobacco, citrus fruits, peanuts, cowpeas, velvet beans, and Japan clover are among the most important.

3. From November to May the Nation is dependent upon the Southern States for the major supply of all fresh vegetables and strawberries, and during May and June for all spring lambs. Investigations conducted in connection with the economic production and marketing of these commodities by the experiment stations of the South are of vital importance to the marketing agencies and to the consumers in the States of the North, East, and West.

4. The South and Southwest are rapidly becoming the supplemental hog and cattle producing area for the feeders of the corn in the States of the Middle West.

5. For many years the States of South Carolina, Florida, and Tennessee have been the Nation's source of phosphate. This material has formed the dominant part of the mixed fertilizer industry available alike to the whole country. Through lack of adequate investigations and organization millions of acres of our own land fundamentally weak in phosphorus have become less productive, while the high-grade rock phosphate was shipped abroad. The experiment stations have clearly shown this element to be the limiting factor in crop production and are largely responsible for the more intelligent use of phosphate and the interest in its conservation.

6. The feeders of dairy and beef cattle north of the Mason and Dixon line have found the thousands of tons of cottonseed meal and cake one of the chief and also cheapest sources of protein food.

7. On the other hand, the cotton States have always been an important market for the surplus corn, wheat, small grains, hay, beef, pork, dairy products, orchard fruits, and pure-bred live stock of all classes. Ninety per cent of the draft mules of the South are purchased as weanlings in Indiana, Missouri, and Illinois.

For these reasons the whole Nation is vitally interested in the South's agricultural prosperity. The main source of this prosperity is restoration and maintenance of soil fertility. All of the States join in the request for additional support for agricultural investigations that cotton in spite of the weevil may be economically produced and marketed and the social conditions of the grower may be very greatly improved.

In the production of this national crop the waste of soil fertility has been enormous and is not generally realized. More than $70,000,000 worth of plant food are annually removed, largely through the seed. This loss of plant food is based upon a 10,000,000-bale crop and prevailing prices of commercial plant food. If this loss could be recovered, it would soon pay for operation of Muscle Shoals as a source of power or as a fertilizer-producing organization.

Land producing 450 to 600 pounds of seed cotton and 15 to 18 bushels of corn per acre is an agricultural menace. To remedy these conditions agricultural experiment stations have put forth every effort with the comparatively limited resources and facilities at their disposal. Apparatus for the measuring of fertility has been devised and soils from various areas have been placed under chemical control so as to determine the actions and effects of various plant foods (fertilizers), limes, legumes, and systems of cropping. The returns are of incalculable value, but soil problems are complex and results slowly achieved. (See news-letter attached.) With additional support, now that technical methods have been worked out, dozens of other soil plants in as many States would be put into operation.

The returns from the agricultural stations of the South have more than justified the investment. Some of the results I shall here enumerate.

SEC. 1. The larger part of the Southern States is especially adapted to dairy and beef cattle production. This large part of the country has been deprived of a profitable cattle industry because of the prevalence of the cattle tick. In the effort to produce cattle in spite of the tick from $50,000,000 to $100,000,000 were annually lost in the infested territory. In addition, large amounts of money have been spent in carrying out quarantine and protective measures. Life history and habit studies of the cattle tick revealed methods of control and eradication. Already more has been saved in one year from these investigations than will be spent on the entire eradication program. In a few years this pest will be eradicated from the United States, many millions saved annually, and a vast territory opened to profitable dairy and beef husbandry. This means successful crop rotation and pasture areas that have heretofore been denied this territory and in turn assures the South of permanent cotton production without the social and economic penalties associated with a single crop system.

Since tick eradication was inaugurated four grand championship prizes in the beef classes of Shorthorn, Hereford, and Angus at the International Live Stock Exposition have been awarded to animals raised in what were formerly tick-infested States.

SEC. 2. Twenty years ago grain sorghums, plants usually productive in the dry areas of the Southwest, were practically unknown in that region. As the result of careful plant selection and breeding by the experiment stations in cooperation with the United States Department of Agriculture, more than 80,000,000 bushels are now annually produced.

SEC. 3. A few years ago the Louisiana stations undertook the introduction and selection of sugar-cane varieties from lands where the season was adequate for the maturing of seed. So successful were these experiments that the entire cane-producing territory of the South has been planted to one or more of these introductions. The qualities sought and procured in these experiments were storm resistance, greater tonnage per acre, and an increase in sugar content. The success of this work stabilized the sugar-cane industry and assured the continuance of this important crop in a territory better suited to cane growing than any other crop. It also saved the State large amounts of money invested in equipment for production, manufacture, and distribution of cane sugar.

SEC. 4. Cotton production has been threatened many times by insect and plant-disease attack. Anthracnose and angular leaf spot, two destructive seed-bearing diseases, have been investigated by the experiment stations of the Cotton States and means of control discovered. Through years of patient study of the life histories of these diseases it was found that the spheres (seeds) of these parasitic plants were carried over from one season to another on the cotton seed and planted with it. Exhaustive laboratory tests proved that these spores were easily destroyed by drying, and the simple method of keeping seed in

thoroughly dry places for more than one season or drying by artificial heat killed the spores and saved the crop.

SEC. 5. Investigations by stations proved that a part of the life of the organism known as the apple rust was spent on common cedar. By the eradication of cedars to within 2 miles of the orchards the great losses accruing from rust were prevented.

SEC. 6. The citrus interest of the Nation have been twice threatened by enemy invasion, first by the cottony cushion scale, which was controlled by the introduction of the Australian "ladybug," a predaceous beetle, then again a few years ago by a most destructive disease known as canker. The researches which were begun at the Alabama Experiment Station clearly indicated the methods of extermination that finally eradicated the disease and saved a most profitable industry in a territory better adapted to citrus production than anything else.

SEC. 7. The stomach worm is a serious enemy to sheep. Investigations have revealed methods of control by systems of cropping and pasture changes that guarantee in grain and crimson clover areas a profitable spring-lamb production otherwise impossible.

SEC. 8. Throughout the South the weevil is the most destructive pest to stored corn. Large investments have been made to develop equipment to prevent this loss. Methods of preventing this weevil damage have been developed by experiment-station workers. Resistant strains of corn have been produced, and from habit studies of the insect a system of trapping the hibernating weevils has proven an excellent method of control.

SEC. 9. For many years serious loss occurred on sugar plantations and in factories from sugar inversion caused by molds that lived upon the sirup which enveloped the sugar grains. Experiment-station laboratory studies revealed the fact that extra drying destroyed the molds. At slight expense additional drying was provided and the loss prevented.

SEC. 10. Tobacco-plant beds have been ravaged by flea beetles. This insect has been one of the chief enemies of young plants. From recent studies it was found that the suckers or second growth produced from the stump after the crop was gathered supplied sufficient food to carry the beetles to the winter or hibernating period. By the destruction of the suckers, which are of no value, the beetle perished and the attack upon spring plant beds prevented.

SEC. 11. Throughout a large area of the Southern States the growing season extends through the winter months. From 10 to 20 per cent of the entire growing season is between the time of harvesting and planting of summer-grown crops. Barley, under such conditions, is an important crop. The beardless varieties were unable to endure the minimum temperatures, as were the bearded varieties. The latter, however, were unpopular and little grown. By cross breeding beardless barley varieties were produced upon the Tennessee Experiment Station. These productions are being extensively used for winter grain, thus utilizing the land during the winter growing season, preventing land erosion, and making possible the production of two crops a year. The barley provides winter pasture and a grain crop the equal of corn in feeding value and yield per acre.

SEC. 12. One of the great achievements of station investigations was the study and the discovery of the cause of so-called "clover sickness." Thousands of dollars were annually invested in the preparation and seeding of red clover, only to be lost by the "clover sick" disease. Both remedies and resistant strains were finally obtained, and clover again established in States where for more than a quarter of a century it had proven a failure. In addition to the value of the plant for hay, clover had been the main legume used for the recovery of nitrogen from the air. Its reestablishment upon the farms of the South is of incalculable value in forage production, soil restoration, and economical system of crop rotation.

SEC. 13. The soft-pork losses are under investigation. Peanuts and soy beans are vital to southern pork production. Discrimination against peanut-fed hogs is about one-fifth of the present value, which amounts to millions annually. A complete corn ration at the close of the fattening period gives promise of an early remedy for this serious loss.

I wish now for a few moments to call your attention to some conditions which are not only forcing changes in projects of research and investigation but a readjustment of our teaching and extension programs. These changes mean ultimately a very great revision of the agricultural practice in the South, which in turn will react upon the entire agricultural topography of the Nation.

1. The spread of the Mexican boll weevil over practically the cotton-producing area. One living outside this region can not realize what this means. Farms which for generations were devoted to cotton are now changing to pasture and hay crops or the growing of winter grains or are abandoned. Silos are under construction for the use in dairy and beef farming. Cooperative creameries producing products formerly imported from the North. Efforts in the production of fruit and vegetables are proving successful, and larger areas are being devoted to corn, beans, peanuts, and alfalfa for pork production. The experiment stations are the sources of information related to these adjustments. Unless investigational institutions can develop this information under conditions peculiar to the States involved, and in turn pass the information on to the extension forces, complications will arise and serious losses are inevitable.

2. The emphasis placed during the war upon the production of feed and food products necessary for home consumption, to make available the surplus for overseas and to lessen the congestion of railroad traffic, has become more or less of a fixed economic policy in the South. This has stimulated even home markets for surplus products. Commodities formerly imported from other sections of the country are less in demand. This is particularly true of hay, forage, corn, pork, dairy, and poultry products. The greatly increased freight rates have promoted the live-at-home policy.

3. There has been a remarkable change in the rural population of the South. Thousands of negroes migrated to the cities of the North and South during the war and the year immediately succeeding. Through southern winter resorts and otherwise the agricultural opportunities of the South on cheaper lands have become more generally known. The tide of immigration is gradually shifting from the West to the South. Economic changes are inevitable. The northern farmer must have information about the changes that a larger growing season and different climatic and soil conditions have upon the farm practice he brings with him. His social setting is different. He applies to the experiment station for assistance. His coming produces a new condition. He brings the experiment station's problem with him. I therefore submit, gentlemen, that these factors generate new problems for investigation. The investment of additional funds seems necessary by the conditions that are presented, and I feel sure that these supplemental funds will bring even greater returns to the agriculture of the Nation than the original amounts Congress appropriated under the Hatch Act.

POST OFFICE APPROPRIATIONS.

Mr. TOWNSEND. I ask that the Post Office appropriation bill, House bill 9859, be laid before the Senate and proceeded with.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill (H. R. 9859) making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes, which had been reported from the Committee on Post Offices and Post Roads with amendments.

Mr. TOWNSEND. I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for the consideration of the committee amendments first.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. The Secretary will read the bill for action upon the amendments of the committee as they are reached.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Post Offices and Post Roads was, under the head "Post Office Department, Washington, D. C.," on page 2, line 18, before the words "at $1,800 each," to strike out "18" and insert "26"; in line 19, after the word "and," to strike out "78" and to insert "86"; in line 24, before the word "assistant," to insert the word "two"; in line 25, before the figures "$1,000," to strike out "mounter" and to insert "mounters, at"; in the same line, after the figures "$1,000," to insert "each"; on page 3, line 14, before the figures "$1,200," to strike out "1" and to insert "3 at"; in the same line, after the figures "$1,200" to insert "each"; in line 16, before the figures "$1,000," to strike out "1" and to insert "3 at"; in the same line, after the figures "$1,000" to insert "each"; in line 19, after the words "at $660 each," to insert "6 chauffeurs at $1,000 each"; and in line 23, to change the total appropriation from "$1,798,730" to "$1,835,730," so as to make the paragraph read:

SALARIES.

Office, Postmaster General: Postmaster General, $12,000; chief clerk, including $500 as superintendent of buildings, $4,000; private secretary, $2,500; disbursing clerk, $2,250; appointment clerk, $2,000; assistant to chief clerk, $2,000; confidential clerk to Postmaster General, $2,000; chairman, board of inspection, $2,000; chief inspector, $4,000; chief clerk to chief inspector, $2,000; purchasing agent, $4,000; chief clerk to purchasing agent, $2,000; assistant attorneys—1 $4,500, 1 $3,500, 2 at $2,750 each, 1 $2,500, 1 $2,000; bond examiner, $2,500; division of postal savings—director, $4,800; assistant director, $3,000; chief clerk, $2,500; clerk in charge of administrative section, $2,000; clerk in charge of audit section, $2,000; law clerk, $1,800; clerks—120 at $1,800 each, 172 at $1,600 each, 286 at $1,400 each, 356 at $1,200 each, 138 at $1,000 each, 26 at $900 each; skilled draftsmen—3 at $1,800 each, 8 at $1,600 each, 5 at $1,400 each, 7 at $1,200 each; map mounter, $1,200; 2 assistant map mounters, at $1,000 each; blue printer, $900; assistant blue printer, $840; telegrapher, $1,400; typewriter repairer, $1,200; 3 telephone switchboard operators at $720 each; 6 messengers in charge of mails, at $900 each; 30 messengers at $840 each; 18 assistant messengers at $720 each; captain of the watch, $1,200; additonal to 3 watchmen acting as lieutenants of watchmen, at $120 each; 34 watchmen at $720 each; 2 engineers, at $1,200 each; 9 assistant engineers, at $1,000 each; 2 blacksmiths or steam fitters, at $1,000 each; 3 oilers, at $840 each; 16 firemen, at $720 each; 20 elevator conductors, at $720 each; chief engineer, $1,600; assistant electricians—2 at $1,200 each, 3 at $1,000 each; 2 dynamo tenders, at $900 each; carpenters—1 $1,600, 3 at $1,200 each, 2 at $1,000 each; plasterer and mason, $1,200; awning maker, $1,000; painters—1 $1,200, 3 at $1,000 each; plumbers—1 $1,200, 1 $1,000; laborers—foreman $900, assistant foreman $840, 2 at $840 each, 78 at $720 each, 4 at $660 each; 6 chauffeurs at $1,000 each; female laborers—1 $540, 3 at $500 each, 7 at $480 each; 58 charwomen at $240 each; actual and necessary expenses of the purchasing agent while traveling on business of the department, $500; in all, $1,835,730.

Mr. HARRISON. Will the Senator tell us how many new places are created and how many places have been allowed increased salaries in this provision?

Mr. TOWNSEND. There is only one case of an increase in salary in the bill. That is where we cut out the position of clerk in charge and substituted the position of assistant superintendent. There was one assistant superintendent. Formerly there had been two assistant superintendents, but it was changed in a previous bill to one assistant superintendent and one clerk in charge, the salary of the latter being $2,250. This official is doing as important work as the assistant superintendent, so we raised him to the same salary and gave him the title of assistant superintendent, making two assistant superintendents in this division.

Mr. HARRISON. He is getting $4,000 now?

Mr. TOWNSEND. No; we increase his salary to $3,000 and change his title from clerk in charge to assistant superintendent.

Mr. HARRISON. Is that the only place where an increased salary is provided for?

Mr. TOWNSEND. That is my recollection now.

Mr. HARRISON. I notice that the House provided for 118 employees at $1,800 a year, and the Senate committee has made it 126 employees, an increase of 8 places.

Mr. TOWNSEND. I did not answer the second question the Senator asked. The first was as to how many salaries had been increased. The Senator then asked me how many new places had been created. We created 16 clerkships, because the increase in the business of the Post Office Department required it. It is not out of keeping with the usual annual increase of places.

Mr. HARRISON. Six of those new places were at $1,800 each.

Mr. TOWNSEND. Eight of them, and eight of them at $1,400. The latter is the salary those clerks are receiving now. We put them in that grade.

Mr. HARRISON. Are these six chauffeurs at $1,000 new employees?

Mr. TOWNSEND. They are. Those are places which are now filled by clerks who are paid much more than $1,000 a year. Clerks are detailed to do this work, and they are detailed in other places for mechanical work, as carpenters, and so on.

After looking over the whole situation, and listening to all the evidence, it was thought that it would be better to create places, paying the employees smaller salaries. These chauffeurs are not for the officers of the department, but are for the service of the department, taking the mail from one place to another.

Mr. HARRISON. These places were recommended by the Budget Bureau?

Mr. TOWNSEND. All of them are, and many others were which are not in the bill.

Mr. KING. I would like to ask the Senator how many new positions were created by the bill as it passed the House?

Mr. TOWNSEND. I was just trying to answer that, and had not finished when the Senator from Mississippi sat down.

We have provided in this bill for 100 inspectors. We have added a hundred post-office inspectors to the bill, and that is a question I will be very glad to discuss when we get to it. If the Senator desires to have me discuss it now, before we reach it, I am perfectly willing to do so.

Mr. KING. I should be glad if the Senator would state the aggregate number of increases in the personnel.

Mr. TOWNSEND. I do not know that I can tell the Senator, but I have mentioned practically all of them. There may be a few more, but I think not. I do not recall any. I have not in mind any other places which have been created.

Mr. KING. Are most of the increases with respect to work in Washington, or do the increases relate to work outside of Washington, in various grades of the service?

Mr. TOWNSEND. We have made increases in a lump sum, as we always do; for instance, in Rural Delivery Service the usual amount made necessary by the growth of that department. That necessarily means the employment of carriers to cover the routes which are established; but we have created no new positions except those I have already mentioned. We created the position of chauffeur, instead of allowing clerks, drawing higher salaries, to do that work.

Mr. KING. Can the Senator state the aggregate number of increases for all purposes, inside of Washington and outside of Washington, including the number of increases for rural delivery, for activities upon the mail cars, and in all of the branches of the service?

Mr. TOWNSEND. I could not tell the Senator that.

Mr. KING. It would be a number of thousand, would it not?

Mr. TOWNSEND. Oh, no. We have necessarily had to provide for an increased number of clerks in the post offices due to the growth of the system, a growth which we have to meet every year. We have to make provision for the salaries. We do not mention the number of employees that can be secured, but carry it in the usual way.

Mr. KING. Is there any way of determining the number of increases in the personnel for all purposes, including rural free delivery, mail carriers, mail clerks, and so on?

Mr. TOWNSEND. I can not tell that. When we get to the items I can give a better estimate.

Mr. KING. Can the Senator advise the Senate as to the increase in the aggregate appropriations carried by the bill over the appropriation in the bill of a year ago?

Mr. TOWNSEND. If the Senator has the report——

Mr. KING. I have it.

Mr. TOWNSEND. He has the whole story there beginning on the first page. I want the Senate to understand that the bill is carrying items which were not carried in the last bill. We are carrying items of appropriation for the Post Office Department in Washington which have never been in our bill before. We are doing some things which necessarily add to the total appropriation, but the receipts and the disbursements are set forth on the first page of the report, and I think the Senator will find his answer there.

Mr. WARREN. The present bill carries the employees of the department in Washington who formerly were carried in the legislative, executive, and judicial appropriation bill.

Mr. TOWNSEND. That is correct.

Mr. HARRISON. How much does that amount to, may I ask the Senator, if he has the figures? What is the total amount carried in that item?

Mr. TOWNSEND. For the city of Washington?

Mr. HARRISON. I understand there are items carried in this bill that heretofore have been carried in another bill.

Mr. TOWNSEND. Yes.

Mr. HARRISON. What is the total amount of those items?

Mr. TOWNSEND. I am not able to answer the Senator. I have not figured that up. I think it is something over $4,000,000, but I am not certain.

Mr. HARRISON. The Senator from Michigan, in answer to the question of the Senator from Utah, states that he would find on the first page of the report the amount carried in last year's appropriation bill. I do not find it here. Will the Senator state it so that it will appear in the RECORD? I refer to the amount carried in the last Post Office appropriation bill.

Mr. TOWNSEND. The total amount is $576,000,000.

Mr. HARRISON. That includes deficiencies?

Mr. TOWNSEND. Yes; it includes everything that was in the bill that was used by the department.

Mr. HARRISON. What was carried, if the Senator has the figures, in the last general Post Office appropriation bill, not counting the deficiencies?

Mr. TOWNSEND. I have not had that given to me in separate items. I have it here as the total amount appropriated for the Post Office Department.

Mr. HARRISON. The total amount carried in the bill is how much?

Mr. TOWNSEND. Six hundred and twenty-three million dollars.

Mr. HARRISON. And the amount carried in the general appropriation bill last year, including deficiencies, was $576,000,000?

Mr. TOWNSEND. But that did not include any appropriation for good roads. That was simply for the Post Office Department proper. The present bill carries not only the amount for the Post Office Department proper but for roads.

Mr. HARRISON. How much is the amount carried for roads?

Mr. TOWNSEND. Fifty million dollars. We have increased the amount carried in the bill as passed by the House about $19,000,000.

Mr. KING. May I inquire of the Senator whether the deficit shown here of $166,671,064.44 is the deficit for the current year?

Mr. TOWNSEND. That was the excess of expenditures over receipts for the last fiscal year.

Mr. KING. One hundred and sixty-six million dollars?

Mr. TOWNSEND. Yes.

Mr. KING. Then, stripped of all extraneous matters, we lost $166,000,000 in the Post Office Department during the past year?

Mr. TOWNSEND. That included some items of deficiency which existed prior to last year. For instance, we fixed a rate by law for the carrying of mail by the railroads. We also provided that the Interstate Commerce Commission could review that rate, and if it was found an inadequate rate it could increase it. It did that and carried the increase back for three years. In the deficiency item that amount is charged, and it aggregates something like $76,000,000. Then there are some other items carried over.

Mr. KING. Of course a part of that would be a legitimate charge to this year?

Mr. TOWNSEND. The expenditures chargeable to the year included the year's increase for railroad transportation, about $30,000,000. This was in addition to the back pay mentioned. The expenditures also included about $41,500,000 increases in compensation under the reclassification act.

Mr. BROUSSARD. Mr. President, I think the Senator from Michigan misunderstood the question propounded by the Senator from Utah. I understood the Senator from Utah to ask if the Post Office Department had lost $166,000,000. As a matter of fact, it did not, because the bill does not carry the revenues derived from the Post Office Department which go into the Treasury. It is not a loss.

Mr. TOWNSEND. I am talking about the excess of expenditures over receipts.

Mr. KING. That would be a loss, would it not? If the expenditures exceed the receipts by $166,000,000, there would be that much loss.

Mr. TOWNSEND. If the Senator will take out of the items the amounts charged against the Post Office Department which it had to meet and which were included in its expenditures for previous years due to the railroads, then the whole difference ought not to be charged up to the last year.

Mr. KING. No; but there would be at least one-third of that $70,000,000 which would be chargeable to this year.

Mr. TOWNSEND. Yes; which the bill of last year did not have to meet.

Mr. KING. So that there would be considerably over $100,000,000 loss.

Mr. TOWNSEND. After deducting the amounts chargeable to previous years the deficit is shown to be $81,387,000, in round numbers.

Mr. KING. Does the Senator think that in the coming year the deficiency will be greater?

Mr. TOWNSEND. We do not think it will be greater, and at the same time we have tried to make appropriations so as to avoid deficiencies.

Mr. KING. Has there ever been a year when the deficiency or the loss has been greater than during the past year?

Mr. TOWNSEND. Probably not. If there had been a faithful statement of the receipts and disbursements for the fiscal year 1920, it would have approximated the amount that is carried over for the last year.

Mr. KING. Can the Senator advise the Senate the causes of the loss, whether it is in second-class postage or whether it is loss incurred in the parcel post or what particular branch of the service it is in?

Mr. TOWNSEND. I can say generally that the loss is caused very largely from the parcel post and the Rural Delivery Service, in neither of which, of course, do the receipts equal the expenses. The parcel post has grown immensely. There is a great loss in the Parcel Post Service.

Mr. KING. Does not the Senator think that if we are to continue the present parcel-post system the expenditures will be greatly increased, because of the need of constructing stations, sheds, and warehouses to care for the enormous freight which is now being placed upon the Post Office Department for carriage?

Mr. TOWNSEND. I believe it will be necessary to have some adjustment of the regulations and the rates. I have not any doubt about it. I do not think we will ever discontinue the parcel post. I think perhaps we have proceeded too rapidly in increasing the quantity allowed to be carried and in reducing the rates. However, that was not during the last year. The Joint Postal Commission is now at work, and has been for some time, in an effort to determine what is the cost of the different classes of mail—first, second, and fourth class. The third class does not amount to much.

Mr. KING. I will state to the Senator that I have had a good many letters, not only from my State but from other States, calling attention to the large warehouses which will be required in order to handle the enormous parcel-post work which is being devolved upon the department.

Mr. TOWNSEND. The parcel-post system is requiring a great deal more space in all of our large post offices. It is a serious matter how we are going to provide accommodations to care for this rapidly growing facility.

Mr. KING. Let me say to the Senator that it has become a freight business instead of a mere parcel post. I have observed in many places that all sorts of freight is carried, lumber and flour and fruit, and even coal, and merchandise that formerly was carried by individuals and corporations that were engaged in what we call in the West a freighting business, and by express companies. The Government does so much of this class of business that many private corporations and individuals have been forced to abandon it. Corporations and partnerships engaged in the freight business have gone out of business because of the competition of the Government. The Government has lost millions of dollars in carrying that class of freight. Necessarily it could not be otherwise.

Mr. McKELLAR. Mr. President, if the Senator from Michigan will permit me, I will say to the Senator from Utah that while there are some losses during the last year on the parcel post, that has not been uniformly the case in the past. If he would devote some of his attention to second-class matter he would come nearer putting his finger on the real causes of the losses in the Post Office Department. There are infinitely more losses in the second-class mail matter than in the Parcel Post Service; but I think we all realize that the parcel post is one of the most valuable agencies of the entire Post Office Department. Surely in these days of enormous rates we ought not to throttle this agency which gives the people the right to send articles at lower rates.

Mr. KING. Let me say to the Senator from Tennessee that I have given a good deal of attention to the question of second-class postage and have introduced one or more bills appertaining thereto, but they do not get any further than the committee.

Mr. McKELLAR. Oh, no; the Senator is mistaken about that. In the last year or two we have increased the rates on second-class matter, and a considerable change for the better has been made in that respect. But the Senator was talking about the losses in the department. The greatest losses in the department come from the second-class mail matter.

Mr. KING. I do not pretend to state where the greater losses come from. I know that the losses have been very great on second-class matter, and I have introduced a bill for the purpose of correcting the situation and to relieve the country from the great losses; but I do believe that the losses are very great from parcel post.

I do not agree with the Senator from Tennessee if he means by his position that the Government should conduct a general freighting business. I think it is absurd that the Government of the United States should be carrying coal and flour and all sorts of merchandise, lumber, and matters that belong to the freighting business or the express business. The parcel post is being prostituted to a purpose for which it was never designed, in my opinion.

Mr. TOWNSEND. I desire to state again that there is a good deal of controversy over the cost of second-class mail matter and fourth-class mail matter and parcel post. We all have our ideas, more or less nebulous, more or less doubtful, as to the facts. The Joint Commission on Postal Service is trying to determine now what the facts are relative to the cost of the various classes of mail. I think it is the most important thing we can establish. I quite agree with the Senator from Tennessee that the parcel post is here to stay, but there are limitations to it. However, it must be made to pay the expenses incurred, the same as second-class mail matter ought to pay its fair proportion of the cost of handling. We do not want to make any money out of it, but all branches of the department should at least be self-supporting.

Mr. KING. Then, if I understand the Senator, the statements which have been so recently put out—at least I have seen the statement in a number of newspapers—that the Post Office Department is paying expenses are not accurate, but, as a matter of fact, the loss for the fiscal year ending June 30, 1922, will be more than $100,000,000?

Mr. TOWNSEND. I think the cost in excess of receipts will be in the neighborhood of from $70,000,000 to $75,000,000.

Mr. KING. It is one hundred and fifty-odd million dollars, including the item of $70,000,000 which the Senator has explained.

Mr. McKELLAR. If the Senator will permit me, the principal items entering into the increased cost are two: One, which the Senator from Michigan mentioned a while ago, is the increase in the rates which was allowed by the Interstate Commerce Commission; and the other is the increase in salaries which was provided a year or two ago. Those are the two items of increase. In my judgment, it is not possible to state accurately what the figures will show during the coming fiscal year beginning July 1, 1922. But certainly this department should not be run on any other theory than that it shall be self-sustaining. So far as I am concerned, I would be unwilling to vote for any bill or any proposition which should violate the principle that the Post Office Department should be run on a self-sustaining basis.

Mr. OVERMAN. Who compose the commission which is making the investigation into postal affairs?

Mr. McKELLAR. It is composed of five Senators and five Representatives. If the Senator desires their names, I will say that the Senator from Michigan [Mr. TOWNSEND] is the chairman, and he, the Senator from New Hampshire [Mr. MOSES], the Senator from South Dakota [Mr. STERLING], the Senator from Massachusetts [Mr. WALSH], and myself are the five members on the part of the Senate. The members on the part of the House are Mr. STEENERSON, the chairman of the Committee on Post Offices and Post Roads of that body; Mr. ROUSE——

Mr. OVERMAN. I do not care for the names of the Members of the House or the Senate. Are there any outsiders on the commission?

Mr. McKELLAR. There are, I believe, no outsiders at all on the commission.

Mr. TOWNSEND. There is one, the chief inspector, from the Post Office Department.

Mr. McKELLAR. There is an inspector from the Post Office Department, but I am not sure whether or not he is a member of the commission.

Mr. TOWNSEND. He is a member of the commission under the law.

Mr. McKELLAR. I did not recall that fact.

Mr. HARRISON. I desire to ask the Senator, if he will yield to me for that purpose, whether the commission is progressing in the work with which it is charged?

Mr. McKELLAR. I can not say that it is doing so as to all of its work. Its action is dependent, of course, on the opinions of the members of the commission, and there are some things as to which we differ very materially, but I wish to say that I think the commission has the good of the service at heart and the good of the Government at heart, and is doing a splendid work in making examinations and reporting upon matters which have been committed to it under the law.

Mr. HARRISON. Then the commission has filed reports?

Mr. McKELLAR. It has submitted a number of reports.

Mr. HARRISON. How long ago was it appointed?

Mr. McKELLAR. I do not recall the exact date, but I have been a member of the commission for about 8 or 10 months.

Mr. TOWNSEND. The commission was created when the former Senator from Alabama, Mr. Bankhead, was a member of the Committee on Post Offices and Post Roads, under a law which was passed by the two Houses of Congress at that time. It has been in existence and working on these matters really since a year ago last August. We shall reach the item to which this discussion relates later; but I may say here that the commission has submitted some reports to the Senate and to the other House. It has also made many recommendations to the Post Office Department, which have been followed, and which have resulted in material changes in the administration and conduct of that department.

Mr. HARRISON. I may say to the Senator that my questions do not carry with them any censure of the commission. I have understood that the commission has performed a great work, that it has worked hard, and has made reports and has conducted a pretty thorough investigation of matters which were placed in its charge. That was very gratifying to me, for I have always felt that a joint committee composed of Members of the Senate and of the House could accomplish something; that they could really work and evolve plans looking to the improvement of the conditions under investigation. The history of the postal commission is quite different from that of the Joint Committee on the Reorganization of the Executive Departments, which was appointed a year or more ago, and was composed of three Members of the Senate and three Members of the House of Representatives. If it had been left to that personnel, I have no doubt the joint committee would have investigated the various departments, would have effected certain coordinations, would have eliminated certain useless offices, and would have saved the taxpayers some money. It was, however, thought wise that the executive departments should have a representative on the Joint Committee on Reorganization. They appointed their representative, and he was made the chairman of the Reorganization Committee. He has been making his investigations, but I have seen in the newspapers recently that nothing will be done by the Reorganization Committee during the present session of Congress.

I happen to be a member of that joint committee, and I know that it has done nothing, and it seems to me that it is going to do nothing. That is due solely to the fact that the executive department has interfered in the matter, and has a representative who does not call the committee together. The committee has made no investigation, and of course we might be charged with negligence. I wish that committee could have performed its work, as has the joint commission which has investigated the Postal Service, without the interference of any executive department.

Mr. McKELLAR. I wish to say to the Senator from Mississippi that in so far as the postal commission is concerned, the executive member of it has had, comparatively speaking, very little to do with the commission. As I have said, the head of the commission is the Senator from Michigan [Mr. TOWNSEND], who has, of course, taken the lead in everything in connection with the work of the commission, without any interference, so far as I have been able to see, on the part of the executive member of the commission. I believe—and I make the statement without intending to give myself any credit, for I have only been a member of the commission for a short time—from what I have seen of the postal commission that it is a very necessary and a very proper commission; and though generally I am opposed to commissions, and think we have entirely too many of them, it seems to me that the postal commission is doing a very good work.

Mr. HARRISON. That goes to show that the postal commission acted wisely; they selected the distinguished Senator from Michigan as chairman of the commission, and he has called meetings. The Joint Committee on Reorganization, however, did not act wisely. I thought the wise thing to do was to have appointed the Senator from Utah [Mr. SMOOT], or the senior Senator from New York [Mr. WADSWORTH], as chairman of the reorganization committee. If either of those Senators had been selected as chairman they would have called the reorganization committee together; we would have had hearings, and before now we would have made a report to Congress. Instead of that, however, there was appointed as chairman a man who had no legislative experience, so far as Congress was concerned, who had no knowledge of the various departments which he was charged to coordinate, and consequently he has called no meeting of the committee since April 6 of last year, and I presume there will be none called.

Mr. KING. Mr. President, I desire to pursue this inquiry just a moment further.

Mr. TOWNSEND. Is the Senator about to refer to some matter prior to page 4?

Mr. KING. The inquiry I desire to make is general in its character.

Mr. TOWNSEND. If we can proceed with the bill and bring these matters up in their order, I can give the Senator better information if he will wait until some specific question is before the Senate.

Mr. KING. The questions in regard to which I desire to propound inquiries are of a general character and relate to the entire bill. Now that we have gone into the subject, let us conclude the matter.

Mr. McKELLAR. Is the Senator about to read from the report?

Mr. KING. Yes. As I understand the deficit for the fiscal year 1921 was $157,502,398.95. The deficit for the current year will be in the neighborhood of $100,000,000, or, as I understood the Senator from Michigan, perhaps a little less. Assuming those facts to be true, I want to ask the Senator what provision is being made to increase the revenues so as to avoid these great deficits or what economies are being suggested in this bill, so that we may not have such enormous deficits each year?

Mr. TOWNSEND. The committee has recommended only such amounts as are absolutely necessary for conducting the Post Office Department. By reason of the increase of salaries under reclassification legislation enacted about a year ago over $41,000,000 additional on account of salaries had to be provided last year. This added to the deficiency. In addition there was something like $30,000,000 in increased compensation to the railroads, making a total of something like $71,000,000 in addition to the back pay of $76,000,000 to the railroads.

If the revenues of the department increase materially—and I think they are increasing and are likely to continue to increase somewhat—they will reduce any probable deficit next year. That will help to some extent, but it will be necessary to readjust some of the mail rates if we are going to get the money necessary to meet the expenses of the department. We are getting from the department now an absolutely honest accounting; there is no misrepresentation being made to Congress as to the receipts and disbursements of the Post Office Department. As I have said to the Senator, we are trying to find out—and I hope we shall find out before another Post Office Department appropriation bill comes before the Senate—what the department is receiving and what it is costing to handle the different classes of mail matter. As soon as that is ascertained it will be for Congress to determine whether it will make the various classes of mail matter self-supporting or whether the department shall continue to handle some of them at a loss.

Mr. KING. Then, as I understand the Senator, unless great economies are carried into execution during the fiscal year 1923, or unless the receipts are very much greater, there will be a large deficit for the year 1923.

Mr. TOWNSEND. There will be a deficit, but I do not think it will be as large as the one for the current year; I have no reason to believe that it will be. For the Post Office Department we are not making as large an appropriation as we did last year. We have reduced the appropriations where we could and where we thought it would not interfere materially with the administration of the department.

Mr. KING. Does not the Senator think, in view of the certainty that there will be a great deficit, that this bill or some supplemental legislation ought to provide the money for the deficit rather than withdraw it from the Treasury?

Mr. TOWNSEND. The committee is not in a position to legislate on that matter in connection with an appropriation bill. We have not the information before us. I have tried my best, as have other members of the committee and of the postal com-

mission, to find out what the several branches of the service are costing. Headway can not be made by guessing at the facts; so we are trying to ascertain them and are doing so with the least expense possible.

The experts of the department are assisting us, and, with our experts, we are trying to find out the facts. I hope we shall be able to arrive at a correct ascertainment before we have another Post Office appropriation bill.

Mr. KING. I hope so, because I think it is very unfair to the taxpayers to have a bill here every year which carries from $80,000,000 to $150,000,000 more than the amount received from the service, so that there is a deficit which has to be met from general taxation.

Mr. McKELLAR. The Senator is mistaken about that being the case every year. I think the last year was the first year when there was ever any such deficit.

Mr. OVERMAN. Mr. President, I should like to inquire what is the difference between the appropriation bill this year and the appropriation bill of last year?

Mr. McKELLAR. There is a difference of about $3,000,000, as I recall the figures.

Mr. OVERMAN. Does the pending bill appropriate $3,000,000 more or $3,000,000 less than the bill of last year?

Mr. McKELLAR. Three million dollars less. I think that is correct; I am merely giving the figures as I find them here.

Mr. OVERMAN. I understand the service will cost more this year than last year, but that this year the appropriation will be $3,000,000 less than last year. How is that?

Mr. McKELLAR. Mr. President, in this particular bill $573,000,000 are appropriated, exclusive of $50,000,000 for roads, which should not be included as a post-office item. There were $576,000,000 appropriated last year. I am merely giving the round figures.

Mr. TOWNSEND. I do not understand the question of the Senator from North Carolina.

Mr. OVERMAN. I asked why it was that the appropriations for this year for the general expenses of the Post Office Department are $3,000,000 less than for last year?

Mr. TOWNSEND. We have accomplished a good many economies through the action of the joint commission that I have been talking about. The Senator from New Hampshire informs me that we appropriated something over $1,000,000 to correct errors which occurred in the reclassification bill, the things that had been omitted that we put into this bill.

Mr. OVERMAN. That looks as though it would make an increase.

Mr. TOWNSEND. Yes; but it would have been $1,000,000 less than that—less than $3,000,000.

Mr. McKELLAR. I call the attention of the Senator from North Carolina to the figures on page 2 of the report:

> The appropriations for the current year, including deficiencies, amount to $576,680,645.45.

A little lower down the report says:

> The bill as reported to the Senate carries $623,773,536.50.

When you take from the last figure the sum of $50,000,000 for roads included in this bill, it will be seen that the present bill carries, exclusive of roads, $573,773,536.50, as opposed to the $576,680,645.45 of last year.

Mr. OVERMAN. That is more than it was last year.

Mr. McKELLAR. No; $3,000,000 less—$573,000,000 as against $576,000,000.

Mr. OVERMAN. The bill as passed by the House carried an appropriation of $554,000,000.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, in the items for office of the First Assistant Postmaster General, on page 4, line 18, before the word "assistant," to insert "two"; in the same line, after the word "assistant," to strike out "superintendent" and to insert "superintendents at"; in the same line, after the figures "$3,000," to insert "each"; in line 19, before the word "division," to strike out "clerk in charge, $2,250"; and in line 23, to change the total of the appropriation from "$28,250" to "$29,000," so as to make the paragraph read:

> Office First Assistant Postmaster General: First Assistant Postmaster General, $5,000; chief clerk, $2,500; division of post office service—superintendent $4,000, 2 assistant superintendents at $3,000 each; division of postmasters' appointments—superintendent $3,000, 2 assistant superintendents at $2,000 each; superintendent, division of dead letters, $2,500; chief, division of correspondence, $2,000; in all $29,000.

The amendment was agreed to.

Mr. TOWNSEND. Mr. President, on page 5, at the bottom of the page, line 23, I want to correct the total by adding the amount that we put in there. I move to strike out "$1,902,880" and insert "$1,940,630."

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Michigan.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, under the subhead "Contingent expenses, Post Office Department," on page 7, after line 5, to insert:

> For rent of suitable buildings in the District of Columbia for the use of the Post Office Department, including the Division of Equipment and Supplies, not exceeding $35,000; for gas, electric power, light, fuel, and for the expense of removal of such divisions, offices, or parts of divisions and offices of the Post Office Department, as the Postmaster General shall direct, to and from the several Government owned and rented buildings occupied by the Post Office Department in the District of Columbia, $17,000; in all $52,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head, "Field service, Post Office Department, Office of Postmaster General," on page 9, after line 8, to insert:

> The Postmaster General is hereby authorized to pay a cash reward for any invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department or the Postal Service which shall be adopted for use and will clearly effect a material economy or increase efficiency, and for that purpose the sum of $5,000 is hereby appropriated: *Provided*, That the sums so paid to employees in accordance with this act shall be in addition to their usual compensation: *Provided further*, That the total amount paid under the provisions of this act shall not exceed $1,000 in any month or for any one invention or suggestion: *Provided further*, That no employee shall be paid a reward under this act until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns: *Provided further*, That this appropriation shall be available for no other purpose.

The amendment was agreed to.

The next amendment was, in the items for office of chief inspector, on page 10, line 21, after the word "and," to strike out "four hundred and twenty" and to insert "five hundred and twenty," so as to read:

> Office of chief inspector: For salaries of 15 inspectors in charge of divisions, at $4,200 each; and 520 inspectors——

Mr. HARRISON. Can that go over?

Mr. TOWNSEND. If the Senator desires.

Mr. HARRISON. Yes; there will be quite a good deal of discussion on that.

Mr. TOWNSEND. Very well; let it go over.

Mr. HARRISON. Mr. President, I notice on that page an item for compensation of a special assistant to the Attorney General, and so forth. We are not taking up anything but the Senate amendments now, are we?

Mr. TOWNSEND. That is all.

Mr. HARRISON. May I ask in this connection, anyway, about that item of $6,000 for compensation of a special assistant to the Attorney General to assist in the defense of cases against the United States arising out of the transportation of the mails, and so forth? Is that a new job?

Mr. TOWNSEND. No; that is a position that Mr. Stewart has held for a number of years.

The VICE PRESIDENT. The amendment on page 10, lines 21 and 22, will be passed over.

Mr. McKELLAR. The other amendments in that paragraph had better go over, too.

Mr. TOWNSEND. They will have to go over with the other one.

The VICE PRESIDENT. The amendments will be passed over.

Mr. TOWNSEND. The items on lines 22 and 23 have gone over, and necessarily they will carry over the amount on page 11, line 5.

Mr. McKELLAR. The total is included down on page 10; but as the expenses in part would affect the other item, they ought to go over, too.

The VICE PRESIDENT. Without objection, that will be done. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, under the subhead "Office of the First Assistant Postmaster General," on page 11, line 20, to increase the appropriation for compensation to postmasters from "$43,000,000" to "$43,300,000."

The amendment was agreed to.

The next amendment was, on page 11, line 26, to increase the appropriation for compensation to clerks and employees at first and second class post offices, including substitutes for clerks and

employees absent without pay, from "$100,000,000" to "$103,000,000."

The amendment was agreed to.

The next amendment was, on page 12, line 6, before the words "at $1,350 each," to strike out "five hundred" and to insert "nine hundred and eighty-six"; in line 8, before the words "at $1,450 each," to strike out "two thousand six hundred and twenty-five" and to insert "two thousand five hundred and thirty-five"; and, at the end of line 8, to change the total appropriation from "$4,530,000" to "$5,000,000," so as to make the paragraph read:

For compensation to watchmen, messengers, and laborers, 986 at $1,350 each; 2,535 at $1,450 each; in all, $5,000,000.

Mr. TOWNSEND. Mr. President, in the committee amendment, on page 12, line 8, I move to strike out the word "thirty-five" and insert the word "thirty."

The amendment to the amendment was agreed to.

Mr. TOWNSEND. And the total should be corrected so as to read "$4,999,600" instead of "$5,000,000."

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 12, line 21, to increase the appropriation for allowances to third-class post offices to cover the cost of clerical services from "$3,900,000" to "$4,250,000."

The amendment was agreed to.

The next amendment was, on page 12, line 23, to increase the appropriation for rent, light, and fuel for first, second, and third class post offices from "$11,600,000" to "$12,000,000."

The amendment was agreed to.

Mr. OVERMAN. Mr. President, I should like to have the amendment on page 12, line 6, go over for further explanation. It is the amendment increasing the number of watchmen, messengers, and laborers from 500 to 986.

Mr. TOWNSEND. I think I can explain that to the Senator in just a moment, unless he wants to consider it further. If he does, I have no objection to having it go over.

Mr. OVERMAN. I think this important bill ought to be considered——

Mr. TOWNSEND. All right. I move to reconsider the vote by which that amendment was adopted, and ask that the amendment go over.

The VICE PRESIDENT. In the absence of objection, that order will be made.

Mr. TOWNSEND. I take it there is no objection to the amendment we made striking out "thirty-five" and inserting "thirty," is there?

Mr. OVERMAN. No.

Mr. TOWNSEND. So that that may stand.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 12, at the end of line 23, to insert the following proviso:

Provided, That the Postmaster General may use not exceeding $10,000 of this appropriation for adjusting claims arising under section 1 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1886, and for other purposes," approved March 3, 1885: *And provided further*, That hereafter a lease shall not cease or terminate when a post office can be moved into a Government building unless the Postmaster General deems it to be in the interest of the public service.

Mr. HARRISON. Mr. President, I desire to ask a question about the last proviso of this amendment:

That hereafter a lease shall not cease or terminate when a post office can be moved into a Government building unless the Postmaster General deems it to be in the interest of the public service.

Do these leases now provide that in the event the Government erects a building the leases shall be terminated?

Mr. TOWNSEND. Every lease must provide that.

Mr. HARRISON. That is the present law, is it?

Mr. TOWNSEND. That is the present law.

Mr. WARREN. It has been, I will say to the Senator, for a great many years.

Mr. HARRISON. Then why should it be changed, so that that rule will be changed?

Mr. TOWNSEND. For this reason: Several Postmasters General have been before our committee and before the Congress asking that they be relieved of that requirement, except at the discretion of the Postmaster General, because in many of these places—the great mass of them, 99 per cent of them—there never is any possibility that the Government will erect a building into which they can move out of the rented premises; and yet the very fact that that clause is in the lease makes it impossible for the Government to get as low a lease as it could obtain if that provision were not in it. Wherever it is likely that within the 10-year period for which the lease is made the Government will erect a building of its own there, the Postmaster General will insert that clause; but where it is not at all likely, it is simply adding a burden of expense upon the Government to include it in the lease. That has been the recommendation of Mr. Burleson, the present Postmaster General, I think Mr. Hitchcock, and others. They have stated that it has always prevented them from getting as low a lease as they could have obtained if that were left out.

Mr. HARRISON. And this proviso is unanimously reported?

Mr. TOWNSEND. It is; and the joint commission recommended that that be done after thoroughly investigating it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 13, line 10, to increase the appropriation for miscellaneous items necessary and incidental to post offices of the first and second classes from "$700,000" to "$775,000."

The amendment was agreed to.

The next amendment was, on page 13, line 13, to increase the appropriation for pay of letter carriers at offices already established, including substitutes for letter carriers absent without pay, City Delivery Service, from "$70,000,000" to "$70,500,000."

The amendment was agreed to.

The next amendment was, on page 13, line 22, to reduce the appropriation for village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, from "$1,500,000" to "$1,300,000."

Mr. HARRISON. Mr. President, why is that reduction in the appropriation for village delivery service made?

Mr. TOWNSEND. The Post Office Department for some time has believed that it was an unwarranted cost to the Government to maintain free village delivery. The House added $200,000 to that appropriation for the extension of village delivery. The committee felt that we ought to continue that service where it is now being rendered, but that we ought not to enlarge it at the present time; but we objected to discontinuing any service where it already exists, and for that reason we fixed the amount at the cost of the present service.

Mr. HARRISON. So the service will not be abolished where it exists now?

Mr. TOWNSEND. There will not be a change in any existing office.

Mr. HARRISON. But this is the beginning of the policy not to extend rural free delivery in these villages?

Mr. TOWNSEND. That is the policy until we can know more about it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 13, line 24, to increase the appropriation for car fare and bicycle allowance, from "$900,000" to "$950,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Second Assistant Postmaster General," on page 14, line 23, to increase the appropriation for mail messenger service, from "$6,500,000" to "$7,000,000."

The amendment was agreed to.

The next amendment was, on page 14, line 25, to increase the appropriation for inland transportation by railroad routes, from "$86,000,000" to "$93,000,000."

The amendment was agreed to.

The next amendment was, on page 15, line 3, to insert the following additional proviso:

Provided further, That not exceeding $500,000 of this appropriation may be expended for mail messenger service in lieu of payments to railroad companies for side and terminal service.

The amendment was agreed to.

The next amendment was, on page 15, after line 9, to insert:

For the operation and maintenance of aeroplane mail service between New York, N. Y., and San Francisco, Calif., via Chicago, Ill., and Omaha, Nebr., including necessary incidental expenses and employment of necessary personnel, $1,900,000.

Mr. OVERMAN. Mr. President, I should like to ask the Senator whether this airplane mail service has been a success? I remember the Senator's statement here before, that the appropriation was for experimental routes. Is the service to be extended?

Mr. TOWNSEND. No.

Mr. OVERMAN. Is it a success?

Mr. TOWNSEND. Well, it has been a success in this respect: It has demonstrated the possibility of maintaining airplane service under all possible conditions. They make a flight from the Atlantic to the Pacific. We cut out last year all the side lines, because we wanted to make this one demonstration complete. During the last year, as I recall—perhaps not quite so long, but I think it is a year—there has not been a single fatality in this service, and their connections have been very close indeed. They have demonstrated that they can carry the mail in that way.

If we are talking about carrying the mail at a profit by the Airplane Service at the present time, of course we are talking without the facts. It costs more to carry the mail by airplane than by rail. There is some expedition in it, however, and it is demonstrating the possibilities of this service. Moreover, in a manner its operation pays quite a large percentage of the cost of operation.

Furthermore, it establishes a line of defense across this continent from east to west. The airdromes and the landing places established, which are generally furnished by the people who live along the line, make this, to my mind, and in the opinion of the committee, a desirable thing to continue. Furthermore, we will not get private enterprise to invest the money necessary to develop this facility, the possibilities of which no man can see. We feel that it will be a mistake now, after our experience and with the success we have had during the last year, to discontinue this project for another year. We want to continue it for one year. The House cut it out, but we felt it ought to be continued, and I take it that the House will leave it in when it comes to vote in conference.

After the demonstration has been made, after the experiment has been fully completed, it is altogether possible that arrangements can be made with private enterprise to take hold of this service by airplane throughout the country. They can not do it now, although one enterprise which the Government is paying for, under contract, is running a line from Key West, in Florida, to Cuba. That is by hydroplane, and it is very successful.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 15, lines 10 to 14.

The amendment was agreed to.

The next amendment was, in the items for Railway Mail Service, on page 15, line 23, to strike out "$43,600,000" and to insert "$44,580,000," so as to make the paragraph read:

Railway Mail Service: For 15 division superintendents, 15 assistant division superintendents, 2 assistant superintendents, 1 assistant superintendent in charge of car construction, 121 chief clerks, 121 assistant chief clerks, clerks in charge of sections in the offices of division superintendents, railway postal clerks, substitute railway postal clerks, joint employees, and laborers in the Railway Mail Service, $44,580,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Third Assistant Postmaster General," on page 17, line 7, to increase the appropriation for manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, and for coiling of stamps from "$1,200,000" to $1,400,000."

The amendment was agreed to.

The next amendment was, on page 17, line 9, to increase the appropriation for manufacture of stamped envelopes and newspaper wrappers, "$4,500,000" to "$5,000,000."

The amendment was agreed to.

The next amendment was, on page 17, line 17, to increase the appropriation for payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured and collect-on-delivery mail from "$4,365,000" to "$4,500,000."

The amendment was agreed to.

The next amendment was, under the subhead, "Office of the Fourth Assistant Postmaster General," on page 19, line 7, to increase the appropriation for miscellaneous equipment and supplies, etc., from "$900,000" to "$1,500,000," so as to read:

For miscellaneous equipment and supplies, including the purchase and repair of furniture, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; for postmarking, rating, money-order stamps, and electrotype plates and repairs to same, metal, rubber, and combination type, dates and figures, type holders, ink pads for canceling and stamping purposes, and for the purchase, exchange, and repair of typewriting machines, envelope-opening machines, and computing machines, copying presses, numbering machines, time recorders, letter balances, scales, test weights, and miscellaneous articles purchased and furnished directly to the Postal Service, for miscellaneous expenses in the preparation and publication of post-route maps and rural-delivery maps or blue prints, including tracing for photolithographic reproduction; for other expenditures necessary and incidental to post offices of the first, second, and third classes, and offices of the fourth class having or to have rural-delivery service, and for letter boxes, $1,500,000.

The amendment was agreed to.

The next amendment was, on page 19, line 12, to insert the following proviso:

Provided, That not exceeding $500,000 of this appropriation shall be available for the purchase and shipment of post-office equipment for use at first, second, and third class post offices.

The amendment was agreed to.

The next amendment was, on page 20, line 10, to increase the appropriation for rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices, etc., from "$350,000" to "$376,500."

The amendment was agreed to.

The next amendment was, on page 20, line 10, to insert the following proviso:

Provided, That not exceeding $26,500 of this appropriation shall be expended for completing the purchase and installation of one letter-distributing machine, if upon test such machine is found by the Postmaster General to be satisfactory and efficient, and for no other purpose.

The amendment was agreed to.

The next amendment was, on page 20, line 24, to increase the appropriation for the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, etc., from "$2,050,000" to "$3,050,000."

The amendment was agreed to.

The next amendment was, on page 21, line 6, to insert the following proviso:

Provided, That $1,000,000 of this appropriation may be used for the purchase of canvas from the Atlanta Penitentiary.

Mr. OVERMAN. That is another item I would like to ask the Senator about. We had some discussion in the Committee on Appropriations as to whether we could make canvas in a penitentiary at a profit, or whether we could make it at all, and what it would cost.

Mr. TOWNSEND. We are making the canvas at the Atlanta Penitentiary at a profit. I have forgotten how much, but it is quite a substantial profit. That profit now all goes to the Department of Justice. There must be some arrangement made whereby under this provision part of it shall go to the Post Office Department. We have established that industry at the Atlanta Federal prison, and unless we continue the manufacture of canvas for the needs of the Post Office Department that activity will go out of existence and those men will have nothing to do. It was investigated very thoroughly, and it was found desirable to keep the prisoners at work, and we can put them to work making this canvas, make a profit for the Government, and save the Post Office Department a large amount of money.

Mr. OVERMAN. That is what was predicted. I remember it went into one of the appropriation bills, and there was quite a discussion about it. So I wished to inquire whether, as was predicted, it would save the Post Office Department some money.

Mr. TOWNSEND. It is doing that, and I notice by the record they made this last year $200,000 profit at the Atlanta prison in this work.

The amendment was agreed to.

The next amendment was, on page 21, line 11, after the word "offices," to strike out "$12,750,000" and to insert "$12,950,000. And the Postmaster General is authorized and directed to investigate conditions arising from contracts in the star-route, screen-wagon, and other vehicle service entered into prior to January 1, 1918, with a view to determining whether any adjustment should be made in the compensation for the fiscal years ended June 30, 1918, June 30, 1919, June 30, 1920, and June 30, 1921, and make a report of his findings to the Congress not later than the first Monday in December, 1922," so as to make the paragraph read:

For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, $12,950,000. And the Postmaster General is authorized and directed to investigate conditions arising from contracts in the star-route, screen-wagon, and other vehicle service entered into prior to January 1, 1918, with a view to determining whether any adjustment should be made in the compensation for the fiscal years ended June 30, 1918, June 30, 1919, June 30, 1920, and June 30, 1921, and make a report of his findings to the Congress not later than the first Monday in December, 1922.

Mr. TOWNSEND. I offer an amendment on line 12, page 21. I move at the end of the line to strike out the word "investigate" and to insert the word "ascertain," the idea being that the department might feel justified in going into a big investigation, whereas they can ascertain the facts and report them to us without such an investigation.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 21, line 23, after the word "thereof," to strike out "$86,800,000" and to insert "$87,185,000," so as to make the paragraph read:

For pay of rural carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, $87,185,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 10, to insert section 2 in the following words:

SEC. 2. That the joint commission authorized under section 6 of the act approved April 24, 1920, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes," is hereby continued until June 30, 1923, to complete the investigation and to prepare a detailed report containing a summary of its findings thereof, and such recommendations as to legislation as it may deem proper: *Provided*, That the said commission shall not expend a greater sum that $125,000 during the fiscal year 1923.

Mr. OVERMAN. I notice an item on line 19, page 22, of which I would like to have some explanation, the language being, "That the said commission shall not expend a greater sum than $125,000." That means it will spend $125,000, of course. What is it to be spent for?

Mr. TOWNSEND. It does not mean that that amount will be spent, Mr. President. In the first place, when this commission was first created, it had an unlimited amount of money to expend, and it did not expend a large sum. The next year it had $150,000 to expend, and it did not expend $150,000. My recollection is that it spent not over $100,000. We would not ask for this amount now if it were not for the tremendous job we have on our hands of ascertaining the cost of carrying the different classes of mail, which I think will be one of the most valuable things for the Congress to know in connection with the Post Office Department.

Mr. OVERMAN. The commission employs experts to investigate this matter, and, of course, it has to pay them.

Mr. TOWNSEND. We now have two expert engineers who are working with the department on the determination of this cost. When we first started, we had several expert engineers, the first year. We went over the cities of New York, Boston, Philadelphia, Chicago, Detroit, and some others, to determine the conditions as to the parcels post, the conditions of the buildings where new buildings were asked for, where we had to move out of the old ones, and also to determine what the vehicular conditions were as to the machines which are handling the mail. We went into all those things from a scientific, careful standpoint.

We have besides that what is known as the postal expert committee, which serves without pay, because we take them from the department. We send them to make investigations where we want investigations of particular subjects made. We are confining our paid assistants to the two expert engineers, who are working with the Post Office Department and the postal commission. That, however, is going to require some additional postal help in the various post offices, temporarily. When we come to make a compilation we can not take all the force we need from the Post Office Department clerks without materially interfering with their work; but it will not exceed $125,000.

Mr. OVERMAN. Is this money disbursed by the chairman of the commission?

Mr. TOWNSEND. The disbursements are made under the direction of the chairman, and are audited by the Post Office Department.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 22, after line 20, to insert section 3, in the following words:

SEC. 3. That post-office inspectors and superintendents and assistant superintendents of the Railway Mail Service are hereby authorized to administer and certify such oaths or affirmations of office as are required by law to be taken by persons employed in the Postal Service. That post-office inspectors in addition to the power to administer such oaths and affirmations are also hereby authorized to administer in the exercise of their duties as inspectors oaths and affirmations required by law or by the rules or regulations of the Post Office Department.

Mr. HARRISON. If I understand this section, it means that these inspectors may administer oaths.

Mr. TOWNSEND. Yes; that is true.

Mr. HARRISON. I make a point of order against the amendment, that it is new legislation on a general appropriation bill.

Mr. TOWNSEND. Of course, this item was recommended by the department. Undoubtedly the Senator must have some good reason for making his point of order.

Mr. HARRISON. I suppose the Senator does not contend it is not subject to the point of order?

Mr. TOWNSEND. I shall not contend about it either way, as far as that is concerned. It is immaterial to me. It was contended by the department, and has been for some time, that it would save a lot of expense and a lot of time if the men who are making these investigations could administer oaths to the various employees who have to take oaths at different times. It would be an economy and a great accommodation if these officers on the ground, sent out to make investigations, could administer oaths, instead of calling somebody else in.

Mr. HARRISON. The Senator is not very much interested in that item. Especially when we are about to create positions for 100 new inspectors—which job is largely political, always has been, and I presume always will be—I should very much dislike to see a law passed authorizing those officers to go around and administer oaths to people when they could carry out whatever prejudices they might have against certain individuals. Therefore I make the point of order against it.

The VICE PRESIDENT. Will the Senator state his point of order more at large?

Mr. HARRISON. This is a general appropriation bill. The amendment is certainly new and general legislation on an appropriation bill.

The VICE PRESIDENT. Does the Senator have in mind the last provision of the new rule, which reads:

That this rule shall not apply to the bill making appropriations for the Post Office Department for the fiscal year ending June 30, 1923.

Mr. HARRISON. If the Presiding Officer will look at the first part of the rule, he will find that it merely reincorporates the language of the old rule—that no general legislation shall be incorporated in a general appropriation bill. Of course I am not contending that if the point of order should be sustained the bill would go back to the committee under the new rule, because it was expressly provided in the new rule that it should not apply to this bill; but certainly the exception which was made in the rule adopted a short time ago would not prevent a point of order being sustained where there was new legislation or general legislation on a general appropriation bill.

The VICE PRESIDENT. The Chair is of opinion that the point of order is well taken.

The next amendment was, on page 23, after line 5, to insert section 4, in the following words:

SEC. 4. That the paragraph of the act entitled "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," approved June 5, 1920, providing for leaves of absence, be amended to read as follows:

"Employees in the Postal Service shall be granted 15 days' leave of absence with pay, exclusive of Sundays and holidays, each fiscal year, and sick leave with pay at the rate of 10 days a year, exclusive of Sundays and holidays, to be cumulative for a period of three years, but no sick leave with pay in excess of 30 days shall be granted during any three consecutive years. Sick leave shall be granted only upon satisfactory evidence of illness, and if more than two days the application therefor shall be accompanied by a physician's certificate."

Mr. TOWNSEND. In order to make that comply with the intention of the Congress heretofore, I move to amend, on line 11, by inserting the word "Hereafter" before the word "employees."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 23, after line 20, to insert section 5, in the following words:

SEC. 5. That the sentence which reads "Receipts $400,000, but less than $500,000—assistant postmaster, $3,000; superintendents of mails, $2,900; assistant superintendent of mails, $2,200; foremen $2,000," of the paragraph providing for the annual salaries of employees, other than those in the automatic grades, at offices of the first class, of the act approved June 5, 1920, entitled, "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis" be amended to read as follows:

"Receipts $400,000, but less than $500,000—assistant postmaster, $3,000; superintendents of mails, $2,900; postal cashier, $2,300; assistant superintendent of mails, $2,200; foremen, $2,100."

Mr. OVERMAN. I would like to have the Senator explain the amendment.

Mr. TOWNSEND. I will ask the Senator from Tennessee to explain it.

Mr. McKELLAR. I will take pleasure in doing that.

The reason for the amendment is that as to post offices the receipts of which were more than $400,000 and less than $500,000, in the salary readjustment bill, which was passed in June, 1920, cashiers were given no promotion. All other employees were promoted. It was a manifest error and injustice as to cashiers in about half a dozen offices.

By the way, one of them was in the State of the Senator from North Carolina. I do not recall exactly which one it was, but there was one. This makes a difference of $200 in the salaries of cashiers. That is all there is to it. It is merely to correct an injustice that was done to cashiers in those offices.

Mr. TOWNSEND. There are 12 of them, I understand.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 24, after line 9, to insert section 6, in the following words:

SEC. 6. That no part of the moneys appropriated or made available by this act shall be used or expended for the purchase, acquirement, or repair of any commodity, article, or thing which, at the time of the proposed purchase, acquirement, or repair, can be manufactured, produced, or repaired at the nearest available Government arsenal or navy yard of the United States for a sum less than it can be purchased, acquired, or repaired otherwise.

The amendment was agreed to.

The next amendment was, on page 24, after line 18, to insert section 7, in the following words:

SEC. 7. That for the purpose of extending, continuing, and further carrying out the provisions of the Federal highway act, approved November 9, 1921, and all other acts amendatory thereof or supplementary thereto, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $50,000,000 for the fiscal year ending June 30, 1923; and the sum of $65,000,000 is authorized to be appropriated for such purposes for the fiscal year ending June 30, 1924; and the sum of $75,000,000 is authorized to be appropriated for such purposes for the fiscal year ending June 30, 1925; and the sum of $7,500,000 is authorized to be appropriated for the survey, construction, reconstruction, and maintenance of forest roads and trails for the fiscal year ending June 30, 1924; and the sum of $7,500,000 is authorized to be appropriated for the survey, construction, reconstruction, and maintenance of forest roads and trails for the fiscal year ending June 30, 1925.

Mr. TOWNSEND. I ask that this amendment may go over.

The VICE PRESIDENT. It will go over.

The next amendment was, on page 25, after line 9, to insert section 8, in the following words:

SEC. 8. For the transmission of mail by pneumatic tubes or other similar devices in the city of New York, including the Borough of Brooklyn of the city of New York, at an annual rate of expenditure not in excess of $18,500 per mile of double line of tubes, including power, labor, and all other operating expenses, $513,911.50: *Provided*, That the provisions not inconsistent herewith of the acts of April 21, 1902, and May 27, 1908, relating to the transmission of mail by pneumatic tubes or other similar devices, shall be applicable hereto: *Provided further*, That either party to the contract for the transmission of mail by pneumatic tubes or other similar devices may apply to the Interstate Commerce Commission at any time after October 1, 1922, and before July 1, 1923, for a revision of this rate, its decision to be effective after July 1, 1923, but in no case shall the rate exceed $19,500 per mile.

Mr. TOWNSEND. It is desired that section 8 shall be passed over.

The VICE PRESIDENT. Without objection, it will be passed over.

Mr. OVERMAN. Does not the Senator think we had better adjourn at this time?

Mr. TOWNSEND. I do not think there will be any objection to the remaining sections. Sections 7 and 8 have gone over.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, at the top of page 26, to insert section 9, in the following words:

SEC. 9. That the provisions of that paragraph of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes," approved March 1, 1921, which amends the act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, approved June 5, 1920, and which provides that postal employees and substitute postal employees who served in the military, marine, or naval service of the United States during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military, marine, or naval service on the basis of one day's credit of eight hours in the Postal Service for each day served in the military, marine, or naval service and be promoted to the grade to which such postal employee or substitute postal employee would have progressed had his original appointment as substitute been to grade one, shall be amended by adding the following: "shall apply to such postal employees and substitute postal employees who were in the Postal Service on October 1, 1920."

The amendment was agreed to.

The next amendment was, on page 26, line 22, to change the section number from "2" to "10."

The amendment was agreed to.

The VICE PRESIDENT. The committee amendments are completed, except those which were passed over.

Mr. TOWNSEND. That completes the bill, with the exception of the items which have been passed over.

Mr. HARRISON. Of course, anyone who wants to offer an amendment to any other provision can do so?

Mr. TOWNSEND. When we get through with the committee amendments, of course other amendments will be in order.

Mr. HARRISON. Very well.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. TOWNSEND. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 12 o'clock Monday.

The motion was agreed to; and (at 6 o'clock and 3 minutes p. m.) the Senate, as in legislative session, took a recess until Monday, March 20, 1922, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 18 (legislative day of March 16), 1922.

PROMOTIONS IN THE ARMY.

Charles Porterfield, jr., to be captain, Field Artillery.
Wilbur Manson Blackshare to be captain, Medical Corps.

PROMOTIONS IN THE NAVY.

MARINE CORPS.

To be first lieutenants.

Paul R. Cowley.
Edward G. Hagen.
Dan E. Root.
George D. Hamilton.
Conrad S. Grove, 3d.
Cleghorn Foote.
Francis B. Reed.
Samuel A. Milliken.
William E. Quaster.
Charles W. Lavlett.
James D. Waller.
Leo Healey.
Clifford Prichard.
Francis I. Fenton.
Ralph W. Luce.

POSTMASTERS.

ALABAMA.

Andrew J. Beard, Jacksonville.

COLORADO.

Frank L. Dodge, Denver.
Edward F. Watt, Fraser.
Edward W. Roscoe, Ridgway.

CONNECTICUT.

George A. Engisch, Cornwall Bridge.
James Geddes, Waterbury.

FLORIDA.

Silas E. Yon, Blountstown.
Edith H. Frazier, Zephyrhills.

INDIANA.

John L. Walker, Lexington.

IOWA.

Earl E. Shibley, Lone Tree.
Earl P. Tucker, Panora.

KANSAS.

Bertha McClair, Carbondale.
Ellen G. Fairley, Chautauqua.
Francis E. Williams, Elgin.
Florence M. Heinz, Grainfield.
Ernest W. Sloop, Lyndon.

MICHIGAN.

George W. Davis, Tekonsha.
James M. Bonine, Vandalia.

MINNESOTA.

Johannes A. Bloom, Chisago City.
Edgar Stivers, Dodge Center.
Joseph Huelskamp, Gaylord.
Elmer H. Magaw, Lester Prairie.
George W. Kiefer, Lewiston.
Charley P. Fossey, Lyle.
Margaret A. Dickens, Marble.
Ole E. Nelson, Marietta.
George M. Young, Perham.
William J. Colgan, Rosemount.
Alfred W. Johnson, Sebeka.
Francis H. Densmore, Wilmont.

MISSOURI.

Edward Early, Baring.
James L. Creason, Camden.
Fred L. Mills, Commerce.
Thompson F. Wommack, Fair Grove.
Albert G. Reeves, Lucerne.
Clarice H. Lloyd, Valley Park.

NEW JERSEY.

Harvey K. Trumpore, Califon.
Charles H. Ellis, Camden.
La Mott Hartshorn, Manville.

NORTH CAROLINA.

Arthur T. Willoughby, Ahoskie.
Lawson M. Almond, Albemarle.
Minnie T. Moore, Atkinson.
Madison L. Wilson, Bakersville.
James D. Andrews, Fairmont.
Herbert H. Miller, Hickory.
Julia B. Greer, Moravian Falls.

OHIO.

Ruth Seabert, Alger.
James F. Bumpus, Butler.
Mary B. Wanamaker, Cortland.
Franklin H. Smalley, Jeromesville.
Wilbur M. Shaw, Lakeview.
Bertha Warner, Macksburg.
Monto B. Coffin, New Vienna.
Francis M. Hiett, Spring Valley.
Cassius C. Stephenson, Yellow Springs.

SOUTH CAROLINA.

Mark D. Batchelder, Frogmore.
Mollie W. Tittle, Troy.
James J. Vernon, jr., Wellford.

TENNESSEE.

John H. Poston, Henning.

WISCONSIN.

Fred S. Thompson, Superior.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 18, 1922.*

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our heavenly Father, the Shepherd of mankind, we turn to Thee again. Grant us all to feel that we are in the presence of a God who cares. Surely Thou dost love us with all our human frailties. Enable us never to forget that the highest reach of manhood is the protection of the weak, the poor, and the unfortunate. Be with us in the exercise of the privileges of this Chamber. Always show Thyself as the radiant Lord of life and glory. At the end of the week may we take love, joy, and peace to our homes. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

SOLDIERS' BONUS.

Mr. GARNER. Mr. Speaker, I ask unanimous consent for one minute.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. GARNER. Mr. Speaker, for the information of the membership who are here and those who may be necessarily absent, I would like to ask the gentleman from Wyoming what information he can give the House with reference to the probable time of considering the bonus bill?

Mr. MONDELL. I will say to my friend that there is no way of determining that far in advance. Frankly I can not tell the gentleman, but I will say to him what I have said to those on our side who have to do with such matters that I thought our people ought to be here next week, beginning Monday.

Mr. GARNER. The gentleman then can not give any definite idea about the date of the consideration of the matter? But if I gather from the gentleman's statement it would be well for this side of the House to follow his action and notify everybody to be here on Monday?

Mr. MONDELL. There are various important matters pending, enough so that I think gentlemen ought to be here.

Mr. GARNER. Oh, well, that is a very indefinite answer. Does the gentleman state that we should notify everybody to be here to consider the bonus bill Monday?

Mr. MONDELL. The gentleman can do as he likes. I am advising gentlemen on our side that I think the business of the House is sufficiently important so that they should be here next week, beginning the first day of the week.

Mr. HUMPHREYS. Ask him if that is all he knows about it.

Mr. GARNER. Is that all the gentleman from Wyoming knows about the subject?

Mr. MONDELL. That is all—that I am telling.

Mr. GARNER. That is all you are telling. That is right. Mr. Speaker, I ask unanimous consent that the minority may have until the adjournment of the House on Monday afternoon to file minority views not to interfere with the consideration of the bonus bill. I do this at the suggestion of the gentleman from North Carolina [Mr. KITCHIN]. I hope there will be no objection.

The SPEAKER. The gentleman from Texas asks unanimous consent that the minority may have until adjournment Monday to file minority views on the bonus bill. Is there objection?

There was no objection.

WAR DEPARTMENT APPROPRIATIONS.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10871) making appropriations for the War Department for the next fiscal year.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the War Department appropriation bill, H. R. 10871, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill from the point where he left off last evening.

The Clerk read as follows:

CONTINGENCIES OF THE ARMY.

For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices at Washington, D. C., or in the Army at large, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed $4, in lieu of subsistence, to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, $85,000: *Provided*, That not to exceed $67,000 of the money herein appropriated shall be expended for the payment of salaries of civilian employees connected with the sale of war supplies and the adjustment of war contracts and claims: *Provided further*, That the Secretary of War is hereby authorized, in his discretion, to sell to any foreign State or Government with which the United States is at peace, upon such terms as he may deem expedient, any foodstuffs now on hand and found to be surplus, which are not needed for military purposes, or which are likely to spoil, and for which there is no adequate domestic market: *Provided further*, That none of the funds appropriated in this act shall be used for the payment of expenses connected with the transfer of surplus property of the War Department to any other activity of the Government where the articles or lots of articles to be transferred are located at any place at which the total surplus quantities of the same commodity are so small that their transfer would not, in the opinion of the Secretary of War, be economical: *Provided further*, That none of the funds appropriated or made available under this act shall be used for the payment of any salary in excess of $5,000 per annum to any civilian employee in the War Department, unless otherwise specifically provided by law.

Mr. WALSH. Mr. Chairman, I reserve a point of order on this paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. WALSH. I will ask the gentleman from Kansas what foods were sold to foreign Governments during the past year?

Mr. ANTHONY. We have no record that any foods were sold. The department tried to sell a large quantity of dehydrated vegetables that were accumulated during the war, which they hoped to sell. My understanding is that they are still on hand.

Mr. WALSH. Are these dehydrated vegetables liable to spoil?

Mr. ANTHONY. They say not. It is stated that they will probably keep for some time, but the department has been unable to make any practical use of them. The soldiers will not eat them. They are probably tasteless, although it is claimed that they have the same nutritive value that fresh vegetables have; but as the dehydrated vegetable is an article of diet that people in this country are not accustomed to, it looks as though these dehydrated vegetables would probably stay on hand in the War Department, unless they are sold for hog feed or something of that kind, which the department recommends.

Mr. WALSH. If the soldiers will not eat them, how did the department come to have such a quantity on hand? What did they get them for?

Mr. ANTHONY. I think the dehydrated vegetable is one of the freak products of the war. It was thought they would solve the problem of food supply, and then they found that was a mistake.

Mr. WALSH. Of course, this is not limited to dehydrated vegetables. It applies to any surplus foodstuffs. Are they selling them to people in this country?

Mr. ANTHONY. The principal other foodstuffs were canned meats, and they have made a constant effort and have sold

a large quantity of them. I understand they have still some on hand, but not much.

Mr. WALSH. I withdraw the reservation of the point of order.

Mr. KAHN. Mr. Chairman, I ask unanimous consent that when we come to the finance department in the bill, pay of officers, and pay of enlisted men, the matter may be allowed to go over until Tuesday; but that the reading of the bill other than those items be continued. This is the situation. There are quite a good many Members on this side of the House, and I assume also on the other side of the House, who would like to participate in the discussion about the size of the Army and the number of officers.

There are many provisions which can be read, about which there will be no objection whatever, but there are a certain number of Members who would like to discuss these items as to the size of the Army when we come to them. They did not know that the bill was coming up to-day when they made their engagements. I think it would be only proper to allow these two items to go over until Tuesday. They are found on pages 15 to 23.

Mr. ANTHONY. Will the gentleman yield?

Mr. GARRETT of Tennessee. Reserving the right to object, the gentleman makes his request that the items be passed until Tuesday.

Mr. KAHN. Monday will be unanimous-consent day, so I supposed the matter would not come up on Monday. On Tuesday morning there is nothing whatever to stand in the way of further consideration of the Army bill.

Mr. GARRETT of Tennessee. Is the gentleman sure that there will be nothing on Tuesday?

Mr. MANN. Had not the gentleman better make his request that the items go over until the next day the bill is under consideration?

Mr. KAHN. Well, Mr. Chairman, I see the bill is going to have some hard sledding. I will make the request at the suggestion of the gentleman from Illinois.

The CHAIRMAN. Will the gentleman state his request.

Mr. KAHN. That the items under the finance section of the bill, beginning on page 15 and continuing, I believe, to page 25, go over until the next day that the bill is under consideration.

Mr. SISSON. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. SISSON. I do not think the gentleman's request covers quite as much as it should in order to include all the items that might be affected by the size of the Army. For example, the very item we are now considering—I had intended to rise for the purpose of calling attention to the fact that if the Army should be reduced to 100,000 men we could reduce this $95,000 carried in this bill to $92,000, and if you increase the size of the Army that $95,000 should be increased. This is not simply my own conclusion, but is the conclusion of the War Department, as I had them to assist in making the figures. I have no objection to the request of the gentleman from California provided it includes those items where the size of the Army affects the size of the item.

Mr. KAHN. That is perfectly agreeable to me.

Mr. MANN. Take the Quartermaster Corps; all these items depend upon the size of the Army.

Mr. SISSON. That is true, but not all.

Mr. MANN. Not all, but most of them.

Mr. KAHN. I think if we take up the items under the Finance Department we will reach most of the matters that are in controversy.

Mr. ANTHONY. Will the gentleman yield?

Mr. KAHN. I will.

Mr. ANTHONY. May I say that I am sure the committee has no idea of trying to preclude any gentleman from having an opportunity of passing on any items in the bill, but can not the gentleman modify his request so as to pass over the pay of the officers and the enlisted men and let us proceed on the smaller items? Those are the two material items, and we can correct the others afterwards.

Mr. GARNER. What is the object of letting it go over? Why not consider it to-day?

Mr. ANTHONY. I understand there are Members from New York, Pennsylvania, and New Jersey who are absent to-day.

Mr. GARNER. But the gentleman from Wyoming said that they all ought to be here.

Mr. MANN. Next week.

Mr. GARNER. Why are they not here to-day?

Mr. KAHN. Because——

Mr. MANN. The gentleman from California should not reply seriously to that facetious remark following the request the gentleman from Texas made the other day on account of an absent Member. [Laughter.]

Mr. GARNER. I am merely using the language used by the gentleman from Wyoming and the gentleman from Illinois; I always like to adopt their language. [Laughter.]

Mr. KAHN. The fact of the matter is that these absent Members had expected the bill to come up for some days before it was taken up. They had no idea that there was so much business that would delay the consideration of this bill. They asked me whether I could succeed in having the items for the pay of the officers and enlisted men go over until the next day.

Mr. ANTHONY. Will it be satisfactory if we pass over the two items for the pay of the officers and the enlisted men?

Mr. KAHN. I think there is one other item, so if the whole provision for the pay of the Army can go over it will cover the whole thing.

Mr. SISSON. Reserving the right to object, I want to state that there are quite a number of these items that will be affected by the size of the Army. If you increase or decrease it, these items will be affected. If I can get unanimous consent, coupled with the unanimous-consent request of the gentleman from California, that these items may be changed so as to conform to the size of the Army, in the event the size of the Army is changed, I have no objection. I do not believe you are going to save much time, however, by this process, because the principal debate on this bill, in my judgment, is going to be upon the size of the Army and the number of officers. All of these other measures, except a few items, will be as a matter of course. When you fix the size of the Army and the number of officers, you have virtually written the balance of the bill, except in so far as these special units are concerned.

Mr. MANN. Mr. Chairman, permit me to submit a request for unanimous consent, that the items relating to the pay of the officers and enlisted men of the Army, and any other item in the bill which the gentleman from Kansas [Mr. ANTHONY] in charge of the bill, or the gentleman from Mississippi [Mr. SISSON], of the minority, shall hereafter request, be postponed for further consideration, to be taken up in order on the next day the committee is in session for the consideration of this bill.

Mr. SISSON. I have no objection to that.

Mr. KAHN. Mr. Chairman, I accept that.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to pass over for the time being those items relating to the officers and enlisted men and such other items as are requested by the gentleman from Kansas [Mr. ANTHONY] or the gentleman from Mississippi [Mr. SISSON] until the bill shall again be under consideration. Is there objection?

There was no objection.

Mr. SISSON. Mr. Chairman, I shall have to ask that this item under consideration be passed over, because this is one of the items which will be affected by the size of the Army, unless the gentleman from Kansas is willing to reduce it to $92,000.

Mr. ANTHONY. It would be merely a change from $95,000 to $92,000 in case the gentleman's suggestion about 100,000 in the Army be approved by the House.

Mr. SISSON. Yes.

Mr. ANTHONY. It is manifest that if the gentleman's amendment should prevail, we undoubtedly would change that figure.

Mr. SISSON. I have no objection to that, with that understanding.

Mr. MANN. But you can not go back and change an amendment which has been agreed to in the committee except by unanimous consent. At the request of the gentleman the matter could be postponed now.

Mr. SISSON. I am willing that this may be agreed to, but in the event I ask unanimous consent to go back, of course, some one might take advantage of that and not grant that request. In the event there is no change in the size of the Army carried in the bill, this item ought not to be changed.

Mr. MANN. It would simplify matters to pass the whole thing.

Mr. SISSON. Yes; I think so. I object to this being considered at this time, Mr. Chairman, because this is involved in the size of the Army.

The CHAIRMAN. The Chair would like to know from the gentleman from Kansas in charge of the bill at what point the Clerk will begin reading?

Mr. ANTHONY. I would say for the information of the Chair that practically every item in the bill is dependent upon the size of the Army, if gentlemen insist upon the request that has been made. I suggest that the Clerk read from where he left off.

Mr. GARRETT of Tennessee. Mr. Chairman, I want to ask the gentleman a question about the paragraph which has just been read.

Mr. STAFFORD. That has been passed over for further consideration.

Mr. ANTHONY. At the request of the gentleman from Mississippi, we have passed that over.

Mr. GARRETT of Tennessee. The entire paragraph?

Mr. ANTHONY. Yes.

The CHAIRMAN. The Clerk will begin reading then at line 22, page 5.

Mr. LONDON. Mr. Chairman, I move that the committee do now rise, in view of the statement made by the gentleman in charge of the bill.

The question was taken, and the motion was rejected.

The Clerk read as follows:

ARMY WAR COLLEGE.

For expenses of the Army War College, heretofore known as the General Staff College, being for the purchase of the necessary stationery; typewriters and exchange of same; office, toilet, and desk furniture; textbooks, books of reference, scientific and professional papers and periodicals; printing and binding; maps; police utensils; for lighting the Army War College Building and grounds; employment of temporary, technical, or special services and expenses of special lecturers; and for all other absolutely necessary expenses, including $25 per month additional to regular compensation to chief clerk for superintendence of the Army War College Building; also for pay of the following: Chief clerk, $2,000; clerks—two at $1,800 each, seven at $1,600 each, seven at $1,400 each, eight at $1,200 each, four at $1,000 each; chief engineer, $1,400; assistant engineer, $1,000; captain of the watch, $900; six watchmen, at $720 each; four firemen, at $720 each; packer, $840; four messengers, at $720 each; laborers—one $720, one $600; gardener, $720; five charwomen, at $240 each; in all, $70,380.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word. Is it not a fact, exactly in line with what the gentleman from Kansas stated a moment ago, that if we assume there will be a substantial reduction in the personnel of the Army provided for, then all of these items we are now reading might be affected?

Mr. ANTHONY. That was perhaps an exaggerated statement. Probably not all of them. For instance, the one just read relating to the Army War College would not be affected, but nearly all of them would be.

Mr. MOORE of Virginia. In view of the fact that nearly all of them would be affected, are we not pursuing a very illogical course?

Mr. ANTHONY. I think not, because they would be affected so slightly, some of them, that it would be a very easy matter to adjust them to the size of the Army.

Mr. MOORE of Virginia. But we are adopting these items.

Mr. ANTHONY. Yes.

Mr. MOORE of Virginia. We are not under any rule or agreement that would enable us to reconsider, and we might reduce the number very substantially below the number contemplated by this bill, and we might not be able to retrace our steps to make the changes in these incidental items.

Mr. ANTHONY. There has been nothing read so far that I believe in the judgment of the gentleman from Mississippi or myself would be affected, unless the size of the Army was very materially reduced or increased from the figures that have been submitted in the bill.

Mr. MOORE of Virginia. I may say to the gentleman that before asking the question I had a talk with the gentleman from Mississippi and he seemed to agree with the gentleman's view, that this is a very poor way to proceed.

The Clerk read as follows:

QUARTERMASTER SUPPLIES, EQUIPMENT, ETC., RESERVE OFFICERS' TRAINING CORPS.

For the procurement and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, and to forage at the expense of the United States public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit; or in lieu of transporting them to and from such camps and subsisting them while en route to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the act approved June 3, 1916, as amended by the act approved June 4, 1920, $2,750,000, to remain available until December 31, 1923: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue, in so far as said stocks are in excess of actual requirement of the Regular Army for the fiscal year 1925: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the prices current at the time the issue is made: *Provided further*, That none of the funds appropriated in this act shall be used for the organization or maintenance of additional mounted, motor transport, tank, or air units in the Reserve Officers' Training Corps.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman allow me to ask one question? I notice that so far as uniforms are concerned the gentleman says that we have made up for the lack of appropriation by allowing the issue of uniforms, but this covers also the procurement and the transportation of horses to camps and to officers' training camps. Horses are something that can never be got again if they go. I want to know whether the change in this appropriation affects the ability to carry horses?

Mr. ANTHONY. No; it does not. There is no restriction on the transportation. There is a limitation that provides that they shall not add any increased number of mounted units. It will permit them to maintain those they have.

Mr. PARKER of New Jersey. Is that in this paragraph?

Mr. ANTHONY. Yes; but we do not propose to permit them to organize any more mounted units or any more motorized units if we can help it.

Mr. PARKER of New Jersey. Where is that proviso?

Mr. ANTHONY. The last proviso.

Mr. CRAGO. Mr. Chairman, I reserve a point of order on the proviso.

Mr. STAFFORD. Mr. Chairman, I make the point of order the reservation comes too late.

Mr. CRAGO. It is not too late.

Mr. STAFFORD. Discussion has been had on it for nearly five minutes.

Mr. CRAGO. You can make a point of order on it at any time until you pass it by.

Mr. STAFFORD. I contest that. Discussion has already been participated in for several minutes.

The CHAIRMAN. The Chair thinks the point of order comes too late. Discussion has been had on the merits of the proposition.

Mr. CRAGO. No; there was merely a question asked, and I was on my feet.

Mr. PARKER of New Jersey. Mr. Chairman, the gentleman was on his feet when I spoke.

Mr. CRAGO. I was on my feet ready to make a point of order when the gentleman asked a question, and I did not like to interrupt. I insist that is a very poor way to attempt to get legislation through.

Mr. STAFFORD. I would not have pressed my point of order if the gentleman from Pennsylvania had not stated he was in his rights in making the point of order.

Mr. CRAGO. I was trying to be courteous to the gentleman from New Jersey.

Mr. STAFFORD. The point of order comes too late, but I will not press the point of order; but the reservation of the point of order is too late.

Mr. SISSON. Mr. Chairman, I make the point of order that it came too late.

The CHAIRMAN. The Chair certainly thinks that discussion has been had on the item.

Mr. CRAGO. If the Chair will remember, I was on my feet ready to make a point of order and did not like to break in on the gentleman from New Jersey.

The CHAIRMAN. But the gentleman did not make it.

Mr. PARKER of New Jersey. He did not make it while I was asking a question.

The CHAIRMAN. He was not entitled to under the gentleman's pro forma amendment.

Mr. PARKER of New Jersey. I did not make a pro forma amendment.

Mr. CRAGO. Mr. Chairman, I move to strike out the proviso beginning with line 12, page 11.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CRAGO moves to strike out the proviso beginning in line 12, page 11, after the word "made."

Mr. CRAGO. Mr. Chairman, if we are to have such tactics as have been displayed here it only means that all of us will be on our feet all the time and take proper care to call the attention of the House, at least, to the inconsistencies of this bill. Now, it is clearly subject to a point of order under the decisions in a number of cases on appropriation bills. I do not care to discuss that now, because it will be discussed later when this same proviso occurs with reference to the organizations in the National Guard. Now, I take it, in this bill the main points will be the size of the Army, not only the officers' personnel

but the enlisted personnel, and appropriations made for the National Guard. Now, in this reserve training corps we are asking those men who had training in the World War to come to these training camps and receive instruction and to impart instruction in the kind of organizations where they served during the World War, and I insist——

Mr. ANTHONY. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. ANTHONY. The gentleman just made the statement that this would interfere with the training of the veterans of the late war in the branches in which they had served.

Mr. CRAGO. Yes.

Mr. ANTHONY. I would call his attention to the fact that this appropriation is for training in schools and colleges and only affects school and college boys and high-school boys.

Mr. CRAGO. This is the Reserve Officers' Training Corps?

Mr. ANTHONY. Yes. This is the reserve training corps for schools and colleges where they train them to become officers of the reserve corps and does not affect veterans of the late war.

Mr. CRAGO. I insist that the gentleman is mistaken. I know he is absolutely honest in it, but he speaks here of the units in the Reserve Officers' Training Corps. That is what has been referred to.

Mr. ANTHONY. That is to say, this reserve officers' training school corps at schools and colleges.

Mr. CRAGO. This is schools and colleges reserve——

Mr. ANTHONY. In other words, let me say to the gentleman, this trains boys in schools and colleges, gives them a military training to make them eligible to be in the Reserve Officers' Corps in the same way we train boys at West Point to make them eligible in the Regular Army.

Mr. CRAGO. This has no reference to the training given annually to officers already in the officers' training corps——

Mr. ANTHONY. No relation whatever.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAGO. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAGO. I can see the distinction between the organization of these highly technical units in the schools and having them organized in the National Guard and in the training which you give to the organized Reserve Officers' Corps.

Mr. FROTHINGHAM. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. FROTHINGHAM. I would like to ask the gentleman who has charge of this bill, through you, if I am right in the understanding that this does not refer to citizens' training camps?

Mr. ANTHONY. It does not.

Mr. CRAGO. And refers to nothing except the training given in schools and colleges.

Mr. PARKER of New Jersey. On page 10 it refers to several institutions and training camps. All through there it seems to cover camps.

Mr. CRAGO. With that clear understanding of the meaning of the proviso by the chairman of the subcommittee I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. Mr. Chairman, for the information of the gentleman from Pennsylvania, the reason that the committee put this limitation on to prevent the organization of further mounted and tactical units was because we find 11 troops of cavalry maintained. It is a pretty soft thing to have Uncle Sam furnish those schools with 32 horses and with their care and feed for the use of those students. There are schools that have mounted units but that maintain their own horses, their own cavalry troops, such as Culver, in Indiana, whereas there are a large number of others imposing on Uncle Sam for that purpose.

Mr. CRAGO. As long as it only applies to this section, I have no objection.

Mr. HILL. Will the gentleman yield?

Mr. ANTHONY. I will yield.

Mr. HILL. As I understand the gentleman, this simply applies to the units of the Officers' Training Corps in educational institutions?

Mr. ANTHONY. And the summer camps of those institutions.

Mr. HILL. And that there are now about 11 mounted units maintained in schools?

Mr. ANTHONY. Yes, sir.

Mr. HILL. But that this does not in any way apply to the training of reserve Cavalry regiments or National Guard Cavalry regiments?

Mr. ANTHONY. The gentleman is correct.

Mr. SISSON. Mr. Chairman, I move to strike out the last word.

The gentleman making the point of order, I think, was in error, and I should not have said anything except for the unnecessary remark scoring this committee, when it is not necessary to do so. I think, as a matter of fact, the chairman of this committee and the subcommittee know a great deal more about this bill, evidently, than the gentleman who has thought it so fitting and proper to be gratuitous in his criticism.

Mr. CRAGO. I sincerely hope they do.

Mr. SISSON. If I did not know more about it than the gentleman appears to know, I certainly should not have criticized gentlemen who have spent so much time in their efforts to know something about it. I do not believe you are going to get anywhere by gratuitous criticism of this committee. If you are a militarist and have got the German military system in your mind, if you differ with this subcommittee, you differ with the majority of the people in this country, in my judgment. Therefore, in view of the fact that we did not bring in that sort of a bill, we ought not to be subjected to that sort of criticism, as if we did not know what we were doing.

Now, while we are discussing this character of service, I want to say to my friends of the National Guard that if you want to destroy the National Guard and permit a program that certain Army officers want to be carried out, the people will help destroy it, because the program will make the National Guard as expensive as the Regular Army. You can not, in my judgment, have the tank units, the chemical-warfare units, and cavalry regiments unless there is some special exception, especially as to the latter, where the boys are willing to furnish their own horses. You can not, with the consent or indorsement of the people of this country, maintain these expensive cavalry units and these adjuncts of the Army with men who are supposed to give but a few hours a week to the training. And your committee, in doing this, was endeavoring, in my judgment, not to make unpopular but to remove a great deal of unpopularity that is lodged against the Army by this expenditure, which we think is a useless one, and for that reason we did the same thing here in this particular activity.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ORDNANCE STORES, EQUIPMENT, ETC., RESERVE OFFICERS' TRAINING CORPS.

For arms and ordnance equipment, including overhauling and repairing of personal equipments, machine-gun outfits, and horse equipments for use in connection with the Reserve Officers' Training Corps, established by the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended by the act of June 4, 1920, $100.

Mr. HILL. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the subcommittee what is expressly covered by this section?

Mr. ANTHONY. I will say that, as to the item mentioned, the department did not take more than $100 for the purpose of keeping it alive. They have so much equipment in surplus that they do not need any money to buy additional equipment.

Mr. HILL. This does not in any way mean the reduction of horse equipment or horses?

Mr. ANTHONY. None whatever.

Mr. HILL. Mr. Chairman, as a preliminary to making some comments on what has been said by the member of the committee who spoke a few moments ago about the National Guard, I wish to say that I know at the present time there is a very natural reaction against everything having to do with the Army. However, we can not dispense with the Army at present, and so we must keep it efficient. And I, personally, having gone over very carefully these hundreds of pages of testimony which have been taken by the subcommittee, do not rise in any spirit of antagonism, but merely to present certain points of view with reference to this bill. The gentleman from Mississippi [Mr. SISSON] has said that certain plans which were advocated by the War Department in reference to the National Guard would end in the abolition of the National Guard. The National Guard has repeatedly been said to be, under the present program of national defense, the chief reliance in the theory of national defense, but the gentleman has referred to the objection to having mounted units in the National Guard.

I should like to take this occasion to read to the House some comments of the adjutant general of Maryland on several matters relating to the National Guard, and I do that at this time for the reason that it is very difficult to consider this bill under separate paragraphs. The bill is one coherent whole. I desire

to read this now in order that the Members who expect to participate in the debate on this very important question of the appropriations for the National Guard may have these suggestions before them for consideration.

I know that the committee has labored most industriously and has brought forth a bill based on a certain point of view. Personally, as a person who believes in an Army of 150,000 men and 13,000 officers and an adequate National Guard and reserve, I feel that it is necessary that changes be made in the bill. I believe that the system of Reserve Corps and National Army training recommended by the War Department should be carried out, and I therefore believe certain changes should be made in the bill; but I do not feel that this committee that has brought in this bill is actuated by anything except the same patriotic motives on behalf of the national defense which have characterized the gentlemen of the committee who have spoken. I therefore would like to put into the RECORD, for the benefit of the committee and those who shall discuss this very important matter, this letter from the adjutant general of Maryland, and I might say to the committee that this adjutant general of Maryland is the gallant colonel who commanded the One hundred and fifteenth Infantry north of Verdun in the World War. He belongs to the opposite party to that to which I belong and so there is no politics in this. He speaks from the standpoint of a man who believes that the citizen army should first be coordinated in the National Guard and, second, coordinated in the National Reserve, and he speaks from the viewpoint of those of us who are deeply concerned about certain features of the bill. This letter is addressed to me. I read:

STATE OF MARYLAND,
OFFICE OF THE ADJUTANT GENERAL,
Annapolis, March 16, 1922.

Hon. JOHN PHILIP HILL,
House of Representatives, Washington, D. C.

MY DEAR MR. HILL: Appropriation H. R. 10871 makes such drastic cuts in appropriations affecting the National Guard that I am compelled to call same to your attention, and to ask that you use your influence to keep the appropriations at amounts that will enable the National Guard throughout the United States to properly function.

For your information certain features are listed below. May I not hope for your cooperation and assistance?

"No item for purchase of animals.

"Page 79, lines 24 and 25, provides forage for 4,000 animals, whereas 8,009 have already been issued to the National Guard.

"Page 80, lines 3 and 4, care of material, animals, and equipment, $750,000, provides for caretakers for 4,000 animals and a balance of $100,000 for other caretakers and mechanics.

"Estimates submitted for 9,740 animals, caretakers, $1,910,500.

"Page 80, line 5, camps of instruction: $6,500,000 will provide for only 115,000 men for 15 days; National Guard has now a strength of over 145,000; $9,500,000 minimum requirement.

"Page 80, lines 6 and 7, expenses officers and specially selected men, $250,000. Item may send 155 officers and 156 men only. Last year 220 applied to attend Benning alone.

"N. B.: No funds under section 81, national defense act.

"Page 80, lines 12, 13, and 14. Travel of noncommissioned officers, $200,000. Insufficient present year and $600,000 needed for 1923.

"Page 80, line 17: Transportation, equipment, and supplies, $375,000. Inadequate this year and $200,000 additional needed under provisions of bill for 1923.

"Page 80, line 20: Armory drill pay, $9,000,000; estimated $11,000,000 minimum requirement.

"Page 82, lines 7, 8, 9, and 10. 'The mounted, motorized, and tank units of the National Guard shall be so reduced that the appropriations made in this act shall cover the entire cost of maintenance of such units for the National Guard during the fiscal year 1923.'"

Thanking you for your attention, I am,
Very sincerely, yours,

MILTON A. RECKORD,
The Adjutant General.

I am not speaking merely for the National Guard of Maryland, because we speak of the National Guard as a whole as one of the lines of defense. I might say that when the proper moment is reached I propose to offer certain amendments suggesting amounts that ought to be appropriated to the National Guard instead of the amounts to which they are cut.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. HILL. Mr. Chairman, I ask unanimous consent to proceed for a few moments more.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. HILL. Now, gentlemen of the committee, with reference to those horses for the National Guard, here is the situation, referring to the item of 4,000 horses. For four Cavalry divisions, which the National Guard at present has, omitting new units proposed, a sufficient complement of organizations to complete would require 6,784 horses at 32 mounts per proposed unit. I might say it is a very difficult thing at the present time to get former National Guard members and men who served in the war as officers and men to come into the National Guard or to come into the Reserve Corps. They have had all they want of war, and they do not want any more. It is a very difficult thing to organize at the present time National Guard units, and it is a more difficult thing to organize at the present time Reserve Corps units. There is a very strong apathy among ex-enlisted men and ex-officers which prevents them from coming back into the reserve organizations or the National Guard. Their attitude is the same attitude as that of the whole country. They do not want to be bothered by war any more. But, my colleagues, I want to say to you, the thing that the United States lacked when the war came was a proper military policy, and at the present time we are confronted with the question of keeping alive a skeleton organization which can be properly expanded if the need arises.

Now there have been organized in the National Guard—and I am speaking especially of that at this time—certain units which require horses. There have been certain 3.2 Field Artillery units which are still mounted and to which 32 horses per unit have been allowed. There are a certain number also of Cavalry units. All of them need these horses for training.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. May I have one minute more?

The CHAIRMAN. The gentleman from Maryland asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. HILL. It is perfectly true that on the roads of France and Germany motor transportation was primarily used, but cavalry were used by Allenby on one occasion very successfully. If the Germans had had as many as four cavalry divisions they would have been able to follow up their success in one case where they failed to do it. If there is ever trouble on our borders in this country, cavalry will be necessary, because, as the gentleman from Texas [Mr. GARNER] knows, who represents the Laredo district along the Mexican border, you can not use motor transportation along the border except in rare cases.

I therefore shall present amendments to give to the National Guard the appropriations for which the War Department has asked. To give less will discourage the splendid work of organization of the National Guard. We may need them again some day. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CIVILIAN MILITARY TRAINING CAMPS.

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47–d of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, uniforms, including altering, fitting, washing, and cleaning when necessary, subsistence, and transportation, or in lieu of such transportation and of subsistence for travel to and from camps, travel allowances at 5 cents per mile, as prescribed in said section 47–d, $1,800,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person who is over 35 years of age: *Provided further*, That uniforms and other equipment or material furnished in accordance with law for use of civilian training camps shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue, in so far as said stocks are in excess of actual requirements of the Regular Army for the fiscal year 1923: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished in accordance with law for use at civilian military training camps from stocks under control of the War Department be in excess of the price current at the time the issue is made.

Mr. CRAGO. Mr. Chairman, I move to strike out the last word. I rise simply to ask the chairman of the subcommittee a question as to the age proviso—

Provided, That the funds herein appropriated shall not be used for the training of any person who is over 35 years of age.

Is there a provision of law at the present time containing that requirement?

Mr. ANTHONY. That is the same age as was specified in the bill last year. The idea is to prevent older men from taking this training and thereby crowding out younger men who would be really available for military duty in case of war.

Mr. CRAGO. Was the age of 35 years specified in the last bill?

Mr. ANTHONY. It was.

Mr. CRAGO. Was there any criticism of that limitation?

Mr. ANTHONY. Only from men of 40, 45, and 50 who wanted to take the training, but who would be of limited military value in case they were called upon for active service in war.

Mr. CRAGO. I know quite a number of splendid, patriotic citizens who, like the gentleman from Kansas, are physically fit to take this training.

Mr. ANTHONY. "Treatment" is the correct expression.

Mr. CRAGO. I am wondering whether there is much criticism of that limitation or not.

Mr. ANTHONY. We have heard very little.

Mr. MANN. There are quite a number of young men in the House here who think they are boys, but nobody else does. [Laughter.]

Mr. ANTHONY. The gentleman from Pennsylvania [Mr. CRAGO] is a great advocate of military training, and I hope he will note the liberality with which our committee have treated this question of military training. We have doubled the cash appropriation from $900,000 to $1,800,000, and in addition we provide them with about half a million dollars in supplies to be furnished without charge, and we are going to treble the number of civilians who will be able to take this training.

Mr. CRAGO. From my own limited experience in attempting to impart military training and discipline to men I believe you do not accomplish very much when you try it on persons over 35 years of age.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For expenses incident to completion of the work of furnishing to adjutants general of States statements of service of all persons from those States who entered the military service during the war with Germany, including the employment of clerical and other help in the office of The Adjutant General of the Army, $100,000, to be immediately available.

Mr. HULL. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HULL: Page 14, line 8, after the word "States," insert "a history of the units."

Page 14, line 8, after the word "service," insert "and a record of deaths and burial places."

Page 14, line 9, after the word "who," strike out the word "entered" and insert "served in."

Line 12, after the word "Army," strike out "$100,000" and insert in lieu thereof "$302,000."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the proposed amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. HULL. Mr. Chairman, in explanation of the amendment that I have offered I would like to have the Clerk read the letter which I send to the Clerk's desk.

The CHAIRMAN. Without objection, the letter will be read in the gentleman's time.

There was no objection.

The Clerk read as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, December 21, 1921.

Hon. A. B. CUMMINS,
United States Senate.

MY DEAR SENATOR: Referring to your recent personal call at this department in company with Col. Frank E. Lyman, secretary-director, Iowa War Roster Commission, Des Moines, Iowa, who desires (a) statements of service of those officers and enlisted men for whom no statements have been previously prepared; (b) the place of death of those who died while in the service during the World War in addition to the information on the statement of service cards; and (c) a tabulated statement showing a brief history of each unit that belonged to the Army during the World War; and in response to your request for an estimate of the probable cost of furnishing the information desired, I have the honor to inform you as follows:

(a) It is estimated that there are 132,000 officers and field clerks and 340,000 enlisted men who performed military service, but for whom no statements of service have been prepared to date. Based on past experiences and the best data now available, it is estimated that the cost of completing the statements of service in the 472,000 cases would be approximately $225,000.

(b) Based on the results of actual tests made by searching 175 cases for place of death, it is estimated that the cost of furnishing the place of death in all cases would be approximately $26,000. In this connection, I desire to invite your attention to the fact that had this part of the work been undertaken when the statements of service were prepared the cost would have been prohibitive, because the records from which the place of death could be secured were in many cases inaccessible, many of them not having reached the War Department at that time.

(c) It is estimated by the historical branch of the Army War College that the preparation of a tabulated statement showing a brief history of each unit that belonged to the Army, 8,500 in all, will cost between $51,000 and $100,000, it being impossible to determine at this time with any degree of certainty what the approximate cost would be. This estimate of cost does not include the cost of printing the organization histories after they shall have been compiled.

Sincerely, yours,

JOHN W. WEEKS,
Secretary of War.

Mr. HULL. Mr. Chairman and gentlemen of the House, this amendment conforms with the appropriations you have been making for this service. However, these records have not been completed. The fact of the matter is that we gave them $2,000,000 to complete these records, which are 90 per cent completed to-day. What you have is of no value unless you complete the records. Anyone can understand that. These records to-day are liable to be destroyed by fire. They are down here in some place that might burn up. In that case the records of the individual soldiers of your State would not be available. If you give them only $100,000 to do the work that they say they will have to do, and that they say will cost $352,000, you will still be lacking some of these records.

Mr. JOHNSON of Mississippi. Who has the records?

Mr. HULL. The Adjutant General. He had an organization working on these records a year ago. They had a little money left, but they did not have enough to complete them. You will notice that my amendment also includes a record of the place where the boy was killed, or where he died, and the place where he is buried.

This should be done, because no record is complete unless such data is included. It was originally intended to do this, but at the time of making the individual records they found it would be cheaper to wait until they had all the records of death compiled, and then they could put these records out and complete the service records with the details of the death and burial.

Mr. MANN. Will the gentleman yield?

Mr. HULL. I will.

Mr. MANN. Is that the purpose of the gentleman's amendment, to provide for a record of the place of burial, and so forth?

Mr. HULL. Well, it completes the records that are 90 per cent completed with the record of the place where the boy was killed and buried.

Mr. MANN. Have none of these records been furnished to the different adjutant generals?

Mr. HULL. Ninety per cent.

Mr. MANN. Bodies are just being brought home. Does the gentleman mean that that will have to be all done over again?

Mr. HULL. The place of death and burial will have to be made out, but the record has been completed on that.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HULL. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HULL. As shown in the letter of the Secretary of War, it will only take $26,000 to complete the record of the death and burial, and that could be done cheaper now than before.

Mr. MANN. How can it be done cheaper now than it could have been done before?

Mr. HULL. Because the data is compiled.

Mr. MANN. It will be compiled; what they want is to get the record of the data.

Mr. HULL. That is true, and a record without showing the place of death and burial is not complete.

Mr. MANN. I do not know whether it is complete or not, but that can be furnished hereafter. They would have to make out a new record on these bodies that have just been brought home for burial. I thought the letter the gentleman had read was not very intelligible; at least it was not to me.

Mr. HULL. It was intelligible to me, for this matter has been before us for two years. We have been trying to get the records made in this war, and we have not got them to-day. They tell us how much it will cost. My proposition is to give them the minimum amount of money—I have cut it from the maximum—and then say to them we want the records and you must furnish them complete.

Mr. ROACH. Will the gentleman yield?

Mr. HULL. Yes.

Mr. ROACH. The ex-service men of Missouri are particularly interested in this, because they have recently been granted a bonus under an amendment to the constitution of the State, and the adjutant general of that State has been unable to pay out the bonus on account of not being able to get the records from the War Department. What I want to ask the gentleman is, How much of an additional appropriation will it take to enable them to furnish the information?

Mr. HULL. To furnish the information to all the States the minimum amount would be $302,000, as is shown by the letter which I have had read, and that includes the place of death and burial and a history of the units.

Mr. ROACH. That calls for additional data than what has been furnished. Will that delay furnishing this other information?

Mr. HULL. Not a minute, because it is all compiled in a separate place.

Mr. ROACH. How much was the appropriation heretofore for this work?

Mr. HULL. Two million dollars.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. HULL. Certainly.

Mr. GARRETT of Texas. I understand if the amendment is adopted the record will be completed to date and will be in the different States, so that whatever might happen to the records here in Washington the States will have a complete record.

Mr. HULL. Each State will have its own record, and that is what the State wants. They can not pay the bonus to-day because of the lack of these records upon which to make the payment.

Mr. GARRETT of Texas. How long will it take to furnish it?

Mr. HULL. Six months.

Mr. McKENZIE. Will the gentleman pardon an interruption?

Mr. HULL. Certainly.

Mr. McKENZIE. The adjutant general of the State of Illinois has stated to me, and I presume to my colleague, that inasmuch as Illinois is going to vote on a $55,000,000 bonus next election these records are very essential for them to have, and they are most interested in the proposition submitted by the gentleman from Iowa. But is it not a fact that a great portion of the $2,000,000 appropriated by Congress has been frittered away on filing and recording, simple questionnaires to men who were not in the service at all, and that the money if properly used would have been sufficient for the work which they now want done, if not wasted in this manner?

Mr. HULL. I think that is not true. As far as I know, it is not true. I think they performed a wonderful service. The gentleman wants to remember that in order to complete the record they had some 20,000,000 records to go over. Now I want to appeal to Members of the House not to allow the amount to be cut down for the sake of economy. Let us give them the money they ask to complete these records.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. A point of order was reserved on the amendment by the gentleman from Wisconsin. I would like to know if it is his purpose to press it?

Mr. STAFFORD. It certainly is.

Mr. BANKHEAD. Mr. Chairman, I regard this as an important proposition to all of us. If we are going to have just a moot discussion of the merits of the matter, then it is a waste of time. It seems to me that the point of order should be disposed of. I call for the regular order in order that we may find out whether we are going to vote upon the question.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from Iowa [Mr. HULL] is not authorized by existing law and is in violation of that rule which inhibits legislation in an appropriation bill. I call the Chair's attention to the fact that the authorization for this activity is found in the Army appropriation act for the year 1921. The Chair will find that the appropriation there made was for the purpose of authorizing the compilation of these records containing the statements of the service "of all persons from those States that entered the military service during the war with Germany." Permit me to read a part of the paragraph referred to:

> Including the employment of the necessary clerical and other help for duty in the office of The Adjutant General of the Army in connection with the arrangement, operation, and maintenance of the files of those records, and for the employment of clerical help required to furnish—

And here is the important part—

> to the adjutant generals of the several States statements of service of all persons from those States who entered the military service during the war with Germany.

Later on there is the use of the same language—

> for all expenses, including the employment of clerical and other help in the office of The Adjutant General of the Army necessary for the completion and preservation of the selective service records and the completion of the work of furnishing statements of service to the adjutant generals of the States.

What is sought by the gentleman from Iowa? He wants, in addition to the statements of service, a history of the units to be furnished to the adjutant generals of the States, and in addition thereto he wants a record of the deaths and the burial places.

Mr. HULL. Does the gentleman object to furnishing the place where a man died? That is the supreme service that he rendered.

Mr. STAFFORD. Mr. Chairman, we gave the gentleman from Iowa a hearing before our subcommittee, and although this item was not recommended by the War Department, we carried this item of $100,000. That is the judgment of the subcommittee.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield for a legal question?

Mr. STAFFORD. In just a minute. Getting back to the question before the committee, Mr. Chairman, and that is the point of order, there is no authorization providing for the history of the units of these respective Army services in the World War.

Mr. WALSH. Mr. Chairman, will the gentleman yield for a question on the point of order?

Mr. STAFFORD. I promised to yield first to the gentleman from Iowa.

Mr. RAMSEYER. Mr. Chairman, the gentleman read the statute which authorizes the furnishing of the statements of the service. Would not that include how that service was terminated, either by honorable discharge or by death?

Mr. STAFFORD. It would not include a history of the units.

Mr. RAMSEYER. I am not inquiring about that.

Mr. STAFFORD. I well remember replying to the remark of the gentleman from Iowa [Mr. HULL], when this was originally proposed by the legislative subcommittee. The subcommittee, as I did, favored an appropriation that would bring these records of service to completion and as quickly as possible to the adjutant generals of the States, but our subcommittee did not consider it advisable, because of the delay that would be entailed, to require of The Adjutant General the furnishing of the record of deaths and the burial places. They are not in possession of that information in many instances. There is being prepared under the supervision of the Medical Corps a history of the activities of the various units in the World War.

Mr. RAMSEYER. Does the gentleman contend that giving the date and the place of the death of the soldier in the service is not included in the statute under the language "statement of service"?

Mr. MANN. That is a provision carried in the present bill. If it includes it, it is included.

Mr. RAMSEYER. That is chiefly what my colleague wants.

Mr. STAFFORD. Oh, no. The gentleman's colleague wants to have a history of the units.

Mr. RAMSEYER. I am not speaking about that now.

Mr. STAFFORD. I am speaking of that, particularly.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ANTHONY. As a matter of fact, the only new thing in the proposed amendment is that the department shall write this history of the war. The committee is providing for practically everything that the gentleman from Iowa proposes. This history of the war is a new proposition.

Mr. STAFFORD. Absolutely new.

Mr. RAMSEYER. Under existing law and under the paragraph here carrying the appropriation, is The Adjutant General authorized to furnish the date of the death and the place of the burial of the soldier?

Mr. MANN. If he has it; but under the gentleman's proposed amendment he has to furnish it or wait until he gets it.

Mr. RAMSEYER. If the information is not available, he can not furnish it, but if such information is available it should be furnished.

Mr. MANN. He would have to wait for it.

Mr. STAFFORD. That is why we do not want to adopt the amendment of the gentleman from Iowa. I do not think there can be any question but that the amendment proposed by the gentleman from Iowa is not in order under the authorization heretofore carried for this particular work.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard?

Mr. HULL. Certainly. As I understand it, the gentleman from Wisconsin withdraws the point of order on the record of the death and the burial?

Mr. STAFFORD. I do not withdraw anything. I make the point of order for the reason stated, and leave it to the Chair to make the decision.

Mr. HULL. Then the gentleman still contends that that is not a part of the service record?

Mr. STAFFORD. I have made my argument.

Mr. HULL. Certainly, the Chair will understand that the record of a man's death and the place he is buried is a part of the service record.

The history of the unit is also necessary to complete the record of a boy who served in this unit. You can not write a history of this war unless you have a record of the unit. It is in the nature of a service record, and was so considered in the Civil War. Every State has written a history and they have that data from the Adjutant General of the United States——

Mr. MANN. Will the gentleman yield?

Mr. HULL. Certainly.

Mr. MANN. If these things which are covered by the gentleman's amendment are part of the regular statement of service, what did he offer his amendment for?

Mr. HULL. Simply because I want the matter cleared up. I want it to conform with the Secretary's letter. I want the amount put in there just as they state they would have it, and I want them to furnish a record——

Mr. MANN. I am not talking about the amount. The Secretary of War, I judge from the gentleman's statement and the letter, does not consider the language, statement of service, in the way the gentleman does. He thinks he can not do that. Is that the case?

Mr. HULL. Yes; but I want them to understand what they are expected to furnish.

Mr. MANN. Here is the law which says they shall furnish a statement of service. If that includes all the things, what is the use of adding to it? If they are not included in this language, I take it that the amendment is subject to the point of order.

Mr. HULL. To make a matter clear and well defined does not subject it to a point of order.

Mr. MANN. I do not know the merits of it at all.

Mr. HULL. It is a great deal better to have it clear and know exactly what you are asking for. I think everything I have asked for is a statement of the service of the soldier.

Mr. GARRETT of Texas. If I understand the gentlemen from Iowa it is that while it might possibly be covered he wants it specifically included, so that there will be no chance to exclude it?

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. HULL. Certainly.

Mr. BANKHEAD. What part of the increased appropriation the gentleman asks will be required to comply with the terms "history of the unit"?

Mr. HULL. $100,000.

Mr. BANKHEAD. And if it is eliminated from the amendment, it would still leave an increased appropriation of $102,000?

Mr. HULL. $202,000.

Mr. BANKHEAD. No; $102,000 if that is eliminated.

Mr. HULL. $202,000, including the $100,000 already in the bill.

Mr. BANKHEAD. I hope the gentleman, in the event the Chair sustains the point of order, would reoffer the amendment with that feature eliminated, so that we may have an opportunity of increasing the appropriation for the individual records of the men.

Mr. HULL. I can not imagine the point of order being sustained, but if it is I will reoffer it.

The CHAIRMAN. The Chair is prepared to rule. The Chair has not before him the statute, but he gathered from the reading of the statute by the gentleman from Wisconsin that the activities provided for in this paragraph are confined to the furnishing of statements of service. No mention is made either of a history of units or records of deaths and burial places. The gentleman from Iowa has increased the amount provided for in this paragraph in order to include history of units and records of deaths and burial places, which are not in the law. Therefore it seems to the Chair perfectly plain that this is new legislation, and the Chair sustains the point of order.

Mr. HULL. Mr. Chairman, I offer the following amendment. Strike out "$100,000" and insert "$202,000" at the end of the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 12, strike out "$100,000" and insert in lieu thereof "$202,000."

Mr. ANTHONY. Mr. Chairman, neither the War Department nor the Bureau of the Budget asked any item for this purpose. As the gentleman from Iowa has correctly stated, the work of preparing the service records is 90 per cent complete. The War Department discontinued the work and money has been turned back unused from appropriations heretofore made because of the delay which would be involved in securing the data which the gentleman from Iowa wants—the place of death and the place of burial of the soldier. It is obviously impossible to bring a record of that kind completely up to date, and the department takes the position in this letter from Secretary of War Weeks——

Mr. McPHERSON. Will the gentleman yield?

Mr. ANTHONY. In a moment. In which he stated that if the attempt is made to furnish that information it will delay the payment of the bonus. I presume he means in many of the States which have passed laws making these payments to their soldiers. The department believes they have sufficient records upon which to base the bonus payment. Now, the committee has no objection in the world to the securing of this data and a completion of the records of the soldiers for the States. In fact, the committee was glad to grant the request of the gentleman from Iowa that we provide payment in this bill for this purpose, and we have an item of $100,000 for the completion of these records.

Mr. SISSON. Will the gentleman yield for a question?

Mr. ANTHONY. Yes.

Mr. SISSON. As a matter of fact, there was no item included in the bill at all as it came to us, and on the suggestion of the gentleman from Iowa the committee thought $100,000 would complete these original records and therefore give the information which was needed.

Mr. ANTHONY. I now yield to the gentleman from Missouri.

Mr. McPHERSON. I would just like to ask the chairman if the statements of service that have been furnished—90 per cent—show the date of death, without regard to the place, of each soldier?

Mr. ANTHONY. My understanding is those statements only show this where they had the information.

Mr. McPHERSON. They certainly have a list of all the soldiers who were killed.

Mr. ANTHONY. Men are dying every day.

Mr. McPHERSON. I mean those that were killed during the war.

Mr. ANTHONY. They undoubtedly have most of those. Perhaps their own records are not complete on that point. But I want the House to understand that it is the purpose of the committee to furnish money enough to carry on this work and to furnish information to the adjutant generals of the States. The committee has inserted $100,000 for that purpose, and it is the hope of the committee that, with the reduction in the size of the Army that this bill attempts, there will be enough slack in The Adjutant General's Department, in addition to the $100,000 and the clerks we provide for here, to complete this work. For instance, the present force of The Adjutant General's office is 1,314. We are providing next year for a total force of 908, and we believe with the provision we have made for clerical and subclerical help in the office of The Adjutant General, with this $100,000, they will be enabled to complete these records, or almost complete them, and if the appropriation we make does not do it, the committee will provide the necessary money.

Mr. HULL. If that is the way you are going to do it, you will be in the position you are in now, where The Adjutant General says you could have completed them if you had appropriated the money, and he will be permitted to do it. Now, it will cost $225,000, according to their own statement.

Mr. ANTHONY. Let me remind the gentleman that The Adjutant General is turning money back into the Treasury for this purpose.

Mr. HULL. And he will destroy his organization.

Mr. ANTHONY. We are not to blame for that. We want to set him to work again on this, and if it needs more money than the $100,000 that we provide the committee will furnish it.

Mr. HULL. It will take a year's time to do that.

Mr. ANTHONY. We want the States to have this information as much as does the gentleman.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word.

I regard this as a very important proposition, not only for the present but for the future records of the service men of the different States. And if I was satisfied that the gentleman from Kansas [Mr. ANTHONY] was entirely accurate in his statement that the War Department had sufficient funds now for the purpose of furnishing completed records to the adjutants general of the States of every service man from their States, I would have nothing further to say. Does the gentleman assert to us that this appropriation of $100,000 carried in this bill will be sufficient to provide clerical assistance, and so forth, for the purpose of furnishing to the adjutants general of the States, for State use, a complete record of all the State troops—472,000 cases, as referred to here by the Secretary of War?

Mr. ANTHONY. In the opinion of the committee it is pure guesswork. We thought we would furnish sufficient money to start the work.

Mr. BANKHEAD. The chairman of the committee has before him the estimate of the Secretary of War.

Mr. ANTHONY. Estimates do not amount to anything.

Mr. BANKHEAD. I do not know how we are going to arrive at the amount necessary. But what I want to do—and I am sure I reflect the sentiment of the majority of the committee—inasmuch as this is a matter of such importance to the States, is to appropriate now, without further delay, the money sufficient to carry on this work to speedy and expeditious conclusion, without speculating as to the amount. If you appro-

priate too much for it, I presume they might spend it extravagantly. And my position is based on the proposition that the amendment of the gentleman will prevail before this committee.

Mr. MANN. The gentleman just stated that it was the fault of Congress. It was no fault of anyone.

Mr. BANKHEAD. I did not say that.

Mr. MANN. There has been no lack of appropriation so far, and there has been no request for an appropriation for the next year.

Mr. BANKHEAD. I understand that this is tantamount to a statement as to the necessity for it.

Mr. MANN. The gentleman from Alabama, like everybody else in the House, knows that the request comes in the form of an estimate. For that matter, the departments are forbidden under the rules of the House to send a letter to a committee of the House. I do not know whether they violated that rule or not. Probably they did. Now, the Committee on Appropriations proposes to appropriate $100,000, with the statement that if that is not sufficient they will furnish more just as soon as it is necessary. Ought that not to be sufficient?

Mr. BANKHEAD. I will state very frankly to the gentleman from Illinois that I want to be sure that a sufficient amount will be appropriated, if this is not sufficient, to see that this work is finished, so that we may have the job behind us, because I am sure the gentleman from Illinois appreciates the tremendous importance of having preserved and in the hands of the State officials the records of the troops of our States.

Mr. MANN. Not only that, but they are going to vote on the proposition of a State bonus this year, and they want to get these records. If the bonus is to be provided, the records are essential. Now, the War Department held that—and I am not citicizing it; I do not know—that as to the furnishing of the last of these records they have not been able to do it because they did not have certain information which the gentleman from Iowa [Mr. HULL] wants them to furnish. So they stopped making up the records. Now, we want to get the records as far as they have them. My State and, I think, other States are in the same position. If the records come in later, they can furnish those, but now they want the records they have got.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. MANN. Mr. Chairman, I ask that the gentleman have additional time.

Mr. BANKHEAD. Mr. Chairman, I ask unanimous consent for two minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BANKHEAD. Does the gentleman mean to assert that The Adjutant General's office is still behind in the compilation of this essential data as to the service records of the men who were engaged in the service three years ago?

Mr. MANN. When it comes to including the death and burial of the men those records are still behind, so I am told.

Mr. BANKHEAD. They could very well furnish, then, the record, eliminating that phase of it.

Mr. MANN. That is what we want to have them do, to furnish the record they have.

Mr. BANKHEAD. But the Secretary says in this letter that more money than you appropriate will be required for that purpose.

Mr. ROACH. Mr. Chairman, will the gentleman yield?

Mr. MANN. They did not ask for any. That is all I can say.

Mr. GARRETT of Texas. I would like to ask the gentleman from Illinois a question.

Mr. BANKHEAD. I will yield to the gentleman to ask a question.

Mr. GARRETT of Texas. Do I understand from the gentleman from Illinois that the War Department was proceeding on the theory in making up this record that the gentleman from Iowa [Mr. HULL] is proceeding upon in his amendment, and that they were making these records as to the place of death and burial?

Mr. MANN. I assume—and it is an assumption on my part—that the War Department was furnishing a record of all the information it had, including the death and burial and the burial place, if they have it?

Mr. GARRETT of Texas. Then the War Department was proceeding under the law as written, as if the language of the amendment of the gentleman from Iowa had been written into it?

Mr. MANN. No. The language that the gentleman from Iowa proposes to write into it would require them to wait until they had all that information. We want the information that they have got.

Mr. GARRETT of Texas. Then why did they quit making up these records?

Mr. MANN. That is a matter of opinion.

Mr. LAYTON. Mr. Chairman, will the gentleman from Illinois yield for a question?

Mr. MANN. I have not the floor. I suppose the gentleman from Alabama [Mr. BANKHEAD] has the floor.

Mr. LAYTON. Will the gentleman from Alabama yield for a question?

Mr. BANKHEAD. Yes; but I presume my two minutes have expired.

Mr. LAYTON. Then I will ask for an extension.

Mr. SISSON rose.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. SISSON. Mr. Chairman, I did not know that the time of the gentleman from Alabama had expired when I rose. I will say to the members of the committee that many millions of dollars have been spent in the preparation of these service records.

Mr. MADDEN. Three and one-half million dollars.

Mr. SISSON. And these records are more complete now than were the records of the Civil War 15 or 20 years after the close of the Civil War. This is the most complete record ever made, so your committee is informed, and the committee, of which I am a member, has had this whole matter in charge.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. SISSON. I can not yield; I can not yield to anyone just now. In our investigation we were assured that the information which they now have can be given to the States. We feel that this $100,000 that we give them will be enough to complete the records which the States need. They themselves made no estimate originally about the matter. This matter was called to the attention of the War Department, I presume, by the gentleman from Iowa [Mr. HULL]. He then came before our committee. No estimate was before us. We took up the matter and decided that for the service records needed by the States $100,000 would do the work.

This $100,000 is not to be expended in writing the history of a certain company, or a certain unit, or a certain regiment. If you want to depart on that new activity, no one knows just exactly where that may end. But we have all the information that may be needed for private individuals and States to write any sort of history they want.

Mr. HULL. Mr. Chairman, will the gentleman yield?

Mr. SISSON. I am not yielding yet. But I am not willing to embark upon this new activity at this time, and the committee felt that we were liberal in providing $100,000. I suggested to the gentleman from Illinois [Mr. MANN] that in making this $100,000 immediately available, that was subject to a point of order, but in order that they might expend this $100,000 at once, so as to give these gentlemen the service record of these soldiers in the States, the committee took chances on making it immediately available, and recommended the appropriation of the amount of money that we thought was necessary, and there is not a gentleman on this floor who can come any nearer determining the amount of money needed than the committee. There is not a member of this subcommittee who is not just as much in favor of furnishing a complete record to these States as any other Member on this floor, but we do not want to squander money unnecessarily.

Mr. LAYTON. Now will the gentleman yield?

Mr. SISSON. I yield now to the gentleman from Delaware.

Mr. LAYTON. I knew you would, after awhile. The gentleman from Mississippi is the gentleman who can give me the information I am after.

Mr. SISSON. What is the question, please?

Mr. LAYTON. What do you mean by 90 per cent of these records being completed?

Mr. SISSON. As a matter of fact, The Adjutant General informed us—not at this hearing, but at a former hearing—that they were all practically complete, and I know that a great deal of money has been turned back into the Treasury. More was appropriated than was necessary. Now, I am not able to explain to the gentleman——

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. LAYTON. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. SISSON. As to the 90 per cent, I do not know exactly what that means. The records of certain individual soldiers

might be missing. I do not know how long it will take to dig up all those items, after this record of every soldier should have been completed. The Adjutant General was frank enough to tell use that in the case of the death of many soldiers they will never be able to tell where they died, because in war time, as he explained, a man might be wounded in a certain place on the field and be taken at once to a neighboring hospital, and from that hospital he might be transferred to another hospital, and the information is gone, and forever gone, as to where the man was wounded, and unless he dies in a hospital it may be difficult to determine where the man died.

Mr. LAYTON. Have any of the States been furnished, up to this time, with a complete record?

Mr. FROTHINGHAM. Mr. Chairman, will the gentleman yield to a friendly question?

Mr. SISSON. Yes.

Mr. FROTHINGHAM. I understand, in fact I knew before I got out of the service, that they had a historical section of the General Staff working over here at the War College to write the history of this war?

Mr. SISSON. That is true; and they have got that unit. Let us let them alone. They are working, and we are going to let them continue. Why, in the name of God, do you want to spend $100,000 more than is needed?

Mr. FROTHINGHAM. I do not want to spend it; but I want to ask the gentleman if he agrees with the chairman of the committee that if this should prove not to be enough money he would be willing to give more?

Mr. SISSON. Why, it is the absolutely unanimous vote of the committee. There was not a single objection in the committee. The only question that interested us was to give them enough money and not give them too much. We would rather give them a little too much than to have them cut short. We have done the best we could with all the information and light we had before us to give them every penny that was necessary to complete these records. I do not believe there is a Member of Congress who does not want that done, but we do not want to spend $100,000 unnecessarily, because if you give $100,000 to The Adjutant General it is likely to be expended somehow.

Mr. HULL. Mr. Chairman, it is three years since the war closed. They have not got the record complete, and that is partly due to the fact that we have been haggling with the War Department as to how much it would cost to complete them.

Mr. SISSON. That is not correct. There has been no haggling about it.

Mr. HULL. You are haggling now. The War Department have made an estimate of the cost. They have told you how much it will cost, and they have tested it. I want to have these records completed, and if you give them the amount of money that is stated in my amendment you will have your records complete. If you give them half that amount, you will not have them complete a year from now and you will still be debating the question as to how to get these records complete. It is distinctly up to you gentlemen who represent these States that had your boys in this war. Do you want to complete the records? If you do, you will give them the money I have asked for, because that is what the War Department says is the very least that they can do it for. [Applause.]

The CHAIRMAN (Mr. GRAHAM of Illinois). Without objection, the pro forma amendment will be withdrawn. The question is on the amendment offered by the gentleman from Iowa [Mr. HULL].

The question being taken, on a division (demanded by Mr. STAFFORD) there were—ayes 53, noes 20.

Accordingly the amendment was agreed to.

The Clerk read as follows:

OFFICE OF THE JUDGE ADVOCATE GENERAL.

Salaries: Chief clerk and solicitor, $2,500; patent expert, $3,600; clerks—2 of class 4, 4 of class 3, 5 of class 2, 20 of class 1, 2 at $1,000 each; messenger, $840; 3 assistant messengers at $720 each; 4 charwomen at $240 each; in all, $53,060.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the subcommittee a question. I notice a provision for a patent expert at a salary of $3,600 in the appropriation for the Judge Advocate General. Just what are the duties of this patent expert?

Mr. ANTHONY. During the war, of course the Government had to make use of articles which were patented. There was no time to straighten out the proper amount to be paid under those patents, and any number of claims have been filed since the war. The legal department of the Government are required to investigate them very carefully. They find they must have a man skilled in patent matters in order to enable them to have any judgment whatever in passing upon these claims.

Mr. NEWTON of Minnesota. So it is something that is really chargeable to the expenses of the war?

Mr. ANTHONY. Yes; it is necessary. There is a patent expert in the office of the Judge Advocate, and not only that, but in the office of the Chief of the Air Service they have a patent expert, and in the Ordnance Department also they have a patent expert to pass upon these matters.

Mr. ROGERS. Mr. Chairman, I rise in opposition to the pro forma amendment. I desire to proceed out of order for five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. ROGERS. Mr. Chairman, I am aware that the committee has agreed to postpone the consideration of the pay of the Army items until next week; but it may be of some interest to a few members of the committee at least if I put into the RECORD to-day in advance of the discussion certain authorities that I have collected with relation to the constitutional propriety of the provision at the bottom of page 22 and the top of page 23 purporting to limit the number of men who may be retained in our overseas possessions for the next fiscal year.

Can the Congress, under the guise of a limitation on an appropriation act, constitutionally compel the President to make geographical distribution of the United States Army according to the specifications of the Congress?

H. R. 10871 (the Army appropriation bill for the fiscal year ending June 30, 1923) carries on page 22 the following language:

> No part of the appropriations made herein for pay of the Army shall be used, except in time of emergency, for the payment of troops garrisoned in China, or for payment of more than 500 officers and enlisted men on the Continent of Europe; nor shall such appropriations be used, except in time of emergency, for the payment of more than 5,000 enlisted men in the Panama Canal Zone, or more than 5,000 enlisted men in the Hawaiian Islands.

The President of the United States is, of course, Commander in Chief of the Armies and the Navies of the United States. If the Congress can validly and constitutionally tell him that he may not maintain more than 5,000 troops in Hawaii or Panama, it may, of course, with equal validity and constitutionality tell him that he may maintain only a fixed number upon the Texas border or upon the Great Lakes. It follows, then, that if the prohibition just quoted is to be upheld, Congress must have the right to indicate just how many troops may be maintained in a given fort or garrison anywhere in the United States at a given time.

But the Constitution says that "the President shall be Commander in Chief of the Army and Navy of the United States." If Congress can in fact regulate the movements of troops and their location from time to time in such detail as it sees fit, what is left of the President's constitutional authority over the armies? Clearly, it is only a shadow and not the substance. The defenders of the foregoing limitation in the Army bill call attention to the fact, first, that the United States is at peace, and, second, that the limitation expressly excepts emergencies. But I reply that the President is Commander in Chief of the Army both in war and in peace, and both when there is an emergency and when there is no emergency. If the limitation is valid now it would be valid in war time. Yet I doubt if even the hardiest of the advocates of the language of the bill would care to assert that Congress during the Civil War could have told President Lincoln when and where and how to send his troops to accomplish most speedily and effectively the capture of Richmond.

The proponents of the language rely, of course, upon the authority given in the Constitution to Congress—

> To raise and support armies * * *; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces.

If the President were not elsewhere in the Constitution expressly made Commander in Chief, naturally enough the language just quoted would have lent color to this argument. But we must undertake to reconcile the two passages from the Constitution. The President could in no true sense of the word be Commander in Chief if he could not control the comings and goings and the operations of the armies. On the other hand, Congress can perfectly well raise and support an Army and make rules for its government and regulation which will in no way conflict with the power elsewhere granted the President. This it has done both in war and in peace ever since the foundation of the Government. Any careful consideration of the evident purpose of the Constitution in this regard will, I think, convince the student that Congress was not intended to have, and does not have, power to control the detailed movements of the armies.

This power is inherently in the President as Commander in Chief.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. MADDEN. Does the gentleman contend that it is not within the power of Congress to say whether they will appropriate for more than a given number of men at a certain place?

Mr. ROGERS. There is no question, of course, that the Congress can say whether the Army shall be 200,000 men or 100,000 men, or that there shall be no Army at all; but I contend that under the Constitution and under the authorities which I shall print in the RECORD Congress has no right whatever to tell the President that he may have only so many troops at a given place at a given time.

Mr. MADDEN. We could say that he shall not have any troops at all there.

Mr. ROGERS. Congress can say that there shall be no Army, but Congress has not the right to say that such Army as there is shall be geographically distributed as it pleases. That is a military function and belongs exclusively to the jurisdiction of the Commander in Chief.

Mr. MADDEN. Then the people of the United States, as represented by the legislative branch of the Government, are powerless to regulate the conduct of the Government in any way, I assume, according to the gentleman's argument?

Mr. ROGERS. So long as the Constitution provides that the President of the United States—who, like Congress, is the agent and servant of the people of the United States—shall be the Commander in Chief of the Army and the Navy, Congress can not tell the President where he shall allocate the troops at a given time.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. NEWTON of Minnesota. I ask unanimous consent that the gentleman have five additional minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the time of the gentleman from Massachusetts [Mr. ROGERS] be extended five minutes. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. In other words, Congress can deny to the Government any army at all, but if Congress provides an army it is up to the President as Commander in Chief of the Army to place that Army where he sees fit.

Mr. ROGERS. That is precisely my view and my contention.

Mr. NEWTON of Minnesota. I agree with the gentleman.

Mr. ROGERS. I find little judicial interpretation which throws light upon the question. Perhaps this is because Congress has been very loath to make even the attempt to dictate as to how the President should to the best national advantage locate the several portions of our land forces. In Chief Justice Chase's opinion in the Milligan case (4 Wall., 2, p. 139) it is said that the power of Congress extends to all legislation essential to the prosecution of war vigorously and successfully—

except such as interferes with the command of the forces and the conduct of campaigns. That power and duty belong to the President as Commander in Chief. * * * Congress can not direct the conduct of campaigns.

Although this language appears in a dissenting opinion of the Chief Justice and three other justices, it has been frequently quoted, and always with approval, and nothing in the majority opinion is in conflict with the language.

Mr. MADDEN. Will the gentleman yield for an interpolation?

Mr. ROGERS. Yes, indeed.

Mr. MADDEN. Congress is not endeavoring in this appropriation, to which the gentleman refers, to manage or conduct the campaign. Congress is simply asserting its right, so far as its recommendation goes, to say how many troops there shall be at a certain place. It does not take away the right of the President to conduct the troops and manage them, direct them as to movement, or anything of that sort.

Mr. ROGERS. My contention is that an essential and inherent part of the conduct of a campaign is the location of troops according to the behests of the Commander in Chief. [Applause.]

In Watson on the Constitution, volume 2, page 914, it is said in this connection—

Congress can legislate relative to the number of the Army and the Navy, the compensation of the officers and men, and the term of their service, as well as many other matters, but command of the Army and Navy is invested in the President, and Congress can neither command them or take that power from the President. *The power is vested in the President to dispose of or arrange the component parts of the Army and Navy at his pleasure.* * * * While Congress can make rules for the Army and Navy, it can not interfere with the President's power as commander of such forces. The line between the exercise of his power as commander and that of Congress is plain, and neither can rightfully or legally invade the other.

In a well-considered Court of Claims case (Swaim *v.* United States, 28 Ct. Cls. Repts. 173, p. 221) the obviously sound position is taken that "Congress can not in the disguise of 'rules for the government' of the Army impair the authority of the President as Commander in Chief." Congress may, it is there truly said, increase the Army or reduce the Army or abolish it altogether, but so long as we have a military force Congress can not take away from the President supreme command.

Another authoritative text writer (Willoughby on the Constitution, vol. 2, sec. 713) draws precisely the same distinction as that made by Chief Justice Chase and by Judge Watson:

Through or under his (the President's) orders, therefore, all military operations in time of peace, as well as of war, are conducted. *He has within his control the disposition of troops*, the direction of vessels of war, and the planning and execution of campaigns. With Congress, however, lies the authority to lay down the rules governing the organization and maintenance of the military forces, the determination of their number, the fixing of the manner in which they shall be armed and equipped, the establishment of forts, hospitals, arsenals, etc., and of course the voting of appropriations for all military purposes.

In another Court of Claims case (24 Court of Claims Cases, 230, affirmed by U. S. Supreme Court, 133 U. S., 299) it is said that the power of command and control which the framers of the Constitution placed in the hands of the President is vested in him with only two restrictions—first, that Congress shall have the power already noted of making rules for the government and regulation of the forces, and, second, that the appointment of Army officers shall be subject to the advice and consent of the Senate. The same doctrine is laid down in Fifth Corpus Juris, 309, and in Tenth Opinions of the Attorney General, 462. See also Davis' Military Law, Third Edition, 323.

From the foregoing, both as a matter of principle and of such authority as is available, the limitation in the present bill seems constitutionally indefensible.

In this connection it is interesting to note the testimony of Secretary Weeks when he appeared before the Committee on Appropriations upon this very bill on the 20th of last month. He said (pp. 1472–1473 of hearings):

Of course, Congress does not order the maintaining of a definite number of troops in any one place, because Congress can not do it. * * * Of course, Congress can not direct where the troops are to serve. * * * I want to express the opinion it would be a mighty bad thing for Congress to do it, even if it had the power.

Gen. Harbord (p. 1460 of hearings), one of the ablest and most respected Army officers we have, said, referring to this very thing:

I think if you put that limitation in there you will infringe upon the constitutional prerogative of the Commander in Chief—the President.

In my judgment the President of the United States would feel it to be his duty—and I think it would in fact be his duty—to veto any bill containing the language in question on the grounds that it was an unconstitutional attempt by Congress to limit his constitutional rights, powers, and duties. [Applause.]

Mr. MADDEN. Mr. Chairman, in reply to the gentleman from Massachusetts, who quoted some distinguished jurists as to the constitutional power of Congress in respect to the disposition of troops placed at the disposal of the President, I wish to say I do not think that even the jurists whose opinions have been cited would say that it is not within the power of Congress to provide that no part of an appropriation made for the maintenance of an Army shall be expended except under conditions laid down by the Congress. The conditions laid down in this case provide that the appropriation is to be made for the maintenance of 500 troops in Europe. If I had my way there would not be one soldier left in Europe. [Applause.] I think the time has come when they ought to be back here. Five hundred can do no good there except to make a draft against the Treasury.

I wish further to say that we have had these troops over there now since the close of the war, and there are $241,000,000 due to the American Government that nobody over there seems to want to pay.

Mr. ROGERS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. ROGERS. The gentleman, of course, is discussing the merits of the question, with which I am inclined to agree with him, but I call attention to the fact that in the hearings the Secretary of War says the plan of the War Department was to bring back every one of the troops except a few caring for the graves of American soldiers by the beginning of the next fiscal year.

Mr. MADDEN. I want to help the Secretary of War to carry out his intention. I want the American people to understand

that Congress is in favor of bringing these men back and letting them serve on American soil, and we want the people of Europe to know, as far as we can, that we do not propose to let them tell us whether we are to collect the $241,000,000 or not.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. MOORE of Virginia. The Supreme Court has not decided the question, but if the contention of the gentleman from Massachusetts is correct, I suppose Congress would not be able to recall the troops from Europe by enacting a statute to that effect.

Mr. MADDEN. It would not.

Mr. MOORE of Virginia. If, again, the gentleman from Massachusetts is correct, the President, even though Congress should enact a statute forbidding it, would have the discretion to send the entire Army to Europe, would he not?

Mr. MADDEN. He would. Under the rules and precedents of the Congress from the foundation of the Government down, the limitations placed on this bill to which the gentleman from Massachusetts calls attention are in order. We have not violated the rules of the House, the laws of the land, or the Constitution of the United States. We have done just what we thought we ought to do, what we had the power to do, what it is within the discretion of Congress to do, and what the people of the United States want us to do, limit the expenses of the Government for the maintenance of the Army. Whatever Army we have, let us have them within the confines of continental United States and quit mixing in the entangling alliances over there. [Applause.]

Mr. UPSHAW. Mr. Chairman, I ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. UPSHAW. Mr. Chairman, in response to the call of Mayor James L. Key, of Atlanta, there was held in that great metropolis of the Southeast last Sunday afternoon a big mass meeting, at which there assembled fully 3,000 people. Addresses were made by former Gov. O'Neal, of Alabama, and several prominent Georgians. Resolutions were passed at that meeting dealing with a great national asset, the development of which we believe will do much to solve the question of unemployment and be a permanent boon to the agricultural interests of the entire country. In consonance with these resolutions which I wish to have read, there are others from patriotic clubs and workingmen's associations which I wish to include. The people of my section believe that a great commercial and agricultural problem of the future is wrapped up in the question presented in the resolutions, which I shall ask the Clerk to read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

To the honorable President and Congress of the United States:

We, citizens of Atlanta and Georgia, in mass meeting assembled at City Auditorium, Atlanta, Sunday, March 12, with full confidence in both the justice and wisdom of our President and Congress, do hereby declare:

That while the entire Muscle Shoals stretch of the Tennessee River lies within the borders of our sister State, Alabama, the right to control and regulate the river in the interest of the Nation's commerce has been ceded by the State of Alabama to the Federal Government. We recognize the fact that Muscle Shoals is the property of the Nation, belonging alike to the people of all the States in the Union, and while we claim no greater right than any other State to say what shall be done with Muscle Shoals, we believe that we but exercise the guaranties of the Federal Constitution when we petition Congress that this great national asset be not employed by the Government as an instrumentality for fastening upon us and the future generations the yoke of an oppressive and burdensome monopoly.

We hold that it would be a travesty on legislation if after many years of congressional consideration of how best to conserve the power in our navigable streams for the benefit of all the people, and how most surely to preserve them from being used as instruments of monopoly, the Nation's greater water power should be handed over to the Alabama Power Co. under the national water power act; and we further hold that it would be the quintessence of legislative folly for the Government, after 10 years of investigation as to how best to free the United States from its dependence upon a foreign power for its supply of nitrogen for explosives in the event of war, and after spending millions of dollars in the construction of the greatest nitrogen fixation plant in the world, to turn over the only power capable of successfully operating the nitrate plant to a corporation owned and controlled by foreigners.

We indorse the sentiment "America first," and Muscle Shoals first for Americans and above all for American farmers. Henry Ford is a typical American, who by his genius has done more for country people and country life than any other man of his time. A man who has the trust and confidence of the great masses of the common people, as evidenced by the resolutions adopted by every gathering of plain, ordinary Americans, including the representatives of 4,000,000 farmers, who have given voice to their sentiments in regard to his proposal for the development of Muscle Shoals.

We believe the issue in Congress is clearly drawn. It is a contest between the people and the interests which control the people's fertilizer and power resources.

On behalf of the army of the unemployed, in the interest of the great body of plain American citizens, in the name of millions of perplexed and burdened farmers, we beg our President and the Congress of the United States and its committees to promptly accept the offer of Henry Ford.

Mr. CLARKE of New York. Mr. Chairman, will the gentleman yield for a question?

Mr. UPSHAW. In a moment. Allow me to add that without disparagement to other pending offers, I believe it is worth a great deal to contemplate the statement of Charles S. Burrett, the wise president of the National Farmers' Union, who said to-day that he believed that 98 per cent of the people of the South, if not the entire Nation, have such faith in Henry Ford's honesty and outstanding business ability that they are in favor of accepting his offer. I now yield to the gentleman from New York.

Mr. CLARKE of New York. I would like to know if at this mass meeting, where they expressed a vote of confidence in the President and indorsed these resolutions, they also included a promise of political support for him in the next presidential election if he be nominated? [Laughter.]

Mr. UPSHAW. Of course, the gentleman from New York asks that question in playful spirit, but this is a great question of national commercial importance, upon which President Harding and Congress will be too patriotic to be influenced by sectional considerations or lines of political cleavage.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. UPSHAW. Yes.

Mr. CONNALLY of Texas. Is it the conception of the gentleman from New York that the President will do these things only in consideration of political support? [Laughter.]

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. UPSHAW. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD by including herewith some strong individual letters and telegrams and petitions from other patriotic bodies in my State.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. UPSHAW. The following additional resolutions, letters, and telegrams show the overwhelming sentiment of the people of my section—their faith in Henry Ford's humanitarian purposes and proven commercial generalship, which they are anxious to see dedicated to the largest possible development of the South and the Nation:

ATLANTA, GA., *February 21, 1922.*

Hon. WILLIAM UPSHAW,
Congressional Office Building, Washington, D. C.:

Whereas by resolution introduced by C. W. McClure and unanimously passed, the Ford proposition seems reasonable and fair to us, and certainly the first effort to save Government loss, we the undersigned Kiwanis Club of Atlanta respectfully petition the Secretary of War and Congress of the United States to approve and indorse the Ford contract.

KIWANIS CLUB OF ATLANTA,
By J. SHERRARD KENNEDY, *President.*

—

GEORGIA LEAGUE OF WOMEN VOTERS,
Atlanta, Ga., February 25, 1922.

Mr. W. D. UPSHAW,
United States Congress, Washington, D. C.

MY DEAR MR. UPSHAW: I am writing to ask you to work and vote for the Ford lease of Muscle Shoals. It will be a wonderful thing for the South to have it developed by a man who considers men more important than dividends.

* * * * * * *

Trusting you will give these matters earnest thought, I am,
Cordially,

E. B. CHAMBERLIN, *President.*

—

ATLANTA FEDERATION OF TRADES,
January 31, 1922.

Hon. WILLIAM D. UPSHAW,
Congressman Fifth District of Georgia, Washington, D. C.

DEAR MR. UPSHAW: At the regular meeting of the Atlanta Federation of Trades, held January 24, I was instructed to write and urge you to support the proposition made by Henry Ford for the purchase of Muscle Shoals. It was agreed among the delegates present that the taking over of Muscle Shoals by Henry Ford meant more to the development of the South than anything that ever happened.

* * * * * * *

Yours, very truly,

LOUIE P. MARQUARDT,
Secretary, No. 82 Gordon Street.

—

ATLANTA UNION LABEL LEAGUE,
Atlanta, Ga., January 23, 1922.

Hon. WILLIAM D. UPSHAW, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: At a regular meeting of the Atlanta Union Label League held on the 18th of January last, I was instructed to address an appeal to you in behalf of Mr. Henry Ford's offer to take over the Government nitrate plants at Muscle Shoals, Ala., and to respectfully re-

quest that you use your good offices and influence in the Congress of the United States in securing the contract for Mr. Ford.

The masses of the people throughout the State of Georgia realize that the Ford offer, if accepted by the Government, will do more toward relieving the southern farmer and the unemployment situation in the South than will any other scheme yet offered; also the United States Government will be relieved of the large expenditure in money necessary to complete and operate these plants, which will be a great saving to the people in taxes.

With very best wishes, I am, very truly, yours,

T. J. BOGGS,
Secretary-Treasurer Atlanta Union Label League.

—

ATLANTA, GA., *January 24, 1922.*

Hon. W. D. UPSHAW,
Representative of Fifth District, Washington, D. C.

DEAR SIR: By resolution regularly passed by Carpenters' Local Union No. 253, of Atlanta, I am directed to request of you that you support with your influence and vote, if necessary, to procure for Mr. Henry Ford the lease to the Muscle Shoals property.

Believing his proposal to be for the best interest of the South and Georgia is our reason for this request.

Very respectfully,

G. L. ADAMS,
Recording Secretary, Local Union No. 253, 211 Oak Street.

—

ATLANTA, GA., *November 19, 1921.*

WILLIAM D. UPSHAW,
1869 Columbia Road, Washington, D. C.:

Atlanta Lodge, International Association of Machinists, instructed that I convey to you information that at last meeting unanimous action was taken on resolution indorsing proposition offered our Government of taking over of nitrate plant, Muscle Shoals. We feel such project would relieve depressed condition, and respectfully request you use special effort to bring Mr. Ford's proposal to successful conclusion.

G. C. WHIPPLE, *Business Agent.*

—

MANCHESTER, GA., *February 19, 1922.*

Hon. W. D. UPSHAW,
Washington, D. C.:

Am arranging speaking engagement in the principal towns in Georgia and Alabama on Muscle Shoals. Motion-picture reel shown in Washington would add to my material. Am advocating Ford's proposition. Wire at my expense if I can secure reel, even by renting or buying. Same reference Manchester bank.

REV. T. H. MCCOY.

—

ATLANTA, GA., *January 22.*

Hon. W. D. UPSHAW,
Representative Fifth District of State of Georgia,
Washington, D. C.:

Local Building Trades Council request your support for the Ford Muscle Shoals offer.

E. E. GEORGE,
112 Trinity Avenue.

—

ATLANTA, GA., *February 2, 1922.*

Congressman W. D. UPSHAW,
Washington, D. C.:

Member International Association of Machinists wish Ford secure Muscle Shoals.

T. L. SLAPPY.

—

ATLANTA, GA., *November 19, 1921.*

MUSCLE SHOALS DEVELOPMENT.

Hon. WILLIAM D. UPSHAW,
United States Congressman, Washington, D. C.

DEAR SIR: We are very much interested in the negotiations being carried on between Mr. Henry Ford and the War Department, and hope they will be carried to a successful conclusion.

If not inconsistent, we respectfully urge you to use your influence with the Secretary of War and Congress to see that these negotiations are carried to a successful conclusion.

We believe that Mr. Henry Ford with his splendid initiative and successful organization can successfully develop the Muscle Shoals project to the benefit of the entire South.

Respectfully submitted.

MATHER BROS.
R. S. MATHER.

—

ATLANTA, GA., *November 19, 1921.*

Hon. W. D. UPSHAW,
Washington, D. C.

DEAR SIR: Knowing that the operation of the Muscle Shoals plant would mean the greatest blessing that could possibly be bestowed the South, as it would make available for southern farms, which are the most productive in the United States, an ample supply of fertilizer at a materially reduced cost, and at a time when the southern farmer is more depressed and discouraged than he has been in recent years; and whereas the offer made by Henry Ford is the only reasonable offer made by a responsible bidder, we urge upon the Secretary of War and Congress the immediate acceptance of Mr. Ford's offer, and we urge you to exert all your influence and power to this end.

We assure you we will only be too glad to reciprocate should the opportunity present itself, and if we can be of further assistance to you in the furtherance of your efforts, command us.

Yours, truly,

BELL BROS.

—

CITY OF ATLANTA,
Office of the Mayor, March 6, 1922.

Hon. W. D. UPSHAW,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: We are indebted to you for your favor of March 2, in which you inclose copy of Mr. Ford's proposal for the purchase of Muscle Shoals, and the self-explanatory letter of Mr. E. G. Liebold, Mr. Ford's secretary.

Subsequent to the receipt of this information a meeting of representative citizens was called in the mayor's office, at which time the matter was discussed with the view of organizing the people of the city and State for the purpose of crystallizing sentiment in favor of the proposal. At this meeting, Saturday, March 5, it was decided to call the committee of seven, which was appointed, for Saturday afternoon, at which time details were arranged for a mass meeting in the City Auditorium Sunday afternoon, March 12.

Former Gov. O'Neal, of Alabama, will be invited to address the mass meeting. Yourself and other distinguished leaders will be invited also, and it is hoped that affairs will permit your attendance.

Thanking you for your timely and invaluable assistance, I am,

Yours, very truly,

WALKER T. LEE, *Secretary.*

—

ATLANTA, GA., *November 25, 1921.*

Hon. W. D. UPSHAW,
Washington, D. C.

DEAR SIR: We are interested in the disposition of the Muscle Shoals Dam.

We do not know anything about the merits or demerits of Mr. Ford's proposition to the Government, but we do know that Mr. Ford has a reputation of being able to bring things to pass. He has made certain promises to the farmer if he is successful in acquiring this property, and, so far as we know, he keeps faith with the public.

We would like very much to see Mr. Ford get this property, and we hope you feel the same way and will do what you can in that respect.

Yours, truly,

BROWN HAYES CO.

—

FARMERS' BANK OF PELHAM,
Pelham, Ga., November 22, 1921.

Hon. W. D. UPSHAW, M. C.,
Washington, D. C.

DEAR SIR: I am taking the liberty of writing you in regard to Mr. Henry Ford's offer to the Government for the property and plants at Muscle Shoals. While, of course, we are not familiar with the terms of his offer, at the same time from all accounts it is the best offer that has been made. Judging Mr. Ford by the success he has made with his other ventures, we believe he would make a success out of it which would enure to the benefit of the farmers of the South, who are now all practically bankrupt, due to the sudden decline in prices of all farm products.

With cordial good wishes, I am,

Yours, truly,

B. U. CURRY, *Vice President.*

—

ATLANTA, GA., *November 25, 1921.*

Hon. W. D. UPSHAW,
Washington, D. C.

DEAR SIR: We have been studying the Muscle Shoals situation considerably and have come to the conclusion that Henry Ford is the logical man to handle this property, and that his offer should be accepted, as it seems to be the only reasonable offer made by a responsible bidder.

This proposition of Mr. Ford's should result in much good to the country, as well as to the South in particular, and we trust that when the matter comes up for attention that you will act favorably on this proposition.

Thanking you in advance for giving this matter your usual careful consideration, we are,

Sincerely, yours,

PHONOGRAPHS (INC.),
W. L. F. ROSENBLATT, *President.*

—

FAIRBURN, GA., *February 8, 1922.*

Hon. W. D. UPSHAW.

DEAR SIR: I am writing you to tell you that I want you to vote for the acceptance of the Ford proposal of Muscle Shoals nitrate plant.

I have read everything I could see in all the newspapers and I have studied this thing from the farmers' standpoint, and if this is not the greatest thing that has ever been offered to the South I have completely failed to see aright, because it will revolutionize the fertilizer business completely. It will give us the advantage of not having to buy foreign nitrates and thousands of other things; that you know better than I do.

Mr. Ford is the best employer in America, the Government not excepted, from the fact of the many thousands of men who work for him. He has never had the threat of a strike. The men who work for him are the best paid, the best housed, and the best satisfied men in the country. I have talked with hundreds of men in this county, and they are all of the same opinion, so if this thing don't go right, somebody is going to want to know why.

Yours for right,

W. J. DAILEY,
Route No. 2, Fairburn, Ga.

—

GRINNELL CO.,
Atlanta, Ga., February 16, 1922.

Hon. WILLIAM D. UPSHAW,
Washington, D. C.

DEAR SIR: I am heartily in favor of the Government's acceptance of Mr. Ford's offer covering Muscle Shoals.

To my mind there is no other man in this country possessed of Mr. Ford's initiative and ability for the undertaking and development of a proposition of this magnitude. Believing that the best interests of the people as a whole will be perpetuated to the greatest extent by Mr. Ford's offer, I trust you will consider it in order and use your influence toward the early consummation of the negotiations between the Government and Mr. Ford, and the acceptance of the same.

Yours, very truly,

LON J. LEARY.

—

ATLANTA, GA.

Hon. W. D. UPSHAW,
Washington, D. C.

DEAR CONGRESSMAN: The undersigned request you to introduce a resolution in Congress to accept Ford's offer without delay. People, as a whole, here demand that a certain department stop unnecessary delay in dealing with a matter so vitally important.

H. H. Hornsby, G. W. Wright, Preston Lewis, T. A. Poole, Hugh A. Howard, J. Allen Vickery, W. T. Higins, R. D. Davis, R. R. Ingram, J. R. Buchanan, P. K. Hickman, V. M. Bartlett, H. R. Jones, L. B. Smith, W. M. Cook, R. L. Underwood, W. G. Langley, E. G. Mitchell, S. O. Gay, A. D. Snyder, F. P. Hickman, Wm. Barkelmann, S. D. Kidd, sr., S. D. Kidd, jr., J. H. Morgan, H. G. Baker, S. L. Keith, W. A. Kelso, J. A. Waters, F. L. Miller, R. B. Patterson, Frank A. Witt.

ST. SIMONS ISLAND, GA., *February 22, 1922.*

Congressman W. D. UPSHAW,
Washington, D. C.

DEAR SIR: The St. Simons Island Board of Trade unanimously indorses and approves the Ford proposition for Muscle Shoals, believing that it is the best plan offered to save Government loss, and that it will be of untold value to the South and this immediate section, and we respectfully urge that you do everything in your power to get this contract accepted.

Yours, truly,

ST. SIMONS ISLAND BOARD OF TRADE,
By ASHBY PURSE, *President.*
By ALFRED L. PULLEN, *Secretary.*

The CHAIRMAN. The Chair understands that at this point in the bill there is to be an omission of some matter?

Mr. ANTHONY. Mr. Chairman, if it is agreeable to the gentleman from Mississippi, I suggest that we jump from this point in the bill over to line 19, page 60, beginning with the paragraph headed "Contingencies, Engineer Department, Philippine Islands." All of the intervening items will be affected by the size of the Army.

Mr. SISSON. I have no objection to that being done, under the former agreement, with the understanding that at the next meeting of the committee we return to the point where we leave off.

The CHAIRMAN. The gentleman from Kansas desires to begin the reading on line 19, page 60.

Mr. ANTHONY. That is correct.

The CHAIRMAN. The Clerk will read.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendment the bill (H. R. 9633) to extend the provisions of section 2305, Revised Statutes, and of the act of September 29, 1919, to those discharged from the military or naval service of the United States and subsequently awarded compensation or treated for wounds received or disability incurred in line of duty, in which the concurrence of the House of Representatives was requested.

The message also announced that the Vice President had appointed Mr. STERLING and Mr. MCKELLAR members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

WAR DEPARTMENT APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

ORDNANCE SERVICE.

For the current expenses of the Ordnance Department in connection with purchasing, receiving, storing, and issuing ordnance and ordnance stores, comprising police and office duties, rents, tolls, fuel, light, water, and advertising, stationery, typewriters, and adding machines, including their exchange, and office furniture, tools, and instruments of service; for incidental expenses of the Ordnance Service and those attending practical trials and tests of ordnance small arms, and other ordnance stores; for instruction purposes; for publications for libraries of the Ordnance Department, including the Ordnance Office; subscriptions to periodicals, which may be paid for in advance; and payment for mechanical labor in the office of the Chief of Ordnance; and for maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles, $1,250,000: *Provided*, That no money appropriated herein shall be expended for maintenance, repair, or operation of any motor-propelled passenger-carrying vehicle employed wholly or in part for personal, social, or other similar use or for any use except for military and official business: *Provided further*, That all material purchased under the apropriations in this act for the Ordnance Department of the United States Army shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases abroad, which material shall be admitted free of duty.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Kansas about what the estimates were for the manufacture in arsenals?

Mr. ANTHONY. The estimate was $1,400,000, and the committee has reduced that to $1,250,000.

Mr. DALLINGER. Will the gentleman point out just in what item this occurs?

Mr. ANTHONY. There are a number of items; for instance, the item for services and supplies in the ordnance stores. The department wanted $365,000 and it is reduced to $313,000. In fact, that is the department's revised estimate itself, after those figures came to us from the Budget. Also, for services of clerks required for property accounting, and again for heat, light, and water, the first estimate was $224,000 and the reduced estimate $208,000. For services of messengers, guards, watchmen, firemen, on other than manufacturing and experimental work they asked $280,000 and then the revised estimate was $273,000. For operation and repair of passenger-carrying vehicles, for other than manufacturing necessities, there was originally asked $70,000 and it was reduced to $58,000, and so on. It covers a multitude of things.

Mr. DALLINGER. Do I understand that the $1,250,000 is the revised estimate asked by the Ordnance Department?

Mr. ANTHONY. Not altogether. Perhaps there are some items where the committee made reductions, but the items that I have enumerated are revised figures from the department.

Mr. DALLINGER. Did that item include the manufacture of gun carriages?

Mr. ANTHONY. No; receipts, stores, and issue of ordnance. There will be very little manufacture, if any, out of this money.

Mr. DALLINGER. Will the gentleman from Kansas point out the item in this bill that covers the manufacture of gun carriages for coast defense?

Mr. ANTHONY. Some of those items we have just passed over, for guns and seacoast batteries. They will be utilized probably in the arsenal in the gentleman's district, either that or at Watervliet. In the items for the manufacture of guns or gun carriages there would be reflected activities in manufacturing at the arsenals, and likewise the manufacture of automatic rifles of all kinds would be reflected in activities at Springfield.

Mr. DALLINGER. Has the gentleman from Kansas any figures from the Ordnance Department as to what they propose to do at these different arsenals this coming year?

Mr. ANTHONY. The general estimate of the department was that the money which the committee is appropriating would allow them to operate at about 10 per cent of their maximum capacity, and that will be considerably less than they are operating under now.

But they claim with that money they could keep what might be called a skeleton organization at those places which would be capable of expansion if necessary. The gentleman, I know, realizes we came out of this war with a tremendous amount of ordnance stores on hand, probably more than we can use up in 20 years, and there is no real necessity for operating those arsenals at all. We could exist several years and close them up, but the committee is making provision to maintain a skeleton organization there so that they will be going assets.

Mr. DALLINGER. Can the gentleman from Kansas furnish information as to what number of men would be employed at the different arsenals?

Mr. ANTHONY. No; I would not have the means to state that.

Mr. DALLINGER. And whether or not the number was reduced below the number employed before the outbreak of the war?

Mr. ANTHONY. There will be more than were employed at the outbreak of the war in my opinion, but there will be a reduction of the number now employed, but not a great reduction.

Mr. DALLINGER. I withdraw the pro forma amendment.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word. I do that for the purpose of asking the chairman of the committee a question. I note the closing language in the last proviso is as follows:

except in cases when, in the judgment of the Secretary of War, it is to the manifest interests of the United States to make purchases abroad, which material shall be admitted free of duty.

I would like to know whether the gentleman thinks that is a very good doctrine to write in this section of the bill, referring to the articles enumerated?

Mr. ANTHONY. There are some articles that it is necessary to get from abroad. For instance, before the war I know we purchased lenses, glasses, and it was absolutely necessary to go abroad for them if only to get types for manufacture in this country, and it is the same way, possibly, with other things.

Mr. KETCHAM. Did not the very exigency which made that necessary before the war disappear under the pressure we were put to during the war?

Mr. ANTHONY. I think so. I think we can produce all we want, and perhaps anything we want in this country, but there are some things that come up now and then where it is necessary the Government will have to buy those abroad.

Mr. KETCHAM. Does the gentleman think it a very good principle for that language to be written into the law from the standpoint of the majority side of the House?

Mr. ANTHONY. Well, it is very necessary to purchase some small items.

Mr. KETCHAM. I withdraw the pro forma amendment.

The Clerk read as follows:

For purchase, manufacture, and test of seacoast cannon for coast defenses, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, $150,000.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word to ask the gentleman from Kansas what the estimate was for this item?

Mr. ANTHONY. Which one?

Mr. DALLINGER. Page 70, the first one, $150,000 item.

Mr. ANTHONY. I am informed we gave the full amount of their estimate.

Mr. DALLINGER. And also the same in regard to the other two items, $67,700 and $60,000?

Mr. ANTHONY. That is the amount of the revised estimates that is carried in the bill.

Mr. DALLINGER. I withdraw the pro forma amendment.

The Clerk read as follows:

NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS.

For the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or Organized Militia of the several States, Territories, and of the District of Columbia, members of rifles clubs, and civilians, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice throughout the United States, including the reimbursement of necessary expenses of members of the National Board for the Promotion of Rifle Practice, to be expended for the purposes hereinbefore prescribed, under the direction of the Secretary of War, $10,000.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from Kansas if this language, "Army, Navy, and Marine Corps," would include the Reserve Corps?

Mr. ANTHONY. Which item is the gentleman speaking of?

Mr. CONNALLY of Texas. "National trophy and medals for rifle contests," page 74. You provide for a contest to be open to the Army, Navy, and Marine Corps and the National Guard or Organized Militia, and so forth, but there is no mention of the Reserve Corps.

Mr. ANTHONY. The reason it is not mentioned is because we have no Reserve Corps to speak of. There are perhaps two or three hundred enlisted men in our Reserve Corps, so small it is not taken into consideration.

Mr. CONNALLY of Texas. Are not officers available for this contest as well as enlisted men? Do not rifle teams often consist of officers and enlisted men both?

Mr. ANTHONY. Yes; but as far as I know there are very few, either officers or enlisted men, who participate.

Mr. CONNALLY of Texas. Is there any reason why even that few should not be eligible to these contests?

Mr. ANTHONY. I do not think they would be barred. I think they would be permitted to contest.

Mr. CONNALLY of Texas. That is what I asked, if the word "Army" included the Regular Army and the reserves as well.

Mr. ANTHONY. Undoubtedly. I think that the word "Army" would cover the United States reserves, and that item also includes civilians as well, so no one is barred from participation in these matches.

Mr. CONNALLY of Texas. I withdraw the pro forma amendment.

The Clerk read as follows:

CHIEF OF INFANTRY.

INFANTRY SCHOOL, CAMP BENNING, GA.

For the purchase of textbooks, books of reference, scientific and professional papers; instruments and material for instruction, employment of technical and special services, including the services of one translator at the rate of $150 per month, and for the necessary expenses of instruction at the Infantry School, Camp Benning, Ga., $35,000.

Mr. JOHNSON of Mississippi. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question. On page 114 of the bill the river and harbor item is reported, and a great many of us are very much interested in that, and a great many Representatives who are not here at this time are anxious to be here when that item is reached. Is it going to be the policy of the committee to go on and reach that item and consider it this afternoon?

Mr. ANTHONY. No; I do not think there is any probability at all that we will reach that item this afternoon.

Mr. JOHNSON of Mississippi. I withdraw the pro forma amendment.

The Clerk read as follows:

CHIEF OF CAVALRY.

CAVALRY SCHOOL, FORT RILEY, KANS.

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and materials for instruction; employment of temporary, technical, or special services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kans., $15,000.

Mr. HILL. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the subcommittee concerning this item, "Cavalry School, Fort Riley, Kans." It is my understanding that the chief of Cavalry asked for $15,000 and the Budget cut it down to $8,300, and after full consideration the committee recommended the full amount that was asked for this purpose by the Cavalry School.

Mr. ANTHONY. It is my understanding that the $8,300 figure was at one time considered by the Budget, but as the estimate finally came from the Budget it was the full amount of $15,000.

Mr. HILL. Therefore I am correct in understanding that this is the full amount that is desired by the War Department?

Mr. ANTHONY. It is.

Mr. HILL. I should like in connection with this to read to the House a letter which was recently written by the General of the Armies, Gen. John J. Pershing, Chief of Staff, in which he makes the following references to the Cavalry. This letter is to Samuel W. Taylor, editor of the Rider and Driver, New York City, N. Y., and is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington.

SAMUEL W. TAYLOR, Esq.,
Editor the Rider and Driver, New York, N. Y.

DEAR MR. TAYLOR: In reference to your letter of February 8 concerning the Times editorial that comments on the fact that Marshal Foch, a carefully trained and expert horseman, did not ride a horse during the war in France, but used an automobile for ordinary transportation, it seems almost unnecessary to confirm so obvious a truth.

Of course he used an automobile; so do I, and so, in fact, did every other commander of whatever grade who could get an automobile. Just as the truck superseded the legs of the infantryman, so did the automobile supersede the horse, wherever passable roads made the substitution possible. And for the longer journeys, the railway train was substituted for the truck and automobile. It was merely a matter of availability. The fastest means of transport was always used.

But this by no means indicates that the horse has been rendered obsolete for war, nor has it any bearing on the question. The great events that followed the British retreat from Mons obscured for the time being the recognition due the little Cavalry force commanded by Gen. Allenby, that so gallantly faced the German masses in their advance. In the light of present knowledge their operations deserve to be listed among the greatest epics of the war.

Gen. von Kluck compliments Gen. Allenby's Cavalry on this occasion by indirection thus: "On the occasion of the pursuit of the British Army after Mons and their skillful and successful retreat, the chief factor that enabled it to escape was that my army lacked the effective means of making it stand and fight, namely, the three divisions that composed Marwitz Cavalry Corps." It must be remembered that Allenby had but five brigades, less than 7,000 sabers, to oppose the whole strength of Von Kluck's army of not less than 150,000 men.

The front in France stabilized with the digging in of the German armies. From then until 1918 the struggle was a negation of war; neither side could move the other; there were no flanks, no penetrations, no openings for the employment of Cavalry. During these years tactics was based on an unlimited artillery, firing by the map with never-failing supplies of ammunition. In March, 1918, the Germans, realizing that an artillery war would never end, decided upon open-warfare tactics, and in three powerful offensives sought to break through the allied defense, only to fail in each drive because they had no Cavalry available to exploit their successes. Gen. Ludendorf says of this: "In the March, 1918, offensive I felt seriously handicapped by the lack of Cavalry."

The course of the war in France was dictated by a wonderful network of metaled roads that permitted the masses of men engaged to be fed and supplied on a scale never before even dreamed of, and possible only because of the roads. No such system of roads exists anywhere else in the world; nowhere else are such tactics possible. On the eastern fronts—Poland, Rumania, Syria, Macedonia, Mesopotamia, and Palestine—Cavalry was an arm of the greatest importance, constantly being employed, yielding great successes to the armies that possessed it in superior numbers, demonstrating again and again the truth of Marshal Haig's epigram, "Other arms may win battles; only Cavalry can make them worth winning."

The horse remains the most economical, most flexible means that exists for increasing the mobility of the individual soldier. There is not in the world to-day an officer of distinction, recognized as an authority in military matters in a broad way, who does not declare with emphasis that Cavalry is as important an arm to-day as it has ever been, who does not urge the maintenance of a body of Cavlary of suitable size, always ready for campaign, prepared to perform for its country the signal service rendered by Gen. Allenby's little force in 1914.

Very truly, yours,

JOHN J. PERSHING,
General of the Armies, Chief of Staff.

The reason I read that is because there have been a number of suggestions here in committee that the Cavalry arm of the service, which is now almost entirely on the Texas border and which is entirely necessary there, will not be needed in the future and is not important as compared with Infantry. I also rise to call attention to the fact that in this request for equipment for the Cavalry School at Fort Riley the committee, which I have to-day criticized for various reductions, has given the full amount asked for.

Mr. CROWTHER. Will the gentleman yield?

Mr. HILL. If I have any time.

Mr. CROWTHER. Has the gentleman any preference as to the color of the horses at all? [Laughter.]

Mr. HILL. The gentleman prefers a "white horse," named "Constitution." [Applause.]

Mr. CROWTHER. Mr. Chairman, I move to strike out the last word. The gentleman from Maryland [Mr. HILL] anticipated the inquiry that I myself wanted to make. And I am very glad he made it, and I congratulate the committee that once, at least, they have given the Army or a subdivision of the Army that sum of money that was suggested as necessary for their work.

I have been a member for only a very short time of the Committee on Military Affairs, and I do not intend to have very much to say. I do not think new members on a committee ought to have very much to say until they have given at least a reasonable amount of study to these important questions. But I want to suggest that I have never been a pacifist, and I hope we will have a decent-sized Army in this country. I may have lost sight of the vision of the dove flying with an olive branch in its mouth, but, Mr. Chairman, men have fought ever since the world began, ever since Cain slew his brother Abel; fought for power and profit and for revenge and new territory, and I believe they will do so until the end of time. I am a great believer in the old motto of the Puritans, "Trust in God, but keep your powder dry." I want to see these United States of mine so protected with an Army and Navy that we can feel a degree of safety that may not even follow with the signing of all the peace pacts in the world. I may have a wrong idea, but I have had to fight for everything I have had ever since I was knee high, and I believe that is about all you get in the world, namely, what you fight for. It is what has made this country great, and this greatest of all nations, our beloved United States, should never again be caught in the trap of unpreparedness, baited with the cheese of pacifism. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF CHIEF OF COAST ARTILLERY.

Salaries: Chief clerk, $2,000; clerks—1 of class 4, 2 of class 3, 3 of class 2, 4 of class 1, 2 at $1,000 each; 2 messengers, at $720 each; in all, $19,440.

Mr. CRAGO and Mr. HULL rose.

The CHAIRMAN (Mr. GRAHAM of Illinois). The gentleman from Pennsylvania is recognized.

Mr. CRAGO. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee if he would not be willing to have the entire subject of the size and amounts of the appropriations for the National Guard, which will involve a great many amendments, go over, along with the other matters that have been passed over, until the next day the bill is under consideration?

In support of this request I will say that you will recognize the fact that the size of the National Guard and the size of the Army are interwoven in such a way that we might want, if we follow the policy of the bill with reference to the Army, to do something more for the National Guard. If the size of the Army is changed, it might change our ideas as to the amount to be appropriated for the National Guard, because some of the work which is appropriated for under the head of the Army, especially the training work, and so on, is dependent more or less on the amount that is appropriated in other places for the National Guard work.

Mr. KELLER. It is your idea that if you decrease the size of the Army you might want to increase the National Guard?

Mr. CRAGO. Yes.

Mr. ANTHONY. While there may be something in what the gentleman says, I think it is the policy of the subcommittee to continue the expansion of the National Guard, regardless of the strength of the Regular Army. But if the gentleman believes that we should pass these items—and other gentlemen, I understand, have the same idea—so far as I am concerned I will have no objection.

Mr. CRAGO. I will say to the gentleman that we have quite a number of amendments to propose to these items in the National Guard appropriations, and I think they would involve a great deal of discussion, and I know personally that a great many of the people who are away to-day, and who have asked that the other items go over, would be glad to be here when these items are considered.

Mr. ANTHONY. That would involve the question of unanimous consent, and I suggest the gentleman put it in that shape.

Mr. KELLER. I know that there are a number of men interested who are not here to-day.

Mr. CRAGO. I ask unanimous consent, then, that all the items in this bill under the Militia Bureau, from line 22, on page 79, to line 17, on page 82, be passed over under the same conditions as other items have been passed over.

Mr. HULL. Mr. Chairman——

Mr. SISSON. Mr. Chairman, reserving the right to object, I did not hear what the request was.

The CHAIRMAN. The gentleman will suspend until the unanimous-consent request has been put.

Mr. CRAGO. That is my request.

The CHAIRMAN. That it be passed over for the present on the same terms and conditions as those under which we passed over the provisions dependent on the size of the Army.

Mr. CRAGO. The one is more or less dependent on the other, and some of the people who are interested in passing over the former matter are vitally interested in passing over the National Guard appropriation.

Mr. SISSON. I do not think they are related in any way.

The CHAIRMAN. The gentleman from Pennsylavnia [Mr. CRAGO] asks unanimous consent that the provisions of the bill extending from page 79, line 22, down to and including line 16, on page 82, be passed over under the same terms and conditions as the preceding sections of the bill relating to the size of the Army was passed over. Is there objection?

Mr. HULL. I reserve the right to object.

Mr. SISSON. I will say to my friend that if the National Guard provisions are tied up in any way with the actual size of the Army, of course the two are related. If the Army is very greatly reduced, it might induce the Congress to increase the appropriations for the National Guard. But what was the gentleman's special reason for wishing to pass this over?

Mr. CRAGO. The same reason that existed for passing over the items relating to the size of the Army and number of officers in the Army. That request was made in order that many gentlemen who are interested in the subject and who are away to-day may have opportunity to participate in the discussion. They wish to be present. That is particularly true with respect to the National Guard items, because it could hardly be assumed that we would reach the National Guard items in the regular way this afternoon.

Mr. SISSON. I am not going to object, Mr. Chairman, but this incident shows the trouble we get into when we begin to pass over matters for the convenience of absent Members.

Mr. MANN. I did not submit my suggestion in regard to the request of the gentleman from California [Mr. KAHN] except that I understood it was in accordance with the desire of the gentleman from Mississippi.

Mr. SISSON. The gentleman from California got the request in such shape that I assented to it, but I did not ask for it.

Mr. HULL. I do not object, but I do wish to call attention——

Mr. ANTHONY. If the gentleman does not want us to pass them over, he had better object.

Mr. HULL. If you are going to read through other matters there might be objection to-night. I would be willing to have considered the Military Academy provisions, covering perhaps 20 pages.

Mr. ANTHONY. Suppose we go as far as it pleases the gentleman from Iowa to allow us to go. [Laughter.]

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. CRAGO]?

Mr. CROWTHER. Mr. Chairman, I make the point of order that there is no quorum present. There is no hurry about this. We shall be here all summer, anyway.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count.

Mr. CROWTHER. Mr. Chairman, I will withdraw that.

The CHAIRMAN. The gentleman from New York withdraws his point of order that there is no quorum present. Is there objection to the unanimous-consent request of the gentleman from Pennsylvania [Mr. CRAGO]?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In all, Military Academy, $2,060,008.

Mr. HULL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. HULL. I do so in order to ask the chairman of the committee if he would be willing to pass over the next two pages and take up the bill at page 105. There are several items in there which several Members have spoken to me about, and they might want to be heard about them.

Mr. PARKER of New Jersey. There is another item in there that interests me.

Mr. ANTHONY. The gentleman refers to the stop-watch item?

Mr. HULL. That is one of the items.

Mr. ANTHONY. The stop-watch item is not in there.

Mr. HULL. If you were to start at page 105, nonmilitary activities, I presume it would be satisfactory to the gentleman.

Mr. ANTHONY. Will the gentleman make that request?

Mr. HULL. Yes. I make the request that we pass to page 105.

The CHAIRMAN. Will the gentleman indicate the line?

Mr. ANTHONY. That will be agreeable to the committee.

The CHAIRMAN. The gentleman from Iowa has not preferred his unanimous-consent request yet.

Mr. HULL. Mr. Chairman, I ask unanimous consent that we pass from page 101, line 24, to the bottom of page 104, under the same conditions as the preceding sections in regard to the pay of the Army and the militia have been passed over.

The CHAIRMAN. Is there objection?

Mr. SISSON. Reserving the right to object, I would like to ask the chairman of the subcommittee in charge of the bill if he would be satisfied if we should go down to rivers and harbors on page 114 and call it a day?

Mr. ANTHONY. Yes; I believe that would be a very good terminal point.

Mr. SISSON. I shall have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of 76 superintendents of national cemeteries, including not to exceed $1,500 for the superintendent at Mexico City, $63,720.

Mr. DUNBAR. Mr. Chairman, I move to strike out the last word for the purpose of obtaining information from the chairman of the committee. On page 105 you provide appropriations for maintaining and improving national cemeteries, memorial amphitheaters, chapels, and so forth. I believe there are 76 of these national cemeteries. Is that right?

Mr. ANTHONY. There are more national cemeteries than that, but there are 76 of them that have superintendents. I am informed that there are 83 of them, all told.

Mr. DUNBAR. In these national cemeteries on each Memorial Day patriotic services are held. Has any thought ever been given to the proposition of inclosing these memorial amphitheaters and chapels with roofs, so that the audiences who assemble there will not be subjected to the inclemency of the weather?

Mr. ANTHONY. No; I think most of the structures that are in place in our national cemeteries are designed to be without roofs. For instance, I know several of them that have pergolas and open-air rostrums, but I know of none of them that are inclosed structures with roofs.

Mr. DUNBAR. Does not the gentleman believe that it would add to the appropriateness of the occasion if people could assemble in buildings which were provided with roofs or covering when these services are held on Memorial Day, which is a national holiday and designated for the purpose of inspiring patriotism?

Mr. ANTHONY. I think it would hardly add to the occasion. It is warm weather then, generally.

Mr. DUNBAR. There is an old saying in the Ohio Valley that it always rains on Decoration Day, and these services are frequently interrupted and many patriotic addresses are interrupted or can not be listened to because of the inclement weather. Does not the gentleman believe that these auditoriums should be provided and be so constructed that people can comfortably listen to these solemn ceremonies, even if the weather happens to be stormy?

Mr. ANTHONY. The only remedy I can suggest would be increased appropriations for weather service, so as to guarantee perfect weather on Memorial Day.

Mr. DUNBAR. The weather service has nothing to do with securing a perfect day. They tell you whether the day will probably be perfect or not. But it does seem to me that where thousands of people assemble, and where they are liable to be subject to such discomfort as is likely to be caused by inclement weather, some appropriation should be made to cover these buildings except that afforded by the canopy of heaven. The committee has never given any consideration to that subject, as I understand the gentleman?

Mr. ANTHONY. It has not. There has never been any estimate before us for that purpose.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read,

The Clerk read as follows:

For repairs to roadways to national cemeteries which have been constructed by special authority of Congress, $12,000: *Provided*, That no railroads shall be permitted upon the right of way which may have been acquired by the United States to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this sum shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

No part of any appropriation for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery.

Mr. CRAGO. Mr. Chairman, I reserve a point of order for the purpose of asking the chairman of the subcommittee a few questions. What is the purpose of making that proviso as to railroads? Has that been in former appropriation bills?

Mr. ANTHONY. Yes; it is existing law and has been carried for a number of years.

Mr. CRAGO. And this provision that only one approach to these national cemeteries shall be improved by any of these funds, is that existing law?

Mr. ANTHONY. That is existing law.

Mr. CRAGO. I am wondering what is the reason for that?

Mr. MANN. There was a big fight over it in the House, because they were constructing two roads to a cemetery, I believe in southern Illinois, at one time.

Mr. CRAGO. I know there are so many approaches to the national cemetery at Gettysburg that I wondered why it should be thought necessary to have this limitation.

Mr. MANN. It grew out of the fight that I am telling the gentleman about.

Mr. CRAGO. In other words, they were making too many approaches, or spending too much money?

Mr. ANTHONY. Too many roads were claiming the benefit of these funds.

Mr. CRAGO. I withdraw the point of order.

The Clerk read as follows:

Rivers and harbors.

Mr. JOHNSON of Mississippi. I understand that it is not proposed to go into the subject of rivers and harbors to-day?

Mr. ANTHONY. No. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Kansas moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the War Department appropriation bill (H. R. 10871) and had come to no resolution thereon.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2897. An act to appropriate $1,500,000 for the purchase of seed grain, to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture.

ADJOURNMENT.

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 40 minutes p. m.) the House adjourned until Monday, March 20, 1922, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GAHN: Committee on War Claims. H. R. 3836. A bill for the relief of Nolan P. Benner; with amendments (Rept. No. 811). Referred to the Committee of the Whole House.

Mr. TREADWAY: Committee on Ways and Means. House Report No. 804, part 2. A report on adjusted compensation for veterans of World War. Ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 10553) granting a pension to Mary F. Dean, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 10956) to improve the navigability of waters of the United States by preventing oil pollution thereof; to the Committee on Rivers and Harbors.

By Mr. BECK: A bill (H. R. 10957) to rebuild the assembly hall of the Indian school near Tomah, Wis.; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 10958) for the relief of Bertiel Nielson; to the Committee on Claims.

By Mr. BLAND of Indiana: A bill (H. R. 10959) granting a pension to Sarah J. Doll; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 10960) granting a pension to Angie Caldwell; to the Committee on Invalid Pensions.

By Mr. CHRISTOPHERSON: A bill (H. R. 10961) granting a pension to Mary J. Morrison; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 10962) granting an increase of pension to Harriet M. Miller; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 10963) granting a pension to Harriet E. Kilgore; to the Committee on Invalid Pensions.

By Mr. SMITHWICK: A bill (H. R. 10964) to perfect the title of Isabella Cecelia Ingraham, her heirs and assigns, to certain property; to the Committee on the Public Lands.

By Mr. WHITE of Maine: A bill (H. R. 10965) to validate the revocation of discharge orders of Lieut. Col. James M. Palmer and the orders restoring such officer to his former rank and command, and for other purposes; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4681. By the SPEAKER (by request): Resolution adopted by the Board of Commissioners of Cook County, Ill., urging the enactment of legislation providing for the immediate payment of an adequate bonus to all ex-service men; to the Committee on Ways and Means.

4682. Also (by request), resolution adopted by the City Council of Peoria, Ill., urging the passage of the soldier bonus bill; to the Committee on Ways and Means.

4683. By Mr. ANDREW of Massachusetts: Memorial of the General Court of Massachusetts, in favor of passage of Federal law to further regulate the use of narcotic drugs; to the Committee on Ways and Means.

4684. By Mr. ANSORGE: Petition urging appropriation of $325,000 for support of United States Employment Service; to the Committee on Appropriations.

4685. By Mr. CAREW: Resolution adopted by the Board of Aldermen of the City of New York, urging the restoration of the pneumatic-tube service in the New York post office; to the Committee on Appropriations.

4686. By Mr. CHRISTOPHERSON: Petition of numerous women of Sioux Falls, S. Dak., protesting against a tariff on fine, lightweight kid gloves; to the Committee on Ways and Means.

4687. Also, petition of numerous farmers of White Lake and Plankinton, S. Dak., asking for a revival of the United States Grain Corporation for the purpose of increasing and stabilizing the price of farm products; to the Committee on Agriculture.

4688. By Mr. GALLIVAN: Petition of United Veterans of the Republic, Unit No. 12, of Charlestown, Mass., Edward W. Foley, commander, 1 Herman Street, Roxbury, Mass., opposing the "four-power treaty"; to the Committee on Foreign Affairs.

4689. Also, petition of Sergeant John P. Colleary Post, No. 638, Veterans of Foreign Wars, of Marlboro, Mass., urging early passage of the adjusted compensation bill; to the Committee on Ways and Means.

4690. By Mr. KISSEL: Resolution of the Board of Aldermen of the city of New York, for restoration of pneumatic-tube service in New York and Brooklyn, to the Committee on the Post Office and Post Roads.

4691. Also, petition of Thirteenth Post, No. 513, American Legion, of Brooklyn, N. Y., urging the passage of the adjusted compensation bill; to the Committee on Ways and Means.

4692. By Mr. LINTHICUM: Petition of the Baltimore Federation of Labor, of Baltimore, Md., favoring passage of House bill 5351 and Senate bill 745; to the Committee on the Judiciary.

4693. Also, resolution by the Canned Goods Exchange, of Baltimore, Md., W. H. Killean, president, asking for amended railroad legislation; to the Committee on Interstate and Foreign Commerce.

4694. Also, petition of R. Maurice Miller, of the Lumber Exchange, and Sherwood Bros., all of Baltimore, Md., opposing the soldier bonus; to the Committee on Ways and Means.

4695. By Mr. LOWREY (by request): Resolution by Mississippi Baptist Convention, representing 172,996 members, indorsing the constitutional amendment prohibiting sectarian appropriations (H. J. Res. 159); to the Committee on the Judiciary.

4696. By Mr. MANN: Petition of certain citizens of Chicago, Ill., protesting against the passage of House bill 9753 and any other Sunday bill; to the Committee on the District of Columbia.

4697. By Mr. RAMSEYER: Petition of the European Relief Committee of Oskaloosa, Iowa, urging Congress to enact legislation to defer payment of Austria's debt to the United States for at least 20 years; to the Committee on Foreign Affairs.

4698. Also, resolution adopted by Local Union No. 3802, United Machine Workers of America, of Rexfield, Iowa, calling upon Congress to immediately enact tariff legislation that will adequately protect the interests of labor in this country; to the Committee on Ways and Means.

4699. By Mr. SINCLAIR: Petition of the Farmers Grain Dealers' Association of North Dakota, asking that steps be taken looking to an early and substantial reduction in freight rates; to the Committee on Interstate and Foreign Commerce.

4700. Also, petition of J. Klamm and 25 others, of Schafer, N. Dak., and Gilbert W. Petrick and six others, of Dickinson, N. Dak., urging the revival of the United States Grain Corporation and a stabilized price for farm products; to the Committee on Agriculture.

4701. By Mr. SNYDER: Memorial of the Common Council of the City of Little Falls, N. Y., favoring an amendment to the Volstead Act; to the Committee on the Judiciary.

4702. Also, petition of Astenrogen Chapter, Daughters of the American Revolution, of Little Falls, N. Y., protesting against a proposed resolution to amend the Volstead Act relating to light wines and beer; to the Committee on the Judiciary.

4703. By Mr. UPSHAW (by request): Resolution of the Northern Baptist Convention, representing 8,409 churches and 1,253,878 members, indorsing the constitutional amendment to prohibit sectarian appropriations (H. J. Res. 159); to the Committee on the Judiciary.

4704. Also (by request), resolution by Oakland City Baptist Church, of Atlanta, Ga., indorsing the constitutional amendment (H. J. Res. 159) prohibiting sectarian appropriations; to the Committee on the Judiciary.

4705. By Mr. VARE: Memorial of the Philadelphia Board of Trade, urging the maintenance of Philadelphia Navy Yard; to the Committee on Naval Affairs.

4706. Also, memorial of the Philadelphia Chamber of Commerce, asking that the Philadelphia Navy Yard be maintained as a repair station; to the Committee on Naval Affairs.

SENATE.

MONDAY, *March 20, 1922.*

(Legislative day of Thursday, March 16, 1922.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	McNary	Shields
Borah	Hale	Moses	Simmons
Brandegee	Harris	Nelson	Smith
Bursum	Harrison	Norbeck	Spencer
Cameron	Heflin	Norris	Stanfield
Capper	Johnson	Oddie	Stanley
Caraway	Jones, Wash.	Overman	Sterling
Culberson	Kellogg	Page	Sutherland
Cummins	Kendrick	Pepper	Townsend
Dial	King	Pittman	Underwood
Edge	Ladd	Poindexter	Walsh, Mont.
Elkins	La Follette	Pomerene	Warren
Ernst	Lenroot	Ransdell	Watson, Ga.
Fernald	Lodge	Rawson	Williams
France	McCormick	Robinson	Willis
Gerry	McKinley	Sheppard	

Mr. JONES of Washington. I wish to announce that the Senator from Colorado [Mr. PHIPPS] is detained on official business.

Mr. SUTHERLAND. I desire to state that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. CALDER], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained on business of the Senate.

The VICE PRESIDENT. Sixty-three Senators have answered to their names. There is a quorum present.

THE FOUR-POWER TREATY—PERSONAL EXPLANATION.

Mr. ASHURST. Mr. President, I observe in the Washington Post of this morning an article by Mr. Albert W. Fox in reference to the quadruple alliance, in part as follows:

The opposition established a gain of one vote when Senator WALSH of Montana, who was regarded as doubtful, announced that he would vote against ratification unless some amendment similar to the Robinson amendment was adopted. Senator JONES of New Mexico, who was classed as doubtful, also will vote against ratification, according to the opposition leaders.

Those leading the fight for the treaty, on the other hand, claim that both TRAMMELL and WILLIAMS will vote with them; that ASHURST, KENDRICK, and MCKELLAR are inclining to support them, and that SMITH, regarded as against the pact, may be found on their side in the final roll call.

I do not know how the other Senators mentioned in the article view the treaty, but I am amazed that such an accurate writer as Mr. Fox should have been under a misapprehension as to my view. It is true I have not addressed the Senate on this subject, but to all persons who inquired of me I have uniformly stated that I would vote against the quadruple alliance. I am standing against alliances with orientals.

COLVILLE INDIAN RESERVATION LANDS.

Mr. POINDEXTER. I ask unanimous consent to submit a report from the Committee on Public Lands and Surveys. From that committee I report back favorably with an amendment the bill (S. 2440) extending the period for homestead entries on the south half of the Diminished Colville Indian Reservation, and I submit a report (No. 567) thereon. I ask for its present consideration. If it leads to debate, I shall not press it.

Mr. KING. Let the bill be read.

The VICE PRESIDENT. It will be read.

The Assistant Secretary read as follows:

Be it enacted, etc., That the period provided by law for the filing of homestead entries upon the agricultural lands of the south half of the Diminished Colville Indian Reservation in the State of Washington, as provided in the act of Congress approved March 22, 1906, be, and is hereby, extended for a period of five years from and after the 4th day of September, 1921.

Mr. KING. May I inquire of the Senator from Washington whether the bill was unanimously reported from the committee?

Mr. POINDEXTER. It was.

Mr. KING. Is there any particular reason for the extension of the time so long?

Mr. POINDEXTER. It is simply because the people in the State, and particularly in that part of the State where the lands are located, would like to have an opportuntiy to file homestead claims upon the lands in pursuance of the original law. The war, it is claimed, intervening, interfered to a considerable extent with young men making homestead entries. The law provides that if homestead entries were not made by the 5th day of last September, the land should be sold at not less than $1 an acre. The only purpose of the bill is to extend for a period of five years the opportunity to make homestead entries. There is one amendment to the bill, to strike out the word "agricultural" before the word "lands."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Public Lands and Surveys was, in line 4, to strike out the word "agricultural" before the word "lands."

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REPAIRS TO CALVERT STREET BRIDGE (S. DOC. NO. 169).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation, in amount $26,000, for repairs and improvements to the Calvert Street Bridge in the District of Columbia, fiscal year 1922, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS OF COURT OF CLAIMS (S. DOC. NO. 161).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims—under the War Department, $73,149.24; under the Navy Department, $91,225; under the Interior Department, $50,228.93; and under the Post Office Department, $52,818.65; total amount, $267,421.82—requiring an appropriation for their payment, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS OF UNITED STATES DISTRICT COURTS (S. DOC. NO. 160).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a list of judgments rendered against the Government by district courts of the United States—under the United States Housing Corporation, $2,867.50, and under the Navy Department, $1,567.50, in total amount $4,435—requiring an appropriation for their payment, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE (S. DOC. NO. 162).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a schedule of claims covering various departments and establishments of the Government, in total amount $399,447.10, allowed by the General Accounting Office under appropriations the balances of which have been exhausted or carried to the surplus fund of the Treasury, and requiring appropriations therefor, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. HARRIS presented a resolution adopted at a mass meeting of citizens of Georgia held at the city auditorium, Atlanta, Ga., on March 12, 1922, favoring the prompt acceptance of the proposal of Henry Ford relative to the Muscle Shoals project, which was referred to the Committee on Agriculture and Forestry.

Mr. WARREN presented a resolution adopted by the Sugar Boys' Club, of Sheridan, Wyo., favoring inclusion in the pending tariff bill of an adequate duty on sugar so as to protect the beet-sugar industry, which was referred to the Committee on Finance.

Mr. JONES of Washington presented a resolution of Local No. 1, Western Progressive Grange, of Dominion, Wash., favoring the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Wilbur, Govan, and Keller, all in the State of Washington, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which was referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a telegram in the nature of a petition from the commander of the National Indian War Veterans, of San Francisco, Calif., praying for the enactment of legislation for the relief of veterans of the Indian wars, which was referred to the Committee on Pensions.

He also presented a petition of members of the Church of the Brethren, of Quinter, Kans., praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

He also presented a telegram in the nature of a petition from a mass meeting of citizens of Council Grove, Kans., praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

Mr. WILLIS presented a resolution adopted by the Youngstown (Ohio) Federation of Women's Clubs, favoring the ratification of the so-called four-power treaty, which was ordered to lie on the table.

He also presented the petition of Thos. Bryan Weaver, of Cleveland, and Rev. V. D. Beery, of Middleport, both in the State of Ohio, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented a resolution of Local Union No. 332, United Mine Workers, of Barton, Ohio, favoring the immediate release of so-called political prisoners, which was referred to the Committee on the Judiciary.

Mr. McLEAN presented petitions and communications in the nature of petitions of the Kiwanis Club of Stamford, members of the South Norwalk Baptist Church, of Norwalk, and the Elmwood Community Church, of Elmwood, and sundry citizens of New Haven and Wethersfield, all in the State of Connecticut, praying for the prompt ratification of the so-called four-power treaty, which were ordered to lie on the table.

He also presented memorials of members of Thomas Ashe Branch, Friends of Irish Freedom, of Waterbury, Division No. 1, Ancient Order of Hibernians, of Torrington, and the United Irish-American Societies, of Naugatuck, all in the State of

Connecticut, remonstrating against the ratification of the so-called four-power treaty, which were ordered to lie on the table.

He also presented a petition of members of the National Association for the Advancement of Colored People, of New Britain and Plainville, Conn., praying for the enactment of the so-called Dyer antilynching bill, which was referred to the Committee on the Judiciary.

He also presented a telegram, in the nature of a petition, from Mulvoy Tarlov Post, No. 603, Veterans of Foreign Wars, of Norwalk, Conn., praying for the passage of the so-called soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented petitions of members of Walter L. Bevins Auxiliary, No. 2, of Wallingford, and of Ward Cheney Camp, No. 13, of Hartford, United Spanish War Veterans, both in the State of Connecticut, praying for the passage of the so-called Knutson bill, providing pensions for widows of Spanish War veterans, which were referred to the Committee on Pensions.

LASSEN VOLCANIC NATIONAL PARK.

Mr. POINDEXTER, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 5588) to repeal section 5 of an act entitled "An act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains, in the State of California, and for other purposes," approved August 9, 1916, reported it without amendment and submitted a report (No. 568) thereon.

ENROLLED BILL PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that on March 18, 1922, they presented to the President of the United States the enrolled bill (S. 2897) to appropriate $1,500,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture.

BILL INTRODUCED.

Mr. MOSES introduced a bill (S. 3303) granting an increase of pension to Albert Young (with accompanying papers), which was read twice by its title and referred to the Committee on Pensions.

ADDITIONAL DISTRICT JUDGES.

Mr. DIAL submitted an amendment intended to be proposed by him to the bill (H. R. 9103) for the appointment of additional district judges for certain courts of the United States, to provide for annual conferences of certain judges of United States courts, to authorize the designation, assignment, and appointment of judges outside of their districts, and for other purposes, which was ordered to lie on the table and to be printed.

CHANGE OF REFERENCE.

Mr. NELSON. I move that the Committee on the Judiciary be discharged from the further consideration of Senate bill 3297, to amend section 4884 of the Revised Statutes, and that it be referred to the Committee on Patents.

The motion was agreed to.

THE FOUR-POWER TREATY.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in open executive session, the subject being the four-power treaty.

The motion was agreed to; and the Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. BORAH. Mr. President, I am not going to enter into an extended discussion of the pending treaty, but there has come to my knowledge and into my possession a statement in regard to the four-power pact and in regard to the work of the recently held Limitation of Armament Conference in connection with the four-power pact which I think is of sufficient moment to have consideration. The statement to which I refer was made a few days ago in the discussion of the pact at a meeting of some club or gathering in New York City, where something in the nature of a debate upon the subject was in progress. The statement was made by Mr. Paul D. Cravath, whom everyone recognizes as one of the leaders of the American bar——

Mr. OVERMAN. He is Morgan's attorney.

Mr. BORAH. And a man who has intimate associations and connections with the professional and business men on both sides of the water. The statement would be exceedingly interesting and important if it were made by one less calculated to know whereof he spoke, but, being made by a man of Mr. Cravath's experience and standing and connections, it seems to me worthy of consideration in this discussion. It throws light upon the matter from a different angle. I read what I understand to have been Mr. Cravath's statement:

> Now, to my mind a very important part of the achievement of the Washington conference is not recorded at all in black and white in that treaty or in any of the other treaties that were negotiated. And that is the bringing about of what seems to be a sympathetic understanding between the United States and Great Britain regarding the Far East and Pacific questions generally. I quite agree that under the program produced by those treaties we have practically surrendered our naval position in the Pacific. I assume that without further fortifications in the Pacific and that with the fortifications and fleets as agreed upon we could not successfully compete with Japan in the Pacific alone, and certainly we could not compete with an Anglo-Japanese fleet in that region. On the other hand, and to my mind this is the much more encouraging statement, based on the same facts, an Anglo-American fleet in the Pacific would dominate Japan, and it seems to me that we have substituted in place of the necessity for creating the greatest fleet the world has ever seen, with all the expense and temptations that involves, an understanding and basis for cooperation with Great Britain which gives those two powers the control of a combined fleet in the Pacific which will be large enough to dominate Japan and make her live up to the obligations she has assumed.

At that point the following interrogation was submitted to Mr. Cravath by Mr. Davis:

> Mr. DAVIS. I want to know if you are making that statement as a fact, or is it just your own opinion of what would happen?
>
> Mr. CRAVATH. I have been told by every member of the American delegation, and while I haven't been told by every member of the British delegation I know definitely that the view is held by Mr. Balfour and, I think, by every other member of the British delegation that the result of the Washington conference has been not a formal agreement by any means but an understanding, and such a degree of understanding and such a basis of sympathy has been created between Great Britain and the United States that both sides assume that in all future emergencies they can both count on having the very closest cooperation.

The party who had made the interrogation then said:

> No; that isn't what I mean. What I mean is as to the agreements on fortifications and the agreement as to the naval ratio. Do you mean to say that both fleets would dominate the Japanese fleet?
>
> Mr. CRAVATH. Of course, I have no independent knowledge of that. I am not a naval expert, and have no independent opinion on that point, but I am informed that our technical advisers are satisfied that if the United States and Great Britain are on one side, and Japan on the other, that the Anglo-American fleet and the entire Anglo-American naval position would dominate that of Japan in Japanese waters.
>
> As I say, I have no independent opinion of my own on that. I am simply repeating what I have been told in Washington. But in all events we are very much better off, if I am right in assuming that underlying sympathy with Great Britain, than we would have been with as large a fleet as the one that we have had in contemplation and on our building program, being opposed with the largest fleet that Japan would find herself physically able to build, and Great Britain being bound as a matter of course to keep pace with both. So, assuming that our theory of Anglo-American cooperation is well grounded, it does seem to me that our naval position, as against Japan, has been improved rather than weakened, and we have the great advantage in the reduction of our naval program and all that that means financially and otherwise.

Mr. President, this statement if analyzed discloses that in addition to the four-power agreement there has been an understanding, and such a degree of understanding between Great Britain and the United States with reference to Far Eastern questions and Pacific questions that they will cooperate against Japan if it is necessary to do so. It is precisely the same situation, Mr. President, and the same condition of affairs which took place, for instance, at Morocco, where two or three or four nations came together and made their agreement and then two other nations got together and declared that they should cooperate for a different purpose and to control the other parties to the same agreement.

The statement made by Mr. Cravath indicates an alliance. Whatever discussion or debate there might be as to whether or not the four-power treaty is an alliance, there can be no doubt that the understanding arrived at between Great Britain and the United States that their respective navies were to cooperate against Japan in case of emergency constitutes in every sense an alliance.

As I said a moment ago, I would not call attention to this statement, perhaps, if it were not made by one who professes to know from those who have given him the information direct that such an understanding has been arrived at, and who is in a position to know, perhaps, as well as any other man in the United States outside of the members of the conference itself.

Furthermore, Mr. President, similar information reached me a month ago in a communication from across the water, but coming, as it did, from one whom I did not know, I did not feel at liberty to attach to it any particular importance or give to it any particular consideration. Having received it, however, from another source, I think it raises an exceedingly important question. It simply discloses that once we enter upon the program of making political understandings or political combines or political compacts there is no place where we can stop making them, even as against those who have signed a treaty with us, if we deem it to our interest to make them to the contrary.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield.

Mr. POINDEXTER. Suppose that the conference had confined itself entirely to the matter of naval limitation, of which the Senator is a very active advocate and for which he is very largely responsible in a way, at least; he is one of those who are responsible for promoting a conference to bring about an international agreement for the limitation of naval armament. I assume that the Senator could not have objected to that, in view of his advocacy of it on so many occasions. Now, suppose the conference had confined itself to that; how does the Senator differentiate that from the other agreements that have been made, in so far as concerns the likelihood or the possibility of subordinate agreements or understandings, if any such exist, between members of the conference, parties to the compact for the limitation of naval armament? In other words, disputes might arise in regard to the naval agreement between these parties the same as in regard to any other agreement, and in the case of such disputes there would be the same likelihood or the same possibility, at least, of subordinate combinations. So it seems to me, if the Senator objects to the pending treaty upon that ground he would have to extend the same objection to any agreement about any matter of importance between nations, and particularly to that concerning the question of which he has been so great an advocate, namely, the limitation of naval armament.

Mr. BORAH. Mr. President, I do not desire——

Mr. UNDERWOOD. Mr. President, if the Senator will allow me for just a moment before the debate goes too far, I note that the gentleman mentioned by the Senator from Idaho has referred to the members of the American delegation. I have met a great many men in my time, and I will not say that I do not know him, but I do not recall knowing him. In reference to the American delegation confirming the statement made by him, I desire to say that for one I have made no such statement; I have expressed no such view; and, so far as I know and so far as my information is concerned, there is not a word of truth in the whole statement which the Senator from Idaho has just read, and I do not believe there is any truth in it.

Mr. LODGE. Mr. President——

Mr. BORAH. I yield to the Senator from Massachusetts.

Mr. LODGE. I do not know that I understood precisely what Mr. Cravath said about the American delegation; but if, as I understand, he said that he had conversations with the members of the American delegation and gives them as his authority, I may say that he had no authority from me, for I have never had any conversation with him about it at all, and, so far as I am aware, I know of no such agreement or understanding with Great Britain. What the Senator from Alabama [Mr. UNDERWOOD] has said applies absolutely to my case. There is not a word of truth in the statement which has been quoted so far as I know, and I think I know something about the making of the treaties.

Mr. BORAH. Well, of course, Mr. President, I have——

Mr. LODGE. Mr. Cravath was not a member of the delegation.

Mr. BORAH. No; he was not a member of the delegation.

Mr. LODGE. Nor had he anything to do with it, nor did he ever appear in any way, so far as I know.

Mr. BORAH. Mr. Cravath was not a member of the delegation, but Mr. Cravath is a man of responsibility——

Mr. LODGE. No doubt.

Mr. BORAH. And a man of standing, both in his profession and in business affairs.

Mr. LODGE. Yes.

Mr. BORAH. And his connection with the business affairs in relation to those on both sides of the water has enabled him for many years to be thoroughly well informed as to what is going on. I happen to know that before Mr. Cravath made this statement he had had an interview with Mr. Root, and it is possible that in speaking of the American delegation he might not have meant each and every member of the American delegation; I do not know as to that; that is for Mr. Cravath to state; but I will read again what he said. It can not be a matter of unconcern. I think even the fact that a man like Mr. Cravath would make such a statement is exceedingly important.

Mr. LODGE. Mr. President, statements are easily made by people who have no responsibility and no knowledge particularly of the subject. I do not deny that Mr. Cravath may honestly believe what he says, but I can only say that, so far as any understanding between Great Britain and the United States, as stated, is concerned, it certainly does not exist within the knowledge of the delegation representing the United States.

Mr. BORAH. The Senator said he did not hear exactly what Mr. Cravath said, and so I will reread it.

Mr. LODGE. I said I did not hear what he said about the American delegation.

Mr. BORAH. He was asked by a gentleman who was present:

I want to know if you are making that statement as a fact or is it just your own opinion of what would happen?

Mr. Cravath replied:

I have been told by every member of the American delegation, and while I haven't been told by every member of the British delegation, I know definitely that the view is held by Mr. Balfour and I think by every other member of the British delegation, that the result of the Washington conference has been, not a formal agreement by any means, but an understanding, and such a degree of understanding and such a basis of sympathy has been created between Great Britain and the United States, that both sides assume that in all future emergencies they can both count on having the very closest cooperation.

Mr. UNDERWOOD. I just want to say this to the Senator: I do not know Mr. Cravath; at least, if I ever have met him, I do not recall it. As I said a while ago, I have met a great many men whose names I do not recall. I would not pay any more attention to this statement, quoted from a newspaper article, than I would to a fly alighting on a wheel, if it did not come here on the floor of the Senate from the mouth of a Senator whom I very greatly respect.

I want to say to the Senator, however, so far as I am concerned—and I would not answer him if he had not attempted to put me into the statement—that there is not one word of truth, so far as I am concerned or so far as my knowledge is concerned, in the article. If the Senator wants to continue his argument in reference to other people on the delegation, he can do so; but I know that the Senator will accept my statement when I tell him that it is not true, and if it were not on the floor of the Senate I would use a stronger word.

Mr. BORAH. I have already said that I assume that Mr. Cravath in all probability was not including each member of the delegation, and when the Senator from Alabama and the Senator from Massachusetts say that they do not know anything about it, that if it is true they do not know anything about it, I know that they do not know anything about it; but that does not convince me that it may not be true.

Mr. UNDERWOOD. It can not be true as to the delegation, because here is half of the delegation standing on the floor; so the statement could not be based on any action by the delegation.

Mr. BORAH. I accept the statement that the Senator from Alabama and the Senator from Massachusetts know nothing about it; but I want to correct the Senator in one respect.

The Senator from Idaho is assuming no responsibility for this statement other than the responsibility of quoting here accurately a statment which a man who has responsibility has made in a public place. I am not quoting newspaper reports. I am quoting what I am informed is a stenographic report, just as the statement was made there in the presence of some of the leading men of New York City; and Mr. Cravath was called to task, as it were, for it at the time, and he did not recede from his position.

Mr. LODGE. Mr. President, I can only reiterate what the Senator from Alabama has said. So far as I am concerned, no such understanding was ever thought of or dreamed of or mentioned; and I do not believe that anything was concealed from the Senator from Alabama or myself in the whole conduct of that negotiation.

Mr. BORAH. Mr. President, for the present I have said all that I desire to say in regard to this matter. I said a moment ago that this same information came to me nearly a month ago by letter from across the water, particularly connected with Mr. Balfour being made a Knight of the Garter, but I did not know the party. I do not yet, except indirectly, know the party. I therefore did not assume any responsibility, even the responsibility of quoting it here; but I want to know what Mr. Cravath means. I do not want a representative of some of the greatest interests of this country, some of the most powerful interests, interests which in a large measure in some respects are practically dictating the foreign policy of this country, saying unchallenged that there is an alliance within an alliance, and that we have gone on record and written ourselves down as members of an alliance as I conceive it to be, at least a political pact, and that within that alliance we have gone back on some of the other members of it and formed another alliance. If you want war, that is the way to create war. I said upon the floor of the Senate a few days ago that is the way war springs from these political pacts—by the treachery which is practiced by one toward another. I contend such a statement from a man like Mr. Cravath can not go unnoticed or unchallenged. I am determined to know the facts if I can ascertain them.

Mr. UNDERWOOD. Mr. President, some days ago I made a speech on this treaty; and as I am not on the Foreign Relations Committee, I have not considered that the responsibility of seeing the treaty through was in my hands, and I expected that to be my last speech on the subject.

I think it is most unfortunate, however, that men, whether they occupy positions of so-called responsibility in private affairs or not, should make statements regarding a matter of very vital interest not only to this country but to the world and have those statements come here seemingly as if they spoke for a Government. I know who Mr. Cravath is. I think he is the attorney of one of the greatest banking institutions in the United States. I think he is a lawyer of high standing; but I do not know anything about his reliability when he talks about matters that were not his own. I do know that there is not a word of truth in this statement. I do know that the American delegation as a delegation has not attempted to make any alliance or any agreement or come to any understanding that is not written within the terms of the treaty that is before the Senate; and I do not know of anyone else who had authority to speak for the Government of the United States except the President of the United States himself, whose commissions these four delegates held. I do not think this statement would be worthy of note if it had not been brought before the Senate of the United States.

A vast number of statements are appearing in the papers every day about these treaties from irresponsible people, possibly repeating hearsay statements, that have not the warrant of truth behind them. They may mislead, but they do not injure; but for a statement of this kind to go out from the floor of the United States Senate without absolute and unqualified contradiction is a danger to the people of the United States. It is a menace to the Government of the United States because it makes assertions that might involve the friendly relations of two great powers in this world. To allow a statement to go out from the floor of the Senate of the United States pretending that our Government was treacherous, that our Government was unfaithful, that the word of our Government could not be relied upon, is unworthy of the people of the United States; and it is a statement that I will not allow to go forth, as a Senator and a citizen of the United States, without absolute and unqualified contradiction.

Suppose you allow a statement of this kind to go out here, that your Government, through its accredited agents, has made a solemn compact with four other nations, and then, before the ink is dry on the paper on which it is written, that the agents of your Government have turned around and proved treacherous to the contract, and have made a secret understanding with another Government to destroy the life or the opportunity of another nation with whom you are at peace, and with whom you have just signed a contract for peace. Have you no pride in your Government? Has your patriotism gone to the winds? Do you not believe that your Government is longer honest, or faithful, or true to a trust?

Mr. President, of course, I know that we say many things in the United States Senate in reference to treaties, and give them no more thought than if we were passing a Senate resolution or a bill appropriating $50,000; but in the eyes of the world this body, the Senate of the United States, is a part of the treaty-making power of this Government, and words coming from the Senate of the United States are regarded in other nations with that seriousness with which, in my judgment, we should regard them here ourselves. To let it go out that the American delegation—the only agents authorized to speak in this matter except the President of the United States himself—had deliberately signed a peace contract with the Empire of Japan, and then had entered into a secret agreement with the Government of Great Britain, would be infamous if it were true. I say that it is absolutely untrue; and I would call it by a stronger name, which it deserves, if I were not speaking on the floor of the Senate of the United States.

Mr. ROBINSON. Mr. President, it certainly must be apparent from the statement made by Mr. Cravath, and from the statement made by the representative of the Far Eastern Republic, that there are in process of formation, if they have not already been formed, secret arrangements among some of the powers that are parties to this four-power treaty.

The Senate Committee on Foreign Relations could have ascertained all of the facts connected with the inception and the advancement of this treaty. By the same process which was employed when the Versailles treaty was under consideration our committee could have ascertained whether, without the knowledge of some of the American delegates to the conference, secret agreements or engagements are in contemplation which may involve the United States hereafter in questions of good faith concerning its action in the negotiation and ratification of this treaty.

Mr. SHIELDS. Mr. President——

Mr. ROBINSON. I yield to the Senator from Tennessee.

Mr. SHIELDS. The Committee on Foreign Relations did ask the President, through a resolution introduced by the Senator from Nebraska [Mr. HITCHCOCK], for all the facts concerning this matter. The Democratic Members, of course, were very largely in the minority and could not control the investigation or the procedure before the committee. They did not control it. My recollection is that when the favorable report was ordered there were only three Democrats present, and two of those voted for it. The third one—if I speak personally, myself—voted against a favorable report. But these agreements to which the Senator is now referring, if made, were probably made through the chairman of the American delegation. At least the presumption is, and I have no doubt the fact is, that the Secretary of State knew more about them than anyone else; in view of the statements made by the two delegates who are Members of the Senate it is certain that he knew more about it. It is certain from his letter that he knew more about what was done than anyone. At the time the committee was considering the treaty the Secretary was beyond the limits of the United States; he was not accessible and could not be brought before the committee; but he is here now, and the questions which have developed are very important and ought to be fully understood by the Senate and by the people of the United States. Why would it not be in order, as the Secretary of State is now in Washington, to move that this treaty be recommitted to the Committee on Foreign Relations, so that committee may ask Mr. Hughes to come before it and make a statement of all the facts which suggested and accompanied the making of this treaty and which induced the American delegates to consent to it? The Secretary could also explain why other nations were not admitted as members, or why they were not to be heard in passing upon controversies between them and members of the treaty. He might also be able to inform the Senate of how the treaty is to benefit America. I have such a motion under consideration.

Mr. ROBINSON. Mr. President, it is in order to make the motion mentioned by the Senator from Tennessee, but it is not even necessary to take that course in order to get the information which the Senate wants and to which it is entitled.

Surely the Senate has the right to know whether secret arrangements are in contemplation either between this Government and France, or between Japan and Great Britain, or between Japan and France, which would affect our interests under the treaty. The Senate formerly discussed these matters in secret executive session. Recognizing the demand of the people of the United States for information as to what is going on in our foreign relations, the Senate has adopted the policy of considering and disposing of these subjects in open executive session. No Senator can be unmindful of the fact that there is quite a general belief among those who have studied the history of this four-power treaty that the Senate is not in possession of a knowledge of the facts which relate to the actual conception and the actual negotiation of this treaty.

If the Senate is going to recognize the right of the public to full knowledge respecting subjects which pertain to the negotiation and ratification of treaties, why should not the Committee on Foreign Relations take the natural course and ascertain and publish the true facts and all the facts? They can not be forever concealed. The course of future events will reveal them. The Senate can either recommit the subject to the committee or instruct the committee to investigate and report.

One of the prominent writers for the Manchester Guardian, Mr. Nevinson, who attended the conference, declared that the negotiation of the four-power pact had relieved the United States from imminent danger of a war with Great Britain within the next five years. The British ambassador has declared that when the treaty was negotiated war in the Pacific Ocean, vitally affecting the security of the American possessions, was impending. The representative of the Far Eastern Republic who came to Washington and sought a hearing in the conference, but was unable to secure it, has said that already a secret arrangement has been effected between France and Japan. Now, a lawyer for the great international banking interests of Morgan and Ryan, a lawyer who stands at the head of the legal profession in the United States, a man who speaks with great authority, has declared in debate that the real motive which actuates him to support this treaty is an international arrangement which does not appear on the face of the treaty, a secret engagement by which Great Britain and the United States combine against Japan. He declared, when interrogated as to the accuracy of his knowledge, that as a lawyer accustomed to considering and determining evidence, its weight and

credibility, he has reached the conclusion that underlying this four-power pact, harmless on its face, innocent in its expressed purposes, as declared by the proponents of the treaty, there exists an engagement between our Government and Great Britain which means that they will make common cause against one of the parties to the four-power treaty in case the necessity arises.

Why should not the United States Senate be put in possession of a knowledge of the facts? Nobody questions the truthfulness of the Senator from Alabama [Mr. UNDERWOOD] or of the Senator from Massachusetts [Mr. LODGE]. The difficulty of the matter is that they know nothing about it. This debate has disclosed from the beginning that neither of them has any very definite knowledge concerning this important subject.

Do they object to the Senate having a knowledge of the facts and to the American people learning the facts, in connection with this charge by one of the leading attorneys of America, who represents more dollars and cents involved in big concessions in the Far East than any other lawyer in the country, always loyal, always efficient in the performance of his duty to his clients? Did anybody suppose that Paul D. Cravath made the declaration attributed to him by the Senator from Idaho without having investigated and without having reached a conclusion in his own mind that his declaration was justified?

I said in the debate the other day that it was unfortunate that Mr. Hughes went on a vacation to Bermuda while the Foreign Relations Committee had this treaty under consideration. I neither expressly nor impliedly charged that he absented himself from the United States to avoid disclosures concerning the negotiation and purposes of this treaty. He is here now.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield with pleasure.

Mr. KELLOGG. Did I understand the Senator to say that Mr. Hughes went away to avoid a disclosure of the negotiations?

Mr. ROBINSON. Mr. President, it is almost pathetic, when a Senator exhausts as much energy as I am exhausting to make himself understood, if one of the intelligence of the Senator from Minnesota will so completely misunderstand his remarks. I said I did not make any such charge.

Mr. KELLOGG. The Senator exhausts too much energy in the wrong direction.

Mr. ROBINSON. I should be very glad to apply my energy in the direction of the Senator from Minnesota. He needs enlightenment respecting this subject.

Mr. KELLOGG. The Senator does not need to be insulting.

Mr. ROBINSON. I said that I neither expressly nor impliedly alleged that Mr. Hughes left the United States, while the treaty was under consideration by the Foreign Relations Committee, to avoid disclosing the facts in connection with its negotiation and its purposes; but I also say that he is here now; he has come back; he is within the jurisdiction of the Foreign Relations Committee. It has just as much right to call him to testify as it had to call Secretary Lansing to testify when the Versailles treaty was under consideration. Why does not the committee call him and secure information?

From the beginning I have hoped that this treaty might so safeguard the interests of the United States, through amendments or reservations, as that I might vote for it. Why make a pretense of publicity; why have these debates in the open; why discuss the subject of the ratification of these treaties in open executive session, if the Senate and the public are to be denied the information necessary to the proper determination of the issues involved? Send for Mr. Hughes and send for Mr. Root, and ask them regarding it. If they know no more about it than the Senator from Alabama and the Senator from Massachusetts know, we will at the worst have taken only a useless step. We might write to Mr. Balfour, if none of the American delegates know anything about the negotiation of this treaty. Somewhere somebody knows. If you want the facts, you can get them. If you have entered into an arrangement designed to give any Government a secret advantage over any other Government a party to the four-power treaty, you will not always conceal it.

I am not sure that I would object to a defensive alliance with a peaceful English-speaking nation having mutual rights and mutual interests with the United States, to confer in the Pacific Ocean or elsewhere; but my proposal is that we should act intelligently, and if we make engagements that may hereafter, when disclosed, involve a question of integrity or good faith on the part of our Government we ought to know about the matter now. We ought not to wait until the incidents of future history disclose the facts.

Trained diplomats, men who have spent their lives and exerted their minds in the formation and expression of international policies, are accustomed to concealing in language the real accomplishments they expect to attain. If the United States is to pursue a policy of open dealing, of frankness, and of justice in her relationship with the other nations of the world, why not, I ask you, call the men who know and ask them to testify? We would have a little information. The atmosphere is full of suspicion. Many circumstances established beyond doubt indicate that the four-power treaty does not express on its face all that is implied.

No man is readier than I to adhere to the policy of my country, once it is established, but so long as I am responsible in part for the determination of that policy under the Constitution of the United States, I want to know what the policy is and how it is proposed to consummate it.

Mr. LODGE. Mr. President, let me say first that under our system of government secret agreements binding the United States are absolutely impossible. Nothing of that sort could possibly exist.

Also let me further say as to the treaty now before us that nothing whatever has been concealed, because there has been nothing to conceal. All the facts are known, and known to the entire world. The President, on being asked by the Foreign Relations Committee and by the Senate to give a report of the conversations which had taken place which led up to the completion of the four-power treaty, stated in brief in his message that he could not report to the Senate unreported conversations, and that he would not send, if he had them, tentative drafts of the treaty. We have that message from the President.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Massachusetts yield to the Senator from Arkansas?

Mr. LODGE. I yield.

Mr. ROBINSON. The Senator will recall that during the Versailles treaty contest the tentative drafts of the League of Nations covenant were brought to the Senate; at least, some of them.

Mr. LODGE. They were published——

Mr. ROBINSON. Why should not the Senate have a tentative draft of this treaty?

Mr. LODGE. They were published at that time in the newspapers.

Mr. ROBINSON. They were published, and the investigations of the Foreign Relations Committee with reference to them. Why can not the Senate now have the tentative drafts if there is to be full publicity now?

Mr. LODGE. I do not know that tentative drafts exist, but if they do exist and were discussed in conversations, to take papers of that sort and present them here as to two or three sections of the treaty would be, it seems to me, a breach of confidence. The others were all published anyway.

Mr. ROBINSON. Will the Senator yield for another question?

Mr. LODGE. Yes.

Mr. ROBINSON. When the Senator says he does not know that any tentative drafts exist, does he mean that he does not know whether they were made or whether they have been destroyed if they were made?

Mr. LODGE. I dare say a dozen or twenty or fifty may have been made, just as we make dozens of drafts of a bill here?

Mr. ROBINSON. Who made them?

Mr. LODGE. The Secretary of State has stated that he made this draft, and that is the truth.

Mr. ROBINSON. This draft, certainly; but what we are interested in knowing is who made the first draft and who made the drafts that led up to this draft? The Senator has said there were 50 or 100.

Mr. LODGE. That was stated in the letter of the Secretary of State. He stated exactly what happened, and I have nothing to add to it and nothing to take away. He made a public statement about it.

Now, Mr. President, I should like to finish what I have to say. The Secretary of State sent in a letter stating all the facts in regard to the making of the four-power treaty. There were no secrets there——

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. LODGE. Mr. President, I did not interrupt the Senator from Arkansas. I wish he would allow me to continue.

Mr. ROBINSON. I had no objection to the Senator interrupting me.

Mr. LODGE. Very well; go on.

Mr. ROBINSON. The Senator says there were no secrets here. Why did Japan object to France being a party to the four-power treaty?

Mr. LODGE. I am not aware that Japan objected to France.

Mr. ROBINSON. The Senator of course is aware that Secretary Hughes in his letter stated that was true, that he prepared the first draft which was made after the consent of Japan had been secured to France being a party to the treaty. I think it is fair for the Senator to know, if we are going to have any information at all, why Japan objected to France being a party to the treaty. I realize that the Senator does not care to be interrupted too often, but I would like to know why Italy, Portugal, and the Netherlands were not invited to join in this treaty involving their interests in the region affected?

Mr. LODGE. When the Senator has finished his speech would he mind giving me the passage in the Secretary of State's letter where he said that Japan objected to France being a party to the treaty?

Mr. ROBINSON. If the Senator will give me the Secretary's letter, I can easily do that.

Mr. MOSES. It will be found on page 3712 of the RECORD.

Mr. ROBINSON. I will ascertain, with the permission of the Senator from Massachusetts——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield further to the Senator from Arkansas?

Mr. LODGE. I should like to go on and finish what I have to say.

The PRESIDING OFFICER. The Senator from Massachusetts declines to yield further to the Senator from Arkansas.

Mr. LODGE. I decline to yield further. The Senator can examine the letter.

Mr. ROBINSON. The Senator will, of course, permit me——

The PRESIDING OFFICER. The Chair understands that the Senator from Massachusetts declines to yield.

Mr. ROBINSON. Oh, no, the Chair misunderstands.

Mr. LODGE. I yield for a question, but not for a speech.

Mr. ROBINSON. The Senator asked me to point out——

Mr. LODGE. I want to say something myself.

Mr. ROBINSON. The Senator asked me to point out the language in Secretary Hughes's letter that I was quoting, and I am now ready to do it.

Mr. LODGE. I will allow the Senator to read the passage.

Mr. ROBINSON. It reads:

> I may say, however, with respect to the general course of negotiations that after assent had been given by Great Britain and Japan—

Mr. LODGE. Ah!

Mr. ROBINSON. Yes; but wait a minute—

> That France should be a party to the agreement.

I enlarge my question now——

Mr. LODGE. What the Senator asked me was what overcame the objection of Japan.

Mr. ROBINSON. No; I did not ask that. I asked why Japan objected to France being a party to the treaty?

Mr. LODGE. The Secretary of State does not say that. He said, "When the assent of Great Britain and Japan had been obtained." That is not what the Senator asked me. That is why I wanted him to read out the language.

Mr. ROBINSON. Will the Senator permit me further?

Mr. LODGE. No; I am going to finish my speech in the next five minutes uninterrupted.

The PRESIDING OFFICER. The Senator from Massachusetts declines to yield further.

Mr. ROBINSON. All right, I shall take the floor again.

Mr. LODGE. The Senator has taken the floor a great deal and very well.

Mr. ROBINSON. I thank the Senator.

Mr. LODGE. And I am sure he will take it again and do it very well.

Mr. ROBINSON. I thank the Senator——

The PRESIDING OFFICER. The Senator will be in order. The Senator from Massachusetts will proceed.

Mr. ROBINSON. I suppose it is not out of order to thank the Senator for yielding to me.

Mr. LODGE. Mr. President, I repeat that nothing has been concealed, and everything is before the country and the Senate that relates to this treaty. All I rose to say was this: The Senator from Arkansas, with great frankness, has referred to the ignorance of the Senator from Alabama [Mr. UNDERWOOD] and myself. I do not profess for a moment, and I do not suppose the Senator from Alabama would profess, to equal the intelligence of the Senator from Arkansas, but we are reasonably intelligent and we are, I think, fairly well informed. But, of course, all this debate, although it has been a little covered up, proceeds on the proposition underneath that the four American delegates were not only ignorant but incompetent and were prepared to betray their country.

It has gone further than that. Mr. Cravath, a distinguished lawyer of New York, who has no relation to the conference, who never was consulted, who had no part in it, made a statement that something happened there which never did happen, and the implication there is that the President, who was the only person who could speak outside of the delegation, was engaged in making a secret agreement which he would not have the power to carry out without the Senate with one of the four powers with whom we were negotiating against another power with whom we were also negotiating. That is the implication against the President of the United States.

The other implication is, of course, that the Secretary of State, as one of the four delegates, and his three associates were all engaged in doing the same thing. We may not be as well informed as the Senator from Arkansas, though some of us have had some experience in these matters, but let me say we love our country just as well and we are just as prepared to defend her and her interest as any man who sits upon this floor, and that the President of the United States ought to be spared the implications that are made here that he is engaged in making secret agreements with Great Britain against the Empire of Japan when we are making a common treaty with both of them.

That is the charge which underlies all this, Mr. President. I confess I have tried to listen to it with patience and not resent it, but I do resent this continual implication that is going on. When we come to the statement that has been read here this morning, it is nothing less than accusing the President of the United States, the Secretary of State, and the three other American delegates, who include the members of both political parties, of what would have been an infamy. There is not a word of truth in it; and no one has the right to make that implication or to treat his fellow Senators in that way; nor has he any right to make such implications against the President, the Secretary of State, and Mr. Root. They are the men who have led long and honorable lives in public service, and they are just as patriotic—I do not say more so—and just as desirous of defending the interest of this country as are those who have been slandering them by implication and insinuation. I will trust the people of the United States, without respect to party, to stand by the President of the United States, without reference to his politics, and to stand by the four men whom he chose to represent them in this great conference, whose Americanism and patriotism are known to the American people.

Mr. ROBINSON. Mr. President, the Senator from Massachusetts has at last become excited and interested over the four-power treaty. He has distorted, unintentionally, I take it, my allusion to the ignorance of the Senator from Alabama and himself respecting this treaty into being a general allegation of ignorance.

Mr. President, if any reply to that portion of the statement made by the Senator from Massachusetts is needed, I can only say that I regard both the Senator from Alabama and the Senator from Massachusetts as very learned men, of broad experience in statesmanship. I have not challenged their patriotism, nor have I, impliedly or expressly, challenged the patriotism of any Senator who has spoken respecting the four-power treaty. I maintain, however, that concerning the origin and negotiation of this treaty, its real purposes and effect, both the Senator from Alabama and the Senator from Massachusetts, as disclosed in this debate, are amazingly ignorant.

Mr. LENROOT. Mr. President, will the Senator yield to me?

Mr. ROBINSON. I yield to the Senator from Wisconsin.

Mr. LENROOT. I should like to ask the Senator this question: How could there be any secret understanding, if the Senator from Massachusetts and the Senator from Alabama were ignorant of it, unless it was made by the President of the United States?

Mr. ROBINSON. Mr. President, the Senator from Alabama and the Senator from Massachusetts took no prominent part in the negotiation of this treaty. The Senator from Alabama was absent from the city on account of a bereavement which commanded the sympathy of all of his colleagues. The Senator from Massachusetts evidently did not regard it of sufficient importance to keep himself informed concerning the progress of the negotiations. He tells us now that there were between 40 or 50 and 100 drafts of this treaty made, showing that the greatest difficulty was experienced in reaching a final conclusion as to its terms and conditions.

Mr. LODGE. If the Senator will allow me, I wish he would not misquote me.

Mr. ROBINSON. I did not intend to do so.

Mr. LODGE. I said there might have been.

Mr. ROBINSON. Yes.

Mr. LODGE. I did not go higher than 20, I think.

Mr. ROBINSON. The Senator did go higher than 20; but the point I am making is that the Senator discloses his ignorance of the facts when he can tell us he knows nothing about the number of drafts that were, in fact, made, and nothing about what those drafts contained.

Mr. LODGE. It is true I did not count them.

Mr. ROBINSON. They were too numerous to count, in all probability.

Mr. LODGE. Ignorant as I am, I can count as high as 20.

Mr. ROBINSON. Oh, yes; the Senator can count a hundred, and he did so a while ago, in reply to my statement. But, Mr. President, I do not want to be diverted from the serious consideration underlying this contention. The Senator from Massachusetts has admitted that a great many drafts of this treaty were made. Now he frankly tells us that the Senate can not see any of those drafts; he does not know whether they have been destroyed or whether they are still in existence; but, in any event, we can not see those drafts, and he knows nothing definite about the subject. I respectfully conclude with the statement with which I began, that, concerning the four-power treaty, its origin and its negotiation, and the secret purposes, if any, underlying it, both the Senator from Massachusetts and the Senator from Alabama are hopelessly ignorant.

If the charges that secret engagements have been made and that others are in contemplation among the four powers are untrue, the matter might be cleared up by an inquiry into the charges by the Committee on Foreign Relations. It is all well enough to say that the Senator from Idaho [Mr. BORAH] should not have quoted in the Senate the declaration of one who is not a member of the American delegation at the disarmament conference—the declaration made by Mr. Paul D. Cravath—but Mr. Paul D. Cravath is one of the most important men in America, in view of his relationship to the great financial interests which are sponsoring this treaty. Why not ask Mr. Paul D. Cravath the sources of his information and let him tell the Committee on Foreign Relations what he knows about it and upon what facts he bases his conclusion? It would be possible to get Paul D. Cravath here by to-morrow morning at 10 o'clock. Send for him, and if Paul D. Cravath, representing the greatest financial interests that exist in the United States, has made a statement without foundation in fact, if he has falsified when he stated that some of the American delegates and some British delegates had informed him of these facts, which he believes to be true, or if he has been misquoted, then he ought to be permitted to explain or made to take the responsibility for his declaration. Why not send for him? Why not send for Mr. Secretary Hughes and ask him about the negotiation of this treaty? He gave no information respecting it of value in his letter to the Senator from Alabama. His letter was not intended to furnish information which the Senate wanted; it was intended to refuse information which the Senate needed.

Mr. BORAH. Mr. President, I am not going to continue the debate. I do not know just precisely what the Senator from Massachusetts meant by saying that the entire debate was based upon the implication that the President of the United States and the American delegates were and are disloyal. As I said a few moments ago, the statement read by me is a correct report of what was said in a public discussion in the most important financial center in the United States, if not in the world, by a man who, perhaps, represents the most powerful financial interests in the United States, if not in the world.

It will be recalled when the Versailles treaty came back to this country the first copy which was uncovered was uncovered in the possession of the same banking interests represented by Mr. Cravath. A representative of that firm was present at all times in Paris when the negotiations were proceeding; he was counseled with and advised with because of his very great knowledge of international finance, and therefore of international affairs.

I merely recall that to disclose how thoroughly these great interests keep themselves informed, not only from a business standpoint but for other reasons. We also know that the firm in question was represented in the Far East for months during last summer. It was engaged in precisely the same business in which it was engaged prior to the Versailles treaty, and that was in looking after the financial interests of the international bankers in the Far East. That is their business; that is their privilege. I am simply calling attention to it to show their position with reference to their knowledge of what is going on. I have no doubt, Mr. President, that those men know things which the Senate does not know and never will know with reference to international affairs. They have opportunities to know which we can not possibly have, and they have a keen incentive to know, and they ascertain the facts.

Mr. Paul D. Cravath, who represents some of these interests, made this statement in public before a number of citizens of the United States in the city of New York. I assume that he understood the import of his language. I have no doubt that he believed precisely what he said. I have no doubt that he spoke the truth as he understood it, and I felt, therefore, perfectly justified in calling attention to the statement. I want one of two things to happen; I want the foreign policy of this country to be shaped by the President and the Senate of the United States officially, or I want to know precisely the attitude and the knowledge of those who are helping to shape it on the outside.

I do not propose to be placed in the position, of course, of questioning the integrity or the patriotism of particular individuals; I am not concerned about that; I am concerned to bring out the exact facts concerning the influences which work in these affairs. I have no doubt at all that this is one of the most powerful influences which have to do with international affairs and that it is in a position to know all that is going on if anybody is. I make no apology, therefore, for calling attention to it, and I shall make no apology in the future for debating it as the matter develops.

Mr. ROBINSON. Mr. President, can the Senator conceive of any reason why Mr. Cravath should not be permitted to be given an opportunity to state to a committee of the Senate the facts upon which he bases his declaration?

Mr. BORAH. No; I do not know of any reason why he should not be permitted to state the facts; but I should prefer to take Mr. Cravath's statement made in the minds of his friends, at a time when the import of his statement had not been criticized, and when he had no occasion to state the facts other than as he understood them. I would rather have such a statement than any explanation which could be made.

I can not conceive of Mr. Cravath before those with whom he was acquainted and with whom he associates daily, and, after conversations, at least, with one of the American delegates prior to the time when his statement was made—if he states the circumstance correctly—I can not conceive of his deliberately misstating the facts. There was no occasion for doing so; there was no motive for doing so; the unconscious impulse to do so was not even there, and, besides, I do not think that Mr. Cravath is that kind of a man. I think that he was discussing the matter plainly and sincerely as he understood it, and I think he will be utterly astonished to understand that there are those who do not understand it as he understands it when they were in the same position as he was to know the facts. I believe he believed he was stating facts.

Mr. President, there is one other thing that I might say. I think I will not say it to-day, but no more severe attack has been made upon some of these delegates than has been made by some of those who are now associated with the delegates. I do not care anything at all about the personal feature of the matter; but if those who are trying to get at the facts here and who want the people to know the exact facts and the influences that are working for these things are to be charged with indulging in personalities and indulging in debate of that kind, I will undertake to discuss the views of those who have expressed themselves concerning some of their own delegates, and those views are also in writing.

Mr. LENROOT. Mr. President, I want to say only a word. It is very evident that the opposition to this treaty is becoming more desperate each day and is willing each day increasingly to go beyond the bounds of what I believe to be proper.

We have first these gentlemen accepting on all occasions the construction of this treaty by subjects of foreign powers as against the construction of our own delegates. Wherever there is an Englishman that gives a construction against America these gentlemen quote with approval that construction upon the floor of the Senate. They absolutely ignore the construction of our own American delegates and the construction accepted at the conference; and now this morning we find some of them willing to become vehicles of a charge accusing the American delegates of treachery to the United States, and entering into a secret understanding that with the very signing of a treaty they committed an act of treachery to one of the parties to the treaty.

Mr. President, it would have been bad enough to have had that communication placed in the RECORD by the Senator from Idaho after he had the explicit denial of two of the American delegates; but he was not content to rest with that. Following that, he has just said to the country that he believes that Mr. Cravath is a man who knows what he is talking about, and that he is entitled to credence. The Senator from Arkansas

says that he accepts as truthful the statement of the Senator from Massachusetts and the Senator from Alabama that so far as they knew there was no secret understanding, and in the next breath he demands an investigation to ascertain whether there was a secret understanding, when there could not have been any such understanding unless the Senator from Alabama and the Senator from Massachusetts had been parties to it.

Mr. President, that is a sample of the kind of argument that the opposition has come to with reference to this treaty. I realize, of course, that they appreciate that the treaty is going to be ratified unless some Senators will believe in innuendo and slander like the letter of Mr. Cravath and change their votes with reference to it.

Mr. ROBINSON. Mr. President, it is never necessary for a Senator who is governed by the principles that control a gentleman in his conduct here or elsewhere to use language in violation of the rules of the Senate. I have not consciously slandered any living mortal. My motive is to secure for the American people the information that they are entitled to have before the Senate exercises its constitutional function of advising and consenting to the ratification of this treaty. Neither the Senator from Wisconsin nor any other Senator can restrain me from the exercise of what I believe to be my duty by the use of language violative of the rules of the Senate.

The Senator from Idaho [Mr. BORAH] has served in this body for a great many years. By his courage, his frankness, and his manly assertion of his convictions he has earned, in my opinion, the confidence and respect of all to whom such elements of character may appeal. The Senator from Idaho needs no defense or vindication at my hands. In the negotiation of this treaty the representatives of the American Government seek to commit this Government to what we believe to be undertakings of far-reaching importance and consequence. We are combining for some purpose, known or unknown, with three other great powers, manifestly for the purpose of maintaining the peace if not of controlling the politics of the regions of the Pacific Ocean. The Senate has declared its purpose to conduct no secret consideration of treaties. It has declared its policy to discuss treaties in the open. It is important, sir, and future events must prove the statement to be true, that we know what it was that prompted Great Britain and Japan expressly to rescind a contract which they declared had served its day for something which they thought was better, and which would accomplish the same purposes, with more power behind it.

The people of the United States are anxious to know the facts concerning this treaty and its real involvements. Word has gone out from the Capital, from organizations originated for the purpose of propagandizing Senators and inducing them to reach a conclusion respecting this subject which is not based upon the debates or upon the terms of the treaty itself or the information furnished to the Senate respecting it; that before this vote is had a committee of 100 will be organized in the city of Washington, and that committee will send its communications to every State in this Union, appealing to religious organizations to urge Senators from their respective States to vote for the ratification of this treaty. We all know how powerful propaganda has become in the United States during the last few years. I have received in a single day as many as 25 telegrams from different parts of the United States, expressed in identical language, showing clearly that all those telegrams had a common origin.

Mr. President, this question ought to be decided intelligently. It ought not to be determined through the influence of propaganda based upon lack of information. I want to know, before I give my vote for the four-power treaty, what it means to my country. Different constructions have been placed upon it at different times by the very delegates who negotiated it. One of the American delegates stated to some of his colleagues that it constituted an alliance implying force, but that in his opinion it was the best insurance that the United States could obtain for the protection of her possessions in the Pacific Ocean, and for that reason he was for it. Why did he change his construction? What is the true interpretation of the instrument?

I scorn personalities. I made the declaration that at least two of our delegates were lacking in information respecting this important controversy; and I leave it to fair-minded Senators and others who have heard the debate to answer me in their consciences if the declaration is not substantiated by the evidence of the Senators themselves.

The Senator from Massachusetts [Mr. LODGE]—in a desperate effort, I presume, to give this debate a political aspect—lugged in the name of the President of the United States. As the Executive head of the Government, he is responsible for the negotiation of treaties; but I respectfully submit that if the President has detailed information concerning this treaty, that information has not been furnished to the Senate. The President said in his message that the informal negotiations conducted through the long process implied in the declaration of the Senator from Massachusetts when he said that a large number of tentative drafts had been prepared, had either not been recorded or could not be furnished to the Senate; but the delegates who actually conducted the negotiations know the course that the matter took. With representatives of the Far Eastern Republic and others crying out for a hearing, claiming that secret combinations were being formed among the members to constitute this four-power pact, why should not the Washington conference have ascertained the facts concerning those complaints; and why should we be denied now the information if this is a good-faith obligation upon the part of the United States to assist in maintaining peace, and if it does not involve the United States in far more serious undertakings than appear upon its face?

I do not know what will be the final vote of the Senate upon advising and consenting to the ratification of this treaty. I am going to do my duty as I see it, and when I become senile or indifferent to the obligations that devolve upon me by virtue of my oath to support the Constitution of the United States I will inquire of the Senator from Wisconsin what course he thinks I should take; but until that condition arises let me appeal to Senators not to be intimidated by outbursts of indignation, by declarations that this debate is "slanderous" in its character. The Senator from Idaho [Mr. BORAH] is incapable of slandering. The Senate is at liberty to place upon my feeble efforts here such construction and characterization as they seem to justify, but I will not be deterred in what I believe to be the performance of my duty to my country.

Mr. LENROOT. I want to say to the Senator that I had no thought of imputing slander to him. The slander I objected to was the letter of Mr. Cravath, and the apparent willingness of the Senator from Idaho and the Senator from Arkansas to give some credence to it.

Mr. ROBINSON. I understood the Senator from Wisconsin perfectly.

Mr. TOWNSEND. Mr. President, if there is no further discussion of the treaty to be indulged in at the present time, I move that the Senate proceed to the consideration of legislative business for the purpose of taking up the Post Office appropriation bill.

The motion was agreed to.

The VICE PRESIDENT. The Senate is in legislative session, and the Chair lays before the Senate House bill 9859, the Post Office appropriation bill.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9859) making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes.

The VICE PRESIDENT. The first amendment of the Committee on Post Offices and Post Roads which was passed over will be stated.

The READING CLERK. The first amendment passed over is, on page 10, line 22, before the word "inspectors," to strike out "four hundred and twenty" and insert "five hundred and twenty," so as to read.

Office of chief inspector: For salaries of 15 inspectors in charge of divisions, at $4,200 each; and 520 inspectors.

Mr. HARRISON. I understand the Senator from Michigan wants to speak on this proposition.

Mr. TOWNSEND. I wish to say merely a word in reference to it.

Mr. HARRISON. I think there are some members of the Committee on Post Offices and Post Roads who would like to be present while the bill is being considered. So I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Edge	Kendrick	Nelson
Brandegee	Elkins	King	Nicholson
Broussard	Ernst	Ladd	Norbeck
Bursum	Glass	La Follette	Norris
Capper	Gooding	Lenroot	Oddie
Caraway	Hale	Lodge	Overman
Colt	Harris	McCormick	Page
Culberson	Harrison	McKellar	Pepper
Cummins	Heflin	McKinley	Phipps
Curtis	Jones, Wash.	McNary	Pittman
Dial	Kellogg	Moses	Pomerene

Ransdell	Smith	Sterling	Wadsworth
Rawson	Smoot	Sutherland	Warren
Robinson	Spencer	Swanson	Watson, Ga.
Sheppard	Stanfield	Townsend	Williams
Shields	Stanley	Underwood	Willis

The VICE PRESIDENT. Sixty-four Senators having answered to their names, there is a quorum present.

Mr. TOWNSEND. Mr. President, at the suggestion of the Senator from Mississippi [Mr. HARRISON] on Saturday evening this item went over. It is a proposition to increase the appropriation for inspection service by about $235,000, providing for 100 additional inspectors.

The object of this increase is to better serve the interests of the Government through the Post Office Department. These men have to inspect and investigate a great many things which are largely of an irregular character, including frauds carried on through the mail, robberies, thefts of registered and C. O. D. packages, and other matters which require attention. The Post Office Department is the largest business institution in the world. It employs hundreds of thousands of people. Its receipts and disbursements amount to approximately one billion and a quarter of dollars annually. It extends into even the remotest sections of our country, including its territorial possessions. Indeed, it reaches into every civilized country on the globe. The opportunities for irregularities are great. The inspection is absolutely necessary. According to the testimony of the officials of the department, during the war inspection matters were neglected, were allowed to go by default because there were so many other things which required attention that they could not be investigated, with the result that on November 1 last there were 47,383 cases of complaints which should have been investigated, but which could not be. This meant not only that irregularities and crimes have gone uninvestigated, but also that millions of dollars have been actually lost to the Government.

According to the department a sufficient number of inspectors would save the Government from eight to ten million dollars a year. There is a complaint now from all over the country that sufficient inspection can not be had. It is claimed that there should be 10 additional inspectors in the city of New York alone and in other cities in proportion. The parcel post mail has involved a great many losses and there has been a great many losses occurring in the registered mail service and in the C. O. D. service, which can not be investigated, due to the fact that they have an insufficient force of inspectors, who are the detectives and police officers of the department. Many of these cases are from two to four years old. A good many of them have been closed without investigation, simply because of the fact that the department did not have help enough to determine what the situation was in each of the cases. Mr. Simmons, the chief inspector, who, I think, can not be regarded as a Republican politician, says that if he could have his way about it, in the interest of the service he would ask for 125 to 140 additional inspectors.

That there is a demand for this work there can be no possible doubt. If we are to investigate the losses and the irregularities, if we are to investigate the conditions in the various post office it must be done through inspection. I feel that I can say without any fear of successful contradiction that these inspectors are among the very highest class of employees in the post-office service. They are selected, in the first place, from those employees who have served at least four years in the Post Office Department. They are designated to take the examination for this particular service after an investigation has disclosed their special fitness for the work, and under the civil service they are chosen after a successful examination; and, I repeat, they are among the very highest class of postal employees.

I could go into details, but I shall not do that further than to read the following statement, which was presented to us by Chief Inspector Simmons:

On November 30, 1921, there were outstanding, in the hands of post-office inspectors for personal investigation, the following cases:

A cases, registered mail: Complaints concerning the rifling, loss, destruction, wrong delivery, or other serious irregularity affecting registered mail	7,224
C cases, miscellaneous: Leasing premises for post offices and stations, clerk-hire allowances, establishment of extension of city delivery, proper location of post offices, establishment of register of eligibles for appointment at offices of fourth class, improper payment of money orders, excessive cancellations, padding receipts, charges against postal employees, complaints against the service, and miscellaneous violations of the postal laws and regulations	6,977

In the D cases, involving depredations, robberies, wrecks, and fires, there were 5,123 cases which have not yet been investigated.

In the E cases, fraudulent use of the mails, transmission of lottery, obscene, and scurrilous matter, there were 4,579 cases pending.

In the I cases, inspection of post offices, there were 18,338 cases.

Of cases involving irregularities in parcel-post matters, matter of C. O. D. packages, insured packages, there were 4,854. It should also be understood in many of these latter complaints there are sometimes involved as many as 50 matters in a single case, so that the number would easily reach at least 15,000 cases pending in that count alone.

In the R cases, claims for reward for information leading to detection and arrest and conviction on charges of robbery or attempting to rob the mails, post offices, and so forth, there were 21 cases, and in the other cases, rural delivery and inspection of Rural Delivery Service routes, there were 467 cases, making a total on hand on that date of 47,583.

Mr. HARRISON. May I ask the Senator what date that is?

Mr. TOWNSEND. November 30, 1921. I am told that if the present force of inspectors had nothing else to do from now on, without any addition to the force, it would take from 9 to 10 months to clean up this accumulated docket, and the cases demanding inspection are increasing daily. This is necessarily true because we have never met such a condition in the parcel post department as we have encountered during the last two or three years. Depredations of mail and frauds upon the department are simply overwhelming and these inspections are practically the only means which the Government has for detecting the offenders.

So the Committee on Post Offices and Post Roads have complied with the request of the department, approved by the Budget Bureau, for the increased appropriation of $230,000, which will pay for 100 additional inspectors at $2,350 per annum each.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Michigan yield to the Senator from Mississippi?

Mr. TOWNSEND. I yield.

Mr. HARRISON. Before the Senator concludes may I ask him a question or two?

Mr. TOWNSEND. Certainly.

Mr. HARRISON. As carried in the item, I think the department estimated, as I understood, for 125 or 140 additional inspectors.

Mr. TOWNSEND. I do not think there was any estimate for them, although the chief inspector said the department ought to have that number.

Mr. HARRISON. And the Director of the Budget estimated for 100 aditional?

Mr. TOWNSEND. He did.

Mr. HARRISON. The committee gave all that the Director of the Budget recommended?

Mr. TOWNSEND. It did.

Mr. HARRISON. We have 420 now, not counting the 15 inspectors in charge of divisions?

Mr. TOWNSEND. Yes. I am not sure whether the inspectors in charge are included in that number or not.

Mr. HARRISON. How long have we had 420?

Mr. TOWNSEND. Since 1919.

Mr. HARRISON. How many were there before that time?

Mr. TOWNSEND. I will give the Senator a statement of the increases. I will insert in the RECORD the table on page 54 of the hearings; but beginning with 1914 we had 390, and in 1915 we had 420.

Mr. HARRISON. How long did we have the 390?

Mr. TOWNSEND. For four years. In 1915 there were 420.

Mr. HARRISON. There were how many before the number was increased to 390?

Mr. TOWNSEND. There were 390 from 1911 to 1914, inclusive. In 1915 this was increased to 422, and so remained for 1917, 1918, and 1919. In the appropriation act for 1920 the number was increased to 435, an increase of 13, and that is the number now.

Mr. HARRISON. The 390 included the inspectors in charge of divisions, too? The Senator read the number and said that from 1911 to 1914 there were 390. Did not that include the inspectors in charge of divisions?

Mr. TOWNSEND. I do not think it did, but I am not sure.

Mr. HARRISON. If it did include inspectors in charge of divisions, there were probably 15 additional to that number.

Mr. TOWNSEND. Probably that is true.

Mr. HARRISON. There were 405 in 1911, then?

Mr. TOWNSEND. That is my understanding. I do not know whether they are included or not, but I do not think they are.

Now, unless there is some further question some Senator desires to ask, I have nothing further to say in reference to this item.

I ask that the table showing the number of inspectors may be inserted in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Number of inspectors provided for the various years since 1903.

1904	211	1914	390
1905	216	1915	420
1906	226	1916	422
1907	377	1917	422
1908	377	1918	422
1909	355	1919	422
1910	355	1920	422
1911	390	1921	435
1912	390	1922	435
1913	390		

Mr. HARRISON. Mr. President, I am opposed to the item granting an increase in the number of post-office inspectors. Of course, there seems to be a great deal of interest in the bill. There are now four Senators on the other side of the Chamber and more on this side, as usual.

Mr. TOWNSEND. There are five Democratic Senators present.

Mr. HARRISON. Yes; I said more on this side than on the other side. Even though there does not appear to be much interest in this particular provision, I am very much opposed to it because I do not think it is in keeping with the promises of the present administration to practice economy. I was in hopes that we would see some retrenchment practiced, especially in the post-office appropriation bill, but the amount of the appropriation is much larger than the amount carried in the post-office appropriation bill of last year. There are many instances in this bill where salaries have been increased and where new jobs have been created, so it is not carrying out the promises that were made to the American people that the present administration, if inducted into office, would serve the people economically and efficiently.

This is the most glaring and inexcusable piece of extravagance that has yet been attempted to be perpetrated upon the Congress. Here are 100 new places in one item, 100 new jobs, which carry a salary of $2,300 each a year. That is quite a good job. Why, every hungry, disgruntled Republican who has not been taken care of already, if this item should be agreed to, would only have to make application to his Senator, and he would be taken care of.

Mr. MOSES. Mr. President——

Mr. HARRISON. I know the Senator from New Hampshire will agree with me. So I yield to him.

Mr. MOSES. May I add to that that they would have to serve four years in the Postal Service, because no man can be appointed inspector who has not served four years in the Postal Service.

Mr. HARRISON. Oh, yes; we had some requirements and regulations that we thought were going to be lived up to touching the appointment of postmasters, and yet during the first 12 months of President Harding's occupancy of the White House he has written more Executive orders in that time than any President in the history of the country. Why, surely the Senator from New Hampshire has not forgotten that when the President wanted to place a friend in the Marion post office he stamped under foot the regulations of the civil service and appointed a friend there under Executive order. That is all he need to do in the matter of filling these new places, and he will do it if he listens to the Senator from New Hampshire and other Republican politicians.

Mr. MOSES. May I say to the Senator from Mississippi that his last assertion is entirely correct.

Mr. HARRISON. I thought so.

Mr. MOSES. If the President would listen to me, he would write one Executive order and remove from the classified civil service every office which Woodrow Wilson put under it.

Mr. HARRISON. I know the Senator and I believe alike on some things.

Mr. MOSES. Absolutely. On that we are unanimous.

Mr. HARRISON. That is exactly what we are afraid of in this instance.

Mr. MOSES. In other words, the Senator's party having already done this thing, he objects to having us undo it.

Mr. HARRISON. The Senator is a member of the Committee on Post Offices and Post Roads, and I suspect that he voices the views of the majority members of that committee in the statement that if he were President he would repeal the whole civil service law, so far as getting out of office all Democratic appointees and putting in Republicans at one fell swoop.

Mr. TOWNSEND. Mr. President, the Senator does not speak for the whole committee. I believe in the United States civil service law and its enforcement, and have never been governed by any other belief or any act to the contrary.

Mr. HARRISON. We except, then, the distinguished chairman of the committee, and we will say the balance of the majority members would do that.

Mr. PHIPPS rose.

Mr. MOSES. There may be other disclaimants among the members of the committee, and I think I see one coming from Colorado.

Mr. PHIPPS. Mr. President, I should like to go on record as being in line with the chairman of the committee on this proposition. So long as we have that law on the book I believe in its absolute enforcement.

Mr. HARRISON. Are there any others over there who want to confess?

Mr. DIAL. Mr. President, I would like to ask anyone on the other side of the aisle if he believes in the present enforcement of the civil-service rules as to appointing postmasters?

Mr. HARRISON. I yield for an answer.

Mr. MOSES. I did not hear the question.

Mr. DIAL. Does the Senator from New Hampshire believe in the present enforcement of the civil-service rules as to the appointing of postmasters?

Mr. MOSES. I think in some cases it works very badly, because it has been altogether too slow in getting the Democratic postmasters out.

Mr. DIAL. There is no doubt about that. For the information of the Senator from Mississippi I will say to him that they pretend to prefer ex-soldiers, and yet when an ex-soldier makes the highest mark without his preferential, and with his preferential added makes a still higher mark, it makes no difference to them and they appoint the lowest man anyway.

Mr. MOSES. Mr. President, I do not know what pretenses may be made by others. There are absolutely none made by me. I would have no pretense about it at all. I would wipe out the whole plan of appointing postmasters as now pursued and as it was pursued under the last administration. I would plainly go back to the old system of appointing partisan postmasters, and I would follow that, as far as I could, in supplanting the civil-service plan, because I believe an administration should be surrounded by its friends.

In view of the manner in which the classified service remains full of Democratic officeholders, we see altogether too much throwing of monkey wrenches by those Democrats who are in positions, for the sole purpose of discrediting the administration and creating discontent. I shall never be President, neither will the Senator from Mississippi, but I think if either of us ever occupied the White House for more than 30 minutes' time, each of us would write an order wiping out the whole thing.

Mr. ODDIE and Mr. CARAWAY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Mississippi yield, and if so to whom?

Mr. HARRISON. I yield for another confession. I yield to the Senator from Nevada.

Mr. ODDIE. I merely wish to call the attention of the Senator from Mississippi to the fact that I think his remark a few minutes ago was an error. He said there were more Democrats in the Senate than Republicans. He is incorrect, because there are twice as many Republicans in the Senate now as there are Democrats.

Mr. HARRISON. That was before we started talking about patronage. As soon as the Republican Senators in the cloakroom heard us talking about patronage they all came in.

I now yield to the Senator from Arkansas.

Mr. CARAWAY. I was merely going to suggest to the Senator from New Hampshire who said he wanted the administration surrounded by friends, that I do not know where he could get them.

Mr. HARRISON. I do not think the Senator from New Hampshire understood that suggestion.

Mr. MOSES. I did not hear what the Senator from Arkansas said.

Mr. HARRISON. It was a good thing the Senator did not.

Mr. MOSES. That is entirely possible.

Mr. HARRISON. So the Senator from New Hampshire has really voiced the sentiment of a large part of the Republican membership on the Committee on Post Offices and Post Roads when he said that they would throw out all of the appointees under the last administraion and put in some Republicans. I suppose he would agree with me that the creation of 100 additional inspectors' positions is to carry out that program.

Mr. MOSES. Is that a question directed to me?

Mr. HARRISON. No; I stated it as a fact.

Mr. MOSES. I am not sure how these places are going to be filled if they are created, but I hope they will all be filled by good Republicans. I am afraid, however, they will not be.

Mr. HARRISON. They might be filled by Republicans, but not by good Republicans.

Mr. MOSES. Oh, Mr. President, there are no Republicans but good ones.

Mr. CARAWAY. That is a confession that the Republicans are all dead.

Mr. HARRISON. Mr. President, the distinguished chairman of the committee has stated that there were 40,000 complaints pending on November 30 last.

Mr. TOWNSEND. There were 47,000 protests or complaints.

Mr. HARRISON. There were that many protests or complaints. I am not surprised at that statement. I am really surprised that there were not more complaints or protests than 40,000.

Mr. MOSES. Certainly; because most of them came over from the previous administration.

Mr. HARRISON. No; Will Hays had been Postmaster General for nearly a year at that time, and naturally many complaints and protests were being made on account of the manner in which the Post Office Department was being run. Naturally there should be robbery and fraud cases—we are under Republican rule. There were also many hungry Republicans throughout the country. I do not blame them. There were a good many more in November, 1920, than I wanted to see; I am sorry there were so many, and they, too, are sorry now. However, be that as it may, when the Republicans came into power they needed the jobs. Many Republicans living in various localities wanted to become postmasters. They knew that the incumbents were supposed to serve out their terms, which in numerous instances did not expire for two or three years; but they learned from their Senators and Representatives, smart as they were, how to get the incumbents out. They were told as to a particular postmaster, "The only way to get him out, for he is an efficient man and has served a good while, is to lodge a complaint against him and file a protest. You must get one or two Republicans to make oath to the fact that he is not an efficient officer, and then present the case to the Post Office Department, which will send a post-office inspector down there who will investigate the matter, and on his report the Democratic postmaster will be dismissed and you will be given the job." So thousands and thousands of complaints and protests were filed with the Post Office Department. The same situation would have arisen, perhaps, if a Democratic administration had succeeded a Republican administration. I have no doubt that it probably arose, to a greater or less extent, when the Democrats came into office nine years ago, and it arises naturally under any change of administration. Naturally the Republicans want investigations made quickly, not for the purpose of detecting real fraud but for the purpose of getting Democrats out of office and putting Republicans in. That is the only reason for this demand to create 100 additional offices with compensation of $2,300 a year?

Mr. President, this is going quite too far. I can not understand how Director Dawes of the Budget Bureau was ever convinced that he should recommend this increase. He estimates for the full amount requested by the Post Office Department, so the chairman of the committee says. So he, too, is in this conspiracy to furnish 100 Republicans with jobs and to put a number of Democrats out of office and put more Republicans in. Of course, I know that I am arguing for Republicans to vote for this amendment; I have not the slightest hope of getting a Republican to vote against this proposed increase.

Mr. EDGE. Mr. President——

Mr. HARRISON. I yield to the Senator from New Jersey.

Mr. EDGE. If I did not misunderstand the Senator, he admitted that if conditions had been reversed at the last election the same request would have been made to the Democratic administration. Then, why does he take the situation so seriously at this time?

Mr. HARRISON. The Senator from New Jersey evidently was not listening to me, and I am sorry the Senator was mistaken in his understanding. He had in his mind, perhaps, all the Democratic postmasters in New Jersey who had not been removed from office, and was thinking how the adoption of the committee's proposal would affect that situation, and so he did not understand me correctly.

Mr. EDGE. No; we are doing very well in New Jersey. I think we have now placed Republicans in charge of practically all of the post offices there, or certainly a large majority of them.

Mr. HARRISON. Then, there is certainly a bad situation in New Jersey, and there must be plenty of complaints from that State. What I said was that there was no doubt that there were many protests and complaints when the Democrats nine years ago assumed control of the Government. I did not say, though, that the Democratic administration sent in an estimate recommending a large increase in the number of inspectors. We did not do that. That would have been too palpable, and Congress would not have stood for it at all. That would have been too bald. The distinguished chairman of the committee just stated that in 1911 there were 405 inspectors in the service. There has been since that time an increase only from 405 to 435 inspectors, 15 of whom are inspectors in charge of districts. For 11 years the department got along with that small increase, and now it is proposed, at "one fell swoop," to increase that number by 100. We are told that Mr. Simmons, who is the head of the inspection service and not so strong a partisan as is the distinguished Senator from Michigan [Mr. TOWNSEND], says that 125 or 140 additional inspectors are needed.

Mr. EDGE. I presume, then, that it is to be inferred that under a Democratic administration the removal of Republicans from office would have been effectuated without the formality of an inspection.

Mr. HARRISON. I think that would have been justified, because the Republicans had had control for 16 years, and naturally there was great cause for complaint and necessity for immediate change. But, Mr. President, if the department got along as well as it did with 420 inspectors, there is no reason for this large increase of 100 inspectors. There is not a Senator here, I think, but knows that there is politics behind this proposal. Of course we have always tried to keep politics out of the Post Office Department. Will Hays got abused for trying to do so and for not appointing more Republicans than he did. However, he did pretty well. The Republicans are getting the Democrats out fast enough. Do not let us go at it too strong. If 25 additional inspectors are needed—and I do not think they are needed—let us reduce the number to 25; but there is no cause for this large increase except to make investigations quickly so that Democrats may be removed more quickly.

The addition of 100 inspectors at $2,300 a year involves a pretty big expense, for their compensation alone will amount to $230,000.

Mr. KING. In addition they will receive the bonus.

Mr. HARRISON. It is suggested to me by the Senator from Utah that the additional inspectors will receive the bonus. I ask the Senator from Michigan whether that is correct?

Mr. TOWNSEND. I do not understand that they will.

Mr. HARRISON. If they are to receive the bonus it is carried in an appropriation bill; but, in any event, there is an increase of $230,000 involved.

Mr. TOWNSEND. There will be an increase of about $230,000, which includes $49,000 for substitutes, as I recall.

Mr. HARRISON. Mr. President, I have said about all I desire to say in regard to this amendment. I submit that it should not be adopted; that the department should get along with approximately the same force which they have had for a long time. Many of the 40,000 complaints to which reference has been made are designed for no other purpose, as the Senators know, than to remove some Democrat from office. The additional positions of inspector are intended to be political appointments purely and simply. The regulation that an employee in the Postal Service must serve four years before he may be appointed an inspector could be wiped out by a stroke of the pen. The Postmaster General could request the Civil Service Commission to make an exception on account of the work being of an emergency nature, so that the additional inspectors could be appointed without regard to the regulation, or the President of the United States, as he did in the case of the Marion, Ohio, postmastership, could issue an Executive order that these additional inspectors should be appointed without regard to the civil service.

Of course, Republicans would fill these places. I have no particular fault to find with that, but $230,000 a year is too high a price to pay for that privilege. I had a letter the other day from a little town in my State, the postmaster of which has a few more years to serve, stating that a complaint was lodged against him; that an inspector was sent there; that the man who was scheduled to succeed the present incumbent met the inspector at the train, carried him home to lunch and dinner, entertained him overnight, and conveyed him in his Ford car back to the train. No doubt the inspector will submit a report that something is wrong in that post office, and the present incumbent will be fired. Yet the Senator and his committee wanted to authorize inspectors to administer oaths, but that provision fortunately went out of the bill.

Mr. TOWNSEND. What harm would such an authorization do? I have never been able to appreciate the Senator's viewpoint as to that matter. What political advantage would it be if an officer of the Government were empowered to administer oaths instead of asking some one else from the outside to administer them for a fee?

Mr. HARRISON. In many instances the inspector goes to a village to make an inspection in order to find fault, and all the time he knows who is going to succeed the present incumbent. The program is all arranged. To clothe inspectors, therefore, with authority to administer oaths would frighten the incumbent of the office and everybody else; the inspector would act as accuser, as juror, and as judge in the whole transaction. I was opposed to granting so great an authority to political appointees of the Government. Furthermore, if they could not have their way, they would probably go to the court and endeavor to indict those whom they were charged to investigate. There are very few of them who do not soon become autocratic.

So I submit, Mr. President, that the amendment carrying $230,000 for 100 additional inspectors should be rejected.

Mr. TOWNSEND. Mr. President, I realize that it is not necessary for me to say a word in answer to the Senator from Mississippi. We all, I think, understand the political attitude of the Senator, and appreciate that he feels charged on all occasions with the responsibility of misrepresenting the attitude of the present administration. He says that this is an extravagant proposal and that it is suggested and designed for political purposes only. I deny both allegations. If I did not believe that an increase in the number of inspectors would involve a great saving to the Government, a saving, as I believe, of from eight to ten million dollars a year, by enabling these cases to be investigated, I certainly would not favor the appointment of a single additional inspector.

If, as the Senator from Mississippi says, these are to be purely political appointments, and the additional inspectors are to be created for the purpose of getting rid of present postmasters, his argument defeats itself, for already there are 420 such inspectors, and if they are of such a character as the Senator from Mississippi suggests, they could inspect the offices and produce the same results as he alleges will be produced under the amendment proposed by the committee. The tables which I have presented to the Senate show clearly that there are more than 47,000 cases now pending, many of which have been pending for four years, because it has been impossible to reach them in the ordinary course of business with the force available. If the laws of the land are to be carried out and the duties of the department are to be executed in a proper manner, a sufficient inspection force must be provided, for in my judgment it is one of the greatest and most necessary adjuncts of the whole Postal Service.

Mr. KING. Mr. President, may I ask the Senator a question?

Mr. TOWNSEND. I yield.

Mr. KING. Statements have been made upon the floor of the Senate within the past two or three months that in some States the persons representing the Republican organization have made recommendations which they have submitted to the department in favor of various candidates for office. The Senator may recall that the Senator from Tennessee [Mr. McKELLAR] called attention to the dispenser of patronage in a certain district in Tennessee, I think——

Mr. WILLIAMS. West Tennessee.

Mr. KING. West Tennessee, charging—I have forgotten the amount—$10 or $20 or more for his indorsement of a certain person as a candidate for a position; and the record from which the Senator quoted also showed that it was understood that no person could be recommended for a position unless he paid this dispenser of patronage a certain amount. Whether that was based upon the amount of compensation derived from the office, or based upon some other ground, I am not quite clear. I should like to ask the Senator whether or not his committee has made any investigations of those matters, or whether the attention of the committee has been challenged to the very great wrong of which the Senator spoke?

Mr. TOWNSEND. Mr. President, in answer to the Senator I desire to state that I have heard those loose statements made throughout the Chamber and by individual Senators. I have said to the Senator from Tennessee that if any man received his appointment through any such means as that, or paid any commission for getting an office, it was his duty as a Senator to make that complaint when the nomination was presented to the Senate, and then the Committee on Post Offices and Post Roads would have jurisdiction of the matter; but our committee have no authority to go out and investigate all the political statements that are made with reference to things in the different States, and we do not propose to do it. The Senator from Tennessee has now submitted, after a long time, some 8 or 10 cases of persons who have been recommended for appointment as postmasters, and he has asked that a hearing be had upon them, and the Committee on Post Offices and Post Roads is going to give him a hearing; and all of the facts that are pertinent to that issue will be brought to light and a decision made afterwards.

I do know that some Senators have approached me with the statement that some undue influence was exerted to secure the appointment of certain postmasters, and then later these same Senators have come to me and asked that these same postmasters be confirmed, thus practically admitting that the complaints were not well founded.

Mr. WILLIAMS and Mr. McKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. TOWNSEND. I yield to the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I wish to call attention to one thing that I think perhaps threatens the recurrence of a very disgraceful and a very disastrous page in American history.

I do not suppose there is a self-respecting Republican in or out of this Chamber who is not ashamed of the carpetbag era in the Southern States, especially in the cotton States. I take that for granted; yet I am very reliably informed that when there were three applications for the post office in the county seat of my county—I started to say "my home post office," but it is not—there was a gentleman applying who had come down from a State north of Mississippi somewhere—I do not know where—and had been in the county two years, but had not lived in the city for which the postmaster was appointed until after the result of the late election was learned. Two other boys made application, both of them service men. One of them had served over the water in France and the other had served here, and had never had the good fortune or bad fortune, whichever it may be, to get to France. There is a law giving a preference to the veterans of the late war—I do not know why they call them "veterans," by the way; they are all quite young boys, but the men who served in the late war—and I never knew what the influence behind it was, but there was something, and this man was appointed.

So far as the man himself is concerned, I want to say a few more words. I inquired about him, and I found that, as far as I could learn, he was a very nice fellow, very honest, and all right as a man. I therefore, of course, made no objection, because I belong to that old school of politics which thinks that when a Republican administration is in power it ought to have control of the offices, and that when a Democratic administration is in power it ought to have control of the offices. I am not objecting to that, but I am objecting to the lack of frankness in the situation. I would rather just come out and say that—it would seem to me more honest, and upon the whole much more frank, one gentleman talking to another—and be through with it; but, of course, speaking as a partisan Democrat, there is nothing that I would welcome more than a Republican administration undertaking once more to carpetbag the South. It would not only finish them there, if they needed finishing—and they do not, much—but it would finish them in all other parts of this country where men have good sense and a sense of fairness.

Understand, now, I am not complaining about this individual man. His name was White, I believe. I think, if I remember now, that it was White. I made inquiry about him, thinking that if he was either incompetent or dishonest I would object, but thinking that from my standpoint, at any rate, I would not object if he was neither. I did not find that he was either incompetent or dishonest; but if we are to give these so-called veterans—"service men" would be a better expression, a more honest expression—the preference, then they ought to have it, and if we are going to give a man a preference in a southern town because he came from somewhere north of the State, then I should like to know that, because when I am fighting a man I always like to know upon what ground we are fighting. I can fight more squarely and more satisfactorily to myself, and I imagine he can, too, if he is honest.

I hope that the Senator, as chairman of the Post Office Committee, will look into that matter and see, in the interest of the country—not in the interest of the Democratic Party, mark you, but in the interest of the country—that no carpetbagging goes on in the South now. That is out of style, it is out of fashion, it is out of popularity, and it can not possibly help the party in power; but that would not be my reason for objecting, of course. I would do anything to hurt the party in power, but in the interest of the country you want men holding office in any section of the country who are more or less identified

with the people who live there, who think with them—I do not mean think with them politically, but otherwise—and who represent them, and who can be counted upon as fellow citizens when even a demagogue is making a speech and addressing the audience.

Mr. TOWNSEND. Mr. President, just one word in reply to the Senator, as this is a matter which undoubtedly will be involved in some of the other questions.

Of course, I know nothing about carpetbagging in the South.

Mr. WILLIAMS. Mr. President, before the Senator goes on, may I say a word further?

Mr. TOWNSEND. Make it short, please.

Mr. WILLIAMS. Yes; I will. I want to say that I heard lately, in connection with an application for the marshalship in Mississippi, that the gentleman was relying upon one distinguished Senator from Illinois and another from Ohio to get the place, although he was not to the manner born, precisely; but I hope all those things are, as the Senator calls them, political rumors.

Mr. TOWNSEND. Mr. President, there is no more doubt about their being political rumors than there is that the Senator has been talking. I have heard on the floor of the Senate of two or three cases where it was claimed that a man who was not a citizen had been appointed postmaster. Under the rules, he would not be nominated; but here, again, in several of those cases the Senators have come to me and said they have investigated and found that the nominee was a citizen.

Mr. WILLIAMS. This man White had remained long enough to be a citizen. He had spent the requisite statutory time, but that was all.

Mr. TOWNSEND. Mr. President, this rule that we are talking about for the appointment of postmasters is simply an order that the President has issued for his own benefit. There is no law that puts postmasters of the first, second, and third class under the civil service. There was not when Mr. Wilson was President. The President has the right and the authority to nominate men for all of these offices without any restrictions whatever. Then the Senate must act in confirmation. He has said that soldiers shall be given the preference in the examination. They hold a civil service examination, and in that examination the commissioners give these soldiers or ex-service men 5 per cent advantage, a marking of 5 per cent above what their ordinary markings would indicate. Then the Civil Service Commission recommends the highest three to the Postmaster General, and he selects any one of the three eligibles.

Mr. OVERMAN. Has that always been the case?

Mr. TOWNSEND. I have never heard of anything contrary to it.

Mr. OVERMAN. A case came to my attention where three men stood the examination and got on the eligible list; but in order to get in a man of their choice rather than one of the three who got on the eligible list they did away with that examination and had another examination held, and put in the man that they wanted to put in.

Mr. WILLIAMS. These three men that I was talking about were all on the eligible list.

Mr. OVERMAN. What does the committee do about a case like that?

Mr. TOWNSEND. The committee does nothing about a case like that. The committee is interested simply in knowing that the candidate who is presented to the Senate is fit for the office. That is what the committee does. There is no law to govern us in reference to the matter. If any Senator has any objection to one of these candidates as being unfit for the office, all he has to do is to make complaint to our committee, and we will investigate the case.

Mr. OVERMAN. So the committee would not investigate a matter of that kind, where three men stood the examination and got on the eligible list, but the man they wanted to appoint did not get on the eligible list, and they did away with that examination, held another examination, and put him in?

Mr. TOWNSEND. The committee would not feel like rejecting on that ground a nominee who had been presented, because no law has been violated. That is the President's concern, and not ours; but I have said to Senators, "If there is any case that you want the committee to look into or want me to look into I will get for you from the department the facts in reference to it." That is what I am doing now at the instance of the senior Senator from Virginia.

Mr. OVERMAN. I think the Senator is very fair about that, and has been all the time.

Mr. TOWNSEND. But there is not anything that we can do in reference to that except to pass upon the fitness of the nominee who is presented here.

Mr. KING. Mr. President, will the Senator yield?

Mr. TOWNSEND. Yes.

Mr. KING. The Senator, I am sure, believing, as he does, in the civil-service system—at least, I so understand him——

Mr. TOWNSEND. I do.

Mr. KING. The Senator obviously ought to be interested in the observance not only of the letter but of the spirit of the law.

Mr. TOWNSEND. I am.

Mr. KING. Does not the Senator think that the case just suggested by the Senator from North Carolina——

Mr. TOWNSEND. That is not in the law at all.

Mr. KING. May I complete my question?

Mr. TOWNSEND. Yes; but the Senator said "in the law."

Mr. KING. Does not the Senator think that in the case just suggested by the Senator from North Carolina, where an examination was ordered for the purpose of finding who would be eligible for the appointment, and an examination was held, and four or more persons took the examination, and three passed, but the Republican whom the Republicans wanted to be nominated did not pass, and they set aside the examination and ordered another for the purpose of discouraging those who took the examination——

Mr. TOWNSEND. I should think that would be a very unusual thing for the President to do. I would not do it; but, as I said to the Senator from Virginia [Mr. SWANSON], "If you have any case of that kind you can find it out yourself by going to the department and learning why it was done, and if you do not feel like doing that I will do it for you if you will submit your case with your statement to me."

Mr. SWANSON. Mr. President——

Mr. KING. Does not the Senator think that such a procedure as that is improper, and that the committee ought not to recommend for confirmation a man nominated under those circumstances?

Mr. TOWNSEND. I never have heard of such a case. If that is being done for that reason—and I do not believe any such case exists—I want to find out about it.

Mr. OVERMAN. Mr. President, I am informed by leading Republicans in a certain locality in my State that that has been done, and they are very reliable men.

Mr. SWANSON. Mr. President, will the Senator yield to me?

Mr. TOWNSEND. I yield to the Senator from Virginia.

Mr. SWANSON. I introduced a resolution here to investigate the appointments in connection with postmasters in presidential offices, and also rural carriers.

To comply with that resolution would have taken a great deal of work and time, and would have resulted in some expense. I talked with the Senator from Michigan, who is chairman of the Committee on Post Offices and Post Roads, and he told me that if I would give him the name of any case he would investigate and ascertain the facts in reference to it. I have given him the names of some, of which I hope he will make a thorough investigation.

Mr. TOWNSEND. The Senator gave me the name of one, and I am investigating that case, and the result will be presented to the Senator as soon as I get the facts.

Mr. SWANSON. The information I have is of this character, that they have a system now of appointing acting postmasters, whose names do not have to come to the Senate for confirmation. Under the law as it existed up to about two years ago, when the Senate was in session and an appointment was made, the appointee could not get his salary until he was confirmed.

The Executive had for years overridden the Senate in connection with confirmations, so that law was passed. About two years ago, I think, the law was modified, so that in case an acting postmaster is appointed he can get his salary until the regular postmaster is named.

All through Virginia they have a method of appointing acting postmasters, whose names do not come here for confirmation, and they are continued in office from time to time. Then they have an examination, and I understand that when an examination is held, under this Executive order, in many cases where they desire to appoint the man who is acting as postmaster, he is not included among the eligibles, but he continues in office. I understand that is the fact in the case which I gave the Senator for investigation, and I am informed that it is done to a large extent all over the United States.

It does seem to me that that is wrong in two respects. First, it is a violation of an order issued by the President of the United States. The President of the United States ought to know as to whether his Postmaster General violates orders which he issues in connection with the appointment of postmasters, and I think the committee ought to investigate as to whether the Executive orders of the President, who makes these

appointments, have been knowingly or unknowingly violated in connection with the appointments.

Secondly, it is really a fraud on the Senate. They continue in office indefinitely, and the power of the Senate to confirm or reject nominations is nullified by a procedure like that. I think such cases ought to be investigated. If this is continued and continued, the time will come when Senators on the other side will regret the existence of any such practice as that.

I offered my resolution so that that matter might be investigated, and I think if the President is frank and candid he will say that he has no intention of enforcing that order, but will appoint whom he pleases and send the name here for confirmation. I think the position of the Senator is that we ought to investigate to determine whether appointees are competent and whether they are fit, but that the President's order should not be one way and his action another in connection with some of these appointments.

In connection with this increase of 100 inspectors, I want to ask what we want these inspectors for.

Mr. TOWNSEND. Was the Senator here when I made my statement in regard to that?

Mr. SWANSON. I was not. I ask the Senator the reason.

Mr. TOWNSEND. I dislike to have to repeat myself in this matter, but I stated that your committee discovered there were something over 47,000 cases on file on November 30, 1921, which had been before the department for investigation for from two to four years; that the present force was unable to make those investigations; that they had closed many of the cases without any investigation at all, and that thereby they believed they were losing from eight to ten million dollars a year.

I specified just what class of cases were being investigated. The chief inspector of the department was with the department and in the service during the war, and he is not a Republican, as I understand it, although I may be mistaken; he certainly is not actively a Republican, having been in the service a long while. He told us that these matters had to be overlooked during the war, and that for the last three or four years they have not been able to keep even current with the cases which come up, to say nothing about those which should have been investigated in the past.

We are asking for these additional inspectors for the purpose of getting the best kind of post-office administration possible and to apprehend and convict the criminals against the Government who are robbing the mails, who are committing frauds upon the department almost constantly. The number of cases is growing by leaps and bounds, due to the increase in the parcel post, which carries much insured mail, and also due to the increase in the number of C. O. D. packages. The people who suffer losses in those services are demanding damages. Yet we are unable to trace the cases up for the purpose of finding the criminal and stopping the practice.

Mr. SWANSON. I can understand why that condition has occurred. During the last year in Virginia nearly all the inspection has been of frivolous cases, the inspectors investigating the political activity of some Democrat whom they desire to get rid of before his time expires.

Mr. TOWNSEND. But the great bulk of these cases did not arise during the last year. Most of them arose under the Democratic administration.

Mr. SWANSON. If the Senator will permit me, I know of cases in Virginia, in the largest towns, where the postmasters are men who are competent, honest, and capable, as good postmasters as were ever there, where charges have been preferred of a frivolous character to furnish an excuse to get rid of them before their term is up. There is hardly a day that my mail does not bring from some postmaster, an honorable, capable, worthy man, the information that some frivolous charge has been preferred against him here at the department, and that an inspector will be there to see whether he ought to be removed before his time is up. It is political activity, and, as I understand it, cases of theft, cases of robbery, cases of defalcation are delayed in order that they may have a little investigation as to whether the man displayed too much political activity in the last election, in order to remove a Democrat and get him out a year or six months before his time expires. That is what I complain of.

If these inspectors are needed for this work they ought to have them. If they are needed simply to accomplish frivolous political removals they ought not to have them. My experience in Virginia has been that most of these inspectors are engaged in frivolous examinations to create vacancies in which to put acting Republican postmasters.

Mr. TOWNSEND. I think the Senator's statement is based on just about as solid a foundation as that of the senior Senator from Mississippi, who suggested that the old carpetbag system was being established, or might be established, in the South. There is no foundation for either of them.

Mr. SWANSON. I know in the case of Norfolk and I know in the case of Alexandria and I can name a dozen other offices inspectors have been sent to get rid of men of as high character, business ability, and efficiency as ever were in the post office, on frivolous charges. I can cite cases where men have been removed on frivolous charges, their resignations asked for, and the inspecting force stopped examining into these defalcations the Senator has talked about, these robberies, in order to get up some frivolous charges against Democrats in order to let a Republican get the position six months or a year earlier than the term would ordinarily expire.

Mr. EDGE. I understood the Senator from Virginia to state that the system of appointing acting postmasters is a development of the present administration. If the Senator made that statement, or if I was justified in drawing such an inference from his statement, he certainly is incorrect. In the largest post office in the State of New Jersey, at Newark, an acting postmaster was appointed a year or more before the close of the last Democratic administration. A civil-service examination was held in the usual way, and this man did not pass among the first three. He was kept on and on, until after the present administration came into power. Then a postmaster chosen from those three, any one of them, was appointed in order to relieve an assistant postmaster in the office in the largest city in the State of New Jersey. That was under a Democratic administration.

Mr. SWANSON. Under the former law, if a postmaster was appointed while the Senate was in session he could receive no compensation until he was confirmed.

Mr. TOWNSEND. That might have been the law at one time, but it has not been the law for several years.

Mr. SWANSON. The law was changed so that an acting postmaster might be appointed. Before that time the Senate was deprived of its right of confirmation by the continuation of the person in office, and then that law was passed. I do not know whether it was two years ago or when the law was passed, but now they allow an acting postmaster to get his compensation before he is confirmed, and that has been used, and I think abused, in many cases.

Mr. TOWNSEND. It may be, but the executive department has been abused also. It sends nominations to the Senate and they are referred immediately to the committee. Then a subcommittee submits them to the Senators of the State, and many cases have been held up since last December without any complaint being made, without any return to the committee. Senators are holding the present incumbents in office to extend their term of office. I assume that having the right, when it has been determined that they propose to defeat the action of the Executive and of the Congress, the President can appoint an acting postmaster where it is necessary.

Mr. SWANSON. Where the appointment is properly made, in pursuance of the President's order, I think a Republican ought to have the office, and I do not complain at that, if the man appointed is competent; but I do think that we ought to see that the President is not imposed on by his own Postmaster General. I think he meant what he said when he issued his Executive order.

Mr. TOWNSEND. The Senator has presented to me the only complaint which is verified by any statement of facts, and that I am looking into to learn what they really are.

Mr. McKELLAR. The Senator is mistaken about one statement he made, and I will call his attention to it in a moment. In the case of Big Sandy, Tenn., the postmaster was appointed the 1st of last October. He was not confirmed, and charges were made against the appointee. Thereupon the nominee was immediately appointed acting postmaster.

Mr. TOWNSEND. Does the Senator mean that the Senate rejected him?

Mr. McKELLAR. The Senate did not reject him, but it did not pass on him. Charges were made against him and filed with the committee by me. At the new session he was reappointed, the charges were refiled with the committee, and I have asked for the appointment of a subcommittee several times, even in writing. The acting postmaster at Big Sandy has been acting since some time last October or November, and the charges have never been disposed of. I wrote the Senator last week, and then I wrote him again this week, urging that that matter be disposed of. There are several others of a similar nature.

Mr. TOWNSEND. The Senator only a few days ago submitted eight, and that, according to my recollection, is the first time the Senator has ever asked me to appoint a subcommittee of investigation, and I told him I would do it, and that is what I am doing.

Mr. McKELLAR. I am glad to know that the Senator has appointed a subcommittee and that the case will be looked into.

Mr. TOWNSEND. That is one thing which has given me no little trouble. Some Senators on the other side have said to me that I should not put on a subcommittee a Member from the State where the proposed postmaster lives, but I have not felt that way about it. I propose to follow the old course, and to put on that case the member of the general committee who constitutes the subcommittee for that State, so that he can bring every possible fact to light.

Mr. SWANSON. I wish to say that the Senator, as chairman of the Committee on Post Offices and Post Roads, has assured me that he will comply with a request I have made of him. I am satisfied he will do so, because I have known him long in public service, both in the House and in the Senate. He has assured me that if I will furnish him the names, which I expect to do, of different persons where the order of the President has been violated and acting postmasters have been continued contrary to the spirit of the law, in violation of Executive order, he will investigate it.

Mr. TOWNSEND. Mr. President, I will examine them and report to the Senator in regard to them. I have submitted to the department the one case which he has presented to me, and have asked that I be given all the facts in reference to it. I stated to the Postmaster General just what the Senator stated to me.

Mr. SWANSON. I want to tell other Senators that instead of pressing my resolution, compliance with which would take a great deal of time, I will withhold it, in view of the fact that the Senator has assured me that he will investigate cases which are presented to him.

Mr. McKELLAR. Mr. President, mention was made a few moments ago of certain Tennessee civil-service cases, and the Senator from Utah [Mr. KING] asked what was done with the charges made by me as to such cases. I placed these charges months ago before the Committee on Post Offices and Post Roads and at the same time discussed them to some extent on the floor of the Senate.

The facts about that particular matter are that the Republican national committeeman of Tennessee is named John W. Overall. He was the Republican referee and official dispenser of patronage in Tennessee. Through letters and checks and other documentary evidence it was found that Mr. Overall was selling his influence in the selection of postmasters and other civil-service employees. From one man he would collect $10 and from another $25, and the checks were presented as proof, showing where he had received the money. He made an explanation of it in which he admitted he had received the money, but that he had contributed it to the Republican campaign fund.

I sought to get a hearing before the Post Office Committee. The committee did not grant a hearing on the matter. I thought it was a matter that the Committee on Post Offices and Post Roads ought to look into and ought to examine into. I made specific charges, setting them out in detail, signed my name to them, submitted copies of the canceled checks showing Mr. Overall's name on the back of them, and submitted his admission that he had received the money for his influence in bartering those civil-service positions. The result was, Mr. Overall came here and had conferences with the Postmaster General and others, and a settlement was said to have been entered into in some way by Mr. Overall that hereafter he was not to have the influence that he had formerly enjoyed in the distribution of patronage. I was very glad to hear that. A man like Mr. Overall, who sells his influence, and especially for civil-service appointments, ought not to have any influence with any administration.

I filed these same charges with the Civil Service Commission, but that commission took no action in regard to them. I naturally would not expect them to, because they are composed entirely of Republicans and anyone can understand that they would not care whether civil-service positions were bought or sold under them or not if their Republican friends were interested. At all events, whether they did care or not, the proof was clear as to the purchase of civil-service positions and they paid no attention to it. Failing to get a hearing before the Committee on Post Offices and Post Roads, and failing to get any action from the Civil Service Commission, and there having been appointed by the Vice President under a resolution passed by the Senate a special committee to look into civil service, I then brought the matter up before that committee and it has been buried there, too. So I am unable to get a hearing on my charges at all. They have not been considered. Their Republican friends will not investigate, though the charges are specific and the proof is clear. The only thing in the world that was done was to permit these charges to be filed before the special committee. I believe the special committee is now no longer having any hearings. Apparently it is one of the things of the past.

What is the result? The result is that a few days ago there came in from Liberty, Tenn., the appointment of a man by the name of Whaley, who is a nephew of this Mr. Overall. Mr. Whaley enjoys the proud distinction of having been indicted a short while ago for bootlegging, and numerous other charges have been filed against him. His neighbors and friends write me that he is a well-known and notorious bootlegger in the community, and the decent people, practically all the decent people, as I recall, most of them Republicans, have appealed to me to see that this man is not confirmed. Whether you gentlemen on that side of the aisle will confirm such a man or not remains to be seen. He is appointed at the behest of Overall, whose nephew he is. He is even appointed over another deserving Republican.

All I can do is to ask for a hearing. If the Republican Party wants to take the responsibility for confirming such a man, I am simply going to see that there is a record vote in the Senate on it, and I am not going to allow him to be confirmed, if I can prevent it, until there is a record vote on the confirmation of a man of that kind. I think it is the duty of the Committee on Post Offices and Post Roads to examine into these violations of the civil service and to examine into the methods by which such appointments are made.

While I am on my feet I want to say a word or two about another matter. Much has been said about the President's preference order in favor of the soldiers. In that order it is simply provided that in the rating of papers ex-soldiers shall have a preference of 5 per cent; that is, an additional 5 per cent. What is the result? It is utterly meaningless so far as soldiers are concerned. It constitutes no preference whatever in favor of the ex-service men. It is a fraud on its face. Here is the way it is worked in my State: Two soldiers—it may be both are Republicans, though that is immaterial—and a third man, who is a Republican worker or henchman, take the examination. The henchman gets the place. The soldiers get the preference and the henchman gets the job. The reply is that the President's order does not apply to that case. The soldiers may have higher ratings, but that makes no difference.

Let us see how it works out when no civilian takes the examination. Let us take the case of MacKenzie, Tenn. A remarkable thing happened at MacKenzie, Tenn.; three Democratic ex-service men were on the eligible list. That presented a problem, indeed, to our Republican Civil Service Commission and to our Republican administration. Thereupon somebody asked for a rehearing, and the Civil Service Commission set aside the examination, which they themselves had held, and set aside the eligible list, and now they are going to have another examination. In the meantime, if my memory serves me right, a temporary Republican postmaster holds the job.

That is one effect the President's order has had. It is a fake order so far as civil service is concerned. It is a hoax. So far as the ex-service man is concerned it is a complete hoax. Why do I say that? Let me give another illustration.

In the little town of Rutherford, in my State, there were three eligibles, and, by the way, this time they were not in the unsatisfactory condition that the MacKenzie office was in. Two of the eligibles were Republicans and one of them was a Democrat. They had a leeway of two and they could have appointed either one of the two Republicans and it would have been all right. But there was a well-known Republican politician down there, who had been dismissed from a bank for some sort of work that was not considered by good people to be the right kind. It was something in connection with a Liberty-bond transaction. He stood the examination and at the same time took the precaution to have his wife stand the examination, too, so that if there was anything about his moral conduct or moral character involved he would still be where he could have his wife appointed.

The Civil Service Commission did not put either his wife or himself on the eligible list. They published the list of eligibles without the name of either. They put three soldiers, two of them Republicans and one a Democrat, on that list. Somebody came up to Washington and asked for a reexamination before the Civil Service Commission and, of course, received it, and they made a rearrangement of the civil-service list and put the wife of the politician first on the list and she was or will be appointed. It has been so given out. The soldiers are left out again. The reexamination was for that purpose. The Civil Service Commission is not only a Republican aid society, but it is fast becoming an antiex-service men's society.

So, Mr. President, I say that so far as the President's order in regard to civil service appointments is concerned, the sol-

diers ought to know that it is a meaningless hoax. It is a patent fraud, so far as civil service is concerned. I recall now but one post-office appointment or examination in all that have been held in my State where a soldier was not on the eligible list. In my own home town I think there was the only case where a soldier was not on the eligible list. There have been few soldiers appointed in the State, and in many cases a Republican ex-service man was on the eligible list as well as a Democratic ex-soldier. It is not any question of parties, so far as the soldiers are concerned, but it is a direct, active, working arrangement between the Civil Service Commission and the post office administration against the ex-service man. So far as President Harding's civil-service order as to the ex-service man is concerned, it is a miserable, misleading civil-service cheat, and the ex-service men and all the people ought to know it.

Coming now to the proposed amendment, the bill now pending before us provides for 520 inspectors. During the 132 years of the history of this Government the Post Office Department from the very beginning and on up until the present time has never had more than 420 inspectors, although the number has been constantly growing year by year. Yet here at this time 100 new inspectors are added at one time. Only about 30 have been added during the last 10 years. Of course, it is for political purposes. The business of these inspectors will be to go around and examine into the post offices now held by Democrats or undeserving Republicans and get them out. That will be one of the principal jobs of the inspectors.

The idea of increasing the number 20 per cent at one time, the idea of there being necessity for 100 more inspectors when the total number during all the history of the Government has never exceeded 420, is something marvelous and can not be understood on any other ground except that our Republican friends want these men to get busy to "turn the rascals out."

That may be entirely proper, but it does seem to me that to expend this large sum of money for that purpose in these times when economy is needed is certainly not in accordance with the professions of the Republican platform.

I think under any circumstances the number of inspectors is too great. I urged the committee to cut that number in two, to make it 50, and surely that would be an enormous increase, a perfectly enormous increase. I have no idea that the House will ever consent to any such increase as 100. I do not see how it can in justice to itself ever do it, and surely the Senate ought not to do it. The Senate ought not to agree to this enormous increase in the number of inspectors. The inspectors' salaries were tremendously increased, and properly so, some time ago. The positions are very desirable. They get a good remuneration for that work and that is all very true, but those of us who feel that the expenditures of the Government ought to be reduced to some extent at this time certainly feel that we ought not to add 100 inspectors to be sent around over the country in this way.

Mr. President, the amendment should be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. HARRISON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. HARRISON. If this amendment should be adopted, would I be precluded then from offering an amendment or proviso to that provision?

The PRESIDING OFFICER. The Chair is of the opinion that while the bill is in Committee of the Whole the Senator would not be precluded from offering such an amendment.

Mr. HARRISON. Then I offer the following amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The READING CLERK. At the end of line 23, page 10, after the numerals "$1,660,800," insert the following proviso:

Provided, That the appointment of additional inspectors shall be made upon certification of the Civil Service Commission as heretofore provided.

Mr. HARRISON. Mr. President, I have offered the amendment to see whether or not we can adhere to the rule of the past that these inspectors be named upon certification of the Civil Service Commission. On the amendment I ask for the yeas and nays.

Mr. TOWNSEND. Mr. President, the Senator need not do that. It is so clearly in my mind that that is exactly what will be done that I have no objection to accepting the amendment.

Mr. HARRISON. Then I shall not ask for the yeas and nays.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Mississippi to the amendment is agreed to. The question now is on the amendment in lines 21 and 22, page 10, increasing the number of inspectors, as amended.

Mr. McKELLAR. Mr. President, have the yeas and nays been ordered on that amendment?

The PRESIDING OFFICER. They have not.

Mr. McKELLAR. I move to amend, in line 22, by striking out "520" and inserting "470"; in other words, reducing the number by 50. I hope the chairman of the committee will accept that.

The PRESIDING OFFICER. The question is upon the amendment to the amendment offered by the Senator from Tennessee to the amendment of the committee.

Mr. McKELLAR. Upon that I ask for the yeas and nays.

Mr. PHIPPS. Mr. President, I would like to discuss the amendment to the amendment for just a moment. I caught the Senator's remark that we want to "turn the rascals out," but I do not agree to that proposition. That is not the intention of the proposed increase. The Senator from Tennessee sat as a member of the committee and he made no motion in committee to decrease the number from 100 to 50.

Mr. McKELLAR. Oh, Mr. President——

Mr. PHIPPS. No such motion was made.

Mr. McKELLAR. The Senator is in error as to that.

Mr. PHIPPS. I think the record will show that there was no such motion made.

Mr. McKELLAR. The Senator does not want to do me an injustice.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. PHIPPS. I certainly do not want to do the Senator an injustice. If the Senator made that motion, though I was present at the committee meeting, I did not hear it.

Mr. McKELLAR. I offered such an amendment in the committee.

Mr. PHIPPS. I want to try, if I can, to get those Senators who listened so intently to the remarks of the Senator from Mississippi [Mr. HARRISON] to consider this question from another viewpoint, and that is this: In 1910 there were 390 inspectors; in 1914 there were still 390 inspectors; in 1916 and 1917 there was a slight increase in the number; and for the past two years there have been 435 inspectors.

In 1910 the receipts of the Post Office Department were about $223,000,000. Last year the department carried on a business far in excess of double that amount, to say nothing of the enormous amount of parcel-post matter, which naturally increased the opportunities for theft.

Mr. HARRISON. Will the Senator yield to me?

Mr. PHIPPS. I yield to the Senator from Mississippi.

Mr. HARRISON. The Senator stated that in 1911 there were 390 inspectors.

Mr. PHIPPS. The Senator from Mississippi is correct.

Mr. HARRISON. If I understood the chairman of the committee, he stated that there were 390 inspectors, and probably 15 inspectors in charge of divisions, which made 405 inspectors in 1911.

Mr. PHIPPS. No; they were included in that number; 390 was the total number, as I understand.

Mr. HARRISON. I understood the Senator from Michigan to say to the contrary when I asked him the question.

Mr. TOWNSEND. I gave the Senator from Mississippi my opinion. I still think they are not included, but I am not sure.

Mr. HARRISON. They are not included.

Mr. PHIPPS. However, whether the 15 were included or not, the proposed increase is relatively a very small one. There are, in round figures, 30,000 cases involving theft, lost articles, and failure to deliver mail which should be investigated, but which have not been investigated because of an insufficient number of inspectors.

As to the question of the political possibilities involved, and the allegations that the increased inspection force is designed to bring about the removal of Democratic postmasters, certainly that thought has never entered my mind, and I do not believe it has entered into the mind of any man who has advocated this increase in the number of inspectors. I think the department should be given a sufficient number of inspectors to carry on its work, to put an end to the losses to which I have referred, to run down some of the men who have been thieving from the mails, whether they be postal employees or otherwise, to make some examples, and to stop this crime, which is a disgrace to the service.

Mr. HARRISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Johnson	Norris	Spencer
Ball	Jones, Wash.	Oddie	Stanfield
Brandegee	Kellogg	Overman	Sterling
Broussard	Kendrick	Page	Swanson
Capper	King	Pepper	Townsend
Cummins	Lenroot	Phipps	Underwood
Dial	Lodge	Pittman	Wadsworth
Elkins	McCormick	Poindexter	Walsh, Mass.
France	McKellar	Rawson	Warren
Gerry	McKinley	Sheppard	Watson, Ga.
Hale	McNary	Shields	Williams
Harris	Moses	Shortridge	Willis
Harrison	Nelson	Simmons	
Heflin	Nicholson	Smith	

Mr. JONES of Washington. I wish to announce that the following Senators are detained from the Senate in attendance upon the Committee on Finance:

The Senator from North Dakota [Mr. MCCUMBER]; the Senator from Utah [Mr. SMOOT]; the Senator from Wisconsin [Mr. LA FOLLETTE]; the Senator from Vermont [Mr. DILLINGHAM]; the Senator from Connecticut [Mr. MCLEAN]; the Senator from Kansas [Mr. CURTIS]; the Senator from Indiana [Mr. WATSON]; the Senator from New York [Mr. CALDER]; the Senator from West Virginia [Mr. SUTHERLAND]; and the Senator from New Jersey [Mr. FRELINGHUYSEN].

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, there is a quorum present. The question is on the amendment offered by the Senator from Tennessee [Mr. MCKELLAR] to the amendment reported by the committee.

Mr. MCKELLAR. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HARRISON. Mr. President, there are some Senators here now who were not in their seats when this amendment was read, and probably there are some who do not know now what they are going to vote upon. I merely want to say, so that the Senators who were not present at the time may know, that this is an instance where they can vote in the interest of economy. By voting for the amendment offered by the Senator from Tennessee they can save $115,000. I might say, too, that in 1911 there were 405 post-office inspectors. To-day there are 430 post-office inspectors, 25 only having been added to the force within 11 years. Here the committee proposes to add 100 at one time. The amendment of the Senator from Tennessee proposes to add only 50.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Tennessee [Mr. MCKELLAR] to the amendment of the committee, on which the yeas and nays have been ordered. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. WILLIAMS (when his name was called). I have a pair with the Senator from Indiana [Mr. WATSON]. I understand that he is temporarily absent, unavoidably so, and therefore I am not at liberty to vote. If I were, I would vote "yea."

The roll call was concluded.

Mr. SUTHERLAND. I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. I transfer that pair to the senior Senator from Pennsylvania [Mr. CROW], and will vote. I vote "nay."

Mr. KING. I have a general pair with the Senator from North Dakota [Mr. MCCUMBER]. I transfer that pair to the Senator from Missouri [Mr. REED], and will vote. I vote "yea."

Mr. GLASS. May I inquire if the senior Senator from Vermont [Mr. DILLINGHAM] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. GLASS. I have a general pair with that Senator, which I transfer to the senior Senator from Texas [Mr. CULBERSON], and will vote. I vote "yea."

Mr. MCKELLAR (after having voted in the affirmative). I inquire if the Senator from Indiana [Mr. NEW] has voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. MCKELLAR. I have a pair with the Senator from Indiana [Mr. NEW], which I transfer to the Senator from Nebraska [Mr. HITCHCOCK], and will let my vote stand.

Mr. BALL (after having voted in the negative). I find that the senior Senator from Florida [Mr. FLETCHER] has not voted. I have a general pair with him, which I transfer to the junior Senator from Oklahoma [Mr. HARREL], and will let my vote stand.

Mr. EDGE. I transfer my general pair with the Senator from Oklahoma [Mr. OWEN] to the Senator from Arizona [Mr. CAMERON] and will vote. I vote "nay."

Mr. WILLIAMS. I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Louisiana [Mr. RANSDELL] and will vote. I vote "yea."

Mr. JONES of Washington. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from Maine [Mr. FERNALD] with the Senator from New Mexico [Mr. JONES];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

I also desire to announce that the Senator from Kansas [Mr. CURTIS] and the Senator from New York [Mr. CALDER] are detained on business of the Senate.

Mr. GERRY. I desire to announce that the Senator from Florida [Mr. TRAMMELL] is necessarily absent, and that the Senator from Ohio [Mr. POMERENE] and the Senator from Florida [Mr. FLETCHER] are absent on official business.

The result was announced—yeas 21, nays 41—as follows:

YEAS—21.

Ashurst	Heflin	Sheppard	Underwood
Dial	Kendrick	Shields	Watson, Ga.
Gerry	King	Simmons	Williams
Glass	McKellar	Smith	
Harris	Overman	Stanley	
Harrison	Pittman	Swanson	

NAYS—41.

Ball	Johnson	Nelson	Stanfield
Brandegee	Jones, Wash.	Nicholson	Sterling
Broussard	Kellogg	Norris	Sutherland
Bursum	Keyes	Oddie	Townsend
Capper	Ladd	Page	Wadsworth
Cummins	Lenroot	Pepper	Walsh, Mass.
Edge	Lodge	Phipps	Warren
Elkins	McCormick	Poindexter	Willis
France	McKinley	Rawson	
Gooding	McNary	Shortridge	
Hale	Moses	Spencer	

NOT VOTING—34.

Borah	du Pont	McCumber	Reed
Calder	Ernst	McLean	Robinson
Cameron	Fernald	Myers	Smoot
Caraway	Fletcher	New	Trammell
Colt	Frelinghuysen	Newberry	Walsh, Mont.
Crow	Harreld	Norbeck	Watson, Ind.
Culberson	Hitchcock	Owen	Weller
Curtis	Jones, N. Mex.	Pomerene	
Dillingham	La Follette	Ransdell	

So Mr. MCKELLAR's amendment to the amendment of the committee was rejected.

The PRESIDING OFFICER. The question now is upon the amendment of the committee.

Mr. HARRISON. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WALSH of Massachusetts. Mr. President, I desire to say just a word about this amendment.

During the hearings of the Post Office and Post Roads Committee I was very much impressed with the chaotic condition of the inspection service. I think perhaps more than any other member of the committee I urged that something be done to settle complaints and cases of larceny and dishonesty in the Postal Service. It appeared that the number of cases that had not been acted upon was over 47,000, and that a dishonest postmaster or clerk or carrier could not be detected and his books and accounts inspected for a year or more, or for an unnecessarily long period of time, even after it was known or believed that an official was dishonest. It seemed to me that the most important thing that the Postal Service needed to-day was an increase in its corps of inspectors.

I think the committee amendment is a good one, and I believe that even more inspectors than the number provided for in this amendment are necessary. If we are going to carry on our Parcel Post Service efficiently, if we are going to transport valuable property, if we are going to maintain honesty in the Postal Service and exact it and demand it of our postmasters and our clerks and our carriers, we must have a proper inspection service. That is why I voted just now against the amendment to reduce the number of inspectors, and why I am supporting this amendment, because I believe it will do more than anything else in this bill to put our Postal Service on a basis of efficiency, and will tend to promote honest service.

The service rendered by the inspection corps is, on the whole, excellent, and the labors of these inspectors undoubtedly tend to keep our postmasters on their job and stimulate all postal employees to do their work very much more satisfactorily. The value and efficiency of our Postal Service can be largely measured by the extent and quality of the inspection service.

Mr. SHIELDS. Mr. President, may I ask the Senator from Massachusetts a question?

Mr. WALSH of Massachusetts. Certainly.

Mr. SHIELDS. Did the Senator state that there were 47,000 prosecutions for violation of law in the Postal Service?

Mr. WALSH of Massachusetts. There are 47,000 complaints pending, which it is desired to have inspectors take up and report upon, that the inspectors have been utterly unable so far to look into.

Mr. SHIELDS. I just want to say to the Senator that the number of cases that came before the courts last year was not much over one-fourth of that. Some 12,000 cases of violation of law came before the courts.

Mr. WALSH of Massachusetts. Of course, the number I gave includes complaints that are sent to the department of dishonesty and inefficiency, larcenies, embezzlements, and other violations of the postal laws.

Mr. SHIELDS. I simply want to say that if only 12,000 cases came before the courts, less than one-fourth of the number of complaints, there must have been a great many false complaints in that number.

Mr. DIAL. They ought not to be dignified with the name of complaints. They are just grumblings.

Mr. SWANSON. Mr. President, does the Senator know how many of those complaints are of political activity, with a view of having the postmaster or other person removed?

Mr. WALSH of Massachusetts. I must take some of the responsibility for this amendment. I am willing to charge the Republicans with many shortcomings; but I think that more than any other member of the committee I requested and demanded that the appropriation for the inspection service be increased and the number of inspectors increased. Of course, they are appointed by civil-service examination; but I want to say that the one thing in this bill that seemed to me to be most important and helpful to the service was this single item, and I myself have had, as almost every Senator here has had, the experience of sending complaints to the department that have come from one's constituents, and having the reply come back that whenever they get around to do it they will look into the matter, but that the large number of cases pending now may delay the inspection for a long period of time.

Mr. SWANSON. I think most of the inspectors in Virginia have been busy investigating the removal of Democratic postmasters in order to put in Republicans. I should like to know how many complaints and removals have been made on account of political activity—just that one item—and how much time the inspectors have spent on that. I have an idea that if during the last year the inspectors in Virginia had been engaged in investigating the real, genuine complaints in connection with maladministration of the post offices, robbery, and various defalcations they could have done a great deal more work than they have done; but I know that they have been engaged mostly in finding some excuse to get rid of Democrats and put in Republicans. I know that there has been a great deal of that, because scarcely a mail comes in that some Democrat does not tell me, "An inspector is here investigating me on some frivolous charge," and then they ask for his resignation.

I am willing to vote for whatever is necessary to take care of the business of the Government, but I do not like to vote to create a corps most of whom are to be used to get rid of deserving Democrats before their time expires.

Mr. DIAL. Mr. President, from the way the Republicans in my State are acting, it seems as if they do not want efficiency. Where they have had examinations and where the present postmasters and ex-postmasters received the highest marks, yet if an inefficient and unsatisfactory person makes a passing mark they go out and pick him up, notwithstanding the fact that he never had any post-office experience at all. That is pretty universal in my section of the country, and I hear it is in a good many other parts of the country. If they wanted competency, they would continue a postmaster or an ex-postmaster, or they would promote some man in the office who had had experience; but anyone along that line is banned, kicked out, to enable them to send in some man who has had no experience in a post office or any other line of business.

Mr. HARRISON. Mr. President, I dislike at all times to disagree with the Senator from Massachusetts [Mr. WALSH], as he is generally right. I can not understand how he allowed some one to hoodwink him in this instance, because this is about the rawest deal that has ever been attempted in this body. It was not denied, even by the Senator from New Hampshire [Mr. MOSES] that it was to take care of a hundred Republican office seekers and pay them $2,300 a year.

Mr. MOSES. What is that?

Mr. HARRISON. The Senator from New Hampshire may get 10 of them. I hope he will.

Mr. MOSES. What did the Senator say—that I had admitted that this was to take care of Republicans? I said I hoped it was, and I still do cling to that hope, though it is pretty faint.

Mr. HARRISON. There is no question but that it is to take care of a hundred Republicans.

Mr. MOSES. I hope that is true.

Mr. HARRISON. Yes; and the Senator expresses the sentiment of the majority members of the Committee on Post Offices and Post Roads.

Mr. TOWNSEND. Mr. President, I do not generally interrupt the Senator when he is making his political arguments, but when he includes the majority of the committee in any suspicion, even, that this is for the purpose of caring for Republicans, he is entirely wrong. That may go with his colleagues, but those on the committee who have given attention to it know that it is not so. These men must be appointed after four years in the service. They are not taken from the outside, and the Senator, for fear that they might be, offered an amendment which compels the selection of these additional men from the civil-service register now.

Mr. HARRISON. Yes; and I hope it will be followed out, but the Senator knows that the President can issue an order which will invalidate that whole proceeding. The Senator knows that the President has done that in a hundred instances; has issued his Executive order and appointed persons to political office where the appointments should have been under the civil-service regulations.

Mr. TOWNSEND. I know nothing of the kind.

Mr. HARRISON. The Senator knows that the President issued an Executive order in regard to the post office at Marion, Ohio, and appointed a friend of his there. No civil service examination was held, although there were ex-soldiers who desired to take the examination, but they had no opportunity. There are other instances I could cite.

Mr. WILLIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. HARRISON. I yield to the Senator.

Mr. WILLIS. I understood the Senator to say that the President had issued such an order in a hundred cases. Does the Senator mean to say that that occurred in a hundred cases? If that is correct, I should like to have him enlighten the Senate by giving the names of those offices.

Mr. HARRISON. I name the one at Marion, and if the Senator will agree with me, and Senators on the other side will vote for it, I will tender a resolution this afternoon calling on the President to send to the Senate a list of Executive orders appointing persons to office.

Mr. WILLIS. Mr. President——

Mr. HARRISON. Will the Senator agree to vote for such a resolution?

Mr. WILLIS. I challenge the accuracy of the statement that the President in a hundred cases has issued an order of that kind. He issued an order as to the Marion, Ohio, office, in his own State, where he had a perfect right to do it, and I think it was perfectly defensible.

Mr. HARRISON. The Senator indorses that action?

Mr. WILLIS. I do indorse that action. I think the President has not issued a hundred orders, and I think the Senator can not name one other.

Mr. HARRISON. No; the Senator does not expect to name any other except Marion; but that is an illustration.

Mr. WILLIS. That is not a hundred.

Mr. HARRISON. But the Senator from Mississippi will offer a resolution calling upon the President to send to the Senate the names of the persons who have had appointments through Executive order, and I will see whether the Senator from Ohio, the successor of the distinguished President, will help me to have such a resolution passed.

Mr. WILLIS. Will the Senator include in the resolution a request that the department furnish a list of those who were appointed by Executive order under the preceding administration?

Mr. HARRISON. I shall be glad to do that, if it will help the Senator out.

Mr. MOSES. Will the Senator also put in a preamble to this effect: "Whereas it has been charged by the junior Senator from Mississippi that the President has issued 100 such orders: Therefore, be it resolved"?

Mr. HARRISON. If that will do the Senator any good, I will do it.

Mr. MOSES. I wish the Senator would, because I am persuaded that there is more joy in the heart of the Senator from Mississippi over one instance of that kind than over 99 instances where the Democrats threw the Republicans out in 1913.

Mr. HARRISON. The Senator will see that there are many other cases, except the Marion (Ohio) case, when the list comes in, if it ever does.

Of course, as the elections in November approach, we find that the action of the Senate and the House is with an eye single to that election. This provision was written in this bill

to help some candidates in the elections. The fact that there were 40,000 complaints on file on November 30 last is no reason why the taxpayers of America should be burdened with an additional $230,000 to provide for 100 additional inspectors. There has been an increase of only 30 in the last 11 years, as admitted by the distinguished chairman of the committee.

This action is in line with what occurred before the Finance Committee of the Senate last Saturday. I am sure Senators read the story which appeared in the Washington Post, the Republican organ, on yesterday, and I am sure that those of the committee who may be present can tell us whether or not it is true. It reads:

When Senators FERNALD and HALE, of Maine, appeared before the Senate Finance Committee St. Patrick's day and asked for a tariff of 35 cents per bushel on Irish potatoes, the solons formulating the tariff measure thought they were the victims of a joke. But the case of the Maine farmer was ably set forth, and the appeal of the two Maine Senators was given serious attention.

After each had announced that he "had nothing more to say," Senator WATSON, with an amused gleam in his eyes, said:

"Senator FERNALD, we were much impressed by your argument, but we understand that you have a fine voice, and if you will favor us with a song, say 'Throw Out the Life Line,' it may aid your case."

So I suppose the Committee on Post Offices and Post Roads are throwing out the life line to some sinking Republican candidates in the elections this coming November. The article further states that—

Senator FERNALD blushed at the compliment, but, recovering his composure instantly, cut loose, and in strong, well-modulated tones rendered the hymn as requested. In the Capitol corridors passers-by were reminded of an old-fashioned camp meeting. Senators applauded vigorously, and later insisted on an encore, for which Senator FERNALD sang "Lead, Kindly Light."

At the close of the recital Senator WATSON, on the part of the committee, announced "the duty on Irish potatoes will be 35 cents per bushel. There is no denying such an appeal."

So I presume, since you are throwing out the life line, you are resolved to put on us these hundred additional post-office inspectors, at an expense of $230,000 a year.

Mr. HALE. Mr. President, I was not here when the Senator began his remarks, and I have not read the article in the paper to which he referred, but I did see an article in one of the papers which told of a hearing before the Finance Committee which Senator FERNALD and I attended, and there was something said in the article about a song that was sung. I think if the Senator from Mississippi had been at the hearing he would have realized that the argument was made and the committee had reached its decision before there was any singing whatever, and that the singing had nothing whatever to do with the decision.

Mr. HARRISON. I am very glad to hear that the Republicans are not so easily influenced.

Mr. NORRIS. Mr. President, I always get weary when I hear Pot calling Kettle black, and it goes on here every time there is a change in administration. I do not find fault with the man who is opposed to the civil service law and wants to have it repealed and every office in the United States put on the political pie counter. I concede that a man can favor that and be consistent. He may be right, although I think he is wrong. The man who holds that opinion when his party is in power and when the other party is in power is consistent, and is following a course which I do not criticize. The man who is a civil service reformer, however, and a believer in civil service when the other party is in power, and believes in the doctrine that "to the victors belong the spoils" when his party is in power is inconsistent, whether he is a Member of the Senate or simply a precinct committeeman. There are too many men in high position in the United States, in my judgment, who are thus inconsistent.

I believe this amendment is a good amendment, though I may be wrong about it. I think it is guarded. If there is any further guard which can be thrown around it to take it out of politics, I would like to vote for it. It provides, as I understand, that these inspectors shall be selected under civil-service rules, and I believe it is conceded that for the efficiency of the Post Office Department they are needed. To my mind, that is sufficient.

Believing that, and that they are to be appointed under civil-service rules, and that there is not any politics in it, if the law is enforced, I am in favor of it; but if the Senator from Mississippi will offer a resolution, whether it is amended as the Senator from Ohio asks that it be or not, simply providing for a request upon the President in regard to his setting aside the civil-service rules for the appointment of a postmaster at Marion, Ohio, and to give his reasons why he did it, I will support the Senator from Mississippi to the best of my ability in passing that resolution.

I will support it also if he makes it general, and calls upon the President for his reasons every time he has asked that the civil-service law be set aside. I will be glad to support it if he will include the prior administration and ask what the record shows as to how many times and for what reasons President Wilson set the regulations aside. Publicity is good. It will help a great deal, I think, in bringing about good government and the enforcement of the civil service law. If we are to have a civil service law, then it seems to me in common decency, in common honor, we ought to be for it, no matter what party is in power, and if we are genuine sports, if we believe in a square deal between man and man, and we have a civil service law at all, we will enforce it just as faithfully when our party is in power as we will ask the other fellows or expect them to enforce it when their party is in power.

I believe that President Harding took a step backward when he modified the rule which existed which was made by President Wilson in regard to the appointment of postmasters. I concede he had a right to take the step that he did. He had a right to wipe it off the statute books and say these post offices are now the spoils of political warfare.

Mr. TOWNSEND. But this is not a statute. It never has been a statute.

Mr. NORRIS. I understand that.

Mr. TOWNSEND. The Senator referred to it as a statute.

Mr. NORRIS. The rules are printed just the same as a statute.

Mr. TOWNSEND. This was merely an order issued by the President.

Mr. NORRIS. As long as it is there it has the effect of a statute.

Mr. TOWNSEND. But the President issued this order just the same as President Wilson did, to assist him in making a selection in the appointment of a postmaster.

Mr. NORRIS. I understand that. I do not think there is any misunderstanding as to what is the law and what is the rule, although the rule is the same as a statute except the President can set it aside when he wants to. I concede he has a legal right to do that. He must take the responsibility when he does it. He has the power to set the whole thing aside. Every President has set it aside in a great many cases. I can see where there might be cases where he would be justified in setting it aside. I do not believe that President Wilson was justified one-tenth of the times when he set it aside.

I do not believe President Harding is justified in setting it aside for the appointment of a postmaster at Marion, Ohio. The post office at Marion, Ohio, is not any different from the post office at any other place. Because President Harding happened to live in Marion, because that was his home, does not give him any greater moral right to set aside the law or the rules that provide for the nonpartisan selection of a postmaster in Marion. It gives him no more right than it would to set it aside in Philadelphia, New York, or in the city of Washington. I do not think he was justified in doing it, and I would like to see in writing the reasons he could give for doing it. The appointing of a postmaster to that office is not his private business. But he is in the same class with President Wilson when he sets lots of them aside. I concede that, and because I did not believe that Wilson did right when he set them aside is no reason why I or, in my judgment, any other Senator should defend President Harding when we think he is wrong in setting them aside. We must either have a civil service law and rule enforced in good faith or repeal them entirely and go back to the spoils system.

The idea that offices are the personal property of some official of the Government, whether he be the President or a Senator or a Congressman or a governor or anybody else, is preposterous. It is contrary to good government. The modern idea of civil service will not stand for it, and every man who studies the question will admit that is true. I know that civil-service officials are only human. We never get perfection, but I think it is a good deal better than saying we will put these offices upon the political pie counter. Why should there be a Republican postmaster in Marion, Ohio, because there is a Republican President in the White House? What difference does that make? What has the postmaster at Marion, Ohio, to do with the tariff, with the collection of internal revenue, or with the other administrative features with which the President in the White House has to deal? What difference does it make whether there is a Republican or Democratic postmaster in Minneapolis, in San Francisco, in Portland, Oreg., or McCook, Nebr.? They have nothing to do with the administrative features of a great Government like this.

Must the people in every town and in every village and in every city, every time there is a change in the White House, every time there is a change in the political party in power in the country or even a different faction of some party, go through

the formality of having a change in postmaster because there has been a change of the political boss somewhere along the line from the postmaster up to the President in the White House? How nonsensical, how foolish, how contrary to good government! How absolutely destructive it is of efficiency in office! Who can defend it?

Does the Democratic Party stand for it? Does the Republican Party stand for it? Read their platforms and see what they say, where for years and years they have been saying to the people when they were placing a platform before them, "We believe in the efficient enforcement of the civil service law. We are going to enforce the civil service law. We are going to provide for efficiency in office." Yet as soon as they get into office more or less, to a greater extent, and sometimes mostly more, they throw aside their promises by which they did get admittance to the official chamber and say, "Now we believe in dealing out these offices and paying our individual or political debts with them at the expense of the taxpayer and the efficiency of administration.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from South Carolina?

Mr. NORRIS. I yield.

Mr. DIAL. Does the Senator think the spirit of the civil service law requires that the appointment shall go to the applicant making the highest mark?

Mr. NORRIS. I think so. I said a while ago that I agree with that principle.

Mr. DIAL. For instance, I have in my hand a record of the result of a civil-service examination where the then postmaster, a lady, made 88.35. The next highest mark was made by an ex-soldier of 79.28. The third mark was made by an outsider who had had no experience and was 78.55, and yet the lowest man received the appointment.

Mr. NORRIS. I do not think that is right. It is just as wrong for the Republicans to do it as it would be for the Democrats to do it.

Mr. DIAL. I was satisfied the Senator would think it wrong.

Mr. NORRIS. That is the error in the change in the rules that the President made. That is the error he committed, in my judgment. It was a serious mistake. I objected to it then. I asked in writing that it be not done, when the newspapers were saying he was contemplating doing it. It is not, in my judgment, treating the American people fairly or squarely. I concede that sometimes the rule might result in getting a man in who, if I were holding the examination or if I had the papers to examine, I might think was the wrong man, or if I lived in the same town I might know he was the wrong man, and in my judgment that they were picking out the wrong man for that office.

So it is not a perfect system. No one has ever contended that it is. But when we adopt a system we ought to follow it out in good faith. If we say to the American people we are going to enforce the civil service law, then we are bound to do it in good faith, and if we do not we deserve condemnation and to be taken by the back of the neck and the seat of the pants and thrown over the political fence, as the people have done many, many times with both political parties. I wonder sometimes if the people do not get tired of jumping from the frying pan into the fire, from fleeing from the lack of good faith of the Democratic Party only to have it prove to be the same when the Republicans get control of the administration.

I know that men who talk like I am talking, for instance, in the Republican Party are condemned by other Republicans. They say, "How about those fellows who helped you into office"? First, let me answer that. What did we mean when we said we would enforce the civil service law? Were we acting in good faith? Was it a promise that we ought to keep? Do we believe in it now after the election the same as we did before the election when we were asking for votes?

If we said it then, if we promised it in writing, and if we are honest with the American people, we are going to redeem that promise, whether it hurts or whether it does not. It hurts sometimes; I admit that.

Then they say, "What would you do, and the rest of us, if the workers had not helped us to get in?" Whenever the American people put a man in office for selfish purposes, in order to get out of it something of a personal, selfish nature, like an office or money, or something of that kind, I want to know it. If that is why the American people are putting their servants into office, then that is not right. The only thing then is, if that is the right principle, we must provide as many offices as there are voters.

The millions of American citizens who have voted for Senators and Representatives in Congress and other officials were not thinking of anything selfish for themselves. They were thinking of efficiency in office. They were doing the best they could to decide between two or more men for the office, who would redeem his pledges, who would be loyal to the people. They did not want a man put in office whose highest duty in his judgment would be to divide the swag among the men who had been his friends. The American people do not believe in that. A man ought to be honorable and square enough when he is running for office to say what he is going to do. His party ought to be honest and square enough to say what position it takes on this great principle of civil service before an election, and then ought to be straight enough to do what it agrees to do after elections.

If the amendment is agreed to and the provision stays in the bill and the civil service law is not complied with in the making of appointments, I hope somebody in the Senate or in the House who knows what the facts are will demand an exposure of them all. I for one want to say that I shall be glad to help bring about an investigation or an exposure just as quickly now as though the Democrats were in power.

I want to say to those Republicans who are clamoring only for the spoils of office for somebody, who are asking the taxpayers of the country to foot the bill while they pay their personal debts and obligations with office, that they are not as good Republicans as I am. I want to keep the pledge that we made. They are going to violate it. I believe after election in enforcing the civil service law just as we said before election we would. I want to say to those who are now asking that the civil service rules be set aside, or who are defending, without reason and without cause, the President, even though he be our candidate, for setting them aside and putting the offices on the political pie counter, that I do not believe they are good Republicans. They are violating the Republican pledge. In my judgment no man can do a better service, even to his party, than to expose it when he thinks it is wrong, when its officials have violated the law, and to assist in bringing about an investigation to let the people of the United States know it all in detail.

So I repeat that neither the Senator from Mississippi nor any other Senator can embarrass me by saying he is going to ask for an investigation or for the reasons. I am glad he is going to ask for them. He is justified in asking for them. The President of the United States ought to be required to state his reasons when he sets aside the law just the same as I ought to be required to do so if I set it aside or asked that it be set aside.

The VICE PRESIDENT. The question is on the amendment of the committee on which the yeas and nays have been ordered.

The reading clerk proceeded to call the roll:

Mr. GLASS (when his name was called). Making the same announcement as on the previous vote relative to my pair and its transfer, I vote "nay."

Mr. McKELLAR (when his name was called). I have a general pair with the junior Senator from Indiana [Mr. NEW]. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. STANLEY (when his name was called). I inquire if the junior Senator from Kentucky [Mr. ERNST] has voted?

The VICE PRESIDENT. He has not.

Mr. STANLEY. I have a pair with that Senator. Not knowing how he would vote if present, I withhold my vote.

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON], who is momentarily absent upon important business of the Senate. I transfer that pair to the Senator from Louisiana [Mr. RANSDELL] and vote "nay."

The roll call was concluded.

Mr. KING. I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER]. In his absence I transfer that pair to the senior Senator from Missouri [Mr. REED] and will vote. I vote "nay."

Mr. EDGE. Making the same announcement as to the transfer of my pair as on the former vote, I vote "yea."

Mr. BALL. Making the same announcement of the transfer of my pair as before, I vote "yea."

Mr. FERNALD. I have a general pair with the senior Senator from New Mexico [Mr. JONES]. I transfer that pair to the junior Senator from Delaware [Mr. DU PONT] and vote "yea."

Mr. WALSH of Montana. I inquire if the Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH of Montana. I have a general pair with that Senator. Not knowing how he would vote if present, I transfer my pair with him to the Senator from Rhode Island [Mr. GERRY] and vote "nay."

Mr. JONES of Washington. I desire to announce that the following Senators are necessarily absent from the Senate, being engaged in the work of the Committee on Finance:

The Senator from North Dakota [Mr. MCCUMBER]; the Senator from Utah [Mr. SMOOT]; the Senator from Wisconsin [Mr. LA FOLLETTE]; the Senator from Vermont [Mr. DILLINGHAM]; the Senator from Connecticut [Mr. MCLEAN]; the Senator from Kansas [Mr. CURTIS]; the Senator from Indiana [Mr. WATSON]; the Senator from New York [Mr. CALDER]; and the Senator from New Jersey [Mr. FRELINGHUYSEN].

I also desire to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

The result was announced—yeas 39, nays 22, as follows:

YEAS—39.

Ball	Gooding	McKinley	Rawson
Borah	Hale	McNary	Shortridge
Brandegee	Johnson	Moses	Spencer
Broussard	Jones, Wash.	Nelson	Sutherland
Bursum	Kellogg	Nicholson	Townsend
Capper	Kendrick	Norris	Wadsworth
Edge	Keyes	Oddie	Walsh, Mass.
Elkins	Ladd	Page	Warren
Fernald	Lenroot	Phipps	Willis
France	Lodge	Poindexter	

NAYS—22.

Ashurst	Heflin	Robinson	Underwood
Caraway	King	Sheppard	Walsh, Mont.
Dial	McKellar	Shields	Watson, Ga.
Glass	Overman	Simmons	Williams
Harris	Pittman	Smith	
Harrison	Pomerene	Swanson	

NOT VOTING—35.

Calder	Ernst	McCumber	Reed
Cameron	Fletcher	McLean	Smoot
Colt	Frelinghuysen	Myers	Stanfield
Crow	Gerry	New	Stanley
Culberson	Harreld	Newberry	Sterling
Cummins	Hitchcock	Norbeck	Trammell
Curtis	Jones, N. Mex.	Owen	Watson, Ind.
Dillingham	La Follette	Pepper	Weller
du Pont	McCormick	Ransdell	

So the amendment of the committee was agreed to.

The next amendment passed over was on page 10, line 23, to strike out "$1,367,800" and insert "$1,597,800"; and in the same line, after the words "in all," to strike out "$1,430,800" and to insert "$1,660,800."

The amendment was agreed to.

The VICE PRESIDENT. Without objection, the amendment of the committee as amended is agreed to.

The next amendment passed over was on page 11, line 5, to strike out "$375,000" and insert "$474,000."

The amendment was agreed to.

The next amendment passed over was, on page 12, line 6, before the words "at $1,350 each," to strike out "five hundred" and to insert "nine hundred and eighty-six"; in line 8, before the words "at $1,450 each," to strike out "two thousand six hundred and twenty-five" and to insert "two thousand five hundred and thirty"; and at the end of line 8, to change the total appropriation from "$4,530,000" to "$4,999,600," so as to make the paragraph read:

For compensation to watchmen, messengers, and laborers, 986 at $1,350 each; 2,530 at $1,450 each; in all, $4,999,600.

The VICE PRESIDENT. This amendment was passed over at the request of the junior Senator from North Carolina [Mr. OVERMAN].

Mr. OVERMAN. I simply asked that the amendment be passed over in order that I might make inquiry about it. I now have no objection to agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. Without objection, the amendment as heretofore amended is agreed to.

The next amendment passed over was, on page 24, after line 17, to insert:

SEC. 7. That for the purpose of extending, continuing, and further carrying out the provisions of the Federal highway act, approved November 9, 1921, and all other acts amendatory thereof or supplementary thereto, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $50,000,000 for the fiscal year ending June 30, 1923; and the sum of $65,000,000 is authorized to be appropriated for such purposes for the fiscal year ending June 30, 1924; and the sum of $75,000,000 is authorized to be appropriated for such purposes for the fiscal year ending June 30, 1925; and the sum of $7,500,000 is authorized to be appropriated for the survey, construction, reconstruction, and maintenance of forest roads and trails for the fiscal year ending June 30, 1924; and the sum of $7,500,000 is authorized to be appropriated for the survey, construction, reconstruction, and maintenance of forest roads and trails for the fiscal year ending June 30, 1925.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment passed over was, on page 25, after line 9, to insert a new section, as follows:

SEC. 8. For the transmission of mail by pneumatic tubes or other similar devices in the city of New York, including the Borough of Brooklyn of the city of New York, at an annual rate of expenditure not in excess of $18,500 per mile of double line of tubes, including power, labor, and all other operating expenses, $513,911.50: *Provided*, That the provisions not inconsistent herewith of the acts of April 21, 1902, and May 27, 1908, relating to the transmission of mail by pneumatic tubes or other similar devices, shall be applicable hereto: *Provided further*, That either party to the contract for the transmission of mail by pneumatic tubes or other similar devices may apply to the Interstate Commerce Commission at any time after October 1, 1922, and before July 1, 1923, for a revision of this rate, its decision to be effective after July 1, 1923, but in no case shall the rate exceed $19,500 per mile.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. MCKELLAR. Mr. President, the question of the pneumatic-tube service has been discussed so often in the Senate that I do not know that there is any necessity for discussing it again. I think the mind of the Senate is made up on the question and Senators know how they are going to vote. In the past I have consistently opposed the pneumatic-tube system and I still occupy that position. I think at this time to reinstall the pneumatic-tube service would be a useless expenditure of money. I do not believe the service is an efficient one, but, on the contrary, that it is a great detriment to the postal activities in the four or five cities where it has heretofore been in operation. I think it would be a great mistake to return to the pneumatic-tube system. It has been discontinued because of its inefficiency, and the reasons now urged in favor of its being again employed are, in my opinion, not sound. Since the administration has changed there has been a very busy lobby engaged here in the effort to restore the system. It would be very unfortunate if the system were restored; it ought not to be used. I do not believe it will save the Government a cent; but, on the contrary, it will involve an enormous expenditure of the people's money without any corresponding benefit.

The pneumatic tubes carry only a very small portion of the mail. The system is antiquated and worn out, and can not possibly be of any value. As I have heretofore stated, I think that to restore the tube service would be a reckless waste and extravagance in which the Government ought not to indulge. After stating my reasons for voting against it, I am simply going to ask for the yeas and nays, and then, if any other Senator desires to speak upon the subject, of course he will be at liberty to do so. I now ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. LODGE. Mr. President, I agree with one of the statements the Senator from Tennessee has made, and that is that there is no use in arguing this question over again, as he has done. We should take a vote on it, and the amendment ought to go in the bill.

Mr. KING. Mr. President, the Senator from Massachusetts dismisses this question as he dismisses many other questions, with his ipse dixit.

Mr. MOSES. No one of course wants to interfere with the Senator from Utah if he desires to speak.

Mr. KING. I wish to ask some questions. If the Senator from New Hampshire, in the plenitude of his wisdom can advise us as to the reason for again making use of the tube service, I shall be glad to obtain it; but I was going to ask the Senator from Tennessee if any different report has been made from that which was made two years ago and four years ago.

Mr. MCKELLAR. I think the report of the majority is substantially the same as the one heretofore submitted, and the minority have likewise submitted their views, which I put in the RECORD the other day. It is the same old contest. The Senator will recall that a number of years ago several gentlemen got together in some of the large cities and had the tube system installed. By the experts who were brought forward, however, it was proved that the system was of no practical value; that it did not expedite the mails in any substantial degree; that it was costly and expensive; in fact, about four or five times more costly and expensive than moving the mail by automobiles. As I recall the appropriation for carrying the mails by vehicles is the same as before. It has not been reduced by reason of the proposed installation of the tubes.

One of the great arguments in favor of this tube system, as the Senator knows, is that in the various cities the traffic on the surface is so great that it is well to have this underground system of tubes. That might be so if any considerable part of

the mail were carried in tubes, but no considerable part of the mail is carried in tubes. I doubt if it will ever take off three automobiles in any city in which the tubes are replaced. In other words, substantially the same expense as at present will have to be incurred for automobile service in transporting the mails in these five cities, and we will have the additional expense just for sending a few letters through these tubes.

I have examined the tubes personally. The conveyors are about 12 to 14 inches long, and about 6 to 8 inches in diameter. They are said to carry a great many letters. I imagine that ordinarily a tube would carry two or three dozen letters. I am talking about what would be done in real practice. Of course you can stuff a great many letters in there, but comparatively a very few are really carried. The conveyors look to me like playthings. As a matter of fact, this is what they are. Certain gentlemen in years gone by secured in some way a contract with the Government to put them in, and they were put in, and these gentlemen reaped considerable income from having put them in. During the last administration they were discontinued, and these gentlemen naturally want to reinstate them, and they have had a very extensive lobby here for that purpose. Mr. President, learning in some way my particular views, though I did not know the man who called me, one of them called me up over the telephone this morning to say that he took dinner with Col. W. J. Bryan in New York a few days ago, and that Col. W. J. Bryan sent me his best regards, and had told him to urge upon me as a public duty to vote for the tubes. Whether Colonel Bryan sent this message or not, of course I do not know. I can not believe that he did. I will not believe it until I hear further from Colonel Bryan. But it all shows to what length the tube lobbyists are going.

I told him to convey my compliments to Colonel Bryan and to say that I was glad to hear from him, but that I did not think he knew what he was talking about if this gentleman was giving me his views; that if he had ever examined the tube system he never could be for it, and that if Colonel Bryan actually took that position I thought Colonel Bryan was absolutely wrong.

I am making this statement here on the floor of the Senate because I want Colonel Bryan to know what is apparently being said in his behalf by lobbyists of the tube system. They have lobbied in season and out of season ever since I have been in Congress. They have infested the Halls of Congress in an effort to keep in this system of tubes in the first place, and they lost; but now, when there is a change of administration, they have infested the Halls of Congress in an effort to put them back. I doubt if there is a Senator in this Chamber who has not been approached by these lobbyists for the tube system in the various cities.

If the tubes were efficient, if they would do any good, if they meant efficiency of service in these cities, if they meant even an expedition in the transportation of mail in these cities, they ought to be put back; but I am convinced from a personal examination, as well as from the hearings, that this is a mammoth steal; that it is a fraud upon the Government; that the sole purpose is not the expediting of the mails, but it is to give large sums of money to men who have not put any actual money in the enterprises, but who are getting money out of the Government by way of rent for alleged facilities which have cost them no actual money.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. McKELLAR. Certainly; I yield to the Senator.

Mr. NORRIS. I should like to inquire of the Senator whether, since that matter came up before and was voted on, there has been a further investigation made; and if so, by whom?

Mr. McKELLAR. Oh, yes. I do not think these gentlemen have ever let up for a minute. They have had investigations made.

Mr. NORRIS. No; I am not talking about what the Senator classifies as the lobby. When the Democrats had control of the Senate, the majority of the committee, led by the late Senator Bankhead, of Alabama, the chairman of the committee, were in favor of putting back the tubes. A whole lot of testimony was published at that time, and I am asking the Senator whether the matter has been reinvestigated since then; and, if so, by whom?

Mr. McKELLAR. The Postal Commission took some testimony in New York.

Mr. NORRIS. Recently?

Mr. McKELLAR. About a year ago.

Mr. NORRIS. What do they report this time? What is their report?

Mr. McKELLAR. Their report is favorable to the tubes. There is a majority and a minority report. Several members of the commission are opposed to it, and the majority of the commission is in favor of reinstating the tube system.

I asked the president of the company, when we were in New York taking testimony about the matter, to submit a statement of the amount of money they had actually put in. It has never been done. They make a contract with the Government, out of which they virtually run the business. They virtually create the business out of the rentals they get for it, in my judgment, and in order to get the facts we asked the president of that company to submit the facts, and he did not do it. The hearings containing his testimony have been printed, and Senators can see exactly what he said about it. If it forms a reasonable excuse for putting back these tubes, I am unable to see it. I do not believe that they have any such excuse. While I am on my feet talking about this tube matter I want to take just a few moments about another matter of like kind, which shows where we are going in these and similar matters.

Some time ago the Postal Commission had before it a proposition to enlarge the postal buildings in New York City. The first proposition was to put up an additional post office for the city of New York over at Morningside, in Brooklyn, about 7 or 8 or possibly 10 miles away from the present one, and in a field where there was a railroad yard. A lot of expert testimony was given in favor of that proposition; but that was exploded by the cross-examination of witnesses, and it was finally given up. They concluded not to go out in the country to build an additional post office for New York City. Now it is proposed to let out to a company that has been formed with only $10,000 paid-in capital the project of building an additional post office in the city of New York to cost about $6,000,000, but at an estimated cost to the Government of $9,500,000—$2,000,000 for the site that this $10,000 company is going to buy from the railroad, $2,300,000 for financing the proposition, and the remainder of the money, about $6,000,000, they say, is going to be invested in the building. When that is done they propose to rent that building to the Government for $1,200,000 a year for 20 years—a total of $24,800,000 in rental for the next 20 years for a building that will cost about $6,000,000. Think of it, Senators! At the end of the 20 years this $10,000 corporation will have gotten $24,800,000, according to the proposal, and it will have paid out less than $10,000,000 in all. And at the end of the 20 years the $10,000 corporation would still own the ground and building, worth probably all it cost. Is not that frenzied finance run mad at the expense of the Government? It will make a dozen millionaires if the Government agrees to it, and this post-office rental building proposition is quite in keeping with this infamous tube steal that is being foisted upon the Government. The former Postmaster General recommended this rental contract to our commission.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. McKELLAR. I shall be delighted to yield to the Senator.

Mr. NORRIS. The proposition of erecting that building is in this bill, is it?

Mr. McKELLAR. Oh, no; it is not in this bill. I am delighted to tell the Senator that it is not in this bill, but it has been proposed to the commission.

Mr. NORRIS. Oh, well, that relieves me. I was very much alarmed. I thought it was in this bill.

Mr. McKELLAR. Oh, no.

Mr. NORRIS. Is it in some other bill?

Mr. McKELLAR. No; this is evidence that has been taken before the Postal Commission, and the project is brought forward and recommended very strongly, I want to say, by the former Postmaster General, Mr. Will Hays. He came forward after he had severed his connection with the Government and testified that it was for the best interests of the Government—that that kind of a proposition was for the best interests of the Government.

Mr. NORRIS. Has the committee acted favorably upon it?

Mr. McKELLAR. It has not yet, and I sincerely hope it will not. I can not believe that the commission or the committee will ever act favorably upon a proposition of that sort; but when I see the committee reporting favorably a proposition like this tube matter I do not know where they are going to stop. I can not imagine any better scheme of separating the Government from its money than the tube system that is in this bill, unless it be the former Postmaster General's scheme for obtaining a new post-office building in New York.

As I say, this tube proposition has been before the Congress in season and out of season during the 11 years I have had the honor to be a Member of it. I have been against it from the very beginning until now, and I am going to vote against it now. I do not mean to say that any of my associates who are voting to the contrary are voting for anything except what they believe to be for the best interests of this country; they have simply been misled; but I say to them that I do not believe it is to the best interests of the country, and I say to the Senate

that I think it is little short of a plain steal of the Government's money.

Mr. OVERMAN. Mr. President, is it estimated for by the Budget?

Mr. MOSES. Yes.

Mr. McKELLAR. Oh, yes; I think so. I think the machinery is all greased for it to go through, absolutely, from start to finish, and I expect, of course, that the Senate is going to uphold the proposition; but, nevertheless, it never can be upheld with my vote or with my voice. I am opposed to it. I am opposed to it because I think it is rotten. It is rotten to the core. It reeks with rottenness. It has been stricken out by the Congress a number of times. It has been voted down a number of times. The House of Representatives, when I was a Member of it, voted it down a number of times. Why, it was like pulling eyeteeth to separate these men from the public pap that they had been enjoying. They had been living on this for a long, long time. I doubt if the records would show that they ever put a dollar into it except the money that they got from the Government, if the truth could be shown, under the contracts that were made with the Government about it. I am wholly opposed to it. and I hope the Senate will not agree to it.

Mr. CALDER. Mr. President, the strange thing about this proposition is that its opponents all live away from the city of New York. We never have had any opposition to this proposition of any moment except from gentlemen who have little knowledge of the needs of the great metropolis.

Mr. McKELLAR. Mr. President, will the Senator yield for just a moment?

Mr. CALDER. Yes.

Mr. McKELLAR. The Senator will recall that the postmaster of New York testified against it for a number of years.

Mr. CALDER. The present postmaster?

Mr. McKELLAR. Oh, no; the preceding postmaster for eight years testified against it.

Mr. CALDER. Oh, no.

Mr. TOWNSEND. Not at all.

Mr. McKELLAR. The Senator is mistaken about that.

Mr. TOWNSEND. The Senator is not mistaken about it.

Mr. McKELLAR. And the postmaster from Chicago, Mr. W. B. Carlile, who was postmaster there for a number of years, said that if the tubes were put back the service would cost the Government in Chicago alone $160,000 or $170,000 per year more than it would cost without them.

Mr. TOWNSEND. Mr. President, it ought to be understood here that there is no proposition to restore the tubes in Chicago or any other place than New York.

Mr. McKELLAR. Oh, of course as soon as the camel gets his head under the tent the whole camel will go in, and they will be restored in Boston, and they will be restored in St. Louis, and they will be restored in Philadelphia, and they will be restored in Chicago. This is just an entering wedge. This is just to count their strength in the Congress. This is to see whether or not this lobby has the necessary power.

Mr. CALDER. Mr. President, let me say that from the very beginning the opposition to this measure came from the recent postmaster, who served during eight years of a Democratic administration of the Government. The city of New York, through its board of trade and transportation, through its merchants' association, through its chambers of commerce, through all of the men who have cause to use the mail, and through all of the people who have cause to use the highways of the city, has been unalterably and at all times in favor of this project. Let me say to the Senator that I have served in the two Houses of Congress for 17 years, and I have never been approached by anyone interested in this tube service to vote for its continuance.

Mr. McKELLAR. Perhaps they understood well how the Senator stood in the matter.

Mr. CALDER. Of course they understood how I stood on the question, because I am interested in my city and am interested in the proper conduct of its business. This is the most important thing for the mail service of the city.

Very often during the winter our streets are blocked by snow for several days at a time. The tubes constantly operate. It will be very helpful, and I am very glad the commission has reported in favor of it. I believe that nothing in the bill will be more helpful to that great city than the adoption of this provision.

Mr. TOWNSEND. Mr. President, if the Senate is ready to vote, I am very willing to proceed.

To say that I have been shocked at some of the statements of the Senator from Tennessee [Mr. McKELLAR] is simply putting it mildly. I do not care to go into that matter now and to take up the question of the post-office building in New York, to which he has referred. That will come up on its merits in due time. It is not in this bill. We will be able to explain the situation as it is when it comes up.

The fact of the matter is, that every commission which has been appointed by Congress, except one, and that a sort of star-chamber arrangement, which was appointed by the last administration, has reported favorably to the continuation of the tubes, has reported that they are a valuable method of transporting the mails in New York, as testified to before our committee by the Democratic New York postmaster, who came before the committee and testified to that fact, as all others have who were familiar with the situation.

We are putting this provision in, not as a result of any lobby influence, which Senators seem to emphasize on every occasion. There has been no lobby influence exerted upon any member of the committee. I ask Senators to testify if I am mistaken about that. Has any lobbyist attempted to influence the Senator from Tennessee?

When the joint commission which investigated the matter was appointed it went into the subject very fully, with the aid of expert engineers, who had nothing to do except perform their duty. They reported in favor of it. A special postal committee, which has been investigating it, reported favorably to it. There have been some witnesses who testified against it, principally those who did not live in New York, or in any of these tube cities, but the great mass of disinterested testimony has been in favor of the restoration of these tubes.

They serve not alone New York, but they serve the whole country, for which New York is the gateway, very largely. As has been clearly shown, they will protect the Government from loss by fraud in the handling of registered mail. Five million letters a day can be sent through the tubes. The Senator from Tennessee said it is an inconsiderable amount, but 5,000,000 letters a day can go through these tubes, and it will save automobile hire in the city of New York, although how much I do not know.

I am not so much interested in that, although I know it will mean a saving. I am interested in serving the mail of the country to the best possible advantage. It has to be done. We must take off of the streets of these large cities as much of the traffic as it is possible, and this will take away one of the great menaces to traffic in New York and Brooklyn. Those are the cities we have investigated. Those are the only ones we are passing upon. There is no obligation to restore the tubes in any other city, and unless the commission and the committee shall find that it is in the interest of the service of the people of the United States, it will not be recommended for the other cities; but if we find that that is so, we will recommend it to the Senate for its judgment. But the statement that there is something rotten must have found its origin in the Senator's mind. It does no exist anywhere else. We have made an unbiased, conscientious investigation, nobody having any interest to serve except the interest of the Government. That is the real situation. Nobody has sought before to charge that there has been some wrong influence at work to secure some imposition upon the people of the United States.

Mr. President, this thing has been up time and time again. It has been investigated by commissions of the Senate and of the House, and every one of them has reported favorably, including the report of ex-Senator Hoke Smith, of Georgia, when he was chairman of or prominent on one of these committees.

The Senator from Tennessee says he has investigated the tubes. He has investigated the dead tubes. He has not investigated them when they were in operation, when they were working to fulfill the purpose for which they were installed. These tubes are under the streets of New York and Brooklyn, but not in operation, due to the action of the last administration. The Senator from Tennessee described the tubes as about 12 or 14 inches long and 6 or 8 inches in diameter. Of course, the tubes are 27 miles long, extending through the congested section of the great metropolis. What he meant was that the container was the length which he measured by his hands.

Those tubes are operated underground. They work under the congested streets. They work when there is congestion in these great centers, which congestion affects the whole country. It is not simply a privilege or an advantage given to New York, although that is much, and it is the duty of this Congress to look after the postal situation wherever it is.

What reason has the committee, what object has it, in advocating tubes, unless it is convinced after a careful investigation, after listening to all the arguments, pro and con, that they are in the interest of the public?

Mr. OVERMAN. Is this the same provision which was in the last appropriation bill?

Mr. TOWNSEND. No; it was not in the last bill.

Mr. OVERMAN. They have not had the tube service over there during the last year?

Mr. TOWNSEND. We have not had the tubes since 1918.

Mr. OVERMAN. How have they gotten on with business in New York since they took them out? Has there been any great complaint about it?

Mr. CALDER. Very great complaint.

Mr. WADSWORTH. There has been very serious complaint.

Mr. LODGE. There has been constant complaint in Boston, where the tubes have been removed. When those tubes were taken away there was constant complaint that it resulted in the greatest possible injury to the service.

Mr. OVERMAN. Is there any precedent for providing for this?

Mr. TOWNSEND. There is.

Mr. OVERMAN. I was going to make a point of order.

Mr. LODGE. A point of order would not stand.

Mr. NORRIS. Mr. President, like other Senators who have been in Congress for some time, I realize that this question has been before the Congress for a good many years in one form or another. I listened to the Senator from Tennessee [Mr. McKELLAR] with a great deal of interest, because his experience was so different from mine. I am satisfied I can not possibly have any prejudice. As the Senator from New York said, the objections come usually from people who are far away from the city, which I think is natural. One would expect it to come from such people, because the tube service is somewhat expensive. But, Mr. President, those of us who do not live in New York or any other great city, but have lived in the country all our lives, have a sense of justice and fairness, particularly if it is in a case where we or our people can not possibly be moved by any ulterior or selfish motive.

I wondered for quite a good many years why this contest over the tube service was carried on. I do not remember just when it was before the Senate before, but during the time when the Senate was under the control of the Democratic Party and this question came up, I took time enough to make an investigation. I had never been on the committee; I had no personal experience with the tubes. I had not lived in a city where the tubes were operated, and I had heard great clamorings made on both sides.

I investigated. I read everything I could get on the subject—the reports of the various commissions and the reasons they gave for their reports. I never came in contact with this great lobby which has been referred to. They let me alone. There has not been anybody lobbying with me or doing any work which looked to me to be rotten or wrong. I have not seen any of it.

I investigated the subject the best I could, read the various reports, some of them made by Democrats and some by Republicans, so that I do not believe there was any partisan bias in it, and as I remember it now, with one exception, every investigation that was ever made resulted in a report in favor of the tubes.

I am inclined to think that when I went into the investigation I might have been prejudiced in favor of the tubes, because I realized that in the progress of civilization and the development of the great cities, the overcrowding which comes in our cities, the business which has come, the invention of the automobile, the crowding of the streets—something must be done, not only in New York but in all the other cities of the country, to get rid of some of the congestion. Some of the things which are on the streets must come off or the streets must be made wider and broader.

It seems to me that in the natural evolution and progress of civilization there must come tubes, there must come tunnels, there must come elevated railways. Means of communication from one part of a great city to another can not be afforded altogether upon the surface of the streets. It is a physical impossibility. Thus we have had developed in all the cities of the world tunnels, street cars running underground, elevated roads running overhead, in order to avoid the congestion which makes such things necessary.

There was only one thing which seemed wrong to me in connection with this tube business, and that is that the Government did not operate the tubes, that the Government did not own the tubes. The public owns the streets, and the Post Office Department handles the mail, and it ought to utilize the streets, if necessary, underground or overhead, or any other way which modern invention and modern business investigation show as the most efficient way. It has seemed to me that the way to send the mail from one part of a great city to another is underground. That, I believe, will become common in all the cities of the country. It is the natural progress and evolution of business. I do not see how we can escape from it, whether we like it or not. It is coming to that.

You can send first-class mail, anyway, underground more cheaply and in a more efficient way than you can send anything else underground, and that is the mail everybody desires to have handled expeditiously. The excavation necessary is small. It is not as expensive as to build a subway, and the tube can operate night and day, in storm or sunshine, regardless of the amount of business that is going on overhead or down below.

We are all sympathetic with any other part of the country when their business is obstructed or interfered with, no matter what may be the cause; so it seems to me that this question extends away beyond New York. It is a question of the most efficient way of handling the mail.

I am not an expert. I have to rely on others who have made these investigations. The recommendations have all been one way, and they coincide with what in a general way seems to me to be inevitable. One does not have to be an expert to know how the streets in the cities are crowded. One does not have to be an expert and go to New York to know that you take your life in your hands, almost, if you try to cross the street there.

Mr. CALDER. It may interest the Senator to know that over 1,000 people were killed in the streets of New York last year—run over by heavy traffic.

Mr. NORRIS. I would expect that. Part of that ought to be avoided, I think, even with the great crowding that we have there. Part of that comes, like it comes in this city and other cities, from recklessness and the crazy manner in which a great many people who ought to be in jail are operating automobiles on the public streets.

But everybody knows that the legitimate traffic in the cities is such as to absolutely interfere with the transaction of business, especially when there is a storm on. A big snowstorm will block almost everything. If there should be piled up a day's mail in the city of New York, the effect of it would be felt all over the United States. I realize that we can not always escape that condition. The management of the tubes may be interfered with. I think accidents may happen to them and they may be affected. If that should happen to come at the same time the service on the street was obstructed, it would be just the same as if we had no tubes.

But, Mr. President, I think the country ought to progress; I think we ought to go ahead and to realize that ahead of us is not only New York, but all the other great cities, and eventually communication between the cities. I may not live to see it, but there are those who will, in my judgment, live to see the day or the time when there will be tubes operated between Chicago and New York, when the mails will be carried all the way between those two great cities by means of tubes, and in the end it will be a great saving of money. It will permit the surface railroads to utilize their forces in the operation and transportation of passengers and freight to a much better advantage.

These things I think are in their infancy and they are a part of human progress. It was not very long ago when lots of fellows stood out against the automobile and said it was nothing but a plaything and would not amount to anything, and yet it has driven the horse off the street.

I remember when I came to Congress, before I had hardly got the seat warm, I listened to a great debate among the leaders of the Democratic and Republican Parties in condemning Langley for trying to fly through the air. I think some time I shall dig up that old debate and read it to the Senate. What a wonderful amount of eloquence and humor was spent in condemnation of those who thought that we might eventually get flying machines. Those who condemned were honest, but they were standing in the way of human progress. If there is anything corrupt or wrong about the tube business, expose it and punish it, but we will not get anywhere if we stand in the way of human progress. That is just as certain as the rising and the setting of the sun. I think we ought to put in tubes. The Government ought to do it. There was an opportunity once to buy all these tubes, and I thought the Government ought to avail itself of that opportunity and operate them. I believe it would bring efficiency and, in the end, economy to the Government.

Mr. KING. Mr. President, I raise a point of order against the amendment.

The VICE PRESIDENT. The Senator will state his point of order.

Mr. KING. It is in contravention of subdivision 3 of Rule XVI, Standing Rules of the Senate, page 21:

> No amendment which proposes general legislation shall be received to any general appropriation bill.

My contention is that this is general legislation, also that it is new legislation. There was a statute, but the maximum permitted in the statute was $17,500 per mile, and this permits an increase above the general law. The contention which is made that there is a general law which covers this does not apply because this modifies the existing law and therefore it would be general legislation. It would not be pursuant to existing law. It is a modification and change of the existing law.

Mr. LODGE. Mr. President, a similar point of order has been made before the Senate previously on this very matter. On an amendment to the Post Office appropriation bill, directing the Postmaster General to continue the pneumatic-tube service until June 30, 1918, and providing for the appointment of the congressional commission, a point of order was made that it was general legislation. Vice President Marshall ruled, and I quote from his ruling:

As to whether this be general legislation or not, the Senate is the ultimate judge on an appeal. The Chair does not think that this is general legislation at all. The Chair believes that the Postmaster General is given the conduct of the affairs of the Post Office Department as the servant of the Congress of the United States, and not its master, which conduct the Congress may change at will.

On March 27, 1920, the Senator from Kansas [Mr. CURTIS] in the chair ruled that pending legislation affecting the tubes was in order, calling attention to the ruling of the Vice President to which I have just referred. The amendment on which the Senator from Kansas ruled as Presiding Officer provided that the machinery of the pneumatic tubes be continued in the post-office buildings and proposed the appointment of a postal commission to consider various postal problems, including the tubes.

Mr. KING. Mr. President, if I may be pardoned, the last illustration which the Senator gave when the Senator from Kansas was in the chair, seems to me is not applicable, nor is it analogous. In that case there was no opportunity whatever to change existing law. The only question was, Shall the existing law be continued? and very properly it was held that the existing law could be continued or might be continued. That would not be a point involved here. The existing law limits, as I am advised, the appropriation to $17,500 per mile. Here is a proposition to increase the amount above that which the existing law provides.

Therefore, the illustration given by the Senator from Massachusetts would not be applicable. This is a change of existing law. If this should fix the same amount as compensation for carrying the mail through the tubes as provided by existing law, a different question would be presented; but so long as it does not reenact, or rather reintroduce, the existing law and permit the application of existing law, but amends existing law, increases the amount which is to be awarded for carrying the mail, then I insist that it is new legislation, general legislation upon an appropriation bill, and comes squarely within the rule.

Mr. LODGE. Of course, the Senator is as well aware as I am that the phrase "change of existing law" is a House phrase. This is a question of general legislation, and I have read the decision that it is not general legislation. Of course, as to increasing the amount to be paid from $17,500 to $18,500, that is taken out of the rule by the fact that it is estimated for and reported from a standing committee. It is also in the Budget estimate.

The VICE PRESIDENT. The position as stated seems to be correct. The amendment is within the exception. The rule provides that—

Unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments.

New items shall not be added. This amendment does not seem to be general legislation, as it applies only to New York City and Brooklyn. The Chair is of the opinion that the point of order is not well taken.

The yeas and nays have been ordered, and the Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "yea."

Mr. FERNALD (when his name was called). I make the same announcement as previously with reference to my pair and its transfer and vote "yea."

Mr. McKELLAR (when his name was called). Making the same announcement as on the previous vote as to my pair and its transfer, I vote "nay."

The roll call was concluded.

Mr. BALL. Making the same announcement as to my pair and its transfer, I vote "yea."

Mr. WILLIAMS. I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. KING (after having voted in the negative). I discover that the senior Senator from North Dakota [Mr. McCUMBER], with whom I have a general pair, is absent. I transfer my pair with that Senator to the senior Senator from Missouri [Mr. REED] and allow my vote to stand.

Mr. KENDRICK. Has the senior Senator from Illinois [Mr. McCORMICK] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. KENDRICK. I have a general pair with that Senator. In his absence I transfer my pair to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. STANLEY. I have a general pair with the junior Senator from Kentucky [Mr. ERNST]. Not knowing how that Senator would vote, I transfer my pair to the Senator from Rhode Island [Mr. GERRY] and vote "nay."

Mr. KELLOGG (after having voted in the affirmative). I transfer my pair with the Senator from North Carolina [Mr. SIMMONS] to the Senator from Kansas [Mr. CURTIS] and let my vote stand.

Mr. JONES of Washington. I was requested to announce that the Senator from North Dakota [Mr. McCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. McLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained at a hearing before the Committee on Finance.

I also wish to announce the following pairs:

The Senator from Connecticut [Mr. McLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Virginia [Mr. GLASS].

The result was announced—yeas 36, nays 19, as follows:

YEAS—36.

Ball	France	McKinley	Rawson
Brandegee	Gooding	McNary	Spencer
Broussard	Hale	Moses	Sterling
Bursum	Johnson	Nelson	Sutherland
Calder	Jones, Wash.	Norris	Townsend
Capper	Kellogg	Oddie	Underwood
Edge	Keyes	Phipps	Wadsworth
Elkins	Ladd	Pittman	Warren
Fernald	Lodge	Poindexter	Willis

NAYS—19.

Ashurst	Kendrick	Robinson	Swanson
Caraway	King	Sheppard	Walsh, Mass.
Harris	Lenroot	Shields	Watson, Ga.
Harrison	McKellar	Smith	Williams
Heflin	Overman	Stanley	

NOT VOTING—41.

Borah	Fletcher	Myers	Shortridge
Cameron	Frelinghuysen	New	Simmons
Colt	Gerry	Newberry	Smoot
Crow	Glass	Nicholson	Stanfield
Culberson	Harreld	Norbeck	Trammell
Cummins	Hitchcock	Owen	Walsh, Mont.
Curtis	Jones, N. Mex.	Page	Watson, Ind.
Dial	La Follette	Pepper	Weller
Dillingham	McCormick	Pomerene	
du Pont	McCumber	Ransdell	
Ernst	McLean	Reed	

So the amendment of the committee was agreed to.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. LODGE. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The ASSISTANT SECRETARY. On page 11, line 26, after the numerals, it is proposed to insert the following:

Provided, That hereafter 45 minutes' night work performed by clerks and special clerks in first and second class post offices, railway mail clerks assigned to terminals, and letter carriers in the City Delivery Service shall be computed the same as one hour's day work: *Provided further*, That for the purpose of this computation night work shall be defined as any work done between the hours of 6 o'clock post meridian and 6 o'clock antemeridian.

Mr. LODGE. Mr. President, at this late hour I do not desire to take the time of the Senate, but I wish to say that my reason for offering this amendment—which may require some modification in conference, but which I think is sound in principle—is that at least 40 per cent of the clerical force, or about 20,000 post-office clerks, work partially or wholly during the

night. They receive no concession in pay or in time off for the hardship of night work. This is nothing new, because other branches of the Government recognize the undesirability of night work by granting pay differentials for night workers as follows: Ten per cent in arsenals, 5 per cent in navy yards, 20 per cent in the Government Printing Office, and 10 per cent in the mail-bag repair shop.

Practically all post-office night work is confined to mail distribution. That means it is performed by men who must study distribution schemes in their own time in order to meet the department's requirements. I venture to think that a shorter workday or some additional pay for night work for the employees covered by the amendment is fully justified.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Massachusetts.

Mr. TOWNSEND. Mr. President, the proposition involved in this amendment came before the Committee on Post Offices and Post Roads after we had closed our hearings. When we were considering the bill the representatives of the clerks came before us and made a very strong case but not a conclusive one. The committee, I think, as a rule are in sympathy with the idea of granting some recognition to night work, but whether it should be by extra compensation or shorter hours has not been determined. Just how much it would cost the Government if we should adopt this amendment no one can tell; indeed, no one can make a reasonably approximate guess as to what it would cost.

Your committee decided that we were perfectly willing at the proper time to consider a bill proposing legislation to cover this matter if one should be introduced, to hold hearings upon it, and ascertain what ought to be done. Some of the clerks think night work should be recognized by extra compensation, while others think there should a difference in hours allowed.

Mr. President, without any desire to neglect the claims of the employees covered by the amendment, I feel it is necessary under the statement which I have made to make the point of order against the amendment that it is new and general legislation, and under no theory can it be made a part of the pending bill. No one could more regret to make the point of order than do I, but I make it in view of the facts in the case which I have stated. I repeat that should we vote this amendment into the bill that action would be taken without any idea of what it would cost or how it would affect the service. Your committee is perfectly willing to take this question up if any Senator shall introduce a bill to change the compensation for night service, and to hold hearings upon it for the purpose of reporting some intelligent legislation to the Senate. We are not in a position to do that now. For the reasons I have stated I am impelled to make the point of order against the amendment.

The VICE PRESIDENT. The Chair understands that the point of order is that the amendment is general legislation?

Mr. TOWNSEND. I make that point of order against the amendment.

The VICE PRESIDENT. That being the point of order, it is well taken.

Mr. LODGE. I shall not contest the ruling of the Chair. I simply ask permission to have printed in the RECORD at this point certain extracts from the testimony relating to the question involved in the amendment.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

Excerpt from testimony of Thomas F. Flaherty, secretary-treasurer National Federation of Post Office Clerks, before Senate Committee on Post Offices and Post Roads March 6, 1922.

Mr. FLAHERTY. Now, testifying before the Joint Commission on Postal Salaries, Mr. Firmin, superintendent of the money-order division, of New York, and one of the experts now that is advising your commission, said on this very question of night work, and I quote briefly from his testimony on page 388.

The CHAIRMAN. Of what?

Mr. FLAHERTY. Of the printed hearings on the postal facilities required at Chicago and Boston.

The CHAIRMAN. Does that say what volume?

Mr. FLAHERTY. That is part 3. The hearing was October 4 and 5, 1921, and this is on page 388. I quote briefly from Mr. Firmin's testimony:

"We believe that some of the things we recommend will minimize night work, but while we have made no recommendation now I think that I can speak—we have taken no vote on it, and haven't discussed it in any way of presenting it to your commission—but I think I may speak for my associates, that we believe the solution of the night work is to shorten the night period of work to make 45 minutes or 50 minutes the equivalent of an hour of work put in between 6 p. m. and 6 a. m.

"That was before your commission, you will recall, when you were discussing salaries and allowances, and it was never enacted into legislation. There wasn't any legislation along that line.

"I think you will concur in that idea.

"Mr. SCHEEL. The idea being to differentiate between the time a man must work who is on night duty and a man who is on day duty?

"Senator MOSES. That suggestion was made uniformly at every office where we took testimony on the salaries commission—as to making a differentiation in the night work.

"Mr. FIRMIN. I believe it would go very far toward removing the objection to night work and promoting the morale."

Then he goes on and makes an excellent argument in favor of the proposition, pointing out how difficult it is in a city of the size of New York, or any other large city, for a man to get the proper rest and recuperation during the daylight hours, because of the noises on the streets as well as the noises of the tenement houses. Consequently it saps a man's vitality, which, in turn, is reflected in his work.

Now, Mr. STEENERSON says:

"Mr. STEENERSON. How about the expense of making a 6-hour day instead of an 8-hour day?

"Mr. FIRMIN. I think if you take 10 minutes off of the period put in between 6 p. m. and 8 a. m., that would be 80 minutes in a day; 80 minutes on a tour. That would be an hour and 20 minutes. I don't know—nobody knows—but I believe that that would at least be not less than 50–50 from the working proposition—I think that if you did not get the full 8-hour service out of the man on account of the reduced hours that it would not be more than 40 minutes' loss anyway, and we would have a very much more contented employee with an improved morale, and I think he would be less likely to call upon the Government for disability under our retirement act, and so on.

"In general, I think it would be an improvement to the service."

Mr. Chairman, you are personally acquainted, of course, with Mr. Firmin, and you know that he is one of the best-posted men in the service on this problem, and his judgment in sustaining the views of the employees should carry considerable weight.

I have here also the unanimous report from the House Post Office Committee. This was to the Sixty-fourth Congress. The report was written by Mr. Madden, and in part it says on this question of night work:

"The night work performed as it is by the clerks standing at a letter case or pouch rack, working under artificial light, with the eyes constantly employed, deciphering all kinds of addresses, is unnatural, detrimental to health, and seriously impairs the eyesight.

"Night work constitutes the most discouraging feature that confronts men entering the Postal Service. It cuts them off from all the natural social life of the community; it destroys the possibility of happy home life, depriving the head of the family of the opportunity to enjoy his leisure hours with his family.

"In the British postal service it has long been provided by law that postal employees shall be paid at the rate of time and one-fourth for all work performed after 6 o'clock in the evening. In the Government Printing Office in Washington, D. C., the depressing and unnatural effect of night work is recognized by giving to the employees engaged in the night service the benefit of a differential schedule of hours."

Then this report brings up another phase of this question which perhaps should be brought to the attention of the subcommittee.

"In addition to this handicap, the great majority of post-office clerks are under the constant necessity of studying so-called "schemes" of mail distribution. These "schemes" consist of the names of the thousands of post offices in every State in the country. These "schemes" indicate the railway train that will carry the mails to these thousands of post offices.

"The average post-office clerk is compelled to memorize and carry in his head anywhere from 3,000 to 10,000 names of different post offices."

That statement is embodied in the unanimous report of the House Post Office Committee in the Sixty-fourth Congress.

I might call the subcommittee's attention to the fact that practically all of the night work in the service is mail distribution. The men performing it are distributors, and consequently they must, after office hours, study distribution schemes in order to keep fit mentally. Their promotions depend upon it. In fact, their retention in the service depends upon their ability to pass what is technically known as the "case examination." So when they finish their tours in the office they are constantly put to the necessity of going home and studying upon their own time. That is one compelling reason, in my judgment, why the Congress should reduce the tours for night workers in the Postal Service, taking into consideration the fact that they must devote a considerable portion of their time off duty to really what is post-office work, namely, mastering of distribution schemes.

The Railway Mail Service takes it into consideration in fixing the tours of the railway mail clerks. In the terminal post offices, which, by the way, are under the jurisdiction of the Second Assistant Postmaster General, and are consequently looked upon as part of the Railway Mail Service, the distributors are given a 20-minute time differential every day; that is, they work 7 hours and 40 minutes.

PERCENTAGE OF MAIL DISTRIBUTED AT NIGHT.

Senator PHIPPS. Do you feel that your estimate of 40 per cent of the labor being performed after 6 o'clock p. m. can be correct? Do you think you can substantiate that statement?

Mr. FLAHERTY. I have inquired at the department and they have no data. That is more or less of an estimate. I think it is a little low. I think candidly it would run a little above 40 per cent. We are accustomed to saying that 75 per cent of the mail distribution is performed at night. I have heard that statement made repeatedly.

Senator STERLING. By night you mean between 6 o'clock p. m. and 6 o'clock a. m.?

Mr. FLAHERTY. Yes, Senator; but some of that, of course, is performed by auxiliary help and some by substitute help. My estimate here is that 40 per cent of the entire clerical pay roll would cover the department's activities from 6 o'clock p. m. to 6 o'clock a. m., because it must be remembered that money-order and station work and a great many of the other activities practically cease around 6 o'clock. The only activity, in fact, of any magnitude after that is the distribution of mail.

We have attempted to minimize the night-work requirements by conducting a "mail-early" campaign. We placed advertisements in magazines, but it does not have the desired effect. We feel really that the only solution is the passing of the legislation that has been suggested, namely, the granting of a time differential of 15 minutes.

Twelve States, by the way, have laws prohibiting women working at night. That is in recognition of its hardships. The British postal service for many years has recognized seven hours of night work as equivalent to eight hours of day work. So there is ample sanction and ample precedent for legislation of this kind.

"Thus is his body often weakened and his health is broken. His spirits are dulled and he becomes disconsolate against most trying condi-

tions. His nerves weaken and make him subject to violent reactions from even the slightest stimulation, since his inhibitory centers have, as it were, ceased to function."

Prof. Frederick S. Lee, of Columbia University——

Senator WALSH (interposing). Is that a decision of the court by Justice Brandeis?

Mr. FLAHERTY. No. That was in a brief that he prepared.

Senator WALSH. Before he was Justice?

Mr. FLAHERTY. Yes, sir.

Prof. Frederick S. Lee, of Columbia University, said:

"Night work is characterized by greater fatigue than is day work. It is interrupted by sleep. Its curve of output falls off at an excessive rate in the morning hours. Its daylight output is less than with day work. It has a deleterious effect on health. All these are inimical to a high degree of efficiency."

I think those statements are particularly pertinent to our postal night-work problem, which is largely the work of mail distribution, performed at high tension, performed frequently under sanitary conditions that are inimical to the health and well-being of the employees.

Most of you men, I think, have been inside of the large post offices, and you know what the environment is.

Senator PHIPPS. In most of the large ones, is it not a fact that artificial light is used a great portion of the time?

Mr. FLAHERTY. Yes; that is true in many of the offices. I regret to say the men are working under artificial light the greater portion of the 24 hours.

ESTIMATED NUMBER OF EMPLOYEES ON NIGHT TOURS.

Senator WALSH. In my absence was there anything said about the number of men in these night shifts?

The CHAIRMAN. No. He estimates that possibly there are 40 per cent.

Senator WALSH. Forty per cent are night employees?

Mr. FLAHERTY. That is a conservative estimate. It will run a little more than that. That would probably be around 20,000 clerks employed at night. There are about 50,000 clerks and special clerks in the service.

Senator WALSH. I am amazed at that.

Mr. FLAHERTY. As perhaps you know, they received no recognition in the way of time or of a differential in wages for the hardships of the night work.

Senator WALSH. We discussed that the other day. That is why we asked for the hearing.

Mr. FLAHERTY. Yes, sir; I discussed that at the beginning. In fact, Senator TOWNSEND said that he felt the subcommittee was familiar with the general aspect of the question, and he suggested to me that I briefly call attention to any new points that I might have in mind. So I have refrained from going into the general philosophy of the thing, which I do not believe is necessary. You must know that night work is unattractive and that on the other hand we realize that some of it is necessary in the service. It can be minimized somewhat, that is true, but there always will be night work.

Senator WALSH. Which would the men prefer, a reduction in hours or an increase in wages for night work?

Mr. FLAHERTY. They would prefer, I believe, a reduction in hours. They do not want to utilize night work as a means of increasing compensation. The primary object, of course, is to curtail the volume of night work. We must concede, however, that by penalizing it, by paying the men who perform it a little more, that effect would be brought about, because the department would immediately move to put into effect certain restrictions.

Senator MCKELLAR. Would that not be better than alternating hours?

Mr. FLAHERTY. I think not, Senator. In fact, this very question has been discussed repeatedly at our meetings and conventions, and we have come to the conclusion that the time differential is better than the wage differential, although as I explained perhaps before you came in, in private industries and in the Government Printing Office, arsenals, the navy yards, and the mail bag repair shop, they have attempted to solve the question by means of a wage differential.

Senator MCKELLAR. What differential do they generally fix?

Mr. FLAHERTY. The Printing Office gives 20 per cent. The navy yards give 5 per cent, the arsenals 10 per cent, and the mail bag repair shop 10 per cent. The War Labor Board during the war—and that was a governmental agency—imposed a 5 per cent differential in night work.

Mr. PITTMAN. Mr. President, I wish to call the attention of the chairman of the committee to an amendment on page 21.

Mr. HARRISON. Before the Senator proceeds, will he yield to me to ask a question of the Senator from Massachusetts?

Mr. PITTMAN. Yes.

Mr. HARRISON. Do I understand the Senator from Massachusetts to serve notice under the rule that he will move to suspend the rule in order that the amendment which he has proposed may be voted on?

Mr. LODGE. That can not be done without a day's notice, as the Senator from Mississippi knows perfectly well.

Mr. HARRISON. Probably the Senator from Massachusetts might get the Senator from Michigan to permit the bill of which he has charge to go over until to-morrow. In that event the Senator from Massachusetts could give notice to-day and the amendment could be voted on to-morrow.

Mr. TOWNSEND. The probabilities are that the Senator from Michigan would hardly agree to that.

Mr. PITTMAN. I desire to call the attention of the chairman of the committee to an amendment on page 21 providing for the readjustment of star-route contracts. The committee amendment simply provides for an investigation and report by the Postmaster General at the next session of Congress. I believe that under the act of July 2, 1918, there was a readjustment of star-route contracts in the first, second, and third star-route sections in the United States; at least, so I am informed.

Mr. TOWNSEND. Mr. President, it is not my recollection that the law to which the Senator refers applied simply to those three sections. A readjustment was authorized of contracts that had been made prior to the war, and quite a number of them were adjusted; that is, hearings were had and a determination was made to grant extra compensation where it was found necessary. The committee amendment proposes that all contracts which have been made during the war or since the war shall be taken up, and that Congress shall authorize a readjustment and additional compensation to be paid.

The committee, realizing full well some of the conditions that obtain in the star-route districts in the West, after hearing the department in the matter, came to the conclusion that we were not in a position to recommend any legislation on this subject until we had all the facts. Therefore we authorized the department to proceed to inform itself and to report to Congress at the beginning of the next session, on the first Monday in December, what are the facts; how many cases there are where complaint is made; under the claims which may be presented what the estimated cost of the readjustment will be, and whether, as is claimed by some, it should be confined merely to the fourth district or should cover all four of the star-route districts in the United States. We considered that very carefully and sympathetically, but we were not in a position, nor could we get in a position at that time, to inform ourselves in such a manner that we could at present report legislation to the Congress on this subject.

Mr. PITTMAN. Mr. President, I think the information which I have from the hearing, that there was a readjustment in all except the fourth section, is correct. That section takes in practically all of the Western States; in fact, it is as large as any other two sections, and the amount of star-route business in that section is probably twice as great as in any other section.

I realize that the committee have given and are giving consideration to this matter. I am also perfectly aware that if any attempt were made to add such an amendment to the bill at this time the amendment would be subject to a point of order, and that the Senator from Michigan would make the point of order. Furthermore, it is probable that under the provision reported by the committee as much time will be saved as would be saved if we authorized the department to adjust these contracts, because, in any event, I assume there will have to be an investigation of each particular case.

I understand that this bill when finally passed will authorize the Post Office Department to hear these cases, to obtain all of the facts, and to make recommendations with regard to them, and then, with their report, to submit estimates to cover any readjustment which may be agreed upon. I hope that there will be no delay in taking action concerning this subject on the opening of the next session of Congress, because personally we all know that a number of star-route contractors, particularly in the West, have suffered greatly. They may have suffered also in other sections of the country, and probably have; but I do not know the facts as to that situation. I simply ask leave now to have printed in the RECORD at this point, for the consideration of Senators and for the Post Office Department, if they shall see fit, a statement by Mr. Leslie T. Alward, president of the Star Route Mail Contractors' Association of the fourth contract section. The statement is very short.

Mr. TOWNSEND. I have no objection to that.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

Statement of Leslie T. Alward, president of Star Route Mail Contractors' Association of Fourth Contract Section, relative to H. R. 9779 (same as S. 2936), authorizing a readjustment of compensation of contractors for the fourth contract section, composed of the following States:

Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, Nevada, and California. This section is the largest and the service the most difficult to operate in the United States, requiring in many cases expensive motor and horse-drawn vehicles transporting daily tons of parcel-post matter through snow and over mountains to rural sections. This bill was drawn up by officials of the Post Office Department, after conferences with a number of Members of Congress and myself, and therefore may be taken as representing the views of the department.

The act of July 2, 1918, authorizing a readjustment of compensation of contractors on star routes, where the contracts were entered into prior to June 30, 1917, were adjusted and paid. This act adjusted star-route contracts in first, second, and third contract sections.

Postmaster General's annual report, 1919, pages 43 and 44. Act of July 2, 1918:

"Congress, realizing the additional burden placed upon contractors for furnishing vehicles used in the transportation of mails as the result of the unusual conditions resulting from the war, incorporated a provision in the act making appropriations for the maintenance of the Postal Service during the fiscal year 1919, authorizing the Postmaster General to investigate conditions arising from contracts in screen-wagon and other vehicle service entered into prior to June 30, 1917, with the view to determine whether any adjustment should be made in the compensation of the contractor and to adjust the same for services and materials thereafter to be furnished in cases where the facts disclosed the necessity for such an adjustment. As a result of these investigations it was found that but few of the contractors maintained records sufficiently complete to show definitely the effects of the war on the

cost of executing their contracts. It has therefore been difficult to make satisfactory adjustments in many of the cases. Practically all of the contracts subject to adjustment have been acted upon, and it is found that the average increase granted amounts to 31 per cent of the contract rate."

Post Office appropriation bill for year 1919, hearings, pages 155 and 156. Mr. Blakslee (Fourth Assistant Postmaster General, speaking of star-route contractors): "Naturally the contractor with the Government has more than the actual compensation in mind when he makes the contract. A large number of these contractors say:

"'This is good advertising for me; this is good in my business, for the reason it is known I am identified with the Government, it is going to help me.'"

Mr. BLACK. I am not talking about the sale of supplies; I am talking about the performance of service. I know of star routes where, if it was left to me to judge as to the equity of salary compared with work of like nature, I would say that they were very inadequately paid.

Mr. BLAKSLEE. I want to give you another suggestion: There ought to be legislation whereby the Postmaster General should be authorized to investigate contracts in existence, and where it is shown that the contractor is suffering material loss, through no fault of his own, he should be authorized to increase the compensation of such a contractor. No man should be asked to continue a contract two years under prevailing conditions, which are abnormal, at the price he bid two years ago.

Postmaster General's Report, 1921, page 55: "During this fiscal year the peak of abnormal prices of material and supplies resulting from the war was reached, and the falling market on tires, tubes, oil, grease, and gasoline is reflected in the operating cost of Government-owned motor-vehicle service. A corresponding decrease in the cost of labor has not occurred. Notwithstanding the statements of the former administration recommending legislation for readjustment of compensation of star-route contracts due to abnormal conditions, an unfavorable report was given by the Post Office Department on various bills introduced in Congress during the past two years for relief of star-route contractors of fourth contract section, 'the far West.'"

During the fiscal year ended June 30, 1921, the peak of abnormal prices of material and supplies was reached.

This great fourth contract section, that lacks only less than 5 per cent of being as large in total as the other three sections combined based on the annual miles of travel, this difficult section, operating in the rural districts over mountains and through snow, transporting tons of mail daily, requires two separate equipments—motor service in summer and horse drawn in winter—transporting the excessive amount of parcel post due to advance in freight and express rates.

The contractors of the fourth contract section have used their savings for years to meet the unusual situation, operating on borrowed capital, their homes mortgaged, and in many cases the personal sureties advancing money. Up to this time their appeals have been in vain; they have seen their families denied the necessities of life, but these conditions have only nerved them for greater sacrifices, and as a result they are now appealing in person to you through a lone contractor who has journeyed across the continent to present their cause. The law for special privileges has no place in our American institutions. All contracts not founded upon justice are a violation of American rights; you may legalize a wrong, but you can not make it right. It is useless for me to enumerate the many readjustments and extra compensation given the railroads, running into many millions of dollars, due to unusual conditions, also the reclassification act adjusting all employees of the Federal Government. I am not here to quarrel with you on that account, but am here appealing that justice be done those struggling contractors of the West, that have so far been given no consideration.

Report of Postmaster General, page 71, 1921: "Humanizing the Postal Service is simply a 1921 application of the golden rule. We are trying to help declare the President's era of the golden rule by applying it to the Postal Service." We have read with deep concern the many publications in the press whereby unusual conditions will be met by new systems, and we firmly believe when the true facts relative to the condition and situation of the star-route contractor of the fourth contract section are known, doubtless a just administration will awaken to their relief.

Number of star routes in operation June 30, 1921.

First contract section, 2,975	$2,552,602.20
Second contract section, 2,118	2,112,487.45
Third contract section, 1,235	1,064,110.95
Fourth contract section, 4,366	5,737,784.07

The cost per mile of travel under these contracts is 15.57 cents.

Cost per mile of rural carriers (over), 20 cents.

Cost per mile, Government owned in cities, with driver operating on paved streets (1921 annual report, p. 182, Table 24):

	Cents.
Ford, three-eighths ton, per mile travel	31
Overland, one-half ton, per mile travel	34
Studebaker, one-half ton, per mile travel	52
Dodge, one-half ton, per mile travel	52
White, three-fourths ton, per mile travel	41
Reo, three-fourths ton, per mile travel	60
White, 1 ton, per mile travel	48
United States, 1½ tons, per mile travel	57
White, 1½ tons, per mile travel	55
Pierce Arrow, 2 tons, per mile travel	84
Packard, 3 tons, per mile travel	70

Page 52, same report:

"With the close of the fiscal year June 30, 1921, there were in operation 27 star routes with Government-owned equipment. Shortly after the present administration assumed charge and general survey was commenced on the assumption that the period for experiment to demonstrate the cost of efficiency of the service by Government-owned motor equipment as compared with like service under contract was at an end and that the department would now be justified in taking steps, where the cost of the service performed by Government-owned equipment is found to be excessive and out of proportion to the needs and requirements of the service, to ascertain whether service under contract could not be obtained at a more reasonable rate and equally as efficient. * * * As a result of this survey eight of the routes have been ordered discontinued and one route curtailed since July 1, 1921, and adequate service under contract will be substituted at much less cost to the department and without impairment to the service."

It is true the contractor of the West has not been able to send high-salaried attorneys here to plead his cause, as has been the case of large corporations, but I believe this honorable investigating committee will give due consideration to the facts presented.

The contractors of the far West are watching with deep concern the action taken on this bill, which they believe will permit a fair and reasonable readjustment and compensate them in part for actual losses which were sustained through no fault of their own, but which were the result of conditions that could not be foreseen.

LESLIE T. ALWARD,
President Star Route Mail Contractors' Association of Fourth Section.

Mr. CARAWAY. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 26, after line 21, it is proposed to insert the following:

In the selection and appointment of postmasters and letter carriers, either city or rural, any former honorably discharged soldier of either the Spanish or World War, when eligible, shall have preference in appointment.

Mr. TOWNSEND. I make the point of order against that amendment.

Mr. CARAWAY. I hope the Senator will withhold the point of order.

Mr. TOWNSEND. I withhold the point of order.

Mr. CARAWAY. Mr. President, it was the intention of Congress to give honorably discharged soldiers of the Great War eligible for appointment preference in appointment to positions of employment under the Government. By what process of reasoning I do not know the Post Office Department of the present administration claims that this has no application to appointments as postmasters or letter carriers. I can not understand why the Senator from Michigan should insist that while the law now requires the departments to give preference to ex-service men where they are selected, we will say, as clerks in post offices, he is unwilling that the law shall be extended so that this preference may extend to the selection of postmasters and rural and city letter carriers. Therefore I sincerely hope that the Senator from Michigan will not make his point of order, but will let us give the former soldiers an opportunity to get honorable employment under the Government.

I know it was said over and over and over again, when these boys were called into the military service, that when they should come home, if God should spare their lives, they would be given the preference whenever any good places were to be given out; and I do not think we can afford now to deny them the modest employment of being appointed postmasters and letter carriers, either city or rural.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CARAWAY. I yield.

Mr. McKELLAR. Especially in view of the fact that so many countless thousands of them are without any employment at all.

Mr. CARAWAY. Absolutely; and there is not any reason this preference should not be extended to them. There is no justification for refusing to do it. We have promised them the preference. Let me call attention again to the statement of the former Postmaster General, Will Hays. He said in effect that any American employer who did not give the preference to a former service man when any good job was to be given out was no longer an American citizen. Can we, in the Senate, afford to fall within the class that the former Postmaster General reads out of American citizenship? Of course, the Postmaster General did not live up to his high premise. I hope the Senator from Michigan will not make the point of order.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arkansas.

Mr. TOWNSEND. Mr. President, I have no objection to a vote being taken on that amendment if it can be taken right now, although it is subject to a point of order. I can not understand, except for political reasons, why it should be introduced here instead of being introduced first as a bill and presented to the committee; but I am anxious to get a vote on this matter. I hardly know what to do. I think I will make the point of order that this is new legislation and general legislation on an appropriation bill.

Mr. CARAWAY. Mr. President, I am astonished that the Senator should renew his point of order denying to the Senate the right to pass upon this question. Why should anyone object to giving these brave soldiers of ours a place of honorable employment?

The VICE PRESIDENT. The Chair rules that the point of order is well taken, being general legislation on an appropriation bill.

Mr. CARAWAY. I offer another amendment, which I send to the desk; and I desire to give notice that to-morrow I shall

move to suspend the rules in order to get a vote upon the amendment which I have just offered.

The VICE PRESIDENT. The amendment which the Senator now offers will be stated.

The Assistant Secretary read as follows:

Hereafter the heads of departments and independent establishments of the Government shall give to employees under their jurisdiction who have been honorably discharged from the Army, Navy, or Marine Corps on account of disability incurred in line of duty preference in assignment of positions and hours of duty and also seniority rights over other employees in the same grade or class.

Mr. TOWNSEND. I make the point of order that this is general legislation on an appropriation bill.

The VICE PRESIDENT. The point of order is well taken. It is general legislation on an appropriation bill.

Mr. HARRISON. Mr. President, I offer the matter which I send to the desk as a separate provision, to go at the end of the bill.

The VICE PRESIDENT. The amendment will be stated.

The Assistant Secretary read as follows:

Resolved, That the President of the United States is requested to furnish to the Senate the name of every person appointed by Executive order setting aside the civil-service rules, and to furnish to the Senate the reasons therefor.

Mr. TOWNSEND. I make the point of order that that is a resolution, as the Senator knows, which he can bring up at any time without putting it on an appropriation bill.

Mr. HARRISON. Yes. I will bring it up immediately following the consideration of this bill, then.

Mr. TOWNSEND. I make the point of order.

The VICE PRESIDENT. The point of order is well taken.

Mr. HARRISON. Mr. President, it now being 25 minutes of 6 o'clock, I feel quite sure that the Senator from Michigan will not mind having the bill go over until to-morrow, since everything is finished except one amendment that the Senator from Massachusetts [Mr. LODGE] offered, which is a very splendid amendment, and I am sure would be agreed to if the Senate could vote upon the proposition. So, under the rules of the Senate I give notice, if the Senator will put off the bill until to-morrow, so that we can vote to suspend the rules——

Mr. TOWNSEND. I want to say that I can not consent to put off the bill until to-morrow. We have the bill finished now, and I want it to be acted upon finally before we adjourn. I do not know when we can get the bill up again. To-morrow we shall again begin the discussion of the treaty, and it will doubtless be continued until Friday.

Mr. HARRISON. Can we not get a unanimous-consent agreement that to-morrow at a certain time we shall vote, immediately on the convening of the Senate?

Mr. TOWNSEND. No.

SEVERAL SENATORS. No.

Mr. TOWNSEND. It can not be done. We have a unanimous-consent agreement pending now, and that agreement will be completed on Friday. It seems to me that nothing can be gained by putting off this bill in order that the Senator may present something else to the Senate. I shall make the point of order upon any proposition that proposes general legislation on this appropriation bill. All the other questions which the Senator wishes to bring up he can bring up either by resolution or by bill, and the legislative committees of the two Houses are ready to consider any reasonable, good-faith proposition that is presented to us.

Mr. HARRISON. This is offered in perfect good faith. It is the amendment that was just offered by the leader of the majority and is a very important amendment.

Mr. TOWNSEND. But it went out on a point of order.

Mr. HARRISON. It affects all the night employees in the Postal Service throughout the country, and they would welcome it. The suggestion I make is only to lay the bill over until to-morrow—I know of no other amendments that are going to be offered—so that we can vote on this matter to-morrow, as an expression of the Senate as to whether or not we are in favor of this amendment.

Mr. TOWNSEND. I insist upon the regular order at this time, so as to get through with this bill. The Senator himself is no more in favor of dealing justly with the employees of the Government than I am, as the record will disclose; but I am not ready, as chairman of the committee, to admit matters that are not pertinent, matters that have not been discussed in our committee, and which ought to be considered in the committee. As I said a moment ago, it is not simply a question of shorter hours, but it is an alternative proposition of greater compensation for night work; and until we have had hearings on the subject and a determination of it I shall not consent to new legislation going on this appropriation bill.

Mr. HARRISON. Of course, if the Senator insists on passing the bill to-night, and will not agree to letting it go over, the notice will avail us nothing.

Mr. CARAWAY. Mr. President, I send to the desk a notice which I ask to have read.

The VICE PRESIDENT. The notice will be read.

The Assistant Secretary read as follows:

I hereby give notice that on to-morrow I shall move to suspend Rule XVI of the Standing Rules of the Senate for the purpose of offering the following amendment, to wit:

On page 26, at the end of section 9, add:

"In the selection and appointment of postmasters and letter carriers, either city or rural, any former honorably discharged soldier of either the Spanish or World War, when eligible, shall have preference in appointment."

T. H. CARAWAY.

MARCH 20, 1922.

The VICE PRESIDENT. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. TOWNSEND. I ask unanimous consent that the clerks may correct any error that may have been made in the totals and in the numbers of the sections of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

APPOINTMENTS BY EXECUTIVE ORDER.

Mr. HARRISON. I send to the desk a resolution which I ask to have read, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 258) was read, as follows:

Resolved, That the President of the United States is requested to furnish to the Senate the name of every person appointed by Executive order setting aside the civil-service rules, and to furnish to the Senate the reasons therefor.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. WILLIS. I object.

The VICE PRESIDENT. Objection is made.

Mr. HARRISON. I ask that the resolution may lie on the table.

Mr. LODGE. It is out of order now, any way.

The VICE PRESIDENT. The resolution will lie over under the rule.

SERVICES FOR SOLDIER DEAD AT BROOKLYN, N. Y.

Mr. CALDER. Mr. President, the American Legion, Department of New York, has invited the President of the Senate and the Speaker of the House of Representatives to appoint a committee to attend the funeral services at New York of the last shipload of remains of the men of the American Army who were buried in France and are now being returned to this country. With that in mind, I have offered a Senate concurrent resolution, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate. I ask unanimous consent that I may report the concurrent resolution at this time, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Without objection, the report will be received. The Secretary will read the concurrent resolution for the information of the Senate.

The Assistant Secretary read Senate Concurrent Resolution 20, submitted by Mr. CALDER on the 11th instant, as follows:

Whereas the United States transport *Cambrai* is expected to arrive in New York on or about March 30, bearing the last of the bodies of American soldiers from the battle fields of the World War: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That a committee of five Senators, to be designated by the President of the Senate, and five Members of the House of Representatives, to be designated by the Speaker, is authorized to represent the Congress at such services and ceremonies as may be determined upon as proper and appropriate. One-half of the expenses of such committee shall be paid out of the contingent fund of the Senate and one-half out of the contingent fund of the House.

The VICE PRESIDENT. Is there objection to the immediate consideration of the concurrent resolution? The Chair hears none. The question is on agreeing to the resolution.

The concurrent resolution was unanimously agreed to.

The VICE PRESIDENT. Without objection, the preamble will be agreed to.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent

in executive session the doors were reopened; and (at 5 o'clock and 47 minutes p. m.) the Senate, in open executive session, took a recess until Tuesday, March 21, 1922, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 20 (legislative day of March 16), 1922.

ASSISTANT SURGEONS IN THE UNITED STATES PUBLIC HEALTH SERVICE.

Dr. Lieuen M. Rogers.
Dr. Hilaire D. Ogden, jr.

UNITED STATES COAST GUARD.

Ensign Norman R. Stiles to be a lieutenant (junior grade) in the Coast Guard of the United States, to rank as such from January 13, 1922, in place of Lieut. (Junior Grade) Joseph R. Besse, retired.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY.

CORPS OF ENGINEERS.

Col. Curtis William Otwell, Chemical Warfare Service, with rank from July 1, 1920.

Capt. Charles Sydney Hammond, Coast Artillery Corps, with rank from July 1, 1920.

ORDNANCE DEPARTMENT.

Capt. Willis Richardson Slaughter, Infantry, with rank from September 9, 1919.

SIGNAL CORPS.

Capt. James Henry Beals Bogman, Cavalry, with rank from July 1, 1920.

INFANTRY.

First Lieut. John Sanderson Crawford, Air Service, with rank from July 1, 1920.

PROMOTIONS IN THE REGULAR ARMY.

MEDICAL CORPS.

To be captains.

First Lieut. Carlton Culley Starkes, Medical Corps, from February 28, 1922.

First Lieut. Ira Frederick Peak, Medical Corps, from March 12, 1922.

REAPPOINTMENTS IN THE PHILIPPINE SCOUTS.

To be first lieutenants with rank from April 2, 1918 (provisional appointments expire April 1, 1922).

First Lieut. Harry Allen Sanford.
First Lieut. Earl Wells.
First Lieut. John Willett Smith.
First Lieut. Harry Abbey Mosher.
First Lieut. Roscoe Bonham.

To be first lieutenant with rank from April 10, 1918 (provisional appointment expires April 9, 1922).

First Lieut. Oscar Blair Tudor.

POSTMASTERS.

ALABAMA.

Henry M. Gay to be postmaster at Lanett, Ala., in place of W. C. Starnes, removed.

Arthur G. Smith to be postmaster at Opelika, Ala., in place of R. D. Williams. Incumbent's commission expired August 6, 1921.

Annie M. Oswalt to be postmaster at Fairhope, Ala., in place of H. C. Oswalt. Incumbent's commission expired July 21, 1921.

Clifford T. Harris to be postmaster at Columbia, Ala., in place of C. T. Harris. Incumbent's commission expired January 24, 1922.

ALASKA.

John W. Stedman to be postmaster at Wrangell, Alaska., in place of J. W. Stedman. Incumbent's commission expired August 11, 1921.

ARKANSAS.

Charles W. Burford to be postmaster at Wilmar, Ark., in place of J. M. Daniel. Incumbent's commission expired January 24, 1922.

Hubert C. Hallowell to be postmaster at Pocahontas, Ark., in place of F. A. Hall. Incumbent's commission expired January 24, 1922.

CALIFORNIA.

Roy Bucknell to be postmaster at Upper Lake, Calif. Office became presidential July 1, 1920.

Gus. H. Winckler to be postmaster at King City, Calif., in place of S. J. Rice. Incumbent's commission expired January 24, 1922.

Lewis E. Baker to be postmaster at Paradise, Calif. Office became presidential April 1, 1921.

Charles W. Jessup to be postmaster at Gardena, Calif., in place of W. J. Simms, resigned.

John H. May to be postmaster at Seal Beach, Calif. Office became presidential January 1, 1922.

Camp W. Wilson to be postmaster at Burnett, Calif. Office became presidential January 1, 1922.

COLORADO.

Thomas S. Percy to be postmaster at Tabernash, Colo. Office became presidential July 1, 1920.

Cecil N. Richardson to be postmaster at Holyoke, Colo., in place of W. A. White. Incumbent's commission expired January 24, 1922.

Norman P. Beckett to be postmaster at Lafayette, Colo., in place of M. F. O'Day. Incumbent's commission expired January 24, 1922.

Hoyt D. Whipple to be postmaster at Berthoud, Colo., in place of W. E. Rogers. Incumbent's commission expired January 11, 1920.

DELAWARE.

Willard L. Harris to be postmaster at Wyoming, Del., in place of R. W. Emerson, declined.

Josiah D. Robbins to be postmaster at Milton, Del., in place of J. B. Mustard. Incumbent's commission expired October 5, 1921.

Mark L. Davis to be postmaster at Milford, Del., in place of W. H. Robinson. Incumbent's commission expired October 5, 1921.

Arthur S. Hearn to be postmaster at Laurel, Del., in place of E. P. Ellis. Incumbent's commission expired October 5, 1921.

Ernest H. Ryder to be postmaster at Shawnee on Delaware, Pa. Office became presidential October 1, 1920.

FLORIDA.

Homer B. Rainey to be postmaster at Wauchula, Fla., in place of W. E. McEwen. Incumbent's commission expired January 31, 1922.

Roy S. Hanna to be postmaster at St. Petersburg, Fla., in place of W. L. Straub. Incumbent's commission expired July 21, 1920.

David B. Raulerson to be postmaster at Lake City, Fla., in place of E. W. Irvine. Incumbent's commission expired January 31, 1922.

GEORGIA.

Joe B. Crane to be postmaster at Dixie, Ga. Office became presidential April 1, 1921.

IDAHO.

Paul F. Kuehn to be postmaster at Fernwood, Idaho. Office became presidential July 1, 1921.

ILLINOIS.

Peter F. Moore to be postmaster at Lake Forest, Ill., in place of H. C. Smith. Incumbent's commission expired September 24, 1921.

Nellie Mitchel to be postmaster at Mansfield, Ill., in place of W. G. Wack, removed.

Samuel E. Stewart to be postmaster at Humboldt, Ill. Office became presidential January 1, 1922.

Ray F. Trilbett to be postmaster at Mount Pulaski, Ill., in place of W. H. Clear. Incumbent's commission expired February 4, 1922.

Edward F. Sargent to be postmaster at Le Roy, Ill., in place of H. E. Buckles. Incumbent's commission expired February 4, 1922.

INDIANA.

Jennette Mertz to be postmaster at Bunker Hill, Ind. Office became presidential April 1, 1921.

Mervin C. Bond to be postmaster at Oaktown, Ind., in place of W. B. Latshaw, resigned.

Hattie B. Moore to be postmaster at Clermont, Ind. Office became presidential April 1, 1921.

Othor Wood to be postmaster at Waldron, Ind., in place of J. H. Meloy, resigned.

Earl R. Shinn to be postmaster at Mentone, Ind., in place of L. W. Dunlap. Incumbent's commission expired January 24, 1922.

IOWA.

George H. Kinney to be postmaster at Stacyville, Iowa. Office became presidential April 1, 1921.

Kearney F. Elder to be postmaster at Portsmouth, Iowa. Office became presidential April 1, 1921.

William Hayes to be postmaster at Harlan, Iowa, in place of C. F. Swift, deceased.

Joseph H. Dickens to be postmaster at Diagonal, Iowa, in place of Burdette Harsom. Incumbent's commission expired August 17, 1921.

Mikel L. Larson to be postmaster at Callender, Iowa. Office became presidential April 1, 1921.

Simon C. V. Blade to be postmaster at Stanton, Iowa, in place of F. S. Anderson. Incumbent's commission expired January 24, 1922.

KANSAS.

Leo Herrman to be postmaster at Liebenthal, Kans., in place of Rudolf Stollenwerk, resigned.

William R. Logan to be postmaster at Eskridge, Kans., in place of H. C. Peterson. Incumbent's commission expired February 4, 1922.

Philip S. McMullen to be postmaster at Norwich, Kans., in place of A. B. Lock, resigned.

KENTUCKY.

Wyatt M. Insko to be postmaster at Carlisle, Ky., in place of A. B. Tilton, resigned.

LOUISIANA.

John D. Fultz to be postmaster at Newellton, La., in place of R. Y. Newell, removed.

MAINE.

Robert A. Alexander to be postmaster at Saco, Me., in place of J. P. Coughlin, deceased.

Everard J. Cove to be postmaster at Biddeford, Me., in place of J. E. Brooks. Incumbent's commission expired January 24, 1922.

William C. Bryant to be postmaster at Lewiston, Me., in place of Menander Dennett, deceased.

MARYLAND.

William K. Lambie to be postmaster at Mount Savage, Md., in place of F. B. McDermitt. Incumbent's commission expired January 24, 1922.

Raymond R. Russell to be postmaster at Reisterstown, Md., in place of A. H. Uhler. Incumbent's commission expired July 21, 1920.

MASSACHUSETTS.

Benjamin R. Gifford to be postmaster at Woods Hole, Mass., in place of B. R. Gifford. Incumbent's commission expired July 21, 1921.

Thaddeus B. Fenno to be postmaster at Westminster, Mass., in place of Sydney Harrocks. Incumbent's commission expired September 4, 1920.

Russell E. McKenzie to be postmaster at Foxboro, Mass., in place of F. M. Fowler. Incumbent's commission expired August 3, 1920.

MICHIGAN.

Mabelle E. McDonald to be postmaster at Sixlakes, Mich. Office became presidential January 1, 1922.

Hattie B. Baltzer to be postmaster at Scottville, Mich., in place of J. J. Cox, resigned.

Charles J. Gray to be postmaster at Petoskey, Mich., in place of E. L. Rose. Incumbent's commission expired January 24, 1922.

Otto J. Benaway to be postmaster at Orion, Mich., in place of Henry Kessell. Incumbent's commission expired January 24, 1922.

Claude E. Hyatt to be postmaster at Linden, Mich., in place of J. J. Sleeman. Incumbent's commission expired January 24, 1922.

Fred G. Rafter to be postmaster at Decatur, Mich., in place of M. S. Carney. Incumbent's commission expired July 21, 1921.

John W. Smith to be postmaster at Detroit, Mich., in place of W. J. Nagel. Incumbent's commission expired January 24, 1922.

Grover J. Powell to be postmaster at Washington, Mich. Office became presidential January 1, 1921.

Theodore G. Oborski to be postmaster at Ruth, Mich. Office became presidential April 1, 1921.

Joseph Deloria to be postmaster at Garden, Mich. Office became presidential July 1, 1921.

Joseph L. Kelly to be postmaster at Watersmeet, Mich. Office became presidential July 1, 1921.

Jessie M. Skappo to be postmaster at Ida, Mich. Office became presidential October 1, 1921.

William F. Stoffer to be postmaster at Dexter, Mich., in place of J. W. Barley. Incumbent's commission expired January 20, 1920.

MINNESOTA.

Otto C. H. Heinzel to be postmaster at Sauk Rapids, Minn., in place of E. A. Kurr. Incumbent's commission expired January 24, 1922.

John J. Fitzgerald to be postmaster at De Graff, Minn., in place of G. F. Ryan, removed.

Edward B. Hicks to be postmaster at Winona, Minn., in place of H. L. Buck. Incumbent's commission expired August 7, 1921.

MISSISSIPPI.

Jesse C. Rhodes to be postmaster at Sallis, Miss. Office became presidential January 1, 1921.

William C. Falkner to be postmaster at University, Miss., in place of D. R. Johnson, resigned.

James S. Niles to be postmaster at Kosciusko, Miss., in place of W. M. Noah, deceased.

Lora I. Colemon to be postmaster at Doddsville, Miss. Office became presidential January 1, 1921.

Robert B. O'Reilly to be postmaster at Cruger, Miss., in place of R. B. O'Reilly. Incumbent's commission expired January 24, 1922.

Rubye N. Brasfield to be postmaster at Lorman, Miss. Office became presidential January 1, 1921.

Henry I. Brown to be postmaster at Enid, Miss. Office became presidential January 1, 1921.

Daniel F. Smith to be postmaster at Carriere, Miss. Office became presidential January 1, 1921.

MISSOURI.

Lewis E. Nicholson to be postmaster at Green Ridge, Mo., in place of A. S. Brim. Incumbent's commission expired December 20, 1920.

Fred R. Moran to be postmaster at Branson, Mo., in place of J. R. Bennett. Incumbent's commission expired January 24, 1922.

Lawrence J. Glover to be postmaster at Newark, Mo. Office became presidential July 1, 1920.

Avery P. Blankenship to be postmaster at Holcomb, Mo. Office became presidential January 1, 1921.

Ada C. Luna to be postmaster at Gainesville, Mo. Office became presidential April 1, 1921.

Mary E. Blackburn to be postmaster at Malta Bend, Mo., in place of J. D. Cole. Incumbent's commission expired January 24, 1922.

Fred M. Meinert to be postmaster at O'Fallon, Mo., in place of M. B. Barker, deceased.

Henry Dodge to be postmaster at New London, Mo., in place of J. L. Smith. Incumbent's commission expired January 24, 1922.

NEBRASKA.

Francis E. Davis to be postmaster at Homer, Nebr., in place of Gertrude Shepardson. Incumbent's commission expired March 16, 1921.

Edward A. Walker to be postmaster at Stuart, Nebr., in place of W. L. Ulrich. Incumbent's commission expired July 21, 1920.

NEW JERSEY.

Rae B. Cook to be postmaster at Mount Arlington, N. J. Office became presidential January 1, 1921.

William Q. Schoenheit to be postmaster at Long Valley, N. J. Office became presidential January 1, 1921.

Lucius C. Higgins to be postmaster at Mountain Lakes, N. J., in place of F. W. Winans. Incumbent's commission expired January 24, 1922.

Charles G. Melick to be postmaster at Milford, N. J., in place of H. G. Stull. Incumbent's commission expired January 24, 1922.

Otis F. Lee to be postmaster at Ocean Grove, N. J., in place of W. F. Clayton. Incumbent's commission expired January 24, 1922.

NEW MEXICO.

Lucy R. Haynie to be postmaster at Cimarron, N. Mex., in place of L. A. Chandler. Incumbent's commission expired January 24, 1922.

Fern I. Brooks to be postmaster at Maxwell, N. Mex. Office became presidential July 1, 1920.

Joe P. Medinger to be postmaster at Tyrone, N. Mex., in place of D. W. Smith, resigned.

NEW YORK.

Jennie Mitchell to be postmaster at White Lake, N. Y. Office became presidential January 1, 1922.

Isaiah S. Head to be postmaster at Sylvan Beach, N. Y. Office became presidential July 1, 1921.

Carlton H. Topping to be postmaster at Sodus Point, N. Y. Office became presidential July 1, 1920.

Jesse W. Lewis to be postmaster at Petersburg, N. Y. Office became presidential October 1, 1920.

Clinton D. Drumm to be postmaster at Malverne, N. Y. Office became presidential October 1, 1921.

Frederick J. Sheldon to be postmaster at Lyons Falls, N. Y., in place of E. F. Ryan. Incumbent's commission expired January 24, 1922.

Wilbur A. Van Duzee to be postmaster at Gouverneur, N. Y., in place of F. B. Fuller. Incumbent's commission expired March 22, 1920.

La Dette G. Elwood to be postmaster at Alden, N. Y., in place of J. A. Weisbeck. Incumbent's commission expired January 24, 1922.

Elbridge O. Hurlbut to be postmaster at De Kalb Junction, N. Y., in place of C. B. McGruer, resigned.

Thomas A. Gorman to be postmaster at Niagara University, N. Y. Office became presidential April 1, 1920.

Warren S. Hutchison to be postmaster at Lyndonville, N. Y., in place of L. B. Wright. Incumbent's commission expired January 24, 1922.

NORTH CAROLINA.

Bertie L. Matthews to be postmaster at Vass, N. C. Office became presidential January 1, 1921.

Mack H. Brantley to be postmaster at Spring Hope, N. C., in place of R. E. Wilder, resigned.

Wade E. Vick to be postmaster at Robersonville, N. C., in place of S. L. Ross, deceased.

Otis M. Davis to be postmaster at Fremont, N. C., in place of W. F. Flowers. Incumbent's commission expired January 24, 1922.

Marion B. Prescott to be postmaster at Ayden, N. C., in place of J. A. Harrington, resigned.

Charles A. Bland to be postmaster at Wadesboro, N. C., in place of S. S. Lockhart. Incumbent's commission expired July 21, 1921.

Malpheus F. Hinshaw to be postmaster at Randleman, N. C., in place of W. F. Talley, appointee not commissioned.

NORTH DAKOTA.

Glenn D. Arnold to be postmaster at Calvin, N. Dak. Office became presidential January 1, 1921.

Peter A. McLean to be postmaster at Hannah, N. Dak., in place of J. H. McLean. Incumbent's commission expired January 24, 1922.

August Kreidt to be postmaster at New Salem, N. Dak., in place of Carl Jahnke. Incumbent's commission expired January 24, 1922.

John G. Boatman to be postmaster at Milnor, N. Dak., in place of J. G. Boatman. Incumbent's commission expired January 24, 1922.

Charles A. Jordan to be postmaster at Cogswell, N. Dak., in place of Frank McGraw. Incumbent's commission expired January 24, 1922.

OHIO.

Edwin M. Stover to be postmaster at Oakwood, Ohio. Office became presidential October 1, 1920.

Millard H. Bell to be postmaster at West Mansfield, Ohio, in place of O. E. Curl. Incumbent's commission expired January 31, 1922.

Albert W. Davis to be postmaster at Norwalk, Ohio, in place of Andrew Hiss. Incumbent's commission expired January 31, 1922.

William H. Pfau to be postmaster at Hamilton, Ohio, in place of Homer Gard. Incumbent's commission expired January 31, 1922.

Louis A. Conklin to be postmaster at Forest, Ohio, in place of W. B. Price, resigned.

Vashti Wilson to be postmaster at Corning, Ohio, in place of Samuel Eichenbaum. Incumbent's commission expired January 30, 1921.

Jacob W. Simon to be postmaster at Bloomdale, Ohio, in place of J. W. Simon. Incumbent's commission expired July 21, 1921.

James E. Davis to be postmaster at Belmont, Ohio, in place of L. R. Carman, resigned.

Nellie E. Beam to be postmaster at Ansonia, Ohio, in place of W. H. Ream. Incumbent's commission expired January 31, 1922.

Fred J. Wolfe to be postmaster at Quaker City, Ohio, in place of F. H. Johnson. Incumbent's commission expired January 31, 1922.

OKLAHOMA.

Pearl E. Hughey to be postmaster at Cleo Springs, Okla. Office became presidential July 1, 1921.

Albert M. Dennis to be postmaster at Frederick, Okla., in place of Joseph Garland. Incumbent's commission expired September 6, 1920.

Richard H. Bowser to be postmaster at Blanchard, Okla., in place of A. J. Grayson. Incumbent's commission expired July 23, 1921.

Merrell L. Thompson to be postmaster at Hartshorne, Okla., in place of W. A. Byrne. Incumbent's commission expired January 19, 1921.

OREGON.

Polk E. Mays to be postmaster at Joseph, Oreg., in place of W. C. Wilson, resigned.

Ida M. Miller to be postmaster at Rockaway, Oreg. Office became presidential January 1, 1922.

John N. Williamson to be postmaster at Prineville, Oreg., in place of J. W. Boone. Incumbent's commission expired January 24, 1922.

PENNSYLVANIA.

Joseph B. Seifert to be postmaster at Dover, Pa. Office became presidential July 1, 1920.

Henry C. Kanengeiser to be postmaster at Bessemer, Pa. Office became presidential January 1, 1921.

Arthur A. Butz to be postmaster at Alburtis, Pa. Office became presidential October 1, 1921.

Christian D. Doerr to be postmaster at Colver, Pa., in place of L. J. Lieb, resigned.

George W. Kreidler to be postmaster at Yoe, Pa. Office became presidential October 1, 1921.

Charles E. Lear to be postmaster at Riddlesburg, Pa. Office became presidential July 1, 1921.

John S. Windle to be postmaster at Fernwood, Pa. Office became presidential April 1, 1921.

John O. Whiteman to be postmaster at Claridge, Pa. Office became presidential January 1, 1921.

Herbert M. Black to be postmaster at West Sunbury, Pa. Office became presidential January 1, 1921.

Mary P. McCardell to be postmaster at Westover, Pa. Office became presidential October 1, 1921.

Emma A. Smith to be postmaster at Seelyville, Pa. Office became presidential January 1, 1922.

George F. Grill to be postmaster at Pen Mar, Pa. Office became presidential January 1, 1921.

Edgar J. Dowling to be postmaster at Gouldsboro, Pa. Office became presidential January 1, 1921.

Nellie G. Kendig to be postmaster at Glenfield, Pa. Office became presidential July 1, 1921.

Ephraim F. Heiner to be postmaster at Florin, Pa. Office became presidential January 1, 1920.

Vera Ritchey to be postmaster at Dunlo, Pa. Office became presidential January 1, 1921.

Joseph F. Dolan, jr., to be postmaster at Bala-Cynwyd, Pa., in place of C. J. Hansell. Consolidation of Bala and Cynwyd offices.

Anna B. McCully to be postmaster at Ramey, Pa. Office became presidential January 1, 1921.

RHODE ISLAND.

Samuel Seabury, 2d, to be postmaster at Tiverton, R. I., in place of Samuel Seabury, 2d. Incumbent's commission expired August 6, 1921.

William J. Clemence to be postmaster at Washington, R. I. Office became presidential January 1, 1921.

SOUTH CAROLINA.

Edward V. Truesdale to be postmaster at Kershaw, S. C., in place of T. L. Gregory, declined.

SOUTH DAKOTA.

Arthur M. Hanson to be postmaster at Iroquois, S. Dak., in place of T. J. Sullivan. Incumbent's commission expired January 31, 1922.

Charles H. Stevenson to be postmaster at Doland, S. Dak., in place of A. E. Paine. Incumbent's commission expired January 24, 1922.

Sherman T. Wickre to be postmaster at Andover, S. Dak., in place of John Debilzan, resigned.

Mary V. Breene to be postmaster at Seneca, S. Dak. Office became presidential July 1, 1920.

Bernard P. Corrigan to be postmaster at Cavour, S. Dak. Office became presidential April 1, 1921.

Cornelius N. Trooien to be postmaster at Astoria, S. Dak. Office became presidential April 1, 1921.

Frank Bowman to be postmaster at Eagle Butte, S. Dak. Office became presidential January 1, 1920.

Mary G. Bromwell to be postmaster at Mount Vernon, S. Dak., in place of Michael Dougherty. Incumbent's commission expired January 31, 1922.

TENNESSEE.

Fred Hawkins to be postmaster at Tellico Plains, Tenn., in place of W. B. Hunt, resigned.

Everett R. Doolittle to be postmaster at Madison, Tenn., in place of E. R. Doolittle. Office became third class January 1, 1922.

Lincoln M. Bramley to be postmaster at Iron City, Tenn., in place of L. M. Bramley. Office became third class January 1, 1921.

Robert D. Wilson to be postmaster at Collierville, Tenn., in place of F. J. Branch, resigned.

TEXAS.

William F. Neal to be postmaster at Overton, Tex., in place of C. H. Sewell. Incumbent's commission expired January 24, 1922.

Frank W. Dusek to be postmaster at Flatonia, Tex., in place of A. M. Gorch. Incumbent's commission expired January 24, 1922.

Nathaniel C. Brown to be postmaster at Robert Lee, Tex. Office became presidential July 1, 1920.

Charlie N. Hooser to be postmaster at Maypearl, Tex. Office became presidential April 1, 1921.

Fred M. Carrington to be postmaster at Marquez, Tex. Office became presidential April 1, 1920.

William J. Wade to be postmaster at Littlefield, Tex. Office became presidential July 1, 1921.

May S. Johnson to be postmaster at Follett, Tex. Office became presidential April 1, 1921.

Emma L. McLaughlin to be postmaster at Blanket, Tex. Office become presidential July 1, 1920.

Homer Howard to be postmaster at Lockney, Tex., in place of C. D. Fowler. Incumbent's commission expired January 24, 1922.

Leonard M. Kealy to be postmaster at Lewisville, Tex., in place of O. L. Hamilton. Incumbent's commission expired August 25, 1920.

John J. Allen to be postmaster at Alpine, Tex., in place of W. L. Coleman, resigned.

William D. McGown to be postmaster at Hemphill, Tex., in place of W. D. McGown. Incumbent's commission expired July 21, 1921.

UTAH.

Julius S. Dalley to be postmaster at Kanab, Utah. Office became presidential July 1, 1920.

VERMONT.

Laura B. Stokes to be postmaster at Waitsfield, Vt. Office became presidential October 1, 1920.

Earle J. Rogers to be postmaster at Cabot, Vt. Office became presidential July 1, 1921.

VIRGINIA.

Benjamin T. Culbertson to be postmaster at Dungannon, Va. Office became presidential October 1, 1921.

Edward A. Lindsey to be postmaster at Boyce, Va. Office became presidential July 1, 1920.

Wade H. Hash to be postmaster at Trout Dale, Va. Office became presidential April 1, 1921.

Roy M. Cleek to be postmaster at Warm Springs, Va., in place of H. B. LaRue, resigned.

Lacy C. Alphin to be postmaster at Hot Springs, Va., in place of J. F. Lowman. Incumbent's commission expired July 21, 1921.

Emma J. Breneman to be postmaster at Cootes Store, Va. Office became presidential January 1, 1921.

Charles E. D. Burtis to be postmaster at Bumpass, Va. Office became presidential April 1, 1921.

James S. Smith to be postmaster at Bristow, Va. Office became presidential April 1, 1920.

Thomas C. McConchie to be postmaster at Remington, Va., in place of H. C. Humphrey, deceased.

Robert E. Newman to be postmaster at Manassas, Va., in place of W. W. Davies. Incumbent's commission expired March 16, 1921.

William E. Hardiman to be postmaster at Dillwyn, Va., in place of G. L. Morriss, removed.

Charles B. Graves to be postmaster at Chester, Va., in place of A. T. Organ. Incumbent's commission expired July 21, 1921.

James W. Moore to be postmaster at Rapidan, Va. Office became presidential July 1, 1920.

WASHINGTON.

Etta R. Eggleston to be postmaster at Manette, Wash. Office became presidential July 1, 1920.

George D. Potter to be postmaster at Springdale, Wash. Office became presidential April 1, 1921.

Fannie I. Jennings to be postmaster at Spangle, Wash. Office became presidential April 1, 1919.

Rachael A. M. Miller to be postmaster at Port Blakely, Wash. Office became presidential January 1, 1921.

May V. Garrison to be postmaster at Sumas, Wash., in place of R. T. Johnson. Incumbent's commission expired January 24, 1922.

George D. Montfort to be postmaster at Blaine, Wash., in place of T. J. Quirt. Incumbent's commission expired January 24, 1922.

WEST VIRGINIA.

John C. Smith to be postmaster at Tralee, W. Va., in place of J. C. Kleiman, resigned.

James D. Huber to be postmaster at Reedsville, W. Va. Office became presidential July 1, 1921.

Charles L. Pinckard to be postmaster at Berwind, W. Va., in place of J. W. Bailey, resigned.

Ira Greathouse to be postmaster at Flemington, W. Va. Office became presidential October 1, 1918.

Walter C. Whaley to be postmaster at Cedar Grove, W. Va. Office became presidential April 1, 1921.

Cecil H. Ross to be postmaster at Williamstown, W. Va., in place of W. D. Cline. Incumbent's commission expired January 24, 1922.

John O. Stone to be postmaster at Davy, W. Va., in place of R. E. Morgan. Incumbent's commission expired January 24, 1922.

Belfrad H. Gray to be postmaster at Welch, W. Va., in place of T. F. Henritze. Incumbent's commission expired July 21, 1921.

WISCONSIN.

Clifford J. Tice to be postmaster at Redgranite, Wis., in place of H. G. Bannerman. Incumbent's commission expired January 24, 1922.

Harry J. Lugner to be postmaster at Nashotah, Wis., in place of J. G. Solverson. Incumbent's commission expired January 24, 1922.

Martin A. Hanson to be postmaster at Menomonie, Wis., in place of R. E. Bundy. Incumbent's commission expired June 2, 1920.

William H. Fieweger to be postmaster at Kimberly, Wis. Office became presidential January 1, 1921.

James W. Simmons to be postmaster at Corliss, Wis. Office became presidential January 1, 1921.

Frank H. Colburn to be postmaster at Shiocton, Wis., in place of Louis Locke. Incumbent's commission expired January 24, 1922.

Ella Barber to be postmaster at Marathon, Wis., in place of Frank Lueschen. Incumbent's commission expired January 24, 1922.

Albert H. Anderson to be postmaster at Nelson, Wis. Office became presidential April 1, 1921.

Leslie D. Jenkins to be postmaster at Bagley, Wis. Office became presidential April 1, 1921.

Mabel R. Gross to be postmaster at Stone Lake, Wis. Office became presidential January 1, 1922.

George E. King to be postmaster at Winneconne, Wis., in place of G. F. Mader. Incumbent's commission expired January 24, 1922.

Tena W. Krentz to be postmaster at Westfield, Wis., in place of Samuel Dewar. Incumbent's commission expired January 24, 1922.

George E. Bogrand to be postmaster at Wausaukee, Wis., in place of P. F. Melchior. Incumbent's commission expired January 24, 1922.

Donald C. McDowell to be postmaster at Soldiers Grove, Wis., in place of W. M. Ward. Incumbent's commission expired January 24, 1922.

Nora G. Egan to be postmaster at Highland, Wis., in place of A. J. Egan. Incumbent's commission expired April 16, 1921.

Sever E. Nelson to be postmaster at Argyle, Wis., in place of F. C. O. Muenich. Incumbent's commission expired January 24, 1922.

Elizabeth Croake to be postmaster at Albany, Wis., in place of Elizabeth Croake. Incumbent's commission expired January 24, 1922.

WYOMING.

Evelyn Colburn to be postmaster at Burns, Wyo., in place of C. O. Lyon. Incumbent's commission expired January 24, 1922.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 20 (legislative day of March 16), 1922.

UNITED STATES ASSAYOR.

Burt G. Shields to be assayor at New York.

POSTMASTERS.

NEW HAMPSHIRE.

Josie L. Pascoe, Chocorua.

NEW YORK.

May L. McLaughlin, Blue Mountain Lake.
Truly Merritt, Brewerton.
Everett W. Penney, Eastport.
William F. Hadley, North Bangor.
Alfred B. Kaent, Nunda.
Chester J. Hinman, Palenville.
Albert H. Clark, Silver Springs.
Sutherland Lent, Sloatsburg.
Isaac Bedford, Thiells.

WISCONSIN.

William A. Roblier, Coloma.
Roy E. Lawler, Gordon.
Thomas P. Edwards, Hazel Green.
William L. Chesley, Lena.
Hazel I. Hicks, Linden.
James Kelly, Ridgeway.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 20, 1922.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Spirit Divine, we draw near to Thee in confidence, because Thou art He who is ever touched with a feeling of our infirmities. Thou alone canst make even the night to shine as the day. Receive our penitent submission and be merciful unto our imperfections. With us may life be definite and full of thoughtful meaning. Compensate any who may feel the heavy hand of difficulty or misunderstanding. We bring to Thee our perplexities, our problems, and the exactions of duty. Grant that the Great Teacher, who has spoken in such deathless words, may help us through all the day. For Thy name's sake. Amen.

The Journal of the proceedings of Saturday last was read and approved.

ORDER OF BUSINESS.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the gentleman from Wyoming [Mr. MONDELL] may have two minutes in which to open the storehouse of his information and let us know, if he will, about what happened at the White House and when we will take up the bonus bill.

Mr. CAMPBELL of Kansas. Mr. Speaker, I call for the regular order.

Mr. GARNER. What is the regular order? It is to put my request.

The SPEAKER. The Chair will state that the gentleman from Kansas practically objects, but the Chair will put the gentleman's request. The gentleman from Texas asks unanimous consent that the gentleman from Wyoming may have two minutes——

Mr. GARNER. In which to tell us what happened at the White House and when the bonus bill is coming up.

The SPEAKER. And the gentleman from Kansas demands the regular order, and the regular order is bills on the Calendar for Unanimous Consent. The Clerk will call the first bill.

SEQUOIA NATIONAL PARK.

The Clerk read as follows:

A bill (H. R. 7452) to add certain lands to the Sequoia National Park, in California, and to change the name of said park to Roosevelt-Sequoia National Park.

The SPEAKER. Is there objection?

Mr. OSBORNE. Mr. Speaker, I object.

Mr. BARBOUR. Mr. Speaker, I ask unanimous consent that the bill may be passed without prejudice.

Mr. GARNER. Reserving the right to object, I think we ought to have some information concerning the question when we are going to take up the bonus bill.

The SPEAKER. The Chair thinks that is a reasonable request, and the Chair will say that no one will be recognized to bring that up to-day.

Mr. GARNER. Will the Chair be gracious enough to tell us when we are likely to have it taken up?

The SPEAKER. That is not within the province of the Chair, as the gentleman knows.

Mr. GARNER. Has the Chair any information on the subject?

The SPEAKER. The Chair has not.

Mr. GARNER. The storehouse is either locked up or gone dry. I do not know which. [Laughter.]

The SPEAKER. Is there objection to the request of the gentleman from California that the bill retain its place on the calendar?

There was no objection.

SITE FOR ADMINISTRATION BUILDING, ROCKY MOUNTAIN NATIONAL PARK.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 8675) to authorize the Secretary of the Interior to accept a certain tract of land donated as a site for an administration building for the Rocky Mountain National Park.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, this bill was passed over two weeks ago, in order that gentlemen interested might get some information. I ask to have it passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

AMENDING SECTIONS 5549 AND 5550 OF THE REVISED STATUTES.

The next bill on the Calendar for Unanimous Consent was the bill (S. 1010) to amend sections 5549 and 5550 of the Revised Statutes of the United States.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I do not know who drafted this bill, but whoever did was not very accurate or careful.

Mr. STAFFORD. This comes from the Committee on the Judiciary.

Mr. WALSH. It is a Senate bill.

Mr. STAFFORD. But it was reported by the Judiciary Committee of the House.

Mr. MANN. The present law provides that in certain cases of imprisonment it shall be had in the house of refuge in the different States. This bill enlarges the scope of the law and then provides for confinement in the State reformatory. In one place in the bill it provides for contracts with persons having control of the State reformatories, and then goes on and further provides for the confinement in the house of refuge. It may be that the State reformatory and the house of refuge are the same thing, but it is quite certain that it is not very good form to provide for the confinement in a State reformatory and that the sentence shall be in the house of refuge. If they are the same thing, the same language ought to be used, and if not, whoever drafted it providing for confinement in one place and sentence to another place is not very accurate.

Mr. BRAND. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. BRAND. I have looked into this amendment myself to some extent. The effect of the amendment is to sentence its offender to service in a State reformatory instead of a house of refuge. It does not leave it open to be sent to both places, or to either place in the court's discretion, but the direction is to send them to a State reformatory.

Mr. MANN. I beg the gentleman's pardon, here is the language in the bill, page 2:

SEC. 5550. The Attorney General shall contract with the managers or persons having control of such State reformatories for the imprisonment, subsistence, and proper employment of all such juvenile or female offenders, and shall give the several courts of the United States and of the District of Columbia notice of the places so provided for the confinement of such offenders; and they shall be sentenced to confinement in the house of refuge nearest the place of conviction so designated by the Attorney General.

That is an incongruity, to say the least.

Mr. BRAND. Section 5449, which this bill seeks to amend, says: "Juvenile offenders against the laws of the United States under the age of 16 years who may be hereafter convicted of crime shall be confined during the term of sentence in some house of refuge to be designated by the Attorney General and shall be transported and delivered," and so forth.

This section, as amended by the Senate bill, reads as follows:

That section 5549 of the Revised Statutes of the United States be, and it hereby is, amended by adding thereto the following: Whenever a woman or girl shall be convicted of lewdness, prostitution, or similar offenses, under circumstances rendering such offense punishable by im-

prisonment under the laws of the United States, such woman or girl may be confined, during the term of sentence, in some State reformatory to be designated by the Attorney General, in the manner provided in the case of juvenile offenders, by said section 5549, when, in the opinion of the presiding judge, that course seems justified by the circumstances of the case and the intelligence and previous character of the offender—

And so forth.

The object of this bill is to include women who have been tried and convicted of offenses against this statute. There is no objection to this. The only amendment to the statute as it stands is to change the place of confinement and instead of sending them to a house of refuge the amendment directs they shall be sent to State reformatories.

Mr. MANN. The gentleman has not read to us, at least, section 5550, and has not referred to it. The present law, section 5550, provides for entering into contracts with the managers of houses of refuge and the sentencing of prisoners to houses of refuge. This bill provides for entering into contracts with managers of state reformatories and the sentencing of the prisoners to the houses of refuge.

Mr. BRAND. I see the point. You are correct, as you usually are. It is a mistake to have left the words, "house of refuge" in the bill at the place referred to. As the bill passed the Senate, section 5549 of the Revised Statutes and the first portion of section 5550 were amended and the words "house of refuge" contained therein were stricken and the words "State reformatory" inserted in lieu thereof; but it seems by mistake the words "house of refuge," in line 17 of section 5550, were not included in the amendment. The words "State reformatory" ought to be in section 5550 just as they are in section 5549.

Mr. MANN. I have an amendment which I think would correct that, but I think the Committee on the Judiciary or some one who has charge of this ought to determine that question.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. WALSH. The gentleman who has charge of this measure is unavoidably detained, as is also the chairman of the Committee on the Judiciary. Would the gentleman from Illinois object to having the matter passed without prejudice?

Mr. MANN. I would not. I think it is proper legislation, if put in proper form.

Mr. WALSH. Then, Mr. Speaker, I ask unanimous consent that the measure be passed without prejudice.

The SPEAKER. Is there objection?

Mr. CHINDBLOM. Reserving the right to object, for the purpose of getting information, does the gentleman from Illinois know whether the term "houses of refuge" is defined anywhere

Mr. MANN. It has been in the statutes for a great many years. I think it has a definition in the Department of Justice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts that the bill be passed over without prejudice? [After a pause.] The Chair hears none, and it is so ordered. The Clerk will report the next bill.

GALLATIN NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (S. 255) for the consolidation of forest lands within the Gallatin National Forest, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

RED LAKE BAND OF CHIPPEWA INDIANS, MINNESOTA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6568) for the relief of the Red Lake Band of Chippewa Indians, in the State of Minnesota, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would ask the gentleman from North Dakota whether these Indians will not be taken care of by this specific appropriation which was made some time ago for the relief of destitute Indians in that region?

Mr. BURTNESS. Mr. Speaker, it is not the theory of this bill that it is a charitable payment to these people or that it is a payment that is required absolutely for the purpose of saving them from starvation or anything of that sort. It is true that the Red Lake Band of Indians are members of the Chippewa Tribe of the State of Minnesota; that they did share in the $100 distribution made some time ago. This bill, however, is reported favorably by the committee and is recommended by the Indian Department rather upon the theory that there is a considerable amount of money in the United States Treasury which belongs to these Indians. They are a rather high class of Indians, frugal and intelligent; they all know that the fund belongs to them. The amount that is authorized to be paid by this bill, in the event that it becomes a law, comes from the timber fund belonging to the Red Lake Band, and it is considerable. When all the timber is sold I think the fund will aggregate something like a million and a half, and there are only 1,522 Indians altogether. In other words, the share of each Indian in the total fund will probably eventually approximate almost $1,000. If the $50 provided by the bill is paid to each of them, it will give to these Indians an opportunity to buy something they need, some agricultural implement or something of that sort, which will aid them in carrying on their agricultural work.

Mr. WALSH. Then this is not particularly to relieve destitution or anything of that sort?

Mr. BURTNESS. It is not.

Mr. WALSH. It is a distribution of money that belongs to that tribe.

Mr. BURTNESS. That is correct, giving them part of what they actually own, about 10 per cent of the cash now on hand, the balance of the timber fund on February 24 being $730,720.10.

Mr. WALSH. A sort of bonus payment, as it were?

Mr. BURTNESS. Not a bonus, but giving them a chance to use something which they already own but which is now in the hands of their guardian instead of in their own hands.

Mr. WALSH. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to withdraw from the fund in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota according to the provisions of the act of May 18, 1916 (39 Stat. L., p. 137), a sufficient sum to pay per capita to the members of the Red Lake Band of Chippewa Indians of the State of Minnesota living at the date of the passage of this act the sum of $50 each, and to make such per capita payment as soon as possible, this appropriation to be immediately available.

With the following committee amendments:

Page 1, line 4, after the word "authorized," strike out the words "and directed."

Page 1, line 4, after the word "withdraw," insert "as much as may be necessary."

Page 1, line 9, strike out the words "a sufficient sum to pay per capita to the" and insert in lieu thereof "and to make therefrom a per capita payment, or distribution, of $50 to each of the living."

Page 2, line 2, strike out "living at the date of the passage of this act the sum of $50 each, and to make the per capita payment as soon as possible, this appropriation to be immediately available" and insert in lieu thereof the words "under such rules and regulations as the said Secretary may prescribe."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BURTNESS, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONSTRUCTION AND MAINTENANCE OF ROADS, ETC., IN ALASKA.

The next business on the Calendar for Unanimous Consent was H. J. Res. 282, to authorize the Secretary of War to incur obligations for construction and maintenance of roads, bridges, and trails in Alaska, said obligations to be paid from the appropriation for the fiscal year ending June 30, 1923.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. MANN. Mr. Speaker, reserving the right to object, the joint resolution as introduced provided authority to incur obligations to the extent of 75 per cent of the appropriations. The committee amendment reduced that to 50 per cent. I am under the impression that the War Department appropriation bill now pending in the House makes immediately available 75 per cent.

Mr. CURRY. No; the appropriation bill in the House makes available 75 per cent of the amount due during the fiscal year ending June 30, 1924, provided the appropriation bill of the next year does not pass before March 1.

Mr. MANN. But this bill relates to appropriations for the fiscal year 1923.

Mr. CURRY. Yes.

Mr. MANN. That is the appropriation bill now pending in the House.

Mr. CURRY. That is true.

Mr. MANN. That bill, I think, makes immediately available 75 per cent.

Mr. CURRY. No; that bill does not make anything available out of that appropriation for this purpose.

Mr. STAFFORD. If the gentleman will permit, money for road construction in Alaska in the item carried in the War Department appropriation bill, $425,000, is made immediately available; but that bill, as has been pointed out by the engineer having this road construction in charge, may not pass until June, or the latter days of June, and the engineer desires it be made immediately available, and that is the purpose of this joint resolution——

Mr. MANN. I understand that.

Mr. STAFFORD. To make obligations of 50 per cent of that amount which is appropriated in this year's bill.

Mr. MANN. I think the pending bill makes available 75 per cent.

Mr. STAFFORD. No; there is no limit as to the amount available; as the gentleman from California states, that gives the engineer authority to obligate to the extent of 75 per cent of the amount that is carried in this bill for work in the next fiscal year—that is, the year ending June 30, 1924.

Mr. CURRY. The amount in the pending bill is immediately available, but the probability is the bill may not pass the Senate until June.

Mr. MANN. I was seeking to inquire whether there would be conflict between the 50 per cent and the 75 per cent.

Mr. CURRY. There is no conflict. The original amount asked for in this joint resolution was 75 per cent. The chairman of the Alaska Road Commission and the Governor of Alaska stated that they could probably get along with 50 per cent, and they did not wish to make any more available than necessary.

The SPEAKER. Is there objection [After a pause.] The Chair hears none. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of War is authorized to direct the Board of Road Commissioners for Alaska to incur obligations prior to July 1, 1922, for the construction and maintenance of roads, bridges, and trails in Alaska of not to exceed 75 per cent of the appropriation for this purpose for the fiscal year ending June 30, 1922, payment of these obligations to be made from the appropriation for the fiscal year ending June 30, 1923.

The committee amendment was read, as follows:

In line 6 strike out "75" and insert in lieu thereof "50."

The amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. CURRY, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT MINNEAPOLIS, MINN.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 3209) granting to the Northern Pacific Railway Co. the right to construct and maintain a bridge across the Mississippi River at Minneapolis, in the State of Minnesota.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Northern Pacific Railway Co., a corporation organized under the laws of the State of Wisconsin, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation in the southwest quarter of section 24, township 29 north, range 24 west of the fourth principal meridian, at Minneapolis, in Hennepin County, State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. NEWTON of Minnesota, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMENDMENT OF SECTION 87 OF THE JUDICIAL CODE.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 9671) to amend section 87 of the Judicial Code.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill. [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 87 of the Judicial Code is hereby amended to read as follows:

"SEC. 87. That the State of Massachusetts shall constitute one judicial district, to be known as the district of Massachusetts.

"Terms of the district court shall be held at Boston on the third Tuesday in March, the fourth Tuesday in June, the second Tuesday in September, and the first Tuesday in December; at Springfield, on the second Tuesdays in May and December; and at New Bedford, on the first Tuesday in August: *Provided*, That suitable rooms and accommodations for holding court at Springfield and New Bedford shall be furnished free of expense to the United States.

"The marshal and clerk for said district shall each appoint at least one deputy to reside in Springfield and to maintain an office at that place, and they may each appoint a deputy to reside and maintain an office at New Bedford."

The committee amendment was read, as follows:

Strike out all after the enacting clause and insert the following:

That section 87 of the Judicial Code is hereby amended to read as follows:

"SEC. 87. That the State of Massachusetts shall constitute one judicial district, to be known as the district of Massachusetts.

"Terms of the district court shall be held at Boston on the third Tuesday in March, the fourth Tuesday in June, the second Tuesday in September, and the first Tuesday in December; at Springfield, on the second Tuesday in May and December; and at New Bedford, on the first Tuesday in August: *Provided*, That suitable rooms and accommodations for holding court at Springfield and New Bedford shall be furnished free of expense to the United States: *And provided further*, That all writs, precepts, and processes shall be returnable to the terms at Boston, and all court papers shall be kept in the clerk's office at Boston, unless otherwise specially ordered by the court, and the terms at Boston shall not be terminated or affected by the terms at Springfield or New Bedford.

"The marshal and the clerk for said district shall each appoint at least one deputy to reside in Springfield and to maintain an office at that place."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WALSH, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. LOWREY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. LOWREY. To ask permission to address the House for one minute.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. LOWREY. Mr. Speaker, I hold in my hand a copy of an article published yesterday in the Washington Star in regard to the amount of seed distribution. It is full of interesting facts to me, and I ask permission to extend my remarks by inserting it in the RECORD.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extened his remarks in the RECORD by inserting an article in yesterday's paper. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, what is this article about? We could not hear the gentleman.

Mr. LOWREY. This is a history and discussion of the seed distribution, and has much information in it that I think would be of interest to the general public.

Mr. WALSH. An article prepared by Mr. Jones, of the Department of Agriculture?

Mr. LOWREY. No; I judge not. It seems to me it must have been prepared by some one connected with the paper. It is a good article, full of interesting facts and a history——

Mr. MANN. Well, of course we have a history of this matter brought up here every time there is an appropriation asked for.

Mr. LOWREY. It is in no sense a propaganda——

Mr. WALSH. All right; I shall not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The extension of remarks referred to are here printed in full as follows:

Mr. LOWREY. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an article from the Washington Sunday Star entitled "Uncle Sam's free seeds expected to produce $150,000,000 crop," as follows:

UNCLE SAM'S FREE SEEDS EXPECTED TO PRODUCE $150,000,000 CROP.

At a cost of $360,000 food products to the value of $130,000,000 will be grown from 100,000 packages of vegetable seeds and 10,000 packages of flower seeds which are being sent out from Washington by each and every one of the 96 Senators and 435 Members of the House under 13,000,000 franks (free postage) to home gardeners in every State in the Union.

And aside from questions of policy regarding this often-called "seed graft," which causes an annual scrap and a yearly crop of derisive jokes, there is an interesting human-interest story behind this congressional distribution of free seeds—the origin of the custom, which gave birth to the present Department of Agriculture; the field and laboratory job of testing all these seeds, the physical task of putting them into packages and preparing them for postage, the fact that in

some instances they are the only contact between men in the mountains and their Government, the letters from people who have derived pleasure and profit from these seeds—even the story of the historic building which is used as "the Government seed house," on the main thoroughfare of the National Capital.

This is Congress' seed season; doubly so, for the question of continuing for the fiscal year of 1923 the annual appropriation of $360,000 is now under consideration, and within the next two weeks the time expires for Members of Congress to complete the considerable task of writing names and addresses on the 13,000,000 franks or postage-free slips which will carry the seeds everywhere throughout this country.

Although the purchase and distribution of seeds by the Government, which began in 1839, laid the foundation for the establishment of the Department of Agriculture as it exists to-day, for some years now it has been the policy of the department to oppose this particular appropriation on the grounds that the money can be better spent on procuring new and rare seeds and cuttings from foreign countries, which activity by agricultural explorers has been previously described in the Sunday Star.

So the Department of Agriculture has acquired the habit of leaving out this item from its Budget estimates, and Congress just as regularly inserts it, according to time-honored custom and to meet the requests that come in a veritable flood of letters asking for free seeds. That's what the House has just done—inserted again in the Agricultural appropriation bill for the fiscal year starting July 1 next an item of $360,000 for free seeds for congressional distribution. It is a foregone conclusion that the Senate will approve this amendment.

Now, let us look over the historical background for this annual "graft." The purchase of seeds and plants by the Government may be said to date back to colonial days. As early as 1743 the British Parliament granted $600,000 to promote the cultivation of indigo and other crops in the American Colonies, and the assemblies of the various Colonies appropriated small sums from time to time to encourage the cultivation of plants new to the country, such as hops in Virginia, mulberry trees for silk culture in Georgia, and vineyards for the establishment of an American wine industry, lately Volsteaded out of existence in this country or at least driven under cover.

Our greatest patriots contributed active assistance to furthering this encouragement to food production. Franklin, while in England as agent for Pennsylvania, sent home silkworm eggs and mulberry cuttings. Thomas Jefferson, during the five years he represented this country as minister to France (1784–1789), forwarded numerous seed samples to the home country. Other representatives of this country during early days followed these notable examples until during the administration of John Quincy Adams instructions were given to all United States consuls to forward plants and seeds to Washington for distribution.

Notwithstanding these efforts to introduce new seeds and plants, many varieties of fruits and vegetables were scarce or unknown. There were few seed farms, nurseries, or seedsmen. Seed were mostly grown by the farmers themselves. Interest in better seeds and securing new seeds and plants resulted largely from the agricultural fairs.

In 1839, through the efforts of Henry L. Ellsworth, Commissioner of Patents, an appropriation of $1,000 was made for the purpose of collecting and distributing seeds, prosecuting agricultural investigations, and procuring agricultural statistics, with which 30,000 packages of seeds were purchased and distributed. This appropriation marked the beginning of the Department of Agriculture.

Demands upon Members of Congress for seeds became so numerous and insistent that it was impossible to fill the orders with new varieties of seeds. The practice of sending out larger and larger quantities of vegetable seeds thus developed. These seeds proved very useful, especially in the new communities to which they were largely sent.

During the years from 1889 to 1893 practically the entire seed appropriation was expended for standard varieties of vegetable and flower seeds. In 1894 a change was advocated and action taken to discontinue the customary distribution. This action was not approved by Congress, which, in an act approved April 25, 1896, changed the wording of the previous act. The Attorney General, to whom the question was submitted for decision, held that the purchase and distribution of seeds, including vegetable and flower seeds, were mandatory and left the Secretary of Agriculture without discretion. Congress has specifically reserved for itself the distribution, with proportionate allotments to each Member of five-sixths of all the seeds and plants purchased by the department. So that is where "congressional seed distribution" originated.

The value of the congressional seed distribution consists in the wide distribution by Senators and Members of Congress to applicants in all parts of the country of standard varieties of garden seeds of known value and of the best quality.

Now then, it costs Uncle Sam about 3½ cents for every package of seeds sent out by a Congressman. Each package contains five different kinds of seed. The following kinds of vegetable seeds are purchased for free distribution: Peas, beets, lettuce, onions, radish, beans, corn, carrots, cucumber, parsley, parsnip, squash, tomato, turnip, and watermelon. There are 14 combinations, so that a Member of Congress can select the five different kinds of seeds he wants to send out in one package. Similarly there are 22 different varieties of flowers, such as chrysanthemum, aster, cosmos, balsam, candytuft, dianthus, nasturtium, poppy, sweet peas, petunia, zinnias, mignonette.

That package containing five small papers of seeds, which costs the Government 3½ cents, if bought in the open market would cost 50 cents.

The Office of Seed Distribution in the Department of Agriculture keeps an exact account for each Member of Congress, just the same as a bank account. The Member is credited with his quota and is allowed to draw against that quota, just the same as against a bank account.

From one sample package, containing five small papers of seeds, any person can raise at least $15 worth of food, according to the agricultural authorities. Deducting $5 for waste, loss in transit, or carelessness in planting or poor soil, it leaves a $10 net production. Members of Congress are sending out this year 13,000,000 of these large packages (five papers in each), which, it is conservatively estimated, will return $130,000,000 food products for an outlay of $360,000, which certainly should have some effect on the economic life of this country.

When the annual fight over the appropriation is being waged the claim is often made that the free-seed distribution comes near wrecking the Post Office Department and is responsible for an annual deficit. The records show that the run is usually from 1,500,000 pounds to 600,000 or 700,000 pounds, and that if the Office of the Seed Distribution paid postage on each package, the same as any private individual, the postage bill would never have been more than $131,000, and that it would average about $95,000.

Every seed sent out is tested for vitality and for trueness to name. These tests are made on the experimental farm of the department, near Arlington National Cemetery, although the germination tests are mostly made in the laboratory by using blotting paper. All seed has to be of the particular variety ordered. The department, while opposing the congressional distribution, takes very good care that the seeds are all good before they are sent out. It sets a very high standard to which the seeds must register, a much higher standard than is often required commercially. If the seeds do not reach that standard, they are shipped back to the contractor from whom they were purchased at the latter's expense. Some years they reject a very large amount—this year, for example, about 150,000 pounds, after it had reached Washington—because the germination was not high enough. This is sent back as not good enough for congressional seed distribution, but there is no assurance anywhere that the very same seed is not disposed of commercially.

Uncle Sam buys these seeds on straight competitive bids, and when any contractor's deliveries show a consistent poor germination he is blacklisted. Each bidder is informed why he did not get the contract, told who did get it and why and the price paid. This is a straight official letter.

The demand upon Members of Congress for seed this year is greater than ever, and in many cases appears to be owing to the poverty of the people. The Congressmen are getting more letters than usual asking for seeds, and usually from persons who say they can not afford to buy seeds this year.

Congressmen are coming more and more to send their quotas of seeds out, not to the voting lists in their districts but to the school children, to civic organizations, chambers of commerce, banks, and factories for workmen, and a great deal to miners. These packages of seeds in many places, especially in the mountainous sections, received every year through the Congressmen, are the only bit of mail that is received from one end of the year to the other, and are the only connecting link between these hardy mountaineers and their Government.

The seeds are designed primarily to meet the needs of the man with a little back yard in the cities and small towns, and induce him to have a garden and raise a few vegetables. Last year a new custom was started. On the back of each package was printed: "Don't waste this seed! If you can not make good use of the seed in this package, please see that it reaches some one who will. Note carefully the directions for planting on each package. If you want some more information on gardening, write to the Secretary of Agriculture for any of the following farmers' bulletins, which will be sent you free: The City Home Garden, The Farm Garden in the North, Home Gardening in the South, Control of Diseases and Insect Enemies of the Home Vegetable Garden, and Saving Vegetable Seeds for the Home and Market Garden."

It is from scores of letters coming daily in the mail of Congressmen that the best reflex from the free-seed plan can be had. By the thousands they testify that the congressional seeds do grow, and better than other seeds. A little schoolgirl writes in that she has raised $20 worth from one package. A Providence, R. I., man enthusiastically tells his Congressman that his garden netted him $50 and that he took a prize offered by a merchants' association. A home gardener in Chicago, Ill., asked his Congressman to find out why lettuce and onion seed sent out by Uncle Sam produced while others did not. Pictures sent in show that an elderly couple in Hamilton, Ohio, got a $50 prize for their back yard offered by the chamber of commerce, grown from a package of congressional seeds and watered from an old pump and an old-fashioned hand sprinkler. "The people are coming to know that the Government seeds are always good," writes in an agricultural college man from Mississippi.

Some Members of Congress get seeds for use on their own personal gardens, and one Texas Member has just sent in a testimonial to Uncle Sam saying, "I have had excellent results; the seeds germinated well and proved suited to our climate."

Detroit, Mich., is an excellent example of the new system in distribution of the congressional seeds. A great many packages are being sent to automobile factories for distribution among the operatives and which are being sown in plant garden plots. Similarly large quantities are being sent to the cotton mills in the South for distribution among the operatives.

Through a Vermont farm machinery company at Bellows Falls some seed packages were distributed last year. The Polish employees were especially enthusiastic and were allocated certain sections of a big park. Young truck gardens have resulted, and "this hitherto uncultivated land took on new beauty," writes the Congressman.

With the department opposed to the congressional seed distribution, and with Congress habitually for it, Oliver F. Jones, originally from Cincinnati, who is in active charge of this work, has had an unenviable job as buffer between the department and Congress for about 20 years. He probably knows all the Members of Congress more intimately than any other man in Washington, because he is calling upon them in their offices every day in the year. At present he is getting more than 200 telephone calls a day from them, dictates about 100 letters a day to them, and has 20 or 30 of them calling on him in his office each day.

The seed distribution is conducted under the Bureau of Plant Industry, of which Dr. William A. Taylor is chief, but he has too many other duties to give detailed consideration to this one Federal activity, although he does keep well informed about it. R. A. Oakley and J. E. W. Tracy purchase under contract all the seed that enters into the congressional distribution and supervise the mechanical and physical work of filling the packages and mailing them. Mr. Tracy is in charge of the seed warehouse, located at 339 Pennsylvania Avenue, which is not at all modern, well ventilated or lighted, and not fitted with sanitary equipment of modern type.

This building is well worth special attention. It was erected in 1844 and was the scene of receptions, banquets, and inaugural balls for Andrew Jackson, Martin Van Buren, and Abraham Lincoln. It has been used as the seed warehouse for about 10 years. There are three floors in the front of the building and five floors in the rear. The second and third floors have 22 feet of headroom. The third floor, which was the banquet hall, is suspended by four 2-inch iron bars, and measures 44 by 88 feet. This was done so that there would not have to be supporting pillars from the floor below, which was the ballroom. The only entrance that the President had to the ballroom was down a winding stairs and through a small door not more than 5 feet in height, so it must have been an interesting spectacle to see Andrew Jackson and Abraham Lincoln bending their tall frames to duck through this small doorway.

The third floor is now braced from the second floor with big timbers, because during the Spanish-American War the floor collapsed, due to the fact that in a space 25 by 22 feet boxes of ammunition were piled without any thought of weight until about 435 tons was too much of a load and the floors fell through. This is not a Government-owned

building, but has been rented by the department and used as a seed warehouse for about 10 years.

The filling of the orders of Congressmen is an interesting part of the free-seed distribution. The Members supply their franks in sheets of ten. They are cut up into single slips and counted into bundles by expert counters from the Bureau of Engraving and Printing. As a Member sends in an order a blue slip is made out calling upon the seed warehouse to deliver that quantity, and this is accompanied by the corresponding number of franks. The seed packages are either sent to the office of the Member of Congress, if the franks are not addressed, or are mailed out directly from the seed warehouse if they are addressed.

These franks are now coming in at the rate of 200,000 or 300,000 a day. March — is the last date on which orders may be submitted by Members of Congress, which means that about 5,000,000 franks have yet to be received within the next two weeks. All of these seed packages will be sent out before April 10. Each Member is entitled to 20,000 packages of vegetable seeds and 2,000 packages of flower seeds. As each of these packages contains five small papers of seeds, it really means that 110,000 papers of seeds are sent out by each Member of the Senate and House.

The way in which these seeds are first put into the small papers and sealed and then put one each of five different kinds into a larger package and sealed, with the Member's frank pasted on each package for direct mailing, is an interesting part of the congressional distribution system. This is done by contract, and this year a new contractor is on the job, Frank Clarke, of Waco, Tex., who has speeded up the work by devising a new gluing machine.

For only 3 years in the last 22 years has a company of Fitchburg, Mass., missed out on this contract. Mr. Clarke was making a seed distribution for some banks in Texas during the war that were giving away seeds instead of calendars. He heard of the congressional distribution, sent in a bid, and got the job. Under the terms of the contract he is severely penalized for any mistakes or damages—if a franked wrapper is torn, if the right assortment is not in each package, and even if the wrapper is soiled.

The seed envelopes are filled by machinery, which automatically weighs the contents of each envelope. Two girls work at one of these machines, one filling and the other sealing the little envelopes on a revolving belt. Filling and sealing 36,000 of these little envelopes is considered a good day's work. The girls get piecework over 20,000 a day. The writer saw two girls at work who have run up as high as 48,200, which means that they had to fill and seal 100 packages a minute all day long.

Other girls sit at big tables pasting the congressional franks onto the container on which are printed the names of the five varieties of vegetables or flowers that are to be placed within. A belt carrier runs beside huge bins into which the small packages of seed have been dumped. As the girls finish pasting the franks on the big envelopes they are carried, one at a time, along this traveling belt roadway and in front of a bin at regular intervals are girls, each of whom slips in a small envelope, and the container proceeds to an inspector and then past another girl, who seals up the package by machinery.

There are 64 of the seed bins, which, when less than half full, contain about 25,000,000 packages of seed. By the use of the automatic weigher on the larger packages of from 1 to 5 pounds, such as beans, alfalfa, and dry-land seed, it has become possible to run 100 pounds a minute, and increases the output from 10 to 20 pounds.

This is one of the very busy corners in Uncle Sam's world's largest industrial plant, which those who are prone to criticize the Government officers as taking a long time to do little or nothing do not see. The congressional distribution of free seeds is quite a more complicated business than people generally know. Members of Congress say their mail shows them that through the free-seeds plan Uncle Sam gets very close to the people.

BOARD OF EQUITABLE ADJUDICATION.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 10443) to repeal section 2453 and to amend sections 2450, 2451, and 2456, Revised Statutes of the United States.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, what is the object of this bill? I have not had time to examine the very careful report of the gentleman.

Mr. SINNOTT. The object of the bill is to eliminate the Attorney General's office from the Board of Equitable Adjudication and to repeal two statutes which are really deadwood. There is in the Interior Department a Board of Equitable Adjudication, which reviews cases where the matter is solely between the Government and the land applicant. The board is authorized to decide these cases according to equitable rules. The Attorney General has been a member of that board. However, the department finds that his participation upon the board causes a great deal of delay. He says so himself, and he requests that he be eliminated from the board, and that the matter be handled in the Department of the Interior, where it is really handled for all practical purposes.

Mr. WALSH. This would in no way prejudice the rights of the Government in passing upon these claims?

Mr. SINNOTT. It does not modify the present statutes at all, except to eliminate the Attorney General's office from this board.

Mr. WALSH. Will the solicitor for that department be consulted with reference to legal questions that might arise?

Mr. SINNOTT. Oh, yes; that is, of the Department of the Interior and the Commissioner of the General Land Office.

Mr. MONDELL. Mr. Speaker, I think it is highly important that this legislation should be enacted. The reference of these cases to the Attorney General's office has been largely a matter of form for many years and has resulted in delay. Cases are ordinarily not tremendously important, but they are cases in which the equities are so very convincing and so strong that there can be little doubt, practically no doubt, in regard to their proper determination, though there may be some little question as to some technical point of law. I think it is in the interest of good administration, as construed by the Secretary, that the change be made.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 10443) to repeal section 2453 and to amend sections 2450, 2451, and 2456, Revised Statutes of the United States.

Be it enacted, etc., That section 2453, Revised Statutes of the United States, be repealed and section 2450, 2451, and 2456 be amended to read as follows:

"SEC. 2450. That the Commissioner of the General Land Office is authorized to decide upon principles of equity and justice, as recognized in courts of equity, and in accordance with regulations to be approved by the Secretary of the Interior, consistently with such principles, all cases of suspended entries of public lands and of suspended preemption land claims, and to adjudge in what cases patents shall issue upon the same.

"SEC. 2451. That every such adjudication shall be approved by the Secretary of the Interior and shall operate only to divest the United States of the title of the land embraced thereby, without prejudice to the rights of conflicting claimants.

"SEC. 2456. That where patents have been already issued on entries which are approved by the Secretary of the Interior, the Commissioner of the General Land Office, upon the canceling of the outstanding patent, is authorized to issue a new patent, on such approval, to the person who made the entry, his heirs or assigns."

Also the following committee amendments were read:

Line 3, page 1, strike out the word "section" and insert in lieu thereof the word "sections."

After the figures "2453" insert "and 2454."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time and was read the third time.

Mr. SANDERS of Indiana. Mr. Speaker, I offer an amendment, on page 2, line 6, to strike out the word "of" and insert the word "to" in lieu thereof.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS of Indiana: Page 2, line 6, strike out the word "of" and insert in lieu thereof the word "to."

Mr. MANN. That does not read very well.

Mr. SANDERS of Indiana. It reads:

Divest the United States of the title to the land.

Mr. MONDELL. That has been the law for a long time.

Mr. SINNOTT. The language given here in the bill has been the law for a good many years.

Mr. SANDERS of Indiana. It is incorrect, even if it has been in the law for a good many years.

Mr. SINNOTT. I have no objection to the amendment.

Mr. MANN. That is, the second word "of"?

Mr. SANDERS of Indiana. The second word "of."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows:

A bill to repeal sections 2453 and 2454, and to amend sections 2450, 2451, and 2456, Revised Statutes of the United States.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

OVERTIME COMPENSATION, MEAT-INSPECTION SERVICE.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 10672) to amend the act of July 24, 1919, entitled "An act making an appropriation for the Department of Agriculture for the fiscal year ending June 30, 1920."

The SPEAKER. Is there objection to the consideration of the bill?

Mr. BLACK. Reserving the right to object, I would like to ask the gentleman in charge of the bill a question, but inasmuch as I do not see him on the floor I ask that the bill be passed without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ERADICATION OF CITRUS CANKER.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 10673) to enable the Secretary of Agriculture to pay miscellaneous expenses incurred during the fiscal years 1916 and 1917 in connection with the eradication of citrus canker in the State of Alabama.

Mr. BLACK. Mr. Speaker, I make the same request as to that.

The SPEAKER. The gentleman from Texas asks unanimous consent that this bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

SCIENTIFIC INVESTIGATORS, ETC., DEPARTMENT OF AGRICULTURE.

The next business on the Calendar for Unanimous Consent was the bill H. R. 10819, relating to the Department of Agriculture.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. BLACK. I object, Mr. Speaker.

The SPEAKER. The Clerk will report the next bill.

CONSTRUCTION OF RETIREMENT LAW OF 1920.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 3265) construing the expression "all employees in the classified civil service of the United States," as used in section 1 of the act of May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes."

The SPEAKER. Is there objection to the consideration of this bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I merely wish to make an inquiry as to the need for the last paragraph in the bill, as to why we should extend the construction of the phrase "classified civil service," to where it may occur in other acts of Congress.

Mr. LEHLBACH. While the opinion of the Attorney General defining the classified civil service contrary to the construction that has been put upon the term ever since the civil-service system of the country has been inaugurated was rendered in connection with the retirement law, nevertheless there are other acts under which the administration has acted in accordance with the original construction of the term and the construction placed upon it by this bill. It is thought advisable to have the term uniform throughout the legislation that might affect the subject.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of an objection.

Mr. MANN. Reserving the right to object—and I do not intend to object—you use this language in the bill: "To include all persons who have been heretofore or may hereafter be given a competitive status in the classified service." That may require a definition. Of course these men are covered into the classified service. They are not given a competitive status, as a matter of fact. I do not know what call there may be that declares them to have a competitive status in order to be covered into the classified service.

Mr. LEHLBACH. I will say to the gentleman that that same objection occurred to me, and I had drafted an amendment to this bill as it passed the Senate expressing in what I tried to make explicit language the cases which are meant to be covered by the term "having a competitive status." I had conferred in the matter with Mr. Wales, who had discussed the matter with the Attorney General's office and the lawyers of the Department of the Interior and with his own people, and all had agreed that the term "having a competitive status" was an unequivocal, well-defined, and generally accepted term, meaning an employee who is under the protection of the civil service law and the regulations thereunder, and that there can not be any question of any misconstruction of that term; and in view of that fact I decided to discard my amendment and adopt the language of the Senate.

Mr. MANN. Very well. That will be satisfactory to me. But in view of the fact that the civil service law has been construed for 30 or 40 years as including in the term "classified service" all those who are covered into the service under the provisions of the act, and along comes a new employee of the Attorney General's office and says that the construction of everybody in the past is wrong, what assurance is there that an Attorney General a few years from now, or one of his subordinates, will not say that "a competitive status" means a status obtained by competition?

Mr. LEHLBACH. Whatever view may be taken of the question by any authority in the future, I can say confidently that there is no prospect of such an opinion coming from the present Attorney General's office.

Mr. MANN. I would hate to have to pass another law now, construing this one, as to the construction of a former law.

Mr. LEHLBACH. The gentleman will understand that the possible construction of the language to mean a status obtained by competition is obviated by the language qualifying what is understood to be meant by the "classified service," stating that such a status may be "with or without competitive examination, by legislative enactment, or under the civil-service rules promulgated by the President, or by Executive orders," so that I think it is airtight at this time.

Mr. STAFFORD. Question.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the civil service retirement act approved May 22, 1920, the expression "all employees in the classified civil service of the United States," as used in section 1 thereof, shall be construed to include all persons who have been heretofore or who may hereafter be given a competitive status in the classified civil service, with or without competitive examination, by legislative enactment, or under the civil service rules promulgated by the President, or by Executive orders covering groups of employees with their positions into the competitive classified service or authorizing the appointment of individuals to positions within such service.

The expression "classified civil service" as the same occurs in other acts of Congress shall receive a like construction to that herein given.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. LEHLBACH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. PATTERSON of Missouri (at the request of Mr. FAUST), for 10 days, on account of the dangerous illness of his father;

To Mr. FIELDS, indefinitely, on account of illness; and

To Mr. HAMMER (at the request of Mr. DOUGHTON), for 10 days, on account of important business.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 47 minutes p. m.) the House adjourned until to-morrow, Tuesday, March 21, 1922, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HARDY of Colorado: Committee on the Post Office and Post Roads. H. R. 6954. A bill fixing rates of postage on certain kinds of printed matter; with amendments (Rept. No. 813). Referred to the Committee of the Whole House on the state of the Union.

Mr. KITCHIN: Committee on Ways and Means. House Report No. 804, part 3. A report on adjusted compensation for veterans of the World War. Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SINNOTT: Committee on the Public Lands. H. R. 9746. A bill for the relief of Emmett Otto Cooney; without amendment (Rept. No. 812). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9970) granting an increase of pension to Thomas Smith, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SINNOTT: A bill (H. R. 10966) to provide for the allotting to certain Indians of the Klamath Tribe certain described lands within the Klamath Indian Reservation in Oregon; to the Committee on Indian Affairs.

By Mr. HULL: A bill (H. R. 10967) to relieve unemployment among civilian workers of the Government, to remove the financial incentives to war, to stabilize production in Federal industrial plants, to promote the economical and efficient operation of these plants, and for other purposes; to the Committee on Naval Affairs.

By Mr. WOOD of Indiana: Joint resolution (H. J. Res. 290) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 10968) for the relief of Nathan Matthews; to the Committee on Claims.

By Mr. LARSEN of Georgia: A bill (H. R. 10969) for the relief of Daniel F. Shipp; to the Committee on Claims.

By Mr. ROBSION: A bill (H. R. 10970) granting a pension to Julia Parrish; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4707. By Mr. FENN: Petition of the Woman's Christian Temperance Union of Hartford, Conn., protesting against any amendment to the Volstead Act; to the Committee on the Judiciary.

4708. Also, petition of Chamberlin Council, No. 2, Junior Order United American Mechanics, favoring the enforcement of the present immigration laws; to the Committee on Immigration and Naturalization.

4709. Also, petition of many citizens of Hartford, Conn., protesting against passage of House bill 9753, relating to Sunday observance; to the Committee on the District of Columbia.

4710. By Mr. GALLIVAN: Petition of city council, city of Lynn, Mass., recommending and favoring the passage of the soldiers' bonus bill; to the Committee on Ways and Means.

4711. Also, petition of New York, New Haven & Hartford Railroad, recommending passage of Senate bill 3187, the purpose of which is to give the railroad companies the option of adopting either daylight or standard time in accordance with the wishes of the communities which they serve; to the Committee on Interstate and Foreign Commerce.

4712. Also, petition of E. F. Mahady Co., of Boston, Mass., recommending legislation to eliminate graft or commissions to physicians; to the Committee on Interstate and Foreign Commerce.

4713. By Mr. HAYS: Petition of Alice Mankin and 27 other citizens of Ava, Mo., protesting against the passage of legislation now pending, namely, House bills 9753 and 4388, and Senate bill 1948; to the Committee on the District of Columbia.

4714. By Mr. KISSEL: Resolutions of mass meeting of New York City residents, March 10, 1922, relative to work in navy yards; to the Committee on Naval Affairs.

4715. Also, petition of the Foster & Reynolds Co., New York City, N. Y., relative to the bonus; to the Committee on Ways and Means.

4716. Also, petition of Hildegard Shipping Co., New Orleans, La., relative to the settlement of claims arising out of the late war; to the Committee on War Claims.

4717. By Mr. LUCE: Petition of Massachusetts Federation of Churches, regarding joint resolution for deferment of the Austrian debt; to the Committee on Ways and Means.

4718. By Mr. STOLL: Resolution adopted by the Mullins Tobacco Board of Trade, opposing any further increase in the tax on cigarettes and other manufactured tobacco; to the Committee on Ways and Means.

4719. By Mr. TILLMAN: Petition of Joseph Baxter and others, of Arkansas, opposing the passage of House bill 9753, or any other Sunday bill; to the Committee on the District of Columbia.

4720. By Mr. WATSON: Petition by the George School Group of Fellowship of Reconciliation, favoring reducing the personnel of the Army to 75,000 officers and enlisted men and the Navy to 50,000 officers and enlisted men; to the Committee on Appropriations.

SENATE.

TUESDAY, *March 21, 1922.*

(Legislative day of Thursday, March 16, 1922.)

The Senate met in open executive session at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE.

As in legislative session,

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed without amendment Senate bills of the following titles:

S. 3200. An act granting to the Northern Pacific Railway Co. the right to construct and maintain a bridge across the Mississippi River at Minneapolis, in the State of Minnesota; and

S. 3265. An act construing the expression "all employees in the classified civil service of the United States," as used in section 1 of the act of May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes."

The message also announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 6568. An act for the relief of the Red Lake Band of Chippewa Indians of the State of Minnesota, and for other purposes;

H. R. 9671. An act to amend section 87 of the Judicial Code;

H. R. 10443. An act to repeal sections 2453 and 2454, and to amend sections 2450, 2451, and 2456, Revised Statutes of the United States; and

H. J. Res. 282. Joint resolution to authorize the Secretary of War to incur obligations for construction and maintenance of roads, bridges, and trails in Alaska, said obligations to be paid from the appropriation for the fiscal year ending June 30, 1923.

THE FOUR-POWER TREATY.

Mr. LODGE. I ask that the Senate proceed to the consideration of the four-power treaty.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. LODGE. Mr. President, I make the point of no quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McNary	Shortridge
Ball	Gooding	Moses	Simmons
Borah	Hale	Myers	Smith
Brandegee	Harris	Nelson	Spencer
Broussard	Harrison	Norbeck	Stanfield
Bursum	Heflin	Norris	Stanley
Cameron	Johnson	Oddie	Sutherland
Capper	Jones, Wash.	Overman	Townsend
Caraway	Kellogg	Page	Underwood
Culberson	Kendrick	Pepper	Wadsworth
Cummins	King	Phipps	Walsh, Mass.
Dial	Ladd	Pittman	Walsh, Mont.
Edge	La Follette	Poindexter	Warren
Elkins	Lenroot	Pomerene	Watson, Ga.
Ernst	Lodge	Ransdell	Willis
Fernald	McCormick	Rawson	
France	McKellar	Robinson	
Gerry	McKinley	Sheppard	

Mr. JONES of Washington. I wish to announce that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Kansas [Mr. CURTIS], the Senator from New York [Mr. CALDER], the Senator from Indiana [Mr. WATSON], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained at a meeting of the Committee on Finance.

The PRESIDENT pro tempore. Sixty-nine Senators have answered to their names. There is a quorum present.

Mr. LODGE. Mr. President, I send to the desk and ask to have read a telegram which I have received from Mr. Paul D. Cravath.

The PRESIDENT pro tempore. Without objection, the Secretary will read the telegram.

The Assistant Secretary read as follows:

[Western Union Telegram.]

NEW YORK, N. Y., *March 21, 1921.*

Hon. HENRY CABOT LODGE,
Senate Chamber, Washington, D. C.

My attention has been called to a charge by Senator BORAH in the Senate to-day to the effect that I had stated that there was a secret understanding between the United States and Great Britain regarding far eastern and Pacific questions and that members of the Washington conference were my authority for this statement. I hope I need not assure you that this charge is unfounded. I never made such a statement nor have I ever talked with any member of the Washington conference on the subject of the alleged statement, or on any subject remotely resembling it. What I have said, in substance, on more than one occasion, is that to my mind the successful and sympathetic cooperation between the American and British delegations at the Washington conference, which is a matter of public knowledge, augurs well for future cooperation between those nations in dealing intelligently and effectively with the problems of the Pacific. My attention has just been called to what purports to be the stenographers' minutes of an informal dis-

cussion at a recent meeting of an organization known as the council on foreign relations, in which I took part. I infer that the language attributed to me by Senator BORAH must be based on a paragraph from those minutes which attributes to me language which, to the best of my recollection I did not use, but which, if used, was the language of informal discussion that did not accurately convey my meaning. When those minutes were submitted to me I corrected them so as to convey my true meaning, and in their corrected form they were printed and circulated by the council of foreign relations. I did not remotely have in mind any secret agreement or understanding between the American and British Governments, but simply that sympathy and understanding which is engendered by successful cooperation and mutual confidence.

PAUL D. CRAVATH.

Mr. LODGE. I also ask to have read a brief letter received from the Secretary of State.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Assistant Secretary read as follows:

THE SECRETARY OF STATE,
Washington, March 21, 1922.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I notice that the latest charge in the course of the debate over the four-power treaty is that there is a secret agreement or understanding between this Government and Great Britain with respect to Pacific matters. Any such statement is absolutely false. We have no secret understandings or agreements with Great Britain in relation to the four-power treaty or any other matter.

In my letter to Senator UNDERWOOD on March 11, in relation to the four-power treaty, I said:

"There are no secret notes or understandings."

Permit me to express the hope that the American delegates will be saved further aspersions upon their veracity and honor.

Faithfully yours,

CHARLES E. HUGHES.

Mr. LODGE. I ask that the telegram and the letter may be printed in the RECORD in 8-point type.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. EDGE obtained the floor.

Mr. BORAH. Mr. President, will the Senator permit me to take just a few moments in reply to the communications just read?

Mr. EDGE. In the course of my remarks, which will require only about 15 minutes, I purpose touching indirectly, if not directly, upon this so-called controversy. I desire to be courteous to the Senator from Idaho, but I am afraid if he starts we would have a running debate for an hour or two.

Mr. BORAH. Very well; I shall not inconvenience the Senator.

Mr. EDGE. Mr. President, either the four-power treaty should be ratified by the Senate, or any further thought of limiting armaments should be indefinitely postponed. The necessity of ratifying both of these agreements or neither is so obvious and self-evident that any other viewpoint is beyond comprehension.

If the Senate by its own vote defeats the ratification of the four-power treaty and thus demonstrates its distrust and lack of confidence in the intent or integrity of other powerful nations, by that very admission it conclusively proves the necessity of our maintaining the most powerful Navy in the world.

If two-thirds of the membership of the Senate favor a limitation of naval armament and a cessation of competition between nations in building warships and ironclads, which action the country undoubtedly demands, then we must encourage international comity and assume some cooperative responsibility to help maintain the peace of the world.

I do not propose to take the time to discuss the technical differences that have arisen in this debate as to when a treaty is an alliance or is not an alliance, or as to the menace of the existing Anglo-Japanese alliance, or to indulge in a historical review covering past happenings in connection with ententes, triumvirates, or other international compacts. We are now dealing with something entirely different and all precedents fail. I will very briefly confine myself to what I consider the practical effect of the proposed four-power compact and its influence on the world's future.

I see a great difference between the League of Nations covenant, with its agreement to preserve the territorial integrity of practically all the country in the world, especially when urged without far-reaching reservations, and a compact between four nations, in effect agreeing to respect each other's present possessions in the only section of the world in which the United States is interested from a territorial standpoint, coupled with a further agreement to confer in case of threatened danger.

For me it is difficult to reconcile the position of those who, during the league debate, argued that we should accept mandates practically to direct the affairs of such turbulent countries as Turkey and Armenia, and who now express a fear of entangling and destructive alliances, which they say would be calamitous when it is suggested that we sit around a table and discuss possible remedies for international problems that may threaten a section in which we have important interests.

We are a Pacific, not a European power.

Apparently no effort at international cooperation would now gain the support of those who take that position, and yet many of the present opponents of the pending treaty were prepared to accept the League of Nations without reservation or amendment. Surely, if the league with its guaranty to preserve existing territorial possessions was not conducive to war, then there would be no danger in that regard under the four-power treaty.

Whether the Anglo-Japanese alliance was a menace to the United States or otherwise, it appeals to me as common sense to scrap a two-party offensive and defensive alliance and replace it with the assured participation of the four powers particularly interested in Pacific possessions and to endeavor by our very presence to influence a recognition of the policies and traditions to which the United States has always subscribed.

Much of the criticism of the pending treaty is centered upon the question as to who wrote it or who inspired it, coupled with expressions demonstrating suspicion of the real intent and purposes of the statesmen representing the different nations. There is criticism even of the home reception of a distinguished foreign delegate. Every rumor of secret understanding, regardless of whether it is officially denied, is seized upon by opponents of ratification as an evidence of complicity. Frankly, I do not believe any of these objections will, or should, greatly influence an impartial judge or critic. If the compact is dangerous or inimical to the interests of this country, no matter who wrote it, it should not be ratified, but the objection should be based upon the terms of the compact itself, and not upon its authorship.

Let us deal in facts, not rumors or fancies.

Speaking as a layman, I do not know how an international understanding could be written in simpler language or in words less susceptible of misunderstanding than the treaty now under consideration. It furnishes the best guaranty for world peace ever presented. How, therefore, can we refuse to do our part?

So far as I am concerned, I have always been convinced that the United States must assume her part in the settlement of international problems, and, under this compact, I do not harbor the slightest fear of international entanglements.

Mr. President, it is a libel on American statesmanship to assume that our representatives at any conference in which we may participate under the terms of this compact would be unable to protect properly the interests of the United States. It is unthinkable that we would not be an important influence in helping to settle threatened difficulties or that the force and power of the participation of our country would not minimize rather than accentuate strife or friction.

Is it not reasonable to assume, if the peace of the Pacific were threatened, that we would naturally be brought into the conflict, whether we were a part of the four-power treaty or otherwise?

Were we not drawn into the Great War without being party to any alliance, compact, or international combination whatsoever? And just as surely as we are debating this treaty to-day, if there were an attempted aggression in the Pacific upon the part of any power, sooner or later we would become involved in the controversy.

Many an international misunderstanding has developed and been fanned into flame because of the distance intervening between those arguing by cable or diplomatic notes. Such calamities possibly could have been averted if representatives of the contending nations could have gathered around a table. People often hate each other at a distance; it is difficult to hate side by side.

Is it not better by far to be associated with the other nations particularly interested in a certain quarter of the world and agree to discuss any threatening situation which may arise and thus give the world, as well as ourselves, the benefit of our influence and power in an effort to prevent war than to endeavor to stop it after it has commenced?

Has it occurred to the critics of this treaty that the obligations under its terms are not all and alone upon us? Might it not be helpful at some time to have other powerful nations bound to respect our rights as well as we to respect theirs? Our policy and rôle are peaceful, and territorial aggression forms no part of our national ambitions. Is it not reasonable to assume that through this mutual understanding and the force and power of this union future invasions will be discouraged, or at least minimized, and that we, as well as our neighbors, shall profit?

I repeat what I said, in effect, upon the floor of the Senate a few days ago, that, in my judgment, so far as our being in any way morally or legally bound to enter war is concerned, the pending treaty, without any reservation whatsoever, permits us more freedom in this regard than would the League of Nations, even with the reservations which were supported by a majority of the Senate at that time.

I reiterate that I can not see the consistency of Senators on the other side who were supporters of the original League of Nations without any reservations picturing all the horrors of entanglements and war in which the United States will become involved if the four-power treaty be ratified.

Personally, I do not believe the pending treaty needs a single word of reservation or interpretation to protect us from either a moral or legal obligation to go to war or to defend any of our associates should they go to war.

I do not object in principle to the proposal that an invitation be extended to other powers that may be involved in misunderstandings in the Pacific and join in any conference called. However, I see no necessity for such a reservation.

I can not conceive of a misunderstanding in the Pacific involving a power other than the four associates in this compact, where their first act and natural policy would not of necessity be an invitation to such nations to send representatives to attend a conference and endeavor to adjust the difficulty.

I object to reservations to this treaty because of the unnecessary distrust reservations indicate, and to me the treaty's language, terms, and meaning are so simple that the tacking on of reservations would only tend to confuse rather than to clarify. Such action would invite similar reinterpretations on the part of other countries and perhaps ultimately delay, postpone, or interfere with the main accomplishment of the conference, namely, the permanent naval holiday provided for. If I shall vote for any reservation, it will only be to insure the treaty's ratification.

After all is said and done, should not other countries of the world very properly look to the United States for practical help and cooperation and expect sympathy and counsel?

By the result of the Great War a world's leadership was inherited by us that we can not refuse to assume and assert. It need not involve us in the domestic politics of other nations; it need not, and should not, alter or destroy the national traditions of America; but it can no more be set aside honorably than can our known responsibilities in any cause of humanity be willfully ignored. If we viewed the world's situation only from a selfish standpoint, we would of necessity be compelled to aid in the readjustment of economic affairs, because it has become apparent, never more concretely than at the present moment when we are confronted with existing industrial depression, that our great country with its largely increased power of production can not be really prosperous by limiting exchange and trade with ourselves.

So far as my personal viewpoint is concerned, I would harbor no fear of America suffering in any way should we participate in the Genoa conference. In our own interest, sooner or later, we must assist in adjusting the economic difficulties of the various nations of the world, whose markets we seek and which as customers contribute to our prosperity. At the same time I recognize the logical reasons advanced for postponing this participation and trust that shortly the difficulties of the situation may be adjusted.

Oh, Mr. President, in my judgment it would be a calamity from which we could not recover for generations if the agreements of the Washington conference were repudiated and it were recorded that the Senate of the United States declined to trust not only the representatives of other nations of the world but even the distinguished Americans who represented us.

Certainly under this compact nothing could be binding without unanimous consent, and certainly no man can find in the plain English presented either a moral or legal responsibility which would involve us, unless we felt that the cause was justified. Efforts have been made to establish this responsibility by comparing the pending treaty with the Entente alliance, but the language and commitments are very different. If, as I have attempted to point out, and as history demonstrates, trouble should occur in the Pacific, we would be involved in any event.

It seems to me, Mr. President, that the very best evidence that this new plan for the interchange of diplomatic viewpoints will succeed is the result of the Washington conference itself. Here were the representatives of nine powerful nations of the world conferring without the interposition of superconstitutions or international understandings of any kind whatsoever. As a result of their deliberations six far-reaching treaties were unanimously agreed upon. Questions which arose from time to time during the course of the conference were compromised or adjusted, and the result of the unanimous action is before us to-day.

Is it not, then, reasonable for us to assume, whatever future difficulty may menace the Pacific, that, with the convening of the representatives of the four powers and an invitation to representatives of other nations which might be involved, an adjustment of some kind will be reached and thus war averted?

The Senate of the United States, it seems to me, with its great power, is now at the crossing of the ways. Either through a ratification of the pending treaties we will admit a willingness to meet in the endeavor to adjust possible difficulties with our neighbors, or we will go it alone. On the other hand, if because of some technicalities or doubts we place our stamp of disapproval upon this final effort mutually to face and adjust world problems, then we must realize that we assume a grave responsibility.

What further suggestion can any statesman offer for world cooperation? Our refusal, Mr. President, as I contemplate the situation, means isolation with all the selfishness and misunderstanding that such a policy must invite. I have never believed that our country should hold itself entirely aloof from all international concerns. I have never feared our ability to protect ourselves in diplomatic intercourse, or, if need be, in the resort to sterner measures. We can not face international problems as the country faced them a hundred years ago. We live in a different world to-day. The problems confronting the world are more interlocking; America is more powerful and potential; and the position of leadership in the world which she is destined to occupy can not be lightly or selfishly thrust aside. A disturbed and distracted world requires our sympathy and advice. We must not, we can not, refuse our aid.

Mr. BORAH. Mr. President, it is not my purpose to take advantage of my position in the Senate to say anything concerning Mr. Cravath that I would not say in a personal interview with him or in a personal discussion with him. I do want, however, to examine his statement in the light of the facts. He has sent a telegram to the Senator from Massachusetts [Mr. LODGE], in which he says:

> My attention has been called to a charge by Senator BORAH in the Senate—

I do not know what he means by "a charge." I made no charge at all. He made a charge, a most grave and serious one, and I read it. I read his statement and permitted it to speak for itself. The whole matter, therefore, turns upon the question of whether or not I was misled in quoting him.

Further, he says:

> I infer that the language attributed to me by Senator BORAH must be based on a paragraph from those minutes which attribute to me language which, to the best of my recollection, I did not use; but which, if used, was the language of informal discussion that did not accurately convey my meaning.

Of course, if that kind of a plea were made in court, the court would pronounce a judgment of guilty upon the man making it.

Mr. ROBINSON. That is not a great international lawyer making that kind of a statement?

Mr. BORAH. Now, this is the part to which I call attention:

> When those minutes were submitted to me I corrected them so as to convey my true meaning, and in their corrected form they were printed and circulated by the council on foreign relations.

Mr. President, I have the document which was printed and circulated by this body of which he is vice president, and I am going to read from this authorized and corrected statement, and I ask the Senate to follow me by reading what I read yesterday, and it will be found there is not a change of a word, not even of punctuation. If this represents Mr. Cravath's view, I take it; I accept it.

I read from a document which bears upon its cover:

> No. 29.
> Proceedings of the Council on Foreign Relations, Inc.
> Comments upon the Conference on the Limitation of Armaments and Far Eastern Questions.

On the inside page I read:

Conference of the Council on Foreign Relations, Inc.
Hotel Astor, New York City.
February 17, 1922.
Subject:
Comments Upon the Conference on the Limitation of Armaments and Far Eastern Questions.
Presiding: Hon. John W. Davis, former ambassador to England.
Speaker: Hon. Norman H. Davis, formerly Undersecretary of State.
Discussion led by Mr. Paul D. Cravath.
Officers and directors:
President, John W. Davis.
Vice president, Paul D. Cravath.
Secretary and treasurer, Edwin F. Gay.
[Directors:] Isaiah Bowman, A. C. Coolidge, Norman H. Davis, Stephen P. Duggan, John H. Finley, David F. Houston, Otto H. Kahn, Frank L. Polk, W. R. Shepherd, Paul M. Warburg, George W. Wickersham.
William C. Grace, general manager, 25 West Forty-third Street, New York City.

I did not purloin this document. It was given to me by a gentlemen who is a member of the corporation who was present that night when the discussion took place and who says that this is the discussion which did take place, and Mr. Cravath says it is not only the discussion but the corrected and printed and circulated discussion. I read:

Now, to my mind—

Says Mr. Cravath—

a very important part of the achievement of the Washington conference is not recorded at all in black and white in that treaty or in any of the other treaties that were negotiated. And that is the bringing about of what seems to be a sympathetic understanding between the United States and Great Britain regarding the Far East and Pacific questions generally. I quite agree that under the program produced by those treaties we have practically surrendered our naval position in the Pacific. I assume that without further fortifications in the Pacific and that with the fortifications and fleets as agreed upon we could not successfully compete with Japan in the Pacific alone, and certainly we could not compete with an Anglo-Japanese fleet in that region. On the other hand, and to my mind this is the much more encouraging statement based on the same facts, an Anglo-American fleet in the Pacific would dominate Japan, and it seems to me that we have substituted in place of the necessity for creating the greatest fleet the world has ever seen, with all the expense and temptations that involves, an understanding and basis for cooperation with Great Britain which gives those two powers the control of a combined fleet in the Pacific which will be large enough to dominate Japan and make her live up to the obligations she has assumed.

This is the correct statement, Mr. President.

Mr. DAVIS.—

Now, mind you, Mr. Davis asks for specific information. They were engaged in a joint debate.

Mr. DAVIS. I want to know if you are making that statement as a fact or is it just your own opinion of what would happen?
Mr. CRAVATH. I have been told by every member of the American delegation—

Corrected copy!—

and while I haven't been told by every member of the British delegation—

Notice the distinction—

I know definitely that the view is held by Mr. Balfour and I think by every other member of the British delegation, that the result of the Washington conference has been not a formal agreement by any means but an understanding, and such a degree of understanding, and such a basis of sympathy has been created between Great Britain and the United States, that both sides assume that in all future emergencies they can both count on having the very closest cooperation.
Mr. DAVIS. No; that isn't what I mean. What I mean is as to the agreements on fortifications and the agreement as to the naval ratio—do you mean to say that both fleets would dominate the Japanese fleet?
Mr. CRAVATH. Of course, I have no independent knowledge of that. I am not a naval expert, and have no independent opinion on that point, but I am informed that our technical advisers are satisfied that if the United States and Great Britain are on one side and Japan on the other, that the Anglo-American fleet and the entire Anglo-American naval position would dominate that of Japan in Japanese waters.
As I say—

Continuing Mr. Cravath's revised version—

I have no independent opinion of my own on that. I am simply repeating what I have been told in Washington, but, in all events, we are very much better off if I am right in assuming that underlying sympathy with Great Britain than we would have been with as large a fleet as the one that we have had in contemplation and on our building program, being opposed with the largest fleet that Japan would find herself physically able to build, and Great Britain being bound as a matter of course to keep pace with both. So, assuming that our theory of Anglo-American cooperation is well grounded, it does seem to me that our naval position, as against Japan, has been improved rather than weakened, and we have the great advantage in the reduction of our naval program and all that that means financially and otherwise.

Mr. President, if there is a change of a letter, a change of a word, a change of punctuation, I ask some Senator here who may have followed me to correct me when I say there was none.

Now I am going to bring forth another proof that that actually happened there, because Mr. Davis replied to it. On page 37 of this printed edition—this edition made after due reflection, after the great international lawyer had considered his words and the import of his words—I find this. Davis says:

Really, this whole business now strikes me as being worse after hearing your explanation than I thought it was in the beginning, because you say in substance that we really couldn't tackle Japan. We couldn't whip her alone. So we just decided that as Japan was wanting all these things out there and as she was preparing for war against us the only way to stop her was to surrender any claim or right that we might have there. Of course, you can stop any war that way. Give the party what it wants and it will quit fighting you. That is easy. No country is fool enough to keep on fighting if you will let her have what she wants without fighting for it. You go ahead to say "What have we done?" We have done a marvelous thing. We want to deal fairly with Japan, and all that, but at the same time we have gone ahead and formed a combination whereby we can crush her to pieces if she should refuse to do what is right—what we think is right. We have got so much force now that we can force her position. Now, that is not getting very near to the League of Nations.

Mr. Cravath had assured them in a former part of this debate that this was a step toward the League of Nations.

As much as I favor Anglo-American friendship—and I do most heartily—the very moment that England and America get together to bulldoze the rest of the world they will destroy all their usefulness. They must respect the rights of the small nations just as much as anyone else. You don't seem to think that this is an alliance?

And then they went off on a discussion of the alliance.

Mr. President, whatever injustice I did Mr. Cravath, I did not misquote him. I permitted him to make his own case. I leave him to his own reflections.

I assume, Mr. President, that when I stated yesterday that I read from the stenographic report, Mr. Cravath assumed that I did not have an edition, and he felt safe in the course he adopted to extricate himself.

He begins his speech in a way that leaves no doubt as to the verity of this report. He says:

I approach the discussion of these treaties very much from the point of view of Mr. Davis. Like him, I favored ratification of the treaty of Versailles—bad as I thought it to be. I favored our entering into the League of Nations—dangerous as article 10 and the obligations there imposed seemed to me to be.

And so forth.

Mr. President, I am only going to discuss one feature of the matter to-day, and that is as to whether I correctly quoted Mr. Cravath; but I want to insert in the RECORD the entire debate between Mr. Norman H. Davis, Paul D. Cravath, and the others who took part in it, who were Mr. Roland S. Morris, formerly a representative of this Government in China; Mr. C. G. Young, Mr. J. G. McDonald, Mr. H. S. Houston, Mr. Albert Rathbone, Mr. Sidney L. Gulick, Mr. Dawson, and Mr. Paul Fuller, jr., and the remarks of Mr. John W. Davis, as chairman. He says:

We are indeed fortunate to have the two gentlemen who will open the discussion for us, Mr. Davis and Mr. Paul D. Cravath. The evening belongs to them until they are ready to surrender it. I hope you will all take advantage of the opportunity when they are finished with their addresses, and you are at liberty to shoot at one or both speakers. If you don't care to have them as your target to shoot at, why then set up your own target and shoot at that. I now call on Mr. Norman H. Davis.

Mr. McCORMICK. Apparently the invitation still holds good.

Mr. BORAH. There is another feature of this, Mr. President, which I shall discuss later, and that is as to why this debate took place, why this was said, and why this pamphlet is being circulated in certain circles throughout the United States.

Mr. LODGE. Mr. President, I simply want to correct the Senator in one statement. Mr. Morris was our representative in Japan, not in China.

Mr. BORAH. I think that is correct.

I ask to have the entire debate inserted in the RECORD as part of my remarks, and printed in 8-point type.

There being no objection, the matter referred to was ordered to be printed in the RECORD in 8-point type, as follows:

CONFERENCE OF THE COUNCIL ON FOREIGN RELATIONS (INC.), HOTEL ASTOR, NEW YORK CITY, FEBRUARY 17, 1922.

SUBJECT: COMMENTS UPON THE CONFERENCE ON THE LIMITATION OF ARMAMENTS AND FAR EASTERN QUESTIONS.

[Officers and directors: President, John W. Davis; vice president, Paul D. Cravath; secretary and treasurer, Edwin F. Gay; Isaiah Bowman, A. C. Coolidge, Norman H. Davis, Stephen P. Duggan, John H. Finley, David F. Houston, Otto H. Kahn, Frank L. Polk, W. R. Shepherd, Paul M. Warburg, George W. Wickersham; William C. Grace, general manager, 25 West Forty-third Street, New York City.]

Hon. JOHN W. DAVIS (chairman). Gentlemen of the council, our topic for this evening is undoubtedly the most important of all topics as affecting the foreign relations of this country—the Washington conference and its effect on our foreign relations.

We are indeed fortunate to have the two gentlemen who will open the discussion for us, Mr. Davis and Mr. Paul D. Cravath. The evening belongs to them until they are ready to surrender it. I hope you will all take advantage of the opportunity when they are finished with their addresses, and you are at liberty to shoot at one or both speakers. If you don't care to have them

as your target to shoot at, why then set up your own target and shoot at that. I now call on Mr. Norman H. Davis.

Hon. NORMAN H. DAVIS. The achievements of the Conference on the Limitation of Armament and Far Eastern Questions have been of considerable importance. First among these was the revival of a state of mind by which attention was directed to the superior benefits of peace and cooperation over those of selfishness and strife.

It is of course easy to criticize the failures of the conference. It is easy to show that many important questions still pressing for a solution were not settled and that some of those heralded as happily disposed of may remain sources of future trouble. It is also easy to point out that in so far as any real progress was made, it was only by following in the footprints leading to the League of Nations and world-wide cooperation. Our national welfare is, however, too dependent upon the contribution we make to an improvement in international relationships to excuse a partisan, unintelligent, or emotional consideration of such a vital question. America and the world have suffered almost to the breaking point, partly as a result of the unfortunate controversies over the work of the Paris peace conference, because criticism of real or alleged defects in the treaty of Versailles were allowed to obscure and deprive us of the good and lasting achievements. We must accept and hold to the benefits secured at the Washington conference, but these may be lost if we fool ourselves into believing that all the necessary objectives have been reached and fail to press forward. It is therefore our duty to take stock and examine any defects and mistakes, not with a view of belittling the good results but for the purpose of correcting the defects or avoiding the mistakes in order to preserve our gains and strive for greater achievements.

The apparent rapid progress made at the outset in Washington raised undue expectations. It may be that we advanced too rapidly in some directions and not enough in others. Constructive improvement in international relations comes slowly, because it is regulated by the rapidity with which the respective nations are prepared to adopt enlightened policies. Each delegation at Washington was restricted by what it was thought the peoples acting through their Government would accept. In order to appraise the work of the conference it is therefore necessary not only to survey the principal questions which were causing friction and preventing a decrease in armament for which solutions were sought but first of all to review the state of national opinion as to the relevant matters involved and the circumstances under which the conference was called. We may then examine more in detail some of the questions in the agenda and consider to what extent the difficulties indicated have been removed; what, if any, false steps have been taken, and what further steps should be taken.

The war aroused a general public demand for measures which would prevent a recurrence of such a catastrophe and relieve the peoples of the burdens growing out of armaments. The first serious attempt to bring this about was through the creation of the League of Nations. With the realization that the problem must be dealt with as a whole; that nations would not reduce or discard their arms without some assurance that their rights and interests would be otherwise protected and secured, the League of Nations was formulated on a comprehensive plan which it was believed would attain this result. More than 50 nations, being convinced of the necessity for world conference and cooperation, joined the league. The United States refused to do so or to otherwise cooperate with those powers in reaching settlements which would restore confidence and facilitate a general world-wide reduction in armaments.

Our failure to do this militated against naval disarmament as well as recovery from the world-wide industrial depression. We could not safely throw up our arms without substituting for them protective agreements with the other powers, and obviously the League of Nations could not take steps for effective disarmament, one of its principal objectives, without the concurrence of the United States, the most powerful Nation. As a result we continued to increase our Navy, and England and Japan did likewise. I shall not attempt to state why we failed to enter the league. Suffice it to say, we took the opposite course. Embracing the fiction that we were not concerned with outside controversies, we spurned this opportunity for service and leadership.

As the tide of passion and prejudice which came in the aftermath of the war began to subside, our vision and higher qualities began to emerge, the myth of American isolation began to vanish, and the necessity for international cooperation became more apparent. As Europe's economic collapse spread to the United States as a result of her contracted purchasing power, it began to be seen and admitted that we were concerned in outside questions, at least in those of an economic character. Developments soon showed that Europe's failure to recover industrially was primarily due to political policies, actuated by fear or greed, which prevented a restoration of confidence and stability—the prerequisites to economic recovery—and to a failure to reduce armaments and taxes; and therefore that industry and commerce would not recover in advance of political security and the adoption of political policies which would set the economic forces free. In the Far East trouble and friction were increasing because of the efforts of certain powers to secure for themselves preferential economic and political advantages or controls detrimental to the rights and interests of other nations, as well as to those of the people directly concerned.

It became more apparent that if we were to protect our own economic structure we must change our course and do something definite to assist in the improvement of foreign political and economic conditions, which could be done only by working in concert with the other powers. We began to see how much loss and damage had been caused by our previous failure to realize these facts and to act accordingly; and how unfortunate it was that our participation in world affairs had become the source of such a bitter political controversy that it could not then be dealt with frankly on its merits.

I have held the belief that once the leaders of the present administration were confronted with the same facts and problems which confronted the last administration, and with the same solemn official responsibility for decision and action, they would reach substantially the same conclusions and see the wisdom of adopting the same true American course. My belief has been substantially confirmed, except as to our ratification of the treaty of Versailles and entrance into the League of Nations. Although some of the Republican Senators opposed in principle our entrance into the league, the large majority of them, including Senator Harding, professed to favor it in principle, but insisted upon reservations to rectify or remove certain alleged defects. Furthermore, 31 distinguished citizens, many of whom, including our present distinguished Secretary of State, were intellectual leaders in the Republican Party, had in an open letter on the eve of the election in 1920 expressed the firm conviction that the United States should ratify the treaty of Versailles and enter the League of Nations, and had assumed the solemn moral responsibility of assuring the American people that the election of Mr. Harding would insure our taking this wise course. We must assume that these views, under the circumstances in which they were given publicity, must have been reached after most earnest and well-matured consideration; and also that these 31 gentlemen still believe as we do that this would have been the wise and logical way to secure world-wide cooperation and to deal with disarmament; otherwise they surely long ago would have so informed the public who in such great numbers placed their faith in that assurance. It must be admitted, however, that the "irreconcilables," although in the minority, professed equal assurance that Mr. Harding, if elected, would keep us out of the league. Instead of clarifying issues, the 1920 elections confused them. The overwhelming Republican victory obtained by the temporary combination of groups holding most conflicting views gave to each of them an opportunity to claim approval from the people. Whatever may have been Mr. Harding's views as a candidate, as to which there is still a divergence of opinion, he did talk about a new association of nations without involvements, but did not as President show any inclination to enter the existing one, or to give any clear lead as to a possible new one. To make confusion worse, the public were not told nor could they see what course the administration proposed to take. As a result, the Senate virtually took control of our foreign relations.

Shortly after the present administration came into power, and before it had formulated or announced any definite policy in respect to the future relationship of the United States to world problems, it considered itself forced by a resolution of Congress to make a separate peace with Germany. It would seem, however, that this was in accord with the President's own ideas, since he as a Senator had voted for a similar resolution and after election had invited such action. Before negotiations for a separate treaty with Germany were concluded, the administration considered itself again forced to take another step, as a result of a congressional resolution, to call a conference for the limitation of armament.

Obviously the separate peace resolution and the disarmament resolution were attempts by Congress to respond to a public sentiment again becoming articulate, and to an increasing pressure for a solution of the disturbing world problems, in view of the fact that the administration was failing to act or point the way.

The President and the Secretary of State were evidently in possession of facts which convinced them of the inexpediency

and futility of attempting to bring about a limitation of armament without the concurrent settlement of other questions so intimately related to, if not the cause for, maintaining and increasing armaments. As a settlement of the various controversies relating to China and Siberia had more relation to naval armament, and as it was probably considered premature to tackle European questions, the scope of the proposed conference was enlarged but practically limited to far eastern questions, although conditions in Europe were causing more loss and trouble. There had not been so much controversy or fear over our becoming entangled in Asiatic controversies. Some minds functioned differently in respect to questions in Asia, 7,000 miles to the west of us, than in Europe, 3,000 miles to the east. Future developments may, it is hoped, enable a shortening of mental range, even to the extent of realizing that questions in Europe may have a most important relation to those in Asia and even the Pacific Ocean and to world peace.

I believe, as did those 31 gentlemen who signed the aforementioned letter, that our logical and safe course was to have entered the League of Nations, or, failing in that, the administration should at least have offered some other definite, comprehensive plan for world conference and cooperation. Having done neither, it was decided to tackle the problems piecemeal and to invite to a conference on the limitation of armament and far eastern questions eight members of the League of Nations, apparently with the object of thus securing a part of the desired objective. With the specter of the mangled treaty of Versailles hovering over them, and the uncertainty of what policies would meet with approval, our delegates embarked upon their course without a compass.

We may now review the far eastern questions included in the agenda of the conference which were to be taken up in connection with a limitation of naval armament and see to what extent they have been settled. Most of these relate to the so-called open door, a policy originally announced by the United States, which had by successive interpretations come to mean equal opportunity for all powers in trade and commerce in China and respect by all powers of the territorial and political integrity of China.

All of the powers represented at the conference had for 20 years officially professed to accept this policy, but it was being constantly violated. On account of more recent developments, the United States Government took the position that the principles embodied in this policy should also be applied to Siberia. Japan had been charged with the most serious disregard of these principles in Manchuria, Shantung, Siberia, and Sakhalin.

In 1915 Japan submitted her famous 21 demands, which in effect would have made Manchuria a Japanese Province. The Japanese delegates at Washington announced an intention not to press for acceptance by China of some of the most objectionable of these demands, but this question remains unsettled.

One of the most important questions to be settled was that relating to the Chinese Eastern Railway. This railway, which crosses Manchuria and connects at Manchouli with the Trans-Siberian Railway, belongs to Russia, through the nominal ownership of the Russo-Asiatic Bank, and ultimately reverts under certain conditions to China. On account of the vital necessity of this railway for commerce into Manchuria, Siberia, and Russia, the allied and associated powers, constituting themselves as trustees, took control during the war and appointed an interallied committee, headed by a distinguished American engineer, Mr. John F. Stevens. This committee has been operating the road in the interests of all concerned, pending its return to the owners. Successful operation was prevented, however, by a lack of proper cooperation and because the committee's control did not extend over the Ussuri Railway, which is now in control of Japan and connects the Chinese Eastern with the terminus at Vladivostok, nor over its other outlet at Port Arthur, the terminus of the South Manchurian Railway, which is also under Japanese control. Without the removal of these obstacles it is evident that the operation could not prosper and that the open door would be a joke. No progress was made toward a settlement of this matter.

In Shantung Japan had by force taken over the ex-German interests, the right to which was claimed under secret treaties with the Allies. At the Paris conference the Japanese promised to get out, but did not fix a definite date. At the Washington conference this promise has been made good, in part or in full. It is too early to herald a complete and unconditional withdrawal in Shantung, but it is an excellent start. If, however, this withdrawal is to be made at the expense of a more secure hold on Manchuria, and especially on Siberia, it would be a costly one and will not help the situation.

In Siberia the United States has a considerable material interest as well as a moral obligation. For the purpose of extricating certain Czecho-Slovak troops in Siberia and for protecting military supplies at Vladivostok the United States agreed, in the summer of 1918, to the dispatch of allied troops under an arrangement which provided that the United States and Japan would send there a military expedition of an equal number of forces. Japan at once sent several times her quota. The Czecho-Slovak troops were embarked, and in 1920 the American troops were withdrawn. The Japanese forces, although reduced, have not been withdrawn. In spite of the fact that the Japanese Government in August, 1918, at the time of dispatching her troops to Siberia, made an official statement explaining the above object of the expedition and reaffirmed as the Japanese policy that of "respecting the territorial integrity of Russia and abstaining from all intervention in her internal affairs," and furthermore that upon the realization of that object the troops would be withdrawn, leaving "wholly unimpaired the sovereignty of Russia in all its phases, either political or military."

After the withdrawal of the American troops Japan took control of Vladivostok, which is the door to Manchuria and all of Siberia. Subsequently the Japanese troops occupied the northern half of the island of Sakhalin, which is held as a hostage until Japan receives from Russia satisfaction for certain alleged atrocities committed on the Russian mainland against Japanese troops. The original Japanese pledges have been recently renewed, but now those pledges are contingent upon settlements with Russia satisfactory to Japan, and upon a restoration of order in Siberia, which the Japanese occupation and activities make increasingly difficult. These vital questions remain unsettled, and unless and until they are settled we can not expect peace and stability in the Far East.

The controversy over the island of Yap was settled by our agreeing to Japan's claim for a mandate from the League of Nations over the island, subject to our right to land and operate cables there. It is to be presumed that the league will approve this because this island, which formerly belonged to Germany, is of vital importance for cable communication to the Far East, and can serve no other useful purpose.

The Anglo-Japanese alliance was one of the principal obstacles to a settlement of the far eastern differences as well as to naval disarmament. As long as the British were allied with the Japanese they could not act independently in the Far East and we could not consider the two navies separately. It must be admitted, however, that this alliance was not the sole obstacle to British support, because the British Government has not felt as we have the wisdom and justice of applying to Russia the same principles of nonviolation of political and territorial rights which have been professed in respect to China. There has been little, if any, opposition in England to a dismemberment of Russia, and apparently little support at the Washington conference of our views relating to Siberia. While the British realized the desirability of terminating the Anglo-Japanese alliance, they evidently did not consider it expedient to do so until they knew what our future naval and foreign policy was going to be. On the other hand, they were most desirous for a naval agreement, and equally as desirous as were we for a closer understanding and friendship between the peoples of the British Empire and the United States, which could not be had without the termination of this alliance. Japan had no desire to terminate it and was placed in a position to exact something in exchange.

The first step taken at the conference toward a settlement of the above questions was the proposal submitted by Secretary Hughes, to scrap certain battleships already constructed or in process of construction and for a period of years to limit further construction and to retain the status quo of certain fortified islands in the Pacific. This at once gave conclusive proof of our good faith and peaceful intentions and must have allayed any Japanese fears as to the hostile use of our fleet, because it was not made conditional upon Japan allaying our fear that she might continue her present activities in China and Siberia, of which we had heretofore complained. Besides stopping for at least a number of years the naval competition between England, Japan, and the United States, the naval treaty results in a division of naval spheres of influence. The United States is not permitted to increase fortifications at Guam and the Philippines, which in effect confines our naval operations to American waters. England, being permitted to increase her naval bases at Singapore, Australia, and New Zealand, may transfer a large part of her fleet there, which leaves the British and Japanese fleets in control of the Far East.

Subsequently the nine-power treaty was negotiated, which specifies so clearly the principles by which the powers are to be guided in the maintenance of Chinese integrity. This is probably the most promising agreement reached at the conference. It is unfortunate that provision was not made for canceling

existing treaties (secret and public) made in violation of these principles and for a supervising organization or board with power to apply those principles rather than to report their findings to the respective Governments, but it is, after all, a fortunate beginning. It is also unfortunate that the spirit of the treaty has already been violated by the refusal to permit China now to levy import duties of more than 5 per cent, especially when other powers levy as high as 200 per cent on certain Chinese goods. This is unfair and unwise, but China came out of the conference with much more than she went in with.

The next step taken to compose the difficulties in the Far East, including ostensibly the abrogation of the Anglo-Japanese alliance, was the four-power treaty between England, France, Japan, and the United States relating to the islands in the Pacific Ocean. It is more difficult to understand why this step was taken and why it was considered necessary. As the Anglo-Japanese alliance was the principal obstacle to an agreement for the limitation of naval armament, it would have been most logical and natural for our naval proposals to be made contingent upon the cancellation of this alliance, which England and Japan most surely would have welcomed and accepted had they been given the opportunity and alternative.

The Anglo-Japanese alliance covered specifically China and India and in effect provided most definitely for the maintenance of the open door, equal opportunities for all nations, and the territorial and political integrity of China. If we were to sign any treaty in substitution of the Anglo-Japanese alliance, it should have been the naval treaty or even the nine-power treaty on Chinese integrity, which is in complete harmony with the preamble of the Anglo-Japanese alliance, and which should have been made applicable to Siberia as well as to China. Why cover a new portion of the world, unless it were to switch from land to sea in order to baptize us into the system of alliances? Could it be that in exchange for the intangible security to Australia and New Zealand, provided for under the Anglo-Japanese alliance, the British preferred a more tangible security from Japan and the United States, or was it to assure Japan that we would not interfere by force in her activities of which we have heretofore complained?

There exists some fear that we may be morally obligated under this treaty to use force. Senator LODGE has explained that no such obligation exists, but, in so far as I know, he has not made clear just what our obligation is not to use force. It seems to me that we are obligated not to use force without first attempting in conference to adjust any controversy in the Pacific. If a controversy should arise over the failure of one of the powers to keep its pledges in respect to China or Siberia, it is not quite so clear what our rights or duties would be under this treaty. As this and the naval treaty are not in any way conditional upon the observance of those pledges, it would seem that we are in effect estopped from using force in case of nonobservance. It would seem, therefore, that our delegates determined we would not in any event resort to force to secure our rights and interests in the Far East or that they can be properly safeguarded without it. Evidently the principal objective was to relieve all suspicion and tension in the Far East, and the remedy given was for the United States to relieve the tensions by the unconditional withdrawal of the pressure. The wisdom of this depends upon future developments and the extent to which moral force and pressure can be applied. There is undoubtedly an overwhelming demand that international disputes be settled without resort to war. I am a firm advocate of this and also of disarmament, but I am convinced that wars can not be prevented merely by discarding obsolete instruments of war. The cessation of naval competition is a wise economic move and also has a tendency to dispel fear and suspicion, but it will not prevent war. The only possible way to prevent wars is to establish some world-wide effective machinery for securing justice and respect for rights without the necessity of resorting to force except in so far as it may be required to support the machinery of justice. Unless and until the United States forms a part of such machinery, which shall include all of the powers, large and small, I am doubtful of the efficacy or wisdom of surrendering our inalienable sovereign right to use force.

President Harding stated in his message to the Senate that the four-power treaty contains "no commitment to armed force, no alliance, no written or moral obligation to join in defense, no expressed or implied commitment to arrive at agreement except in accordance with your constitutional methods." I do not understand what he means by arriving at agreement in accordance with our constitutional methods. Apparently we are committed beforehand in this treaty to a method of adjusting differences between the parties to the treaty, and in case of aggressive action by an outside power to confer and decide what to do about it. This must mean something, because, as President Harding says, "it is easy to believe, however, that such a conference of the four powers is a moral warning that an aggressive nation, giving affront to the four great powers ready to focus world opinion on a given controversy, would be embarking on a hazardous enterprise." It, of course, might be unnecessary for these powers to join armed forces to deprive other nations of their rights, but what aggressive nation have they in mind? It is conceivable that China and Russia might some day become aggressive in order to recover their territorial and political integrity, to which the United States has contended they are entitled. Surely we would not want "to focus world opinion" against them or to increase the hazard of such an enterprise by having our hands tied with those who have provoked the aggression.

The explanation for the four-power treaty may be that it was considered a most innocuous way to get rid of the Anglo-Japanese alliance in so much as it means nothing more than to confer. If that is so, is it a wise practice for nations to sign treaties that mean nothing? Will not one nation think it means more than another does, and thus cause misunderstanding?

According to an Associated Press dispatch from Tokyo dated January 31, Baron Uchida, Japanese Minister of Foreign Affairs, in replying to interpellations in the House of Peers, stated, in substance, that "the four-power treaty was not intended to abrogate the Anglo-Japanese alliance, but rather to widen and extend it." It would seem that instead of getting rid of this alliance we have entered it, widened, enlarged it, and changed or expanded the territory covered by it.

This new pact has been praised for its shortness and simplicity. Will the Chinese and Russian peoples feel that it is so simple, innocuous, and meaningless? Is it not very probable they may conclude that we have abandoned our independence of action and traditional friendship for them by entering into a pact with their oppressors? Will not this diminish our prestige and moral influence in the Far East and dishearten the peoples of China and Russia in their struggle to maintain their independence pending the working out of their salvation and the establishment of effective governments?

The powerful influence of America has been due in great measure to our impartial advocacy of justice for all nations and our freedom from alliances with one or more nations which would ignore the rights and claims or even arouse the suspicions of other nations. The hope for peace rests not in this four-power pact, but, if anywhere, in the will of the Japanese people for cooperation and peace and their ability to reverse the imperialistic policy initiated by the militaristic party. Fortunately, there appears now to be a growing public sentiment in Japan against her former aggressive policies and a growing realization that it is, from every standpoint, to the interests of Japan to cooperate with the other powers in applying the open-door principles to Siberia and China. There is no difference in principle, between the two territories and nationalities; justice, future peace, and stability can not be served by one or more powers taking advantage of unfortunate political conditions in Russia any more than by doing so in China.

Would it not have been well to incorporate this in a treaty? There should have been no objection if the Japanese pledges to abstain from all intervention in the internal affairs of Russia in Siberia and to retire from there are to be complied with in good faith. This would have strengthened the liberal elements in Japan who advocate her withdrawal from Siberia.

If the military party maintains control of Japan and continues its past policy in respect to Manchuria, Siberia, and Sakhalin, the four-power treaty as it now stands may simply tie our hands, protect the Japanese rear, and encourage that party to proceed all the more vigorously with the aggressive policies on the Asiatic mainland. Although these policies were in clear violation of the Anglo-Japanese alliance, the practical effect of that alliance was to assist instead of deter Japan. Now that Japan has refused to evacuate Siberia or to do more than repeat her former pledges to get out after conditions improve to her satisfaction, and the other powers have failed to protest officially against the Japanese actions, was it wise, logical, or necessary for us to bind ourselves unconditionally?

Our liberal and reasonable proposal for a naval holiday created an unusual atmosphere of good will and confidence, which should have facilitated a settlement of the other equally if not more important questions for which the conference was likewise called, particularly those relating to Manchuria, the Chinese Eastern Railway, Siberia, and Sakhalin. After we had agreed to stop naval competition and to enter the four-power pact there was not so much interest shown in settling the other questions.

The treaty on Chinese integrity was signed, but all that was done toward a world-wide reduction of land armaments was to pass a resolution recommending that the Chinese armies be reduced while foreign troops are on her soil. Afterwards some good resolutions were passed and agreements reached condemning the use of poisonous gas and outlawing the use of submarines against merchantmen, but it was impossible to agree upon a definition of a merchantman. Because of the limited number of powers represented, these agreed principles could not be embodied in international law, but they may help formulate and enlist the support of public opinion for future action in a world conference.

While the Japanese Government may have been more determined to hold on to Siberia and Manchuria than we were inclined to try to force them out, I am convinced that Japan was just as anxious to avoid trouble as we were, and that it could have been avoided. Japan knew any possible conflict with us could be easily avoided by a frank compliance with her pledges, but instead she secured from us a pledge of good behavior in the Pacific without giving a reciprocal assurance to cease doing on the Asiatic mainland the very things we have objected to as being unjust and hazardous to peace in the Far East.

Japan owns the southern half of the island of Sakhalin and claims, through occupation, some sort of an interest in the northern half. Would an attempt by Russia to recover control there threaten Japanese interests? Suppose Russia should find it necessary to land troops on the southern half in order to recover possession of her northern half. In that case what would be our obligation or position?

All differences of opinion as to whether or not the Japanese homeland was one of the islands included in the four-power treaty have been cleared up. This never seemed so important to me. The unanswered question in my mind is why was the four-power treaty negotiated and where will it lead us? Certainly it can not remain static. No treaty or alliance does. Few alliances have done what they were intended to do. Is this treaty an alliance, or is it merely an agreement to confer before going to war? If it is an alliance, against whom is it directed? It provides that a conference will be held to adjust any differences arising between the parties to this treaty, but also to determine what to do in case of aggressive or disturbing action in the Pacific by some other power not a party to the treaty. Apparently in the latter case it would automatically develop into an alliance against other powers. If it is not an alliance against other powers, but is merely an agreement to confer in order to prevent trouble among themselves or with any outside power or to settle amicably questions which concern other nations, would it not be logical to widen its scope and to fulfill that purpose by permitting any nation which may now or hereafter have an interest in the Pacific Ocean to become a party to the treaty and to attend the conferences which may be held to consider and settle such questions? That would accord with American ideals of right and justice.

There would be no impartial conference unless all of the powers which may be concerned are permitted to attend and confer as equals over any questions that may arise. Certainly Holland, Portugal, China, and Russia—when there is a recognized Russian Government—all of whom have vital interests in the Pacific, should be parties to this treaty, and why should Italy have been left out? Italy has no island or mandate in the Pacific, but she might under certain conditions be adversely affected by this pact. She supported probably more than any other power at the conference the American views, and it can not but cause some regret in Italy that she was not considered of enough importance to be asked to join in this with the other powers with which she has been associated in war and post-war activities. If a war should come between France and Italy, the latter might have a vital interest in the Pacific, if for no other reason than that of protecting her mercantile marine. If it is not an alliance, there should be no objection to bringing all of these powers in; and if it is an alliance the American people ought to know it and have an opportunity to decide whether or not they want us to adopt the European system of alliances. While there may be a difference of opinion as to the mandate of the American people to enter or stay out of the league, no one claims that they have ever given a mandate to enter an exclusive alliance.

It is difficult to see what objection there could be to inviting all of the nations to join this pact. The answer to this may be that the nations who are to-day members of the League of Nations would be entering into a superfluous agreement because they have already agreed to confer, not only on all questions arising in the Pacific but in any other portion of the world. England, France, and Japan in signing this treaty have of course agreed to nothing whatever except that for which they were already bound as members of the League of Nations, unless it be that it is an alliance meaning more than its advocates contend and that article 2 of the four-power treaty is more binding upon them than article 10 of the covenant of the League of Nations.

Many of the islands in the Pacific, the title and possession of which are in effect guaranteed by us and the other parties to this four-power treaty, are trust estates over which the League of Nations exercises jurisdiction. England, France, and Japan, as members of the League of Nations, are obligated to file this treaty with the league before it is binding on them. Was it advisable for us without even a request from the league to give this guaranty? If we wish to assist the league, is that the best way to do it?

Statesmen have been particularly concerned about two outstanding situations which were disturbing the economic and political equilibrium of the world. I refer to conditions in Europe and the Far East, which have been created more particularly by the state of mind and political policies of two nations, France and Japan, respectively. As heretofore indicated, the difficulties in the Far East which the Washington conference endeavored to solve were due primarily to Japanese activities, to which other nations, and especially the United States, were opposed, and to the fear on the part of Japan that force might be employed to stop them. The situation referred to in Europe has grown out of the war. The principal obstacle to a restoration of confidence and stability, as well as to a reduction in armies, is due to the French policy of taking measures to secure dominance in Europe and so prevent another invasion by Germany. The settlements in the Far East may all be upset unless Europe is straightened out. It is apparent that without some measure of assurance against aggression France can not be persuaded to disarm and contribute her share toward the restoration of Europe's equilibrium. We refuse to give any guaranty to France, or, better still, to enter the League of Nations, and make it such a factor that France would not require further assurance, but we have asked France to join with us in the four-power treaty to guarantee peace in the Pacific and tranquillity to Japan.

In so far as concerns the participation of any one nation in international affairs, there have been up to now only three distinct policies advocated or followed:

First. That of so-called isolation; the refusal to enter into offensive or defensive alliances or to act in concert with the other powers for the settlement of international controversies.

Second. The European system of alliances, or so-called "balance of power." This means agreements between certain groups of nations to act in concert, usually against certain other groups of powers.

Third. Cooperation between all of the powers.

The policy of isolation has under modern conditions become impossible and has now been definitely discarded by the present administration.

In spite of the fact that Europe is strewn with wrecks caused by alliances, wrecks which a "balance of power" has not prevented, there are still those who cling to this forlorn hope. While the alliances, composed of a certain group of powers, have always been alleged as defensive, they are primarily intended to prevent other powers, composing another group, from interfering with alleged rights and interests. Controversial questions between the respective groups are not thus composed. The result has been ex parte arrangements and continued misunderstandings, which have resulted ultimately in armed conflict. While we must admit that through this system the recurrence of war may have been retarded, yet when a war has come it has been impossible to localize it, because so many powers are involved that it becomes a world war.

The third policy of cooperation is based upon the recognition of the failure of the two former policies. The first practical attempt to adopt this latter plan was through the creation of the League of Nations, one of the principal objects of which was to disentangle alliances by bringing all the powers together in an agreement to settle their controversies by peaceful adjustments rather than by force. This was also the first serious attempt made to bring the nations together to work in concert purely and solely in the interests of peace and equity.

I believe in the plan for universal conference and cooperation because the world has become too interdependent to function harmoniously without it, and because it is the only method offered whereby we may cooperate without becoming entangled by alliances.

I also believe in it because of the practical possibilities which it offers, because there would seem to be no harm in trying it, and because it certainly could not play any more havoc than has the system of alliances.

If there were some other means whereby alliances could be done away with and prevented, there would not be so much necessity for an association of nations. But how can this be accomplished unless all of the nations enter into an agreement to that effect and substitute more enlightened methods for adjusting differences and preventing conflicts?

America's first actual contact with the old system of alliances was when it brought us into the World War. Our second contact was with the Anglo-Japanese alliance, which we found to be quite an obstacle to just and peaceful settlements in the Far East. It is, therefore, well for us to know now whether we are rid of this obstruction or have increased its size by becoming a part of it. Alliances or special agreements between certain groups of nations arouse suspicions and militate against cooperation. The existence of the Anglo-Japanese alliance made it difficult to fix a naval ratio. It is equally certain that any subsequent alliance between one of the powers parties to the new naval treaty will upset the respective ratio of naval strength now fixed. It would therefore have been wise to prohibit any party to the treaty from making an alliance or agreement with one or more of the other members, which, since such an agreement would upset the ratio fixed, might ultimately involve joint naval action against any one of the other parties to the treaty.

It is presumed that those who have negotiated the various agreements in Washington will make very clear to us just which of the three above-mentioned plans they propose to follow. If the steps taken with a view to maintaining harmony in the Pacific Ocean and the Far East are part of a general plan to eliminate conflict in other portions of the world, it is difficult to form an intelligent opinion regarding one phase of a comprehensive plan without knowing what the entire plan is and how it will be applied to other regions of the world. If an attempt is to be made to segregate the world's problems into different compartments, would it not be well to know just what relation one compartment is to have to another? If the Far East is to be put in one compartment, the Near East in one, Europe in another, and South America in another, will it not be necessary to define how the relations between different compartments are to be maintained? How many of these groups are we going to join? Is any other power to be in them all? If a nation joins more than one, to what extent will it be a free agent and to which group will it owe most allegiance?

Surely this last war has taught us that conflicts which seem purely local and of little interest to the outside world may spread until they involve all of the powers. It is now generally admitted that some sort of international cooperation is necessary. The world has become too interdependent and interrelated to deal with its problems in separate compartments. What happens in one section affects another, and there can be no appreciable advance toward peace and prosperity until the problems are dealt with as a whole.

This last war, which involved the whole world, including the United States, grew out of issues primarily European, with which we were not supposed to be at all concerned. After that experience how is it possible to believe that questions in the Pacific Ocean merely concern the United States, Japan, England, and France?

It may be argued that this four-power treaty would be different from former or other existing alliances. That, it seems, is difficult to substantiate by existing facts. It had about the same kind of birth. The moral rights of other nations equally interested in the Pacific were ignored at the outset by not being invited to join it. Any alliance composed of powerful nations which ignores or violates the rights and claims of weaker nations would be repugnant to the fundamental and historical American principles of freedom, equality, and justice. Alliances or special agreements between a certain group of nations either originate from moral or material objectives not in harmony with those of other nations or inevitably develop conflicting objectives.

We have learned by experience that even a so-called diplomatic agreement between two powers relating to a particular question or territory results almost invariably in their acting in concert on questions outside the scope of their agreement.

America's moral influence has been due in great part to our freedom from agreements or associations with one or more powers which would commit or even influence us to act impartially against one or more other powers. If we enter the four-power pact, it will be the first time in our history that we will have entered an exclusive agreement of such a character. That, of course, is not in itself an argument against it, but should be sufficient to make us consider it very carefully.

An agreement between the four powers to respect their rights in relation to their insular possessions and dominions in the region of the Pacific Ocean and to confer on any controversy arising between any of them in respect thereto with a view of adjustment is not an alliance or objectionable. Article 2 of that pact is what creates the alliance or exclusive diplomatic agreement by providing that in case the said rights are threatened by the aggressive action of any other power, these four powers shall confer with one another "in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation."

I am not contending that we are legally bound to do more than that, but I do contend that if it is the intention of the four powers to respect equally the rights and interests of all other powers in the regions of the Pacific Ocean those other powers should be parties to this treaty and be permitted to present their point of view on any questions that may arise and which may be of equal concern to them. Even if their rights should be scrupulously respected, their mere exclusion from this treaty and from the conferences over questions which affect their rights will inevitably cause suspicion and tend to create another group of powers to counterbalance the big four. Nine nations were asked to join in the treaty on Chinese integrity, and I can not understand why these same nations were not asked to join the four-power treaty, because whatever happens in the Pacific Ocean may be of great concern to China and also to those powers which were sufficiently interested in the welfare of China to undertake to safeguard it.

Some of my friends have, in spite of misgivings about this alliance, expressed the hope that it will, with the other agreements, ultimately lead us into the League of Nations or some similar association for world-wide cooperation. Some of them also advance the argument that since we made the mistake of not ratifying the treaty of Versailles we ought to take without question whatever is offered now, even if it is objectionable, and hope in time to improve it, because we can not afford again to repudiate the signatures of our plenipotentiaries. I regret that I can not share their optimism, because I have become convinced that the four-power pact as it now stands may not only jeopardize other agreements but that it will lead us in the opposite direction and into the European system of alliances, which will make it more difficult if not impossible thereafter to retrace our steps.

In view of our failure to ratify the treaty of Versailles, even with conditions, it is regrettable that any reservation should be deemed necessary to any of the treaties negotiated at the Washington conference. While it appears to me that the four-power pact was unnecessary and inadvisable, it has been negotiated and signed, and its complete rejection would have a very bad effect. It would therefore seem advisable to approve and ratify it subject to a provision which would clarify the doubts and eliminate the fundamental objections above indicated and thus bring it more into harmony with the letter and spirit of the other treaties negotiated as well as with American principles and practices.

The most serious doubts and objections to this treaty could be eliminated by a simple provision to the effect that any and all powers which may have an interest in the regions of the Pacific Ocean shall be invited to become a party to the treaty and to attend all conferences relative to questions arising there; that its maintenance shall be contingent upon the due and faithful adherence by each party to the principles embodied in the treaty on Chinese integrity and applied also to Siberia; and that the creation of any treaty, alliance, or diplomatic agreement in future between any two or more signatories to this treaty, to which the other signatory powers are not parties, which would tend to create a special community of interest, shall be cause for these omitted to reconsider or renounce this four-power treaty.

It is difficult to see how any one of these powers could have or raise any valid objection to this, because it will not affect them if they comply with the letter and spirit of their existing agreements and professed policies.

Unless the dangers indicated are avoided and unless we get started on the right course now we may soon find ourselves entangled in a chain of alliances covering different parts of the globe; the four-power treaty of alliance in the Pacific; the Anglo-French alliance, the Anglo-Belgian alliance, and the Franco-Belgian alliance against Germany; the Franco-Polish alliance against Germany; possibly a Franco-Rumanian-Hungarian alliance; a Balkan alliance; and then a German-Russian alliance. When all of these alliances get to working for the peace of the world we may well imagine how beautiful are the future prospects for peace.

Mr. PAUL D. CRAVATH. Mr. Chairman and gentlemen of the council, I approach the discussion of these treaties very much

from the point of view of Mr. Davis. Like him, I favored ratification of the treaty of Versailles, bad as I thought it to be. I favored our entering into the League of Nations, dangerous as article 10 and the obligations there imposed seemed to me to be. I agree with Mr. Davis in hoping that we shall never return to the old system of alliances. I was one of the 31 signers of the proclamation of President Harding. I am as sincerely anxious as Mr. Davis may be that we shall work toward ultimate participation in the present league or some other league for universal international cooperation to prevent war and promote peace.

As far as I can see, the only difference between Mr. Davis and myself at the beginning is that he is a Wilson Democrat and I am a Harding Republican. That may be all the difference in the world, as far as I know.

But, before discussing the details of these treaties, there is one preliminary observation to which I attach very great importance. One of the chief arguments that influenced me in advocating our acceptance of the treaty of Versailles and the League of Nations, in spite of all the objections that I saw, was this: It seemed to me that it would be a disgrace to our country if a treaty negotiated by our President in the greatest international conference ever held, at the end of the greatest war the world had ever seen, would not be accepted by the United States Senate, and in spite of all the objections to it I think it was an eternal disgrace to this country that the treaty was rejected. For the same reason, it seems to me that unless the objections to these treaties are absolutely overwhelming, it will be another disgrace, a crowning disgrace, if the Senate should fail to ratify this series of treaties, or any of them, which were negotiated not by a President representing one party but a commission comprising our Secretary of State, our leading constitutional lawyer, and the leaders in the Senate of both parties.

Assuming that all the criticisms that Mr. Davis has made of these treaties are sound; assuming that many of us think that we would have done better if we had been members of the commission at Washington—as many of us thought we could have done better if we had been in Mr. Wilson's place at Paris—nevertheless, it seems to me that in the absence of what I call overwhelming objections, we should advocate the ratification of these treaties, because it seems to me that if now the Senate should reject any one of these treaties our second failure to back up the conclusions reached by our authorized representatives would justly deprive us of the confidence of the world and would convince them that we are not qualified to effectively take part in international relationships.

That argument, gentlemen, to my mind is conclusive of the wisdom of the ratification of these treaties without material reservations, unless the objections are overwhelming, which they seem to me not to be.

I have not given the treaties such careful study as Mr. Davis has, nor do I approach the discussion of these treaties or any one of them with anything like his knowledge of the conditions which led up to the negotiations of the treaties. And yet, at the very outset, we must consider one aspect of the situation. There is a rule of law which is very familiar to us lawyers that in discussing a remedial statute, we must first satisfy ourselves as to the mischief, as to the evils which the statute is sought to correct. Of course, that rule applies to the discussion of this group of treaties which are clearly remedial treaties. They were made to meet the existing situation fraught with peril.

Now, what were the evils with which the negotiators of these treaties dealt? In the first place, at the close of the greatest war in history, this country was entering upon a career of naval expansion which was bound to lead it to enormous expenditures and the absorption of a very substantial amount of our man power, and also—as is very natural and as has been the case all throughout history—was bound to create the temptation that a great army and a great navy always creates—to use that army or navy by having a war with somebody. And so there was a strong popular feeling in favor of some program which would result in the radical curtailment of this gigantic program of naval expansion.

In the second place, and as the cause, the provocation of this great naval program, was the threatening attitude of Japan. Now, in this connection I want to say, and I do not think it is any secret, that the average well-informed man realizes how serious the threatening attitude of Japan was prior to the Washington conference. I happen to have received, to some extent here and to some extent during my visit abroad last summer, a good deal of interesting information bearing upon that subject. There can be no doubt that Japan was feverishly entering upon a career of radical military and naval expansion; that she was taxing her people as no people had ever been taxed before for war purposes for the enlargement of her army and the rapid increase of her navy.

There is no doubt at all that she was placing orders all over the civilized world for munitions and arms. There is no doubt in my mind that she was definitely organizing to take the attitude that she was aspiring to take in China and Manchuria and Siberia, snapping her fingers at the world and saying: "We have a great navy. We are masters of the Pacific. We have the greatest army, in fact the only army in the Pacific, and what will the rest of the world do about it?" I am convinced, I say, that that was Japan's attitude and that was Japan's plan, and I think the conviction that I express was the conviction held at Washington and the various chancelleries of Europe. Last summer I talked with a number of enlightened observers, both in England and France, and with but very few exceptions they expressed that conviction. Of course, this was before the Washington conference was called, but that was the official and almost universal view abroad, and that unless something was done to avert the disaster war between the United States and Japan in a comparatively short time, in the comparatively near future, was inevitable; their theory being that there was a sharp clash between the two countries in commercial interests, and the wholesale preparation for the emergency on the part of Japan, which have heretofore inevitably produced the conditions which have led to war sooner or later.

And then, as a minor question was that presented by the Anglo-Japanese alliance. Great Britain was not overenthusiastic about the alliance, but she honestly hesitated to denounce it for two reasons. The first of these reasons was that she felt that inasmuch as Japan had technically, at least, done her part as ally of Great Britain in the World War, it would be an ungracious and ungentlemanly act on the part of Great Britain to denounce that treaty the moment her service had been completed. And in the second place, official opinion and popular opinion in Australia was very strongly against the denunciation of the treaty.

Those were the problems that confronted this Government when the Washington conference was called. The Washington conference was not primarily a conference to bring about naval disarmament. That was an incident. That was a side show. The primary purpose of the Washington conference was to make such a disposition of the problems of the Far East, and more particularly of Japan's program which threatened the peace of the world, and more specially threatened war between this country and Japan, that the danger of war would be reduced to a minimum, and for that reason a radical program for the reduction of naval armament would be possible. That was the primary purpose of the Washington conference.

Now, let us see, bearing these evils in mind, and having the purpose of the Washington conference in front of us, what was accomplished? What has been the actual, concrete result of the Washington conference?

I want to say at the outset that I believe that my good friend Davis is wrong in saying that under the Harding administration the Senate has taken the initiative in respect of our foreign policy—in shaping our foreign relationships. As a matter of fact, I think the contrary is true. I think that Mr. Harding and Mr. Hughes have taken the initiative and have kept it, and on the whole I think that they have pursued a wise course and an effective course, considering—as they have had to consider—the state of mind in the Senate. It is perfectly manifest to me—and I don't believe that there is any secret about it—that the policy of Mr. Harding and the policy of Mr. Hughes has been to avoid a row with the Senate which might have resulted in the early days of the Harding administration in some adverse vote which would have entirely shipwrecked the ambitions of the administration for bettering our international position. The aim has been to go slowly, step by step, and let events force us to make the final and most important decisions. In the international position it was the ambition of Mr. Hughes, at least, that we should be closely identified with European affairs, and this was taken up by Mr. Harding and it finally resulted in Mr. Harvey's position on the supreme council, and having Mr. Boyden an unofficial member of the Reparation Commission. It was undoubtedly the ambition—and here again I believe I am saying something which is an open secret—of the Harding administration not to have a separate peace with Germany. They came to almost an open breach with the Senate over that issue, but they were finally compelled to abandon their ambition for the acceptance of the treaty of Versailles with radical reservations. They were convinced that such a treaty would not be accepted by the Senate, and they thereupon initiated a separate treaty with Germany that did not differ in its effects radically from the action originally contemplated

of accepting the treaty of Versailles. And much to their surprise that separate treaty was accepted practically without any unfavorable comment in France and Italy. Even the trouble that was feared in Germany in this respect did not appear, and on the whole I believe that the administration accomplished a real achievement in putting through that separate treaty of peace with Germany in the way it did.

Then came the Washington conference. My own feeling is that the result of the Washington conference—while not altogether satisfactory; while open to many of the criticisms that Mr. Davis has just pointed out, though not all that he has made, as I shall try to point out in a few minutes—was, on the whole, a very brilliant diplomatic victory for the United States, considering the difficulties that confronted the commission.

And here I want to use in defense of these treaties and in defense of our delegation that negotiated these treaties, the same arguments that Mr. Davis used, that I used, and that most of us used in defending the treaty of Versailles. This is not an ideal treaty. It is rather a bad treaty in many of its provisions. But it is the best treaty that could have been worked out in view of the difficulties that confronted our commission. Mr. Hughes and his associates had great difficulties to contend with. I know that. You know that. We all know it. But I am using the same argument that Mr. Davis used frequently with very great effect in defense of the Versailles treaty. And so what I say is that these treaties, although not free from objections—but open, I think, to very less serious objections than were made to the treaty of Versailles and Mr. Wilson's League of Nations—were probably the best treaties that could have been negotiated by our very able bipartisan delegation under the circumstances in view of the difficulties that confronted them. I think that we should consider them from that point of view, and I think that you will concede that they did accomplish a great deal. We must agree that they did consummate for a period of 10 years at least a very radical program for the reduction of naval armaments, which was more than we were justified in hoping for at the beginning of the conference. If that program stands, if that program is carried through, this country will probably save two hundred and fifty or three hundred million dollars a year in naval expenditures, and will also be saved from the fearful temptations that are involved in having the biggest navy in the world and the biggest that the world had ever seen. God knows what would not be the dangers of our being in that position. We have avoided that, and that is a very great achievement.

And, of course, as is undoubtedly well known to you all, we did get rid of the Anglo-Japanese alliance, and that, you must agree, is a very desirable achievement.

Now, as to China. I think that we are all agreed that the more serious difficulties in the Far East grew out of the treatment of China, and it was our sympathy for China, conflicting with Japan's ambitions in China, that created the most serious problems. I won't take time to analyze—and I couldn't do it intelligently—the treatment of China under the nine-power treaty, but I will say this: Three or four weeks ago when I was in Washington I was told by observers, participants in the conference, that the Chinese delegation were very exacting. They had proven to be very difficult to handle, and it seemed very doubtful if they could be at all satisfied. Now, I have not only read in the newspapers that the Chinese delegation are satisfied with the provision made for China in the nine-power treaty, but I happened to meet Mr. Root yesterday, and he said that the Chinese delegation were going home not only satisfied but happy over the treatment of China in the nine-power treaty. Japan has certainly accepted in respect not only of China but in a less definite form in respect of Siberia, the basic principles for which we have contended. So far as China herself is concerned, those basic principles have not only been accepted in a general way but they have been accepted in considerable detail in the nine-power treaty and included in that treaty, and to such an extent has this been done that, as I have just said, the Chinese themselves, difficult and exacting as they were, seem to be satisfied that China had been fairly treated, all things considered.

And I want to say this: I join the regret of Mr. Davis that a definite agreement was not reached with respect to Siberia. I assume that Manchuria is covered by the nine-power treaty. Is that right or isn't that so?

Hon. ROLAND S. MORRIS. Only in part.

Mr. CRAVATH. Isn't Manchuria a part of China and treated as such in the treaty?

Mr. MORRIS. That's just the point. The dominant feature about that is the treatment of the railroad there.

Mr. CRAVATH. I should assume that whatever provision is made for China includes Manchuria as a matter of course. I am frank to say that I have no definite knowledge on that point.

Hon. NORMAN H. DAVIS. Manchuria is partly under the control of China, but that part of it which includes the Eastern Siberian Railroad——

Mr. MORRIS. Of course, that is not under the control of China.

Mr. CRAVATH. I can hardly conceive that the strip of land on either side of the railroad should be considered as excluded from China for the purpose of the application of the nine-power treaty. My understanding is that the Chinese themselves consider that the nine-power treaty does apply to the Chinese Eastern Railroad.

Mr. MORRIS. Well, there certainly is no claim on their part that the treaty and the principles that have been adopted by the Washington conference did not apply to the Chinese Eastern Railroad.

Mr. DAVIS. At the conference they brought up the point of secret treaties relating to China for this very purpose. We don't know the exact status of China with reference to the Chinese Eastern Railroad and thousands of other phases of the situation, and the intention was to bring up these secret treaties and air them so as to be in a position to make the nine-power treaty really effective, but they couldn't get anywhere on that.

We don't know how many hundreds of secret treaties exist with respect to China. There's the situation, and what was done about that?

Mr. CRAVATH. Well, at all events, none of us claim that the treatment of Siberia and the railroads in Manchuria under the control of Japan is all that we like it to be. But again, while we have not arrived at perfection, I think you must admit that we have made progress, and we probably achieved all that could have been achieved at that conference under the conditions that confronted them. But as far as general principles are concerned, the Japanese certainly have accepted those principles which, if honestly applied, ought to bring relief not only to China but to Siberia as well, and to the fate of the Chinese Eastern Railroad.

Now, to my mind, a very important part of the achievement of the Washington conference is not recorded at all in black and white in that treaty or in any of the other treaties that were negotiated. And that is the bringing about of what seems to be a sympathetic understanding between the United States and Great Britain regarding the Far East and Pacific questions generally. I quite agree that under the program produced by those treaties we have practically surrendered our naval position in the Pacific. I assume that without further fortifications in the Pacific, and that with the fortifications and fleets as agreed upon, we could not successfully compete with Japan in the Pacific alone, and certainly we could not compete with an Anglo-Japanese fleet in that region. On the other hand, and to my mind, this is the much more encouraging statement based on the same facts, an Anglo-American fleet in the Pacific would dominate Japan, and it seems to me that we have substituted in place of the necessity for creating the greatest fleet the world has ever seen, with all the expense and temptations that involves, an understanding and basis for cooperation with Great Britain which gives those two powers the control of a combined fleet in the Pacific which will be large enough to dominate Japan and make her live up to the obligations she has assumed.

Mr. DAVIS. I want to know if you are making that statement as a fact, or is it just your own opinion of what would happen?

Mr. CRAVATH. I have been told by every member of the American delegation, and while I haven't been told by every member of the British delegation, I know definitely that the view is held by Mr. Balfour, and, I think, by every other member of the British delegation, that the result of the Washington conference has been not a formal agreement by any means, but an understanding, and such a degree of understanding and such a basis of sympathy has been created between Great Britain and the United States that both sides assume that in all future emergencies they can both count on having the very closest cooperation.

Mr. DAVIS. No; that isn't what I mean. What I mean is as to the agreements on fortifications and the agreement as to the naval ratio—do you mean to say that both fleets would dominate the Japanese fleet?

Mr. CRAVATH. Of course, I have no independent knowledge of that. I am not a naval expert, and have no independent opinion on that point, but I am informed that our technical advisers are satisfied that if the United States and Great Britain are on one side, and Japan on the other, that the Anglo-American fleet and the entire Anglo-American naval position would dominate that of Japan in Japanese waters.

As I say, I have no independent opinion of my own on that. I am simply repeating what I have been told in Washington. But, in all events, we are very much better off, if I am right in assuming that underlying sympathy with Great Britain, than we would have been with as large a fleet as the one that we have had in contemplation and on our building program, being opposed with the largest fleet that Japan would find herself physically able to build, and Great Britain being bound as a matter of course to keep pace with both. So, assuming that our theory of Anglo-American cooperation is well grounded, it does seem to me that our naval position, as against Japan, has been improved rather than weakened, and we have the great advantage in the reduction of our naval program and all that that means financially and otherwise.

There is another consideration, or rather another form of stating what I have already said in this respect, and that is that it seems to me that the existence of these treaties is in itself a basis for cooperation between Great Britain and the United States, and this in turn has created an opportunity of those two powers in bringing pressure to bear on Japan in such a way as will prove the most effective. Now, I certainly believe, and I think we will agree on this point: That if the old conditions had continued, this country would not have deliberately gone to war for and on behalf of China. We could not have gotten the American people to spend billions upon billions of dollars to create a fleet to fight Japan in the interest of China, and we couldn't have gotten hundreds of thousands of American boys to go and fight for China in the Pacific. Now, then, Japan knew perfectly well that we wouldn't be prepared to enter a great war for the defense of China, and the result was that acting alone as we were, with Great Britain at bay with Japan on account of the Anglo-Japanese alliance, our pressure on Japan was not at all effective. We spoke from the outside, and we were not prepared to back our threats. The chances are that there would have been no war on that count. The danger of war was from an entirely different cause. It was that with a great American fleet and a great Japanese army and a great Japanese fleet, with public opinion in both countries inflamed and sensitive by some untoward accident, like the blowing up of the *Maine* in the Spanish-American War, that something of that nature would inflame the pride or the patriotism of the Japanese people or of our own people, and there would ensue a war, begun by an accident and fed by a patriotism and misguided pride, but not a war for the defense of China or for Siberia or for Manchuria. And the Japanese knew that.

Well, now we have the right to talk to Japan across the table and ask Great Britain and France to sit on our side of the table, and to say to Japan, "You have agreed to certain principles, and we insist on their being applied in your treatment of China, in your treatment of Manchuria, and in your treatment of Siberia," and I think that there can be no serious doubt that as to all important questions, Great Britain, France, and the United States would stand together as against Japan.

So I say that these treaties give us the only kind of pressure on Japan that will really be effective, and furthermore, that it doesn't involve the risk and responsibility and expense on our part wholly out of proportion to our material interests in the problems of the Far East.

Thus, very briefly stated, this is to my mind the real importance and the force of the treaties and the achievements of the conference. Many of the objections that Mr. Davis has given may exist, only I think he has exaggerated some of them. I think some of his fears are not well grounded. I think the basis of many of his misconceptions is his misconception of the scope of the four-power treaty. I confess that I don't understand the four-power treaty as well to-night after reading it more thoroughly and after talking to Mr. John W. Davis about it, but I do think that the scope is much narrower than Mr. Norman Davis assumed, and is much more narrow than I had assumed. Section 1 provides that if there should develop between any of the high contracting parties a controversy arising out of any Pacific question involving their said rights—I should go back a little perhaps to make this a little clearer. It says that the high contracting parties, etc., agree to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean. Note that, their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean. And it goes on: That if there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights—and involving their said rights, it must do both—which is not satisfactorily settled by diplomacy, and is likely to affect the harmonious accord now happily subsisting between them, shall invite the high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

Article 2 says—and this is what Mr. Davis especially fears—that if the said rights are threatened by the aggressive action; that is, the rights in relation to their insular possessions are threatened by the aggressive action of any other power—the high contracting parties shall communicate with one another freely and frankly in order to arrive at an understanding as to the most effective measures to be taken, jointly and separately, to meet the emergency of the particular situation.

Now, I construe that treaty to relate only to insular possessions and insular dominions in the region of the Pacific Ocean. It does undoubtedly refer to the south part of the islands in the Japanese Archipelago, which I assume is an insular possession of Japan. It does not, however, relate to the rights of the high contracting parties in China, in Manchuria, and in Siberia. Those questions are not touched by this four-power treaty.

Mr. DAVIS. That's my objection to it.

Mr. CRAVATH. You stated it more broadly than that, I think. You assumed that this treaty would tie our hands in relation to Siberia and Manchuria. It doesn't say so in any way, and I therefore take issue with your statement that any of these treaties tie our hands or circumscribe our liberty and freedom of action in respect of the important questions that are likely to arise regarding Japan's action in China, Manchuria, and Siberia, and it seems to me that instead of our position being narrow and confined to a certain course, of necessity, the fact that these treaties exist and certain relations are established under them, gives us, as I said a moment ago, a definite method of approach and places us in a position of real power and influence in insisting across the table, in company with other powers, that Japan shall honestly apply the principles to China, Manchuria, and Siberia to which she has formally agreed.

Mr. DAWSON. In section 1 that you have just read, where it says "their said rights" instead of using the words "one another's said rights"—isn't it a strange use of the word "their"? Do you suppose "their" has any special significance or put in there for any special purpose?

It has been said "their" rights refers to "common" rights. It was put in there for that purpose.

I just want to know if you can see any special reason for the use of the word "their" instead of the other phrase.

Mr. CRAVATH. No. I think it means the rights of either of them. That's quite clear. I think we all agree that the four-power treaty is a self-denying treaty. I don't think it's an alliance in the ordinary sense of the term "alliance," and even if you call it an alliance, it is limited in that respect. It doesn't involve the obligation of our going to war. It's purely a self-denying treaty.

And so I come back to my original proposition—that admitting that the treaties have many faults, and doubtless they have many, but not nearly as many as Mr. Davis thinks, we should give due credit to the very wise members of our commission with having done the best they could, and the best that could have been done under all the circumstances; that real progress has been made in accomplishing all of the objects of the conference; in combating some of the evils—very real evils—by which our country was confronted; and that we will simply double the disgrace that our country is already resting under because of our failure to ratify the treaty of Versailles if we should turn down the recommendations of this bipartisan commission, made up of the ablest men that could have been chosen, simply because some of the provisions of the agreements reached happen not to suit us.

And finally, and I can't discuss this in detail because time doesn't permit, I can't see any complications or obligations to which these treaties commit us, even if you do call them alliances. Nor do I see how they are going to prevent our steady progress for our ultimate participation in some league or association of nations to promote world peace.

Mr. YOUNG. I sincerely hope that the Versailles treaty may be considered by the Senate in connection with the other two treaties, and some way discovered of adopting it.

Mr. DAVIS. The four-power treaty, Mr. Cravath, is that if there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights——

Mr. CRAVATH. That's it; and involving their said rights. You must take the two of them together.

Mr. DAVIS. Exactly. Take the case of Siberia, for example. That borders on the Pacific. If we started out for Siberia, if we should find it necessary to take any action on Siberia, doesn't that mean involving a Pacific question? How are we going to get there without using naval bases and other fortifications in

the Pacific region? We have got no right there. We would be going to war over another subject. But you say that we would make Japan keep her obligations. My point is that Japan hasn't made any pledge with respect to Siberia. She has simply said that when conditions improve there to her satisfaction and she can get the proper protection from Russia—and her continued occupation of Siberia can prevent that for an absolutely unlimited period of time—then she will get out. I don't favor going to war with Japan. Besides, I think that Japan was not getting ready to fight us. I think that that whole business of militaristic Japan and her powerful army and navy all prepared to be flung at us an illusion. It reminds me of the person going down the street with stolen goods in his pockets and he thinks that everybody he meets is a policeman. Now, I don't advocate war with Japan at all. I think it would be inexcusable and unnecessary. But neither do I think that it was necessary for us to abandon China and Russia and to put ourselves in a position where we can't help them.

And I think that our moral influence in the Far East has gone down at least 50 per cent as a result of the Washington conference, as a result of our going into an alliance with Japan, because that's what it is and you can't get away from it. Really, this whole business now strikes me as being worse after hearing your explanation than I thought it was in the beginning, because you say in substance that we really couldn't tackle Japan. We couldn't whip her alone. So we just decided that as Japan was wanting all these things out there and as she was preparing for war against us, the only way to stop her was to surrender any claim or right that we might have there. Of course, you can stop any war that way. Give the party what it wants and it will quit fighting you. That's easy. No country is fool enough to keep on fighting if you will let her have what she wants without fighting for it. You go ahead to say, what have we done? We have done a marvelous thing. We want to deal fairly with Japan, and all that, but at the same time we have gone ahead and formed a combination whereby we can crush her to pieces if she should refuse to do what is right—what we think is right. We have got so much force now that we can force her position. Now, that is not getting very near to the League of Nations. As much as I favor Anglo-American friendship—and I do most heartily—the very moment that England and America get together to bulldoze the rest of the world, they will destroy all their usefulness. They must respect the rights of the small nations just as much as anyone else. You don't seem to think that this is an alliance?

Mr. CRAVATH. If it is an alliance, it is a self-denying alliance.

Mr. DAVIS. I don't know what you mean by a self-denying alliance. But in any event, what is the objection to doing what I propose? Why do you want to ignore the rights of Holland and Portugal and Russia, who have just as much interest in the Pacific Ocean as we have? What is the objection to that?

Mr. CRAVATH. There is no recognized government in Russia at the present time.

Mr. DAVIS. Well, let's leave Russia out for the moment. What's the objection to the other Governments? What's the objection?

I think that the Anglo-American combination is indefensible on that ground. I think that this Anglo-American alliance is unsportsmanlike. I don't think that we should have played a trick like that on Japan. I thought a new spirit of cooperation and friendship permeated these agreements. I was under the impression that a new spirit had been set loose at the conference. But evidently, from what you say, this has been the most hypocritical, diabolical game that has ever been played, and Japan has been made the victim.

Mr. CRAVATH. I don't think many tricks have been played on Japan.

Mr. DAVIS. I don't either. But you said it was an American victory. You hail the results of the Washington conference as an achievement and as an American diplomatic victory, and I was taking your word for it. As to the defects in the treaty of Versailles I agree with you, but I don't think that America put in a single one of them. They went in in spite of us; in spite of what we said, and in spite of what we tried to accomplish. We couldn't stop that tide of prejudice and greed that came in the aftermath of the war. But while we had to let those defects go in in order to get the treaty, nearly at every place a machine was set up to eliminate that defect just as soon as public opinion and public conscience would permit and demand. Now, what I am objecting to in the results of the Washington conference are the defects that we put in ourselves, voluntarily. We squirm all around to get rid of this Anglo-Japanese alliance, and then we let it swallow us whole, and then we make no provision about the formation of a similar alliance that would immediately upset the ratio. We don't say anything about that in the treaties. Why don't we? What's the objection to putting in a clause of that kind? Because, if an alliance is formed between any two powers, it will as a matter of course upset the naval ratio that has been fixed. You are not getting anywhere in that way. My God, that ought to be clear enough. I am convinced now that the Washington conference hasn't done the little good that I thought it had done, and I firmly believe that people are fooling themselves when they think that the four-power treaty is leading them to the League of Nations. I think that the people who don't care anything at all about the League of Nations ought to approve everything that has been done in Washington, because if we don't go into the league we have got to try this balance-of-power business. That is very clear to me. That seems to be the direction that we are going in, and, speaking for myself, I much prefer isolation, much as I think it unwise and practically impossible. But if we want to go into the League of Nations and if we want to deal fairly with these people that we have been dealing with in Washington, we don't want to create the impression that the United States and England have made a deal to bulldoze and run all over the rest of the world and make them carry out pledges that have been made. I don't think that we will ever get to the League of Nations that way. If we are ever to approach that goal another way has got to be found. That's what I am working for here—to preserve the good work that has been accomplished in Washington by eliminating some of the glaring errors and positive dangers.

Mr. CRAVATH. That was the only way to get rid of the Anglo-Japanese alliance.

Mr. DAVIS. I don't agree with you. The logical way to get rid of the alliance was through the naval treaty. But instead of that we shoot off all of our ammunition right at the beginning and then we had nothing else to do. But since the treaty has been signed, and since I am just as reluctant as anybody here to increase the batting average of the Senate in knocking our treaties, I say let us eliminate the defects and the real dangers in the four-power treaty by inviting all of them, every power that is interested in the Pacific, to come into it, because as it stands to-day all of the powers that belong to the League of Nations are committed to hold a conference as members of the league over any controversies that arise in the Pacific. In this four-power treaty they are committed to hold another conference. Now, I think that we would be accommodating these nations by providing for only one conference. As we would not attend the League of Nations conference, we provide another conference and invite all the other nations to it. No use in having two conferences over the same question, and so they would naturally attend ours. There certainly should be no objection to opening this thing up and putting it in that way.

Mr. C. G. YOUNG. Could that be done by a reservation that would be acceptable to the Senate at the present time?

Mr. DAVIS. I think it is unfortunate that it is necessary to even consider a reservation. I would like to see us able to approve everything that has been done in Washington, but I think that it is a terrible situation that we have gotten ourselves into where we have got to accept any kind of an agreement that American plenipotentiaries may sign for fear that it may hurt our prestige. I mean that that is a terrible position for us to get in, and we are in such a position. I have come to this conclusion most reluctantly because I do feel that we ought to save our prestige—or what is left of it—all we can. We have lost enough of it, you will all agree. I think that over on the other side, in England as well as on the Continent, they are all laughing up their sleeves at us. Here we sit for three months at a conference. Just imagine—for three months we are sitting around a conference table with eight members of the league, and we do not dare mention the very name of the League of Nations. The world is laughing at us as a bunch of hypocrites. What I say is—let us find out where we are going. If we are going to adopt the system of alliances, and the balance of power and all that, let us know what we are doing and where we are headed for. And if not, if we are really headed for world cooperation and world sympathy and world peace, let us keep in that direction. I don't see how anybody in favor of the League of Nations can fail to favor a reservation to the four-power alliance which will open it up and make it fair and just to every nation that is involved in its subject matter.

Mr. DAWSON. Does Mr. Cravath have any objection to such a reservation if it could be gotten through?

Mr. CRAVATH. Without having definite knowledge of the matter, I think that a general opening up of the four-power treaty would be considered by the Senate as a nuisance, and that they would consider that it had lost its effectiveness.

Mr. DAVIS. Do you think President Harding and Secretary Hughes are really headed toward the League of Nations?

Mr. CRAVATH. I know that Mr. Hughes and I think that Mr. Harding both hope—I won't put it any stronger than hope—that they will eventually land this country into some kind of international association of nations, either the League of Nations or some other association of all the nations.

Mr. DAVIS. Just through the means of a few nations or all the nations?

Mr. CRAVATH. All nations. I think they are going just as fast as they can go effectively. I think they are being guided directly by Mr. Wilson's policies. They may be going a bit too slowly, but they are trying to avoid the wrecking of their program by trying to accomplish too much too fast, and I think in this respect they are very wise.

Mr. DAVIS. I think they are wise, too, but I am just wondering where they are headed for. They have never told us definitely which way they were going. It is very important for us to know where we are going. I don't believe anybody in the Senate is in favor of an alliance.

Mr. CRAVATH. They are not in favor of an offensive alliance.

Mr. DAVIS. There are some few people, I will admit, in favor of an American-Anglo alliance, but there isn't much talk of such an alliance over the country generally.

Mr. CRAVATH. If you had had your way, if your recommendations had been followed, as outlined by article 10 of the Versailles treaty, the nations would have had their respective interests guaranteed, and war was certain to ensue, but in the four-power treaty it's entirely different. If the principle of article 2 of the four-party treaty had been embodied in the treaty of Versailles, it would have been ratified by the Senate.

Mr. ALBERT RATHBONE. I don't believe it, Mr. Cravath. I don't believe the Senate ever intended to accept that treaty, no matter what happened.

Hon. JOHN W. DAVIS (chairman). I believe we have heard two of the most interesting addresses we have ever heard this evening, and I don't believe we are ever likely to hear more interesting ones. The meeting is now open for general discussion. We have heard Mr. Morris once before on the question of the Far East, and I know we would all like to hear him again.

Hon. ROLAND S. MORRIS. I feel that Mr. Norman Davis has raised not an incidental or a secondary question, but rather a very fundamental one. I have been concerned ever since I read the text of the four-power treaty as to whether or not it represented simply a rewording and an enlargement of the Anglo-Japanese alliance. I have felt that whatever may have been the European conditions that seemed 20 years ago to create the necessity for that alliance, they did not at that time, as I read history, arise in the open. They arose from the conditions of the balance of power in Europe, and that it had operated from the start as a deterrent in endeavoring to give to the Orient a full and free opportunity for its own development. When we endeavored to intervene in the interests of justice to China primarily by the announcement of the open-door policy, I think that there was then considerable hope that by that policy we might have prevented the apparent exploitation by not one but several nations of China. That we have failed to do that I have always felt was due in a large measure to the innocent and simple words of the Anglo-Japanese alliance. It acted as a screen to protect the rear of the nations that desired to get control and to go contrary to any fair policy and application of the open door. I had hoped that it might have disappeared in this conference, as it would have been automatically abrogated had the League of Nations succeeded and had we entered it. It does seem to me that that could have been done as part of the naval treaty, as Mr. Davis has pointed out. If it was attained only by our joining in the alliance, I do sincerely regret it, because I fear that by that act we are going to surrender the very extraordinary position that we had attained in the Orient.

The discussion here to-night has seemed to indicate that our position was one of antagonism toward Japan and wholly one of sympathy, for instance, for China. There were times when we very strongly sympathized with China, and protested against what we believed were wrong policies followed by Japan in regard to the continent of Asia. But our independence was the great thing. We were equally able to take another kind of position as regards China, and as a matter of fact did do so during the Boxer days. Thus, even prior to the war between Japan and China we were always in a positicn where we could stand equally with one side or the other or against one side or the other, and insist upon policies that we believed were conducive to peace, although they were opposed by the Chinese people or the Chinese Government. In other words, our attitude was one of independence. Our desire was solely to have a real equality of opportunity and freedom from exploitation in the hope that there might be a normal evolution and development in which all the nations could participate in the Orient.

Now, then, as I understand the meaning of the term "alliance"—and I stand here to be corrected—it has nothing to do with its object. What it has to do with is the question of who is excluded from that alliance. If in a group of 10 men 5 of them go off by themselves and agree that on questions that might involve any or all of the 10 men they will confer together, that is an alliance. Their object may be peace or cooperation with the ones that are excluded or any one of a thousand other things. I can't see any possible answer to the suggestion that Mr. Davis has made, that if we are going to have conferences in regard to interests in the Pacific, we should not make them ex parte, because you can't tell where that is going to lead. Where one group within another sit down to discuss a situation among themselves which may be created by some one of the whole group that is not there present, you have got a situation that is going to lead almost inevitably to a balancing alliance of some sort to meet that situation.

And here you have China, Russia, Portugal, Siam—interested in the problem, and yet they are excluded from the consideration of that problem which may be of more interest to them than to any one or all of those in conference. This is the first time in our history that this has happened—that we have gone into a limited combination—and I don't think we ought to do it unless we are quite clear that we are now started on our only alternative, which is a series of such alliances, in the hope that we can thereby stabilize the issues of the world and thereby insure peace. I only want to emphasize the distinction that I make between a league of nations which would include all of them, where our independence would be included in the whole group and where we would still retain our so-called American position, and a position where we join one side, one element, a certain number out of many that may be against the rest of the world, who will decide not necessarily antagonistic to the others, but the fact would still remain that we are in and they are out, and proceed to discuss these questions which so vitally affect them. One, I take it, is an alliance, and the other is a world conference for peace.

Now, if we are going toward that alliance system isn't it fair that we should analyze this and determine that factor? The extraordinary position that we occupied in the Orient was attained chiefly because we have earnestly striven for over a quarter of a century to protect what were not only our rights but the rights of the world in the development in every phase of life of the Orient. And now we have put ourselves in the position where we are going to surrender that by apparently going into an alliance and subsequently as a matter of course into a conference behind closed doors and discuss questions affecting China where China can not be. Isn't that a dangerous thing to do, and isn't it likely that sooner or later we will see growing up gradually, more in thought first than in definite action, a combination of Russia and China and perhaps Siam and all other nations that are interested in the question up for discussion, and of necessity try to counteract and undermine any conclusions that may be reached by the conferences of those from which these nations were excluded? That, I take it, has been the history of these alliances from the beginning. They always tend to create groups, and then begins this balancing of power which has always ended in a catastrophe. There is a very real possibility of a Russian-German-Chinese alliance. A sympathetic connection between those countries is closer than, I am afraid, is generally realized. Russia has been able to understand China and has been able to work in closer harmony and cooperation with her because of the curious relationships along that long border line between the two countries, and she has done this better than any other of the European nations, and it well might be that in the course of the next 15 or 25 years that you will see the closest relations between them, not because we were opposed to them, their ideals and ambitions, but because we had excluded them from the consideration of those problems in which they were vitally interested by entering into some form of cooperation with only a portion of the nations interested, and that, I fear, is the way we are going. If this is true, I would put aside all appeals not to tear down what our officials have built up—all appeals to our pride. If I felt that we are running in that direction and away from the peculiar position we once occupied, far better total disaster so that we may keep that unique character that we have had in international relations, in these problems of the Orient. We could go in with all the parties interested and within that group retain our independence of action and cultivate what we like to believe is our underlying altruistic attitude toward the devel-

oping of the Orient. But if we go in with any one portion of that group I fear we are driving right against some position which will in the end totally destroy all the influence that we have in China, and will destroy likewise, as it has destroyed in the past, our influence in regard to Russia. Of course, Russia now has become also one of the sick nations like China, and yet with potentialities that are simply beyond the dreams of man for their future development as nations. Both China and Russia are going to be great and reconstructed nations. No one has seen them and not been filled with that feeling of confidence as to their future position in the world, and we have established during the past two or three years a sympathy with the Russian people, who stretch along that border of the Pacific right opposite us on the Pacific Ocean, which will be a tremendous asset to both countries in the years to come. Now are we going to ignore their interests in the Pacific and be part of an alliance which excludes them, particularly when that alliance is with nations who may not have the same feelings about the integrity and development of Russia as we have? They may have very different ones. We must not forget that, and must be very careful so that we do not find ourselves in a position that is contrary to our interests and to our desires.

And so I conclude by summing this entire thing up. Let's see whether we are right in our definition of an alliance—not its object, but whom does it include and whom does it exclude—and then remedy it. But—and this is very important—we are not to take any steps in any spirit of spite to defeat the accomplishments of the Washington conference; in no spirit, I beg of you, of any partisanship or feeling or anything of that sort. But in the interest of a policy that we have never changed, and to preserve the peculiar position that we have occupied for so long and with so much honor and prestige. Ought we not endeavor to include all those nations interested in the Pacific in our treaty?

Mr. J. G. McDONALD. Mr. Davis and Mr. Morris have raised very serious questions, and all of us have our doubts about the four-power treaty that we did not have before. I was not so much impressed by the basis of his argument, which was the avoidance of any departure from the accepted American program and policy. It seems to me that that was the dominant argument in the League of Nations debate, and we who believe in the league and hope that some day we may get into it should be very careful about urging that point, which with another purpose might be used very effectively against the entrance into the league under any conditions whatsoever.

We ought to give the administration the benefit of the doubt, so that we somehow may get into the habit of ratifying treaties instead of rejecting them, in order to get back some of the prestige that was once ours and try to retain it.

But at the present moment I am concerned with two other things. First, if the debate in the Senate drags out over a long period of months, it will inevitably assume a partisan character. The debate will not be conducted on the basis that this discussion has been conducted, and if we do not get prompt ratification of the treaties we will see something very like what we saw in the debate on the Versailles treaty.

One other point: Whether the conference at Washington has achieved the tremendous results that Mr. Cravath has stated or only those results which Mr. Davis has stated, it has met only one part of the problem. It has not touched Europe; American participation in European economic adjustments is essential. Let us get this over with quickly, to have America effectively cooperate with Europe in order to get a normal economic condition established there.

Dr. SIDNEY L. GULICK. I would like to speak about the effect upon Japan of the adoption of these treaties promptly and wholeheartedly. The effect is the encouragement of the liberal movement in Japan with the power which it will have if it is encouraged of overthrowing the militaristic movement in Japan.

The feverish preparations for war which Japan was making were based upon fear of America. They saw the rising tide of criticism of Japan; of talk of war with Japan; of insistence that we must have a war with Japan. That has been going on for more than 10 years in this country. And then they saw our coming into the Pacific with our very large fleet, and the building program that we had inaugurated. These gave to the militarists the opportunity to put through a program of preparation which probably they would not have been able to put through otherwise.

Through the medium of the Washington conference the liberals in Japan are going to have a fresh chance of pushing their program and of showing to their public that the fears put forward by the militarists are not well grounded.

Mr. PAUL FULLER, Jr. If the exact terms of the four-power treaty are considered, don't the parties agree to respect the territory of the other, in effect recognizing first the natural positions of the parties, and secondly in case some outsider takes that territory to consider what steps to take? Now, is that in any true sense an alliance? Is it really any more an alliance than, for example, the treaty relating to Belgium before the war? In that treaty they simply agreed to respect the territory of Belgium. Would you call this four-power treaty an alliance, being, as it is, limited to purely a self-denying feature?

Mr. MORRIS. I would say that it does make it an alliance. The alliance consists in whether those who have similar interests are excluded from the alliance. It means that a certain group determine the facts in regard to a given situation, without regard to what other nations having an interest similar in character to those represented by the nations in conference might say or do. You may say it is a self-denying alliance. It still is an alliance. And my thought about the matter is, and it has been proven in history time and time again, that the mere fact of exclusion of nations interested in the same things will inevitably create something to meet it and counteract it. I submit that as the real definition of an alliance. It is quite possible and even probable that it isn't a complete and full or fair definition, but I can't see it any other way.

Mr. DAVIS. And is not it true that the treaty of Belgium brought England into the war?

Mr. CRAVATH. That was a defensive alliance. In that treaty the powers agreed and joined in guaranteeing the neutrality of Belgium. It is true that that brought Great Britain into the war, but it was the force of public opinion which interpreted the obligation as meaning that Great Britain was to enforce neutrality if necessary. Lord Grey himself said that it was the Belgium incident that led Great Britain into the war.

One final word I want to say. I agree with all that Mr. Davis and Mr. Morris have said about the dangers of a policy of alliances. I do not know enough about international law to define the term "alliance." Maybe Mr. Morris is right that this is technically an alliance, but I think the kind of alliance that we are opposed to in principle is the offensive or defensive alliance, an alliance that requires affirmative action on our part for the assistance or protection of some other nation. For instance, if we signed a treaty with Mexico by which each party agreed to respect the territorial boundaries of the other, that might be technically an alliance, but it would not do us any harm. We are simply agreeing to refrain from doing what we have no right to do anyway. It creates no obligation beyond the control of our own conduct. Therefore I say that this four-power treaty is exactly on a parallel with such a treaty as between the United States and Mexico. It binds us individually to respect the rights of Japan and Great Britain in relation to their insular possessions in the region of the Pacific Ocean. That we are willing to do. There is no objection to our doing that. It gives rise to no involvement. It carries with it no obligation, and I should say that whatever the four-power treaty may technically be under the definition of an alliance, it is not the kind of an alliance or the kind of a contract that we are seeking to avoid. There may be room for debate about article 2 of the treaty. I suspect that would be considered by the Senate. The President has said publicly, and Mr. Hughes and Mr. Root have said privately—and perhaps publicly—that they do not understand and did not understand that that article placed any obligation beyond giving advice in case an emergency arose. I think there would be no objection in the Senate to adopting a reservation perhaps making it clear that article 2 did not require us to go to war or use force or for any other affirmative steps to be taken in the matter against our will, if I am right in assuming that President Harding was right in announcing that that was the intention of the parties. Therefore I say that while I do not think this is the kind of an alliance that we need fear or that we should seek to avoid, I will say that even though we should join Mr. Davis and Mr. Morris in preferring not to enter into such a contract as that, it is after all an unimportant concession of what seems to me to be a nonessential as a necessary step in accomplishing the important results.

Mr. FULLER. Would you be willing to advocate an amendment in the form of a reservation by the Senate to the four-power treaty, inviting any other powers with interests in the Pacific to join in the treaty without any change in the text?

Mr. CRAVATH. I think there would be no objection on the part of the United States to opening it up to any nation having any legitimate interest in the Pacific, but I should object to anything that would cause any of the three powers to withdraw their adherence. I think I know from conversations I have had with the British delegates both before and during the conference of what caused the most trouble. They say that the Japanese are exceedingly sensitive about consulting nations in

problems which they consider their own. The British delegates said that the Japanese would be very sensitive in having purely Anglo-Japanese questions submitted to a conference participated in by France, Italy, and other nations that were not directly concerned, and I suspect that the treaty was confined to the four powers out of regard for the peculiar sensitiveness of the Japanese.

This town-hall method of discussing questions may be all right in its place, but it does not work in international affairs. One of the great disadvantages of the League of Nations was the assembly, which was a town-hall affair, with an unwieldy body, a great majority of the members having no interest whatsoever in the question before them at the time.

Mr. FULLER. I think your objection to the town-hall method is entirely correct and valid in regard to the negotiation of a treaty. But having been negotiated and signed, they should be accepted with the reservation that those may join who have given due notice of their interest, do not you think?

Mr. CRAVATH. Provided it did not imperil the acceptance of the others. As I said before, in the assembly of the League of Nations that point is a fatal one to-day because of the number of small nations having so very little interest and most of the time no interest at all in the problems in question.

Mr. DAVIS. One of the plenipotentiaries told me that this was an alliance, that everybody knew it was an alliance, and that they admitted among themselves that this was an alliance; but that he had favored it because he had come to the conclusion that we had to adopt the system of alliances. In his opinion the time had come when we should take that step. He was not an American, so a difference of opinion on that point is excusable. Your simile, Mr. Cravath, between America and Mexico is misleading, very misleading. Carry what you said out a bit further to conform more to the present situation, and let us say that America and Mexico sign an agreement whereby they agree to respect each other's territory, and to whip any other nation that comes between them, or to come together and to confer as to what should be done in their opinion should any other nation interfere with their arrangement even though that other nation may have had some right so to do.

Mr. CRAVATH. As I said before, it may be technically an alliance, but from my point of view it is not seriously objectionable because it is self-denying.

Mr. HERBERT S. HOUSTON. I want to say just this one word as a firm believer in the League of Nations. I am not an expert in the meaning of the terms used to-night, but it strikes me that what is much more important is the question whether or not the Government of the United States can function in respect to international relations. It does seem to me that if this country is going to enter into any kind of agreement, any kind of alliances, or if it is going into the League of Nations, we must function with respect to agreements that are entered into by our duly accredited representatives. It seems to me that the way to resume is to resume. Whether we go into the League of Nations, whether we enter into any agreements, or whether we do not, let us decide what we are going to do, and then let us do it.

Mr. POINDEXTER. Mr. President, there seems to be about as animated a question of veracity between Mr. Cravath and his own statement, which was inserted in the RECORD this morning by the Senator from Massachusetts [Mr. LODGE], as there is between him and Mr. Hughes and the other members of the American delegation. I do not care to enter into any discussion of the psychological processes by which Mr. Cravath arrived at these apparently conflicting conclusions and attempt to reconcile them. As far as the facts are concerned, whether or not there was any secret agreement for some alliance between Great Britain and the United States in this conference, I accept the unqualified and unconditional testimony of the distinguished Senators from Alabama and from Massachusetts and the Secretary of State, all of whom speak authoritatively, and who were the officials through whom any such agreement would have been reached if it had been reached.

In case there should be a controversy growing out of this treaty when it is ratified, as I believe it will be, between some of the parties to it, in which the United States should become involved, I personally would feel extremely gratified to have the support of any one of the other parties to the agreement in the contention in which we might be engaged. If Mr. Cravath's statement is a mere prophecy, if it is a deduction which he bases upon such premises as he may see fit to devise from the conditions which surrounded this conference, and such an unfortunate event should take place, it seems to me it would be a very happy issue out of our troubles if such a friendly feeling should have arisen in this conference that any one of the other parties to the four-power pact should take the side of the United States in any controversy which we might have against another.

As to the question of naval power, the question of whether or not the naval position of the United States is weakened by the agreement, that is very largely an academic question, for the reason that whatever our relative position would be under the terms of the treaty, the great question which confronts Congress and confronts the country is not the danger of limiting ourselves to the naval power provided for in this agreement, but the danger that we may not come up to it. The difficulty we are going to have is not by reason of any limitation placed by the agreement upon the building of a navy, but it is to secure the assent of both Houses of Congress and of the people of the country to appropriations which will enable us to maintain a navy upon the ratio provided in this agreement. That matter undoubtedly will be discussed in detail when the naval limitation agreement comes before Congress.

As to another phase of this discussion, we are confronted by the curious situation that the ardent advocates of the League of Nations are opposing this agreement because it differs from the League of Nations and that the opponents of the League of Nations are opposing it because they allege it is the same as the League of Nations. I want to point out just one or two of the essential differences between the arrangement made by the pending treaty and the League of Nations as they occur to me.

The first one which occurs to me is that under the League of Nations there was a visible and tangible organization of world government, composed of a body of men vested with world powers, as defined in the instrument, sitting at some place in Europe to exercise those powers upon the various members of the league and to a considerable extent upon the other nations of the world which were not members of the league. In the agreement which is pending before the Senate there is no such structure of world government. There is not an additional office created by this treaty.

There is no new agency of government, nor is there any new obligation, created by this instrument which does not already exist.

Mr. WATSON of Georgia. Does the Senator from Washington agree with the Senator from New Jersey [Mr. EDGE] that under this four-power pact the United States Government would have a veto on the decision of the other three?

Mr. POINDEXTER. Unfortunately, I did not pay close enough attention to that portion of the remarks of the Senator from New Jersey to hear that statement.

Mr. WATSON of Georgia. He did not state it in those words, but he said it would require unanimous consent, and that, of course, would give a veto to any one of the four.

Mr. POINDEXTER. My opinion is that the United States would be perfectly independent as to its own action. I fail to see how it would have the power to control the action of the other parties to the agreement. The treaty only provides for a conference as between these powers. The United States would determine as to what extent it might follow any agreement which was reached there, but I fail to see how the other three powers to the agreement could be put under the control of the United States.

Mr. BRANDEGEE. If the Senator will permit me, does he not think that where four sovereign powers are conferring in an effort to arrive at an understanding, the inevitable implication is that it must take unanimous consent for the four powers to arrive at an understanding?

Mr. POINDEXTER. For joint action.

Mr. BRANDEGEE. For any action. If they arrive at an understanding as to the most efficient means to be taken to meet an exigency, can they arrive at an understanding except by unanimous consent?

Mr. POINDEXTER. No, they could not; but there is no compulsion on them to arrive at an understanding. That is the purpose for which the conference is called; but they can not be compelled to arrive at an understanding.

Mr. BRANDEGEE. I agree with that; but my point is that if four powers agree to meet in time of danger and attempt to arrive at an understanding as to what measures are to be taken to meet the danger they do not arrive at an understanding unless they all arrive at it.

Mr. POINDEXTER. Certainly not.

Mr. BRANDEGEE. A majority vote of three would not bind the fourth, who objected to it.

Mr. POINDEXTER. Undoubtedly that is true.

Mr. BRANDEGEE. That is my view of this matter.

Mr. POINDEXTER. I agree entirely with the Senator in that respect. So the independence of action of either party to the treaty is perfectly secure.

Another curious development of the argument upon this treaty is that certain distinguished Senators object to it because it is an alliance, an offensive and defensive alliance, between the four powers who are parties to it, and at the same time they propose to improve it, according to their view, by extending its terms and provisions to all of the rest of the world, or at least to a great portion of the world.

If it is objectionable because it binds the United States to go to war in a quarrel of other powers, it would only be adding to that objection to increase the obligation by adding other nations whose controversies the United States would have to assume; but that is one of the arguments launched against this agreement.

The Senator from Idaho [Mr. BORAH] said that he demonstrated its objectionable features by citing the example of the Triple Entente, which was described by the Prime Minister of Great Britain as merely a diplomatic group. He said that that was not considered as a menace to the independent action of the members to it, and yet that it drew Great Britain into the World War. The Senator from Idaho is not sustained by the official record of the powers engaged in the World War and their own statements as to the reasons and causes upon which they based their action.

This agreement provides for a conference. The Senator from Idaho said that if a conference could have been arranged between all the powers of Europe, very probably war could have been averted. So he proposes, as I understand his conclusion, to provide that Russia, Germany, and China shall be admitted as parties to this arrangement, and that provision be made for a conference between those powers and all the powers who have signed the pending treaty.

That was the objection which the Senator from Idaho made to the League of Nations, that it bound up the United States with the rest of the world. One of the features of the League of Nations which does not exist in the pending agreement was the provision that every controversy in which the United States should be engaged should be submitted to a foreign tribunal, and that the United States should be subject to its decision. No Member of the Senate can point out in this treaty any implication by which the United States could be involved in any such surrender of its sovereignty.

When the League of Nations was first suggested it was called a "Constitution" of government, but apparently realizing the obnoxious implications of that word, the name was withdrawn and it was afterwards called a "Covenant." When you write into a world agreement a provision that the organization which is set up by it shall have power to decide every controversy which may arise between the nations of the world, and that they must submit to it, you have transferred the sovereignty of those nations to that world organization. That is what the League of Nations did, and that constituted the chief objection to it. As I said before, no one can point out even an implication in the pending agreement of any such surrender of national sovereignty.

Mr. President, there was another provision in the League of Nations which I recall, of a specific and less important and yet of just as striking character, by which the sovereign powers vested by the Constitution of the United States in Congress were transferred to the council and to the assembly of the League of Nations. That was the provision that the League of Nations should have "supervision"—that was the word used—of the trade in arms and ammunition. There is no more essential power in the protection of the interests of a nation, an essential part of its sovereignty, than the power to regulate the importation or the exportation of the implements of war. That power is vested by the Constitution in the Congress of the United States, while by the constitution of the League of Nations the Congress of the United States was divested of it. It was transferred to an assembly and to a council sitting in Europe, over which the United States had no control whatever.

Are we going to deny the facts shown by the comparison? Can it be said that the pending treaty—which, it seems to me, amounts to nothing more nor less than a treaty of amity and friendship between these powers and an agreement to respect their reciprocal rights—is comparable in any way whatever to such a transfer of sovereignty as that to which I have referred?

Mr. President, I may mention another distinguishing feature which separates by a wide gulf this agreement from the constitution of the League of Nations. One of the most cherished doctrines of the American people is the Monroe doctrine, by which, in its last analysis, by the practice of successive administrations, as it was expressed by a great Secretary of State—I think Secretary Olney—the will of the United States is the law of the Western Hemisphere. That was an exceedingly bold statement, yet in the face of a great emergency in which the principles of that policy were challenged by a great European power, his interpretation of its effect and its application was uttered in those words and applied in action.

I believe that the existence of the free Republics in Central and South America is due more to that American policy than to any other influence under which they have been developed. Under the League of Nations it was proposed to reverse that great principle. It was proposed that in controversies between an American sovereignty and some other power—such as occurred between Venezuela and Great Britain in one instance, and between Venezuela and Germany in another; President Cleveland in one case and President Roosevelt in another, representing the United States—we should not have the power to interfere and to impose the policies and will of the Government and people of the United States in the adjustment and settlement of those controversies which, if persisted in, would have involved the territorial integrity and political independence of those American Republics, but that they should be decided in a court of last resort, from which America had no appeal, sitting in Europe and in which the United States would have had but one vote. So the Monroe doctrine, had the United States become a member of that centralized constitution of world government, would have become a thing of the past—destroyed by our own act.

The pending treaty does not relate to American questions in the sense in which the Monroe doctrine applies to them. It does not relate to territorial questions affecting the countries of the Western Hemisphere. So I am led to state what I believe to be one of the chief virtues, if not the chief virtue, of this agreement, that which makes it a practical working arrangement, and that is that it is limited in its scope both as to the subject with which it deals and as to the area which it covers. It is limited to the region of the Pacific. I think that is a benefit.

Some gentlemen are opposed to it because it is so limited. They would extend it to the mainland of Asia. If it were extended to the mainland of Asia every difficulty, every seed of trouble which they allege is to be found by some difficult and abstruse implication in its words, would be multiplied a thousand times. If their construction is correct, by such extension we would become involved in far-reaching problems of world affairs which, as the treaty is written, are not touched by it. So, Mr. President——

Mr. KING. Mr. President, will the Senator yield?

Mr. POINDEXTER. In just a moment I will yield. It is not only limited to the region of the Pacific, but even as to that region it is confined to what practically amounts to an agreement for friendly relations, for amity, not contrary to the principles of George Washington, but in conformity with them—that "honest friendship" which George Washington laid down as the basis for the relations of this young Republic, as it was then, with the rest of the world.

I now yield to the Senator from Utah.

Mr. KING. As I understand the Senator, he thinks the four-power treaty is greatly improved because it is limited to the insular possessions of the four signatories to the treaty. I ask him whether he believes there is any possible controversy that might arise between the United States and Great Britain over any of Great Britain's insular possessions in the Pacific?

Mr. POINDEXTER. Oh, there is a possible controversy, but not a probable one.

Mr. KING. But there is no probable or even possible controversy, is there, between the United States and France over any of France's insular possessions in the Pacific?

Mr. POINDEXTER. I will make the same answer to that question that I did to the former one.

Mr. KING. Certainly the Senator must concede that the United States does not claim the southern half of Sakhalin or the Pescadores Islands or any of Japan's insular possessions in the Pacific?

Mr. POINDEXTER. The United States does not. I wish the Senator would get down to the application he desires to make of these questions.

Mr. KING. The Senator has kindly answered two questions. Will he answer the third? Does the Senator think there is any possible controversy between the United States and Japan over Japan's insular possessions in the Pacific?

Mr. POINDEXTER. I wish it were not possible.

Mr. KING. The United States does not claim Sakhalin or the Pescadores or any of the Japanese possessions in the Pacific, does it?

Mr. POINDEXTER. No; the United States does not claim it, and yet why should the Senator or why should any of us close our eyes to the world-wide belief that there was a cause

of friction and the germs of difficulty between Japan and the United States in their relations in the Pacific? The Senator does not deny that that existed.

Mr. KING. If the Senator propounds that as a question, I will say that I think there was a great deal of fantastic talk in the world as to the possibility of controversy between the United States and Japan; but I believe that whatever foundation existed for such talk related to the mainland and not to the insular possessions of either Japan or the United States.

One other question, and I apologize to the Senator for taking his time. Does the Senator believe that either Japan or Great Britain or France has any idea of invading any of the insular possessions of the United States which are covered by this treaty?

Mr. POINDEXTER. I do not think so, especially after they have put their signatures to this agreement.

Mr. KING. But aside from this treaty?

Mr. POINDEXTER. I can not tell the Senator what my beliefs are, and I doubt very much whether it would be advisable to discuss the opinions and beliefs of Senators as to what the attitude of foreign nations might be toward the possessions of each other. I have called the Senator's attention to the existence of a controversy on various subjects between certain of the members of this agreement which I think were palliated, mollified, and largely prevented by their mutual agreement—the one which we now have here.

Mr. KING. May I say in conclusion that the answer of the Senator must be convincing, it seems to me, that if there is any source of controversy in the region of the Pacific it relates alone to the mainland, and the mainland under this treaty is excluded. Therefore this treaty, if it is not an alliance, relates to something that is innocuous and does not deal with any possible controversy that may arise between the four nations.

Mr. POINDEXTER. The Senator has put himself in this position: I understand he is opposing the treaty, claiming that it will get the United States into trouble.

Mr. KING. No. I have made no such statement. I have said but little upon the treaty, and have voiced no opposition to it upon the ground that it was an alliance. Indeed, I stated to a Senator the other day that I was not terrified by the idea of an alliance but that I wanted a world alliance, and an alliance with force and power behind it.

Mr. POINDEXTER. Now, the Senator just said we are not liable to have any controversy with regard to the islands of the Pacific; and this treaty only relating to those islands, according to his view, it is not at all likely that there would ever arise any controversy between the parties to it or any difficulty whatever growing out of its terms. I think that is the legitimate conclusion to draw from the remarks which he has just made.

It would seem that some people were so terrorized by the terrible licking they got on the League of Nations issue that they shy at every ghostlike apparition that they think resembles the League of Nations.

It has deprived them of the power, apparently, to discriminate between what I have been free to characterize as an international "monstrosity," looked at from the standpoint of the man who loves the independence of his country—the League of Nations—and an agreement which is very similar in its character to the 72 other treaties and agreements for peace and amity which the United States has already entered into in the long course of its history from the days of George Washington down to the present time, by which it agrees to confer with reference to disputes, to adjust them upon a peaceful basis, to respect the rights of the other nations of the world, and to live, as George Washington said, in peace and "honest friendship" with other countries. They object to that because they were so overwhelmed by the people of the country in their support of the League of Nations that they think this may be confused with it.

Mr. KING. The Senator does not include me in the category of those who are afraid of the League of Nations or the ghost of the League of Nations, because I was for it and I am still for it. I want to state to the Senator that, in my opinion, notwithstanding the election returns, the League of Nations was not the cause of the Republican triumph. If the Senator will read a recent book called "The Great Deception," by a proleague Republican, he will find there an analysis of some of the reasons for the election of President Harding; they will not be assuring to the Senator and will, in my opinion, successfully controvert the views which he just announced as to the cause of the Republican success.

Mr. POINDEXTER. That is all a matter of record. The objection to this agreement that it is an alliance is not based upon anything in the agreement itself.

Even the distinguished Senator from Idaho [Mr. BORAH] says that it is not an alliance; yet he opposes it as vigorously as does the eloquent Senator from Missouri [Mr. REED], and the distinguished Senator from California [Mr. JOHNSON], who say that it is an alliance, and base their arguments against it upon that ground. An alliance, in the sense in which objection is made to this agreement, would be a treaty by which the parties would agree to support each other in case of war, would lend military aid and come to the assistance of the other parties to the agreement.

Now I lay down the proposition that a nation can not be bound to perform the act which holds more of good or evil fortune for its people than any other governmental act which it can perform, namely, the act of making war, unless it is provided for in the clearest and most express terms.

It seems to me to be quite contrary to any rule of interpretation of instruments, even those between private parties, to hold that there may be read between the lines and by implication an agreement to bind a power to lead its people into war. I deny that there is any such principle of construction of treaties or agreements between nations. Mr. President, the entire course of diplomatic history negatives that proposition. There can not be found in this agreement certainly any express provision that the United States shall lend its military aid to any one of the other parties to it.

In the agreement for the maintenance of the sublime porte there was an expression to the effect that invasion of Turkish territory or independence by any power should be a casus belli.

Mr. Gladstone and Lord Palmerston, representing the British Government, which was chiefly concerned and which was chiefly responsible for the status of the Turk in Europe, always contended and always applied the principle in the various controversies which grew out of the situation of the Turk upon the Bosphorus, that that provision imposed no obligation which required Great Britain to go to war on account of the violation of that treaty. Their position was—and it seems to me a perfectly reasonable one—that it gave Great Britain the right to go to war if she saw fit to do so; that its violation would be a cause for war. Mr. Gladstone said if the conditions and circumstances out of which war arose caused Great Britain to feel that war on her part was justified, or that her interests and her obligations looking toward the purpose for which the treaty was framed, justified and required her to take any such step, she should then go to war.

The Senator from Idaho the other day said that the Triple Entente caused Great Britain to go to the rescue of France in the World War. As a matter of fact, Mr. President, the official declaration of war by Great Britain stated that the cause of Great Britain going to the assistance of France in that war was the invasion of Belgium by the German troops and the violation of the agreement which the powers of Europe had entered into in the treaty of 1839. That was written by Great Britain into her declaration of war against Germany.

However, Mr. President, pursuing the question of the interpretation of treaties, suppose for the sake of the argument that the Triple Entente had been the cause of Great Britain's going into that war, what language was there in that agreement which imposed that obligation upon her?

In the very speech of Sir Edward Grey, at that time the Minister of Foreign Affairs of Great Britain, which was quoted here by the Senator from Idaho, Sir Edward Grey declared in the House of Commons that Great Britain was under no obligation to render military aid to France on account of the Triple Entente. He even went so far as to declare that even the treaty of Belgium, in which Great Britain had used the word "guarantee" in defining her obligation as to the neutrality of that little country on the English Channel, did not compel Great Britain to make war. That question had been discussed on various occasions in the House of Commons by the premiers of Great Britain, including Mr. Gladstone, and it was the settled and express policy of Great Britain, even though Great Britain had said that she would "guarantee" the neutrality and integrity of Belgium, that that did not impose upon her an obligation to go to war unless she concluded that the interests of Great Britain justified it; and so it was declared on the outbreak of the great German war. I defy anyone—the Senator from Idaho, learned as he is, or anyone else—to point out in the history of international relations any agreement between nations by which any nation was ever held to be compelled to render military or naval aid to another nation unless there had been the most positive and express agreement in unmistakable terms to do so.

So, Mr. President, basing my construction of this agreement upon the precedents of nations, I say that it is not possible that

it should impose any further obligation upon this country than that which it expressly contains.

I wish to call attention very briefly to one treaty of peace and amity which was made in 1797 between the United States and Tunis.

Mr. KING. Mr. President, before the Senator proceeds to another branch of his argument, will he yield to me?

Mr. POINDEXTER. I will yield to the Senator after I say a word or two more. The Senator from Utah will remember that we entered into various treaties, in many respects very much like the pending treaty, with little powers along the Mediterranean. They violated those treaties; made piratical attacks upon American trade and commerce, and we had to go over there and chastise them. Commodore Decatur burned their ships, and afterwards they thought they would be good, and they renewed their treaties of peace and amity with the United States, by which they agreed to respect our rights and we agreed to respect their rights. We agreed upon certain methods by which disputes between the two nations should be settled, by communication and by conference, just as is provided in the pending treaty. There was no objection on the part of George Washington to those agreements; on the contrary, he negotiated the treaties, in the first instance. I now yield to the Senator from Utah.

Mr. KING. Mr. President, taking the observations of the Senator to-day and his speech delivered a day or so ago together, I have reached the conclusion—and I do not wish to do the Senator an injustice—that the Senator's position with respect to the four-power pact now under consideration in brief is this: That it merely creates an armed status between the four powers—I was about to say a condition of armed neutrality—or, at any rate, it supposes a limitation of naval armament, and makes provision for consultation. The Senator stated the other day, in substance, that we must maintain our Navy and that no treaty, no matter its sanctions and obligations, would be sufficient to protect our Nation. He gave China as an illustration of an unprepared nation, and insisted that, notwithstanding this treaty or any other treaty into which we might enter, we must still be militant and belligerent and have an army and a navy for national protection; that we could not rely upon treaties, but we must rely upon our own resources and mobilized and prepared armies and navies.

Now I ask the Senator—and I do so for information—what is the benefit of this treaty? We are still to maintain a belligerent and bellicose attitude under the guise of peace; we are to be Talleyrands and Machiavellis, professing peace and amity, and at the same time we must have a hand of iron and the sword and the bayonet and the naval gun ready for action. The nations are only to consult if there are any controversies growing out of their insular posessions, but there is no authority in the treaty granted to any nation or any agency to exercise force in order to bring a recalcitrant nation into terms of amity and peace with the other powers signatory to the treaty. Now I ask the Senator what is his interpretation of what this treaty means? I ask the question in good faith, as I respect the Senator's judgment and his sincerity. I want him to tell us what he thinks this treaty does do. What will be the effect of it? What are the advantages to be derived from it if we are still to be belligerent and militant, and if we are only to be brought together at a sort of tea party to consult now and then as to what we may do?

Mr. POINDEXTER. Mr. President, that is a very complicated and elaborate question.

Mr. KING. I know it is; let the Senator cut the Gordian knot.

Mr. POINDEXTER. It is based upon language of the Senator and not upon language of mine. I have never stated that we should maintain a bellicose or belligerent attitude. The great difficulty with the Senator from Utah, I infer from his remarks, is that he does not admit that it is possible for a self-respecting nation to maintain adequate means to protect its rights and its citizens in a friendly way, to be used only upon occasion when those rights are attacked or invaded or when some policy which it regards as essential is assailed. If I may refer again to Washington, he believed in adequate preparedness, and yet, at the same time, he stated that we should live in peace and honest friendship with all nations. The pending treaty goes along with the naval limitation treaty. The Senator can not consider them as entirely independent and unrelated. If those who negotiated the pending treaty and its advocates regarded it alone as sufficient to maintain and protect the rights of the United States, it is very likely that they would have made no provision in regard to the maintenance of a navy, and yet there was very careful provision, after elaborate negotiations, for a navy at a certain ratio with relation to the navies of the other powers to this agreement.

Mr. President, there seem to be two classes of people in this respect. One class seem to pursue such a policy that they will refuse to respect the rights of other people, at least, they will refuse to make an express agreement to do so; they are very careless about that; they have no hesitation about invading other people's rights, and yet at the same time they make no preparation whatever for meeting the consequences of that kind of action.

The opponents of this treaty, nearly all of them—at least, many of them—want to refuse by the adoption of the treaty to agree to respect the rights of the other parties to it, and at the same time want to abolish the Navy. They are not even content with the 5-5-3 ratio, but they want to do away with the Navy altogether. It seems to me that they occupy a very inconsistent and contradictory attitude. On the other hand, there is the other class, who are willing to agree to respect the rights of others, who are very punctilious about doing it, who would go a long way around to avoid offending one of their neighbors, and yet who are very particular to prepare themselves in such a way that in case they do become involved in trouble they can give a good account of themselves. That is the idea that was expressed by one of our great Presidents as "speaking softly and carrying a big stick"; not as seeking trouble, but as anxious to avoid it, but as prepared to meet it when it comes as it inevitably will come soon or late. He was in favor, and so are the advocates of these treaties in favor, of a punctilious observance of our international obligations, of adopting every measure that can be devised, in case a controversy arises, to avoid an armed conflict; yet they realize that you can not guarantee the performance of agreements of this kind. They realize the mutability of governments, the uncertainty of human nature, and that however good the faith may be when the agreement is signed it may be broken, and so they provide and propose to provide, if Congress will support them in it, for security upon this note.

There may be an obligation which a man owes to another which is unexpressed. In order to define and settle it, it may be put in the form of a promissory note. So it was done by writing our unexpressed obligation to Great Britain and to Japan and France, to respect their rights in the Pacific, into this promissory note which comes here in the form of a treaty, that we will carry out a certain course of conduct in relation to our neighbors in the Pacific. But when a man has signed a note, very frequently he wants an indorser besides the maker; so in this case we have as indorsers—each one of those who have signed the treaty—three other powers whose combined moral support will influence the conduct of each of the other nations in its relations with the other powers of the world.

Very frequently, Mr. President, when a man has secured even an indorser upon a note, he wants still further security. So, regarding the priceless value of the interests which are to be affected in controversies between nations, the lives of their people, the honor and the prosperity of their country, in order that no chances whatever should be taken, they pursued the course that is often pursued by wise business men even in matters which have no greater value than money, and that is to take some security in addition to the makers and the indorsers of a note. That security in this case is provided in the treaty in the form of a navy upon the 5-5-3 ratio.

So, Mr. President, there being no League of Nations, there being no surrender of sovereignty, there being no additional agency of government established, this treaty being in the nature of those which it has been the habit of our Nation to negotiate since it first took its place among the sovereign nations of the earth, there is no objection based upon any tangible or demonstrable fact to the ratification of the treaty by the Senate.

The treaty with Tunis, which I referred to a moment ago, is illustrative of many treaties which the United States has entered into. It provides that—

> There shall be a perpetual and constant peace between the United States of America and the Magnificent Pasha, Bey of Tunis; and also a permanent friendship, which shall more and more increase.

I might call attention to the preamble of this treaty; and if the preamble of this treaty did not do any damage, there is no danger of any preamble in any treaty ever doing any harm to those who sign it:

> God is infinite.
>
> Under the auspices of the greatest, the most powerful of all the princes of the Ottoman nation who reign upon the earth, our most glorious and most august Emperor, who commands the two lands and the two seas, Selim Kan, the victorious son of the Sultan Moustafa, whose realm may God prosper until the end of ages, the support of kings, the seal of justice, the emperor of emperors.
>
> The most illustrious and most magnificent prince, Hamouda Pacha, Bey, who commands the Odgiak of Tunis, the abode of happiness, and the most honored Irahim Dey, and Soliman, Aga of the Janissaries, the

chief of the divan, and all the elders of the Odgiak; and the most distinguished and honored President of the Congress of the United States of America, the most distinguished among those who profess the religion of the Messiah, of whom may the end be happy.

We have concluded between us the present treaty of peace and friendship, all the articles of which have been framed by the intervention of Joseph Stephen Famin, French merchant residing at Tunis, Chargé d'Affaires of the United States of America, which stipulations and conditions are comprised in 23 articles, written and expressed in such manner as to leave no doubt of their contents, and in such way as not to be contravened.

And so, of a similar character, we have negotiated 72 treaties, including one with Japan by Commodore Perry, ratified by the Senate, and another one with Great Britain.

I want to call attention, Mr. President, to the authorities on the interpretation of international treaties as to the obligation of making war, upon which alone can be based a decision as to what the obligation of the United States is under this agreement.

On April 15, 1856, France, Austria, and Great Britain—

I am reading from "England's Guarantee to Belgium and Luxemburg," on page 34—

signed a separate treaty, which is important by reason of the use of the words "jointly and severally"; it provides:

"ARTICLE I. The high contracting parties guarantee, jointly and severally, the independence and the integrity of the Ottoman Empire, recorded in the treaty concluded at Paris on the 30th of March, 1856."

"ART. II. Any infraction of the stipulations of the said treaty will be considered by the powers signing the present treaty as a *casus belli*. They will come to an understanding with the Sublime Porte as to the measures which have become necessary"—

Language that is similar to that which is contained in the pending agreement, except that the treaty now before us does not contain the stipulation that violation shall be a *casus belli*—

"and will without delay determine among themselves as to the employment of their military and naval forces."

There military and naval forces were expressly mentioned; but it was invariably held by all the premiers of Great Britain, without objection from any other power, that it was entirely in the discretion of Great Britain as to what use she should make of her naval or military forces, and it was expressly asserted on various occasions that she was not under any obligation to any other power to go to war.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. POINDEXTER. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. I was very much interested in what the Senator had to say concerning the sentiment in this country regarding the reduction of our Navy. Did I understand the Senator to say that there is some sentiment in this country in favor of reducing the size of our Navy even beyond the limitation provided for in the 5-5-3 ratio?

Mr. POINDEXTER. I am very sorry to say that there is, in the country and in the Congress.

Mr. WALSH of Massachusetts. I am amazed——

Mr. POINDEXTER. I think, if the Senator will pardon me just one word, that the Senator will find, if he is here—as he no doubt will be, as he usually is in his seat in the Senate—that that is a very practical question, which the Senate very soon will be confronted with, whether or not we are going to maintain a Navy at the strength allowed and provided for by this treaty. I call attention to that because it seems to me to cast into the realm of the academic all questions as to whether we should have a larger Navy than that, when the great difficulty is to have one up to that mark.

Mr. WALSH of Massachusetts. Mr. President, I was especially interested, because I know of the Senator's special knowledge of naval matters and his great influence in formulating our naval policy as a member of the Naval Affairs Committee; but it is a matter of great surprise to me to learn that there is any sentiment or influence of substantial proportions in this country in favor of destroying our Navy or even reducing it to the extent of making it inferior to any other navy, regardless of the naval program or policies of other nations. I can understand a sentiment in favor of scrapping all navies, in favor of complete disarmament—not limitation of armament, but complete disarmament of both armies and navies—and I am in full sympathy with it; but I can not understand how our citizens, realizing that armies and navies exist for the purpose of our protection and the security of our rights against other countries that maintain armies and navies, would want our Army or our Navy to be second to that of any other country in its size and in its efficiency to serve and defend our country in time of need.

I am for no navy, if the world will disarm, but with the world armed, I want our country to be second to none in its capacity to protect our lives, properties, and rights. It seems to me that our policy ought to depend entirely upon the attitude of other nations, and that if other nations are going to maintain their navies, we can not afford to take the position of reducing our Navy beyond the size that guarantees reasonable security. We should, however, do everything possible to bring the public sentiment of the world to favor the abolition of all navies, but it is foolhardiness for a nation to begin to scrap its navy when every other nation in the world is increasing or maintaining its full naval strength.

Mr. POINDEXTER. I appreciate those sensible remarks of the Senator from Massachusetts, and I am glad that he has uttered them here in order to call attention to and emphasize that situation, because it is an actual menace. Of course, the strength of the Navy does not depend merely upon the hulks of ships. It depends more upon men and upon the training of the men, and that can not be done without adequate appropriations for the purpose. There is a plan on foot in very responsible quarters, I am told—I do not desire to criticize them at all, because they are entitled to their views and their jurisdiction—for such provision for our Navy as would leave it, instead of the equal of any other navy, the smallest of the three great naval powers. Instead of a ratio of 5-5-3, there would be a ratio of 5-3-2, the United States occupying the position of 2.

So I am informed by the most expert and the most reliable naval authorities; and it is also my own conclusion, based upon a comparison of this with provisions which have been made for the Navy in the past. That is a question which we will have to determine, and we are not impeded in our determination of it by this treaty, or by any other treaty which is pending here, because we act entirely within the limits of the agreement. I may say, although I did not intend to discuss the naval-limitation treaty, that this naval-limitation treaty represents the first authoritative international recognition of the United States as a naval power equal to any other. So much for its effect upon the naval status of the United States.

I usually agree with the Senator from Massachusetts, but I do not do so in his declaration in favor of a complete scrapping of all navies. I do believe in a reasonable limitation, because I can see that where there is a race between nations, without limitation, each one trying to get bigger guns than the other, bigger ships than the other, and more of them than the other, there is no end of it, and whether it leads to war or not, there is a considerable expense, though not so much of an expense as has been represented on various occasions. We are beginning to find that out now. The navy yards are being closed down, and we find that most of the expense of navies goes in wages and into the channels of commerce and in trade; it does not bear the relation to the other expenses of the Government which has been represented by any means. It seems to me, however that may be, that it is perfectly absurd for nations, after they have reached a certain point in the establishment of naval supremacy sufficient to curb and to police the evil influences of the world, which do exist, whether we like to admit it or not, to go on in a continued race for size and number. In that respect, leaving us in the best relative position in which we have ever been, this series of treaties, all interrelated with each other, in my opinion, form a very excellent basis for the adjustment of that question.

Mr. WALSH of Massachusetts. Mr. President, I do not want to prolong the discussion, except to say that I quite agree with the Senator from Washington [Mr. POINDEXTER] that so long as conditions in the world are as at present we must maintain a Navy of such size that it would at least be in a position to make a formidable defense of our rights. It is national suicide to reduce beyond the 5-5-3 ratio unless other Governments do likewise.

There is one thing more I want to say about the question of limitation of armaments. I think our country should have led, not so much in an effort to limit armaments as in an endeavor to bring about complete world disarmament. If a man has two revolvers and his antagonist also has two, and they wish to limit their arms, all they need do is to throw away one revolver, but they can still fight and kill each other. Nations can fight each other just so long as they have armies and navies, whether large or small. An agreement to reduce the size of armies and navies is merely an agreement not to fight so hard or so fiercely. Our Government lost a great opportunity at Versailles, and more especially at Washington, in not insisting on complete world disarmament. That does not mean that we should not have an Army and a Navy suffi-

cient to do policing, but instead of limiting the weapons we shall use when we get into a fight, instead of saying we will not kill each other off so rapidly, we ought to demand that all honest and sincere peace-loving governments throw away all their arms and settle international disputes without having their peace negotiators or peace-shouting statesmen supplied with blackjacks.

As long as men have revolvers they will shoot. As long as nations have armies and navies they will fight. I repeat, we have lost a great opportunity to take the leadership in bringing about complete disarmament. There has never been a time since the coming of the Prince of Peace when the opportunity was so easily within grasp to do something for real world peace as it was for America as the result of the World War, to vigorously contend for and demand complete disarmament. I have not heard one of the leaders of this administration raise his voice in favor of absolute disarmament. Not to have at least made the effort is indefensible. All we have been urging is limitation rather than abolition of armaments. It is well as far as it goes, for it reduces somewhat the expenses of Government, but it does not begin to reach the real evil, which is war. Talk about limiting arms is really camouflaging the truth and misleads the peoples of the world who really long for peace. Our aim should be the ending of war by destroying the weapons of war and the prevention of their manufacture and use. Wars will never end until every nation scraps its navy and until every nation reduces its army to the size of a national police force. Let us give the world its choice—complete, honest disarmament—or if our allies deny us this assurance of peace then let us lead in the possession of the means of defense. We will be safest and the world will be more peaceful if the first course is followed. We will accept the compulsion forced upon us to protect ourselves only when the other nations compel it by refusing to disarm completely. In a world filled with war implements and trained armies and navies our security lies only in an Army and Navy of sufficient size to afford adequate protection.

Mr. POINDEXTER. Mr. President, I want to refer to another authority showing that there is no obligation to make war unless it is expressly provided for. On page 119 of the volume called "England's Guarantee to Belgium and Luxemburg" I find this statement:

> The real point is that British statesmen had never considered that there was an absolute obligation—irrespective of all circumstances—to take up arms in defense of Belgian neutrality. There is no need to repeat the evidence given in the last chapter.

Mr. President, as to why England did go into that war, as bearing upon the interpretation of treaty obligations, I want to cite very briefly a few of the official documents. The fact of the case is that she went into it because her vital interests were involved.

In the British Blue Book, giving the official correspondence and negotiations between the great European powers at the outbreak of the Great War—No. 3—I find the following statement in a dispatch from Sir Edward Grey to the British ambassador at Vienna:

> The possible consequences of the present situation were terrible. If as many as four great powers of Europe—let us say Austria, France, Russia, and Germany—were engaged in war, it seemed to me that it must involve the expenditure of so vast a sum of money and such an interference with trade that a war would be accompanied or followed by a complete collapse of European credit and industry. In these days in great industrial States this would mean a state of things worse than that of 1848, and irrespective of who were victors in the war many things might be completely swept away.

That is one out of a great number of documents which demonstrate the tremendous efforts toward peace made by the foreign office of Great Britain, contrary to the assumption of some Senators, who argue upon this floor that the triple alliance was the cause of the war. These documents show that, on the contrary, these efforts were put forth to prevent war; that they did have conferences; that they exchanged communications between the British foreign office and all the other foreign offices of Europe of countries which possibly might be involved in the war which was then threatening them.

That, Mr. President, is exactly what is provided for in the pending treaty, that there shall be full and frank communication, as provided in article 2; that there shall be a conference between the parties to the treaty, as provided in article 1, not to make war but to seek to do the thing which the nations which were confronted with the holocaust of world war failed to do, to find some means by which it could be prevented. In other words, the purpose is peace, not military aggression.

In No. 18 of the British Bluebook, in a telegram from the British chargé d'affaires at Berlin to Sir Edward Grey, the British foreign minister, of date July 25, 1914, he said, speaking of the German Secretary of State:

> Secretary of State said that he did not know what Austria-Hungary had ready on the spot, but he admitted quite freely that Austro-Hungarian Government wished to give the Serbians a lesson, and that they meant to take military action. He also admitted that Serbian Government could not swallow certain of the Austro-Hungarian demands.

In No. 36, dated July 26, Sir Edward Grey said to the British ambassador at Paris, and also to the chargé d'affaires at Berlin, and to the British ambassador at Rome:

> Would the Minister for Foreign Affairs—

That is, the Ministers for Foreign Affairs in these several countries where the representatives were located—

> be disposed to instruct ambassador here to join with representatives of France, Italy, and Germany and myself to meet here in conference immediately for the purpose of discovering an issue which would prevent complications?

That was the effort to bring about a conference, just such as is provided for in the pending agreement.

In No. 43 of the same book, being a telegram from the British ambassador at Berlin to Sir Edward Grey, he said:

> Secretary of State says that conference you suggest would practically amount to a court of arbitration and could not, in his opinion, be called together except at the request of Austria and Russia. He could not therefore fall in with your suggestion, desirous though he was to cooperate for the maintenance of peace. I said I was sure that your idea had nothing to do with arbitration, but meant that representatives of the four nations not directly interested should discuss and suggest means for avoiding a dangerous situation.

No. 46 of the same book is a dispatch from Sir Edward Grey to Sir E. Goschen, the British ambassador to Berlin. I read a pertinent sentence from it:

> Just so other issues might be raised that would supersede the dispute between Austria and Serbia, and would bring other powers in, and the war would be the biggest ever known.

That is dated July 27, 1914.

In No. 49, from Sir Edward Grey to the British ambassador at Rome, he said:

> The Italian ambassador informed Sir A. Nicholson to-day that the Italian Minister for Foreign Affairs agreed entirely with my proposal for a conference of four to be held in London.
>
> As regards the question of asking Russia, Austria-Hungary, and Serbia to suspend war operations pending the result of the conference, the Marquis di San Giuliano would recommend the suggestion warmly to the German Government, and would inquire what procedure they would propose should be followed at Vienna.

That was dated July 27. On July 28, No. 59 of this document, the British ambassador at Paris said to Sir Edward Grey, speaking of the French Minister of Foreign Affairs, as follows:

> He is grateful for the communication, and quite appreciates the impossibility for His Majesty's Government to declare themselves "solidaires" with Russia on a question between Austria and Serbia, which, in its present condition, is not one affecting England.

In No. 60, dated July 28, from the British ambassador to Sir Edward Grey, he said:

> I discussed with my two colleagues this morning his reply, and we found that, while refusing the proposed conference, he said to all of us that nevertheless he desired to work with us for the maintenance of general peace.

On July 28, No. 67, Sir Edward Grey telegraphed to Sir Edwin Goschen, the British ambassador at Berlin:

> It would not be an arbitration but a private and informal discussion to ascertain what suggestion could be made for a settlement. No suggestion would be put forward that had not previously been ascertained to be acceptable to Austria and Russia, with whom the mediating powers could easily keep in touch through their respective allies.

In No. 87, dated July 29, Sir Edward Grey wrote to the British ambassador at Paris as follows:

> Even if the question became one between Austria and Russia, we should not feel called upon to take a hand in it. It would then be a question of supremacy of Teuton or Slav—a struggle for supremacy in the Balkans, and our idea had always been to avoid being drawn into a war over a Balkan question. If Germany became involved and France became involved, we had not made up our minds what we should do; it was that case that we should have to consider. France would then have been drawn into a quarrel which was not hers, but in which, owing to her alliance, her honor and interest obliged her to engage.

Now as to the obligation of the Triple Entente he said:

> We were free from engagements, and we should have to decide what British interests required us to do. I thought it necessary to say that because, as he knew, we were taking all precautions with regard to our fleet, and I was about to warn Prince Lichnowsky not to count on our standing aside, but it would not be fair that I should let M. Cambon be misled into supposing that this meant that we had decided what to do in a contingency that I still hoped might not arise.
>
> M. Cambon said that I had explained the situation very clearly. He understood it to be that in a Balkan quarrel and in a struggle for supremacy between Teuton and Slav we should not feel called to intervene; should other issues be raised, and Germany and France become involved, so that the question became one of the hegemony of Europe, we should then decide what it was necessary for us to do.
>
> He seemed quite prepared for this announcement and made no criticism upon it.

On July 29, No. 89 of the document, Sir Edward Grey wrote to the British ambassador at Berlin, and I will read just a brief extract from it:

But if Germany became involved in it, and then France, the issue might be so great that it would involve all European interests; * * * but we knew very well that if the issue did become such that we thought British interests required us to intervene—

British interests, mind you.

we must intervene at once, and the decision would have to be very rapid.

Omitting a part of the letter, I read further:

But if we failed in our efforts to keep the peace, and if the issue spread so that it involved practically every European interest, I did not wish to be open to any reproach from him that the friendly tone of all our conversations had misled him.

Turning to July 30, approaching very closely to the actual outbreak of the war, the British ambassador at Berlin communicated with Sir Edward Grey by telegram, and I read just one sentence from the telegram:

He—

Referring to the German Secretary of State—

regretted this, as he knew France did not desire war, but it would be a military necessity.

That is from the German Secretary of State in conversation with the British ambassador reported by the British ambassador to Sir Edward Grey.

Turning to No. 105, inclosure 1, relating to the nature of the Triple Entente, I ask to insert that without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The document referred to is as follows:

(Inclosure 1 in No. 105.)

SIR EDWARD GREY TO M. CAMBON, FRENCH AMBASSADOR IN LONDON.

FOREIGN OFFICE, *November 22, 1912.*

MY DEAR AMBASSADOR: From time to time in recent years the French and British naval and military experts have consulted together. It has always been understood that such consultation does not restrict the freedom of either Government to decide at any future time whether or not to assist the other by armed force. We have agreed that consultation between experts is not, and ought not to be regarded as, an engagement that commits either Government to action in a contingency that has not arisen and may never arise. The disposition, for instance, of the French and British fleets, respectively, at the present moment is not based upon an engagement to cooperate in war.

You have, however, pointed out that, if either Government had grave reason to expect an unprovoked attack by a third power, it might become essential to know whether it could in that event depend upon the armed assistance of the other.

I agree that, if either Government had grave reason to expect an unprovoked attack by a third power, or something that threatened the general peace, it should immediately discuss with the other whether both Government should act together to prevent aggression and to preserve peace, and, if so, what measures they would be prepared to take in common. If these measures involved action, the plans of the general staffs would at once be taken into consideration, and the Governments would then decide what effect should be given to them.

Yours, etc.,

E. GREY.

Mr. POINDEXTER. No. 114, on July 31, from the British Minister of Foreign Affairs to the British ambassadors at Paris and Berlin:

I still trust that the situation is not irretrievable, but in view of prospects of mobilization in Germany it becomes essential to His Majesty's Government, in view of existing treaties, to ask whether French (German) Governments are prepared to engage to respect the neutrality of Belgium so long as no other power violates it.

That was the question that was asked just on the verge of war.

No. 119, July 31, from the British Foreign Minister to the British ambassador at Paris:

Though we should have to put our policy before Parliament we could not pledge Parliament in advance. Up to the present moment we did not feel, and public opinion did not feel, that any treaties or obligations of this country were involved. Further developments might alter this situation and cause the Government and Parliament to take the view that intervention was justified. The preservation of the neutrality of Belgium might be—I would not say a decisive but an important factor in determining our attitude. Whether we proposed to Parliament to intervene or not to intervene in a war, Parliament would wish to know how we stood with regard to the neutrality of Belgium, and it might be that I should ask both France and Germany whether each was prepared to undertake an engagement that she would not be the first to violate the neutrality of Belgium.

M. Cambon repeated his question whether we would help France if Germany made an attack on her.

I said that I could only adhere to the answer that as far as things had gone at present we could not take any engagement.

Further down in the statement:

I said that the cabinet would certainly be summoned as soon as there was some new development, but at the present moment the only answer I could give was that we could not undertake any definite engagement.

There are a few more of these documents leading up to the final declaration of war and showing the mistake of the Senator from Idaho in his assumption that it was the Triple Entente that caused Great Britain to enter the war.

No. 128, August 1, 1914, is a telegram from the British minister at Brussels to Sir Edward Grey:

The instructions conveyed in your telegram of yesterday have been acted upon.

Belgium expects and desires that other powers will observe and uphold her neutrality, which she intends to maintain to the utmost of her power. In so informing me, minister for foreign affairs said that, in the event of the violation of the neutrality of their territory, they believed that they were in a position to defend themselves against intrusion. The relations between Belgium and her neighbors were excellent, and there was no reason to suspect their intentions; but he thought it well, nevertheless, to be prepared against emergencies.

On August 1 Sir Edward Grey to Sir Edward Goschen, British ambassador at Berlin:

We are informed that authorities at Hamburg have forcibly detained steamers belonging to the Great Central Co. and other British merchant ships.

I can not ascertain on what grounds the detention of British ships has been ordered.

You should request German Government to send immediate orders that they should be allowed to proceed without delay. The effect on public opinion here will be deplorable unless this is done. His Majesty's Government, on their side, are most anxious to avoid any incident of an aggressive nature, and the German Government will, I hope, be equally careful not to take any step which would make the situation between us impossible.

On August 2, in a telegram from the British Foreign Minister to the British ambassador at Paris, he said—and I read only a portion of it:

I pointed out—

That is, to the French ambassador in London—

that we had very large questions and most difficult issues to consider, and that Government felt that they could not bind themselves to declare war upon Germany necessarily if war broke out between France and Germany to-morrow, but it was essential to the French Government, whose fleet had long been concentrated in the Mediterranean, to know how to make their dispositions with their north coast entirely undefended. We therefore thought it necessary to give them this assurance. It did not bind us to go to war with Germany unless the German fleet took the action indicated, but it did give a security to France that would enable her to settle the disposition of her own Mediterranean fleet.

M. Cambon asked me about the violation of Luxemburg. I told him the doctrine on that point laid down by Lord Derby and Lord Clarendon in 1867. He asked me what we should say about the violation of the neutrality of Belgium. I said that was a much more important matter—

That is, the violation of Luxemburg—

we were considering what statement we should make in Parliament to-morrow—in effect, whether we should declare violation of Belgian neutrality to be a casus belli. I told him what had been said to the German ambassador on this point.

Turning to No. 156, on August 4 the British Minister of Foreign Affairs wrote to the British ambassador at Berlin as follows:

I continue to receive numerous complaints from British firms as to the detention of their ships at Hamburg, Cuxhaven, and other German ports. This action on the part of the German authorities is totally unjustifiable. It is in direct contravention of international law and of the assurances given to your excellency by the Imperial Chancellor. You should demand the immediate release of all British ships if such release has not yet been given.

I want to read another telegraphic dispatch of the same date, August 4, from Sir Edward Grey to Sir Edward Goschen:

We hear that Germany has addressed note to Belgian Minister for Foreign Affairs, stating that German Government will be compelled to carry out—if necessary, by force of arms—the measures considered indispensable.

We are also informed that Belgian territory has been violated at Gemmenich.

This dispatch was dated August 4, and he refers there to the violation of the Belgian neutrality, which had, of course, occurred prior to that time. The German troops entered Belgium early on the morning of the 4th, and that was what was referred to by Sir Edward Grey in this dispatch. The declaration of war by Great Britain against Germany was not issued until the following day, so that the statement of the Senator from Idaho that the declaration of war preceded the violation of Belgian neutrality was a mistake.

Mr. BORAH. I do not think I was mistaken.

Mr. POINDEXTER. The records show that the Senator was mistaken. He is undoubtedly stating the German contention. I think the Germans contend that because the British had notified the French that if the German fleet attacked the north coast of France they would intervene, but the Germans proposed to agree with Great Britain that their fleet should not attack the north coast of France and the British denied that that was a declaration of war. We can not transpose dates, and there is no dispute about the actual dates on which these various documents were written. The declaration of war was promulgated on the 5th and the invasion of Belgium was on the 4th, so I find it difficult to see how the Senator can say that the invasion was after the declaration of war.

Mr. BORAH. May I say that Germany asked Great Britain specifically if they would agree to respect the neutrality of

Belgium, would Great Britain decline to go to the assistance of France, and Great Britain said that notwithstanding they would respect the neutrality of Belgium they would not agree not to go to the assistance of France. Therefore I say that it was not the invasion of Belgium which was the dominating influence that guided England in the war.

Mr. POINDEXTER. I am going to cite some further documents on that point, but what I was discussing at this point was whether or not the declaration of war preceded or followed the invasion of Belgium. I may say, in commenting upon what the Senator from Idaho has just said, that the statement by Sir Edward Grey to the German foreign office that they would not agree not to go to the assistance of France, even though Germany should agree not to violate the neutrality of Belgium, was not, of course, a declaration of war or anything resembling it. It simply amounted to a statement that they would not commit themselves at that time as to what they would do. They made the same statement to France all through the official documents. There was a feverish activity on the part of French officials to commit Great Britain to a promise to come to their assistance. Sir Edward Grey very carefully avoided committing himself either to Belgium or France as to what he would do. He pursued that as a deliberate policy, because he said he did not want to state a definite policy, feeling that that would have a bad effect, did not want to mislead France, because he wanted to reserve the independence of action of Great Britain. That was the reason he made the statements to which the Senator from Idaho refers. The fact that he said he would not agree not to assist France was far from being equivalent to saying that he would agree to assist them. It was just a refusal to commit himself.

On August 4, 1914, Sir Edward Grey telegraphed to the British ambassador, Sir Edward Goschen, at Berlin. His message bears on the question which the Senator from Idaho has again raised as to whether or not it was the invasion of Belgium that was, to use his words, "the controlling cause of the British entry into the World War." Sir Edward Grey says:

> We hear that Germany has addressed note to Belgian minister for foreign affairs, stating that German Government will be compelled to carry out—if necessary, by force of arms—the measures considered indispensable.
>
> We are also informed that Belgian territory has been violated at Gemmenich.
>
> In these circumstances, and in view of the fact that Germany declined to give the same assurance respecting Belgium as France gave last week—

France had agreed to respect the neutrality of Belgium in the pressure of these rapidly occurring events on condition that Germany would not violate it.

> in reply to our request made simultaneously at Berlin and Paris, we must repeat that request, and ask that a satisfactory reply to it and to my telegram of this morning be received here by 12 o'clock to-night.

That was getting down pretty close to an ultimatum. The question which had to be answered was whether or not Germany would agree to respect the neutrality of Belgium, and whether or not Germany had notified Belgium that, in case she was not allowed peaceably to transfer troops across Belgian territory, she would take whatever forcible military measures might be necessary.

Mr. BORAH. What is the date of the telegram from which the Senator from Washington is reading?

Mr. POINDEXTER. It is dated August 4. Let me complete it; it contains merely a few words.

Mr. BORAH. Very well.

Mr. POINDEXTER. The telegram continues:

> If not, you are instructed to ask for your passports, and to say that His Majesty's Government feel bound to take all steps in their power to uphold the neutrality of Belgium and the observance of a treaty to which Germany is as much a party as ourselves.

In view of that statement, how can it be said that the invasion of Belgium was not the controlling cause of Great Britain going into the war?

Mr. BORAH. But that was on August 4. On August 2 Sir Edward Grey gave Mr. Cambon this memorandum, which Germany had in her possession on the 3d:

> I am authorised to give an assurance that, if the German fleet comes into the channel or through the North Sea to undertake hostile operations against French coasts or shipping, the British fleet will give them all the protection in its power.

Mr. POINDEXTER. I referred to that a moment ago.

Mr. BORAH. I know the Senator referred to that, but on the 2d of August, when the question of the neutrality of Belgium was not imminent at all, England had given assurance to the French minister that if Germany attacked France she would go to her help. Germany was in possession of that information. Of course, after that the question of the neutrality of Belgium was a mere makeshift or a camouflage.

Mr. POINDEXTER. Not at all; because, as I said a moment ago, Germany had agreed with Great Britain—and I have never heard anyone dispute the fact—that if Great Britain would agree to keep out of the war she would agree that her fleet would not attack the north coast of France. So that question was eliminated. Where the point of conflict and difference came was in Germany's refusal to agree not to invade Belgium. She did agree not to attack the north coast of France with a fleet.

Mr. BORAH. The Senator does not mean that Germany agreed to do so; he means that she proposed in case England would stay out of the war she would agree not to attack the north coast of France.

Mr. POINDEXTER. Yes.

Mr. BORAH. But in the meantime she had in her absolute possession knowledge of the fact that England was going into the war for another reason.

Mr. POINDEXTER. That statement is not based on any document which has come into my possession.

Mr. BORAH. Yes; it is based on the document which I have just read.

Mr. POINDEXTER. Oh, no.

Mr. BORAH. I will read it again.

Mr. POINDEXTER. That relates to the attack on the north coast of France by a fleet and Germany, so it is said, was ready to agree not to do that. With all the efforts Sir Edward Grey had made to bring about some adjustment of this question which would not involve the world in war, the horrible consequences of which he fully foresaw, as is shown by his repeated declarations as to the misery and the economic losses and disturbances that would ensue throughout the world after war was over, the Senator does not suppose, if that had been the only question between them, and Germany had agreed not to take such action, that Great Britain would have gone into the war?

Mr. BORAH. I have not said that that was the only question. I said that the other question was the dominating question.

Mr. POINDETER. The documents, in my judgment, bear out the contention that the dominating and controlling and immediate and direct question was the invasion of Belgium, and that is shown by the declaration of war.

Mr. BORAH. As to that there is a difference of opinion.

Mr. POINDEXTER. Yes; and a difference also of authority.

Mr. BORAH. No; it is not a question of difference of authority.

Mr. POINDEXTER. On August 4, 1914, Sir Edward Grey telegraphed to the British ambassador at Berlin to the following effect:

> The King of Belgians has made an appeal to His Majesty the King for diplomatic intervention on behalf of Belgium in the following terms—

We must, if we are to read them intelligently, read these documents in sequence and in the relation one has to the other—

> Remembering the numerous proofs of Your Majesty's friendship and that of your predecessor, and the friendly attitude of England in 1870, and the proof of friendship you have just given us again, I make a supreme appeal to the diplomatic intervention of Your Majesty's Government to safeguard the integrity of Belgium.

That is the end of the message from the King of the Belgians. Sir Edward Grey goes on in his telegram, as follows:

> His Majesty's Government are also informed that the German Government have delivered to the Belgian Government a note proposing friendly neutrality entailing free passage through Belgian territory, and promising to maintain the independence and integrity of the Kingdom and its possessions at the conclusion of peace, threatening in case of refusal to treat Belgium as an enemy. An answer was requested within 12 hours.
>
> We also understand that Belgium has categorically refused this as a flagrant violation of the law of nations.
>
> His Majesty's Government are bound to protest against this violation of a treaty to which Germany is a party in common with themselves, and must request an assurance that the demand made upon Belgium will not be proceeded with and that her neutrality will be respected by Germany. You should ask for an immediate reply.

The British minister at Brussels telegraphed Sir Edward Grey, on August 4, as follows:

> German minister has this morning addressed note to minister for foreign affairs stating that as Belgian Government have declined the well-intentioned proposals submitted to them by the Imperial Government, the latter will, deeply to their regret, be compelled to carry out, if necessary by force of arms, the measures considered indispensable in view of the French menaces.

I quote further, No. 155, dated August 4, by telegram from Sir Edward Grey to the British minister at Brussels:

> You should inform the Belgian Government that if pressure is applied to them by Germany to induce them to depart from neutrality, His Majesty's Government expect that they will resist by any means in their power and that His Majesty's Government will support them in offering such resistance, that His Majesty's Government in this event are prepared to join Russia and France, if desired, in offering to the

Belgian Government at once common action for the purpose of resisting use of force by Germany against them, and a guaranty to maintain their independence and integrity in future years.

No. 156, on the same date, from Grey to Goschen:

I continue to receive numerous complaints from British firms as to the detention of their ships at Hamburg, Cuxhaven, and other German ports. This action on the part of the German authorities is totally unjustifiable. It is in direct contravention of international law and of the assurance given to your excellency by the imperial chancellor. You should demand the immediate release of all British ships, if such release has not yet been given.

I will read only a brief extract from the report, designated as "No. 160," dated August 8, by the British minister in Germany to Sir Edward Grey, after the British minister had taken his passports and returned to England. He gives an account of the events taking place in Germany during the few days immediately preceding and on the same day that the invasion of Belgium by German troops occurred:

Herr von Jagow at once replied that he was very sorry to say that his answer must be "No."

That is as to the guaranty to respect the integrity of Belgium—

as, in consequence of the German troops having crossed the frontier that morning, Belgian neutrality had been already violated.

This is the statement of the German Secretary of State to the British ambassador on August 4. Proceeding further, Sir Edward Goschen says:

I again proceeded to the imperial foreign office and informed the secretary of state that unless the Imperial Government could give the assurance by 12 o'clock that night that they would proceed no further with their violation of the Belgian frontier and stop their advance I had been instructed to demand my passports and inform the Imperial Government that His Majesty's Government would have to take all steps in their power to uphold the neutrality of Belgium and the observance of a treaty to which Germany was as much a party as themselves.

Furthermore, in the same letter he says:

I protested strongly against that statement, and said that in the same way as he and Herr von Jagow—

The "he" to whom he was referring was the German Chancellor, von Bethmann-Hollweg—

wished me to understand that for strategical reasons it was a matter of life and death to Germany to advance through Belgium and violate the latter's neutrality, so I would wish him to understand that it was, so to speak, a matter of "life and death" for the honor of Great Britain that she should keep her solemn engagement and do her utmost to defend Belgium's neutrality if attacked.

There is one other brief statement to which I desire to call attention. On August 5 Count de Lalaing, the Belgian minister at London, telegraphed M. Devignon, the Belgian Minister of Foreign Affairs, in Brussels:

Germany having rejected the British proposals—

Those were the proposals as regards Belgium which I have just read—

Great Britain has informed her that a state of war existed between the two countries as from 11 o'clock.

So, Mr. President, while the Senator from Idaho says that Great Britain declared war against Germany 24 hours before Belgian territory was invaded, these official documents show, by the admission of all parties, that while Belgium was invaded early in the morning of the 4th, a state of war was not declared between Great Britain and Germany until the 5th, stating that war actually existed from 11 o'clock on the night of the 4th. So the whole argument made by the Senator from Idaho against the pending treaty, when he compares it with the triple entente and says that the triple entente drew England into the war instead of preserving peace, falls to the ground. The foundation upon which his argument is based is found to be merely imaginary; the alleged facts upon which he builds up this magnificent edifice of attack upon the treaty are found to have no existence.

But, Mr. President, suppose it were true that such an agreement or "diplomatic group" among nations as the triple entente did have the effect of bringing Great Britain to the assistance of France when Germany, after 40 years of preparation, launched her mighty military machine against her, and, as we believe, against the civilization of the world if she had succeeded in overrunning France! Was it an evil, was it to be deplored that there was in existence an agreement which had the effect of bringing the British Empire to the rescue of civilization? I fail to see it; I fail to understand how such a conclusion may be reached, even if the assumption of the Senator from Idaho in the eloquent attack which he made upon this treaty, which was based almost wholly upon that assumption, had been well founded.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Utah?

Mr. POINDEXTER. I yield to the Senator from Utah.

Mr. KING. Of course, the Senator from Idaho does not need any defense at my hands.

Mr. POINDEXTER. No; he does not need any defense from me, because I am not attacking the Senator from Idaho. I am referring to matters in issue here in the Senate which he raised.

Mr. KING. Does not the Senator from Washington, though, misconceive the position taken by the Senator from Idaho? The position of the Senator from Idaho has been and still is, if I correctly interpret it, that whenever an alliance is formed, such as the triple alliance, it will necessarily provoke a counteralliance, and that if there was an alliance anterior to the triple alliance, that alliance provoked the triple alliance; and so, if we entered into an alliance—I am not declaring that we did, but assume that we did in this four-power treaty—the position of the Senator from Idaho was that such an alliance would provoke a counteralliance, and that instead of emancipating nations from the conditions of the past and freeing them from the balance-of-power theory and the alliance theory this treaty tends in the direction of the past and will provoke a situation that will result in counteralliances to the disadvantage of the United States and the world.

Mr. POINDEXTER. Yes; that is true; but that does not meet at all the point which I was making. That is the reason that the Senator from Idaho gave for his opposition, but the argument remains the same as it was before, that because it was the adoption of the policy of a balance of power it would lead to the creation of another alliance and tend toward armament and toward armed conflict.

The Senator from Idaho and other Senators who have taken the same position that he does were among the most formidable opponents of the League of Nations; and the grounds upon which those Senators based their objections were that it amounted to a world-wide alliance, and involved the United States in commitments and entanglements with every nation in the world. So, to accept the interpretation which is suggested by the Senator from Utah of his argument against the pending treaty, it seems strange to see the same Senators—not only the Senator from Idaho, but others—who assisted so much in a successful fight for the independence of their country against the world-wide alliance that was contained in the League of Nations—now proposing here to substitute for this simple, limited, and practical agreement between the powers of the Pacific Ocean to respect each other's rights—another League of Nations—to hear them argue that this treaty should be defeated because it does not go further and extend and impose upon us those same obligations and incur those same commitments—which they so much deplored in the League of Nations—to the mainland of Asia and Europe, to China, to Russia, and to Germany. I repeat what I said before: The fact that it does not do that, that it does not involve the United States in the controversies of the rest of the world, constitutes its chief distinguishing characteristic from the League of Nations and one of its greatest merits.

Mr. WATSON of Georgia. Mr. President, the Senator from Washington, in the midst of his very able address, complained of the suspicion with which the four-power pact is regarded. He spoke of these suspicions as not being well founded and compared them to apparitions.

Mr. President, who is to blame if this four-power pact has excited suspicion—a suspicion whose ripples are widening every day? The Senate, after weeks of delay, adopted a resolution requesting the President to call in the three great naval powers to consult with us on the question of limiting naval armaments, and thereby tremendous naval expenditures. Without any suggestion from the Senate there was added to this program that of making what the Senator himself compares to a promissory note with indorsers on it, that which their leading debater, reading a carefully prepared speech, said, time after time, was an association of nations.

Mr. President, when the Senate confines itself to a request looking toward the limitation of naval armaments, and afterwards it is decided, for some reason not stated to the Senate or to the country, to bring into that conference the nation which has the largest standing army that ever did stand upon the earth, naturally people began to wonder why the name of France was added to those of England, Japan, and the United States.

A great deal of publicity was given to the opening of the conference, when, as the country understood and the Senate understood, the purpose was to discuss the naval holiday and the agreement on the relative proportion of navies. Who heard one word about a four-power pact? We could hear about all the other treaties. What did we hear about this? Nothing at all.

The hammers that drove the nails were muffled. The builders who built it built it as silently as those who built the ice

palace of the Russian Empress Ann upon the Neva. "Silently as a dream the fabric rose. No sound of hammer or of saw was there. * * * Intrinsically precious, it was to the feet treacherous and false. It smiled, and it was cold."

Why was this greatest of all these pacts built in secrecy and silence? Did not the American people have some right to know what was going on? Did not the Senate have some right to know? Did not the public press have some right to know? Nobody knew, until it was suddenly brought forth here one day, and then the whole world knew.

What followed? It soon appeared that those from whom we had a right to expect information either could not, or would not, give it to us. Not only that, such mistakes were made when they did speak that it soon became a matter of ridicule in the newspapers not only by the editors but by the correspondents.

The Senator from Massachusetts [Mr. LODGE] on yesterday became indignant as he spoke of "continual implications." Whose fault is it if we are not given the facts? We asked, "By what avenues of approach did you reach this agreement to lay aside the Anglo-Japanese alliance and take this as a substitute? Who made the first suggestion? What reply was made to that suggestion? What proposal and counterproposal, what tentative agreement, ripened into the final agreement? What reasons were advanced pro and con? What understandings were expressed as to its meanings?"

We are left without information. One could almost say that here we have what Cowper wished for—

> A lodge in some vast wilderness,
> Some boundless contiguity of shade.

He is in the wilderness and very much lost there. He is surrounded by shade. He does not stand in the light as he did when he was standing shoulder to shoulder with those who fought the League of Nations.

In an editorial in the New York World of last Sunday there is a general discussion of the lack of information prevailing as to this treaty. I read:

> This applies to President Harding and Mr. Hughes no less than to Messrs. LODGE and UNDERWOOD. Not one of them has given the Senate a lead, not one of them but has dodged the real issues or showed that he did not know what they are. They have all answered eloquently the footless objections about who wrote the treaty and whether it abolishes the Constitution of the United States and why it was not on the agenda, and the rest. But on the test question of whether this is a four-power defensive alliance against a fifth power they have said nothing that sheds any light.

In a previous part of the editorial attention is called to the fact that neither the Senator from Massachusetts nor the Senator from Alabama appears to know the location of the island of Sakhalin with reference to the mainland of Russia. Attention is called in this editorial to the fact that when the Senator from Missouri [Mr. REED] asked the Senator from Alabama what was the distance between the mainland of Russia and the island of Sakhalin, the Senator from Alabama answered that he did not know exactly, but that if the Senator from Missouri wanted a guess, he would say several hundred miles.

As the editor states in this article, and as I remember Senator REED stated, the distance is only a few miles, and in the wintertime—and most of the year is wintertime there—ice bridges the island and the mainland, and anyone can pass from the one to the other on foot.

In the People's Forum appears a letter from a gentleman who does not sign his name, but who lives at West Hoboken, in which he calls attention to what he says are my "perversions of history." I am sorry he did not give his name, because I would like to have him state what they are; he does not state them here. He said that Senator LODGE told the Senate that Sakhalin is an island off Vladivostok, and the writer goes on to say that instead of being off the mainland at Vladivostok, and therefore very near the city, it is six or eight hundred miles away.

That is the kind of impression being made on the country at large, that those whom we deputized to make the treaty did not understand the fundamentals of geography.

Mr. McCORMICK. Mr. President, the Senator will recall that that is usual in all parliamentary bodies. It was Lord Salisbury who first suggested the use of large scale maps to show distances.

Mr. WATSON of Georgia. I gladly accept that luminous contribution to the debate.

Mr. President, I received a letter the other day from Mr. Theo. H. Lunde, whom I do not know, but who lives in Chicago. It is so very interesting that I will state the substance of it. He called attention to the fact that England is given permission to fortify Singapore, and that Singapore was accepted as a Pacific port. Here is the map, which shows that Singapore is not a Pacific port at all. It is situated at the end of the Malay Peninsula, on the China Sea, and the commerce of one-third of the human race passes through that port of transit. Near to Singapore is 90 per cent of all the visible tin in the world, a fact which certainly ought to be interesting to the canning interests of this country, and to other manufacturers in whose products tin is an important element. There are also enormous supplies of rubber near there, a fact which should interest those manufacturers in this country who have to use rubber as a raw material in the manufacture of their products.

Mr. President, I would like to dwell for a moment on this astonishing proposition, that because of the perils to us in the Anglo-Japanese alliance we must go into this shoreless, uncharted sea of the four-power alliance. Do Senators want to go to the extent of saying that they believe England meant to make an attack upon us in the Pacific, if we did not go into this four-power alliance? The senior Senator from Massachusetts [Mr. LODGE] certainly argued to that effect, and I understood one or two other Senators to take the same line. Yet they do not seem to realize that that would be the most frightful indictment which could be drawn against the governing powers in Great Britain.

Would Great Britain attack us when she still owes us, in round numbers, $6,000,000,000 and will not pay us even the interest on it? Would she finance her war against us with our own money? That is what it would mean. She collected like a Shylock the last dollar due to her for the transport of our soldier boys, who were her salvation; and then, having collected that debt for bringing her rescuers across the ocean, would she make war upon us with our money? That is an amazing accusation to bring against our late ally, but that accusation was first brought here by the senior Senator from Massachusetts, and it is in the RECORD. The collection of passenger fare for those soldiers who were speeding across the Atlantic to save England in her hour of peril was one of the most monstrous things that ever was known to history.

I wonder who paid the transportation when England hired the Hessians to come over here and fight our forefathers? I wonder if that little Kingdom of Germany had to pay Great Britain for the transportation of those Hessian soldiers who came over here to fight for Great Britain? A million Hindus went to Europe to fight for England in the Great War. I wonder who paid the freight? I wonder who bought the tickets? I wonder who bore the expense of the transportation? Now we see what England is doing to India as a return. If she would do to Arabia what she has done, after the Arabs helped her win the campaign which gave her Judea, Syria, and Mesopotamia, she would be capable of attacking us, if she thought she could win. England is now attacking her allies, without whose help she would have been crushed; and Japan is doing the same thing.

Who wrote this treaty? Whose brain conceived it? Whose will power put it through? I am confident that Elihu Root is the man who engineered the whole thing. Who is Elihu Root? In Harper's Weekly for January 3, 1914, I find an editorial paragraph with a heading, "Elihu," which reads as follows:

> ELIHU.
>
> The original Elihu was one of "Job's comforters," to whom Job made the remark, often quoted since: "No doubt but ye are the people, and wisdom shall die with you." It was after Elihu's long and able address, extending over six chapters, that the Lord inquired: "Who is this that darkeneth counsel by words without knowledge?" But this was Elihu, the son of Barachel the Buzite, of the kindred of Ram.
>
> Senator Elihu Root, in a long and able address, prophesied such an inflation of the currency through the Glass-Owen Act as would weaken the confidence of European nations in our financial system.

That was before they got our $25,000,000,000, which they will not pay back, and do not intend to pay. The article continues:

> He referred to railroad securities in particular, mentioning the passing of the New Haven dividend. He might have mentioned the shock to American credit, especially in France, from the recent Frisco fiasco. Senator Root might also have mentioned the destruction of confidence in the former street railway system in New York City, through another kind of inflation by the Whitney-Ryan interests, ably engineered by Senator Root himself, as their attorney. The Senator was wise not to have any illusions about the Presidency. The attorney of Ryan, Whitney, and of guilty New York aldermen and bosses will have enough to explain, if he attempts to retain his Senatorship in a popular election. The Senator's vigorous opposition to the constitutional amendment prescribing a popular election had a commendable degree of foresight.

In that connection it is not irrelevant to mention that, when it was discovered that Elihu Root constructed the New York constitution, which was being offered to the people for ratification, they refused to ratify it by 500,000, instinctively suspicious of Elihu Root.

In the New York World of March 12, 1900, I find an article headlined as follows:

Kilburn says Root arranged Office Boy Shea's $2,000,000 loan. Startling disclosures in official report on State trust scandal. Law clearly violated. Several large loans designated as either illegal or questionable. Several had no collateral. Lame excuses made for criminally loose methods and suppression of facts. Kilburn reflects Andrews's report.

Now I read briefly from the article:

"The Shea loan was arranged for by Elihu Root, a director and a member of the executive committee of the trust company and also its counsel. * * *

"Beyond all question this loan was illegal because excessive and because, in part, it was made indirectly to directors of the trust company. * * *

"So far as the company is concerned I am confident that the action taken by me meets every requirement of public interests. * * *

"If the individuals merit severer treatment, the courts are open and public officials may be called upon to take cognizance of illegal acts."

That is a quotation from the report on State Trust Co. made by Superintendent of Banking Frederick D. Kilburn to Governor Roosevelt.

In other words, the ranking member of this conference which arranged, in secrecy and silence, this four-power pact, against which only one great chain of newspapers has opened batteries—namely, the Hearst papers—is the man who, according to this official report, broke a bank and broke the law in doing so. He not only was able to keep other lawbreakers from punishment due to their crimes but he kept himself out also.

I read from the Pacific Fisherman, a publication at Seattle, Wash., of November, 1909, volume 8, page 12:

PROFITABLE PACKING WITHOUT FISH.

In the Senate of the United States a bill has been pending ever since 1905 which, if passed, will give the Wales Island Packing Co. (Alaska) the sum of at least $81,000 for an abandoned salmon packing shed—abandoned in 1903 on Wales Island, southeast Alaska. This bill has been repeatedly brought up in the Senate, but Senator OVERMAN has stood against it with a handful of hard facts to throw into the RECORD that declares this bill to be nothing less than robbery and most improper in its claim.

Further on, it is stated that Elihu Root was warmly urging the passage of the bill.

In the Pacific Fisherman, already mentioned, Seattle, Wash., August, 1909, will be found a full account of the depredation of the seal rookeries, and there again Elihu Root appears as chief engineer.

It will be remembered that Charles Edward Russell, who is occasionally a Socialist, went with Elihu Root to Russia. The Russian armies had been withdrawn, temporarily, from the combat. Soon after Mr. Root arrived and had a conference with Kerensky those armies were put back into the conflict; and that was the main cause of the second revolution, which put Kerensky out and put Lenin in. Upon his return Mr. Root was given "the valor medal," supposed to be deserved by those who had shown some active heroism on the battle field. All Mr. Root had done, so far as the public knew, was to go into Russia and to come out again. Can it be possible that he carried a bribe to Russia and influenced a change in her military policy? There is more than the insinuation to that effect, in these articles which appeared in the Washington Times, wherein Kerensky is pictured with a pocket full of money and Root is pictured as standing beside him, looking as wise as usual, wiser than any man could actually be.

Mr. KING. Mr. President, will the Senator yield?

Mr. WATSON of Georgia. Certainly.

Mr. KING. There are some things about Mr. Root that some of us do not like. I do not like his politics and many of his political policies. But, if the Senator will pardon me, and I hope I am not trespassing upon his time, I have sometimes felt that an injustice was done those with whom I did not agree and whose views to me were exceedingly obnoxious, and have occasionally ventured to interpose a word of defense.

Mr. WATSON of Georgia. I did not yield for a speech or for a defense. The Senator can take his own time to make that. I yielded for a question.

Mr. KING. It is not a question; it was rather an explanation of the purpose of Mr. Root's visit to Russia at a time that was important for the welfare of our own country. I feel that his work there entitled him to the thanks of the American people. However, I will not trespass upon the Senator's time.

Mr. WATSON of Georgia. May I ask the Senator a question?

Mr. KING. Certainly.

Mr. WATSON of Georgia. For what service was he given the valor medal?

Mr. KING. I am not sure that he was given that. I had not heard of it. I do not know that a valor medal was given him, but if it were I presume it was because he went there to represent this Nation, holding authority from the President of the United States, and for the purpose of expressing, as he did express in eloquent terms, the confidence of the American people in the Russian people, and also for the purpose of urging the Russian Government, whether it was represented by Kerensky or by some other person, to continue the war and to not desert her allies.

I would regard, and I think the Senator would, the departure of any of the allied nations from the fight at that time as an act more or less perfidious. Russia was giving evidence of abandoning the fight under the disintegrating influence of some of the socialists. After expressing the confidence of the American people in the Russian people and the gratification of the American people in the fact that a Russian republic had been organized, I have no doubt Mr. Root urged the Kerensky government to continue in the war. I think he should have urged that course, and, in my opinion, the Russian people should have continued in the fight, loyal to their country and to the common cause of the allied and associated powers.

I shall not trespass further on the Senator's time.

Mr. WATSON of Georgia. If we so loved the Russian people, why did we blockade their coast and make war upon them and bring upon them the first sufferings of starvation? You can not blockade a government. You can blockade a people, and that is what we did to Russia. We did it without any more provocation than that Russia claimed what has always been the American principle, that the will of the people must decide their form of government. That form of government has lasted now four years, and we will not recognize it.

Here is my authority for having said that a valor medal was given to Mr. Elihu Root, who, by the way, was not officially the person to negotiate with Russia on any subject whatever:

[Washington Post, Monday, August 13, 1917.]

VALOR MEDAL FOR ROOT—NATIONAL ARTS CLUB WILL HONOR HEAD OF MISSION TO RUSSIA.

Elihu Root, head of the American mission to Russia, is to receive the first valor medal of the National Arts Club.

Primarily the medals are to be presented as a reward for unusual heroism in the military or naval service of the United States.

[Washington Star, August 12.]

Its first valor medal to be given Elihu Root.

The text following is substantially the same as that in the Washington Post. If the Senator from Utah has some information that those statements were incorrect, I will very gladly let him state it now.

Mr. KING. Does the Senator mean with regard to the valor medal?

Mr. WATSON of Georgia. Yes.

Mr. KING. I have no information one way or the other in regard to that, and that to me is wholly unimportant.

Mr. WATSON of Georgia. The Senator questioned the accuracy of my statement.

Mr. KING. If the Senator will pardon me, I did not mean to question the accuracy of his statement.

Mr. WATSON of Georgia. I do not say that the Senator meant to question my word at all. He thought I was misinformed.

Mr. KING. I merely meant to state that I had not heard that Mr. Root received the valor medal.

Mr. WATSON of Georgia. I was in hopes that the Senator from Utah, whom I so much esteem, would keep an open mind on this matter of Elihu Root until I advanced a little further in my address.

Elihu Root is arraigned now for having been the principal author of the misfortunes of Korea, which misfortunes led to the persecution by Japan of the churches of Christ in that country. That country has been converted to Christianity. She had thousands of churches, thousands of schoolhouses, 9,000,000 converts. They have been subjected to massacre and torture, and Christ is being again crucified in their persons by the Japanese, and it was Elihu Root who made it possible for that dreadful consummation to come about.

Mr. President, in the very declaration of war which Japan made against Russia there was a clause guaranteeing the integrity and independence of Korea. Partly because of that, Korea became the ally of Japan and gave her the base for land operations, without which she could not have successfully waged the war. As I stated the other day, she gave Japan also the use of her railroads and telegraphs, indispensable to the conduct of the war.

Mr. KING. Mr. President, will the Senator yield?

Mr. WATSON of Georgia. Certainly.

Mr. KING. The Senator is now talking about a subject on which I think I agree with him. I agree that our conduct and the conduct of our Government, which involves the conduct of Mr. Root, in dealing with the Korean question at

the time of the destruction of that Government may not be defended in morals nor upon the highest principles of international law.

Mr. WATSON of Georgia. It would have been impossible for Japan to have gained possession of Korea at that time, no matter what she might have done later, had it not been for the connivance of Mr. Elihu Root, our Secretary of State.

I will read the first article of our treaty of peace and commerce with Korea, made in May, 1882:

> There shall be perpetual peace and friendship between the President of the United States and the King of Korea and the citizens and subjects of their respective Governments. If other powers deal unjustly or oppressively with either Government, the other will exert its good offices on being informed of the case to bring about an amicable arrangement, thus showing their friendly feeling.

After the war had been won by Japan with the help of Korea she was tempted by the military weakness of Korea and the fact that she herself was in physical possession to abuse that possession and to perpetuate it. To do this she exerted all her powers of intimidation over the Korean prime minister. As I described the other day, he was taken into a private room, the door closed, a sword drawn upon him, and his life threatened. He refused to yield to these threats. He was left in the room under guard, and this same Japanese minister went to the Emperor, who naturally believed that his minister had been murdered, and who naturally feared the same fate, and he signed under duress the paper which the Japanese demanded the minister should sign.

An American, Mr. Hulbert, had been the adviser of the Emperor for many, many years—30, as I remember. This adviser counseled with the Emperor, telling him to appeal by letter to the Government of the United States.

The Emperor of Korea wrote a touching letter, which is so unusual in its character and of so much interest, if not of importance, that I will ask unanimous consent, Mr. President, to have it incorporated in the RECORD, in 8-point type, as a part of my remarks.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Without objection, it is so ordered.

The letter referred to is as follows:

"Ever since 1882 the United States and Korea have been in friendly treaty relations. Korea has received many proofs of the good will and sympathy of the American Government and people. The American representatives have always shown themselves to be in sympathy with the welfare and progress of Korea. Many teachers have been sent from America, who have done much for the uplift of the people.

"It is now apparent that Japan proposes to abrogate their part of this treaty and declare a protectorate over our country in direct contravention of their sworn promise in the agreement of 1904.

"It has been said that sentiment should have no claim in such affairs; but we believe, sir, that sentiment is the moving force in all affairs and that kindness, sympathy, and generosity are still working between nations as between individuals. We beg of you to bring to bear upon this question the same breadth of mind and the same calmness of judgment that has characterized your course hitherto, and having weighed the matter, to render us what aid you can consistently in this our time of national danger."

Mr. WATSON of Georgia. In effect and in substance, the Emperor of Korea appealed to our Government to stand by that treaty to which our faith was solemnly pledged. Mr. Hulbert was given the letter and commissioned to present it in person to our State Department, at whose head was Elihu Root. Mr. Hulbert crossed the ocean and was on his way to Washington City, having reached Cincinnati, when this act of intimidation was practiced upon the Emperor of Korea by the Japanese, who did not dare to allow Mr. Hulbert to come here and present the case. No doubt after they had compelled the Emperor of Korea to sign that concession they cabled the fact to Mr. Elihu Root. Mr. Hulbert was within one day of reaching his destination, but he was cut off by a cable no doubt, for when he reached Washington the next day and knocked at the door of the State Department it did not open. Mr. Root was too busy to see him; the next day, and the next, he was also too busy to see him; but after the Emperor of Korea had been forced to sign that concession to Japan, and the crime had been committed, then Japan was willing for Mr. Root to receive Mr. Hulbert. However, Mr. Hulbert was told by Mr. Root that the protest came too late for serious consideration. The Emperor of Korea by some means managed to get a cable message to our State Department, and Mr. Robert Bacon—one of the partners of J. P. Morgan & Co., one of the main instruments of the money power, one of the main instruments in the framing of the deflation policy which has very nearly ruined our country—Mr. Robert Bacon told him, graciously, that he would file it in the archives of the department. I suppose it was filed there.

Then Japan carried out her designs, the first step of which was this: The Anglo-Japanese alliance pledged those two nations to respect the integrity and independence of Korea, but Japan prevailed upon Great Britain, after the close of the Russo-Japanese War, to recede from that pact and to substitute for it a clause in the treaty which virtually said to Japan, "Go ahead in Korea, provided that you do not exclude British commerce; with that exception, keeping the door open for our manufacturers and our financiers, wreak your will upon Korea, in spite of our plighted faith."

That is the ally we are to trust; that is the ally in whom we are asked to place confidence; that is the ally for whom we are to scrap the Monroe doctrine; that is the ally for whom we are to spurn the advice of George Washington.

But the worst of it was the Japanese got the consent, apparently, of Mr. Root to scrap the treaty of 1882, by which our national honor was pledged to at least use our friendly intervention for the protection of the Koreans.

What has been the effect of all this series of crimes? We are told in the book I hold in my hand, which is entitled "The Case of Korea," by Henry Chung, which is published by the Fleming H. Revell Co., and which is full of information which seems to be trustworthy. I should like, Mr. President, if the Senate will give me permission to print several paragraphs showing how Christian churches have been burned and the congregations burned with the churches. Nero never did anything worse against the Christians, and yet Nero's name is anathema maranatha to every Christian, as it has been ever since he set fire to Rome, ascribed the deed to the Christians, and thus provoked the first persecution that Rome knew in which martyrs shed their blood. The Japanese are doing in Korea right now worse things than Nero did in Rome. The Christian world does not know it; the papers will not tell them; the magazines will not tell them. Only those who can come to the Senate galleries, or who can read the CONGRESSIONAL RECORD, or who read the Hearst newspapers, know anything about it. When the people of this country learn that the Japanese right now are burning schoolhouses and burning churches and burning Christian congregations and committing massacres as atrocious as ever were committed in the history of mankind, there will be flames of indignation that will run from sea to sea.

Mr. President, I now ask that the paragraphs to which I refer may be inserted in the RECORD in 8-point type.

The PRESIDING OFFICER. Without objection, permission is granted.

The matter referred to is as follows:

"The Christianity of Korea is predominantly Protestant. Just before Japan began its policy of destroying the churches and schools there were 3,164 Christian churches, with 6,690 ministers. The Buddhists had 258 places of worship, with 313 priests, and the Japanese maintained 65 Shinto places in which to worship the picture of the Mikado. The Christian missionary field in Korea is highly developed and is more or less self-supporting, reaching out into activities that are carried on by the citizen adherents. The Presbyterians have 21 mission centers all told, with full complements of churches, schools, hospitals, etc. The Methodists have 8 and the Catholics have from 20 to 30. The Chuntokyo or 'Heaven worshippers' have a numerical strength about equal to that of the Buddhists, though they are not mentioned in Japanese statistics.

PERSECUTION OF THE CHURCH.

"A Canadian missionery, in a report to his home board, on April 25, 1919, writes:

"'They have questioned all prisoners particularly whether the missionaries led the uprising. Thank God, so far our people have had the strength through torture to tell the truth. In our town over 1,000 Koreans are in prison. Many are Christians, who are beaten and tortured in an endeavor to make them say that the missionaries led them into asking for independence. Women are kicked and beaten to make them tell where their husbands and sons are. A woman was brought in here yesterday, her body horribly mutilated, stamped on by spurred boots. Just the other day seven were beaten to death.'

"A lady missionary at another place wrote to the Rev. Mr. Armstrong, the assistant secretary of the Presbyterian Board of Foreign Missions of Canada:

"'A number of churches are being burned. One, where the Christians were called together by the authorities, was surrounded by soldiers, who fired among them and shot many of them; some tried to escape, only to meet the bayonet. The building was set on fire and the survivors burned to death, 31 in all. It is worse than the Hun and a holocaust that can not be beaten by the Turk. Torture in the prison is the order of

the day. Many die under the stripes they receive. It is a reign of terror, with the Christians as marked men. Many a lash the poor Korean Christians in jail here receive, especially when they try to force them to say that the missionaries urged the Koreans in their call for independence. Schools are closed; our churches are still open, though they are closed and being burned in other places. March 4, with the first cry of "Mansei," my husband rushed down town. He was gone about an hour. He came back crying aloud, "My God! Such a sight! Japanese coolies out with fire hooks and clubs tearing and rending the poor, unarmed Koreans to bits!" He met my Bible woman's husband, dragged along by two coolies, his head gashed open and one leg dragging limp.'

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"An exhaustive description of Christian persecutions by the Japanese in Korea during the year 1919 would fill a volume. The following extract, taken from the annual report (1918–19) of the American Presbyterian mission station at Pyeng Yang, is typical of the conditions of the church in its relation with the independence movement. From the description of the plight of this one district the reader may form an idea of the fate of other Christian communities all over Korea.

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"To sum up what has been committed against the church in the Pyeng Yang territory by the police, gendarmes, and soldiers in line with the statements made above we give the following:

"1. They have arrested many of the leaders of the churches, including pastors, helpers, and school-teachers. Many of the rest have fled for safety, for the church leaders seem to have been singled out for punishment and persecution regardless of guilt or innocence.

"2. They have seriously damaged 19 church buildings and broken the bells in others.

"3. They have expropriated the property of at least one church for other purposes without asking for or receiving permission to use the same.

"4. Twenty-six churches have been forced to close for periods up to three months and more.

"5. Many church schools have been forced to close in both city and country, because of the arrest of teachers, for periods up to three months and more.

"6. Helpers, pastors, and Bible women have been ordered to stop preaching in many places.

"7. Christian literature has been seized and destroyed in many places.

"8. The police have ordered the non-Christians to drive the Christians out of their homes in several places.

"9. All the students in the Union Christian College and the Boys' Academy in Pyeng Yang were ordered arrested by the chief of police whether guilty of any offense or not.

"10. Christians have been discriminated against in many ways, of which the following are typical:

"(a) In the special severity shown Christians in connection with the spring 'clean up.'

"(b) In the frequency and severity of beatings administered by police in the performance of their official duties.

"(c) In the special effort to arrest and punish the leaders of the churches on the ground that they were per se leaders, too, in the independence movement.

"11. Christian women in the country have been terrorized by police, gendarmes, and soldiers.

"12. The pastor of the Congregational Church for Koreans (under Japanese control), Mr. Takahashi, has visited certain of our churches and, assisted by police, has forced Christians to gather and listen to addresses intended to alienate them from the missionaries and their present church connection, and attempted to proselyte for his church. This was done with the knowledge and assistance of petty government officials.

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"The Rev. Edward W. Thwing, formerly of Boston, the secretary of the International Reform Bureau at Peking, China, was in Pyeng Yang, Korea, during March. After his return to Peking he issued a signed statement, which follows:

"'PEKING, CHINA, *April 3, 1919.*

"'In a remarkable manner the Korean independence movement has manifested skill, courage, and organization that has been a great surprise to many. It has shown more than ever before how unreasonable, without justice, cruel, and brutal the military rule of Japan is in this land. I could hardly believe these things if I had not seen them with my own eyes.

"'The police and soldiers have arrested old men and little children and cruelly beaten them. Little girls of only 10 years of age, women, and schoolgirls have been shamefully treated and subjected to physical punishment and torture for no other crime than shouting with peaceful enthusiasm for their own country and crying out for the independence which Japan had guaranteed by solemn treaties.

"'These things have been witnessed not by one or two, but by scores of missionaries and others in many parts of Korea during March. If the world could only know these things it would certainly heed this cry of distress from an oppressed people. But the Japanese are doing all they can to keep the world from knowing the truth. A report has just come that in one city, from which letters have been sent, they are making it very hard for the missionaries, even hinting at deportation, unless they stop telling out the truth.

"'The following are some of the things that I have actually seen with my own eyes:

"'Small schoolboys knocked down and cruelly beaten by Japanese soldiers. This was not a question of arresting them, but savage, unjustifiable barbarism.

"'Soldiers stop and deliberately fire into a crowd composed only of girls and women who were simply shouting "Mansei."

"'A small boy of 10 years shot through the back.

"'An unresisting old man of 65 years pounded, kicked, and beaten by several Japanese soldiers until he could not walk.

"'A crowd of about 20 schoolgirls, who were quietly walking along the public road, not even shouting, chased by soldiers, beaten with guns, knocked down, and so shamefully treated that it made one's blood boil.

"'Japanese firemen chasing boys and girls with long iron hooks, trying to catch them with them.

"'A Korean in a hospital, paralyzed, with his head crushed in with one of these hooks.

"'A man dying, shot through the back.

"'One hundred men, with torn and bloody clothes, tied together with ropes, taken to jail.

"'Two Koreans, so injured that they could not walk, tied down on a springless cart and brought to jail.

"'Men standing by, having no connection with the demonstration, and yet knocked about and attacked by soldiers, who will attack anyone, without regard to what they are doing.

"'An American missionary roughly arrested while standing in his own yard and looking on, but doing nothing else.

"'Women knocked down with guns and kicked into the ditch.

"'These and many other things I have seen with my own eyes. Other foreigners have seen the same and worse. One can little imagine the reign of terrior in all parts of this land at the very time when the Japanese peace delegates are talking of "humanity and justice and equality of races." They don't know the meaning of these words. And the punishments and tortures at the police stations and jails make a still more awful story. I have seen men who were beaten on wooden crosses by the Japanese.

"'And why is all this cruel punishment given? Not for rioting or for resisting arrest. I have not seen one case of this; not for carrying dangerous weapons; they have none; but just for shouting out the desire of their hearts for the independence of their country.'

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MASSACRES.

"What has been set forth in the preceding chapter relates largely to methods pursued by the Japanese in cities under the observation of foreigners. In country districts, where there were no foreigners to chronicle the events, villages were wiped out and wholesale massacres took place. What little observations made by foreigners in the remote districts were a small percentage of the burnings and massacres which took place all over Korea. In a signed statement forwarded to the Federal Council of the Churches of Christ in America an American resident describes a massacre in northern Korea, at Maungsan, as follows:

"'During the first part of March, after the people at this place had shouted for independence, 56 people were asked by the gendarmes to come to the gendarme station, which they did. When they were all inside the gendarmerie compound the gates were closed, gendarmes climbed up on the wall and shot all the people down. Then they went in among them and bayoneted all who still lived. Of the 56, 53 were killed and 3 were able later to crawl out of the heap of dead. Whether they lived or not is not known.'

"Mr. William R. Giles, whom I quoted in the preceding chapter, in a statement issued at Peking June 14, 1919, after his visit to Korea, declares:

"'In a valley in southern Korea, about 50 miles from Fusan, the Japanese soldiery closed up a horseshoe-shaped valley sur-

rounded by high hills and then shot down the villagers who attempted to escape by climbing the steep slopes. More than 100 persons were killed in this affray. * * *

"'The people are like sheep driven to a slaughterhouse. Only an independent investigation can make the world understand Korea's true position. At present the groanings and sufferings of 20,000,000 people are apparently falling on deaf ears.'

"In central Korea, near Suwon district, about 30 miles from Seoul, 15 villages were completely wiped out of existence by the Japanese soldiers and gendarmes. Many foreigners in Seoul, including British and American consular officials, visited these devastated districts and made direct representations to the Governor General. 'It was impossible for any evidence to be brought forward to disprove their statement,' wrote an American in Seoul at that time. 'The fact that so many foreigners visited the scene of this useless burning and murdering has forced the Government to take steps which otherwise it would never have taken. They are fully aware that it is useless to deny, as they did in other cases, that these acts of inhuman brutality did not take place; the evidence is too strong against them.' The Governor General, after receiving reports from the foreigners who visited the burned districts, expressed his regret and added that the guilty would be punished, which would mean, as one westerner pointedly commented, 'very likely that the perpetrators would be promoted to higher posts.'

"Whether the soldiers, guilty of massacring the innocent people, were actually promoted to higher posts or honorably dismissed from the Japanese Army is not known. But it is a proved fact that they were never punished, and burnings and massacres continued, despite the assurance given by the Governor General at that time that such outrages would never occur again. The following description of three devastated villages in the Suwon district, given by an American who visited them, furnishes a vivid picture of what has been going on in the remote parts of Korea ever since March 1, 1919:

CHAI-AMM-NI.

"'On Thursday, April 17, news was brought to Seoul by a foreigner that a most terrible tragedy had occurred in a small village some 50 li (17 miles) south of Suwon. The story was that a number of Christians had been shut up in a church, then fired upon by the soldiers, and when all were either wounded or dead the church was set on fire, insuring their complete destruction. Such a story seemed almost too terrible to be true, and being of such a serious nature, I determined to verify it by a personal visit. On the following day I took the train to Suwon, and from there cycled to within a few miles of the village; knowing the strenuous objections that would be made to my visit, I made a detour of several miles over a mountain pass to avoid the police and gendarme station which I knew was near the village.

"'Before entering the village I questioned many people as to the reported burning of villages, but none had any accurate information, and all were very much afraid to speak about the affair. I finally met a boy who lived in the village where the massacre had occurred, but he absolutely refused to tell me anything. He protested his ignorance—terrorism was bearing its fruit—the people were almost paralyzed with fear.

"'Making a sharp turn in the road I came suddenly into the village, and to my surprise found a number of Government officials, military and civil, holding an investigation. After a conversation with some of these officials, I was allowed to further look over the village and take some photographs. From Koreans I could get practically no information—they appeared to be dazed and stupefied, especially the women, while the younger men pretended ignorance of any details.

"'The appearance of the village was one of absolute desolation; about 8 houses remained; the rest (31) with the church had all been burned to the ground. All that remained were the stone jars of pickles and other edibles; these stood in perfect order among the ruins. The people were scattered about sitting on mats, or straw; some had already improvised little shelters on the adjoining hillside, where they sat in silence looking down in bewilderment at the remains of their happy homes. They seemed bereft of speech; they were probably trying to fathom why this terrible judgment should overtake them, and why they should suddenly become widows and their children orphans. There they sat, helpless and forlorn, entirely overcome by the calamity that had overtaken them.

"'Before long the Government party left the village, and when the officers were well out of sight, the tongues of some of these poor frightened people loosened, and they revealed to me the story of the outrage, which follows:

"'On Thursday, April 15, early in the afternoon some soldiers had entered the village and had given orders that all adult male Christians and members of the Chuntokyo (Heavenly Way Society) were to assemble in the church, as a lecture was to be given. In all some 20 men went to the church as ordered and sat down wondering what was to happen. They soon found out the nature of the plot, as the soldiers immediately surrounded the church and fired into it through the paper windows. When most of the Koreans had been either killed or wounded, the Japanese soldiers cold-bloodedly set fire to the thatch and wooden building, which readily blazed. Some tried to make their escape by rushing out, but were immediately bayoneted or shot. Six bodies were found outside the church, having tried in vain to escape. Two women, whose husbands had been ordered to the church, being alarmed at the sound of firing, went to see what was happening to their husbands, and tried to get through the soldiers to the church. Both were brutally murdered. One was a young woman of 19—she was bayoneted to death; the other was a woman of over 40—she was shot. Both were Christians. The soldiers then set the village on fire and left.

"'This briefly is the story of the massacre of Chai-amm-ni. The blame for this can not be placed on the shoulders of the ignorant and boorish Japanese soldiers—officials higher up were cognisant of it, if not directly a party to the plot. It is impossible that the strict discipline which prevails in the Japanese Army would allow any private soldier or sergeant taking such responsibility upon his shoulders.

SU-CHON.

"'The hamlet of Su-chon is beautifully situated in a pretty valley some 4 or 5 miles from Chai-amm-ni, where the previously reported massacre occurred. But the hand of the despoiler had been there, and his fingerprints, black and brutal, lay heavily upon the landscape. The narrow streets were lined with ash heaps; out of 42 cottages 8 alone remained. Little attempt had been made to clear away the débris by the survivors, for they had no sense of security of life and property, and they apparently feared that any attempt to gather their things together would only bring fresh disasters. Some few old women were sitting by their few belongings—their grief had overcome them—and they were listless and indifferent. I could not help thinking that perhaps they were wishing that they had perished in the cruel flames that had swept away their homes and robbed them of all their earthly comfort. There were some little children picking herbs in the fields—they must have something to eat, and all their stocks of rice and other food had been destroyed. The police and soldiers being absent, the people flocked around me and seemed anxious to tell me of their misfortunes. They had recovered from the first shock, but were in constant fear lest the soldiers should come back again and destroy them in the same brutal way that they had destroyed their homes.

"'The following is the story of the destruction of the village:

"'On April 6, before daybreak, while all were sleeping, some soldiers had entered the village and had gone from house to house firing the thatched roofs, which quickly caught and destroyed the houses. The people rushed out and found the whole village blazing. Some tried to put out the fire, but were soon stopped by the soldiers, who shot at them, stabbed them with their bayonets, or beat them. They were compelled to stand by and watch their village burn to ashes. After completing this nefarious work, the soldiers left them to their fate. I was informed that only one man was killed, but that many were seriously injured. I inquired if the wind had spread the fire from house to house. The reply was that the village was on fire at several places at the same time, and that the soldiers carried matches and set fire to the thatch of many houses.

"'I could find no real reason for this useless burning down of a village and making a number of people homeless. By such acts Japan is hardening the hearts of Koreans against her. The people are now beginning to feel that the Japanese intend to kill them whether they are innocent of doing any wrong or not, and are arriving at the conclusion that if they have to die they may as well do so striving for the liberty of their country. They have to die anyway, so what is the good of their trying to live within the bounds of the law—such as it is—when it is impossible for them to obtain justice in any shape or form?

WHA-SU-RI.

"'Wha-su-ri must have been a picturesque village before the barbarous troops of His Majesty's Government transformed it into an ash heap. The village is surrounded by wooded hills, which slope toward the valley of fertile paddy fields. In the center of the village there had been a lovely 'country residence,' which had a tiled roof and gateway. Now it is nothing but a huge heap of broken tile, dirt, and brick. Some thought that the owner had fled, others said that he had been imprisoned, but no one really knew what had happened to the 'squire.'

Out of some forty-odd houses 18 remained. No wind had spread the fire; something more sure, more definite, more cruel—the hands of Japanese troops whose hearts must have been filled with murder. Apart from the definite statement of the people to this effect, there was the evidence of the burnt houses. In some places burnt and unburnt houses alternated. And the space between burnt and unburnt houses frequently was some distance. As usual, all that remained were the earthenware jars used by every Korean household to hold pickles and water. Groups of such pots and the charred ruins of the woodwork, the ashes, and débris were all that remained of the erstwhile happy homes. Nothing had been saved from the flames—this could not be allowed by the soldiers of Japan. The devastation must be complete. A blanket, a sack of rice, a bowl, or spoon could not be saved on pain of death, so one feels justified in characterizing the refugees as absolutely destitute. Many of the poor people, whose homes had been burnt down, had been welcomed by more fortunate neighbors, to share their comforts of bed, food, and fire, while others were living under little straw shelters.

"'The following is the story of the burning of the village:

"'On April 11, some time before daybreak, the villagers were suddenly aroused out of their sleep by the sound of firing and the smell of burning. Running into the open, they found soldiers and police firing the houses and shooting and beating the people. Leaving everything, they fled for their lives, old and young, the mothers with their babies at their breasts, and the fathers with the younger children—all of them fled to the hills. But before they could make good their escape, many were murdered, shot by the soldiers, wounded, and beaten, while a number were arrested and taken to jail.

"'It is not a long story, but one is made to pause and think and to visualize the scene. Think of its occurring to your own home, to your own village; picture the darkness, the shooting, the beating, the screams of the women and children, the flames, and then the firing of the soldiers on those trying to escape.'

"The Rev. Albertus Pieters, of Japan, in an article, 'The moral failure of Japan in Korea—Responsibility of the Japanese Government and Nation,' denounced the massacres as 'unprovoked, deliberate, cold-blooded murder, for which no sort of mitigation or excuse has been alleged.' 'This was not an act of war,' said the Rev. Mr. Pieters; 'no state of war exists in Korea, or could very well exist, as the people have been completely disarmed. Neither was it done by a few rowdy or intoxicated soldiers, who had gotten out of hand, but by an organized detachment acting under orders of their regular officers. There was no resistance or riot to be quelled at the time.' After stating that the Governor General and the officials under him could not escape the responsibility of the crime, the Rev. Mr. Pieters continues:

"'But is there no further responsibility beyond that of the Governor General? What about the moral responsibility of the Japanese people at large? With the deepest concern I have been waiting for the past month, as, I am sure, have many other friends of Japan, to see whether there might be moral feeling and moral courage enough in Japan to find expression in a public protest against this outrage. I have waited in vain. The Japanese residents in Korea outnumber the foreigners many times over, and among them are men of high education and prominent position. The facts were as accessible to them as to the foreigners, but it was left to the latter to wait upon the Governor General and protest again at this crime. Why was there no delegation of prominent Japanese doing the same thing?

"'Tokyo is the nerve center of the Empire, the home of meetings and demonstrations of every kind. I looked and hoped for some expression of indignation from the Japanese people originating there, but nothing happened; no indignation meeting, no burning protests in the press, no denunciation by any political party, no evidence of any kind of concern for the welfare of the Koreans, for the maintenance of righteousness, or for the honor of the Empire. I am reminded forcibly of what a friend said to me at the time of the "conspiracy case": "The trouble with the Japanese is that they lack the capacity for moral indigation at wrongs done to others." It really seems so. The "capacity for moral indignation" is lacking, and hence it is a matter of no concern to the Japanese that unarmed Koreans are shot, bayoneted, and burned by men in the uniform of the Empire.'"

Mr. WATSON of Georgia. By the Yap treaty and by the pending treaty, we become tenants by sufferance in the great Pacific, and our landlords will be Great Britain and Japan.

We have been told here, again and again, that there was a Christian spirit in this treaty. A Christian spirit! With Japan's hand crimsoned with the lifeblood of thousands of Christian converts in Korea, how could any man allude to this compact as being inspired with the soul of Christ?

We have been told that this compact means peace. Why, then, do you vote down the amendments that would say that in plain terms? They are all voted down. Why leave any doubt?

The Senator from New Jersey [Mr. EDGE] said this morning that there would have to be a unanimous vote before any measures could be taken to repel the aggressions of a fifth power against one of the four parties to the treaty. Why, then, is it not so provided in the compact? In the covenant of the League of Nations it was stated that each nation would have so many votes; the voting power of each was arranged with great care; the manner in which questions should be decided was specified; nothing was left in doubt. The proponents of this treaty say that the measures to be taken to repel aggression do not mean war. Then why should they not have specified what they meant, if not war? If they mean arbitration, why did they not establish a tribunal which would pass upon the case? If the aggression was to be repelled by economic boycott, why was not that stated? If it was to be accomplished by the severance of diplomatic relations, why was not that stated? Why was it all left uncertain?

By going into this partnership with three of the members of the league we put it in their power to compel us to bring our case before the league, which would naturally be unfriendly to us, because we refused to join it. In their passing upon our rights the situation will be that of the three other powers leaving the settlement to their partners in the league, as against us who are not a member in the league. That will give us all of the disadvantages of the league without any of its advantages.

We have been told that if we refuse to ratify this treaty Japan and Great Britain will refuse to stop building ships. There we have the threat of war again. We have got to be scared into it; our fears are to be played on; we are to be placed in the attitude of cowards; we are to stand before the world afraid of Japan, afraid of England. Since when did we become afraid of any nation? Why should we be? Has the leopard changed his spots? What Japan did to Korea and to China she will do to us in the Pacific if she gets a chance. What England has done to her late allies she might do to us, if tempted and feeling secure, in the Pacific.

Mr. President, the fate of China is enough to concern the whole world. When our ancestors were wearing the hides of wild animals in the woods of Germany, eating raw meat and glad to get it, the Chinese had a beautiful civilization, a pure and lofty ethical code. China had science, literature, and art before Chaucer ever sang in England, before Alfred the Great ever had his face slapped for letting those cakes burn. China's golden rule is older than ours, and she has lived by it to a greater extent than we have lived by ours. Her great teacher, reformer, "guide, philosopher, and friend," Confucius, lived hundreds of years before our Christ, and for twenty-two hundred years her laws were almost unchanged.

Did you ever think, Senators, of the fact that China never made war on any other country during the whole of her career? She never did. She has been a nation of peace from the dawn of time. One of her Tartar kings made war; but China proper and the Chinese never did declare war against any other part of the human family. The same may be said of Korea; whereas Japan had always been warlike, until she got the worst of it in the war that she waged upon Korea, after which she remained within her shell for about 200 years. Korea had a beautiful civilization, literature, science, art, manufactures, ages before there was any civilization in the western world.

It is said that Congress has the power to declare war, and that no conference can take it from Congress. That argument is fallacious. A conference of American delegates, appointed by Congress or the President, can so commit themselves to a policy which the Senate might not like that the Senate would feel constrained to ratify it, lest the honor of the country be compromised in the eyes of the world. See how we are compromised now. The argument is used that we must ratify this four-power pact because our representatives were parties to it, and yet we did not authorize them to make any such agreement.

Mr. President, I do not know whether my conception of the independence of our country is too low or too high or absolutely correct; but my belief has always been that our forefathers fought for those seven years in order that they might establish in the New World a government different from any of those in the old. We can not go into a copartnership with Europe without being entangled in Europe's ambitions, rivalries, strifes, and clashes of interest, and the Republic can not be the partner of an imperialism without a reaction coming from the im-

perialism affecting democratic institutions and ideals in this country.

Oh, this compact seems to me a horrible thing, and it makes my heart bleed—indeed it does. I would that I had some power to stop the progress of this movement to enchain our country to the chariot wheels of the monarchies of the Old World and to the ultimate destinies of Africa, Asia, and Oceanica. If I had my way the ideal of the fathers, which the statesmen thought out and the soldiers fought out, would never be lowered.

Mr. KING. Mr. President, if my friend from Georgia [Mr. WATSON] will examine the records from which he read relative to the medal awarded Mr. Root, I think he will discover that it was awarded not by the Government but by the Arts Club of America. I may be in error, but that is my recollection.

Mr. WATSON of Georgia. Mr. President, if I used the word "Government," it was a slip of the tongue. I did not intend to use it.

Mr. KING. I so understood the Senator.

Mr. WATSON of Georgia. I do not remember whether I did or not. The RECORD, of course, will show; but I did not intend to say it.

Mr. KING. My understanding is that no recognition was accorded him——

Mr. WATSON of Georgia. By the Government.

Mr. KING. By the Government for his services, in the shape of a medal; and I do not recall that either by the executive or legislative branch of the Government was Mr. Root given any mark of distinction or honor for his valuable services in Russia. I have no doubt but what President Wilson tendered to Mr. Root his thanks for the work performed during his visit to Russia.

Mr. President, I do not desire to enter into any controversy with my friend from Georgia [Mr. WATSON], and only rise to say a few words concerning Mr. Root and his mission to Russia in 1917. Perhaps a brief reference to conditions prior to our entering the war may be warranted by way of preliminary, and a few sentences concerning Germany and Russia may reflect some light upon the reasons for the Root mission. For years prior to 1914 the military element, the Pan-German forces in Germany, largely controlled Germany's foreign and domestic policies. They sought not only a "place in the sun" for Germany but they designed that she should be the dominating power in the world. A great navy was constructed and a mighty army was prepared for war. Germany became the great military power of the world. Austria-Hungary was her ally and, indeed, her tool. Serbia was to be destroyed by Austria and Germany was to secure territorial or economic gains in the Near East.

Russia, when Serbia was thus menaced, was roused to the danger to the Slav States and made preparations for the conflict.

The German Kaiser assigned as one of the reasons of the war the mobilization of the Russian Army. Of course, that was a pretext to hide the wicked course of the military cabal which was dominating the Central Empires. Russia could see danger to her territory and to her position in Europe and Asia if the scheme of the Central Empires was successful.

Russia was forced into the war by Germany and Austria. Russia's interests were threatened and she became a belligerent nation, not only to defend a weak Slav State but, as she believed, to protect her vital and national interests. Belgium and Serbia and France and Italy and Great Britain and the United States, as well as all of the allied and associated powers, were not only contending for their own rights but for the cause of justice and peace in all the world. Russia's interests were as vitally affected as were those of any of the allied nations. The Russian people were fighting primarily for their own rights and for their own country.

They rejoiced when the United States entered the conflict, because a powerful ally was thus assured and an old and tried friend stood with them. We did not push Russia into the war; she had been fighting heroically for nearly three years when the United States entered the war. We had no reason to believe that Russia would desert her allies and abandon her own interests. We regarded the Russian people with profound affection and trusted them as honorable associates in a great conflict which involved the interests of the world. In the beginning of the war Germany attempted the subjugation of Russia, and Russia, with fine spirit and great vigor, plunged into the mighty conflict. Perhaps of all the nations, not excepting France and Belgium, Russia suffered the most from the war. Her contributions to the war never can be measured in rubles or pounds or treasure or in human suffering and human blood; and any country that was opposed to Germany that attempts to belittle the work of Russia is doing an injustice to that unhappy land and manifesting an ingratitude that seems to me incredible.

During the war it was believed by many of the Russian people that there were traitors in their own Government who were plotting the destruction of their own country. Dissatisfaction developed among the people, and the inefficiency of the bureaucratic and monarchistic class caused widespread discontent. Finally the revolution came. The Czar was driven from the throne and the Kerensky government came into power. It was the purpose of Kerensky and Prince Lvoff and Professor Milukoff and those leaders of what might be denominated the moderate revolutionary party to prosecute the war and to remain true to the allied cause. They knew that the war was being fought as much for Russia as for France or for Great Britain or for any of the allied nations. Lenin and Trotski, and those who formed the radical element of the communistic group, sought the withdrawal of Russia from the conflict and the overthrow of the so-called capitalitsic nations of the world. They were at war with all nations and thought that an opportunity had come to destroy what they call "capitalism" as well as all governments, and to establish internationalism and the reign of the proletariat. They believed that if Russia could be withdrawn from the war and a communistic government erected therein the allied Governments would be defeated. Undoubtedly they regarded Germany as a fruitful field for the poison of their doctrines and believed that the German Empire would soon disintegrate and be swallowed up in the tide of communism.

Lenin and Trotski entered Russia and began their intrigues against the Kerensky government. They attacked the morale of the army and of the people and sowed the seeds of discord and destruction. The revolutionary government of Kerensky earnestly attempted to meet the situation, to stabilize conditions, and to carry on the war. They attempted to give the people a constitutional government, and, as I recall, made arrangements for a genuine constituent assembly. The United States took cognizance of the new condition of affairs and recognized the new government, not only as a de facto but as a de jure government. The President of the United States sought to understand the changing conditions, the aims and purposes of the new government, and the aspirations and hopes of the people. That he was anxious for the new administration to continue the vigorous prosecution of the war I have no doubt. And the allied nations were equally desirous that Russia should continue to do her part in the titanic conflict.

President Wilson, acting with high motives and guided by true statesmanship, sent a mission to Russia bearing a message of good will and fraternal greeting from this Republic to the newborn republic of the old world. Mr. Root was selected as the head of that mission. Some may question the wisdom of President Wilson in selecting Mr. Root to head the mission. I had some misgivings, not that I doubted the ability or the integrity of Mr. Root or his capacity to deal with big things in a big way. Perhaps intellectually there is no greater man in the United States or in the world than Elihu Root. Many differ from him in his political views. I have seldom agreed with his policies and never expect to follow his political school of thought, but I pay tribute to his intellectual powers. He is a world figure, though his statesmanship, in my opinion, is too often highly reactionary.

That he went to Russia inspired with a sincere desire to help the Russian people, and to patriotically serve his country, I have no doubt. I believe that Mr. Root, while there, exhibited ability, tact, diplomacy, and statesmanship of a high order. Perhaps no one could have done better service than did Mr. Root in a most trying situation, and for what he did, or attempted to do, as I suggested to my good friend from Georgia a few moments ago, I felt then, as I feel now, that he was entitled to the thanks of the President and to the thanks of the American people.

Unfortunately, the government of Kerensky was not supported by the Russian people. I will qualify that observation, because from all I can learn the Russian people, saddened and disheartened and discouraged as they were, were not desirous of leaving the field and abandoning the fight. Notwithstanding the fact that they had lost millions of men upon the battle fields, notwithstanding the fact that the transportation system had broken down, that their resources were practically exhausted, that demoralization had spread industrially and economically to all parts of the land, deep down in the hearts of the great mass of the Russian people there was an instinctive fear of Germany and a desire that the allied and associated powers should continue the war until a triumphant victory had been won.

But in their discouragement, having lost faith in the Czar, and uncertain as to the capacity and loyalty and integrity of all who appeared as political and, indeed, military leaders, they drifted in a helpless and hopeless and chaotic condition. In this situation they fell victims to the poisonous propaganda which was disseminated by the Marxian socialists of the Lenin kind.

These enemies of Russia became emissaries of the Central Powers. They deceived the soldiers and broke down the morale of the people. They spread the most abominable lies and made many of the people believe that France had withdrawn from the war, that American troops could not be transported across the water in sufficient numbers to be of any value, that the allied cause was about to collapse, and that Germany was assured of victory. The credulous, disheartened, and discouraged Russian peasants became demoralized, and the demoralization extended to the army. Finally there was a complete collapse of the Russian Army, and the Russian soldiers broke ranks and went back to their homes.

I regret that Kerensky's government, or some Russian government, did not come to power for the purpose of continuing the conflict. If Russia had continued for six months longer, the war would have been at an end. With Russia's withdrawal the Central Powers felt assured of success. The cause of the allied nations was greatly imperiled, and if it had not been for the energy and contributions of the United States another story might now be told.

There were certain revolutionary and radical forces in the United States who looked with the greatest glee upon the withdrawal of the Russian forces from the conflict. There were a few Americans who took that treasonable view.

Russia was in the war in defense of her own sovereignty and integrity and to protect the honor of the nation. Russia should not have withdrawn from the war, and it was the duty of the allied nations and the President of the United States to use all reasonable means, all moral suasion, to have Russia fulfill her engagements and to continue with the allied forces until the victory was won.

I again express my regret that Russia abandoned her associates. If she had been loyal to them and to her own interests, there would have been no communism, no bolshevism. She would have rejoiced with the Allies in a common victory and participated with them in making the terms of peace. She would have been at the peace table to help write the Versailles treaty, and the history of Europe from that day to this would have been entirely different. We would not now be discussing the four-power pact. Indeed, the problems of the Orient would have been vastly different. There would have been no Washington conference, and no four-power treaty. Russia, as a great and sovereign State, would now be at peace with all the world. With her inexhaustible resources she would have been the most powerful State of Europe, and pressing forward along the pathway of progress, she would have materially aided in Europe's rehabilitation.

But she fell away from the cause of justice and righteousness and abandoned her allies in the hour of their peril; but, notwithstanding that fact, this Nation has been the friend of the Russian people and is now their true and loyal friend. President Wilson, notwithstanding the treachery of the Bolsheviks, manifested his faith in the Russian people up to the very hour he left the White House. He stretched forth his hand upon many occasions to aid Russia; he lifted his voice in behalf of the Russian people and sought in every possible way the rehabilitation of Russia, the restoration of the Russian people to a condition of peace and prosperity. He was unwilling, when Russia was prostrate, to adopt any policy which would dismember the Russian State or weaken or destroy it.

The great state paper written by Mr. Colby shortly before he left the office of Secretary of State, in which he voiced the position of the then administration and spoke the views of Mr. Wilson, was a defense of Russia and the Russian people and a plea to all the world for the solidarity of Russia and for the maintenance of Russian territory against any possible aggressions. To-day the American people feel sympathy for the Russian people and they are anxious to do everything within their power to lift them up and to set Russia upon the pathway of peace and honor and freedom and lasting prosperity.

Mr. WILLIS. Mr. President, I always listen with delight to the Senator from Georgia [Mr. WATSON]. He is a distinguished Member of this body, an able lawyer, a famous editor, author, and historian, and it occurred to me he might be interested to have the attention of the Senate drawn to the fact that there is a considerable difference in editorial opinion in his State touching the so-called four-power treaty.

I gathered the inference from the remarks of my distinguished friend that he is not in favor of the ratification of this treaty.

In that connection I desire to read into the RECORD a statement from a very important journal of this country. As I now recall, the Hon. Clark Howell, a constituent of the Senator from Georgia, is the dean of the Democratic editors of the country. He has for many years been editor of a great journal, the Atlanta Constitution. In a recent edition of that paper I notice the following advice: I do not subscribe to all of it, particularly that portion of it in which he criticizes the motives and actions of Republicans, but I thought it might be helpful to our brethren on the Democratic side to know what the dean of the Democratic editors of the country thinks about the treaty. I am reading from an Atlanta Constitution editorial written by Hon. Clark Howell. Here is what he said, in part:

> The defeat of the four-power treaty would put the world back 10 years in its recovery from the destructive effects of the war.
>
> It is to be hoped that the Democrats in the Senate will, whatever the Republicans may do, keep their hands clean and their consciences clear, and that they will not permit their party, by the votes of a majority of the Democratic minority in the Senate, to be placed in the attitude of having defeated ratification of this treaty through an unholy alliance with irreconcilable Republicans.

Remember, I am assuming no responsibility for the comment he makes with reference to the Republicans, but I am calling attention to the advice which this distinguished editor is giving his Democratic brethren.

In another editorial he said:

> If enough Democratic Senators join forces with the irreconcilable Republicans in the final test of strength to defeat ratification of this treaty—as they unquestionably have the power to do—they will have assumed a fearful responsibility to their party, their country, and to the world.
>
> That they will do such a thing—that they will emulate the Republicans in the Versailles treaty fight by stooping to play personal or partisan politics—

Of course, I do not agree at all to the motives he ascribes to Republicans, nor to the criticism he implies of the very proper and patriotic action of Republicans in defeating the League of Nations covenant, but I am reading this advice from one distinguished Democratic editor to another distinguished Democratic editor—

> That they will do such a thing—that they will emulate the Republicans in the Versailles treaty fight by stooping to play personal or partisan politics with a principle that involves the prosperity, peace, and general welfare of the human race—is unthinkable.

Then, in that connection, to show the trend of editorial opinion amongst our Democratic brethren, I ask unanimous consent that there may be read at the desk the paragraphs that I have marked in a recent editorial appearing on the front page of the Commoner, a journal fairly well known throughout the country, edited by Hon. W. J. Bryan. This is the edition of March, 1922. I ask that the paragraphs from the editorial be read at the desk.

Mr. KING. Mr. President, before that is read I should like to ask the Senator from Ohio if he were editing the first editorial whether he would strike out the syllable "un," so it would read "holy alliance," or whether he would still leave it "unholy"?

Mr. WILLIS. Not believing in alliances at all, I think I should not care to enter into that discussion. The Senator is familiar with my attitude on that question.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The reading clerk read as follows:

> Because our fight must be made largely upon economic issues it is unwise for the Democrats to prolong the debate over the peace treaties. Every day's debate will tend to divert attention from the economic issues and the Democrats will not only suffer by this diverting of attention but they will suffer still more if they allow themselves to be put in the attitude of opposition to any steps toward peace. There is no reason why the Democrats should not indorse every good thing connected with the treaties and then claim, as they rightfully can, that such progress as has been made has been made along Democratic lines rather than along Republican lines. The Democratic Party has been the leader in the peace movement and it can consistently support any steps taken toward peace by the Republicans because they are taken along Democratic lines. Take, for instance, the four-power treaty. It is based upon the 30 treaties negotiated by the last administration. Those who framed the four-power treaty claimed that it implied a reservation of independence, but the Senate has insisted that that reservation be made specific. In doing this it has simply added the one provision of the 30 treaties that was left out of the four-power treaty. Why should the Democrats object to a treaty that carries out the ideas of the Democratic treaties? Eighteen of the 30 treaties were ratified in one day; after the first three were ratified there was not a dissenting vote. When the Democrats vote for the four-power treaty they are simply approving of their own policy which the Republicans have adopted. Is it possible that a Republican indorsement can destroy the value of Democratic treaties? The sooner these treaties are disposed of the better.
>
> This does not mean that no reservations should be adopted. Any reservations that any Democrat wants to propose should be proposed and acted upon, but there should be no unnecessary delay. We de-

nounced the Republicans for delaying the action on the treaty of Versailles. Why should we bring condemnation upon ourselves by delaying action upon these treaties, especially when by doing so we divert attention from the economic questions which must be the paramount issue in our fall campaign?

Mr. SPENCER. Mr. President, many of the people of the United States are deeply interested in Korea. This is true not only from the fact that the Korean Government is the historic patriarch among the Governments of the world, but it is also true because of the fact that in 1882 our country entered into a treaty with Korea which was ratified by the Senate in January, 1883, and proclaimed to the world in June, 1883. This treaty expressly provided among other things that—

If other powers deal unjustly or oppressively with either Government, the other will exercise their good offices on being informed of the case to bring about an amicable arrangement, thus showing their friendly feeling.

It is not my purpose to discuss at this time the relation between Japan and Korea or the conduct of the United States in the matter, though the subject is full of pathos and tragedy. But I do want to make it clear that the pending four-power treaty gives distinct encouragement to the people of Korea and to that vast number in the world who are deeply interested in their welfare. The very purpose of the four-power treaty, as indicated by its preamble, is not alone the preservation of the general peace, but is as well the maintenance of the rights of the parties to their insular possessions and insular dominions in the region of the Pacific——

Mr. ROBINSON. Mr. President, will the Senator from Missouri yield for a question?

Mr. SPENCER. I will yield in a moment. And in any controversy arising out of any Pacific question and involving their rights, if not diplomatically settled, there is to be a conference between the nations and there is likewise to be, under the provisions of the treaty, a full and frank communication between the nations in case any of the rights of either party are threatened by the aggressive action of any other power.

It is not difficult to understand how naturally the Korean question might become involved in any such conference or communication, and the essential and encouraging fact is that whenever any matter in which Korea is directly or indirectly concerned comes before such a conference or is connected with such communication between the four powers it follows that Korea and its interests are brought before a company in which the United States, Great Britain, and France are parties equally with Japan, and Korea will have the tremendous advantage of having the questions in which she is interested considered upon such circumstances.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. SPENCER. In a moment. The friends of Korea have reason to congratulate themselves when the four-power treaty becomes operative.

I yield with pleasure to the Senator from Arkansas.

Mr. ROBINSON. The Senator from Missouri has said that one of the chief benefits of the four-power treaty is the encouragement that it gives to Korea that she may hope for relief from the oppression of Japan. The Senator, of course, knows that under this treaty Korea can have no representation except through Japan in any conference that may result from the treaty. Is not that true?

Mr. SPENCER. Undoubtedly, as the matter now stands.

Mr. ROBINSON. Then the Senator takes the position that it is a great advantage to Korea to be represented in a conference concerning questions which vitally affect her interests, her liberty, and her rights by the very nation that has subverted those rights, overcome and oppressed her. Mr. President, this is one argument that has not heretofore been advanced in favor of the four-power treaty and I do not believe it will again be advanced.

Mr. SPENCER. Mr. President, I merely want to correct the Senator from Arkansas, who started out with a statement putting into my mouth words which I did not use. The Senator said I opened my statement by remarking that one of the chief advantages of the four-power treaty was the benefit that it gave to Korea. I made no such statement. The Senator manufactured a man of straw which, with his usual vigor, he violently hit and knocked down.

All that I said is true, and that is that Korea to-day is in the grasp of Japan, and has, as the Senator from Arkansas truly remarks, no political integrity of its own among the nations of the world. While that is true, when anything which concerns Korea comes before that conference in the future, though it comes through the door of Japan, it comes before a conference where the United States, Great Britain, and France are equal parties to the conference with Japan, and I repeat it is a distinct advantage to Korea, more advantage than those helpless people have had for the last ten years.

Mr. ROBINSON. Mr. President, the Senate has just heard the statement of the Senator from Missouri in criticism of my construction of the remarks he was reading from a carefully prepared manuscript. It is singular that during the course of this debate the proponents of the treaty find it necessary to prepare their remarks with great deliberation, commit them to writing, and read them to the Senate.

Mr. SPENCER. Mr. President, will the Senator yield?

Mr. ROBINSON. I will yield in just a moment. Every Senator who has discussed the treaty from the standpoint of those who advocate its ratification without amendment or reservation has written just exactly what he wanted to say, has come into the Senate and read it, and when a Senator has asked to interrupt him touching a particular point he has said, "Just wait a moment," and he has read on to the end of his manuscript and then declared, "Now I am ready to yield to the Senator."

Mr. SPENCER. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield with pleasure to the Senator from Missouri.

Mr. SPENCER. I wanted to ask the Senator from Arkansas if he did not think it would be rather advantageous if the opponents of the treaty gave a little more deliberation to the subject before they spoke?

Mr. ROBINSON. If they had no more success than the Senators who have read manuscripts in furnishing to the Senate information with respect to the treaty, the most careful attention to the preparation of their remarks would not have compensated for deficiency in argument. The Senator from Missouri unquestionably read from his manuscript the declaration that the four-power treaty was of great advantage to Korea. Now, did he not? Did not you hear that? I saw every man in the press gallery take out his pencil and make a note when the Senator from Missouri made that remarkable statement.

Mr. CARAWAY. And the Senator also saw them laugh.

Mr. ROBINSON. Yes; everyone laughed. The Senator from Missouri, if I understand him, now takes the position that because France and Great Britain and the United States are parties to this compact it will be a great encouragement to Korea to have her rights and her interests considered in the conference when they may be presented to the conference by the representatives of the Empire of Japan. Mr. President, when Japan was fighting Russia, Korea made common cause with her. Korea not only had the guaranty of her ally Japan, and of Great Britain, but the assurance by solemn treaty of the United States that her territory and her Government would be respected and preserved. With those relationships and those treaty obligations in existence, Great Britain and the United States stood silently by while the countless emissaries of the Japanese Empire, in pursuit of the policy of economic penetration, which has marked the aggression of that Empire throughout the last 25 years, advanced to the destruction of the sovereignty of Korea and to the oppression of her citizens. How, then, can anyone assert in vindication of this treaty that Korea may hope for liberty and rescue from the oppressions of the Japanese Empire through a conference under this treaty when she can only be heard through the representatives of the Japanese Empire? Do Senators believe that this treaty will prove instrumental in restoring independence to Korea?

Mr. President, if the declaration of the Senator from Missouri is illustrative of the desperate straits to which the advocates of unqualified ratification have been driven, those of us who want to Americanize this treaty and read into it a provision that secret engagements shall not be entered into among or between the powers constituting the pact; those of us who believe that Russia and China ought to be given a hearing in any conference affecting their rights and their destiny may, indeed, take courage and hope that sound judgment and prudent counsel will prevail to safeguard the reputation of our Government for sympathy and justice in dealing with weaker powers.

Mr. JOHNSON. Mr. President, I listened a moment ago with very great interest to the Senator from Ohio [Mr. WILLIS], to the editorial from the Atlanta Constitution, and also the one from the Nebraska Commoner, which he had read at the desk. I have been interested, of course, in the controversy which raged here yesterday and again to-day concerning what some distinguished gentleman in New York had said in regard to the pending treaty. I have been interested, too, in the propaganda with which all Senators have become familiar, not only in this particular matter but in all matters that come before the Senate and the Congress. I have been interested, however, merely from the standpoint of observing the infinite variety of the

human mind and not from the standpoint of being in the slightest degree influenced by any of the writings or any of the telegrams or any of the editorials or any of the propaganda that have come to us. There is too much of that sort of thing today, Mr. President, and too much of the endeavor to bring organized pressure to bear upon this body. The question with which we are now dealing is of such transcendent importance that I assume every Senator in the Chamber, as I endeavor to do, gives to it the best that is in him and that he may exercise his independent judgment. I take it, further, that that is not only the duty that is ours in the position which we occupy but it is the obligation that rests upon us because of the very delicacy and the very great importance of the subject involved.

I wish to say, sir, for myself, in regard to the organized paid propaganda, that I do not care the snap of my finger whether every editorial reference in the United States is of a certain character; I care not, sir, whether every association, civic or otherwise, directs, commands, begs, or protests in reference to the question before us. I do not care whether the Atlanta Constitution indulges in a persuasive endeavor or if Mr. Bryan's Commoner would chide us into a particular attitude. I feel that after all upon us, the individual independent Members of this body, rests the solemn duty to determine, in accordance each with his own judgment and as God gives him to see the light, what should be done.

I have no interest in Mr. Cravath's utterances. So far as I can see, the net result which has followed two days' discussion of him is that he leaves this Chamber, metaphorically, with a veracity shattered in many directions. I think we may dismiss him from all further consideration.

I am not concerned that Mr. Bryan says the Republican side of the Chamber has adopted a Democratic policy. I have said that myself, and that it is obvious I think there is little doubt. But if it were a correct policy in which our side of the Chamber believed, it ought to be adopted, and the fact that it had been two years ago a Democratic policy ought not in the slightest degree to militate against it. It is the policy, not the partisan label, that concerns me. I do become a bit restive, sir, and a bit irritated at the kind of propaganda which shows that it is organized and paid for and comes in exactly the same words from different sources.

There is one thing, sir, that I desire to express an opinion upon, an opinion perhaps at variance with that of my colleagues on both sides, but one concerning which somebody should speak, for it relates to a policy in which we are all very much interested. I speak not at all in criticism of the distinguished gentlemen who have served upon the American delegation to the Washington conference; but I do say, sir, that the circumstances which confront us in this debate and the situation which has come out of this debate show conclusively that upon commissions or conferences of the character of that recently held in Washington, upon the results of which ultimately they must pass in this Chamber, Senators ought not to be appointed; and I hope, sir, that this is the last time that upon any such commission or conference Senators will be appointed.

One further word, Mr. President, with reference to what has been said by the distinguished Senator from Missouri [Mr. SPENCER] to the effect that Korea will derive encouragement from this treaty. Just think of it! I heard some of my brethren say that in the argument different Senators have been driven to extreme lengths in the discussion of this treaty. That seems to be so now. The Senator from Missouri, as I understand him, assigns Korea's terrible present fate as one of the reasons why this treaty should be ratified, so that relief may come from it and that there may be a palliation of conditions there existing. I understand that to be the substance of the argument of the Senator from Missouri, but the Senator from Missouri could not have meant that. If that be an argument that is advanced seriously upon this floor for this treaty, it ought, upon reflection among those who are familiar with the situation, to react upon the proponents of the treaty.

How did Japan acquire Korea? Mr. President, the very treaty which we are superseding with the four-power alliance, the Anglo-Japanese alliance of 1902, provided in set and fixed terms for preservation of the territorial integrity and the political independence of Korea, substantially, if not literally, in those words. It provided originally for the preservation of the territorial integrity and the political independence of Korea, and under the beneficent phrases of the Anglo-Japanese alliance, which is to be superseded by this four-power alliance, Japan swallowed Korea, and ever since has been in absolute dominion and control of Korea. So it is suggested by my friend from Missouri that that which takes the place of the Anglo-Japanese alliance, which guaranteed Korea and then destroyed her, is going to protect Korea because, forsooth, Korea may speak through her ravisher, Japan. I leave that argument with the Senate and with those who heard it.

In conclusion, I reiterate that the facts that have been developed here, the situation that has occurred, the events that have transpired—and this I say without criticism of either the Senator from Massachusetts or the Senator from Alabama—demonstrate that upon conferences of this sort Senators should not be appointed, and, if appointed, ought not to serve.

Mr. LODGE. Mr. President, I feel, as everyone must who is at all familiar with the subject, great sympathy for the Koreans, but I am sorry to say that I am obliged to differ with my friend the Senator from Missouri [Mr. SPENCER] in his interpretation of the treaty, and I take the floor simply because I fear my silence might be misunderstood.

All continental questions were carefully excluded from the four-power treaty by the language adopted. The words "insular possessions and insular dominions" were selected with great care in order to exclude from the treaty any question touching either the Continent of Asia or the Continent of America. I am not undertaking to be final; after the rebuke that we have had from the Senator from California [Mr. JOHNSON] I should hesitate to do that; but I am only stating the fact of the interpretation of all those who made the treaty, that the phrase was carefully selected in order to exclude all continental questions.

Mr. LA FOLLETTE. Mr. President, I wish to submit some observations upon this treaty. I desire to speak rather fully upon the treaty. I am a little loath to divide my argument. If an arrangement might be effected which would meet the approval of the Senator from Massachusetts that we should take a recess until, say, 11 o'clock to-morrow, so as to extend the time for discussion to-morrow by one hour, at least, or, if it be thought desirable, to meet even at an earlier hour—I do not want to get in the way of any other Senator who wants to speak on the pact—I should like to discuss the terms of the treaty and submit to the Senate an analysis which is, I think, in a way somewhat different from that which has been presented.

Would the Senator from Massachusetts be willing to move a recess at this time until, say, 11 o'clock to-morrow?

Mr. LODGE. Mr. President, I shall be glad to move a recess to 11 o'clock to-morrow. It was my intention to move a short executive session, which, of course, will not interfere with that in any way.

Mr. LA FOLLETTE. Oh, no; not at all.

Mr. LODGE. I think I ought to say that the only Senator who has spoken to me about speaking to-morrow is the junior Senator from California [Mr. SHORTRIDGE], who says he desires to speak to-morrow before the limitation is put on. I know of no others.

Mr. LA FOLLETTE. If there are other Senators who desire to speak to-morrow before the limitation goes into effect, and they will indicate the fact at this time, we might make an arrangement which would accommodate everybody. I certainly do not want to get in the way of any Senator who desires to address himself with some thoroughness to the four-power treaty. I think I should like to take about a couple of hours of the Senate's time.

Mr. SHEPPARD. Mr. President, I think I know of two Senators on this side who desire to speak to-morrow, but I do not think they will consume more than an hour each.

Mr. LODGE. After 3 o'clock, under the unanimous-consent agreement, speeches on the treaty are limited to one hour and speeches on reservations to half an hour. Any Senator speaking after the limitation goes into effect is entitled to an hour.

Mr. LA FOLLETTE. He is entitled to at least an hour, under the terms of the unanimous-consent agreement, at any time between now and 12 o'clock, I think, on Friday.

Mr. LODGE. Yes.

Mr. President, I understand, then, that the Senator from Wisconsin has taken the floor; and if he will yield the floor to me now I will make a motion to go into closed executive session.

Mr. LA FOLLETTE. I yield the floor to the Senator from Massachusetts for that purpose.

Mr. McNARY. Mr. President——

Mr. LODGE. I yield to the Senator from Oregon to make a request.

Mr. McNARY. I desire to ask unanimous consent for the immediate consideration of a conference report.

Mr. LA FOLLETTE. I yield for that purpose, Mr. President.

CHARGES DUE ON RECLAMATION PROJECTS—CONFERENCE REPORT.

Mr. McNARY. I ask unanimous consent, as in legislative session, for the present consideration of the conference report on House bill 9606.

The VICE PRESIDENT. Without objection, the Secretary will read the report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9606) to authorize the Secretary of the Interior to extend the time for payment of charges due on reclamation projects, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the said bill.

CHAS. L. MCNARY,
W. L. JONES,
MORRIS SHEPPARD,
Managers on the part of the Senate.
M. P. KINKAID,
N. J. SINNOTT,
CARL HAYDEN,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. JONES of Washington. Mr. President, just a word.

Mr. LA FOLLETTE. I yield to the Senator from Washington.

Mr. JONES of Washington. I joined in the conference report receding from the amendment of the Senate. That carried with it recession from the amendment that was put on in the Senate the other day relating to the extension of time on water rights on the Yakima Indian Reservation. I joined in this because in another body there was very strong opposition to this proposition, though not on the merits of it. I realized the force of the opposition, and I joined in the report also upon the assurance of the other body that the bill embodied in this amendment would be acted upon by the committee in another body. That action has been taken and a favorable report has been ordered upon that legislation. So I am very hopeful that we shall be able to get the measure through in the proper and regular way, and for that reason I joined in the conference report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

FLYING FIELD AT DAYTON, OHIO.

Mr. WILLIS. Mr. President, will the Senator yield to me?

Mr. LODGE. The Senator from Wisconsin has the floor.

Mr. LA FOLLETTE. I yield to the Senator from Ohio.

Mr. WILLIS. Mr. President, there has developed in the country a discussion of very great interest to the people of the State which I have the honor in part to represent, and that is with reference to the attitude of the Government toward the relocation of the great flying field now located at Dayton, Ohio. The State of Ohio feels that it made a contribution to the country when it gave the country the airplane and the Wright brothers, and when the matter of abandoning this field at Dayton comes up here there will be a very vigorous contest if there is a disposition to remove that plant from the State of Ohio. It would be an inexcusable blunder on the part of the Government to scatter the wonderful force that has there been collected of the most expert airplane mechanics in the world. To break up and scatter to the four winds those airplane experts would set back airplane production in the United States for decades, and in addition would be a discredit to the city and State that gave the world the Wright brothers and the airplane.

On this subject I ask unanimous consent to print in the RECORD without reading a brief editorial of two paragraphs from the Cincinnati Enquirer of March 18.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

HALT THIS DESECRATION.

Completely inconceivable in sentiment and justice is the thought of abandoning the national aviation headquarters now at Dayton and removing them to a point on Long Island, N. Y., to be made an auxiliary to the Navy.

It was at Dayton that the transcendent genius of the Wrights gave to the world the first practical flying machine and clothed man with dominion over the air, the coequal of the fowls. There, too, Lord Northcliffe, envoy for the scientific societies of Great Britain, presented the gold medal to the surviving inventor, which, as a symbol, acknowledged priority of discovery and forever fixed the brothers' fame.

From his lips fell the words that should have been uttered by an American, the declaration that in Dayton should be established the world home of aeronautical research, a shrine of the brilliant intellects that made human flight a possibility. To him it was the natural thing to do. Aught else would be a grief to understand.

Those responsible for these matters should sedulously see to it that the whims and crank ideas of institutionalized officials are not permitted to override these glorious ideals. Dayton and the airplane have come to be synonyms. To dismantle the governmental plant there would be very much like bombarding a beautiful cathedral in order to test a new explosive shell. It would, without exaggeration, constitute a national reproach.

MONONGAHELA RIVER CONSOLIDATED COAL & COKE CO. (S. DOC. NO. 170).

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed by the court in the case of the Monongahela River Consolidated Coal & Coke Co. *v.* The United States, referred to the court by a Senate resolution under the act of March 3, 1887, known as the Tucker Act, which was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. ELKINS presented a resolution of Bricklayers' Local Union No. 8, of Clarksburg, W. Va., favoring the enactment of legislation permitting the manufacture and sale of beers and light wines, which was referred to the Committee on the Judiciary.

Mr. HARRIS presented a resolution unanimously adopted by the Mars-McDonald Post, No. 99, American Legion, of Fitzgerald, Ga., favoring acceptance of the proposal of Henry Ford relative to the Muscle Shoals project, which was referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a petition of sundry citizens of the District of Columbia, praying for the establishment of better school conditions and various changes in the school program in the city of Washington, which was referred to the Committee on the District of Columbia.

He also presented a resolution adopted by the Kansas Crop Improvement Association, at Manhattan, Kans., favoring inclusion in the pending tariff bill of a duty of not less than 3 cents per pound on clover and alfalfa seed imported into the United States, which was referred to the Committee on Finance.

Mr. LADD presented a resolution adopted by the Grand Forks (N. Dak.) Trades and Labor Assembly, protesting against the creation of an industrial tribunal or court for the settlement of labor disputes, which was referred to the Committee on Education and Labor.

He also presented a resolution of Grand Forks (N. Dak.) Trades and Labor Assembly, favoring the passage of House bill 9691, providing for the creation of Federal local option districts, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the annual conference of the Farmers Grain Dealers' Association of North Dakota, at Devils Lake, N. Dak., favoring an early and substantial reduction of freight rates, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by Pend Oreille County (Wash.) Grange No. 1, Western Progressive Grange, commending the "agricultural bloc," which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by Wolfred Local, No. 8, and Pend Oreille County Grange, No. 1, both of the Western Progressive Grange in the State of Washington, favoring the passage of Senate bill 2604, the Ladd honest money bill, which were referred to the Committee on Banking and Currency.

He also presented resolutions adopted by Local No. 1, Western Progressive Grange, of Dominion, Wash., the Williston Commercial Club, of Williston, and by a meeting of farmers of Mable Township, Griggs County, in the State of North Dakota, favoring the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

He also presented the petitions of A. B. Smith and 11 others of Williston and Bonetrail, John A. Bokovoy and Sam Donelenko of Kief, Oscar Johnson and 29 others of Hannaford, C. A. Gutzlaff and 32 others of Fargo, and J. S. Bjarke and 56 others of Rugby and vicinity, all in the State of North Dakota, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES.

Mr. BURSUM, from the Committee on Pensions, reported the following bills, which were each read twice by their titles, and he submitted reports thereon:

A bill (S. 3309) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors (Rept. No. 569); and

A bill (S. 3310) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors (Rept. No. 570).

Mr. BALL, from the Committee on the District of Columbia, to which was referred the bill (S. 3296) to authorize the merger of certain street railway corporations in the District of Columbia, and for other purposes, reported it with an amendment and submitted a report (No. 571) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HALE:

A bill (S. 3304) granting a pension to Deborah G. McCoy (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3305) for the relief of the Houston (Tex.) Chamber of Commerce and the Hermann Hospital Estate (with accompanying papers); and

A bill (S. 3306) for the relief of the Houston (Tex.) Chamber of Commerce, Bertha E. Roy, and Max A. Roy (with accompanying papers); to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 3307) authorizing the Secretary of War to transfer to the city of Springfield, Mass., certain streets within the Springfield Armory Military Reservation, Mass., and for other purposes; to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 3308) for the relief of the heirs of Israel Folsom, deceased; to the Committee on Indian Affairs.

By Mr. FRELINGHUYSEN:

A bill (S. 3311) to improve the navigability of waters of the United States by preventing oil pollution thereof; to the Committee on Commerce.

By Mr. ELKINS:

A bill (S. 3312) to amend section 4730 of the Revised Statutes relating to pensions; and

A bill (S. 3313) to amend section 4747 of the Revised Statutes relating to pensions; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 3314) for the relief of Mary Shine; to the Committee on Claims.

A bill (S. 3315) granting a pension to Cecilia W. Farwell; to the Committee on Pensions.

By Mr. KELLOGG:

A bill (S. 3316) to authorize the State of Minnesota to construct a bridge across the Mississippi River in or about section 17, township 54 north, range 25 west, Itasca County, Minn.; and

A bill (S. 3317) to authorize the State of Minnesota to construct a bridge across the Mississippi River between Cass Lake and Bemidji, in or about section 25, township 146 north, range 32 west, Beltrami County, Minn.; to the Committee on Commerce.

AMENDMENT OF AGRICULTURAL APPROPRIATION BILL.

Mr. HEFLIN submitted an amendment proposing to appropriate $50,000 to meet the emergency caused by the recent introduction and rapid multiplication of the Mexican bean beetle in the State of Alabama and other States, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills and joint resolution were severally read twice by title and referred as indicated below:

H. R. 6568. An act for the relief of the Red Lake Band of Chippewa Indians of the State of Minnesota, and for other purposes; to the Committee on Indian Affairs.

H. R. 9671. An act to amend section 87 of the Judicial Code; to the Committee on the Judiciary.

H. R. 10443. An act to repeal sections 2453 and 2454, and to amend sections 2450, 2451, and 2456, Revised Statutes of the United States; to the Committee on Public Lands and Surveys.

H. J. Res. 282. Joint resolution to authorize the Secretary of War to incur obligations for construction and maintenance of roads, bridges, and trails in Alaska, said obligations to be paid from the appropriation for the fiscal year ending June 30, 1923; to the Committee on Territories and Insular Possessions.

COMMITTEE SERVICE.

On motion of Mr. LODGE, it was

Ordered, That the Senator from Illinois [Mr. MCKINLEY] be excused from further service on the Committee on Interoceanic Canals and assigned to service on the Committee on Agriculture and Forestry; that the Senator from Wisconsin [Mr. LENROOT] be excused from further service on the Committee on Military Affairs and assigned to service on the Committee on Appropriations; that the Senator from Idaho [Mr. BORAH] be excused from further service as chairman of the Committee on Interoceanic Canals and assigned to the chairmanship of the Committee on Education and Labor; that the Senator from New Jersey [Mr. EDGE] be assigned to the chairmanship of the Committee on Interoceanic Canals; and that the Senator from Iowa [Mr. RAWSON] be assigned to service on the Committee on Education and Labor, the Committee on Interoceanic Canals, the Committee on Manufactures, and the Committee on Military Affairs.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on March 20, 1922, the President approved and signed bills and a joint resolution of the following titles:

S. 490. An act to consolidate national forest lands;

S. 2471. An act to amend the act entitled "An act authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof," approved July 28, 1914 (38 Stats. L. p. 558);

S. 2897. An act to appropriate $1,500,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture;

S. 2993. An act authorizing a modification of the adopted project for Indiana Harbor, Ind.; and

S. J. Res. 108. Joint resolution authorizing the erection on public ground in the city of Washington, D. C., of a memorial to Jeanne d'Arc.

THE FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. LA FOLLETTE. I yield to the Senator from Massachusetts.

EXECUTIVE SESSION.

Mr. LODGE. In accordance with the understanding which I have with the Senator from Wisconsin, I move that the Senate proceed to the consideration of executive business behind closed doors, and after the secret executive session I shall move that the Senate take a recess in open executive session until 11 o'clock to-morrow.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After six minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 43 minutes p. m.) the Senate, in open executive session, took a recess until to-morrow, Wednesday, March 22, 1922, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 21 (legislative day of March 16), 1922.

APPOINTMENTS IN THE DIPLOMATIC SERVICE.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

Hoffman Philip, of New York, now envoy extraordinary and minister plenipotentiary to Colombia, to be envoy extraordinary and minister plenipotentiary to Uruguay.

Samuel H. Piles, of Washington, to be envoy extraordinary and minister plenipotentiary to Colombia.

PROMOTIONS IN THE DIPLOMATIC SERVICE.

SECRETARIES OF EMBASSIES OR LEGATIONS OF CLASS 2.

Robert M. Scotten, of Michigan.
Herbert S. Goold, of California.
R. Henry Norweb, of Ohio.

SECRETARIES OF EMBASSIES OR LEGATIONS OF CLASS 3.

Alan F. Winslow, of Illinois.
F. Lammot Belin, of Pennsylvania.
Pierre de L. Boal, of Pennsylvania.
Benjamin Reath Riggs, of Pennsylvania.
Curtis C. Jordan, of California.
George A. Gordon, of New York.
Wallace S. Murray, of Ohio.

UNITED STATES ATTORNEY.

Raymond U. Smith, of New Hampshire, to be United States attorney, district of New Hampshire, vice Fred H. Brown, resigned.

UNITED STATES MARSHALS.

Albert L. Sittel, of California, to be United States marshal, southern district of California, vice Charles T. Walton, whose term has expired.

W. F. Appleby, of Tennessee, to be United States marshal for the western district of Tennessee, vice Stanley H. Trezevant, resigned.

J. Roy Ward, of Utah, to be United States marshal for the district of Utah, vice Aquila Nebeker, term expired.

SURGEONS IN THE UNITED STATES PUBLIC HEALTH SERVICE.

Alvin R. Sweeney, to rank as such from March 7, 1922.
Newton E. Wayson, to rank as such from March 3, 1922.
Frank M. Faget, to rank as such from March 6, 1922.
John H. Linson, to rank as such from March 5, 1922.
Charles V. Akin, to rank as such from March 4, 1922.
Knox E. Miller, to rank as such from March 3, 1922.
Joseph G. Wilson, to rank as such from March 3, 1922.

POSTMASTERS.

ALABAMA.

Joe R. Melton to be postmaster at Pine Apple, Ala. Office became presidential January 1, 1921.

Joseph J. Langdon to be postmaster at Reform, Ala., in place of S. L. Dorroh. Incumbent's commission expired January 24, 1922.

ARKANSAS.

James H. Bass to be postmaster at Marvell, Ark., in place of T. G. Robinson, resigned.

CALIFORNIA.

Harry B. Westgate to be postmaster at Pomona, Calif., in place of F. P. Firey. Incumbent's commission expired January 24, 1922.

IOWA.

Horace B. Sears to be postmaster at Hancock, Iowa. Office became presidential April 1, 1921.

Arthur E. Bassett to be postmaster at Little Sioux, Iowa. Office became presidential January 1, 1921.

Wilson A. Holland to be postmaster at Blockton, Iowa, in place of J. S. Wildman. Incumbent's commission expired January 24, 1922.

KENTUCKY.

Sue C. Beardsley to be postmaster at Harrodsburg, Ky., in place of J. H. Grimes, resigned.

MARYLAND.

C. Virginia Mullikin to be postmaster at Trappe, Md., in place of M. W. McKnett, resigned.

MISSOURI.

Berry Crow to be postmaster at Licking, Mo., in place of O. C. Meadows. Incumbent's commission expired January 30, 1921.

NEW HAMPSHIRE.

Dana B. Rounds to be postmaster at Hill, N. H. Office became presidential July 1, 1920.

NEW YORK.

Wilma B. Scott to be postmaster at West Valley, N. Y. Office became presidential April 1, 1921.

Joseph F. Kraupf to be postmaster at Allegany, N. Y., in place of J. T. Norton. Incumbent's commission expired January 24, 1922.

C. Blaine Persons to be postmaster at Delevan, N. Y., in place of G. H. Mills. Incumbent's commission expired January 24, 1922.

Robert L. Wilcox to be postmaster at Port Leyden, N. Y., in place of G. W. Niece. Incumbent's commission expired January 18, 1920.

NORTH DAKOTA.

Donald B. McDonald to be postmaster at Maxbass, N. Dak. Office became presidential April 1, 1921.

OHIO.

Edward W. Williams to be postmaster at New Carlisle, Ohio, in place of D. F. Akers. Incumbent's commission expired January 31, 1922.

Benjamin E. Westwood to be postmaster at Youngstown, Ohio, in place of G. B. Snyder. Incumbent's commission expired January 31, 1922.

OKLAHOMA.

Onie L. Tapp to be postmaster at Marlow, Okla., in place of Bettie Smythe. Incumbent's commission expired July 23, 1921.

PENNSYLVANIA.

John W. Aumiller to be postmaster at Eagles Mere, Pa., in place of C. T. Peale. Incumbent's commission expired August 7, 1921.

RHODE ISLAND.

Henry D. Banks to be postmaster at East Greenwich, R. I., in place of T. H. Galvin. Incumbent's commission expired February 4, 1922.

TENNESSEE.

Curtis K. Burton to be postmaster at Puryear, Tenn. Office became presidential January 1, 1921.

TEXAS.

Mary A. Kent to be postmaser at Corrigan, Tex. Office became presidential January 1, 1921.

Edna Sirman to be postmaster at Grayburg, Tex. Office became presidential July 1, 1920.

John F. Furlow to be postmaster at Alvord, Tex., in place of J. W. Davis, resigned.

Ferman Wardell to be postmaster at Avery, Tex., in place of H. H. Knight. Incumbent's commission expired July 21, 1921.

Bertie Freeman to be postmaster at Detroit, Tex., in place of H. C. Bailey, resigned.

Mary S. Ray to be postmaster at Midland, Tex., in place of J. W. Taylor. Incumbent's commission expired July 21, 1921.

VERMONT.

Burton M. Swett to be postmaster at East Hardwick, Vt. Office became presidentfal July 1, 1920.

VIRGINIA.

Mary V. Givens to be postmaster at Montvale, Va. Office became presidential April 1, 1921.

Floyd I. Richardson to be postmaster at Sylvatus, Va. Office became presidential July 1, 1921.

Arthur G. Childers to be postmaster at Galax, Va., in place of S. S. Cox. Incumbent's commission expired January 24, 1922.

Frank P. Landon to be postmaster at Hopewell, Va., in place of John Hanlon. Incumbent's commission expired March 16, 1921.

WASHINGTON.

Vinnie M. Seglem to be postmaster at Vader, Wash. Office became presidential October 1, 1921.

Mary A. Johns to be postmaster at Kalama, Wash., in place of Edwin Schauble. Incumbent's commission expired January 24, 1922.

Allan Austin to be postmaster at Onalaska, Wash., in place of W. A. Carlisle, resigned.

H. Robert Nelson to be postmaster at Wilkeson, Wash., in place of L. G. Masters, resigned.

WEST VIRGINIA.

John M. Tulley to be postmaster at Sprigg, W. Va. Office became presidential April 1, 1921.

George A. Flora to be postmaster at Paw Paw, W. Va., in place of P. E. Nixon, resigned.

Robert R. Church to be postmaster at Winding Gulf, W. Va., in place of R. R. Church. Incumbent's commission expired March 16, 1921.

WISCONSIN.

Theodore R. Peterson to be postmaster at Weyauwega, Wis., in place of W. H. Weed. Incumbent's commission expired January 24, 1922.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 21 (legislative day of March 16), 1922.

POSTMASTERS.

ILLINOIS.

Roger Walwark, Ava.
George E. Stauffer, jr., Baylis.
Gustav H. Beckemeyer, Beckemeyer.
Ira A. Coltrin, Cave in Rock.
Robert L. Endicott, Crossville.
May B. Rush, Edgewood.
William Sargent, Griggsville.
Henry W. Schilling, Noble.
Oliver E. Ray, Poplar Grove.

MICHIGAN.

Otto L. Wickersham, Onaway.

MINNESOTA.

Pearl M. Hall, Ah-gwah-ching (late State Sanatorium).

MISSISSIPPI.

John L. Hallmark, Belmont.
Alma M. Furniss, Hollandale.
Andrew R. Shelby, Lauderdale.
Florence Brady, Lula.
Benjamin H. Chatham, Montrose.
Laura L. McCann, Norfield.
Alma S. Evans, Ovett.
Benjamin C. Feigler, Philipp.
Frances C. Williams, Sunflower.

NORTH DAKOTA.

Lars B. Ness, Edingburg.
Rolfe H. Hesketh, St. John.

OKLAHOMA.

Bruce Hueston, Kellyville.
Roscoe C. Fleming, Tishomingo.

OREGON.

John N. Williamson, Prineville.

PENNSYLVANIA.

Lemuel L. Bosserman, Barnesboro.

SOUTH DAKOTA.

Irene E. Jackson, Lebanon.
Edward M. Schmida, Letcher.
Arthur Griffin, Selby.
James Gaynor, Springfield.
John D. Smull, Summit.

WEST VIRGINIA.

Godfrey B. Beebout, New Cumberland.
Robert E. Horan, Summersville.
John W. Mitchell, Wayne.
Roger T. Price, Widen.

WITHDRAWAL.

Executive nomination withdrawn from the Senate March 21 (legislative day of March 16), 1922.

POSTMASTER.

Nana Michaels to be postmaster at Argo, in the State of Illinois.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 21, 1922.*

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord our God, wilt Thou come unto us in kindness and rebuke, in chastisement and in blessing, and stoop to our needs. Show Thyself strong and good, for Thy mercy's sake. Interpret unto us our own necessities, and make us to see great things out of Thy law. Grant newness of zeal, of opportunity and hopefulness to all. Teach us how the good may prevail, and help up to hold on to its achievements. Descend upon our fellow citizens with many blessings; and may they know the riches of life, its vast outlooks, and its wondrous joys. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE FOUR-POWER TREATY.

Mr. LINEBERGER. Mr. Speaker, I ask unanimous consent to address the House for a minute and a half.

The SPEAKER. The gentleman asks unanimous consent to address the House for 90 seconds. Is there objection?

There was no objection.

Mr. LINEBERGER. Mr. Speaker, inasmuch as there is pending before the Senate of the United States a very important treaty, vitally affecting the future of mankind, but upon which one-half of the California delegation there has taken an attitude which I feel to be in direct opposition to the will of the vast majority of the people of California, and particularly to those of the ninth congressional district, which I happen to represent, I desire to have read in the remainder of my time a telegram from my constituency, which is typical of many expressions which I have received, and which I believe to be the almost unanimous sentiment of the people of California on this very important matter. I refer to the so-called four-power treaty now pending before that great body, the United States Senate. Although I realize that this House has no voice in the making of treaties, I desire to add to the sentiments expressed therein my heartiest approval.

The Clerk read as follows:

LONG BEACH, CALIF., *March 19, 1922.*

Maj. WALTER F. LINEBERGER,
Member of Congress, Washington, D. C.:

Board of directors adopted following resolution:

"Realizing the tremendous burdens borne by our own people and those of other world nations because of national ambitions to excel in naval and military strength, and believing that world problems never will be satisfactorily settled by force of arms but rather by an agreement between nations and national leaders, therefore we deeply appreciate the spirit and vision of President Harding in calling the world nations together in the disarmament conference, and we congratulate our own and other interested peoples on the spirit, the wisdom, and the actual accomplishment of the conference; and we hereby call on our United States Senators and Representatives in Congress to cooperate in every way with President Harding and the disarmament delegates, Secretary of State Charles Evans Hughes, Hon. Elihu Root, Senator Henry Cabot Lodge, and Senator Oscar W. Underwood, in securing the approval of the United States Senate to the splendid agreement reached at the disarmament conference, which is a far greater accomplishment than most of our people considered possible, to the end that the United States as well as other nations may limit military and naval expenditures, and thus have available huge sums for constructive development, as well as to enable all the nations to develop good will and the policy of settlement of problems and disputed questions in friendly conference rather than by armed force with all attendant evils."

LONG BEACH CHAMBER OF COMMERCE,
CHAS. S. HENDERSON, *President.*

[Applause.]

CHARGES ON RECLAMATION PROJECTS.

Mr. KINKAID. Mr. Speaker, I present a conference report on the bill H. R. 9606 for printing under the rule.

Mr. GARRETT of Tennessee. Mr. Speaker, what is the title of it?

Mr. KINKAID. Extending the time for payment of charges due on reclamation projects.

WAR DEPARTMENT APPROPRIATIONS.

On motion of Mr. ANTHONY the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 10871, making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill, parts of which were passed over.

Mr. ANTHONY. Mr. Chairman, the understanding was that we would start where we first left off.

The Clerk read as follows:

FINANCE DEPARTMENT.

PAY, ETC., OF THE ARMY.

Pay of officers: For pay of officers of the line and staff, $26,896,200: *Provided*, That the sum herein appropriated for the pay of officers shall not be used for the pay of more than 11,000 commissioned officers on the active list, of which number there shall be not to exceed 1 general, 21 major generals, and 46 brigadier generals of the line; the general officers authorized by law for chiefs and assistant chiefs of branches; the number of officers of the Medical Corps now authorized by law of six and one-half for every thousand enlisted men, the number of officers of the Medical Administrative Corps now authorized by law of one for every 2,000 enlisted men, the number of officers of the Dental Corps now authorized by law of one for every thousand officers and enlisted men of the Regular Army; not to exceed 109 commissioned officers of the Veterinary Corps; one chaplain as now authorized by law for every 1,200 officers and enlisted men of the Regular Army, exclusive of the Philippine Scouts; professors at the United States Military Academy; the military storekeeper; and those belonging to branches whose names are carried on the promotion list to be distributed in grades as follows: Not to exceed 4 per cent in the grade of colonel, or 389; not to exceed 4.5 per cent in the grade of lieutenant colonel, or 437; not to exceed 15 per cent in the grade of major, or 1,458; not to exceed 30 per cent in the grade of captain, or 2,915; not to exceed 28.5 per cent in the grade of first lieutenant, or 2,769; and the remainder in the grade of second lieutenant: *Provided further*, That officers found surplus may be recommissioned in the next lower grade in accordance with their standing on the promotion list, or on the relative list if their names are not on the promotion list, or those of less than 10 years' commissioned service in the Regular Army may be discharged with one year's pay, or those of more than 10 years' commissioned service and less than 20 years' service may be placed on the unlimited retired list with pay at the rate of 2½ per cent of their active pay multiplied by the number of complete years of such commissioned service, or those of more than 20 years' commissioned service in the Regular Army may be placed upon the unlimited retired list with pay at the rate of 3 per cent of their active pay multiplied by the number of complete years of such commissioned service, not exceeding 75 per cent; all under such regulations as the President may prescribe.

Mr. WALSH. Mr. Chairman, I make a point of order.

Mr. KAHN. Mr. Chairman, I want to make a point of order also on the whole paragraph and each proviso of the paragraph.

Mr. ANTHONY. Mr. Chairman, will the gentleman state his point of order?

Mr. KAHN. The number of officers of the Medical Corps is now authorized by law 6½ for every 1,000 enlisted men. The number of officers of the Medical Administrative Corps is now

authorized by law, 1 for every 2,000 men of the Regular Army; not to exceed 109 commissioned officers of the Veterinary Corps, and so on. One chaplain is now authorized by law for every 1,200 officers and enlisted men of the Regular Army, exclusive of the Philippine Scouts.

Section 10 of the act of June 4, 1920, the present law, provides 6½ for every 1,000 of the total enlisted strength of the Regular Army authorized by law, and this section is a change of that provision. The comparison is the same as to the Medical Corps, except that the number is 1 for every 2,000, and in the Dental Corps the provision in the bill is for 1 for every 1,000 officers and enlisted men of the Regular Army; but section 10 of the act of June 4, 1920, says 1 for every 1,000 men of the total enlisted strength of the Regular Army authorized from time to time. That is a different proposition from what this bill calls for. In other words, the law fixes the number of men in the Medical Corps and in the Dental Corps at so many for every thousand men in the Army, and that number changes from time to time; but this provision in this bill fixes a definite number, which can not be changed under the provisions of this bill. I submit that it is clearly subject to a point of order.

Mr. PARKER of New Jersey. Mr. Chairman, I would like to add something. The number of officers in the Army is prescribed by law. This changes the number. It does not merely change the appropriation. It determines the number of officers that there shall be in the Army. It says the appropriation shall not be used for the pay of more than 11,000 commissioned officers on the active list, of which number there shall be not to exceed so many; and when you get down to line 22 it says:

And those belonging to branches whose names are carried on the promotion list to be distributed in grades as follows: Not to exceed 4 per cent in the grade of colonel—

And so forth. If there are more of various grades, it orders them reassigned, and then it says how many officers there shall be.

Now, I take this proviso also to be absolutely connected with the second proviso, which is necessary for its existence; and that second proviso provides what is obviously out of order on an appropriation bill, a means for turning out of the Army and for demoting to lower grades various officers who are in the Army.

Let me read the proviso and see whether there is anything about appropriation. I read, beginning at line 8, page 16:

Provided further, That officers found surplus may be recommissioned in the next lower grade in accordance with their standing on the promotion list, or on the relative list if their names are not on the promotion list, or those of less than 10 years' commissioned service in the Regular Army may be discharged with one year's pay, or those of more than 10 years' commissioned service and less than 20 years' service, may be placed on the unlimited retired list with pay at the rate of 2½ per cent of their active pay multiplied by the number of complete years of such commissioned service, or those of more than 20 years' commissioned service in the Regular Army may be placed upon the unlimited retired list with pay at the rate of 3 per cent of their active pay multiplied by the number of complete years of such commissioned service, not exceeding 75 per cent; all under such regulations as the President may prescribe.

Now, I respectfully submit that that proviso is not only a proviso as to the management of the Army and not for appropriation, but it is likewise absolutely connected as a part of the first proviso, reducing the number of officers in the Army to a certain number, and not merely reducing the number that should be paid. My point is, first, that the whole of the two provisos should be taken together; and, second, that the first proviso is a proviso for the number of officers that there shall be; and, third, that the second proviso is certainly a proviso which reduces the number of officers in the standing line of the Army, and therefore is entirely out of order.

Mr. WALSH. Mr. Chairman, I would like to ask the gentleman from Kansas if it is the contention of the committee that in lines 11 and 12, where it says "the number of officers in the Medical Corps now authorized by law of six and one-half for every thousand enlisted men," is the number now authorized by law?

Mr. ANTHONY. That is exactly the number authorized by law, and the committee intends to make no change whatever in the nmber authorized by law in the Medical, Dental, Veterinary, or the Chaplain's Corps, to which the gentleman from California has made the point of order.

Mr. WALSH. This is a limitation on the expenditure of the money. If this is the number authorized by law, which I am advised it is not, what is the necessity of using any language in stating the number? Why not say the number of officers in the Medical Corps now authorized by law?

Mr. ANTHONY. Because the War Department has appointed a number far in excess of the number authorized by law. For instance, it has appointed 1,148 officers in the Medical Corps, and the law authorizes 793.

Mr. WALSH. Has the gentleman the language of the legislation which fixes the number of officers in the Medical Corps?

Mr. ANTHONY. Yes. The legislation or law fixes the number of officers in the Medical Corps at six and one-half officers for every thousand enlisted men.

Mr. WALSH. But there is something that follows after that.

Mr. ANTHONY. I will read the entire paragraph:

The number of officers of the Medical Corps shall be six and one-half for every thousand, and of the Medical Administrative Corps, 1 for every 2,000 of the total enlisted strength of the Regular Army authorized from time to time and within the peace strength permitted by this act. The number of officers of the Dental Corps shall be one for every thousand of the total strength of the Regular Army authorized from time to time and within the peace strength permitted by this act.

The War Department took the position that the total authorized strength of the Regular Army was 280,000 men, and that therefore they could appoint the full authorization of officers. They seem to have willfully ignored the provision "as authorized by Congress from time to time." Last year Congress put a limit on the size of the Regular Army of 150,000. The committee contends that the War Department has no right to exceed the limit fixed last year.

Mr. WALSH. Does the gentleman contend that the Appropriations Committee is fixing the size of the Army in this legislation?

Mr. ANTHONY. The Appropriations Committee is limiting the amount of money which may be expended for the pay of officers and enlisted men.

Mr. WALSH. That is within the jurisdiction of the committee, but the committee has no jurisdiction to insert in an appropriation bill a change in the authorization of the law by which the number of officers is fixed. They can reduce the appropriation, but I submit that they can not by legislation change the law fixing the ratio of the officers and enlisted men, and that is what this change of language is attempting to do, because the authorization of the size of the Army is fixed by legislation and not by an appropriation bill.

Mr. ANTHONY. Mr. Chairman, I want to make this statement. As I understand it, the point of order is made by the gentleman from California against the language which repeats the present law as to the Medical Corps, the Administrative Corps, the Dental Corps, and the Corps of Chaplains. The language inserted by the committee in the bill is exactly existing law, not one word changed as far as I can see. The general idea of the committee in limiting the appropriation for the pay of the officers of the Army is that we contend it is in order under the Holman rule, because it is plain on the face of the measure that the proposition is to reduce the total number of officers in the Army. The average pay is $3,300 per annum at the present rate of pay, which is a saving of over $6,000,000 which would be effected by the adoption of the committee's limitation.

As I understand it, no point of order has been made against the reduction from the present number of 13,000 to 11,000, but, Mr. Chairman, the point is made entirely on the language in reference to the Medical Corps, the Dental Corps, the Medical Administrative Corps, the veterinaries, and the chaplains. I contend that the number fixed by the committee is exactly that now authorized by existing law and does not change it one particle.

Mr. CRAGO. Mr. Chairman, I desire to be heard on the point of order. I call the attention of the chairman of the subcommittee to the fact that the point of order lies against the entire paragraph as it was read, and under the admission of the chairman of the subcommittee that it does reduce the number of officers now authorized by law, I claim that the entire paragraph is clearly subject to the point of order, and it is not within the provisions of the Holman rule. I shall read briefly the summary of the opinion of the Chair in a case of a similar nature on an appropriation bill, where it was attempted to compel the Army to transport troops over certain railroads where they were getting a lower rate than over other railroads, and it was a clear saving to the Government in a way. It is a mere matter of argument as to whether it is a saving of money to reduce the amount appropriated for the Army officers and thus compel a reduction in the number of officers authorized by law. Seriously speaking, I say that it is a waste of money; it is a loss of money to this country to do away with what we have already built up at so great an expense.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. MADDEN. The gentleman says that it is a loss of money. On the face of the fact what is it, a loss or a saving?

Mr. CRAGO. On the face of the fact, as it appears to me, it is a loss.

Mr. MADDEN. What is it on the face of the bill?

Mr. CRAGO. Not in the total figures, no. On that very point I contend that this legislation, if it should come before this House at all, must, under the rulings of the Chair in all such cases, come from the committee which has jurisdiction of the subject matter of the legislation, and the decision to which I wish to cite the Chair reads as follows:

The Chair is of opinion that a motion of that kind should come from a committee having jurisdiction, and can not be brought before the Committee of the Whole House on the state of the Union as an integral part of an appropriation bill reported by the regular Committee on Appropriations.

Anything which has to do with legislation in this bill must of necessity come from a committee which has jurisdiction of the subject matter on which we are legislating, and under the decision in this case which I have cited, it takes the attempt out from under the provisions of the Holman rule, and I contend that the entire paragraph is subject to the point of order because it is argumentative as to whether it reduces the final expenditure of the Government. It does not come within the Holman rule because it does not come from a committee which has jurisdiction of the subject matter, and, therefore, it has no place on an appropriation bill.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. MADDEN. What did the gentleman say of paragraph 2 of Rule XXI, which reads as follows:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill: *Provided*, That it shall be in order further to amend such bill upon the report of the committee or any joint commission authorized by law or the House Members of any such commission having jurisdiction of the subject matter of such amendment, which amendment being germane to the subject matter of the bill shall retrench expenditures.

What does the gentleman say to that?

Mr. CRAGO. I say to the gentleman that that is a limitation which was properly placed on a committee when a committee had jurisdiction of the subject matter of the bill bringing in a bill in accordance with that provision.

Mr. MADDEN. Under that section of Rule XXI this committee has complete jurisdiction, and it has not invaded the jurisdiction of any other committee of the House. It is within the power of the committee to report the legislation proposed under that section of the rule, because on the face we prove beyond a doubt that we are reducing the number of officers, and we are reducing the amount of the appropriation, and we prove the case by the very facts on the face of the bill.

Mr. CRAGO. But you are only doing that in this bill by legislating on a subject matter which belongs to another committee, and the decision which I have read, the decision of the Chair in that case, where obviously on the face of it there was a saving to the Government in the matter of transportation, clearly holds that since it is legislation reported by a general appropriation committee it is not in order, because it does not come from a committee which has jurisdiction of the subject matter.

Mr. GREENE of Vermont. Mr. Chairman, on page 6, line 9, I find that whatever may be the pretext of authority under the Holman rule for making a legislative policy regarding the Military Establishment in an appropriation bill, the Committee on Appropriations certainly has gone outside of its province when it adopts language such as the following:

That officers found surplus may be recommissioned in the next lowest grade in accordance with their standing on the promotion list—

And so forth.

On the face of it, clearly this is a concrete legislative proposition directing the War Department how it shall reestablish the grades of the officers in the military service, and as to what shall be done with them, and under what conditions and circumstances. For instance, under existing law there is no authority to demote people in the military service after the manner contemplated in the lines which I have read.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. In just a moment. There is involved in that very language a question of military policy, which is exclusively a matter of jurisdiction on the part of the legislative committee, as to whether men, having once been established in certain grades of military rank and authority, shall under any form of policy be demoted so that they are put into a different grade or rank and authority over their subordinates. There is, as everybody who has made any study of the administration of military affairs knows, a very serious moral factor involved there.

But it is, I say, a suggestion in a provision that establishes a military policy, a legislative policy, and not a question of economy at all. And yet in just this same fashion this old Bluebeard of an Appropriations Committee will take the other committees of the House one by one and ravish them and lock them up in its room and itself report matters in their jurisdiction.

Mr. STAFFORD. And there are eight——

Mr. GREENE of Vermont. And some day somebody will get the key to the door—look out for it. I have nothing to say except in the utmost good nature about this old Bluebeard. They are taking the Holman rule as a clever subtle provision for establishing a legislative policy for the Regular Military Establishment. You may be able to justify the figures you put in here somewhere through this bill on the strength of the Holman rule, but there is not any question at all in my judgment that in this language, beginning on page 16, line 8, you have assumed jurisdiction over matters that are entirely outside the jurisdiction of the Appropriations Committee dealing with the policy of military legislation and——

Mr. ANTHONY. Will the gentleman yield?

Mr. GREENE of Vermont. Certainly.

Mr. ANTHONY. In making the statement the gentleman has made, the language to which he refers was included because it contains the necessary authority to carry out the economies which are to be made.

Mr. GREENE of Vermont. Oh, well, if we mean that and are held to the doctrine of sequences, you can analyze anything down to a protoplasmic globule and claim authority over it.

Mr. ANTHONY. The gentleman knows there are only two ways for officers to get out of the Army, and that is by a court-martial and discharge or by resignation, unless you provide for a method of getting them out.

Mr. GREENE of Vermont. Exactly. The gentleman admits that the bill carries a provision of legislation for some machinery and he adds to the machinery——

Mr. ANTHONY. In order to achieve the saving.

Mr. GREENE of Vermont. And the gentleman is inventing machinery to get men out of the Army.

Mr. ANTHONY. Absolutely.

Mr. GREENE of Vermont. That is not part of the jurisdiction of the Appropriations Committee; it belongs to the legislative committee.

Mr. MANN. Mr. Chairman, this paragraph consists, first, of an appropriation and, second, of two provisos. Of course, the regular law provides for the Army of a considerable size, but that does not obligate the Congress to appropriate for an Army of that size. Everybody will admit that. We appropriate for a lesser number of officers than are authorized by law to be appointed. Then follows the first proviso, which is part of the limitation that the sum herein appropriated for the pay of officers shall not be used for the pay of more than 11,000 commissioned officers on the active list, apportioning them among the various branches of the service. It is not within the power of the House as a limitation to prescribe the exact number of officers who might be paid out of appropriations in each branch of the service. It is not within the power of the House or the committee reporting it to provide a method of ascertaining the number of officers who shall be paid out of the appropriation. The first paragraph does not change in any way the number of officers who may be appointed in the Army. It only provides the number who may be paid under the appropriations made by Congress. That is a pure limitation. The law would still stand. The second proviso, I think, comes within the Holman rule. The gentleman from Pennsylvania [Mr. CRAGO] insisted that this should come from the legislative committee—the Committee on Military Affairs. Under the proviso in the Holman rule the Committee on Military Affairs could offer as an amendment a proposition entirely revising the law as to payment of officers in the Army. This does not attempt to do that. This does not go to the question that the Committee on Military Affairs might report an amendment. But the Holman rule provides that the amendment is in order which proposes a reduction of the compensation of any person paid out of the Treasury of the United States. That is what the second proviso proposes to do, and that is all it does. It would be in order under the Holman rule to provide that hereafter there should be only 11,000 officers in the Army, although that is not what the bill does. It would be in order under the Holman rule to do that, and it is also in order under the Holman rule to provide by law for a reduction, as it would

be in order to provide that the salary of a Cabinet officer should be reduced from $12,000 a year to $10,000 or the salary of any other official whose salary is fixed by law shall be reduced.

Mr. GREENE of Vermont. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. GREENE of Vermont. I follow that clearly; but this second proviso, the one to which the gentleman refers, does something more than change the salaries. It changes the scope of authority and jurisdiction of these officers by placing them in different grades from those which we have legislated upon and their military authority and responsibility have been changed.

Mr. MANN. Oh, the number of officers in the Army is fixed in the first paragraph of the bill. The second paragraph of the bill reduces the number of these officers who are supernumerary, and without the second proviso they might be officers in the Army without pay, and the second proviso only provides a method of reducing the pay of officers of the Army.

Mr. GREENE of Vermont. Does not the gentleman concede, beginning on page 15, line 8, that officers found surplus may be recommissioned in the next lower grade, and so forth; that, for instance, that takes a man away from, say, major, and puts him where he is no longer a field officer, no longer subject to the certain responsibility which attaches to the office of a field officer?

Mr. MANN. Oh, well, we appropriate for clerks of the first, second, third, and fourth grades. We do not have to appropriate for the number that are in the service. We can appropriate for a less number and provide for their demotion by an appropriation bill reducing their pay.

Mr. GREENE of Vermont. These clerks do not have an original status and responsibility in law which the Army officer has.

Mr. MANN. It is not the same, but a similar responsibility.

Mr. GREENE of Vermont. Would the gentleman contend that the clerks in a department have that original and initial authority?

Mr. MANN. The departments run the Government. Does not the gentleman know that?

Mr. GREENE of Vermont. Yes; and the organizations outside run Congress.

Mr. MANN. They may run Congress, but the clerks run the Government and have just as much responsibility as officers of the Army who attempt to run Congress.

Mr. CRAGO. I think the point the gentleman from Vermont [Mr. GREENE] wants to make is that the law recognizes a distinction between a field officer and a commanding officer. You may change the status of that man where the law gives him certain duties as a field officer.

Mr. GREENE of Vermont. This man has a distinct constitutional status which is recognized by the fact that his appointment goes to the Senate and is confirmed there. He is established in a certain grade of authority.

Mr. MANN. I know a whole lot of people who believe—and I do not wonder at it—that a man who is appointed as an officer in the Army is fixed for life, so that nobody can change his status.

Mr. GREENE of Vermont. I do not believe that.

Mr. MANN. I think Congress still has power over them.

Mr. GREENE of Vermont. Nobody is contending that in connection with this point of order. The contention is, that while it may be done by Congress it ought not to be done and can not be done through the Committee on Appropriations, but a committee that has legislative authority.

Mr. MANN. The Committee on Appropriations has legislative authority under the Holman rule to make a reduction in compensation, not merely an appropriation. It has the legislative authority under the Holman rule when it makes a reduction in the compensation and number of persons employed. So the gentleman confuses the idea that we may appropriate only for smaller amounts with that we may legislate under an appropriation bill in reducing compensation.

Mr. GREENE of Vermont. You legislate in the reduction of the compensation, but can you change the status in law of the office to be filled according to existing law? Can you change that law?

Mr. MANN. I think we can. Certainly we can. We have done it frequently.

Mr. GREENE of Vermont. Then I think the gentleman will at least agree with me on this——

Mr. MANN. You say it would be a mere matter of appropriation. The Holman rule gives authority to legislate on an appropriation bill when the purpose, as evidenced, is to change compensation.

Mr. GREENE of Vermont. Will the gentleman, then, give me any reason why the legislative committees in this House should be maintained now that "Bluebeard" is at work?

Mr. MANN. Some of the legislative committees, if they would go to work, would be of great value to the House. Some of them that are always standing aside and saying they have not the power are not of much use to the House. They have power enough if they work. I am not seeking to cast any reflections upon the Committee on Military Affairs.

Mr. GREENE of Vermont. Not seeking to do so, but you are kind of aiming straight.

Mr. KAHN. The gentleman has said that we have frequently in the House done this very thing of demoting officers from one grade to a lower grade. Can the gentleman give a single instance in this House where we have reduced men from the grade of major to the grade of captain?

Mr. MANN. I do not know whether we have had such a case or not.

Mr. KAHN. That is the point that the gentleman from Vermont [Mr. GREENE] was making.

Mr. MANN. I am not going to keep the floor very much longer, but——

Mr. KAHN. This changes absolutely the status.

Mr. MANN. Of course; I understand that.

Mr. HUSTED. Has the Committee on Appropriations, under the Holman rule, any authority to introduce a new provision of law which is not necessarily involved in the process of reduction?

Mr. KAHN. That is the point.

Mr. MANN. Whether or not it is necessary is not for the Chair to determine.

Mr. HUSTED. Unless on its face it is involved in the process of reduction.

Mr. GREENE of Vermont. If the gentleman will permit me to supplement that, the language on page 16 that was read and to which I have referred, goes into a variety of detail by which a certain legislative policy may be accomplished which does not relate to economy at all. It does not bear upon the principle involved of cutting down the increase for the pay of the officers. This is a supplementary thing which tells how you can get rid of officers.

Mr. MANN. Everybody knows, including my distinguished friend from Vermont, that this is the very basis of the reduction proposed in the Army.

Mr. CONNALLY of Texas. Will the gentleman permit? If Congress can discharge an officer, why can it not demote an officer? Certainly that goes to a less extent, and they could discharge him and turn around and recommission him the next moment.

Mr. FROTHINGHAM. Congress can. The question is whether the Committee on Appropriations can.

Mr. GREENE of Vermont. That is the point. The question is whether the Appropriations Committee is Congress. [Laughter.]

The CHAIRMAN. The gentleman from California makes the point of order against the entire paragraph, including the appropriation itself and both provisos.

The Chair thinks we should construe the entire paragraph as one concrete whole, especially as it is quite evident that the second proviso is necessary to carry out the first. The gentleman from Pennsylvania [Mr. CRAGO] raises the question of the jurisdiction of the committee. The Chair does not think there is any question about that. The Committee on Appropriations certainly has jurisdiction to bring in an appropriation bill for the pay of the Army, and it may also bring in a paragraph containing legislation, provided that that legislation is in accordance with the rules of the House in considering an appropriation bill. Of course, there is legislation, in the Chair's view, in both provisos, though he thinks he might hold the first proviso in order as a limitation. But there is legislation in both provisos, and the only question is whether this provision of the Holman rule is applicable to the paragraph under consideration:

> Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

The present occupant of the chair has been called to rule quite a number of times on the Holman rule, and he is one of those who believes that it should be construed strictly. In other words, the present occupant of the chair must see to his

satisfaction that the provisions in the bill actually and evidently on their face do reduce expenditures in either of the three ways provided under the Holman rule. It seems to the Chair entirely evident that this provision does reduce expenditures of the Government by a reduction of the number of officers and by the amount of money carried. The Chair thinks that this provision is in order, and therefore overrules the point of order.

Mr. SISSON. Mr. Chairman, I rise for the purpose of offering an amendment. But before I do it I would like to ask the chairman of the subcommittee if he does not think it would be more logical that we first offer an amendment as to the size of the Army rather than at this time to offer an amendment as to the number of officers? I think the most logical thing to do would be, first, to let the House determine the number of men that they will have in the Army. These other things follow. Of course, I know it is not absolutely an et sequitur that the number of officers would be absolutely determined by the size of the Army, but to a certain extent that is true, and therefore, unless the chairman of the subcommittee has some objection, I would be very glad if, by unanimous consent, we might first go to the size of the Army, determine that, and then return to the number of officers and determine that.

Mr. ANTHONY. I will say to the gentleman that, so far as I am personally concerned, and as I think the members of the subcommittee are, the number of officers would be fixed independently of the size of the enlisted strength, and I would rather proceed in the regular way.

Mr. SISSON. Then, Mr. Chairman, I offer the following amendment, in line 4, page 15, strike out the figures "$26,896,200" and insert "$21,863,800," and in line 6, strike out "eleven" and insert "nine." There will be another amendment offered in the event this is adopted.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

The Clerk read as follows:

Amendment offered by Mr. SISSON: Page 15, line 4, strike out the figures "$26,896,200" and insert "$21,863,800," and in line 6, page 15, strike out the word "eleven" and insert in lieu thereof the word "nine."

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. KAHN. Mr. Chairman, I wanted to ask a question.

The CHAIRMAN. Does the gentleman from Mississippi yield?

Mr. SISSON. I have no objection to the gentleman asking a question.

Mr. KAHN. If one desires to offer an amendment to increase the amount carried in the paragraph and also the number of officers, must it be offered as a substitute for the existing provision or can it be offered after a vote has been taken on the existing amendment?

Mr. MANN. May I suggest to the gentleman from California that if the amendment offered to reduce the number is agreed to there could be then no amendment offered to increase it, but if the amendment to reduce the number is not agreed to, then any amendment could be offered to increase or reduce it.

Mr. CHINDBLOM. Why not offer a substitute?

Mr. MANN. The shortest way would be to vote on an amendment to reduce the number first.

Mr. SISSON. Mr. Chairman, I call to the attention of the committee that in discussing this question we should take into consideration not only the number of officers but the number of men we desire in the Army. It is very difficult to discuss this question without discussing the two together. This amendment which I offer provides for 9,000 officers instead of 11,000. That makes more officers than we had at any time before the World War. If this amendment prevails, or whether it prevails or not, I shall offer an amendment to reduce the number of men, which occurs in the following paragraph, from 115,000 down to 100,000.

Now, I want to discuss briefly that amendment as to the number of men. This will save in the neighborhood of $10,000,000 on this item of the bill alone, and there are a number of other items in the bill that will follow and be reduced as a matter of course if you should adopt the amendment reducing the number down to 100,000 or reduce the number of officers to 9,000.

Now, gentlemen of the committee, I do not believe that this country can afford to ignore what is going on in the world. I do not believe you can afford to say to the balance of the world that we are unwilling to disarm to a considerable extent on land after calling the first world conference. Prior to that time we called the nations together in Europe and they there agreed upon the League of Nations, the purpose of which, as understood by the people of America, was to reduce armaments, and the manifest and declared purpose of America, and the stated and declared purpose of the President in calling the nations of the world together in this conference which has just adjourned, was that we might remove from the people the burdens of taxation brought about by the large military establishments of the nations of the world. If you Republicans and your President are sincere in what you say, you will agree to my amendment. Do not fool the people; make good your promises.

Now, let us look at what our neighbors are doing. I invite your careful attention to this. I do not think a more important vote will be taken in this House during this session of Congress than the vote you are going to take on the size of the Army and number of officers. I think it means not only millions of dollars to the taxpayers, but it means a great deal toward defining the policy of this Government and the future policy of the world with reference to military matters; and if you are conscientious and if you feel about this matter as I do, then certainly you will give this your very careful attention.

Now, let us see what England is doing. The English Government has a budget now pending which calls for an army of 210,000 men. This does not include the troops in India. They have an army in India of 70,000 men, but all of that army is paid for out of the Indian treasury. Now, even the most ultramilitarist in control of affairs in England is calling for only 210,000 men, and the committee having that bill in charge are themselves willing to reduce that number by 33,000 men.

There was a committee appointed to look over the entire budget in England, that committee being known as the Geddes committee.

The committee consists of Sir Eric Geddes, M. P. (chairman); Lord Inchcape; Lord Farlingdon; Sir Joseph Maclay; and Sir Guy Granet.

The following were the terms of reference:

To make recommendations to the chancellor of the exchequer for effecting forthwith all possible reductions in the national expenditures on supply services, having regard especially to the present and prospective position of the revenue. In so far as questions of policy are involved in the expenditure under discussion, these will remain for the exclusive consideration of the cabinet, but it will be open to the committee to review the expenditure and to indicate the economies which might be effected if particular policies were either adopted, abandoned, or modified.

The committee finds that in 1914–15 all ranks, British, native, and colonial troops, were 181,000, and the 1922–23 estimates 210,000. The committee complains that there is a material increase, both in cost and numbers, and this applies both to officers and men, and to British as well as native troops.

The units also from the point of view of fighting efficiency are far more powerful than they were in 1914–15. Owing to the production of machine guns, the fire power of an infantry battalion is given as six to eight times as much as it was before the war, and that of a cavalry regiment four times as much as it was before the war. The introduction of heavy artillery, gas, and tanks has increased the fighting power out of all comparison with the number of men engaged, and officers who are intended to increase the efficiency of the army have increased disproportionately to the men. Moreover, there has been added to the defense force of the empire the very costly and highly specialized arm of the air. There will, therefore, be a more powerful army than we had before the war.

This committee also recommend a reduction of the army by 50,000.

We are convinced from our survey of the war office estimates that there is great room for economy in men and money without in any way endangering the defense of the empire.

CONCLUSIONS.

As a result of our consideration we are of the opinion—

(1) That man power has been estimated on a lavish scale for 1922–23, and that a reduction of 50,000 officers and men could be made without in any way reducing the forces employed by the war office on foreign service.

(2) That the introduction of new arms and corps and of the air force, which have been created with the object of increasing the fighting efficiency of the defense forces of the empire, is not reflected in corresponding reductions in other directions, and that savings could be made in that account.

(3) That there has been an increase in all the ancillary and auxiliary services of the army which the country can not afford and in which drastic economies should be made.

(4) That the abnormal reserve of mobilization equipment and arms now held is costly to store, guard, and maintain, and that the effect of holding it results in heavy additional indirect cost.

(5) That the army estimates for 1922–28 should be reduced from £75,197,800 to £55,000,000 for that year, and that in the subsequent year still lower estimates should suffice.

In this recommendation no account is taken of possible further reductions resulting from a review by the Government of our military requirements at home and abroad, normal and abnormal.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Mr. Chairman, this is the most important feature of this bill. There will be a good deal of discussion on it, and I trust I may have unanimous consent to proceed for 10 minutes.

Mr. KAHN. I ask unanimous consent that the gentleman from Mississippi be allowed to proceed for 10 minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that the gentleman from Mississippi [Mr. SISSON] may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. SISSON. Now, gentlemen, I am going to talk as rapidly as I can, because this is a great big question and I have much that I want to say. If I had time I would read to you the whole recommendation made by the Geddes committee, which was a committee appointed to review the entire budget of England. It is admitted that those in charge of the English budget are willing to reduce the size of the army by 33,000, and it is a certainty that there will be that reduction from the 210,000 originally reported; but this Geddes committee, made up of five of the most distinguished statesmen in England, recommend and urge that the peace conference ought to mean something to the taxpayers of the world, and they recommend the size of the English Army be reduced 50,000 instead of reducing it 33,000—that is to say that the present budget provides for 160,000 instead of 210,000. Now, take into consideration what England has to guard. In the first place, she has to guard South Africa and her other African possessions. She has to guard her islands in the sea. She has to guard the Suez Canal, Egypt, and Gibraltar, and Canada. She is not yet quite through with the war in Ireland. She has to guard Scotland and England. It seems to me, therefore, that England's Army is 100 per cent more important to her than our Army can possibly be to us. She is exposed everywhere. We are exposed nowhere, except in the Philippines.

Mr. KAHN. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. KAHN. Is it not a fact that Australia and New Zealand and South Africa, as well as India, have their own troops to guard their possessions?

Mr. SISSON. Yes; and it is equally true that every State in this Union has its National Guard to control its possessions. [Applause.] It is equally true that the Philippine Islands have the Philippine Scouts. Oh, that is a dodge which I did not expect my friend from California to assume. On the contrary, the principal purpose of England's standing army would be to prevent revolt from her authority, and the fact that the colonies have these large armies would be a splendid excuse for the British Empire to have a strong army in addition to her colonial troops. But I know that my good friend from California [Mr. KAHN] is the avowed friend of militarism——

Mr. KAHN. Oh, no.

Mr. SISSON. I know that he speaks for the militarists of the country. I know that the militarists throughout the world listen to his words. I know that he models his views to meet the approval of all the Army officers. I know that his views meet approval wherever big Army men exist, not only here but everywhere. I know all that. But I want to say to my friend that I do not believe the country will follow him now in time of peace.

Mr. STEAGALL. The gentleman from California was in favor of universal military training.

Mr. SISSON. Yes; my friend from California wanted universal compulsory military training. He believes wholly in the Prussian idea of an army.

Now, gentlemen, do you know that when you have 100,000 men in the Army now you have a military strength equal to 800,000 men as compared with the Army at the outbreak of the war? Did you know that? Did you know that the experts in England and our own military experts here estimate that under the modern method of arming soldiers with rapid-fire guns, with machine guns, with gas, and with tanks, one soldier is six times as efficient as he was before the World War? In other words, for police purposes within the Nation, the Army is easily worth eight times what it formerly was, man for man. The Geddes committee in England states that it is conservative to say that a soldier now is equal to eight soldiers before the war. If that be true, then with 100,000 men you have the equivalent of 800,000 men before the war. This certainly ought to satisfy even my friend from California [Mr. KAHN], if, indeed, an Army ever was big enough for him.

Mr. GREENE of Vermont. Will the gentleman from Mississippi yield?

Mr. SISSON. I yield to the gentleman from Vermont.

Mr. GREENE of Vermont. That is true if you can put one man in eight different places in continental America at the same time. That is the proposition that is involved.

Mr. SISSON. I am glad my friend raised that question. This House has repeatedly passed a bill to reduce the number of military posts in the United States. We have now 169 places, in round numbers, which are supposed to be guarded by soldiers. During the Indian wars in the early days we had these posts out West. I believe the President and the Secretary of War have the authority to get rid of these posts. I do not agree with my friends that Congress can not have anything to say about the disposition of troops, but I have not time to discuss that. And I do believe that under his authority as Commander in Chief of the Army he may abandon these posts.

Mr. MANN. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. MANN. When did we first provide in this country for an Army of 100,000 men?

Mr. SISSON. The gentleman means as a limitation down?

Mr. MANN. Up.

Mr. SISSON. We never did have, unless it was just before we entered the war, as many as 100,000 men.

Mr. MANN. I was under the impression that the limit of the Army to 100,000 men was about 20 years ago.

Mr. SISSON. I think that is true.

Mr. MANN. There has been since then not only some increase of population but a considerable increase in the activities of the Army.

Mr. SISSON. I think that is true.

Mr. MANN. Assuming that the limit of 100,000 men was about right 15 or 20 years ago, would it not be perfectly right and proper to add 25 per cent to that number?

Mr. SISSON. I do not think so; I think 100,000 men are infinitely more efficient to-day than they were then; and let me say that we did not have 100,000 men in the Army; for a long time we had much less than 75,000; and while Mr. Hay was chairman of the Committee on Military Affairs the limit was raised to 90,000; but we never had that number in the Army.

Mr. MANN. We never have had anything like the number in the Army that was authorized.

Mr. SISSON. That is true.

Mr. MANN. We had a limit of 100,000 nearly 20 years ago, and since then we have added the Chemical Warfare Service, the Air Service, and a number of other services that I suppose required quite a large number of men.

Mr. KAHN. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. KAHN. In 1903 Congress passed the reorganization bill. That was after the Spanish-American War, and the Congress authorized the maximum number of 100,000 enlisted men. Congress did not appropriate for that number, and for quite a number of years we went along with 50,000, 60,000, and even 70,000 men. We finally got up to 100,000 men just before we passed the national defense act.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. SISSON. I will.

Mr. GRAHAM of Illinois. I want to suggest to the gentleman that there is a statute in full force and effect which provides that the Secretary of War may at any time abandon any post or arsenal of the Government.

Mr. SISSON. I am glad the gentleman has called my attention to that law; I had overlooked it.

Mr. LONDON. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. LONDON. The fact that we have never had more than 60,000 men is one of the strongest arguments in support of the gentleman's contention.

Mr. SISSON. Yes; and I want to say in answer to my friend from California that we never at any time had anything like the number of men authorized by law.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. CHALMERS. Mr. Chairman, I ask unanimous consent that the gentleman from Mississippi may have 10 minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the gentleman's time may be extended 10 minutes. Is there objection?

There was no objection.

Mr. SISSON. Now, gentlemen, in view of the fact that after the Spanish-American War and when we were in a race with the other nations of the world in building up arms and armament, we never had as many enlisted men on the average as 60,000 men in the Army. Now, if we mean what we say by this conference, then we are going to reduce our Army. Have we attended a conference in which we agreed that there shall be a reduction of arms and armament here, and then immediately turn our backs upon that and proceed as if we had never done so? Because the contention was that the largest Army that England had prior to the war was 171,000 men, the budget was submitted for 210,000, and after the conference here

the committee propose to reduce the 210,000 men for all England, including all of her colonies except India, down to 160,000. England did not propose to be placed in a false light by going before the world with that increase. That matter is now being considered in Parliament.

Mr. MONTAGUE. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. MONTAGUE. I am at a loss to know what conference the gentleman has in mind. The gentleman spoke of a conference agreeing to a limitation of armament.

Mr. SISSON. Where has the gentleman been for the last few months?

Mr. MONTAGUE. I have been right here, and I am present with the gentleman this morning.

Mr. SISSON. Is the gentleman serious in his inquiry?

Mr. MONTAGUE. Yes. What conference has there been agreeing to a limitation of land armament?

Mr. SISSON. If the gentleman is going to be so highly technical—we agreed to reduce our Navy, and are you to say that we are not to reduce the Army, that there has been no agreement to reduce the Army? The British Government is acting in good faith and we want to act in good faith.

Mr. MONTAGUE. Perhaps the gentleman has alluded to the Geddes conference.

Mr. SISSON. No; I was speaking of the conference here in Washington.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. FAIRFIELD. Can the gentleman remember what the authorization for this country was at the time of the peace conference, or what the appropriation for last year was?

Mr. SISSON. The authorization last year, as I recall, by special act of Congress, was 175,000 men.

Mr. FAIRFIELD. And we appropriated for how many?

Mr. SISSON. One hundred and fifty thousand men.

Mr. FAIRFIELD. Does not the gentleman think, in view of the fact that when the peace conference was in session we had an Army of 150,000 men, that a substantial reduction of 35,000 would create a very favorable impression in England?

Mr. SISSON. I do not think so. While 150,000 is authorized, the total enlisted strength at present of the Army is only about 130,000. If I had my way about it, I would go lower than 100,000, but I was hoping that we might reach 100,000 as a compromise and as a settlement of the matter.

Mr. NEWTON of Minnesota. How low would the gentleman go?

Mr. SISSON. I do not know just how low I would go. I have not considered my minimum at all.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. KAHN. I want to correct a statement the gentleman made. He said that we had 175,000 men authorized, and that we reduced the number to 150,000. We have an authorization for 280,000.

Mr. SISSON. I know; but a resolution providing for only 175,000 men passed and was the thing that governed and controlled us in making that appropriation.

Mr. KAHN. That was only in the Committee on Appropriations that that was done.

Mr. SISSON. The gentleman from Indiana asked me what we appropriated for, and I answered him correctly.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. MILLS. The gentleman has referred to proposed reductions in the British Army as if that program had been adopted by the British Government. Is it not a fact that the figures which the gentleman has used are merely contained in what is known as the Geddes report, and that the Geddes report has not been adopted by the British Government or by the House of Commons?

Mr. SISSON. I have said that several times, but the estimate which they can not now increase is 210,000 men, and the war committee is willing now to reduce it by 33,000, while the Geddes committee recommends that it be reduced by 50,000 men; that is, down to 160,000.

Mr. GREENE of Vermont. Speaking of the figures of the reduction proposed by the Geddes report and by the ministry, the gentleman has not said that in proportion as they reduce the enlisted men they propose to increase the commissioned officers.

Mr. SISSON. They do not do that, either.

Mr. GREENE of Vermont. Then I do not know what I am talking about.

Mr. SISSON. The Geddes committee makes no such recommendation.

Mr. GREENE of Vermont. I did not refer to the Geddes committee. I just made a reference to the policy of the ministry.

Mr. SISSON. The ministry is very much divided upon the question of the size of the Army, but the Geddes committee say, in so many words, that under the proposed army of 210,000, with men and the proposed officers, it is top-heavy in officers. That is the trouble with our Army here. It is top-heavy with officers.

Mr. GREENE of Vermont. It was not when the war broke out.

Mr. SISSON. No; and I do not intend, so far as my vote is concerned, to keep on the backs of the people the number of officers that you must have while we are conducting a war. What war are you going to fight now? Tell me. There is no cloud that I see on the horizon.

Mr. GREENE of Vermont. There was not any cloud to be seen just before that night we met here.

Mr. SISSON. Oh, you people who are enthusiastic with Prussian ideas, the last one of you, from Captain Hobson on down, were pointing for a long time at Japan, claiming that Japan was going to come over and fight us, and then the next thing when they found that Japan would not they adopted Germany, and they saw Germany crossing the Atlantic and fighting us to death.

Mr. GREENE of Vermont. Well, we got Germany, did we not?

Mr. SISSON. Yes; but we crossed the ocean to Germany. She did not come over after us. There is always a bugaboo every time you want to get money out of the Treasury. I am tired of our being frightened to death with the idea that we are going to have a war every few weeks. Oh, no, gentlemen, when you are looking for ghosts you usually find them. When the Army bill is up ghosts appear and will not down till the bill is passed.

Mr. VAILE. Was Germany a ghost? It seems to me, if so, she was a pretty lively one.

Mr. SISSON. I did not say that Germany was. I say that if you are looking for ghosts, you find one; and you are looking for ghosts now. We had to get Germany. She did not come to us. No nation has ever declared war on us first in our history.

Mr. McSWAIN. Will the gentleman take into consideration in answering the militarists, that there are 64,000 trained reserve officers ready to take the field within 12 hours' notice today?

Mr. SISSON. Oh, you can not ever answer them. It is money they want. They never accept anything unless they see a uniform on every street corner, and I want to remind gentlemen that no nation was ever made strong and great and powerful, either in time of peace or time of war, by multiplying army officers and uniforms. You can not make a nation great in time of war by placing burdens upon the backs of the people so great that they are enervated and weak when the war does come. There is not a nation in this world to-day that is standing strong and foursquare to all the winds that relied on arms of a military character to make her great and preserve her. Where is the boasted German Empire with her supermen? These unprepared nations caused her to bite the dust, and why? Because her own people did not believe in her Government, and if you will continue your policy here of increasing the expenditure and increasing the number of uniforms all over this country, you are going to find that the people will lose confidence in you and in your Government.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. KAHN. Mr. Chairman, I offer the following amendment as a substitute for the amendment of the gentleman from Mississippi [Mr. SISSON].

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 15, line 4, after the word "staff," strike out the figures "$26,896,200" and insert in lieu thereof the following: "$32,631,500."
On page 15, line 6, after the word "than," strike out the word "eleven" and insert in lieu thereof the word "thirteen."

Mr. KAHN. Mr. Chairman, I like to listen to my friend from Mississippi [Mr. SISSON]. He has a good voice, and he uses it [laughter] on the floor to good effect. I want to read to the gentleman from Mississippi from his own speech of April 28, 1913, before the World War broke out at all, before they had anything like war in Europe, and before, certainly, this country got into it. Now, I agreed with the gentleman from Mississippi at that time, because I believe any State has the right to

govern certain things in certain ways. This is what the gentleman said:

I maintain as a principle of good government that a nonresident alien should not be permitted to own a foot of land in America. The situation in California is a very critical one, and I trust that I may not say anything that will in the least tend to prevent a friendly settlement or embarrass our State Department in its effort to retain the friendship of Japan; but before I would surrender the right to control a foot of American soil to Japan or any other nation on earth or to permit any other nation to dictate the land laws to one of these sovereign States I would fight——

Mr. SISSON. As the gentleman read it, I did not say "Southern"——

Mr. KAHN. "Sovereign States, I would fight." [Laughter.] I want to show——

Mr. SISSON. I stand by it now. It was good doctrine then, and it is good doctrine now.

Mr. KAHN. As far as I am concerned, I am a Representative from the sovereign State of California, and agree to all the gentleman said; but I respectfully submit that to listen to the gentleman nowadays there is not a particle of fight in his whole composition. [Laughter and applause.] But can the gentleman say positively that we will not have such a question to again confront us? There come times in the history of every country where you have got to defend the rights of the country or sink into abject——

Mr. McSWAIN. Will the gentleman yield?

Mr. KAHN. No; I want to finish this; and if I have a little time later I will yield.

Mr. McSWAIN. Very well.

Mr. KAHN. I also want to read this statement from the gentleman's speech:

The coercion of the people of California in this right is a precedent for any coercion, however drastic, when in the future the demand shall be made by a powerful government. It will be a miserable piece of cringing cowardice for us to yield now, and I am with the good people of California in their fight, and I am willing to vote the last dollar in the Treasury for the defense of her right to control her sacred soil.

[Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. I ask unanimous consent to continue for about 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none.

Mr. KAHN. Now, I simply call attention to these excerpts from the speech of my friend from Mississippi to show that no government on earth can tell when a country is absolutely safe; and so I have always contended that it is the duty of the Congress, representing the people of the United States, to be so prepared that if anything should happen the country would not be quite helpless. [Applause.] But if we had gotten into war, as the gentleman suggested, how would he proceed to fight without officers or men to fight with? Now, before the World War, as I said the other day, we had only about $1,000,000,000 of indebtedness. By reason of our utter lack of preparedness we had to expend in 19 months $24,000,000,000. Of course, we won the war. We won it in 19 months, and yet that 19 months was not all spent in fighting the enemy. Thirteen months of that time our people were getting ready to fight. The other nations—England, France, Belgium, and Italy—were holding the lines while the American officers and enlisted men were being trained. If we had had no help of that kind, how long would we have been able to hold the lines against Germany or any other great militaristic country? That same kind of thing may happen again. We have not settled our differences across the border. Mexico has not been recognized as yet. The President of the United States, President Wilson, had to call out 100,000 men to defend our border in 1916 before we got into the World War at all. Our National Guard went down there, and the training they got down there helped materially when those very men got into the World War a little later. I do not know what country will ever want to fight us. I sincerely hope no country will ever want to fight us. I hope we will have no war at all. The gentleman says I am a militarist. I am not as much of a militarist as he is, because I never said "fight Japan." I never got into that controversy at all. I tried to avoid that very thing, and I think, thank the Lord, that we have avoided that, and that we will be able to settle our differences without the use of arms. I hope so very earnestly. [Applause.] But I still feel that it is an essential thing that my country should be ready for any possible emergencies. The figures I read here to the House a few days ago I think show conclusively that the United States has a smaller Army than any other nation in the world in comparison to population. The conference that was held here not long ago was a naval disarmament conference.

There was no attempt to cut down the Army. The armies were not referred to, and properly. No nation asked for army disarmament. France, as I recall, through her official representative, M. Briand, made a vigorous protest against army reduction. We took no action regarding the armies, and yet I feel that at this time we are taking a very serious step if we intend to cut down the Army below what is a fair base.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. KAHN. As I say, our Army is lower than any other nation in the world in proportion to population. I yield to the gentleman from Kansas.

Mr. ANTHONY. Do I understand correctly that the gentleman's substitute would provide for 13,000 officers, the number we now have?

Mr. KAHN. Yes.

Mr. ANTHONY. Then why is it the gentleman has reported out from his committee and there is pending before the House here a bill which reduces the number to 12,000 officers? Why does he take one position here and another position at another time?

Mr. KAHN. No; I am not taking a different position at all. That bill was introduced at the request of General Pershing and General Harbord, our chief of staff and his able assistant. It would reduce the number to 12,000, but immediately it would build up again to 13,000. It would enable our Army to build up in the lower grades of first and second lieutenants. I do not know but that General Pershing was before the Committee on Appropriations of the House to explain the whole matter.

He certainly was before the Military Committee, and that committee after due deliberation considered that his proposition for the welfare of our country was one that we could well afford to adopt.

I am no more a militarist than is the gentleman from Mississippi [Mr. SISSON]. He does not look at these things in the same light that I do. Of course, I have never quarreled with him about his position. I know he was directly opposed to things that I advocated during the World War. He had the right to advocate those things, and I think none the less of him for having advocated them. But I see this thing purely from the standpoint of what is best for the United States. The people of this country do not want war, but the people of this country want a certain preparation that will prevent any nation on earth trying conclusions with us and costing us additional enormous sums of money, which the taxpayers of this country will be called upon to meet for many years. We have hard work to pay the taxes now on the $24,000,000,000. In addition, we are paying the taxes on the additional $11,000,000,000 that we loaned our cobelligerents. If we had gone to work in 1916 and courageously had passed laws to put this country into a reasonable state of preparedness, the chances are that that World War would never have come to us, and the people of the United States would have been spared the burden of carrying that enormous indebtedness.

Now, gentlemen, I appeal to you not to make the mistake of 1916 again. Be Americans! Stand for the rights of Americans! We ask you simply to support a provision for a reasonable number of officers and men; let us try to keep the peace of the world with the comparatively few that we have. [Applause.]

Mr. QUIN. Mr. Chairman and gentlemen, I am not surprised at the argument made by my friend from California [Mr. KAHN]. When the Chief of Staff and his aids appeared before the Military Committee with a bill that called for 13,000 officers and a plucking board, by which all they took off would be put on retired pay and every man that had been in the service for 10 years would draw 75 per cent of his pay, and also the confession and admission from the Chief of Staff that now, having about 13,000 officers in the Army, there is not a single second lieutenant in all that number of thousands of officers, it shows you that they endeavor to promote and put the salary basis as high as possible on the taxpayers of this country.

My friend, the chairman of that committee, and his colleagues, over my protest, voted that sort of a bill out for this Congress to pass, and his amendment to this Army appropriation bill is the purported bill that the General Staff had passed through that committee.

Gentlemen, the amendment of my colleague from Mississippi [Mr. SISSON] does not go far enough. I am going to vote with him for the 9,000 officers, because he thinks it as low as the House will adopt, but it really ought to be 7,000 instead of 9,000. You have in the United States now, four years after the close of the Great War in Europe, 64,000 well-trained officers of the Reserve Army of the United States. You have fully 4,000,000 well-trained soldiers in the United States. You had a disarmament conference in the city of Washington, called by the President of the United States, where the leading nations of the

earth participated. You had as a result of that conference the leading nations of the world taking down the mastheads from the great battleships, reducing the naval armaments, and our great Government pursuing the sensible policy of agreeing to that and taking the lead.

Those other nations have great countries across their borders. The United States of America is off here by herself, with oceans separating us from any possible enemies. Surely the gentleman from California [Mr. KAHN] would not consider Mexico as a factor in wanting this country to be armed to the teeth and to the guards all the time. Certainly he would not consider that across the Isthmus of Panama the attitude of any Latin American countries as justifying this country maintaining a large army and large corps of officers? He says we should always be prepared. The American people have enjoyed peace in this country so long as our country has remained in pursuit of peaceful operations and not being armed to the guards. The best way to get into a war is to always have a big standing army and a great growth of Army officers. And the next best way is to have a great fleet, with great battleships and dreadnaughts and admirals, and all that go with it. But, thanks to the results of the disarmament conference, we now see daylight out from under the great Navy burden and the danger of war. It is the duty of the United States of America to lead the way and be the advance guard among the nations of the earth in disarmament.

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIN. Mr. Chairman, I would like to proceed for 10 minutes more.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for 10 minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. QUIN. This great Republic of ours, standing as the exponent of the republican form of government, should stand as the chief exponent of peace, and with us having our hearts right, with this Government showing and demonstrating by its conduct, after this disarmament conference, that it is ready to be a disarmed Government, it will cause the other nations of the earth to reduce their armaments in like proportion.

A senator in the Chamber in France the other day made the broad statement that since the war is over the debt of France has increased by half, so that all the wealth of France is staggering under a nominal bonded indebtedness up to 80 per cent of its value. Is it possible that the gentleman from California would want to set the example in the United States of having this Government pursue a similar insane policy? The other nations of the earth are looking to the United States of America to pursue a sensible and sane policy, if we mean what we have been preaching. Since the war was over this Government has endeavored, through public utterances and through party platform pledges, to maintain a position of peace toward the other nations of the earth, and that by a reduction of its arms, both on sea and on land. But if we carry out the insane policy of increasing the Army at this hour, when we have the 64,000 reserve officers, well trained, placing the Army of the United States under a Regular Army corps of officers of 13,000, what can the other nations of the earth expect of us? They know our condition as well as we know it ourselves. And with this country now staggering under all these billions of dollars of bonded indebtedness, with this country needing to call for the saving of every dollar to be put into some peaceful pursuit or enterprise, the gentleman from California [Mr. KAHN] would propose to have 13,000 officers in the Army and the number of soldiers to justify that. What number of soldiers would 13,000 officers be capable of handling? At least 200,000 men. Perhaps the gentleman from California agrees with the Chief of Staff, that it makes no difference how small the Army might be, you still need 13,000 officers; you still need the full corps of general officers.

He asserts that you will need a full corps of general officers, brigadier generals and majors and all, including 67 generals, but at present the Army has not a single second lieutenant. Sixty-seven generals! This House is called upon to vote and set a standard as to whether this Republic means to keep faith with the arms conference. Does not the gentleman from California know what every sensible man in the world knows, that when this great reduction of naval forces was agreed by all the big governments of this earth that agreement naturally included with it tacit agreement as to a reduction of the Army? Circumstances were a little different with France, as every well-informed man in this country knows. But so far as this Government is concerned, they know and we know that we do not need any big Army.

The gentleman asks what number we will agree to. We ought not to have a man over 50,000 in our Army. What do we need them for? The gentleman from California said the other day before the committee that we need in case of an earthquake, as in the case of that calamity at San Francisco, to preserve order. Can we not use the National Guard in such an emergency? It will prove ample. In ordinary times we do not need them except to keep down riots and to preserve order.

Mr. BLAND of Indiana. Mr. Chairman, will the gentleman yield?

Mr. QUIN. Yes.

Mr. BLAND of Indiana. What do you need the 50,000 for?

Mr. QUIN. Just for the same purpose as you need the National Guard, simply to keep order. You do not need an Army to go out and fight somebody that we are not mad with, somebody that is not going to meddle with us. When the agreement was made to reduce the size of navies it was then proclaimed and understood that if any nation tried to transport soldiers to another part of the earth with hostile purpose they would be helpless because of the lack of naval facilities.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. QUIN. Yes.

Mr. KAHN. Where would the gentleman get the National Guard from if you had an accident like the San Francisco accident? The Army was already there. You could not get your National Guard.

Mr. QUIN. Why, the National Guard of your own State would certainly be able to prevent looting and be powerful in preserving order.

Oh, it is nonsense to want 13,000 officers in order to be ready for an earthquake. [Laughter and applause.] We never dreamed we would ever have any earthquakes in the United States except over there in San Francisco, and I hope we shall never have another one. The gentleman would have that great number of officers and not one single lieutenant. The second lieutenant is the man who gets close to the fighting front. It seems they do not want any of them in the Army, when they are very essential men in the Army.

The second lieutenant is much in demand, and yet the General Staff, which has asked for 13,000 officers, has not a single second lieutenant in the Army to-day, and the gentleman from California knows that, and he heard the Chief of Staff testify to it, and yet he puts in an amendment here asking for 13,000 officers.

Who is going to pay for it? The poor people of the United States, the men who make their living in the sweat of their brows. They would be the men who would have to pay the amount necessary to equip and keep up all these officers and the Army that would go with them. This Government of ours has gone far afield, but now it is time for us to come back to the old landmarks. Let us get close to the standard that the fathers intended. The old Jeffersonian standard is good enough for me, and I believe it is good enough for the great mass of the people throughout the Republic. Instead of following the doctrines and preachments of the distinguished gentleman from California, I believe that this House would do well to take into consideration some of the past history of this Republic, some of the teachings of the philosophers of government who really had some feeling for the hearthstones of this Nation and some sympathy with the sentiments of our people. The attitude of our Republic has never been one of hostility toward anyone. The United States Government, standing as the forerunner, bearing the torch of liberty, and demanding "equal justice and equal rights to all, and special privileges to none"—that sort of a government does not need a great standing Army and a large number of officers to be a burden upon the masses of the people. The humble citizens, and those who toil for their living, should be respected by this House on this vote. I thank you, gentlemen. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MANN. Mr. Chairman, I have never been a large-Army man. I have never been a large-Navy man. Yet my views were at least slightly modified by an experience in connection with the war. I came back from my home one fall while the war was in progress, before we had entered the war, and made a proposition to the House. I had believed for years that "coming events always cast their shadows before," and that no war came suddenly which was not foreseen by the far-sighted statesmen. I think that is true. I do not think war ever breaks out suddenly that has not been foreseen. I thought that if occasion arose, where the United States was likely to be involved in war, the statesmen of our country could easily see far enough ahead to commence to make provision for war, and when I came back here that fall I could see our country entering the war as plainly as I can see the faces before me in the

House. It seemed to me inevitable that we would get into the war in Europe.

I urged this House with all the power I had to then provide for an army of half a million men. If we should get into war, we would need them; if we should not, we could thank God we kept out so cheaply.

If our Democratic friends in charge at that time—and I am not criticizing them for their point of view—had made that provision and we had had an army of half a million men, both regular and temporary, at the time we entered the war, we would have saved $15,000,000,000 and saved the entering into the Army of more than 2,000,000 American citizens. [Applause.] And I am convinced now that though you can see war in the immediate future a Republic like ours will not provide for it until after it is in it.

Now, that is the case. I am not in favor of a big army, and I am not in favor of the littlest army that is possible. I think we ought to vote down the proposed increase, and then more emphatically vote down the proposed decrease, and stand where the bill provides. [Applause.]

Mr. FISHER. Mr. Chairman and gentlemen of the committee, I know full well that economy of administration is uppermost in the minds of the people of this country to-day. I know they want the War Department to curtail expenses; but I know that they do not agree with the ideas of the two gentlemen from Mississippi [Mr. SISSON and Mr. QUIN] who have just spoken. Over 20 years I lived in the State of Mississippi, and they were the happiest years of my life. I believe I know the point of view of Mississippians, and I do not think they would want to adopt a policy such as has been suggested which would wreck the Army of the United States.

I am against such radical reduction as is advocated by the two gentlemen from Mississippi. I am against the idea of framing practically the military policy of the Nation here on the floor without due consideration. [Applause.] The proposition for a radical reduction, coming as an amendment to an appropriation bill, makes it all the more harmful. In 1920 after coming through the greatest war in the history of the world we spent months in considering what should be the proper military policy of our Nation, and finally Congress passed a bill which became a law and which is now the accepted military policy, and it was the duty of the Secretary of War and of the General Staff to act in accordance with that policy. The provisions of this bill as to the procedure to be taken to reduce the officers is changing completely the present policy and scheme of organization. Army officers without warning are dismissed. A great deal has been said here about Army officers. I want to say that the officers of our Army are as fine men as live in this land. Hundreds of the officers now in the Army were emergency officers who had been attracted to the service by their experience in the war. They read the act of 1920 as determining the future policy of our Nation with reference to its Army, and in good faith they made applications, passed the examinations, and were accepted in the Army.

Now, without a hearing and without due consideration by the committee whose duty it is to study legislation affecting the Army, it is proposed to jam through a measure which cuts off their heads or retires them, after they have chosen the Army as the subject of their study and their work for life. This would not be fair treatment. I am opposed to thus destroying our military organization that has been built up under the policy adopted in 1920 in the reorganization law, simply because of the desire for economy. It seems to me we have already adopted an economical policy. In the bill which has been reported we have reduced the Army, both officers and enlisted men, far below the number recommended by our military advisers, General Pershing and the Secretary of War. When I came here a few years ago I heard day after day taunts at the then administration, the administration that I was interested in supporting, because they had not prepared the Nation for a great emergency. If we were not prepared then as we should have been, how much greater would be the folly of not listening to sound military advisers. Here we are emerging from the war, and we are cutting down and cutting down, and we have the spectacle of our Chief of Staff, General Pershing, appealing to the country against a committee which reports a bill which in his opinion would destroy the morale of the Army and greatly cripple our military organization. Secretary Weeks has likewise appealed to the country. I hope the Committee of the Whole will not accept any such reduction as proposed by the gentleman from Mississippi, but will accept the amendment offered by the gentleman from California [Mr. KAHN]. [Applause.]

Mr. CLOUSE. Mr. Chairman, I am in receipt of a telegram which calls me away from the city for a few days. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The extension of remarks referred to are here printed in full as follows:

Mr. CLOUSE. Mr. Speaker, I am in receipt of a telegram this morning advising me of the fact that my presence is required in the circuit court of my home city in a case growing out of my efforts to obtain justice for the four and one-half million brave and patriotic men who uncomplainingly, unflinchingly, yea, courageously, offered themselves upon the arena of war in defense of our national honor, our cherished liberty, and the civilization of the world. I welcome an opportunity to defend any assertion that I have made in their behalf, either in public or private, but I regret that this utterly unfounded, if not malicious, suit is to be the cause of my inability to be here and cast my vote for the adjusted compensation bill, which in all probability will be taken up in the House and voted upon before my return. I have this satisfaction, however, that at every opportunity, upon every occasion, and in every legitimate way at my command I have urged upon my colleagues the justness of this legislation, and I leave here under these conditions with an abiding faith that this Congress will exercise the proper judgment and give to our Nation's defenders that which in simple justice they are so richly deserving.

I am not unmindful of the fact that the proponents of this bill have met with the most insiduous propaganda that was ever offered in opposition to any legislation in the Halls of this Congress, nor am I unmindful of the fact that most of this campaign of misrepresentation emanates from sinister or political motives. With the few who have registered their opposition to the measure purely from the standpoint of national policy I have no quarrel, but with those who register their opposition from personal, political, or mercenary motives I do have a quarrel, yea, more, a contempt which I shall register here on the floor of this House that my children and my children's children may know that I possessed the moral courage to stand up and fight for common justice toward those brave and courageous men who saved the flag of my country and the civilization of the world in that, the darkest hour of all the ages past.

When war was declared and the trumpet sounded, I can well remember the sights of the brave and stalwart sons as they planted the parting kiss upon the furrowed brow of a loving mother, or caressed for the last time, perchance, a true and devoted wife, and donned the uniform to fight for the principles of eternal right. I can well remember the anxiety with which we waited their arrival on foreign soil, and how with bated breath we awaited the outcome of the first engagement of American troops with the ever-advancing hordes of German assassins. I can well remember the shouts of praise that followed the announcement of their deeds of valor on foreign fields, and I heard, as with one acclaim, "The Nation can never repay them for the sacrifice they have made." Then I can well remember the anxiety felt as we watched their progress for days and weeks and months in that gigantic struggle which meant defeat or victory, and at last, thank God, I remember the glad tidings of "American soldiers break the Hindenburg line and turn the tide to victory." Oh, yes; we said then, but I say now, this Nation owes them a debt which it can never pay. To the patriotic men of my district which furnished the first American blood to be spilled on foreign soil, and which furnished the soldier who was said to be the greatest hero of all the war, to the millions of ex-service men throughout America, I say your sacrifices shall not have been made in vain, and that this Nation will not, can not, and must not turn a deaf ear to your righteous demands.

Ah, we are told now that the sentiment of the people has turned against the adjusted compensation for ex-service men. I deny it with all the vehemence of my soul. The international bankers, the war-made millionaires, the profiteers of America are the ones that most bitterly oppose the payment of a bonus. They are the ones proclaiming the Nation too poor to assume so just a burden, yet they are the selfsame individuals that are willing to see and are urging the United States to cancel the $11,000,000,000 now due and owing us by foreign Governments. Why, can you imagine, do they cry with one breath a "Nation too poor to pay a soldier," and in the very next urge the United States to cancel a debt that will more than four times over pay the debt to the men that saved their fortunes and their liberty in the greatest war of all the world. Their opposition is based upon mercenary motives. They have loaned to foreigners mil-

lions, yes, billions of dollars, some of which they stand to lose if this Government does not give this huge sum to these nations. I want to say here and now that America will never cancel one cent of that claim with my vote, even though American money hoarders lose every "sou" they have loaned in these countries. There are others, some of whom oppose this bill under the pretext that the financial condition of the Treasury is not such as to warrant the withdrawal of a sum sufficient to meet the requirements of this bill, but conceding the Nation to be burdened—and it is—with a tremendous debt, much of which was incurred as a result of inefficiency, extravagance, and waste; yet this money when paid over to the ex-service men of America will remain in America to increase the taxable wealth of the Nation and in time restore to the Treasury of the United States all and more than the outlay. Some of those who oppose this bonus, and I speak now of my Democratic brethren, were willing to accept a mandate for Armenia after the World War at the expense of keeping as the least possible number 59,000 American boys on Armenian soil, with a possibility of increasing that number to 200,000 at any time and at a cost of $276,000,000 for the first year and $756,000,000 for the five years. You were not only willing to do this but you wanted America immediately following the war to loan to the bankrupt nations of Europe millions of dollars which you knew they could never nor would ever pay, and just why you wanted to do this I do not know, and just why you would do it now if you had control of the Government is beyond my conception. It is sufficient to say that after the signing of the armistice and after the war was over in Europe you did loan to European nations the stupendous sum of $2,515,853,946.98, and this is a part of that sum which we hear so much about it being our duty to cancel at this time. The dates when these loans were made, the country to whom loaned, and the amount to each is as follows:

Statement showing dates and amounts of cash advances to foreign Governments after the signing of the armistice to November 15, 1930.

Date.	Belgium.	Czechoslovakia.	France.	Great Britain.	Greece.	Italy.	Liberia.	Rumania.	Serbia.
1918.									
Nov. 11									$400,000.00
12						$10,000,000.00			
14	$1,600,000.00					10,000,000.00			
15	3,400,000.00	$5,000,000.00	$40,000,000.00	$50,000,000.00					209,697.70
19	8,215,000.00					20,000,000.00			
21				10,000,000.00					
26				10,000,000.00		20,000,000.00			
27	500,000.00								
29				30,000,000.00					
Dec. 3	2,000,000.00			20,000,000.00					
4	1,100,000.00								
5				30,000,000.00		15,000,000.00			
10			71,427,000.00	25,000,000.00					
11	1,500,000.00								
12				30,000,000.00		10,000,000.00			
17	7,450,000.00			20,000,000.00		10,000,000.00			
19				30,000,000.00		25,000,000.00			
23			5,000,000.00						
24	5,500,000.00			1,000,000.00					
26			10,000,000.00	30,000,000.00		25,000,000.00			
31	14,000,000.00								
1919.									
Jan. 2						20,000,000.00			
7	10,000,000.00			20,000,000.00					
9				20,000,000.00					
13		4,830,000.00							
14	6,100,000.00			10,000,000.00					
16						60,000,000.00			
21	2,900,000.00								
23	1,000,000.00					15,000,000.00			
25			10,000,000.00						
28	4,400,000.00		81,050,800.00						
30						25,000,000.00			
Feb. 4	6,000,000.00								
6	1,500,000.00					20,000,000.00	$12,000.00		
8								$5,000,000.00	
10	600,000.00								
11	3,900,000.00								
13			10,000,000.00			25,000,000.00			
18	7,700,000.00								
20			5,000,000.00			15,000,000.00			
21		4,300,000.00	5,000,000.00						6,185,302.30
25	11,200,000.00								
27						19,000,000.00			
Mar. 4	5,500,000.00		10,000,000.00	10,000,000.00					
6	5,900,000.00		20,000,000.00	10,000,000.00		20,000,000.00			
11			30,000,000.00	10,000,000.00					
13			10,000,000.00	10,000,000.00		16,500,000.00		5,000,000.00	
14			10,000,000.00						5,000,000.00
18	5,300,000.00		20,000,000.00	10,000,000.00					
19		8,250,000.00							
20			10,000,000.00	10,000,000.00		12,000,000.00			
22						10,000,000.00			
24						10,000,000.00			
25	3,900,000.00		15,000,000.00						
27			10,000,000.00			20,000,000.00			
31			85,000,000.00						
Apr. 1	5,000,000.00		15,000,000.00						
3			10,000,000.00	10,000,000.00					
4				10,000,000.00					
8		8,650,000.00	10,000,000.00	4,000,000.00					
10	300,000.00		10,000,000.00	20,000,000.00		5,000,000.00			
15	4,000,000.00	190,000.00	40,000,000.00	65,000,000.00		25,000,000.00		5,000,000.00	4,718,608.27
17				9,000,000.00					
22			20,000,000.00						
24	1,750,000.00		20,000,000.00			10,000,000.00			
29	2,000,000.00		10,000,000.00						
May 1	5,000,000.00			10,000,000.00		5,000,000.00			
6			10,000,000.00						
8	8,800,000.00		10,000,000.00			12,000,000.00			
13	1,300,000.00								
15	3,500,000.00		15,000,000.00	30,000,000.00		15,000,000.00			61,857.29
20			10,000,000.00						
22		11,850,000.00		10,000,000.00		5,000,000.00			
27	2,400,000.00							5,000,000.00	
29			10,000,000.00	10,000,000.00		5,000,000.00			
June 3	4,000,000.00								
4		4,000,000.00							
5			10,000,000.00			5,000,000.00			
12						5,000,000.00			
16			5,000,000.00						
17	900,000.00								
18			10,000,000.00						

Statement showing dates and amounts of cash advances to foreign Governments after the signing of the armistice to November 16, 1920—Continued.

Date.	Belgium.	Czechoslovakia.	France.	Great Britain.	Greece.	Italy.	Liberia.	Rumania.	Serbia.
1919.									
June 19	$3,250,000.00								
24	600,000.00								
25				$7,000,000.00					
July 1			$10,000,000.00						
3			20,000,000.00			$5,000,000.00			
8	2,000,000.00		5,000,000.00						
9		$5,650,000.00							
10			15,000,000.00						
11								$5,000,000.00	
17			5,000,000.00						
22			5,000,000.00						
24			5,000,000.00						
29			5,000,000.00						
31			5,000,000.00			5,000,000.00			
Aug. 5			5,000,000.00						
7			10,680,000.00						
14						4,175,945.99			
19			5,000,000.00						
21	1,000,000.00					5,000,000.00			
25			10,000,000.00						
28			5,000,000.00			9,100,000.00			
Sept. 2			15,000,000.00						
4			5,000,000.00			17,000,000.00			
10							$6,000.00		
11			10,000,000.00						
18			15,000,000.00						
25			10,000,000.00						
26			30,000,000.00						
Oct. 1			10,000,000.00						
2						1,146,127.00			
7			10,000,000.00						
14						8,000,000.00			
16						1,000,000.00			
17			10,000,000.00						
21			10,000,000.00						
24							8,000.00		
Nov. 11			10,000,000.00						
Dec. 2		$1,634,041.10							
8			10,000,000.00						
15					$5,000,000.00				
16						10,000,000.00			
1920.									
Jan. 2			10,000,000.00						
16					5,000,000.00				
Feb. 3			10,000,000.00						
5			10,000,000.00						
Mar. 11			10,000,000.00						
22		2,000,000.00							
Apr. 6			10,000,000.00			416,114.00			
8		200,000.00							
9						5,000,000.00			
May 11			10,000,000.00			5,000,000.00			
June 3		1,000,000.00							
15		2,000,000.00							
July 6			10,000,000.00						
28		1,000,000.00							
Aug. 5			10,000,000.00						
26	10,469,467.89								
31			10,000,000.00						
Sept. 17		732,165.64							
24					5,000,000.00				
28			10,000,000.00						
	175,632,467.89	61,256,206.74	1,037,050,800.00	581,000,000.00	15,000,000.00	586,338,986.99	18,000.00	25,000,000.00	$16,375,435.35

Not only did you loan this stupendous sum to Europe after war was over, but certain of your leaders are to-day bemoaning the fact that a Republican Congress in 1920 prevented your administration from loaning, or giving, so to speak, to these same countries an additional $500,000,000. I quote an excerpt from an article appearing in the CONGRESSIONAL RECORD of November 1, 1921, over the signature of the chairman of your national organization, Mr. Hull, in which he branded the defeat of the Versailles peace treaty as "the blackest of all the black crimes committed in the annals of the human race," and further commented upon the failure of the United States to continue a policy of giving, loaning and giving to Europe, while our heroic soldiers were dying at our very doors from disease and hunger. He said:

> In vain did Henry P. Davidson and other great financiers as late as the early spring of 1920 fairly shout that the crisis is so acute that the situation does not admit of delay except with the possibility of consequences one hardly dare contemplate. Mr. Davidson and many other economists and business men were then urging the creation of a revolving fund of $500,000,000 by this Government * * * to be placed in the hands of a strong commission of our ablest business men to be utilized as temporary credits to the helpless States of Europe. This plea was received with deaf ears by Republican leaders bent on every sort of pandemonium if it was necessary to enable them later to carry the national election of 1920.

If the defeat of the Versailles treaty was the blackest of all the black crimes committed in the annals of the human race, as he says, then his charges must necessarily be lodged against the fathers and mothers, brothers and sisters, comrades and friends of our gallant troops who, by a majority of more than 7,000,000, approved the judgment of the Republican leaders who were responsible for the defeat of that unholy pact which not only committed the financial resources of this Nation but the blood of our citizenry to the maintenance and protection of the bloodthirsty militaristic nations of Europe.

The financiers of New York were the advocates of the League of Nations; they were the proponents of the $500,000,000 credits to which the gentleman, Mr. Hull, referred; they were the advocates of this country going to war months in advance of our real participation therein, because the possession of $5,000,000,000 of allied indebtedness by New York money interests led them to believe that their loans would be worthless if the Allies were defeated, and hence they cried aloud and the people were daily reminded of the insecurity of New York City; they were the strongest advocates of the draft law, and when the boys returned to native soil after achieving the greatest victory of all the world, these same financiers, in order to make sure that their enormous loans were not further impaired, oppose a bonus in any form and simply denounce as infamous any plan that looks to the payment of such a bonus based on the debts now owing us by these foreign Governments to which their loans are made.

Multimillionaires made great fortunes during a few years of war, which were saved from German indemnity by the sacrifices of American doughboys, yet they shout threats because Congress is giving these same doughboys only about what one month of war cost this country. Many months of war were saved to this country and to the world by the heroism of the American soldiers, yet the haughty and selfish financiers and profiteers of New York, who were parading with the throngs

and shouting "Go on, boys," in 1918, have now stepped back into their countinghouses to gloat over their ill-gotten gains and their only cry now is "Go away, boys; the Nation is too poor." For myself, I wish that it were possible to make every cost-plus, profiteering millionaire pay every dollar of this adjusted compensation to the brave boys who fought in the trenches at $1 per day, three-fourths of which was taken from them in allotments and insurance for the benefit of their helpless and dependent families. This under the Constitution of our country can not be done, but we might well adopt a plan levying a tax on inheritance on all amounts in excess of $25,000, increasing the tax rate as the amount of inheritance increases. This tax would impose no burdens upon the average man, but would place the burden where it properly belongs. It would impose the burden on the men who through graft and other illegitimate processes gained fortunes while our boys were undergoing the hardships and privations of war. This tax might also be augmented by another form of taxation covering that of gifts where the amount of the gift exceeds $10,000. These two taxes would produce abundant revenue to meet all the obligations of the soldiers' bonus and would also contribute to the payment of the ordinary expenses of government, thereby making the burdens of the common people rest more lightly upon their shoulders.

Those who so bitterly oppose the granting of any bonus to the ex-service men of America, and who cry the Nation's poverty as an excuse for so doing, might find some consolation in the fact that this administration has through its program of economy lessened the expenses of government until we are able to assure a saving of some $800,000,000 in taxes for the fiscal year. Through the wise leadership of the matchless statesman, Warren G. Harding, we have restored the Nation to a sound business basis, and as a result of his remarkable diplomacy treaties have been negotiated with the four leading powers of the earth by which we will be enabled to save in the next 10 years in the reduction of armaments a sum estimated at some $10,000,000,000. This achievement was attained without the sacrifice of our national honor and without assuming the burdens of entangling alliances with foreign powers. Instead of increasing armaments and maintaining an Army of 500,000 soldiers, as was desired by the former administration, we have reduced the number of our standing Army to 150,000, and will, with the passage of the Army bill which is now under consideration in the House, still further reduce the size of the Army to a number not exceeding 115,000. We have reduced the bonded indebtedness of the Nation approximately $2,000,000,000 in the last 12 months, and have restored the confidence of the people until Liberty bonds, which were selling at an amount far below par during the last year of the former administration, are now bringing from 97 cents to slightly more than their face value. The increase in the market value of Liberty bonds alone, which are distributed among 15,000,000 American citizens, amounts to more than $2,000,000,000.

In the face of this showing we are led to believe that the propaganda that is being circulated through the press and in paid circulars has no ground upon which to stand other than that the profiteers of America are willing to sacrifice national and individual honor in order to save themselves from a loss on their ill-gotten gains.

I want to see every mother who gave her son to her country's cause and every mother who sent her son to war made happy by a Nation's acknowledgment of their heroic deeds. In the trenches, in the field, in the air their boys met the picked soldiery of the world and carried the Stars and Stripes again and again to triumphant victory. They recovered the lost fields of France; they revived the courage of the Allies; they won for our posterity and for civilization a fight that had been lost; and they saved for humanity the ideals of a liberty-loving people. They laid a surer foundation for the perpetuity of our Government. They deserve the thanks of a grateful Nation, the blessings of a rescued world, and recognition that means more than empty words. They deserve and shall receive a just compensation, and with every dollar thus received the prayers and hopes of the American people that out of their sacrifices shall have come an era of peace eternal and everlasting. [Applause.]

Mr. GREENE of Vermont. Mr. Chairman, it is, of course, very obvious that the ground we are discussing and the question we are considering, as to what should be the commissioned personnel to be maintained in the Regular Military Establishment, has been gone over times without number here. I can hear the echoes of my own words as I have repeated at various times the arguments that come to my mind to-day. There really is nothing new about it.

The unfortunate part of it is that at just such a time as this we are suddenly confronted with the determination of a military policy for which there has been no general preparation, and I am sure the Members on the floor will frankly admit that fact. It is obvious, too, that most of us come here to this Chamber without much specialization in military affairs. We do not take time to inform ourselves, because in civil life we are not interested in it, although most of the other functions we are called upon to perform here as legislators relate to matters with which we are familiar in our everyday and commonplace experiences back in our private life. We are familiar with the terminology, we are familiar with the relations of things, we are familiar with the reasons for the existence of those various other institutions concerning which we are called upon to legislate, and when we come to act here we act upon that general commonplace knowledge obtained from our everyday experience. We supplement that general knowledge by more specific and direct inquiry into these affairs, and so we act intelligently. But our experience with armies has been limited to seeing a few troops go by in some military pageant on Memorial Day, or with navies to going down to the harbor sometimes to see a distant ship.

People do not pay much attention to the Army. It lives in an atmosphere peculiar to itself. It lives with a language and terminology that most folks do not take the trouble to understand, because they are not interested in it. It has certain traditions, certain customs, a certain philosophy born of the centuries through which men have fought and fought. There are certain lessons of the battle field, even from antiquity, that are part and parcel of the professional life and understanding of these men that are not easily to be made plain to others under the five-minute rule in the House of Representatives, even if one thought one knew something about it.

Now, the theory and philosophy of our present military law are so plain to those who spent months in the preparation of it, and its purposes are so practical, so apparently within the general policy of the United States through all these many years, that it does seem a pity to think that under the technicality of the Holman rule, that camouflage, that pretext may be set up here to juggle with some figures, and underneath it absolutely destroy the military policy established in the Army reorganization act of June 4, 1920.

That military policy was based upon many lessons of the war. The Committee on Military Affairs took 12 months to prepare and put through the House that bill. The preparation of that law included a trip, after the armistice, to our Army in Germany and in France, to the British Army, the Belgian Army, and the French Army. It was seriously done. It was no junketing experience, as any man who accompanied the committee will say. Then back home here, with long consultations and hearings with the representatives of the War Department, with the representatives of the Army of all shades of thought, with representatives of the National Guard, and with men in civil life generally interested in the national defense. Finally a bill was written, and it was hoped and believed that after such mature deliberation it was written with some sense of establishing what might be an enduring policy until a possible future war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREENE of Vermont. And it was written with the idea that many lessons of this last war should be incorporated into its terms as nearly as might be practicable in any law.

Now, the basic lesson, if one may apply such an emphatic term to it, as far as the personnel was concerned, was one learned out of the World War, and that was the lamentable scarcity of trained and matured commissioned officers when we went into the war, and afterwards in our conduct of it.

War has come to be something besides mere men of the jungle coming to brutish grips. War has come to be something more than it was through so many centuries, pretty much limited to the mere physical struggle of great masses of men. It has come to be a combat between Titans, not only between their bodily natures but their moral forces and the subtle intricacies of modern mechanics and science as well. People do not realize the character and complexity of the education required of a commissioned officer in the Regular Army of the United States to-day. People do not realize that it is a learned and scientific profession. He starts at 21 years old, and he will tell you if he is honest—and that is a part of his code, to speak the truth "on his honor as an officer and a gentleman"—he will tell you that when he arrives at about the age to retire he has reached a stage when he has some mature knowledge of the art of war.

That is what experienced men say of other professions, and there is much foundation for believing that officers in the Army are quite as sincere and quite as practical about it in their own.

We undertook at the beginning of the last war to prepare young men as commissioned officers for troops in the field by a three months' intensive course at training camps. Everybody knows that that was a makeshift, but we were able to get much bright material and made considerable progress after we got some of the newness rubbed off. And most of those young men afterwards acquitted themselves gloriously in the service. Yet no man will seriously maintain but that that which constitutes a life profession, to be studied daily in long times of peace, would require a larger opportunity than that which was afforded by a hurly-burly scramble to get into the war in three months by men who never had experience in military affairs.

We need officers who are not only learned in the technique of military science but officers who are experienced in the art of command, in the operations of troops; officers who understand men and know how to handle them, how to preserve discipline in a humane way; officers who have become mature minded and seasoned in judgment.

In the new law, therefore, we laid emphasis on the fact that we needed experienced and matured commissioned officers, men who give their lifetime to study, practice, and training in all that pertains to military science and the maintenance of a military establishment. We laid down the foundation without any reference whatever, in a broad sense, to the mathematical ratio as to the number of enlisted men that would be maintained in the Regular Army. The commissioned officers are the only ones who make a permanent Army, the men who make it a lifetime profession. The enlisted man may come and go, but the commissioned officer stays through thick and thin, through peace and war.

Mr. STAFFORD. Will the gentleman yield?

Mr. GREENE of Vermont. No; I am sorry I can not.

Our policy was never to maintain a fighting Army. There is no use to argue about it when men call upon us to reduce the Army just because we had a conference of foreign powers and an agreement to reduce the Navy. That conference had no reference to the military land forces whatever. We never have maintained a fighting Army. We did maintain a fighting Navy, ready to go to sea and fight, but we never have done it with the Army. Everybody understands, and has always understood who has taken the pains to look into the matter, that our Army has been simply a garrison and police and training Army, and that we keep and try to keep only those numbers of men that would suit those three functions in an economic way.

The CHAIRMAN. The time of the gentleman from Vermont has again expired.

Mr. GREENE of Vermont. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that he may proceed for five minutes. I want to ask the gentleman a question.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the time of the gentleman from Vermont be extended five minutes. Is there objection?

There was no objection.

Mr. GREENE of Vermont. Our theory is wisely to maintain as comparatively limited a professional force as we can to sustain those three functions. We have necessary garrisons. No matter how much we may whittle them down, there are some always that we must have, in order properly to police the country. When the gentleman from Mississippi [Mr. SISSON] said that one soldier to-day was equal to eight soldiers before the war because he had equipment and armament that make him eight times as powerful, he failed to mention the fact that, notwithstanding all of these inventions of man, the Almighty had not made the soldier eight times as ubiquitous, and that he never could do any better than to be in one place at one time; he can not possibly be in eight places at one time, and he can not be all over this continental America at the same time. That is the reason you can not compare our figures with European figures.

The gentleman from Mississippi cited figures of the British estimates. Britain is providing for an army in a small, circumscribed, insular area. We have to expand our Army over a great continental area, stretching from the Atlantic to the Pacific. And yet Great Britain, recognizing the theory of what we are talking about to-day, is trying to maintain the upkeep of commissioned officers, because when Great Britain proposes through the ministry to cut down the number of enlisted men, she also proposes in proportion to raise the number of commissioned personnel, because they are her only trained and permanent army.

Outside of this garrison or this police purpose, we have wisely depended on raising a citizen army for purposes of war, and that is a sound policy. It is consistent with our national character. The minute we begin to have a permanent fighting force in peace time, the minute we begin to pay bands of mercenaries to fight for us, then we no longer have a country worth fighting for. Every man ought to bear his share in some way, somehow, in national defense. But these commissioned officers of the Regular Army are the only men in the United States who make a profession of the science of arms in time of peace. They are the only men who give their whole lifetime up to it, and they are the men upon whom we rely, distributed throughout the country, to impart the art of war to the National Guard, the schools and colleges, the reserves, and all of the other civilian agencies and institutions that are preparing the civilian youth of this land to come to the colors at any time when the country may need defense. They are the men upon whom we rely to preserve from generation to generation an active and growing knowledge of the art of war while the rest of their fellow countrymen are following the paths of peace. They are the men upon whom we must rely in time of emergency to prepare and put our war armies into the field to save the country.

If any one can say precisely how many officers we need for that purpose, then he can do better than the War Department can do, or than any committee of this Congress can do. It must admittedly be at best a compromise. No one can put his finger with exactitude on the number. That is obvious.

The American policy of training a civilian population to national defense is a growing thing, but it already is a fact that the tactical organizations of the Army to-day do not have their sufficient complement of officers, and are not getting the proper training in consequence, and the reason for it is that even with what officers we have now the demand is very great for their distribution to these various civilian agencies about which I have been talking, because the public is calling for them day after day, and they are called for in greater numbers than the War Department is able to furnish them.

It is now proposed to reduce the number even by 2,000 from what we have to-day. I say to you, and I say it with all earnestness—and you can cry "militarist" or whatever you may—it is a pity that we can not seem ever to learn any lesson following any war. Nobody is worrying about a foreign war, nobody is frantic about the possibility of our getting into clinches with any foreign Government at this time. The world is tired out and does not want to fight. But we are making a most stupid, a most egregious blunder, a folly of follies, if we permit through our sense of false security the art of war to languish throughout our country, and bring up a generation of young men whose idea is that they have nothing to do but to go their full threescore years and ten, skipping through a fool's paradise, and that in time of war we can call immediately into being a great, forceful, and efficient Army that will spring like Minerva, armed cap-a-pie, from the brain of Jove himself. It is all humbug. [Applause.]

We have been through the results of this same folly war after war, and we have needlessly lost hundreds of thousands of brave young boys because of it. We have sacrificed thousands of men in every war because of untrained officer leadership.

Nobody pretends that we can be absolutely prepared to the last nail, right down to the possibility of never losing anything. We know that it is difficult for Republics to go to war in any event, because they go clumsily into war. They are never so well prepared as are nations under different forms of Government. But at least Republics, if they are more sensible than the other nations about their Government, ought to be equally sensible in remembering some of the lessons those wars teach. [Applause.]

The CHAIRMAN. The time of the gentleman from Vermont has again expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for 15 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I am against the amendment offered by the gentleman from Mississippi [Mr. SISSON] and I am against the amendment offered by the gentleman from California [Mr. KAHN]. I am for the bill. I believe the time has come when we ought to understand what the situation is. The gentleman from California wants 13,000 officers, the gentleman from Mississippi wants 9,000, the Chief of Staff of the Army wants 12,000, and the Committee on Appropriations recommends 11,000.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Not just now.

Mr. KEARNS. I understand he wants 13,000.

Mr. MADDEN. He wants 12,000, with the understanding that he will put back a thousand a year from now. I do not believe the gentleman from California speaks for the sentiment of his country exactly. At any rate, if the following telegram has any significance, I would judge that he does not:

OAKLAND, CALIF., *March 19.*

CHAIRMAN COMMITTEE ON APPROPRIATIONS:

Sentiment here strongly opposed to retaining top-heavy, swollen commissioned personnel in the Army. Taxpayers and producers on reduced pay see no justice in their continuing to support on inflated pay this absurdly large body of consumers.

ROTARIAN CONVENTION.

That is not from an individual; that telegram is from men from every walk of life. [Applause.] The gentleman from California, when we reach another stage of this bill, will offer an amendment to increase the Army to 150,000 men.

The gentleman from Mississippi will offer an amendment to reduce the Army to 100,000 men. I am opposed to both of those amendments when they come before the House. The Committee on Appropriations come to you with the recommendation of 115,000 men and 7,000 Philippine Scouts, making an Army of 122,000 men, and we propose to reduce the cost of the Army as proposed by the Army from $350,000,000 a year to $224,000,000 a year. [Applause.] We are trying to speak for the men and women of the Nation who pay the taxes. We have no fear that any harm is going to befall any interest in America because we have not a very large Army. We believe the Army we propose will meet every emergency that may arise. I congratulate the Secretary of War for the order he has issued under the direction of the President to bring back the Army from the Rhine. [Applause.] The Committee on Appropriations recommended that. I do not say that action was taken on our recommendation, but I do say that we did that without any thought of what was in the mind of the President or the Secretary of War.

We believed the time had come to bring back the Army [applause] on American soil and confine the Army to the conduct of American activities. [Applause.] We propose to reduce the cost of the Army by $67,000,000 a year. Do you want that reduction, or do you want the taxpayers to be overloaded with these excessive burdens? There is no taxpayer in the Union to-day who is not pleading for relief. Are you willing to grant that relief, or are you insistent upon having a large Army to please the military men of the United States? Who says there is danger to America; who claims with any degree of certainty we are in trouble or likely to be? There is no opportunity to-day, as there has been in the past, to plead that we are liable to be at war with Japan. That bugaboo has been dissipated. The Conference on the Limitation of Armaments set that aside. Now, what is the trouble? What is it that impels these people to demand untold expenditures for the maintenance of the Military Establishment? Have the people of the Nation no rights that even the Military Establishment is bound to respect? Are we to be forever confronted with the argument that we are unprepared. What is there to-day to be prepared for? If there is anything, is it not peace? Peace is the thing that is uppermost in the mind of every man, every woman, and every child in America. War is to be abhorred. We can only reflect the thought of the people of the Nation by translating this bill into a reduction of the cost of Government. [Applause.] Your Committee on Appropriations proposes that, and we come to you in all sincerity hoping you will agree that we have been reasonable in our reductions. Let me make a comparison. The strength of the Army in 1915 was 101,195. It had 4,798 officers. The expenditures for the Military Establishment then amounted to $115,000,000. We are to-day proposing $224,000,000, and yet the Army says that is not enough. The strength of the Army to-day is 139,000. The number of officers is 13,000. We propose to reduce the strength of the Army to 122,000 and the number of officers to 11,000. The appropriation for the maintenance of the Military Establishment we propose to reduce to $224,000,000. The National Guard in 1915 had 129,000 men. The appropriations for the National Guard in 1915 were $7,500,000. The National Guard enlisted strength at the present time is 142,000 men, and we propose by this bill to appropriate for them $21,000,000, and still the Army says we are unprepared and not giving them proper consideration. The student officers' reserve training corps last year were 97,000. That corps did not exist in 1915, so in addition to the Army we have a student officers' training corps to-day of 97,000. The civilian training camps last year were 11,000. We train them at the cost of the Treasury and the estimates for the training camps for the coming year under this bill will be 30,000 men. The commissioned Officers' Reserve Corps to-day are 65,000 men. In 1915 there was not a man. Who says we are not prepared; who says we are not doing justice to the Army? We are making appropriations for all these activities. The strength of the Army, persons in civil life, in 1915, were provided training outside of the Regular Army, and the National Guard and Spanish-American War veterans practically none.

At the present time there are over 2,000,000 men with training received during the recent war and nearly 200,000 officers who saw service and received training during the war. The number of military posts in 1915 throughout the country and ordnance establishments was 280. Now there are 290, and the Army, because we, forsooth, have 60 more military posts and ordnance establishments, want more men to man the posts. Why, we had better burn up the posts if we have to employ a larger number of men to maintain them when they are not needed. [Applause.] The time has come when we must make the Army to meet the situation and not to man posts simply because the posts are there. We had no Air Service in 1915, and now we have 19 flying fields, which include 4 fields which are parts of other military posts and 15 separate flying fields, and we are providing for them, and the value of flying equipment to-day is $361,000,000, and there was not a dollar of this in 1915; and yet they say we are not prepared, and that this bill proposes to disintegrate that Army. This bill proposes to make an Army that can function for the American people and at the same time it recognizes the right of the American people to some relief from the burdens of taxation for the Military Establishment. Now, we had no Chemical Warfare Service in 1915. The present Chemical Warfare Service has one splendidly equipped plant at the Edgewood Arsenal. The ordnance plants in 1915 numbered 13, and the land value was $28,000,000.

The present ordnance plants number 37, with a cost value of $411,000,000, and they have ordnance stores to-day of $1,355,313,000, as against $60,000,000 in 1915. Who says this bill is not in the interest of preparedness? Who says that we are destroying the Army? Who says that we are not giving proper consideration to the defense of the land? Who says there is going to be a war? Where is it to be? What are we to do? Are we to keep millions of men in uniform in anticipation of a war never likely to occur, at any rate, during our day? The time has come when the American Congress must declare to the American people for a system of peace, and that is what this bill does. This bill declares for a system of peace, and at the same time declares for a system of security. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WURZBACH. Mr. Chairman and gentlemen of the committee, I want to put myself on record as opposed to the motion of the gentleman from Mississippi [Mr. SISSON] and as being generally opposed to the proposition of cutting down the size of our present Army. I realize that it would take more time than is available to me under the five-minute rule to discuss this proposition. We all know that the Army appropriation bill that is before this committee for consideration involves one great, outstanding issue, and that is the question of the reduction of our Army. I regret very much that under the rules and under the practice that prevails in this House it is possible for the gentlemen having control of the time for debate to be lavish in the granting of time to gentlemen who discuss matters extraneous to the bill and limit and practically prevent debate on the real issue involved. Nine hours of general debate was agreed to on this bill—four and one-half hours under control of the gentleman from Kansas [Mr. ANTHONY] and four and one-half hours under control of the gentleman from Mississippi [Mr. SISSON], both of whom are strongly in favor of the reduction of the Army. Of the 9 hours, only 36 minutes were allowed to those opposed to the reduction, 30 minutes to the chairman of the Military Affairs Committee, and 6 minutes to the gentleman from Vermont [Mr. GREENE]. Other Members requested time, without success. Gentlemen were given liberal time to discuss matters not connected in any way with the proposed legislation, and others were recognized to discuss parts of the bill about which there was no controversy and no issue. I have the highest respect and regard for the committee in charge of this bill, but I submit that the important part of this bill was not permitted to be presented as fully and fairly as it ought to have been.

I am not militaristic. I am in favor of having a strong defensive but not an offensive Army. I can not understand why such great deference should be paid the judgment of a subcommittee of the Appropriations Committee and so little respect paid to the judgment of the Committee on Military Affairs, the legislative committee, and especially why so little respect is paid to the experts who are qualified to pass upon this question—I mean the trained and experienced officers of our Army—

and I include herein the President of the United States, who is the Commander in Chief of our armies.

I have noticed since I have been a Member of this House that some Members delight to reflect upon the good faith and sincerity of the officers of the Regular Army of the United States. I hope that that sentiment does not prevail generally among the Members. I hope that this issue of whether or not we will cut the Army or whether we will keep it at its present size will be decided by the real facts and not by prejudice. Why should a Member of this House, why should any American citizen whose memory goes back the short space of three or four years, look down with disdain and disrespect upon the officers of the Army of the United States? We know that the Regular Army was the foundation upon which the entire fighting force of America was built. I am willing to ascribe to those men equal sincerity, equal honesty, equal patriotism, to that of any Member of this House. They were tried, and not found wanting, in the grim test of fire and blood in the greatest war of all times. We trusted them then, why not now?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WURZBACH. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. Mr. Chairman, I would like to ask unanimous consent that debate on the pending motion be limited to a reasonable time.

Mr. SISSON. Mr. Chairman, I would like to have five minutes.

Mr. ANTHONY. I suggest that debate on the pending motions be closed in 45 mintues. Will that be agreeable? I also request that the debate be limited to five minutes for each Member. The committee would like to have 15 minntes on this side of the House.

Mr. SISSON. For myself and members of the committee on this side I would like to have five minutes.

Mr. ANTHONY. I think that would be fair. Forty-five minutes on the debate on the pending amendments, 15 minutes to go to the Committee on Appropriations, and half an hour to go to the other gentlemen.

Mr. TEMPLE. Reserving the right to object, does not that include the request also that no person speaking shall have more than five minutes?

Mr. ANTHONY. Yes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on the amendments now pending be limited to 45 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SANDERS of Indiana. Reserving the right to object, I would like to know if the five minutes granted to the gentleman from Texas [Mr. WURZBACH] is included in that?

Mr. HULL. Reserving the right to object——

The CHAIRMAN. The Chair would state that he asked for objections, but heard no objection.

Mr. WURZBACH. Mr. Chairman, it seems to me, if we were willing a few years ago to entrust the well-being, the health, and the lives of 4,000,000 American boys to the officers of the Army of the United States that we ought to be willing, at least, to pay some attention, some heed to their advice in this matter, to which they have given a lifetime's study. This does not in any sense imply a surrender of congressional authority or an evasion of congressional responsibility.

Mr. McSWAIN. Will the gentleman yield?

Mr. WURZBACH. I will.

Mr. McSWAIN. What is the advice of the officers as to how many officers should be in the Army? I have not heard the advice. Has the gentleman heard it?

Mr. WURZBACH. I have only a short time to discuss this question, but I want to say to the gentleman that the President of the United States—that may not mean much to your side of the House, but I want to call it to the attention of the Members on this side of the House—that the President of the United States; the Commander in Chief of the American Armies; the Secretary of War; General Pershing—and I would rather refer to him as the leader of the American forces across the sea than as Chief of Staff—and, in fact, every military expert that has expressed himself upon this question, is opposed to the reduction of the Army as suggested by the subcommittee of the Appropriations Committee, made up of five men who have had very little experience, if any, in matters of this kind, men selected, I suppose, by the chairman of the Appropriations Committee, who has had no military experience at all. I commend the Appropriations Committee in its purpose to reduce the expenses of Government, but I believe the American people are more interested in the way public money is spent than in the amount that is spent.

If we concede then, as we must, equal sincerity of purpose, equal devotion to the Nation's service, and if we further recognize—as we surely must—that a life's study of a problem makes one better qualified on any subject than does the casual consideration given by the average Congressman, it follows as a natural and logical conclusion that the burden of proof rests upon the committee and upon the Congress to show that the recommendations of the officers of the Army are unwise, unreasonable, or unwarranted. I submit that the Appropriations Committee has not successfully borne that burden. But, on the contrary, every witness who testified before the committee, according to the printed hearings, takes issue direct with the conclusions of the committee. The judgment of the committee is not only not supported by the testimony, but is in direct conflict therewith. Therefore, having the same confidence in our Army now that I had in 1917 and 1918, and having heard or read no word of testimony controverting the testimony of the officers of the Army, I shall vote to sustain their conclusions.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. STAFFORD. Which Army does the gentleman refer to—the Army of 150,000 or the existing Army of 120,000?

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. CRAGO. Mr. Chairman, in the limited time allotted me it is impossible even to make a clear statement of my own views regarding this bill. I am opposed to the amendment offered by the gentleman from Mississippi [Mr. SISSON] and I am in favor of the amendment offered by the gentleman from California [Mr. KAHN]; and in connection with his proposition to appropriate for 13,000 officers I want to say that this is only asking for an appropriation as recommended in the bill prepared by General Pershing himself. That bill does reduce the number of officers temporarily to 12,000, but it also provides that the number of officers shall be increased from the bottom up from the lower ranks and decreased from the top down, until it shall have reached the 13,000; and that number is what we should appropriate for, and there is no inconsistency between the fact that the bill introduced by the gentleman from California and reported to this House calls for 12,000 officers and the amendment offered by the gentleman from California asking for pay for 13,000 officers, because that is what it will be before the fiscal year ends.

Now, I would like to refer if I had the time to the fact that the officer personnel has cost us the most, and is one of the most precious inheritances we have as a result of the military system built up during the war. And I ask you, gentlemen, as good business men, is it good judgment to destroy an organization of that kind unnecessarily? Would any business man think of doing that with his business organization, or would any educational institution think of doing it with its faculty or its working force? I think you would say no.

Mr. McSWAIN. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. I would rather not be interrupted. I have a personal view that I wish to present. I hope the gentleman will excuse me. I am trying to follow the policy of the President of the United States, the Commander in Chief of the Army, and of the Secretary of War, whom many of us know as a level-headed, patriotic American who is not going unnecessarily to burden the taxpayers of this country with an excessive number of Army officers. Will you pardon me when I state in a rather personal way my own view of this question?

I am not disposed to condemn the framers of this bill merely because I differ from them in their ideas as to what constitutes a proper Army and proper national defense. I have served for years with two members of this subcommittee, and know that they honestly desire to do what, in their opinion, is best not only for the Army but for the entire country. I do not doubt but that this is the attitude of all the members of the subcommittee. However, the other day when this bill was under consideration the gentleman from Mississippi [Mr. SISSON], in what I suppose he intended as a facetious remark, referred to certain persons as "militarists." We have heard the term used often to-day. I do not, of course, know just what he means by this term, but I do know that my interest in doing what little I can to help my country adopt a safe, sane, sensible policy of national defense comes from anything else than a "militarist" spirit on my part.

It comes, I can say to the gentleman, from the fact that I hate war and all the name implies; and yet when I say I hate war I mean I hate it because of what I have actually experienced, and not as a mere theorist who is afraid of it. [Ap-

plause.] In 1898 and 1899 I saw our boys from Pennsylvania, Tennessee, Kansas, Minnesota, Colorado, Iowa, Nebraska, the Dakotas, Washington, California, Nevada, Wyoming, Oregon, Montana, and Utah make the supreme sacrifice under fire between the point where the enemy guns were effective and the point from which our old antiquated guns, with which our troops were armed, could effectively return the enemy fire. I saw these men in hospitals without proper care and attention because our Medical Corps was not properly organized, and because our medical officers—good men as they were—were compelled to use methods, remedies, and surgical instruments bequeathed to these organizations from the days of the Civil War.

When I saw these things I knew there was something wrong, and I was disposed, like many others, to blame the War Department for these conditions. I made up my mind then, if I could do so, I would try to remedy conditions which made it possible to send our young men to certain death because of a lack of proper arms and equipment. Since those days I have given the subject much consideration. I have read our military histories, and was at first disposed to resent the charges that Congress, and not the War Department, was at fault; but my experience in this House and what we have witnessed during the years of the World War, when the War Department was for the first time in our history given unlimited power and thus unhampered achieved such wonderful results, has convinced me that Congress has been largely at fault; and while I now repeat I hate war, I also add that I hate, despise, and pity the false arguments for economy heard on the floor of this House after every war, arguments which have resulted in destroying the national defense which we had builded during the wars, and thus paralyzing the forces which stood between us and war and made necessary so great a sacrifice when war did come. I will gladly and reverently pray with you that war may never come to us again, but in the meantime I want to work with all real Americans to build up such safeguards as will make war impossible or would put us as a Nation, if war did come, in such a situation that we would not be compelled to send our young men forth to needless slaughter, while behind their dead bodies we frantically and feverishly attempted to do that which should have been done during the days of peace. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SANDERS of Indiana. Mr. Chairman, the form in which these amendments are presented to the House gives a great advantage in favor of the committee. We have the gentleman from Mississippi [Mr. SISSON], who wants an Army of 100,000; we have the gentleman from California [Mr. KAHN], who wants the Army in about its present form; and we have the committee standing in between. I think it is important for the Members of the House who really believe in having an Army such as is necessary for our security to see to it that this advantage does not give the vote of this House in favor of the proposal of the Committee on Appropriations.

The distinguished chairman of the Committee on Appropriations [Mr. MADDEN], who is entitled to credit not only at the hands of the House but at the hands of the country for the work he has done in behalf of economy, says that this House owes a duty to the country to bring about economy. That is true. But this House owes a paramount duty to this country, paramount to every other duty, to see that the security of this country, with her teeming millions of people, is assured. [Applause.]

They say we have had a disarmament conference. We had a conference with reference to the limitation of naval armaments, and, just so far as we can get our competitors to go, I believe is bringing about limitation of armaments.

The distinguished chairman of the Committee on Appropriations asks, with what country is there danger of war? I do not know.

So, gentlemen, you have got the question before you, whether you are to obey the imaginary duty of practicing economy to the point where we shall not be properly defended, or whether you are going to obey the paramount and real duty to see that we are adequately defended, and I ask you to support the amendment of the gentleman from California [Mr. KAHN] and the other amendment that he is going to offer subsequently, so that we can maintain an Army at the standard that all our military advisers say it ought to be maintained at, and give us an adequate military defense of our country. [Applause.]

REDUCTION OF THE ARMY BELOW 150,000 IS A MENACE TO OUR SECURITY.

The Army of the United States under the existing law is now reduced to 150,000. It is proposed by this Army appropriation bill to reduce the Army to 115,000, and it has been proposed by the gentleman from Mississippi [Mr. SISSON] by amendment to further reduce it to 100,000. I do not believe the Republic will be secure if we reduce the Army below 150,000. The Secretary of War and all military advice is opposed to further reduction. We have a very great duty to our people to pursue the course of economy and not to expend a single dollar not needed. We have a paramount duty above every duty to preserve this Republic with her millions of citizens secure from attack from without and from insurrection from within.

Our greatest security from dangers within is in the conduct of government so that ills and grievances of our people will be cured and redressed by a Government just to all. But we ought to have a force great enough to quell any internal disturbances by those who might not be satisfied with such government.

Our greatest security from dangers without lies in establishing and maintaining such friendly relations with other nations as shall encourage peace. We should accord to them just treatment even to the point of tolerance. But we ought to have a nucleus for an Army great enough to build up a combat Army to defend against any nation which might attack us notwithstanding such just treatment. The former administration urged a peace time Army of over 500,000; that, in my opinion, was too high. The present administration is opposed to a reduction below 150,000. Consideration for our security and safety should warn us not to disregard this recommendation. Disarm! We are already disarmed. It has never been our policy to maintain a combat Army in peace time, and we do not now have a combat Army, but we must maintain an Army large enough to quell internal disturbances and to furnish a skeleton organization upon which to build a combat Army if necessary.

I believe in limitation of armament. I am happy to know that as a result of the arms conference we are to reduce our naval armaments and save the country two or three hundred millions annually.

Just as far as we can get our competitors to disarm, just so far we ought to go. But this is international disarmament to cut our own Army below the safety zone without any international agreement is national disarmament and national folly. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, I am not a militarist, and I certainly could not be called a pacifist. I do not know much about military matters, but I believe I do know a little something about the history of this war. I have heard considerable comment here about our unprepared condition when we entered the last war. We were unprepared, my friends. I think nobody in the House knows that more thoroughly than I after having groped through the intricacies of these matters for two years. We were unprepared, but we were not unprepared in the way of men to go to the fighting line. We were unprepared in the things that men needed to fight with.

We had nothing to fight with. We had armies in the field, trained men ready to fight, long before we had anything to fight with. Now, there was one other thing in which we were lacking——

Mr. KAHN. Will the gentleman yield?

Mr. GRAHAM of Illinois. No; I can not yield. I have not the time just now. Perhaps I will yield in a moment. There was one other thing in which we were lacking, and that was trained officers. When we went into the war we found suddenly, after our declaration of war in 1917, that we were thrown into that great conflict without an adequate number of officers to guide us, so that untrained officers had to do the work; and if there is anything that this war has taught us it ought to be this, that never again should we be found without a sufficient corps of adequately trained officers. [Applause.] You can get the men to fight in the ranks. You can take an American boy and in six weeks' time you can make as good a soldier out of him as there is in the world, but it takes years to train an officer. Do you know the one thing that caused most of the losses and the most of the extravagance in the construction of our camps? That work was done by what was called the construction division. How many officers did we have in it? We had four commissioned officers in the construction division when the war broke out. What did we find it necessary to do, therefore? We called in contractors, the men who were in the building business, and turned the job over to them, and they wasted our money by the hundreds of millions of dollars. What did we do in the quartermaster's and ordnance departments? We had a very small corps of trained officers and we called in the contractors, the men who had shoes to sell, the men who had clothing to sell, and all that sort of thing, and we said, "Here, take charge of this, because there is nobody here who can do it." Gentlemen of the House, there was not an

officer in the quartermaster's department of our Army when the war broke out who knew how to buy a yard of cloth or a pair of shoes intelligently. Yet when this war has given us some officers, when we have a corps of trained men who know something about that business, are we going to discharge them now and cut down our force, and throw away what it cost us, $30,000,000,000, to learn in this war? My friends, I am going to vote for the Kahn amendment. [Applause.] It is the right thing to do. Let us keep our trained officers. They are mighty hard to get. So far as the men in the ranks are concerned, I shall not go along on that proposition, because I do not think it is necessary to have now a large enlisted personnel, but I do think we ought to keep these officers, every one of them, in the Army, because there may come a time when we will need them as we have in the last few years. I think I have learned these things from this war, and I am saying them now because I think it is my duty to say to you what I believe our experience has taught us as an American people. [Applause.]

Mr. KEARNS. Mr. Chairman and gentlemen of the House, perhaps the things that I will have occasion to say have been said a number of times in one way or another this afternoon, but I want to impress upon your minds the importance of this amendment. I will say that every expert who appeared before the Appropriations Committee counseled against the limitation of 11,000 officers that this committee have provided for in this bill. The Secretary of War asked for 13,000 officers in the Army. He certainly can not be classed as a militarist. The head of the General Staff, General Pershing—I do not have him in mind so much now as the head of the General Staff as the man who led the American forces successfully in France—told this committee that it would be absolutely impossible for the Army to get along with less than an officer personnel of 13,000. Then, why do gentlemen conclude that the Committee on Appropriations ought to be followed in the face of all this technical evidence of men who have made a study of this matter? They have warned the members of this committee that the Army will suffer if the number is cut down below 13,000. Yet this committee comes into this House and arbitrarily asks for 2,000 less officers, and some men in this House indicate that they are about to follow the committee who have no information upon this subject except information that would teach them to the contrary.

Gentlemen, I want to appeal to each one of you who has in mind the good of the American Army, to listen to these men who know about these matters, and not to follow the advice of those who do not know and have not heeded the warning which they have received. [Applause.]

Mr. STAFFORD. Mr. Chairman, the committee in recommending the reduction in the number of officers and in the number of enlisted men have in no instance sought to do violence to the existing establishment. In a few words I think I will be able to show to you that so far as the commissioned personnel is concerned the number recommended by the committee is warranted.

When we had an Army of 101,000 men at the close of June, 1915, we had but 4,798 officers. At that time we had no officers in training at the various schools and colleges throughout the country, in the reserve officers' training corps, or any of the other activities that the Army reorganization act provides for. At the present time we have 12,936. Where are they? In the Medical Corps, for instance, there are more than 250 than are authorized under existing law. When we questioned the officer of that corps who came before us as to the justification for that number he could not give any reason for it except that they were in the service. Now, we have taken those 250 into consideration, and many more who are surplus to that provided by law, as in the Dental Corps, the Veterinary Corps, and lopped them off from the present force. At the close of June, 1915, there were but 185 commissioned officers in the Quartermaster Corps, subsistence and finance divisions. To-day there are 993, or over 800 more officers.

Now, take the Coast Artillery Corps. Everybody in this House, even those who have no special information on this subject, knows that there is not to-day need for the same number of officers in our Coast Artillery, because we are curtailing activities in our fortifications. In 1915 we had 728 in that corps. To-day, with not many more fortifications than then, we have 1,099, or 350 more. In the Infantry we had 1,604. To-day we have 4,111, or 2,500 more than we had then. General Pershing came before our committee and said he was in favor of reducing the existing officer personnel to 12,000, getting rid of the deadwood.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. STAFFORD. No; I can not yield. I have not the time. We take the conservative position and only put it at 11,000. We do not seek to reduce the number of cadets at the Military Academy. That goes on and will replenish the Army with its younger officers. We do not seek to cut down the activities of the service connected with the colleges where we are preparing officers in reserve in case of future emergency. We expect that there will be no war in the next 10 years, but if there were war here are thousands upon thousands of officers who served in the World War—65,000 all told in the Officers' Reserve Corps—6,000 of them who have been brought into the service, increasing the number of officers to more than 12,000. Would the 65,000 officers in the Officers' Reserve Corps refuse to do their duty if an emergency arose?

Every one of the subcommittee will challenge the assertion made by the gentleman who preceded me that the committee has not given a thorough consideration to the matter. Eight weeks of continuous service was given to acquiring information from officers of the War Department. The amazing fact is that notwithstanding the Limitation of Arms Conference, not a recommendation from any officer or official of the War Department was made to reduce the estimates prepared many months before that conference met. Great Britain, notwithstanding its many dominion disorders, recognized the call for reduction of military expenses and cut the Army appropriation for next year more than $100,000,000. True, our committee received no help from the Military Establishment to meet the demand for less military burdens. We did it regardless of whether we came from districts that had forts or fortifications or posts or arsenals; our duty was to do what we believed was right to the taxpayers, what was right to the country in general, and not to create any havoc or ravage to the officer personnel, but to carry out General Pershing's own recommendations to reduce the officers to 12,000 and then reduce the Medical Corps and other noncombatant services where no harm would be done to the existing personnel. [Applause.]

Mr. MONDELL. Mr. Chairman, nothing could better illustrate the wisdom of the decision arrived at by the committee than the fact that the two motions that have been made representing the extreme views on this subject leave the decision of the committee squarely midway between them. The path of wisdom can generally be found somewhere in the middle ground between the extremes of opinion and sentiment, and while there may be some little ground for difference of opinion as to the size of the commissioned personnel of our Regular Army, the fact that the decision arrived at by the committee is squarely midway between the extreme views of the little-army men and the big-army men is, in my opinion, well-nigh conclusive proof that the committee is right. [Applause.]

Mr. PARKER of New Jersey. Mr. Chairman, there is little time left, and I do not want to take much. Every man who has studied the last war knows that it is brains and tools that conduct business in war as in peace. Educated brains in a corps of officers are the first requisite, and for that reason the amendment to the national defense act in 1920 established a corps of officers of 17,679. Why? Because they were not merely to take care of the troops but they were to run the various parts of the Army, which the chairman of the Committee on Appropriations referred to as Chemical Warfare, Aviation, National Guard, and the Reserves. You can go through it all, and brains are needed; and if you do not have them, we will be, as at the beginning of the war, without any trained officers. Last year, in 1921, we wanted to reduce expenses; but it is worth notice that the bill then prepared and passed by this same committee, while it reduced the Army from 280,000, including Philippine Scouts, to 150,000, besides Philippine Scouts, but did not reduce the officers by one man. That committee then recognized that officers were needed. We appropriated $46,000,000 for officers' pay, and now it is proposed to cut this sum in half and more, though it is proposed by the gentleman from California [Mr. KAHN] to appropriate three-quarters of that sum for 13,000 officers instead of 17,000. Is not that enough of a cut? It is proposed by this bill to cut the number to 11,000 officers and $26,000,000, and it is proposed by the gentleman from Mississippi to cut to 9,000 officers and $21,000,000.

My friends, we have now nearly 13,000 officers, and they propose to rub out 2,000 of them. They propose in the amendment of the gentleman from Mississippi to rub out 4,000 of these officers, the men upon whom we rely, men who have all had their war experience or regular training in military affairs. Where shall we get their substitutes in case of need? What will the young men say who thought that they were making the Army their life profession when they find that men who have done their duty, after 20 years of service as is provided for in this bill, are turned out because Congress says we do not want you? [Applause.]

If you want to have an enthusiastic corps of trained men to take care of your Army in time of war, stand by the Kahn amendment and do not turn people out. [Applause.]

Mr. TEMPLE. Mr. Chairman, it sounds very peculiar, indeed, during the discussion of this bill, to hear men spoken of as "big-army men" and "little-army men." The difference between 150,000 and 115,000 men is not enough to make the difference between a little Army and a big Army. Have we forgotten the recommendations that came from the Secretary of War and the President of the United States one year ago, have we forgotten the estimates that came in the annual Budget—we did not call it a Budget then, we spoke of it as the Book of Estimates—one year ago, estimates that we were considering in the House less than a year ago? The President and the Secretary of War had asked for a standing Army of 519,000 men and appropriations necessary to maintain that Army, amounting to somewhat more than $699,000,000. Compared with these demands there are no big-army men in the House now.

What has changed the minds of so many of the Members? Perhaps the minds of the Members have not changed so much. This appropriation bill does not come from the same committee that the appropriation bill came from last year. This bill comes not from the Committee on Military Affairs, most of whom are familiar, through years of study, with military problems, but it comes from a subcommittee of the Committee on Appropriations, disregarding the advice of the military authorities of the Nation. I believe in the new Budget plan, but I do not believe that the Committee on Appropriations should undertake to perform the functions of the legislative committees of the House. [Applause.] It was my good fortune to be on the committee that prepared the Budget legislation. I know that the House never intended the Committee on Appropriations to exercise legislative functions and fix the policies of the United States. [Applause.]

The policy of the United States concerning military matters ought to be fixed in legislation reported by the Committee on Military Affairs. As a matter of fact, the Congress did two years ago pass a bill which was intended to adopt a permanent policy with regard to national defense. That bill had been under consideration for more than a year; the committee had advised with the most competent students of military matters and the most experienced officers of the Army and administrators in the War Department. The size of the Army was cut far below what many of these advisors asked for, but the War Department, accepting the permanent policy adopted by Congress, has organized the Army in accordance with it. We have now less than 140,000 enlisted men in the Army and somewhat less than 13,000 commissioned officers. This bill proposes to appropriate only money enough to pay 115,000 enlisted men and 11,000 officers and to discharge the others unceremoniously. This can not have any other than a demoralizing effect on the remaining officers, who will not know what further cut in their numbers may be made next year. If we are to have no continuity of policy, we can have no Army. [Applause.]

We were told a few minutes ago that there is never going to be another war. If we were sure of that, if we could only be certain that we have arrived at the time when the nations shall learn war no more, we would not need even 115,000 men. We could beat our swords into plowshares and our spears into pruning hooks.

Even without that assurance it is not the policy of the United States to maintain a big Army which would be the real fighting force of the Nation if war should come. We do need, however, a nucleus, a training force for officers and men, around which we may develop a fighting force in case necessity should require it. We declared war in April, 1917, and then began our preparation for it. It was about 15 months before any considerable number of our troops were in actual contact with the enemy. It took us all this time to get ready. It was possible for us to take this time because the armies and navies of our friends were between us and our enemy. If necessity ever calls us again to fight, it is not at all likely that we shall have a year or more to get ready at our convenience.

In maintaining our present Army, untouched by the cut proposed by the Committee on Appropriations, we are no more than banking the fire that it may be ready promptly in case of need; but we do want red coals enough under the ashes to keep the fire from going out completely. We want the Army to be maintained in such condition and numbers that it would be able, if required, to kindle enthusiasm and communicate knowledge and efficiency to the much larger number which would be the real strength of the Nation. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2440. An act extending the period for homestead entries on the south half of the Diminished Colville Indian Reservation.

The message also announced that the Senate had passed with amendments the bill (H. R. 9859) making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the following Senate concurrent resolution:

Senate Concurrent Resolution 20.

Whereas the United States transport *Cambrai* is expected to arrive in New York on or about March 30, bearing the last of the bodies of American soldiers from the battle fields of the World War: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That a committee of five Senators, to be designated by the President of the Senate, and five Members of the House of Representatives, to be designated by the Speaker, is authorized to represent the Congress at such services and ceremonies as may be determined upon as proper and appropriate. One-half of the expenses of such committee shall be paid out of the contingent fund of the Senate and one-half out of the contingent fund of the House.

WAR DEPARTMENT APPROPRIATION BILL.

The committee resumed its session.

Mr. SISSON. Mr. Chairman, I quite agree with the gentleman from Pennsylvania [Mr. TEMPLE], who just took his seat, that in one sense of the word there are no big-army people left, except two. There are two big-army men in this House, and you can not make it too big for them. One is the gentleman from California [Mr. KAHN] and the other is the gentleman from Tennessee [Mr. FISHER]. When they speak, the Army and Navy Club and the General Staff speak to you. There is another thing about this debate that has occurred to me. Every time you find a man who has ever worn the uniform of an officer as high as colonel, you find a militarist and a man who imagines that he has a peculiar knowledge of affairs that does not obtain in any other man. Another peculiar thing about the debate is that you will find a few men who will say that the only men who have a right to a belief about this matter are the men who sit a few days on the Military Affairs Committee, and that no one else has any judgment and sense about the matter at all. The Committee on Appropriations, in the consideration of the Army appropriation bill, has had the benefit of men who have been on the Committee on Military Affairs and the benefit of their knowledge. They were on the Committee on Military Affairs during the entire war, and appropriated billions of dollars during that time and changed the policy whenever they deemed it necessary. The chairman of the subcommittee of the Committee on Appropriations on the military bill served for years on the Military Affairs Committee, and the ranking Democrats who served for many years on the Military Committee are now on the subcommittee of the Committee on Appropriations. So, make the most of it if you want to. There are two members of the Committee on Military Affairs on this subcommittee that made up this bill. You have the opportunity to carry out in good faith a pledge which you and the Democratic Party made last campaign, and that is to reduce expenses.

You can not reduce expenditures very much except in the Army and the Navy. We have done the best we could in the other provisions of the bill, and there has been but little difference of opinion. I believed in making up the bill, and I believe now, that 9,000 officers are ample and if you adopt that amendment you save in the neighborhood of $6,000,000. If you adopt the Kahn amendment you add to the amount of money over what you would expend, if my amendment were adopted, between eleven and twelve million dollars.

Men should bear in mind that when they create a great corps of officers they create that many more life tenures in office. If I had time I would like to discuss that most horrible bill ever introduced and passed through this Congress, the last reorganization bill. Under that bill the Army as now constituted does not have a single second lieutenant in it, and they contend that they are organizing their officers under the terms of that bill. Not only that, but under the terms of that law those men have life tenures in office like unto the United States Supreme Court judges, and men are already beginning to look upon it as a sacred thing when you make an Army officer out of a man. When did that come to be a sacred thing? That law is so bad that it actually smells to heaven. It is nothing more or less

than the work of the General Staff of this Army copied from the Prussian military force. Talk to me about the Military Affairs Committee having made up that bill! They did not do it, they simply viséed it. That bill was prepared by the General Staff of the Army, and for their benefit and not for the benefit of the taxpayer.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. ANTHONY. Mr. Chairman, when the committee came to the question of making the appropriation to provide for the proper number of officers for our Army we were faced, first, with a condition that in certain of the noncombatant corps—the Medical Corps, the Veterinary Corps, the Dental Corps, the Chaplain Corps, and others—there was an excess of officers over the number authorized by law and for which to-day there is not the least basic law upon which we can appropriate a dollar to pay them. The committee determined that it would not provide the money to pay their salaries and that it would provide the means to get them out of the Army. Next, we found that the Chief of Staff of the Army, General Pershing, a man in whom the committee has every confidence and in whom you have confidence, stated that there are in the Army to-day 13,000 officers, and that there were 1,000 of the least efficient of these whom he thinks should not be in the service. He has asked Congress for authority to get rid of them. In consequence the committee has provided for 11,000 officers, nearly a thousand of those we propose to get rid of belonging to these corps where there is a surplus above the number Congress says they can have and for which there is no authority of law to pay a dollar of salary, and the others, by which the commissioned strength is reduced, are the officers whom General Pershing says he should be allowed to take out of the service. The charge is made that this will cripple the Military Establishment. I deny that.

Mr. WILLIAMSON. Will the gentleman yield for a short question?

Mr. ANTHONY. I will.

Mr. WILLIAMSON. Some apprehension exists lest the training of students suffer by reason of the lack of reserve officers. Will the gentleman state whether or not this bill curtails that service?

Mr. ANTHONY. I am glad to say to the gentleman that the 11,000 officers will provide a sufficiently large number, so that the detail of every officer necessary for National Guard training, every officer necessary for schools, colleges, and the Reserve Officers' Training Corps work, every officer necessary for the Staff Corps of the Army, and still leave nearly double the number available to duty for the line of the Army than we had in 1915. In 1915 we had 4,798 officers, all told, in the Army. To-day there are some in excess of 6,000 with the line of the Army, leaving 5,000 under the 11,000 maximum under this bill for all other kinds of service, a reservoir from which we can draw a sufficient number of officers to take care of all training and use for all other really necessary purposes.

Mr. KAHN. Will the gentleman yield?

Mr. ANTHONY. I will yield.

Mr. KAHN. Does the gentleman remember that since 1915 we have added a Tank Corps and a Chemical Warfare Service in the Army which require a great many more officers?

Mr. ANTHONY. That is quite true, but we still have 5,000 in excess of the number required for the line.

Mr. STAFFORD. Only 87 for the Chemical Warfare Service.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. GREENE of Vermont. General Pershing, it is true, said he wanted to get rid of, I think, 1,000, but he also stated that he wanted to have authority to replace them with other men.

Mr. ANTHONY. That is, within a year or two years, but I am sure Congress will be able to consider at that time whether it is advisable or not to grant General Pershing's request and add 1,000 more officers to the Army.

Mr. SMITH of Michigan. Do I understand the gentleman to mention the Army of 1915? Does the gentleman claim we had enough officers then?

Mr. ANTHONY. I think for the size of the Army we had we had enough, I will say to the gentleman. Now, in closing I want to say this word, that the United States has to-day as many of the best-trained and most capable officers as any Army in the world, and the committee was thoroughly imbued with the idea of retaining all of the best of those men in the service, and in the provisions of this bill there is not a single one of those of the class I mention who will be compelled to leave the service. We wanted to get rid of those not authorized by law and get rid of the 1,000 of the least efficient whom General Pershing says can be dropped with benefit to the service.

The CHAIRMAN. The time of the gentleman has expired; all time has expired. The question is on the substitute offered by the gentleman from California [Mr. KAHN] for the amendment offered by the gentleman from Mississippi.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. KAHN) there were—ayes 68, noes 142.

So the substitute was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. SISSON].

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. SISSON) there were—ayes 40, noes 180.

So the amendment was rejected.

Mr. HULL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 4, after the word "staff," strike out "$26,896,200" and insert in lieu thereof "$29,330,954." Line 6, after the word "than," strike out "11,000" and insert in lieu thereof "12,000."

Mr. HULL. Mr. Chairman and gentlemen of the committee, I am not concerned about the reduction of the enlisted personnel of the Army. A year ago I introduced an amendment by which the Army was reduced to 150,000 men. I am concerned about the arbitrary reduction of the commissioned personnel of the Army. This amendment is not the plan of the General Staff. It is a compromise between the General Staff plan and the committee's plan. It will make the commissioned personnel 12,000 instead of 11,000, and would not permit an increase after it had been reduced. The committee plan will reduce the commissioned personnel of this Army about 2,000. This bill will be made into law something near the 15th or 20th day of June. It will give the General Staff orders, as it is constructed to-day, to reduce the personnel of the commissioned officers practically 2,000 men, and give them less than 15 days to do it in. You can not do that without creating chaos in the Army. You have to-day over 3,000 commissioned officers in the different schools. A large number of those men will have to be discharged. You only have 4,329 officers in your Army to-day. The rest of them are scattered all over this country in separate services. Where are you going to cut the Army 2,000 men in 10 days without creating chaos? You can not do it, and you know you can not do it, and the gentlemen, I think, who drew this bill knew we could not do it. It takes but three things to make an Army—enlisted men, supply system, and commissioned personnel—and of the three the important element is your commissioned personnel, and if you want and desire to economize on your Army, for Heaven's sake cut your enlisted men, but leave your commissioned personnel alone. Gentlemen, I will not take up your time; you understand the situation. I appeal to you to support that amendment. It will save the Army, and to reduce it to 11,000 will destroy the Army.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. HULL) there were—ayes 65, noes 115.

So the amendment was rejected.

Mr. McKENZIE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out on page 16 all after the word "under," in line 23, and all of line 24, and insert the following: "A board of general officers convened by the President, consisting of one retired major general of the line who commanded an army in active operations against the enemy at some time between April 6, 1917, and November 11, 1918; one retired major general of the line who did not command troops in active operations against the enemy at any time between April 6, 1917, and November 11, 1918, and who has been retired on account of age since November 11, 1918; the Surgeon General of the Army; and two general officers of the line to be designated by the Secretary of War."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. McKENZIE. Mr. Chairman and gentlemen, I do not care to take up the time of the House, but I want to call your attention to this fact: That if you are going to take out of the commissioned personnel of the Army about 2,000 officers there will have to be some system provided whereby it can be done. Under the bill that is all left to the Secretary of War. In the interest of the officer who will have to come up for trial and who will have his case passed upon and perhaps be discharged from the Army, I feel that it is but fair that he should appear before a board of the most responsible officers, and officers of

the very highest character that we have in our Army. And I have undertaken in this amendment—it is immaterial to me whether you adopt it or not—that this board shall be composed of three major generals, two of whom are retired, who stand in high esteem with all the officers of the Army, and the Surgeon General, who, I think, is looked upon by every officer in the Army as a man who is absolutely fair. That would leave, then, for the Secretary of War to select two other general officers to serve on this board. And in the interest of fairness and justice to the men who are going to be put out of the service, I plead with you to adopt some such an amendment as this in order that they may have a chance for a hearing.

Mr. CONNALLY of Texas. Is your amendment so drawn as to really designate the individuals who shall compose this board?

Mr. McKENZIE. I have no objection to saying to the gentleman very frankly that I would like to see on that board Major General Liggett and Major General Morrison, two officers, I think, that every officer in the Army will say they are willing to have pass on their cases, and the Surgeon General as the third one, and I am not so particular as to the other two. I do feel that this ought to be done.

Mr. NEWTON of Minnesota. The gentleman only calls attention to the iniquity of legislation of this character. Here is the Appropriations Committee cutting down the number of the commissioned personnel, but without power under the rules of the House to go to work to take care of the men who must be put out of the service.

Mr. ANTHONY. Will the gentleman yield?

Mr. McKENZIE. I will yield.

Mr. ANTHONY. I want to assure the gentleman from Minnesota [Mr. NEWTON] that his statement is hardly correct, inasmuch as we have provided that these reductions shall be made under regulations approved by the President of the United States, in whom we have great confidence.

Mr. NEWTON of Minnesota. But it takes the matter clearly out of the hands of Congress; and two years ago, when the Army reorganization bill was passed, there was considerable debate over the putting of officers in classes A and B. And it has been brought to my attention that on several occasions it has been attempted to put men out of the service on the worst kind of hearsay evidence, dating back 20 years.

Mr. ANTHONY. Permit me to further add, as one individual, I would have the highest confidence in the officers named by the gentleman from Illinois.

Mr. WOODRUFF. I understood from what I could hear of the amendment that it is the gentleman's purpose to create a body to pass upon the qualifications of those officers whom it would be desired to retire. I take it that body would necessarily have to pass upon the qualifications of all officers if the retirement of these officers from the Army was to be passed upon efficiently and justly and the most inefficient retired. Inasmuch as this bill can not possibly become a law until along near the end of the fiscal year, it seems to me it is going to be a physical impossibility for this body or any other like body to pass upon the qualifications of all the officers of the Army. The pending bill does not provide the funds to pay the salary of the officers to be retired beyond June 30 of this year, when this question must be settled if this bill becomes a law, and clearly this board can not ascertain the facts upon which to base intelligent action during the time intervening.

Mr. McKENZIE. That may be true. I am not prepared to say as to that. But I do say this, gentlemen, that if this Congress is to adopt the legislation which we have this afternoon, which would eliminate 2,000 officers from the Army, then, in God's name, let us provide the machinery that will give those men an opportunity to get a square deal. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. JEFFERS of Alabama. Mr. Chairman, I wish to offer an amendment to the amendment of the gentleman from Illinois.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. GARRETT of Tennessee. I still reserve it.

The CHAIRMAN. The Chair thinks it is not entirely proper to offer an amendment to the amendment with a point of order reserved.

Mr. MANN. I suggest the Chair can very easily overrule the point of order.

Mr. WALSH. I ask for the regular order, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Tennessee make the point of order?

Mr. GARRETT of Tennessee. I withdraw it.

The CHAIRMAN. The gentleman from Alabama offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JEFFERS of Alabama to the amendment offered by Mr. McKENZIE.

At the end of the amendment add:

"*Provided*, That in carrying out the provisions of this act no officer shall be separated from the service until he shall have been furnished with a full copy of the official records upon which the proposed separation is based. Such officer shall be given opportunity to appeal his case to a court of inquiry, which court of inquiry shall hear his case and such officer shall be given opportunity to present testimony and evidence in his own behalf, which evidence shall be considered by such court of inquiry."

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment proposed is not in order. I will reserve it, however, if the gentleman wishes.

Mr. JEFFERS of Alabama. Mr. Chairman, I do not wish to take up the time of the committee with this unduly, but I do think that before a man, an officer in the Army, is arbitrarily separated from the service by any rules promulgated by people of whom we know not under this bill he should be given the record upon which such separation is proposed. That is only a fair and a square deal to the man whose separation from the service is contemplated. It is absolutely against American principles, as I see it, to propose to separate an officer from the service without his being able to have an official record of the case furnished him and a chance to be heard in his own behalf and to present his own evidence and testimony.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. JEFFERS of Alabama. Yes, sir.

Mr. CANNON. How long would it take to make this change—months or years?

Mr. JEFFERS of Alabama. I do not know, sir. I am not able to tell you. But I do know that if I were an officer in the Army to-day I would want a chance to see the record upon which it was contemplated that I was to be separated from the service arbitrarily.

Mr. LINEBERGER. Mr. Chairman, will the gentleman yield?

Mr. JEFFERS of Alabama. Yes.

Mr. LINEBERGER. Is not the gentleman's amendment a copy of the present law?

Mr. JEFFERS of Alabama. Yes. It provides a B board, and it says that no officer shall be classified in Class B until he shall have been given an opportunity to appear before a board of inquiry and see a copy of the record on which their action is based and offer testimony in his own behalf.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. JEFFERS of Alabama. Yes.

Mr. NEWTON of Minnesota. As I understand it, after an officer has served at a certain station there is sent on to headquarters a memorandum by his superior as to the character and class of his service, and that record is not available to the officer at the time, but later can be hauled up against him. All that the gentleman seeks to do is to carry out existing law so that before a man can be dropped from the service he can find out the nature of the complaint made against him?

Mr. JEFFERS of Alabama. Yes; to see the record and be able to present testimony in his own behalf.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. JEFFERS of Alabama. Yes.

Mr. TEMPLE. The gentleman from Illinois [Mr. CANNON] has asked how long it will take to do it.

Mr. JEFFERS of Alabama. Yes.

Mr. TEMPLE. Is it proper to refuse justice because it takes too long?

Mr. JEFFERS of Alabama. Certainly not. This man should be given an opportunity; otherwise, my friends, you are going to find that officers now in the Army of certain classes are going to be discriminated against.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. JEFFERS of Alabama. Yes.

Mr. GREENE of Vermont. Is it not manifest on the face of it that to reduce the personnel of the Army by 2,000 will mean that after a comparatively small number have been canceled we are going to take the rest out of the men against whose record there is nothing?

Mr. JEFFERS of Alabama. You propose to take the least efficient, do you not?

Mr. GREENE of Vermont. Yes; that might be based on the present record.

Mr. JEFFERS of Alabama. Yes. You should take out the inefficient men and leave the efficient.

Mr. GREENE of Vermont. I am in sympathy with the gentleman's amendment. The developments show that we are going down into deeps where the merits of men will not be considered at all.

Mr. JEFFERS of Alabama. They prophesy now that after you have reduced the number of officers now, you will then in 12 months' time, or such a matter, have a lot more officers put in to fill up. A number of those men who will be cut off will be retired on three-quarters pay, and you will not cut down your expense, although you may think you will, because more officers will be put in to fill up. The only way to deal fairly with this question is to take this whole list of officers and push it back, and if a man is not satisfied to go down a grade, wherever by the method of pushing the whole list down a man must go to the next lower grade, then let him step out. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. JEFFERS of Alabama. Yes.

Mr. JOHNSON of South Dakota. Is it not the opinion of the gentleman that unless this amendment proposed by the gentleman from Illinois [Mr. McKENZIE] is adopted, together with the amendment you have proposed, these Pooh-Bah lord high executioners that still control the Army will arbitrarily take out of the service everyone that they do not agree with, and that they will promote their friends?

Mr. JEFFERS of Alabama. Yes. The point is that a man should have an opportunity for a fair hearing on his case before he is arbitrarily kicked out. That is the only fair deal. [Applause.]

Mr. STAFFORD. Mr. Chairman, I question whether this is not legislation. I make the point of order that the amendment of the gentleman from Alabama [Mr. JEFFERS] is not germane to the amendment proposed by the gentleman from Illinois [Mr. McKENZIE] or to any provision in the bill. The amendment proposed by the gentleman from Alabama is in no wise necessary to bring about the reduction of the Army, which is the purpose of the paragraph under consideration. The amendment of the gentleman from Illinois proposes a board of general officers instead of merely providing regulations that may be promulgated by the President. But here we go further, and we legislate as to the methods by which they may dismiss or discharge officers from the service. It is not directly connected with the reduction of the officer personnel.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. WALSH. Does not the amendment of the gentleman from Alabama provide certain details as to the procedure which should be followed by this board which is established by the amendment of the gentleman from Illinois, and would not the gentleman from Wisconsin, if we established a separate board, think it would be germane to provide certain rules of procedure which should be followed and to set forth certain rights which officers who are to be brought before this board might have under the procedure set forth?

Mr. STAFFORD. I grant that the question is not free from doubt, but it is my opinion that it is legislation, and it is not of a character that is necessary in perfecting the reduction of the personnel of the Army.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BANKHEAD. Did the gentleman understand that the original amendment offered by the gentleman from Illinois is germane to the bill and free from the vice that he mentions?

Mr. STAFFORD. It is germane to that last paragraph—"or under such regulations as he shall prescribe."

Mr. BANKHEAD. If the amendment of the gentleman from Illinois is not subject to the objection of violating the rules, then it seems to me the question of the gentleman from Massachusetts [Mr. WALSH] should be answered in the affirmative.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I shall be very glad to yield to the gentleman from Vermont.

Mr. GREENE of Vermont. I rather think, glancing for a moment at the question, that the Committee on Appropriations rebuking legislation is a good deal like Bluebeard rebuking bigamy or Satan rebuking sin. [Laughter.]

Mr. STAFFORD. The gentleman has already shown that Bluebeard had eight wives, so far as the Committee on Appropriations is concerned. Perhaps the gentleman did not wish to apply that to the Committee on Military Affairs. [Laughter.]

Mr. WALSH. The amendment of the gentleman from Illinois provides for a board and establishes the personnel of that board. The bill itself provides that this reduction shall all be under such regulations as the President shall prescribe. I suppose if a point of order were made on that it might be well contended that that is legislation. But the amendment of the gentleman from Alabama [Mr. JEFFERS] goes to questions of procedure before the board and lays down certain rights which officers to be affected by this reduction shall have.

Now, it would seem to me that if we can establish a board as the amendment proposes, we can go further and provide as to certain details of the procedure before that tribunal and certain requirements that may be followed in dealing with officers who are to be affected by the action of this board; and it seems to me that this is a germane amendment to the amendment of the gentleman from Illinois [Mr. McKENZIE], and that the contention of the gentleman from Wisconsin [Mr. STAFFORD] is not well taken.

Mr. TEMPLE. Mr. Chairman, I should like to be heard a moment on the point of order. The amendment offered by the gentleman from Illinois was to the clause which provides that certain things shall be done "under such regulations as the President may prescribe." Now, it seems to me that the whole proviso is legislation and ought to have been held to be subject to a point of order; but having been once admitted——

Mr. MANN. The gentleman misunderstands.

Mr. TEMPLE. I think not; and if the gentleman will allow me to finish my statement he will see that I do not misunderstand.

Mr. MANN. The gentleman has already made a statement based on a misunderstanding. This proviso is held in order as legislation under the Holman rule.

Mr. TEMPLE. Yes; and I say having been admitted it is improper to hold out of order an amendment to it which is of like character; that is, when we admit legislation is held to be in order under the Holman rule, then an amendment of the same character can not be excluded. The legislation which has been decided to be in order provides that certain things shall be done "under such regulation as the President may prescribe." The amendment now offered proposes that certain of those regulations shall be provided in the bill itself. If legislation is in order which confers this power on the President, then an amendment fixing certain of these regulations is obviously not out of order. If we have the right to authorize the President to do certain things we have the right to do them by our own action.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from Wisconsin [Mr. STAFFORD] makes the point of order against the amendment offered by the gentleman from Alabama [Mr. JEFFERS] to the amendment offered by the gentleman from Illinois [Mr. McKENZIE] that it is not germane to the amendment. The Chair admits that he thinks the question is open to some doubt, but he is inclined to agree with the contention of the gentleman from Massachusetts that it is a mere method of procedure to be followed by the board in carrying out the purposes of the paragraph. Under that theory the Chair will hold the amendment to be in order and therefore overrule the point of order.

Mr. SISSON. Mr. Chairman, I do not blame the gentleman from Alabama [Mr. JEFFERS] for offering this amendment. I do not blame the gentleman from Alabama for not expressing confidence in the President of the United States; but the President is the Commander in Chief of the Army, and I heard a gentleman on that side of the House question the right of Congress to put a provision in the bill recalling the troops from one country where they now are. He questioned the right of Congress to do that. Now, this is nothing more or less than one of the regulations within the Army, and if you gentlemen on that side want to go on record as saying that you have no confidence in the President of the United States, that is absolutely satisfactory to me, because even under this amendment some Army officer has got to do it, as the bill is drawn. The President will simply select such machinery as he sees fit and proper to be just and fair with the Army officers that he gets rid of. I realize fully that after President Roosevelt promoted certain Army officers over two or three thousand other officers the Army officers who had been writing this military legislation for the last few years and preparing these bills for the last few years have made every effort to get away from the power of the President to control the Army and to circumvent his constitutional prerogatives; but if you gentlemen want to circumvent that now as much as possible, I do not care. I do not blame my friend from Alabama for doing it, but I do not see just what attitude gentlemen are going to be in on the Republican side in saying they are not willing that the President of the United States shall make any sort of regulation as to how to get rid of these Army officers.

Mr. McKENZIE. Does not my friend from Mississippi think it is perfectly proper for the body which decides for the execution of certain officers at least to take steps that it shall be done in the way that they prescribe?

Mr. SISSON. I think that is a very appropriate term that the gentleman has used—"execution"—because I do not know of anything on earth that in the mind of a militarist on the floor of this House is quite as great a crime as to remove an

officer from the Army. Great God! Has it come to the point that because a man is an officer of the Army you commit a crime when in the interest of the taxpayer or in the interest of economy or in the interest of good service you remove him from the service? What divinity doth hedge the Army officer about that he has grown so great of late that he doth bestride this Republic like a mighty colossus and bids all of us walk between his mighty legs like petty men? [Laughter.]

Mr. MANN. Will the gentleman yield?

Mr. SISSON. I yield to the gentleman from Illinois.

Mr. MANN. If I understand this amendment presented by my distinguished colleague, it practically directs at least a majority of the board. I have great confidence in my colleague, and probably would agree to his selection; but I wondered whether my friend from Mississippi thinks my colleague would be any more likely to hit the right parties than the President of the United States would after careful consideration.

Mr. SISSON. I do not think so, I will say to my friend from Illinois, nor do I think that when the American people elected Mr. Harding President they intended to substitute either the gentleman from Illinois or the author of this amendment or any other Member of Congress to hold the position which he now occupies. Of course, no one could blame me if I wanted to substitute some one else.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. JEFFERS of Alabama. I ask unanimous consent to change the word "bill" in the amendment to the word "act."

The CHAIRMAN. Without objection, the Clerk will modify the amendment as indicated. The question is on the amendment offered by the gentleman from Alabama [Mr. JEFFERS] to the amendment offered by the gentleman from Illinois [Mr. MCKENZIE].

The question being taken, on a division (demanded by Mr. ANTHONY) there were—ayes 84, noes 60.

Mr. ANTHONY. I ask for tellers, Mr. Chairman.

Tellers were ordered.

The Chair appointed as tellers Mr. ANTHONY and Mr. JEFFERS of Alabama.

The committee again divided, and the tellers reported that there were 87 ayes and 54 noes.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were 70 ayes and 78 noes.

So the amendment was rejected.

The Clerk read as follows:

For pay of the officers of the Officers' Reserve Corps, $250,000: *Provided*, That no portion of this appropriation shall be expended for the pay of a reserve officer on active duty for a longer period than 15 days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5 (b) of the Army reorganization act approved June 4, 1920, or who may be detailed for courses of instruction at the general or special service schools of the Army, or who may be detailed for duty as instructors at civilian military training camps appropriated for in this act, or who may be detailed for duty with tactical units of the Air Service, as provided in section 37a of the Army reorganization act approved June 4, 1920, or not to exceed three reserve officers in the Judge Advocate General's Department, or except one officer of the Medical Reserve Corps: *Provided further*, That pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Bureau treated in Army hospitals may be paid from the funds allotted to the War Department by that bureau under existing law.

Mr. HILL. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 17, line 3, strike out the figures "$250,000" and insert in lieu thereof "$981,975."

Mr. HILL. Mr. Chairman and Members of the House, I will ask that you look at the top of page 17, because the appropriation provided by this bill practically wipes out the summer training of the Reserve Corps of the Army. This House has voted to reduce the officer personnel of the Regular Army, and judging from the expressions of opinion by various Members during the debate, this House will probably vote to reduce the present enlisted strength of the Regular Army. There remains therefore as reserve the National Guard and the Reserve Corps. I ask the committee's very careful attention to the figures I shall give you, because I do not believe that it is the desire of this committee to absolutely cripple and ultimately wipe out the Reserve Corps of the United States Army.

This bill provides an appropriation of $250,000 for pay for the Officers' Reserve Corps. The amendment which I have offered provides that one-quarter of the amount which the War Department asks for, $987,975, will be given by this House instead of the above $250,000. The gentleman from Pennsylvania [Mr. CRAGO] in a moment will offer another substitute amendment which will provide that $1,963,951, one-half of what the War Department asked for the Reserve Corps, be granted. The gentleman from Massachusetts [Mr. ROGERS] will offer a third amendment as a substitute suggesting to the House that they give to the Officers' Reserve Corps $3,927,902, the exact amount the War Department asked for. In other words, the War Department recommended that there be appropriated $3,927,902 for the Reserve Corps' pay. The committee has cut that down to $250,000. By the amendment of the gentleman from Pennsylvania [Mr. CRAGO] as a substitute and the substitute of the gentleman from Massachusetts [Mr. ROGERS] the House will have a chance to say whether they will give to the Reserve Corps what the War Department asked, one-half of what the War Department asked, one-quarter of what the War Department asked, or if they want to follow the recommendations of the committee and practically wipe out the training of the Reserve Corps in the coming summer.

I have some figures which I have compiled from the statements before the committee, and I think this matter is so serious to the defense of this Nation that I will ask the committee to listen to these figures.

I wish to make two preliminary remarks. The defect of the American system before the war was the lack of trained emergency officers. Second, a lack of properly organized skeleton units, properly officered units into which you could pour your enlisted men for use in an emergency. I say to the committee that you must remember that not only in times of actual combat but in all times of warfare when your sons and brothers are in the military service their life and health depend on the training of their officers.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. HILL. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL. In this past war enlisted men were put into trained divisions and inside of six weeks they were in the front-line trenches, but you can not train officers in the sanitation of camps or in troop leading in that time.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. HILL. Yes.

Mr. JOHNSON of Mississippi. I am very much interested in what the gentleman says, and I am curious to know if General Sawyer would be in any danger unless this amendment is adopted.

Mr. HILL. In my argument I am standing for national defense and not for any particular officer.

Mr. JOHNSON of Mississippi. I thought the "rider of the white horse" ought to know.

Mr. HILL. That touches a subject very dear to me, but if the gentleman had read the bill he would know that I am talking of national defense and not of a return to national common sense on the question the gentleman has in mind.

Mr. JOHNSON of Mississippi. I was asking the gentleman to discuss the common sense of it.

Mr. HILL. On this depends the continued organization of the Reserve Corps in the United States.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. HILL. I regret that I can not yield.

Let me go over some figures about this. There are four items necessary for the maintenance of the organized reserve. This bill provides, first, $250,000 for the pay of the officers of the reserve corps. It provides a nominal $100 for the pay of enlisted men of the reserve corps. It provides for nothing for transportation of the officers of the reserve corps, and nothing for transportation, subsistence, and so forth, for the enlisted men in the reserve corps. The total appropriation under this bill for the reserve corps for those items is $250,100.

At the present time we have 65,000 reserve officers. The War Department planned to train less than one-half of these next summer—that is, 27,722 officers. It is also planned at the same time to train 20,000 enlisted men of the reserve corps, together with some special training. For this the War Department asks $7,441,858 in other items which I shall show in a moment in addition to the pay, because this item of pay is only one item of expense. The estimated cost per man and officer on this basis for pay, transportation, and so forth, for the 15 days' training is an average of $151.80. The War Department proposed to train out of the whole reserve corps only 27,722 officers and 20,000 men, or, with 1,300 other officers, a total of 49,022. This bill provides pay which will train 1,556 officers only in the

whole United States. It will train 184 in each of the nine Army corps areas, and it will train only 34 officers on an average from each of the 48 States of the Union. That wipes out your reserve corps, as far as training goes.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. HILL. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL. The War Department requested pay for reserve officers for three months at school—400 officers, half of that is 200, and one-quarter of that, which is my amendment, is 100; officers for 45 days as instructors at military training camps, 900. Half of that is 450, and my amendment is 225. Officers for 15 days, field training, 27,722. Half of that is 13,861, and one-quarter of what they ask for is 6,980, which my amendment will pay. Enlisted men for 15 days, field training, 20,000, asked for by the War Department. There is no pay for them, except $100, provided in this bill. One-half of that is 10,000, one-quarter is 5,000. If my amendment to the officers' pay is adopted, we shall ask for pay for the men in proportion. The total officers proposed to be trained and total men in the nine corps areas is 49,022 under the War Department recommendation. One-half of that is 24,511, and the amendment that I offer furnishes pay for officers based on a total of 12,255. The average for each corps area under the War Department's full recommendation is 5,446. One-half of that is 2,723, and one-quarter of it is 1,361. For each State on that average, War Department recommendation of trained officers and men in the reserve corps this summer, 1,021; one-half of that is 510 and one-quarter 255.

The cost of that is as follows, and I shall read these figures and then conclude:

Under the estimate of the War Department, pay of officers, $3,927,902. One-half of that is $1,963,951 and one-quarter $981,975. For pay of men, War Department recommendation, $517,648; one-half of that is $258,824, and one-quarter of it is $129,412. Total pay, under the War Department recommendation, $4,445,550. One-half of that is $2,222,775 and one-quarter is $1,111,387. In addition to that there is the cost of transportation, which was developed by the questions asked by the subcommittee.

The figures on that transportation are as follows: Transportation, and so forth, of officers, $1,621,600; one-half of that, $810,800; one-quarter of that, $405,400. Transportation, subsistence, and so forth, for men, $1,374,708; one-half, $687,354; one-quarter, $343,677. Total transportation, under War Department recommendations, $2,996,308. One-half of that is $1,508,154 and one-quarter is $749,077. The total cost of pay, transportation, and all these other items would be, under the War Department recommendations, $7,441,818. One-half of that is $3,730,929, and one-quarter of it is $1,860,464.

In the amendment which I have offered I have sought to increase the amount carried in the bill, $250,000, up to $981,975 for officers' pay on the basis of one-fourth of what the War Department asks. If that amendment be passed, there will be necessary other increases to make a total appropriation for training of the Reserve Corps amounting to $1,860,464. The question is whether you want a reserve corps. If you do, then the recommendation in this bill practically wipes it out. If you want a reserve corps, you must decide whether you want what the War Department asks for, whether you want half of that, or whether you want one-quarter of it. The amendment that I have offered provides that you give one-quarter of what the War Department asks for. The amendment which Mr. CRAGO will offer is one-half and the amendment which Mr. ROGERS will offer is for the full amount asked for by the War Department.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. HILL. Yes.

Mr. STEVENSON. I want to find out what the gentleman's own attitude is. He speaks of a three-decker proposition. We have a quarter, we have a half, and we have a whole. Is the gentleman in favor of what he offered or is he in favor of the whole or of one-half?

Mr. HILL. I am in favor of the amount that the President and the War Department asked for—the whole amount as will be provided by Mr. ROGERS's amendment.

Mr. STEVENSON. Has the gentleman offered an amendment to that effect?

Mr. HILL. That amendment will be offered by Mr. ROGERS and will be before the committee to be voted on. They will all three be offered, in order that the committee may have a chance to take what it wants.

Mr. STEVENSON. Does the gentleman expect to toll the House along to vote for a quarter and then to raise it to a half and then to raise it to the whole amount?

Mr. HILL. No; but I expect to allow the House, if it wishes to do so, to give what the President wants, or a half of what the President wants or a quarter of what the President wants, and not absolutely strangle the reserve corps. I now yield to the gentleman from Wisconsin.

Mr. STAFFORD. Is the gentleman aware of the fact that the transportation alone of these reserve officers to go to military training for 15 days would aggregate the enormous amount of $1,500,000?

Mr. HILL. I just read into the RECORD that it would cost, with other expenses, $1,621,600.

Mr. STAFFORD. That would not even provide for the entire number; but for 30,000 alone at $50 a man for transportation it would take a million and a half dollars.

Mr. HILL. I invite the gentleman's attention to the table on page 253 of the committee hearings.

Mr. STAFFORD. And I invite the gentleman's attention to the statement of the officer having this matter in charge, at the top of page 25.

Mr. HILL. Well, I am reading from the report the War Department put in in answer to a question by the gentleman from Kansas [Mr. ANTHONY], where he declares that the total is $1,621,600.

Mr. STAFFORD. Here is the direct question propounded by the gentleman from Kansas: For transportation of 30,000 men for 10 days' training, $50 each, $1,500,000.

Mr. ANTHONY. Mr. Chairman, in addition to the training of the Regular Army there are four other branches of training for which this bill provides: First, the training of the National Guard, and we authorize $6,500,000 for the summer training of the National Guard. Next is the civilian military training camps. We had $900,000 for that purpose this year and trained 10,000 men. In this bill we are appropriating $1,500,000 for the training of 30,000 civilians at this summer's camps. Next, for the Reserve Officers' Training Corps, training at schools and colleges, we are appropriating nearly $3,000,000 for that purpose, and there will be 110,000 under that form of training this year. Next is the reserve officers in the reserve corps of the Army. There are 65,000 of them. Probably all of them are veterans of the late war. Nearly all of them are trained as well as it is possible to train an officer in the military art, and to say that it is necessary to take every one of those 65,000 men out and put them through a course of training this summer is preposterous. They are already trained officers, a finished product. It is true the War Department wanted to take about one-third of these men, who have already had the best military training possible only a few years ago, to train them again, but the committee did not see its way clear to do it. In the first place they asked $3,900,000 for the purpose of training reserve officers, who are already trained to command, trained in the best school of all, the school of war, and when the committee attempted to analyze the item we found nearly all of the entire amount of $3,900,000 would be absorbed in the payment of salaries to those men for 15 days. In answer to questions propounded by the committee, we found the War Department had failed in the figure they gave to the Budget to make any estimate at all for transportation and no estimate for the subsistence and cost of maintenance of the men after getting them into the camp, and in answer to queries as to the amount of money requisite they stated that it would require about $3,000,000 in additional appropriations for these purposes, so if you are going through with the proposition to again train these already trained reserve officers, as advocated by the gentleman from Maryland, you want to be prepared to appropriate at least $6,000,000 for that purpose.

Now, if the necessity existed for the training of these reserve officers at this time we would be willing to provide for it, but the committee does not believe that the necessity exists. The War Department did do what the committee thought was a practical thing last summer. They did not have sufficient money available under the appropriation of $250,000, so they tried out an experiment at Camp Meade, and they invited the reserve officers in the States contiguous to that camp to report at a certain time for voluntary training. The result was very satisfactory, and several hundred of the reserve officers answered the call, appeared, and underwent a voluntary period of instruction in a very satisfactory manner.

I believe if the War Department would adopt a similar policy and open such voluntary camps of instruction for reserve officers at different points in the country, asking that they report voluntarily, without provision for pay, that large numbers of them would come, and I would gladly support an appropria-

tion to provide for subsistence and maintenance while they were at such camps, but I do not believe we are warranted in appropriating several million dollars for the salaries of these men under the proposition of the gentleman from Maryland [Mr. HILL].

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. ANTHONY. I yield.

Mr. NEWTON of Minnesota. What provision was made in the present fiscal year for this particular item?

Mr. ANTHONY. Two hundred and fifty thousand dollars was appropriated, and we propose to reappropriate the same amount. And now, for the information of the House, I will say this provides for an average of nine officers of the Reserve Corps on duty with the General Staff. It provides for the pay of 77 who were sent to Army service schools. We provide for 77 this year. It provides for officers to serve as instructors to assist Regular Army officers at civilian training camps, and provision for the payment of 630 reserve officers for the 16 days of training.

Mr. NEWTON of Minnesota. There has been no change in the existing law which would prevent the War Department from carrying on voluntary officers training this summer?

Mr. ANTHONY. Nothing except the lack of appropriations for maintenance.

Mr. NEWTON of Minnesota. Where did they get it?

Mr. ANTHONY. They took it from the appropriation for the general maintenance of the Army.

Mr. SANDERS of Indiana. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MILLSPAUGH. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Missouri makes the same request. Is there objection? [After a pause.] The Chair hears none.

The extension of remarks referred to are here printed in full as follows:

Mr. MILLSPAUGH. Mr. Speaker, the taxpayers of the country are to be congratulated upon having in the White House a President with vision enough to sense the craving of the entire world for a return to normalcy, a President with such an abiding faith in those who are associated with him in authority, who have been chosen by the people, that he has summoned to his aid and counsel the best minds of both parties and has launched a program of peace and tranquillity for the world that meets with the approbation of all right-thinking people.

War has left its trail of sorrow and suffering, thousands of homes throughout the land have either been saddened by the placing of a gold star in the service flag on the family altar or have seen their loved ones come back to them broken in body and spirit; financial distress has throttled the Nation; the people are groaning under a burden of taxation, and yet there are those who, obsessed with their personal vanity, seek with their puny hands to muddy the waters and to hold back the irresistible tide of peace which is now running with overwhelming force.

In the face of pressure exerted by those interests which seek to wring from the taxpayers of the country enormous sums with which to build ships to rot and decay and to maintain useless armies in times of peace, Congress has used the knife upon the estimates submitted and has figuratively cut to the bone with the further assurance to the taxpayers that as soon as the recently proposed treaties are ratified, further cutting will be done, to the end that this source of wastefulness in Government expenditures may be curbed.

It is extremely gratifying to know that this Congress has hearkened to the oft-repeated desire of the people for a substantial reduction in the hitherto enormous expenditures for the maintenance of the Army and Navy.

The farmers of our country are aroused as never before against the injustice of spending many hundreds of millions of dollars for the support of useless armies and navies, the cost of which must ultimately be borne by those engaged in agriculture and stock raising, and they will voice their hearty approval of the action of this Congress in eliminating this source of wastefulness.

It is to be regretted that there are those interests which seem to think the farmer is asking too much legislation in his behalf, and who, when legislation is being considered for the advancement and relief of agriculture, plant their feet stubbornly and refuse to be moved; but, fortunately, the time has come when the friends of the farmer are in the saddle in this Congress and his desires and needs are being considered as never before.

To those of us who have been associated with the farmer for many years, who have been his confidant and counselor, who know of the hardships and privations which have been his lot, it is inconceivable that anyone should oppose his efforts to throw off his shackles and enjoy at least a modicum of the advantages and financial returns that accrue in other lines of endeavor.

Surely the man who toils ceaselessly in the heat of summer and the cold of winter to produce the food upon which our existence depends, together with his faithful wife, who must deny herself the many social advantages of the town and city, who is forced by circumstances to work in loneliness, and who must be content to see their children receive an education under great disadvantages, are entitled to better returns for their labor than they have been receiving.

The many measures for the benefit and relief of agriculture which have been enacted into law by the present Congress bear evidence of the fact that those Members who have been sent here from the great Middle West to represent the agricultural interests of that great part of the Nation are functioning.

Extravagance has been checked, appropriations and taxes have been reduced by billions, injurious immigration has been stopped, a budget system inaugurated, a farmers' emergency tariff bill passed, the packers' regulation act has been enacted into law, grain gambling has been restricted, loans to farmers through the War Finance Corporation authorized, and ample funds appropriated for the marketing of farm-loan bonds.

While the war finance act has proven itself a vital factor in rehabilitating agriculture, it must be recognized that it is of a temporary nature and must be followed by a permanent measure which will insure a sound and efficient system of rural credits.

When this has been accomplished and a further substantial reduction in railroad rates has been made effective, coupled with the retrenchment in useless Government expenditures which is now being so successfully accomplished, when the present plans to stabilize the credits of the world bear fruition to enable foreign markets to purchase our grain and manufactured products, surely the taxpayer will have cause for gratification.

Mr. CRAGO. Mr. Chairman, I desire to offer a substitute amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment as a substitute for the amendment offered by the gentleman from Maryland [Mr. HILL], which the Clerk will report.

The Clerk read as follows:

Substitute offered by Mr. CRAGO to the amendment offered by Mr. HILL: Page 17, line 3, strike out "$250,000" and insert "$1,963,951."

Mr. CRAGO. Mr. Chairman, I do not intend to burden the House with remarks on the reason for this increase. From the data furnished me I am satisfied this increase, in the main appropriated for the pay of officers, would entail a total expenditure to train this number of officers of something over $3,000,000. I will say I am not in favor of appropriating a sufficient sum to pay the cost and the salaries and the expenses of training all the officers in the Reserve Corps, but I believe if we would appropriate such sum as would provide for pay, subsistence, transportation, and the extra cost of the camps for, say, 10,000 of these officers, that we would have taken a step in the right direction. It is a mighty easy thing to ask men to interest themselves in this work and take their commissions in the Reserve Corps, but these men are going to get away from their training. Training is constantly changing, and many of these men are not financially able, as some of them did last year, to voluntarily respond at their own expense and take this training. That leads to a discrimination. It is only the fellow who has plenty of money and plenty of time to spend who can take advantage of that, whereas the great body of the officers of the Reserve Corps are men who can not afford to take this training unless they are for this short period paid the regular pay commensurate with their rank.

If we are going to cut down our armed force and cut down our officer personnel, I feel like insisting very strongly on annually providing sufficient funds to let these men who are enthusiastic in this work and who already have some degree of training to continue their training, and thus keep in touch with the new ideas developed in Army training. I know very well—at least, I think I know—that a man will soon lose his training and lose what he has gained before unless he year after year has a chance to go over some course of instruction. And I think it is a very, very valuable asset of our country, and it is one of the cheapest forms of national defense which we can adopt.

I do not know whether the House is disposed to increase this appropriation or not. I do hope, however, that the men who have this legislation in charge, when the time comes, will agree with the minds on the other side of the Capitol and work out some well-developed plan; not one that will take a great amount of money but one which will enable the men who really desire this training during the next year to take it. I believe it will be money well spent, and an expenditure which will be approved by the great body of the citizens of our country. [Applause.]

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

Mr. ROGERS. This is in the nature of an amendment to the substitute.

The Clerk read as follows:

Amendment to the substitute, offered by Mr. ROGERS: Page 17, line 3, strike out "$250,000" and insert "$3,927,902."

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield for a moment?

Mr. ROGERS. Certainly.

Mr. GARRETT of Tennessee. It lacks 15 minutes to 5. It is evident that you can not get through this afternoon.

Mr. ROGERS. I am perfectly willing to withdraw from the floor if there is going to be a discussion of the program.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I will if it will not be taken out of my time. I want only five minutes.

Mr. ANTHONY. Would it suit the gentleman's purpose if the gentleman from Massachusetts should use his five minutes and then that I should make the motion to rise?

Mr. GARRETT of Tennessee. That will be satisfactory.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ROGERS. Mr. Chairman, I am in favor of the largest sum that Congress will devote to the training of officer material in the United States. I was in favor of it this noon. I am more in favor of it now, since the House by a fairly decisive vote has just refused to accept the amendment of the gentleman from California [Mr. KAHN] increasing the number of officers from 11,000 to 13,000. I still hope that by the time this bill is enacted we shall have the 13,000 officers that the President and the Secretary of War and every other competent authority have testified the country will need.

In the amendment I have offered I propose a moderate sum of money to train men in peace who shall be prepared in the event of war. I do not know of any way of getting men who shall be ready to command troops if war comes except by training them before war comes. That is precisely the purpose of this amendment.

I find great difficulty, frankly, gentlemen, in following the recommendations of the committee in many respects throughout this bill. I have a high regard personally for the Members who have made up the bill, but I served on the Committee on Appropriations and I know how these things are done. There is a subcommittee of five. They sit by themselves, and then they report to the full Committee on Appropriations. There is an hour's hearing or so before the Committee on Appropriations given to the chairman of the subcommittee. Then, as in this particular case, the bill is ordered reported out by the committee of 35 without the change of a word, or an item, or a line. That is what happens, and the result of that kind of legislation is that three men, three Members of this House, have decided every controverted point involving the military policy of the United States.

In what I say I have no criticism of the patriotism or of the high purpose of the gentlemen who constitute that subcommittee on Military Affairs of the Committee on Appropriations. But I do not forget, gentlemen, the days in 1916 and 1917, when war was in prospect, and even after war had come. What was the record of those gentlemen of the subcommittee on the great questions that confronted the Congress in those days? One of the five voted against the war altogether. Three of them, a majority, voted against the Kahn amendment, which made vital the draft law; and four of the five, all but one, voted for the well-known McLemore resolution by voting against tabling it indefinitely; that is, in effect, they voted for it by voting against tabling it.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. ANTHONY. Since the gentleman is making a rather gratuitous reference to the votes of those gentlemen, will he tell what he means when he says we were delinquent in certain things? When he said we voted against the Kahn amendment, what does the gentleman imply?

Mr. ROGERS. I mean to suggest this, that during the war time there were things that I regarded as vital. The gentleman took another view of them, but I had no criticism of him for that. But now on questions involving the military policy of this Nation I prefer to take the views of President Harding, Secretary Weeks, General Pershing, and General Harbord rather than the views of the members of the Military Affairs subcommittee.

THE MILITARY POLICY OF THE UNITED STATES IN THE PENDING ARMY APPROPRIATION BILL—A STORY OF SCUTTLE.

The Committee on Appropriations proposes to reduce our officers to 11,000 and our enlisted men to 115,000. It proposes that, except in emergency and after June 30 next, our troops in Hawaii and in the Panama Canal Zone shall be limited to 5,000 enlisted men each, our troops in Europe to 500, and that all our forces now in China shall be withdrawn altogether. For reasons which I have already discussed—see CONGRESSIONAL RECORD, Saturday, March 18, 1922, page 4109—I believe these limitations upon our overseas forces are unconstitutional. Whether or not they are constitutional, I am convinced that they are extremely unwise and shortsighted. I am equally convinced that the drastic cut in the size of the Army, while, of course, constitutional, is also extremely unwise and shortsighted.

Leaving out of account some 7,000 Philippine Scouts, the appropriation act for the present fiscal year appropriates for 14,000 officers and 150,000 enlisted men. The estimates of the War Department for 1923, upon which this bill is based, call for an Army of 13,000 officers and approximately 151,000 enlisted men. Our present Army comprises approximately 13,000 officers and 132,000 enlisted men. The pending bill, as I have said, proposes 11,000 officers and 115,000 enlisted men. The bill thus contemplates a reduction in the Army beginning the 1st of July next of approximately 25 per cent, both as compared with the current appropriation act for the present year and with the estimates of the War Department for the ensuing year.

Clearly, such a drastic cut as this is unwarranted unless the recent arms conference has materially changed the situation. But everyone knows that no agreement whatever was reached at that conference leading to the reduction of the land forces of any of the nations. Similarly, probably everyone knows that several of the nations of the world are maintaining land military forces several times as large as our own. We do not expect trouble from any power in the near future. Still less do we want it. But we certainly do not wish to scuttle our Army and reduce it to a point below the effective minimum both for training purposes and in case it were needed for the national defense.

Secretary of War Weeks, General Pershing, General Harbord, and many other responsible military officers solemnly warn the Nation that a reduction below 150,000 men is a reduction below the minimum of safety. We need the extra 35,000 men, over and above the committee recommendation, not probably for actual use but for insurance purposes—to form the first line of defense in case of need and to form a trained nucleus in case expansion should become necessary. There is not a line of testimony in the hearings which shows either a reason or a basis for the committee action. On the contrary, every witness who dealt with the subject solemnly warned against any considerable reduction.

To my mind, still worse than the cut itself is the manner proposed by the committee for making possible the cut. To-day we have in Hawaii some 12,000 officers and men. The committee proposal would require this to be reduced by 60 per cent, to 5,000 men. To-day we have in Panama some 7,000 men. The committee proposes to lop 2,000 from this force.

Hawaii is the key to the Pacific Ocean and the key to the defense of our Pacific coast. In the islands are 115,000 Japanese and 161,000 of all other races. Forty-two per cent of the population of the islands to-day is Japanese. Secretary Weeks told the committee that there were materially fewer troops even to-day in Hawaii than the requirements of the situation demanded. He pointed out that the Hawaiian Islands are the point from which the defense of the Pacific coast should be made; that any expenditure in the protection of the islands saves a vast amount of preparation on the Pacific coast. He stated that every dollar spent there would mean the expenditure of several dollars on the coast if we did not control the islands. He stated frankly to the committee that there is no reason to control the islands unless we have enough men to protect the situation, and that it would be the height of imprudence not to have a material military force there. Yet, in the face of the testimony of the Secretary of War and of the

even stronger testimony, if possible, of General Harbord, the Assistant Chief of Staff, the committee deliberately proposes to reduce the Hawaiian garrison by 60 per cent, from 12,000 to 5,000. I ask every Member of this House to read General Harbord's testimony, on pages 1454 to 1456 of the hearings, and Secretary Weeks's testimony, on pages 1466 and 1467.

This bill might be termed "A bill to withdraw the western frontier of the United States to a point east of the Rocky Mountains." Some one may say—though the committee report does not say—that the four-power treaty recently agreed to is a sufficient reason for cutting down our Pacific forces to a comparative handful. I have every confidence in the utility of the four-power treaty and earnestly hope that it will be ratified by the Senate. But, to paraphrase General Putnam, "Let us trust in God and in the four-power treaty, but let us also keep our powder dry."

No; I do not feel satisfied to depend wholly upon the good will of other nations. I apprehend no early trouble with any other power. But I know of no more effective insurance against trouble than to keep at least 15,000 American troops at the "crossroads of the Pacific." There they serve as an object lesson to all men. There they are on the spot, to be moved swiftly wherever the danger, wherever the emergency arises. There they are ever present to protect our great naval base, which, under the four-power treaty, is to be our western outpost for the navies of the country.

Suppose by July 1 we cut down our present 12,000 in Hawaii to 5,000 as the bill proposes. Suppose a year or two hence some emergency arises which leads the President and the Secretary of War to conclude that three times the force must be immediately dispatched to the Hawaiian Islands. The instant our troops set forth from the Pacific coast the expedition will be regarded as a grave menace, perhaps almost as an act of war, by the other party concerned in the incident. While, if we retain our present troops, as every military adviser urges, we should have that vastly greater protection in case of need and at the same time avoid the risk of seeming to threaten and of certainly offending another power.

Perhaps it will be said, as it has been said time out of mind on this floor, that no credence is to be placed upon the recommendations of the President, the Secretary of War, of General Pershing, or of the Assistant Chief of Staff, General Harbord. Personally I resent and despise the frequent allegation that an officer of the United States Army—even the Secretary of War—is so prejudiced as to make his recommendations of little value, but, nevertheless, the argument will be urged again, as it has been urged in the past, on this floor.

What is the alternative? To vote with the Subcommittee on Military Affairs.

Let us assume, if you like, that the President, Secretary Weeks, General Pershing, and General Harbord—able men all, to whom the country owes much—are not infallible. What, I repeat, is the alternative? To me the answer is plain. On a matter of military policy I prefer to be recorded with these men rather than with the Subcommittee on Military Affairs.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent for five minutes.

The CHAIRMAN. The gentleman from Kansas.

Mr. ANTHONY. Mr. Chairman, the gentleman from Massachusetts [Mr. ROGERS] has just made a statement here, which indicates that he himself does not know what he is talking about. It is a statement that has frequently been made in the years that have elapsed since we voted on what was known as the Kahn amendment. The statement is that Members of this House who voted against that amendment opposed some vital legislation which was necessary for the conduct of the war. I deny that, and I rather resent the action of the gentleman from Massachusetts in intruding it into this debate. The majority of the Committee on Military Affairs under the leadership of the chairman of the committee at that time, the gentleman from Alabama [Mr. DENT], reported into this House a bill for raising the military forces of the United States to conduct the war. We provided in that legislation that the President should first call for 500,000 volunteers, giving him the power thereafter to use all the machinery of the draft and to raise all the men that were necessary to conduct that war. The bill so came upon the floor of the House. The gentleman from California merely offered an amendment to strike out the authority to raise 500,000 volunteers.

Mr. MADDEN. But we did raise several hundred thousand volunteers.

Mr. ANTHONY. I am coming to that. The House struck out the authority to raise the increment of volunteers and enacted the exact provisions of the draft act as our committee reported it, and for which I voted. Now, what did the War Department do? They found that if they acted alone upon the language of the Kahn resolution they would lose six months' valuable time in perfecting the machinery of the draft act, so they resorted exactly to the policy outlined by the Military Committee of the House under the leadership of the gentleman from Alabama [Mr. DENT], and instead of raising 500,000 volunteers, they raised nearly a million and a half. [Applause.] And I want to say to the gentleman from Massachusetts [Mr. ROGERS] that my vote on that measure was absolutely sound at that time from the standpoint of military policy, as was demonstrated by the action of the administration and the War Department in following exactly the policy outlined in the report of the Committee on Military Affairs to the House. [Applause.]

I move that the committee do now rise.

The CHAIRMAN. The gentleman from Kansas moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the War Department appropriation bill (H. R. 10871) had come to no resolution thereon.

POST OFFICE APPROPRIATIONS.

Mr. SLEMP. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Post Office appropriation bill (H. R. 9859), disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Virginia asks unanimous consent to take from the Speaker's table the Post Office appropriation bill, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection, and the Speaker appointed as conferees Mr. SLEMP, Mr. MADDEN, and Mr. SISSON.

Mr. BOND. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk Senate concurrent resolution 20 and consider the same.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's desk Senate resolution 20, which the Clerk will report.

The Clerk read as follows:

Senate concurrent resolution 20.

Resolved by the Senate (the House of Representatives concurring), That a committee of five Senators, to be designated by the President of the Senate, and five Members of the House of Representatives, to be designated by the Speaker, is authorized to represent the Congress at such services and ceremonies as may be determined upon as proper and appropriate. One-half of the expenses of such committee shall be paid out of the contingent fund of the Senate and one-half out of the contingent fund of the House.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

The Speaker appointed as the committee on the part of the House Mr. CRAGO, Mr. ARENTZ, Mr. FISH, Mr. MCSWAIN, and Mr. RANKIN.

Mr. PAIGE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the post office appropriation bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD on the post-office appropriation bill. Is there objection?

There was no objection.

The extension of remarks referred to are here printed in full as follows:

Mr. PAIGE. Mr. Speaker, under the leave granted me to extend my remarks in the RECORD, I present the following in reference to the pneumatic tube mail service in New York City.

Congress has always voted in favor of the use of these tubes, and on June 28, 1918, this House concurred with the Senate in directing the Postmaster General to continue the tubes in use, but this action was prevented by President Wilson's veto of the post office appropriation bill which contained this provision.

Later Congress authorized a joint commission to look into the subject, and Senator CHARLES E. TOWNSEND is chairman of this commission, which was created by section 6 of the post office appropriation act approved April 24, 1920, "To investigate all methods of carrying the mails, etc."

This commission submitted to Congress on July 26, 1921, the recommendation that the Postmaster General enter into negotiations with the company owning the New York system of tubes "looking into an agreement upon the terms under which service, if restored, may be maintained and such agreement be pre-

sented to the commission before final action is taken by the Postmaster General."

This action by the joint commission was based on the unanimous report of its investigating engineers and of a committee of postal experts who were assigned to the commission by the Post Office Department.

A summary of the report of these engineers and experts is as follows:

(a) That these tubes can handle 10,000,000 letters a day if called upon to do so.

(b) That instead of delaying a large number of letters they actually delayed 84,469 in the 12 months ending June 30, 1918, out of 3,158,000,000 carried, or 1 in 37,400, whereas motor vehicles delayed 74,216,000 letters in 3½ months.

(c) That instead of soiling and damaging "many thousand letters" they actually soiled in one year 588 letters, or but 1 in each 5,000,000 transmitted, and damaged 70 letters, or 1 in 45,000,000 transmitted.

(d) That the tube service was remarkably efficient and the criticisms against it unjustifiable and not based on facts.

(e) That the tubes performed in a manner reflecting great credit on the design of the apparatus and on the actual methods of operation.

(f) That 330,858,000 letters were delayed by motor-vehicle service in one year as compared to 84,000 letters by tube, or on the ratio of 3,915 to 1, and that in one severe snowstorm—February 21, 1921—4,963,500 letters were delayed by motor-vehicle service, or fifty times as much mail as the tubes delayed in 365 days.

(g) That when the pneumatic tubes were discontinued it was necessary to increase motor-vehicle service 51 per cent, or by 96 vehicles, thus increasing street congestion and danger of accidents.

(h) That loss and theft of mail is impossible from the pneumatic tubes, and that while in the last six years of tube operation there was but one loss of registered mail, in 1920 there were 113 robberies, with a loss of $234,000, and in 1921, in one instance, a $2,000,000 robbery.

(i) That instead of increasing motor-vehicle service but 15 per cent, as estimated by First Assistant Postmaster General Koons, in 1918, when the tubes were discontinued, it was necessary within six months to increase the service 51 per cent, during which period the postal receipts increased only 5.88 per cent.

(j) That this automobile service, and the necessary extra dispatching clerks, cost $437,844 instead of $193,019, as estimated by Mr. Koons, as compared with the tube contract cost of $472,245 which it displaced.

(k) That the number of pouches increased from 7,183 to 20,354, showing that the tubes carried more than 13,000 pouches daily.

(l) That the automobiles were dispatched half hourly, as compared with carriers' dispatch every 10 seconds, or almost continuously, by tube, and at a speed of 7 to 10 miles per hour, as compared to the tube speed of 30 miles per hour, by which system the mail is delivered directly to the working space of the post office.

The nine postal experts assigned to the commission by the Post Office Department were unanimous in their opinion—

that the pneumatic-tube service expedites the transmission of first-class mail because of its constant availability, increased speed in transmission as compared with motor vehicles, and its freedom from interruption to which all street traffic is subject.

They recommended that the former pneumatic tubes be reestablished; that certain extensions be made; and set forth in detail the data upon which their recommendations are based.

The conclusions of the officials of the Post Office Department and of the Postmaster General after a thorough investigation were the same as those reached by the joint congressional commission, by the engineers and experts assigned to this commission, namely, the urgent necessity for the immediate reestablishment of this pneumatic-tube service. They pointed out in this connection that some 14,000,000 pieces of mail are handled in New York daily. Of this number 8,000,000 pieces, or 57 per cent, is letter mail, although measured by bulk letter mail is but 12 per cent of the total mail.

The postal receipts in New York are in excess of $53,000,000 a year, and the receipts from letter mail in excess of $36,000,000 a year. The letter mail alone pays a profit; all other mail is carried at a loss.

The pneumatic tubes were built to speed the letter mail only, and according to the official records they speeded 72 per cent of the letter mail in New York City, though they connect only 26 of the 46 postal stations under the jurisdiction of the postmaster of New York.

The Postmaster General therefore recommended to the joint congressional commission that an appropriation be made and authority given for the immediate restoration of pneumatic-tube service in New York and Brooklyn.

These tubes connect all but seven postal stations in the Borough of Manhattan, or New York City proper, and cross Brooklyn Bridge to two post offices in Brooklyn. They are 8 inches inside diameter, made of bored cast-iron pipe, through which cartridges, 24 inches long, carry the mail at a speed of 30 miles an hour. These tubes are laid in pairs, like a double-track railway. The capacity of each tube line between each postal station connected is 180,000 letters an hour. These tubes were constructed on the specifications of the Post Office Department and at the request of the Post Office Department.

These tubes will carry 8,000,000 to 10,000,000 letters in New York every day, and at a cost of less than 2 cents per 100 letters carried, or less than 1 per cent of the $2 paid by the public for forwarding these 100 letters. It is pertinent to note in this connection that the public pays approximately 90 cents a pound for the delivery of letter mail, since there are about 45 letters to the pound, as compared with 1½ cents per pound for forwarding second-class mail.

The reestablishment of the tubes in New York City will benefit not only the people in that city but also all people who write to or receive letters from that city, through the earlier, more regular, and safer delivery of the letter mail. The use of the tubes will help to modify street congestion and prevent accidents; will give equal and uniform postal facilities over the entire city, thus tending to prevent business establishments concentrating at one point; and because of their speed, the tubes, for practical purposes, will put all post offices under one roof.

The reestablishment of the tubes will benefit the Post Office Department in reducing the number of automobile trips, pouching clerks, trucking and platform labor, and auxiliary service required to meet late trains. By permitting decentralization and each post office doing its own work, the tubes will save the labor and rent at concentration and transfer points which are now required; will keep clerks busy during storm and traffic delays; will permit portions of the postal load to be shifted immediately, without additional cost to the Government, from busy to nonbusy postal stations; will reduce the number of registered mail guards; and will give to the public the best possible mail service.

The Joint Congressional Commission at a meeting held on January 9, 1922, approved the making of a contract in New York for the reestablishment of the tubes at an annual rental rate per mile of $18,500, or $513,911.50 per year, with the proviso that either the company or the Post Office Department, after the starting of the service, might appeal to the Interstate Commerce Commission for a revision of this rate, which commission, however, shall not find a rate in excess of $19,500 per mile per annum. No minimum has been set. The commission also advised a provision in the contract permitting the Government to purchase the system if it so desired.

The immediate reestablishment of pneumatic tube service in New York City is recommended by the Joint Congressional Commission on Postal Service; by its engineers and postal experts; by the Postmaster General, the Budget officials, and the postmaster and officials of the New York post office; by an advisory committee of New York citizens appointed by the Postmaster General; by the mayor, the city government, the Merchants Association, and all civic organizations in Greater New York.

The statement of the Director of the Bureau of the Budget, which is concurred in and forwarded to the Senate in a communication from the President of the United States transmitting supplemental estimates for appropriation for the Post Office Department, is as follows:

The estimate for pneumatic-tube service was not included in the Budget for 1923 for the reason that the Joint Postal Commission arrived at its conclusion to recommend the resumption of tube service in New York and Brooklyn only last week, at which time the Post Office appropriation bill was already before the House of Representatives.

* * * * * * *

The advantages to be obtained from the resumption of service by these pneumatic tubes can not be measured in dollars and cents, since they consist of, first, expediting the service; second, increasing the regularity and reliability of the delivery of first-class mail; third, increasing the safety with which mail is distributed; and, fourth, the relief of vehicular congestion in the streets.

If the resumption of this service is authorized and appropriation therefor made, it will be possible to reduce the estimates for clerk hire in first and second class post offices, under the First Assistant Postmaster General, by the amount of $150,000 from the amount originally

estimated, and the appropriation for vehicle service in cities, under the Fourth Assistant Postmaster General, by the amount of $200,000 from the amount originally estimated. While these reductions do not offset the cost of the operation of the tubes, they serve to reduce the cost of expedited and more reliable service of distribution, and it is anticipated that the saving in vehicular service in cities, under the Fourth Assistant Postmaster General, can later be increased after the readjustment is completed.

The bill as amended by the Senate carried an appropriation for the reestablishment of the pneumatic-tube service in New York City, and I feel that the reasons that prompted that action may be of interest to Members of the House. I append herewith a report from the Merchants' Association of New York on the subject:

THE MERCHANTS' ASSOCIATION OF NEW YORK.

("To foster the trade and welfare of New York.")

IN THE MATTER OF SENATE AMENDMENT TO THE POSTAL APPROPRIATION BILL FOR THE RESUMPTION OF PNEUMATIC TUBE POSTAL SERVICE IN THE CITY OF NEW YORK.

To the Members of Congress, Washington, D. C.:

The Senate has added to the postal appropriation bill as adopted by the House an item to provide for the restoration of the pneumatic tube postal service in the city of New York.

The abandonment in 1918 of the postal tubes seriously impaired the postal service in this city and delayed the movement of important mail throughout the entire country. The direct effects of such abandonment were:

1. GREAT INCREASE IN THE TIME BETWEEN MAILING AND DELIVERY OF LOCAL LETTERS.

Formerly local letters mailed prior to 1 o'clock were regularly delivered the same day by means of the tubes. Since abandonment of the tubes, in a test of local mail movement made by this association, out of 118 letters mailed before noon of a given day 81 were not delivered until the following day. With the tubes in use the time between mailing and delivery averaged 2 to 3 hours. Without the tubes 18 to 20 hours elapsed between mailing and delivery in 69 per cent of the cases.

With the tubes local service in the business section is usually completely performed within the day of mailing; without the tubes it is usually not completed until the following day.

2. DELAY IN SPECIAL-DELIVERY LETTERS.

At the present time from 15,000 to 17,000 "special delivery" letters per day require from three to five or six hours for delivery. When the tubes were in operation delivery was made in from half an hour to two hours.

3. HEAVY ROBBERIES OF REGISTERED MAILS.

Registered mails of great value move through the tubes with absolute safety against robbery. Since abandonment of the tubes robberies of mail autos carrying registered mails have caused immense losses. To afford protection against robbery an armed guard now accompanies each principal dispatch of registered mail. For this sole purpose about 140 postal employees are required besides a number of United States marines. The annual cost of this protection is very considerable. Restoration of the tubes will fully protect registered mail and make the outlay needless.

4. FREQUENT AND OFTEN PROTRACTED DELAY TO THE ENTIRE BODY OF OUTGOING MAILS.

Winter storms prevent prompt and complete movement of mails by auto. Whenever there is heavy snow it is an almost daily occurrence for autos carrying large quantities of mail for a particular train to miss connection. Such mail is delayed many hours, often until the following day.

To minimize this risk the running time allowed for movement of autos is doubled or trebled, and mails are "closed" at the office of dispatch correspondingly earlier. It frequently happens that important mails are thus closed from two to three hours—and sometimes more—in advance of train time, and large quantities of mail are held over for later dispatch on slower trains with poorer connections. Every part of the country is harmfully affected by delays of this class.

The tube service completely avoids delays from this cause. It assures certain delivery to outgoing trains of all letter mail deposited prior to the normal closing time.

5. DELAY TO LATE OUTGOING LETTERS.

When autos are used the dispatch of letters to trains ceases 30 to 45 minutes or more before train time. The dispatch of letters by tube continues until about 10 minutes before train time. The tubes continue to forward letters for a particular train for 20 to 35 minutes or more after their forward movement by auto has ceased. About half a million letters were thus daily expedited when the tubes were in use. With auto service a similar number are delayed each day. That delay frequently makes a difference of 24 hours in delivery.

6. DELAY TO INCOMING MAILS.

The prompt movement of incoming mails was in similar manner impeded by the suspension of the rapid and certain tube service and the substitution of the slower and less reliable auto service. The difference in promptitude of service was especially noticeable in the winter season, when the auto service was impeded by weather conditions which did not affect the tube service. Late delivery of early morning mail was a condition of extreme frequency, and investigation demonstrated that it was mainly due to delays arising from auto service.

The great practical utility of the tube service has been shown beyond reasonable controversy by the searching study, covering two years, of postal methods made by the Joint Commission on Postal Service, of which Senator TOWNSEND is chairman.

In the conclusions of that commission Postmaster General Hays emphatically concurred.

Gen. Charles G. Dawes, Director of the Bureau of the Budget, whose especial business it is to cut out needless or undesirable appropriations, reviewed the recommendation of the commission and indorsed the desired appropriation; and, finally, President Harding approved the estimates and transmitted them to Congress.

We know by actual experience the deterioration of our mail service which followed the withdrawal of the tubes and which still continues. We formerly had a facility which was continuous, certain, and speedy in operation. We now have as a substitute an inferior facility, of relative slowness and subject to frequent delays which affect mail movement throughout the entire country.

We therefore urge the restoration of the pneumatic tubes as essential to the restoration of our postal service to its former excellence.

THE MERCHANTS' ASSOCIATION OF NEW YORK,
LEWIS E. PIERSON, *Acting President.*

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HICKS, on account of illness.

To Mr. CLOUSE, for 10 days, on account of important business.

To Mr. MCDUFFIE (at the request of Mr. BANKHEAD), indefinitely, on account of illness in his family.

EXTENSION OF REMARKS.

Mr. WURZBACH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Army appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. JEFFERS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks on the Army appropriation bill now pending.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent to extend my remarks on rural credits.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANKFORD. Mr. Speaker, on Friday last I introduced a bill seeking to make rural credits easier and more helpful to the farmers and am preparing for introduction within the next few days a bill seeking to establish a "producer to consumer" marketing system. I invite the attention of Congress and the country to these bills.

The farmers are entitled to a much better rural credit system than they have ever had. I believe I am offering such a system. The farmers are entitled to a much better marketing system than they have ever enjoyed. I believe I am proposing a way to establish such a system. In these efforts I am asking for friendly suggestions and criticisms. Let us do something helpful to the farmers along these lines.

The farmers need loans now. They would not need them if they could only get a fair price for their products. Help the fathers and mothers and boys and girls of the farm to sell all they can produce directly from the producer to the consumer, at a reasonable price, and they will make all the money they need and to spare. Justice is all they ask. Simple justice, if granted, will give them that which is justly theirs and will enable them instead of borrowers to become lenders of money.

Mr. Speaker, I shall discuss these bills more at length at a more convenient season when I can secure more time for a more detailed explanation of them.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2440. An act extending the period for homestead entries on the south half of the Diminished Colville Indian Reservation; to the Committee on the Public Lands.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that on March 18 they had presented to the President of the United States, for his approval, the following bills and joint resolution:

H. R. 9597. An act to amend an act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918;

H. R. 9235. An act providing for a grant of land to the State of Washington for public park purposes;

H. R. 10663. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1922, and prior fiscal years, and for other purposes; and

H. J. Res. 227. Joint resolution extending the term of the National Screw Thread Commission for a period of five years from March 21, 1922.

CALENDAR WEDNESDAY BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to dispense with Calendar Wednesday business to-morrow.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to dispense with Calendar Wednesday business to-morrow. Is there objection?

Mr. GARRETT of Tennessee. I object.

Mr. MONDELL. Then, Mr. Speaker, I give notice that I will move to-morrow morning to dispense with Calendar Wednesday business. I ask unanimous consent that when the House adjourns on Wednesday it adjourn to meet at 11 o'clock on Thursday.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns on Wednesday it adjourn to meet on Thursday at 11 o'clock. Is there objection?

Mr. GARRETT of Tennessee. I object.

Mr. MONDELL. We will provide for it in the rule.

ADJOURNMENT.

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Wednesday, March 22, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

570. A communication from the President of the United States, transmitting a letter from the Secretary of the Navy to the Director of the Bureau of the Budget and the letter from the Director of the Bureau of the Budget concerning the elimination of the estimate of $100,000 for the naval station at Olongapo, P. I., and the addition of the same amount to the estimate for the naval station at Cavite, P. I. (H. Doc. No. 216); to the Committee on Appropriations and ordered to be printed.

571. A communication from the President of the United States, transmitting a paragraph reappropriating for the fiscal year 1923 $600,000 for water supply, Schofield Barracks (H. Doc. No. 217); to the Committee on Appropriations and ordered to be printed.

572. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Navy Department for the fiscal year ending June 30, 1923, for salaries, "Bureau of Aeronautics," $56,010, as a substitute for the estimate contained in the Budget of $43,310, and for "Care, custody, and operation of the naval petroleum reserves," $100,000 (H. Doc. No. 218); to the Committee on Appropriations and ordered to be printed.

573. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of Providence Harbor, R. I.; to the Committee on Rivers and Harbors.

574. A letter from the Acting Secretary of War, transmitting a tentative draft of a bill to authorize the Secretary of War to transfer to the city of Springfield, Mass., certain streets within the Springfield Armory Military Reservation, Mass., and for other purposes; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SNYDER: Committee on Indian Affairs. H. R. 9951. A bill to amend section 28 of an act approved February 14, 1920, entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes," for the fiscal year ending June 30, 1921; with amendments (Rept. No. 815). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FOCHT: A bill (H. R. 10971) authorizing the Commissioners of the District of Columbia to institute condemnation proceedings for the widening of Woodley Road, and for other purposes; to the Committee on the District of Columbia.

By Mr. McKENZIE: A bill (H. R. 10972) to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; to the Committee on Adjustment of Pay, etc.

By Mr. MILLSPAUGH: A bill (H. R. 10973) to amend an act entitled "An act to revive, with amendments, an act to incorporate the Medical Society of the District of Columbia," approved July 7, 1838, as amended; to the Committee on the District of Columbia.

By Mr. MOORES of Indiana: A bill (H. R. 10974) authorizing the use of special canceling stamp in the Indianapolis post office; to the Committee on the Post Office and Post Roads.

By Mr. SCOTT of Michigan: A bill (H. R. 10975) to provide for the erection of a Federal building at Boyne City, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. GILLETT: A bill (H. R. 10976) authorizing the Secretary of War to transfer to the city of Springfield, Mass., certain streets within the Springfield Armory Military Reservation, Mass., and for other purposes; to the Committee on Military Affairs.

By Mr. PORTER: Joint resolution (H. J. Res. 291) authorizing the President to appoint a special mission of friendship, good will, and congratulation to represent the Government and people of the United States at the centennial celebration of the independence of Brazil; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 292) authorizing the President to appoint a special mission of friendship, good will, and congratulation to represent the Government and the people of the United States at the centennial celebration of the independence of Brazil; to the Committee on Foreign Affairs.

By Mr. MacGREGOR: Concurrent resolution (H. Con. Res. 51) petitioning the President to give consideration to the wisdom of having a proper ceremonial sinking of one of the American battleships; to the Committee on Naval Affairs.

By Mr. IRELAND: Resolution (H. Res. 307) providing for the appointment of a legislative clerk, with compensation at the rate of $3,600 per annum; to the Committee on Accounts.

By Mr. GOLDSBOROUGH: Resolution (H. Res. 308) providing for six months' salary to be paid the widow of J. Kemp Stevens; to the Committee on Accounts.

By Mr. GALLIVAN: Memorial of the Legislature of the State of Massachusetts, memorializing Congress in favor of the passage of Federal law to further regulate the use of narcotic drugs; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under class 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURROUGHS: A bill (H. R. 10977) for the relief of Edna Shaw Harris; to the Committee on Claims.

By Mr. CHINDBLOM: A bill (H. R. 10978) for the relief of James O'Brien; to the Committee on Military Affairs.

Also, a bill (H. R. 10979) for the relief of Nicholas Paskaly; to the Committee on Claims.

Also, a bill (H. R. 10980) for the relief of John F. Banks; to the Committee on Claims.

By Mr. DEMPSEY: A bill (H. R. 10981) granting an increase of pension to Tillie E. Reeves; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 10982) for the relief of John M. Kills; to the Committee on Military Affairs.

By Mr. FREE: A bill (H. R. 10983) granting a pension to Jane Tilly; to the Committee on Pensions.

By Mr. GARRETT of Texas: A bill (H. R. 10984) for the relief of the Houston (Tex.) Chamber of Commerce and the Hermann Hospital estate; to the Committee on Claims.

Also, a bill (H. R. 10985) for the relief of the Houston (Tex.) Chamber of Commerce and Bertha E. Roy and Max A. Roy; to the Committee on Claims.

By Mr. KAHN: A bill (H. R. 10986) for the relief of John F. Walker; to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 10987) granting an increase of pension to Susan Maurer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10988) granting a pension to Dudley Harlan; to the Commitee on Invalid Pensions.

By Mr. KING: A bill (H. R. 10989) for the relief of Thomas W. Doherty; to the Committee on Claims.

By Mr. McSWAIN: A bill (H. R. 10990) for the relief of Wade H. Plumley; to the Committee on War Claims.

By Mr. MacGREGOR: A bill (H. R. 10991) granting a pension to Mary Woodward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10992) granting a pension to Fred L. Stewart; to the Committee on Pensions.

Also, a bill (H. R. 10993) granting a pension to Bryan T. Jennings; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 10994) for the relief of Stuart Circle Hospital, Richmond, Va.; to the Committee on Claims.

By Mr. PARKS of Arkansas: A bill (H. R. 10995) granting a pension to Julia C. Taylor; to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 10996) to provide for payment of the amount of a war-risk insurance policy to a beneficiary designated by Capt. John W. Loveland, jr., deceased; to the Committee on War Claims.

By Mr. REED of New York: A bill (H. R. 10997) granting an increase of pension to Mahala H. Fisk; to the Committee on Invalid Pensions.

By Mr. ROBSION: A bill (H. R. 10998) granting an increase of pension to Sarah Blanton; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 10999) granting an increase of pension to Ann R. Kiger; to the Committee on Invalid Pensions.

By Mr. SHAW: A bill (H. R. 11000) granting a pension to Sarah Icenogle; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4721. By the SPEAKER (by request): Resolution adopted by Lake View Post, No. 235, Veterans of Foreign Wars of the United States, favoring the passage of the veterans' compensation bills (S. 506 and H. R. 1); to the Committee on Ways and Means.

4722. By Mr. BARBOUR: Petition of Tulare County Pomona Grange, Calif., protesting against strikes of railroad employees and miners; to the Committee on the Judiciary.

4723. By Mr. BRIGGS: Petition of the Department of Texas, American Legion, indorsing the Bursum bill (S. 1565); to the Committee on Military Affairs.

4724. By Mr. CAREW: Resolution adopted at a mass meeting in the Clermont Avenue Rink, Borough of Brooklyn, New York City, relative to the strength of the Navy and naval repair work; to the Committee on Appropriations.

4725. Also, petition of J. Leslie Kincaid, adjutant general of New York State, relative to the Army appropriation bill (H. R. 10871); to the Committee on Appropriations.

4726. By Mr. CRAMTON: Petition of O. J. Marble and other residents of Lapeer, Mich., protesting against the passage of House bill 9753 and similar bills; to the Committee on the District of Columbia.

4727. Also, resolutions of the Michigan Crop Improvement Association, favoring a tariff of not less than 3 cents per pound on red clover and alfalfa imported into the United States, and the enactment of a law requiring that all imported clover seed sold in the United States be labeled as to the country of its origin; to the Committee on Ways and Means.

4728. Also, petition of E. H. Howland and other residents of Lapeer, Mich., protesting against the passage of House bill 9753 and similar bills; to the Committee on the District of Columbia.

4729. Also, petition of Henry Thompson and other residents of Birch Run, Mich., protesting against the passage of House bill 9753 and similar bills; to the Committee on the District of Columbia.

4730. By Mr. CULLEN: Resolution adopted by the Kings County Historical Society, urging that Congress provide for the maximum naval armament allowed by the treaties agreed to by the Disarmament Conference and opposing any further reduction in the Army; to the Committee on Appropriations.

4731. Also, resolution adopted at a mass meeting assembled in Clermont Avenue Rink, Borough of Brooklyn, New York City, relative to the strength of the Navy and naval repairs; to the Committee on Appropriations.

4732. By Mr. FRENCH: Petition of citizens of Forest, Idaho, protesting aginst the enactment of House bill 9753 and other Sunday bills; to the Committee on the District of Columbia.

4733. Also, petition of citizens of Viola, Idaho, protesting against the enactment of House bill 9753 and other Sunday bills; to the Committee on the District of Columbia.

4734. By Mr. FROTHINGHAM: Resolution from Metropolitan Chapter, Disabled Emergency Officers of the World War, asking prompt consideration of the Bursum bill relative to the retirement of disabled officers; to the Committee on Military Affairs.

4735. By Mr. HADLEY: Petition of Sander Pierson and other residents of the State of Washington, urging the revival of the United States Grain Corporation; to the Committee on Agriculture.

4736. By Mr. KENNEDY: Petition of 35 citizens of Pawtucket, R. I., opposing passage of House bills 9753 and 4388 and Senate bill 1948; to the Committee on the District of Columbia.

4737. By Mr. KISSEL: Petition of the Bird Lovers' Club, of Brooklyn, N. Y., urging the passage of House bill 7452; to the Committee on the Public Lands.

4738. Also, petition of John Dunlop's Sons, of New York City, N. Y., against the bonus bill, either in cash or with a deferred payment through use of a certificate; to the Committee on Ways and Means.

4739. Also, petition of Watervliet Arsenal, of Watervliet, N. Y., urging the continuance of the present force at the arsenal; to the Committee on Military Affairs.

4740. By Mr. KNIGHT: Petition of Rubber City Stamp Club of Akron, Ohio, protesting against the passage of House bill 9104; to the Committee on the Judiciary.

4741. By Mr. LUCE: Petition of the congregation of the Oak Square Methodist Episcopal Church, of Brighton, Mass., urging adoption of Senate joint resolution 160; to the Committee on Ways and Means.

4742. By Mr. RADCLIFFE: Resolution adopted by the Board of Commissioners of Trenton, N. J., favoring the passage of House bill 10212; to the Committee on the Judiciary.

4743. Also, resolution adopted by the Board of Commissioners of Orange, N. J., favoring the passage of House bill 10212; to the Committee on the Judiciary.

4744. By Mr. SANDERS of New York: Petition of Flower City Council, No. 203, Order of United Commercial Travelers of America, urging passage of the bill providing for interchangeable mileage books for commercial travelers, with an amendment providing for a 25 per cent reduction from present prevailing rates; to the Committee on Interstate and Foreign Commerce.

4745. Also, petition of the Rochester Chamber of Commerce, of Rochester, N. Y., favoring the bill providing for interchangeable mileage books for commercial travelers; to the Committee on Interstate and Foreign Commerce.

4746. Also, petition of the Rochester Commercial Travelers' Mutual Benefit Association, of Rochester, N. Y., urging the passage of the bill providing for interchangeable mileage books for commercial travelers with an amendment providing for a 25 per cent reduction from present prevailing rates; to the Committee on Interstate and Foreign Commerce.

4747. By Mr. SINCLAIR: Petition of the Commercial Club of Williston, N. Dak., urging the revival of the United States Grain Corporation and a stabilized price on wheat; to the Committee on Agriculture.

4748. By Mr. SMITH of Idaho: Petition of members of the Rotary Club of Pocatello, Idaho, urging the enactment of legislation providing for a more rapid development of the waste lands; to the Committee on Irrigation of Arid Lands.

4749. Also, petition of members of the Nampa Chamber of Commerce, of Nampa, Idaho, urging the enactment of legislation providing for a more rapid development of the waste lands; to the Committee on Irrigation of Arid Lands.

4750. Also, petition of residents of Buhl, Idaho, urging the revival of the United States Grain Corporation; to the Committee on Agriculture.

4751. Also, petition of residents of Amsterdam, Hollister, and Hazelton, Idaho, urging the revival of the United States Grain Corporation; to the Committee on Agriculture.

4752. By Mr. SNYDER: Petition of Guiding Star Council, No. 29, Sons and Daughters of Liberty, of Utica, N. Y., favoring the enactment of the Towner bill for the fostering and maintenance of the free public-school system; to the Committee on Education.

4753. By Mr. WASON: Petition of E. A. Robbins and 10 other residents of Keene, N. H., protesting against the passage of House bill 9753 or any other Sunday bill; to the Committee on the District of Columbia.

4754. By Mr. WATSON: Resolution indorsed by the Friends Meeting at Hatboro, Pa., concerning the social and economic situation in Austria; to the Committee on Foreign Affairs.

4755. By Mr. YOUNG: Petition of the Williston Commercial Club urging the revival of the United States Grain Corporation, etc.; to the Committee on Agriculture.

4756. Also, petition of Grand Forks Trades and Labor Assembly urging the passage of House bill 9691, providing for the creation of Federal local-option districts; to the Committee on Ways and Means.

4757. Also, resolution of Grand Forks Trades and Labor Assembly with reference to Congress creating an industrial court to aid in the settlement of labor disputes; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *March 22, 1922.*

(Legislative day of Thursday, March 16, 1922.)

The Senate met in open executive session at 11 o'clock a. m., on the expiration of the recess.

THE FOUR-POWER TREATY.

Mr. LODGE. I ask that the Senate proceed to the consideration of the four-power treaty.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

The VICE PRESIDENT laid before the Senate petitions of 14,000 ministers of religion, representing the leading denominations in America and members of the Central Conference of American Rabbis, praying for the prompt ratification, without reservation, of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also laid before the Senate a resolution adopted at a meeting of the officers of the executive council, United Synagogue of America, favoring ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

He also laid before the Senate a statement of the administrative committee of the National Catholic Welfare Council, indorsing the general results of the Conference on Limitation of Armament as a contribution to world peace, which was ordered to lie on the table.

He also laid before the Senate petitions of the Federal Council of the Churches of Christ in America and the Committee for Treaty Ratification, praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table and to be printed in the RECORD. (See petitions, when subsequently presented by Mr. LODGE.)

The VICE PRESIDENT. The Senator from Wisconsin [Mr. LA FOLLETTE] is entitled to the floor.

Mr. WALSH of Massachusetts. Will the Senator from Wisconsin yield to me for a moment?

Mr. LA FOLLETTE. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Mr. President, in view of a possible false impression being had as to the attitude of the National Catholic Welfare Council toward the four-power treaty, I ask unanimous consent to have a letter, copies of which have been sent to all Senators from the general secretary of that organization, entered in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

NATIONAL CATHOLIC WELFARE COUNCIL,
Washington, D. C., March 18, 1922.

Hon. DAVID I. WALSH,
Senate Office Building, Washington, D. C.

DEAR SENATOR WALSH: A few days ago exception was taken upon the floor of the Senate to what was called the action of the churches in an effort to influence the Members of the United States Senate to ratify at once and without reservation the four-power and other treaties now before it for consideration.

As general secretary of the National Catholic Welfare Council, representing officially the Catholic Church of the United States, I wish to state emphatically that the Catholic Church has taken no part in such a movement. Dispatches appearing in the press that might have given this impression are entirely without warrant.

The National Catholic Welfare Council issued a general statement after the adjournment of the Conference on the Limitation of Armament. This pronouncement was used by the Church Peace Union, of New York, in a way that may have given a false impression. For your information I inclose a copy of a letter which I sent to every Catholic clergyman in the United States and which will show you that the wish of the Catholic body is simply to promote, in a general way, movements that on their face make for public welfare and for the peace of the world. Documents such as treaties that make such movements concrete are to be left entirely to the judgment of those who have the public responsibility of deciding upon their wording and their acceptance.

Very sincerely yours, JOHN J. BURKE, C. S. P.,
General Secretary.

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NATIONAL CATHOLIC WELFARE COUNCIL,
Washington, D. C., March 11, 1922.

DEAR AND REVEREND FATHER: A false impression may have been given you by a number of notices with inclosed postal card sent out in the one envelope by the Church Peace Union. The postal asked the priests of the country to sign a statement to the effect that they were of the opinion that the United States Senate should ratify the four-power treaty and other treaties now pending before it without reservations.

The inclosure of the statement issued by the National Catholic Welfare Council, commending the Conference on Limitation of Armament and its general results, may have led you to the belief that the National Catholic Welfare Council joined in this movement to have influence brought upon the United States Senate to ratify without reservation. Such an impression is entirely unwarranted and erroneous. The National Catholic Welfare Council refused to join in such movement and is of the conviction that the liberty of conscientious action ought to be left to every Member of the United States Senate.

Respectfully yours, JOHN J. BURKE, C. S. P.,
General Secretary.

Mr. WALSH of Massachusetts. I also ask permission to have printed in the RECORD a statement by Lindsay Crawford, editor of the Montreal Statesman, a Canadian Liberal journal, in which he expresses the view of the Liberal thought of Canada upon the four-power pact.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

[Extract from a statement of Lindsay Crawford, editor of the Montreal Statesman, a Canadian Liberal journal, presenting the viewpoint of an important group in Canada on the four-power treaty.]

Was it nothing to Americans that Canada had asked in vain to be invited to send a Canadian representative to the Conference on the Reduction of Armaments at Washington? Was it fair to Canadians who, having been assured by Mr. Lloyd-George that Canada and the other Dominions now were the coequals in status of Great Britain, and that this new status had been recognized by the whole world, found the door at the Washington conference bolted and barred against Canada? What was the reason? It might be urged that until Canada definitely and formally claimed international recognition that it was impossible for the Government at Washington to recognise Canada's place in the comity of nations. To Canadians it looked as if Washington had an understanding with England to interpret British official declarations touching Canada's status in terms wholly different from those accepted in Canada. All the official documents of the arms conference referred only to the British Empire, thus perpetuating the old and obsolete idea that in international law there was but one British sovereign State—the British Empire. Whatever the cause there was a deep-rooted suspicion in the minds of many Canadians that British imperial statesmen were deceiving the Dominions and lulling them to sleep with honeyed words about their improved status in the hope of completing imperial reconstruction on the old, discredited lines. It should be of some concern to Americans, who recalled their own struggle for international recognition of the birth of the American Republic, to find among Canadians a growing feeling of profound disappointment that a country so closely related to the United States by geographical and cultural ties was presumed not to exist, and that the freedom of the United States in her external relations was circumscribed in the case of Canada by some tacit understanding between London and Washington that gave rise to the suspicion that Downing Street exercised a secret and dominating influence at the Capital that was inimical to national freedom on the American Continent, and that enabled England, in defiance of the attitude of Canada and without her knowledge or consent, to reconstruct, reinforce, and complete an imperial sovereign statehood to which Canada in the last resort was resolutely opposed. In support of his contention that British diplomacy exercised an unwholesome and preponderating influence at Washington he (Mr. Crawford) would remind Americans of events at Washington that were fresh in the public memory. It had been denied in some quarters that the British delegation at the arms conference had been given facilities for publicity in the United States that were denied to the American people by their own administration. But when British propagandists left Washington they grew very communicative about the privileges that had been extended to them by America. One of these, Mr. Wickham Steed, editor of the London Times, who was in close and intimate touch with Mr. Hughes at Washington, spilled the beans in a speech delivered at Montreal to the Canadian Club, which was published in the Montreal Gazette of December 23, 1921. In this speech he declared:

"All these agreements are a long step toward the reestablishment of frankness and good faith as a chief medium of international intercourse. As a means to this end the world owes a great debt of gratitude to President Harding, and especially to Secretary Hughes, for the calling of this special conference and the honest and straightforward manner in which it has been conducted."

Continuing, Mr. Crawford said: Then follows the statement to which he specially desired to draw the attention of Americans. This part of Mr. Steed's address was headed by the Gazette report with the appropriate caption, "Did not use press." It was as follows:

"As an instance of the even excessive forbearance and good faith that had been shown by the American delegates at the Washington conference, Mr. Steed, an old newspaperman, cited the fact that no matter how touchy were the matters involving the United States which had been discussed, and despite the invitations to use the American press as a lever to create international disturbances, the American delegates had sealed their mouths. 'The American delegates refused to give out any news at all during the conference,' said Mr. Steed. 'They left this whole matter with the British publicity agent, Lord Riddell, and I am not giving away any state secrets when I say that when Lord Riddell left Washington there was general lamentation among the American and other correspondents, who wondered where they would proceed to get the real news. That may have been Quixotic on the part of the Americans, but rather than be under any suspicion of using their (American) press to turn public opinion against nations with whom they may have had differences, they did this, and the American delegates were absolutely and honorably silent."

The American public was more credulous than he (Mr. Crawford) believed it to be if it accepted without question this British tribute to the American delegates because they remained, in their relations with the American people, "absolutely and honorably silent." What he as a Canadian resented was the use that was made of American institutions and the machinery of American publicity to arrest the natural evolution of the Dominions and to aid the imperialists in London in carrying out their pet project of empire reconstruction that would centralise in London the control of all imperial foreign relations, making of Canada and the other Dominions integral parts of a single imperial sovereign State in international law, securing thereby, contrary to all accepted conceptions of democratic and responsible government, united diplomatic and military action by every part of the British Empire. It was true that in international law no British State existed save the British Empire represented by the Government of Great Britain. But the war had challenged anew the doctrine laid down by the imperialists of the diplomatic unity of the Empire, and the request of Canada to be independently represented at the arms conference represented an official

gesture by the Government of Canada, which, presumably after conversations between Washington and London, was politely ignored by the Executive head of the American Republic. This cold-shouldering of a neighboring nation that was seeking its own is all the more inexplicable, seeing that it was primarily due to Canada that the Anglo-Japanese alliance was forced to the front on the agenda of the arms conference. Mr. Wickham Steed, in his speech at Montreal in December last on his way back to England, told of the talk he had with Secretary Hughes over the Anglo-Japanese alliance, based upon his (Mr. Steed's) personal observations in western Canada, that in any war between the United States and Japan "the position of British Columbia and the western Provinces, as part of the British Empire, would be very hard to maintain." Yet, despite the stand taken by Canada against the Anglo-Japanese treaty, and the part played by her in forcing the issue at the Washington conference, it was left to the Prime Minister of Canada (Mr. Mackenzie King) to complain in the house at Ottawa only the other day that the Canadian Government, represented by his predecessor, Mr. Arthur Meighen, had yielded to pressure in having Canada represented at Washington by Sir Robert Borden, who went, not as a Canadian delegation but as part of a British delegation. What was the result of this understanding between London and Washington? It had rendered of no effect the deliberate declarations of British statesmen that the Dominions no longer occupied the subordinate colonial status in international affairs that obtained before the late war. Speaking at the imperial conference of premiers, held in London last year, Mr. Lloyd-George in categorical terms defined the new status of the self-governing Dominions in these words:

"In recognition of their (soldiers') services and achievements in the war the British Dominions have now been accepted fully into the comity of nations by the whole world. They are signatories to the treaty of Versailles and of all other treaties of peace; they are members of the assembly of the League of Nations, and their representatives have already attended meetings of the league; in other words, they have achieved full national status, and they now stand beside the United Kingdom as equal partners in the dignities and responsibilities of the British Commonwealth. If there are any means by which that status can be rendered even clearer to their own communities and to the world at large, we shall be glad to have them put forward at this conference."

Imperial obscurantism has left Canada under the impression that she is not only entitled to be accepted fully into the comity of nations, but that she has been accepted fully into the comity of nations by the whole world. The distinction between what Mr. Lloyd-George terms full national status and what international law alone recognizes as independent States has been finely drawn in all the imperial pronouncements on the subject, but the doctrine of united diplomatic and military action through a single, centralized Empire State has little backing in Canada, and no Government to-day could obtain the support of a majority of the Canadian people behind any movement that would permanently condemn Canada to the acceptance of the imperial idea that the foreign relations of the self-governing Dominions must remain in the control of a central imperial sovereignty. When would Americans wake up from their lethargy and see in the efforts to reconstruct the British Empire on the old vicious lines of centralized control a menace to democratic government on this continent, and in the end a fruitful cause of international disturbance? It should cease to be a matter of supreme indifference to the great American Nation that the imperial idea of government which the fathers of the Republic so emphatically rejected for themselves and those who followed will in this new day, which has been dedicated to the establishment and maintenance of democracy as the only reliable safeguard of human freedom, receive from the Government and people of the United States the stamp of their approval.

Mr. McNARY. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Oregon.

Mr. McNARY. I suggest the absence of a quorum.

Mr. LA FOLLETTE. I hope the Senator will not do that. I think the time before the unlimited debate will close, at 3 o'clock, is so short that we ought not to waste any time in securing a quorum. I therefore ask that the Senator from Oregon withdraw his call for a quorum.

Mr. McNARY. My only reason for making it, I will explain to the Senator from Wisconsin, is that I know a number of Senators wish to hear him speak, and I think they should be given an opportunity to come by a call for a quorum.

Mr. LA FOLLETTE. I am very much flattered by the observation of the Senator from Oregon, but I think under the circumstances I will ask him not to insist upon a roll call.

Mr. McNARY. Very well; I withdraw the demand.

Mr. LA FOLLETTE. Mr. President——

Mr. OVERMAN. Mr. President, I suggest the absence of a quorum.

Mr. LA FOLLETTE. I had hoped that the absence of a quorum would not be insisted upon.

The VICE PRESIDENT. The Senator is not required to yield the floor for that purpose.

Mr. LA FOLLETTE. With all deference to my friend from North Carolina, I shall decline to yield, simply because I understand that some other Senator or Senators desire to speak before 3 o'clock, and I am afraid that considerable time will be consumed in securing a quorum.

Mr. JONES of Washington. Mr. President, I can not let the observation of the Chair pass without question. A Senator has the right to make the point of no quorum as a point of order, whether the Senator having the floor consents or not.

Mr. OVERMAN. There is no question about that. It has always been so held.

The VICE PRESIDENT. Sometimes, not always.

Mr. LA FOLLETTE. I will accept the ruling of the Chair, whatever it may be.

Mr. ROBINSON. Mr. President, I think I ought to say, in view of the remarks of other Senators, that when a Senator obtains the floor, under the procedure of the Senate heretofore he is under no obligation to yield to another Senator to suggest the absence of a quorum; and if he refuses to yield for that purpose, a Senator can not make the point as a point of order as other points of order are made. I think the ruling of the Chair is sustained by the weight of the precedents.

Mr. JONES of Washington. I do not desire to take any time to discuss it. I am satisfied that the precedents will show the other way, that a point of order of a lack of a quorum can be made at any time, regardless of whether the Senator occupying the floor yields for the purpose or not.

Mr. LA FOLLETTE. I quite agree with the Senator from Washington.

Mr. OVERMAN. I think as a matter of principle there has to be a quorum present when anything is done, and I do not think the ruling of the Chair could be otherwise. I insist on the point of order that there is no quorum present.

The VICE PRESIDENT. Does the Senator from Wisconsin yield for that purpose.

Mr. LA FOLLETTE. I do not yield, Mr. President.

Mr. OVERMAN. How does the Chair rule?

Mr. ROBINSON. Mr. President, I think, in view of the fact——

Mr. LA FOLLETTE. If it is going to take more time to discuss the parliamentary question than it is to get a quorum, I yield for a call of the roll to secure the presence of a quorum.

The VICE PRESIDENT. The Senator from Wisconsin has the floor.

Mr. LA FOLLETTE. I yield for that purpose.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harris	Myers	Shortridge
Broussard	Harrison	Nelson	Simmons
Cameron	Heflin	Nicholson	Spencer
Capper	Hitchcock	Oddie	Stanfield
Caraway	Johnson	Overman	Stanley
Culberson	Jones, Wash.	Page	Sterling
Dial	Kellogg	Pepper	Sutherland
du Pont	Keyes	Phipps	Townsend
Edge	King	Pittman	Wadsworth
Ernst	La Follette	Poindexter	Walsh, Mass.
Fernald	Lodge	Pomerene	Walsh, Mont.
France	McCormick	Ransdell	Warren
Glass	McKellar	Rawson	Watson, Ga.
Gooding	McNary	Robinson	Willis
Hale	Moses	Sheppard	

Mr. SUTHERLAND. I wish to state that the Senator from North Dakota [Mr. MCCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. MCLEAN], the Senator from Kansas [Mr. CURTIS], the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. CALDER], and the Senator from New Jersey [Mr. FRELINGHUYSEN] are detained at a meeting of the Committee on Finance.

Mr. HARRISON. I desire to announce that the Senator from Nebraska [Mr. NORRIS], the Senator from Wyoming [Mr. KENDRICK], the Senator from North Dakota [Mr. LADD], and the Senator from South Dakota [Mr. NORBECK] are absent at a committee meeting.

Mr. DIAL. I desire to announce that my colleague the senior Senator from South Carolina [Mr. SMITH] is detained from the Senate by illness, being confined to his room at his hotel.

The VICE PRESIDENT. Fifty-nine Senators have answered to their names. There is a quorum present.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. LA FOLLETTE. I do; certainly.

Mr. LODGE. I merely desire to present petitions from the Federal Council of the Churches of Christ in America, the Central Conference of American Rabbis, the United Synagogue of America, and the Committee for Treaty Ratification, all praying for the ratification of the treaties. They are very brief, and I ask that they may lie on the table and be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The petitions were ordered to lie on the table and to be printed in the RECORD, as follows:

FEDERAL COUNCIL OF THE CHURCHES OF CHRIST IN AMERICA,
Washington, March 21, 1922.

To the President of the United States and the Senate of the United States:

The Federal Council, with the cooperation of its constituent bodies, memorialized the President to call the Conference on Limitation of Armament. The churches rendered notable service in creating a spirit

and atmosphere which were undoubtedly of real significance, and they are now called upon to consider, and, if they approve, to support the proposals of the conference. There is a confident feeling that this begins a new era with a new spirit and method in international relations. It therefore has far-reaching significance beyond the immediate results. The proposals of the conference, however, are the matters now before us.

While the churches are not concerned with questions of political procedure, it would seem that the proposals now before our Nation clearly embody the important moral principles on the basis of which the churches urged the President to bring these nations together. If this be true, the duty and opportunity of the churches seem clear in urging the Senate to ratify the treaties heartily and promptly.

The ultimate effect of the achievements of the conference does not rest solely upon their acceptance by our Congress, but, as with the conference itself, upon the force of public opinion, for which our churches have large responsibility. The administrative committee and the commission on international justice and good will believe that this may be the real beginning of a movement toward a warless world in which our Nation should find its place of moral leadership.

Faithfully yours,

JOHN M. MOORE,
Acting President and Chairman of the Administrative Committee.
JOHN FINLEY, *Chairman.*
CHARLES S. MACFARLAND,
General Secretary.
SIDNEY L. GULICK,
Secretary Commission on International Justice and Good Will.

CENTRAL CONFERENCE OF AMERICAN RABBIS,
OFFICE OF THE PRESIDENT,
Richmond, Va., February 15, 1922.

DEAR COLLEAGUE: The members of the Central Conference of American Rabbis rejoice in the results attained by the Conference on the Limitation of Armament held in Washington. The treaties and agreements that have been drawn up by the conference are of great value not merely because of the easing of the economic burden under which the world is staggering but more so because they make for peace and common understanding among the nations. They have solved, for a period of years at least, some vexatious and peril-fraught international problems, and they have given not unjustified hope that these solutions will be permanent.

Their even greater and finer value lies in the precedent which the conference has established that such international problems can be safely and satisfactorily solved by peaceful understanding, by mutual respect, by the good will, and by the self-restraint of nationalistic chauvinism. International relations have been by this conference lifted up to a higher plane, into a clearer moral atmosphere, where the vision is less clouded by the mists of selfish ambition and sordid passions. The spirit of God has been made more manifest. The conference was a work of righteousness, and "the work of righteousness shall be peace and the effect of righteousness shall be quiet and confidence forever."

The Central Conference of American Rabbis therefore earnestly urges that the Senate of the United States ratify without undue delay and without reservation the treaties and agreements drawn up by the Conference on the Limitation of Armament.

EDWARD N. CALISCH,
President Central Conference of American Rabbis.

THE UNITED SYNAGOGUE OF AMERICA,
New York, March 1, 1922.

DEAR COLLEAGUE: At a meeting of the officers of the executive council of the United Synagogue of America held in New York City February 20, 1922, the following resolution was passed:

"The officers of the executive council of the United Synagogue of America desire, on behalf of the congregations and auxiliary associations which they represent, to express their profound gratification at the favorable results of the recent conference called by the President of the United States to consider the limitation of armaments and other matters for promotion of peace and security in the Pacific Ocean and throughout the world. They rejoice that so great a forward step has been taken looking to the promotion of international good will and righteousness and pray that the Senate will see fit to give its consent to the treaties which have been negotiated at this conference and have been signed by the delegates to the United States."

Fraternally yours,

ELIAS L. SOLOMON, *President.*

COMMITTEE FOR TREATY RATIFICATION,
OFFICE OF THE SECRETARY,
New York, March 22, 1922.

To the President and to the Senate of the United States.

DEAR SIRS: The Committee for Treaty Ratification (whose names appear on the third page of this document) has made an extensive, and what it believes to be a reliable canvass, to learn the sentiment of the people regarding the treaties now before the Senate, with the following results:

1. The church forces of the Nation appear to be practically a unit in support of the treaties as they stand, as expressing the moral judgment of the people. They include Protestants, as represented in the Federal Council of the Churches of Christ in America; the Roman Catholics, as represented in the National Catholic Welfare Council; and both Hebrew bodies.

2. The civic organizations, commercial, economic, social, and political, have expressed themselves with similar unity.

3. The educational institutions have been unhesitating in their support, and, as far as we know, without any dissenting voice.

4. The outstanding and representative bodies of women have rendered vigorous testimony to the same import.

5. The organizations of labor have expressed themselves in hearty accord with the favorable action of the American Federation of Labor.

These various organizations, composed of members of both political parties, and of all the elements of the body politic, express, we believe, the nonpartisan and comprehensive nature of this support.

The reports of opposition are so negligible as to make it clear to us that the people are more significantly united on the proposals of the Conference on Limitation of Armament than they have ever been on any similar issue.

In behalf of the committee.

GEO. W. WICKERSHAM, *Chairman.*
CHARLES S. MACFARLAND, *Secretary.*

Committee for Treaty Ratification: George W. Wickersham, chairman; Samuel Gompers, vice president; James Byrne, vice president; Charles S. Macfarland, secretary.

Committee on permanent organization: Stephen P. Duggan, John Foster Dulles, John H. Finley, A. Lawrence Lowell, Charles H. Strong.

Members of the committee: Mrs. Richard B. Aldcroft, Mrs. Fannie Fern Andrews, Rev. Henry A. Atkinson, Rev. Anson P. Atterbury, Mr. Grosvenor Atterbury, Mr. Julius Barnes, Rev. James L. Barton, Mr. George Gordon Battle, Mrs. Fred S. Bennett, Dr. Herman M. Biggs, Mr. Cornelius N. Bliss, jr., Miss Helen Varick Boswell, Mr. Frank Chapin Bray, Rt. Rev. Charles H. Brent, Chancellor Elmer Ellsworth Brown, Prof. William Adams Brown, Mr. George Burnham, jr., Miss Mary A. Burnham, President Marion LeRoy Burton, Mr. James Byrne, Mr. R. J. Caldwell, Mrs. C. Chapman Catt, Rev. Samuel McCrea Cavert, Mr. William M. Chadbourne, Miss Mabel Choate, Dr. Lewis A. Conner, Mr. Robert Grier Cooke, Mr. Frederic Rene Coudert, Mrs. Caroline Bartlett Crane, Mr. Paul D. Cravath, Mr. Frank Crawford, Dr. R. H. Crossfield, Rev. Edward Cummins, Mr. R. Fulton Cutting, Dr. William Darrach, Dr. Katherine B. Davis, Mr. Malcolm W. Davis, Mr. Robert W. De Forest, Prof. Stephen P. Duggan, Mr. John Foster Dulles, Mr. John J. Eagan, President Charles W. Eliot, Mr. Robert Erskine Ely, Mr. Guy Emerson, Prof. Max Farrant, President W. H. P. Faunce, Mr. Edward A. Filene, Dr. John H. Finley, Mr. Homer Folks, Mrs. J. Malcolm Forbes, Rev. Harry Emerson Fosdick, Rev. James H. Franklin, Bishop Thomas F. Gailor, Mrs. H. O. Garvey, Mr. R. P. Gay, Hon. James W. Gerard, Mr. John M. Glenn, Mr. Samuel Gompers, President Frank J. Goodnow, Mr. Linley V. Gordon, Rev. Roy B. Guild, Rev. Sidney L. Gulick, Mr. Albert H. Harris, Mr. Harold A. Hatch, Rev. William I. Haven, President John Grier Hibben, Mr. Hamilton Holt, Hon. Charles M. Hough, Mr. Herbert S. Houston, Mr. Arthur E. Hungerford, Rev. Finis Idleman, Mrs. H. C. M. Ingraham, Mr. Samuel G. Inman, Mr. Henry W. Jessup, Hon. Robert Underwood Johnson, Mr. Otto H. Kahn, Mr. Alfred R. Kimball, Mr. Landreth H. King, Mr. J. W. Kinnear, Dr. Abby Porter Leland, Mr. Sam A. Lewisohn, Prof. Samuel McCune Lindsay, President A. Lawrence Lowell, Rev. Frederick Lynch, President Henry N. MacCracken, Rev. Charles S. Macfarland, Rt. Rev. William F. Manning, Mr. James G. McDonald, Bishop W. F. McDowell, Mr. Edwin G. Merrill, Rev. William P. Merrill, Mr. Albert J. Milbank, Mr. John G. Milburn, Mr. William B. Millar, Rev. Rufus W. Miller, Hon. Ogden L. Mills, Prof. Paul Monroe, Mrs. Helen B. Montgomery, Rev. John M. Moore, Bishop Thomas Nicholson, Rev. Frank Mason North, Mr. A. Perry Osborn, Rev. Leighton Parks, Mr. Charles A. Peabody, Mr. Robert P. Perkins, Mr. James J. Pershing, Mr. James H. Post, Mr. John T. Pratt, Prof. M. I. Pupin, Judge Robert F. Raymond, Rev. Karl Reiland, Mr. J. J. Riker, Mr. Kingman Nott Robins, Mrs. Henry D. Ross, Dr. Leo S. Rowe, Mr. Charles Scribner, Prof. Henry R. Seager, Prof. Edwin R. A. Seligman, Mr. Finley Shepard, Mr. William H. Short, Mrs. Vladiver E. Simkhovitch, Mr. Francis H. Sisson, Mr. R. A. C. Smith, Rev. Claudius Spencer, Col. Henry L. Stimson, Rev. Ernest M. Stires, Hon. Oscar S. Straus, Mr. Percy S. Straus, Mr. Charles H. Strong, Mr. Charles H. Studin, Mr. Henry W. Taft, Dr. M. Carey Thomas, Dr. Helen B. Thompson, Rev. Worth M. Tippy, Col. Isaac M. Ullman, Rev. Henry van Dyke, Miss Lillian D. Wald, Mr. Paul Warburg, Hon. Henry G. Ward, Rev. E. O. Watson, Mr. Francis M. Weld, Mr. Harry A. Wheeler, Mrs. Frank White, Mr. George W. Wickersham, Mr. Talcott Williams, Mr. Bronson Winthrop, Miss Mary E. Woolley, Mr. George Zabriskie.

[Office of secretary. Room 612, 105 East Twenty-second Street, New York.]

ADDENDA.

President James R. Angell, Mr. Robert A. Ashworth, Dr. Samuel A. Eliot, Mr. John H. Hammond, Prof. Charles D. Hazen, Mrs. A. M. Horne, Mr. Thomas W. Lamont, Mrs. Percy V. Pennybacker, Mrs. William B. Young.

Mr. LODGE. I also desire to present a petition of 14,000 ministers of religion, representing the leading denominations from all over the country, praying for the ratification without delay, change, or reservation of the treaties prepared by the Conference on Limitation of Armament.

The VICE PRESIDENT. The petition will be received and lie on the table.

Mr. LA FOLLETTE. Mr. President, I address myself first to a consideration of the terms of the four-power treaty. I propose to determine its meaning by applying to the language of that document the same principles of construction which are applied to contracts between individuals. It will be found after all, Mr. President, if this proposed agreement shall ever be executed by the United States, that the rights and obligations of this country under it will be fixed by the cold terms of the contract and that the poetical and oratorical imaginings conjured up by Senators in its support will have no part in deciding the grim questions of national policy which we must be prepared to meet at once if we approve this treaty.

Owing to a death in my family I have necessarily been absent during a large part of the time that this and the other proposed treaties have been under consideration by the Senate, and since my return the necessity of attending almost daily sessions of the Finance Committee has still further reduced the margin of time I have been able to spare from my other duties to a study of the several treaties which the President has transmitted to the Senate. I have, however, given to them all the consideration possible under the circumstances, and I have endeavored to acquaint myself fully with the views of my colleagues as expressed in the debates, and I state frankly that if this proposed treaty means no more than is claimed for it by its supporters in the Senate, then it is not worth a single hour's consideration. It has been stated repeatedly by Senators supporting this treaty in the course of debate that it does not obligate us to protect or assist in protecting the rights of any other country and that it affords us no protection in case our rights are assailed from any source whatsoever. All that is

claimed for this treaty by its sponsors here in the Senate, as I gather from the discussion, is that in case certain controversies arise out of certain matters Great Britain, France, Japan, and the United States will hold some conversations about them, and for that purpose will either meet in conference, or if that seems to be too much trouble, they will merely exchange some notes on the subject. Even this does not represent the uselessness of this treaty as expounded by the distinguished Senator from Massachusetts [Mr. LODGE], who has borne the principal burden of explaining the treaty here, for he has made it clear that in the case of an actual attack made by or upon any party to this proposed agreement the others would not be called upon even to go through the form of writing notes about it. The matter would be settled simply by an immediate appeal to arms in the old-fashioned way. This is what I understand the remarks of that distinguished Senator to amount to as reported on page 3554 of the CONGRESSIONAL RECORD of March 8, 1922.

But, Mr. President, when we turn from the language of the Senators to the language of the document itself we find an entirely different story, and that a wholly different problem is presented to our Government.

The proposed treaty at least has the merit of brevity. It contains only four short sections and a preamble which purports to express the purpose of the pact. The preamble declares that the United States, the British Empire, France, and Japan have determined to enter into a treaty—

> With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

One might well pause to inquire here, in view of the construction put upon this treaty by its advocates, how it is that the rights of any party are to be maintained by means of a treaty which does not even purport to maintain any rights. But passing for the moment the language of the preamble, I direct attention to the language of the first section, which is as follows:

> The high contracting parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.
>
> If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights *which is not satisfactorily settled by diplomacy* and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

The high contracting parties are the British Empire, the Japanese Empire, France, and the United States. The proposed treaty is also signed by the representatives of the Dominion of Canada and the representatives of the Commonwealth of Australia, and by the representatives of the Dominion of New Zealand, as well as the representatives of India and the Union of South Africa.

I do not know whether the British Government would contend, if this proposed treaty went into effect, that these dominions should each have a separate vote under the treaty, as they have under the League of Nations. Perhaps this is not very material. At all events, we do know that the Anglo-Japanese policy of aggression and imperialism which made the British Empire and the Japanese Empire close allies in the past, and which makes them close allies to-day, will cause them to stand as a unit in opposition to the policies of any power in the Pacific Ocean which dares to insist that the rights of the weaker people there shall be recognized and protected. Whether they outvote us six to one or two to one is not material. They may take us into their corporation, but it will be as a minority stockholder, in which position we can be more easily controlled than we could be if we had kept out of their combination altogether.

Now, the first thing in the document that the high contracting parties agree to do is to "respect" their several rights in their insular possessions and dominions in the region of the Pacific Ocean. Why was it necessary for the parties to this proposed treaty to agree to respect each other's rights in their possessions in the region of the Pacific Ocean? Do not the high contracting parties respect each other's rights, no matter whether those rights arise in the regions of the Pacific Ocean or the Atlantic Ocean or anywhere else? Do you think we asked anyone to respect our rights in the Philippines or in Hawaii? We already have treaties of amity and commerce with these several Governments which insure to each the fullest respect for the rights of the other wherever they arise; and without any treaties at all every honorable nation would respect the clear rights of every other country in its possessions and dominions, wherever situated.

The only possible reason for this language in the proposed treaty is that the rights of some of the parties to it, in their possessions and dominions in the regions of the Pacific Ocean were not clear. They must have been thought to be merely colorable—open to question. This is made clear by the declaration made by all the high contracting parties to accompany the proposed treaty which states that the treaty shall apply to the mandated islands in the Pacific Ocean. And so it is, that by this proposed treaty we are to pledge ourselves to respect the title acquired by Great Britain and Japan to the German colonies in the Pacific Ocean. After pledging themselves to respect the title thus acquired, the makers of this document added to it the language:

> *Provided, however,* That the making of the treaty shall not be deemed to be an assent on the part of the United States of America to the mandates and shall not preclude agreements between the United States of America and the mandatory powers, respectively, in relation to the mandated islands.

That is, the United States will respect the right acquired under the mandates, but it will not assent to the mandates themselves, and reserves the right to make agreements with the mandatory powers respecting the mandated islands. That right, of course, it would have, whether it was reserved in the treaty or not. And since the United States pledges itself in the most unequivocal manner to respect the rights which Japan and Great Britain assert in all their insular possessions and dominions in the region of the Pacific Ocean, it is obvious that the belated declaration that the United States does not necessarily assent to the mandates themselves is without force or effect.

I come now to the construction of the most important language of this section, and indeed the most important language of this treaty, which provides, in effect, that if there should develop between the high contracting parties a controversy arising out of any Pacific question—not a question respecting merely their insular possessions or insular dominions but any question involving a controversy arising in the region of the Pacific Ocean and which in any way involved their rights to their insular possessions, and *the question is not settled by diplomacy*, then all the other high contracting parties shall be invited to meet together in conference, and when so assembled the "whole subject" of controversy shall be "referred" to them. For what purpose? "For consideration and adjustment." Here is a complete scheme for hearing and adjusting all controversies arising between the parties to this agreement involving their said rights, providing only that such controversies shall arise out of some question originating or existing in the region of the Pacific Ocean and which is not settled by diplomacy.

Mr. KING. Mr. President, may I interrupt the Senator? I ask for information? I am not sure that I understand the interpretation which the Senator places upon the antecedent subject. It seems to me that the antecedent of the verb about meeting together and settling relates to the insular possessions and not to any matters that might be in the region of the Pacific. Does the Senator think that it would mean the mainland if a controversy should arise out of the mainland?

Mr. LA FOLLETTE. Oh, no; I understand that, by the subsequent action of the makers of this treaty, the mainland was taken out of the scope of the treaty, excepting as it might be possible that in a secondary way outside interests might involve interests in the Pacific. Then I think that they would be confined to the consideration of questions arising in the Pacific Ocean; but I am arguing solely upon the theory that the treaty is confined to questions arising in the Pacific.

Mr. KING. That is, to the insular possessions of the parties in the Pacific?

Mr. LA FOLLETTE. The terms of the treaty do not quite say that. "Any Pacific question" is the language of the treaty."

Mr. KING. Yes; "any Pacific question." Is that language qualified by any antecedent which would seem to limit the controversy to the insular possessions?

Mr. LA FOLLETTE. I think it is, and I am arguing it on the theory that it is so limited.

When such a controversy arises, the signers of this contract or proposed treaty are to be convened. That is the first step. When so convened, the controversy is to be referred not merely for consideration, not merely to be examined into and reported upon, but it is to be so referred for "adjustment." You will observe that by the language of this section the jurisdiction of this conference to adjust a controversy is only invoked if diplomacy fails. If the controversy can be settled by diplomacy—that is, by negotiation—the representatives of the high contracting parties are not called together. Clearly, therefore, when the representatives of the high contracting parties are convened as a body they are to act not as negotiators, not as

diplomats, to smooth out differences, but as arbiters to settle the controversy referred to them. The board or body that is to decide the controversy is provided for. The general nature of the controversy which is to be submitted for decision is sufficiently defined or described. It is specifically provided that the controversy thus to be referred is to be adjusted—that is, determined, settled—by the body to which it is referred. "Adjustment" is defined in Webster as "reducing to just form or order; settlement." Its synonyms are "arrangement"; "regulation"; "settlement"; "disposition."

You will observe that the reference of the controversy here is not made for the purpose of a mere examination into the facts. It is made in order that an "adjustment" or settlement of that controversy shall be made by the signatories to this pact or agreement when they shall have been duly convened on the invitation of the immediate parties to the controversy. The language of this document permits of no other reasonable construction than this. It is the construction which any court would give to the language of the agreement if it were made between private individuals. If it had been the purpose of this agreement to provide that the signers of this document as a body should not have power to adjust or settle the controversy, but only to consider and report concerning it, it would have been easy so to declare. The arbitration treaties in 1914, commonly referred to as the Bryan treaties, all contained, in substance, the following language:

> The high contracting parties agree that all disputes between them of every nature whatsoever which diplomacy shall fail to adjust shall be submitted for investigation and report to an international commission to be constituted in the manner prescribed in the next succeeding article.

But the signers of this pact are given far greater power than that. To them "the whole subject" is referred not only for consideration, but the whole subject is referred to them for adjustment. That is to say, Mr. President, if effect is to be given to the plain language of this document, the United States, if it shall become a party to it, will bind itself to submit for settlement to a body composed of a representative or representatives of the British Empire, the Japanese Empire, France, and the United States all controversies affecting the rights mentioned in this document.

Gentlemen may cavil and explain, but that is what the language of this paper says, and that is what it means. It is true that the proposed treaty speaks of this gathering of these representatives of the high contracting parties as a conference. It does not make any difference what you call it. It is what the persons are authorized to do after they are convened that gives character to the body. And they are authorized and required to adjust the controversies mentioned which are referred to them.

Nor is it left optional with the immediate parties to the controversies whether they will refer their controversy for adjustment to this board or body. The language of the proposed treaty is that they "shall" invite the other high contracting parties to meet together, whereupon the whole subject will be referred to them for consideration and adjustment. Simply because an assemblage of the representatives of various nations is called a conference does not prove that such assemblage may not make decisions which will become binding upon the parties concerned.

Our distinguished Secretary of State recently declined in behalf of this country to send representatives to the Genoa economic conference, in which the Italian Government has invited various nations to participate at Genoa in the near future. Mr. Hughes's letter declining in behalf of this country to participate in that conference was published generally in the press of this country on March 9. And without taking the time to read the letter of Mr. Hughes, I call attention to the two reasons which he assigns for not participating in the conference. First, he declines to enter the conference because it "is not primarily an economic conference," and political questions will, he fears, be discussed; and, secondly, he believes that we should not participate in the conference with the present rulers of Russia, whom he holds "chiefly responsible for Russia's present economic disorder." Now bear in mind that the Genoa conference is to be purely a meeting for discussion.

Nothing has been referred to it or is to be referred to it for settlement. Yet the Secretary of State has decided that we ought not to participate in that conference because of the character of some of the subjects that may come up for discussion, and because of the policies of at least one Government which has been invited to participate in the conference. The same Secretary of State and the same administration which has taken this action with regard to the Genoa conference propose to tie us up with an obligation from which we can not escape for at least 10 years to go into conference with the two most imperialistic nations on the face of the globe, no matter what conduct they are guilty of, no matter what people or lands they may ravish in the meantime, no matter to what extent our own rights and honor may be involved. We can not decline to go into a conference with them if we should ratify this proposed treaty.

But, Mr. President, if the proposed treaty went no further than to require us to enter into a conference with the Governments mentioned over any controversy with them, including our rights and duties in the region of the Pacific Ocean, it would be bad enough. It is not difficult to foresee a situation where as a result of a continuation of those methods of aggression and exploitation which have characterized both the British and Japanese Empires in the past, it would be more difficult for a self-respecting nation to go into a conference with them than it was for the present administration to go into the Genoa conference. But this proposed treaty binds us, in the paragraph I am now considering, to go far beyond a conference. Indeed, what this paragraph provides for is not a conference at all. It is more in the nature of an arbitration. It requires us not only to confer, it requires us to refer, and refer for the purpose of obtaining an adjustment or settlement of all of those controversies between the parties mentioned affecting our said rights. Language could not well be broader in including the questions which are to be referred, and it could not well be more definite in prescribing their method of adjustment. The declaration which accompanies this proposed treaty shows that whoever prepared it knew that it provided in this paragraph for something more than a mere conference. That declaration provides, and I think that is a pretty good test—

> That the controversies to which the second paragraph of article 1 refers (which is the paragraph I am now considering) shall not be taken to embrace questions which, according to principles of international law, lie exclusively within the domestic jurisdiction of the respective parties.

They exclude all such questions from the scope of jurisdiction which they confer upon this body. If it is only a meeting to confer and hold conversations, why was it necessary to take away from it all consideration with respect to domestic questions? The makers of this pact well understood that they were turning over to the jurisdiction of this so-called conference power to determine questions, and therefore they did not dare to confer upon them jurisdiction over such questions as Japanese immigration on the Pacific coast. If they are only to meet and hold conversations, why are they not to hold conversations about that as well as other questions?

I suppose that under this declaration or reservation if a controversy arose between Japan and the United States over the admission of Japanese to this country that it would be said that this was a question within the domestic jurisdiction of the United States. But why withhold that subject from the conference if nothing more than discussion was intended? It was clearly contemplated that the questions referred under the provisions of this paragraph are to be dealt with otherwise than by mere discussion. They are to be adjusted. They are to be settled. Hence purely domestic questions were excluded from consideration and adjustment.

It may be true, of course, that we can not be forced to acquiesce in the adjustment which is made of the questions referred. That is true of any agreement we might enter into. But, sir, once we become a party to this treaty we can not, without violating it, refuse, in case of a controversy, to invite the parties to meet together for the purpose of adjusting the controversy, and we can not refuse to abide by that adjustment when made, unless we are willing to repudiate the obligation we deliberately assume when we become a party to the treaty. It has been asserted in the debate by some of the proponents of this treaty that any settlement of a controversy submitted to the representatives of the parties signing this proposed treaty would have to be made unanimously at their hands.

Mr. HITCHCOCK. Mr. President, will the Senator permit a question?

Mr. LA FOLLETTE. Certainly.

Mr. HITCHCOCK. Take, for instance, the Hawaiian Islands, which are now inhabited by a mixed population of races, about one-half Japanese. Conceive that a number of years from now—for instance, when the Japanese are still more numerous than they are now, as they are likely to be—a race controversy arose and a hundred Japanese were killed, just as a number of Japanese were killed by the Russians in the island of Sakhalin. Japan met that situation by moving her army in and taking possession of Sakhalin Island. Would there not be some such controversy there between the United States and Japan, so that Japan might demand that it be settled by a conference of the four powers?

Mr. LA FOLLETTE. If it could be removed from consideration by a determination that it was a domestic issue, then Japan might not be able to insist that it should be considered by this

body which is created to adjust differences, but unless it be held that this conflict with respect to the rights of Japanese in the Hawaiian Islands is a domestic question, clearly it would come within the scope of the authority conferred upon the body created by this treaty to determine questions of controversy which arise between the high contracting parties.

Mr. SIMMONS. Who determines whether the questions raised are domestic or not?

Mr. LA FOLLETTE. That is not made clear by anything in this pact. That would have raised a great many questions here, which would have prolonged the discussion considerably, I think; but it seemed to be a part of the plan with regard to the consideration in the Senate of this crucial and determining treaty, which reaches out to control so largely the whole field, that it must be shortened and simplified as much as possible to avoid controversy.

Mr. SIMMONS. Did we not have the contention, when we were discussing the Versailles treaty, raised chiefly by Senators on the other side of the Chamber, that it was necessary to definitely prescribe, in the reservations, who was to determine whether any question was domestic or not; and was not the argument then made that unless that were done the right to determine what was a domestic question to America would be left to the league instead of to America?

Mr. LA FOLLETTE. I quite agree. My recollection of the debate as it progressed on the League of Nations is that all of these issues, it was argued, could be settled by reservation or by specific amendment, so that there could be no question or controversy about it. But here the matter is left quite open.

Mr. HITCHCOCK. I think the reservations which were adopted on the Versailles treaty went still further. They reserved specifically to the United States the right to determine whether a question was domestic or not.

Mr. LA FOLLETTE. I believe that is true.

Mr. SIMMONS. And that was insisted upon vigorously and persistently on the ground that unless that was done we would commit to the council the right to decide whether the particular question was a domestic question or not.

Mr. LA FOLLETTE. That comes back to me now with very great clearness. I recall that very distinctly. But here the whole question is left open for controversy.

Mr. SIMMONS. That is the point I was making.

Mr. LA FOLLETTE. I think the point is well taken.

Mr. KING. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Utah.

Mr. KING. May I say, apropos of the question propounded by the Senator from Nebraska, that I do not think our Government or any other civilized nation would admit that the assassination of its nationals by some other Government or State was a purely local or domestic question which that State could determine as it pleased. That becomes an international question. If Japanese citizens were killed in Hawaii or American citizens were killed in the Pescadores it would be, notwithstanding the words "insular possessions," an international controversy, in my opinion.

Mr. LA FOLLETTE. That is quite true.

Mr. PITTMAN. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Nevada.

Mr. PITTMAN. I have in my hand the resolution of ratification of the Versailles treaty, and I wish to call attention to reservation numbered 4. I read only a portion of it, as follows:

> The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction, and declares that all domestic and political questions relating to its affairs, including immigration, coastwise traffic, the tariff, commerce, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty submitted in any way either to arbitration or to the consideration of the council or of the assembly of the League of Nations, or to the decision or recommendation of any other power.

Mr. LA FOLLETTE. May I ask the Senator from Nevada from what he is reading?

Mr. PITTMAN. I am reading from the resolution of ratification of the Versailles treaty.

Mr. LA FOLLETTE. As proposed by whom?

Mr. PITTMAN. These are the reservations adopted by the majority of the United States Senate.

Mr. LA FOLLETTE. And proposed by whom?

Mr. PITTMAN. They were proposed, most of them, by the Senator from Massachusetts [Mr. LODGE], the majority leader of the Senate.

Mr. SIMMONS. Mr. President, if the Senator from Wisconsin will pardon me, the Senator from Nevada read from the treaty a provision which President Wilson had put in that treaty upon his return to Europe, after he had brought the original draft here and conferred with various and sundry Members of this body. My recollection is that upon his return to Europe he incorporated in the treaty a provision similar to the one the Senator is now discussing, namely, that the treaty should not apply or be construed to apply to purely domestic questions, such as immigration, which I think was almost the language.

Now, with that very language or substantially the same language in the Versailles treaty as in this treaty, when that treaty came before the Senate the majority in this body insisted that the rights of the United States could only be safeguarded by the specific terms of the resolution just read by the Senator from Nevada in the reservation.

The two cases seem to me to be on all fours, and it is strange, with that history fresh in the minds of at least two of the delegates, that they should not have insisted upon incorporating in the treaty some such provision as they had insisted upon incorporating in the resolution of ratification of the Versailles treaty.

Mr. LA FOLLETTE. I am bound to say that I quite agree with the view expressed by the Senator from North Carolina. There is no provision in the proposed treaty which settles the question and determines what is and what is not a domestic issue.

Mr. GLASS. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Virginia.

Mr. GLASS. Right on that issue, Japan has frequently contended and Japan now insists that she has a right to participate in the coastwise trade of the Philippine Islands and in the trade from the Philippine Islands to the United States. I would like to inquire if the Senator from Wisconsin could state offhand whether that would be a domestic question or an international question?

Mr. LA FOLLETTE. I should be inclined to say that that is really a domestic question, but I can see that it might well be open to controversy.

Mr. GLASS. It already is being controverted.

Mr. LA FOLLETTE. I so understand.

Mr. PITTMAN. Under article 15 of the Versailles treaty I find this provision:

> If the dispute between the parties is claimed by one of them, and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report, and shall make no recommendation as to its settlement.

That was the provision as brought back in the treaty. It was not considered sufficient to protect the United States.

Mr. LA FOLLETTE. Even that provision had to be supplemented by reservations——

Mr. PITTMAN. By reservation No. 4, which I have just read.

Mr. LA FOLLETTE. Reservations such as were presented by the Senator from Massachusetts [Mr. LODGE].

Mr. PITTMAN. Yes; and adopted by a majority of the Senate.

Mr. LA FOLLETTE. That does not seem to have occurred to the representatives of the Senate who served as delegates to the conference which framed this treaty.

Mr. SIMMONS. One of the delegates who framed this treaty was in charge of the Versailles treaty when it was under consideration in this body.

Mr. LA FOLLETTE. That is true.

Mr. SIMMONS. And he is accredited at least with having written these reservations.

Mr. LA FOLLETTE. I think that is the record.

Mr. President, I want to bring the attention of Senators back to the line of my discussion, so I will repeat briefly.

It is true, of course, that we can be forced to acquiesce in the adjustment which is made of the questions referred under this treaty. That is true of any agreement we might enter into. But, sir, once we become a party to the treaty we can not, without violating it, refuse in case of a controversy to invite the parties to meet together for the purpose of adjusting the controversy, and we can not refuse to abide by that adjustment when made unless we are willing to repudiate the obligation we deliberately assume when we become a party to the treaty.

It has been asserted in the debate by some of the proponents of the treaty that any settlement of a controversy submitted to the representatives of the parties signing this proposed treaty would have to be made unanimously at their hands.

There is no such provision in the proposed treaty, and common sense would dictate the opposite conclusion. That contention would be good in the case of a technical common-law reference. But in such case the immediate parties to the controversy would not sit. When the representatives of the nations involved are convened in the manner provided in this article for the purpose of considering and adjusting controversies referred to them they will necessarily make their own rules of procedure in the absence of specific rules laid down in the

document which calls them into existence as a board or body. They must determine their own methods of procedure, which will include determining the vote by which their decisions will be reached and the manner in which their conclusions shall be stated. A minority can, of course, dissent. But the mandate which calls these representatives together requires them to reach a conclusion, to make an adjustment. And there is nothing express or implied in the document requiring that conclusion to be unanimous. But suppose we took the position that we would not be bound by a decision to which we did not agree, made by this conference or committee or body which we had convened for the very purpose of passing upon the question we had referred to it. What position would that put us in before the other parties to the treaty and before the world? If the decision of the majority were against us, as it would be certain to be in the large number of cases where the interests and purposes of the British Empire and the Japanese Empire were the same, we would be placed in the position of not abiding by the decision we had invoked, and we would be properly charged with having submitted our controversy to a tribunal of our own selection and then repudiating its decision because it was not rendered in our favor. No, Mr. President, if we ratify this treaty, if we become parties to this contract we submit to the tribunal for which it provides the questions for settlement or adjustment specified in this paragraph, and we must abide by the decision rendered. If we are not willing to abide by the results of the conference we must keep out of it altogether.

There is one further objection to this section, which I shall briefly notice.

Mr. SIMMONS. Mr. President, if the Senator will pardon me, before he leaves that line of his argument, if it had not been clearly understood and intended that a majority vote should determine the question and should be a settlement of the dispute, does not the Senator think that the treaty makers naturally would have provided some method of settlement where there was no settlement because of the dissent of one member?

Mr. LA FOLLETTE. Absolutely so, Mr. President; and I think, therefore, that it is implied, and the implied provisions of a contract are just as binding as the expressed provisions. I think it clearly implied here that when the decision is reached all parties to it must be bound, in so far as they can be bound in any such instrument as a treaty, and that is up to the limits of their own honor.

Mr. SIMMONS. The Senator from Wisconsin says it is "clearly implied." Does not the Senator think it is necessarily implied?

Mr. LA FOLLETTE. I do think it is necessarily implied, if that makes it any stronger than the other statement.

Mr. SIMMONS. Because here is a provision for a settlement—an agreement that there has to be a settlement. If it depended upon a unanimous vote——

Mr. LA FOLLETTE. There might never be a settlement.

Mr. SIMMONS. There might never be a settlement. If it was the intention that it should be determined by unanimous vote, I take it that the treaty makers certainly would have provided what was to be done in case no settlement should be reached by a unanimous vote.

Mr. LA FOLLETTE. Clearly they must have done so. In contemplation of working out a consummation of the very purposes of this treaty they must have worked out a provision that would have covered that question.

Mr. SIMMONS. There can always be a settlement when the majority is to determine.

Mr. WATSON of Georgia. Will the Senator from Wisconsin allow me to interrupt him?

Mr. LA FOLLETTE. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. Yesterday in his carefully written and carefully read address the Senator from New Jersey [Mr. EDGE], whose position was indorsed by the Senator from Connecticut [Mr. BRANDEGEE], took the position that nothing could be done under this proposed treaty except by unanimous consent. Does the Senator from Wisconsin think that that statement is warranted?

Mr. LA FOLLETTE. I think I have already indicated that it is an impossible conclusion to be drawn from the very terms of the treaty itself and from all that is sought to be claimed for it by its sponsors here in the debate.

Mr. PITTMAN. Mr. President, it will be remembered that the framers of the Versailles treaty, and particularly of the covenant of the League of Nations, felt that in international law it was essential to state in the instrument itself that no act could be performed without the consent of every member of the council of the League of Nations. Otherwise it was assumed that the ordinary parliamentary rule of a majority controlling would govern.

Mr. LA FOLLETTE. Exactly.

Mr. President, there is one further objection to this section which I shall briefly notice. That is that it clearly excludes all other countries than the high contracting parties from the meeting called to adjust the controversies referred to them, no matter how great the interest of such other country may be in the controversy. I have already pointed out that the controversies referred to the representatives of the parties to this pact include all controversies between the parties arising out of any Pacific question in which their rights are involved touching any of their Pacific possessions. Suppose, for example, Japan not only refuses to withdraw her troops from Russian territory but increases her forces there with the obvious design of still further encroaching upon Russia's sovereignty. Naturally, we would object, because our own interest in the Pacific might be seriously menaced by this further aggression of Japan. A controversy between us and Japan would therefore arise, which under the terms of this proposed treaty we would have to refer for adjustment as the terms of this section provide. Or suppose, again, that the Japanese should refuse to surrender the northern portion of the island of Sakhalin, which admittedly belongs to Russia and is now forcibly occupied by Japan, and we, believing that our rights in the Pacific are menaced, as they doubtless would be by such action on the part of Japan, make a protest, and again a controversy arises which must be submitted to the representatives of the four powers signing this document. Clearly in this controversy Russia is a necessary party. She is at least one of the parties in interest, and perhaps the principal party in interest. By the very terms of this document she is excluded from the meeting of the representatives of the four powers called to adjust the controversy. The language of the document is that they—meaning the immediate parties to the controversy—"shall invite the other high contracting parties." They are not authorized or permitted to invite any other power. That is made clear by the next portion of the sentence, which declares that the parties so invited shall meet in a "joint conference"; that is, a conference made up solely of the representatives of the parties so invited to attend. And it is to this conference so constituted that "the whole subject will be referred for consideration and adjustment."

I remember, Mr. President, when this particular question was under discussion, one day during the debate in the Senate two or three Senators—I think the Senator from Nebraska [Mr. NORRIS] among others—raised the question that any of the outside powers could be invited to attend such a conference as is provided for by the treaty. I think, however, the very terms of the treaty exclude them, as I shall presently show.

Mr. WATSON of Georgia. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. If it would not divert the Senator from the line of thought he is pursuing, I should like to present this suggestion to him: At the very time the conference convened in Washington the Japanese were trying to extirpate the schools, churches, and the converts whom the Christian missionaries from this country had financed and consecrated themselves to for the last 50 years; and yet not one word of expostulation was addressed to the Japanese representatives here in Washington. Can the Senator from Wisconsin explain that strange silence against the outrages which Japan was then committing upon the Christian churches of this country?

Mr. LA FOLLETTE. Mr. President, I would not undertake an explanation of that situation without unlimited time in which to go into the subject. I think that is one of the most fruitful sources of discussion which could possibly have been suggested. I have been astounded to find that some of the supporters of this four-power pact, who have heretofore been greatly exercised over and interested in the aggressions which the Japanese Government is making upon the people who have come within her sphere of influence, have apparently lost their interest in those helpless people.

Mr. WATSON of Georgia. May I trespass further upon the time of the Senator from Wisconsin?

Mr. LA FOLLETTE. I yield to the Senator.

Mr. WATSON of Georgia. It has come to me from a source which I can not reveal, but upon which I rely, that the chaplain who opened the Limitation of Armament Conference with prayer, just as our Chaplain opens our sessions here with prayer, had in his prepared invocation alluded to the merits of the blood of our Saviour, Jesus Christ, but he was asked to strike that allusion out, and he struck it out.

Mr. LA FOLLETTE. In other words, he denied his Christ?

Mr. WATSON of Georgia. He did.

Mr. LA FOLLETTE. Why?

Mr. WATSON of Georgia. And he did it in deference to the nation which is now, in the persons of the Christian converts in Korea, again crucifying Him.

Mr. JOHNSON. Mr. President, will the Senator yield to me for just an instant?

Mr. LA FOLLETTE. I yield.

Mr. JOHNSON. The Senator has been discussing the very remarkable reservations which the American delegates attached to this treaty before the ink upon the treaty was dry, and he has been discussing something of the character of the domestic questions and the like which may be involved. I want to read, without comment, a very brief telegram which was published by the San Francisco Call on December 23 last, as follows:

JAP ENVOY ON EVE OF SAILING WIRES ADIEUS TO HARDING.

Katoro Mochizuki, member of the Japanese Parliament, prior to his sailing to-day for Japan, sent the following message to President Harding:

"I am leaving your country to-day with great joy and happiness. Let me once more, my dear President, tender my heartfelt respect to you. Between your country and Japan there are many things still to adjust under your leadership—such as, for instance, the fortification of Hawaii and our immigration question in California. I trust that your lofty and noble idea of statesmanship will do justice toward our country and people in California and Hawaii. Praying you to keep your good health for the sake of the peace of the world at large, au revoir.

"KATORO MOCHIZUKI."

Mr. LA FOLLETTE. Well, Mr. President, if I were desirous of entering the field of prophecy, I should hazard the forecast that Mr. Mochizuki is not likely to be disappointed.

Mr. President, I feel that I must hasten along. I wish to cover a bit more of the ground which I consider essential to the proper discussion of this important document. I was setting forth a further objection, and I wish now to resume the thread of my discussion.

Introduce another party into the meeting of the four powers and it is not the joint meeting specified. And it is only to the joint meeting of the representatives of the four powers mentioned that the controversy is referred for settlement. Or take another illustration. It is well known that for years the Chinese Government has conducted a heroic fight against the use of opium and the opium traffic among her people and that the British Government has in years past, by the most brutal methods, forced opium upon the people of China. While latterly, I understand, the British policy has changed in this respect, it is still true, authorities upon that subject state, that the principal difficulty the Chinese Government has in combating the evil arises from the fact that opium may be freely bought and traded in in the territory covered by the foreign concessions, and particularly by British concessions. Under the present arrangement the Chinese Government is powerless to stop the traffic in that large portion of her territory practically under British control. Our own interests in the Pacific are, of course, affected by anything that involves the debauching and the demoralization of the Chinese people. And suppose that we make a protest over this or any other matter involving British aggressions in China. A controversy arises which under this proposed treaty must be referred for adjustment in the manner I have described. China can not be a party to it. Here, Mr. President, is the great vice, or at least one of the great vices, of this compact. When we become a party to it we must either make up our minds to go along with the Japanese Empire and the British Empire and acquiesce in whatever they may choose to do in the regions of the Pacific Ocean or, if we protest against their conduct because our own vital interests are involved, we must submit the issue so made for adjustment to a body a majority of which we know in advance is packed against us.

SECTION 2.

My interpretation of section 1 of the proposed treaty is made more conclusive, if that is possible, by consideration of the language of section 2. That section is as follows:

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

Note well the language: "If the said rights are threatened by the aggressive action of any other power," what happens? Not a meeting together in some designated place by the representatives of the parties to the treaty to consider the case and render a decision as is provided for under section 1, but the parties will communicate with each other. If nothing but communications were contemplated under section 1, why the great difference in language and the entire difference in the scheme of the two sections? Section 1 contemplates that trouble may arise between the parties and it provides a body by which the causes of the trouble will be investigated and which shall then adjust or settle the difficulty. Section 2 contemplates that trouble may arise between a member or members of the pact and some outside power or powers, and it provides an entirely different method of dealing with that situation.

Section 2 contemplates: (1) Aggressive action by some outside power against one of the four signers of the pact; (2) immediate communication between the parties to the pact in order to arrive at an understanding; (3) the understanding arrived at is to embody the most "efficient measures" to meet the aggressive action of the outside power. That is as far as the specific language of the section goes.

Of course, any Senator may argue if he chooses that the efficient measures to meet the aggressive action of a hostile power consist in sending out a delegation with olive branches to talk over with the enemy the matter of its wicked conduct. That seems to be about all that the proponents of this proposed treaty are willing to admit that we obligate ourselves to do under this section. I have marveled, sir, at the arguments made by distinguished Senators in this body during the last few days in an effort to show that this section imposes no obligation upon us to meet the aggressive action of an enemy power with anything more deadly than talk. We all know that what is implied in a constitution or in a statute or in a treaty is just as much a part of the document as what is expressed. Our Government depends to-day for its life and vitality and operation as much upon the implied powers of the Constitution as upon the express ones.

Not only that, sir, but it is the implied rights and duties that attach to all contracts and to all relations in life even more than those which are expressed in words that make it possible for men to live together in a civilized society. Now, sir, the whole scheme of this document is that the high contracting parties are entering into a partnership, or at the very least a joint adventure. By this document they agree to combine together, separate and distinct from all other powers of the earth, for certain purposes, and they declare that they have certain interests in common which it is necessary or at least desirable to protect by means of this combination. By this act alone they make themselves joint adventurers at the very least, and there at once attach to them all the obligations of loyalty and devotion to their joint interests as opposed to all other interests which the law attaches to the relation of partners or joint adventurers.

Lloyd-George, speaking in the House of Commons August 18, 1921, only six months ago, anticipating the results of the Washington conference, said:

If the alliance with Japan could merge into a greater understanding with Japan and the United States on all problems of the Pacific, that would be a great event which would be a guaranty for the peace of the world.

Every war-breeding alliance between nations since the dawn of history has been declared to be in the interests of the peace of the world.

Continuing, Lloyd-George said:

I am still hopeful that such an understanding as would make us feel that this partnership would be established will ensue as a result of the coming conference at Washington. (See N. Y. Times, Aug. 19, 1921.)

He had a pretty good understanding, Mr. President, as to what would be accomplished at this conference.

The universal acclaim with which this four-power pact has been greeted by the leading statesmen of the British Empire, including Mr. Lloyd-George, leaves no doubt that in their estimation the hope he expressed was realized in the document now before us. He calls it a partnership. I have used the somewhat looser term of joint adventurers. In either case the same duty attaches to the relationship, which requires the parties to stand together, to work together, and to protect and advance the rights of all in the subject matter of the adventure or partnership against the act or acts of any other power or powers of the world.

Now, sir, recognizing this as the plain obligation which the parties assume from the relationship, it is worse than idle to attempt to argue that this section of the treaty does not obligate us to use force whenever force is the "most efficient measure" with which to repel the aggression of some outside power upon the rights of one of our copartners or coadventurers under this proposed treaty. I shall not consume the time of the Senate in discussing a proposition so obvious.

SECTION 3.

Section 3 of this proposed treaty is as follows:

This treaty shall remain in force for 10 years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of the high contracting parties to terminate it upon 12 months' notice.

The only point that I wish to make upon this section is that if we ratify this treaty we become bound absolutely to continue under it for the period of 11 years. You will note the entire absence from this proposed treaty of a provision common to many treaties that either party may terminate it upon giving a certain specified notice. Once we ratify this proposed treaty there is no escape for us for 11 years at least. No matter what the conduct of our associates may be during that time, we can not withdraw from the enterprise upon which we enter with them when we become parties to this document. For 11 years at least we are married to them. We must meet with them in conference. We must submit to them for adjustment questions vitally affecting our rights and our national honor, and no matter how divergent or irreconcilable our views and policies may be, for 11 years we are bound to continue in this unnatural relationship.

If any Senator can tell us or tell the people of this country what there is in the history of the British Empire or the Japanese Empire, or in their present conduct or future prospects, which makes him desire to unite the destinies of this Nation with them for 11 long years, I will be glad to listen to his reasons. But, for my part, Mr. President, I know that the road to peace and prosperity for us and our highest service to the world lies in keeping free from this particular combination. We can only serve the world and our own people while we are free to pursue our own ideals and our own ambitions in an effort to uphold freedom and democracy and the rights of the common man.

These, sir, are not the ideals of either of these empires with which we are asked to associate ourselves. Such an unnatural association, Mr. President, must inevitably lead us into conflict with our associates, or we must surrender those principles of liberty and equality which are fundamentally obnoxious to the Empire of Japan and to establish which we fought two bloody wars with the British Empire.

SECTION 4.

The fourth and last section of this treaty provides:

> This treaty shall be ratified as soon as possible in accordance with the constitutional methods of the high contracting parties, and shall take effect on the deposit of the ratifications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan which was concluded at London on July 13, 1911, shall terminate.

I have now read all the provisions of this proposed treaty excepting its formal parts. We are told by the proponents of it that the chief and, indeed, practically the only value of this treaty to us lies in the last three lines which I have just read. What are they? I repeat them:

> Thereupon the agreement between Great Britain and Japan which was concluded at London on July 13, 1911, shall terminate.

Those lines provide that upon the ratification of the pending treaty the treaty concluded between Great Britain and Japan on July 13, 1911, shall terminate. That treaty is commonly referred to as the Anglo-Japanese alliance. That alliance was originally formed in January, 1902. It was modified and renewed in August, 1905, and was again renewed on July 13, 1911, for 10 years more, with the right on the part of either party to terminate it upon one year's notice after the 10 years had expired.

The Senator from Massachusetts, who with the Senator from Alabama has had the principal charge of the treaty in the Senate, in expounding its terms for the benefit of the Senate said, as reported in the RECORD of March 8, 1922:

> The chief and most important point in the treaty is the termination of the Anglo-Japanese alliance; that was the main object of the treaty.

Again, on page 3551 of the CONGRESSIONAL RECORD, the Senator, speaking of the work of the American delegation in the preparation of the treaty, said:

> We were clearly of the opinion that there lay before us three great objectives, three dominant purposes to be attained. One was the termination of the Anglo-Japanese alliance. The next was an agreement between the five principal allied and associated powers sitting at the table for reduction of naval armament. The third was to accomplish all that was possible to aid China.

The matter of the so-called aid to China and the reductions of naval armament is taken care of in separately proposed treaties, which will be discussed somewhat at length later, so that the only point made, so far as the four-power pact now before the Senate is concerned, was that it terminated the Anglo-Japanese alliance.

Again, on page 3552 of the RECORD, the Senator from Massachusetts says:

> The treaty now before us terminates the Anglo-Japanese alliance. * * * It is not necessary for me to go into detail as to the reasons for my opinion as to the great importance of this single achievement. It is sufficient to say that in my judgment the Anglo-Japanese alliance was the most dangerous element in our relations with the Far East and with the Pacific. * * * That menace to peace is removed by the four-power pact treaty. * * * While that alliance was in existence reduction of naval armament was difficult, if not impractical.

I might read many other quotations from the speeches of the Senator from Massachusetts and the Senator from Alabama and other proponents of this proposed treaty to show that substantially the only merit claimed for the four-power pact now before the Senate is that if adopted it will terminate the Anglo-Japanese alliance.

The provision of the Anglo-Japanese treaty of July 13, 1911, and the only one which can be construed as in any way menacing the United States, is that which is contained in article 2. Article 2 of the Anglo-Japanese treaty of July 13, 1911, is as follows:

> If by reason of unprovoked attack or aggressive action wherever arising on the part of any power or powers, either high contracting party shall be involved in war in defense of its territorial rights or special interests mentioned in the preamble of this treaty—

That is, in the Far East, and that is the only thing mentioned in the preamble of the treaty—

> the high contracting parties will at once come to the assistance of its ally, and will conduct the war in common and make peace in mutual agreement with it.

Now, Mr. President, when we put aside the ominous, mysterious, and threatening innuendoes of the gentlemen who claim that the Anglo-Japanese alliance is such a menace to the United States and look at the language of that alliance itself, we find that it has nothing to do with the United States unless the United States should make an unprovoked attack upon either the Japanese or British Empire in the Far East or take unprovoked aggressive action against one or both of them.

Mr. CARAWAY. Mr. President——

The PRESIDING OFFICER (Mr. MCNARY in the chair). Does the Senator from Wisconsin yield to the Senator from Arkansas?

Mr. LA FOLLETTE. I yield.

Mr. CARAWAY. Every one of the Senators who now profess such relief that the Anglo-Japanese alliance has been abrogated was opposed to the Borah resolution, which brought about this conference out of which this treaty grew.

Mr. LA FOLLETTE. Certainly.

Mr. CARAWAY. So all their alarm has arisen over the Anglo-Japanese alliance, since over their objection and that of the President the resolution was adopted and the conference was called.

Mr. LA FOLLETTE. That is absolutely true. In other words, the Anglo-Japanese alliance has been brought forward by those who want to tie us up with imperialistic governments for the prosecution of great enterprises among the helpless peoples of the world, and they have taken this Anglo-Japanese alliance and, by subterfuge, have made it appear as a menace to the people of this country and their Government. How many people in the United States have been losing sleep in the last 20 years because of the existence of this treaty? During the 20 years this treaty has been in existence Great Britain was powerful on land and sea; from London, the financial center of the world, she dictated to the business interests of the world, and yet in all those years we heard nothing of the menace of the Anglo-Japanese alliance. Did we hear anything of its menace in 1902, 1906, 1910, or 1914? No; it was only when it was desirable to resurrect it and to project it into this discussion in order that we might be brought into this combination, so desirable to the big interests of this country for the exploitation of all the natural resources of the world.

The plain English of it simply is that if we make an unprovoked attack upon Great Britain, Japan will come to her aid; or if we make an unprovoked attack upon Japan, Great Britain will come to her aid. Now, sir, so long as Japan and Great Britain honestly carry out the terms of that treaty and take no joint action against the United States until the United States makes unprovoked attack upon one or the other of them in the Far East—and that is the language of the treaty—there is not the least possibility of trouble for us in the Anglo-Japanese alliance. If, on the other hand, the Japanese Empire or British Empire does not intend to carry out the terms of this treaty honestly, but either or both are intending to use the language of this alliance as an excuse for making an unprovoked attack upon us, then they are not to be trusted to enter into this four-power pact, or any other agreement, with us. If they will carry out honestly the Anglo-Japanese alliance, we are not in the least danger. If they will not carry out that treaty honestly, there is no reason to suppose that they would honestly comply with the treaty we are now asked to make with them.

But more than this, Mr. President. If this Anglo-Japanese alliance is any menace to the United States, that menace will not be removed by our ratification of this four-power treaty. On

the contrary, it will be aggravated by it. After noting the apprehension with which our distinguished representatives who negotiated this treaty viewed the Anglo-Japanese alliance, I turned once more to the four-power pact they offer us as our sole means of salvation from the peril of this threatening alliance, and I found to my astonishment not a line or a word in it to prevent the renewal of the alliance between the Japanese Empire and the British Empire whenever they choose to renew it.

There is a provision in this treaty which, if ratified by all the high contracting powers, will terminate that Anglo-Japanese alliance, but there is no provision in this pending treaty which pledges Great Britain and Japan not to form another alliance. Follow me just for a moment.

At any moment after we have ratified this treaty the British Empire and the Japanese Empire can renew this alliance. They can renew it in exactly the same terms in which it is written to-day, and there is nothing in the treaty now offered us which forbids their doing this. Ah, but it will be said that two such honorable sovereigns as His Majesty the Emperor of Japan and His Majesty the King of the United Kingdom of Great Britain and Ireland and the British Dominions beyond the Seas and Emperor of India would not do so dishonorable a thing. Wouldn't they! I find that these worthy monarchs, when they entered into the Anglo-Japanese alliance, thought it wise and prudent to contract against doing exactly that sort of thing. They did not dare to trust each other as we are now asked to trust both of them.

Article 3 of the Anglo-Japanese alliance provides:

> The high contracting parties agree that neither of them will, without consulting the other, enter into separate arrangements with another power to the prejudice of the objects described in the preamble of this agreement.

These two Governments had been allies for a good many years prior to the time they negotiated this alliance of 1911. They had been allies since 1902. They knew each other. They evidently believed that it was a wise precaution on the part of each to bind the other not to enter into a separate arrangement with some other power to the prejudice of the agreement they were then making.

If it was a wise and proper precaution for these powers to take thus to protect themselves from each other, certainly it is the greatest folly on our part not to take at least equal precaution to protect ourselves from both of them.

I wonder if our delegates were asleep on this proposition. They say they were reaching out eagerly to secure the abrogation of this Anglo-Japanese pact, and in it they found recorded against each of the other parties to it the suspicion that they might on the side enter into secret compacts prejudicial to the terms of that compact, unless they were bound not to do it. Yet it seems to have occurred to none of the delegates who were intrusted with the honor and the interests of the United States to so protect us against Great Britain and Japan from entering into another Anglo-Japanese treaty just as soon as they have secured our ratification of this proposed treaty. * * *

Mr. WALSH of Massachusetts. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. How could the Anglo-Japanese alliance be a menace to this country except by some unprovoked aggression on the part of Japan and Great Britain toward our country or by some international conduct on our part that would cause war?

Mr. LA FOLLETTE. Yes, Mr. President; and let me limit the suggestion of the Senator a little further. By the very terms of the treaty, aggression upon our part had to be in the Far East. We might have attacked Great Britain and we might have attacked Japan elsewhere than in the Far East, and then we would not have incurred the hostility of the combined nations under the terms of that treaty to repel the attack. The only thing that treaty provides against, so far as outside powers are concerned, is an aggressive attack against their interests by an outside power in the Far East, and then they are bound to combine to repel that attack. The United States had no disposition to attack, as, of course, we know we had not. We know that if we obey the admonition of the founders of this Government, we will not have trouble in the Far East. We know if we pursue the policy we have pursued for almost a century and a half no trouble will be had with our foreign neighbors. The only reason, the only menace, that the Anglo-Japanese alliance could possibly be to us was that we might offend the two powers combined and bring about a combined attack of those two Governments, provided we invaded what they considered their rights in the Far East.

Mr. WALSH of Massachusetts. Can the Senator imagine a greater reflection upon our self-respect than to say that we have joined in an alliance with these nations because they were a menace to us in that they were likely to do something injurious to our peace when our back was turned?

Mr. LA FOLLETTE. No; I can not.

Mr. WALSH of Massachusetts. What would the Senator think of a man who would join in an agreement to cooperate and unite with two men who were attempting to rob and assault him simply to prevent their unlawful acts being taken against him?

Mr. LA FOLLETTE. I go a little further than that, and I say that the combined efforts and the propaganda used to manufacture the Anglo-Japanese treaty into a present peril was a subterfuge on the part of all who engaged in it. It is a betrayal of the interests of this Government to twist the Anglo-Japanese treaty into a menace, for the purpose of bringing us into this combination and reversing the policy under which we have grown to be a great and independent Nation before all the world and an example that is inspiring to all people who love liberty and equality.

Mr. KING. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. KING. Can the Senator give any reason why, when the call was made pursuant to resolution of the Senate for this conference, the four-power pact was not indicated or cited as one of the paramount purposes of the conference? Can the Senator give any reason why that was not mentioned in the call, mentioned in the agenda, mentioned in the address of the President to the conference, and in the address of Secretary Hughes? Can the Senator account for the reason now that when the conference was called to limit armament, which was the great and paramount purpose of it, that seems to have been subordinated now and this is mentioned as the transcendent achievement and the great and paramount work of the conference?

Mr. LA FOLLETTE. I can only say that I believe that it was the theme that was uppermost in the minds of those who brought about the conference—the President and his administration advisers.

Mr. WALSH of Massachusetts. I would like to say to the Senator from Utah that I had printed in the RECORD this morning a statement by the editor of one of the leading Canadian papers, in which statement he makes the claim that Canada's opposition to the Anglo-Japanese alliance and the pressure which Canada brought upon Great Britain to get rid of it was the reason for this subject being on the agenda of the conference.

Mr. SHORTRIDGE. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from California.

Mr. SHORTRIDGE. I venture to call attention to what the President said in his invitation to the powers to this conference. I would like the attention of the Senator from Utah [Mr. KING] to page 18 of the document—Document No. 126. There the Senator from Utah and other Senators may read as follows, if the Senator from Wisconsin will pardon me taking this much of his time:

> It is not the purpose of this Government to attempt to define the scope of the discussion in relation to the Pacific and Far East, but rather to leave this to be the subject of suggestions to be exchanged before the meeting of the conference, in the expectation that the spirit of friendship and a cordial appreciation of the importance of the elimination of sources of controversy will govern the final decision.

In other words, the invitation was broad enough and comprehensive enough to warrant our representatives in taking up and considering and reaching the agreement indicated by this so-called four-power treaty, as later on I shall hope to make very clear to any senatorial mind.

Mr. LA FOLLETTE. Surely we have had enough of secret treaties in recent years. We certainly ought to take the precaution to protect ourselves against them that those nations took to protect themselves from the danger that each would make a counter alliance against the other.

No, Mr. President; let no man be deceived by the talk of danger to the United States in the Anglo-Japanese alliance. That alliance has existed for more than 20 years, and until the agitation started a few months ago to fasten this agreement upon our people no one in this country ever suggested, so far as I have heard, that there was any danger to us in that alliance. Attention in this country was first called to it seriously by the British talk of terminating it. The fact is, as shown by the speech of the Senator from Massachusetts [Mr. LODGE], that the sentiment in the British Empire for scrapping the arrangement was very strong, especially in the Dominion of Canada, even before the Limitation of Armament Conference

was called. New Zealand and Australia preferred to have the alliance continued, but favored no alliance not satisfactory to the United States. It had become simply a piece of political junk as far as Great Britain was concerned which they wanted for many reasons to get rid of anyway, and her statesmen hit upon the clever idea of polishing it up and selling it to our delegates at the conference as something of great value.

Why, Mr. President, there has not been a time in a hundred years when Great Britain was so incapable of waging war as at the present time. Until she can at least pay the interest on the debt she incurred in her last war she is not likely to undertake another one, and particularly with the United States. At no time during the 20 years and more that the Anglo-Japanese alliance has existed have we ever feared it or had the least reason to fear it, and to attempt at this particular time to distort it into a menace to the United States is grotesquely absurd and smacks of intellectual dishonesty. Imagine Australia and New Zealand, who hate the Japanese as they do the plague, making war upon us in behalf of Japan. Picture Canada, our next door neighbor and lifelong friend, bound to us by the ties of race, language, and religion, and a century of friendship and close association, marching an army against us at the command of the yellow race. No one knows better than the British statesmen that they could not raise and send against us a single regiment of Englishmen merely to fight the battles of the Japanese. Besides all this, Britain's empty treasury and her domestic troubles everywhere make a formidable war unthinkable for her for years to come. With millions of her subjects in open revolt and millions more covertly plotting her downfall, it would be sheer madness for her to enter upon a war against the United States, and particularly as an ally of Japan. Nor is Japan likely to tempt fate by making war against us with the Russian Bear aroused and eager to strike her at the first opportunity in retaliation for the insults and wrongs heaped upon Russia by the Japanese Empire.

I was astounded, Mr. President, at the easy attitude of one of the representatives of the Senate at the conference that there was not any likelihood of trouble for 10 or 11 years from Russia because she could not very well be aggressive.

Mr. President, Russia had an army of 7,000,000 well-trained soldiers that participated in the great World War. She hurled her legions against the German line and drove it back until internal discord broke her military power. Those trained men by the million are in Russia to-day. The natural resources of that country are probably the richest anywhere in the world outside of our own, and our own are being now pushed along many lines toward rapid depletion. Let her effect a combination with some outside power—and nobody for a moment supposes that the power of the German nation is broken—and what would be the result? I think it is beginning to dawn upon the minds of those who made the Versailles treaty that they themselves have got to rescue Europe from the terms of that treaty; that they have got to reinstate the German people in a position where they can be industrially productive again if they hope to save Europe from utter financial destruction.

We are arraying ourselves in this combination against China, India, Russia, Germany, and all the central powers. There will be a day of settlement. Time works out many transformations.

Mr. President, there is some other reason for the attempt to force this treaty upon us. And that reason is found in the desire of the great interests which control the Governments of both those countries to secure the cooperation and protection of the United States in their further schemes of exploitation and imperialism. We know the shameful history Japan has made in recent years in Korea, China, and Siberia. We know what Great Britain has done and is doing in India, China, Egypt, and elsewhere. Both those countries have shocked and horrified the civilized world with their disregard of treaty rights and the rights of neutral nations and weaker peoples. What they have been doing in the countries mentioned in recent years they wish to continue to do. But they wish to continue to do it with the sanction and, if possible, the cooperation and protection of the United States.

Great Britain, so eager for spoils, increased her holdings at the Paris conference until she so extended her dominions that she is breaking under the strain at many points.

In this connection I will read briefly from an article in the January, 1922, number of the National Review, published at London, entitled "The new Pacific pact," by T. Okamoto, London correspondent of the Tokyo and Osaka Asahi:

> The inclusion of America and France in the new pact is considered in Japan to be merely an extension of the Anglo-Japanese alliance and causes no uneasiness but the greatest satisfaction. Japan's concern is limited to the question of whether concerted action of four powers will be more effective than the benefits obtained by an alliance between the two powers. One criticism of the inclusion of more powers in a Pacific pact was that "there was too much water in the whisky." This might possibly be the case if there were any attempt on the part of one of the powers to impose upon the others a line of policy or to insist on its particular interests without regard to the benefits of the other parties, including China.
>
> It is essential that the powers should keep themselves informed of the changing situation in China and take precautions to adjust their policies according to the variations which are taking place, and if the original aims of the new pact are to be fulfilled success must depend upon the cordial cooperation of all the powers concerned, and especially on that of the two powers with the largest interests involved.

Here you have the whole scheme in a few sentences. It is published in the leading British journal by a leading Japanese correspondent. The Anglo-Japanese point of view, here clearly expressed, is that this pact is simply a means of taking us into the Anglo-Japanese alliance. This, of course, saves the benefits of the alliance to Great Britain and Japan, and by taking us into it makes it something of great value to those countries.

They are a little afraid that our coming in will dilute the whisky somewhat. In other words, they assume that if we enter into their plans for exploiting China and the other defenseless peoples of the Far East they will have to divide the spoils with us. While they apparently regret this necessity, their view, as clearly expressed by this writer, is that our presence in the combine will be worth far more than it costs. Perhaps in view of our conduct in the Philippines, in San Domingo, and Haiti they believe that we will be agreeable to their somewhat more brutal methods of exploitation. It will be noticed that this writer says that if the parties to this pact will fully cooperate with each other all will be well.

That, Mr. President, is what this compact is for; it is to secure our cordial cooperation with Japan in her atrocities in Korea, in China, and in Russian territory. It is to secure our cordial cooperation with Britain in her debauchery and robbery of the Chinese and in holding India in subjection, and thus strengthen her so that she may continue for a while longer these policies and aggressions which have made her so well hated throughout the world. That, Mr. President, is what this treaty is for. That is what it is expected to accomplish. And that is what it will accomplish if we ratify it. The ratification of this treaty means the fulfillment of the plans and ambitions of the imperialists, not only in the British Empire and the Japanese Empire but in these United States as well.

This treaty, Mr. President, makes for war and not for peace. How can it make for peace to unite our destinies with those of the two great island empires whose only political principle is that they must conquer and exploit weaker peoples in order to maintain their existence and their commercial supremacy.

But I speak, Mr. President, not only of the shame of such a partnership as we are asked to form but of the danger of it. It is true that at present Germany and Russia are prostrate and China is impotent. But that condition will not last. It can not last. The day will come when these great countries, with their unnumbered millions of subjects, will recover their strength and power, and then woe to the nation and combination of nations which united to oppress and exploit them in their time of weakness and distress. If we ratify this treaty, Mr. President, it means that we deliberately take our place with Japan and Great Britain and the imperialists of France in order to profit by the misfortunes of Germany, Russia, and China, and we will be called upon to pay the penalty, even as the British Empire and the Japanese Empire must pay the penalty of their misdeeds. No, Mr. President, fortunately for us, the path of honor and of self-interest is the same in this case, and that path leads away from this unholy combination of exploiting nations. Let us keep our ancient and honorable position of freedom from entangling alliances. In that position we can follow our own ideals and we can support the cause of justice and condemn acts of injustice among nations according to our own convictions of right and wrong. Both our honor and our self-interest require that we should maintain ourselves in that position by rejecting this proposed treaty.

Mr. SHORTRIDGE. Mr. President, in the purer and better days of the Roman Republic, when the conscript fathers met to consider domestic or foreign affairs, there was this maxim, "Let every man write upon his brow his thought concerning the republic." In what I have to say this day I shall endeavor to speak in the true spirit of that maxim, without malice toward any nation, assuredly without any unkind feeling toward any Senator, asking charity, as I hope always to bestow it, upon those who differ from me.

I think I appreciate the gravity of the question submitted for our determination; I hope I appreciate my own duty. I think of America; I exalt America; I would serve America. I think of my own country and have uppermost and foremost in my mind the welfare of our people. My love for this country is not confined to State boundaries. The interests of Maine, or of Georgia, of Florida, or of Kentucky, are, nationally speak-

ing, as dear to me as the interests of the great State which has overhonored me in permitting me humbly but very affectionately, in part, to represent her. The expression of these sentiments may seem unusual, but I hope not untimely.

I have heard much during this discussion which was amazing, disturbing, and, I fear, hurtful. Friendly nations have been denounced, and vials of wrath poured on the heads of peoples lately our associates in the Great War. Listening to these vituperative addresses, one unacquainted with facts would suppose, Mr. President, that we were at war with all the nations of the earth or with those who but yesterday sat at the conference board and with whom we are now asked to join in friendly treaty. One would suppose that we were at this moment marshaling our forces to strike at Japan or at France or at Great Britain. But I thank God reverently that we are at peace with all the nations of the earth; and may it be so forevermore. I am convinced that what we are asked to do will be in the interest of the peace and happiness of our country, and the peace and happiness of the world, and therefore I shall vote to ratify this treaty.

Mr. President, we are at peace with all the world and we were at peace when our great peace-loving President sent an invitation to certain nations to gather here in our Capital, to sit down at the council board in conference to consider matters of high and vital importance to our own people and to the peoples of the nations invited. It has seemed to me during the debate that passion or prejudice has put out the light of reason. I will not say that personal ambition has prompted utterances, but it has seemed to me that passion or prejudice has prevented those who have discussed this question from bearing in mind the past, the present, and the future—has prevented them from keeping uppermost in mind the purpose of the President as announced in his invitation. There can be no doubt whatever but that every good man and every good mother in this land applauded and thanked the President for sending forth that invitation, which expressed the noble and righteous motive and purpose of this Nation. I do myself a pleasure and, I hope, the cause I stand for a service by putting into this RECORD once more the historic invitation of the President of the United States extended to Great Britain, France, Italy, and Japan. I trust my time will permit me to read it and that it will not be unwelcome to the ears of Senators who do me the honor to be present and to listen.

THE PRESIDENT'S INVITATION TO POWERS.

The President is deeply gratified at the cordial response to his suggestion that there should be a conference on the subject of limitation of armament, in connection with which Pacific and far eastern questions should also be discussed.

Productive labor is staggering under an economic burden too heavy to be borne unless the present vast public expenditures are greatly reduced. It is idle to look for stability, or the assurance of social justice, or the security of peace, while wasteful and unproductive outlays deprive effort of its just reward and defeat the reasonable expectation of progress. The enormous disbursements in the rivalries of armaments manifestly constitute the greater part of the encumbrance upon enterprise and national prosperity; and avoidable or extravagant expense of this nature is not only without economic justification but is a constant menace to the peace of the world rather than an assurance of its preservation. Yet there would seem to be no ground to expect the halting of these increasing outlays unless the powers most largely concerned find a satisfactory basis for an agreement to effect their limitation. The time is believed to be opportune for these powers to approach this subject directly and in conference; and while, in the discussion of limitation of armament, the question of naval armament may naturally have first place, it has been thought best not to exclude questions pertaining to other armament to the end that all practicable measures of relief may have appropriate consideration. It may also be found advisable to formulate proposals by which in the interest of humanity the use of new agencies of warfare may be suitably controlled.

It is, however, quite clear that there can be no final assurance of the peace of the world in the absence of the desire for peace, and the prospect of reduced armaments is not a hopeful one unless this desire finds expression in a practical effort to remove causes of misunderstanding and to seek ground for agreement as to principles and their application. It is the earnest wish of this Government that, through an interchange of views with the facilities afforded by a conference, it may be possible to find a solution of Pacific and far eastern problems, of unquestioned importance at this time; that is, such common understandings with respect to matters which have been and are of international concern as may serve to promote enduring friendship among our peoples.

It is not the purpose of this Government to attempt to define the scope of the discussion in relation to the Pacific and Far East, but rather to leave this to be the subject of suggestions to be exchanged before the meeting of the conference, in the expectation that the spirit of friendship and a cordial appreciation of the importance of the elimination of sources of controversy will govern the final decision.

I particularly invite the attention of the Senate to the following paragraph in this invitation which I am reading:

It is not the purpose of this Government to attempt to define the scope of the discussion in relation to the Pacific and Far East, but rather to leave this to be the subject of suggestions to be exchanged before the meeting of the conference, in the expectation that the spirit of friendship and a cordial appreciation of the importance of the elimination of sources of controversy will govern the final decision.

Accordingly, in pursuance of the proposal which has been made, and in the light of the gracious indication of its acceptance, the President invites the Government of the French Republic to participate in a conference on the subject of limitation of armament, in connection with which Pacific and far eastern questions will also be discussed, to be held in Washington on the 11th day of November, 1921.

Mr. President, I have made this document a part of my remarks in order that those who may chance to read the proceedings of this day may have before them this invitation, and may see again the purpose of the conference as thus outlined by the President, and in order that that purpose may not be obscured or forgotten—in order that the motive behind the conference, the altogether commendable motive of our President, may be kept in all our minds. Let us see, as we proceed, whether that motive ran through all the proceedings and governed the deliberations and actions of the honorable men who represented you and me and our country in the conference called into being by the President.

I believe that the motive actuating the President and each and every one of our representatives was pure, patriotic, loyal, commendable, and that the hope of each and every one of these honored and honorable men was that they might render some service to their country. I hasten to add that I think every Senator is similarly actuated. If we differ, we differ as patriots. If my views are not in harmony with yours, I cheerfully admit that you are actuated by the same motives that prompt every word I shall utter and every vote I shall cast. I can not suffer myself to believe that the Secretary of State or the Senator from Massachusetts or the Senator from Alabama or Mr. Root was actuated by other than the highest motives, patriotic motives, good motives. All they did, all they said, everything done, everything said by them, was, according to their minds, for the welfare of their country, which they love and would serve just as faithfully as any Senator in this Chamber.

A similar invitation, Mr. President, was sent also to China, to Belgium, to the Netherlands, and to Portugual, with each and all of which countries we are at peace; and so it came about that there were nine nations assembled around the table of conference here in the Capital of this Republic.

President Harding recognized, as we all recognize, the condition of the world, and he thought that such a conference would result in benefit to America and to the whole of mankind. Therefore this invitation was extended to those nations whose interests seemed to lie largely here in the greatest of our oceans, in the Pacific, out upon whose billows I have looked so many times. These invitations were accepted by these several nations. Their acceptances are matter of record. They are printed here and all may read, and I assume that all Senators are entirely familiar with the several acceptances of these eight different nations.

No one, unless he is perversely insistent upon inputing wicked motives, can see any wrong motive in the acceptances by these different nations. They severally respond to the sentiment expressed by our President. These acceptances breathe a commendable and peaceful spirit.

INDEPENDENT SOVEREIGN NATIONS.

It ought to be remembered that these nations came voluntarily to this conference. They were sovereign independent nations. I undertake to say, and I do say, that each and every one of these nations came here voluntarily; they came as independent sovereign nations, even as we were an independent sovereign Nation; they conferred together as independent sovereign nations; in so far as our representatives and theirs could agree, subject to constitutional approval of their acts, they agreed as sovereign independent nations; and finally, I undertake to say, and I do say, that each and every one of these nine nations having met as sovereign, having conferred as sovereign, having agreed as sovereign, having parted as sovereign, stands to-day a sovereign nation. When my country shall have entered into this agreement, if it does, it will continue a sovereign Nation, unbound and unshackled, the master of her own destiny, and we, the Congress, will continue to have the power, cooperating with the Executive, to shape the policy of this Nation in peace time and in war time.

In other words, Mr. President, this agreement, this treaty, does not strip this Nation of any of its sovereign power. It does not bind us to war. To anticipate somewhat my argument, this treaty could not bind us to war. The learned Senators of my profession when in private life know full well, and the people ought to be told or reminded, that no treaty is valid which undertakes to withhold from or deprive Congress of the power to declare war. Any treaty which undertook to bind this Nation to enter into war would be utterly and completely null and void, ab initio, from the beginning unto the end.

The treaty-making power, I remind Senators, is not all-comprehensive. There are well-known limitations to the treaty-making power, and I wish to emphasize, if I may, that if this four-power treaty undertook directly, expressly, or impliedly to commit this Nation in the future to an act of war, or to a declaration of war, it or any such provision in a treaty would be utterly null and void. The Constitution, the supreme law, vests in Congress the power to declare war, and just as any statute is void if it runs counter to the Constitution, so any treaty is void if it similarly runs counter to the Constitution. But I hope it will come to be realized and clearly apprehended that this treaty does not undertake to deprive the Congress of any of its constitutional power in respect of a declaration of war. That power vested in the Congress remains there, and any effort on our part, as a branch of the treaty-making department, to take that power away from the Congress would be a vain and idle effort of no legal or binding effect.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from California yield to the Senator from Missouri?

Mr. SHORTRIDGE. Certainly.

Mr. REED. May I ask the Senator if he supported the League of Nations?

Mr. SHORTRIDGE. I not only did not support the League of Nations; but, following the banner lifted high by my learned friend from Missouri, I opposed it with all my might and all my power, though far away and probably unheard beyond the Rockies.

Mr. REED. I thought that was true, and I am sorry the Senator has abandoned my banner; but that is not the point.

Mr. SHORTRIDGE. No; I have not abandoned that banner.

Mr. REED. I wish to ask the Senator if at that time, when he was opposing the League of Nations, he did not make the argument that it committed us to war, and urged that as an insuperable objection to it?

Mr. SHORTRIDGE. I think I can answer in a few words. I was opposed to the League of Nations. I thought, with the Senator from Missouri, that it set up a supergovernment, and that by virtue of many of the provisions of the covenant of the league we were and would become bound to abide the decision of other peoples and others nations, and that we would not continue to be what we were and what we hoped to be, what I think we still are, namely, a free, independent, sovereign people, and under our Constitution masters of our own fate in peace and war. For that reason, thus broadly stated, I opposed the League of Nations.

Mr. REED. The Senator makes the point that the treaty-making power can not enter into any compact legally committing us to war because the Constitution of the United States does not confer that power upon the President and the Senate. That is true; everybody knows that who knows anything. Yet the Senator says he opposed the League of Nations because it undertook to commit us to the decisions of that supergovernment. Of course, we could not, under the Constitution, have been legally and technically bound by the league any more than we can be bound by the agreement we are now discussing.

The Constitution then was an insuperable obstacle, according to the Senator's argument; nevertheless the Senator argued then that by entering into the league pact, although the constitutional power did not exist to legally bind this country, we were so far committing ourselves by the compact that we could not in honor refuse to carry out the mandates of the governing body. In other words, we were then just where we are now. The argument the Senator urged against the league applies to this treaty exactly and absolutely.

Mr. SHORTRIDGE. There, of course, we differ radically. We differ in our construction of the instrument.

Mr. REED. Certainly; but if the construction of the treaty be correct, namely, that we do engage ourselves with these other nations, then it is no answer to say that we can not engage ourselves, any more than it was an answer in the days when we were discussing the League of Nations. You come out at exactly the same hole in both cases.

Mr. SHORTRIDGE. I think not. Neither the Senator nor I wanted our Nation to agree to that instrument and then hereafter be dragged at the chariot wheels of empires and be put in such a position that if Congress asserted its constitutional power we would be charged with violating a treaty entered into. Therefore, the Senator opposed entering into that treaty, and so did I.

Mr. REED. And for the same reason I oppose this treaty.

Mr. SHORTRIDGE. I see the Senator does.

Mr. REED. And for the same reasons the argument fails which the Senator has thus far made; that is, it applies to the League of Nations as well as to this treaty. The whole question, then, comes down to this: Do we, by this treaty, commit ourselves?

Mr. SHORTRIDGE. To what—to war?

Mr. REED. That is the point.

Mr. SHORTRIDGE. No; I understand the Senator has argued that if we join in this treaty we commit ourselves to use force, which means war.

Mr. REED. That is the whole question.

Mr. SHORTRIDGE. With great deference, I do not adopt that construction, as I shall attempt to point out in a moment.

Mr. REED. The argument the Senator is making that the Constitution is an insuperable objection to our entering the League of Nations applies equally to this treaty. The same argument applies to both instruments. The question therefore recurs, Are we in any way by this instrument entangling ourselves, so that our honor will be involved?

Mr. SHORTRIDGE. I think not.

Mr. REED. That is the whole question.

Mr. SHORTRIDGE. Certainly it is; and I hope the Senator will hear just this word in immediate response to his thought. Of course, no one familiar with the Constitution, as is admitted, will contend that any treaty would be valid which undertook to strip the Congress of its power to declare war. I have briefly stated that proposition here in anticipation of an argument, namely, that this treaty does not undertake to commit us to use force, but that if it did, it would be utterly null and void. That was the thought I sought to express.

Recurring now, if I may, I have said that these nations came here as sovereign nations, conferred as sovereign nations, agreed as sovereign nations, and with the utmost respect for Senators I maintain that these nations parted as sovereign nations, and that each and every one of them to-day stands a sovereign nation, and that by entering into this agreement none of them, certainly not our country, parts with any portion of its sovereignty.

I think it very well to bear those propositions in mind, for they lead to many conclusions. If I thought that entering into this treaty would deprive Congress of the right of determining whether this Nation should take up arms or not; if I thought that this treaty deprived us of the right to enter into or refrain from entering into war; if I thought that this treaty bound us in honor to go to war at any time, or against or for any nation, contrary to the judgment of Congress or the true interests of our country, no one, not even the Senator from Missouri, would be more vigilant and earnest in opposition to the ratification of this treaty than I would be. But I am well satisfied that this Nation remains or will remain absolutely sovereign, and that this or future Congresses, which I trust will meet here in Washington for centuries to come, if our Constitution remains in its present form, will have the unquestioned right, as it has the unquestioned power, to declare war, and to determine the course of this Nation if war is thought necessary as between ourselves and other nations of the earth.

The great peace conference met, and in welcoming the delegates the President delivered an address worthy of the great event. Listen to his words:

> Gentlemen of the conference, the United States welcomes you with unselfish hands. We harbor no fears; we have no sordid ends to serve; we suspect no enemy; we contemplate or apprehend no conquest. Content with what we have, we seek nothing which is another's. We only wish to do with you that finer, nobler thing which no nation can do alone.
>
> We wish to sit with you at the table of international understanding and good will. In good conscience we are eager to meet you frankly, and invite and offer cooperation. The world demands a sober contemplation of the existing order and the realization that there can be no cure without sacrifice, not by one of us, but by all of us.
>
> I do not mean surrendered rights, or narrowed freedom, or denied aspirations, or ignored national necessities. Our Republic would no more ask for these than it would give. No pride need be humbled, no nationality submerged, but I would have a mergence of minds committing all of us to less preparation for war and more enjoyment of fortunate peace.
>
> The higher hopes come of the spirit of our coming together. It is but just to recognize varying needs and peculiar positions. Nothing can be accomplished in disregard of national apprehensions. Rather, we should act together to remove the causes of apprehensions. This is not to be done in intrigue. Greater assurance is found in the exchanges of simple honesty and directness, among men resolved to accomplish as becomes leaders among nations, when civilization itself has come to its crucial test.
>
> It is not to be challenged that government fails when the excess of its cost robs the people of the way to happiness and the opportunity to achieve. If the finer sentiments were not urging, the cold, hard facts of excessive cost and the eloquence of economics would urge us to reduce our armaments. If the concept of a better order does not appeal, then let us ponder the burden and the blight of continued competition.

It is not to be denied that the world has swung along throughout the ages without heeding this call from the kindlier hearts of men. But the same world never before was so tragically brought to realization of the utter futility of passion's sway when reason and conscience and fellowship point a nobler way.

I can speak officially only for our United States. Our hundred millions frankly want less of armament and none of war. Wholly free from guile, sure in our own minds that we harbor no unworthy designs, we accredit the world with the same good intent. So I welcome you, not alone in good will and high purpose, but with high faith.

We are met for a service to mankind. In all simplicity, in all honesty and all honor, there may be written here the avowals of a world conscience refined by the consuming fires of war and made more sensitive by the anxious aftermath. I hope for that understanding which will emphasize the guaranties of peace, and for commitments to less burdens and a better order which will tranquillize the world. In such an accomplishment there will be added glory to your flags and ours, and the rejoicing of mankind will make the transcending music of all succeeding time.

THE WORK OF THE CONFERENCE.

When the conference was over, participated in by these sovereign nations, and on our part by gentlemen whom we know, loyal men, patriotic men, men coming from learned New England and from scholarly Southland, we know that the world applauded their work. I do not know how others feel, but I love to think that the very angels sang in joy over the work of that conference. Man rejoiced because man thought, the Nation rejoiced because the Nation thought, that it was a step, a very great, long step, toward world peace, toward peace without sacrifice, toward peace with power unimpaired and rights guaranteed. So the result of the conference, carried on by learned men, speaking different languages, coming from different countries, was certain treaties and certain declarations. The Senate is familiar with the several treaties negotiated, the several declarations put forth, and the several resolutions adopted. We have before us one of these treaties and an accompanying explanatory declaration, but all of these treaties should be borne in mind as we proceed to consider them severally.

It ought to be remembered and it ought to be recalled that at the close of that conference there was no dissenting voice, there was no misunderstanding. There was entire harmony among the representatives of the different nations, each jealous of its own rights. They met, they conferred, they parted, and their work is before us.

The Senate of the United States under our Constitution has very great powers. Doubtless Senators recall that some of the framers of the Constitution thought that Congress should have the exclusive treaty-making power. Others thought that the President should exercise that. A compromise was effected, so that it came about that the President negotiates treaties, which become effective when approved or ratified by two-thirds of the Senators present and voting.

This power of ours, I think, has been wisely exercised. We have entered into a great many treaties with other nations, treaties of amity, treaties of peace, and to-day we have 70 or more arbitration treaties which were negotiated by the Executive and concurred in and approved by the Senate. These treaties are designed for wise purposes. They are designed to avoid war—the bloodshed, ruin, desolation of war. I do not suppose there is any Senator who will oppose entering into an arbitration treaty when its purpose is to avoid war.

WHO DRAFTED THE FOUR-POWER TREATY?

The work of the conference is seen in treaties, conventions, arrangements, understandings, among or between the several nations, and we are here to-day immediately to consider what has been formally termed the "four-power treaty" as one of the many negotiated.

Who drafted this treaty? Who framed it? At the beginning of this discussion in the minds of some Senators there seemed to be some mystery about it. To them it seemed to have been born in darkness, perhaps conceived in wickedness, by un-American-thinking men or by cunning foreign diplomats. We listened to much concerning the alleged "mysterious origin" of the four-power treaty. We were reminded of the dangers lurking in "secret diplomacy" and our chosen representatives were accused of concealing something. But, lo, the truth, the fact, is now known, and perturbed spirits may rest. The letter of our Secretary of State addressed to the Senator from Alabama [Mr. UNDERWOOD], which is to be found on page 3712 of the RECORD, should silence criticism. It was my purpose to read that letter, but time will not permit.

I mention it to add that if there ever was a candid doubt or honest suspicion as to the origin of the four-power treaty, if there was a reasonable suspicion or a reasonable doubt as to who drafted it, who framed it, that doubt has been removed and that suspicion ought to be for all time out of the mind of any Senator who entertained it. No one with any regard for his own reputation can question the truth of the facts set forth in that letter. I invite the attention of the country to that letter which gives us the origin of this particular treaty. I hold myself in check. I do not wish to say anything which may be construed as offensive by the most sensitive or punctilious. I hold myself in check, but I do venture to say that it is unusual language to utter in the Senate when that language conveys the charge, even by innuendo or remotely, that anything said in the letter of Secretary Hughes is untrue. In view of what we now know it is improper, it is unjust, it is unwise to impute bad faith to our delegates, for see what you are doing. Pause to see what you are doing. You are imputing bad faith to our own Secretary of State. One would suppose, if he dropped down from Mars, that this body was hostile to and had no confidence in the integrity, not to say veracity, of our own adviser. I had hoped, Mr. President, that this debate might proceed on high lines, Senators differing, it may be, but always with respect, always with courtesy, and always with perfect faith in the good motives of others.

Mr. President, this treaty is couched in plain and simple language. The words employed are plain and simple English words. I am not competent to say, but I am assuming that as they appear in the French language they are equally plain and simple and understandable, and being plain, simple, and understandable they need no corroborative or extraneous evidence as to their meaning drawn from contemporaneous utterances; but if there were any ambiguity, uncertainty, or unintelligibility in the language used, we are told by those who drafted the instrument that they understood it and that each and all of them understood the language to mean the same thing.

The junior Senator from Wisconsin [Mr. LENROOT] performed a service when during his address he called our attention to the fact, as found on pages 3844 and following of the RECORD, that when the Senator from Massachusetts [Mr. LODGE] reported the four-power treaty to the conference in plenary session he emphasized the fact that there is no force lurking in its terms. In that behalf the learned Senator from Massachusetts said:

> There is no provision for the use of force to carry out any of the terms of the agreement, and no military or naval sanction lurks anywhere in the background or under cover of these plain and direct clauses.

And, as the Senator from Wisconsin pointed out, this construction was accepted by all the delegations representing the signatory powers.

Why see, or affect to see, uncertainty where there is certainty, ambiguity in unequivocally "plain and direct clauses"?

Mr. CARAWAY. Mr. President, may I interrupt the Senator?

Mr. SHORTRIDGE. Certainly.

Mr. CARAWAY. And the Senator from Massachusetts then reported to the Senate a reservation setting forth the very language which the Senator from California now says was already in the treaty.

Mr. SHORTRIDGE. Certainly he did, to remove all doubt from the mind of the Senator from Arkansas; to remove a doubt from all minds; to have it so plain that the wayfaring man, and so forth, can read and understand; to make it so plain that the plainest—yes, the most simple—man would understand.

Mr. CARAWAY. Even a senatorial mind might understand?

Mr. SHORTRIDGE. Yes; even a senatorial mind from Arkansas.

Mr. CARAWAY. And California.

Mr. SHORTRIDGE. Oh, certainly.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Maryland?

Mr. SHORTRIDGE. Certainly.

Mr. FRANCE. I hope the Senator has not intended to be so unkind as his remark would seem to indicate.

Mr. SHORTRIDGE. Oh, the Senator can not accuse me of unkindness. I do not mean it toward anyone.

Mr. FRANCE. The language is so plain and so simple as to admit of no differing construction by intelligent men, according to the Senator from California. Yet here in the Senate there is substantial division of opinion not only between the proponents and the opponents of the treaty but even between the proponents of the treaty themselves, as was evidenced yesterday when the Senator from Missouri advanced the thought that this treaty gave protection to the Koreans, and the Senator from Massachusetts advanced the theory that it did not.

Mr. REED. To which "Senator from Missouri" does the Senator from Maryland refer? I wish the Senator would state so that it may appear in the RECORD.

Mr. FRANCE. I refer to the junior Senator from Missouri [Mr. SPENCER].

Mr. CARAWAY. Mr. President——

Mr. SHORTRIDGE. I do not wish to be ungracious or disrespectful, but I will say I can answer Senators separately, though not in battalion.

The PRESIDING OFFICER. Does the Senator from California yield; and if so, to whom?

Mr. SHORTRIDGE. I see the hands of the clock are approaching rapidly the hour of 3, but I will, of course, yield to the Senator from Maryland, though he will recall the unanimous-consent agreement under which we are acting, and appreciate my desire to conclude.

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Maryland?

Mr. SHORTRIDGE. Certainly; I do.

Mr. FRANCE. What I have said is a statement preliminary by way of answer to a question——

Mr. SHORTRIDGE. Delighted as I am to hear the Senator from Maryland, will he have the goodness to reserve his speech until I have finished? Of course, if he desires to ask me a question, I shall endeavor to answer.

Mr. FRANCE. I do not intend to make an address, but I was merely answering a question which has evidently proven embarrassing to the Senator from California. Therefore, I shall not trespass further.

Mr. SHORTRIDGE. I thank the Senator. What I am saying, of course, Senators may reply to. I have not intended to be offensive; but I am not apologizing, and I do not wish Senators to think I am. I am willing to debate the questions involved with the utmost respect for the opinions of others. If Senators do not think so, I am sorry.

Responding to the thought of my friend from Maryland [Mr. FRANCE], I repeat that this is simple, plain, and understandable language. I am not imputing wrong motives to Senators who may see something in the language which is not what I determine it to be; far from it. The statement which I made can not in the ordinary course of debate be regarded as offensive; it is not intended to be so.

What is there mysterious, what is there obscure, what is there which calls forth the rather vain exhibition in some quarters of acquaintance with the dictionary—to remind us that there is such a thing as a dictionary—in these words:

I.

The high contracting parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

I should in fairness, however, say that some question arose as to the meaning of the words "insular possessions and insular dominions," and I cheerfully admit that any doubt upon that point may have been well grounded in the mind of him who entertained it. I admit that the language might be susceptible of future misunderstanding. Therefore, to remove that doubt, there is this supplementary and accompanying agreement or treaty signed by the parties to the main four-power treaty. If there was a doubt, if there was a question in the mind of any honest man—and I assume that if there was a doubt it was in the mind of an honest man—that doubt has been removed by the supplementary treaty, and all argument as to the uncertainty of the term "insular possessions and insular dominions" should cease. The clarifying language in this supplementary treaty, signed February 6, 1922, is as follows:

The term "insular possessions and insular dominions" used in the aforesaid treaty shall, in its application to Japan, include only Karafuto (or the southern portion of the island of Sakhalin), Formosa, and the Pescadores, and the islands under the mandate of Japan.

Let us examine again the language of this treaty. Article I reads:

If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy, and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

There is nothing mysterious in that language. When the Senator from Massachusetts [Mr. LODGE] reported this treaty to the conference he explained it, and all those present acquiesced in his statement. The doubts which have arisen, the different constructions which have been placed upon that language since then, do not make the language uncertain. A conference is a conference. We had a conference in Washington, did we not? Nations sat in conference; results had to be unanimously arrived at. Any conference which may be called under the terms of this treaty must be participated in by the same nations, and any result reached at such conference in the future must be unanimously arrived at. There ought to be no doubt upon that question in the mind of any Senator.

Section 2 provides:

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

This is provision for a conference which will be participated in by sovereigns, where unanimity of action is necessary. That brings me again to what I said a moment ago, namely, that the power to engage in war is not expressly taken from us and can not be taken from us, for the reason suggested, that power being lodged exclusively in the Congress of the United States under the Constitution of our common country.

Section 3 of the treaty fixes the term of its duration.

The treaty is to remain in force for at least 10 years. That is a very wise provision, for if during that period of 10 years these four great nations can remain at peace there is ground for hope, rational hope, that peace will thereafter continue as between or among them indefinitely. Is not that a prospect of encouragement, and should we not welcome any agreement, any treaty, which leads toward that consummation?

If Senators could persuade me, even though they did not convince me, that entering into this treaty would bring about war or injury to my country, I would not vote to ratify or consent to it. I use the words "convince" and "persuade", I hope correctly. We are often "persuaded" to do things which we are not "convinced" are wise. Therefore I repeat that if I could be even persuaded that this treaty will endanger my country I would not stand here favoring its ratification.

It may be too late to appeal to Senators who have fixed notions upon this subject; it may be altogether idle to attempt either to "persuade" or to "convince" them, and in so far as the verdict of this body is concerned I may be wasting my own time and yours, but perhaps it will serve a good purpose to pursue the argument a little longer.

I am not thinking of my political fortunes. I am thinking of the fortunes of my country. I have been somewhat surprised at the utterances of some Senators who threaten their brethren with retirement because they favor this measure or that measure. I indulge in no such threats. In so far as the personality of the Senate is concerned, if I could forget partisanship I should trust that you might all continue here forever.

I do not personally wish to see any Senator retire because of his views or vote on this or other measures; nor do I threaten him with retirement because he views his duty in a different light than I view mine. I am not speaking for myself nor thinking of my political future, but I am speaking here in behalf of a cause which I think makes for the welfare of every State in this Union and of every man and woman in this country.

I repeat, and concede for argument's sake, to be perfectly fair and frank and candid, that there may have been some doubt—indeed, I must assume that there was honest doubt—as to the meaning of certain words used in the treaty in respect to the term "insular possessions and insular dominions." I assume perfect sincerity on the part of others. I impute no wrong motive to men; I may fight ideas and principles, but not men—although I do not run away from men. We are not in the habit of running away from them in California; and I see so many smiling faces of Senators that I know I will never have occasion to run away from any of them. I say there may have been doubt as to the meaning of the term "insular possessions and insular dominions" as used in the treaty. Very well, be it so. What have we before us upon that subject?

I invite the attention of Senators to page 892 of this Senate document, No. 126, and in order that it may appear once more in the RECORD I take the liberty of reading "the declaration accompanying the four-power treaty." It reads:

In signing the treaty this day between the United States of America, the British Empire, France, and Japan it is declared to be the understanding and intent of the signatory powers:

1. That the treaty shall apply to the mandated islands in the Pacific Ocean: *Provided, however*, That the making of the treaty shall not be deemed to be an assent on the part of the United States of America to the mandates and shall not preclude agreements between the United States of America and the mandatory powers, respectively, in relation to the mandated islands.

2. That the controversies to which the second paragraph of article 1 refers shall not be taken to embrace questions which, according to principles of international law, lie exclusively within the domestic jurisdiction of the respective powers.

Other doubt as to the meaning of this treaty is removed by the supplementary treaty later entered into by the signatory powers, to which I shall in a moment invite attention.

I pause here, however, to dwell upon this declaration accompanying the four-power treaty.

It seems to me that Senators should be glad and feel relieved because of this declaration accompanying this treaty, for here once again we say, in effect, as we said when we ratified the treaty with Germany, that we do not make ourselves a party to the treaty of Versailles; and as to the second provision in this declaration, anyone who would preserve the civilization of America should be relieved when it is remembered that that provision is an official recognition of the right of America to determine who shall and who shall not enter into and abide in America. It is a solemn recognition of international law, a solemn recognition that the United States has a right to determine the question of immigration without offending justly, under law, any other nation; and to us of the Pacific coast that is a great and important recognition of a vital right.

This declaration, Mr. President, was signed on the same day that the treaty itself was signed. It has the same dignity. It has the same binding force. I have heard something to the effect that it may have been signed physically before the physical signing of the accompanying or preceding treaty proper; but that is neither here nor there. That is scarcely worthy of serious discussion. It is enough for us to know that the treaty was signed, that the declaration was signed by all parties on the 13th of December, and there it is. It is a recognition of a vastly important principle. It is a recognition of a vastly important question of policy for America. It is a recognition that if, in its wisdom, this Nation shall close the doors of the Pacific to oriental immigration, no oriental nation signatory to this treaty will have cause for offense. It is a recognition that this Nation can close the doors of the Pacific or close the doors of the Atlantic to the coming of any undesirable people to America, and that neither Japan nor Great Britain nor France will have any just ground of complaint.

Time was, Mr. President, when nations questioned that right; but long ago America asserted that principle, even as we were the first nation to assert the important doctrine of the right of expatriation. Just as we asserted the latter doctrine—that a man might throw off the allegiance of the nation or country of his birth and take on the allegiance of another country—so we early asserted the doctrine that this Nation had and has the right to determine who shall enter into and abide in the United States. I think it very important that the American people should know of the significance of that declaration and of the recognition of that right.

I turn aside here to say that I was concerned over that immediate point while the conference was in session. While I did not think that any act of the conference would impair that principle or imperil that right, I was overpleased—it is not too much to say that I was overjoyed—when I saw that declaration, wherein Japan admits, concedes, this fundamental, important, and, as I think, vital principle to America. That declaration itself was worth the conference. That declaration will be invoked, if necessary, by me in this Senate Chamber, for I do hope the hour is coming, and may it come quickly, when the doors of the Pacific shall be shut to the coming of undesirable peoples, even as I would close the doors of the Atlantic to the wicked Bolshevik or the man who comes here with torch to burn down or with bomb to blow up the temple of American freedom. I would close the doors of the Pacific and the doors of the Atlantic to the coming of any man or any people who do not come here thirsting for liberty, thirsting for regulated government, thirsting for individual freedom, religious freedom, political freedom, safeguarded by the Constitution of the United States. I would close the doors to every man and to every woman, if there be such, who, coming here, comes with a desire or an intent to overturn or subvert the beneficent form of government which we enjoy. Therefore, even at the risk of wearying you, at the risk of being called repetitious, I repeat that this declaration is a very, very helpful declaration for America, for the time may come when this Nation will deem it necessary to preserve our type and standard of civilization, our level of life and living; and therefore I was rejoiced when all doubt or misgiving or fear in my mind was removed by that declaration.

Lest I be misunderstood, let me say that this Nation, Mr. President, has been and is an asylum of liberty. This Nation has extended its arms in welcome to the downtrodden, the weary, the broken in spirit, the oppressed of many lands; and they have come from many lands, and, with here and there an exception, they have joined in our American life. They have fought, they have died for the Republic of their adoption, and all such America welcomes; but the doors should be shut—they are now partly shut; they should be wholly and completely shut—to classes who come spreading wicked doctrines, revolutionary doctrines which threaten our institutions, but will not achieve their wicked purpose. I trust Senators will bear in mind that accompanying the treaty which we are considering is this important declaration, part and parcel of it; and if you shall be successful in defeating this treaty, remember that you are defeating and nullifying the declaration to which I have devoted so many words. I should grieve to see that accomplished, for, apart from all other considerations, I think this is a public, national, international recognition which will be an anchor of safety to us in years to come.

On pages 892 and 893 of Senate Document 126, and immediately following the declaration to which I have invited attention, Senators will find the supplementary treaty, signed February 6, 1922. I commented briefly upon that treaty, but venture to repeat, perhaps, and to add a few words. Doubt unquestionably did arise as to the meaning of the words "insular possessions and insular dominions," and this supplementary treaty was intended to remove, and I submit does remove, such doubt, for this supplementary treaty provides:

> The term "insular possessions and insular dominions" used in the aforesaid treaty shall, in its application to Japan, include only Karafuto (or the southern portion of the island of Sakhalin), Formosa, and the Pescadores, and the islands under the mandate of Japan.

In other words, to set the matter at rest, to estop argument, to close opposition, to make all here who must act and all others who are concerned in our action cease to have doubt upon the meaning of those words, we point to this supplementary treaty. "Insular possessions and insular dominions" was a phrase which was thought to include, perhaps, the main islands of Japan. We now know that such is not the meaning to be attributed to those words. In fairness, in courtesy—and I wish others were here to hear it now—if there was doubt upon that subject it is removed, unless men perversely insist upon having doubt when all the sunlight of heaven floods their minds.

That supplementary treaty may not have been necessary, Mr. President, but who shall question that it clarifies the meaning, and why not be frank about the matter? Why not admit what I have thus very poorly stated?

If there is such a thing as partisanship entering into this discussion, you and I must forget it. I am glad to know, to feel, to think, to see that partisanship does not enter into this discussion. Quite apart from partisanship, may we not once and for all admit, the one to the other, that further debate upon that point, namely, as to the meaning of the words "insular dominions and insular possessions," should cease, all doubt as to the meaning of the words being removed?

The position of California upon this question in this body may have depended upon this very declaration in respect to the right of nations to determine laws in respect of immigration. I am very sure of the position of California upon that question. California has asserted the right, under the Constitution, which we here now claim, that this Nation may without offense determine all questions of immigration to its shores. That is the position of California. I trust it is the position of every one of the 48 States, and that when the time shall be opportune this Congress or succeeding Congresses will take up that question and will assert that right by appropriate legislation. Our position in California is, of course, vastly strengthened by the terms of the treaty which is under consideration.

But there still remains in the minds of thoughtful men some doubt as to the meaning of this treaty.

Mr. ROBINSON. Will the Senator yield for a question?

Mr. SHORTRIDGE. Certainly.

Mr. ROBINSON. The Senator has just stated that the position of California with respect to the immigration question, namely, that it is a domestic question and not subject to control by international conferences, is well established and well recognized, and that this treaty strengthens the position of California in that regard. Has there ever been any doubt in the Senator's mind as to the position of the United States on the right of this Government to control absolutely, as a domestic question, the subject of immigration to this country?

Mr. SHORTRIDGE. No, Senator.

Mr. ROBINSON. How, then, can it be said that this treaty strengthens the position of California on the subject?

Mr. SHORTRIDGE. I have never had any doubt as to the position of our country upon that question, but I said a moment ago that here is a recognition by Japan, a recognition by Great Britain, and a recognition by France of that right.

Mr. ROBINSON. The conference itself will determine what are domestic questions, will it not? Who will determine under this treaty what constitutes a domestic question or whether a question involving the regulation of immigration is a domestic question?

Mr. SHORTRIDGE. It is the treaty——

Mr. ROBINSON. I know what the treaty says about it, and the Senator does, too.

Mr. SHORTRIDGE. If the Senator will put a direct question, I will try to answer it directly.

Mr. ROBINSON. Under the four-power treaty, who has authority to determine what constitutes a domestic question and whether a question involving immigration is a domestic question?

Mr. SHORTRIDGE. International law determines that question.

Mr. ROBINSON. I did not ask the Senator what principle determines it; I asked whether, under this treaty, one government alone would determine it for itself or whether the governments acting by a majority would determine it?

Mr. SHORTRIDGE. I answer in this way: That paragraph 2 of the declaration accompanying the four-power treaty provides as follows:

That the controversies to which the second paragraph of article 1 refers shall not be taken to embrace questions which, according to principles of international law, lie exclusively within the domestic jurisdiction of the respective powers.

Wherefore my contention is—and I submit it to the learning of the Senator—that this conference can not control that matter; that any controversies which may arise as to that matter are not to be controlled by that conference, for here they say, in express terms, that any controversies which arise under the second paragraph of article 1 "shall not be taken to embrace questions which, according to principles of international law, lie exclusively within the domestic jurisdiction of the respective powers." Therefore I see no danger in that conference. That conference would not discuss the question, or, if they did, neither separately or collectively would they have any control or jurisdiction over that matter. They have admitted it; they say it.

Mr. ROBINSON. Does the Senator contend that the rule would be any different respecting the subject if this treaty is agreed to from that which now prevails?

Mr. SHORTRIDGE. No; the fundamental rule would remain, Senator; but, as I have undertaken to say, I think it is much to have Japan and to have Great Britain and to have France thus solemnly make that admission.

Mr. ROBINSON. Suppose a controversy arises between Japan and the United States which Japan insists is not a domestic question under international law and which the United States insists is a domestic question under international law. Who would determine which is right?

Mr. SHORTRIDGE. In such a suppositious case, each nation being sovereign, there is no tribunal, perhaps, to decide it. I hope we would be in the right and I hope we would have the courage to assert our position; but in the case which the learned Senator suggests, of course there is no tribunal set up on earth to determine such a question.

Mr. ROBINSON. Then, Mr. President, has the Senator any objection to modifying the committee reservation, or the reservation carried in the nature of a supplementary declaration in the treaty, so as to provide that each nation shall independently and for itself determine what constitute domestic questions and what questions are not to be submitted to conference under that limitation?

Mr. SHORTRIDGE. There are many reasons why I would not now seek to amend this treaty.

Mr. ROBINSON. I am not talking about an amendment.

Mr. SHORTRIDGE. I was about to say that I have many reasons why I would not now go further than the reservation to which I am going immediately to address myself. I do not think it would accomplish any good for our country I think this proposed reservation comes late. I think it deals with a question which, perhaps, might well have been considered when all the nations were here assembled, but I do not think it would serve any good purpose now.

Mr. ROBINSON. Will the Senator yield to me for a statement?

Mr. SHORTRIDGE. Yes; if it does not take too much time.

Mr. ROBINSON. I understand that, and I shall not long delay the Senator; I have not interrupted him before.

As I understand the Senator now, he thinks that the conference ought to have made clear in the reservation which it reported with the treaty that each nation shall have the right, and exercise it, to determine what constitutes a domestic question, and what, therefore, is excepted from the consideration of the conference.

The Senator says that suggestion comes rather late and that there are many reasons why he thinks the Senate should not modify the reservation in this treaty, or the amendment in the nature of a reservation, to make clear what the conference ought to have done. What are the reasons?

Mr. SHORTRIDGE. I did not say what they ought to have done. They might well have done it, and later on I will make answer to that; but if the Senator will pardon me, I will give my reasons later on.

Mr. ROBINSON. Certainly. I am compelled to wait.

WE ARE ENTERING INTO NO ALLIANCE.

Mr. SHORTRIDGE. Doubt did arise in the minds of Senators as to the meaning of words, as to the proper interpretation of language, as has been so many times pointed out, but I think that many Senators were more concerned over a doubt as to whether by this treaty we were entering into an alliance, an alliance which bound us in time of peace and in time of war. I can readily understand why such a doubt may have arisen in the first instance. Those of us who opposed the ratification of the Versailles treaty had occasion to study the question of alliances. This is not a time for any display of historical knowledge, but if it were timely anyone could quote more or less elaborately from historical works and books recognized as authorities as to the meaning of the word "alliance" as used without modifying words or as modified by preceding or subsequent words. There were some and there may still be some who think that by the treaty proper we formed an alliance in the sense of an alliance which would bind us in time of peace and also in time of war, so that we would be obliged morally, obligated legally, to join in offensive or defensive war if engaged in by any one of the four powers. I suppose they would argue also that even as we would be bound, so these other three nations would be bound to come to our assistance if we unhappily became embroiled in war. Undoubtedly if that thought was entertained, namely, that this treaty is an alliance of a dangerous character, hurtful to us, it was honestly entertained; but should it be further entertained?

The committee has proposed a reservation to the resolution ratifying the treaty. The language of that reservation is familiar to the Senate. It removes all question as to the alliance proposition. The reservation reads as follows:

The United States understands that under the statement of the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.

How can we further argue, therefore, assuming that we ratify this treaty, that we are committed to armed force, that we have joined an alliance, and that there is an obligation resting upon us to join in any defense?

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. With pleasure.

Mr. ROBINSON. The Senator, of course, understands that the reservation merely attempts to express the understanding of the United States as to the meaning and effect of the treaty?

Mr. SHORTRIDGE. Certainly.

Mr. ROBINSON. The Senator from California is a great lawyer, and he knows that in the making of a contract it is necessary that there should be a meeting of minds; that is, that all the parties to the contract shall understand it mutually.

Mr. SHORTRIDGE. That is true.

Mr. ROBINSON. If Great Britain and Japan construe it to be an alliance and the United States construes it to be a mere agreement to confer, does not the Senator think that the treaty itself should be so amended as to make clear that there has been a meeting of the minds of the nations signing the treaty?

Mr. SHORTRIDGE. I think I have a prompt and conclusive and satisfactory answer to the question which the Senator is good enough to propound. It is quite true that there must be a meeting of the minds, as we say, of the parties to an agreement or contract; but I remind the Senator that so far as I am at present advised Great Britain has not yet formally ratified the treaty, France has not, and Japan has not. Therefore, if we ratify it with this our interpretation, in future controversies, if they should arise, these powers would be presumed and held to have adopted our interpretation.

Mr. ROBINSON. They would only be presumed to have accepted it as the interpretation of the United States. Their interpretation of the instrument would not be governed by our interpretation of it. The Senator, I assume, would regard it as unfortunate if in a matter of so much importance there should be an arrangement construed differently from the beginning by the various parties who have signed it.

Mr. SHORTRIDGE. I would, of course.

Mr. ROBINSON. Then does not the Senator recognize the fact that if the language of the agreement is such as to permit or make possible conflicting constructions of it, the language ought to be clarified so there could be no conflict?

Mr. SHORTRIDGE. I think that we here clarify it. We declare our meaning, our interpretation, if it needs interpretation; and if they accept it, I repeat myself, they would be held

to have ratified the treaty with the interpretation which we have placed upon it.

Mr. ROBINSON. That is to say, with the understanding that the United States interprets it in the way that our reservation expresses it, but that would not impose upon Japan and Great Britain an interpretation which they in fact would not agree to.

Mr. SHORTRIDGE. I think they would be held to the interpretation, we having made it first and before ratification by them.

Mr. ROBINSON. Let me make this illustration: If the Senator signed a note by which he agreed to pay at a fixed time $500 to a given payee, with the usual terms of a note, and then attached to it a stipulation that it is not a note, does the Senator think that would change in fact or in law the nature of the instrument he would have signed?

Mr. SHORTRIDGE. I am not sure, if the Senator accepted the "note" with my interpretation upon it, that it might not be construed as a changed document and he be held to have adopted my interpretation.

Mr. ROBINSON. Would it not be better to change the document itself if the Senator did not want to sign a note, so it would not constitute an undertaking to pay?

Mr. SHORTRIDGE. It might be, possibly, but not necessarily.

Mr. ROBINSON. In other words, the correct policy to be pursued in entering into national agreements is the same as that which ought to govern in engagements between individuals. They ought to understand the nature of their undertaking and they ought to concur in interpretation of the undertaking. No one party to an undertaking can impose upon the other parties to it a construction different from what the instrument itself implies.

Mr. SHORTRIDGE. I merely wish to add, somewhat in rejoinder, that many here think the reservation entirely unnecessary, but they also think that it achieves the purpose in view, which is to remove doubts in the minds of those here who have to pass upon the instrument.

Mr. ROBINSON. Mr. President, will the Senator kindly yield again?

Mr. SHORTRIDGE. With pleasure.

Mr. ROBINSON. It is well known that a number of Senators, at least three, find this agreement positively obnoxious to them, and their convictions as to what the undertaking of the United States ought to be without the reservation, because their construction of the treaty without the reservation is that it does constitute an alliance in law and in fact.

Mr. SHORTRIDGE. There is no doubt about the position of Senators. Touching the wisdom of using language so plain, so clear, as to express thought so as to avoid future controversy, the history of the world affords abundant evidence. I need not remind my friend that the very holy words uttered by our Savior on the cross have been the subject of long and heated controversy, long and heated debates. According as these words are read they have given rise to two great denominations in the Christian world. I hope it will not be improper for me to repeat those sacred words:

> Verily I say unto thee to-day shalt thou be with Me in paradise.

So simple, so beautiful. There are those who believe the Savior meant to say that even that day the penitent thief on His side would be with Him in paradise, while there are others who believe He meant to say that thereafter, after the great judgment day, the penitent sinner would be with Him in paradise.

Whence arises this difference of meaning? It comes from a difference of punctuation. Read thus, as some do:

> Verily I say unto you, to-day shalt thou be with Me in paradise—

And immediate translation into paradise is promised.

Read thus, as others do:

> Verily I say unto you to-day, thou shalt be with Me in paradise—

And a different meaning as to time is conveyed.

Thus we have that centuries-old controversy among honest, devout, sincere, religious people as to the meaning of that immortal sentence. So it is utterly impossible to draw an instrument as to the meaning of which there may not arise some question, some doubt.

Mr. ROBINSON. Mr. President, will the Senator yield again?

Mr. SHORTRIDGE. Certainly.

Mr. ROBINSON. Just what the illustration of the Senator from California has to do with the immediate controversy my mind is unable to comprehend, but I know that——

Mr. SHORTRIDGE. It is my fault, doubtless. It is not the Senator's lack of comprehension, but my poor words.

Mr. ROBINSON. I was about to say it must be my fault rather than the fault of the Senator from California.

Mr. SHORTRIDGE. I had well-defined intentions when venturing to illustrate the difficulty of expressing thought with perfect accuracy; but see how impossible it is for us to make ourselves understood.

Mr. ROBINSON. If there be any force in the suggestion which the Senator from California makes, it is that such are the limitations of human wisdom and language that nations entering into treaties can never write an agreement which accurately expresses the meaning and intention of all of us.

Does the Senator think that if the four powers writing this treaty had intended that there should be no obligation or liability upon the nations signing it except to hold a conference and talk over the subject of dispute coming within the jurisdiction of the conference it would have been a physical impossibility, considering the limitations on human wisdom, to have said so in such language that even a United States Senator could not have placed two constructions upon it?

Mr. SHORTRIDGE. That may be so. If I have any regret now, it is that the Senator who propounds that question was not chosen by the President to serve us in that capacity.

Mr. ROBINSON. Oh, Mr. President, if the Senator will pardon me for a brief reply to that——

Mr. SHORTRIDGE. It needs no reply.

Mr. ROBINSON. I want to suggest to him that, under the Constitution of the United States, the function of negotiating a treaty is entirely separate from that of advising and consenting to its ratification. The Constitution does not contemplate that Senators, whose duty it is under that instrument to exercise a function entirely separate from that of the Executive in negotiating a treaty, shall become negotiators of the instrument and thus commit themselves in advance to the manner in which they shall discharge the constitutional function of advising and consenting to its ratification.

I think that the mistake did not occur in omitting the Senator from California and myself as members of the American delegation to the conference, but the mistake did occur when the Executive, in order to secure influence in this body necessary to ratify this treaty, appointed the majority and the minority leaders as delegates to the Washington conference. I think that that Executive function should have been exercised by some one else, so that the Senator from Massachusetts and the Senator from Alabama could have been left entirely free to do just exactly what they did when the Versailles treaty was before the Senate, namely, to exercise their constitutional function of advising and consenting to the ratification of the treaty independent of the bias that must exist when they have assisted in negotiating the treaty.

Mr. SHORTRIDGE. The Senator from Arkansas has called to my mind a very important discussion which took place over 100 years ago in regard to the functions of the Senate and the President, respectively, in and about the negotiating and the ratifying of treaties. I think Senators will recall that in the early days of this Republic the President invited and cooperated with the Committee on Foreign Relations in and about the negotiation of treaties. I do not quite agree with the Senator from Arkansas as to the true functions of the two departments in respect to the negotiation of treaties. I, of course, see the force of the thought that one who negotiates a treaty should not be called upon to ratify or approve it, but that is an academic question which we can discuss in the cloakroom.

Mr. ROBINSON. Will the Senator from California yield to me?

Mr. SHORTRIDGE. Certainly.

Mr. ROBINSON. We will discuss the question here.

Mr. SHORTRIDGE. With great respect, I contend that it has no bearing upon the present discussion.

Mr. ROBINSON. I think it has.

Mr. SHORTRIDGE. Very well; the Senator from Arkansas may proceed. I will listen to a question, but I am anxious to conclude my remarks.

Mr. ROBINSON. The Senator from California, of course, recognizes that an individual who negotiates an instrument, or is responsible for its negotiation, is, according to every rule of human conduct and practice, bound to its furtherance. The selection of Senators to negotiate treaties invariably confuses the Executive duty to formulate them, in the first instance, and the senatorial duty to pass upon the wisdom of the process and the substance of the negotiation. That, I think, is a subject of considerable importance here.

Mr. SHORTRIDGE. I grant, Mr. President, that the thoughts of the Senator from Arkansas in respect to that matter are worthy of very respectful consideration, but I am very far from thinking that now is the time for weighing or discussing them.

Mr. LENROOT. Mr. President, will the Senator from California yield to me?

Mr. SHORTRIDGE. Certainly.

Mr. LENROOT. I will ask the Senator from California whether the question of the Senator from Arkansas does not imply that if some one else had negotiated the treaty which the Senator from Alabama assisted in negotiating, the Senator from Alabama would have opposed the treaty thus negotiated by some one else?

Mr. ROBINSON. No; but it does imply that if some one other than the Senator from Massachusetts and the Senator from Alabama had negotiated the pending treaty when the treaty was submitted to the Senate, instead of having those Senators from the beginning committed to its ratification, they would have been free to do what the Constitution contemplated they should do—review the action of the Executive rather than become advocates for its support and ratification. That is a distinction which my friend from Wisconsin is bound to admit.

Mr. SHORTRIDGE. George Washington invited members of the Foreign Relations Committee into conference with him——

Mr. HITCHCOCK. And so did Woodrow Wilson.

Mr. SHORTRIDGE. And so have his successors. However, very seriously, I do not quite agree with the Senator from Arkansas. The Senate is a branch of the treaty-making power.

I see no danger, certainly no impropriety, in having Senators, quite regardless of personality or partisanship, cooperate with the President in the initial steps which are taken in the negotiation of a treaty. On the contrary, recalling what I have read upon that subject and the discussions upon it, I can see much wisdom in such a practice. I do not think it follows that because a Senator cooperated with the President in and about the making of the treaty he would vote for its ratification simply because he took part in its negotiation, although, of course, if he approved it when the treaty came from the hand of the President to the Senate, presumably he would vote for its ratification.

Mr. ROBINSON. But if the Senator will permit me——

Mr. SHORTRIDGE. Pardon me just a further thought on this point. It might well be that the Senator chosen to assist the President in and about negotiating a treaty might not agree to the treaty as it finally was framed. When the President, who has such power, I take it, has approved it and sent a treaty to the Senate, it might well be that some Senator chosen to assist in negotiating it would appear here in his place and as earnestly as the Senator from Arkansas now opposes this treaty oppose the one which he had a part in negotiating. So I see no danger; but, with all due respect, I see no advancement of the argument of the case before us by this digression.

Mr. ROBINSON. Mr. President, will the Senator yield further?

Mr. SHORTRIDGE. Yes.

Mr. ROBINSON. Reference has been made by my friend, the Senator from Wisconsin [Mr. LENROOT], to the Senator from Alabama [Mr. UNDERWOOD] and his course in connection with this treaty. The Senator from Alabama stated a few days ago that he was in cordial sympathy with the provisions and purposes of an amendment proposed by myself. He said he thought it embraced correct principles, but that for fear some other nation, party to the treaty, would not accept the amendment and might reject the treaty because of it, he was unwilling to write into the treaty principles which he himself recognized as just, fair, and righteous.

The point I am making is that the framers of the Constitution of the United States imposed upon the Executive the obligation to negotiate treaties and upon the Senate the duty to advise and consent to their ratification, and that when the President reaches into the Senate and takes the most influential factors there to assist in negotiating a treaty he deprives the Senate of the unbiased judgment and expression of opinion on the part of those Senators, who, for the time being, have become Executive agents rather than Senators.

What I have said is no reflection upon the Senator from Massachusetts or the Senator from Alabama; but the distinction drawn was one which the founders of this Government thought wise to make, and I respectfully submit that in the illustration I have just used their wisdom was given emphasis.

Mr. SHORTRIDGE. Mr. President, I do not myself wish to prolong this digression, but I desire to say in reply to the last words of the Senator from Arkansas that some very great Presidents whom we all revere and some very great Senators whose fame lives have proceeded along the lines of the present Executive—that is to say, have called in Senators to advise and assist, to cooperate and join with him in and about the initial steps in the negotiation of treaties. I am not here to say whether or not such action was wise. I think, however, the Senator from Arkansas magnifies the supposed evil or unwisdom of having a Senator chosen to assist in the initial steps leading up to a treaty.

The Constitution of the United States was framed by wise men; the powers conferred upon the Government by the then existing thirteen original independent States are in the Constitution to-day. The Constitution reserves to Congress the power to declare war, and no treaty, no agreement into which we could enter could deprive the Congress of that power. Such an attempt would be a nullity. Nor would this Nation be morally bound to recognize any such attempted deprivation of power given to the Congress by the Constitution.

Moreover, Mr. President, every one of these nations is aware of the existence of our Constitution, and they are held to know our system of government. Thus being held, they can not hereafter charge us with violation of duty if Congress shall assert its unquestioned constitutional power. We must not assume that the signatory powers are steeped in ignorance; they were represented by intelligent delegates; but, whether they are wise or foolish in international affairs, they are held to know the framework of our Government and the powers of Congress under the Constitution, and no Japanese statesman or English statesman or French statesman in the years to come could ever claim that Congress had abdicated its power, if it could, or that the Senate had ratified an instrument which deprived future Congresses of exercising their constitutional power. It follows that no nation in the future can ever charge us with violating our legal obligation or our implied moral obligation, if it shall hereafter be demanded of us, and we refuse to enter into war obedient to any supposed express or implied terms in this treaty. The answer of Congress would be that the power to declare war was a power which the treaty-making power could not impair, and that all parties to this treaty were, as they now are, presumed to know our constitutional form of government. And Congress might further answer and say: The power to determine what we shall do in any particular instance or situation is vested in us by the Constitution, and we can not be justly charged with breach of good faith if or when we decline to declare war.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. Certainly.

Mr. ROBINSON. Of course, the treaty-making power—one of the very greatest powers of the Government, with perhaps less limitations upon it than any other power—is entirely distinct from the power of Congress; and it is true that no authority in this Government, save Congress, can make a declaration of war. Does the Senator say that the treaty-making power can not, within the limitations of its authority, obligate this Government under a defensive or an offensive alliance?

Mr. SHORTRIDGE. To make war?

Mr. ROBINSON. Yes.

Mr. SHORTRIDGE. It can not.

Mr. ROBINSON. I agree with the Senator that Congress has the sole power to declare war.

Mr. SHORTRIDGE. It is exclusive.

Mr. ROBINSON. Undoubtedly.

Mr. SHORTRIDGE. Then it excludes any other body.

Mr. ROBINSON. The Government could enter into a contract, however, through the treaty-making power to make war upon any conditions that it saw fit, could it not? The execution of the contract, which is an entirely different thing from the making of the contract, would, of course, depend, under the Constitution, upon the action which the Congress took or refused to take. But while treaties under the Constitution are defined as part of the law of the land, they are in most instances merely executory contracts; and there is no limitation within my knowledge, under the Constitution or any other instrument, which deprives the treaty-making power of the right to enter into a contract, if it sees fit to do so, to make war or to refrain from making war, notwithstanding the fact that the execution of the contract, the carrying out of it, is dependent, under the Constitution, upon the power of Congress to declare war.

Mr. SHORTRIDGE. I can not agree with the Senator that the treaty-making power, which is made up of the President and the Senate, is broad enough, extensive enough, to deprive Congress of that vital national power to make war, nor can any treaty be so framed as to make it obligatory upon Congress to declare war in order to carry out such a treaty. The right or power to declare war remains there, in the Congress, where the Constitution places it. May I add a word by way of an argument ad hominem? We must stand for the proposition that only Congress can declare war; for, look you, it is conceivable that an unwise President might sit in the chair of Washing-

ton. It is conceivable that an unwise Senate might sit in this Chamber.

Mr. ROBINSON. It is conceivable, but hardly probable.

Mr. SHORTRIDGE. Of course, we are wise in our day and generation. We must never admit—I never shall—that the treaty-making power has the right or power morally or legally to bind this Nation to go to war. I say this because of my reverence for the Constitution, my belief in its wise distribution of powers. We must never pass the sword out of the hand of Congress, which represents all the people. We must never place the sword in the hand of the treaty-making power.

Mr. ROBINSON. Will the Senator yield further?

Mr. SHORTRIDGE. Yes.

Mr. ROBINSON. I agree, and I never have taken any other position, that the power to declare war is vested solely in the Congress of the United States; but I assert, and I am sure the Senator as a lawyer when he reflects upon the declaration will concur in it, that under the treaty-making power the United States, if it chose to do so, could agree with Great Britain to make war upon Japan in case Japan attacked Great Britain, and it could agree with Japan that in the event war arose between Great Britain and Japan it would refrain from engaging in that conflict. I am sure the Senator does not mean to say that merely because the power to declare war is vested exclusively in the Congress of the United States the treaty-making power can not engage in an executory contract with another nation either to make war or to refrain from doing so.

Mr. SHORTRIDGE. Let me now put a question to the Senator.

Mr. ROBINSON. With pleasure.

Mr. SHORTRIDGE. Suppose that the treaty-making power should enter into any such treaty. Does the Senator claim that it would be obligatory on Congress to declare war?

Mr. ROBINSON. The Government would not be legally at war until Congress declared war, and Congress would be at liberty to abrogate the treaty of the United States, just as it has frequently done, by legislation. The Government frequently enters into a contract with respect to import duties. The Congress, by regulating the tariff, may repeal or modify the provisions of that treaty. So that Congress at last is free to exercise its own judgment respecting a declaration of war; but, nevertheless, the treaty-making power can engage in a contract to make war or to refrain from making war.

Mr. SHORTRIDGE. Such a contract would be utterly null and void, and being so would not be binding.

Mr. ROBINSON. It might not be carried out, like a great many contracts that are made that are not executed. Most of the contracts that governments make in the form of treaties are executory contracts, like the treaty with Colombia for the payment of $25,000,000. The treaty-making power agreed with the Colombian Government that the United States should pay to that Government $25,000,000 upon certain considerations. The Constitution provides that no money shall be paid out of the Treasury except upon an appropriation authorized by Congress; so that while we are under a valid contract to pay Colombia $25,000,000, its execution depends upon legislation by Congress; and that is true in many cases. Most of the treaties we enter into require legislation to carry them out; but the Government can enter into a treaty notwithstanding the fact that Congress must carry it out if it is executed.

Mr. SHORTRIDGE. Then let us enter into this treaty and carry it out.

Mr. President, I have heard, I was about to say with amazement, certainly with regret, attacks made here upon nations with which we are at peace.

It must not be forgotten that we are at peace with these signatory nations. It must not be forgotten that we were lately associated with them in a great, tragic war. I do not think it is the time to go over the history of the world, to point out the sins, the follies, the crimes of mankind. The history of the world is wet with blood and tears. It is strewn with broken promises and violated treaties; but, Mr. President, are we to enter into no more treaties because treaties have been broken? Are we to remain at war forever? Of what avail is it to run over the history of the world and point out that this treaty or that treaty was violated? Of course we should study the past for its lessons. There is said to be a certain philosophy of history and that nations may be studied as to future conduct by their past; but I respectfully and very seriously submit to Senators that their language, the language of debate indulged in has been provocative of ill will, of estrangement, of hatred, it might be—perhaps not, but it might be—even of war. The whole United States, the whole world is craving for peace. Because we have had wars with nations, must we never enter into treaties of peace with them? We had, it is true, two wars with England, and at Yorktown yonder the undefeated flag of this Republic floated above the fallen banner of England, and at New Orleans yonder Andrew Jackson, the patriot—God forever rest his intrepid soul—achieved a glorious victory. We had two wars with England—the Revolutionary War and the War of 1812—but we made peace, did we not? And that peace has continued for over a century, has it not?

We had a war with Mexico, and many of us owe our seats in this body, perhaps, to the result of that war. My only regret is that while we were about it we did not acquire a little more of the territory of our southern Republic for our great benefit and for their greater benefit, so that we could control the Colorado River and to-day own Lower California.

We had a war with Mexico, but we made peace with Mexico, did we not? We had a war with Spain in 1898, and a proud hour of my life was when, standing in a Masonic hall in San Francisco, I was privileged to bid Godspeed to the boys of Tennessee who were among the first to cross the Pacific and lift our banner in victory yonder in the Philippines. A war of 100 days was ended by our triumphs at Manila and at Santiago. We made peace with Spain, did we not? Our flag is over yonder now in the Philippines, although there are Senators on this floor who want it hauled down, and some of them who are inveighing against this treaty and betraying concern over the Philippines are on record years ago in favor of immediate withdrawal from those islands. To-day they seem to be very much concerned with our rights in the Philippines. I refer them for the moment to the Jones Act and the preamble to that act, and to the Clarke amendment, which was championed by their learning here in this body. We had war with Spain, but we are at peace with Spain, are we not?

Then we had the great Civil War, that great fratricidal strife. I love to think that from the blue above General Grant and General Lee, reunited in death, look down upon their countrymen reunited for evermore in peace and in war. We made peace, honorable peace, lasting peace, among ourselves and we stand to-day as one people, with one Constitution, with one flag, with one hope, with one love, and standing thus united as one people the world can not excel us in times of peace, nor can it conquer us in time of war.

We have made peace lately with Germany, and let us hope that it will be honored and lasting. I know it will be honored by my country. My country has never violated a treaty. It stands erect, strong, righteous. We are not ashamed of the past. We need not blush to-day. We have made peace with Germany, have we not? We have not striven to crush the fallen foe. We have not striven to oppress or deprive beyond the limit of justice. Why do I say this, a thing so familiar to us all? It is simply to remind Senators that because of wars past, or of broken treaties, we are not to turn away from this proposed treaty of amity and peace.

There is nothing that I could add to convince Senators who have already arrived at fixed conclusions, but the people of this country ought to know the nature of the debate that is in progress, and the real questions of doubt which are being discussed. Wherefore I have trespassed far longer upon the attention of the Senate than I had expected to do.

I, Mr. President, coming from the West, coming from a State with a thousand miles of seacoast, looking out upon the greatest ocean of the earth, we take a peculiarly deep interest in this proposed treaty. The vital immigration problem is ever with us. We are familiar with the Pacific. We have in mind Hawaii, Samoa, Guam, the Philippines, Alaska, and the Aleutian Islands. We vizualize that ocean and our possessions. We would have our possessions safeguarded; we would have that ocean the highway for a great and peaceful commerce.

Mr. President, this treaty does not hamper this Nation in dealing with future problems. It does not commit this Nation to armed force, offensive or defensive. It secures recognition of important international law principles. It is a solemn engagement to respect the rights of the parties to it. It makes for peace on earth. It has not in it the seeds of war or the cause of war. It is not a holy or an unholy alliance in that offensive sense. It is not charged with any danger to this country. It will not cause one son of California or Georgia or Alabama to be torn from his mother's heart to fight the battles of the world.

I do believe that every father in America, if he grasped this question correctly, that every mother in America, if she understood it, would call upon us to ratify the work of our great President and our great Senators and those other great Americans who wrought for you and for me and for them.

We have had enough of war, of bloodshed, and of destruction. I do not lose faith in the cause of peace. Humanity has struggled up from darkness and bondage into light and freedom. His path may be wet with his tears and blood, but man

stands higher and freer to-day than ever before. I believe mankind has advanced and is advancing. The sword is in our scabbard now. I would keep it there. The sword is in the scabbard of every one of these four signatory nations. I would keep it there. In pleading to-day for ratification of this treaty I believe I am pleading the cause of peace on earth, for peace with honor, for peace with safety, for peace and for the progress and prosperity and happiness of my country.

This treaty was negotiated and signed by great Americans, and I ask and urge that their words and their acts be ratified and approved.

Mr. POMERENE. Mr. President, I understand we are now proceeding under the rule limiting debate. I have committed to writing the thoughts I expect to submit, and in view of the brief time allotted to Senators from this time on, I ask to be permitted to proceed without interruption. I make this request especially because there are other Senators who desire to follow me. If, after I shall have concluded, it is the desire of Senators to submit questions to me I shall answer them to the best of my ability.

My purpose is to support the four-power pact. I would prefer that it be ratified without any reservation whatsoever. My belief is that most of the Senators on the Republican side of the Chamber and a few Senators on the Democratic side have concluded to vote for the reservation offered by the distinguished Senator from Connecticut. I am opposed to it, but before discussing this reservation let us briefly consider the four-power pact as well as the other treaties in the form in which they have been presented to the Senate.

The Borah resolution calling for the naval disarmament conference was bitterly opposed by the majority on the Republican side of this Chamber. Temporarily, Members who favored the biggest Navy in the world won their fight, but the victory was only temporary. They could not stem the tide of public opinion. The American people—aye, the people of the world—are heartily tired of competition and the expense in building and maintaining engines of war, and finally the Borah resolution won.

Then the President called for the conference, but it was not limited to the three great naval powers—the United States, Great Britain, and Japan. Other powers were invited. The invitation was apparently limited to those who were more immediately concerned in the agenda which the President and the Secretary of State had in mind.

I am not concerned to-day about the wisdom or the unwisdom of inviting these additional powers.

I am not concerned in this discussion about the subjects which might have been considered in addition to those which were considered.

I am not greatly concerned as to who was the real draftsman of this treaty or that treaty, or any particular section of any treaty.

I am concerned only in what was, in fact, done. The question is, Shall we approve or disapprove? And the country is waiting with bated breath the result.

With few exceptions Senators approve the plan for the limitation of naval armament, the restricted use of submarines, and the abolition of noxious gases in war. For myself, I am in hearty accord with what the conference did in that behalf.

And now, Senators, in view of the fact that the United States, the British Empire, France, Italy, and Japan have agreed upon a program to cast aside a part of their armor, what is wrong with the proposals that these powers, partly thus disarming themselves, should go a step further and say to one another, "We are going to respect each other's rights in our insular possessions and dominions"? And if a controversy arises among any two or more of them that it shall be submitted to a joint conference for consideration and adjustment, and if a controversy should arise between one of the joint powers and an outsider, that they shall fully and frankly communicate with one another to meet the exigencies?

FOUR-POWER PACT.

The preamble of the four-power pact declares its purpose to be to preserve the general peace and maintain the rights of the signatory powers to insular possessions and dominions in the Pacific Ocean.

Is not this a laudable purpose? Are we so wedded to the old order of international relations that we shall refuse to look forward to the settlement of international disputes except by the arbitrament of the sword? Must we forever worship the old methods of war? Are we so enamored of them that they must be permitted to continue? Do not the people of the Nation—aye, the world—indulge the hope that the Senate shall take counsel of experience and attempt to devise some ways and means whereby to reduce to a minimum the chances of war rather than to let international disputes go adrift as heretofore? Must we continue in the despairing belief that the only way to defend ourselves is to prepare and to continue our competition in the building of mighty machines of war, both on land and sea? If it be said that there is risk to run in entering a compact such as is now before us, my answer is that the risk certainly is no greater than we have heretofore incurred without these agreements or compacts, to say nothing of the enormous expense to which we have been put, and for which we must continue to contract if the old order is to prevail.

Now, what do the four powers agree to do to preserve the general peace and to maintain their rights in their insular possessions and dominions? Do they agree to equip or furnish armies or navies to preserve the peace or maintain these rights? The treaty does not so say. Do they agree to resort to force for this purpose? The treaty does not so say. Is it an alliance of offense or defense in the ordinary acceptation of that term? There is nothing in the treaty that justifies that conclusion.

What is the plan proposed to thus preserve the general peace and maintain these rights? It is this: They enter into a solemn compact among themselves to respect their several rights in relation to their insular possessions and dominions. Every other stipulation is ancillary to this one single thought.

The learned Senator from Montana [Mr. WALSH] suggests that this provision is nothing more than a statement of the rights of nations as defined by international law, and I assume he means that without this treaty there is the implied duty of each nation to respect the rights of other nations.

On the other hand, the distinguished Senator from Alabama [Mr. UNDERWOOD] takes the position, if I understand him correctly, that under the general principles of international law no Government is required to respect the rights of other Governments. I can not agree with this view. I think the Senator from Montana is correct in his statement that it is the implied duty of each nation to respect the rights of other nations. But the pending treaty is more than an implied obligation. It expresses in exact and unequivocal language this implied duty. It is more. It is a promise on the part of each nation that it will perform its duty toward the other nations.

Wheaton in his work on International Law says (p. 24):

> International law as understood among civilized nations may be defined as consisting of those rules of conduct which reason deduces, as consonant to justice, from the nature of society existing among independent nations, with such definitions and modifications as may be established by general consent.

So we have here in this four-power pact more than an expression of the principle of international law. We have the solemn pledge that each nation will respect one another's rights, or if you please the rights as defined by international law. Our system of international law is found in textbooks of authority—the approved usages of nations; the general opinions respecting their mutual conduct; the fundamental principles of natural justice; to say nothing of various treaties of peace and alliance and commerce regulating international rights and obligations. The principles of international law are not unlike the principles of the common law of England and of this country.

The admission, however, of this fact does not avoid either the necessity or the wisdom of written compacts more clearly to declare or define or modify the law of nations. It might as well be argued that there is no need of a statutory law because the common law may equally protect when once it is understood. Surely no objection can be raised to a solemn compact to respect these rights. What, then, is the next step?

The treaty provides that if a controversy should arise involving the rights of the signatory powers in these insular possessions or dominions which is not satisfactorily settled by diplomacy, then the disputants agree that they will invite their associates to a joint conference to which "the whole subject will be referred for consideration and adjustment."

Does any Senator seriously think that when the four powers agree to submit a dispute between any two of them to a joint conference for consideration and adjustment that this means an obligation to resort to war or to force? Certainly neither war nor force was in the contemplation of the draftsmen of the treaty. On the contrary, the very phraseology of the treaty indicates clearly to my mind that the purpose was to avoid war and force and to settle the matter amicably about the conference table. When the four powers thus meet for consideration and adjustment, if an amicable settlement is not effected then the only alternative is no settlement. And if there is no settlement as the result of the conference the parties to the dispute will be no worse off than they would have been had there been no pact or no conference. Permit me to say with all due respect that they who see war or the use of force under

this pact are not giving to this language the usual meaning which is required by every canon of construction that is known to the law. It is a strained construction they are giving to it.

Let me see if I can make my position a little clearer. When we speak of nations sometimes we become confused. Let us narrow for the moment the scope of our inquiry. Let us substitute for the four nations four farmers entering into a solemn, neighborly compact whereby they agree to respect each other's rights in their farms, and then provide that if a dispute should arise between any two of them the four shall be invited to sit around a conference table and refer the whole subject in dispute to the four for consideration and adjustment. Does anyone seriously believe that such a compact would endanger the peace of the community or that it might result in the use of bowie knives and revolvers? To assert that it would is just as logical as the suggestion that has been made on the floor of the Senate that this pact will lead to war. If that be the conclusion to which our brethren are driven, I shall be very wary hereafter about sitting down with other Senators at the council table in order to adjust our differences over pending legislation.

Let us notice article 2 of the treaty. In substance it provides that if the rights of any of the signatory powers in relation to their insular possessions or dominions in the region of the Pacific are threatened by the aggressive action of any outside power they agree to communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken jointly or separately to meet the exigencies of the particular situation. In controversies between outside parties and parties to this treaty I see no agreement to use force or to go to war or even to furnish the sinews of war. I see in the pact only what its language clearly imports—the signatory powers agree to communicate fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken to meet the exigencies.

Mr. REED. Mr. President, at that point, applying my question to that language, if they were to consult as to the most efficient means to meet an emergency, the emergency being an armed attack, what would come of that?

Mr. POMERENE. Well, Mr. President——

Mr. REED. I have just this instant been told that the Senator asked not to be interrupted, and I beg his pardon.

Mr. POMERENE. I asked that because my time is so very limited.

They would confer together. I can not anticipate what is going to be done. The party that is attacked, I may say, is not required to await the result of the conference before it defends itself. I touch upon that, I may say, later in my argument.

There is nothing in the language of this pact which justifies the conclusion that any understanding which might be reached by the representatives of the four powers would necessarily bind any of them, and particularly the United States, without the sanction of the constitutional authorities.

If one of the powers was in imminent danger of being attacked, there is nothing in this treaty which will prevent it from taking the same measures for defense that it would without the pact, except that it agrees to "inform fully and frankly" the other powers as to the situation with the view, of course, to come to some understanding as to the most efficient measures to be taken to meet the exigencies. There is no reason why this full and frank communication should not take place on the very instant that there is a belief or a thought that aggressive action is threatened. In these days of steam and electricity, of cable and wireless, the threatened aggression could scarcely be begun and become known to the nations threatened until it was communicated to the other powers. I am not willing to say that no good can come out of this full exchange of information and this effort to come to an understanding. My belief is that great good will come out of it. I am not apprehensive of danger.

It is clearly understood that any action by the four powers looking to the consideration and adjustment of any controversy arising between any two of the signatory powers, or any understanding as to any aggressive action by an outside party toward one of the signatory powers, must be by the unanimous vote of the four powers. I think there is no doubt about this. If there is, it can clearly be cared for by a proper reservation in the resolution of ratification.

ANGLO-JAPANESE ALLIANCE.

To me a very important and very significant provision of this treaty is that upon the exchange of ratifications the agreement between Great Britain and Japan concluded at London on July 13, 1911, shall end. That treaty is, to my mind, clearly an alliance of defense, if not of offense and defense. It contains three provisions which are of particular importance in connection with the discussion of the four-power pact:

(1) If the rights and interests of either are in jeopardy "the two Governments will communicate with one another fully and frankly and will consider in common the measures which should be taken to safeguard those menaced rights or interests."

(2) "If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any power or powers either high contracting party should be involved in war in defense of its territorial rights or special interests * * * the other high contracting party will at once go to the assistance of its ally and will conduct the war in common and make peace in mutual agreement with it."

(3) Neither party, without consulting the other, will "enter into separate agreements with another power to the prejudice of the objects described in the preamble."

Whether rightly or wrongly, whether with or without justification, there is a feeling of apprehension on the part of some of our very good people largely traceable to this Anglo-Japanese alliance. It has caused in certain sections of our country a sense of uneasiness toward Japan and of dissatisfaction toward the British Empire. In Great Britain, too, the impression prevails that this alliance stands in the way of a better international understanding between the two great English-speaking powers. In my judgment, it lends something to international amity to have it known that this alliance is to end.

Of course, I understand some Senators believe this four-power pact is an entangling alliance which is fraught with danger and will lead us into war. They and I differ so radically that I do not pretend to attempt to reconcile our differences. I am addressing myself rather to those Senators who heretofore have indicated that they did believe in a League of Nations and that they were not afraid of international associations.

The distinguished Senator from Idaho has with great ability, earnestness, and eloquence pointed out the dangers which have grown out of the Holy Alliance and the alliance of the Central Powers. They were alliances of defense, if not of offense and defense. I know that great wars succeeded, if they did not grow out of, these alliances, but I also know that we got into the greatest war of all history without being in an alliance with any nation. I know, too, if I read history aright, that both the Holy Alliance and the alliance of the Central Powers were formed for selfish purposes only, and that their framers were not prompted by either good faith or good will toward their own peoples or the peoples of the world. And if the able Senator from Idaho, or anyone else, can point out to me that there is an element of bad faith in this treaty or that the parties thereto are not inspired by higher purposes than were the members of the two alliances to which he referred, or that the environment is the same, then his argument will have more weight with me than it now has.

BRANDEGEE RESERVATION.

The distinguished Senator from Connecticut has offered this reservation:

The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.

There is no commitment under this treaty "to use armed force" and "no obligation to join in any defense," but if the treaty is not an alliance, what is it? If the phrase "no alliance" is used in the limited sense of an alliance of offense or defense, then I would be content with this part of the reservation, but under the rules of legal construction words must be given their generally accepted meaning, unless a contrary intention appears. Thus construed, can there be any doubt about the proposition that an agreement among the four powers to respect each other's rights in their insular possessions and dominions is an alliance among these nations for that purpose? If so, why should we in the body of the treaty agree to respect these rights, and then by a reservation state that there is no alliance whatsoever? And that is what it will mean if adopted.

This might not be very important, except that under the Anglo-Japanese alliance, in article 2 of that treaty, it is provided:

If by reason of unprovoked attack or aggressive action, wherever arising on the part of any power or powers, either high contracting party should be involved in war in defense of its territorial rights or special interests mentioned in the preamble of this agreement, the other high contracting party will at once go to the assistance of its ally, and will conduct the war in common and make peace in mutual agreement with it.

Whatever may be said of the policy of such an agreement between Great Britain and Japan, it is a fixed fact, and it is a treaty of very peculiar value to Japan. Whether rightly or wrongly, a sentiment has prevailed in this country that there is danger to be apprehended on our part from Japan. I think this fear is exaggerated, but it exists. It is a very difficult thing to determine in advance the cause of a war or which party may or may not be the aggressor, and if some difficulty were to arise between the United States and Japan, no matter what its character, who could say with certainty which of the parties was the aggressor? I can not believe we would be, but it would not

be for us to decide under the Anglo-Japanese treaty. It would be a question which Great Britain would decide for herself.

This being so, I am very firmly of the opinion that in the conduct of our foreign affairs a treaty of this kind might be the cause of more or less anxiety or uneasiness on our part, as well as of very great security to Japan. So, then, the United States has something to gain and Japan something to lose by the abrogation of the Anglo-Japanese pact.

And now, if this treaty is ratified, we are rid of the provisions of the Anglo-Japanese pact and Japan has lost her potential security, and all she gets in return is the four-power pact. True, we agree to respect one another's rights in our insular possessions and dominions, but, as I construe this treaty, there is no agreement to go to war in behalf of Japan or any other of the four powers.

We only agree "to confer together if the controversy is between two powers to the pact for consideration and adjustment," and if the rights of any party to this pact are threatened by any other power they agree to communicate together "as to the most efficient measures to be taken to meet the exigencies." That is all; and no understanding which may be reached in the first case and no measure which may be proposed in the second case would compel the United States to act except with the consent of the Senate or the approval of the Congress of the United States, as the case might be.

I look upon this treaty, if ratified without any reservations, as a plighting of good faith, coupled with the obligation of international law to respect one another's rights in the family of nations, and so, if ratified, I regard it as of very great value in the interest of international peace.

On the other hand, let us look at this subject for one moment from the standpoint of Japan. She now has a defensive alliance with Great Britain in the event she is attacked. She gives it up under this treaty as it was negotiated and presented to the Senate, and now with the Brandegee reservation we destroy much of its virility. I assume that those who support the Brandegee amendment expect Japan to ratify the treaty with the reservation. If after the Senate shall have said, if it does say, that this treaty is no alliance, how can the Government of Japan go to her people and say that they have received anything of substantial value in comparison with that which they have surrendered?

I have nothing in common with Japan save and except as I feel it is my duty as a Senator to act in the spirit of good will and good faith toward every member of the family of nations; but I am looking at it rather from the standpoint of the possibility of what we may expect with reference to the abrogation of the Anglo-Japanese alliance in the event that this reservation is adopted. Adopt it, and should we be surprised if Japan should refuse to accept the treaty with the reservation?

I can understand the opposition to ratification of this treaty by those Senators who are opposed to any international alliance or association among the powers of the world, and I have heard their discussions, which were conducted with very great ability and earnestness. I have some very positive convictions upon that subject myself. I can not agree with those Senators, and I am content to let them go their way, as they will permit me to go my way.

But addressing myself for a moment to the Senators who believed in the Versailles treaty, and voted for its ratification in one form or another, I am at a loss to understand how they can justify themselves in voting against the ratification of the present treaty under existing circumstances. If there was a possibility of persuading the President of the United States to return to the Senate the Versailles treaty, and opposition to the ratification of the pending treaties would induce him to do so, then I might believe it wise to continue to oppose ratification, but it is not possible to bring about that course of procedure. It is within the sole power of the Executive to return it to the Senate, and he has decided not to return it. He alone is clothed with power to negotiate treaties with foreign nations, and exercising his constitutional power he presents this treaty.

Certainly no one who approved of article 10 of the Versailles treaty in any of the forms in which it was proposed to ratify it can object either to article 1 or article 2 of the pending treaty. Articles 1 and 2 of the pending treaty are but a pocket edition of article 10 of the Versailles treaty.

Under article 10 the members of the league undertook "to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league," and in case of such aggression or any threat or danger of such aggression the council was required to "advise upon the means by which this obligation shall be fulfilled."

Like it, under article 1 of the four-power pact, the parties agree "to respect their rights" in relation to the insular possessions and dominions, and instead of it being the duty of the council under the Versailles treaty to advise as to what means should be adopted in case of aggression or threat or danger of aggression, each party agrees to invite the other high contracting parties to a joint conference for consideration and adjustment. Or if an attack is made by some other power, then they agree to inform one another fully and frankly in order to arrive at an understanding as to the most efficient means to be adopted to meet the exigencies. The differences between the two treaties, so far as these particular provisions are concerned, are differences largely of phraseology.

I recognize the fact that what I have just said will be considered by those who were opposed to the ratification of the Versailles treaty to be an argument against the ratification of the pending treaty. They may take that view if they will, but it is my reason for voting to ratify this treaty and I prefer to vote for it as it came to the Senate from the President, except to add the reservation which I have proposed and which lies on the table:

> It is, however, understood that any adjustment provided for under article 1 hereof, and any understanding contemplated under article 2 in order to be binding upon the United States shall be ratified and executed in accordance with the constitutional methods of the United States.

I do not think this reservation is necessary, but it may help to clear the way for those who have doubts to support it, and it is plainly stating to other peoples who may not understand our constitutional form of government just what our position is.

ENTANGLING ALLIANCES.

The opponents of the League of Nations as well as the opponents of the pending four-power pact are constantly quoting George Washington's advice in his Farewell Address "to steer clear of permanent alliances with any power of the foreign world." But they overlook the very material qualification of this language which immediately follows. I quote: "So far, I mean, as we are now at liberty to do it."

This advice to steer clear of permanent alliances must be construed in connection with the context. This advice was based upon a recital of conditions as they then existed.

It follows his declaration that "Europe has a set of primary interests which to us have none or a very remote relation." And then he continues: "Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concern."

Again, he adds: "Our detached and distant situation invites and enables us to pursue a different course."

Without attempting to quote all that he says in this behalf, he adds: "When belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interests, guided by justice, shall counsel."

His advice against permanent alliances is based upon the situation in Europe as he then saw it, and to which I have just called attention. I think when he was advising us to steer clear of permanent alliances with foreign powers he had in mind alliances of offense and defense, not agreements to respect one another's rights or agreements to sit down at the council table to talk the subject over in the event that these rights were infringed.

How different are world conditions now and our relations to them! Then we were a small Nation of 13 Colonies and 3,000,000 people scattered along the Atlantic coast. Now we are 48 empire States with 110,000,000 of people; the greatest industrial and commercial Nation of the world, with a foreign commerce aggregating, in 1920, $13,506,497,797, and extending to the four corners of the earth.

Since Washington's day science has annihilated distance. The stranger nations of yesterday are the neighbors of to-day. Nor can we describe our location in the world as "detached" or as a "distant situation." Washington in the greatest flights of his imagination never dreamed of the steamboat and the locomotive; of the telegraph, the telephone, or the wireless; of the submarine or the airship; or the many countless engines of peace and war with which every schoolboy of to-day is familiar.

To use his own words, he thought of "belligerent nations under the impossibility of making acquisitions upon us," and, of course, in his judgment, at that time they would not "likely hazard the giving us provocation." But I think we ought to give George Washington credit for taking counsel of facts as he saw them in his day. He did not then know that our

country was to extend from the Atlantic to the Pacific or of our island possessions in the Far East.

Can anyone seriously think of George Washington under present changed conditions advising against treaties with the nations of the world agreeing to respect each other's rights in their insular possessions and dominions? Can anyone think of George Washington saying that it would be a dangerous alliance if we were to agree in advance with other nations to sit around a council table for the purpose of considering and adjusting controversies which might arise between them? As well might we think of George Washington in the place of General Pershing at the head of our armies solemnly advising the American people to do away with their modern guns and implements of war and substitute therefor the old flintlock of Revolutionary days.

Again, those who would quote George Washington as an authority against this treaty overlook this paragraph of his Farewell Address:

> Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Are we not confronted by an "extraordinary emergency" now? Have not some of the Senators who are opposed to this treaty been constantly warning the country against the dangers in the Pacific from Japan? Have they not told us that the Philippine Islands are in jeopardy? And have we not been warned of the menace to our security arising out of the Anglo-Japanese alliance? Are we not now so burdened with a national debt growing out of the World War that our people are fairly groaning under the burdens of taxation? If they are sincere in their belief that we may be attacked by Japan in the near future, can they not see that the situation at least approaches the "extraordinary emergency" to which the Father of his Country referred when he said that we might safely trust to "temporary alliances for extraordinary emergencies"?

And now, when we look at the four-power pact, we find, if it is an alliance, is it not in the language of Washington "a temporary alliance"? By the third article of the treaty it is only to continue for a period of 10 years. Does anyone seriously think more danger may arise to this country by agreeing upon a program with Japan, Great Britain, and France for a period of only 10 years to respect one another's rights in our insular possessions and dominions than there will be if we do not make the agreement?

COMPANION TREATIES MUST BE KEPT IN MIND.

Possibly it would have been better if the scope of the four-power pact had been broadened so as to include a final disposition of the Manchuria problem, or even to go further and arrange a settlement of the questions which may hereafter arise between Russia and Japan in Siberia. Thus far we have not seen fit to recognize the Soviet Government of Russia, and it is difficult to understand how, under these circumstances, Russia could have been invited to the conference.

Of course, the four-power pact must to a very great extent either stand or fall upon its own merits, but it is difficult to give proper weight either to its purpose or to its effect without keeping in mind the companion treaties growing out of this same conference.

Let me, therefore, speak briefly of them:

FIRST: THE NINE-POWER TREATY RELATING TO PRINCIPLES AND POLICIES CONCERNING CHINA.

The purpose of the so-called nine-power treaty is to preserve the integrity of China and to prevent further encroachment upon her autonomy. It is not necessary to discuss the aggressions of foreign nations against China during the last generation. We know how that country was victimized by the great powers of the world. Conditions are such that unless the nations which have great interests in the Far East restrain their advances in China, a situation may arise which would threaten the peace of the world. This will be conceded by students of past and present current events. I regret that the treaty has not gone further in its relief to China; but much has been restored to her, and she has gratefully approved what has thus far been accomplished.

To me it is a matter of congratulation that the United States of America, Belgium, the British Empire, France, Italy, Japan, the Netherlands, and Portugal joined in a treaty looking to the preservation of the Republic of China. This treaty is now on the Senate calendar. Under it the signatory powers agree:

(1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China.

(2) To provide the fullest and the most unembarrassed opportunity to China to maintain and develop for herself an effective and stable government.

(3) To use their influence for the purpose of effectually establishing and maintaining the principles of equal opportunity for the commerce and industry of all nations throughout the territory of China.

(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of citizens or subjects of friendly States, and from countenancing action inimical to the security of such States.

As an incident looking to the carrying out of these high purposes the contracting powers pledge themselves not to enter into any treaty, agreement, arrangement, or understanding, either with one another or with any power or powers, which would infringe or impair the purposes thus declared.

The open-door policy is reaffirmed, and they agree neither to seek nor support their nationals—

(1) In any arrangement which might even purport to establish in favor of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China.

(2) They have solemnly pledged themselves neither to seek nor to support any monopoly or preference for their nationals which would deprive the nationals of any other power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government or with any local authority in any category of public enterprise which is calculated to frustrate the principles of the open door or of equal opportunity.

And China undertakes to be guided by these principles.

There are other very important stipulations in this treaty, but they are incidental to and confirmatory of the general principles to which I have referred.

SECOND: TREATY RELATING TO CHINESE CUSTOMS TARIFFS.

Without attempting to discuss China's financial condition, it will be sufficient for my purposes to say that China finds herself in need of more funds; that during the past century she entered into many treaties with foreign nations, including the United States, whereby her customs duties both on imports and exports were limited to 5 per cent ad valorem. Under these treaties practices have grown up which have reduced these duties materially below 5 per cent ad valorem.

The purpose of the treaty with China pending before the Senate is to revise these duties for the purpose of making them equivalent to an effective per cent ad valorem, in accordance with the treaties heretofore concluded. China becomes the beneficiary thereby, because it will increase her revenues. The other signatory powers and their nationals will also benefit, because the equalization of rates will place all of them on an equal footing.

Certainly the Senate can have no objection to this treaty unless it is the purely technical one that we are interfering with the domestic affairs of a sovereign State. The justification for this course is based wholly upon China's present domestic condition. She is not able to act legislatively for herself. China can not make this revision without the assistance of the other signatory powers. We can only hope that her internal conditions will be so improved at an early date that it will not be necessary for outside nations to interfere either in fixing or maintaining by treaty duties which should be fixed only by legislation.

THIRD: LIMITATION OF NAVAL ARMAMENT.

Competition in naval armament has become an unwarranted extravagance, unduly burdening the peoples of the nations thus indulging themselves, adding nothing to the security of the world, but, on the contrary, endangering its peace.

I do not know that anyone can seriously object to this treaty, excepting only those who had an ambition to see the United States possessed of the first navy in the world. Those who are prompted by this spirit seem not to consider the cost. In so far as I know, they have given no indication as to what they would do with the fleet if they had control of it. Some of them, perhaps, have been as little concerned about its use as they have been about its expense. To-day this class of minds is in a negligible minority. For a time this sentiment in the Senate was hastening us on to unlimited expense and extravagance until the Members of Congress began to hear the voice of the people back home and throughout the world, and now with almost universal acclaim the American people—aye, the people of the world—approve the treaty placing a limitation upon armaments signed by the United States, Great Britain, France, Italy, and Japan.

The capital ships are limited as follows, subject only to the approval of the treaty-making powers:

	Tons.
The United States tonnage to	525,050
Great Britain to	580,450
France to	221,170
Italy to	182,800
Japan to	301,320

But under the plan of replacement the maximum tonnage limitations are as follows:

	Tons.
The United States tonnage to	525,000
Great Britain to	525,000
France to	175,000
Italy to	175,000
Japan to	315,000

I have no doubt that many Senators and Congressmen who were carried away by their own enthusiasm and eloquence while they were pleading for the greatest navy in the world now regret their speeches in that behalf. Few, if any, of them will vote against this agreement for limitation of naval armament.

FOURTH: TREATY RELATING TO SUBMARINES AND NOXIOUS GASES.

This treaty declares as a part of the international law the following principles:

(1) A merchant vessel must be ordered to submit to visit and search to determine its character before it can be seized. It must not be attacked unless it refuses to submit to visit and search after warning, or to proceed as directed after seizure. It must not be destroyed unless the crew and passengers have been first placed in safety.

(2) Belligerent submarines are not under any circumstances exempt from the universal rules thus stated, and if a submarine can not capture a merchant vessel in conformity with these rules the existing law of nations requires it to desist from attack and seizure and permit the merchant vessel to proceed unmolested.

All other nations have assented to these principles. The signatory powers declare that any person who violates any of these rules, whether under the orders of a governmental superior or not, shall be liable to trial and punishment as if for act of piracy.

Again, in the interest of humanity the use of asphyxiating, poisonous, or other gases, and all analogous liquids, materials, or devices are justly condemned and their use prohibited.

I am sure the Senate will not refuse to approve this treaty.

FIFTH: TREATY WITH JAPAN CONCERNING THE ISLAND OF YAP.

Long prior to the presentation to the Senate of the Versailles treaty a controversy arose between the United States and Japan as to what, if any, rights our Government should have in maintaining a cable and wireless station on the island of Yap. Japan insisted that our commissioners at Paris had surrendered this right, if any we had. President Wilson contended with all vigor that this question was referred for future conversation, and that he had not surrendered our claims therein; and President Wilson was right. However, Japan refused to yield, and our right to maintain a cable and wireless station has been the subject of controversy until it was adjusted by the ratification a few days ago of our treaty with Japan bearing upon this subject.

Our right there now is an accomplished fact, and it settles a very important subject of dispute. Japan has a mandate over the German islands lying north of the Equator, including Yap. Maybe they ought not to have this mandate, but it is too late for those who opposed the ratification of the Versailles treaty to complain now because they have it.

TREATY BETWEEN JAPAN AND CHINA RELATING TO SHANTUNG.

And may I say a word about Shantung? When the Versailles treaty was before the Senate days were consumed in denouncing the treaty because it permitted Japan to receive from Germany all her rights, titles, and privileges in the Province of Shantung. It was one of the most vulnerable points in that treaty. The American people thought it was wrong to allow Japan to retain this interest in China. Of no avail was it that President Wilson and others said that Japan had promised within a reasonable time to transfer substantially all of these rights back to China.

Now it transpires that Japan was wrongfully accused; and that she has kept faith with China and the other nations that sat around the council table in Paris. Certainly this treaty has put an end to any cause of contention between China and Japan, and has reassured the nations of the world that Japan kept her faith.

As the result, therefore, of the International Conference for the Limitation of Armament, we have, in addition to the four-power pact, obligating the signatory powers to respect their rights in their insular possessions and dominions:

First, a treaty limiting naval armament.

Second, the limitation of the use of submarines, and the prohibition of noxious gases in warfare.

Third, the treaty of the nine powers relating to the principles and policies to be followed in China.

Fourth, the treaty between the same nine powers increasing the Chinese customs tariffs.

Fifth, the cession to the United States of the right to build and maintain a cable and wireless station in Yap.

Sixth, the return of Shantung to China.

Certainly, these will prove of great benefit to the whole world and will minimize the possibilities of war.

I regret that the President and his commissioners were not able to go further, but I recognize that they represented only one nation at the council table, and I can conceive some of the difficulties which confronted them. If I thought for one moment that any one of the pending treaties would in the least jeopardize the interests of our country, I would not vote for it; but we must deal with nations as we deal with men, and God help the world if we have so little faith in the other members of the family of nations that we refuse to treat with them or to make an agreement with respect to the meeting for conference when international relations are in dispute. The wings of my imagination are not yet strong enough to take me to the dizzy heights where I may think that I see a chance of war simply because I agree to respect the rights of other nations and to meet them for discussion and adjustment in the event that misunderstandings arise.

The Versailles treaty was submitted to the Senate by President Wilson on the 10th day of July, 1919. My very deep regret is that we did not ratify it. If it had been ratified with reasonable promptness I think we would have been at least two years further on our way to normalcy. I preferred that it be ratified without any reservations whatever, though there were a number of its provisions which I did not like. I felt then as I feel now that it was an attempt to bring the nations of the world into accord. The United States had stepped into leadership among the nations. The other peoples of the world had more confidence in the United States than in any other Government. In any event, we could have stepped out of the league within two years by serving the notice provided for in the covenant of the league. If there were any provisions in it which we did not approve, I have never had a doubt that any reasonable amendments which the United States might have proposed to the covenant would have been promptly accepted by the other members of the league. If they would not have accepted them we could have served our notice and withdrawn. But the Senate refused to ratify the Versailles treaty.

We are told that at the November election in 1920 the League of Nations was overwhelmingly condemned. I do not propose to enter into any lengthy discussion of that assertion. If that election was a condemnation of the Democrats who favored the league, it will be difficult for those same gentlemen to say it was not an approval of the position taken by the Republican President, Mr. Harding. True, he and his political associates condemned the league, but they favored an association of all the nations of the world.

The Republican platform declared, "The Republican Party stands for agreement among the nations to preserve the peace of the world. We believe that such an international association must be based on international justice." I think from this language the conclusion is fairly deducible that the Republicans wanted an agreement among the nations to preserve the peace of the world, and that they stood for an international association.

President Harding in his speech at Marion August 28, 1920, declared he favored "a society of free nations, or an association of free nations, or a league of free nations, animated by considerations of right and justice instead of might and self-interest; and not merely proclaimed as an agency in pursuit of peace, but so organized and so participated in as to make the actual attainment of peace a reasonable possibility." And then he added: "Such an association I favor with all my heart, and I would make no fine distinction as to whom credit is due."

The PRESIDING OFFICER (Mr. JONES of Washington in the chair; at 4 o'clock and 55 minutes p. m.). The time of the Senator from Ohio on the treaty has expired. There is an amendment pending, and the Senator is at liberty to use 30 minutes on the amendment.

Mr. POMERENE. I thank the Presiding Officer. I desire now to occupy a few minutes in speaking upon the amendment.

MR. HUGHES'S POSITION IN 1920.

On October 15, 1920, Mr. Hughes, now our Secretary of State, with other distinguished leaders of his party, in an address to the voters of the United States with reference to the Versailles treaty, defined the issue between the Democratic and the Republican Party thus:

> The question accordingly is not between a league and no league, but is whether certain provisions in the proposed league agreement shall be accepted unchanged or shall be changed. * * *

He also added:

> The conditions of Europe make it essential that the stabilizing effect of the treaty made between the European powers shall not be lost by them, and that the necessary changes be made by changing the terms of the treaty rather than by beginning entirely anew.

MR. LODGE'S POSITION.

But, again, where stood the distinguished leader of the majority on the subject of a league of nations? Did we not have a right to expect, notwithstanding his opposition to the treaty of Versailles, that he would take the lead in his present responsible position as majority leader of the Senate and as one of the leaders of his party for many years in the organization of another league of nations or an association of nations? Let me refer to a few of his utterances upon this subject.

In the report which he submitted on August 15, 1911, on the general arbitration treaties with Great Britain and France, he said:

> The history of the United States for more than 70 years exhibits a record of arbitration treaties unequaled by that of any other nation on earth. Every one of those treaties has received the cordial assent of the United States.

At Union College, on June 9, 1915, he said:

> We must bear constantly in mind that from the conflict which now convulses the world there may possibly come events which will force us to fight with all our strength to preserve our freedom, our democracy, and our national life. * * *
>
> What can we do in a larger sense toward securing and maintaining the peace of the world?
>
> This is a much more difficult question; but turn it back and forth as we may, there is no escape from the proposition that the peace of the world can only be maintained, as the peace and order of a single community are maintained, as the peace of a single nation is maintained, by the force which united nations are willing to put behind the peace and order of the world.
>
> Nations must unite as men unite to preserve peace and order. The great nations must be so united as to be able to say to any single country, "You must not go to war." And they can only say that effectively when the country desiring war knows the force that the nations place behind peace is irresistible.
>
> In differences between nations which go beyond the limited range of arbitrable questions peace can only be maintained by putting behind it the force of united nations determined to uphold it and to prevent war. No one is more conscious than I of the enormous difficulties which beset such a solution or such a scheme, but I am certain that it is in this direction alone that we can find hope for the maintenance of the world's peace and the avoidance of needless wars. Even if we could establish such a union of nations, there might be some wars which could not be avoided, but there are certainly many which might be prevented. * * * It may seem Utopian at this moment to suggest a union of civilized nations in order to put a controlling force behind the maintenance of peace and international order, but it is through the aspiration for perfection, through the search for Utopias, that the real advances have been made.

In an address before the annual convention of the League to Enforce Peace, May 26, 1916, in Washington, D. C., he said:

> The league certainly has the highest of all aims for the benefit of humanity, and because the pathway is sown with difficulties is no reason why we should turn from it. It is the vision of a perhaps impossible perfection that has led humanity across the centuries.
>
> The limit of voluntary arbitration has, I think, been reached. * * * I think the next step is that which this league proposes, and that is to put force behind international peace. We may not solve it in that way, but if we can not solve it in that way it can be solved in no other.

Keeping in mind, therefore, the declaration of the Republican platform for an "agreement among the nations to preserve the peace of the world," the pledge of the President himself—and I quote his words—in favor of a "society of free nations or an association of free nations or a league of free nations"; the speeches of the distinguished leader of the majority side of the Senate [Mr. LODGE] in favor of a "league to enforce peace"; and the address of our distinguished Secretary of State, declaring that the question for the voters to determine was not "between a league and no league," but whether "certain provisions in the proposed league agreement shall be accepted unchanged or shall be changed," the American people, and particularly the Republican Party, have a right to feel disappointed because more has not been accomplished in that behalf. They have been looking forward eagerly for the presentation of the President's plan, as defined in his speech of August 28, 1920, for the "society of free nations or an association of free nations or a league of free nations."

Surely the Republican Party can not claim that the people of the United States by their ballots in November, 1920, condemned the President's plan for "a society of free nations or an association of free nations or a league of free nations." They approved it by a majority of nearly 7,000,000.

Speaking for myself, I was disappointed when the Versailles treaty was not ratified, and I was disappointed a second time when President Harding did not present a complete plan for our consideration. Under these circumstances what course should I pursue as a Senator of the United States?

I know of no way to persuade the President to resubmit the Versailles treaty to the Senate for its advice and consent.

I know of no way to induce him to present a plan for a society of free nations or an association of free nations or a league of free nations.

I know of no way to influence our honored Secretary of State to present to the Senate the changes in the League of Nations which he had in mind and to which he referred in his address submitted to the voters of the United States on October 15, 1920, by himself and other distinguished party leaders. And he can not do it unless the President shall send back to the Senate the Versailles treaty for further consideration.

I must vote for these treaties here either with or without reservations or vote against them. I am not in a position to demand what I would like. I can only deal with the treaties as they are. I must either approve them in whole or in part or I must condemn them.

I would not be willing to enter into an alliance, offensive or defensive, which would compel this Nation to enter into the activities of war without the consent of the Senate of the United States, or the Congress, as the case might be.

The pending four-power treaty does nothing of that kind. It is not an alliance either offensive or defensive. It is an alliance binding the four powers to respect each other's rights in their insular possessions and dominions, and binds the signatory powers to submit to a joint conference of the four powers any controversy that may arise with respect to these rights for consideration and adjustment; and in case aggressive action is threatened by an outside party, to communicate fully and frankly with one another in order to arrive at an understanding as to the most efficient measures to be taken to meet the exigency.

Why should this language be so strained in its construction as to leave the impression that it is an obligation to go to war? To assert it would be laughable if it were not said so seriously.

I shall not take the time of the Senate to repeat the advantages as I see them which will accrue to the United States and to the world if these treaties are ratified. I have already given them. Suffice it to say these treaties are a step forward, in my judgment, in the adjustment of international controversies by peaceful means rather than to let them drift into armed conflicts.

Feeling as I do, I shall vote for their ratification. To do otherwise would be to prove false to my convictions and false to what I conceive to be the well-defined sentiment of the country.

Mr. TOWNSEND obtained the floor.

Mr. LODGE. Mr. President, I ask the Senator from Michigan to yield to me for a moment that I may make a request.

Mr. TOWNSEND. I yield to the Senator from Massachusetts.

Mr. LODGE. I have been asked by Senators on the other side of the Chamber that there may be an evening session, because there are speeches which they desire to have made. I am very glad to comply with the request.

I ask that at the close of the speech of the Senator from Michigan [Mr. TOWNSEND] there shall be a short executive session with closed doors, and that at the close of that executive session the Senate shall take a recess until 8 o'clock to-night; that it be understood that there will be neither the call of a quorum nor any voting——

Mr. UNDERWOOD. At the night session?

Mr. LODGE. No voting and no call for a quorum during the evening session; and that at the close of the evening session the Senate shall take a recess until 11 o'clock to-morrow morning.

The PRESIDING OFFICER. The Senate has heard the request of the Senator from Massachusetts. Is there objection? The Chair hears none, and it is so ordered. As in legislative session, the Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House disagreed to the amendments of the Senate to the bill (H. R. 9859) making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SLEMP, Mr. MADDEN, and Mr. SISSON were appointed managers of the conference on the part of the House.

The message also announced that the House disagreed to the amendment of the Senate to the bill (H. R. 9633) to extend the provisions of section 2305, Revised Statutes, and of the act of September 29, 1919, to those discharged from the military or naval service of the United States and subsequently awarded compensation or treated for wounds received or disability incurred in line of duty; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SINNOTT, Mr. SMITH of Idaho, and Mr. RAKER were appointed managers of the conference on the part of the House.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 20) for the appointment

of a committee of Senators and Representatives to represent Congress at the ceremonies attending the arrival of the last of the bodies of American soldiers from the battle fields of the World War.

The message also announced that the Speaker of the House, in compliance with Senate concurrent resolution 20, had designated Mr. CRAGO, Mr. ARENTZ, Mr. FISH, Mr. MCSWAIN, and Mr. RANKIN members of the committee on the part of the House to represent Congress at the ceremonies attending the arrival of the last of the bodies of American soldiers from the battle fields of the World War.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were subsequently signed by the Vice President:

H. R. 7881. An act to authorize the Governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements; and

H. R. 10559. An act making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes.

POST OFFICE APPROPRIATIONS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9859) making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TOWNSEND. As in legislative session, I move that the Senate insist upon its amendments, consent to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. TOWNSEND, Mr. STERLING, Mr. MOSES, Mr. WALSH of Massachusetts, and Mr. BROUSSARD conferees on the part of the Senate.

THE FOUR-POWER TREATY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. TOWNSEND. Mr. President, I shall not detain the Senate longer than a few moments in order that I may have an opportunity to express my views very briefly on the controversy now before the Senate.

The debate on the result of the recent Washington conference has covered a large field, and everything which minds of Senators trained not only in legal controversy but in all the arts of the special pleader could devise has been brought before the Senate. The discussion has at no time nor on a single occasion reached the high character of that disclosed when the Versailles treaty was before the Senate. It is true that appeals have been made to love of country, and much of what was said on the former occasion against foreign entanglements has been repeated during this debate. This treaty includes no possibilities for such entanglements.

It seems clear to me that the pending treaty does not in any way bind the United States to the use of force. It is admitted by all that force could not be employed by our Government in the Pacific or elsewhere without the direct action of Congress. The senior Senator from Nevada in his speech a few days ago in the Senate made a statement to which I call your attention. He said that any war in the Pacific would involve the United States, whether this treaty was ratified or not. I think this statement is probably correct, and it answers much of the opposition to this treaty. If the United States will be involved anyway, is it not the part of wisdom for our country to have an understanding with the countries one of which will be involved in any war, if there shall be a war—an understanding to consult with a view to preventing war? The very fact that the four leading nations are to consult will of itself be a great war deterrent.

The opposition to this treaty has become desperate. Not only are the nations who met here at our Government's invitation and who came practically as our guests abused, their motives impugned, their intellectual honesty denied, but the distinguished members of the American commission are in substance condemned either as incompetents or knaves. Their word of honor is sought to be impeached by the statements of men whom the Senators offering them as exhibits afterwards impeach as witnesses unworthy of belief.

I hope the nations who visited us and participated in good faith in a great effort to prevent war and reduce tax burdens through better understanding will know that the few Senators who speak in derogation of them do not speak either for the great majority of the Senate or the American people. It is among the bare possibilities that one more than one-third of this Senate may defeat this treaty, but, sir, that will not disprove the great fact that the large majority believe that the Washington conference was attended by honest, honorable men of great ability and undoubted high character.

If this treaty is defeated by the arguments presented, the world may lose faith in our country. It may hesitate long to enter another conference either called or participated in by the United States, but the humiliation will be ours. This conference was called by our President, not in fear of any nation, not for self-aggrandizement, but for the good of a world blood drenched by war, burdened by the crushing weight of taxation caused by war—called for the purpose of doing every honorable thing to prevent another war and to agree, if possible, upon some plan to lighten those burdens, or at least to prevent their increase.

The treaties before the Senate represent the greatest advancement in civilization that has been experienced in a half century. The leaders in this consummation were great patriotic Americans. They knew and respected our country's sacred traditions. They were wisely informed in foreign affairs. And at least until in desperation a few Senators impugned their motives, they were honorable and honest beyond suspicion even. They prepared the program for the conference, which considered it honestly and directly. Great and complicated questions were involved. The delegate nations were of different traditions and ideals, but all were brought together at the invitation of the one great unselfish Nation to discuss American ideals, and when they left they took with them a better understanding, a wider, better vision of international relations. Some of the delegates at the conference came with bitterness in their hearts toward each other. After weeks of association in the American atmosphere which pervaded the conference they departed at least partially realizing that peace, progress, and prosperity can be better secured and maintained through friendship and honest dealings than through injustice, enmity, and hatred.

That an understanding was reached on this treaty there can be no doubt. That such understanding was what the American commission says it was and what the unequivocal language of the treaty says it was is equally certain.

But some Senators say that it in some way, adroitly hidden, infers at least the moral obligation to resort to war in case deliberation does not peacefully settle the controversy. I am sure that it does not. But again referring to at least one speech which has been made against the treaty, stating that we would be obliged to enter such a war regardless of the treaty, then why not make an agreement which will enable us to prevent such war, if possible?

Senators seem to doubt the wisdom and patriotism of future Congresses. Some of these Senators are wise and distinguished, and I say this sincerely and without tinge of sarcasm. But is it impertinent to suggest that equally wise men will come after them, and inasmuch as no war can be declared or prosecuted without the action of Congress, I am ready and willing to believe that a future Congress will act with wisdom and patriotism. I repeat, however, that there is no legal or moral obligation upon the United States to use force under any provision of this treaty.

But we are told that it was considered in secret. Well, I am simple-minded enough to believe that members of any commission must talk together and not in a hired hall filled with people or in the presence of newspaper reporters and stenographers before they can agree upon the terms of any contract. Especially is this true where some of those nations are unfriendly to each other. Does any sane man believe that any agreement on any of the great matters could have been reached without preliminary discussion in chambers? The Supreme Court deliberates behind closed doors. Its decisions are made public, and the decisions are what the people desire to know.

The matter in which the people are interested is the treaty itself. They care little about what scrivener penned it nor how many times it was rewritten. They want to know what it really is. This treaty carries no suspicion upon its face. Its signers without exception deny that there are any secret understandings relating to it. And of what possible use would be a secret understanding, even if it had been made? After all these denials on the part of the parties to the contract, what nation would feel any moral obligation to observe such a secret understanding? To me this is idle talk.

I am not favorable to the Brandegee reservation. It adds nothing of clarity or force. It simply gives notice to the other parties that we are a suspicious Nation, and by adoption we offer an excuse to other nations to make such reservations or changes as they may impose. The reservation is, however, as inocuous in itself as it is useless, and if I come to the belief its adoption will insure the ratification of the treaty I shall vote for it, but I am sorry that any Senator has thought it necessary in order to make clear what is already entirely obvious.

Considerable discussion has been indulged and unwarranted inferences have been drawn in reference to the fact that two of the four nations to this pact will have when the treaty providing for reduction of armament is adopted a combined naval force in excess of that of the other two nations, and therefore the United States and Great Britain would combine to dominate France and Japan. This criticism dishonors our country. The whole history of our foreign relations disputes this possibility. The world believes that our motive in entering these treaties was not selfish, except that there may be a justifiable selfishness in the desire to prevent any war in which we may be involved, a selfishness which includes not only our highest and best interests but also those of the world.

It is true that Great Britain and the United States under the treaty for armament reduction will have a combined naval force greater than that of the other two nations, but they have such predominance now without reduction if it is conceivable that the United States would enter into any dishonorable contract with any other nation to destroy or humiliate any third nation she can do it regardless of whether these pending treaties are ratified or not, but the Senate must be a party to such an infamy.

I have too much faith in my country, sir, to give this argument serious attention. It is impossible. Our national ideals, our history, is too well established and known now to be affected by unworthy inuendo or unwarranted suspicions. Some men may impugn the motives and character of the great and good men who represented the United States at the Washington conference, but the nations of the earth and the people of our country have faith in them.

Senators who are so eloquently opposing this treaty could with equal force oppose any treaty into which the United States has ever entered. No Senator can be more jealous of our country's unembarrassed sovereignty than I am, but I realize, sir, that our destiny is inextricably involved with that of the world, and that it is the duty of the United States to exert its every proper influence to preserve peace with justice in the world. The late conference opened an honorable and effective way for doing this. We have sacrificed no desirable right, we have entered into no entangling alliance, but we have substituted friendship for hatred among the nations of the world and entered into understandings with them which will reduce the causes for war and make peace more certain.

As in legislative session,

CONDITIONS IN BITUMINOUS COAL FIELDS.

Mr. WILLIS. Mr. President, there has been a great deal of publicity in the country concerning the possibilities of a strike in the bituminous coal fields. The Department of Labor for many months has been making a very careful investigation of conditions in the coal fields. That investigation has covered bituminous fields in 19 different States. Their report is now ready: I have it before me here, and in view of the possibility of difficulty in the coal fields, it seems to me that it would be rather desirable to have this information available for distribution. Therefore I ask unanimous consent that the report covering wages, wage conditions, and so forth, may be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

PAY OF ARMY AND KINDRED SERVICES.

Mr. WADSWORTH. As in legislative session, I ask unanimous consent to submit a report (No. 572) from the special committee of the Senate appointed pursuant to Senate resolution 240, to which was referred the report of the joint committee of the Congress charged with the duty of proposing a revision of the pay and allowance schedules of the Army, the Navy, the Marine Corps, the Public Health Service, the Coast Guard, and the Coast and Geodetic Survey. Accompanying the report is a bill which should go to the calendar, the committee having been authorized by the Senate resolution to report by bill.

The bill (S. 3326) to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service was read twice by its title.

The VICE PRESIDENT. The bill will be placed on the calendar.

As in legislative session,

PETITIONS AND MEMORIALS.

Mr. JONES of Washington presented a memorial of sundry citizens of Kitsap County, in the State of Washington, remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. CAPPER presented a resolution of the board of directors of the Kimeo National Farm Loan Association, of Greenleaf, Kans., favoring certain amendments of the Federal farm loan act, which was referred to the Committee on Banking and Currency.

Mr. WILLIS presented letters and communications in the nature of petitions of the pastor and congregation of the First Church of the Brethren of Dayton; Emily and Jesse Wright, of Springboro; the Kiwanis Clubs, of Warren and Fremont; the First Brethren Church of Ashland; and the Men's Brotherhood of the Methodist Episcopal Church, of Kingston, all in the State of Ohio, praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented a memorial of Ward A. Willford Camp, No. 57, Department of Ohio, United Spanish War Veterans, of Akron, Ohio, remonstrating against inclusion of the veterans of the Spanish War in the benefits of the soldiers' bonus bill, which was referred to the Committee on Finance.

Mr. FERNALD presented petitions of sundry citizens of Manset and Waldoboro, both in the State of Maine, praying for the prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented resolutions adopted by the congregations of the First Congregational Church of Sumner and the Hammond Street Congregational Church, of Bangor; the United Baptist congregation, of Dryden; the Farmington United Baptist Association, comprising 29 churches, of Jay; and the Maine Commandery, Military Order of the Loyal Legion of the United States, of Portland, all in the State of Maine, favoring prompt ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

Mr. TOWNSEND presented a resolution of Washtenaw County (Mich.) Pomona Grange, No. 7, favoring acceptance of the proposal of Henry Ford relative to the Muscle Shoals project, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by Harding-Olk-Craidge Post, No. 18, American Legion, of Bay City, Mich., favoring the passage of the so-called Fordney soldiers' bonus bill, which was referred to the Committee on Finance.

He also presented a resolution of the Research Club of the University of Michigan, of Ann Arbor, Mich., protesting against the imposition of tariff duties on foreign textbooks, which was referred to the Committee on Finance.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON:

A bill (S. 3318) for the relief of James W. Green, jr.; and

A bill (S. 3319) for the relief of the heirs of Morgan Smith, jr.; to the Committee on Claims.

A bill (S. 3320) to provide for the erection of a public building at El Dorado, Ark.; and

A bill (S. 3321) to increase limit of cost heretofore fixed by Congress for purchase of site and erection of building for use as post office at Prescott, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. ELKINS:

A bill (S. 3322) to provide a site in the District of Columbia for a building for the care of tubercular pupils; to the Committee on the District of Columbia.

By Mr. CAPPER:

A bill (S. 3323) for the relief of Ulric O. Thynne; to the Committee on Claims.

By Mr. CAMERON:

A bill (S. 3324) to provide for the further rehabilitation of disabled veterans of the World War who have received agri-

cultural training through the Veterans' Bureau; to the Committee on Irrigation and Reclamation.

By Mr. STANLEY:

A bill (S. 3325) to amend section 4887 of the Revised Statutes relating to patents; to the Committee on Patents.

By Mr. BURSUM:

A joint resolution (S. J. Res. 180) directing the Secretary of the Treasury to sell improvements and buildings owned by the Government at Camp Cody; to the Committee on Public Buildings and Grounds.

AMENDMENT OF DISTRICT STREET RAILWAY MERGER BILL.

Mr. KING submitted an amendment intended to be proposed by him to the bill (S. 3296) to authorize the merger of certain street railway corporations in the District of Columbia, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT OF AGRICULTURAL APPROPRIATION BILL.

Mr. FRANCE submitted an amendment proposing to appropriate $10,000 for the study of the problem of standardization and simplification of farm implements, machinery, and repair parts for same, with a view to more economical manufacture and use, intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

SECRET EXECUTIVE SESSION.

Mr. JONES of Washington. I move that the Senate proceed to the consideration of executive business behind closed doors.

The motion was agreed to, and the Senate proceeded to the consideration of secret executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 25 minutes p. m.), under the order previously made, the Senate took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate in open executive session reassembled at 8 o'clock p. m., on the expiration of the recess.

THE FOUR-POWER TREATY.

The VICE PRESIDENT. The Senate resumes the consideration of the pending treaty.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. WALSH of Massachusetts. Mr. President, I intend to vote against the treaty, and I shall state as concisely as possible what seem to me to be the chief and indeed convincing objections to this instrument.

I. In principle it departs from past American practice of keeping out of international entanglements over "territorial integrity or political independence."

II. It is not, as it is now drawn, inclusive of all the possible parties to a dispute and hence unjudicial.

III. It is an alliance of large powers for mutual defense of rights which will, if world history is correct, inevitably result in the creation of other alliances to counteract its influence and activity.

IV. It alienates friendly powers like Russia and China, who will regard the treaty as being directed toward and militating against their interests and security.

V. It compels recognition of foreign rights we know to have been acquired by force and to be held in contravention to democratic notions.

VI. It implies the use of force for its fulfillment whenever unarbitrable controversies arise.

VII. It extends our protection, which the other parties are so often apt to need in return for territorial protection which we always have, could, and should furnish ourselves.

VIII. It subordinates national self-respect in paying participation in this treaty as the price for the abrogation of the Anglo-Japanese treaty.

IX. It is either antagonistic to the League of Nations or it threatens to involve our tacit recognition of the functions of the league in case any of our allies submit a dispute involving their Pacific rights to that body.

X. On the whole, it would prevent America from passing independent judgment on questions in controversy between nations.

THE ABROGATION OF THE ANGLO-JAPANESE ALLIANCE—IS IT A GAIN FOR AMERICA OR A SURRENDER?

Mr. President, in 1911 England, in surveying the political balance in Europe, and with customary vision for seeing turbulent happenings in her possessions in the Orient, made a secret alliance with Japan. There was never any question about the character of this alliance; it operated mutually, gave guaranties of both offensive and defensive force, characteristic of all alliances in case of necessity. Like all alliances between aggrandizing powers, this alliance provided for an exchange of service in return for a privilege to exploit. When the Great War began, Japan at once cleared the Pacific and the Orient of German control, held a threat over India, and thus freed England to give her attention to affairs in the European war stadium. For her reward Japan, with England's approval, arbitrarily seized German possessions in the Orient, tightened her grip on a defenseless, harmless, friendly China, and acquired ultimately for herself valuable parts of Siberia. Though the post-war conference at Versailles dealt with all the territories Japan had taken over to herself, no substantial concessions were made by her toward the return of these territories, and at the establishment of the League of Nations China and Russia were still paying the price of the Anglo-Japanese alliance. Though the English home government was acquiescent in these exploitations, some of the colonies—Canada, New Zealand, Australia—partly imbued with a sense of justice, partly alarmed at the growth of the Japanese expansionist movement, began protesting the continuance of this pact of aggrandizement. Public opinion in America mounted high also against the English for associating openly with a power manifestly hostile to the national aims and desires of the United States; and Britain, as Balfour put it, was "between two misunderstandings—one in America and the colonies if she continued the alliance and one in Japan if she terminated it." Then, most opportunely for England, came the Washington conference. Why was not this a good chance to unload the alliance carcass and merge it into a general agreement among Pacific powers? The British did not have to bear the embarrassment of the first move—America made it for her. Shortly before the Washington conference convened Mr. Hughes began negotiation with England for the abrogation of the Anglo-Japanese alliance. The four-power treaty is the result.

There is no doubt but what the four-power treaty ends this alliance; that is one of the great achievements advocates claim for it. England has thus temporarily diminished the odium of her Japanese alliance and has transferred the residue to the United States. The Anglo-Japanese treaty has been scrapped; in its place is a treaty in which America holds a leading place. Let us consider the gain, if any, accruing to America from the termination of this insidious treaty.

The proper inference from the fact that the abrogation of this Anglo-Japanese pact was beneficial to us is that its continuance would have been harmful. If this is so, in what respects would it be harmful? Obviously, the answer is that it (1) threatened our coast lines on both Atlantic and Pacific sides, (2) that it subordinated our interest in the Pacific, and (3) that in case of war with Japan we would have England to contend with as her ally. None nor all of these claims are sufficient to show why we should have treated with England and Japan to abolish the treaty. What matter if our coast lines are threatened from both sides as long as our international conduct avoids the causes of war? Mutual protection in imperialistic enterprises was what this treaty sought to give. And since we have neither interest nor designs on properties to which they relate, the chances of our becoming involved over them are small indeed. We should be able to protect our own interests in the Pacific as we have always done and make certain that they were being subordinated to none. Substituting our own country in whom exploiting and dominating are unknown in an alliance in return for the abrogation of another alliance (Anglo-Japanese), the parties to which are apparently incurable addicts to imperial habits, is repugnant alike to American practicality and American ideals.

This treaty binds us for 10 years and if not abrogated by one year's notice at the end of that time may continue indefinitely. The claim has been made on the assumption of the continued military impotency of Germany and Russia that within the 10-year period no power could possibly arise in the Pacific capable of seizing territory. This argument is putting your defense of the treaty on the grounds that whether the treaty is good or bad makes no difference, but that conditions are not such that it would have to be put in effect within the 10-year period. Therefore, there is no harm in entering it, because since no possibility of trouble exists no force will have to be applied. This, of course, is specious and relies on an entirely

false assumption, which would by application of its principle justify the taking and holding of property because its owner would not or could not object. Russia may possibly, in fact, is likely to, acquire strength enough within the next 10 years to assert her rights in Sakhalin, in which event, by the treaty, we would be forced to consult. How could we decide in favor of Japan? And if we should decide against her, how could we remain her ally? This argument, then, it seems quite apparent, is used on the altogether false premise that even if the treaty is binding, the possible aggressive powers are impotent for military attack. The assumption is dangerous that a now subdued and incapable Russia will continue to be one for 10 years. If Russia were to fight Japan over Sakhalin, we would have but two choices—keep the treaty and support Japan, or do nothing and break our covenanted word. In the first case, war and its evils would result; in the second, we would violate our pledge, and hence lose the respect of the powers associated with us as well as resurrect their old suspicion and distrust.

In agreeing to respect the Pacific rights of the contracting parties we have in fact given our approval to stolen territory held arbitrarily against the will of those occupying it. Nothing could be more contrary to past American international practice, for hitherto we have gone along on the principle that we could defend our own territory and while respecting the just rights other nations had acquired we should let other nations defend theirs. Now, by this treaty we are getting something which we do not need: Compelled respect of our Pacific rights by other powers mutually joined with us and in return giving something which the other powers do need and would have difficulty in giving themselves—compelled respect for their territories and the protection which this respect would bring with it against the invasion of their ill-gotten rights.

Mr. President, I now proceed to enlarge upon some of the objections enumerated by me at the outset of this address:

I.

IN PRINCIPLE IT DEPARTS FROM PAST AMERICAN PRACTICE OF KEEPING OUT OF INTERNATIONAL ENTANGLEMENTS OVER "TERRITORIAL INTEGRITY OR POLITICAL INDEPENDENCE."

Under what theory did the founders consider foreign entanglements undesirable? A survey of the effects which such alliances have had in the past shows that they tend toward the creation of other alliances by excluding the nations having interests in the same sphere, finally ending in misunderstanding and war. Alliances, also, peculiarly enough, seem to have been confined to imperialistic powers for purposes of sustaining territories and rights acquired by imperialistic practice and confiscation. Moreover, alliances make other nations of the world feel a distrust for those participating in them, in that they seem to confine their interest and concern of the signatories to the immediate scope involved.

There is another objection to alliances which seems to me to be the most serious from the standpoint of a country like ours which accepts and has practiced democratic ideas. Inasmuch as it is impossible for us to join with powers who are not imperialistic the tendency in our diplomatic relations will be to regard international rights in the same sense as do imperialists. Admitting the fact that England, Japan, and France have been acknowledgedly selfish in their relations to smaller powers, it is sufficient to add, in view of our recent tendency toward imperialistic practice, as illustrated in San Domingo, Haiti, Samoa, as well as in the tenacity with which we continue to cling to the Philippines, is it not unwise for us to nurture these dangerous imperialistic germs by cementing our national interests closer to such nations?

II.

IT IS NOT, AS IT IS NOW DRAWN, INCLUSIVE OF ALL THE POSSIBLE PARTIES TO A DISPUTE AND HENCE UNJUDICIAL.

Under the present phrasing of article 2 if a dispute arose out of a Pacific question between one or more of the high contracting parties and a power external to the agreement no opportunity would be provided for permitting the nonmember power to state its side of the case. Thus, if after this treaty is put into effect the United States should grant independence to the Philippines and the latter power were to become involved concerning her rights with one of the signatories, the signatory might refer the matter for discussion and adjustment to the conference created by the treaty and arrive at an understanding as to the most efficient measures to be taken without ever having given the Philippines a chance to state the source and scope of the grievance. A conference seeking to do justice would bring in all parties whose rights may be in question in order that full explanations and complete details be obtained from both or all the claimants. Apart from the manifest justice of embracing all the various disputants in the conference, this would tend to expose clearly the causes of trouble and very possibly point the way to an amicable settlement.

Again, it may be readily apprehended that if Russia assumed in the future to gain back by aggressive action that portion of Sakhalin now in possession of Japan, allies, united for and earnestly desiring peace, would permit Russia's inclusion in the communications of the contracting parties relative to the most efficient measures to be taken.

III.

IT IS AN ALLIANCE OF LARGE POWERS FOR MUTUAL DEFENSE OF RIGHTS WHICH WILL, IF WORLD HISTORY IS CORRECT, INEVITABLY RESULT IN THE CREATION OF OTHER ALLIANCES TO COUNTERACT ITS INFLUENCE AND ACTIVITY.

But the possibility of international complications under the treaty are almost incalculable. Commercial, military, geographic rights are held by all the signatories in the Pacific. Under the old system of diplomacy, in which subjection and oppression of other peoples play such an important part, these rights are in a constant state of flux and are continuously being challenged by those against whom they are held. Are we to give our approval directly or impliedly to an instrument which in effect, because it tends to sustain national and international rights, reacts so as to prevent temporarily subdued people from ultimately rising and asserting their claims to the territories they inhabit? If Russia or China rebels against further confiscation of their property or trade rights, we will under this treaty be called into the dispute resulting. Our sanction will be sought by the exploiting party, and if not obtained will give cause for distrust and hard feeling between this Nation and one or more of the parties to this treaty. The whole agreement is a repudiation of fundamental Americanism and a step in the direction of the formation of group alliances, which have been breeders of trouble from the earliest recorded history. The League of Nations at least has the advantage, even if it does create a so-called supersovereignty, of embracing all the world and thus making a system of alliances in different parts of the world unnecessary. This treaty encourages such a system of alliances, for assuming the league to be nonoperative, it leaves Europe, Africa, the American Continent, and the Asiatic mainland unprotected by mutual guaranty between countries, as against the protection extended by this pact to the relatively insignificant insular possessions of the four powers. Assuming the league to be functioning as it was intended to the protection of this pact will, from the standpoint of the league, be meddlesome, unnecessary, and an unjustifiable interference with the functions of the league.

IV.

IT ALIENATES FRIENDLY POWERS LIKE RUSSIA AND CHINA, WHO WILL REGARD THE TREATY AS BEING DIRECTED TOWARD AND MILITATING AGAINST THEIR INTERESTS AND SECURITY.

And how can we regard the attitude toward us of friendly powers like Russia and China, who have territories in the Pacific, and yet who have been excluded from the discussions of this conference? Will they longer continue to look upon us as the champions of the rights of small, weak nations, as the savior of democracy, as the promoters of international peace and justice, or shall they feel that they are left alone and that we, too, are denying them their God-given right to enjoy the natural resources of their own soil and the political rights to which they are entitled? This being the case, is it not natural that they should turn to other sources for protection and help, and that, responding to the call of self-interest and self-preservation, they will link themselves together with other nations to the end of throwing off those who would dominate them and exploit their lands?

V.

IT COMPELS RECOGNITION OF FOREIGN RIGHTS WE KNOW TO HAVE BEEN ACQUIRED BY FORCE AND TO BE HELD IN CONTRAVENTION TO DEMOCRATIC NOTIONS.

Much has been said of the similarity between article 10 of the League of Nations and article 2 of this treaty. A comparison of the two shows, whereas the first concerns itself with the "respecting and protecting" of territories and political independence against external aggression of the entire world, the second demands the "respecting and maintaining" of national rights of the signatories in a certain sphere where their interests lie. Both instruments have designated a conference of the parties to advise upon the means by which these ends shall be achieved. In the strictest sense article 10 of the league is more equitable in that it respects and preserves the rights of the entire world and admits all nations to participate in disputes; whereas article 2 excludes all nations excepting those immediately interested, and reserves for itself the right of determining all disputes arising out of controversies in the relatively limited sphere of the Pacific regardless of other parties thereto. In both articles, if they are presumed to have

any effect, is the obligation to consult and decide upon means and then enforce the decision. Whether in the four-power treaty the use of force is inferential is irrelevant, for if the treaty is to have any strength or use at all it must be expected to apply armed force whenever a breach of rights occurs.

There is indeed something novel about the ethical and moral character of our country that it should be called upon and bind itself in an international treaty to respect the rights of other nations when there has never been an instance in history where this Nation has not respected the rights of other nations.

VI.

IT IMPLIES THE USE OF FORCE FOR ITS FULFILLMENT WHENEVER UNARBITRABLE CONTROVERSIES ISSUE.

The treaty calls for consultation and adjudication to meet the exigencies of a situation by conference in case the dispute is between the parties and by diplomatic communication in case the dispute is between the parties and an outside power. It thus implies that each power agrees to act if the rights of the other powers happen to be put in balance. It is not a question of merely consulting and then withdrawing if the circumstances are unappealing. Alliances in their nature call for mutual defense and mutual offense, or special sanction of the "interests or rights" of their members, regardless of what is set forth, implied, or directly understood in advance outside the context. In an alliance when the situation arises in which certain things are specifically called for there is no evading without breach of national honor. If the treaty is binding it is open to the same objections as the League of Nations. If it is not binding it is nebulous and useless, for in event of trouble in the Pacific it would call for no action other than that which the United States might be expected by the world to perform even if she happened to be outside the obligations of the treaty.

VII.

IT EXTENDS OUR PROTECTION, WHICH THE OTHER PARTIES ARE SO OFTEN APT TO NEED, IN RETURN FOR TERRITORIAL PROTECTION WHICH WE ALWAYS HAVE, COULD, AND SHOULD FURNISH OURSELVES.

The foreign relations of the United States fortunately have always been such that it has been unnecessary to request or seek the help of other powers in the maintenance of our territorial and political rights. This is not a characteristic which is true of the nations now related to us in this pact; every one of them at some time in its history has found itself in a position where it was menaced by external forces to such an extent that it became necessary to ask for support from powers abroad who might be urged to take defensive or even offensive action in their behalf in return for an agreement on their part to render similar service. It is not my belief that the United States ever would be in a position where it would be compelled to get help from other nations. Then we can not assume that we are getting any benefit from this alliance in actual military or naval support. The benefits derived under this treaty go altogether to the other powers, who are almost continuously at war by virtue of their commercial and territorial ambitions, and who, therefore, in getting our guaranties to sustain their rights, are receiving strength, assurance, and definite help in case they get into trouble.

VIII.

IT SUBORDINATES NATIONAL SELF-RESPECT IN PAYING PARTICIPATION IN THIS TREATY AS THE PRICE FOR THE ABROGATION OF THE ANGLO-JAPANESE TREATY.

If we regard as among the chief virtues of this treaty the fact that it terminates the Anglo-Japanese alliance, we have reached a lamentable state. Granted that this alliance was threatening our large trade and territorial interests in the Pacific; granted that a tangible agreement existed between the two powers calling for mutual assistance, in case of trouble; granted that the operations of this alliance might very conceivably be directed against the United States, do these things constitute a justification for entering this new alliance in order to remove the dangers of the old? A deeper national humiliation has never occurred in our entire history than would be marked by the adoption of a treaty of compromise with imperialistic nations in order to avoid their exploitations of ourselves—our Pacific possessions. In private life, if two men of doubtful ethics were to unite against a law-abiding citizen for the purpose of interfering with the enjoyment of some of his rights, what would we think of him if he were to join with them and accept their doctrines and wink at their practices as employed and directed against others just to secure immunity for himself? Before the eyes of the world, in the minds of whatever nations there are capable of judging actions in the light of moral values or shrewd enough to recognize the absence of them, if we ratify this four-power treaty on the grounds that it ends the menace of the Anglo-Japanese alliance, of being whipped into line by the joint brandishments of Japan and Great Britain, America is going to present the identical humiliating spectacle. A vote for this treaty, in my mind, is a surrender in large measure of that strength, vigor, character, and nobility of purpose that has given this country its greatness.

IX.

IT IS EITHER ANTAGONISTIC TO THE LEAGUE OF NATIONS OR IT THREATENS TO INVOLVE OUR TACIT RECOGNITION OF THE FUNCTIONS AND WORKS OF THE LEAGUE IN CASE ANY OF OUR ALLIES SUBMIT A DISPUTE INVOLVING THEIR PACIFIC RIGHTS TO THAT BODY.

The other three high contracting powers of this treaty—Great Britain, France, and Japan—are bona fide members of the League of Nations, a body organized to determine upon such questions as are raised by interference with the rights designated in this treaty. As members of the league, if they intend to be bound by its provisions, they would have to submit disputes arising to the council of that tribunal. The United States is not joined to the league covenant and therefore could give no validity to determinations it might make on questions relating to the same subject matter in the Pacific which it is the aim of this treaty to deal with. Accordingly, it should be definitely understood before we enter that so far as questions arising from the rights of the four powers in the Pacific are concerned they shall be submitted to and settled by the terms of the four-power treaty for the purposes of which the functions of the League of Nations shall be superseded.

[NOTE.—It is not sufficient to answer that this will be registered as a treaty with the league. Even then, in case trouble or the signs of trouble arose under the covenant the council would be free to accept whatever disputes were submitted to it by England, France, and Japan, unless these powers agree to refer them first to and abide last by the action of the four-power treaty.]

ISOLATION NOT THE ALTERNATIVE.

Mr. President, against the opposition to schemes which, whether or not they are entangling alliances, have claimed for them the virtue of aiming to preserve the peace of the world, there are some like those who have written and are supporting this treaty who cry chauvinism, selfishness, isolation, detachment from the responsibility of helping to solve the problems of mankind. This, however, is not a proper analysis of the reasons why I protest and will vote against this alliance. I am, as are all our citizens and every Member of this Senate, concerned with what perplexes or disturbs the course of human progress. I am eager, nay, zealous, to preserve the peace of the world. I desire that our country should play its proper part in truly keeping the world safe for democracy; in reducing the tremendous burdens of modern warfare; in minimizing the possibilities of costly international conflicts. But I believe that it is not necessary for America to bind herself to entangling agreements with other countries to accomplish this. I am further convinced that the strengthening and backing of imperialistic programs and policies never has and never will promote peace in the world. Conference, consultation, publicity, open frankness, an interchange of views taking place freely and by consent of those concerned in disputes, leaving independent judgment and freedom of action for all nations in deciding the merits of a case, I deem to be the best way of insuring peace between men—to discuss the facts when trouble comes, to cast fullest light upon the controversy and its roots, to unravel the misunderstandings which lie behind it in a council of nations summoned for the purpose who are not bound in advance by any guaranties to regard the attitude of special allies, but who can come to a decision as a result of an impartial survey of the situation. It seems to me to offer far more in the way of keeping stable conditions in the world than a system where fair judgments are warped by alliances and thwarted by prejudice.

Mr. President, I conclude with this proposition: What meaning has this treaty if it is not an implied promise to back up, under certain contingencies, some unknown situation with force? But if it does not mean that it certainly constitutes a perilous, obscure, and bewildering possibility of entanglements.

It matters not so much where and how a nation stands, but it does matter tremendously in what direction it is facing. I protest this treaty because it is making our country face about so far as her international policy is concerned. I protest because it is directing our country away from peace, independence, and freedom from international jealousies and entanglements toward ceaseless trouble, misunderstandings, questionable international practices, stultification, and wars.

Mr. SHEPPARD. Mr. President, it may be instructive to compare the methods of the four-power pact for the settlement of disputes with that of the League of Nations.

The league covenant obligates members to submit disputes to arbitration or to inquiry by the council or the assembly.

The four-power pact obligates members to submit the disputes within its scope to a conference composed of the four members themselves.

The league covenant thus provides a disinterested tribunal of which the parties at interest are not members. In no other way could a fair and disinterested settlement be obtained. A court of arbitration on which the parties to the controversy sat would be unthinkable. The league covenant requires that when a dispute shall have been referred to the council or assembly the decision shall be rendered by the member nations who are not parties to the question. There are 8 members of the council and 51 members of the assembly and the parties have the right to submit the question to either body if they do not submit it to arbitration.

The four-power pact provides that the disputing parties shall summon the other members of the pact to a conference and that the four members shall then consider and adjust the controversy. The disputing parties thus sit in judgment on their own contentions. In case of an important quarrel involving vital rights no disputant would ever yield. Refusal to concur in the decision of the majority would mean the end of the pact and war or serious rupture of relations would follow. Again, the four-power pact is confined to rights relating to island possessions and dominions in the Pacific—and the four powers are so intimately concerned and interlinked in connection with these possessions and dominions that they would all be more or less interested parties in any Pacific controversy. Consequently, a disinterested and judicial determination of disputes under the pact is practically impossible. The method provided is more of an invitation to war than to a peaceful composition of differences. So far as the United States is concerned the other three parties have so many interests in common, interests compelling them to make common cause, that she would be handicapped at any conference for the settlement of a dispute to which she might be a party. I shall go into this at length a little later.

The league covenant obligates the parties to a dispute not to go to war for three months after the award by the arbitrators or a decision by the council or assembly and in any event not to go to war with a member complying with such award or decision.

The four-power pact contains no such provisions. There is no stated obligation in this pact to refrain from war at all. Immediately after a decision by the conference of these four powers, including of course the parties to the dispute, a dissatisfied contestant may take up arms at once and probably would.

The league allows time for the cooling of angry passions, the return of reason and practical judgment. This invaluable element in any effective process for the settlement of international disputes is absent, as we have seen, from the four-power pact.

The pact proposes, therefore, a crude, primitive, uncertain, and inefficient method for the settlement of controversies.

The league covenant requires a unanimous vote of member nations before any determining action is had, except in certain minor specified matters.

The four-power pact is silent on this subject and the utmost confusion and dissatisfaction may result.

Indeed, it would have been far better for the peace of the world if Great Britain, France, and Japan had reminded the United States when the four-power pact was proposed that the League of Nations provided a satisfactory and efficient method for the settlement of any differences that might arise among the four powers over rights relating to Pacific Islands, and if they had conditioned their acceptance of the invitation to the Washington conference on the willingness of the United States to connect her proposals for naval armament reduction with the world plan for gradual disarmament on water, on land, and in air which the league was carefully working out.

Article 17 of the league covenant provides that in the event of a dispute between a member of the league and a state which is not a member the latter shall be invited by the council to accept the obligations of league membership for the purposes of such dispute on such conditions as the council may deem just. It provides that if the invitation is accepted the league provisions for arbitration and settlement shall be applied with such modification as the council may deem necessary. It provides further that on the proffer of the invitation the council shall immediately institute an inquiry into the circumstances of the dispute and recommend such action as may seem best and most effective under the circumstances. It provides also that if the State so invited refuses to accept and resorts to war against a member of the league the refusing State subjects itself to article 16 and is deemed therefore to be at war with every other member of the league. Whether the invitation is accepted or not the council must take jurisdiction, must investigate the controversy and make whatever suggestions it may consider most advisable.

The four-power pact stipulates that questions involving the rights of the parties in relation to insular possessions and dominions in the region of the Pacific Ocean and incapable of diplomatic adjustment shall be settled by a conference of the parties.

The United States is not a member of the league. Great Britain, France, and Japan, the other parties to the four-power pact, are members of the league. But for this four-power pact, therefore, the league would take immediate jurisdiction of a dispute between the United States and any of them and we would have the benefit of disinterested arbitration or of the judgment of a body in which nearly all the nations of the world are represented. Having agreed, however, to submit our disputes as to Pacific islands to a conference of four powers, of which we would be one and the other disputant another, the league would naturally hold on beginning the investigation required in article 17 that we should abide by the decision of the conference. The four-power pact deprives us of the equitable machinery so carefully devised by the league for the proper adjustment of disputes and places us at the mercy of parties immediately and directly interested. This pact drives us still further from the greatest tribunal history has yet seen for the maintenance of world peace—and this is in all probability its deliberate object. It is true that Great Britain, France, and Japan are members of the league, but so are forty-eight other nations, and each member has an equal voice in all decisions except when parties to disputes. If it be said that at least two of the other three members of the four-power pact could block a decision in our favor by the league it may be replied that they could not swing a decision against us unless practically all the world should be convinced of its merit. Furthermore, they could not long withstand the opinion of the balance of the league if it should be exerted in our behalf. In any event the jurisdiction of the league would be far preferable and far safer for the United States than that of the few powers immediately and materially and selfishly concerned in the questions covered by the four-power pact.

In my judgment there could be no such thing as a disinterested decision so far as our rights were concerned, when they clashed with those of Japan, or Great Britain, or France, before a tribunal composed solely of us and them. The ties that unite them are far more binding and more powerful than those which unite any of them to us. Great Britain and Japan are the two principal island empires of the earth. For 20 years they have had a military alliance. For 20 years they have said to all the world, strike one, strike both. For 20 years they have stood ready to shed their blood for one another. In 1914 Japan took up arms for Great Britain, who had recently gone to war for France, in the most critical moment Great Britain and France had ever known. So intimate became these relations as the struggle progressed that in secret they sorted out the German possessions in the Pacific—some of which lie across and control the cable, trade, and travel lanes from the United States to her Pacific holdings, including the Philippines—all of which may be zoned, as Germany attempted to zone the British isles in 1917, so as to place the Pacific under British and Japanese domination, and all of which we are asked through this four-power pact to respect and confirm in their new ownership. In my judgment we are also asked to preserve that ownership in certain contingencies with American blood. Great Britain, France, and Japan were armed allies in the World War for more than three years before we entered the fray.

Only a few days ago Great Britain and France formed a military alliance to last for twenty years. We have repudiated the treaty negotiated by our American President at the time, Woodrow Wilson, pledging us to join with Great Britain in protecting France. It is true that the formal alliance between Great Britain and Japan is formally to terminate if this four-power pact is established, but the community of interest that has knitted these empires together for two decades will remain. That alliance was to terminate or to be seriously modified anyway during the present year, and the claim that its abolition is due to the four-power pact reeks with fraud. That alliance was virtually doomed when Great Britain and Japan joined the League of Nations. They admitted that it was not in harmony with the league covenant and practically agreed to eliminate the military features. The league covenant provides that all treaties out of harmony with its purposes to which member nations are parties shall terminate.

Another link that binds Great Britain, France, and Japan together is their treatment of China. For decades they as well as Russia and Germany exploited the products, violated the sovereignty, and despoiled the territory of China. From 1842, the year of the so-called opium war in which Great Britain forced China to legalize the sale of opium, spreading ruin and

degradation among the Chinese inhabitants—from that year dates a story of international theft and plunder that may well bring a sneer from every thinking oriental when European progress is mentioned in his presence. Territories permanently appropriated like Hongkong, territories leased under pressure and placed under foreign rule like Kwang-Chow, vast concessions for railways and for mines, spheres of foreign influence enthroning monopoly and privilege over the fairest and richest sections, erection of foreign post offices and foreign courts on Chinese soil for foreign subjects, control of Chinese tariff laws by foreign Governments—these are some of the marks of western aggression in a land that had organized government, social order, cultivated soil supporting countless millions, philosophy, literature, culture, when the ancestors of these intruders were roving, semisavage tribes.

It is little wonder that the Chinese rose against the despoiler in the antiforeign outbreak known as the Boxer rebellion of 1900, and that for six weeks the world trembled for the fate of western diplomats and citizens beleaguered at Peking. The situation in China may be brought home to the United States by the following quotation: "It was as if the Russians and the English had just seized rival reservations on Long Island and the Jersey coast, commanding New York City; as if the English had wrenched away Charleston; the Germans, Philadelphia; the French, New Orleans; and Cossacks were garrisoned at strategic points throughout New England. It was as if the New York, New Haven & Hartford Railway were manned and guarded by Slavs, the New York Central by Belgians, the Pennsylvania by Prussians; as if the Pittsburgh mines were handed over en bloc to an English corporation and the Russians had exclusive mining rights to the gold of Alaska's Yukon region." The Russo-Japanese war and the World War have left Japan with the Russian and German spoils. The so-called nine-power treaty, which we will soon be called on to ratify, perpetrates a ghastly jest when it solemnly assures the protection of China's integrity for the future. Its meaning is that whatever the rapacious powers have overlooked will hereafter be respected. They respect it only because it got away. But the situation has other complications. Along the western shore of Russia lie numerous Japanese islands, many of them natural fortresses, many of them already fortified, barring Russia's access to the Pacific. Japan knows that Russia will again seek this outlet, and in driving the wedge of the four-power pact between Russia and the United States she, the most militant of the yellow races, has divided two great white centers; she, the devotee of the sun-goddess, heathen to the core, has yoked the greater part of Christendom to her chariot wheel. Great Britain knows that she can not dispense with the aid of Japan in maintaining her Indian Empire under the very nose of Russia; in keeping Russia out of the Indian Ocean and the Mediterranean. France knows that she must have the support of Great Britain in opposing the menace of reconstructed Germany and of Japan in preserving her conquests and aggressions in China.

Consider further that beneath an impassive exterior Japan cherishes a grievance against us of the bitterest and gravest sort. Under our laws no foreigners except whites and blacks are eligible to citizenship by naturalization and no Japanese laborers may enter our country. Japan regards this as an insult; a badge and brand of inferiority, a discrimination imposed by the white race on the yellow. Our laws exclude the Chinese laborers by name, but Japan, with the abnormal sensitiveness and pride of the newly arrived, would not tolerate such an indignity, and through the so-called gentlemen's agreement we permit her to enforce our immigration laws as to her subjects. Of course, this is to her an evidence of cowardice on our part and but deepens her determination to press the issue at every opportunity. She does not enforce the gentlemen's agreement honestly because she holds that her farmers and gardeners are not laborers. The result is that the number of Japanese in continental United States has grown from a few score in 1880 to more than 100,000 in 1920. Most of these are in California, where they are slowly supplanting the white farmer with their lower standards of living and clan exclusiveness. Already California and other States have enacted laws prohibiting aliens ineligible to citizenship from owning land, but lower living standards, group action, and racial solidarity are stronger than law, and wherever a Japanese farming community takes root it fastens itself with the tenacity of a cancer on the soil, ousting the American farmer, who can not, will not, and ought not live under such conditions as do the Japanese. A few months ago two Japanese farmers arrived in one of the most fertile valleys of Texas, having contracted for land they intended to cultivate. A deputation of American citizens met them as they stepped from the train, gave them firmly but quietly to understand that they would not be tolerated, and they were soon speeding back to the place whence they came. The State legislature then passed an alien land law similar to that of California. Thus the two civilizations clashed in Texas—the oriental and the American; the heathen and the Christian; the yellow and the white—a clash which is but the forerunner of a more sinister outcome unless the question is promptly settled. We want no Japanese clans monopolizing any part of Texas soil; we want no Buddhist temples under Texas skies.

Let us examine this problem more closely. For 3,000 years the Japanese have been forced to cultivate small areas until to-day, with the most exacting, tedious, and monotonous toil they make a square mile support 2,000 persons. Their farms average less than three acres to a family, and the income of the average farm family ranges from $75 to $150 per annum. Farm hands get about $27 a year with rice and shelter. The Japanese soldier gets about $5.50 per month. In 1917 the average wage in 33 Japanese industrial occupations was 30 cents a day. Skilled artisans received 47 cents, male textile workers 28½ cents, female textile workers 19 cents. Hours of labor for more than a million of these workers ranged from 11 to 14 per day. Japanese school-teachers get $17.25 a month, or about $207 per year. Multiplying at the rate of 600,000 or 700,000 every year the Japanese have about reached the point where the soil can no longer be made to furnish adequate subsistence, even with the discipline, the labor, the training, and study of 25 centuries. Consider further that Japan produces no cotton, coal, or iron, the basic materials of her already gigantic industrialism. Consider also that the poverty and discontent of the working masses may at any time become a menace to the prestige and control of the present autocratic government and it will be seen that Japan must have an outlet for her restless and growing millions or face internal chaos.

This is why the Japanese have almost accomplished the economic conquest of Hawaii. This is why the hundred thousand Japanese in California are receiving fresh and unlawful accessions from the homeland every day. This is why the Japanese Government could not if it would resist the pressure of its hungry myriads for transfer to the large and prosperous Japanese communities beyond the seas. Remember at this point that since they whipped one of the principal white nations in 1905, and became one of the leading powers of the earth, the Japanese Government and the Japanese people can see no reason why the Japanese should not have equal treatment with all others from every other Government and people. Equality, racial, social, economic, and governmental, is their insistent demand. And the Japanese people expect the Japanese Government to secure that equality. They have been taught that their Government is divine in origin and nature; to worship it as part of their religion; and of course they believe that it can accomplish anything, and naturally they can not see why a people whose Government is divine are not the equals of all other peoples. Therefore, the Japanese Government and the Japanese people furiously resent the action of the United States in barring them from citizenship, in refusing those among them who must wrest subsistence from an overcrowded and overcultivated soil admission to our spacious and unoccupied areas; they resent the action of some of our States in denying the Japanese already here the right to own land; they resent the boycotts and expulsions of Japanese farmers that are inevitably developing as the white race begins to strike in defense of its standards and its homes. How much wiser, kinder, and fairer it would be for all concerned to let Japan know now and for all time that the yellow farmer and the yellow wageworker can not and shall not find lodgment on American soil.

Now, what is happening in Hawaii, the most strategic point on the Pacific, where every vessel operating between America and Asia or America and Australia must stop for coal? The distances are such that if a vessel carried its own coal too little space would be left for cargo or passengers. Hawaii is a territory of the United States, like Alaska, and has its own local government and legislature. Of the 263,666 people in Hawaii, according to the last census, 159,900 are Asiatics, and of these Asiatics 109,269 are Japanese. Every Japanese child born in Hawaii is an American citizen, with all the rights of citizenship under our Constitution and laws. The United States Commissioner of Education made a survey of Hawaii in 1919. The commission making the survey was composed of Frank F. Bunker, of the United States Bureau of Education, Washington, D. C.; W. W. Kemp, chairman of education department, University of California; Parke R. Kolbe, president Municipal University, Akron, Ohio; George R. Twiss, professor of secondary education and State high school inspector, Ohio State University. In studying the school situation in Hawaii, these gentlemen found it advisable to examine the nature and tendencies

of the population. The survey showed that at the present rate of increase 47 out of every 100 voters in Hawaii will be Japanese in 20 years; that in the succeeding 20 they will control the territorial government of this vital American possession.

Of course, nothing can prevent a constant flow of these Japanese-Americans from Hawaii into California where a hundred thousand or more Japanese already have a foothold on the soil, adding further complications to this appalling problem. The survey indicated further that the Japanese had patience, persistence, thrift, ambition, group solidarity, acumen, and astuteness that enabled them to succeed where other races failed; that the Japanese preserved their racial allegiance and identity. The survey showed further that American public schools in Hawaii were seriously handicapped by Japanese schools taught by Japanese in the Japanese language; that wherever there was a group of Japanese families there was set up by the side of the American public school or near it a Japanese school conducted in the Japanese language for Japanese children who attended the American school; that the teachers of these Japanese schools came in all instances from Japan; that they were certified teachers in Japan and had often been recommended by the educational department of the Japanese Government; that not one of these teachers had been born or educated in Hawaii; that a prominent Japanese educator, Obata Shusan, had said in an address before the Japanese Educational Association of the island of Maui, one of the Hawaiian groups, the following:

> Any man who is to teach in Japanese language schools should not be a man with democratic ideas. The language school is not a place for a man with strong democratic ideas. A man of strong Japanese ideas should be its teacher.

The survey contained the following statement from an American school-teacher in Hawaii: "It is pretty hard to teach American ideals to a child who does his thinking in Japanese. As one who speaks Japanese and has had long experience in teaching orientals I wish to say that if the Japanese schools are continued we shall have a mongrel citizenship both in language and customs. The Japanese schools under cover of religious instruction teach the children loyalty to their Emperor and country. The Japanese language schools must go if we are to teach the young Japanese to become Americans."

One of the sentences of this American school-teacher in Hawaii bears repeating, studying, and weighing: "The Japanese schools under cover of religious instruction teach the children loyalty to their Emperor and country."

The survey showed that Buddhism, the Japanese heathen religion, was growing rapidly both in numbers and power in Hawaii; that the Nishi Hongwangji was the strongest Buddhist sect in the islands, having about 75,000 members; that the head of this sect was located in Japan and was called the boss or chief priest; that he was honored by the sect as they would honor a living Buddha; that he was represented in Hawaii by a kantoku, a sort of bishop, who had absolute authority over the priests, teachers, and members of the sect in Hawaii, controlling them "as easily as he moves his fingers."

But what of the situation in California? The last Federal census places the number of Japanese in that State at 70,196, a number that of itself does not seem formidable in a Commonwealth with a population of 3,200,000. The California State Board of Control says, however, that this figure, as well as that of the State census, 87,279, is too low. The board points out that the census of the Japanese districts was taken by Japanese enumerators because Americans could not be found who spoke the Japanese language, and that the numbers reported were generally recognized as too small; that many Japanese lived in remote valleys and were difficult to reach for enumeration; that smuggling across the Mexican border is in constant progress; that many Japanese work on both sides the American-Mexican border in the Imperial Valley, a condition making it easy for aliens to enter at this point; that the fishing fleets, operated mainly by Japanese in large power boats in both Mexican and American waters, afford perpetual opportunities for the violation of the gentlemen's agreement. The United States Commissioner General of Immigration reported on January 30, 1919, partly as follows:

> Confidential information of unquestioned authenticity shows very conclusively that Japanese smuggling across the Mexican border is carried on successfully and to a very large extent. Southern California possesses a peculiar attraction to the Japanese and it seems inevitable that if some effective means are not found to curb further growth the Japanese colonies in that section will expand in time into such proportions as to create a serious problem. Once safely across the line the contrabands find concealment at conveniently located ranches conducted by fellow countrymen where they work for small wages until a smattering of English and of sophistication are acquired when they proceed toward their respective ultimate destinations. When any of such contrabands are arrested the resident Japanese who have given them asylum rush to their defense and if necessary do not hesitate to perjure themselves as to the period of residence in the United States of the arrested alien.

The real number of Japanese in California might well be placed, according to the board, at 125,000. Far more significant than mere numbers is the fact that they locate in groups and clans, form farming communities under a definite system of cooperation, adhere to their own language, customs, and religion, never merging into the native society; indeed, finding the native society equally opposed to assimilation; and gradually driving out the American farmer, the foundation rock of this Republic, who will not lower his scale of living to compete with their processes and their standards, who will not share their customs and ideals, who will not reside among them, or mingle his blood and theirs. Already, says the board, these Japanese communities operate 458,456 acres of California's richest land, approximately one-eighth or one-ninth of the total amount. Agricultural California, the California of the Sacramento, the San Joaquin, the Imperial Valleys and similar localities comprises about one-sixth of the State's area and contains about one-third of the State's population. Between that third, that million of rural Americans and one hundred thousand or more farming Japanese has begun a silent battle that will grow more bitter with the years, a struggle involving the supreme issue of civilization; whether American individualism and American independence in their most magnificent embodiment, the American farmer, shall survive on American soil. The board states that the market value of crops produced by the Japanese in California has grown from $6,235,856 in 1909 to $67,145,730 in 1919; that between 80 and 90 per cent of most of California's vegetable and berry crops are produced on Japanese farms; that within a comparatively short time some of the State's essential food products will have passed to Japanese control.

Says Yomato Ichicashi, a Japanese instructor in Japanese history and economics at Leland Stanford University through the charts in his book on Japanese Immigration published in 1915:

> Out of every 100 people growing berries in California 88 are Japanese. Out of every 100 who raise sugar beets 67 are Japanese. Out of every 100 who grow grapes 52 are Japanese. Out of every 100 who raise vegetables for market 46 are Japanese. Out of every 100 who grow citrus fruits 39 are Japanese. Out of every 100 who grow deciduous fruits 36 are Japanese.

That was in 1915. The board says that the percentages are much higher now.

The group system of the Japanese is the century-old clan of feudalistic Japan reborn in the United States. It involves a subordination and absorption of the individual in the objects of the mass, antagonistic to and subversive of the very genius of American progress. Elwood Mead, author of a constructive land policy recently adopted by California and noted student of land problems everywhere, says that our country stands at the parting of the ways; that it must protect its civilization against the oriental or be prepared for continual conflict.

The Japanese birth rate in California is exceeding that of the American. The State Board of Control reports that in 1910 one Japanese child was born in California to every 43 white children; in 1919 one to every 12; that in the 18 farming counties where the Japanese have principally gathered, the birth rate has quadrupled in 10 years; that in districts where the Japanese have most largely settled about one-half of all the births in 1919 were Japanese. It is estimated that at the present rate of increase there will be more than a million Japanese in California in 40 years. They have the same Japanese school system in California as in Hawaii—a system preserving Japanese language, traditions, ideals, religion, loyalty to emperor and country.

A close observer of affairs in California describes the Japanese methods as follows:

> Look at the way Japanese districts have built up. Easterners do not realize the team play the Japanese use in this enterprise, and still less the psychological effect upon the whites in the region invaded. Elwood Mead has investigated many of these developments and finds that what happens is something like this: A few Japanese come to work in the neighborhood for a year or two, during which time they study the soils and crops and learn which tracts are best. Next, backed by members of their clan who have not yet appeared, they lease some of the desirable acreage, paying, if necessary, a rental far above the sums a white man would pay. All over the State they have thus forced up the rental value abnormally. Almost invariably the white owner of the land is delighted to make so much profit, so he signs the lease contract. From that time on the Japanese begin bobbing up, and in a short time they have picked up all the good rentable land about a village. They create their own cooperative buying and selling organization. They fill the public schools with their children. They set up native schools. They practice Buddhism. As soon as possible they begin buying farm land either in the names of their American-born babies or else through corporations, which easily evade the intent of the law prohibiting aliens from acquiring title to real estate. Once they possess such land in quantity they begin to force down the rents they have been paying for leased farms; and as many American farmers have, by this stage of the game, left the district in disgust they find this fairly easy. In some neighborhoods rents have first been driven up to three or four times the prevailing scale, only to be driven down later after foothold had been secured well below the earlier

level. And by reason of the presence of a Japanese colony the market value of such acreage drops sharply, for no whites will ever move into a Japanese district. Thus the Japanese manage to buy up all they wish at a bargain. In these methods no consistent American can find a moral wrong. They are not nearly so questionable as scores of business practices favored by our commercial classes. They are shrewd; that is the worst one can say of them. But the essential fact is that they anger the whites who have been the victims of the habit. No man likes to see the value of his farm dwindle as the result of alien neighbors. No man likes to see his children in school with a crowd of foreign children who speak their own language and herd apart from his own. No man likes to see his old neighbors move away one by one, leaving him alone in the midst of a people whose tongue he does not speak and with whom he can have no social intercourse, even if he tries to.

Mr. President, it is not surprising that the American citizens of California are beginning to take matters into their own hands. A typical instance was in 1920 when members of the American Legion served notice on the parties that a sale of land by an American to a Japanese could not go through. I need hardly add that it did not.

A few days ago a court in California rendered an epoch-marking decision on this land question. I quote from a writer upon the matter in the Pittsburgh Dispatch. The article is headed:

CAN'T STOP THE JAPANESE.

The old conflict between constitutional and statutory conditions, the old issue between Federal and State rights, thrust itself into the very center of the California-Japanese land question in the California superior court a few days ago and decided the point at stake in the case of the State of California against Jusuke Shingu. Judge McDaniel decided that American-born Japanese have a right to own land in California—a right that seems to make ineffectual the narrower intent of the land law aimed specifically against the Japanese. The point involved was the legality of a purchase of land by Shingu for his two minor children, which introduced an allegation of fraud and violation of the California antialien land law.

Judge McDaniel stated that he favors the antialien land law and has always upheld its constitutionality, but under the Constitution of the United States any American-born person has the right to the possession in the United States of land in his own right. The court dismissed the charge of fraud, since there was no attempt by Shingu to take possession of the land, and stated that the law does not forbid an alien father from advancing the purchase price of land for the benefit of his children who are American citizens.

To the statement of Attorney General Webb that the decision will permit the rapid and indefinite expansion of land ownership by Japanese, Judge McDaniel said if a fault exists it is basic, growing out of the fourteenth amendment to the Constitution, which makes of those born in the United States citizens of the State in which they reside. The land law from which anti-Japanese on the Pacific coast expected so much seems to have become stalled before it got started.

Mr. President, this decision bears a remarkable resemblance to the Dred Scott decision on slavery a few years prior to the Civil War. The Dred Scott decision anchored slavery to the Constitution and made war inevitable. This decision—and it will doubtless be sustained by the higher courts—anchors Japanese land ownership to the Constitution, and serious results are inevitable unless the problem is taken in hand.

Mr. President, why should we attempt to deceive ourselves into the notion that harmonious relations, harmonious treaty arrangements, are possible with Japan as long as this question remains unsolved?

No matter where they go the Japanese never lose touch with the home Government. The worship of the Japanese Emperor, obedience and loyalty to him, are part of their religion. There has been but one imperial family throughout the long history of Japan. It traces an unbroken descent for 25 centuries. The Japanese believe that the first Emperor was the grandson of the sun goddess, "the great heaven-illuminating goddess," Ameratsu, whom they reverence above all other deities, to whose shrine at Ise they make their principal pilgrimages, and who said to her grandson, the first Emperor: "This land (Japan) is the region over which my descendants shall be the lords. Do thou, very august child, proceed thither and govern it. *Go!* The prosperity of thy dynasty shall be coeval with heaven and earth!" Thus world empire is also part of the Japanese religion. The present Emperor is the one hundred and twenty-second in direct lineage from that grandson of the sun goddess. He is therefore a divinity himself and the Japanese, though they travel to the ends of the globe, retain their loyalty and allegiance to him. Keeping up the tradition, he never permits his subjects to drift beyond his tutelage and care. Wherever a community of 100 or more Japanese develops in America or elsewhere a Japanese association is formed under supervision of Japanese consuls and the Japanese Government, and the association practically governs the community. This is going steadily on in California. A tax is levied by the association for Japanese propaganda, a tax authorized by the Japanese Government. Japanese schools are established by the side of the schools of the country in which the community is located—Japanese schools where the Japanese language, Japanese ideals, and the Japanese religion are taught. About 80 Buddhist temples, or churches, have already been erected in California.

Japanese children born in America are American citizens under our laws, but unless their parents or guardians apply to the Japanese Government for permission to renounce Japanese allegiance before these children reach the age of 15, and unless the permission is formally granted, these children are also Japanese citizens under Japanese laws. Thousands of Japanese young men and women in this country owe allegiance, therefore, both to the United States and Japan. It is not difficult to predict which allegiance they would in a crisis prefer. The worship of the Emperor as a sacred being, the constant care of the Japanese Government, the preservation of Japanese customs, language, traditions, and ideals—the hostility of their American neighbors who feel that their own standards of existence are threatened by the Japanese, the influence of clan and family, and of the group unit in the Japanese economic and social system, the refusal of the United States to permit the parents of these younger Japanese to become citizens here, all these operate steadily to alienate the Japanese from everything American—to bind them closer to the Emperor and his Government. Thus there is growing up in the United States a population with which we can never merge—a transplanted Japan to which we can not accord equal privileges with our own people without imperiling our own civilization, and yet on whose equal treatment the Japanese Government will continue to insist, its anger and resentment increasing with our persistent but inevitable refusal until the arbitrament of arms looms on the horizon. It is a problem which must be met and mastered before it gets out of hand.

The special recognition accorded Japan through this four-power pact will make her all the more insistent on the abolition of all discrimination against her people. Her chief aspiration is equality of treatment for her people throughout the world, and every postponement of the controversy makes the final solution all the more dangerous. If I could have my way, I would not undertake any agreement with her until this question had been frankly and permanently set at rest. Sooner or later we must go to the assistance of our American compatriots in California and Hawaii; sooner or later we must make their cause our cause. It is the cause of the American farmer, the cause of American civilization.

It is evident that there can be no genuine understanding between Japan and America until the citizenship and immigration questions are settled. That this view is held also in Japan is evidenced by the fact that Viscount Shibusawa, known as Japan's grand old man, is reported by the Associated Press to have said in a speech at Tokyo on February 25 of the current year that the real attainment of American-Japanese understanding was dependent on the fundamental solution of the immigration question, and that the failure of the Washington conference to take it up was to be regretted.

The reference in Article I of the four-power pact to the harmonious accord now subsisting between the parties is false so far as Japan and the United States are concerned. Japanese presence, Japanese growth, Japanese acquisition in Hawaii, California, and elsewhere in the United States will prove an increasing source of friction with native Americans, and discriminations, restrictions, clashes will multiply. Thousands of Japanese are in the United States whom we have permitted to come, but to whom we deny naturalization or land ownership. Naturally they will claim the protection of their Emperor and their Government—and their Emperor and their Government will keep in close relation with them. Their children will continue to be claimed as citizens by both the United States and Japan, but in their hearts these children will remain Japanese subjects. The Japanese Emperor and Government operating in the very shadow of our flag, with association and with school, will take care that they so remain. The sense of injustice and of wrong cherished by the Japanese Government and people against us on account of what they consider an outrageous discrimination in the matter of citizenship, of immigration, and of rights in the United States, will deepen with the years. Considering the permanent and fundamental hostility of Japan, the ties and interests that bind Great Britain, France, Japan in a community of sympathy and purpose with which we have practically nothing in common—considering the further fact that the most unpopular nation in the world is the nation whom almost every other nation owes—it is easy to see at what a disadvantage the United States would be in any serious dispute under Article I of the four-power pact. We would be presentenced to defeat. The saddest part of it all is that the American people have been led to believe that the four-power pact is essential to the program for the limitation of arms, and is an assurance of world peace.

Senators argue that the four-power pact is necessary to arms reduction—that the nations would not limit armament without

it—and then tell us that it commits the parties to nothing beyond mere conversation. And this brings us to article 2, which provides that if the insular rights of the parties in the Pacific are threatened by the aggressive action of any other power the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation. If the parties should reach an understanding that the most efficient measure to be taken in a particular case involved force, may anyone reasonably deny that the parties would be morally obligated to use force? Observe that the language is not that the understanding will be as to measures that might be taken, but as to measures to be taken. The words "measures to be taken" are of like meaning as if they read "measures that shall be taken."

In my judgment, the language of this article is capable in honesty and candor of no other construction. And I am unwilling to commit my country to the use of force, in behalf of other nations, except in concert with practically all nations in a general league where the combined obligation of all would assure world peace.

The four-power pact sets up a group of nations that will lead to counter groups—an alliance that will lead to counter-alliances. It is a reversion to the diplomacy of a hundred years ago—the bloody game of powers against powers, continents against continents. It is our punishment for the repudiation of the treaty of Versailles, the rejection of the League of Nations—a maze of intrigue and deception—the outgrowth of secret whisperings beyond the reach of human records—urged as a basis for a so-called reduction of armaments that leaves the world with the largest land forces it has ever known in time of peace, the seas still choked with floating arsenals—a reenthronement of Machiavelli and Cæsar Borgia as the tutelary geniuses of mankind.

Mr. ROBINSON. Mr. President, an interesting and I believe an important issue has arisen between the Government of the United States and that of Great Britain respecting the ownership of Wrangell Island. I have no intention of entering into a discussion of the details bearing upon this controversy, but desire to say that it is quite likely that Wrangell Island will have an important relationship to future aggressions on the Asiatic mainland, whether those aggressions take the character of economic penetration supported by military power or actual military invasion.

In the New York Times, in issues of recent date, appeared a history of the discoveries of this island by Great Britain and by expeditionary forces of the United States, their failure to follow up their respective discoveries with occupation and control, references to the importance of the island from the standpoint of Asiatic commerce, particularly the fur trade of Siberia, and the importance of Wrangell Island from a strategic and military standpoint.

I ask leave to have the articles printed in the RECORD in 8-point type.

The VICE PRESIDENT. Without objection, it is so ordered.

The articles referred to are as follows:

STEFANSSON CLAIMS WRANGELL ISLAND FOR GREAT BRITAIN—THE EXPEDITION HE SENT OUT LAST FALL HAS ESTABLISHED POSSESSION, SAYS EXPLORER—TIMED TO FORESTALL JAPAN—ANY PREVIOUS CLAIMS OF AMERICA OR BRITAIN HAD LAPSED, HE HOLDS—NOW OFFERED TO CANADA—STEFANSSON DENIES THAT RUSSIA, TO WHOM THE ISLAND IS ALLOTTED ON MAPS, HAS ANY RIGHT TO IT.

"The British flag has been raised by a party sent out by Vilhjalmar Stefansson on Wrangell Island, one of the most important islands in the Arctic region, because strategically it dominates northeastern Siberia. The explorer now admits that when the little vanguard of his fifth and latest expedition, including citizens of the United States, landed on Wrangell Island, on September 21 last, its mission was political as well as scientific.

"Wrangell Island, which is about the size of Jamaica, lies 100 miles off the northeastern coast of Siberia and 400 miles west of Bering Strait, in latitude 71° N., and longitude 180°. For the most part it is a typical grass-covered Arctic prairie, noted for its interior granite cliffs, which reach a height of 2,000 feet, and also famed as the paradise of the polar bear.

"Following its discovery by the British in 1849, Wrangell Island was occupied in turn by Americans and British, both of whom, according to Stefansson, permitted their claims to lapse after five years, when neither country provided for continuous occupation. The claims of both the British and Americans were shadowy when the ill-fated *Karluk* was wrecked off Wrangell Island in 1914. The right of the British to occupy the island was reasserted, however, when 17 members of Stefansson's shipwrecked expedition landed and later ran up the British flag. Following the withdrawal of Stefansson's men, the British claims lapsed again in 1919, so toward the end of the five-year period the explorer began the organization of his Wrangell Island expedition.

"The little party that landed on Wrangell Island for the purpose of reasserting the right of British occupation was composed of four white men and as many Eskimos. The American members were E. L. Knight, of McMinnville, Oreg.; Frederick Maurer, of New Philadelphia, Ohio; and Milton Galle, of New Braunfels, Tex.

"Only the leader of the party, a Canadian, was apprised of the real nature of the expedition when it started, and he was Allan Crawford, a son of Professor Crawford, of Toronto University. The Americans, Stefansson explains, became identified with the undertaking simply through love of adventure. But the Americans were let into the secret when the party landed.

CANADIAN GOVERNMENT NOT IN THE SECRET.

"The expedition, which was designed by Stefansson to render an important service to his country, was organized without assistance from the British Government. Indeed, the exact nature of the expedition was not disclosed to the British Government until Stefansson went to Ottawa last Friday to make a report in person to Prime Minister Mackenzie King.

"Stefansson has tentatively planned to sail in the spring for England to report to the British Prime Minister on the results of his latest undertaking in the far north. But, pending instructions from the Government authorities, the explorer does not know whether his country will accept from his hands the gift of Wrangell Island because of possible international complications. He says he has established no personal claims by occupation of the island.

"The Wrangell Island expedition was organized and equipped by Stefansson in the face of many obstacles. The first problem he had to overcome was one of financing. Eventually Stefansson put into the enterprise his entire personal savings from his explorations, his writings and his lectures. Still the financial organization was inadequate. So the explorer sought the assistance of friends. To the generosity of the latter Stefansson attributes the success of the expedition.

"News of the arrival of the expedition was received in New York City by Stefansson on October 22, 1921, in a message signed by Commander Crawford, which was relayed from Vancouver, British Columbia. This message, dated September 21, 1921, read:

"'Arrived at Wrangell Island last night. Letter to you contains documents. Lots of driftwood and tracks. Looking forward to good winter. No ice yet.'

"This is the only message that the organizer of the expedition has received from his men, who are the first white men ever to spend an entire winter on Wrangell Island. But he said that the message, read between the lines, indicated that his party would be able to live off the country, for the driftwood was sufficient to furnish shelter and fuel, and the tracks meant there would be ample food and clothing.

"'I took into my confidence only one man,' said Stefansson. 'His name is A. J. Taylor, a mining engineer in Vancouver. The best men that I had to go north were American citizens, but being a British subject, and desiring to have this a British enterprise, I had to take some Britisher into my confidence. I decided on Taylor, and the latter, acting for me, incorporated under the laws of British Columbia a limited liability corporation called the Stefansson Exploration & Development Co., with offices in the Credit Foncier Building, Vancouver.

"'This company employed the following four men: Allan Crawford, son of Professor Crawford, of Toronto University, who was to be in nominal command, and then along with him two of my very best men, Lorne Knight, of McMinnville, Oreg., with me four years in the North, and Fred Maurer, of New Philadelphia, Ohio, who had been with me in the North and was a member of the party that occupied Wrangell Island in 1914. I sent also a boy, Milton Galle, of New Braunsfels, Tex., who had been with me on a lecture tour.

"'These men, without knowing what they were up to, except that I had confided to a certain extent in Crawford, went by steamer from Seattle to Nome, where I had chartered for them the auxiliary sloop *Silver Wave*. They sailed from Nome on August 8, 1921. The sloop was commanded by Capt. John Hammer.

FIRST BRITISH DISCOVERY.

"'Wrangell Island was discovered in 1849 by a British naval expedition under Captain Kellett, who sailed close in but did not go ashore. For a long time it was described in maps as Kelletts Land and was supposed to be a continent. When Kellett discovered this island it was assumed to be the same sought by Baron Wrangell, who in 1825 came down the Kolyma River,

which has its mouth on the northerly coast of Siberia, and heard from the natives that there was a great land to the north of Siberia. He made seven sled journeys without finding that land.

"'In 1869 an American whaling captain, Long, of New Bedford, sighted Kelletts Land, which was not shown in his maps. But Long had heard of Baron Wrangell, his search and failure, and he connected the island he had sighted with Wrangell.

"'Long told of his "discovery" of the island and of his having named it Wrangell Land in an interview for the newspapers of his first port of call on his return, which happened to be Honolulu, where there were a number of papers published in the English language. His log gave the position of the island correctly, but the discovery which he supposed he had made did not constitute a claim for America.

"'In 1881 several American naval ships were searching for the lost expedition of Captain de Long, sent out by the New York Herald, when two of the ships landed men. The first was the *Corwin*, aboard which was John Muir, author of 'The Cruise of the Corwin.' This party went ashore for only part of a day, but another American ship, the *Rogers*, landed there a party who remained for two or three weeks.

"'Their explorations would give to America the claim to Wrangell Island if they had decided to follow it up. But this claim lapsed in 1886. The situation subsequent to 1886 was that both America and Great Britain had shadowy claims.

"'From that time nobody landed on Wrangell Island so far as I know. It was frequently sighted by American whaling ships, but they never took occasion to land.

"'Our ship, the *Karluk*, a British naval vessel, which was the property of the Canadian Government, and her men all in the employ of the navy, was wrecked just north of Wrangell Island in 1914, when 17 men went ashore and stayed on Wrangell Island from February to September. This is the only time that the island has been occupied.

"'The only Russian who ever looked for that island was Wrangell, and he did not find it. The only Russian ships ever in sight of Wrangell Island were the *Taimer* and the *Vaigatch*. They were ordered by the Russian Government to try to rescue my men when they were on Wrangell Island, but they failed to reach the island on account of the ice. Before they had time to make a second trial the war broke out.

"'There are no treaties so far as I have been able to discover that have any bearing on the ownership of Wrangell Island. It is commonly supposed that under the terms of the treaty by which Alaska was ceded to the United States the right of Russia to any territory to the west of the boundary of Alaska was recognized, but there is no such paragraph in that document, as can be readily ascertained by anyone who will take the trouble to look up the treaty.'

"The fact that Wrangell Island had been identified by map coloration as a possession of Russia is attributed by Stefansson to the irresponsibility or ignorance of publishers. When it was pointed out that some maps issued by the United States Government showed Wrangell Island in the same color as Russia, he insisted that such an error on the part of the Government map makers was likely to occur in view of the limitations of some clerk in the employ of the Government."

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DISPUTE CLAIMS TO WRANGELL LAND—AMERICAN SCIENTISTS POINT TO OUR NAVY'S DISCOVERY PRIOR TO STEFANSSON'S—TWO LANDINGS MADE IN 1881—E. W. NELSON, ONE OF THE DISCOVERERS, TELLS OF PLANTING FLAGS AND TAKING POSSESSION

[Special to the New York Times.]

WASHINGTON, *March 20*.

"The claim advanced by Vilhjalmur Stefansson that his recent explorations have established British sovereignty over Wrangell Island, or Wrangell Land, is challenged by American scientists and explorers.

"The only claim, they say, that Stefansson can lay to the island is by right of discovery, and any such claim is negatived by prior discovery, the island having been taken possession of twice within a space of two weeks in August, 1881, by officially accredited expeditions of the United States Government.

"State Department officials would not comment to-night on the claims made by Stefansson.

"The two American expeditionary forces that planted the American flag and laid claim to Wrangell Island in the summer of 1881 had been sent into the Arctic region with instructions to search for the missing cruiser *Jeanette*, which had been sent out in command of Lieut. Commander George W. de Long on an expedition the object of which was to drift across the Polar Sea. The *Jeanette* had not been heard from for more than two years, and the American Government sent out five expeditions in 1881 to hunt for the missing steamer, which was later found to have been crushed in the ice, only a few of her crew managing to make their way to the Siberian mainland.

"One of these relief expeditions went in the revenue cutter *Corwin*, commanded by Capt. C. L. Hopper, United States Navy, and another was sent in the *Rodgers*, a United States naval vessel, which had been converted for the purpose from a steam whaler and was commanded by Lieut. Robert M. Berry, United States Navy. De Long of the *Jeannette* had stated his intention of landing on Wrangell Land, as it was then called, and both the *Corwin* and *Rodgers* headed for that region and with some difficulty landed forces on Wrangell Land. Both planted the American flag and both left records in bottles in a cairn.

"The landing party from the *Corwin* was the first body of explorers that ever made a landing on Wrangell Land. The late John Muir, naturalist, was one of the men in the open boat from the *Corwin* who landed and took possession of the land in the name of the United States Government. There are several scientists in Washington to-day who were in that little group of explorers. One of them is Edward William Nelson, who since 1890 has been with the Bureau of Biological Survey of the Department of Agriculture, of which he is now chief.

"'Any claim that Stefansson lays to Wrangell Island by right of discovery,' said Mr. Nelson to the New York Times correspondent to-night, 'is offset by the fact that the United States can set up a priority claim. For nearly a century Wrangell Land had been known to the world of exploration. Lying about 100 miles off the northern coast of Siberia, but considerably west of Bering Strait, Wrangell Land had been known to the Russians and others for a long time. Many efforts had been made to reach Wrangell Land over the ice. They had failed. In the search for the missing *Jeannette*, forces from both the revenue cutter *Corwin* and the naval vessel *Rodgers* landed on what was then known on the maps as Wrangell Land.

"'I was in the open boat that went from the *Corwin* and landed on Wrangell Land,' said Mr. Nelson. 'John Muir, the naturalist, as well as Captain Hopper, the commander of the *Corwin*, and others, were in the boat. We landed, erected an American flag, took possession in the name of the United States by right of discovery, and left a written record in a bottle in a cairn which we had erected. We were the first explorers to land on the island. We established America's prior claim.

"'Within a few weeks, although we did not learn of this until we came back from Wrangell, Lieutenant Berry and a naval force from the *Rodgers* also landed on the island. Lieutenant Berry's force was the first to establish the fact that it was an island and not a continent, as had been previously supposed. Before that Wrangell Land had been shown on the maps as an Arctic continent. Lieutenant Berry's force spent some time on the island, went all around its shores, surveyed and mapped the island, found the cairn our party from the *Corwin* had erected, copied the record we had left, brought the original back to Washington, and left the copy of our record, with their record, in the cairn. Lieutenant Berry's force also planted the American flag.

"'So, you see, both the *Corwin* party and the *Rodgers* party took possession of the island by right of discovery, and that was within a space of a few weeks.'"

"Mr. Nelson did not care to comment on the political aspects of the action taken by Stefansson; but it was learned in an informed quarter that information had reached Washington that British, or Canadian, interests had been considering the establishment on Wrangell Island of a Hudson Bay Co. trading post, and it was pointed out by Government scientists here to-night that such a post would have a strategic value with respect to northeastern Siberia and its wealth of fur. It is learned that there is a fear in some quarters that possession of such a strategic point might, if unchallenged by the United States Government, result in British fur interests elbowing Nome and other American fur interests out of the Siberian fur trade.

"The Supreme Court has held that by the law of nations, which all States have recognized, dominion over new territory may be acquired by discovery and occupation, as well as by cession and conquest; but it has been held that discovery alone is not enough to give dominion and jurisdiction unless followed by possession."

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"The State Department admitted yesterday that Vilhjalmur Stefansson's claim that his recent explorations established British sovereignty over Wrangell Island has led it to study the whole question, with a view to taking a firm stand on such American rights as were gained by the expedition of 1881. American air strategists feel that flying progress has given new importance to the Arctic position."

Mr. KING. Mr. President, soon after the convening of the Washington conference, that is, November 28, 1921, I gave a brief interview to the press concerning the conference. I think it

has some relation to the matter under discussion, and I ask that it may be printed in the RECORD in the usual 8-point type.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

"The suggestion alleged to have emanated from the White House, that the Washington conference is the germ of an association of nations, will not only be disquieting to many, but will have the effect of opening a Pandora's box. The purpose of the conference was not clearly understood by many and its proceedings have not led to a clarification of the situation. There were those who believed that a conference of a few nations could and would limit naval armaments and they saw in the conference a most hopeful prospect. Still others believed that a conference of three of the great naval powers of the world and three or four other nations would accomplish but little in relieving the world from the burdens of either naval or military armament and promoting world peace. Those in this category felt that the scope of the conference should be broadened and other nations invited, so that the entire question of world disarmament and the establishment of international instrumentalities as administrative or executive agencies of the participating powers, could be canvassed and determined. They felt that a conference of a few powers to limit naval armament, even though in the agenda the discussion of Far East problems was provided, would fail to accomplish any effective or beneficial results; that any agreement reached would be regarded by the nations as the basis of an alliance with limited and perhaps narrow objectives; that though it limited the naval armament of three powers and thus diminished the tax burdens of such powers, there would be no removal of the causes of war—indeed that the interpretation of such an agreement might be provocative of international disputes; that any agreement between the members of the conference which did not set up tribunals to interpret it and to enforce it would leave the signatories to the agreement in a helpless situation; and that such an agreement, if entered into, might contravene obligations assumed by some of the powers when they became parties to the Versailles treaty. And still others who were unrelenting foes of the League of Nations believed that the Washington conference would separate Great Britain, France, and Japan from the League of Nations and thus compass its destruction, which to such persons was a consummation devoutly to be wished.

"The uncertain and conflicting utterances of President Harding, both before the election and since, leave the average mind in a state of bewilderment as to what the White House suggestion means. To many—and I am in that class—who believe that the United States should have ratified the Versailles treaty and entered the League of Nations, the suggestion will not be enthusiastically received unless it shall be made clear that it is not the intention of the President and the proponents of this scheme to destroy the League of Nations and to attempt to set up a Republican or Harding or purely American league or union or association of nations.

"The overwhelming majority of the American people desire a league of the nations of the world for the purpose of securing not alone a limitation of naval armaments but world disarmament and the establishment of such international agencies through which the nations will execute their purposes and promote world fellowship and world peace. This feeling is shared by the people in every country. The world is anxious for peace and for such a league or association as will bring about disarmament and set the nations upon the highway of international amity and good will. Notwithstanding the defects in the covenant of the League of Nations, it constitutes a basis for world union, and if this Nation should unite with the 50 powers now members of the league the conference at Washington would be unnecessary and the small and narrow field which it seeks to cover would be lost in the broad and generous field of comprehensive purpose for which the League of Nations stands and which it is pledged to accomplish.

"If this alleged White House plan is to set up a rival organization of the league, it is doomed to failure, as it should fail. It would be a crime against humanity to seek the destruction of the league formed by the Versailles treaty. If President Harding desires a world union and world peace, he should address himself to the execution of the purposes of the league and to securing such reservations and amendments to its organic law as may be deemed necessary to protect the interests of this and other nations.

"There is no field for two parallel world organizations aimed at securing disarmament and world peace. If they are not parallel but converge, it were better that the convergence should be accomplished before divergence appears. Any attempt to set up another association of nations would provoke suspicions, jealousies, fears, and controversies throughout the world. I believe most nations are willing to recognize the hegemony of the United States in any plan or union which seeks the establishment of peace and the setting up of tribunals for conciliation, arbitration, and adjudication. This Nation could secure such changes in the League of Nations as would satisfy the American people and thus put our Nation in the way of becoming a member of the league, where it would assume an important and, indeed, a preeminent position. Thus there would be secured not only what the Washington conference seeks but much more—not only a limitation of the naval armaments of nations but a reduction in the naval armaments and the military armaments of all nations, even to the point of world disarmament. It is folly to talk of another association of nations while one already exists and is sincerely and with a broad and liberal spirit addressing itself to a mitigation of the sorrows and evils now afflicting the world. No narrow partisanship and no petty jealousies must be projected at this time to compass the destruction of the noble work to which President Wilson gave so generously of his life and of his soul.

"Neither this conference nor this Nation must send forth the word that unless the nations of the earth accept a plan of world union with the brand of this administration upon it, it must be destroyed. This conference can perform a noble and a mighty work if it shall bring itself into apposition with the league, if it shall provide means of contract with the league and its organizations which are now formulating plans for world disarmament, and cooperate with them, if it shall open the way for the United States to sit down at the council table, around which are gathered the members of the League of Nations and shall aid in enlarging that council until Germany and all other nations have membership therein. If that is its purpose and task, then its achievements will be memorable and President Harding and all who contribute to a consummation so glorious and beneficent will be crowned with honor and immorality."

Mr. KING. Mr. President, later I gave another interview, which was published in a number of papers, among them the New York Times, giving my views upon the conference, and expressing certain apprehensions as to results. I ask that it may likewise be printed in the RECORD in 8-point type.

The VICE PRESIDENT. If there is no objection, it is so ordered.

The matter referred to is as follows:

CALLS CONFERENCE LEAGUE'S RIVAL—FEARS EFFECT ON LEAGUE—EXECUTION OF ITS PURPOSE MAY BE BLOCKED BY TREATIES NOW BEING MADE HERE.

(Special cable to The New York Times.)

"Washington, D. C., December 18.—* * * Events transpiring, not only in the United States, but throughout the world, furnish convincing proof that a league of nations or an association of the nations of the world is necessary, not only for the economic and industrial welfare of the world but for its peace. The economic crisis in the United States, as well as in Europe, challenges attention to the fact that the nations of the earth must associate themselves together to prevent universal bankruptcy and restore prosperity. *

DEMAND FOR ECONOMIC CONFERENCE.

"From every country appeals are being made for conferences to deal with economic and fiscal affairs. Business men, farmers, and, indeed, all classes of citizens, are asking for a world conference to deal with economic matters, to stabilize exchange, and to provide means of credit so that the products of fields and mills and farms may find markets where they are so imperatively needed.

"It is vital that the world have peace, that the military spirit be dissipated, and that opportunities be afforded for the resuscitation of business activities of the people. If we had ratified the Versailles treaty with the obligations and sanctions of the league, long before this the nations would have been at peace. They would have felt secure in their territorial integrity and their political independence, and would have voluntarily reduced their military and naval armaments far below the point sought by the Washington conference.

"What is needed in the world is trust and confidence. This will result from an association of all the nations of the world to promote peace as well as economic developments. The Washington conference is a belated effort to place the United States in a position which it refused to accept when it rejected the Versailles treaty.

"The purposes of the conference are praiseworthy. Undoubtedly there are some who are interested in having it called who hoped thereby to effectually destroy the League of Nations. They believed that an alliance between the leading powers participating in the Washington conference would set up a rival organization which would so discredit the league as to bring about its early dissolution. Doubtless there were others who believed that the work of the Washington conference would

be supplementary to the work of the League of Nations, and that this conference and the league would harmoniously collaborate to secure the same end.

"But to those who believe in an association of the nations of the world to promote international good will and to secure the blessings of international trade and commerce the Washington conference will appear an imperfect instrumentality to accomplish that end. It will provoke criticism which always attends the formation of an alliance between nations, and by some will be regarded as a scheme to give to the four great powers participating in the conference undisputed power and influence in the Pacific and in the Far East.

"It is calculated to arouse jealousy and provoke resentment on the part of nations who have not been invited to participate and who may fear that their interests in regions referred to will be jeopardized and that a strong quadruple alliance will be formed which will seek to project itself into other parts of the world and to influence the economic and political course of other continents and peoples.

"In my opinion, if representatives at the conference from nations that are members of the league had frankly stated at the outset that while they were glad to take part in the conference and would contribute in every possible way to its success, they felt it their duty to announce that their Governments adhered to the League of Nations, believed in its mission, and would consent to no program which would contravene obligations flowing from the ratification of the Versailles treaty or in any manner impair the league or derogate from its authority and power, their sincerity would now be absolutely unquestioned.

CONFERENCE A CAUSE OF DISTRUST.

"Failure to take this course will lead the people of many nations to believe that the alliance here formed seeks not only to discredit the league but to destroy it. The Versailles treaty provides agencies and a comprehensive plan to secure not a mere limitation of naval armaments on the part of the three great naval powers of the world, but to bring about world disarmament. The purposes of the league are more comprehensive and the machinery provided to accomplish the beneficent results for which it was organized is adequate and will be effective.

"To some it may appear that the action of this conference is hostile to the program and actions of the league. Already a commission is at work, appointed by the league, to provide a plan for world disarmament. That plan may, and doubtless will, call for a far greater reduction in the number of war vessels to be maintained by the United States, Great Britain, and Japan. When that plan is announced will Great Britain and Japan adhere to the quadruple alliance program and the 5–5–3 naval ratio or will they conform to the requirements of the League of Nations?

"Obviously the treaty which it is proposed we shall now enter into, ratifying the 5–5–3 ratio, will prove an obstacle to the plans by Great Britain and Japan as recommended by the League of Nations. In other words, this conference may be an impediment not only to a reduction in the naval disarmament of the three contracting parties, but an insuperable obstacle to world disarmament.

"Of course, peace in the Orient is desired, and it may be supposed by many that the quadruple alliance insures peace in the Orient; but I repeat that the compact here suggested may be an obstacle to the execution of the purposes of the league and the completion of a program more comprehensive and bringing within its sphere of influence and operations substantially all of the nations of the world.

"It would be reassuring if the nations now at the Washington conference should declare that they have no purpose to impair the league or to interfere with its activities; that they only seek to supplement the great work to which it is dedicated, and they desire to bring this conference into contact with it to the end that the program of the Washington conference to limit naval armament may be carried out, but that the broader policy of the league may likewise be executed so that all nations will be brought into close and friendly cooperation, that thereby nations may be relieved from the burdens of naval and military armament, and the fountains of peace may perennially flow for the happiness and prosperity of all nations."

Mr. WALSH of Massachusetts. Mr. President I present a reservation intended to be proposed by me as a part of the resolution of ratification of the treaty under discussion, and I ask that it be printed and lie upon the table.

The proposed reservation was ordered to be printed and to lie on the table, as follows:

Provided further, That if the United States should grant to the Philippine Islands their independence subsequent to the ratification of the four-power treaty, the independent Philippine State shall be admitted to all conferences called under the terms of the said treaty and enjoy the same rights and privileges as the original signatories.

RECESS.

Mr. ROBINSON. I move that the Senate take a recess, the recess being, under the previous order, until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 9 o'clock and 55 minutes p. m.) the Senate, as in open executive session, took a recess until to-morrow, Thursday, March 23, 1922, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 22 (legislative day of March 16), 1922.

POSTMASTERS.

CALIFORNIA.

Frank S. Stephenson to be postmaster at Terra Bella, Calif. Office became presidential January 1, 1921.

Alvin L. Woodin to be postmaster at Atascadero, Calif., in place of R. P. O'Connor, resigned.

John W. Mullen to be postmaster at Mendocino, Calif., in place of A. A. Heeser, resigned.

CONNECTICUT.

William S. Tifft to be postmaster at Seymour, Conn., in place of J. J. Molans. Incumbent's commission expired July 21, 1921.

DELAWARE.

Stephen W. Miller to be postmaster at Camden, Del. Office became presidential January 1, 1921.

FLORIDA.

William T. Dupree to be postmaster at Citra, Fla. Office became presidential January 1, 1922.

Orlando J. Price to be postmaster at Okeechobee, Fla., in place of L. M. Raulerson, resigned.

ILLINOIS.

Ralph K. Crawford to be postmaster at West Point, Ill. Office became presidential April 1, 1921.

Pearl Richcreek to be postmaster at Argo, Ill., in place of E. E. Linn, resigned.

Charles W. Jones to be postmaster at Chandlerville, Ill., in place of J. E. Rethorn. Incumbent's commission expired February 4, 1922.

Edgar H. Mills to be postmaster at Lawrenceville, Ill., in place of H. C. Johnson. Incumbent's commission expired February 4, 1922.

Frank E. Walters to be postmaster at Seaton, Ill., in place of T. R. Wright. Incumbent's commission expired January 8, 1921.

Alfred J. Meyer to be postmaster at Worden, Ill., in place of A. Z. Rice. Incumbent's commission expired December 17, 1919.

IOWA.

Elmer Akers to be postmaster at Decatur, Iowa. Office became presidential January 1, 1921.

Jay E. Beemer to be postmaster at Gravity, Iowa, in place of Sam Robinson. Incumbent's commission expired January 24, 1922.

Isabelle A. Boyle to be postmaster at McGregor, Iowa, in place of Anton Huebsch. Incumbent's commission expired January 24, 1922.

Iver Iverson to be postmaster at Northwood, Iowa, in place of C. W. Remore. Incumbent's commission expired August 7, 1921.

KANSAS.

Henry Uhlenhop to be postmaster at Leonardville, Kans., in place of W. P. Turner. Incumbent's commission expired March 16, 1921.

KENTUCKY.

Francis A. Wiseman to be postmaster at Cecilia, Ky. Office became presidential April 1, 1921.

Albert R. Hornback to be postmaster at Sonora, Ky. Office became presidential January 1, 1921.

LOUISIANA.

Ella Farr to be postmaster at Gilliam, La. Office became presidential October 1, 1919.

MASSACHUSETTS.

William S. Curtis to be postmaster at Hanover, Mass., in place of J. H. Flavell. Incumbent's commission expired January 24, 1922.

Louis N. Chase to be postmaster at Weston, Mass., in place of D. A. Sheehan, resigned.

MICHIGAN.

Verl L. Amsbaugh to be postmaster at Camden, Mich., in place of I. D. Black. Incumbent's commission expired December 20, 1920.

Lewis J. Hough to be postmaster at Flushing, Mich., in place of F. D. Perkins. Incumbent's commission expired January 24, 1922.

Ira N. Dowd to be postmaster at Ontonagon, Mich., in place of I. E. Bush, resigned.

MISSOURI.

Joseph Snider to be postmaster at Ludlow, Mo. Office became presidential October 1, 1921.

Russell E. Worth to be postmaster at Bogard, Mo., in place of Herbert Standley, resigned.

Alfred L. Jenkins to be postmaster at Chulpa, Mo., in place of Ruth Thompson, resigned.

Mary Shivers to be postmaster at Malden, Mo., in place of C. L. Chandler. Incumbent's commission expired July 10, 1920.

NEBRASKA.

Willard R. Cross to be postmaster at Moorefield, Nebr. Office became presidential January 1, 1921.

NEVADA.

Edward C. Fries to be postmaster at Lovelock (late Lovelocks), Nev., in place of J. H. Causten, appointee, declined.

NEW JERSEY.

Fred D. Matteson to be postmaster at Berlin, N. J., in place of H. N. Gillon. Incumbent's commission expired January 24, 1922.

NEW YORK.

Roy T. Merrill to be postmaster at Holley, N. Y., in place of Edward Coady. Incumbent's commission expired January 6, 1920.

NORTH CAROLINA.

Walter H. Finch to be postmaster at Kittrell, N. C., in place of I. T. Hunt. Incumbent's commission expired January 24, 1922.

Charles M. Freeman to be postmaster at Troy, N. C., in place of J. F. Saunders. Incumbent's commission expired January 24, 1922.

NORTH DAKOTA.

John K. Diehm to be postmaster at Schafer, N. Dak. Office became presidential January 1, 1922.

OHIO.

James B. Jones to be postmaster at Canfield, Ohio, in place of C. C. Fowler. Incumbent's commission expired January 31, 1922.

Mamie O. Chapman to be postmaster at Euclid, Ohio, in place of F. L. Priday, resigned.

William R. Poulson to be postmaster at Holgate, Ohio, in place of G. E. Ricker, resigned.

OKLAHOMA.

Joseph J. Atterberry to be postmaster at Gould, Okla. Office became presidential January 1, 1921.

PENNSYLVANIA.

J. Russell Clayton to be postmaster at Bryn Athyn, Pa. Office became presidential January 1, 1921.

Frank R. Jones to be postmaster at Iselin, Pa. Office became presidential October 1, 1920.

Mike Humenik to be postmaster at Slovan, Pa. Office became presidential January 1, 1921.

William F. Houser, sr., to be postmaster at Middletown, Pa., in place of J. A. Kramer. Incumbent's commission expired August 7, 1921.

RHODE ISLAND.

Florence E. Booth to be postmaster at Oakland Beach, R. I. Office became presidential January 1, 1921.

TENNESSEE.

Glenn C. Hodges to be postmaster at Cowan, Tenn. Office became presidential October 1, 1920.

WEST VIRGINIA.

Scott Straley to be postmaster at Janelew, W. Va., in place of O. C. Dawson. Incumbent's commission expired January 24, 1921.

John W. Kastle, jr., to be postmaster at Martinsburg, W. Va., in place of J. F. Thompson, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 22 (legislative day of March 16), 1922.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Samuel H. Piles to be envoy extraordinary and minister plenipotentiary to Colombia.

COLLECTOR OF INTERNAL REVENUE.

John W. Hering to be collector of internal revenue, district of Delaware.

POSTMASTERS.

ALABAMA.

Clifford T. Harris, Columbia.
Annie M. Oswalt, Fairhope.
Henry M. Gay, Lanett.
Arthur G. Smith, Opelika.

ALASKA.

John W. Stedman, Wrangell.

ARIZONA.

Nell Carlson, Camp Verde.

CALIFORNIA.

Nellie Pellet, Brawley.
Tracy Learnard, Gilroy.
Samuel N. Frost, Holtville.
Laura Teichman, Hydepark.
Mary F. Stevenson, Imperial.
Byron Q. R. Canon, La Mesa.
Frank L. Huff, Mountain View.
Oliver A. Washburn, Nelson.
John W. G. Mauger, Standard.
Claude A. Porter, Thermal.

COLORADO.

Hoyt D. Whipple, Berthoud.
Cecil N. Richardson, Holyoke.
Norman P. Beckett, Lafayette.
Thomas S. Percy, Tabernash.

GEORGIA.

Emma A. Silis, Ochlochnee.

IOWA.

Mikel L. Larson, Callender.
Joseph H. Dickens, Diagonal.
William Hayes, Harlan.
Kearney F. Elder, Portsmouth.
George H. Kinney, Stacyville.
Simon C. V. Blade, Stanton.

MICHIGAN.

Fred G. Rafter, Decatur.
John W. Smith, Detroit.
William F. Stoffer, Dexter,
Joseph Deloria, Garden.
Jessie M. Skampo, Ida.
Claude E. Hyatt, Linden.
Otto J. Benaway, Orion.
Charles J. Gray, Petoskey.
Theodore G. Oborski, Ruth.
Hattie B. Baltzer, Scottville.
Mabelle E. McDonald, Sixlakes.
Grover J. Powell, Washington.
Joseph L. Kelly, Watersmeet.

NEW JERSEY.

William Q. Schoenheit, Long Valley.
Charles G. Melick, Milford.
Rae B. Cook, Mount Arlington.
Lucius C. Higgins, Mountain Lakes.
Otis F. Lee, Ocean Grove.

NEW YORK.

Donald M. Dickson, Andes.

OKLAHOMA.

Richard H. Bowser, Blanchard.
Pearl E. Hughey, Cleo Springs.
Albert M. Dennis, Frederick.
Merrel L. Thompson, Hartshorne.

OREGON.

Polk E. Mays, Joseph.
Ida M. Miller, Rockaway.

RHODE ISLAND.

Alberta V. Wilson, Anthony.
Charles J. Baron, Centerdale.

SOUTH CAROLINA.

John R. Tolbert, Abbeville.
Clyde H. Culbreth, Landrum.
John M. Collins, Ware Shoals.

WASHINGTON.

William G. Menerce, Carson.
Robert J. Chamberlain, Charleston.
William W. Woodward, Darrington.

WISCONSIN.

Lyle K. Austin, Boscobel.
Alexander F. Fleischmann, Campbellsport.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 22, 1922.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, whisper to us the language of the eternal that we may be in touch with things of infinite value. Keep us in harmony with Thy plan and enable us to get at the very soul of things. Carry our manhood to its highest point and help it to conform to the best that we know. Give range and vision to the thoughts that we think and to the life that we live, and may they be according to Thy will. Let us understand that obedience to vision means consecration to duty. Allow no cloud to flood it, but let the light of Thy Spirit direct it. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHICAGO, DETROIT & CANADA GRAND TRUNK JUNCTION RAILROAD CO.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent for a rereference to the bill (S. 3268) to authorize the Chicago, Detroit & Canada Grand Trunk Junction Railroad Co. or its successors or assigns to lease certain of its properties in the State of Michigan. The bill in question was referred to the Committee on Military Affairs, and I am asking that it be rereferred now to the Committee on the Public Lands. The bill involves lands which, when granted to the railroad company 60 years ago, were a portion of a military reserve adjacent to Fort Gratiot. The fort is abandoned and there is no longer any military reserve there. It is not a matter that the military authorities are in any way interested in at all. It is a matter handled by the Interior Department. I have consulted with the gentleman from California [Mr. KAHN], and it is with his consent that I am asking this rereference.

The SPEAKER. Is there objection to the request of the gentleman from Michigan for a rereference of the bill from the Committee on Military Affairs to the Committee on the Public Lands?

There was no objection, and it was so ordered.

CALENDAR WEDNESDAY.

The SPEAKER. To-day is Calendar Wednesday.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to dispense with business in order on Calendar Wednesday.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I should like to say that when this request was made yesterday afternoon by the gentleman from Wyoming I made objection. The reason I did so was that I had not received the bulletin giving the program of the business for the week and consequently had no notice of this and no opportunity to confer with the minority members of the committee whose business would be set aside if Calendar Wednesday should be set aside. Therefore, I made the objection at that time. I have since conferred with them, and I have no objection.

Mr. MONDELL. Mr. Speaker, the fault was mine in not having conferred with the minority leader. I was under the impression that he knew about it, although I realize now there was no way he could know about it. I should have conferred with him, as I ordinarily do in such cases.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9606) to authorize the Secretary of the Interior to extend the time for payment of charges due on reclamation projects, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 7881. An act to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements.

H. R. 10559. An act making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1923, and for other purposes.

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I also objected to that request yesterday afternoon. My reason for doing so at that time was that I was not advised as to the form which the rule that it is expected will be presented to-morrow would take. There was a rumor that probably two days would be set aside for suspensions. I have since learned that that is incorrect. I now understand the form of the rule and I have no objection to the gentleman's request.

Mr. WALSH. Mr. Speaker, reserving the right to object, what is the purpose of this? Is it in order to take up the bonus bill or to permit the consideration of some conference reports?

Mr. MONDELL. In order that we may begin business an hour earlier and conclude the business of the day at a reasonably early hour.

Mr. WALSH. What will be the business?

Mr. MONDELL. I take it for granted that the first business will be the presentation of the rule making to-morrow suspension day, and then to proceed with such suspensions as may be provided for.

Mr. WALSH. The gentleman does not care to venture a prediction as to what might come up under suspension?

Mr. MONDELL. That is a matter for the Speaker to decide.

Mr. WALSH. Well, until we know more definitely——

Mr. MONDELL. I think the gentleman has a fair notion of what may be taken up to-morrow.

Mr. WALSH. The gentleman knows what my notion is, and if he will state that my notion is correct I shall not object.

Mr. MONDELL. I am very hopeful that the Speaker will recognize the gentleman from Michigan to call up the bonus bill.

Mr. GREENE of Vermont. Does the gentleman say that he is hopeful, or that he fears that he will?

Mr. McARTHUR. Mr. Speaker, reserving the right to object, does not the gentleman think it would be well to meet at 10 o'clock, in order that we might get through the agony a little more quickly?

Mr. SEARS. Mr. Speaker, reserving the right to object, why should we debate this bill at all, if the rule is going to provide that no amendment shall be permitted and no motion to recommit? Why not simply put it through and let the Members of Congress vote on the proposition.

Mr. LONGWORTH. Mr. Speaker, I would say to the gentleman from Florida that there are some of us who want to make a few comments on the report signed by the minority.

Mr. SEARS. In answer to the gentleman from Ohio, I think a few comments on the bill would be quite acceptable.

Mr. GREENE of Vermont. Oh, permit me to assure the gentleman from Florida that suicides generally leave some written explanation of why they do it. [Laughter.]

Mr. SEARS. And in reply to that I would suggest that suicides better not leave any explanation.

The SPEAKER. Is there objection?

There was no objection.

PRIORITY RIGHTS FOR EX-SERVICE MEN.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9633) to extend the provisions of section 2305, Revised Statutes, and of the act of September 29, 1919, to those discharged from the military or naval service of the United States and subsequently awarded compensation or treated for wounds received or disability in-

curred in line of duty, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Oregon asks unanimous consent to take from the Speaker's table the bill H. R. 9633, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr. SINNOTT, Mr. SMITH of Idaho, and Mr. RAKER.

WAR DEPARTMENT APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department, and so forth.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10871, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10871, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes.

The CHAIRMAN. Without objection, the Clerk will report the various amendments now pending before the committee when the committee rose yesterday.

The Clerk read as follows:

Amendment by Mr. HILL: Page 17, line 3, strike out the figures "$250,000" and insert in lieu thereof "$981,975."
Substitute offered by Mr. CRAGO to the amendment offered by Mr. HILL: Page 17, line 3, strike out "$250,000" and insert "$1,963,951."
Amendment to the substitute offered by Mr. ROGERS: Page 17, line 3, strike out "$250,000" and insert "$3,297,902."

The CHAIRMAN. The question is on the amendment to the substitute offered by the gentleman from Massachusetts.

Mr. VAILE. Mr. Chairman, I desire to be heard on the pending amendment. Mr. Chairman, this is an amendment increasing to nearly $4,000,000 the amount provided for training pay for officers of the reserve corps. I rise in support of that amendment. When the committee rose last night three amendments were before us, and I want to make some comment on the whole matter as introductory to my remarks——

Mr. CHINDBLOM. Will the gentleman yield for a question?

Mr. VAILE. A brief one.

Mr. CHINDBLOM. If the amount for pay of officers of the reserve corps is increased, will it not be necessary to change some of the provisos following in amount of appropriation?

Mr. VAILE. I think probably it will.

On page 3880 of the RECORD of March 14, in the speech of the gentleman from Mississippi [Mr. SISSON] appears a poem commencing:

"To safeguard peace, prepare for war."
I know that maxim; it was forged in hell.

The maxim thus derided was the solemn warning of George Washington to his countrymen.

I do not concede that even the gentleman from Mississippi is a greater statesman or a wiser patriot.

But I realize that after the votes of yesterday, scarcely a year after the official termination of our part in the World War, it is useless to try to persuade the House to look, even for a moment at the facts of our own history. The gentleman from Mississippi says: "This country can not ignore what is going on in the world." It seems that what we can ignore and what we do ignore is what has gone on in the experience of our own country. That experience is one year of war to six years of peace throughout the whole of our national history. We hope and believe that wars will be less frequent in the future, but no man can guarantee that.

Men still living can recall four of those wars. My own hair is not yet gray, but men of my age have fought in two of them.

But the advice of Washington is useless. According to the gentleman from Mississippi, that advice was forged in hell.

Incredible as it may seem, on the very eve of our action on a bill to provide several billion dollars for some four and a half million soldiers whom we had to train after a war had started, we find representatives of the people who will pay that bill getting up on the floor of the National Legislature and shouting that unpreparedness will keep us out of war. It never yet did keep us out of war. It never in all history kept any other nation out of war.

Our reliance, it seems, is still to be in the maxim—

God takes care of children, fools, drunkards, and the United States.

[Laughter and applause.]

Well, some day even the patience of the Almighty will be exhausted. Some day He will say, "You care nothing for the splendid heritage I have given you. You care nothing for the safety of the country which was won and preserved by the fortitude of your ancestors. I shall take that trust from you and give your country to a race of men."

There are none so blind as those who will not see. Let us take off of our coins the eagle, whose wings can range the sky and who can look at the sun without flinching. Let us substitute for him that peaceful and inoffensive bird, the ostrich, which can, indeed, run on the ground, but which buries its head in the sand, gracefully raising its rear elevation so that its feathers may be plucked at will by all the world. [Laughter.]

Now, gentlemen of the committee, this House yesterday, by a decisive rising vote, evidenced its most unwise determination that the United States shall have the smallest professional army of any nation in the world in proportion to its size. The question now before us in the Rogers amendment is whether we are willing to afford an opportunity for training to nonprofessional officers who in time of national crisis must furnish by far the greater number of those who will have to lead our sons in any future battles of the Republic.

To me the statement yesterday by the chairman of the subcommittee having this bill in charge was a very significant one. At page 4217 of the RECORD he said:

The War Department did do what the committee thought was a practical thing last summer. They did not have sufficient money available under the appropriation of $250,000 (the amount carried in this bill), so they tried out an experiment at Camp Meade, and they invited the reserve officers in the States contiguous to that camp to report at a certain time for voluntary training.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VAILE. I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado? [After a pause.] The Chair hears none.

Mr. JOHNSON of Mississippi. Will the gentleman now yield?

Mr. VAILE. Yes, sir.

Mr. JOHNSON of Mississippi. The gentleman complains that the gentleman from Mississippi quoted George Washington as an authority for his position on yesterday?

Mr. VAILE. No; on the contrary.

Mr. JOHNSON of Mississippi. On the contrary. Did not George Washington also warn us against entangling alliances with European nations?

Mr. VAILE. That is not the question I am now discussing, although I do not believe we have entangling alliances.

Mr. JOHNSON of Mississippi. At the other end of the Capitol to-morrow they will entangle us with Europe.

Mr. VAILE. I do not agree with that statement at all. If there were a threat of entangling alliances, that threat was made in the previous administration.

Mr. JOHNSON of Mississippi. Does not the gentleman agree that the four-power treaty entangles us with foreign countries?

Mr. VAILE. I do not.

I want to quote this further from the chairman of the committee. He says:

The result was very satisfactory, and several hundred of the reserve officers answered the call, appeared, and underwent a voluntary period of instruction in a very satisfactory manner.

Now, what does it mean, gentlemen? It means that those young men who have the time and money, or those who can make the sacrifice of time and money necessary to prepare themselves for their country's service, may be allowed to make those sacrifices, but those who would like to be trained, and who are too poor to take the training at their own expense, are to be barred. And the gentlemen who are forcing upon this country this most drastic reduction of our national defense are shouting on this floor that the Army is a caste system; a petty aristocracy.

Mr. HILL. Will the gentleman yield for a question?

Mr. VAILE. Yes, sir.

Mr. HILL. Is it not true that when you arrange the Officers' Volunteer Corps in such a way that only rich men can go to a training camp you make an aristocratic class?

Mr. VAILE. Absolutely. We go ahead and make our Army a small and exclusive class, its officers regarded with suspicion and distrust, their number confined to the very few whom we are willing to train professionally and to the wealthy amateurs who can afford to take training at their own expense. There you have the real seed of militarism.

The fact is that the bill which is now before us is presented by men who did not believe in the principle of conscription;

that is to say, the principle of universal obligation, even in time of war. They are believers in a system which would train only aristocrats for officers and which would take only our best and most willing youths for the ranks.

I wish I had the eloquence to convince you that the defense of the Nation can rest only in the training of a large number of its citizens without regard to their wealth. The reserve officers for whom training would be provided by the Rogers amendment do not constitute the professional establishment to which you so violently object—when their services are not instantly needed for your defense. They are citizens, anxious to keep themselves prepared for the highest and most self-sacrificing service which a man can render to his country. Let us at least give them this chance.

Of course, if war comes, we shall try to train them all, and many more, in a great hurry. We shall revise our opinion of the Army overnight.

Oh, it's "Tommy this," and "Tommy that," and "Tommy, go away";
But it's "Thank you, Mr. Atkins," when the guns begin to play.

Gentlemen, those of us who believe in a degree of preparedness, which our delegates to the arms conference took for granted at the same time that they were endeavoring to cut down the burden of competitive armaments and to lead the minds of the nations to thoughts of peace, still believe that the time to prepare for possible war is before, and not after, we get into it. We believe that a policy of no defense is not the slightest assurance against war but the strongest possible assurance of national extinction.

We believe that the time to prepare our soul for the future is before we are on our deathbed. [Applause.]

I hope the Rogers amendment will carry. [Applause.]

Mr. FROTHINGHAM. Mr. Chairman, I have listened with a great deal of interest to everything that has been said here. I disagree entirely with the reduction of officers and of the Army as far as this committee has reduced it. If that is to go through and this committee is sustained on that, you sustain their great reason for reducing the Regular Army, which is that its place can be taken by the reserves and by the National Guard. But the committee does not carry out consistently that viewpoint, because they slash the National Guard and the National Reserves also.

I have in my hand here a statement made before their committee, I assume—at any rate, made before the committee of which I am a member—by the men who, above all others, ought to know from experience what this country needs. Now, you may have a prejudice—it seems to exist here—against the Regular Army officers, but if there is any place in this world where training and education are necessary it is in the art of war; and those men, gentlemen, give up their lives so that in case of need they may go forth and bare their breasts to the enemy, to be shot down for your protection and for mine. It is an honorable profession. But you can have no prejudice against taking the evidence of the young men, not in the Regular Army, who gave up their business and their profession to go out and serve their country in this war. Can you get any better evidence than that? Is this committee as competent as those men who have been through the hell and the fire of war? Of course they are not. They love their country, of course, but when it comes to the kind of evidence that this House and this country should listen to I maintain that the evidence of the men who served in this war should be followed by this House rather than the evidence of a subcommittee of the Appropriations Committee.

Mr. STAFFORD. Can the gentleman, who is so widely versed in military affairs——

Mr. FROTHINGHAM. I did not say that. I said that these men were.

Mr. STAFFORD (continuing). Who represents so creditably that great State from which the Secretary of War comes tell the reason why in a fortnight or a month he has changed from his advocacy of an army of 150,000 to an army of 130,000?

Mr. FROTHINGHAM. Why I have changed?

Mr. STAFFORD. No; why the Secretary of War has changed in his advocacy of an army of 150,000 to 130,000?

Mr. FROTHINGHAM. I have not changed. I did not know that the Secretary of War had changed. If he has changed, it is because he wants to get the best he can out of your recalcitrant committee.

Mr. STAFFORD. He stated when he was in Florida that he was in favor of 130,000.

Mr. FROTHINGHAM. I did not know that he was in Florida now.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. FROTHINGHAM. I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KAHN. Will the gentleman yield?

Mr. FROTHINGHAM. I yield.

Mr. KAHN. The Secretary of War has just had a talk with me over the telephone, and he denies positively that he has stood for an army of 130,000 men.

Mr. STAFFORD. Permit me to ask one further question. Why is it with the authorization of our present appropriation bill, providing for an army of 150,000, he had for three or four months stood for an army of 130,000?

Mr. KAHN. Because he could not get more than the 138,000 he has had; in every instance the War Department has always fallen down 10 or 15 per cent below the number authorized by appropriations, because of the number of men that have failed to volunteer for recruiting.

Mr. GREENE of Vermont. Permit me to supplement that. The standing ratio in the maintenance of the Army is about 10 per cent of the authorized strength, both in the enlisted and mounted personnel, the year round, because it is both physically impossible and mathematically impossible to keep every man supplied in one place up to the minute.

Mr. STAFFORD. The average here is 125,000. The authorization is 150,000.

Mr. FROTHINGHAM. Mr. Chairman, I thought I had five minutes more. I wish to get something in the RECORD in that time, if I may. [Laughter.]

Now, gentlemen on the floor yesterday said there was not going to be any war. Nobody hopes more than I that there is not going to be any war, but nobody thought in 1914 that there was going to be any war. It was not thought possible. I was in England just before the war. People did not talk about war. There was no conception that there could be a war, and I went to Germany about 10 days before that dreadful cataclysm broke out, and the people in Germany did not think there was going to be any war. Nobody thought war was possible at this stage of civilization, and they thought if a war were threatened the financial people in each country would be able to prevent it. But the war came. It took us all by surprise, and at that very time people from America were attending a peace conference at Lake Constance, and they had difficulty in getting out and could not get out with their baggage.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. FROTHINGHAM. Yes.

Mr. CAMPBELL of Kansas. The gentleman has just stated that the people of Germany did not expect war 10 days before it began. May I make this suggestion: The mere fact that Germany was prepared for war up to the very last shot made it possible for her to start the World War at a moment's notice.

Mr. FROTHINGHAM. I am speaking of the people of Germany, not the inside clique of the army.

Mr. CAMPBELL of Kansas. Yes.

Mr. FROTHINGHAM. But Germany was not only prepared, but she was overprepared. She had been prepared for some 40 years, ever since 1870. What I want for this country is a modicum of preparedness, and I say the excuse for a reduced Army is that we may depend more upon the National Guard and the reserve. We ought not to cut the heart out of the National Guard and the reserve. I say that because I do not think there is a man on the floor or in this House that can dispute that fact.

Now, this committee of the Legion, composed of men who served in this war, some of them at the front, some of whom served in the National Guard before the war, and some who served as reserve officers, and none of whom, so far as I know, need be objectionable to this committee, because I do not think they ever served in the Regular Army, came before us and stated that—

It is our opinion that the funds included in the Budget estimates are essential to the development of this program. We are convinced that the recognition given by the War Department estimates to the importance of the National Guard and the Organized Reserves represents minimum appropriations for the proper functioning of these component parts of the Army of the United States. We urge the maintenance of these items in their complete integrity.

The American Legion recognizes the national demand for retrenchment and reduction in governmental expenditures, but as practical men, who have learned the lessons of preparedness by the hard experience of war, we are confident that it would be a great mistake at this time to limit the proper functioning of the national defense act by a reduction in the estimates as submitted by the War Department and approved by the Budget Committee.

[Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MILLS. Mr. Chairman and gentlemen of the committee, I want to indorse everything that the gentleman from Massachusetts [Mr. FROTHINGHAM] said with reference to disregarding the advice of practically every man in this House who has had any experience in the World War. It is rather curious that the Committee on Appropriations, when deciding on the military policy of the country, should feel justified not only in disregarding the advice of every one of its professional advisers as to what is actually necessary to a proper state of military preparedness but should go a step further, and, although there are Members of this body men who within four years had personal experience in actual warfare, they should assume to disregard the advice of those men also.

Yesterday we provided for an insufficient number of Regular officers, and the gentlemen who undertook to defend the position of the committee said we did not need them because we had the National Guard and our reserve officers. To-day we propose to appropriate an amount which is absolutely inadequate to the training of reserve officers—1,656 reserve officers, if you please, for 15 days a year.

The gentleman from Mississippi [Mr. SISSON] told the House yesterday that the German Army was defeated by the unprepared nations. The German, as a matter of fact, was defeated by the only nation that was properly prepared in the way of officers, and particularly a general staff. The German Army was defeated by the French Army in 1914, and if the French Army had not had a staff of trained officers competent to meet the German staff and trained German officers, the war would have ended in September, 1914.

If this war has taught us anything, it has taught us that the one need to-day in modern warfare is trained officers, trained staff officers. [Applause.]

Study the history of the British armies in France and what do you find, gentlemen? You find the most hideous slaughter and waste of life in 1915, 1916, and 1917; a succession of costly attacks, ending in comparative failures, with losses out of all proportion as compared with those made by the French armies in similar attacks. And then in 1918, what do you find? The British Army carrying on a series of advances on a huge scale, with almost perfect staff work in the way of supplies, transportation, and troop movements, and with a minimum of losses. What was the answer? That in those three years of warfare the British Army had prepared trained staff officers, men competent to handle great bodies of troops.

In modern warfare you do not handle hundreds or thousands of men; you handle millions of men. In this European war you handled them on comparatively narrow fronts. You had a division, say, of 26,000 men, attacking upon a 2-mile front, with two divisions back of them, and in one of these large attacks these two divisions would go through the first division and carry on. You had on a 2-mile front, possibly one road probably destroyed by the attack, on which to supply some 50,000 men and get up guns and ammunition to them. Gentlemen, in the name of common sense, can you carry on that kind of operation without the best kind of professionals? Yet it seems that to-day gentlemen are against the professional, and believe no technical training is necessary to fit men for modern warfare. Take our own experience. There is not a man who served in the Army of the United States who will not tell you that the one great crying need was trained officers. The reserve officers did well enough with their three months' training, but we were deficient in Regular Army officers competent to handle great bodies of men; and if anyone cares to make a careful study of the two major operations carried on by the American Expeditionary Forces, the St. Mihiel operation and the Argonne operation, I venture to state that he will find throughout those operations evidence of mistakes made owing to the fact that we lacked the necessary trained officers and the necessary staff. So, gentlemen, whatever you may do as to the number of men, for heaven's sake do not repeat the great error that you made yesterday. Yesterday you deprived the Army and the country of the needed trained professionals. To-day you propose to deprive the Army and the country of the necessary trained amateur soldiers by not providing sufficient money for their training.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. I ask for one minute more.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. MILLS. All this, Mr. Chairman and gentlemen of the committee, is being done in the name of economy, if you please, within 24 hours of the time when this House will vote billions of money to pay a bonus. Is it to be the policy of the Republican Party as represented by the House of Representatives to vote millions for seeds and billions for bonuses, but only pennies for national defense? [Applause.]

Mr. LONDON. Mr. Chairman, I believe the one man who has not learned anything from the last war is the gentleman who has just left the floor. If he is right we should have a standing Army of three or four million men. The gentleman seems to be planning for a possible future European war. I hope the gentleman will live long. He may be assured that neither within his lifetime nor mine will any American troops be sent either to Europe or Asia, or outside of the American Continent. The military participation of the United States in European conflicts is over. We have had one experience. That will be enough for this generation. No President will ever dare again to embroil the United States in European military conflicts. You Republicans would not have a majority of two-thirds in this House if the American people had really indorsed the participation of this country in the European war. Do not make any mistake about that. In your heart of hearts you know that I am telling the truth. You are here 300 strong because the American people did not want the last war.

Mr. KNUTSON. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. KNUTSON. The gentleman knows that it is very easy to stampede a people into a war if the press is put into the right position. When we were stampeded into the late war the gentleman voted against it. If the gentleman had been told that conscription would follow its declaration he would not have believed it. But it did follow.

Mr. LONDON. The President in his address in which he asked us to declare war against Germany suggested conscription. He knew that it was necessary to use coercion and conscription in order to get the people to fight, because the people's hearts were not in the European war. If America will mind its own business it will have no war.

Mr. GREENE of Vermont. May I ask the gentleman a question?

Mr. LONDON. Yes.

Mr. GREENE of Vermont. We were minding our own business when the Germans were sinking our ships.

Mr. LONDON. Oh, let us not enter into a discussion of the causes of the war. One can not do that in five minutes. It took us a long time to discover that the *Lusitania* had been sunk and that Belgium had been invaded. You know it was not until April, 1917, that we discovered that Belgium had been attacked in August, 1914. You know that prior to the invasion of Belgium there was a viler and more infamous invasion, and that was the invasion of Serbia by Austria.

Mr. VAILE. Does not the gentleman realize that the party on that side of the aisle had to win an election on the plea that you had been kept out of war?

Mr. LONDON. I know; but you Republicans had half the House. In April, 1917, when war was declared, there were 217 Republicans and 217 Democrats, and if you were honest and consistent and intelligent, as you claimed to be, you could have prevented the declaration of war.

You are in power now because the people voted against the Democratic President. Of course, you know all that. What is the use of telling you all these things? The expenses for the Army of the United States should be reduced to the minimum. You are still suffering from militarism. You can not shake off the language, the terminology of the war, preparing, large armies, large appropriations. Against whom is the gentleman from New York going to conduct military operations? Is he going to try to get Fiume for Italy and send American boys over there to fight for her? Is he going to assert the rights of the Kingdom of Hejaz? Is he going to send American boys to fight so that there may be a larger Serbia? What operations has he in mind when he talks about manipulating big armies?

Mr. HARDY of Texas. Will the gentleman yield?

Mr. LONDON. I do.

Mr. HARDY of Texas. The gentleman from New York [Mr. MILLS] said it was necessary to train officers to be able to handle millions of men instead of hundreds of thousands.

Mr. LONDON. Yes.

Mr. HARDY of Texas. If that be so, then we must have a standing Army of over a million men to train our officers.

Mr. LONDON. Exactly; and when we have a million men, and the European nations are not in a hurry to pay the debts that they owe us, gentlemen will advise sending our Armies to enforce the collection of those debts by force.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. I ask five minutes more.

Mr. MANN. Reserving the right to object, is the gentleman going to discuss this bill?

Mr. LONDON. I will. I am coming to that.

Mr. MANN. I do not think we will get along very fast unless we discuss this bill.

Mr. LONDON. What I have said so far has been said as a foundation for the remainder of my remarks.

Armies are conceded to be an evil. The builders of the Constitution knew it when they provided that no appropriation for the Army should be made for more than two years. They were suspicious of the Army and the psychology of the military crowd. Under the present state of society armies are employed principally in the suppression of industrial disturbances, and under present conditions that is probably their principal function. Is it the purpose of gentlemen who advocate large armies in America to settle our industrial problems by the use of armies?

The gentleman made reference to the bonus. The very fact that the bonus will be voted on to-morrow shows how expensive war is. Are you for the bonus in your hearts? I know you are not. Do you want to vote for it? No. You will. Why? Because militarism is in the air. A body of 500,000 organized soldiers is a political force, and every Member of Congress having 300 or 400 men organized in his district and having no jobs and nothing else to do but to work against him in the next election is a pretty serious menace to him. [Applause and laughter.] We will be voting billions of dollars for the pleasure of having established the Kingdom of Hedjaz. This bonus business should be taken in connection with what you are doing now. The less of an Army the less militarism, the less of money is taken from the Treasury of the people for the development of military ideals, the fewer men in uniform the better. Every American can be trained to be physically, intellectually, and spiritually a giant, so that America shall be an invincible force against any country—that is the kind of preparation that I would stand for. We have no ambition or desire for additional territory; the continent is big enough, America is large enough. Let us make it bigger and stronger by raising it to a nobler sphere of endeavor. Every cent uselessly expended for the Army is a criminal waste. [Applause.]

Mr. GREENE of Vermont. Mr. Chairman, it is often said on this floor by way of a question as to the policy of having any kind of military preparedness at all, "Whom are we going to fight? Where will the next war break out? Who can tell us when we will be called upon to mobilize an army? What is the use of having an army if people can not give the specifications?" And as nobody who has not the gift of a seventh son of a seventh son, born with a caul, can tell where it will break out, so the argument is against us.

I want to relate a little bit of an incident which came to my attention when I was in France following the armistice. I fell in with some officers of the Regular Army in the army of occupation in Germany. In discussing the recent terrible struggle they said, "Do you know there was a curious phase of this war which came to every one of us boys who studied at West Point? We studied tactics and strategy under an old-time instructor at West Point. He used to put out before us maps of France which were related to the Franco-Prussian War, and particularly specialized in regard to a certain part of the French and German borders. I can remember those drowsy schoolboy afternoons at West Point when we pondered over those maps of France and Germany, and nobody dreamed, nobody ever dreamed, but that they were being simply employed for our instruction as models of what other people had done 40 years ago. Nobody dreamed that we young schoolboys at West Point, having grown to be officers in command of armies, some day in the future would be conducting war operations of troops over the very territory covered by those maps. It was surprising how many times I heard my fellow Army officers say, 'Is it possible that the maps that we used in the schoolroom for illustrations and that apparently had no bearing upon the remotest contingency that they would ever be used by the American Army itself are the identical maps of the region where these operations of the American Army are now being conducted?'"

Anyone who would have prophesied to those schoolboy cadets at West Point that they would have used those maps for warfare themselves because they were to fight in the territory of the mapped section would have been said to be one of those dreamers who think that the world will get afire and that we shall have a world war some day. And that is exactly what happened. Mr. Chairman, you never can tell.

I want to say a word in regard to the matter of the maintenance of the enlisted strength of the Army, which is to come before us soon. It is a fact, deduced from years of experience in the Army administration, that the enlisted or commissioned personnel is never up to the authorized strength, no matter if recruiting is being conducted right along under sufficient appropriations from Congress to keep it at the authorized strength.

It simply resolves itself into the same kind of tables that actuaries are familiar with, and which prove that you never can have the 100 per cent perfect in human combinations. With the personnel scattered all over continental United States and in our foreign possessions, with the time of enlistments running out every day, with the usual casualties incident to death, retirement, disability, and so on, which take place, it has been found from long experience that the Army is never closer than 10 per cent to its authorized strength, notwithstanding the fact that recruiting is going on just the same. That is incidental to the normal, peace-time operation of the Army, just as you men can easily appreciate it might be incidental to anything where the personnel has to be kept up in the scale of thousands.

Under the present authorization of 150,000 the Army is now short 16,785, and if you reduce the Army to 115,000 men and go away from here confident that you have provided an Army of 115,000 men, you should bear in mind that you have to reduce it by 10 per cent and figure that you have provided the United States with an Army of only about 100,000 men.

Do not be deceived. The appropriation which you provide will not produce the men you may think your figures order. Experience has shown that the Army will always be about 10 per cent short of the men we provide for in the law.

Mr. COCKRAN. Mr. Chairman, this I consider one of the gravest matters likely to come before the House during the present session, with the exception of the measure that will be decided to-morrow. I do not understand how anyone who has heard the speech of the gentleman from New York [Mr. MILLS], delivered with a degree of knowledge acquired by actual experience in battle, can hesitate to support the position that he has taken. We have shown, I think, in this House a disposition to treat the question of the military force we are to establish, the numbers that are to compose it, the equipment to be provided for it—very much as gentlemen sometimes treat a matter of political management in a particular district, where it becomes necessary for a candidate to square himself with a tide of popular opinion running counter to a position which his party platform has proclaimed. But the question before us is not one affecting a policy which the country may accept or reject without serious risk to its safety. It is therefore one to be met by comprehensive measures not to be evaded by ingenious expedients. We here in the House are not competent to decide from our own knowledge the size of the Military Establishment necessary to the national defense. We can under the Constitution fix its extent. We must do so. But it does seem to me that in discharging this most important duty we are taking grave risks with the future of this country if we disregard the advice founded upon knowledge and experience of those to whom we ourselves have intrusted the management of the national defense.

The War Department, the General Staff, all elements charged with the duty of guarding the country from foreign assault, have concurred in recommending a certain number of officers. This advice the committee has disregarded. I have not yet heard a single reason for setting aside the advice of our own military chiefs. I do not believe we can ignore it without peril—grave peril—to the country.

Mr. Chairman, I am one of those who on other occasions made very much the same speech the gentleman from New York [Mr. LONDON] delivered here to-day. That was about 15 or 16 years ago. Perhaps the gentleman from Ohio [Mr. BURTON] can recall how he and I used to stand down there in that center aisle, on opposite sides of it, but joining in ridicule and denunciation of the idea that there was a possibility of war among the greatest nations of the earth in this stage of civilization on a scale that would engulf in devastation and disaster a large part of the world. We contended then, as the gentleman from New York did a few moments ago, that the close interdependence of all countries in commercial activities rendered anything like a World War absolutely impossible and, indeed, unthinkable. But we have lived to see the nations which had reached the largest measure of commercial prosperity, whose inhabitants had spent their days in accumulating property and their nights in planning how to acquire it, plunging into the wildest, most destructive conflict ever waged on this earth, throwing away and destroying the very wealth which the philosophers insisted they would be so anxious to conserve that the mere possibility of war was inconceivable in a mad struggle of blood and slaughter without being able even to explain the causes that had set them at each other's throats.

I am one of those who have been convinced by recent events that as long as armed forces are maintained by nations you will have war. There is just one way to prevent war, and that is by all nations agreeing to put away arms. For that reason I am in favor of total and immediate disarmament, not partial or future disarmament, but disarmament complete, immediate, and universal. Unless disarmament be universal, it is impracticable—while any one country maintains extensive military forces by land and sea all other countries must establish armaments in self-defense. Under the conditions established by the late conference disarmament is impossible. One great country—the one maintaining the largest land forces—has declared that it will not disarm, and that ended the proposal. The actual result of the agreement reached between this and other countries is to make armaments permanent features of civilized life. At a time when the difficulty of maintaining huge military establishments was so great that their abolition seemed to be inevitable, we entered into a compact by which every country is afforded opportunity to keep such an armament as may be within its means. And that means that armaments will last just as long as human nature remains the same.

The absurity of this position we make apparent when we realize that in effect the three Governments which are going to fight each other on sea, if there is to be any fight at all, have agreed that each one shall fix the size of the armament the other is to maintain. This is about as sensible as if I before engaging in a fight with one of my fellow men should agree with him that neither one should strike the other with over 60 per cent of his full force. That is an agreement which might hold until one blow was landed on the nose of either, but afterwards all provisions of restraint would inevitably be scattered to the winds by both of us. [Laughter.]

Mr. Chairman, we are to have an army. That much is decided. For what purpose is an army established—what purpose is it to fulfill? Is it not to withstand another army—any army that may be brought against us? In the name of God then, why not have the strongest? What are armaments for except to prevail against other armaments? Unless this be their purpose the money spent in maintaining them is a senseless, vicious waste of the public resources. We have before us now a resolution deliberately proposing to become second, or third, or fourth among the armed nations of the world. Could folly go further in the direction of neglecting our most pressing interests? But the Committee on Appropriations is not merely refusing to provide the military forces which the War Department declares necessary. It is actually refusing to provide means by which our unorganized military resources may be made available in a day of peril.

Gentlemen say the arguments in favor of adopting the recommendation of the military chiefs would justify an Army of a million. Without undertaking to analyze this suggestion—my time is already well-nigh exhausted—I will say that I do not think anything less than an Army of overpowering force in this country would be sufficient to force universal disarmament. I believe if we said to all of the world that while other countries maintained extensive armament we will outarm the strongest of them on land and sea; but, on the other hand, we would disband our military and naval forces when all other countries did the same, we would force disarmament immediate and universal. The moment we decide to take first place among the armed nations, second place is the highest that would be open to any of the rest. No nation wants the second strongest armament any more than any gambler wants the second best hand at poker. Possession by a nation of the second strongest armament is absolutely certain to invite disaster, just as the second best hand at poker is certain to entail the heaviest losses on the holder of it. [Laughter.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COCKRAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COCKRAN. Mr. Chairman, I want to present this proposition to the House.

You have already reduced the Army to a degree that those in charge of the national defense declare is not safe. If you do not want an Army you can abolish it. This at least would result in an immediate saving of money. But there can be no sense whatever in maintaining an Army with the deliberate purpose of making it inferior to all other armies. I do not believe abolition of our armed force would lead to general disarmament. On the contrary, I believe it would stimulate armaments throughout the world. With us removed from among the armed nations, every country would think that it had a chance to establish the strongest military force. It will enter the game of armaments hoping to establish the strongest; otherwise they would not engage in the game any more than a gambler would enter a poker game, unless he hoped to get the best hand. We have decided that this is to be an armed world. We have, as matter of fact, made provision for permanent armaments. The question remains—it is the only question remaining—Are we to have an Army that is contemptible or one that is formidable? The gentleman from New York [Mr. LONDON] says we will never have another war. I congratulate him on possession of that cheering belief. But suppose he should be in error, suppose that we should have war, what then? Before an invading enemy the assurances of the gentleman would be a very inadequate defense. Even though we put that gentleman in front and offered him as a sacrifice to the folly of his prophecy, it would not save one foot of territory from invasion. [Laughter.] We must deal with the situation of the country as it is. It is a deplorable situation that confronts us, and, indeed, the whole world. The nations have deliberately declared by act, if not by word, that war is possible if not actually probable. If we are liable to be dragged into war, in God's name let us make some kind of preparation for it. If we do not establish a standing army, able always to cope with any force that may assail us, let us at least provide means by which the body of our men in civil life can be quickly organized, promptly armed, and effectively trained to bear our part in war if it comes. There surely can be no sense in assuming war can not come and at the same time making preparations for it.

You are now preparing for it; therefore you are admitting and recognizing the possibility of it. But your preparations are inadequate and ridiculous. The degree of force recommended by the War Department is not sufficient, in my judgment, to meet our requirements. But this number of officers is all the military chiefs believe they can get. I think it is almost an act of treason for any man, either from desire for political advantage or through personal prejudice, to refuse his vote for that measure of force which the War Department, the body charged with our defense, declares to be absolutely the very least that can safely be established. [Applause.]

Mr. TINCHER. Mr. Chairman, I suppose the question that every Member is asking is as to his duty in the premise. I voted for the Army reorganization bill that provided for a maximum Army of 225,000. I remember the debate on that bill when the Committee on Military Affairs, which is fighting for a larger Army, assured the Congress that there was no Army of 285,000 contemplated in peace times, but it would be the duty of Congress in this bill from year to year to fix the size of the Army dependent upon the circumstances and the conditions in this country and our relations with other countries at the time we pass the bill every year. Now, what are the circumstances? I can not agree with my friend who has just left the floor. I have been here long enough to know that a man from New York, a Republican or Democrat from certain sections of New York, when he takes this floor, speaks for an Army as large as possible to provide for an appropriation bill. My friend from my side of the House, who just preceded the distinguished gentleman from New York [Mr. COCKRAN], said it required experience in war to determine these things. How can I agree with him on that, even though I am such an admirer of his record as a defender of his country? I sat yesterday between two soldiers who went to France and who received stars for their services and who voted in the committee against a big Army, and they stand on the floor of this House with just as good a record as the distinguished gentleman from New York [Mr. MILLS]. What is the condition? Is it possible that the conditions of wealth of a neighborhood prompt the people in that neighborhood in their stand on the question of an army? No. I believe that every Member of this House, regardless of the financial standing of his people, wants to do the right thing under this. Who knows whether we should turn down this committee and agree with the Secretary of War, if it is to be along that line, or whether we should follow the Representatives of this body who have heard testimony for months on this subject? Some men say that they would rather follow the Secretary of War. You would have been in an awful hole if you had tried that before. If you had practiced that the last time this committee was before the House with a bill, you would have gotten yourselves into trouble, when the Secretary of War attempted to ignore Congress and to maintain an Army of over 200,000 men after we had only appropriated for and thereby fixed the size of the Army at 175,000. He met the general rebuke of his own party. No one defended his position in that. The next Secretary of War said that we could not reduce the Army below 150,000 at all, and he went to the Chief Executive of this Nation and begged from

him a letter to this Congress telling us that if we reduced the Army there would be more obligations that we must hold ourselves in readiness to appropriate for. What a happy condition a Member of Congress would have been in if he had said, "I do not represent my people, but will let the Secretary of War represent them." Then we would have had an Army of 175,000, when the Secretary of War asks for only 150,000 to-day.

I am for a safe and conservative army, but I believe when this House sends out a committee, and they hear testimony for months, as this committee has heard the testimony, we should not brush it aside. Suppose we should follow the gentleman from New York [Mr. MILLS]. Suppose some one should read the RECORD to-morrow and take from it his statement and believe it. As I say, I sat between two men, and I am authorized by both of them to tell you that they are voting with this committee, as they do not believe that these highly technically trained officers here in Washington, that you talk so much about winning wars, are necessary. And if you want men to fight these Members will offer their lives. They know what war is. And I am voting with them and the committee of Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TINCHER. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Will the gentleman yield for a question?

Mr. TINCHER. I will.

Mr. MANN. If we were to blindly follow the recommendations of the Secretary of War, would we not have provided two years ago for a permanent army of over 500,000?

Mr. TINCHER. Five hundred and nine thousand.

Mr. MANN. A few odd thousand does not make any difference. Was anybody whom the gentleman knows in favor at that time in the House of following the recommendations of the Secretary of War on the subject of the size of the Army?

Mr. TINCHER. I am afraid there were.

Mr. MANN. I do not know who they were.

Mr. TINCHER. I am afraid the leader of this fight against this committee was. I am afraid the chairman of the Committee on Military Affairs of the House, who declared for compulsory training service, was following him.

Mr. KAHN. If the gentleman will yield, it was the chairman of the Committee on Military Affairs who brought the Army down to 175,000 men at the very time that the Secretary of War was asking for 500,000. [Applause.]

Mr. TINCHER. I am very glad to hear that.

Mr. MANN. Which is proof, I take it, that it is not wise to simply follow the recommendation of the Secretary of War as to the size of the Army. [Applause.]

Mr. CHINDBLOM. Will the gentleman yield?

Mr. TINCHER. I will.

Mr. CHINDBLOM. Of course, the Secretary of War who recommended an Army of half a million is not the present Secretary?

Mr. TINCHER. It was the gentleman whose policies the present Secretary of War seems to carry out to the best of his ability.

Let me suggest this proposition: I was impressed with the speech of the gentleman from New York [Mr. MILLS], because I know him and like him. He suggested that he was in Germany 10 days before the war and the people had no idea there was going to be a war. We are here representing those people of our own country. The Army knew that there was going to be a war. They had in their system of government prepared for that war for 40 years. To-day we will have our choice, and yesterday we had in this House, of either standing for the people who did not know about the war that they were going to have within 10 days in that militaristic, autocratic, Prussianized country or for those who are asking for a big Army. I will go for the people. [Applause.]

Mr. MILLS. Mr. Chairman, will the gentleman yield there?

Mr. TINCHER. Yes.

Mr. MILLS. The gentleman, I know, does not want to misquote me.

Mr. TINCHER. No.

Mr. MILLS. I did not state that I was in Germany when the war broke out.

Mr. FROTHINGHAM. I stated that.

Mr. TINCHER. Well, I admire one of you as much as I do the other. [Laughter.]

Mr. FROTHINGHAM. That is very sweet of you. Will the gentleman yield further?

Mr. TINCHER. Yes. You are nice-looking men, both of you.

Mr. FROTHINGHAM. I reciprocate the compliment. When the gentleman said that those who advocated a strong Army, as advocated by the gentleman from New York, come from the East, I beg to be included. I wish to state that in my judgment I was quoting what the military committee of the American Legion wanted, and the gentlemen of that committee included Dr. John Markey, chairman, of Maryland; Edward L. Logan, of Massachusetts; A. G. Thacher, of New York; Hanson E. Ely, of Iowa; George E. Leach, of Minnesota; John McA. Palmer, of the District of Columbia; Arthur F. Cosby, of New York; and E. B. Rickenbacker, of Ohio.

Mr. TINCHER. As I recall, you are speaking of something we voted on yesterday?

Mr. FROTHINGHAM. As to the reserve.

Mr. TINCHER. I was answering the attacks that were made on the votes that were cast yesterday. [Applause.]

Mr. ANTHONY. Mr. Chairman, I will ask that the debate on the pending amendment be closed in 15 minutes, of which the gentleman from Texas [Mr. HARDY] shall have 5 minutes and the gentleman from Iowa [Mr. HULL] 5 minutes.

Mr. FITZGERALD. I would like to have five minutes.

Mr. SISSON. I would like to have five minutes.

Mr. ANTHONY. Make it 20 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the debate on the pending amendment close in 20 minutes. Is there objection?

Mr. PARKER of New Jersey. Reserving the right to object, I want to say that I do not approve of fixing the time so that people who have not heard the debate can be brought in to outvote people who have heard the debate, and I object.

Mr. ANTHONY. Mr. Chairman, I move that the debate on the pending amendment be closed in 20 minutes.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Kansas.

The motion was agreed to.

Mr. HARDY of Texas. Mr. Chairman, in these questions it is absolutely necessary that we fall back on our common sense to meet the eloquent and able arguments of gentlemen who are shrewdly advocating a big Army. But let me say to this House that if the argument of the gentleman from New York [Mr. MILLS] proves anything, it proves that we can not train an Army officer to meet the emergencies of the future unless he is accustomed to handle at least a million men, and we can not train him effectively except by having him handle those men in actual warfare, and if that proves anything it proves that America ought to maintain an Army of a million men and ought to engage in wars to train our commanders.

The same argument was gone over by the other gentleman from New York [Mr. COCKRAN], who said he was in favor of an Army of a million men, unless we were going to make all the world absolutely disarm. Where does your big Army argument lead you to except the extravagant backbreaking expenditures of maintaining an Army in this country for the purpose of being prepared with men accustomed to drill and fight millions of men, in order to prepare for a war that may or may not come?

The world grows as it marches down the ages. The palmy days of ancient Greece found the military countries engaged in wars perennially, and the whole history of Rome shows that every year brought a war, and the Temple of Janus was closed only twice in 700 years. The ages ran on, and the seventeenth century was full of wars, that came as often as once a year under Louis XIV. The eighteenth century was some better, but ended in a general conflict—the French Revolution. As time advances wars are further and further apart. Every argument made to-day by militarists for increasing the size of our standing Army could have been made after the Napoleonic wars of 1812, to show that that war had imperiled the United States, and that because of that the next war would imperil the United States. The truth is that we were not only drawn into that war but were humiliated by having our capital captured and burned. But the common sense of our fathers enabled them to return to sanity and refuse to keep up vast armies and navies. The truth is that the world grows sicker and sicker of military horrors and military burdens. I think that the man who does not see that the world to-day is sick unto death with militarism is not able to see far.

After the Napoleonic wars we waited until 1870 for another big international war, and that war was brought about by the towering ambition of one single nation seeking to dominate the European Continent. After that war we rested here in our far distant continent, justifiably too, as securely as we did in 1812. If we had followed the argument made here we would have maintained a standing Army from 1812 up to 1870, fearing that we would be led into a European struggle. We would have maintained during those years a standing Army of a million

men, or at least half a million men. Yet men like General Grant, when the war between the States was over, cut down the Army of the United States, I think, to less than 50,000 men, and they were right in that course, and this country went along bearing her military burdens at least with little oppression and with a little budget.

Suppose we had followed the argument—and we should either follow it or discard it—of the two gentlemen from New York, of enlisting a standing Army of a million in order to train our generals, how much would it have oppressed our people and checked our industrial growth?

In 1916 it was shown that we were giving the mental training for officers every year to thousands of our young men, not at West Point only but in the military schools all over the United States. In 1916 these ran up into the thousands of trained officers. You can not train them in a college to handle a million men. You have got to train them on the chessboard, as it were, how to handle them in theory, how to handle them on paper. There is some truth, perhaps much truth, in the statement that it takes actual experience on the battle field to develop an officer. I think it does. Alexander, Hannibal, Cæsar, Napoleon, Wellington, Lee, and Grant were not developed into great soldiers in training schools or in the peaceful maneuvers of regiments on dress parade. But to develop a great soldier even in actual warfare the great soldier must be there to develop.

I hope we will not encourage or engage in war in order to develop great American generals, but I trust in full faith that in time of war, if it ever comes to us, America will discover and shortly develop the great commander and great soldiers sufficiently great for our needs.

As I have said, all through this country we are training officers to-day in our military colleges, at West Point and elsewhere. Let us have a little common sense and know that if a war does come the great American people are able in a short while to defend their shores against foreign aggression, and will do it without expending billions of dollars in time of peace for maintaining a useless standing Army. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL. Mr. Chairman and gentlemen of the House, I want very briefly to call your attention to the amendment that you are about to vote on. It is the amendment of the gentleman from Massachusetts [Mr. ROGERS] to provide $3,927,902 to train 65,000 officers now in the Reserve Corps. That means less than $70 per man. It is the cheapest and best preparedness there is in all this bill. If you defeat that amendment, you defeat the very cheapest and most economical preparedness that you have. This Committee on Appropriations have provided $250,000 to train 65,000 men. That means practically $3 a man. These are not officers in the Regular Army. They are reserve officers. I appeal to you, gentlemen of the House, to vote for the $4,000,000 that the gentleman from Massachusetts [Mr. ROGERS] has provided in his amendment, so that they will have a little money, at least $60 apiece to pay the expenses of the camps to train the reserve officers in the Reserve Corps.

I yield the remainder of my time to the gentleman from Ohio [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman and gentlemen of the committee, because I happen to be one of these reserve officers and feel it my duty to say something, I ask the attention of the House for just a minute or two in regard to two or three facts.

I went over to France in command of an Infantry company which was the size of a regiment of Civil War times, more than 300 men. I had sappers and bombers. I had trench mortar artillery, I had a one-pounder cannon platoon, and full Infantry rifle equipment besides. I did not have sufficient training. I could not have had sufficient training. Nor did the vast majority of our officers. I had had no military experience until I answered the call to go to Fort Harrison in 1917 and take the military training there, the best military training that they could give inside of three months. It included not only studying a great part of the night but working all day digging trenches, learning the nomenclature of military affairs, and how to handle men, and it also included a great many other things, such as scrubbing floors and cleaning cuspidors, and I did the best I knew how. Last year I attended a camp of instruction at Camp Knox, Ky., for the training of our citizens during the summer months. In 30 days I saw a miracle unfold. I saw how much better they had learned to train men. I saw 1,225 men increase more than a ton in weight. I saw them increase an average of one-half inch in height. I saw them increase more than a third of an inch in chest expansion in 30 days' time, and I say to you that it would be unbelievable if it were not that the facts were determined by a Regular physician and surgeon in charge who made the actual measurements. And the gain in morale, in alertness, in mental independence, is something that I could not describe to you. I say to you that if we do not make adequate provision for the instruction of the men in this country who are willing to meet an emergency we are showing a very shortsighted sort of policy toward the physical training and equipment of our race as well as an unfortunate mental attitude toward the very safety of our country and the preservation of its welfare. [Applause.]

Mr. STAFFORD. Mr. Chairman, the Committee on Appropriations in its recommendations for the National Guard, appropriating a total of more than $21,000,000, and in the appropriation for the citizens' training camps just referred to by the gentleman from Ohio [Mr. FITZGERALD], $1,800,000, without regard to the $1,000,000 that will be accredited to them in the way of clothing, trebling the appropriation for this year, in the appropriation for the training of the students at our colleges to become officers in case of emergencies, $2,750,000, have proved that there is no disposition on the part of the subcommittee reporting this bill to restrict or to limit the proper military activities of the Government. As to this item, we have carried the same amount as last year, namely, $250,000. The War Department asked many millions of dollars for the extension of this activity, $4,000,000 in round numbers; but even in that $4,000,000 no estimate was made of the necessary expenses for sustenance and light and clothing, which would involve $3,000,000 more.

It is the sense of the subcommittee reporting this bill that we are accountable not entirely to the military chieftains of this House who have seen Army service or to the military chieftains in the employ of the War Department, but we have a higher responsibility, to reflect the sentiment of the country in favor of economy. [Applause.] We do not in this instance curtail the enlisted reserve officer personnel. Of the 200,000 officers who served in the World War there are 65,000 in the Officers' Reserve Corps.

But we did not think it was essential that we should provide $1,500,000 of this $4,000,000 for railroad transportation of 30,000 of these reserve officers. But we did believe that this $250,000 could be utilized for sending to service schools those who wish to go more than 15 days, which is the limit in the Army reorganization act which reserve officers may be compelled to serve, and where they would receive for three months training that would be of real value if any emergency should call them to the colors. Now, it is merely a question of finance.

These reserve officers, 65,000 all told, to whom high praise should be given, are not going to be reduced in any way. They are not going to resign because of this $250,000. We believe that at the present time it is inadvisable to appropriate $8,000,000, notwithstanding the position taken by the various colonels and captains on this floor who come here by reason of their war service, which is very creditable to them, to echo the views of the Army officers. They seem to be obsessed with the idea that war is impending, and that idea seems to have taken hold of Representatives on the Military Affairs Committee who happen to have arsenals in or near their districts where they wish these activities to be continued.

Great credit should be given to the chairman of the subcommittee who, notwithstanding he has more activities of the War Department in his district than any other member, stands up here as he stood in the subcommittee, in favor of only that which is right. He does not believe in being driven by extreme opinions of the military chieftains which we find so general throughout this Chamber and throughout the War Department. [Applause.] So we say that we present a reasonable proposal. If you want a bill carrying $400,000,000—and I do not think there are many men on this side or on the other side who would want to go to the country in favor of such a large military budget—if you want a bill of that kind you will vote for the pending amendment, but if you are in favor of a reasonable establishment you will vote for the committee's proposal. [Applause.]

Mr. SISSON. Mr. Chairman, I want to say that unless we want to write ourselves down in the campaign of both political parties as a lot of liars and hypocrites you will not increase this appropriation, because if there is anything on earth that can wait it is this sort of a proposition. There is not a single one of you but knows that two weeks' training does not fit a man for an official command on staff duty or anything else, and yet here is a proposition cold-bloodedly asking this committee to give $5,000,000 instead of $250,000 provided in the bill. Go ahead and do it if you want to. You have the power, you have the votes to do it; go ahead, but when you spend $4,000,000 for these exploits in the summer time in my judgment you are squandering the people's money gratuitously.

You can tell something about a man by his history or something about his service in the past. When you find a man who has reached the grade of captain or as high as a colonel in any branch of the service, he comes here and poses as a great expert. He tells everybody who has not actually seen service that they have no business passing on military affairs or voting the people's money away for the Army. Why? Because he does not know anything about it. That is his attitude. If it is true, if that is the wise thing to do, why not abrogate the right of Congress to pass on these things at all and let the General Staff of the Army tax the people what they think is necessary to maintain the Army? Now, gentlemen, you ought not to sacrifice your right to think. Every Congressman has a right to think, even after he is elected to Congress and even after he is sworn in down here in front of the Speaker's desk. [Laughter and applause.] Therefore, if he has a right to do it he ought sometimes to think a little. And yet you hear men come before the House, not appealing to reason, not appealing to your judgment, but telling you what the General Staff and Secretary of War want. If we did what the General Staff wants the Army would be composed of 509,000 men and seventy-odd thousand officers.

Mr. MONDELL. That was a Democratic Secretary of War, as I recollect it.

Mr. SISSON. Oh, the gentleman from Wyoming wants to inject politics into the debate. This is the first time I have heard it. The gentleman knows as well as he knows anything, as well as he knows that he is the leader of the majority, that it was the General Staff and not the Secretary of War. I do not think that the former Secretary of War ought to be held responsible for that. I know that the General Staff to-day controls a great many votes in this House. By the way, they are great on propaganda. I did not believe that they were until the last few years. I thought that the Army was out of politics, but they are in politics up to their ears. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired, all time has expired, and the question is on the amendment offered by the gentleman from Massachusetts [Mr. ROGERS] as a substitute for the amendment offered by the gentleman from Pennsylvania.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the various amendments be reported.

The CHAIRMAN. Without objection, the Clerk will report the amendments.

The Clerk read as follows:

Amendment offered by Mr. HILL: Page 17, line 3, strike out "$250,000" and insert "$981,975."

Substitute offered by Mr. CRAGO for the amendment offered by Mr. HILL: Page 17, line 3, strike out "$250,000" and insert "$1,963,951."

Amendment to the substitute offered by Mr. ROGERS: Page 17, line 3, strike out "$250,000" and insert "$3,927,902."

The CHAIRMAN. The question is on the amendment to the substitute.

The question was taken; and on a division (demanded by Mr. HULL) there were—ayes 28, noes 85.

So the amendment to the substitute was rejected.

The CHAIRMAN. The question is on the substitute offered for the amendment of the gentleman from Maryland.

The question was taken; and on a division (demanded by Mr. CRAGO) there were—ayes 37, noes 83.

So the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. HILL].

Mr. HILL. Mr. Chairman, I ask unanimous consent that the amendment be reported.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Page 17, line 3, strike out "$250,000" and insert "$981,975."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. HILL) there were—ayes 40, noes 75.

So the amendment was rejected.

The Clerk read as follows:

Pay of enlisted men: For pay of enlisted men of the line and staff, $48,863,088. The Secretary of War is directed, under such reasonable directions as he may prescribe, to grant applications for discharge of enlisted men serving in the continental United States without regard to the provisions of existing law respecting discharges until the number in the Army has been reduced to 115,000 enlisted men, not including the Philippine Scouts. The provisions of this paragraph shall take effect immediately upon the approval of this act.

Mr. KAHN, Mr. SISSON, and Mr. KNUTSON rose.

The CHAIRMAN. The Chair will recognize the gentleman from Mississippi, a member of the committee.

Mr. SISSON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SISSON: Page 18, line 16, strike out "$48,863,088" and insert "$42,665,583," and on page 18, line 21, strike out "115,000" and insert "100,000."

Mr. SISSON. Mr. Chairman, this matter was discussed at length when we discussed the item fixing the number of officers. I then made the statement that I thought that 100,000 men were sufficient. I stated then that 9,000 officers would be sufficient in the event you reduce the number of men down to 100,000. However, I agree with the chairman of the subcommittee that it does not necessarily follow that a reduction in the number of men means a reduction in the number of officers, because the officers are used for so many other purposes than officering the actual number of men within the service.

I want to state at the outset that in the event of war no one believes that 115,000 men would be enough, nor does anyone believe that 150,000 men would be enough. If it were a war that amounted to anything, a half million men would not be enough. In the last war we enlisted 4,500,000 men. One hundred thousand men in my judgment will serve the same purpose as the 115,000 men, because if it is for the purpose of doing police duty we must not forget that the officers of the National Guard say that at the end of the next fiscal year they expect to have 190,000 men in the National Guard. They expect to get 160,000 men by the 1st of July, and if they do, we will begin the fiscal year with 260,000 soldiers. If the Secretary of War and the President will do what the Secretary of War desires, namely, abolish all of these interior posts that are serving no good purpose at the present time, except to spend money upon, then you can take the 100,000 men and perform better duty in the United States than you can now with the 130,000, because now more than 30,000 are not in the United States. If those 100,000 men are stationed about where they would be most needed, you could divide them into five equal parts of 20,000 each, or of 15,000 each, and you would never use them, in my judgment, except for peace purposes—that is, aiding and assisting the governors in keeping the peace in the various States. One hundred thousand men are ample for that, and you will save not only the amount of money that would be carried in this amendment, which is the difference between $48,000,000 and $42,000,000, or over $6,000,000, but in many other items you would be able to save millions of dollars, in feeding the Army and clothing the Army, and so forth.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SISSON. If you gentlemen agree with me, I think you can save twelve or fifteen million dollars in this item alone by reducing the Army 15,000 men. If I thought the 15,000 men would add anything to the service of the Army, I would not object to their remaining.

There is one thing I hope you will not lose sight of. Let us be practical in this House, let us do the practical thing. We know that we are going to have a contest on this item with the Senate, and if you agree on 100,000 men you will come nearer to getting 115,000 men in conference than you would otherwise. In other words, they will demand, in my judgment, the present law and the present number of men. If you want to reduce the number of men in the Army the way to do it most easily, in my judgment, is by agreeing to this amendment of 100,000 men. Personally I would not agree with the Senate to go over 100,000 men. I think that number is ample, because if I believed that the uniform and army expenses added to the strength of a nation I would agree to it, but I do not believe they do. I do not believe the Nation is made stronger by it. I believe the Nation is made weaker by a great number of uniforms. If you go into a country and find a uniform on every street corner, if you find the uniform on the streets in great numbers it is the greatest evidence that that country is in bad shape, because it needs an army to support the government; but it also means that the people are bearing on their backs a burden which they ought not to bear.

If the lessons of the past mean anything, big armies and big navies do not bring about peace, but they produce war. It was urged until this last war that it could not be otherwise than that we would have peace, because every nation was prepared for war. On the contrary, I do not believe that that is the true philosophy. I do not believe that human nature acts in that way. Germany was the best-armed country in the world and she sought to get to Constantinople in a few days and obtain the right to build a railroad from Berlin to Constantinople. If she could have gone across the Balkan States in a few days that would have ended the war, provided the nations

would have agreed that she might have held some right over the territories through which her armies had gone. Now, we find the Government of Germany gone, we find it helpless. The head of the Government is a refugee from the wrath of his own people and is afraid to return to his own country. There is a monument to militarism and what militarism has done for a people. You find also that the next military despotism is also gone—Russia. Will men never learn anything? Will you not learn that you can not make nations strong with armies and navies? Will you not learn that the best thing to make a nation strong is to have well-filled corncribs and smokehouses, is to have a happy people everywhere, with everyone contented?

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. MANN. Is the gentleman really afraid of a military despotism in this country?

Mr. SISSON. Indeed there is nothing that I fear more unless it is the fear of the fancied security of the people who imagine that there is no danger of militarism in this country. The history of the past shows that nations never grow less militaristic, that they grow more so. We find on this floor that those men who served in the Army are the very ones who are championing big armies and are infatuated with militarism.

There are a few men——

Mr. HILL. Will the gentleman yield there?

Mr. SISSON. I will yield.

Mr. HILL. In talking to men who served in the Army and who advocate a proper national defense, they have all said to me they had advocated that because they did not want to serve in the Army any more in the future.

Mr. SISSON. If I thought that sort of philosophy was the proper sort of philosophy, and if there was any sense in that, of course, I would want to have a big Army, but I doubt extremely whether any of those men are intelligent enough to talk to my friend about it——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I ask for five minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none.

Mr. SISSON. And I hope he answered it. But, as I say, gentlemen, that the war has taught this lesson, that the principle has finally been determined by great armies. Our fathers thought that when they provided that this national defense should be preserved in the first instance by State Militia, as they called it in those days, and up until a few years ago—that is, up until the passage of the Dick bill a few years ago—the United States for its police power relied upon the State Militia. We have not had a great centralized standing Army until within the last few years. The more you multiply the uniform of the standing Army of the United States you get that much farther away from that principle of freedom that our fathers intended for us. No, gentlemen of the committee; I do not fear anything so much as I do the lack of affection for this Government which will be caused by virtue of oppressive taxation, and when men realize that what they have earned in the factory or on the farm will be taken from them and given to these people who serve in the Army or Navy, or who occupy favorite places in the Government, that moment those people who are producing the wealth lose confidence in the Government. Taxes now are staggering; they are so staggering that both the great parties went before the people of the country and advocated a reduction of taxation. Not only went before the country and said that you not only did not believe in increasing taxes but said you believed in and would reduce taxation. Whether you vote for it or not, that is what you are going to say, and if people will look at this record you will vote in consonance with their wishes and their desires. Those men who vote for large permanent armies and navies are men who believe in the heavy expenditures of the Government. The only place you can greatly reduce expenditures is in the Army and the Navy. That is where you can, in my judgment, take off some $250,000,000 entirely, and if you mean what you say, you can without any danger to this country reduce this Army to 100,000 men.

You, my Republican friends, have the power, you have a large power in this body and in the Senate. You have an overwhelming majority here. Your majority is greater than our membership, and if you want to make good your pledges that you made to the people in order to get their votes—you did not say anything to them about big armies and navies. You said that you would reduce the Army and the Navy and thereby taxation, not a little bit, but you would reduce it very much, and have a radical reduction in taxation. Now, men may smile satirically here at these things, but I tell you it is serious. Now, do you mean it? In the course of a few minutes or perhaps within the next hour you will be called upon to vote. Now, will you vote like you promised? Will you vote like your platform pledged you to vote or will you not? Will you make good and save over $6,000,000 for pay of the Army and in the other items that follow where probably you can save that much money additional? Not only that, but if the provisions of this law under which we are now operating, this Prussianized army law under which we are operating, this army law that is as bad as anything Von Hindenberg ever asked, this law that is as bad as any Prussian militarism which we opposed and cursed so much before we got into war—under that law, as bad as it is, some features of it that are extremely bad by which when men got in the longer they served the more they get, the longer they live the worse it is, so the best thing this Congress could do would be to repeal that Prussian army law that is upon the statute books so that we could control some of the expenditures under the law without having to fill the bill with all sorts of provisos to control the expenditures. Now, gentlemen, in closing let me say that my position is one which is sincerely honest. I do not feel anything at all against those who may differ with me. On the contrary, when men have honest differences, if they are honest in their positions, they do not fall out with other men whom they believe to be equally as honest in their opinions. I know I am honest in my convictions, and I tell you I believe this is your opportunity to serve your country, to reduce the expenditures of your country, and that will not do any harm to the Army in the least. [Applause.]

Mr. McCORMICK. Mr. Chairman, there is no question in the world that this is the crucial point in this bill. The amendment offered by the gentleman from Mississippi reducing the personnel of the Army from 115,000 men in the bill to 100,000 is in keeping with his position on yesterday in offering his amendment to reduce the commissioned personnel of the force. Now, as I look at it, there are three possible positions to take in this situation. As I understand it the chairman of the Committee on Military Affairs will shortly offer an amendment as to whether we will have an Army or will not have an Army.

If we are going to have an army, we must have an army that comes under the provisions of the recommendations that have been offered by the General Staff and are in keeping with the provisions of the act of 1920. Now, if we are not to have an army, but a mere police force or a fire department, then the proposition of the gentleman from Mississippi [Mr. QUIN], as mentioned yesterday, of having a force of 55,000 men is——

Mr. QUIN. I said 50,000 men.

Mr. McCORMICK. Then the gentleman is coming nearer to a fire and police department than I thought was possible under the terms of the gentleman's amendment. As the bill now stands, as recommended by the Committee on Appropriations, you neither have a fire department, nor a police department, nor an army. And in my estimation, gentlemen of the committee, we should not only vote down this amendment just offered by the gentleman from Mississippi [Mr. SISSON] but we should receive favorably the amendment which later on will be offered by the gentleman from California [Mr. KAHN], which will add respectability to our land forces.

Now, the gentleman from Mississippi [Mr. SISSON] is apprehensive lest we see uniforms here and there upon the streets of our country. There was a time not so long ago when the sight of a uniform, either of the Army or the Navy, was very welcome, not only to that gentleman but to 108,000,000 people of this country. Has it come to pass that the sight of a uniform in the United States has become repellent? Gentlemen may talk of disarmament, they may entertain the fancy that we do not fear any armed intervention or invasion of our country from any source, but let me impress upon gentlemen that international disarmament is not an accomplished fact. All we have before us is a treaty pending in the Senate at this time which is a mere proposition to disarm, but so far as the Army of the United States is concerned we went through a practical disarmament conference when we reduced the size of the Army last year from 175,000 to below 150,000. The only reasonable attitude to adopt, in my view, is that we should keep the Army to a size where it will be an army and not where it will be something else. It has occurred to me, Mr. Chairman, that we have fallen on evil days. We have forgotten the lessons of the recent past, when it was abhorrent to the ears of an American to hear the old song, "I did not raise my boy to be a soldier." We went through a period when that sentiment was ridiculed by the people of this country, and justly so, but I fear we are coming back, and at the present time have come, to a situation where that little old ditty is being revived right here in the Halls of Congress. And I wish to register my solemn protest, at least, against a revival of that sentiment. [Applause.]

Congress having had devolved upon it by the Constitution the duty of providing for an army and navy, should provide for a real army and navy, and I trust it will never be necessary, either when it comes to discussing this bill or the naval bill, which will later be brought before this House, to bring our quota below our agreement or below a reasonable margin of safety for the people of this country.

An army is a diversified thing. There are different lines of activity which an army indulges in at the present time which were unknown to armies in former times. Mr. Chairman, it is necessary to have a complete army if you are going to have any army at all. And so in the consideration of this bill we have got to determine among ourselves whether we want an Army or whether we want something else. And I assume that we do want an Army, as it is our duty under the Constitution to provide for an Army. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. Mr. Chairman, I desire to offer as a substitute for the motion of the gentleman from Mississippi the amendments which I send to the Clerk's desk.

Mr. QUIN. Mr. Chairman, a parliamentary inquiry. I have an amendment that I desire to offer. Would it be proper to offer it now or after the amendments of the gentleman from California?

The CHAIRMAN (Mr. TINCHER in the chair). The Clerk will first report the amendments of the gentleman from California [Mr. KAHN].

The Clerk read as follows:

Amendments offered by Mr. KAHN as a substitute to the amendment offered by Mr. SISSON:

On page 18, line 16, after the word "staff" strike out "$48,863,088" and insert in lieu thereof "$61,306,375."

And in line 21, after the words "reduced to" strike out "115,000" and insert in lieu thereof "143,000."

Mr. KAHN. What is it the gentleman from Mississippi [Mr. QUIN] wished to know?

Mr. QUIN. I wanted to know, in view of this amendment of mine, striking out "$42,000,000" and inserting "$25,000,000" and striking out "100,000" and inserting "50,000"——

Mr. KAHN. The gentleman can offer that after we dispose of these other things.

I have no desire to take up unnecessarily the time of the House; I simply want to say that the country ought to have an Army that can begin to function immediately if anything should happen. One hundred and fifty thousand men can not win a war. They can not begin to do anything of that kind. The only thing that that number of men can do is to train the citizen army in case it should be called upon to serve during a war.

Mr. CRAMTON. Will the gentleman yield?

Mr. KAHN. I can not yield to the gentleman. I have just a few moments. I do not want to take up the time of the committee.

But I want to call to the attention of the committee that several years ago the Secretary of War made a proposition for an Army of 507,000 men after the armistice had been signed. Not only did he offer it once, but he offered it on a subsequent occasion when the Military Committee was considering the number of men that we ought to have in the Army of this country. The overwhelming opinion of the members of that committee was that 175,000 men could do what was required at that period of time, and this House properly voted for that number of men. We got along very well indeed during the peace period that ensued immediately after the war. However, as I said yesterday, no man can tell when troubles are coming. We have not recognized Mexico. We may have trouble down there overnight. We have a situation in the West which may lead to trouble. We hope not, but it may lead to trouble, and the best thing to do and the cheapest thing to do is to have a moderate sized Army that can go to work immediately in case a war should come.

I do not desire to take up the time of the House any longer. I hope the amendment which I have offered will be adopted.

Mr. QUIN. Mr. Chairman, I have an amendment which I wish to offer.

The CHAIRMAN. The gentleman from Mississippi offers an amendment which the Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. QUIN to the amendment offered by Mr. SISSON: In lieu of the matter proposed in the amendment offered by Mr. SISSON: Page 18, lines 16 and 21: Strike out "$42,665,583" and insert "$25,000,000." Strike out "100,000" and insert "50,000."

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. QUIN. Mr. Chairman, it appears that some gentlemen believe that an Army of 50,000 men is simply a police force. Do they forget that we had only 25,000 men authorized before the Spanish-American War? The United States of America, from the date of the unfortunate engagement between the forces of the Confederacy and the Federal Government, saw fit to have less than what some of you call a fire department for an Army, and the United States got along all right. All the people realize at this time that taxation is an onerous burden and that if we have such a large Army as the gentleman from California [Mr. KAHN] desires we must have an irreparable and continuing burden imposed on us.

I desire to refresh the gentleman's mind about the size of this Army after the armistice, which the gentleman from California and all of the others except Mr. LaGuardia, of New York, and Judge WISE and myself, of the committee, reported out to this House an Army of 509,000 enlisted men and 28,244 commissioned officers. We whipped them on the floor of this House by the aid of gentlemen on both sides of the House going in with the gentleman from New York [Mr. LaGuardia] and myself. The Senate failed to pass on it at all, and a concurrent resolution was passed for the support of the Army, before final adjournment, March 4, 1919. Then, after the gentleman from California became chairman, at the special session called in May, 1919, he brought out a bill for 400,000 enlisted men and 22,000 officers, asking the people of the United States to stand up under that great burden of a standing Army. Again the Members of this House stood by me and other members of the committee and cut it out.

Now, Mr. Chairman, it does not seem that the gentleman from California was so much opposed to a big Army. I want you further to understand that I was not much taken up with the then Secretary of War, a so-called Democrat, at that time; and I will say this, that the gentleman from California did not agree to the big Army at that time in the committee, as he wanted 100,000 in the Regular Army and compulsory military training in time of peace and place all the young men in the reserve army, which would have made in a few years an army of 9,000,000 men. If he could not get compulsory military training in peace times, then he wanted a big Regular Army. I am giving to the committee now what happened in committee and on the floor of this House. The last time we had up the Army appropriation bill the gentleman from California said when you reduced the size of the Army to 175,000 men you ruined the Army. He said when you put down the number of officers to 17,000 that you ruined the Army; when we reduced the Army to 150,000 men and 14,000 officers he thought we were ruining the Army. Now, when the Committee on Appropriations brings in a bill and recommends an Army of 115,000 men and 11,000 officers, he offers his amendment here raising it up, and he still says you are ruining the Army.

I think the proper thing to do is to adopt my amendment, cutting the amount down to $25,000,000, with 50,000 enlisted men. Surely it will not take more than 7,000 officers, including second lieutenants, to handle an Army of that size. You have 142,000 men in the National Guard of the United States, according to the figures supplied by the General Staff. Then why should we have over 50,000 men in the Regular Army?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. QUIN. Will you give me three or four minutes more?

Mr. KNUTSON. Unless the gentleman gets down in front I shall object.

Mr. QUIN. I will get down, then. [Laughter.]

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for four minutes more. Is there objection?

Mr. QUIN. Make it five minutes.

Mr. KNUTSON. I ask unanimous consent that the gentleman may have five minutes more. He has complied with the requirement. [Laughter.]

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIN. I ask again, Why should we have more than 50,000 men in the Army? Eleven hundred officers is too large a number to keep in the city of Washington. You have a population here of 400,000 people in the city of Washington. I want to say to the gentleman from California that you have enough officers in this city to handle an earthquake. Now, then, if you propose, my friends, to go back to fundamentals, why can we not reduce this army to 50,000? If 25,000 was ample and sufficient in 1897, why is not twice that number sufficient for this country to-day, with a splendid National Guard provided for, and when you have actually in existence to-day 142,000 men in the National Guard located well in every State of this Union, well drilled and qualified to take care of the situation locally? With that 142,000 enlisted men in the

army of the National Guard and 50,000 enlisted men in the Regular Army you have 192,000 enlisted men under arms in the United States. Does this Republic need any more army than that? In all sincerity I reply to the gentleman who talks about 50,000 men being a fire department, What kind of a fire department is he used to? My goodness alive, think of a fire department with 50,000 men and 11,000 officers in it! I am afraid the gentleman indulges in hyperbole and does not respect the pocketbooks of the taxpayers of the United States. [Laughter.]

They are the people who need to have some attention paid to them by the Congress of this Republic. Congress has gone as a body too far afield. Some of you have forgotten the man who actually produces the wealth of this country. Congress is laying on him burdens here through all forms of taxation that will make it so that somebody must answer, and that answer will be at the ballot box of an outraged public.

You Republicans know some of you gentlemen have a discriminating constituency. [Laughter.] They will understand the difference between a great standing Army in peace time and a legitimate Army that they understand will be the proper safeguard for the United States as a Republic. They understand the difference between 7,000 officers and 13,000 officers. They understand what it means to carry on their backs 13,000 officers, with an Army, such as the gentleman from California [Mr. KAHN] desires, of 150,000 enlisted men, with 67 general officers, brigadier generals, major generals, lieutenant generals, and a general. These people look to Congress to act as a board of supervisors in a county toward saving their pocketbooks. If a Republican Congress goes wild on every kind of extravagance it must meet its Waterloo, because the people will repudiate such conduct and actions under stress at the proper time. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. BEGG. Mr. Chairman and gentlemen of the committee, I want to speak against the amendments of the two gentlemen from Mississippi and also against the amendment of the gentleman from California. I simply want to call the attention of the committee to the fact that we are carrying in this bill appropriations of about $224,000,000 for military purposes. For the agriculture of the United States and for the Departments of Commerce and Labor we are carrying total appropriations of $70,000,000. Now, I do not wish to be placed in the position of thinking that in this year of the world it is possible to reduce the Army to an ultimate minimum of cost; but I do want to call the attention of this committee to the fact that if there is to be any criticism of our appropriations for the Army it seems to me that criticism should be against the number of officers, and that it is in that direction that we are not getting 100 cents worth of value for every dollar that we spend. I know that the men responsible for the framing of the Army bill believe I am wrong in my philosophy; but I do not believe it is good policy, I do not believe it is the way to get the most out of every dollar expended to have 11,000 officers and only 115,000 men. I do not believe you can train an officer to fight a battle by keeping him at a desk in Washington. I do not believe you can teach an officer strategy by keeping him down in the War Department or in the War College. I have only to point your attention to the fact that in the late war the English Army and the French Army went up against a kind of warfare that they had never dreamed of before they went onto the battle field to meet the German Army. How are you going to develop that kind of military knowledge? You either have to advance on a program of military preparedness to the extreme or else you have to take the other of the two roads, namely, to have just an Army large enough to do police duty in this country.

I want to say again that I believe we could save $4,000,000 on Army officers and not damage the police powers of the United States one whit. I do not believe you can cut the enlisted personnel down below 115,000 and have very much of a police force. I had rather take the amount of money that would be saved by cutting off 4,000 high-priced Army officers and put that same amount of money into the enlisted personnel, and then the 7,000 or 6,000 Army officers that we would have would have something with which to work, to practice and experiment upon, and to develop in our Army tactics.

I want to call your attention to another thing. I do not believe there is any serious danger of this country growing militaristic at all. I do not believe it is necessary or wise to do that. Let us read history. I do not believe my friend from California [Mr. KAHN] is any more militaristic than I am.

Mr. KAHN. Will the gentleman yield?

Mr. BEGG. I will yield briefly.

Mr. KAHN. I call the attention of the gentleman to the fact that when the then Secretary of the Treasury and the Chief of Staff were recommending an Army of 507,000 men, I voted to cut it to 175,000 men.

Mr. BEGG. I agree with the gentleman. I do not think he is a bit more militaristic than I am, as I said. He does not quite agree with me on the number of the personnel, but he has just as good a right to his belief as I have to mine.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BEGG. I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. BEGG. I simply want to point out this thing in history, and I want you to observe it: During the past 50 years the militaristic powers of the world produced the poison gas and the tank with which to meet the enemy. As an offset to that the United States, having her small Army of 85,000 men, produced the reaper for the farmer. We produced the tractor to offset the tank. We produced 75 per cent of the inventions that are used by the civilized world to-day everywhere. We contributed to the happiness and prosperity of the human family. Now, if that is true, if in the past 50 years we made progress in the implements of peace rather than in the implements of war, I believe it is a safe guidepost by which we may go for the next few years and cut the Army to the very minimum, to the very bone if you please. I wish the committee had cut the Army officers to a smaller number than they did, although I am willing to follow their suggestion. But I can see no use for having an Army of 140,000 or 150,000 enlisted personnel instead of 115,000.

If there comes any fighting within the next 15 years, within the life of the Army enlisted personnel, that will be enlisted up to 125,000 or 140,000, there are the reserve officers all now trained who can be called upon if danger comes from Mexico, as suggested by the gentleman from California. We have not only the Army officers already trained, out in civil life now, but we have that great army of soldiers whom we can call to the colors in short order; and if trouble comes from Japan, which I think is a mere nightmare since the disarmament conference, and after to-morrow, when I prophesy that at the other end of this Capitol that treaty will be ratified, we can call upon those men who have seen service; but I believe that through the treaty which has been negotiated as a result of the armament conference the possibility of any danger coming to the western part of this country has been postponed 25 or 50 years. And if that is true, the finances of our country need trimming to the bone. We want to save a thousand dollars wherever we can, to say nothing of saving $1,000,000, and if we can save it on the enlisted personnel and get along without the great office force of Army officers, I believe, in common fairness and justice, we ought to save that amount of money.

Mr. ANTHONY. Mr. Chairman, with the idea of limiting the debate on the paragraph and any pending amendments, I would like to ask the gentlemen who want to talk if a limitation of 25 minutes will be sufficient?

Mr. KNUTSON. I should like to say that I have an amendment here that I wish to offer, not on this particular matter but on the paragraph under consideration.

Mr. ANTHONY. There seem to be five gentlemen who desire to talk. Will it be satisfactory to have 30 minutes, 5 to be consumed by the committee?

Mr. SISSON. I should like to reserve five minutes for the committee on this side.

Mr. ANTHONY. Then let us make it 35 minutes.

Mr. SISSON. The gentleman from Mississippi [Mr. LOWREY] desires five minutes.

Mr. KNUTSON. Reserving the right to object, Mr. Chairman, I should like to have it understood that I be given an opportunity to offer my amendment.

Mr. SISSON. If I may have the attention of the subcommittee, I imagine that this will comprise all the debate on the Army proper, because after you have fixed the number of men the rest will be almost a matter of course. I do not want myself but five minutes and the gentleman from Mississippi [Mr. LOWREY] wants five minutes.

Mr. ANTHONY. I suggest that all debate on the paragraph be limited to 45 minutes, 10 minutes to the two gentlemen from Mississippi on the other side of the House and 10 minutes to the committee, and the balance to these other five gentlemen.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on the paragraph and all amendments thereto close in 45 minutes. Is there objection?

Mr. CRAMTON. Reserving the right to object, I would like to know if I am included, as there seems to be more than five other gentlemen on the floor.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. PARKER of New Jersey. Mr. Chairman and gentlemen of the committee, General Pershing and every officer of our Army ask for some continuity of policy. They can not organize an Army if its number changes from year to year, and they have to diminish the number of divisions, scrap them, and send them into other divisions, changing corps areas and changing your posts. They have to have some fixed organization, and what we are doing now is not fair. In 1920 we fixed the Army at 175,000. In 1921 we fixed the Army at 150,000 men, and now it is proposed to reduce it still more. It is not fair to the patriotic officers and men who want an organization, and have a small Army, but a good one. We can not have an Army if we are continually changing our forces. That is my first point. I think the action taken last year was intended to be a finality, and it ought to be treated as such, and it is not fair to go back and say we will do something else.

The other point I want to bring forward is the one indicated by the gentleman from New York [Mr. MILLS], who served in the Argonne. We must have a staff of officers who know something about moving large bodies of men. This can not be learned in a war staff college; it can not be learned at summer maneuvers. Our commanders and officers can not learn how to move a corps of 50,000 or an Army of 100,000 unless these officers have actually tried it and learned how; otherwise we go into war unprepared. It was for that reason that the War Department once asked for an Army of 500,000 men. We thought that was too much, but it was for that reason that we gave them 175,000; it was for that reason that we did not reduce the number below 150,000. I appeal to you not to go below that number, because we must have an Army of sufficient size to train our officers to learn how to make war.

Mr. CRAMTON. Mr. Chairman, there are pending before the House three propositions which demand most serious consideration: 100,000, 115,000, and 143,000. The gentleman from Mississippi [Mr. SISSON] urges 100,000 as an economy measure. The gentleman from California [Mr. KAHN] urges 143,000, representing that element in the House that in all the years I have been here have been constantly for the biggest Army they could get the House to stand for. The gentleman from California takes much credit because at one time he did reduce the number to 175,000 as a limit. The gentleman urged an Army of 175,000 under a suspension of the rules when no amendment was possible, and when, if the House had a chance to vote its judgment, it would have voted for 150,000. The gentleman did it in order to save the biggest Army he knew it was possible to save. So to-day, when he advocates reducing it to 143,000, we have no reason to think that he feels that 143,000 is sufficient, but it is with the idea that that is the most the big Army people can get out of the House at this time.

The other proposition of 115,000 is urged by the subcommittee, and with my judgment of the committee and my admiration for their ability, I am forced to the conclusion that it was an effort to meet the differing views in the House and is a compromise; it is a compromise that is not appreciated by the big Army men. This is a time when we need to economize. It is the supreme need. We ought not to spend one dollar more for enlisted personnel than is absolutely necessary. Before the war we never had 100,000, and there is no need existing now that did not exist then. In addition to the enlisted personnel, we have the federalized National Guard, the civilian training camps, and the Reserve Officers' Training Corps for preparedness for possible war. If we have to fight Japan, as gentlemen claim, an Army of 143,000 will not be any better than an Army of 100,000. It is simply a matter of police force, and if we adopt the amendment of the gentleman from Mississippi we will accomplish that and save from $6,000,000 to $12,000,000. We should make that saving for the taxpayers. Besides that, the United States would appear before the world as the leader in the movement for disarmament. There are four great nations, four great powers, that must lead in the rejuvenation of the world—the United States, France, Great Britain, and Italy. We stand with France as one of the powers that do not want to go back to a prewar figure in the size of its standing army, but lack the excuse that France has. Italy has gone below its prewar figure, and England is going to its prewar figure. The only argument there is whether she shall reduce below the prewar figure. The Geddes report advocates a reduction of 20,000 below the prewar figure and the war office agrees to leave it at the prewar figure. It is urged by the gentleman from California [Mr. KAHN] that we increase our prewar figure by over 50 per cent, and the subcommittee recommends an increase of 15 or 20 per cent. Let us stand before the world not only as leading in the work of naval disarmament, but also as leading in the more necessary work now of land disarmament and not provide an Army 50 per cent larger than we have any need for at this time. I hope the amendment of the gentleman from Mississippi [Mr. SISSON] will be adopted.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CROWTHER. Mr. Chairman, will the chairman of the subcommittee kindly inform me what proportion of the $224,000,000 consists of nonmilitary appropriations? For instance, I notice one here on page 114, an item in the interest of commerce and navigation, amounting to $27,635,000. Does anyone know what the total is that we are spending for real military purposes?

Mr. STAFFORD. The gentleman will find that information on page 11 of the report. For military purposes it amounts to two hundred and twenty-four million seven hundred and twenty-two thousand and odd dollars and for nonmilitary purposes, including the Panama Canal, rivers and harbors, and other activities exclusively nonmilitary, $45,630,000.

Mr. CROWTHER. Then, the $224,000,000 is specifically for military purposes?

Mr. STAFFORD. Yes; for military purposes proper.

Mr. CROWTHER. Mr. Chairman, there has developed during the last two years, dating one year from the signing of the armistice, a remarkable change of sentiment in the minds of Members of Congress regarding preparedness that I do not believe touches a responsive chord deep in the hearts of the American people. During the war everyone, of course, was for preparedness, and there was a great deal of talk at that time that we were never going to be caught unprepared again. During the war, due to our success abroad, following the wonderful strides we made in this country in the preparation of an army, we became in a sense a sort of swashbuckling nation, parading around with a chip on each shoulder and suggesting that we could lick anybody in all the world. The pendulum had swung away over to the side marked "militarism"—not the Prussianized militarism that my friend from Mississippi [Mr. SISSON] is afraid of, because there is a vast difference between that and the militarism which I have in mind. The Prussian Army as it existed on the other side was hated by the people. The people feared their army. The Prussian soldier on the street and in public places was rude and overbearing to civilians. In the United States we learned during the war to love and respect our soldiers. That is the difference, and that is the reason we shall never develop a Prussianized militarism in this country.

We love and respect the men who went to the front and made sacrifices that the imputation "Too proud to fight" might be disproved. And I for one am going to help them to secure a bonus, which has been so much talked of lately. [Applause.] The gentleman from New York [Mr. LONDON] says, "Are you for it?" "Yes," I answered, "I am for it." "Do you want to vote for it?" he asks. "Yes," I answered, "I want to vote for it because I believe that we owe them for the magnificent service they rendered more than we shall ever be able to pay them."

Mr. Chairman, the pendulumn has now swung back the other way, and in the last Congress when we were talking along the line of having universal military training, suddenly this great revulsion of feeling became manifest, and we discovered we did not want it. Many Members of the House immediately got "freezerina pedallus," which is hog latin for cold feet, and wanted all legislation that pertained to militarism in any way, shape, or manner put on a high shelf. That is the condition in which we find ourselves to-day. The chairman of the Committee on Military Affairs and the committee members have been repeatedly humiliated on the floor when they have brought in bills during the last few months. To-day speeches were made on this floor which in war time or shortly after the armistice was signed would have invoked thunders of applause.

The gentlemen from New York [Mr. MILLS and Mr. COCKRAN] and several other Members made speeches of that character. To-day they were hardly given attention, the ordinary attention that would be demanded by courtesy. That is evidence of our lack of interest in this matter. I hope we have a decent sized Army maintained here, and I hope that my country will never again be caught in the trap of unpreparedness, baited with the cheese of pacifism. I never want to see her in that position again. Fear not the militaristic bugaboo of my friends from Mississippi [Mr. SISSON and Mr. QUIN]; they have been seeing bear tracks and hearing noises in the canebrake. Then, once in a while, the gentleman from Kansas [Mr. TINCHER]

comes down here and shakes the Wall Street bugaboo and says that New York Members, Democrats and Republicans alike, come down here and sing the same song in the well of the House, asking for a big Army because they are prompted to do so by the conditions of wealth that prevail.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CROWTHER. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. Reserving the right to object, I understand that the time has been fixed and has been virtually parceled out. Therefore to grant the gentleman from New York additional time would be to encroach upon the time of others. If the time were not fixed, I would have no objection.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more, the five minutes time to be added to the time fixed by the committee, giving notice that I shall not consent to anything of that sort hereafter during this time.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time fixed heretofore be prolonged for five minutes and that that time be granted to the gentleman from New York. Is there objection?

There was no objection.

Mr. CROWTHER. Mr. Chairman, I thank the gentleman from Illinois for his kind intervention. It appears to me that the gentleman from the Middle West [Mr. TINCHER] has an idea that Wall Street is a sort of wicked hobgoblin that sits at the foot of his bed and keeps him from sleeping at night and steals his breakfast from him in the morning. Wall Street is the West and the West is Wall Street, and my friend from Kansas knows perfectly well that every man who is a bondholder, every man who has a considerable competence to invest, and there are a good many of them in his State and in every other State in the Union, is interested in Wall Street and keeps in as close touch with it as he can. It is the center of finance in this country and is as helpful to the interests in the West as any agency I know of. Let us quit these sectional references for all time. [Applause.]

Mr. Chairman, the Regular Army has been reduced to considerably less than the strength required to fulfill the various missions it will be called upon to perform in accordance with the amended national defense act.

I hope that the good judgment of the House will prevail and that you will not be carried away by this flood of pacifism or allow yourselves to be influenced by the harsh criticism that has been hurled at the General Staff, the officers, and enlisted personnel of the Army.

Give us your support for an Army of 150,000; you have already reduced the officer personnel, which I believe is a mistake.

Help us to maintain our National Guard divisions and aid us in securing an appropriation that will enable our National Guard units to secure some measure of proper training; otherwise all interest in that splendid organization will die out.

The National Guard under our present plan is to become a most important factor in the national defense scheme, and any reduction in these appropriations which would curb their activities would be most unwise.

The National Guard has become about as much of an educational institution as it is a fighting force.

In the regiment that is made up of companies located in my immediate neighborhood there are now something over 1,400 officers and men who spend a considerable portion of their time learning many things that are extremely useful to them in their various occupations.

There are splendidly equipped armories maintained by the State without cost to the Federal Government at Schenectady, Troy, Cohoes, Saratoga Springs, Glens Falls, Whitehall, Hoosic Falls, Saranac Lake, Malone, Amsterdam, and Gloversville, and I know that our folks at home are all interested in and proud of having a well-trained company of militia.

We have had reason to be very proud of our soldiers on very many occasions, modest and unassuming in times of peace, but in the stress of war the finest fighting man the world has ever known. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. KNUTSON. Mr. Chairman, this paragraph directs the Secretary of War to discharge under such reasonable regulations as he may prescribe any soldier making application for discharge who is serving in the continental United States. Doubtless a great many Members of Congress have endeavored to secure the discharge of boys serving in Hawaii, in the Philippines, Guam, and other insular possessions of the United States and have been turned down by the War Department by reason of the fact that the existing law prohibits their discharge. I can not see why boys who have been virtually exiled from their country by being compelled to serve in our outlying possessions under trying conditions for one, two, and three years should not have the same opportunity to secure their release from the service as those who have been serving within the borders of continental United States surrounded by all the luxuries and other things that make for civiligation. When the time comes I am going to offer an amendment to strike out the words "serving in the continental United States," so as to place all the boys serving in the American Army upon the same level, giving to all the same opportunity to secure their release from the service, and I am going to ask that you gentlemen on both sides of the aisle support this amendment, because it is conferring upon those who are serving overseas a mere act of justice. Gentlemen, I thank you.

Mr. LOWREY. Mr. Chairman, I agree with much that was said by the gentleman from New York [Mr. CROWTHER]. I agree with him that we want to avoid all sectional suggestions and thrusts and with his suggestion as to blocs. By the way, those gentlemen who claim not to know what a bloc is should study the part of their anatomy above their necks.

But both the dominant parties are pledged to economy and to cut down taxes. And that is not simply the old low-pressure cry; we all know the general situation. We all know something of the terrific expense that our Government has had in the last few years, and how it seems to accumulate. We are all pledged to the idea of cutting down expenses at every possible point, and it seems to me that the sensible way in which to do this is to do it in the way that the farmer does. For instance, when he has had a hard year and had a heavy expense and made a poor crop and sold at a low price, he puts off certain improvements a year or two until things get better. Now, if there is any one thing we can put off in this country, it seems to me, without any danger of any hurt, it is the matter of enlarging our Army—the whole matter of the Military Establishment. We have some two or three million men already trained, and some man in the War Department has recently said there were enough men already trained in actual war, the very best military training men can get to supply any reasonable demand that may be expected for the next 10 years. We have thousands of officers already trained, trained in actual war. Now, I do not claim we will not need to train any more officers, but we have them for any present emergency. We have all that we will need at an early date, and it is one thing that can be put off. It seems to me the one thing we can most easily put off and wait until a later date. I am for the amendment of the gentleman from Mississippi and in favor of cutting down the Army to 100,000 and would vote lower than that if I had the opportunity. Why should we go on at millions of expense training large numbers of enlisted men and officers now when we have all we need and more.

Now, one other suggestion has been made here several times, and that is that we are showing disrespect to the opinions of our General Staff and of the Secretary of War when we disregard their recommendations. But all safe and sane legislation is a matter of compromise. It is a matter of getting together the views of the various people from various sections and compromising generally on the sane views of the majority. To say we must take all the opinions of the people who have put their lives into any one thing is unsafe. You take a man who has put his life study and his life efforts into anything, and it generally means that he has become an enthusiast on that one thing, and if left to his way absolutely would cherish that one thing even to the neglect of other things quite as important. This is aptly illustrated in the negro fable:

Ole Mistah Billy William Goat
Had all de whiskers he could tote,
And when he tuck and shaved 'em off
He got pneumony and a cough.

He sent for Doctah Rambo Sheep,
Who said, "Dat cold am mighty deep,
But," says he, "maybe you kin pull
Thru if you wrap yo'self in wool."

Then Doctah Gander come along
And say, "Dat cold am mighty strong;
My 'pinion is you sho' is dead
Ef you don't git a feader bed."

And den old Doctah Turtle come
And say, "You gwine to yo' long home;
You sho'ly never kin get well,
Ef you don't git yo'sef a shell."

And den ole Billy William cuss
And say he don't know who to trus',
But dey's all dead un' gone an' quit
And ole man William's livin' yit.

Every fellow thinks his wares are indispensable. Whatever else you have or do not have you must have his specialty, and so he is not a safe and sane guide. But there is reason why the Army people come to have this common human trait to a peculiar degree. They live in the Army, or we might almost say the Army is their life. They are subject to its laws rather than to civil law. Its stately decorum, its exact discipline, its absolute demands become more and more their ideal. They are not to be blamed for this; they are to be honored for it. Yet often, it seems to me, a big, a magnificent, a perfect army becomes, to their thinking, an end rather than a means.

But really our Army should be a means to national defense and nothing else. And it should be maintained, developed, and enlarged only in so far as is necessary to meet that demand. I claim that under present conditions 100,000 men is an ample army. Should demand arise for more, we have them in the walks of civil life—millions of men and thousands of officers ready at call.

Why spend even the money for 115,000 when 100,000 will do as well? And no man has showed that we need the other 15,000. If the extra millions required to pay and maintain the 15,000 is to be spent in any military line, we need it to care for the disabled soldiers of the World War and to pay the bonus which is evidently coming. And we neeti the 15,000 men in productive industry rather than as nonproductive consumers.

Mr. STAFFORD. Mr. Chairman, a word first in reply to the suggested amendment of the gentleman from Minnesota [Mr. KNUTSON].

The reason why last year and this year we did not extend the privilege to enlisted men beyond seas to be discharged on their own motion was because of the unwarranted expense that would be entailed upon the Government if such a policy was pursued. The enlisted personnel has the privilege of enlisting for one year or three years, and, after the termination of their first enlistment, of reenlisting for three years more. There are other reasons why it should not be adopted, such as the ill effects of destroying the tactical units in these foreign possessions, where it is so necessary to keep the men and where they are trained to the minute as to their organizations.

As to the justification for the committee's recommendation of 115,000 men, for six months or more the Army, including the Philippine Scouts, that number 6,900, aggregated 138,000, or, exclusive of the Philippine Scouts, 131,000. The War Department all this time has had the privilege of increasing that number from 131,000 to 150,000, but if I understand the testimony of officers and the action of the Secretary of War—and he is to be commended in that particular, and our committee is following out his policy—he was actuated by a desire for economy to curtail the appropriations this year by $50,000,000 in various activities, and he has not seen fit to have a wholesale campaign of reenlistment going on, but has confined reinlistment work only to the posts throughout the country, and thereby has saved the Government hundreds of thousands of dollars in that particular.

There has not been a time during the past year when, if the Secretary of War wanted to have the full complement of men in this time of industrial depression, he could not have secured the maximum number. But he has not seen fit to do so, and I applaud him for his effort toward economy in not going to the maximum and having an Army of only 131,000 men.

In December last we had more than 10,000 troops in Germany. It was the policy, until two days ago, to withdraw them all except 2,000 by May 1. Certain negotiations have come up recently which may have prompted the administration to withdraw the entire Army from the Rhine, for be it remembered, as the Secretary of War stated, that the German Government approved of our army of occupation and desired them to remain for helpful purposes. Ten thousand of those troops will return, which can properly be deducted from the other existing forces of the Government, making but 120,500 men in the Army in the United States proper. Where are the militarists in the face of those figures who say that we are wrecking the present Military Establishment by reducing the Army by but 5,000 men? It is conceded by the Chief of Staff that we have more men in the Philippines than are needed since the four-power treaty has been agreed to. I am not in sympathy with the provision of the bill which seeks to limit the policy of the administration as to where these troops may be assigned. I dissented from it in the committee, and I dissent from it now. Take these figures which I have presented, which represent the action of the War Department, with an Army to-day of 130,000, with 10,000 withdrawn from Germany, with more men to be withdrawn from the Philippines, with a greater number than is needed at Panama, and how can anyone fail to agree, no matter how strong may be their militaristic policy, that with an Army of 115,000 men, which we provide for here, that it reduces the strength of the skeleton Army that is in the United States to-day and has been for the last six months.

Mr. KAHN. Mr. Chairman, I have taken occasion to look up the records regarding the time when we reduced the Army to 175,000 men. We had provided for such a reduction in the appropriation bill. However, as a matter of fact, the then Secretary of War, Mr. Baker, paid no attention to the action of the House. He kept on recruiting and expanding the Army to over 200,000 men. Thereupon, under the instruction of the Military Affairs Committee, I brought a joint resolution to this House fixing the number at 175,000 men. It was passed here and was passed in the Senate. It was sent up to Woodrow Wilson, President of the United States, who very promptly vetoed the measure, because it was too low. The veto came before the two Houses of Congress, and they promptly passed the measure over the President's veto. That is the history of that matter. [Applause.]

Mr. SISSON. Mr. Chairman, I do not know that I will consume even five minutes. But I do want to say before the vote is taken that I have not heard a single argument advanced by anybody that ought to convince any Member of this House that 100,000 men will not be just as effective as the 115,000 men for peace times, and I do not see any necessity for throwing away the $6,000,000 of the people's money. I feel, therefore, that while it is proper for men to vote as they please in reference to every matter, on this one I do feel that it is a man's duty, unless there is a real, positive reason in his mind as to why he would rather have 115,000 than 100,000, to save the $6,000,000, and the $1,000,000 that will follow if you adopt the 100,000.

Mr. MANN. Mr. Chairman, I would like to know whether I understand the situation correctly or not. The Army at present has how many enlisted men? About 130,000?

Mr. MADDEN. One hundred and thirty-nine thousand.

Mr. CRAGO. Including the Philippine Scouts.

Mr. STAFFORD. One hundred and thirty-two thousand. One hundred and thirty-one thousand on December 31.

Mr. MANN. With some of those in Germany, who will be brought home, I hope and believe, in the neighborhood of 7,000 in the Philippines, a large portion of which probably will be withdrawn in view of recent occurrences, I say if that is correct—and I do not hear it challenged by those who desire a much larger enlisted force—I do not see where there is any special objection to the size of the Army as fixed in the bill—115,000 for the enlisted men.

I am not in favor of making a reduction in the size of the Army which would make it so low that it is unable efficiently to operate in the country, either directly or indirectly, in the matter of instruction to officers.

Now, as a practical proposition, I am inclined to think, speaking of secrets publicly, that whatever the House does, the Senate is likely to increase the number of enlisted men by Senate amendment, and if we would make it 150,000, probably they would make it 175,000. If we would make it 115,000, I do not know what they will make it, but it will be something over that. I think in the end probably, in the necessary compromise that comes with legislation, we will have an enlisted force authorized in the neighborhood of 125,000 or 130,000—practically all that they have now in the Army.

If these troops are drawn from abroad, when they have power to have more, that ought to satisfy all on this side of the House. Of course, there is no way of satisfying some of the gentlemen on the other side of the House, who, when they had the power, refused to reduce the Army to 150,000. When they were making the appropriations and doing the legislating they felt their responsibility, and instead of using time mostly in buncombe they made the appropriations for a larger Army; but as soon as we had the power they talk about an Army of 25,000 or 50,000, or something of that sort. We can not afford to be guided by them, when we know they are not sincere about it. [Applause on the Republican side.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi [Mr. QUIN].

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now comes on the substitute offered by the gentleman from California [Mr. KAHN].

The question was taken, and the Chairman announced that the "ayes" appeared to have it,

Mr. BANKHEAD. A division, Mr. Chairman.

The CHAIRMAN. A division is asked for.

The committee divided; and there were—ayes 45, noes 84.

So the substitute was rejected.

The CHAIRMAN. The question now comes on the amendment offered by the gentleman from Mississippi [Mr. SISSON].

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. MANN. Mr. Chairman, I call for a division.

Mr. SISSON. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is asked for.

The committee divided; and there were—ayes 21, noes 98.

So the amendment ws rejected.

Mr. KNUTSON. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KNUTSON: Page 18, line 19, strike out all of line 19 up to and including the words "United States."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

Mr. ANTHONY. Mr. Chairman, is there any time remaining for debate?

The CHAIRMAN. There is some time remaining.

Mr. ANTHONY. I simply want to make the statement that there are reasons why that amendment should not be adopted, the principal one being the great expense involved in bringing men home from the Philippines and our other outlying possessions, and the next the wisdom of not interfering with the tactical organization of those commands in outlying countries.

Mr. NOLAN. Mr. Chairman, will the gentleman from Minnesota yield?

Mr. KNUTSON. Yes; I yield to the gentleman from California.

Mr. NOLAN. Mr. Chairman, I do not think the chairman of the subcommittee has given a sufficient reason for opposing this amendment. I have a constituent, a boy who has a dependent mother, on the Canal Zone in the service. The boy has been informed that he can buy his way out. They are not interfering with the tactical organization when they permit that boy to buy his way out.

Mr. ANTHONY. If he could make proper proof of the dependency of his mother, could he not get his discharge?

Mr. NOLAN. Yes.

Mr. ANTHONY. Then there is something the matter with his proofs.

Mr. NOLAN. Whether it is dependency or the possibility of his purchasing his way out of the Army that interferes, the fact is that he can not get out any more than if you would refuse to let him out under ordinary conditions. The boys in our outlying possessions ought to have the same consideration shown them at least as the men stationed in this country. There ought not to be any distinction between them and there ought not to be any penalty attached to the foreign service. Instead of penalizing them regarding their pay, they give them 20 per cent additional. If they are entitled to 20 per cent additional pay, they should have the same right to get out of the service as if they were in the United States.

I will say in passing that as to the Philippines I have never availed myself of the opportunity of going to the Philippine Islands, which I understand can be done at an expense of $1.25 or $1.50 a day, when one can take his family with him. It surely does not take more to transport a soldier to and from the Philippines than it does a Member of Congress, so that it can not involve any great expense to bring those boys back. The same thing applies to the boys located on the Panama Canal Zone. I do not think we should discriminate against those boys. We ought to adopt the amendment offered by the gentleman from Minnesota [Mr. KNUTSON].

The CHAIRMAN. The time of the gentleman from Minnesota has expired. All time has expired. The question is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. KNUTSON].

The question was taken; and the Chairman announced that the "noes" appeared to have it.

Mr. KNUTSON. A division, Mr. Chairman.

The CHAIRMAN. A division is asked for.

The committee divided; and there were—ayes 33, noes 57.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of enlisted men of the Enlisted Reserve Corps, $100.

Mr. HILL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HILL: Page 19, line 3, strike out "$100" and insert "$250,000."

Mr. HILL. Mr. Chairman and gentlemen of the committee, this item as reported in the bill provides for the pay of men of the Enlisted Reserve Corps, $100. In other words, it wipes out the Enlisted Reserve Corps for training purposes. The War Department asked for $3,927,902 for pay for officers of the Officers' Reserve Corps. This committee has just voted to appropriate $250,000 for that purpose. The War Department asked for $517,465 for pay of enlisted men of the Enlisted Reserve Corps. This bill appropriates only $100. This amendment provides an increase of this $100 to $250,000 in order that the men of the Enlisted Reserve Corps, noncommissioned officers, may be paid as much as the officers of the Reserve Corps. Will you give to the enlisted men of the Reserve Corps less than you give to the officers of the Reserve Corps? Unless you pass this amendment you will give the officers $250,000 and to the enlisted men only $100.

Mr. ANTHONY. Will the gentleman yield?

Mr. HILL. I yield with pleasure to the gentleman from Kansas.

Mr. ANTHONY. The gentleman knows that if we provided for the training of the enlisted men of the Enlisted Reserve Corps it would actually take about 30 cents.

Mr. HILL. No; because I know that the War Department ascertained that there will be 20,000 in the Enlisted Reserve Corps by summer when the training camps are to be held.

Mr. ANTHONY. The gentleman knows that in answer to my question as to the number of men in the Enlisted Reserve Corps the War Department replied that the number was negligible, which means that we have not any enlisted men for the Reserve Corps.

Mr. HILL. I can say to the gentlemen that there are hundreds of men coming in every month into the Enlisted Reserve Corps in order that the tactical units which are being created may have noncommissioned officers.

Mr. ANTHONY. If the gentleman can find any enlisted men in the Reserve Corps, he has a better spy glass than the War Department has.

Mr. HILL. In the Sixty-second Cavalry Division there are a lot of them. The War Department has asked for $517,465 for this purpose.

Mr. MADDEN. The War Department never hesitates to ask for anything it thinks it needs.

Mr. HILL. I am merely asking that this committee give to the enlisted men of the Reserve Corps as much as they give to the officers.

Mr. ANTHONY. But there are no enlisted men in the Reserve Corps—possibly two or three hundred.

Mr. HILL. The War Department states that there will be men in the Enlisted Reserve Corps by the time this bill becames available.

Mr. ANTHONY. But there are not now.

Mr. HILL. There certainly will not be unless this $100 is increased. I want to say one word more about that to the committee. It is necessary that you have an enlisted personnel. It is hard enough to get officers or noncommissioned officers to come back into the Reserve Corps, and if you cut out the enlisted men you kill that element of the Reserve Corps. You can not have tactical reserve units unless you have both reserve officers and reserve noncommissioned officers. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Maryland [Mr. HILL].

The question being taken, the amendment was rejected.

The Clerk read as follows:

For aviation increase, to enlisted men of the Army, $150,000: *Provided*, That this appropriation shall not be available for increased pay on flying status to more than 500 enlisted men.

Mr. LARSEN of Georgia. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection?

Mr. LARSEN of Georgia. Gentlemen, while we are under the head of aviation, I desire to call the attention of the committee to a recent decision of the Court of Claims of the United States. It is the case of Rider against The United States, decided February 27, 1922. A decision was rendered by the court in favor of Rider, an ex-Air Service cadet of the United States Army. The court decided that he was entitled to increased pay of 50 per cent. The judgment rendered gave him $306 as such additional pay.

The Government contended that the provisions of the act of June 15, 1917, which established the pay of the plaintiff at $100 per month expired with the appropriations set forth in the act, but the court did not so hold.

The court said:

We are of the opinion that this contention is not tenable because of the provisions of the act of July 24, 1917, and of the act of July 9, 1918, which later act makes available the appropriations of the act of May 12, 1917, until June 30, 1919. Nor does it anywhere appear that there was any intention to repeal the provisions fixing the pay of enlisted men in training for officers of the Reserve Corps. It is hardly possible to conceive that Congress would at the height of the emergency, while the war was going on, reduce the pay which had been held forth as an inducement to the young men of the country to enter into training for officers in the Reserve Corps.

But, Mr. Chairman, it is not alone to this phase of the case that I would direct the attention of the committee.

It is my purpose to bring to the attention of the House a letter which purports to have been written by Mr. Henry W. Driscoll, an attorney at law in Washington City, to an ex-Air Service cadet of the United States Army. I understand many other such letters have been written and, it may be assumed, to all men who were connected with our service in such capacity during the World War. Omitting name and address of party to whom letter is written, it is as follows:

WASHINGTON, D. C.

MY DEAR SIR: I have been able, after some time, to win a favorable decision of the Court of Claims of the United States involving pay and flying increase of Air Service cadets, United States Army.

As I am informed that you were formerly a cadet, I believe that I shall be able likewise to secure for you their pay at $100 per month for your entire cadet service plus $50 per month flying increase for your cadet flight duty, whether before or after June 30, 1918.

I send you therefore a power of attorney to be executed by you and returned to me promptly, together with fee agreement, so that I may proceed in the court in time for judgment.

I inclose an extract of the decision and opinion of the Court of Claims of the United States which I have been able to win after being rejected in the departments.

I would be very pleased to present your case before the court and serve you in the matter. Return the power of attorney to me duly executed.

Respectfully yours,

H. W. DRISCOLL,
Attorney and Counselor at Law,
714 McGill Building.

The question of ethics which may be involved does not directly or greatly concern the ex-service man, and I will not dwell upon this phase of the matter.

The fee agreement to which the letter refers provides that the attorney shall receive one-third of the amount collected. Authorities in the War Department advise me that the total amount of all such claims, to which reference is made in the letter, is estimated to be from $3,000,000 to $5,000,000. Should the attorney collect these fees under terms of the contract as set out he would receive for his services from $1,000,000 to $1,600,000. Section 13 of the amendment to the war-risk insurance act, approved May 22, 1918, provides that a fee of more than $3 shall not be charged. This legislation has saved many million dollars to ex-service men and their dependents and has prevented unholy grafters from collecting and demanding excessive fees from them.

If the provisions which Congress has heretofore adopted regulating fees to be charged for the collection of insurance, compensation, and so forth, is not applicable to the class of cases to which this letter refers, I believe it is the duty of Congress at this time to pass appropriate legislation to regulate and prevent the collection of such fees as Mr. Driscoll seems inclined to do, and such as he and others undoubtedly will do if the opportunity be afforded them.

I invite special attention to the paragraph of the letter which says:

I send you therefore a power of attorney to be executed by you and returned to me promptly, together with fee agreement, so that I may proceed in the court in time for judgment.

And again:

I would be very pleased to present your case before the court and serve you in the matter. Return the power of attorney to me duly executed.

Necessity for prompt action is implied in order that the attorney may proceed in the court before the claims are barred by the statute of limitations.

The writer must have known that the claims would not be barred until expiration of six years after the accrual of the right of action. Why such prompt action and why representation before the court, when in all probability the claims will be passed upon by the War Department without litigation? If all the litigation which the letter implies should be necessary, one naturally wonders if its author is not skating on very thin ice. Barratry is defined as the practice of exciting and encouraging lawsuits. Many of our States have such laws. A letter mailed in the District of Columbia and delivered in such a State would come within the rule. The postal authorities would be the agent of the sender and not the party receiving the letter, hence the crime, if any, would be committed in the State where delivery was made.

For one, I believe we have made enough millionaires from one war. The ex-service man has been subjected to enough hardships. He received about one-third the salary that was paid to those of similar capacity in civil employment. He was exposed to every hardship of climate and weather, to the ravages of disease, to gas, bullets, and bombs of the enemy. With him the war is not over yet, for 700,000 of his ranks walk the streets and beg for work while others are employed. I do not know whether the author of the letter remained at home during the war and profiteered. If he did, he has profiteered enough and should not be permitted to continue. If he were an ex-service man, he should not now be permitted to make a fortune out of his comrades in arms in the manner which his letter indicates.

If these ex-service men have valid claims against the Government since the legal principle involved has been settled, I am quite sure they will be able to collect their claims without the service of an attorney. No Member of Congress is unwilling to aid them, and I believe they can and will be glad to make the collection without any expense to these deserving heroes. [Applause.]

Mr. STAFFORD. Will the gentleman yield?

Mr. LARSEN of Georgia. Certainly.

Mr. STAFFORD. Has the gentleman any amendment to offer?

Mr. LARSEN of Georgia. I do not think such an amendment could be made to this bill, as its purpose is to make appropriation for the support of the Army for the next fiscal year and not to pay for services performed in the war.

Mr. STAFFORD. I fully agree with the gentleman that there should be general legislation covering an abuse of that kind, so as to prevent claim agents that hover in the city of Washington in large number taking money away from the ex-service men by these contracts.

Mr. LARSEN of Georgia. I thank the gentleman from Wisconsin and trust that others share the same view. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For pay of retired enlisted men, $4,500,000.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word. I have received a short document which I am requested to read to the House. It is as follows:

MAHNOMEN, MINN., *February 10, 1922.*

To United States Representatives in Congress for the State of Minnesota:

We, the undersigned, representing the business men and farmers of the village of Mahnomen and vicinity, do hereby express our hearty indorsement of the fourfold plan of adjusted compensation for ex-service men of the World War, believing that it in a measure will adjust the difference between the men who served in the defense of our country and those who enjoyed the increased prosperity then existing while the service men were in the Army, Navy, and Marine Corps of the United States.

And we respectfully urge our Representatives in the Senate and House of Representatives to do all in their power to carry this measure to a successful conclusion.

(Signed by 250 persons.)

Mr. JOHNSON of Mississippi. Mr. Chairman, I rise to oppose the amendment.

The bill before the House makes an appropriation of $27,635,260 for the preservation and maintenance of existing river and harbor works and for the prosecution of projects heretofore authorized.

I dare say there is not a Representative of the people in this Chamber who does not realize that one of the greatest questions confronting the American people to-day is transportation. Rivers and harbors and the railway systems of the country constitute practically all the means of transportation, especially interstate and foreign commerce.

Undoubtedly much prejudice was at one time aroused against the expenditure of large sums on rivers and harbors largely because of efforts of the railroad companies in their publicity campaign wherein they denominated appropriations for rivers and harbors as "pork-barrel" legislation. They succeeded in their efforts to cut down the appropriations for rivers and harbors, and as a result drove most of the ships off the rivers and destroyed a large percentage of the lakes and coastwise shipping in the United States, and then immediately increased railroad freight rates.

To-day we find 80 per cent of the entire foreign trade of the United States passing through the New York Harbor. With

a country 3,000 miles wide and a little more than 2,000 miles long, with every section of the country contributing to the foreign commerce, this commerce has to be hauled thousands of miles by railroads into the worst congested outlet and inlet on the North Atlantic coast. There is a reason for that situation, and that is the railroads of the country have been able to exert such influence with legislators and the Interstate Commerce Commission as to divert traffic to the North Atlantic coast to the great injury of all other harbors of the country and to the shipping public generally, and while other harbors have suffered greatly for want of proper maintenance New York's harbor has had millions upon millions of dollars spent on it.

The Board of Engineers, upon whose judgment Congress has until recently depended for advice regarding appropriations for rivers and harbors, estimated that it would take $63,000,000 to properly carry on the works for rivers and harbors of the United States. The annual report of the Chief of Engineers recommended an appropriation of $63,000,000 for carrying out projects authorized by Congress, but General Taylor cut that down to a little more than $42,000,000—in fact, $42,800,000. He based his estimate upon information received after having considered the necessary amount for each specific project. It is his opinion that the rivers and harbors of this country can not be properly maintained with an appropriation less than $43,000,000.

The Secretary of War recommended $13,000,000. Later on, after further investigation, he recommended $27,600,000. This recommendation is not based upon anything except an arbitrary wish to reduce estimates, thereby indicating to the public that there is an effort to practice economy.

The Secretary of War, while pretending to be economical in the spending of the Government's money in improvement of rivers and harbors generally of the United States, came before the committee of which I am a member, the Interstate and Foreign Commerce Committee, at a time when we were considering the bill to purchase Cape Cod Canal in Massachusetts and recommended that Congress pay $11,000,000 to a private corporation for a canal 8 miles long, which canal is at this time unfinished and not suited to heavy navigation. He recommended $13,000,000 at first for all the rivers and harbors of the United States, yet in his own State he recommended an expenditure of $11,000,000 on an 8-mile canal.

It is shown by the report of the Army engineers that the rivers and harbors of this country will suffer immensely and, instead of encouraging and promoting shipping by water, an insufficient appropriation will discourage the use of water for transportation. When we passed the bill in 1921 appropriating $15,000,000 for rivers and harbors there was an unexpended balance for river and harbor works of $37,565,230.11, which, added to the $15,000,000 appropriated, made a total appropriation of $52,565,230.11 for 1921 work, all of which is spent or will be spent by June 1 this year. The bill before the House provides for the year 1922 just 50 per cent of the money spent for rivers and harbors last year.

It has been shown at the hearings held by the Interstate and Foreign Commerce Committee of this House that business in many sections of the country is paralyzed because of the excessive railroad freight rates. Witnesses before the committee have painted pictures of business demoralization in many western States on account of transportation rates. They say it is impossible to ship farm products, live stock, coal, and many other necessities of life with the prevailing rates in force. They have pleaded with the committee to grant relief. The same witnesses have been before the Interstate Commerce Commission, as have hundreds of others lately, pleading for relief from the oppressive transportation rates, but so far little has come of their efforts. The voice of the people counts for little. The railroads seem to have their way with the commission. How long will this Congress sit supinely by and permit such shameful conditions to exist?

During the war practically all improvements on rivers and harbors were suspended largely on account of the inability of engineers to employ labor, and then it was necessary for the country to mobilize all its assets for the purpose of winning the war. To-day, with between five and six million people idle in the United States, with labor cheap, with hundreds of factories and mills shut down, and with transportation rates unreasonably high—never could there be a better time when money could be used to more advantage on rivers and harbors than now.

It is admitted by every well-informed man that the railroad facilities for transportation in this country are now and have been for several years inadequate, and since the enactment of the Cummins-Esch bill railroad building in this country has been suspended. In numerous cases railroads have been abandoned with the consent of the Interstate Commerce Commission.

No greater economy could be practiced in this country by the Federal Government than to improve its rivers and harbors so that they could be utilized to the fullest extent by the shipping public. If this country returns to a normal condition, or even a prewar state, there will be a repetition of the congested conditions that obtained with the railroads in 1917. I know of no one thing that can contribute so much toward the solution of the transportation question in the Mississippi Valley than the improvement of the Mississippi River. Congress has on several occasions indicated, and even expressed itself, in favor of improvement of this river.

The State of Illinois appropriated $20,000,000 to open up an 8-foot canal from the Great Lakes to Utica on the Illinois River, but they never built the canal for the reason that as soon as the money was available the railroad companies, realizing that they would have such competition in transportation, reduced the rates on railroads, and, as I am informed, succeeded in preventing the building of the canal. Their action was with the permission of the Interstate Commerce Commission.

Wherever there is water competition with the railroads the railroad companies have reduced their rates for the purpose of destroying water competition, but where there is no water competition the freight rates have been increased instead of diminished. How long must the people of the country bear such burdens?

It is shown that the rate on 100 pounds of hardware from St. Louis to New Orleans, 700 miles by railroad lines paralleling the river, was 44 cents prior to January last, while the rate on 100 pounds of hardware from St. Louis to Wiggins, Miss., in my congressional district, which is off the river, was 87 cents—almost twice as much. Under the new rates on the railroads paralleling the river they charge $1.73 for 100 pounds of hardware from St. Louis to New Orleans instead of 44 cents, and charge a rate of $2.08 from St. Louis to Wiggins, Miss., instead of 87 cents under the old rates; yet, with all the discrimination against those engaged in water transportation and in favor of the railroads, the water companies have been able to make money transporting freight. Does not this of itself make the best argument to this Congress for the development of water transportation? Many ports of the country are in imperative need of improvement. Commerce is increasing daily as the business of the country revives.

In my own district the city of Biloxi has a harbor that has been so badly neglected by the Government for the past few years that it is almost impossible for boats to come into the harbor on account of its condition. Recently many boats with valuable cargoes have been foundered in the harbor and were unable to deliver their cargoes in the usual way.

Gulfport (Miss.) Harbor, the natural outlet for the products of the great Mississippi Valley, which amount to untold millions, is to-day unable to handle the commerce offered it. In the year 1921, $4,063,800 worth of commerce passed through the Gulfport Harbor, and 435,277 net tons of commerce. There would have been many more large vessels coming into the harbor had the facilities for receiving them been sufficient. The commerce going through the Gulfport Harbor is increasing yearly. If the harbor can be properly equipped for the handling of the commerce offered it from the great timber and farming regions adjacent to it, the harbor will develop into one of the greatest in the South.

Pascagoula, Miss., one of the natural harbors of the South, has been shamefully neglected on account of the niggardly policy of Congress. Engineers can not improve these harbors unless we give them the money.

Mr. Chairman, Congress has voted millions upon millions of dollars to the railroad companies—in fact, between two and three billion dollars—but it has been niggardly toward the rivers and harbors. It fails to provide for the present conditions and refuses to look into the future, as men of vision should. A few days ago the President of the United States came into this House urging his ship subsidy bill, recommending the granting of a ship subsidy of $30,000,000. Hundreds of millions of dollars have been paid out to war contractors who profiteered and systematically robbed the people during the most crucial time of this Government's existence, and yet when a bill providing for that which tends to the upbuilding of the country and that which would do as much toward preparedness as anything else is presented the Congress pursues a short-sighted policy.

On account of the Federal Government's failure to provide for the Gulfport Harbor, it has become necessary, in order to maintain the harbor, to tax the people of the State of Mississippi to the extent of $80,000. It is not the duty of the State to

maintain the harbors. It is the duty of the Federal Government. It is a Government project, and the people of the State ought not to have to bear burdens of this kind.

Mr. Chairman, I shall vote for an amendment to increase the appropriation to $43,000,000, the least amount for necessary improvements and maintenance of the rivers and harbors of this country, and I trust the amendment will have the support of a majority of this House. [Applause.]

The Clerk read as follows:

For pay and allowances of retired enlisted men on active duty, $2,904.

Mr. CRAGO. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee a few questions regarding the difference between the appropriations recommended by the department in these different items beginning on line 13, page 19, "pay of persons with retired status." Five million dollars is appropriated for that item. I understand that the recommendation of the department in that case was $6,000,000. Is there any reason why that can not be cut down to $5,000,000?

Mr. ANTHONY. It is based on the expenditures for last year. We thought it could be cut down. I think the department anticipates the placing of a considerable number of officers on the retired list.

Mr. CRAGO. The gentleman is satisfied, in his judgment, that this will not necessitate a deficiency appropriation for that purpose?

Mr. ANTHONY. That was our judgment. We always aim to appropriate enough to prevent a deficiency appropriation. The retired list has been growing very fast in recent years.

Mr. CRAGO. I notice in line 19 that for pay of retired enlisted men there is appropriated $4,500,000. As I understand it, the estimate of the department was for $5,000,000. It ought to be very easy to ascertain the exact amount necessary in those cases.

Mr. ANTHONY. We appropriated last year $4,180,167 for that purpose.

Mr. CRAGO. Then, this appropriation is an increase over what was carried last year?

Mr. ANTHONY. It is an increase over the current year of nearly $400,000.

Mr. CRAGO. The next item, for pay and allowances of retired enlisted men on active duty, carries an appropriation of $2,904. I notice the department asked for $16,896, which is almost seven times what is appropriated in the bill. Does that mean that they will have to take these retired enlisted men off the active list?

Mr. ANTHONY. That may be the case, but most of the deductions are made in the pay items because of the fact that the temporary increase authorized two years ago is taken out in the amounts named by the committee, which in the case of the noncommissioned officers amounts to about 20 per cent of their pay.

Mr. CRAGO. I should think that is quite a change. Those are usually noncommissioned officers who have been put on the retired list, but who are physically and mentally able to continue in the service. It is hardly fair to them to separate them from the service.

Mr. ANTHONY. That is the difference between the active and the retired pay, and it is proposed, as the gentleman states, that a good many of those men shall not be kept on active duty.

Mr. CRAGO. Is there any reason given why they should not be kept on active duty?

Mr. ANTHONY. During the war a large number of men who were on the retired list were given active duty status, and it has been the purpose of the committee to gradually get back to normal conditions.

Mr. CRAGO. It is a part of economy I think to keep those men on the active duty if they take the place of a man who is really necessary in the service, because all he would be paid would be the difference between his retired pay, which he would get anyway, and his active pay, which is elsewhere appropriated.

Mr. ANTHONY. I agree with the gentleman that it is economy to keep retired men on active duty, such as school duty, and so forth.

Mr. CRAGO. All I wanted to ascertain is whether the committee has appropriated sufficient sums so as to prevent the inevitable deficiency appropriation.

Mr. ANTHONY. I call the attention of the gentleman to the fact that in this item the original amount asked was $16,896. I am now advised that $13,000 of that was for temporary increase. It is rather hard to understand how there should be that amount in the temporary increase, but these are nearly all high-ranking officers.

Mr. CRAGO. In view of the fact that there is likely to be a new pay bill, would that make any difference in the items?

Mr. ANTHONY. Our pay items are based on the pay bill of 1908. Of course, our items will be changed to be in complete accord with any action Congress may take changing the rate of pay.

The Clerk read as follows:

Pay of Army field clerks and civil-service messengers at headquarters of the several territorial departments, corps areas, Army and corps headquarters, territorial districts, tactical divisions and brigades, service schools, camps and ports of embarkation and debarkation: Army field clerks—5 at $2,000 each, 25 at $1,800 each, 44 at $1,600 each, 61 at $1,400 each, 95 at $1,200 each; 80 messengers, at $720 each; in all, $382,400.

Mr. SEARS. Mr. Chairman, I move to strike out the last word. I hesitate to take up the time of the committee, because I realize this is a very important bill and should be passed as rapidly as possible. However, I am being placed in a false attitude in my State. Some of my constituents do not know me personally, having moved into the district in the last few years, as my district is rapidly growing, and they have been led to believe that I am opposed to education. For that purpose I have asked for these few minutes. As you know, for six years I was on the Committee on Education and for two years I was chairman of that committee. House bill 7 was first introduced May 19, 1919, and was reported out by the committee January 17, 1921, but was not considered by the House, although the Republicans were in control. At that time I reserved the right to oppose the bill, because I was not permitted to offer any amendments to the bill while the committee was considering same, although I was the ranking member on the Democratic side. The bill was reintroduced April 11, 1921, and contains practically the amendment that I wanted to offer in the committee, to wit, reserves to the State the right to control its educational system. I believed in that principle then and I believe in it now. The farther you get away from home the less efficient is the service rendered, and such service as is rendered costs a great deal more. I believe the people back home, who are competent to select Members of Congress, can better control their policies relating solely to the State than we can up here at Washington. I simply make these few brief remarks in order that I may, if possible, show to those who do not know me that I am not opposed to assisting the children of our country in securing an education, but I reserve the right to vote for only such bills as will benefit them and to oppose such bills as may be harmful.

In this connection, let me state that I taught school and that for 10 years I devoted my life to the educational work in my State, and I think it comes with poor taste for anyone to say I am not deeply interested in the welfare of the young men and young women of my country. Although the Sterling-Towner bill has been before the committee for nearly a year to date it has not been reported, although the Republicans have been and are in complete control of said committee and have a majority of approximately 165 in the House. It may also be of interest to my constituents to know that H. R. 7, as reintroduced, is different in many respects from the bill reported by the committee during the Sixty-sixth Congress. As my colleagues know, I have not been a member of the committee during this Congress.

Mr. Chairman, in order to save time and also that my constituents may know my interest in education and all matters pertaining thereto, I request to have printed as a part of my remarks my statement before the Committee on Education relative to my bill, H. R. 553, which I believe will be of interest to the Committee on Military Affairs, and may be of some assistance to the Committee on Appropriations.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to extend his remarks in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. SEARS. Mr. Chairman, I also ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SEARS. No lobby was behind my bill perchance because no high-salaried positions were created, but I still believe some day, at least, the objects and principles of the bill will be enacted into law.

TO PROVIDE SCHOLARSHIPS AND TO PROMOTE MILITARY TRAINING.

COMMITTEE ON EDUCATION,
HOUSE OF REPRESENTATIVES,
Tuesday, August 26, 1919.

The committee met at 10 o'clock a. m., Hon. SIMEON D. FESS (chairman) presiding.

Present: Hon. Simeon D. Fess, chairman; and Messrs. Towner, Platt, Dallinger, Robsion, Sears, Brand, Blanton, and Nelson.

The CHAIRMAN. Gentlemen of the committee, if there is no objection to proceeding with the hearing on H. R. 553, we will open the hearing at once. Mr. SEARS, we will hear you.

Mr. SEARS. Mr. Chairman, I have served on the Committee on Education for about four years and a half. Two years of that time my

colleagues were kind enough to make me chairman of the committee. I appreciated that honor more than any honor they could have conferred on me, the more so because I served one term as a teacher and for 10 years was actively engaged in school work in Osceola County, Fla., where I have lived practically all of my life, as county superintendent of schools. I think I can say without egotism that during those 10 years I raised the standard of the schools, not because I changed teachers but because I paid salaries sufficient to permit the teachers to secure training during the summer months. I have always fought for and with the teachers. During those 10 years we found many a stumblingblock, and chief among these was the question of what to do with the boys of the county. Each year a certain number of boys would drop out of the grammar and high schools. I spent many, many sleepless nights and also hours trying to find a solution whereby we might keep the boys in at least the high schools of the county.

I despaired of ever finding a solution. There is no discredit to the boys of a certain high school that I know and now have in mind, because they were bright boys, but at the close of the last school term only one boy passed from the eleventh grade into the twelfth grade and therefore there will be only one boy graduate next year. I forget the number in the tenth and eleventh grades, but only two boys—my son being one of these—passed from the ninth grade to the tenth grade. I have gone to those boys and urged them to continue their school work and they would reply, "Mr. SEARS, what is the use of my going to school longer when I know I can not go any higher than the high school? Besides, I am offered a job at $50 or $75 a month, and each year I stay in the high school I am depriving myself of that much experience in a business that I will be forced to follow, because I can never have a college or technical training." You can not answer that argument; it is unanswerable. I know the parents of those boys. They are willing to send them to college, but financially unable to do so. I urged each boy to look on the bright side and finish his high-school course and cross the other bridge when he came to it, but I was unable to impress that idea upon him.

It might have been argued a few years ago that the poor boy, with ability and ambition, could find the opportunity to work his way through college without State or Government aid. Many of them did. But, Mr. Chairman, their number was few, indeed, compared with the great army of deserving boys who would make themselves, their families, and their country incomparably better and stronger could they have had the further mental and physical training that under present conditions is denied them.

I hesitate to make a personal reference, but, as I stated to the President in an interview, I am proud of the boys who have worked their way through college, the more so because I was one of them and because I know the hardships involved. My father was a practicing physician of the old school. He left me a heritage that no money can buy, no wealth replace; a heritage that lives to-day in the memory of all who knew him and knew that his life was chiefly devoted to serving sufferers not always able to pay in worldly goods—often to the exclusion of more profitable work which was offered him. Neither am I unmindful nor shall I ever forget the labor and privations which my mother underwent to assist me. But that heritage, Mr. Chairman, priceless as it was and is, would not buy a college training. Fortunately, an essence of false pride and hard manual labor—sometimes menial labor—did buy it for me. But the opportunities of gaining a college training in that way are growing fewer each year as compared with the number of our growing boys. Many a brighter boy than I was is being deprived of a college training because there is no such opportunity open to him. Mr. Chairman, one of the chief reasons which led me to run for Congress was the hope that some day I might aid in relieving this situation.

Let me say in passing that I never spent more pleasant years than I did when I was chairman of this committee. If there was any friction I failed to see it; if there was any hard feeling between the members it was not shown in the committee meetings; if there was any politics it never appeared while the Committee on Education was in session or when we had a measure before the House. When our beloved Mr. Hughes, who was chairman of the committee, had up for consideration before the House the great vocational bill, I point with pride to the fact that while we on the majority side fought for the passage of the bill, among the leaders on the other side were those also fighting for it, because it was a great educational advancement, and, as I said, no politics was permitted in this committee.

When the rehabilitation bill for the benefit of the disabled soldier came up last year your present chairman and myself conferred on the measure and the honor fell to me to introduce same, and by a unanimous vote of the committee a favorable report was made and the bill was passed by the House.

When your present chairman this year fought to make that bill broader, after the strenuous fight that the Committee on Education has not forgotten, may I say with a little pride and a good deal of pleasure, as ex-chairman of the committee, I assisted the chairman in securing the passage of the bill, as did also the other Democratic members. I trust, and perhaps you will admit, we were of some small assistance.

We have heard about clashes. Sometimes they are bitter, the lines are drawn; and this is perfectly proper and will always be the case. But I trust the day will never come when we shall play politics before the Committee on Education or on the floor of the House when a great educational bill is up for consideration. This statement is made with all the sincerity that is in me and with no degree of flattery, and I believe the committee is in strict accord with the sentiments just expressed.

I am glad, furthermore, to have this bill before this committee for consideration. Last year I introduced a similar bill, and I will say to you frankly I did not urge its passage for several reasons. First, I was chairman of the committee and somebody might say I was taking advantage of the chairmanship to report out a bill because the members did not want to oppose the chairman. Second, I did not believe the time was ripe for the pressing for passage of the bill. So the bill simply stayed before the committee, and in my humble way I endeavored to create a sentiment for it. I am glad the bill has again been referred to this committee, because in looking over the names of the members I find that SIMEON D. FESS, of Ohio; HORACE M. TOWNER, of Iowa; Edmund Platt, of New York; ALBERT H. VESTAL, of Indiana; JOHN M. ROBSION, of Kentucky; William L. Nelson, of Missouri; and myself have made a life study of school work. They should be on the Committee of Education. And I would not overlook the other members of the committee, to wit: SHERMAN E. BURROUGHS, of New Hampshire; EDWARD J. KING, of Illinois; FREDERICK W. DALLINGER, of Massachusetts; DANIEL A. REED, of New York; WILLIAM B. BANKHEAD, of Alabama; CHARLES H. BRAND, of Georgia; THOMAS L. BLANTON, of Texas; and Jerome F. Donovan, of New York; because a committee composed solely of those who have studied educational matters might have become so warped that it would be impossible for them to see except the one side. The last-named members have been very active; their counsel has been wise and timely; and many times they have helped us to perfect a bill which otherwise, due to the condition which I have just referred to, we might have overlooked.

I believe now, Mr. Chairman, the time is ripe for the passage of this bill. May I say in the beginning it is immaterial to me to whom the credit is given. If the Committee on Education, when they consider the bill, think it best, think it is wise, if it will assist in the passage of the bill, to strike out the name of the introducer and suggest the name of any other member of this committee or any other Member of Congress, I want to say to you in all frankness that you will never hear me claiming to be the author of the measure. I am not wedded to a single section of the bill except the general principle of aiding the boys. That sounds strange coming from a man who has given 15 years' or more thought to a measure and 2 years of careful thought and study in drawing the bill, but I again assure you it is results and not honor I am after. As stated, I am only wedded to the one idea or thought, and that is this Government owes something to the young men of the country; I am only wedded to the one great idea that it is time for our country to wake up and realize that the boys of our country are worth as much as the pigs of the country; that we owe them something along educational lines.

Now, with this brief explanation, let me call attention to the bill, and I will do this briefly, because I think the bill speaks for itself. Mr. Chairman, I ask that the bill be published as a part of my remarks.

(The request was granted, and the bill is printed in full, as follows:)

"A bill to promote military training by providing scholarships for students enrolled in public institutions of higher learning, and for other purposes.

"*Be it enacted, etc.*, That for the purpose of cooperating with the States and the District of Columbia in providing military training for young men within their borders there shall be appropriated the sum of $50,000,000, or so much thereof as may be necessary, for the fiscal year ending June 30, 1920, and a like sum annually, or so much thereof as may be necessary, thereafter to be apportioned among the States and the District of Columbia in the proportion that the number of males of the ages of 16 to 20, inclusive, bears to the total number of males of said ages in the territory defined in this section.

"SEC. 2. That not more than 250,000 students at any one time shall be granted scholarships as provided for in this act, and no student holding a scholarship shall be permitted to enter any class except the freshman class. Said students shall be apportioned by the Federal Board for Military Training to the States and the District of Columbia in the proportion that the number of males of the ages 16 to 20, inclusive, bears to the total number of males of said ages in the States or District of Columbia, and the Federal Board for Military Training shall, on or before the 1st day of August of each year, certify to each State and the District of Columbia the number of scholarships allowed, as shown by the said apportionment: *Provided*, That for any one year the Federal Board for Military Training shall only certify one-fourth of the number of scholarships as provided for in this act, except in the case of resignation, death, or expulsion of any student the said board shall make an additional certification, and said additional scholarship or scholarships shall be apportioned in the States as provided for in section 3 of this act: *Provided further*, That the said Federal board may, during the first year this act is in force, issue to students in the sophomore, junior, or senior year scholarships, provided said students sign the obligations as provided for in section 11 of this act, and any student accepting said scholarships shall be subject to all the terms and conditions of this act.

"SEC. 3. That upon receipt of certification from the Federal Board for Military Training of the number of scholarships apportioned to said State, the authority designated under section 10 (i) shall apportion said scholarships to the several counties of the State in the proportion that the number of males of the ages 16 to 20, inclusive, bears to the total number of males of said ages in the State: *Provided*, That if the allotment to any county exceeds the number of graduates from high schools in that county, said excess of scholarships may be apportioned to the other counties. Graduates from high schools shall be entitled to scholarships in the order in which they pass their final examinations, and the county school superintendent shall immediately upon the graduation of any pupil from a regular high school of his county certify to the authority designated under section 10 (i) the name of said pupil, his age, and address, together with final marks made: *Provided further*, That in the case of the District of Columbia the authority designated to carry out the terms of this act shall see that the scholarships are equitably distributed throughout said District.

"SEC. 4. That after the passage of this act and before any State or the District of Columbia shall receive any appropriation as provided in this act the legislature or lawmaking body of said State or District shall by resolution or other enactment designate such educational institution or institutions already established or which may be established to receive the benefits of this act, and shall also pass such other legislation or laws as may be necessary to comply with the requirements of this act.

"SEC. 5. That the institution or institutions designated for the purpose of carrying out the provisions of this act must meet the following conditions:

"(a) They must be under public support and control.

"(b) No pupil shall be eligible for admission to any institution except the one in the State in which he resides, and he shall be 16 and not over 20 years of age, must be a graduate of a high school, and physically able to take military training.

"(c) Said institution or institutions shall, as near as practicable without interfering with the literary course, conform with the rules and regulations prescribed for West Point, but in no event shall the military drill and instruction at said institution or institutions be less than 7 hours per week for 4 years of not less than 36 weeks each.

"(d) The President of the United States shall detail from the officers of the United States Army or the National Army or the National Guard or from officers on the retired list 1 officer for each 500 students or fractional part thereof, and the military control, instruction, and discipline shall at all times be under the direction and control of the officer or officers designated for said duty. The ranking officer shall be in charge and have full control. The limitation of the number of officers which may be detailed to military schools under section 1225 of the Revised Statutes is hereby abrogated. Officers detailed for said duty shall retain their rank and pay the same as if they were in the active service.

"(e) The general discipline and control of the nonmilitary functions of the institutions shall be at all times under the presidents of the

institutions: *Provided*, That any student may have the right to appeal to the president of the institution in case he feels he has been unjustly dealt with: *Provided further*, That no student shall be expelled from any institution except by those who now have authority or to whom authority may be given to do so in the future.

"(f) The president of the institution shall, on or before October 15 and April 15 of each year, certify or cause to be certified to the State or district treasurer and the Federal Board for Military Training, the names of students entitled to receive installments on scholarships. He shall also immediately certify to the above-named official and the above-mentioned board the name of any student who has left said institution and is no longer entitled to said installments.

"(g) The president of the institution shall within 15 days after the close of any school year register or cause to be registered to the State or district treasurer and the Federal Board for Military Training, as provided for in section 16 of this act, a complete list of all students who have received six months' training or more, as provided for in this act, which said list shall contain the full name, home address, age, and rank of each student.

"SEC. 6. That the sum hereby appropriated to the States and District of Columbia shall be paid in semiannual installments on or before the 1st day of November and May of each year by the Secretary of the Treasury upon the certification by the majority of the members of the Federal Board for Military Training of the number of students entitled to receive same, out of any funds in the Treasury of the United States not otherwise appropriated, to the State or District of Columbia treasurer, who shall pay the same in quarterly installments upon warrants of the treasurer of duly accredited and designated public institutions of higher learning. The treasurer of the institution shall pay the same, on or before the 5th of each month, to holders of scholarships certified by the president of said institution, as provided for in this act.

"SEC. 7. That the funds allotted annually under section 1 of this act shall be distributed in sums of $200 per annum to holders of scholarships, which said amount shall be used by the student in part payment of board, clothing, and incidental expenses.

"SEC. 8. That for the purpose of assisting public institutions of higher learning and to carry out the provisions of this act, there is hereby appropriated the sum of $25,000,000, or so much thereof as may be necessary, for the fiscal year ending June 30, 1920, and a like sum, or so much thereof as may be necessary, annually thereafter to be apportioned among the States and the District of Columbia in the proportion that the number of males of the ages 16 to 20, inclusive, bears to the total number of males of said ages in the territory defined in this section.

"SEC. 9. That from the funds appropriated under section 8 of this act there shall be paid to each institution qualified to participate in the benefits of this act the sum of $100 for each student actually enrolled and receiving instructions and holding a scholarship as provided for in this act, which said sum shall be used for the sole purpose of aiding the States or the District of Columbia in (a) payment of salaries of teachers, (b) providing quarters, (c) providing adequate drill grounds, (d) upkeep of buildings and grounds, which may be made necessary by the passage of this act: *Provided*, That not more than 70 per cent of said amount shall be used for expenses under (a) of this section, and not more than 25 per cent shall be used for expenses under (b), (c), and (d) of this section.

"SEC. 10. That before any State or the District of Columbia shall participate in the benefits of this act it shall be necessary for the legislature, or in the case of the District of Columbia the proper legal body, to take the following actions:

"(a) Accept the provisions of this act.

"(b) Designate the institution or institutions which are to receive the benefits of this act and to carry out the provisions of same.

"(c) Authorize the State or District treasurer to receive and pay out the funds appropriated by the act.

"(d) Authorize the treasurer of the institution receiving the benefits of this act to pay out the same according to the provisions of said act.

"(e) Appropriate funds sufficient to provide the sum of $50 for each student holding a scholarship as provided in this act, and authorize the State or District treasurer to pay the same to holders of scholarships upon certification of the president of the institution: *Provided*, That the said sum of $50 shall be used by the student in part payment of board, clothing, and incidental expenses: *Provided*, That no tuition shall be charged any student holding a scholarship.

"(f) Appropriate funds sufficient to provide facilities for well-rounded courses of instruction and to properly house and care of said students.

"(g) Provide for adequate drill grounds for said students.

"(h) Provide for such reports as may be required from time to time by the Federal Board for Military Training.

"(i) Designate the branch of the government of the State or District of Columbia which shall see that the provisions of this act are carried out.

"SEC. 11. That before any person shall receive a scholarship to any institution provided in this act he shall sign obligations in triplicate which shall be furnished by the Federal Board for Military Training stating in case the United States is at war he shall be liable for services and subject to the call of the President of the United States, and that he will serve the United States subject to the laws now in force or which may be hereafter enacted, as follows: (a) Two years for the first six months or year, (b) two years for the second year or fractional part thereof in excess of six months, (c) one year each for the third and fourth years or fractional part thereof in excess of six months, which said obligations shall be filed with the president of the institution, who shall cause one to be filed with the treasurer of the institution, and he shall immediately forward one to the State treasurer and one to the Federal Board for Military Training: *Provided*, That no student shall be subject to call who is actually attending any institution or after he has attained the age of 31.

"SEC. 12. That after leaving said institution if any person having availed himself of the benefits of this act shall change his address at any time prior to attaining the age of 31 years, he shall immediately forward to the Federal Board for Military Training the name of the place to which he has moved.

"SEC. 13. That anyone violating any of the provisions of this act shall upon conviction be fined not more than $1,000 or imprisonment for not more than 12 months.

"SEC. 14. That nothing in this act shall be construed to repeal any laws which have been passed or may be passed affecting educational matters in any State or the District of Columbia, and there is specifically reserved to each State and the District of Columbia the right to regulate their public institutions, and the board hereinafter provided shall only have the right to prescribe rules and regulations governing the military feature of said institution.

"SEC. 15. That the uniforms, shoes, and other equipment of students holding scholarships shall be the same as those in use in the Regular Army, except there shall be worn on the left arm an insignia to be selected by the Federal Board for Military Training, and letters denoting the institution to which the student belongs shall be placed on the hat or cap. No person shall wear said uniform who is not a student of the institution.

"SEC. 16. That the Quartermaster Department of the United States Army, upon receipt of requisition from the Federal Board for Military Training, is hereby instructed and directed to furnish to the students through the treasurers of said institutions, uniforms, shoes, and clothing, as provided for the Regular Army, at cost, and further directed upon requisition received from the Federal Board for Military Training hereinafter provided to furnish to said institutions the necessary arms and equipment which may be necessary to properly train said students.

"SEC. 17. That the treasurer of the institution shall collect from the students the amount due for uniforms, shoes, and clothing and shall every 30 days remit same to the Quartermaster General of the United States Army. The Quartermaster General shall, upon receipt of payment from the treasurer of the institution, turn same over to the Treasurer of the United States, and said amounts shall be placed to the credit of the general fund of the Government.

"SEC. 18. That the Federal Board for Military Training is hereby created, to consist of the Secretary of War, the Secretary of the Treasury, and the United States Commissioner of Education. The board shall elect annually one of its members as chairman and shall adopt such rules and regulations as may be necessary to properly carry out the provisions of this act. The sum of $250,000, or so much thereof as may be necessary, is hereby appropriated for the fiscal year ending June 30, 1920, and a like sum, or so much thereof as may be necessary, thereafter for the necessary expenses, including salaries in the District of Columbia and elsewhere, rent, printing, reports, traveling expenses, and incidentals.

"SEC. 19. That said board, as authorized under section 18 of this act, shall cause to be made by a Regular Army officer at least once during each school year a thorough inspection of each institution receiving any assistance under the terms of this act, and shall keep on file, indexed, a complete list of those attending the several institutions as herein provided for and also a full and complete list of those who are subject to service under this act in case of war.

"SEC. 20. That the Secretary of the Treasury of the United States is hereby authorized to purchase from any State or the District of Columbia any bonds which may be issued for the sole purpose of complying with the provisions of this act. Said bonds shall be due and payable in not exceeding 20 years and shall bear a rate of interest not in excess of the maximum rate of interest the United States Government pays on any of its bonds: *Provided*, That the State shall pay all expenses in connection with the issuance of said bonds and also all expenses that may be incurred in examining into the legality of said bonds.

"SEC. 21. That all laws or parts of laws in so far as they are inconsistent with this act are hereby repealed."

The first section of the bill simply provides an appropriation. The entrance ages are based practically on the ages for entrance to West Point and Annapolis, one being 17 to 21 years and the other 16 to 20 years, and this bill provides for 16 to 20 years.

Mr. TOWNER. Will the gentleman permit a suggestion?

Mr. SEARS. Yes; with pleasure.

Mr. TOWNER. I know from our experience with the Committee on Appropriations that they will not allow this committee to present any further bills for appropriations and they will ask that it be transferred to the Committee on Appropriations, and that the Speaker will grant the request. So I suggest to the gentleman, in order to prevent that, that he should change the language of the first section so that there shall be authorized to be appropriated, instead of that there shall be appropriated.

Mr. SEARS. Perhaps that suggestion is wise, and you will notice that I say "There shall be appropriated."

Mr. BLANTON. In that connection, wouldn't the old precedent still prevail whatever agreements may have been entered into between the Speaker and the Appropriations Committee? I am heartily in favor of their contention that the appropriations, if an appropriation measure, should go to their committee; but there is no rule that has been adhered to that after a bill has gone to a committee and had a hearing on it and wasted the time of the members that it will not be interfered with. Isn't there such a precedent.

Mr. TOWNER. Yes; we have had a precedent of that kind in this committee, but that is by sufferance, and they do not allow that sufferance to continue.

Mr. SEARS. I am glad Judge TOWNER called my attention to the wording of the bill as above. This bill was first referred to the Committee on Appropriations; they were very busy and it was then referred, at my request, to the Military Committee. I want to say to you that it is an educational bill and should be considered by the Committee on Education, but I stated to the chairman of the Military Committee at the last session that as it was my bill and as I was chairman of the Committee on Education I did not care to have myself and the committee pass on it, because I wanted the bill to pass, and if the Military Committee would report it I thought I could assure him each member of the Committee on Education would be back of it and that we would work just as hard for its passage. However, the chairman of the Military Affairs Committee stated that they could not reach the bill at all and that he thought it should properly come before the Committee on Education. This year, therefore, I asked that the bill be referred to this committee. The appropriation in the first section is $50,000,000. It seems large, but we have voted away about $32,000,000,000, I think, to kill young men and to teach men to destroy men and property; $50,000,000 is just about one public building bill. By this I trust I may not be construed as opposed to such a bill. It is about the usual rivers and harbors bill. I hope we will have them; we must have them. So you see, Mr. Chairman, it is not such a large appropriation after all. I have yet to find the first man or woman who pays taxes, directly or indirectly, to complain against any taxation that has for its purpose the betterment of the children of our land.

They may complain about their road tax, because they think the road is good enough; they may complain about the tax which pays the current expenses of the Government; they may complain about every other tax; but even the bachelor, educated, or deprived of an education because he did not have the funds to secure one, never complains of any tax he pays for the purpose of helping the young

men of the country secure an education. So I think the amount of the appropriation is a mere bagatelle and should not and will not frighten Members of Congress into voting against it.

Now, the second section provides for division among the States. The scholarships provided for in this bill will be 250,000. These shall be divided amongst the States pro rata in proportion to the number of youths between the ages of 16 to 20 years. New York will get the number she is entitled to—no more, no less. Iowa will get the number she is entitled to—no more, no less. The same with Ohio, Florida, Georgia, and Missouri, and every other State in the Union.

Then the question comes up as to the division in the States—as to how to divide them among the districts and counties of the State. I have provided in this bill that they shall be divided in each State pro rata in proportion to the representation in the House of Representatives. In other words, if my State should be entitled to a thousand under this bill my district would get 250 and the other three districts would get 250 each. Then this number would be divided again between the counties of the district in proportion to the number of youths in each county between the ages of 16 to 20 years. And the above would apply to every State and the District of Columbia. Therefore you see there is an absolutely fair division among the States, the districts of the States, and each county of the State, and there will be no chance for politics to enter into the division.

I realize that many bills are passed for political effect. I have seen the disadvantages of political influence in educational matters. If you will read this bill you will find there are in it specific provisions that will make it impossible to play politics or favoritism in its administration. That it might not be charged that the Committee on Education was trying to build up a great political machine and that the Members were trying to place themselves in perpetual power (because that is what it would be if you were permitted to appoint, without safeguards and the merit system, 250,000 young men to collegiate courses each year), I have provided that graduates of high schools from each district shall be certified to by the authorities in the State on educational matters, giving the rating of each. In other words, Mr. Chairman, it is a system of merit. If Jim Jones, son of a day laborer, who, under the present cost of living, is hardly making enough to sustain his family, should graduate from a high school in my State with the highest mark, or with a mark that would place him among the list of eligibles that county was entitled to, that boy would get a certificate entitling him to a scholarship in the University of Florida. Exactly the same would apply to the son of a man of means, and that is why I have provided that it be certified in that way.

Let me say here it is impossible for me to cover this just like I would like to at one hearing without imposing on your patience, but I want to get it before you and let you study it. I believe that not a single boy will fail to strive to secure one of the scholarships provided for in this bill, unless physical disability or sickness prevents him from doing so. If this bill could be placed on the statute books it would be the greatest incentive possible for him to finish high school. Why? I just explained in my opening statement that the boys quit high school because there is no chance of their going to college. Until the last day of the high-school course the boy will be digging and hoping, if there are 15 boys to go from that high school, that he will be one of them, and if he should be the sixteenth and fail, this committee would have done much for that boy in the future years of his life by having caused him in part to prepare himself for the battle to follow.

Mr. PLATT. May I interrupt?

Mr. SEARS. Yes, sir.

Mr. PLATT. Isn't it true that on account of the high wages the boys are considerably less in number demanding appointments to West Point and Annapolis?

Mr. SEARS. It may be, but I am flooded with them. As I said before, it is not a question of wages. Ninety-nine boys out of a hundred who get in the tenth grade of the high school have an ambition to go higher and to finish their education, but they can not go higher because they have not the financial ability to do so. I have had the pleasure of sending two or three through school, but they owe me nothing, because since then they have a hundred times more than paid me; paid me what I advanced in money; paid me in friendship which would overwhelm any man. I have in mind to-day a young man who graduated from the high school; he had the nerve to stick; he was a born mathematician; had a wonderful mathematical mind. Because of financial conditions that boy is working now behind a counter; he has been there for two years and will be there perhaps the balance of his life. By the above, far be it from me, even in the slightest, to reflect on the young man behind the counter, for his occupation is an honorable one.

Mr. PLATT. Let me say, the last time I was at home a boy that took the competitive examination last year for appointment to Annapolis by me is now working for $3.50 a day.

Mr. SEARS. That may not last always.

Mr. PLATT. Perhaps not, but it is interfering now.

Mr. SEARS. Mr. Chairman, I do not want to take up too much of your time, but my whole heart is in this question. This bill provides that the nonmilitary functions of the institutions shall at all times be under the supervision of the president of the institution. Let me call attention to the fact that H. R. 553 provides that the commandant of cadets shall be in charge of the discipline of the institution, because he is the only one who can be in charge of the discipline, and if you are going to have military training that provision must be in the bill. It is specifically provided, however, that the commandant can not expel a boy, but expulsion must be referred to the president of the institution and the proper authorities must act before a boy can be expelled from the institution. It is further specifically provided that any student may appeal to the president of the institution if he believes he is receiving unfair treatment.

I want further to call your attention to the fact that under section 9 of the bill it is provided that not more than 70 per cent of the amount appropriated by said section shall be used for expenses under "A" of said section, and not more than 25 per cent shall be used for expenses under "B," "C," and "D" of said section. You will see that 5 per cent is left out; but this is only a typographical error. The committee should correct that error and also make such division of the appropriation as they think best. I have added this section because I believe both the Government and the State should do its part. I would not vote for any bill where the Government should do it all. Unless the State assumes some of the liability and responsibility in connection with the carrying out of this act, the State will lose interest. Therefore should this bill become a law I insist that the State must do its part. I would not vote for a bill, to be frank with you, that did not leave with the State the right to control the institution or did not require the State to assume a part of the burden. These institutions have fundamental rights, and I do not think the committee should or would take them away. I would put every safeguard around the appropriations, so that the money would not be wasted. Every dollar appropriated under this bill goes for the benefit of the young men of this country.

Mr. Chairman, I have here a clipping on "Army schools offer educational chances." This article clearly shows the importance of the bill you are now considering, and I ask that same be printed as part of my remarks.

The CHAIRMAN. If there are no objections, it may be printed.

(No objections were offered.)

ARMY SCHOOLS OFFER EDUCATIONAL ADVANTAGES—SCHOOLS ARE EQUAL TO COLLEGES IN THEIR LINES—UNITED STATES ARMY DOES MORE FOR ITS SOLDIERS THAN ANY OTHER NATION—OFFERS BEST ADVANTAGES.

The United States Army of to-day is doing more for the training of its soldiers, either for military or civilian life, than that of any other nation on earth. The World War proved that educated soldiers in every respect were just as important as the educated banker or any other business men, and for that reason young men will find some of the best schools in the United States Army to-day. For a young man who can not avail himself of a college education after completing his high-school course, he can find no place that offers him a chance like the Army does in the way of training, physically, morally, and mentally. And besides, he is getting paid for it. At the pay of a private, he is making much more than $100 at the present price of everyday necessities.

"We must have an Army of trained men in every respect, and we are going to get it, and the best way to get it is to train it," said an Army official recently. "Some people ask the question, 'Why take a young man at an expense for one or three years, and when that time is up he will go on the outside at a much larger salary?' That is possible, and that is the beauty of it. But about two-thirds of the men, at the expiration of one or three years, reenlist at better salary and much better chances for promotion.

"For a young man who is seeking the outdoor life, which is absolutely esential to the future health of anyone, he can find nothing that gets so near to nature's front door as some branches of the service.

"There are not any of our leading business men of to-day but will tell that when they started out in life they considered the future in preference to salary or conditions. There are a good many young men who may think that our leading business men just happened with good luck. They had a good start or some other financial backing, but no man can get that kind of backing unless he has the ability, and in the Army is a good place to get that kind of ability.

"The Army is run like a large business, with hours for work and hours for freedom. The soldier off duty writes letters, smokes, plays basket ball, pool, football, or most any other healthful game he likes; goes to the movies or theaters; calls on his girl if he has one; in fact, he does about as he likes. Being in uniform, his self-respect, as well as the rules of the service, demand that he conduct himself as a soldier and a gentleman. It is just as important, and more so, that the United States soldier be a gentleman in every respect as anyone. He is representing a people—the best people—and the people are of the best nation on earth; the people of the United States have always been aware of that fact, but it has been proven to nations—nations that were in doubt—by the part accomplished in the World War. The United States soldier is a soldier of renown for bravery and achievements.

"The War Department has recently authorized one-year enlistment periods in some branches, regardless of whether the recruits have had previous service or not, namely, the Quartermaster Corps and the Medical Department. This should be an inducement to young men to have a try out and see for themselves just what the Unite. States Army is offering to young men.

"Young men who can not avail themselves of the necessary funds for a college education should not fail to consider just what they can obtain from one enlistment, in the Aviation or Motor Transport Corps schools.

"Pay in the Army runs from $30 per month to $121.50 per month, with all necessary living expenses paid by the Government."

Mr. SEARS. I also ask to have printed a part of "The Army policy," wherein the Secretary of War states that the Army has no policy; that the future must unfold it.

The CHAIRMAN. If there is no objection, it may be printed.

(No objections were offered.)

THE ARMY POLICY.

"The action of the Senate in voting appropriations upon the basis of a contemplated army with an average strength of 400,000 men during the next fiscal year has no bearing upon a national permanent military policy. The House made its appropriation upon a basis of a contemplated average of 300,000 men, while the War Department recommended an average of 509,000 men. Consequently, it is evident that in conference the Army appropriation bill will be drafted upon either the House or Senate figures or upon a compromise between the two.

"The national defense act provides for a standing Army of 175,000 fighting men, with Quartermaster Corps, Medical Corps, and other branches which bring the total number up to 250,000 or 300,000. Before the expiration of the next fiscal year it is anticipated that the Army will be down to the maximum strength authorized in this law.

"After that, what? Neither Congress nor the War Department is ready at this time to take the responsibility of recommending a permanent military policy for the United States. There is talk of a comparatively small standing Army with universal military training which would keep the youth of the land in readiness for an emergency call to the colors, and it is generally realized that universal training as a policy is stronger now among the people than it was before the war. But even if this policy is adopted, the country must maintain a standing Army sufficient to meet the requirements placed upon the Government and to serve as the nucleus of a large Army in the event of another war."

Mr. SEARS. I contend this bill is the best policy and will meet every requirement set out by the Secretary of War and at much less cost than any other plan. I will undertake to show that. Since the above was published in the paper the Secretary of War and the General Staff have recommended a bill providing that each boy when he reaches the age of 18, I believe—if I am wrong, correct me—shall be drafted or conscripted and forced to give three months of his time to military training. I say as a man who has had experience in school work that a boy who has been studying his books for 9 months, and if your term is 10 months, should not be required to take up this extra work; besides, you practically cause him to lose one year of school work. I say without fear of contradiction that you can not train a boy in military tactics in three months, and that the money so spent will be practically wasted. I do not say that without thought. I went to a military school for four years; I served under West Pointers; and

I know the value of military training. My father urged me to go there in preference to a nonmilitary school because of my physical condition.

When I entered the Florida State College I only weighed 95 pounds, and, as stated, my health was poor. When I graduated four years later I weighed 145 pounds and my health was perfect, and I am satisfied this was due entirely to the military training I received, and there were many similar cases to mine. I owe, I believe, as I told the President, my present position in life to the military training I received at school. To my obedience to commands; to my power to think as an officer; to the strict military discipline which was in force; to the training in handling men while at college; I think I owe in a large part my way through life.

It may be charged that you should not do this because it will create a military caste; it will make a war party. I want to say that of all my schoolmates I do not believe there was one but who abhorred war. They had been taught that the weapon was deadly. While they had been taught to shoot straight, they had also been taught not to shoot until it was absolutely necessary, and while that spirit was instilled in those young men at the same time a spirit of patriotism and respect for the flag was also instilled and many of them during the present war received commissions because of that training, although received many years ago. I have one personal friend, Lieutenant Johnson, who was at the head of an electrical department in some electrical works at San Francisco. He had formerly been on the ocean, but had given it up and gone back to land work. When the President called for volunteers he resigned his position and entered the service for the purpose of helping to transport food and supplies. He dodged the submarines, and he with many others did splendid service during the present war. I have another college mate here in the city connected with the Quartermaster Corps. Many of those boys responded and all made good. Many more wanted to respond but were prevented from doing so because of the age limit.

It is charged, Mr. Chairman, that this bill will cost $75,000,000 annually. That is true, but I want to say to you that of all the moneys spent by the Government none will be more wisely spent or used for a better purpose.

May I relate here briefly what General McAndrews told the Committee on Military Affairs of the Senate? He told the committee that in his opinion a military peace strength of 300,000 officers and men is sufficient under the plan for universal military training.

In view of the facts, however, that the universal military service plan could not begin functioning for two or three years hence, he said a large Army might be required to afford protection during that time. He certainly has lost sight of the three or four million brave, patriotic, thoroughly trained young men who have just been or will shortly be discharged. General McAndrews also told the committee that the three months' training proposed in the bill was insufficient to turn out a valuable soldier and asserted that contrary to general belief the average training time of soldiers composing the American combat divisions abroad had been not less than six months.

General Bullard told the committee that in his opinion three months was the minimum training period, and that even then three experienced soldiers would be required to train one inexperienced man. If this is true, I will let you figure out the cost of training under the universal plan and ask that you compare same with the cost under this bill. May I call the committee's attention to this fact: That under that system it will take three commissioned officers, first sergeant, sergeants, and so on, after they are partially trained, and all of these must be paid. As I have said, all these officers, the general, the colonel, and the lieutenant colonel, will have to be paid for this universal training of three months, which, according to some of the officers, is at its best only inefficient training. Under my system it will only be necessary to furnish one officer to 300 men. The cadets themselves become the officers. They take a pride in it, they study it, and they will receive thorough training. I began as a private and finished with the rank of captain. All take the greatest pride in their work. The officers will love the boys and the boys will love the officers, because each one understands the other. So you will see the immense expense saved by teaching the boys in public owned or controlled colleges.

Now, some people will object to this bill because they will say they do not want their boy to go to a military school. If the parent does not want his boy to go to a military school there are many colleges of the highest standard where he can go without taking the military feature. The bill covers only military colleges and schools under State control. If one boy does not finish he drops out and another boy gets his chance to make good. The other colleges will not suffer, for there will be a sufficient number of boys able to pay their way who will attend same.

I also ask that this article on "Military training" from the Washington Post, May 30, 1919, be printed as part of my remarks.

The CHAIRMAN. If there is no objection, it may be done.

(No objections were offered, and the article referred to is here printed, as follows:)

"MILITARY TRAINING.

"An important step toward universal military training was taken when Secretary of War Baker recommended to the House Military Affairs Committee the establishment of a system of military training in high schools, colleges, and universities throughout the country. He stated that the Army had already demonstrated its educational value to the youth of the Nation, which formed a very strong argument in favor of including military training in the curriculum of educational institutions.

"Members of Congress who have visited Europe since the war have learned many things in favor of training the young men for military service. They have visited schools where the fundamentals of tactics are taught, resulting in the physical improvement of the young men and strengthening the protection of their country. The legislators have returned to this country convinced that some plan can be worked out which will permit of the adoption of military training in a form which will meet with general approval.

"Secretary Baker in appearing before the House committee was careful to state that he did not wish to advocate any permanent military policy at this time while the League of Nations covenant was pending. It is assumed from this statement that the adoption of the league would make a difference in the character of recommendation which otherwise he would make to Congress.

"That view, however, does not prevail with the Congressmen who have studied the question in Europe. There are potent reasons why the young men of the Nation should be trained in the rudiments of military tactics, even if the league were in effect. The physical benefits which they themselves reap from this training is one of the best arguments in favor of it. Even if there were no prospects of war for many years to come, there would be nothing inconsistent in teaching the young men the fundamentals of military training.

"Universal training is the real object aimed at, and it is believed by many Members of Congress that the prejudice which existed against it before the war has now largely disappeared since parents have had an opportunity to witness the wonderful benefits their sons have had from military training. In the near future it will be incumbent upon Congress to adopt a permanent military policy for the Nation, and this will be one of the important phases to be considered."

Mr. SEARS. As I said, the bill is one which provides efficient military training at a minimum cost and at the same time prepares the boy for his duties in life. The bill provides, Mr. Chairman, that for a certain length of time served by the boy, only in case of war, that boy shall respond to the country and give a certain length of time to serving in the defense of his Government. Some parent may say he does not like that feature. I am aware they would not want anything that would force them into war. But why should that system not stand? Congress has adopted a system of conscription and the boy has to serve whether he wants to or not. I would say that the nation is indeed small which would make a boy go out and fight for the nation—not ask him, but make him, glad to do it though he may be, but the "make" is still there—and then not be willing to give that boy an equal chance with the boys who have been more fortunate; who have had the silver spoon in their mouths and secured an education. As I have said in some of my letters that I have written to those who are devoting their lives to the betterment of the young men, any nation that is worth living in is worth fighting for, but the nation that makes it possible for the young men of the country, for the boys of the country, to secure an equal chance to fight their way through life, to secure that training which will aid them in fighting the battle which is always extreme, as you gentlemen know, is not only worth fighting for but worth dying for, and the boy will gladly, if necessary, die for that nation.

We make annual appropriations in the millions for the Agriculture bill; we make appropriations for the rivers and harbors bill; we make appropriations for pubic buildings bill; and many others. These appropriations are necessary and Congress should make them. You appropriated for my State $500,000 for investigation and eradication of the citrus canker. I want to say that Congress saved the orange industry of Florida and California and perhaps of the United States. But you required my State to meet it with an equal amount, and I told you Florida would meet it, and Florida, as usual, made good that promise. It was a worthy appropriation. You have appropriated thousands of dollars for the investigation and eradication or destruction of the boll weevil. Congress appropriates annually large sums for the eradication of cholera and the protection of the little pig, so that he may be nourished to where he will be raised to the size of pork that the "hog" might get him and make the people pay more for pork. These appropriations should be made, but I want to say if the hog is worth protecting, if the citrus canker should be eradicated, and if the boll weevil should be controlled, how much more important is it that people should finally realize the importance and the necessity of assisting the young men of the country? I believe that the time is coming: I believe the time will be here, if not this year, later; if not by the aid of this committee by the aid of some other committee; that some similar bill like this one will be introduced and passed through Congress, and until then we can not expect to take our real stand as leaders of the nations of the world.

But you say this is a State proposition. Is it a State proposition when the Government demands of your boy to fight and die for the country? Is it a State proposition when the boy owes all to the Government and the Government owes all to the boy? Yes; the State should do a part of it, and the State is doing a part of it. You say that the free educational system, the grammar school and the high school and the rural school is enough. It is the most popular one, because that appeals to the boys, but unfortunately is all the average boy can ever expect. There are more grammar-school boys, more high-school boys, but that should not make it paramount, because I believe this committee and the Members of Congress should rise above a mere local or political question. The question is whether you are going to help these boys get a higher education.

Why does the bill name State institutions? Let me just call attention to the fact, Mr. Chairman, that in 1917 the value of buildings of the publicly owned and controlled institutions was $7,252,848. Let me also call your attention to the fact that there was appropriated by Congress in 1918 for the agricultural colleges, where there are about 30,000 boys taking military training, $5,359,077. The value of the grounds of the State institutions owned by the States at the present time is $28,905,709. I thought it was best to start with these colleges as a nucleus and thereby save the enormous expense necessary to establish new colleges. That money has been spent, and there is no use going out and building new ones when you can add to these and let the work go on without interfering with it.

Do the people of this country realize that there was in 1917 but a few more than 70,000 boys in public controlled and owned institutions in all of the United States? When I found it out it was appalling to me. Out of 100,000,000 people only 70,000 boys taking advantage of our public-controlled institutions.

Mr. ROBINSON. You mean colleges?

Mr. SEARS. Colleges; yes. Just think, the great State of New York has less than 4,500 in her public institutions.

The CHAIRMAN. What do you include in public institutions?

Mr. SEARS. Those owned and controlled by the State.

Mr. TOWNER. Those aided by State funds?

Mr. SEARS. Yes.

Mr. PLATT. This would not prevent a boy going to Columbia.

Mr. SEARS. It would not prevent him.

Mr. PLATT. Are there any State institutions in New Jersey?

Mr. SEARS. I have not looked that question up, and therefore can not give you the desired information at present. My recollection is there are 52 public owned or controlled institutions in the United States and that each State has at least one, and if not there should certainly be at least one such institution.

The CHAIRMAN. We have three in Ohio.

Mr. SEARS. Mr. Chairman, I desire to thank you for that information, and may I add that is perhaps at least in some degree the reason why Ohio ranks so high among the States.

Mr. PLATT. What, in competition with Yale?

Mr. SEARS. Not in competition; Yale has won her laurels and nothing can take them from her. The University of Florida is not in competition with Stetson. No institution of learning should be in competition with any other, but all should work together.

I said in the beginning of my remarks that there are plenty of institutions of the highest standing—Princeton, Yale, and Stetson and Rollins in Florida, and others too numerous to mention—where the boys who are able to pay can go if they want to.

Mr. PLATT. Those colleges all have a large number of scholarship men—Yale, Princeton, and Harvard.

Mr. SEARS. There are less than 200,000 out of the 100,000,000 in all the colleges in the United States.

Mr. PLATT. What do you mean—scholarship men?

Mr. SEARS. No; pupils. There are 1,000,000 young men, according to the War Department statistics, who become 18 years of age annually. There ought to be at least 500,000 men in the colleges. Of course, I know that the 1,000,000 men could not all go to colleges, but it looks like we could increase the enrollment to 250,000 besides those who will attend the private institutions.

I want to mention this situation which was called to my attention by one of the presidents I wrote to. In the New England States the president of one college called my attention to the fact that the bill provides that the county superintendent shall certify eligibles and that they have no county superintendents in New England. Frankly, I was not aware of that fact, and I trust some member of the committee who is familiar with the laws of the New England States will find out who is at the head of the high schools in the county or district and that he will offer an amendment which will meet the requirements of those States.

Mr. DALLINGER. We haven't any county organization at all; each city and town is independent.

Mr. SEARS. I trust you will prepare an amendment covering such cases. I was going by the States that I knew of. There was no desire on my part to name any particular person, and I thought the provisions of the bill would cover all States. But I find such is not the case, but that can be easily remedied.

I desire now, Mr. Chairman, to call your attention to a newspaper clipping showing the amount necessary to be appropriated for the Army and Navy, as an indication of what will be necessary in the way of additional taxes, unless H. R. 553 or some bill along the lines suggested therein becomes a law. I also want to have printed as part of my remarks two editorials, one from the Florida Times-Union of March 20, 1918, written by A. S. Hough, a gentleman of mature thought and years; and one from the Palm Beach Post, indorsing the bill, written by Joe Hugh Reese, now with the Savannah Morning News. The ability of both these gentlemen is too well known to the press of the country to need any encomium at my hands.

The CHAIRMAN. Is there objection? If not, these clippings and editorials may be printed.

(No objections were offered, and the clippings and editorials referred to are printed in full, as follows:)

ARMY AND NAVY BILLS FINISHED—MEASURES CARRYING $900,000,000 AND $627,000,000 TO GO TO SENATE.

America's defense during its first year under the League of Nations—assuming that the covenant is accepted—probably will consist of:

An Army of 400,000 men; a Navy of 29 battleships and 191,000 men. This defensive strength will cost $1,527,000,000 for the year beginning next Tuesday.

These figures will go before the Senate next week for final approval. No changes are expected except in minor details.

After working feverishly this week, often staying until midnight, the Senate Naval Affairs Committee last night had finished the two big appropriation bills for the Nation's defense. They will be voted on in the Senate early next week.

The Army bill carries $900,000,000, provides for an Army averaging 400,000 men, and allows $55,000,000 for aviation.

The Navy bill carries approximately $627,000,000, provides for abolition of the 8,000 yeowomen, authorizes a personnel of 191,000 men, and allows $35,000,000 for naval aviation.

Both bills show increases over House appropriations, the Army about $150,000,000 and the Navy about $25,000,000. The Army was increased in size by 100,000 men and the Navy about 20,000.

[From Florida Times-Union, March 20, 1918.]

A GOOD BILL.

Chairman SEARS, of the Committee on Education, has introduced in the House a bill proposing an appropriation of $50,000,000 a year to establish for graduates of high schools scholarships in institutions that teach military training. The scholarships are to be given as a result of competitive examinations so there will be no chance of favoritism. The fund is to be divided between the States in proportion to their male population between the ages of 16 and 20, inclusive.

It is proposed that each holder of a scholarship be given from this fund $200 a year to be used in paying board and incidental expenses, the tuition to be free.

The educational advantages of this plan are apparent. There is need to consider only its military advantages. A great many people in this country favor compulsory military training. This would take at least a million of our population a year from industry. If their earnings if employed on an average would amount to only $500 a year, this would mean a loss to the country of a half billion dollars a year. It would make every man in the United States a soldier, and there is no need for every man in the United States to be a soldier.

On the other hand, there are those who would increase the strength of our Regular Army, which cost us in time of peace nearly $1,000 per man. If the number were increased to half a million men, the cost of the Army would be half a billion dollars a year.

Now, let's see what Mr. SEARS's plan would do. It would furnish about 62,500 trained soldiers a year, and this would amount to 625,000 trained men between the ages of 21 and 30, inclusive. These men in time of peace would be engaged in their regular work, adding to the productive power of the country, but in case of war they would furnish a ready trained Army of 625,000 men at a cost in time of peace of $50,000,000 a year, which is about half as much as our Regular Army, only one-sixth as large, has been costing in time of peace. If we continue to employ a Regular Army of 160,000 men at the old cost the cost for the 725,000 would be only $150,000,000 a year and the 625,000 ready but not in service would be adding to the wealth of the Nation as much as a billion dollars a year instead of being merely a consumer of wealth.

We are having some experience in sending men across the ocean, and as it would be as difficult for an enemy to send them across as it is for us to send them all who think now know that an army of 725,000 men ready for service could capture any invaders as fast as they could get across. If we were fighting across the ocean we could not send more than 60,000 men across in a month. This means we would have ready on the declaration of war 725,000—as many as we could send across the ocean in a year. If more were needed we could train in a year as many more as we wished, and they would be ready in every way by the time our trained soldiers were across.

This is by far the best military bill we have seen, and we hope Congress will prove its wisdom by enacting it. It would give us for $150,000,000 as large a number of trained men as we could employ under our old method for $700,000,000, and it would not take our most active and energetic young men from production.

[From Palm Beach Post, March 23, 1918.]

SEARS BILL FOR MILITARY TRAINING.

"To a Florida Representative belongs the credit of introducing a measure in Congress designed to provide the general military training which this Nation will unquestionably find expedient if not absolutely necessary by reason of the circumstances which have forced upon it the desirability of having ready for call at all times an army drilled and at least in some measures equipped for prompt service.

"While it serves no purpose which is not readily apparent to direct attention to the certain rejection which would have greeted such a bill three years ago, it is nevertheless appropriate at such a time as this to indicate what a vast change has taken place in the attitude of the public toward such matters by venturing the prediction that the bill which WILLIAM J. SEARS has presented will not only have serious consideration but will probably be passed. When subjected to the critical inspection of a Congress even now schooled as to the needs of the future, based upon recent experience of unpreparedness, it is not to be doubted that amendments to the original text of the bill will be written into it, but as a basis upon which to build and as an outline to follow, the Sears bill will likely be adopted; either this or some similar measure, and Mr. SEARS will be accorded his due in thinking out the solution of a problem which demands the greatest and gravest consideration.

"In brief the bill provides an annual appropriation of $50,000,000 for establishing a system of military training in the institutions of higher learning in each State, scholarships to be granted to boys graduating from the high schools upon certain conditions guaranteeing an equitable distribution and insuring a sufficient amount to each to bear the expense of the student through four years of training, which is to be under the tutelage of an Army officer. Certain obligations are imposed upon the State to meet the terms of the bill, such as providing drill grounds and barracks and the keeping of accounts, which shall be reported to a Federal board. Whether this Nation continues to keep up a large Military Establishment after the war or not, the advisability of military training in the higher institutions can scarcely be questioned. Frequently it has been remarked since this country entered the war that the training in military camps would be well worth the price to the physical well-being of the Nation's manhood if the other and more urgent question of national defense were eliminated. There will be few to dispute the truth of this statement, though some may demur at the extravagant cost which hurried preparation and utter lack of preparedness made necessary. When the benefits of such training as that proposed in the Sears bill are considered solely from a health viewpoint the cost as estimated is not too great."

Mr. SEARS. I want to say to the committee, frankly, that I have mailed to every president of a public-owned and public-controlled institution a copy of the bill, but many of them are off on their summer vacations, and their secretaries have written me that as soon as they return their attention will be called to same. I would like to ask the committee for authority to have published in this hearing, or a hearing to be held at a subsequent date, the replies I receive. I will not withhold anything from the committee just because it happens to be adverse to the bill.

The CHAIRMAN. Without objection from members of the committee, that permission will be granted.

There was no objection.

Mr. SEARS. Mr. Chairman, at this time I will only print extracts taken from an article which was published in Everybody's Magazine of February, 1915, as follows:

PRESIDENT SCHURMAN, OF CORNELL UNIVERSITY, BELIEVES EVERY COLLEGE SHOULD INTRODUCE MILITARY TRAINING.

"It would be self-deception of the grossest character if Americans made their love of peace the criterion of the military policy and preparedness of their country. It would be madness to enfeeble and imperil the United States because we believe peace the chief blessing of the nations.

"America will never equip herself for aggressive wars. She will never set up a large standing army or require military service of all the young men of the country. Historic policy and the abiding sentiments of her people forbid.

"I am a firm believer in the intrinsic value of military training, even apart from its utility to the public in time of war. Cornell University is one of the 65 universities and colleges in the United States which prescribes military training for the students, and in 1914 it was included in the group of 10 distinguished colleges selected by the War Department for excellence in military training, while at the same time it was first in the country in marksmanship. I have long felt that this military training is one of the best things the undergraduate receives at the university.

"Military training teaches the young man how to stand and walk and hold himself; it gives him vigorous out-of-door exercise, so that gradually his chest expands and his muscles grow firm; it inures him to physical hardships; it disciplines him in orderliness, punctuality, accuracy, and alertness; it endows the senses and the intellect with quickness, precision, and the habit of concentrated attention; it develops self-control as well as obedience to proper authority and resistance to improper; it accustoms the individual to cooperation and teamwork, while fostering comradeship, thus facilitating community life and lubricating social intercourse, and it prepares youth for better citizenship by constantly emphasizing the conceptions of duty and service.

"If wars were banished from our planet I would retain military training side by side with athletics as an instrument of physical education in our universities; and not only for its physical advantages, great as they are, but also for its moral, mental, social, and civic effects and reactions.

"Now, since the great Federal land-grant act of 1862 in the interest of agriculture and the mechanic arts there has been one college or university (often the State University) in each State of the Union which prescribes for its students a certain amount of military training. This at the present time extends over two years, and occupies

three separate periods a week of not less than an hour each period; and this military training, which is prescribed for freshmen and sophomores, may be continued as an elective by the upper classmen for two years longer.

"Counting Hawaii and Porto Rico there are now 52 land-grant colleges and universities, and in 1913 they had enrolled in their military departments 23,864 students. Besides these there must be added 16 similar institutions for the colored race, in which in 1913 there were 2,426 students enrolled for military drill. And in all these institutions the military training is in charge of an officer of the Regular Army; and in detailing him the War Department instructs him that it is his duty to qualify students who enter the military department to be company officers of Infantry, volunteers, or militia.

"Here, then, under the auspices of the National Government we have our colleges and universities already engaged in the military education of young men with a view to qualifying them to become company officers of Infantry, volunteers, or militia. And this is a reservoir from which the Nation might draw, almost indefinitely, officers to train our reserve army of volunteers.

"Hitherto the Government has paid little attention to the military work done in these colleges and universities. Yet there is no other way in which officers for reserves can be secured so easily and so economically—officers, too, of superior mental endowments and scholastic and scientific attainments. All that is needed is that the Government shall adopt the policy of utilizing them.

"In his report as Chief of Staff in 1913 General Wood made one recommendation which if acted on would constitute an important first step in this direction. He recommended that there be selected from the graduating classes of the institutions at which officers are detailed as military instructors 400 men each year who should be commissioned as provisional second lieutenants in the Regular Army for a period of one year with full pay and allowances, to be discharged at the end of the year with a certificate of proficiency if they merit it as company, troop, or battery officers of militia, volunteers, and the Regular Establishment in war.

"Let the Government then offer such commissions in the Regular Army to the best-trained men in the military departments of our colleges and universities, on the understanding that after a year they may return to civil life, retaining their commissions as officers of the reserve.

"I believe the young men would generously respond to the offer. And in my belief there is no better general qualification for success in civil life than a college education, with four years of incidental military training, followed by a year of service as an officer in the Regular Army.

"But it is possible for the land-grant universities (if not the colleges) to go further in this matter. Just as they now have departments of agriculture, civil and mechanical and electrical engineering, architecture, and, in many cases, law and medicine, which train men for definite vocations and professions—so they might establish military departments or colleges in which those desiring to fit themselves for the military profession might study the theoretical branches underlying that profession, as is now done at West Point, while at the same time undergoing a more extensive and intensive practical military training than that now required of other students.

"This would not involve any considerable addition to the existing departments of the large land-grant universities. When one compares their announcements of courses with that of West Point, it appears that most of them already have all the subjects covered by the latter except military engineering, ordnance and gunnery, and military hygiene. Special Federal appropriations to establish these departments would be necessary, but the cost should not exceed $15,000 or $20,000 a year for each fully organized and equipped military college of a land-grant university. And probably less than a score of institutions could undertake the establishment of such a military college.

"If such a course is to furnish officers for the reserve, it would entail some military obligations later—say, camp service for a week or two annually for a limited number of years; and therefore some financial recognition should be given to undergraduates, not, however, for the whole course, but only during the last two years, when the study of the specific military subjects had begun.

"The pay of a cadet at West Point is $600 per year for four years and one ration per day, or $709.50 if commutation be allowed therefor. If a student in the system of military colleges which I am imagining were to receive that amount during his entire course, I should consider it sufficient. The expense to the Government would be slight, a little over $700,000 a year for every thousand students.

"Nor does this exhaust the possibilities of cooperation between our universities and the Government in this great cause of national defense. I have spoken so far only of that group of colleges and universities which have received Federal aid and which are under legal obligation to maintain military tactics in their curriculum. But the privately endowed universities and large colleges or many of them would, I believe, if the Government authorized the necessary detail of officers, be quite willing to organize voluntary classes for military training. This is a resource which the Government should by all means utilize and develop. The system of military training now in operation in the land-grant colleges and universities might be at once extended to these sister institutions, and as new experiments were tried out in the former they could be established in the latter.

"It is quite conceivable that we may see the athletic excesses from which American colleges and universities still suffer find an effective corrective in military drill, with results highly beneficial to the individual and immensely serviceable and helpful to the Republic. Such students, if our Government only has the wit to utilize existing institutions and develop well-established practices, could be prepared before graduation to qualify as military officers competent to train in time of war our volunteer armies, which in a last resort form the military bulwark of the Republic."

I also desire to call your attention to a copy of the letter which I sent to each president. I include this copy because it briefly outlines the purposes of the bill.

WASHINGTON, D. C., *May 23, 1919.*

DEAR ———: I am herein inclosing you H. R. 553, which I trust will receive your careful consideration. This is the same bill I introduced in the last Congress, but on account of war measures I was unable to get consideration.

I have had a conference with the President on this bill and the main objection he offered to the same was the lack of guns, etc., and the cost of same. This objection, as you know, has been removed, because the boys are being discharged and the Government is seeking a place to store arms and equipment. I desire especially to call your attention to section 3, methods of appointing the young men to scholarships. You will notice it is absolutely on merit and the poor boy is given the same chance as the rich boy. I had one term of teaching school and was for 10 years county superintendent of public instruction. The main trouble which worried me was how to keep the boy in high school. When I would go to him he would say, "What is the use? I can not hope to go through college as my parents are not able to send me, and as I have a good position offered me and it is the best I can do, I think it best for me to stop now." My bill will overcome, I believe, this trouble and will be a spur to each boy to try his best to secure the scholarship.

Of course this bill will have to be approved by each State and therefore it will take several years to get it into full operation. However, I estimate that in 10 years under my bill, if adopted, there will be one million and a half or two million young men, not with a meager six months' training but with a thorough military training and mentally and physically prepared to support this great country. Certainly, if we expect our boys under the draft system, which our Government has adopted, to fight for and many to die for our country, we should be at least liberal enough to give him an equal chance to make a good living. A country worth living in is worth fighting for, but a country which will make it possible for a boy to secure a collegiate education and at the same time teach him to intelligently care and fight for his country is doubly worth dying for.

Some may suggest that this will create a military caste and system, but I assure you such is not the case. I went through a military college and I owe my present health and I think I can say my present position to the training which I received. It puts everyone on an equal footing, removes the caste, and does anything except create a military spirit. However, I am proud to say that many of my classmates were able to materially assist in making possible our present great victory.

You will also note that I specifically reserve for each State the right to control the institution in that State. I am frank to state that I would object to surrendering this right. I am not wedded to a single section in this bill except the one to make it possible for our boys to secure a thorough education. It may be appalling to you to state that only about 83,000 boys annually attend our colleges.

I do not desire to weary you, but some have raised the objection that they do not care to send their boys to military schools. This is not and should not be an objection, for there are many private colleges of the highest standing where the boy with means can secure his education without having to undergo military training.

I am herein inclosing you editorial from the Palm Beach Post and the Jacksonville Times-Union on my bill. I sincerely trust you will give this bill your most careful consideration, and if it meets with your approval I trust you may see your way clear to bring it to the attention of those with whom you are associated, and I will more than appreciate a letter relative to same, and such suggestions as you care to make.

Yours very truly, ——— ———, *M. C.*

Mr. SEARS. Mr. Chairman, in connection with one of the editorials that I offered and asked to have printed in the hearing—the editorial from the Florida Times-Union, I believe—it is clearly shown that the necessity for a large Army will be practically eliminated if this bill becomes a law. I sincerely trust that we may never have another war. Why? I say it without hesitancy—I said it during my last campaign and at other places where I have spoken—that the citizens of the United States will never appreciate what Members of Congress have gone through since the great World War began. I have said that the percentage of fatality in Congress was greater than that on the battle field. The figures will bear me out. I have said that that fatality was among men in the prime of life, and I think that fact will also be borne out; men who have worked hard, because we were up against a hard proposition. This bill, in part, is offered to relieve that condition in the future.

Why will it take the place of a large standing Army and make a large standing Army unnecessary? This bill provides for 250,000 scholarships in certain institutions. If the General Staff is correct, and I want to be just as fair to the committee as I am to the House, they drafted 18-year-old boys, and some of them were sent across, certainly with only a meager training. Under the terms of this bill such could not be the case, but on the contrary at the end of the first year you would have 250,000 boys who will have had one year of military training instead of three months. If we should not have a war in 10 years, and as I said, I sincerely trust that neither we nor our children may live to see another war, you will have in the United States, if you adopt this bill, between 700,000 and more than 1,000,000 men with one year, and more up to four years, of thorough military training. In addition to that, you will not have practically a million men, in round figures, who will have to be taught to read and write, as was the case with some of the recent Army that was called out to fight for us. It is no reflection on them, they fought bravely.

Therefore at the end of the second year, or at the end of the third year, after the law has been in operation—these figures are necessarily estimates because it is impossible to give them exact—you would have 250,000 young men 19 years of age with one year or more of military training. They pledge that in the case of war against the Government, defensive or offensive, and upon a proclamation of the President they will respond to the call and fight for the country. You can readily see you can reduce your standing Army in proportion. There is no question about that. After the bill has been in force for about five years, outside of a mere nucleus, the necessity of a standing Army in this country would be practically naught, and the expense saved in maintaining the necessary Army and that standing Army of 500,000 or 300,000, unless this bill becomes a law, would more than pay for keeping the boys in colleges and at the same time give them military training.

At the expense of repetition let me say again concerning the hesitancy of some boys to take advantage of the bill that they need not oppose it; they need not fear the result of the bill because of the compulsory clause, because unless Congress reverses itself if you have a war you are going to draft them and they will have to fight. Therefore he is not giving away any of his rights but is gaining all—an education.

Mr. DALLINGER. Why not enlarge the scope of your bill and take 500,000 boys?

Mr. SEARS. My answer to that, Mr. DALLINGER, is, as I answered the educators of the New England, Northern, Western, and Southern States, the difficulty of getting schoolmen to agree. If the rehabilitation bill, reported by this committee two years ago, had gone as far as Doctor Enss's bill went this year, there would have been no rehabilitation bill. Congress would have voted it down, because of its advanced ideas. So I had to fix upon some figure that would appeal to the people. I would like to make it a million, because if there should be only 200,000 boys who can qualify mentally and physically, then it follows you would

only appropriate for that number. According to your suggestion, if you had 500,000 it would cost the Government $150,000,000, and, to be absolutely frank with you, I doubt if you could secure the passage of such a bill. Further, I know you could not secure that number of high-school graduates at present and you will not be able to do so until they fully appreciate the advantages of the bill.

Mr. DALLINGER. You do not think to-day that there would be 500,000?

Mr. SEARS. I regret to admit it, but I doubt it very seriously, and that is why I put it at 250,000. I put a provision in the bill that during the first year same is in force boys who are now in college shall be accredited with a scholarship. In other words, you take the Williams College that you referred to, and, while I forget the number, those who are already in there will get one year of military training or more, depending upon whether they are in the sophomore, junior, or senior year, and they agree to serve the Government for two years in case of war.

Mr. DALLINGER. Have you figured up what the capacity of these State-controlled and State-aided institutions is?

Mr. SEARS. I have to some extent.

Mr. DALLINGER. And you say that there are only 250,000 boys in all the schools of this country, Government-controlled and private, who would be qualified to take advantage of the provisions of this bill?

Mr. SEARS. You take my college—not my college, it is my alma mater—you take the University of Florida. It is never filled to its capacity; there are not enough boys to go there who can pay their way, but Florida will meet the requirements. Of course, now, to be equally frank with you, perhaps every institution will have to enlarge, but may I ask by way of answer, What State will be less generous to her boys than she has been for good roads? You must not forget the $78,000,000 already spent for grounds.

Mr. DALLINGER. I thought it was a hundred.

Mr. SEARS. No; $28,000,000 in buildings and $78,000,000 for grounds. As has already been said, there are seventy some odd thousand in those institutions to-day, and we are paying five million a year for certain of those institutions to run, and this amount perhaps could be reduced.

Mr. DALLINGER. This bill gives each student $200?

Mr. SEARS. Yes; and the State shall not give less than $50.

Mr. DALLINGER. Of course, that means each student will have to pay a considerable part of his expenses out of his own pocket.

Mr. SEARS. True, they will have to pay something, but I take it that the boy who is ambitious can find a way to earn $125 a year if he finds his finances running short by that amount. It cost me that much when I went to school, but I found a way to assist my parents in making it up, and I think that any boy who is given $300 or $400, if that much is necessary, to send him through school can find a way to make up the other hundred; if he can not, then he does not want an education very badly. I am glad you brought that question up, as it is right to the point. I am not in favor of the Government paying all the cost; the State ought to be interested. I am not in favor of the State paying all the cost; the boy ought to be interested. Let him appreciate some of his hardships; let him work. I have in mind a young friend of mine. If this bill had been in effect at the time he was going to school there is no telling the amount of good he might have done. He did much as it was. He started teaching for me in Osceola County with only a third-grade teacher's certificate—the teacher's examination in Florida is very strict. He taught one or two terms and then went to Stetson and spent the money he had saved. He came back and received a second-grade teacher's certificate. Of course, that increased his salary. He taught one term and then went back to Stetson; taught another term and went back to college at Lake City, Fla.; came back and received a first-grade certificate. He then taught one or two terms, and, as I remember, received his diploma. He came back and was again without money, but under his first-grade certificate he was appointed principal and taught another term. He then went before the State superintendent, who holds special examinations, and received a State certificate. Of course, what follows might have happened if my bill had been in effect. Before he could take advantage of his State certificate he was stricken with typhoid pneumonia and died. I will not say his time was wasted, for no doubt his struggle made him broader; but think how much more he could have accomplished if this bill had been a part of the law. Mr. Chairman, there are thousands of similar cases, no doubt, and you could possibly find them in your own district.

As I said, in 10 or 11 years after this bill becomes a law and the States have complied with its requirements you will have nearly a million young men in this country who, within an hour's time after the proclamation of the President, will be ready to take up arms and ready to fight; not only ready to fight, but trained to fight. Trained to the highest efficiency.

When I had my conference with the President he said he doubted the advisability of the bill at present, because of the cost. He said the cost of 250,000 guns and equipment would be enormous and at that time almost out of the question. With that statement I was in hearty accord, for we were at our wit's end to secure funds for our Army, but the committee realizes now that we will have a million guns—perhaps a couple of million or more—that could be placed in these colleges at practically no cost. If I had my way, Mr. Chairman, every time a new gun or cannon was invented at least one of said guns would be sent to each one of the colleges, in order that the boys there might keep pace with the advancement along these lines and know how to operate those instruments of warfare.

Mr. DALLINGER. As a matter of fact, it has always been the custom to give these schools the old discarded guns.

Mr. SEARS. I think Columbus must have used the gun I had, but I got so I could shoot fairly well with it, and I could hit four bull's-eyes out of five at 600 yards. I do not know what I would have done if somebody had been shooting at me. I doubt if I could have fired as accurately under fire, but there is no necessity of sending old guns now, because we have up-to-date guns to-day. I hear they are selling the Army blankets. I provide in this bill—and that will cut down the expense you are talking about—specifically that the Government shall furnish these and other necessities at cost; that is, a uniform at actual cost, blankets at actual cost, shoes at actual cost, etc., the student paying for them out of the $250 that the State and the Government provide. Certainly the Government, by buying these articles in large quantities, ought to be able, when we get back to a real peace-time basis, to buy these at a very low figure, and therefore sell them to the students at a minimum. I believe you will agree with me that the above is, or at least should be, true.

There is another great argument for the passage of this bill. I can appreciate it, because I went through it myself. When you put a boy in one of these colleges and put on him the uniform of the Government, even though he may not have a nickel in his pocket, even though it takes $100, as suggested by my good friend, more than given him by the Government and the State, and he has to borrow that from a friend; even though he has not a nickel to spend on ice cream or luxury, if he is neat and clean he can go down the streets of any city in the United States and hold his head up just as proudly and just as erect as the son of any millionaire, and I have seen it done. I have seen the rich boy—not the millionaire, because there were none of them in my school—but I have seen the boy, the son of the man with plenty and the boy who was working his way through college take the same standing in society and in their debating societies, just because everyone was on an equal footing and merit alone counted. I have gone to other schools, and I want to say that in the case of the boy who goes there and works his way through, many and many is the time at night, when he is down digging over his studies, tears will course down his cheeks because of some rebuff that was directed at him the day before because he did not, perchance, have on clothes as good as the other boy. It is only the strongest character that can stand those taunts and go on through college and prepare himself to fight the battles of life.

In conclusion, Mr. Chairman, may I say that I have always been for constructive measures and, frankly, I do not believe that the universal system, as suggested by some—but I am not going into that at present, for I haven't the time. I will content myself with saying a great propaganda for it has been carried on. Why, I do not know. I do not care much for propaganda, as I have tried to make my constituents know I want to do right and, at least, that I believe I am in the right when I take up a fight. I hope that the day will never come—I doubt if it is wise to place these words in the record—when I shall cast a selfish vote. I have made this statement on the floor of the House repeatedly and have also made the same statement during my campaigns. I have never voted for a proposition for New York simply and solely because it affected New York, nor have I voted against a proposition because it affected New York and did not affect my district and State. I have never voted for a proposition that affected my district solely because it affected my district; but, on the contrary, I have taken stands against propositions for my district because I did not believe they were entitled to it or because I did not believe same was for the best, and I take that stand to-day. I sincerely trust I will never be forced to cast a selfish vote.

I have but one child. He is the idol of my heart and the apple of my eye; each heartbeat of his is a heartbeat of mine, and before I would vote to place him at the age of 18 or 19 or any age, under the age of 21, after trying for all these years to instill into him patriotism, love of his country, the importance of high moral standing, the importance of efficiency, and the confidence of his fellow man; if I should have to vote on a proposition to have him dragged out and placed among a million, indiscriminately gathered together, to be ruled over—and this with no reflection, because they are good men—and controlled by officers that did not know him, where there can be no personal touch, where they would not have a chance or opportunity to get in touch with him, I would vote against that proposition simply and solely from a selfish motive. I do not want to undo in three months what I have been all these years trying to do. However, if you take that boy and send him to the school under the control of the State, under the control of the people elected, where the reputation of the school is at stake, you get far better results, and, at the same time, you help to broaden him, you help mold him, and you help build up the character of the young man. Instead of perchance tearing down you add to what the parents have done. I am for these constructive measures. Let us look to the future and not just grasp something that is very temporary and which we will have to banish to-morrow. Let me urge upon this committee in the strongest possible terms the necessity of doing something to instill into the boys of this country a hope for the future and give them a chance to better their condition.

I have found it hard to create a lobby for a proposition where no interests are at stake. Parents love their children and you think they would take to this. I have had many parents tell me they wanted the bill to pass and some have also written me, but the large majority are busy making a living most of the time, and the boy has no one to represent him. I believe if you could go out before the country to-day and let the young men who are in the high schools appreciate the advantages of this bill Congress would be flooded with letters from the boys urging and requesting the passage of the bill. While they can not vote now, in a few years they will be the leading citizens of our country, and in a very few years more will be filling our places in the Halls of Congress. However, I want to state frankly I have many times doubted the advisability of a lobby and believe better results would many times be secured if we simply followed our judgment.

Mr. DALLINGER. Just one question, Mr. SEARS, before we adjourn. Had you thought of the advisability of taking advantage of all the educational institutions, private as well as public, just as the Government did during the war? As I understand it, the bill applies to public-owned and State-aided institutions.

Mr. SEARS. I have thought of that, but I doubt if they would agree to it. For instance, there are many conflicts—Baptist institutions priding themselves on being Baptist institutions, and so on.

Mr. DALLINGER. Do they exclude boys that are not Baptists?

Mr. SEARS. No, sir; but generally Baptist boys go to Baptist institutions, and to the Presbyterian schools it is principally Presbyterians who go, and so with other denominational schools the same condition exists.

Mr. DALLINGER. Why could not some arrangements be made in the apportionment of the number of pupils that should be assigned to each school, and let the boys choose their colleges?

Mr. SEARS. I have no fight to make against those institutions, as I said before.

Mr. DALLINGER. And if he wants to go to a Baptist college, let him go?

Mr. SEARS. In many of those institutions there are boys who can not qualify and boys who do not want to take the military training. You are going to find that there are many of them. It is not a one-sided proposition. I have talked to them, and, as I said, I have had personal experience. There are thousands of boys that can not qualify under this law that will want to go to these other institutions, and they would not go to the public institutions because of the strict military training, unless "father" should make them go. A great many boys do not like to submit to this training. Personally, I did not like it. I wanted to go to another institution, but my father had more sense than I did—I did not believe it at the time, but I have found it out since. So I do not think you will find any trouble in having the other institutions filled up. I would not object to such

an amendment, except the system of checking up would be intricate. I would like to get one bill through Congress—and I do not say there have not been many—where every dollar appropriated, as far as possible, goes for the purpose for which it is appropriated. Do you get the point? I am trying to make it as near as possible so that if you appropriate $75,000,000, $50,000,000 of it will not be spent for a clerical force in Washington and useless purposes in checking up to see that the $25,000,000 was also spent. This is all arranged very simply in this bill, because the State colleges have to report to the State authorities and send a duplicate to the Secretary of War and to the board named in the bill. The expense is practically naught. The State superintendent or the head of the State institutions in the New England States would check up same and send a copy to the board at Washington, and you have it checked up.

The appropriations are paid quarterly and should not be paid more frequently.

Unless the privately controlled institutions will agree to make military training a real factor, there will be a great deal of conflict. For instance, take the University of Florida, and I am only speaking of that one because I am naturally more familiar with conditions and know more about the military training there. The military training at that institution, not because of the commandant, because he is a very efficient man and a perfect gentleman, has become practically nothing during the past few years. They only require the students to take a two, I believe, or perhaps a three, year course. You will find a large body of students walking around in civilian clothes, and they stand off and laugh while the other fellow is drilling. Naturally this condition creates a spirit of discontent among the boys who are compelled to drill. If these private schools will make it strictly military—that is, every student physically able must drill, must wear the uniform, must salute the flag, and the institution will enforce military discipline—it perhaps would be all right.

Mr. DALLINGER. You do not quite understand me. What I meant to say was that I do not see why, for instance, a college like Harvard University might not institute a course of military training such as they did during the war, and which, I understand, they intend to continue for such of the student body as desire to avail themselves of it.

Mr. SEARS. There is no objection to that.

I want to sincerely thank the committee for their attention and to apologize for my rambling remarks. But the bill is so long and so important it is impossible to cover it in any reasonable time. There are members of the committee who could have presented it in a stronger and more favorable light than myself, and I only trust something I have said may cause you to become interested.

The ACTING CHAIRMAN (Mr. TOWNER). The committee desires to thank Mr. SEARS for his very exhaustive and enlightening exposition of his bill, and I may add that it is not necessary for him to apologize for taking the time of the committee. He is entitled to it on his own account, because of his long and distinguished service as a member of this committee, and he is also entitled to it because of the intrinsic interest of the subject. If other hearings are desired for the further consideration of the bill, arrangements will be made, of which the committee will be notified.

Mr. SEARS. I want to thank the gentleman for those kind words. They are appreciated to the fullest extent.

The CHAIRMAN. The committee is now adjourned.

The Clerk read as follows:

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, $70,000.

Mr. ROGERS. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 5, strike out "$70,000" and insert in lieu thereof "$87,500."

Mr. ROGERS. Mr. Chairman, this is the item which provides the necessary funds for the expenses of courts-martial, courts of inquiry, and other judicial processes of that character which are carried on in the War Department. The sum of $87,500, which I propose in my amendment, is carried in the current law for this purpose, and the estimate of the War Department for 1923 calls for $88,415 for this purpose. I assume we should be in complete agreement, whether we believe in a large Army or a small Army; that we should have an ample sum of money available at all times for the administration of justice; and when I speak of the administration of justice I include also the granting of clemency to those who deserve it. That is a very large part of the work of the office of the Judge Advocate General. The committee recommendation adopted yesterday, cutting down the number of officers from 13,000 to 11,000, has a very direct and vital effect upon the office of the Judge Advocate General. I shall be glad if I may have the attention of the chairman of the committee, because I want to check my facts if my understanding differs from his.

Mr. ANTHONY. I will give the gentleman a little information right now. The committee appropriated $70,000 for this purpose. The department asked for $88,000 for courts-martial for an Army of 150,000 men. The revised figures submitted by the Chief of Finance for an army of 100,000 men calls for $63,000, so we figured that on the exact proportion for an Army of 115,000, and we allowed a little more ratio and gave $70,000, so our figures are in proportion to those submitted by the Chief of Finance.

Mr. ROGERS. I assume it is true in regard to testimony of the Chief of Finance that it is predicated upon the theory that we were to have 13,000 officers in the Army?

Mr. ANTHONY. This has largely to do with the enlisted men. They may figure a per capita basis.

Mr. ROGERS. I see. The point to which I wish to direct attention particularly is this: Yesterday we reduced the number of officers from 13,000 to 11,000. I was interested to ascertain just how that reduction would affect this branch of the War Department work.

I took occasion to telephone the Office of the Judge Advocate General to-day to learn what would happen with regard to that particular office. The Office of the Judge Advocate General has an authorized commissioned personnel of 114 at this moment with 1 vacancy. Thus there are now 113 commissioned officers under the Judge Advocate General. Part of the 113, of course, are of the so-called Regular Army class, and part of them are retained on the force from the emergency class.

Mr. VAILE. If the gentleman will yield, I hope the gentleman will call attention to the fact that the work of the Judge Advocate General's Office now is by no means confined to courts-martial matter. It has a very large amount of civil business to attend to, such as the preparation of contracts, matters arising out of the ownership of land, and matters connected with admiralty law.

Mr. ROGERS. All kinds of claims growing out of the war are handled by the Office of the Judge Advocate General in addition to the types of cases which the gentleman from Colorado and I have already cited. Thus it is true that the administration of courts-martial and other disciplinary matters comprises only a fractional part of the functions of that office.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS. I ask for five minutes additional.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. Will the gentleman yield again?

Mr. ROGERS. Certainly.

Mr. ANTHONY. This item, I will say, goes almost entirely to the pay of witnesses and the expenses of reporters and stenographers in trials. It has nothing to do with the pay of officers of the Judge Advocate General's Office.

Mr. ROGERS. I entirely understand that. My purpose in offering this amendment is to raise the point whether, in view of the reduction of the commissioned personnel in that office, we are not going to need more money to replace with civilian personnel the officers who will necessarily be eliminated.

Mr. ANTHONY. I do not see how it could possibly affect the officers in the Judge Advocate General's Department.

Mr. ROGERS. Here is the situation: There is 1 major general of the old Regular Establishment, who is the Judge Advocate General. There are 13 colonels in all, of whom 9 are of the old Regular Establishment and 4 are emergency officers. There are 15 lieutenant colonels, of whom 7 are of the old Regular Establishment and 8 are emergency officers. There are 50 majors, 7 of whom are old line officers and 43 are emergency officers. There are 34 captains, none of whom are of the old establishment, but all of whom are emergency officers. Thus of the 113 officers now attached to the office of the Judge Advocate General, 24 are of the old Regular Establishment and 89 are emergency officers. My next statement may possibly be questioned by some members of the committee. It is my impression, however, as the result of the legislation on pages 15 and 16 of this bill, that every one of those 89 emergency officers will find themselves out of the service either voluntarily or because their resignations are asked for. If that is true, and I believe it to be true—and I am told by the office of the Judge Advocate General that it is true—the result of this legislation is that there will be only 24 officers attached to the Judge Advocate General's Office when the pending bill becomes effective.

A very small proportion of those 24 men are technically trained in the law. It is extremely difficult to procure commissioned regular officers who are trained, tried legal men, and who can serve in the manifold duties which are required. As a matter of fact, as I say, very few of the 24 of the old Regular Establishment are equipped with the kind of legal experience which they have always needed, but which, as the gentleman from Colorado [Mr. VAILE] suggests, they need much more now than ever before. It is these 89 emergency officers, mostly majors and captains, who have been handling a tremendous part of the legal problems which have multiplied almost in geometrical ratio as a result of the war. It is they who will be eliminated by this bill.

I should like to call the attention of the committee to the testimony of the Judge Advocate General, which appears in the hearings, beginning on page 224. He shows the great volume of work on the criminal side of his office. The Judge Advocate General's office is getting some 3,000 cases of all kinds every

month. Six hundred to seven hundred cases involving courts-martial findings come to the office every month.

The number apparently is increasing from time to time instead of decreasing, as one might have expected, to correspond with the decrease in the size of the Army which has already occurred. It is for that reason that I am inclined to disagree with the viewpoint of the chairman of the subcommittee in saying that as the Army is reduced the need for the sum originally requested becomes reduced. I am inclined to think there will be at least a maintenance of the present requirement. The present law, which I am incorporating in my proposed amendment, carries $87,500 for this purpose. I am convinced that as a result of the officer legislation carried in this bill we are going to cut down the number of officers available for this extremely difficult and important work from 113 to 24. I propose by this amendment to do the best we can to remedy in part the deficiency in this extremely important branch of the military service.

Mr. ANTHONY. Mr. Chairman, I want to again assure the gentleman from Massachusetts [Mr. ROGERS] that there is nothing in the bill that I know of that has the slightest reference to a reduction of officers in the Judge Advocate General's Department, and his increase of this item from $70,000 to $87,500 will not have the slightest effect in the world on the number of officers in that department. In fact, the entire question would be in the hands of the Secretary of War. And if the gentleman from Massachusetts has confidence in the Secretary of War, Mr. Weeks, to maintain the proper number of officers in the Judge Advocate General's Department, I am sure there will be no change there.

Mr. ROGERS. Will the gentleman yield for a question?

Mr. ANTHONY. Yes; I yield.

Mr. ROGERS. I should like to ask whether, if this amount was increased, as proposed by the amendment, from the $70,000 in the bill the extra $17,500 would not be available for the civilian employees to remedy the absence of the commissioned personnel?

Mr. ANTHONY. That is taken care of in another item in the bill, and this item, as I have tried to explain to the gentleman, pays for witnesses, expenses of stenographers, and so forth, at military trials.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. ROGERS].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. STAFFORD. Division, Mr. Chairman.

The committee divided; and there were—ayes 9, noes 26.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For compensation of clerks and other employees of the Finance Department, $1,000,000.

Mr. KING and Mr. WOODRUFF rose.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. KING. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. KING: On page 22, line 15, under the War Department, strike out "$1,000,000" and insert in lieu thereof "$1,300,000."

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. KING. Mr. Chairman, this is a section that has to do with compensation of clerks and other employees of the Finance Department, for which $1,000,000 is appropriated.

There was $300,000 set aside in last year's bill for the contract audit division of this department, which this year, for some reason, has been eliminated, and the appropriation has been cut down from $1,300,000 to $1,000,000. It is very important for the House to take notice of this, it seems to me, and I desire at this point to call its attention to the amendment, which I hope the House will adopt. At this point I simply want to drive a peg to which we can go back to some of these days. Here I simply want to turn down a page of the CONGRESSIONAL RECORD, so that we may some future time easily find it and to inform the House of the work this department is doing, for the purpose of bringing to justice those men who robbed this Government of millions of dollars during the war in Europe.

If you stop this work then they can not accumulate the evidence which they are now getting together for the purpose of instituting and conducting these prosecutions. They are doing a great work, and I am satisfied if the "Budgetry" have had a hand in keeping down this appropriation they did not know of the great work that this department is doing. I desire to read a short letter which I wrote a few days ago to the Secretary of War, which will explain the situation:

MARCH 20, 1922.

Hon. JOHN W. WEEKS,
Secretary of War.

MY DEAR MR. SECRETARY: In perusing the hearings and the report of the House Committee on Appropriations in connection with H. R. 10871, Army appropriation bill, I have noticed that the amount named for the field service of the Finance Department is $1,000,000, which, I understand, is some $300,000 less than the amount appropriated for the present fiscal year.

Will you kindly inform me what portion of the above-named amount is to be used for the war contract auditing activity of the Finance Department, as I am very much interested in this particular function and feel that ample provision should be made for its continued and enlarged prosecution.

I understand that there has been found up to this time an amount approximating $48,000,000 due to the United States Government from war contractors, and that there has been so far recovered by the energies of the Chief of Finance without the assistance of the Department of Justice about $3,000,000.

Detailed and complete information on the above matter is respectfully requested, as I am impressed with the belief that the public interest demands not only a continuance and enlargement of this activity of the Finance Department but a more complete coordination with the Department of Justice, to the end that recovery may be made of the millions of dollars wrongfully and fraudulently taken from our Government.

As the Army appropriation bill is now before the House, it is requested that the above information be furnished me at your early convenience.

Very truly yours, EDWARD J. KING.

Now, Mr. Chairman, the time is coming in this country, and the people are demanding it, when justice will have to be meted out to those who exacted undue profits and excessive prices from the Government during the war. Congress has not forgotten it. Let no man think this Congress has forgotten the work of these great extortionists during the war. Congress is the friend of the people. It is their only recourse. And the Congress will demand the prosecution of these men. The time is coming slowly, but surely. You know the old quotation—

The mills of the gods grind slowly,
But they grind exceeding small.

Not only this, but the failure to prosecute these people, which I am sure the administration will not permit, is ruining this country and proving a demoralizing agency. If you ask any prosecuting attorney what reason is given by lawless men for holding up trains, robbing banks, and continually engaging in crime, the prosecutor will tell you that they answer, every one of them, or at least nine out of every ten, "Well, the big fellow is getting his, and I am going to get mine." If you want to bring back the moral conditions that existed in this country prior to the war, this prosecution should go on.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. KING. Yes.

Mr. LONDON. The gentleman says, "the mills grind exceeding small." Do not the mills grind the exceeding small?

Mr. KING. They are grinding, and some day these fellows, however powerful they are, and whatever technicalities they may raise, will by the force of public opinion be brought to the bar of justice and punished for their wrongdoing, as they should be. [Applause.]

Mr. WOODRUFF. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. WOODRUFF. Mr. Chairman, I had intended to offer the amendment which was just offered by the gentleman from Illinois [Mr. KING], and would have done so had the Chair recognized me for that purpose. So I arise in support of the amendment, as I believe it of the utmost importance that sufficient funds be provided with which to carry on the work of auditing the 100,000 war contracts and recovering for the Government the hundreds of millions of dollars which this audit will prove was unlawfully collected from the Public Treasury.

I have some information in my possession in regard to the particular activities covered by the amendment of the gentleman who has just spoken—information, perhaps, which was not given to the committee during their hearings. I have scanned the committee hearings, and I fail to find in the testimony given by the representatives of the Finance Department in the War Department where the committee was given any information as to the vast amount of work to be done by the force engaged in the auditing of war contracts. One gentleman who appeared there on behalf of the Finance Department stated that in the last year and a half the contract audit section had audited 15,000 war contracts, and that he believed about one-third of those war contracts had been audited. This gentleman either misunderstood the question asked him or he was grossly ignorant of the matter under discussion, as I was informed no later than to-day by the head of the Finance Department that

there were in all approximately 100,000 war contracts to be audited.

Now, Mr. Chairman, the contract audit section of the Finance Department has been in operation about one and one-half years, during which period there have been audited 15,000 war contracts which were entered into by the various bureaus of the War Department.

In the course of this audit there has been found due the United States from war contractors approximately $46,000,000, of which there has been collected by the Chief of Finance, without the assistance of the Department of Justice, about $3,000,000.

The findings of the contract audit section forms a positive and tangible basis for action by the Department of Justice, and it is estimated that there will be developed by a close coordination between the two activities named an amount of money approximating $750,000,000 which was wrongfully and fraudulently taken from the United States Government by those war contractors, whose operations have, incident to the audit of their contracts, indicated unmistakable criminal dishonesty. A large percentage of these millions may be recovered and returned to the Public Treasury.

While 15,000 contracts have been audited and $46,000,000 found to be due the Government, approximately $3,000 per contract, it would seem that the sum estimated to be found by a complete audit is too large. This is not the case, however, for to date only a very few of the larger contracts have been audited, the work done consisting almost exclusively of the smaller ordnance contracts. In the few larger contracts audited very large recoveries are indicated in almost every case, and it is on this condition the figures of $750,000,000 are based.

The amount stated in the Army appropriation bill—fiscal year 1923—now pending for the field service of the Finance Department is $1,000,000, which is nearly $300,000 less than the appropriation for the present fiscal year. The contract audit section is a part of the finance field service, and was only allotted for the present fiscal year about $200,000, and at this time has only a civilian personnel of 87.

It can readily be seen that if an amount was appropriated for this activity which was commensurate with its importance, an additional personnel of expert accountants could be employed on this work, and the United States Government would recover an enormous sum of money with a very small outlay. This is the purpose of this amendment.

The recovery of this vast sum would not only have a decided effect on the morale of the commercial world but would offset to a large extent any funds which might be required in connection with meeting the obligation incident to the soldiers' bonus.

To give the committee some idea of the working of the contract audit section I propose to cite a few typical examples of war contracts audited by this section:

A contract was made by a bureau of the War Department for the disposal of a large amount of a special kind of supplies. An audit of this contract was made by the contract audit section, which developed the fact that the amount being received by the United States was very much less than the true value of the property sold and that the United States was being put to expense for the purpose of converting the property from a condition in which it was to be paid for under the contract at a higher price to a condition in which a lower price was applicable. The Department of Justice took up this case with a view to recovering any funds wrongfully withheld from the Government, the amount of which will be subsequently determined.

A contract was made by a bureau of the War Department for the disposal of a very large quantity of surplus raw material. An audit of this contract has indicated that the contractor has underpaid the Government in the amount of $1,854,076.04. This case is now in the hands of the Department of Justice.

Production contracts were made by a branch of the War Department with a large corporation for a certain class of war material. An audit of these contracts has demonstrated that this contractor was paid about $9,600,000 for which, as far as the War Department records show, no services were rendered or property delivered. This case has also been given to the Department of Justice, who will call upon the contractor for an accounting for this sum.

Contracts were made with a corporation where materials were supplied to contractor by the Government and not accounted for by him in finished articles delivered or materials otherwise returned to the Government. The amount found due from this contractor is $1,371,368.02. This case is being prepared for transmittal to the Department of Justice.

A contractor had two contracts with the Government, one of which provided that the contractor should be furnished Government material and the other contract provided that the contractor should furnish his own material. An audit of these contracts showed that the Government material had been used on both contracts. The amount involved is approximately $700,000. This case is now the subject of correspondence between the finance office and the contractor.

On a contract for the sale of surplus war supplies, when shipments were made to Government arsenals the Government was to pay the freight. An audit showed that under this provision the Government had paid approximately $30,000 in freight to private manufacturers. The same contract provided that the price to be paid for the material was to be determined to a considerable extent by commercial sales during the period of the contract. The contractor furnished statements covering the amount of such sales, which were used as the basis upon which he made his payments to the Government. When an audit of the contract was undertaken and the contractor was called upon to show the correctness of these figures, he stated that they were made without first-hand knowledge on his part, but had been obtained from a third party, and that he understood that the basic papers upon which these figures were based had been destroyed. The approximate amount involved is $2,200,000. This matter is being made the subject of further investigation.

As a result of an audit of contracts for the manufacture of certain articles of equipment it was found that the contractor was indebted to the United States in the sum of $44,527.51 on account of Government-owned material not accounted for. A cash collection was made covering the value of this property.

The finance department recovered $71,093.39 in cash as the result of an audit by the contract audit branch of a number of ordnance contracts between the Government and the Republic Iron & Steel Co.

T. A. Gillespie on one ordnance contract overused Government material valued at $98,984.61, which was determined after a complete audit of the contract. The amount due was collected by the finance department.

A contract was placed with the Washington Steel & Ordnance Co. for machining 14-inch high-explosive shells. Forgings of the value of $104,450.89 were delivered by the United States to the contractor's plant for use under this contract. The armistice intervened before work was started on this contract, and these forgings had apparently been lost sight of. The audit of the contract disclosed that the forgings were still on hand at the plant, and that, while the department had been advised in November, 1918, that the forgings had been shipped to the contractor, no action had subsequently been taken toward recovering the material, which has since been accomplished as a result of the audit by the office of the chief of finance.

These cases are quoted as typical of many hundred contracts already audited, and are illustrating the reasons why a complete audit is vitally necessary for the public interest. They represent but a very few of the many cases where this department has either collected the money due the Government or supplied the Department of Justice with the facts upon which to base prosecution.

Mr. Chairman, as I said before, one of the witnesses before the committee stated 15,000 contracts had been audited and that the work was about one-third completed.

Now, as a matter of fact there are 36,000 Ordnance contracts; there are 37,000 Air Service contracts; there are 800 large construction contracts, and those construction contracts involve sums running from $500,000 up to something like $80,000,000 or $90,000,000, including the Muscle Shoals construction contracts. These construction contracts were all let upon a cost-plus basis, and the possibilities of making large recoveries on these particular contracts seems to me very great.

Now, we all know there has been more or less scandal regarding the construction contracts the Government entered into at the beginning of the war and during the progress of the war, and it seems to me highly important that these contracts should be carefully audited and with expedition. The contract audit department has merely touched the air contracts, and yet the Government expended something like $1,200,000,000 in that department during the war without ever putting a battle plane into action. One of the very few of these contracts audited to date discloses the fact that the contractor has been paid millions in excess of the sums he should have been paid. As a result of the audit these millions will be returned to the Treasury, and I most sincerely hope the contractor will be jailed. There are 37,000 of these contracts. There are innumerable quartermaster supply contracts. There are so many of these contracts

that the officials have not the slightest idea how many there are. Then there are contracts for the Chemical Warfare Service, for the Signal Corps, for the Motor Transport, and transactions pertaining to the sale of surplus property that need careful auditing.

In one of these Air Service contracts the contract audit has discovered that certain people were guilty not only of taking from the Government millions of dollars, but that in doing so they made themselves criminally liable. This case is now in the hands of the Department of Justice for collection and prosecution.

In calling attention to these typical cases I have in some instances named the companies or individuals involved. These people have shown a desire to settle with the Government when the conditions have been called to their attention. In other cases I have carefully refrained from mentioning the firms or individuals implicated, for the reason that the evidence is such as to indicate criminal liability, and I do not wish to embarrass the Department of Justice in their work of prosecution.

In auditing these accounts the contract audit has found many firms who settled promptly and gladly when the facts were brought to their attention. In many other instances evidence of criminal conspiracy and graft have been discovered and these cases have been turned over to the Department of Justice for prosecution, and, as I said before, I do not believe the committee during the hearings had the slightest information that the number of contracts was as large as it is. The figures I quote, I will say to the members of the committee, are figures that I received from the department. They are authentic. I was told this morning by General Lord that in his opinion there were at least 100,000 war contracts to be audited by his department. There are 87 men employed in that department. In a year and a half they have been able to audit less than 15,500 of these accounts.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUFF. Yes.

Mr. STAFFORD. Is the gentleman aware of the fact that this item does not extend to the clerical force of the War Department in Washington, in the District of Columbia?

This item is for the employment of clerk hire in the field, in this country and outside the country, at posts, as, for instance, in Paris and in New York, in Boston, and elsewhere.

Mr. WOODRUFF. Does the gentleman know that there are only nine members of the contract auditing force employed in the city of Washington, and that these nine auditors have in the year and a half they have been employed at this work given to the departments of the Government information upon which to base a recovery of $13,000,000?

Mr. STAFFORD. There are 14 clerks employed in that work.

Mr. WOODRUFF. There are nine clerks only employed in the contract audit in the city of Washington.

Mr. ANTHONY. Most of the clerks employed in the contract auditing force are in the field—out in these factories—where they ought to be.

Mr. WOODRUFF. I quite agree with the chairman of the committee that a large force of these auditors should be in the field. I do not believe, however, that a sufficient number is employed either in Washington or in the field. With the personnel we have at work on these contracts it has been possible to audit them only at the rate of 10,000 per year, and even though this force is not to be reduced it will be 10 long years before the last of the contracts are audited, the money recovered, and the criminals brought to the bar of justice.

The purpose of this amendment, Mr. Chairman, is not alone to keep the present capable group of men at work, but it is to enable the Finance Department to employ enough additional help to complete this audit before either the statute of limitations or death itself intervenes to defeat the ends of justice. I would like to see the contract audit section largely increased. This amendment will accomplish this end. That the committee reduction over last year's appropriation as contemplated in this bill does not provide sufficient funds to pay the men now engaged in this work, to say nothing about increasing this force, is indicated by a statement made to me by a man high in authority in the Finance Department to the effect that if a cut is to be made in the appropriations the effect must of necessity be felt largely in the contract audit section. This means a reduction in the personnel of this department.

Mr. Chairman, I believe the chairman and every member of the Appropriations Committee feel exactly as I do. I believe they want to see this work carried on to its completion. In view of the testimony submitted to the committee, from which they could infer there were only 45,000 contracts all told to be audited, they concluded this work would be completed in two years more and that the present force in this department would not be reduced by reason of the reduction in the appropriation. But I have given the facts as they are and not as the committee supposed them to be, and I believe it would be the height of folly to reject this amendment. Either this work is to be done within the generation or it is not. Adopt the amendment and this work will be speedily completed, hundreds of millions recovered for the Treasury, and I hope every guilty man placed behind the bars.

I doubt whether the Members of the House can condone the actions of many of our business men in seizing with alacrity the opportunity of vastly increasing their wealth through the execution of war contracts at a time when millions of our young men were compelled by law to offer their lives, and were paid but a dollar a day for their offering. We all agree, I think, that business should have been satisfied with a legitimate profit. The work of the contract audit section is disclosing that the great majority of the business concerns of the country were satisfied to stay within the law. It is also disclosing the fact that this country harbors to-day many supposedly respectable business men who did not hesitate to throw to the winds conscience, decency, and morals when by so doing they could, supposedly, profit at the expense of the public and a war-burdened Treasury.

It is only justice that the decent, law-abiding business men be given a clean bill of health. It is their due. It is justice, also, that the law-defying grafter, the man who would deliberately steal from the Government, be made to return his ill-gotten gains and to suffer the most extreme penalty which an outraged justice can impose. I most sincerely hope the amendment will be adopted. [Applause.]

Mr. JOHNSON of Mississippi. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ANTHONY. Mr. Chairman, the item under discussion refers to the clerical force of the finance department at work in the field outside of Washington, except the nine men who are at work in the auditing of contracts in the office here in Washington.

Last year the total appropriation for this purpose was $1,420,000. For the next fiscal year the estimate of the Budget was $1,267,000. The committee have allowed $1,000,000. The estimate of $1,267,000 was based upon an army of 150,000 men. The chief of finance states that the reduction can be made in view of the reduction in the size of the Army. We have reduced it below the amount that they have stated it could be reduced, but not a great deal. The gentlemen who have spoken are interested in the auditing of war contracts. So are the committee that prepared this appropriation bill interested in the auditing of these war contracts. We do not want to interfere in the slightest degree with that work.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. ANTHONY. I yield to the gentleman from Illinois.

Mr. McKENZIE. I simply wish to ask the gentleman from Kansas if it is not a fact that in the finance department they have quite a large force of clerks checking up on the contracts for purchases in order that they may take advantage of the discount?

Mr. ANTHONY. Oh, yes.

Mr. McKENZIE. And if this appropriation is cut too low they will have to transfer clerks from that division into the auditing division if the auditing division is to keep up with its work.

Mr. ANTHONY. I think not.

Mr. McKENZIE. Therefore it will cripple them either at one end or the other.

Mr. ANTHONY. I think not. I will say to the gentleman that every bureau, when you lessen the number of clerks, immediately sets up a hue and cry that you are crippling their work, and if we had listened to the complaints of these various bureaus every year they would still have the forces that they had while the war was going on.

Mr. WOODRUFF. I think the gentleman from Illinois [Mr. McKENZIE], who has just interrogated the chairman of the committee, will vouch for what I said a moment ago when I stated that a man high in authority in the office of the Finance Department said to me this morning, in the presence of the gentleman from Illinois, that if this cut was made the contract-auditing end of the work would have to suffer.

Mr. ANTHONY. If the gentleman to whom you refer should cut any of the force engaged in the auditing of war accounts, I am sure we would all be very much disappointed, and we do not believe he will have to do it. The 1923 estimate provides for 905 clerks, of whom 187, at a total salary of $140,000, are em-

ployed in the auditing of war contracts. Now, we are appropriating $1,000,000 for this entire work, and it seems to us that it ought not to interfere with the continued use of $140,000 for this very meritorious work of auditing war contracts. I do not want to criticize the Finance Department, because they are very efficient and they are doing a good work. There is a disposition in the Finance Department to station finance officers at every Army post in the country, whether there is necessity for it or not. Now, where there is a small post and a quartermaster's officer is stationed there, economical administration would suggest that the quartermaster's officer be allowed to make the disbursements, instead of putting in a finance officer above him and perhaps a few more clerks.

Mr. WOODRUFF. I quite agree with the gentleman.

Mr. ANTHONY. We believe they could work economies along this line, and we are cutting down the appropriation about $100,000 below what they thought it ought to be for an Army of the size we are providing for.

Mr. WOODRUFF. I do not want the chairman of the committee to misunderstand me. I assure him and the members of the committee that I believe he is doing the very best he can and that he has at heart the best interest not only of the service itself but of the people generally. I believe he has made an honest attempt to arrive at the proper figures, but I do not believe he had the information on which to base those figures when he presented the bill to the House, and I believe the fact that there are something like 100,000 contracts yet to be audited should receive some consideration.

Mr. KING. Will the gentleman yield?

Mr. WOODRUFF. I yield to the gentleman from Illinois.

Mr. KING. I do not think either the gentleman who has just spoken [Mr. WOODRUFF] or anyone else has intended to criticize the committee in any degree whatever.

Mr. Chairman, we know the great work this committee is doing, but we have received the information that they intend to cut off that part of the appropriation which applies to the contract auditing department in the District of Columbia, which is a part of the Quartermaster Corps. Now, we want to know, is this going to be cut off, and is this work of the investigation of war contracts going to be suspended?

Mr. ANTHONY. If they should cut off any of it, I think they would be entitled to very severe criticism.

Mr. KING. That would not do much good.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. KING].

The question being taken, on a division (demanded by Mr. WOODRUFF) there were—ayes 12, noes 40.

Accordingly the amendment was rejected.

The Clerk read as follows:

No part of the appropriations made herein for pay of the Army shall be used, except in time of emergency, for the payment of troops garrisoned in China or for payment of more than 500 officers and enlisted men on the Continent of Europe; nor shall such appropriations be used, except in time of emergency, for the payment of more than 5,000 enlisted men in the Panama Canal Zone or more than 5,000 enlisted men in the Hawaiian Islands.

Mr. CRAGO. Mr. Chairman, I reserve a point of order on the paragraph just read.

The CHAIRMAN. The gentleman from Pennsylvania reserves a point of order on the paragraph.

Mr. ROGERS. I suggest that the gentleman make his point of order.

Mr. CRAGO. I make the point of order; and in support of the point of order I merely wish to call attention to the fact that this is new legislation, and is a limitation which is not in accordance with the rules in such cases provided. The provision is—

Nor shall any provision in any such bill—

Speaking of an appropriation bill—,

or any amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall reduce expenditures—

In certain ways.

First, by the reduction of the number and salary of the officers of the United States. This does not do that, as I think it will be admitted. Second, by the reduction of compensation of any person paid out of the Treasury of the United States. I think it will be admitted that this provision does not do that. Third, by the reduction of the amount of money covered by the bill. I think it will be admitted that this provision does none of these three things.

Now, my point of order goes to the fact that this is legislation and an attempt to usurp the functions of the President of the United States and Commander in Chief of the Army of the United States. If it is proper for this language to be used in an appropriation bill, it would be possible for Congress in an appropriation bill to direct that no moneys herein appropriated shall be used for the payment of, say, more than 100 troops stationed along the Mexican border; or it would be possible to say by legislation that no part of this appropriation shall be paid for the maintenance or pay of troops unless they are all quartered north of Mason and Dixon's line. I insist that the language is repugnant to the principles which govern general appropriation bills and is therefore subject to a point of order.

Mr. MANN. Mr. Chairman, the power to do a thing and the exercise of the power are two entirely different things. We could provide in this bill that no part of this money should be paid to anybody in the Army but red-headed men or blue-eyed men. Having the power to make an appropriation, we can put a limitation in as to whom it may be paid to and whom it may not be paid to. That is the appropriation. That does not interfere with the power of the President. He can not maintain any troops unless we appropriate the money for it unless he paid it out of his own pocket. We have the power to say that we will not appropriate a dollar for any purpose. There is no power in the world except our constituency which can reverse our action. Having the power to appropriate, having the power to refuse to appropriate, we can appropriate on conditions with limitations. That is all this is. I question the advisability of exercising the power. That, however, would be a matter for the Congress to determine. I do not see how there can be any question as to the power to put a limitation on the appropriation as far as the rules are concerned.

The CHAIRMAN. The Chair will be very frank in saying that he is so much opposed to this proposition that he has tried to find some way of holding it out of order. But the Chair does not see how that is possible in any way in compliance with the rules of the House. Furthermore, the Chair conceives that his personal opinion of the merits of a proposition should never govern his decision on a point of order but only his knowledge of precedent and orderly procedure.

Congress has the power to limit or decrease executive discretion by withholding an appropriation. It has not the power to affirmatively direct the doing of a particular act, but it has the power, through its control of the purse strings of the Nation to prevent an appropriation being made under certain conditions. There are a number of precedents on this point which are not worth while to cite, because the merits of the question here involved seem to the Chair entirely clear. The Chair recollects a notable case where the decision was made by the House itself. It was in a case where the gentleman from Ohio [Mr. BURTON] offered an amendment to the sundry civil bill providing that no part of the appropriation to erect a certain building in the city of Cleveland could be used unless it were built of granite. Under the law the Secretary of the Treasury had the discretion of building it either of granite or sandstone. The Chairman of the Committee of the Whole ruled the amendment out of order because he held it to be affirmative legislation, but the Committee of the Whole on an appeal by a very large vote refused to sustain the decision of the Chair.

Congress has the complete and exclusive power to appropriate for the pay of the Army. It may grant or withhold appropriation to any extent it pleases. It has not the power to direct the President to do or not to do a particular thing with reference to the assignment of the Army to this country or that, but having the power to entirely withhold the appropriations that go for the pay of the Army it unquestionably has the power to direct that no part of the appropriation shall be used to pay that portion of the Army that is in a certain country or countries, as this provision does. The Chair therefore feels compelled to overrule the point of order.

Mr. ROGERS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 22, beginning with line 20, strike out the paragraph ending with line 2 on page 23.

Mr. ROGERS. Mr. Chairman, I am very much opposed to the retention of the paragraph in the bill for two reasons: First, because to my way of thinking the proposal is clearly unconstitutional; and second, because I think that even if it be deemed constitutional it is an extremely unwise exercise of the power of the Congress.

So far as the constitutional point is concerned, I prepared and had inserted in the RECORD some days ago a discussion of the authorities so far as I had at that time been able to find them. That discussion, in case any members of the committee are interested in this phase of the matter, will be found in the CONGRESSIONAL RECORD of last Saturday, at page 4109. Since that time I have assembled further authorities on this subject, which I should like to have printed in the RECORD as a part of

my remarks in the ordinary CONGRESSIONAL RECORD type. I ask unanimous consent to do that.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in 8-point type. Is there objection?

There was no objection.

Mr. ROGERS. There is no authority upon the constitutional aspect of the case that I have been able to find which discusses the question at all which does not definitely state that such a provision as this is beyond the power of Congress.

But as the Secretary of War says, in effect, in the course of his testimony before the committee of the House—if it is not treason to quote the Secretary of War on this floor—"I think Congress has not the constitutional power to do these things, but even if it has the power, I believe it will be a mighty bad thing for Congress to exercise that power." If we once begin undertaking to run the details of the Army and Navy of the United States, telling the President who shall go here and who shall go there, how long they may stay, and what they may do when they get there, there is absolutely no end to the inefficiency and demoralization which will result from a program of that kind.

In my judgment this attempt is bad in itself. It is even worse because of what it may easily lead to. If we embark on a policy of trying to run the Army from the House of Representatives and the Senate it will result in the most colossal and most untold damage to the morale and efficiency of the Army for all time.

Other members of the committee wish to discuss this paragraph. As I have already discussed it twice, I shall not take any more time of the committee.

THE POWER OF CONGRESS TO CONTROL THE DISTRIBUTION OF THE FORCES COMPOSING THE REGULAR MILITARY ESTABLISHMENT OF THE UNITED STATES.

It is believed that the power of Congress stops, and ought to stop, when it has determined the nature and size of the Military Establishment, and of the component parts thereof, and that the distribution of the forces composing such Military Establishment is an incident to the use of these forces, and that this distribution and this use pertain to the functions of the Commander in Chief of the Army and Navy. It is accordingly believed that the distribution of these forces belongs to the President of the United States, both as a matter of a constitutional division of powers between the legislative and executive branches of the Government, and also that this belongs to the President as a matter of sound judgment, policy, and wisdom, and that whatever may be the powers of Congress they ought not to be exercised in such manner as to limit the President of the United States in his distribution and use of the military forces.

CONSTITUTIONAL POWER OF CONGRESS TO DISTRIBUTE THE MILITARY FORCES OF THE UNITED STATES.

Pursuant to Article II, section 2, clause 1, of the Constitution, it is provided that—

The President shall be the Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into the actual service of the United States.

It must, of course, be conceded that the Constitution is doing something more than giving a name to one of the functions of the President. The Constitution indisputably is conferring upon the President certain powers of command of the military and naval forces, and pari passu, it is withholding those very powers from the legislative branch of the Government. The only question is: What are the powers thus conferred?

The simplest answer to this question is that the framers of the Constitution must have intended to confer upon the President those powers of command with which they were familiar as being enjoyed to their knowledge, and within their experience, by a commander in chief, and these powers thus enjoyed in 1787 included, of course, the power of the commander in chief to determine where the different units and component parts of his command should be sent for use, actual or prospective. The commander in chief had and has no responsibility in determining the size or character of the force which is to constitute his command. His function is to command it when supplied to him, but when once raised, organized, and supplied to the commander in chief, the function of the legislative or other authority by which the military force is raised and supplied has been discharged. The acts of Parliament will be searched in vain to find instances in which the power of a military commander has been attempted to be curtailed by directing that a particular portion of his command shall be used in a particular way or sent to a particular place. It is, of course, true in general that the power which creates an Army may afterwards terminate its existence, or curtail it, or bring to an end any of its parts or organizations, and that any component part of a command may, by such authority, be taken from one commander and transferred to another commander, but this general proposition is entirely inapplicable to the command exercised over the military and naval forces of the United States by the President, because the Constitution gives him command of all the military and naval forces of the United States, and Congress may not constitutionally devolve supreme command of any part of these forces upon anyone other than the President of the United States.

Authorities dealing with this proposition are not numerous.

The Court of Claims has said in Swain *v.* United States, 28 Ct. Cls., 173, 221, that Congress can not impair the authority of the President as commander in chief, and that so long as we have a military force Congress can not take away from the President the supreme command.

In the United States *v.* Sweeny, 157 U. S., 281, 284, the court said that the Constitution has conferred upon the President—

such supreme and undivided command as would be necessary to the prosecution of a successful war.

It must be obvious that the court was merely defining in terms of the situation existing in time of war the general nature of the command of the President, the nature of that command being, of course, the same both in peace and in war, for the Constitution makes him commander in chief in peace as well as in war. The President could not, of course, legally or properly commit aggressive acts of war in time of peace, but this fact has nothing to do with the nature of his command or rather the quantum of authority implied in the command which the Constitution gives him. It has only to do with determining how he shall exercise the power that he has.

The only other case in which our highest tribunal has said anything on this subject is the case of Fleming *v.* Page, 9 Howard, 603, 615.

Sutherland in his Notes on the United States Constitution, page 469, states the ruling of the Supreme Court in this case as follows:

As Commander in Chief the President is authorized to direct the movements of the naval and military forces placed under his command, and to employ them in a manner which he may deem most effectual for the purposes for which they exist.

But in this language Sutherland has missed a part of the doctrine which it would seem was in the mind of Chief Justice Taney in his opinion of this case. For what the Chief Justice really said in that opinion was really this—

as Commander in Chief, the President is authorized to direct the movements of the naval and military forces placed by law at his command.

There seems to be an antithesis in the mind of the Chief Justice indicated by the words that Sutherland omits. The forces are placed by law at the command of the President, and the source of the law is, of course, Congress. In other words, it is Congress that creates the force for the President to command, and it is the President and not Congress that is authorized to direct its movements. It is, of course, clear that the directing of the movements of the military force is inseparable from the controlling of the disposition or distribution of the force.

Pomeroy in his work on Constitutional Law draws very clearly the distinction between the powers of the President and the powers of Congress. It is Congress, not the President, that fixes the strength of each unit or organization, the number and grade of its officers, their duties and their pay, that defines military offenses and fixes their punishment, and that provides for the procedure of courts-martial; but it is the President, and not Congress, who is empowered to make all dispositions of troops, vessels, supplies, and munitions when once these troops, vessels, and supplies are placed under the command of the President. The language of Pomeroy is well worthy of quotation, reading as follows:

Congress, under its supreme authority, passes laws which concern the military alone, and these the President must enforce with the same diligence and by virtue of the same function that he carries out those legislative mandates which apply alone to civilians; he is not then operating as commander, but as a supreme civil magistrate. But as Commander in Chief he calls other attributes into action, for which the legislature has furnished the occasion, but which do not consist in executing any positive laws. I repeat, it is important that these two classes of powers and duties should be kept distinct. Under its authority to raise armies, maintain navies, furnish supplies, and the like, Congress may direct the manner in which the President's power shall be exercised, for he will be, in fact, but executing its commands. Thus it may determine how many men shall be enlisted in each branch of the service, or what and how many armed vessels shall be constructed. As Congress is to make all appropriations, it may declare the specific purpose for which money is to be used; what forts shall be erected, and their cost; what ships built, their character and cost; what kind of arms purchased or manufactured and the cost. Instances of this sort might be multiplied. In all these cases great or little discretion may be left to the Executive and his subordinates, as the legislature deems best. Congress is authorized to make rules for the government of the land and naval forces; it may therefore arrange and clas-

sify these forces; fix upon the plan of organization; determine upon the number, duties, and pay of officers; define military offenses and allot the punishment; provide for the creation, jurisdiction, and procedure of courts-martial, and for carrying out their sentences. The President's duties in respect to these various subjects may thus be clearly defined and controlled by the legislature. But in time of peace he has an independent function. He commands the Army and Navy; Congress does not. He may make all dispositions of troops and officers, stationing them now at this post, now at that; he may send out naval vessels to such parts of the world as he pleases; he may distribute the arms, ammunition, and supplies in such quantities and at such arsenals and depositories as he deems best. All this is a work of ordinary routine in time of peace and is probably left, in fact, to the Secretaries of War and of the Navy, and to military officers high in command.

706. When actual hostilities have commenced, either through a formal declaration made by Congress or a belligerent attack made by a foreign Government which the President must repel by force, another branch of his function as Commander in Chief comes into play. He wages war; Congress does not. The legislature may, it is true, control the course of hostilities in an indirect manner, for it must bestow all the military means and instruments; but it can not interfere in any direct manner with the actual belligerent operations. Wherever he the theater of the warlike movements, whether at home or abroad, whether on land or on the sea, whether there be an invasion or a rebellion, the President as Commander in Chief must conduct those movements; he possesses the sole authority and is clothed with the sole responsibility. (Pomeroy's Constitutional Law (Bennett's tenth edition), pages 590, 591.)

Professor Willoughby expresses his views in language very similar to that of Pomeroy. He says:

Through or under his [the President's] orders, all military operations in times of peace as well as war are conducted. He has within his control the disposition of troops and the direction of vessels of war. (2 Willoughby, Constitution; p. 1207, sec. 713.)

Hare, in his American Constitutional Law (vol. 1, pp. 171, 172), takes the same view, insisting upon a proposition that the President is not, in theory, an agent of Congress for carrying into effect the laws which it enacts, but he is equally with Congress an independent representative of the people of the United States. His language referred to is as follows:

He is as much the representative of the entire people of the United States as any Member of Congress can be of his district and should therefore exercise the discretionary powers confided to him by the Constitution in the way that he may deem best calculated to promote the welfare of the country, which may not be the way deemed best by Congress.

So the question whether the South should be relieved from military occupation and regain the political freedom which the Constitution guarantees was recently determined by the Executive and not by the legislature, which could neither command the withdrawal of the troops nor direct that they should remain.

The want of constitutional power of Congress to control the distribution or use of the military forces of the United States, when once they have been provided by Congress, was also recognized and declared by Mr. Seward in the note which, as Secretary of State, he addressed in October, 1861, to Lord Lyons, the British ambassador:

It seems necessary to state, for the information of that Government, that Congress is by the Constitution invested with no executive power or responsibility whatever, but, on the contrary, that the President of the United States is, by the Constitution and laws, invested with the whole executive power of the Government and charged with the supreme direction of all municipal and ministerial civil agents, as well as of the whole land and naval forces of the United States, and that, invested with these ample powers, he is charged by the Constitution and laws with the absolute duty of suppressing insurrection, as well as of preventing and repelling invasion. (Quoted in Stevens's Sources of the Constitution, 162, 163.)

It may not be inappropriate to this question to refer to Landon's comments on the authority of President Lincoln to issue the emancipation proclamation. After giving, with evident disapproval, the prevailing answer of Civil War times to the objections of those who held that the President's proclamation exceeded his constitutional powers, Landon says:

* * * But the true answer is that, as Commander in Chief of the Army and Navy, the President has the constitutional power to employ the means recognized by the laws of war as necessary to conquer the enemy. Congress can pass no law which can deprive the President of the power which the Constitution confers in creating him Commander in Chief. (Landon, Constitutional History and Government of the United States, 205.)

Landon's reasoning would, of course, have compelled him to say, had it been relevant to the subject under discussion, that the President has constitutional power to employ the means that are universally recognized as necessary to put his country in a state of defense against the possible exigencies of a prospective war, and that Congress, when once it has provided a military force, can pass no law which will prevent the distribution of this military force in time of peace in such a manner as will, in the President's judgment, best prepare the country to resist attack in the event of its becoming involved in a war.

The case of Captain Meigs, which was passed upon by Attorney General Black, is perhaps useful by way of analogy. It did not involve the distribution of the forces, but it did involve the power of Congress to divide military duties between Army officers. Upon the theory that Congress had by statute conferred upon Captain Meigs the right to superintend and control the building of the Washington Aqueduct, the Attorney General said:

As Commander in Chief of the Army it is your right to decide according to your own judgment what officer shall perform any particular duty, and as the supreme Executive Magistrate you have power of appointment. Congress could not, if it would, take away from the President or in any wise diminish the authority conferred upon him by the Constitution. (9 Ops. Attorney General, 462, 468.)

The general principle applicable to this subject was thus stated by Judge Advocate General Davis in his Treatise on the Military Law of the United States (third edition, p. 323):

In the exercise of military command and in the conduct of military operations the President is not subject to legislative or judicial control.

As Commander in Chief the President is authorized to direct the movements of the land and naval forces placed by law at his command and to employ them in the manner he may deem most effectual to harass and conquer and subdue the enemy. He may invade the hostile country and subject it to the sovereignty and authority of the United States. But his conquests do not enlarge the boundaries of this Union nor extend the operations of our institutions and laws beyond the limits before assigned to them by the legislative power. The power of command and control reserved by the Crown was placed by the Constitution in the hands of the President.

Perhaps the fullest treatment of this subject by any of the text writers is that which is found in Watson's Constitution of the United States (vol. 2, p. 914). Watson says that by the first clause of Article II, section 2, of the Constitution, the President is made commander of the military and naval forces of the United States for the whole time that he is President. He then continues:

No other department of the Government and no other officer of the Government can exercise this power or assume to command either the Army or the Navy unless designated by the President to do so. Congress can legislate relative to the number of the Army or the Navy, the compensation of the officers and men, and the terms of their service, as well as many other matters, but the command of the Army and Navy is vested in the President, and Congress can neither command them or take that power from the President.

The power is vested in the President to dispose of or arrange the component parts of the Army and Navy at his pleasure.

While Congress can make rules for the Army and Navy, it can not interfere with the President's power as commander of such forces.

SOUND POLICY REQUIRES THAT THE PRESIDENT BE LEFT FREE TO CONTROL THE DISTRIBUTION OF THE MILITARY FORCES.

Whether or not the views expressed above, concerning the want of power of Congress to interfere with the President's control of the distribution of the military forces, are shared by Congress, it would seem almost indisputable that as a matter of wisdom and policy Congress ought not to exercise such power.

When the question of the adoption of the Constitution was before the Legislature of the State of New York, the question whether the military power conferred by the Constitution upon the National Government would be a menace was one of the topics of discussion. Alexander Hamilton seems to have conceded that there would be danger of oppression of the people by military power if the right to raise and support armies, and also to direct the use to be made of them, were lodged in a single arm of the Government. Then he added:

But where the purse is lodged in one branch and the sword in another, there can be no danger. All governments have possessed these powers; they would be monsters without them, and incapable of exertion. (2 Elliot's Debates on the Constitution (2d ed.), 349.)

The same thought was expressed in a somewhat different manner by Mr. George Nicholas in addressing the Virginia Legislature upon the ratification of the Constitution (3 id., 497).

While Congress may perhaps not entirely relish the thought, it is true that there is less danger of tyranny and oppression if the power that creates the Army and that taxes the people to support it shall not have the control of the Army when thus raised. If the control, including the distribution of the Army, is vested in the Executive, then there are two branches of the Government that operate as mutual agents upon each other.

This consideration, which was so prominent 135 years ago, seems very unimportant now that the liberties of the people of this country are by tradition and the developments of our history so well protected. The practical reason why Congress ought not to interfere in the distribution of the military forces of the United States is that such interference must, of necessity, conduce to weakness of this Nation in its relations with other nations.

The distribution and use of the military forces involve many problems of difficulty, problems that are soluble advantageously only by trained experts in the art of war, and the Presidency, as an office, includes the military knowledge, experience, and skill of the trained military officers of the Regular Army of the United States. The use of the military forces which the President will make, while, of course, liable to some mistakes, as all human activities are, will on the average be wise and advantageous; whereas if Congress or a committee of Congress were

to attempt to do the same thing, it needs no argument to show that on the average it would be done much less advantageously.

But even if Congress were composed entirely of military experts, the direction and distribution of the military forces of the United States could, in the nature of things, not be advantageously exercised by Congress. The delicacy of the relations of the great nations between one another is such that information of a military nature—that is, information that is calculated to influence the directing mind in determining the use and distribution of the military forces of the United States, is almost invariably of a confidential character. Whoever is to determine the use and distribution of the military forces, and to do so wisely, must, of necessity, have access to this information. But to put this information before Congress would necessarily be to publish it to the world, and to put this information before a committee of Congress would be to incur a serious risk of making it public. The fact of making public information of this character would, in many cases, be to precipitate war before the country could make adequate preparations to protect itself against the prospective enemy.

But the incompetency of Congress to control the use and distribution of the military forces is one which it shares with all popular representative assemblies. It is in the nature of things a deliberative body. Its function is and must be to weigh the pros and cons of every measure carefully and then to enact into a law the results of its deliberations. This machinery is, and ought to be, such that quick action is impossible. If Congress were to take upon its shoulders the responsibility for determining this distribution of the forces, it would frequently be met with new situations, due to international or other complications, and would be asked to give new directions as to distribution of the forces. In such case, the strong probability would be that before the two bodies of Congress had acted and had authorized the necessary redistribution of the forces the emergency which made such redistribution advantageous or essential would have passed, and the damage to the country through not having an actual redistribution would have been suffered.

If all the annals of history are searched, few instances, and perhaps no instance, will be found in which a deliberative assembly has attempted to control the distribution and use of military forces. In the French Revolution no such attempt was made, but an attempt was made to punish military commanders whose action in the matter of the use or distribution of military forces did not accord with the views of the legislative authorities in Paris. This was done through civilian commissioners, who attended all of the armies. It is unnecessary to point out to what extent this system proved to be despotic and oppressive and highly disadvantageous in a military sense. There seems to be warning enough against attempting to control the use and distribution of military forces by a deliberative assembly; that in the numerous cases in which a control of this character has been vested in a committee or commission of an executive character, rather than in a single responsible executive, the result has always been highly disadvantageous. Weakness and delay have always followed, and the result has invariably been a deliberate abandonment of this scheme or else the assumption of dictatorial powers by one member of the commission or some other individual. As, for instance, when Napoleon assumed the reins of supreme power.

How bad it would be for Congress to set a definite limit of the military force in a particular place may be pointed out by a single illustration:

Suppose Congress limited the number of troops to be maintained within a strategic distance of the Mexican frontier to, say, 15,000. Suppose the President of the United States through confidential military channels were to learn that Mexico was organizing an army of 250,000 soldiers to invade the United States without any declaration of war, the communication of this fact by the Executive to Congress would, of course, precipitate war before the United States could take measures to meet the emergency. On the other hand, if the President thought the emergency so serious that he could justify his conscience in defying the statute and sending a larger number of troops to the Mexican frontier than the statute authorized, believing that when the true situation became known Congress would promptly vindicate him, the result would be almost as bad. The first movement of troops would precipitate the invasion. In such a case the only safety lies in permitting the President, without taking anyone into his confidence except a few of his military advisers of the highest rank, gradually to send troops to the threatened area and to have mobilization of troops in such case keep pace with the receipt of confidential information as to the growth of the menace.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD for the purpose of inserting therein some authorities with reference to this matter.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. Mr. Chairman, under the Constitution the responsibility of raising and supporting an Army rests upon Congress. It is our business and our responsibility to fix the size of the Army. I have disagreed with the distinguished chairman of the subcommittee [Mr. ANTHONY] and the members of that committee on their recommendation to the House as to the size of that Army. The vote of the House has demonstrated the fact that the judgment of the Committee on Appropriations reflected the judgment of a majority of the Members of the House, and that matter is now settled.

While we fix the size of the Army, the control, disposition, and movement of that Army is without our jurisdiction entirely, and under the Constitution is vested in the President as the Commander in Chief.

Article II, section 1, relating to the power of the President, provides:

> The executive power shall be vested in a President of the United States of America.

Section 2 of the same article provides:

> The President shall be Commander in Chief of the Army and Navy of the United States.

It will be noted that the President is the Commander in Chief of the Army and Navy, with no restrictions as to whether the country is in peace or war.

It will not be claimed that Congress has the power under the Constitution to control, move, or dispose of the Army in direct and express legislative terms. The power to move and dispose of an army necessarily rests in the Commander in Chief, otherwise he, the Commander in Chief, has the title in name only. So that the committee has not attempted in express terms to deprive the President of the power which the Constitution confers upon him. They do this not directly but indirectly under the guise of a limitation upon an appropriation for the support of the Army. In this manner the Committee on Appropriations requests the House to control the Army and its disposition and thereby deprive the President of the power that is rightfully his.

In so doing they have accomplished their object just as effectively as if they had gone about it through a direct legislative direction to the President. For example, it will not be contended that Congress has the power by express terms to provide that no troops shall be garrisoned in China, but the same result is obtained by this limitation as would have been obtained if a direct provision had been embodied in the bill, for the limitation prevents any troops so garrisoned in China from being paid, and an army can not be maintained when deprived of its pay.

I deny, first, the power and authority of Congress, under the Constitution, to interfere with the exclusive powers of the Executive. Secondly, assuming for the purposes of argument that Congress has this power, I disagree emphatically with the judgment of the Committee on Appropriations as to the wisdom of exercising it.

I shall first take up the question of constitutionality, and I use that term in its broad general sense as distinguished from the purely technical legal sense.

The fathers who sat in the constitutional convention had some very definite ideas about government. They believed in separating the legislative, executive, and judicial branches of that government and, in so far as possible, to make those branches independent of one another. They had but emerged from the War of Independence and were trying to avoid the anarchy and chaos following that war. Its members included Washington, Hamilton, and others who had witnessed during the days of the Revolutionary War the inefficiency of the legislative body attempting to function as an executive, which resulted in interference with military operations and caused great trouble and embarrassment and added materially to the increasing of the cost of the military operations. Washington had had to put up with congressional interference and knew its evils. Hamilton had been on Washington's staff and was thoroughly familiar with all of the troubles and embarrassments that Washington had been subjected to by the Continental Congress, which was clothed with the powers of an executive. There is no question but what they and their colleagues made up their minds that the new Government would have an Executive that was clothed with real power. Further-

more, the governors of several of the 13 States were clothed with power, making them commander in chief of the military forces of their State. Therefore, with experience and precedent to guide and direct them, the Chief Executive was made the Commander in Chief of the Army and the Navy, both in time of war and peace.

There is nothing plainer in the Constitution than the provision conferring upon the President, without limitation, the power of the Commander in Chief of the Army and Navy.

In looking over the various grants of power in the Constitution to the President it will be found that there are, generally speaking, three distinct classes of powers or duties devolving upon the President. First, as the Chief Executive he is charged with seeing that the laws are executed and obeyed. While it is his duty to see that the laws are enforced, the President can not exercise this grant of power until Congress has placed upon the statute books laws to be obeyed and enforced. Secondly, the President under the Constitution is made the sole instrument of communication with foreign nations in our negotiations and transactions with them. This is a different grant of power, for it will be observed that he, and he alone, is charged with this responsibility, and his right to so speak and act rests not upon any action of Congress at all, but upon this constitutional grant of power. The exercise of power under this grant requires no legislation whatever. Third, then there are those powers that are conferred that require legislative action before there is created an opportunity for the President to exercise the powers conferred in the Constitution. They involve instances where the power is complete but where the subject matter is lacking. For example, while the President is Commander in Chief of the Army and Navy, there is nothing for him to command until Congress acts and raises an Army and builds a Navy. But the moment that Congress does act, and raises an Army and builds a Navy, it thereby furnishes the President an opportunity to exercise fully and completely the power that the Constitution confers upon him as the Commander in Chief of the Army and the Navy. Congress exhausts its own power and authority when it raises the Army and provides a Navy. It is as to this power that I call special attention to. In this connection I desire to quote from Pomeroy, from Constitutional Law, third edition, page 470:

> The President is thus clothed with a most important military function. He is to command the forces at all times; Congress never commands them. As such commander he wages war; Congress never wages war. We must endeavor, however, to ascertain the exact limits of this attribute and to distinguish it from the ordinary duty of executing the laws. The legislature alone furnishes the occasions upon which it can come into play, but can not interfere with or control the attribute itself. Congress raises and supplies armies and navies, and makes rules for their government, and there its power and duty ends. The additional power of the President as supreme commander is independent and absolute.

The writer then quotes from the opinion of Mr. Chief Justice Chase in the celebrated case of Ex parte Milligan, where the Chief Justice said:

> The power to make the necessary laws is in Congress, the power to execute in the President. Both powers imply many subordinate and auxiliary powers. Each includes all authorities essential to its due exercise. But neither can the President in war more than in peace intrude upon the proper authority of Congress, nor Congress upon the proper authority of the President. Both are servants of the people, whose will is expressed in the fundamental law.

The author then proceeds to detail some of the powers of Congress in reference to the Army and the Navy, and contrasts those with certain distinct and independent powers of the President. I quote further from page 471:

> In the time of peace, therefore, the President's functions, as far as they relate to the Army and Navy, are of two separate and entirely distinct characters, and to avoid confusion we must carefully distinguish between these attributes. In respect to certain classes of measures he acts entirely in his general capacity of executive, and takes care that the laws are faithfully executed. Congress, under its supreme authority, passes laws which concern the military alone, and these the President must enforce with the same diligence, and by virtue of the same function that he carries out those legislative mandates which apply alone to civilians; he is not then operating as commander, but as the supreme civil magnate. But as Commander in Chief he calls other attributes into action, for which the legislature has furnished the occasion, but which do not consist in executing any positive laws. I repeat, it is important that these two classes of power and duties should be kept distinct. Under its authority to raise armies, maintain navies, furnish supplies, and the like, Congress may direct the manner in which the President's power shall be exercised, for he will be, in fact, but executing its commands. Thus it may determine how many men shall be enlisted in each branch of the service, or what and how many armed vessels shall be constructed. As Congress is to make all appropriations, it may declare the specific purpose for which money is to be used; what forts shall be erected, and their cost; what ships built, their character and cost; what kind of arms purchased or manufactured, and the cost. Instances of this sort might be multiplied. In all these cases great or little discretion may be left to the Executive and his subordinates, as the legislature deems best.
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> Congress is authorized to make rules for the government of the land and naval forces; it may, therefore, arrange and classify these forces; fix upon the plan of organization; determine upon the number, duties, and pay of officers; define military offenses and allot the punishment; provide for the creation, jurisdiction, and procedure of courts-martial, and for carrying out their sentences. The President's duties in respect to these various subjects may thus be clearly defined and controlled by the legislature. *But in time of peace he has an independent function. He commands the Army and Navy; Congress does not. He may make all disposition of troops and officers, stationing them now at this post, now at that; he may send out naval vessels to such parts of the world as he pleases; he may distribute the arms, ammunition, and supplies in such quantities and to such arsenals and depositories as he deems best.*

In the CONGRESSIONAL RECORD for February 17, 1909, will be found a speech by Senator Bacon, who was an authority upon constitutional law, and which details the powers of the President. It is as follows:

> The President is an executive. Upon him devolves the execution of the law and the enforcement of the law; and the enforcement of the law must necessarily be, in its last analysis, through the military arm. Of course, the President can not be the supreme executive unless he has the supreme command of that through which the execution of the law must be enforced. The civil authority is supreme, and the military authority is subject to the order of the civil authority and executes its order. Here is an order from the court; the posse comitatus is summoned for the purpose of executing the mandate of the court, but is unable to do it by reason of superior force opposed to it, and finally it must appeal to the Executive to use the military arm to carry out the order of the court. That is what I mean by saying that in the last analysis the military arm is that by which the law is executed or must be executed.

Watson, on the Constitution, page 914, volume 2, with reference to the powers of the President as Commander in Chief of the Army and the Navy, has this to say:

> By this clause he is made commander of the military and naval forces of the United States for the whole time that he is President. No other department of the Government and no other officer of the Government can exercise this power or assume the command of either the Army or the Navy unless designated by the President to do so. Congress can legislate relative to the number of the Army or the Navy, the compensation of the officers and men, the term of their service, as well as many other matters, but the command of the Army and the Navy is vested in the President, and Congress can neither command them nor take that power from the President.
>
> The power is vested in the President to dispose of or arrange the component parts of the Army and Navy at his pleasure. In practice he does this through the military and naval departments of the Government, but their action is his action. While Congress can make rules for the Army and Navy, it can not interfere—it can not interfere with the President's power as commander of such forces. The line between the exercise of his power as commander and that of Congress is plain, and neither can rightfully or legally invade the other.

It seems to me that it is clear from these authorities that the President as the Commander in Chief of the Army in peace or in war can move or dispose of them as he sees fit. It is difficult to find court decisions that are directly in point for the very reason that it is difficult to so raise a question of this kind as to present it to the courts for decision. On a question of this character, if Congress insists upon its power to act, whether constitutional or not, the Executive would be without a remedy.

If Congress can by this method limit the power of the President and prohibit him from maintaining troops in China, it would have the right to limit or prohibit the garrisoning of troops in any other part of the world, including any part or portion of the United States. If it can limit one garrison, it can limit all garrisons; if it limits all garrisons, then what is there left of the power and authority of the Commander in Chief of the Army?

If Congress has the right to so limit the Army, it could provide that no part of the appropriation for the Navy should go to the payment of marines who are landed upon foreign soil to protect the lives of American citizens. The President is charged with seeing that our laws are enforced. In foreign affairs he speaks for the country. It is his business to see that the lives of American citizens are protected. In fulfilling his obligation under the Constitution it has been the practice of Presidents to land American marines on foreign soil to protect the lives of American citizens. In so doing he is only doing his sworn duty; if he fails so to act, he would be violating his obligations under the Constitution; yet if Congress has this power, which the Committee on Appropriations seems to feel that it has, it could prevent the President from paying any marines so used by him.

Mr. Chairman, from such examination and consideration of the authorities as I have been able to make, I am thoroughly convinced that Congress would be violating the spirit of the Constitution, if not the letter, if we passed this appropriation bill with this limitation, for it is perfectly clear that those who framed the Constitution intended and in expressed terms provided that if an army was raised, that army and its disposition and control should be by its Commander in Chief, the President of the United States.

Mr. QUIN. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. QUIN. But let us take the great number that there is in Panama and the great number in Hawaii. If the Chief Executive wants to keep that big army over there against the

will of Congress, how is Congress going to stop it unless we legislate in this fashion?

Mr. NEWTON of Minnesota. Let Congress reduce the Army to the size it would like to have it, when the Executive will have to arrange the Army accordingly. When we go that far, that is as far as we can go.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. MANN. Suppose the Executive should determine to keep 50,000 American troops in Germany and that everybody in Congress was opposed to that. Does the gentleman think that Congress ought to sit down and do nothing and let the Executive do as he pleases about it, and pay the troops regardless of whether we want them there or not?

Mr. NEWTON of Minnesota. That is not the question before us.

Mr. MANN. But that is the constitutional question before us.

Mr. NEWTON of Minnesota. That is the constitutional question; but it is my own opinion that so far as that is concerned the power rests with the President, and that the only control that Congress has is over the purse strings. Of course, there is the power of public opinion over the President.

Mr. MANN. I agree with the gentleman as to the item in the bill, but I do not agree with the reason that he gives.

Mr. ROGERS. If the gentleman will permit, there is the further power of impeaching the President if he abuses the power that is granted to him.

Mr. NEWTON of Minnesota. Exactly so. I now come to the question of the policy and wisdom of exercising this power, assuming only for the purposes of argument that Congress has the power. This provision limits the pay available for troops at Panama and in the Hawaiian Islands and in Europe. It provides that it shall not be available to pay for troops garrisoned in China. The question before us is not that pertaining to the wisdom of maintaining troops in these various localities. My objection to this form of legislation is not as to the policy of maintaining or withdrawing them, but as to the wisdom of Congress in attempting to interfere in a question which is so closely involved in the question of our national defense and in the handling of our foreign relations. The President is the mouthpiece of the Nation in all communications with foreign countries and in negotiating matters with foreign nations. We have seen here that this limitation in effect absolutely precludes him from having any troops whatever in China.

Mr. ANTHONY. Oh, I think the gentleman does not mean to make that statement, because the President in the time of an emergency could send the entire Army to China.

Mr. NEWTON of Minnesota. In time of an emergency, yes; but the gentleman does not think that an emergency exists to-day.

Mr. ANTHONY. We certainly do not, and no military officer advanced any argument to the committee why there should be.

Mr. NEWTON of Minnesota. This provision is a mandate to the President to withdraw troops from China, no matter what our foreign relations happen to be at the present time.

The arrangement and disposition of our small Army is vitally connected with the military policy of our country. It is the judgment of those men who are charged with the responsibility of handling and disposing of our Army that these restrictions should not be placed. Our action in this respect will have material bearing upon our foreign relations. It is claimed that in one instance it will affect our obligations not only to our own citizens but to other nations growing out of understandings entered into with those nations. It would seem to me that this being the case, that this committee before making this recommendation to the House should have sought the advice, counsel, and judgment of the Secretary of State, but a search of the hearings fails to show any effort to get the opinion of the Secretary of State. Mark you, that the Secretary of War appeared before the committee and advised the committee that this was a State Department and administration question. But notwithstanding this the Secretary of State was not called before the committee. Since that time the Secretary of State has advised the House by a letter to the chairman of the Committee on Military Affairs of the responsibility and obligation that this country is under by reason of the conditions in China. I quote from the letter as follows:

DEPARTMENT OF STATE,
March 15, 1922.

The Hon. JULIUS KAHN,
Chairman Military Affairs Committee,
House of Representatives.

SIR: With reference to your conversation of to-day over the telephone with the Far Eastern Division of this department, I have the honor to state that the right to station troops at Tientsin, China, and along the line of the railway which connects Peking with the sea was conceded to the United States and to certain of the European powers by the final protocol for the settlement of the disturbances in China of 1900, which was signed September 7, 1901.

During the Chinese revolution of 1911 and 1912 the powers who were party to the protocol of 1901, including the United States, considered that the disturbed conditions then prevailing in the neighborhood of Peking necessitated the stationing of troops at Tientsin and at other places along the railway between Tientsin and Peking for the purpose of maintaining open communication between the capital of China and the sea. In recognition of its obligation in this connection the United States dispatched to Tientsin a number of troops, which in 1921 numbered 62 officers and 1,469 enlisted men. During the summer of 1921 the Secretary of War raised the question as to whether this number of troops might be entirely withdrawn or reduced, and on July 9, 1921, the State Department informed the Secretary of War that it did not favor the entire withdrawal of these men, because such action might result in unsettling the situation then prevailing.

The department expressed itself, however, as being agreeable to a reduction of 50 per cent. The Department of State now understands that a reduction of 50 per cent was effected last fall. The conditions prevailing on July 9, 1921, have not changed, and the department still believes that it would be inexpedient at the present time to effect any radical change in the present arrangement.

I have the honor to be, sir,
Your obedient servant,
CHARLES E. HUGHES.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. This action is being taken against the advice of the Secretary of State and the Secretary of War, the General of our Armies, and the Assistant Chief of the General Staff, and a search of the hearings produces no evidence in any way controverting the statements or the arguments of these men.

Mr. FROTHINGHAM. Will the gentleman yield?

Mr. NEWTON of Minnesota. I yield to the gentleman from Massachusetts.

Mr. FROTHINGHAM. Will the gentleman tell the committee how it is physically possible or how it is going to be physically possible to get troops any such distance as that in adequate time after the emergency has arisen?

Mr. NEWTON of Minnesota. Why, you can not get them there in time. There are two different governments there. We know from the press and reliable authorities that one is kept in power largely because of the influence of a large group of bandits, and yet under those circumstances, and with that situation confronting us, this House is asked to upset the policy of 125 or 130 years and direct the President where he shall put the Army of the United States. Gentlemen, it is wrong.

Mr. TINCHER. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. TINCHER. As I understand from my friend, he is advocating the keeping of soldiers in China for the purpose of taking sides in a possible pending controversy?

Mr. NEWTON of Minnesota. No; the gentleman from Kansas did not understand the gentleman from Minnesota to be advocating anything of the kind. The gentleman from Minnesota does not advocate that, but the gentleman from Minnesota says that the President of the United States, who is charged with the administration of our foreign affairs, can be trusted with 500 men or 50,000 men. [Applause.] The gentleman from Minnesota says to the gentleman from Kansas that this House ought not under these circumstances, with a man like Judge Hughes as Secretary of State, to say to the President of the United States, coming, as he does, from the great conference here, that this Congress is not willing to trust its President—its Chief Executive—in the handling of our foreign affairs. [Applause.]

Mr. TINCHER. Does the gentleman claim there is an emergency in China?

Mr. NEWTON of Minnesota. I do not make any such claim.

Mr. TINCHER. Well, it has been held by the Secretary of War since he appeared before the committee that there was not an emergency in Germany and he is sending the troops home, where they should have been three years ago.

Mr. NEWTON of Minnesota. But bear in mind the hearing was on the 20th of February, and at that time the Secretary of War informed the committee that he was reducing the forces there, and that very soon it would be reduced to 2,000 men. Since then we have been denied payment of the expense of maintaining this Rhine army. In my judgment the Secretary of War for that reason is going to withdraw the troops, and it ought to be left to him; it ought to be left to the President, and we ought not to usurp the functions of the Chief Executive.

Mr. EDMONDS. Do I understand this will take away the regiment we have in China at the present time?

Mr. NEWTON of Minnesota. Absolutely. We are under an understanding with the several nations to maintain troops there,

and this committee has reported to the House a provision which will take them away.

Mr. ANTHONY. The bill very plainly says except in case of an emergency, and if this country is in such condition as the gentleman says, and the President says there is an emergency, he can keep the whole 115,000 there.

Mr. NEWTON of Minnesota. Yes; but there is not an emergency there to-day, the gentleman says.

Mr. ANTHONY. The gentleman was just describing an emergency of civil war in China.

Mr. NEWTON of Minnesota. That would not be considered an emergency, because that condition existed when the bill was up for consideration.

Mr. ANTHONY. I do not want to infringe upon the gentleman's time.

Mr. NEWTON of Minnesota. I will yield to the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. I would like to have five minutes additional.

The CHAIRMAN. The gentleman from Minnesota asks for five minutes additional. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. Will the gentleman permit me to quote to him what the Secretary of War says about it?

Mr. NEWTON of Minnesota. Yes.

Mr. ANTHONY. I asked him this:

Mr. ANTHONY. In regard to the force we maintain in China: This committee is going to insist, Mr. Secretary, on trying to lop off every expense it considers unnecessary, and so far there has been no real argument presented to this committee why we should continue to maintain the expense of keeping a force of troops in China.

Secretary WEEKS. Mr. Chairman, the desires of the committee are the desires of the War Department; we are all in the same boat. We want to economize and reduce wherever we can do it with safety; the only difference will be perhaps in judgment about the extent and where the reductions in expense should be made. I do not know about the conditions in China that require the maintenance of a force there. It is part of the Philippine Islands force—two battalions, as I remember. That is largely an administration and State Department matter. I have never asked the President how long he wanted to maintain those troops in China; perhaps I have been negligent in that respect, although I assume if he and the State Department wanted to make a change that I would get my directions, and the change would be made, of course.

Now, if there is any pressing necessity, does not the gentleman think the Secretary would have intimated it to the committee?

Mr. NEWTON of Minnesota. He admitted he did not know but that it was a matter within the discretion of the State Department. Now, was he called in for advice—the Secretary of State? There is not a word in the hearings to indicate that he was, but since then we know that the Secretary of State feels that the troops should not be withdrawn.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. PARKER of New Jersey. If the bill is passed in this way in reference to the keeping of troops unless in any of those places there is declared to be an emergency, I want to ask the gentleman whether it is not often very dangerous to declare an emergency?

Mr. NEWTON of Minnesota. The gentleman from New Jersey is absolutely correct. The feeling that there was an emergency requiring the moving of troops to a place might create an even greater emergency, which would cost the country millions of dollars.

Mr. CHINDBLOM. What would have been the attitude of the world if, when President Roosevelt sent the Navy around South America, he had announced there was an emergency that required the demonstration?

Mr. LAYTON. As a matter of fact, as the constitutional leader of the Army and the Navy of the United States, it is not only the privilege but the duty of the President of the United States to shift any of the armed forces wherever he thinks it is necessary for him to do it, and if he has not that privilege, then he is not Commander in Chief of the forces.

Mr. NEWTON of Minnesota. The gentleman is correct.

Mr. EDMONDS. After the Boxer rebellion there was an international agreement between several nations that they would each carry sufficient troops to guard the railroad between Tientsin and Peking. There may be no emergency in China to-morrow or next week; but it was an international arrangement and has been carried out ever since, and it is a very necessary arrangement, in my mind, and should be carried out.

Mr. NEWTON of Minnesota. I agree with the gentleman.

Mr. LINEBERGER. I take it from the gentleman's argument that he considers the provisions of this bill, in fact, a usurpation of the President's prerogatives and powers?

Mr. NEWTON of Minnesota. There is no question about it at all.

Mr. DEMPSEY. Might there not be an emergency in China which was not an emergency between the United States and China but might require the presence of the United States troops there, when there is such an unsettled condition there that there are two rival governments being maintained now?

Mr. NEWTON of Minnesota. We have big responsibilities in China, and we are placing the President, in a way, where he, as the head of our Nation, can not perform them.

Mr. DEMPSEY. Is it not plain enough that we have American citizens in China and that they have large property interests there and still need the presence of American troops to protect them in such a time as there is in China at present, without the presence of an emergency at all?

Mr. NEWTON of Minnesota. Exactly.

Mr. Chairman, why should we adopt this unprecedented course? Why should we overturn the precedents of over a century and deprive the Executive of his rightful power over the Army? Have we lost confidence in the President? Has he in any way abused its powers and privileges? As the head of our Army has he in any way failed to carry out his responsibilities and duties? No one claims this. Furthermore, no one could claim it. Mr. Chairman, the President's handling of the foreign relations of our country has probably been unexcelled in our history. He came into the office one year ago at a very critical time. During this one-year period we have settled our difficulties with Costa Rica and other Central American countries, brought Mexico to a point where now she respects this country and its flag and no longer molests our borders or takes the lives of our citizens. We are adjusting the rights of American citizens in Mesopotamia. Finally, at the Washington conference which has just closed, with masterly hand the President of the United States and his able advisor, Mr. Secretary Hughes, have negotiated treaties which, when ratified, will settle the very vexing problems of the Far East and permit this country and the other great nations of the world to limit their expenditures for navies and thereby take from the backs of the people tax burdens equaling hundreds of millions of dollars annually. Why should this Congress manifest its lack of confidence in such an Executive, at such a time when the whole country has repeatedly manifested its confidence in him?

Mr. Chairman, this action is unwarranted. It is uncalled for. It is in violation of the spirit of the Constitution, if not the letter. It is such action that if once taken by us probably can not be corrected, for it would be difficult to review it in the courts. The power of Congress and the power of the House of Representatives over the purse is in practical effect without limit. The House of Representatives ought always to be very jealous of its own power. We ought always to reserve to ourselves the right to say what size the Army shall be. But, while we jealously guard our own rights, we ought not to intrude upon the rights of the Executive. Mr. Chairman, the motion to strike out the limitation, consisting of the entire paragraph, should prevail.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 10871) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1923, and for other purposes, and had come to no resolution thereon.

MODEL MARINE INSURANCE LAW.

Mr. FOCHT. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address of David M. Lea, delivered before the Washington Board of Trade on the model marine insurance law, March 21, 1922.

The address is as follows:

ADDRESS OF DAVID M. LEA, DELIVERED BEFORE THE WASHINGTON BOARD OF TRADE ON THE MODEL MARINE INSURANCE LAW, MARCH 21, 1922.

Mr. President, honored guests, and fellow members of the board of trade: In the preparation of this paper on the subject of the recently enacted model marine insurance bill, which has now become a law, I am keenly aware of the largeness of the subject and the smallness of my ability to properly put before you a subject so highly technical and bristling with difficulties of interpretation. Therefore I shall not worry you with the technical side of this question, but endeavor to touch upon the more salient features of it in its broader aspects.

There are few within the sound of my voice who realize that three-fourths of our insurance on vessels and two-thirds of our insurance on both cargoes and vessels are under the control of foreign insurance companies. In order to explain more clearly to those who are not familiar

with this subject, I desire to call attention to the highly technical and competitive character of the business and the way in which it is handled and controlled.

Eight brokerage firms in this country place practically all of the insurance and place it abroad for the reason that foreign companies, owing to lack of legislative restrictions and lower taxation, can quote lower rates and thus render it impossible for American companies to compete. This is a distinct disadvantage to American commerce because price competition in international commerce is so close that frequently the difference in the cost of insurance determines the country to which the order is to be given. There is no international agreement on rates such as there is between fire insurance companies in this country, which, by consent of the States and with a nationwide organization, are enabled to charge the proper rate to cover the hazard, consequently making a fixed rate. Such is not the case in marine insurance, which is very fluid and is subject only to the conditions and demands in the various countries, thus practically putting it in the hands of the brokers instead of the companies. The law under consideration removes these restrictions and lowers the taxation, thereby enabling companies in the United States to compete for their share of the business.

The United States Government, both by expenditure of money and by legislation, has endeavored to create a fleet of vessels to carry our cargoes abroad and to compete for the world's trade. Over these vessels flies the American flag but under it and rendering it useless is the cover of foreign insurance, because our leading competitors have for years used marine insurance to preempt leading lines of trade. Nations that are strong in marine-insurance facilities may deny the service altogether or give it only under unfavorable conditions to the citizens of other nations who do not possess adequate facilities of their own. Possession of sufficient underwriting capacity, free from foreign control, is essential to the proper protection of commercial secrets from our trade competitors. Foreign underwriters, when insuring American cargoes, necessarily learn the facts concerning the carriers used, the consignees, methods of packing and handling, financial affiliations of the consignors, costs of production, and the conditions and price of sales. Therefore there is pressing need for ample and independent American marine insurance companies, and I take it for granted that no American citizen wishes to see such a deplorable state of affairs to continue.

It is necessary, therefore, to remove the shackles that have bound marine insurance ever since the decision by the Supreme Court of the United States many years ago, in the case of Paul v. Virginia, in which it was decided that insurance was not interstate commerce and was, therefore, subject to the control of each individual State, a condition which has produced a chaos of 48 different varieties of legislation, taxation, and rates on a matter that, in spite of the decision of the Supreme Court, is the support and basis of credit for all interstate and foreign commerce and should be treated as such.

Insurance, in its last analysis, is a tax upon the people and should be fairly and economically administered. Modern taxation of business is being modeled more and more upon the principles of ability to pay, fair treatment between different types of essential industries, and avoidance of burdens so harsh as to destroy the initiative of capital; and it is difficult to explain why the freedom of incorporation prevailing in this country with respect to other business enterprises should have been denied to insurance companies.

People do not realize that insurance is a part of the cost of everything that is used—the clothing they wear, the food they eat, and the houses they live in. And yet insurance is rapidly replacing the railroads as a legislative toy. The drift is unmistakable, the threat of danger precise and certain. In 1916 there were 720 bills relating to insurance introduced in State legislatures. In 1921 there were 1,429 such bills presented, a gain in the five-year interval of almost 100 per cent. While some of these proposed laws were constructive and necessary measures, the great bulk of them were of a radical, restrictive, or harassing nature with a distinctly socialistic background. The anxiety of our legislative medicine men, who seek to cure all ills by a dose of laws, should occasion little wonder, as a business insurance ranks with the foremost enterprises of the age, and, therefore, offers a fruitful field for political terrorism and plunder. It would be as difficult to think of commerce without insurance as it would be to think of transportation without railroads, vessels, automobiles, or airships. Modern life has become so completely immersed in the theory and practice of insurance that there are few contingencies affecting human relationships to which its principles have not been successfully applied. It is, perhaps, our most universal institution, reaching in its wide sweep all classes of people, all industries, and all business interests. To human progress it has become essential and as a means toward general economic security it is indispensable. The prospect, therefore, that it may be tinkered with and exploited by designing, corrupt, or ignorant politicians is worthy of the most serious consideration.

Therefore I do not hesitate to designate the law under consideration as the Magna Charta of insurance legislation, for, while it applies particularly to marine insurance, it is equally applicable in its principles to fire and other lines because of the inclusion of the multiple line feature which, with the exception of one State—Wisconsin—is recognized in this country for the first time, although it has been in existence in Europe for 200 years and has been used as a means of strengthening and enlarging our foreign competitors, who, through it, have been able to reach the various markets of the world and to enjoy the average obtained by handling the different branches of insurance, while our institutions have been confined to a single market and a single branch of insurance. All of which tends to a lower cost of production, lower loss ratio through distribution of hazard, and more economical management in one of our essential industries.

Marine insurance is a national commercial weapon, and it may be doubted if any other essential and strategic business has suffered so cruelly from unwise and merciless taxation. It is interesting to know that the taxation equals the underwriting profits recently agreed upon by the national convention of insurance commissioners, which decided upon an allowance of 5 per cent as a reasonable and fair profit. What other important business could stand such an inroad upon its profits? In order to preserve their solvency this has to be passed on by the companies to the people in the rates charged. The law under consideration obviates this by a tax upon the profits instead of the premiums received, and therefore lowers the cost.

The law was prepared with a view to its adoption by the various States following the example of the District of Columbia, which process has already begun—notably in New York, Pennsylvania, and Illinois—and it is hoped will result in a standardisation of the business so that the conditions will be the same insurance wise in California as well as in New York.

Such is the contribution it is hoped the District of Columbia will make to the national welfare, and I would like to pause for a moment in this discussion to call attention to the important part that the board of trade has had in this legislation. It is the only trade body in the District of Columbia which contributed anything toward the development and the final results of this law through the cooperation of its insurance committee which, in the inception of the movement in regard to this law, was called into consultation by those handling the measure and by the superintendent of insurance of the District of Columbia, Dr. Lewis A. Griffith. I also beg to call attention to the splendid services of Doctor Griffith, who, when he discovered that certain portions of the bill were inimical to the welfare of the local District of Columbia companies, particularly in regard to the requirements for capitalization and surplus, demanded and obtained changes that safeguarded the interests of our local companies.

Having set forth the national and international aspects of this law, I desire briefly to touch upon its interests to the District of Columbia. Although it is essentially a national commerce measure, one should not lose sight of the fact that various sections of the law are designed to benefit the District of Columbia in very important particulars.

Section 3 provides for the creation of corporations for the sole purpose of transacting a reinsurance business, and there seems to be no reason why purely reinsurance companies can not advantageously organise in the District. Incidentally, I would like to state that movements are already on foot to accomplish this purpose, and organizations possessing millions of dollars are considering taking advantage of the law and establishing companies in the District at the present time.

Section 21 provides for the organization within the District of corporations engaged exclusively in the writing of insurance in foreign countries, the capital stock of which corporations may be owned by American companies engaged in the same kind of insurance.

Other sections of the law will serve very materially in fostering the success of these two types of companies, as well as other companies which may decide to organize within the District. Moreover, the American marine insurance syndicates already have their domiciles in the District, and one of the essential purposes of the law is to bring about a legislative situation under which these syndicates may develop and thrive so that it will no longer be necessary to send nearly half a billion dollars of premiums abroad, carrying with it vital trade secrets for the information of our commercial rivals in the competition for the trade of the world.

There is no reason why, with this favorable legislation, Washington should not become one of the country's largest insurance centers, and as we have the finest material for the selection of efficient clerical forces of any city in the country, the opening of offices for those desiring to take advantage of this law will afford employment to many people.

It is a known fact that a single company entering the field of marine insurance is somewhat handicapped and in many instances has met with disaster, but to those operating through syndicates, by the enlargement of premium income, distribution of losses through the scattering of the hazard, through the material lowering of expenses on account of economy of operation, and by having the experience of the best brains in the marine business at comparatively little cost, participation may be advantageously made by companies otherwise financially unable to enter this important field. At the present time the syndicates operating in the District of Columbia are confined in their cover to $2,000,000 on hulls under syndicate B for Shipping Board vessels and two and a half million dollars on hulls under syndicate C for privately owned vessels. The entry of other companies not only from the District but from the balance of the country into these syndicates under the provisions of this law will be greatly welcomed and would enable them to carry the four or five million dollar cover, which is the goal at which they now aim. It seems to me that to the extent of their resources that this is a legitimate avenue for the enterprise of our local fire companies.

The organization of large reinsurance companies in the District of Columbia should very greatly help our local fire companies, which hitherto have hesitated to branch out into larger fields because of inadequacy of finances.

Lastly, our local fire insurance companies should be congratulated on the opportunity afforded them to take advantage of what is believed to be the most advanced, fairest, and sanest piece of insurance legislation that has been enacted in this country for the last hundred years. And in conclusion I desire to pay high tribute to Congressman GEORGE W. EDMONDS, of Pennsylvania, but for whose tact and untiring energy it could not have been accomplished, and I desire to give him his full meed of praise for the passage of this measure, which was universally believed to be impossible.

Respectfully submitted.

DAVID M. LEA,
Chairman Insurance Committee, Washington Board of Trade.

ADJOURNMENT.

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 45 minutes p. m.) the House, under its previous order, adjourned until Thursday, March 23, 1922, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SINNOTT: Committee on the Public Lands. H. R. 10461. A bill to add certain lands to the Siskiyou National Forest in Oregon; with amendments (Rept. No. 816). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLSPAUGH: Committee on the District of Columbia. H. R. 7454. A bill to authorize the extension and widening of Ninth Street, from Longfellow Street NW. to Underwood Street, and Underwood Street from Ninth Street to Georgia Avenue NW.; without amendment (Rept. No. 820). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLSPAUGH: Committee on the District of Columbia. S. 3170. An act regulating corporations doing a banking business in the District of Columbia; without amendment (Rept. No. 821). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WHITE of Kansas: Committee on the Public Lands. H. R. 9916. A bill to provide for the issuing of a patent to Richard Murphy for a certain tract of land in what is known as the Big Pasture of Oklahoma, and upon which he has made full payment of purchase price; with an amendment (Rept. No. 817). Referred to the Committee of the Whole House.

Mr. MILLSPAUGH: Committee on the District of Columbia. H. R. 10973. A bill to amend an act entitled "An act to revive, with amendments, an act to incorporate the Medical Society of the District of Columbia," approved July 7, 1838, as amended; without amendment (Rept. No. 818). Referred to the Committee of the Whole House.

Mr. RAKER: Committee on the Public Lands. H. R. 10554. A bill authorizing the Secretary of the Interior to issue patent to Lassen County, Calif., for certain lands, and for other purposes; with amendments (Rept. No. 819). Referred to the Committee of the Whole House.

Mr. LANGLEY: Committee on Public Buildings and Grounds. S. 3046. An act to donate the gates at the head of West Executive Avenue, in the city of Washington, D. C., to the Hayes Memorial Museum, Fremont, Ohio; without amendment (Rept. No. 822). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GORMAN: A bill (H. R. 11001) placing certain positions in the Postal Service in the competitive classified service; to the Committee on Reform in the Civil Service.

By Mr. BUTLER: A bill (H. R. 11002) to increase the efficiency of the naval personnel, and for other purposes; to the Committee on Naval Affairs.

By Mr. BECK: A bill (H. R. 11003) to provide for the inspection of railroad tracks which are alleged to be inadequately maintained and in unsafe condition and authorizing and requiring the Interstate Commerce Commission to make the necessary investigations and order the employment of additional men; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Iowa: A bill (H. R. 11004) authorizing free delivery of library books on rural routes; to the Committee on the Post Office and Post Roads.

By Mr. HAYDEN: A bill (H. R. 11005) to provide payment for the completion of the bridge across the Little Colorado River, near Leupp, Ariz.; to the Committee on Indian Affairs.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 11006) to permit joining the United States of America as a party defendant in an action in Federal and State courts in certain actions affecting title to real property; to the Committee on the Judiciary.

By Mr. RIORDAN: Joint resolution (H. J. Res. 293) to appoint a commission for the exchange of sites for lighthouse station at Tompkinsville, Staten Island, N. Y., between the Federal Government and the officials of the city of New York; to the Committee on Public Buildings and Grounds.

By Mr. ROGERS: Memorial of the Legislature of the Commonwealth of Massachusetts, favoring an amendment to the Constitution of the United States giving Congress power to regulate the hours of labor of women and minors; to the Committee on the Judiciary.

By the SPEAKER (by request): Memorial of the Legislature of the Commonwealth of Massachusetts, favoring an amendment to the Constitution of the United States giving Congress power to regulate the hours of labor of women and minors; to the Committee on the Judiciary.

By Mr. TINKHAM: Memorial of the Legislature of the Commonwealth of Massachusetts, favoring legislation as will provide for proper and effective Federal regulation of the importation of narcotic drugs; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHANDLER of Oklahoma: A bill (H. R. 11007) granting a pension to B. C. England; to the Committee on Invalid Pensions.

By Mr. FISH: A bill (H. R. 11008) granting an increase of Pension to John H. Berard; to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 11009) granting a pension to Sarah M. Love; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 11010) granting a pension to Helen J. Cook; to the Committee on Invalid Pensions.

By Mr. KIESS: A bill (H. R. 11011) granting a pension to George O. Pratt; to the Committee on Invalid Pensions.

By Mr. KISSEL: A bill (H. R. 11012) for the relief of the parents of Garnet Murphy; to the Committee on War Claims.

Also, a bill (H. R. 11013) for the relief of the parents of Emmett Murphy, deceased; to the Committee on War Claims.

Also, a bill (H. R. 11014) for the relief of the parents of Donard Murphy; to the Committee on War Claims.

By Mr. MORGAN: A bill (H. R. 11015) granting an increase of pension to Mahala J. Stoner; to the Committee on Invalid Pensions.

By Mr. PRINGEY: A bill (H. R. 11016) for the relief of Dawes Columbus; to the Committee on Claims.

By Mr. SANDERS of Texas: A bill (H. R. 11017) for the relief of Mrs. M. E. Hairgrove; to the Committee on War Claims.

By Mr. SNELL: A bill (H. R. 11018) granting an increase of pension to Mary A. Dean; to the Committee on Invalid Pensions.

By Mr. REED of West Virginia: A bill (H. R. 11019) granting a pension to Martha Highland; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4758. By the SPEAKER (by request): Petition of Salvador Silvestris and Carlos Feliciu, of Juncos, P. R., protesting against the continuance of Governor Reily in Porto Rico; to the Committee on Insular Affairs.

4759. Also (by request), petition of the Society of Native Borns of the United States of America, urging the enactment of the bonus bill with a sales tax to pay it; to the Committee on Ways and Means.

4760. Also (by request), petition of the National Disabled Soldiers' League, protesting against the injustice of the removal of Riley R. Briggs and requesting that an investigation be had of the activities of Thomas J. McAvoy, subdistrict manager of the Newark Veterans' Bureau office; to the Committee on Interstate and Foreign Commerce.

4761. By Mr. ANSORGE: Petition of a number of citizens of New York City, urging the ratification of the four-power treaty without reservations; to the Committee on Foreign Affairs.

4762. By Mr. BULWINKLE: Resolutions adopted by the Charlotte Central Labor Union, of Charlotte, N. C., praying for a Federal investigation in the cotton industry in the United States; to the Committee on Labor.

4763. Also, resolutions adopted by the Joint Textile Council of Charlotte, N. C., Edgar W. Smith, secretary; Charlotte Textile Workers, E. L. Chapman, secretary; and Concord Textile Workers, of Concord, N. C., T. R. Cozart, secretary, praying for a Federal investigation of the cotton industry in the United States; to the Committee on Labor.

4764. By Mr. CULLEN: Resolutions adopted by the memorial and executive committee of the Grand Army of the Republic of Kings County, Department of New York, urging the enactment of legislation providing a pension of $72 a month for the veterans and $50 a month for their widows, and favoring the monthly payment of Civil War pensions; to the Committee on Invalid Pensions.

4765. By Mr. DYER: Petition of the United Hellenic Societies, relative to the pending immigration bills; to the Committee on Immigration and Naturalization.

4766. By Mr. FROTHINGHAM: Resolution passed by the Legislature of Massachusetts, favoring an amendment to the Constitution of the United States giving Congress the power to regulate the hours of labor of women and minors; to the Committee on the Judiciary.

4767. By Mr. GALLIVAN: Petition of the Rev. Alexander Mann, of Trinity Church, and of Miss Alice P. Tapley, of Boston, Mass., recommending passage of the Lodge amendment proposing a delay of 25 years in the payment of our loan to Austria; to the Committee on Ways and Means.

4768. By Mr. KETCHAM: Petition of residents of Barry County, Mich., and Hastings, Mich., protesting against the Sunday observance bills; to the Committee on the District of Columbia.

4769. Also, petition of residents of Barry County, Mich., protesting against the Sunday observance bills; to the Committee on the District of Columbia.

4770. By Mr. KING: Petition signed by Edna C. Westlund and 12 other citizens of Kewanee, Ill., opposing the passage of blue-Sunday legislation; to the Committee on the Judiciary.

4771. By Mr. KISSEL: Resolution of Kings County Historical Society, of Brooklyn, N. Y., relative to appropriations for the Army and Navy; to the Committee on Appropriations.

4772. Also, petition of the Pattern Makers' Association of New York City, N. Y., urging the passage of House bill 10646; to the Committee on Interstate and Foreign Commerce.

4773. Also, petition of Charles E. Phillips, Esq., of Washington, D. C., urging the enactment of the Bursum bill (S. 1565); to the Committee on Military Affairs.

4774. By Mr. MACGREGOR: Resolution adopted by the American Legion, Department of New York, earnestly recommending the passage of the American Legion fivefold optional plan of adjusted compensation; to the Committee on Ways and Means.

4775. Also, resolutions adopted by Elma Grange, No. 1179, of Elma, N. Y., opposed to the settlement of mine or railroad disputes between capital and labor by means of strikes, but urges that such settlement be made between capital and labor as may prevent a strike; to the Committee on the Judiciary.

4776. Also, resolutions adopted by the American Legion, Department of New York, demanding that the needs of wounded men be immediately met and proper hospitalization provided by the Government, and that the Langley bill for hospitalization be immediately reported to Congress; to the Committee on Public Buildings and Grounds.

4777. By Mr. MAPES: Petition from citizens of Coopersville and Conklin, Mich., and vicinity, protesting against the passage of House bill 9753, a bill to secure Sunday as a day of rest in the District of Columbia, and against the passage of any other Sunday bill; to the Committee on the District of Columbia.

4778. By Mr. OLPP: Petition of 230 employees of Keuffel & Esser Co., of Hoboken, N. J., favoring the adoption of the American valuation plan; to the Committee on Ways and Means.

4779. By Mr. RIDDICK: Petition of farmers of Sand Springs, Union, McCone County, Fergus County, and Eagleton, all in the State of Montana, urging the revival of the United States Grain Corporation; to the Committee on Agriculture.

4780. Also, petition of farmers of Enid, Mont., urging revival of United States Grain Corporation; to the Committee on Agriculture.

4781. Also, petition of farmers of Phillips County, Mont., indorsing House bill 9952; to the Committee on Agriculture.

4782. Also, petition of citizens of Laurel, Mont., indorsing the Towner-Sterling bill; to the Committee on Education.

4783. Also, petition of citizens of Savage, Mont., indorsing Towner-Sterling bill; to the Committee on Education.

4784. Also, petition of citizens of Fort Benton, Mont., urging passage of Towner-Sterling bill; to the Committee on Education.

4785. Also, petition of several citizens of Great Falls, Mont., urging passage of the Towner-Sterling bill; to the Committee on Education.

4786. Also, petition of citizens of Box Elder, Mont., urging passage of Towner-Sterling bill; to the Committee on Education.

4787. Also, petition of farmers of Valley County, Mont., indorsing Senate bill 3077, amending the farm loan act; to the Committee on Banking and Currency.

4788. By Mr. ROGERS: Petition of Arthur Benube and others, of Lowell, Mass., opposing the passage of House bill 9753 and any Sunday bills; to the Committee on the District of Columbia.

4789. By Mr. STEENERSON: Petition of John Dobemeyer and others, of the village of Mahnomen and vicinity, in the State of Minnesota, heartily indorsing the adjusted-compensation bill for ex-service men; to the Committee on Ways and Means.

4790. By Mr. TAYLOR of Tennessee: Petition of the United Mine Workers of America, District No. 19, per S. A. Keller, president, urging Congress for a speedy investigation of the conditions and for relief for the miners, their wives and little children, in this district, that they may not be evicted from their homes; to the Committee on Labor.

4791. By Mr. TIMBERLAKE: Petition of B. H. Fulton and others, of Stratton and other places in Colorado, opposing the passage of House bill 9753 and other Sunday bills; to the Committee on the District of Columbia.

4792. By Mr. TINKHAM: Petition of the Associated Industries of Massachusetts, favoring the Great Lakes-St. Lawrence waterways project; to the Committee on Interstate and Foreign Commerce.

4793. By Mr. TOWNER: Petition of Dr. George M. Bennett and 1,067 other citizens of the city of New York, asking for the passage of the Towner-Sterling educational bill; to the Committee on Education.

4794. By Mr. VOLSTEAD: Petition of 438 citizens of the seventh congressional district of Minnesota, urging the revival of the United States Grain Corporation and a guaranteed price on farm products; to the Committee on Agriculture.